

Trends of
ONLINE VIOLENCE against
Women in Politics During the
COVID19 pandemic in Kenya



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Executive Summary

This policy brief is a follow up to our documentation (*March 2020 policy brief, Creating Safe Online Spaces for Women*) on cases of cyber harassment against women.

In Kenya, online platforms have continued to provide options of perpetrating Violence Against Women in politics. This has discouraged women's political participation and thus infringed on their political rights and processes. As such, policy outcomes are affected from the underrepresentation of women decision makers. With political tensions colliding with the covid 19 pandemic, a rise in cyberbullying among women politicians has been noted.

Accordingly, KICTANet resolved to dedicate a special policy brief on women in politics. Specifically, the brief looks at how the online environment affects women's political participation and highlights some of the policy provisions to deal with the issues.

The brief notes that the rise of online violence against women is as a result of increased usage of social media platforms during the stay-at-home period. Lockdown measures were introduced, limiting people's movements, who then sought social media platforms for social and political interactions. The difference in online violence that women in politics experience compared to men, comes from societal norms that perceive men as leaders and women as subjects. Women are expected to play the prescribed societal gender roles such as taking care of their families. Violence against women, is couched in sexual morality where they are publicly judged on how they present themselves or appear online.

However, women have also used the internet for innovative political engagements. Some have come up with long term hashtags and while others have online sessions where they engage with the electorate from time to time. These success stories are some of the developments that should motivate new women politicians to stay put in their online participation.

This brief calls for more capacity building initiatives in digital security for women politicians considering that not much ground has been covered in training politicians on digital safety. It further recommends that public institutions work jointly to ensure the implementation of 2/3rds gender rule as provided for in the constitution.

Creating Safe Spaces for women, Policy Brief: <https://www.kictanet.or.ke/mdocs-posts/creating-safe-online-spaces-for-women/>

State of Kenya's Politics

Kenya is currently dominated by two major parties: Jubilee (the Ruling Party) and the Orange Democratic movement (supposedly the official opposition party) but the two came together in a truce deal. This has left the country with no opposition to oversight the executive. Further, the ruling party is now seen to exert its powers to the judiciary and parliament, thereby reducing the independence of these two institutions. This describes the space in which women politicians have to work. They are forced to play to the tune, and when they experience unfair treatment, they can hardly turn to public institutions for help. They are on their own.

A History of Violence against women in the Kenyan political space

The current regime has shown very little concern for the need for Kenya to have women and youth in leadership positions. Twice, parliament has failed to pass the 2/3rds gender rule as provided for by the 2010 constitution. The public has expressed concerns about the lack of considerations for the youth and women in executive appointments.

Inclusion of women in politics plays an important role in promoting women's entry into the political space. Fortunately, Kenya still benefits from the affirmative action policies made in the previous political eras such as the nomination positions reserved for women, youth, and people with disability, and elective parliamentary representative seats in every constituency reserved for women candidates.

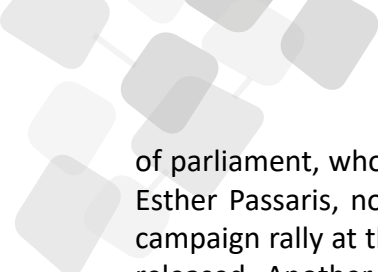
Women who have run for electoral positions in Kenya have faced violence or harassment both online and offline. For example, during the country's 2017 general election, women who ran for different positions faced harassment, intimidation, and abuse both physical and online.

Examples of violence or harassment against women in politics include Millie Odhiambo, a Member

Handshake that Shook the Whole Country, <https://www.standardmedia.co.ke/article/2001363600/a-handshake-that-shook-the-whole-country>

Political Participation for Kenya's Women Still a Far cry from its Constitutional Provisions, <https://womendeliver.org/2018/political-participation-kenyas-women-still-far-cry-constitutional-provision/>

Millie' Odhiambo's House Burnt a day After Winning ODM Primaries, <https://www.standardmedia.co.ke/article/2001237791/mbita-mp-s-house-burnt-day-after-winning-odm-primaries>



of parliament, whose house was burnt down during the 2017 general election campaign rallies. Esther Passaris, now the Nairobi woman county representative was held hostage while on a campaign rally at the University of Nairobi by students demanding she pay a ransom so as to be released. Another member of parliament aspirant Eunice Wambui during the same elections was attacked while on a voter registration run in Nairobi.

