



**A Communications & Media
Strategy for Decriminalisation
of Sex Work in Kenya**



KENYA SEX WORKERS ALLIANCE (KESWA)



**Communication & Media Strategy for
Decriminalisation of Sex Work in Kenya**



Highlights of this strategy

What our Decriminalisation Communications strategy aims to achieve:

1. Tell sex workers stories of resilience, hope, and diversity;
2. Engage with the public in respectful and meaningful dialogue around sex work;
3. Develop a long term campaign to support the decriminalisation process.

We do this so that we:

1. Improve levels of engagement, and,
2. Clarify priority actors to engage with;
3. Inform how we engage with stakeholders and ensure that engagement is effective;
4. Identify effective partnerships and collaborations;
5. Demonstrate how successful and impactful KESWA's work is, and,
6. Position KESWA as a fundable organisation.

All this so that we achieve our vision: *A Kenyan society that recognises sex work as work and promotes equal protection of human rights which are foundational of a democratic society.*

We will know we have succeeded if we have the following outcomes:

- KESWA has an expanded reach: KESWA has access to a wider base of partners and contacts to draw on with respect to funding organisations, individuals and organisations with appropriate technical skills, communities of practice to share knowledge with, active citizens and interested parties.
- KESWA's communication is focused for optimum impact: Those who will have the most impact are aware of KESWA's projects, understand the research findings and can advocate for the target groups.
- KESWA's engagement with stakeholders is effective, efficient and fit for purpose. This includes the non-usual suspects, especially the public.
- Corporate branding around KESWA's vision, mission, values is strengthened. By branding KESWA as a national network, we are able to gain trust and ensure recognition.
- KESWA's work is demonstrated to be successful and impactful.
- New and existing partners are informed of what KESWA does.
- KESWA is positioned as a fundable, trustworthy and easily identifiable organisation.

Contents

Highlights of this strategy	3
Introduction	6
Methodology	6
Situation Analysis	6
Who is KESWA?	9
Developing the Strategy	10
Objectives	10
Strategic Communications Framework	11
Audience Mapping	12
SWOT Analysis	16
Channels of Communications	16
Mainstream Media in Kenya	16
Overview of KESWA's Current Communication & Media Strategy	18
Case Study: GALCK's #Repeal 162	19
Suggested Decrim Strategy	20
Campaign Budget	23
Proposed Work-Plan	25
Monitoring and Evaluation	26
Conclusion	27
References	28

Introduction

1.1 Overview

The Kenyan Penal Code does not criminalise sex work. However, it criminalises third parties who live on the earnings of sex work. The Penal Code defines two types of offenses with respect to sex work namely “living on the earnings of prostitution” and “soliciting or importuning for immoral purposes.”

The Penal Code outlaws offenses such as:

- Detention of females for immoral purposes (section 151);
- Male person living on the earnings of prostitution or soliciting (section 153);
- Woman living on earnings of prostitution or aiding, abetting or compelling an individual to engaging sex work (section 154);
- Premises used for prostitution or residing in or frequenting or living in a house wholly or in part on the earnings of prostitution (section 155);

In Kenya, the Penal Code prohibits sex work, and earnings from undertaking sex work are consequently considered illegal. As such, sex workers are frequently regarded as easy targets for harassment and violence, and are considered immoral and deserving of punishment according to traditional cultures and the Kenyan Penal Code.

Sex work is criminalised not only through prohibition of selling sexual services but also through laws that prohibit the solicitation of sex, living off the earnings of sex work or the purchase and advertisement of sexual services. Sex workers are frequently penalised for non-criminal offenses as well such as loitering, drunken and disorderly.ⁱⁱ Decriminalisation means sex workers are more likely to feel safe reporting crimes, live without stigma, social exclusion and fear of violence.ⁱⁱⁱ

The decriminalisation process is a process whereby the Kenyan sex worker community aim for the fully liberty when it comes to sex work and services related to sex work. It is also the abolition of all laws and policies that criminalise sex work as work and hinder sex workers to do their work. KESWA^{iv} conducted a research to gather documentation and facts around violence that leads to sex workers rights being infringed and the impact it has when sex work is criminalised and later on agreed to proceed to court with evidence and documentation to challenge the laws and policies around sex work.

1.2 Methodology

This communications strategy is a result of consultations between KESWA member organisations and individual sex workers' rights activists and other stakeholders culminating

in a validation exercise aimed at synthesising the views into a workable communications framework. An important advantage of such a consultative exercise is that it allows active involvement by those who will be beneficiaries of this strategic plan.

They were involved in defining the needs, establishing the parameters for the process, identifying targets, creating messages and mapping the implementation and evaluation processes. They therefore own the plan. The consultation served to establish the general framework, objectives and implementation methods of the communications strategy cognisant that the different sex worker led groups represent different communities and identities, have needs that are unique to themselves, and as such, the strategy, while having a common broad objective should be specific to each group as recommended by the UNAIDS in the New Direction for Communications Framework for HIV and AIDS handbook, (UNAIDS/PENNSTATE Project 1999: 83).^v

The strategy is designed to assist achieving the objectives of the communication strategy of the decriminalisation process in Kenya, that is spearheaded by KESWA. It involves understanding what sex workers in Kenya want to achieve, and how to effectively communicate to the key stakeholders. It is therefore a tool to support the fulfillment of the goals and objectives of KESWA in general as well.

It is important to note that KESWA is the national network (umbrella) of all sex worker led organisations. It is currently made up of 75 member groups in 35 counties. These represent 90% female sex worker-led, 5% male sex work led, and 5% trans-sex worker led.^{*}

^{*}Data available as at May 1, 2020. Subject to change.

1.3 Situation Analysis

There are several laws specific to sex that are used for criminalisation of sex workers, their clients and even third parties such as brothel owners, pimps and others. Some of these legal provisions limiting sex work include the Kenya's 2010 Constitution^{vi}, Penal Code, County and Municipal by laws. However, most of these provisions especially by laws are used to oppress sex workers. This is also a violation of the rights of sex workers.

There is no law penalising the sale of sexual services in Kenya, but some aspects of sex work are criminalised, such as 'Living on the proceeds of sex work'.^{vii} There are some laws that relate to sex work which are archaic and use very vague language such as the Penal Code provisions which are open to wide interpretation and abuse, and their implementation negatively and disproportionately used against sex workers.