Cases of violence against women in politics are unfortunately nothing new. They are used as tactics to intimidate women from vying and occupying political leadership positions. Gender based violence exists due to the historically manifested social and cultural structures that are inherently rooted in unequal power systems that translate to gender based discrimination. Many a times these systemic gender based discrimination surfaces as violence or harassment on the internet and other social media platforms.

Covid-19 is a pandemic that has brought an unprecedented impact on the world. Its complex infectious nature through close human contact has led many governments to enforce containment measures such as lockdown of certain cities and counties, social distancing, stay at home policies, just to mention a few. Kenya has been enforcing such measures since it reported its first case on March 12, 2020.

The quarantine measures and self-isolation policies have increased internet usage. Men and Women turned to the internet for work, school, and social activities. Social distancing directives have led to an increase in the online community intensifying interactions more than prior to the pandemic.

This shift has in turn influenced the usage of the Internet during the COVID-19 season, where the internet has been turned into a key service for many citizens in the country.

One of the main telecom service provider, Safaricom, has noted a 70% surge in data usage during the COVID19 lockdown. Regular traffic at the Kenya Internet Exchange Point has also risen by 16 Gbps from the period the lockdown measures were introduced.

This is also reflected in the increase of social media and video conferencing platforms as tools for citizen interaction for their daily economic, social and political activities.

The Rise of Online Gender-based violence during COVID19

The world over women are twice more likely as men to fall victim to online harassment. In 2017, Amnesty International polled 4,000 women in eight democratic, high-income countries, including the United States. It was found that around 76 percent of those women had experienced some form of abuse on social media platforms.

Female Candidates Face Violence and Abuse Ahead of Kenya's Elections, <https://www.newsdeeply.com/womenandgirls/articles/2017/07/17/female-candidates-face-violence-and-abuse-ahead-of-kenyan-election>

Female Candidates Face Violence and Abuse Ahead of Kenya's Elections, <https://www.newsdeeply.com/womenandgirls/articles/2017/07/17/female-candidates-face-violence-and-abuse-ahead-of-kenyan-election>

First Case of Coronavirus Disease Confirmed in Kenya: <https://www.health.go.ke/first-case-of-coronavirus-disease-confirmed-in-kenya/>

COVID19 pushes up Internet use to 70%

<https://www.forbes.com/sites/markbeech/2020/03/25/covid-19-pushes-up-internet-use-70-streaming-more-than-12-first-figures-reveal/#62c4d6443104>

Kenya's Safaricom sees 70% jump in data usage during COVID-19 lockdown Kenya's Safaricom sees 70% jump in data usage during COVID-19 lockdown

The COVID 19 crisis has also sparked and exacerbated the structural violence and inequalities for the most vulnerable in the society including women, youth, and children, and Persons Living with disabilities (PWD).

During this COVID19 period, violence against women has manifested itself in different forms, including domestic violence and online and technology facilitated violence. The forms are manifested in physical threats, sexual harassment, stalking, zoom bombing and sex trolling.

For politicians, online platforms have become the most effective tools for consistent interaction with their constituents, considering physical political gatherings have been banned. Many of them have taken to using social media platforms to connect more with citizens including for service delivery.

Cases Studies of Online Violence against Women in Politics during the Covid19 Pandemic

This section presents 3 case studies that depict how women politicians withstood online attacks in the period between April to June 2020. This is the period where Covid19 related policies were introduced and movements were limited. These cases have been selected based on the styles of online engagement and target audience. For example, Susan Kihika during this period used social media to appeal for public support. Millicent Omanga's style of engagement has been unique both in language use and platforms for engagement. She also uses the Internet for entertainment. Martha Karua is also unique to this study given her early entry into the social media spaces. Gauging from the responses on her platforms (Issue based engagements and history context of the responses dating back to 2000s), her audience is an older generation compared to Millicent's.

1. Susan Kihika

Age: 47 years

Website: susankihika.co.ke

Popular Platforms: Twitter, Facebook, LinkedIn, Instagram

Joined Twitter: June 2013

Number of Followers: 156.2K

Number of Facebook Followers: 226,173

LinkedIn Connections: 500+

Instagram Followers: 16.8k

Susan Kihika, 47, is among the first elected female senators in Kenyan Politics. Susan is a Gender Equality and a social justice advocate who works with women in communities to promote education and home access to essential services such as food and water. Her late father, Kihika Kimani, was a renowned politician who served as a member of parliament in the Moi Era. He was the first politician to be elected in three different constituencies namely Laikipia, Nandi, and Naivasha.