The Constitution of Kenya, and the Health Act all emphasise equality and the importance of delivering services without discrimination and guaranteeing human rights. Language such as *'Living on the proceeds of sex work'* is also problematic. Even though this law was intended to protect sex workers from being forced into sex work, as well as preventing individuals from running brothels, there are many cases and incidents where, when the police invade brothels, they do not arrest the brothel owners but rather the sex workers portraying criminalisation of poverty and class-ism as the brothel owners give them hefty bribes. This makes the sex workers live in constant fear of the police.

Criminalisation

The police use the Penal Code provisions to harass and arbitrarily arrest sex workers. The police also violate the rights of the sex workers with impunity. There is a lot of power abuse that is done by the police towards sex workers in the name of the Penal Code.^{viii} For instance, the police and county askaris use these laws to arrest sex workers, obstruct their work, harass them, or even beat them up. The by-laws in the counties are given effect and power by the state law. Once sex workers are arrested and are in police custody, the police confiscate their cell phones and money or steal any valuables that they find on the person. Sex workers are forced to pay a fee may be on a weekly basis to avoid being arrested. In some instances the police rape the sex workers, often without condoms, thereby exposing them to sexually transmitted infections, including HIV, and unwanted pregnancies.

Sex workers also face challenges with some of their clients who, after a sexual encounter, do not give them the full amount agreed. Some clients refuse to use condoms, and others actually beat and steal from sex workers. The clients do this because most of them believe sex workers are lesser beings but most importantly they know sex workers will have nowhere to complain and even if they complain, their complaints will not be taken seriously by the law enforcers.

Health

Government health facilities are not accessible and friendly to sex workers. Some government health facilities have made commendable improvements in handling issues of sex workers but most of them are those that are still stigmatising. Although the Constitution of Kenya and the Health Act, emphasise on equality and the importance of delivering services without discrimination and guaranteeing human rights, health workers violate sex workers' rights to equality, non-discrimination and health by not treating them in a confidential, respectful and non-judgmental manner, and sometimes actually denying health services. Health workers for instance will shout at a sex worker in the presence of all other patients, disclose

their health conditions to third parties without their consent, and publicly state that they would rather spend their energy, efforts and drugs on 'real people' and not sex workers.

Maternal health care for sex workers is a component that has been neglected for so long. Female sex workers have not been counted as mothers who need special attention during pregnancy and after delivery. For instance it is common for sex workers to go to work until they are almost due and immediately after they have given birth they go back in order to fend for their other children. The criminalisation of sex work has contributed greatly to this as sex workers do not have the ability to negotiate for a higher pay so they can save to use during this times and thus they have to leave their kids unattended at times and they may not even be able to form a mother and child bond. This makes sex workers lose their children to social service as they are accused of child neglect. Sex work in Kenya is heavily stigmatised and discriminated. As a result, sex workers operate and live discreetly, making them harder to reach with essential health services and information.

Antiretroviral therapy adherence is low among sex workers since, by the nature of their job, sex workers are very mobile but also often miss taking their antiretroviral treatment when they have been arrested and locked up by the police.

Law

The police, health workers and sex workers themselves are not aware of the laws and policies that protect the sex workers' rights since knowledge of human rights is generally low in Kenya and not much effort has been by the government put into increasing awareness on human rights in general and rights of sex workers in particular this role was left isolated for non-governmental organisations. The Constitution of Kenya provides for the right to fair labour practices including fair remuneration and reasonable working conditions. Article 11(c) of the CEDAW treaty further provides that women have a right to choose their profession and employment.

Article 11 (e) “provides for the right to social security particularly in cases of retirement, unemployment and sickness. In Kenya, no such rights exist for sex work. The sex industry is criminalised under various municipal and administrative laws that drive sex workers from legal redress and deprive them of safe working conditions. Sex workers are denied the protection advanced under the employment legislation that covers other sectors and other industries, and thus cannot access health benefits, parental and family leave, retirement plans or vacation pay, nor do they have recourse when discriminated against or unfairly dismissed from employment.”

Introduction

HIV^{ix}

Kenya's HIV epidemic affects most of its general population, but groups of men who have sex with men, women, sex workers and persons who inject drugs are still more vulnerable to infection.

Sex workers have the highest reported HIV prevalence of any group in Kenya. A 2011 data estimated 29.3% of female sex workers were living with HIV. Similarly, a 2015 study of female sex workers in Nairobi found that around one-third were living with HIV.

A 2015 study led by GNP+ found Kenyan sex workers face heightened risk of violence with little or no protection from law enforcement officers. For example, whilst all respondents who had experienced rape had accessed post-rape medical

care, none had reported the incidents to the police for fear of being prosecuted for engaging in sex work. For those sex workers living with HIV, frequent arrests and detention result in an interruption of HIV treatment.

Despite this, female sex workers are reportedly better at protecting themselves from HIV transmission compared to other groups who are vulnerable to HIV such as men who have sex with men. This may be due to the fact that 76% of sex workers are estimated to be able to access HIV services, higher than among other key population groups.

Condom use is high, estimated at just under 92%, with 330 condoms distributed to each sex worker enrolled in HIV prevention programmes in 2016. Antiretroviral treatment coverage is also high at 79.7% among those aware of their status.





Who is KESWA?

ABOUT

KESWA is the umbrella body of sex workers led groups and organisations and it exists to strengthen the voices of sex workers and to empower their health and human rights.

VISION

A Kenyan society that recognises sex work as work and promotes equal protection of human rights which are foundational of a democratic society.

MISSION

KESWA advocates for sex worker's rights as human rights, through awareness raising, capacity strengthening, organisational development and national advocacy.

VALUES



Transparency

We are open and honest, and we seek to understand each other's points of view and acknowledge disagreement. We keep our members up to date on the movements, activities and resources.



Equality

We act in a way that is open, fair, accessible and equitable. We respect the views and aspirations of our members and colleagues. We put people first.



Accountability

We take responsibility for our actions and omissions.



Reliability

We honor our commitment and deliver on what we promise. We utilise all movements of resources in a responsible manner.



Respect

We value the rights of sex workers to make informed choices about their lives. We demonstrate this by listening to our members and earn respect by being effective, professional and responsive to their needs.