TESPOK's Kenya Internet Exchange Point (KIXP) Data Traffic Scenario During The Coronavirus (COVID-19) Pandemic <https://www.linkedin.com/pulse/tespoks-kenya-internet-exchange-point-kixp-data-traffic-kemibaro/>

Online abuse of women thrives as Twitter fails to respect women's rights

Leaving no one behind <https://www.un.org/development/desa/disabilities/news/dspd/covid-19-disability.html>

Issue Brief: COVID 19 AND Ending Violence Against Women <https://www.unwomen.org/en/digital-library/publications/2020/04/issue-brief-covid-19-and-ending-violence-against-women-and-girls>

Taking after her father, she comes out as a resilient, combative, and resolute among his 41 children. People who knew her father then convinced her to join politics. She was the best fit to continue her father's legacy. Susan made a name for herself, rising up steadily in Kenyan politics and graced the title 'The Iron Lady in Nakuru politics' by Newspapers.

Her first attempt at politics was in the 2013 General Election where she contested the Bahati Constituency parliamentary seat but lost to the incumbent. She then went on to beat a field of seven contestants, to emerge as the first Assembly Speaker of Nakuru County.

One of the major successes in Susan's political career came when she was elected Senator in Nakuru County in 2017. This doubled up with her winning another house election as Senate majority whip. However, the ruling party has experienced upheavals and her role in controversial party politics made her more prominent with her support being aligned with the Deputy President who is now deemed to be in opposition with the President.. As a result, Susan was de-whipped from her position at the senate following party disciplinary actions.

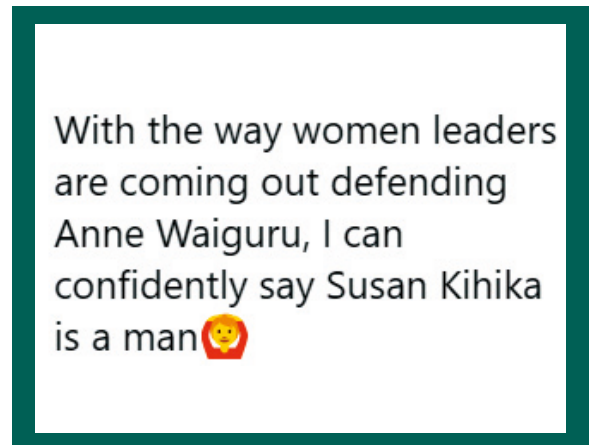
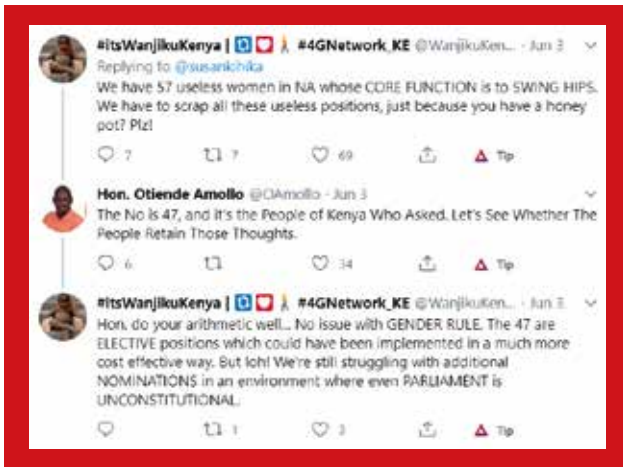
Where is the Civil Society?

Susan took to social media to appeal for public support. She questioned the role of the civil society which in her opinion was silent on the political intrigues in the country.. For the first time, Susan's social media posts sparked a lot of reactions from Kenyans and the Media. Her posts started going viral and Kenyans reacted to her outcry to civil society and her slams at the Cabinet Secretary (CS) for Gender for standing up for women when it was politically convenient.

Kenyans were quick to remind Susan that the civil society she wanted support from is the same she vilified during the 2013 General election. This was at a time when civil society organizations opposed the president and his deputy from running for office as both had been accused of crimes against humanity at the International Criminal Court (ICC). Since then, laws have been put in place to tame civil society organizations for instance in controlling their funding, deregistration and creating more hurdles in registration processes.