OVERALL OBJECTIVES of KESWA

The overall objectives of KESWA are to:

1. Strengthen the nascent sex worker groups and coalitions at the local, national and regional level.
2. Strengthen relations with the mainstream human rights and women's movements, progressive faith-based organisations and HIV service providers in the region, and to encourage them to take up sex worker rights and needs.
3. Explore ways of protecting sex workers human right defenders (paying particular attention to keeping activists in the region and strengthening them as activists during times of exile).
4. Explore ways of remedying sex worker related violations, including public interest litigation as a strategy – when and how best to use it.
5. Put sex worker health issues on the agenda of groups working in the health field, particularly – but not exclusively – HIV.
6. Generate public discussion about sex workers issues and to engage with popular culture to challenge irrational hatred and fear of sex workers in order to promote a more progressive public discourse in the region on sexuality and sexual rights, particularly relating to the media, sports, theatre, poetry, film festivals, etc.
7. Develop the role of and support for intermediaries, and how they might best support the sex workers sector in Kenya.

The objective of this strategy is to achieve the sixth tenet, that is: *Generate public discussion about sex workers issues and to engage with popular culture to challenge irrational hatred and fear of sex workers in order to promote a more progressive public discourse in the region on sexuality and sexual rights, particularly relating to the media, sports, theatre, poetry, film festivals, etc.*

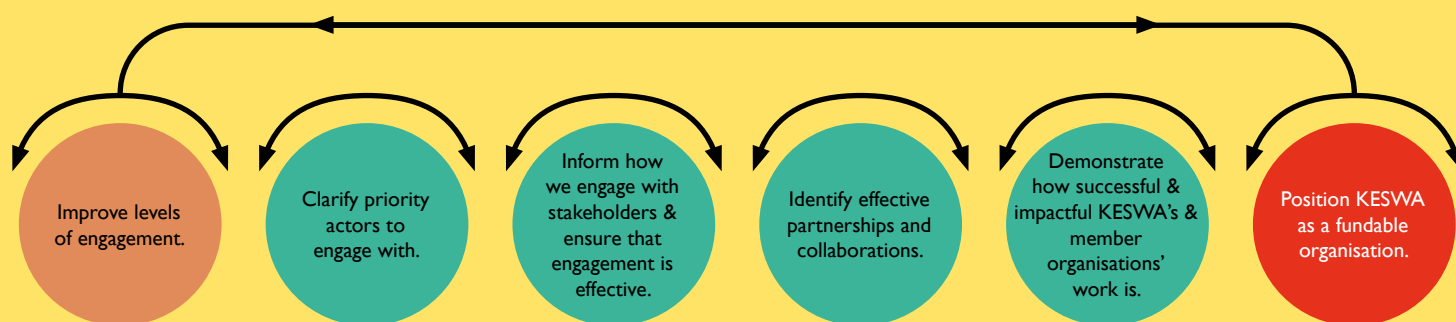
Communications and Media Strategy On Decriminalisation Of Sex Work In Kenya

2.1 Developing the Communication and Media Strategy

This communication strategy builds on previous communication strategies from KESWA and her member organisations focusing on priority areas, and combining these areas with the communication needs of the

decriminalisation process in Kenya. It takes a holistic view of KESWA's strategic objectives and activities and identifies overarching organisational communication and associated outcomes and example activities.

To achieve the purpose of this communication strategy on decriminalisation, we will need to:



This communication strategy takes a general approach rather than listing all communication tactics and activities that need to be undertaken. Despite suggesting certain parameters on which to evaluate the organisation's communication objectives, this plan is broad enough so as not to be restrictive.

When developed thoughtfully, a communications strategy can help you accomplish big, organizational wins, such as:

- Grow support to advance your mission
- Generate interest and support from funders
- Build bridges and relationships with members, community partners, other stakeholder
- Secure media coverage to positively shape perception

2.2 Objectives

The objectives of the communications strategy are, therefore:

1. To impart information about diverse lived realities of sex workers that are empowering, positive and life changing;
2. To sensitise stakeholders in government, civil society, donors and the public in order to eliminate sex-work phobia, and demystify other stereotypes around sex work;
3. To show sex workers have equal rights with everyone else in the country;
4. To lobby for an education environment that appreciates and respects sex workers;

5. To strengthen members' capacity to effectively advocate social acceptance of sex workers
6. To lobby for effective and friendly provision of health, security and other services to sex workers, their clients, families, and third parties;
7. To contribute to public debates on sex work and human rights issues by generating alternative voices;
8. To facilitate networking and sharing of information among members of different sexual orientation and gender identity as well as sexual expressions and diversities.

The implementation of this strategy will be overseen by the KESWA communication office with open possibility of an external (PR or Media) firm. We have included a 1 year costed plan based on some of the activities highlighted in this strategy. This list is not exhaustive but is a general pointer to what a 1 year communication plan could look like to complement the judicial process. However, KESWA member organisations will find it useful in meeting the unique communications needs of their own organisations and members. The strategy also aims to use communications as a strategic tool in advocacy work around decriminalisation.