Party Changes Jolt the Steady Rise of Nakuru Iron Lady, <https://www.standardmedia.co.ke/article/2001370959/party-changes-jolt-the-steady-rise-of-nakuru-iron-lady>
Party Changes Jolt of the Steady Rise of Nakuru Iron Lady, <https://www.standardmedia.co.ke/article/2001370959/party-changes-jolt-the-steady-rise-of-nakuru-iron-lady>
Gender CS Attracts Backlash After Defending Waiguru, <https://www.kenyans.co.ke/news/54137-gender-cs-attracts-backlash-after-defending-waiguru>
Kenya's Clampdown on Civil Society is Against its Self-Interest, <https://theconversation.com/kenyas-clampdown-on-civil-society-is-against-its-self-interest-62019>

Then replace this: The reactions on social media took the angle that most take when it comes to female politicians. Kenyans on Twitter demanded that Susan Kihika shares her nude pictures to prove that she is not a man. She was also bullied for having chosen politics over monogamy following her divorce in 2018.



Little-Known Details of Susan Kihika's Billionaire Ex-husband
<https://www.kenyans.co.ke/news/53186-little-known-details-susan-kihikas-billionaire-ex-husband>

The Senator has not only faced backlash for her strong political views, but the extent of her harassment has also gone as far as creation of fake and parody accounts impersonating her slandering her fellow women in politics.



2. Millicent Omanga

Age: 38 years old

Popular Platforms: Twitter, Facebook, Instagram.

Joined Twitter: December 2012

Number of Twitter Followers: 61.3k

Number of Facebook Followers: 691,307

Number of Instagram Followers: 60.8k

Number of TikTok Followers: 587

Millicent Omanga is a first-term nominated senator who started her political career as a student leader. She graduated from the University of Nairobi with a master's degree in commerce. Millicent made her debut in the Kenyan General election of 2013. She vied for the Nairobi Senate

Globalintel.com

#MamaMradi Campaign

https://twitter.com/search?q=%23mamaMradi&src=typed_query

Millicent Omanga TikTok

https://www.tiktok.com/@millicent_omanga

Millicent Omanga among five axed from Jubilee for Snubbing State House Meeting <https://citizentv.co.ke/news/millicent-omanga-among-five-to-be-axed-from-jubilee-for-snubbing-state-house-meeting-332617/>

Twitter thread on Millicent Omanga's threat of party expulsion

<https://twitter.com/citizentkenya/status/1260588598501560320>

Seat and came close to winning, slightly losing to the present Nairobi city governor Mike Sonko.

Millicent can be described as a populist politician who appeals to the young generations, millennials and generation Z. She has branded her identity as “msupa na works” (beauty and works). On twitter, Millicent has also started a hashtag, #Mama na Miradi” campaign where she identifies herself as a development oriented woman leader. She is very active on social media, extending her presence to platforms that are typically not common with Kenyan politicians, and the only female politician with a TikTok account.



During her time serving as a nominated Senator, has been not without challenges, including during this COVID 19 Season. She was threatened with expulsion by her political party Jubilee, which is the ruling party. Four other senators were also targeted for a disciplinary action, due to their non-attendance of the Jubilee Parliamentary Group meeting chaired by the President Uhuru Kenyatta at State House Nairobi. The news of her imminent expulsion excited Kenyans on twitter #KOT who affirmed the Party’s decision and associated her incompetence to being a young female politician. To survive the expulsion, Millicent affirmed her loyalty to the party and to the Party Leader. She was seen to have betrayed the Deputy President.

Women in politics expressing other interests? Not on the internet!

Omanga's body seems to be a topic among men on the internet. There have been claims that her body figure was the only consideration for her nomination to the Senate. And in reaction to Millicent sudden shift of her political alignment, a popular blogger Robert Alai, known for trolling women on twitter or on his blogs claimed that Slay Queens are not even lasting in politics, and that Millicent had disowned Deputy President William Ruto faster than someone 'drops a panty. Beware who you nominate or give political favors. You need seasoned fighters and not these to slay queens and kings'.