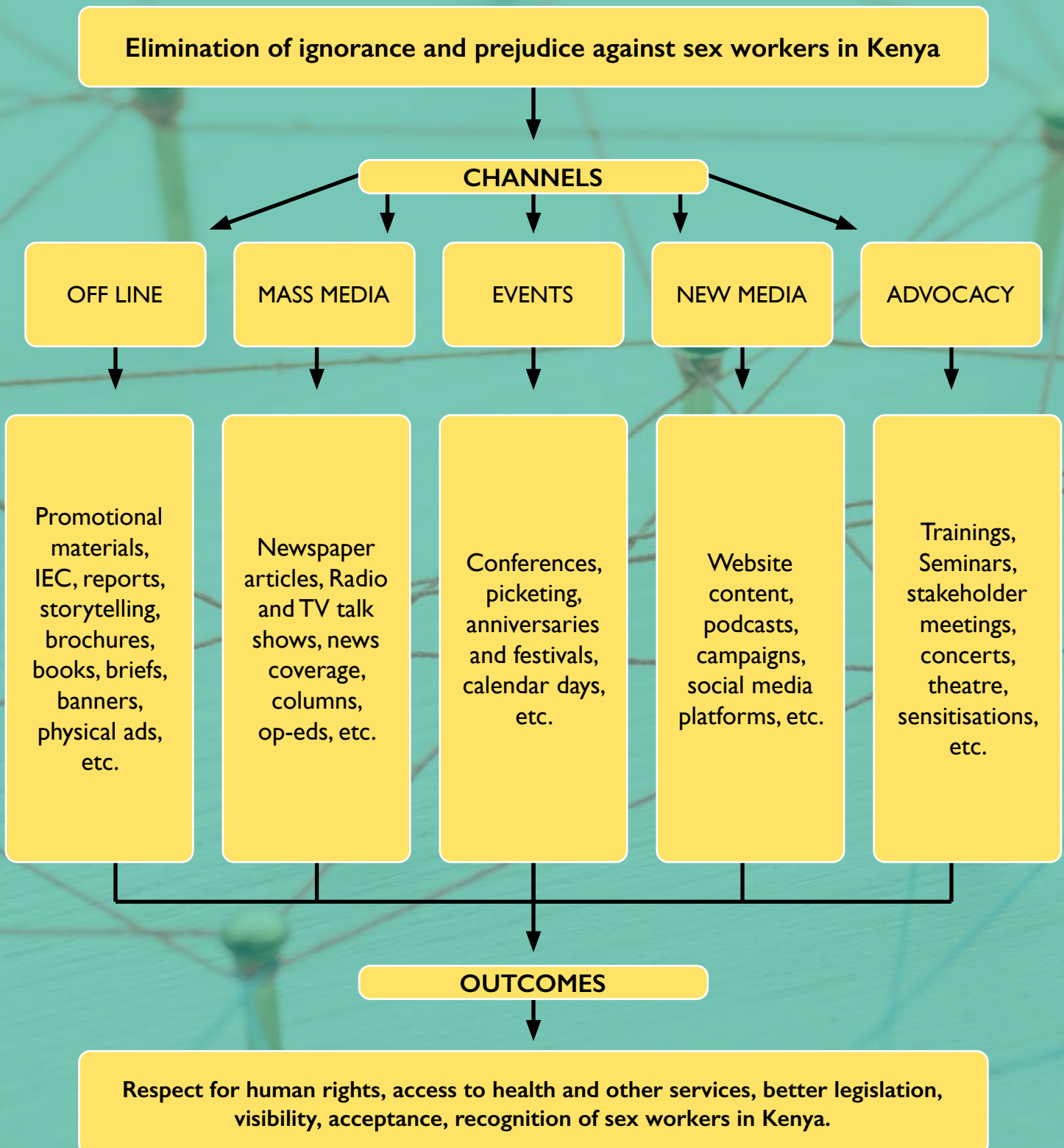
2.3 Principles Guiding the Communication Strategy

- All communication will build up to the ultimate welfare of sex workers in Kenya
- Communication will be consistent and avoid sending

- contradictory messages
- Will be driven by the desire to achieve the vision and mission of KESWA and her member organisations
- It will always add value to the sex worker

- community and stakeholders
- All communication will trickle down to all in the community

2.4 Strategic Communications Framework



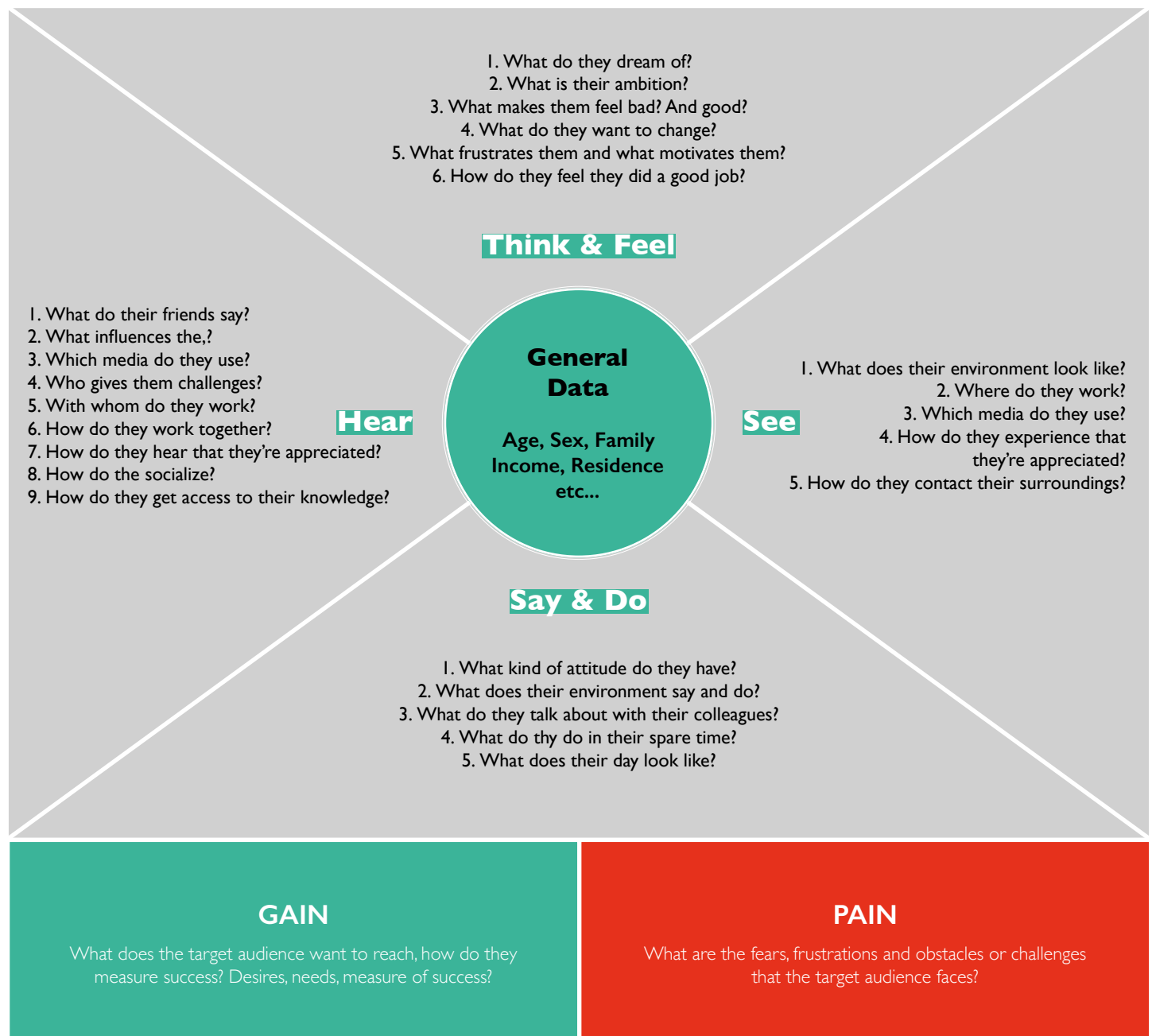
2.5 Audience Mapping

It's important to know who your stakeholders and your audience are. Whether you're carrying out a strategic review or designing a new campaign, knowing who influences you and who you influence helps you understand the potential impact

of your actions. But beyond just 'knowing your audience' you need to 'think like your audience', hence, there are two popular techniques to know your target audience.