Having a personal life as a woman leader in Kenya seems to be a myth as there are expectations of always being of service to the nation at all times! Millicent believes in having a work-life balance. Accordingly, she enjoys watching football and is a fan of world Cup: I love football and have been going to the World Cup since 2002 — when I was 20 years — when it was in Japan. She also enjoys making short videos for fun and has a TikTok account that she used for the #dontrushchallenge. This is a

popular video series on the interactive social platform TikTok which highlights women's grooming skills. Millicent participated with a towel in her bathroom. The internet exploded with comments!

Her participation in this #dontrushchallenge attracted mixed reactions. Some were happy that senator Omanga is human and finding interesting ways to keep sane during the Covid-19

Millicent Omanga Dumps Ruto After Uhuru Threatened to Fire her as Nominated Senator, <https://kenyan-post.com/2020/05/14/millicent-omanga-dumps-ruto-after-uhuru-threatened-to-fire-her-as-nominated-senator-ruto-should-never-have-trusted-this-loudmouthed-woman/>

Standardmedia.co.ke

Kenyans react to Millicent Omanga's don't rush challenge <http://ikovipi.com/2020/04/08/hii-ndio-working-from-home-ya-politicians-kenyans-react-to-senator-millicent-omangas-dont-rush-challenge-tik-tok-video/>

pandemic, while others insulted her, calling her a whore and useless for doing what “only teenagers” should be doing.



According to Article 33 of the constitution of Kenya, guaranteed by Article 19 of the Universal Declaration of Human Rights, everybody has a right to freedom of expression. However this freedom has limitations and restrictions to speech or other forms of expression designed to incitement to violence, hate speech and advocacy to cause harm or is based on any ground of discrimination. Freedom of expression has often been justified to intimidate women from participating and engaging in civic and public discourse on social platforms for fear of misogynistic and sexualised comments.

3. Martha Karua

Martha Karua started her career as a magistrate, and a human rights advocate and activist. She first came into the political sphere in 1991 through a case where she represented Koigi Wamwere, a Kenyan politician, human rights activist, journalist and writer at the time after he was arrested and charged for treason. This was at a time when agitation and push for multiparty democracy had reached its peak in Kenya. Martha is known to be resilient, a politician who strongly holds her views and does not shy away from standing her ground even when her stand is unpopular.

Universal Declaration of Human Rights

<https://www.humanrights.com/course/lesson/articles-19-25/read-article-19.html>

Article 33 Freedom of Expression

<http://www.klrc.go.ke/index.php/constitution-of-kenya>

Martha Karua Experience, <https://info.mzalendo.com/person/martha-karua/experience/>

Koigi Wamwere profile

https://en.wikipedia.org/wiki/Koigi_wa_Wamwere

Martha Karua's Profile, <https://www.standardmedia.co.ke/article/2000075038/martha-karua-profile>

Martha was elected a member of parliament, in 1992, representing Kirinyaga constituency. She was then re-elected in the subsequent elections and served as a Member of Parliament for 20 years, when she decided to run for the presidency in 2013.

Martha played center stage roles in multiple epochs in Kenyan politics including being minister of justice at a time when Kenya was developing its new constitution. She was a key player in the National Rainbow Coalition (NARC) party during Kenya's historic 2007 elections that ended up with violence where 1400 Kenyans lost their lives and 600,000 displaced.

For Kenyans online, Martha's character as a politician builds up from the 2007 election events. This is the period Kenyans dubbed her the "Iron lady". Some, including the media, referred to her as "the only man" in Kibaki's Government. After the 2017 general election, Kenya was tense and polarised. Many Kenyans stayed home fearing that electoral violence might erupt. Many city dwellers fled back to their rural homes for safety. At that time Kenyans were only connected through national TV stations.

Known as someone who stood her ground, Martha was one of the key spokespersons for President Kibaki, then the PNU's presidential candidate who claimed victory in the disputed election. She accused the opposition, the Orange Democratic Movement (ODM) of planning violence. To end the violence, PNU and ODM agreed on a power-sharing deal and a position for prime minister was created. Martha was part of the Koffi Anan-led mediation team that negotiated an end to the 2007-2008 post-election violence.