Technique 1: The Empathy Map

The first and one of our favourite techniques is "The Empathy Map". This technique takes the 'know your audience and think like your audience' to a whole new level. You'll be able to get more insights in the ways your audience thinks, acts and who influences them. The Empathy Map shows you how to map your target audiences behaviour and how to influence their way of thinking. The map treats 6 different aspects of your target audience. What they hear, think & feel, see, say and do but also their pain and gain. Each of these areas helps you to look from a different perspective to make you truly understand your target audience.



Technique 2: Persona's to humanise your target audience

The other technique that we truly recommend is making a persona out of your target audience. If you want to know how to think like your target audience, you can use this technique. All of the details that you know about your target audience, you can humanise into one of these persona's. You'll create a lifestyle, gender, age etc. If you've created a complete personage, you'll be able to test all of your ideas and content to this person. You can choose to search for some real people that fit your personage and ask for their opinion or you can fit your ideas to what you think that your target audience likes! It's possible that your personage doesn't fully cover your whole target audience. In this case it's very important to segment your target audience properly. Every segment gets it's own persona, to make sure that you can test your content to all of them. The other important thing is that you won't stereotype your target audience too much.



In order to create this communications strategy, and ensure maximum reach and in order to reach its audiences, six questions were developed:

1. What does KESWA want to achieve?

Communications serves to support an organisational goals, so we started by identifying what KESWA wanted to achieve with the decriminalisation process.

2. How can communications help achieve KESWA's goals?

We aimed to identify, specifically, how communications can support KESWA's decriminalisation efforts by effectively reaching and moving their target audiences to act on their behalf.

3. Whom do we need to reach and motivate?

We identified a select number of groups around which we can prioritise efforts. These are our target audiences. Target audiences should be specific and clear—the general public does not count as a target audience, in most cases but should be included in general messaging.

4. What messages should we employ to engage our target audiences?

Messages are core talking points that describe KESWA's organisation and its work. They aim to capture KESWA's story and communicate why their work matters. We also wanted to tailor messaging to each target audience.

5. How can we best reach and motivate our target audiences?

The last step in crafting a communications strategy was identifying the strategies and tactics that best reach our target audiences and achieve our communications goals.

6. What are the yardsticks to measure success?

The last—and indispensable—part of a communications strategy is how we measure our success: The metrics. This starts by asking what success looks like for KESWA's communications work.

2.5 Audience Mapping

During the consultations for audience mapping, some of the suggested messages are as below. Mark you, these are samples of the messages shared and form part of the messages

that will be shared out during this strategic process. These messages, to be further crafted, will be domesticated when communicating with each audience.

Target Group/Audience	Justification	Messages
General public	These are Kenyan citizens whose opinions need shaping around sex work; whereas we may not reach everyone with the message, its important to continue bombarding the public with sustained messaging and positive portrayal of sex work(ers).	“Honest job honest pay! “Respect my job during day and night time.(not to choose to respect when receiving my services and disrespecting when you are in another platform) work hand in hand.” “We make marriages happy, Sex workers are freeing your children from rape.” “Sex workers are glueing marriages.”
The Judiciary (Magistrates, Judges and other officers of courts)	As the public litigation process will be played out in court, its important to have custom made legal arguments and messaging for decriminalisation.	“Sex Workers rights are human rights! No sex worker is stigmatised or discriminated.” “Sex Workers does it best.” “Decriminalisation of sex work now” “No sex worker is limited.” “Repeal laws that criminalise or oppress or penalise sex workers.”
Government (both National and County) represented by MPs, Senators, Governors, Cabinet, MCAs, etc	As these are the custodians of the republic and represent State, its crucial to continue highlighting the work of KESWA and its members in development work, charity and other programmes such as health, HIV, economic empowerment, etc	“The benefits that decriminalisation will bring to the entire country and the economy and to us sex workers.” “Why is sex work is work and sex trafficking is a crime.” “Sex worker do it better and they are mother and have families too.”

Police	Police are the largest perpetrators of human rights violations against sex workers often arguing on the liberties of the law to target sex worker.	“Remove police as regulators of sex industry.” “Implement curriculum and training for law enforcement , Judges, Court personnel and other relevant bodies , to ensure understanding of sex workers realities and human rights.” “End police monitoring ,surveillance, arrest and or detention of members of sex worker rights groups.” “Implement measures to enable sex workers to participate at all levels of politics without discrimination”
Leaders (religious, health care, villages, etc...)	There are vested leadership within religion, society and socially that have an impact on the lives of sex workers; these are the everyday persons who wield influence within their contexts.	“Community involvement- Nothing for us without us!” “Safety and Security of sex workers is important; we are human too!”
Media	The media will play a major role in this litigation process as they will be key in passing targeted messages, ensuring audience participation and feedback and giving space (opportunities) for sex workers to be open and vocal to a larger audience.	“Sex work is a human rights and gender issue “Ensure fair balanced reporting!” “Use correct language – not use Malaya or kahaba!”



SWOT Analysis

			
STRENGTHS	WEAKNESSES	OPPORTUNITIES	THREATS
KESWA is a national network with various member organisations who are registered and identify as its members. KESWA is a household name/brand – easily identifiable and thus own this campaign and process. Sex workers are bold and visible and can speak on themselves. Need to leverage this – having a human face.	KESWA current Secretariat is small and thus may not undertake major or additional work – personnel issues. There is no clear understanding among sex workers what this decriminalisation process will lead to, or benefit them. Judiciary in Kenya plays to political power so case may be thrown out.	Link with existing campaigns to decriminalise such as #Repeal162 and Petty Offences campaign – there are learning curves to be shared. Progressive human rights organisations which can be enjoined in suit – KESWA to own the process but have support of mainstream organisations such as women, health and HIV, human rights, etc. Potential support from progressive leaders such as women MPs, senators, Women Reps and other leaders who can voice support. There is a lot of research on sex workers human rights violations – so these can be collated into a large document.	Hostile or non-reactive media which may not be open to talking or sharing about the decriminalisation process. An uncoordinated strategy – KESWA leading the decriminalisation process by itself without involving others. Funding adjustments – due to priorities, emergence of COVID19 threat, shifting donors, lack of resources. General risks involved in such an undertaking – people being outed, exposed; media witch-hunt, profiling of people, negative comments, online bullying and shaming.

2.6 SWOT Analysis

2.7 Channels Of Communication

The analysis of the current KESWA communication strategies, as well as their members provides information that helped to decide the media to be used to deliver messages. Factors that determine media choice include access, the channel that an affiliate group prefers, and the nature of the targeted audience. Other factors include cost and safety. It therefore necessitates the use of a variety of channels to effectively deliver the message around decriminalisation. There should be a commitment to use channels that will reach the largest audience and give maximum impact.

a) Internal Communication involves the following best practices:

- **Open and Candid:** Internal communication will be openly expressed and received by all staff in a timely manner, unless it is confidential in nature.
- **Feedback:** this is an important aspect of communication whether the message is documented or face to face. It requires active listening and prompt response as communication is never complete without feedback.
- **KESWA management:** the leadership should avail

all information that concerns KESWA to its members and the public that will help promote and visibilise the organisation or decriminalisation process. Rumors and smear campaigns can negatively impact operations or damage the image of KESWA and its members. Miscommunication, misunderstandings, differences should be with professionalism and in a civil manner.

b) Communication with Stakeholders:

- Communication with stakeholders should always be official and include signatures and on official letter heads. It should be in consultation with relevant staff and always in alignment with the vision and mission of KESWA.
- Publicity materials (IEC) should be good quality and containing crisp messages or slogans. All staff should have an input in the design and layout of the publicity material. Staff should be encouraged to read and acquaint themselves with IEC material produced by KESWA and its member groups.

Some proven methods of communications that KESWA and affiliate member will adopt under this strategy include:

- **Publications and posters and other IEC materials**
- **Websites that are rich in content and are regularly updated**

- Open forums, seminars and workshops
- Public rallies
- Picketing and demonstrations
- Press conferences
- Press releases
- Radio talk shows
- TV interviews
- Documentaries
- Films

2.8 Mainstream Media In Kenya

The media plays a prominent role in influencing people's attitudes in Kenya. Historically perception of the sex worker community has been negative, or stereotypical. This has been exacerbated by the fact that we did not have visible and well known sex workers activists for years. However, this has changed especially since 2010. Since then, the sex worker community has taken a proactive role to enhance affirmative visibility in the media

The current media landscape

Kenyan media has recorded significant growth in the last 10 years. There has been growth of digitisation, from analogue to digital and penetration of social media. The media is dominated by five privately owned media outlets with interest in radio, TV and newspapers. Kenya's media draws its jurisprudence from Article 34 of the Constitution which is Freedom to hold opinion, receive ideas and information and Freedom to communicate ideas and information without interference. This freedom does not extend to propaganda, for war, incitement

to violence hate speech and advocacy to hatred. Further, from the Constitution, journalists are expected to write a fair, accurate and unbiased story on matters of public interest with all sides of the story reported even as much as they should be independent in their engagement.

Communication using mainstream media

The major competencies and strengths of KESWA and affiliate member organisations is that it is well organised and structured, has good media connections and contacts, has a very good rapport with funding partners, and a mass media environment that is not restrictive to issues around sex work. The existence of establishment of a National Gender and Equality Commission coupled with a friendly Constitutional dispensation opens a window of collaboration with mainstream media outlets with whom KESWA can create strategic partnership on matters of advocacy. The strategic partnership will help:

- Get broadcast airtime and newspaper space in national and regional media outlets;
- Appear and influence sex work friendly talk shows on radio and television;
- Enhance visibility of KESWA and her members;
- Position sex workers' issues in the national agenda and public dialogue;
- Exchange knowledge
- Build collective communications capacity among KESWA member organisations.

2.9 An overview of KESWA current communication and media strategies



Current Communication Channels

Current Communication Channels

The following communication channels and activities are already in use by KESWA and their members as derived from the community consultations and desktop review.

- Face-to-face: Meetings, events, workshops, conferences, trainings,
- Traditional media: Media coverage (broadcast and print) – interviews, panels
- Online media: Whatsapp, Website, Facebook, Twitter, videos, newsletters
- Printed tools: Reports, technical briefs, press releases, media alerts, fact sheets, briefs, brochures

New communication channels

The following communication channels are new:

- Podcasts
- Community journalism
- Live Video coverage
- Zoom/Skype
- Webinars
- Telegram
- PowerPoints (generic)
- Policy and academic papers
- Targeted ads (Facebook)
- Ads (roadside, traffic, buildings, etc)
- Campaigns

Tactics involve actions, channels and tools that often include:

- Media relations
- Community relations
- Print materials and presentations
- Websites and web marketing and targeted ads
- Social media

Communication methods and channels

Communication methods can be categorised in different ways. For those audiences that you want to only disseminate for awareness, you will likely use a more passive method of dissemination. For those you want to disseminate for awareness, you will use a combination of active and passive methods. For dissemination for action – those who you want to be involved in the advocacy – you will use active forms of communication.

Communication methods categorised

• Pull or Inbound

Any method in which information is delivered to KESWA. This includes organisations that actively seek us out but we do

not have on our emailing lists for example. This also includes feedback from our member organisations, partners or allies.

• Push or Outbound

Any method which sends out information to other organisations or persons is called an Outbound or push communication method.

• Passive Push

This is traditional dissemination methods such as sending out emails and newsletters to KESWA contacts or list serve. This can be done for the reports, discussions etc. It does not guarantee that the recipient actively engages with the material.

• Active Push

This is a targeted dissemination method, whereby KESWA identifies individuals and organisations that will be able to engage with. Individual phone calls, discussions, more detailed active pushing of the research and a better understanding for action.





Choose love,
choose equality.