An Internet Pioneer

Martha can be described as a bold and innovative politician who has been the first in multiple events in Kenya's history. In the 2013 General election, Martha was the only female presidential candidate. She is also among the first Kenyan politicians to embrace social media and make

Aljazeera profile on Martha Karua

<https://www.aljazeera.com/indepth/features/2013/02/2013222164629316425.html>

Karua, the only 'Man' in Kibaki's Inner Circle Takes on Ann Kiguta, <https://www.k24tv.co.ke/news/karua-the-only-man-in-kibakis-inner-circle-takes-on-kiguta-6149/>

Kenya's Leaders Agree on a Power Sharing Deal, <https://www.theguardian.com/world/2008/feb/28/kenya>

Karua Holds First Twitter Press Conference in Kenya, <https://www.standardmedia.co.ke/business/article/2000058346/karua-holds-first-twitter-press-conference-in-kenya>

extensive use of it for campaigning. In her 2012 party candidate manifesto, she pledged to increase home internet access from 12% (which was the percentage then) to 50% within five years.

In the same year 2012, Martha launched #AskMarthaThur hashtag where she would field questions from Kenyans. Her twitter chat was designed to last for 2 hours, but she was often forced to extend the sessions to later dates. Sometimes she would take her leave but people would be left discussing politics on her platform.

Kenyans expressed admiration for the new and innovative kind of political engagement.

One would say:

“You are ahead of the pack. Now see, another first one from you!”

And another one remarked:

“We are starved of real leadership. Most leaders ask for our opinion but they do not give us what we want! Thanks for the platform.”

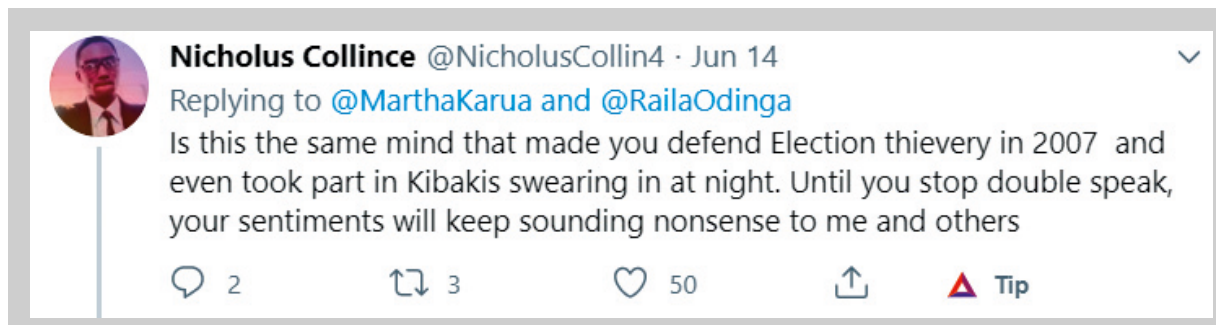
The trolling

Martha’s key role in the county’s politics has attracted a number of threats to her life and career. At some point in the run-up to the 2013 elections, Martha published on her website that she had to sit down her daughters for a talk. A talk to prepare them on the possibility of a day where she would leave for work and never come back. This was confirmed by wikileaks document released in June 2020, which also confirmed that at one point Martha was among those targeted for political assassination.

In her online engagements, Martha consistently proves her commitment to engage digital citizens on policies and political ideologies. But her most engaged tweets, the responses still remind her of her role in the 2007 disputed elections where she was serving as the Minister of Justice.

Martha is still among the most active politicians online. She continues to engage in policy and accountability for political parties and public institutions. But when it comes to trolling, Martha

is the only one in Kibaki's campaign team who continues to face the kind of trolling that goes back to the 2007 elections. Here is one recent expression:



Martha owns her online space and continues airing her opinion regardless of whether her views are popular. She commits to engaging her trolls and only stops where she is limited in time or where she senses negative intentions. And when the conversation gets nasty, she uses the block button.

Female politicians have referred to her as the shoulder of a giant who they have stood on in their political careers. Millie Odhiambo, a prominent female politician, considers Martha's advice as the best she has received in her political career. Martha continues mentoring new politicians into the space and openly defends them whenever they face online and offline trolls.

Despite her vast experience with in depth knowledge of navigating the internet space as a woman in politics, Martha Karua is still subject to online attacks and harassment. More recently she has been a target of many trolls for her overall sentiments of the political leadership in the country. She has shared personal experiences including how she lost the Gubernatorial position in the 2017 Kenya's general election.