Love is HUMAN

GALCK #Repeal162 CAMPAIGN – CASE STUDY

What is Repeal 162?

This is the collective movement behind two lawsuits that seek to challenge sections of the Penal Code that outlaw 'carnal knowledge against the order of nature and indecent acts between males whether in public or private'. These crimes are punishable with up to 14 years imprisonment. While it is not illegal to identify as Lesbian, Gay, Bisexual, Trans* gender or Queer (LGBTQ) in Kenya, laws like this criminalise anyone who identifies under this umbrella of identities.

Petition 150 and Petition 234 were brought before the High Court by three organisations: NGLHRC, GALCK & NYARWEK. The petitions asked the court to declare Sections 162 (a) and (c) and 165 as unconstitutional because they violate various constitutional rights. Including, the right to privacy, the right to freedom of expression, the right to health, the right to human dignity and the right to freedom from non-discrimination.

In this case, the petitioners want the High Court to declare that the sections of the Penal Code discriminate against members of the LGBTQI community. By discriminating against members of the LGBTQI community, these laws violate the constitution. If a law violates the constitution, it is said to be unconstitutional and cannot be applied. This process of removing criminal laws which violate the constitution is called decriminalisation.

On the 24th of May 2019, the High Court dismissed our petition. In their decision, the three judge bench -Lady Justice Roselyn Aburili, Justice Chacha Mwita and Justice J. Mativo-found that the petitioners failed to convince the court that the clauses were used to discriminate against the sexual and gender minorities. The bench insisted that the clauses did not, in fact, discriminate against sexual minorities or violate their constitutional rights to privacy and equality. In a unanimous decision, the three judges averred that the sections were not particular to LGBTQ+ persons, that they were a block, covering anyone who engaged in un-natural act, and that constitutional rights to privacy and dignity are not absolute.

MANIFESTO

*#Repeal162 is a movement that seeks to rewrite history and map out a brighter future for Lesbian, Gay, Bisexual, Trans*gender, Queer, Intersex (LGBTQI) individuals in Kenya. It is a campaign supported by:*

- The National Gay and Lesbian Human Rights Commission (NGLHRC),
- Gay and Lesbian Coalition of Kenya (GALCK),
- Nyanza, Rift Valley & Western Kenya Network (NYARWEK)

#Repeal162 seeks to give the LGBTQI community a voice. To amplify the cry for the recognition and protection of the rights of LGBTQI Kenyans.

We come together to denounce laws that discriminate against LGBTQI individuals.

We believe in a new vision for Kenya and for Africa as a whole. Deeply rooted in our history, we shun the popular belief that queerness is un-African.

Our vision sees a future of non-discrimination and equality before the law for LGBTQI people. We envision a government that protects everyone, regardless of their race, gender, sexual orientation or class.

Every human being has a right to privacy, dignity and the freedom of expression. We say no to violence, discrimination and hate against the LGBTQI community.

Further, we believe in the strength that comes from having a unified voice.

Our movement transcends borders. We embrace and champion diversity. It is our time. We are agents of change.

Suggested Decrim Campaign

3.1 About

Name of campaign: **Decrim!**

Campaign Website: decrimKE.co.ke \ decrimsasa.co.ke \ decrimNOW.co.ke

Hashtags: #DecrimKE #DecrimSasa #DecrimNOW

3.2 Activities

This is to be a Kenyan-wide campaign on challenging criminalisation of sex work. The campaign to include a catchy, easy-to-say, easy-to-forget catch phrase will include TV commercials, poster, flyers, publications and events. In detail, the campaign is to include:

Image adverts

Suitable subjects are to be photographed for the image adverts to be used by KESWA and members. In addition, an agency is to be commissioned to develop motifs and adverts are to be placed in Kenyan media.

Year/Week/Day of Sex Work (marking key sex work calendar days)

In this period, effectively publicity measures could be realised (events, festivals, information days at schools, Hospitals, media houses, etc.); these are supplementary to existing calendar days such as:

- International Sex Workers' Rights Day – 3 March

- International Sex Workers' Day – 2 June
- Sex Worker Pride - 14 September
- International Day to End Violence Against Sex Workers – 17 December

Posters

An advertising agency is to design emotionally expressive posters with a strong direct appeal which can be effectively displayed as publicity at main roads, railways, and if appropriate, other designated places as well.

Competition

A public competition can be launched where the public can submit posters, pictures or writings on sex work. These competitions can be coordinated by an external ad-hoc committee. The purpose is to engage the public and gauge public perception on sex work. Topics can include: Life as a sex worker, my work as a sex worker, etc.

Diversity trainings

Often dubbed sensitisation or training workshops, these are aimed at engaging a number of people, organisation or company where participants can engage actively with sex workers and get to ask and respond to questions. This is a more personal space and helps to debunk myths. Likewise, these can be domesticated or mirrored like the Colourful Workplaces LGBTI diversity trainings.

3.4 Target audience

Level	Target Audience	Method	Channel	Responsible
I	General Public	Passive push	Press release; events	KESWA/ Members
I	Media	Pull and Passive Push	Press release; events	KESWA/ Members
I	Academia	Pull and Passive Push	List serves	KESWA/ Members
I	Researchers	Pull and Passive Push	List serves	KESWA/ Members
I	Government (general)	Passive push	Press release; media event	KESWA