Martha as a former magistrate is very vocal about injustices in Kenya. On her twitter she spoke

Profile: Martha Karua,
Explosive Wikileaks Letter Links Lucy Kibaki, Maj Gen Hussein Ali to plot to Kill Martha Karua, Gitabu Imanyara Among Others, <https://www.thebrief.co.ke/news/explosive-wikileaks-letter-links-lucy-kibaki-maj-gen-hussein-ali-to-plot-to-kill-martha-karua-gitabu-imanyara-among-others/women@web> Reporting: Stakeholder Engagement Forum, <https://siasaplace.com/wp-content/uploads/2020/04/WomenAtWeb-Activity-Report-Stakeholders-Engagement-Forum-SP-FA1.pdf>

about seeking justice for Felix Orinda a popular DJ in Nairobi who goes by his stage name DJ Evolve who at the beginning of the year was in a shooting incident involving a Nairobi Member of Parliament Babu Owino at a local bar in Nairobi.

Martha took to her twitter account to urge Kenyans to sign a petition calling for the arrest of the Member of Parliament accused of shooting DJ Evolve who is now paralysed and unable to speak. Instead, Kenyans on twitter accused her of hypocrisy and of contributing to crimes against humanity as a result of the post-election violence period of 2007 in Kenya. These accusations have continued over the years despite lack of evidence.



Millie Odhiambo- Best career advice I ever received was from Martha Karua: <https://www.standardmedia.co.ke/ureport/article/2001361754/millie-odhiambo-best-career-advice-i-ever-received-was-from-martha-karua>

Martha Karua Trolled over Mockery post <https://www.operanewsapp.com/ke/en/politics/martha-karua-trolled-over-mockery-post>
DJ Evolve speaks for the first time after shooting incident

<https://citizentv.co.ke/news/dj-evolve-speaks-for-the-first-time-since-the-shooting-incident-at-b-club-337217/>

Martha shares DJ Evolve Justice petition against MP

<https://twitter.com/MarthaKarua/status/1278018336677343233>

Kenya's policies on digital rights, women's political participation and representation, are provided for through several instruments. These include: the constitution, International laws and treaties, and acts of parliament. This section highlights some of the key provisions.

1. Kenyan Constitution

The Kenya 2010 constitution has a progressive bill of rights. It has a provision for gender equality among other rights. The strength of this constitution has been boosted by a strong judiciary that has kept its role in upholding these provisions. Critical rights guaranteed by the constitution include the right to privacy, right to human dignity, freedom of expression, freedom of assembly, and the right to access information. The constitution is the highest law of the land, any other laws that contravene its provisions are considered null and void.

The 2010 constitution established a women's representative seat at the national assembly with the intention to increase women's participation in the legislature. It further articulates critical provisions regarding equality based on gender, disability, and ethnic background. Specifically, the constitution provides that no elective body shall contain more than 2/3rds of its members from the same gender. This means that all the policy-making bodies, the senate, national assembly, and county assemblies, are subjected to this provision. If elective bodies fail to have 33% gender representation, the constitution provides a procedure for nomination of the minority gender to fill up the gender requirement gap in county assemblies. This is not the same for parliament, but it obligates the senate and the National assembly to come up with an Act that ensures representation in both houses. The constitution further provides for the nomination/appointment seats that are appointed through a zebra fashion in terms of gender. This means **that party nomination lists consist of candidates that alternate between male and female.**

2. Ratified laws

Kenya's constitution stipulates that international treaties ratified by Kenya automatically form part of domestic laws. Kenya has signed a number of instruments that provide for

equal political participation and representation on the basis of gender and disabilities. The Universal Declaration of Human Rights(UDHR), one of the cornerstones for human rights provides for a number of human rights that include: the right to privacy, expression, assembly, and civic rights. It also stipulates equal enjoyment of political rights such as the right to vote and to participate in elections. Kenya has also signed the International Covenant on Civic and Political Rights(ICCPR) and the UN Convention of all forms of violations against Women (CEDAW).

Closer home, Kenya is a party to the Africa Charter on Human and Political Rights, and the Africa Union (AU) Convention on Cybercrimes and Electronic transactions. The AU Convention obligates states to establish national laws that promote cybersecurity.

3. The Political Parties Act

The Political Parties Act(2011) was established to provide processes in the affairs of party governing bodies. Adhering to 2/3rds gender rule and respect for human rights are among party conducts, for political parties, that make up the Act. Failure to which threatens the parties share in the political parties fund.

4. The Computer Misuse and Cybercrimes Act

The Kenya Computer Misuse and Cybercrimes Act is an active law that includes provisions to criminalize abuse on social media and cyberbullying. Section 27 of the Act states that a person who wilfully communicates with another person directly or indirectly, commits an offence if they ought to know that their conduct is likely to cause that person fear of violence or loss on that person's property, detrimentally affects that person or are indecent or grossly offensive in nature, that person commits an offense and is considered cyber harassment.. However, one study found that there were inadequate reporting mechanisms on social media, law enforcement officials were not adequately equipped, or not fully conversant with cybercrimes; and bureaucracy in the law enforcement setting discouraged victims from reporting abuse.

5. Data Protection Act

The Data Protection Act is a human rights centered policy that empowers citizens to manage their personal data in the hands of third parties. The Act elaborates article 31 of the constitution that guarantees the right to privacy. This act can be used to charge some of the cyberbullying tactics such as sharing of private conversations, private photos, and the collection of personal information without consent. The Data Protection Act was passed in 2019. However, the government is yet to establish the office of the data protection commissioner for its full administration.

Journey to Gender Parity in Kenya: <https://www.ngeckeny.org/Downloads/Journey-to-Gender-Parity-in-Political-Representation.pdf>
Constitution of Kenya, Allocation of party list seats: <http://www.klrc.go.ke/index.php/constitution-of-kenya/171-chapter-seven-representation-of-the-people/part-2-independent-electoral-and-boundaries-commission-and-delimitation-of-electoral-units/257-90-allocation-of-party-list-seats>

Conclusion

From the existing policy landscape, it is evident that more needs to be done, beyond the policy provisions. Stakeholders need to think of other initiatives that focus on changing attitudes and on supporting the government in policy implementation.

More importantly, the government and other sector players need to look holistically at the causes of societal inequalities such as norms, education, and political participation. Such inequalities are lifted and multiplied online.

Recommendations

This brief makes several recommendations to different stakeholders:

Civil Society

1. The civil society should work with budding female politicians to provide mentorship through their early careers.
2. Digital security training by tech CSOs should extend their training to female politicians so that they can better protect themselves from online security incidents.
3. Civil society should form support platforms that allow for reporting and the calling out of online trolling whenever it happens.
4. Design appropriate context responsive training on how to stay safe online especially during pandemics such as Covid 19 where people's lives have moved online

Political Parties

1. Political parties should push for the realization of the 2/3rds gender provision.
2. Promote the creation of safer political environments that would be more inclusive for women's participation.

3. The Registrar of Political Parties should be deliberate in ensuring accountability from political parties on violence targeted towards women politicians both offline and online.

Tech Companies

1. Ensure the regulation of software and mobile application development to enable the ethical and legal protection of users as they provide data.
2. Develop products that promote positive and safe online spaces for all users.

Government

1. Government agencies and other public institutions should collaborate and promote gender parity in their governance structures.
2. Enforcement of the cyberbullying and privacy laws provided for in the Computer Misuse and Cyber Crimes Act. and the Data Protection act.
3. Train and equip law enforcement officers with skills to deal with online violence, in particular tech based violence on women.
4. Provide for a clear framework for the coordination of cybersecurity efforts,, share information, engage and be accountable to citizens and other stakeholders on Online Gender-based Violence.

ABOUT KICTANet:

The Kenya ICT Action Network (KICTANet) is a multi-stakeholder platform for people and institutions interested and involved in ICT policy and regulation. The Network is a thought leader and is dedicated to bringing evidence, expertise, and more voices into ICT policy decision-making. KICTANet promotes public interest and rights based approach in ICT policy making.

Our Pillars

POLICY ADVOCACY

We work to bring stakeholders together to discuss on the best policy alternatives and also monitor the progress of policy development processes.

CAPACITY BUILDING

To ensure continuity and diversity in the policy development, we bring in new voices in the different stakeholder backgrounds through training and events.

RESEARCH

Our policy advocacy and capacity building are supported by evidence based research through an established working group on both current and emerging issues.

STAKEHOLDER ENGAGEMENT

We facilitate ICT stakeholder engagement through collaborative initiatives in face-to-face Town Hall meetings, and in the KICTANet's interactive mailing list where multiple stakeholders engage regularly on ICT policy issues

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