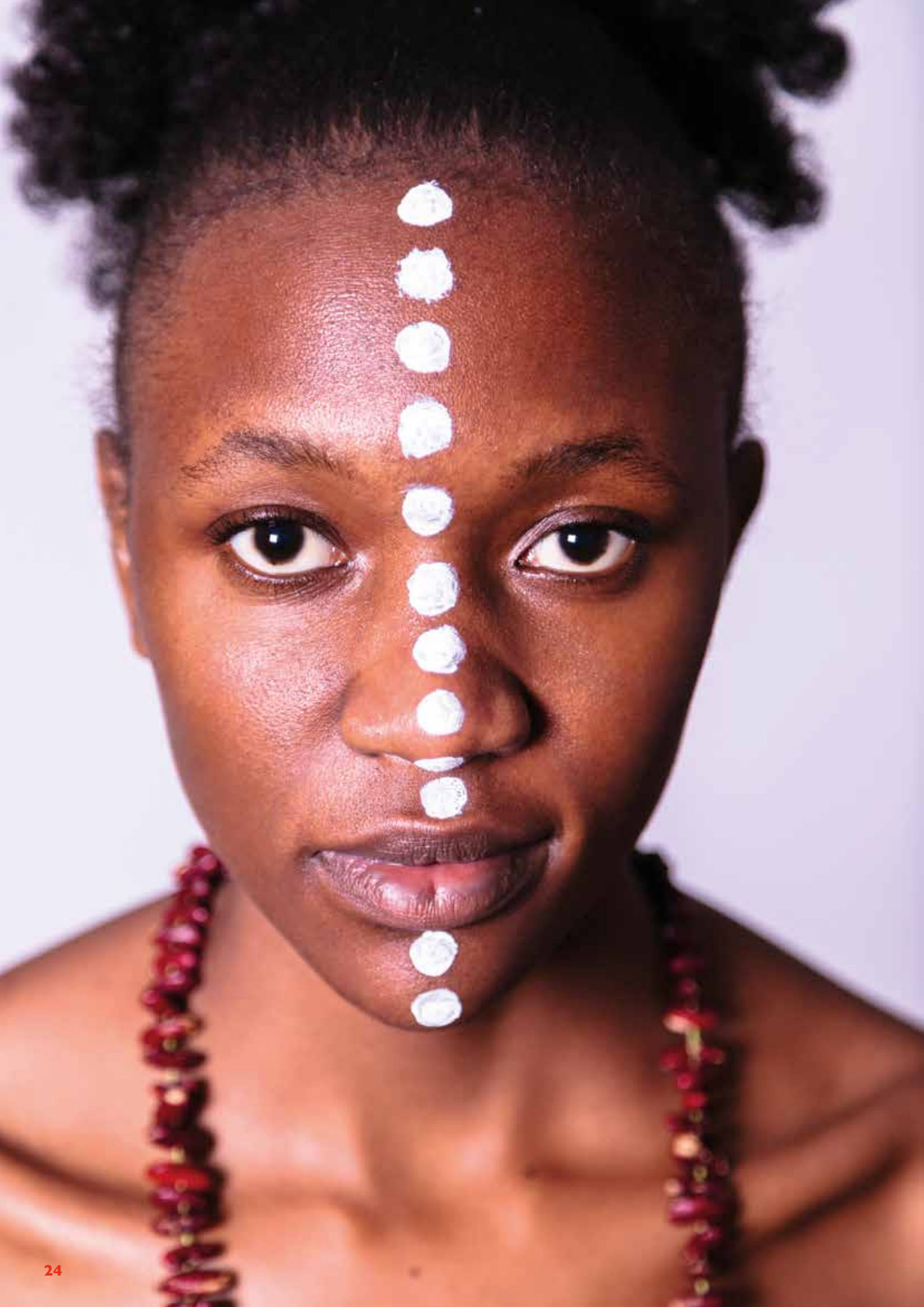


Level	Target Audience	Method	Channel	Responsible
2	KESWA Secretariat/ Staff and member organisations	Active push	Monthly meeting when report is released, ongoing discussions if staff require more info, training on content, methodology etc.	KESWA/ Members
2	Theme related advocacy groups	Passive push	KESWA website, newsletter, Facebook, poster, flyer	KESWA
2	Affected communities/ community NGOs. etc...	Passive push	Press release, newsletter, Facebook, (note this is target group that will have dissemination done for us by community groups)	KESWA/ Members
3	The advocacy target	Active push	Press release, poster, flyer KESWA email list serve Meetings, targeted phone calls, training for advocacy where necessary. Discussion lists, workshops, conferences, journals.	KESWA
3	Development Teams	Active push	Workshop around findings, targeted phone calls after if necessary, cc'd on e-dissemination channels.	KESWA
3	Funding partners	Active push	Targeted phone calls, emails, cc'd on e-dissemination channels.	KESWA
3	Govt (Specific) Health Departments and policy makers	Pull and Active push	Press release, meetings, targeted phone calls.	KESWA
3	Parliamentarians, national, regional and continental	Pull and Active push	Press release Meetings, targeted phone calls, TWGs, Commissions, parliamentary briefings, training for advocacy.	KESWA/ Members
3	Participating Agencies (UNAIDS, AU etc)	Pull and Active push	Press release Meetings, TWGs, targeted phone calls, training for advocacy where necessary.	KESWA
3	LGBTIQs orgs + Women + Feminist + Related organisations (health, human rights)	Pull and Active push	Press release, poster, flyer Meetings, targeted phone calls, training for advocacy where necessary, TWGs. Discussion lists, workshops, conferences, LGBTIQ journals,	KESWA

3.5 Campaign Budget

3.5 Proposed Campaign Budget

ITEM		UNIT	UNIT COST (USD)	ANNUAL Total cost (USD)
Communications and Media				
Media Liaison, writing, editing, pitching of traditional media (TV, print & radio) - interviews	These are actual arrangements with TV and radio shows where sex workers can be present with Q&As; can include guests in podcasts - at least one appearance once every 2 months	6	500	3,000.00
Media advertisements (TV and Radio)	Actual printed advertisements and TV ads; can be done bi-annually/two targets stat ons	2	1500	3,000.00
				6,000.00
Digital				
Content creation - graphic design and images (Shutterstock, Adobe)		1	1200	1,200.00
Social media engagement/ Targeted ads on social media	SNS boosting	12	100	1,200.00
Photography	Photo campaign/Album	1	1600	1,600.00
				4,000.00
PR & Events				
Guerilla tactics (conceptualization and implementation of public events such as demo or Pride)		1	5000	5,000.00
IEC materials		1	2000	2,000.00
				7,000.00
Production and Media Campaigns				
Video production		2	2000	4,000.00
Adverts on 3 major road (Mombasa, Thika and Waiyaki) plus legal licences		3	3000	9,000.00
				13,000.00
			Total	30,000.00



3.6 Work-plan

3.6 Proposed Work-plan

Month	Activity
January	- Publish two TV and Radio Adverts in 2 major stations. Advert could be a media advisory - Website updates and blog pieces by sex workers (personal stories, for instance) - Social media updates
February	- Social Media campaign on Valentines – focus on sex work and Valentines - Use creative infographics + photos - Targeted ads on Facebook, Twitter, IG
March	Sex Workers Rights Day – March 3 - Publish TV and Radio Advert on human rights for sex workers - Organise event to mark day (demonstration/march in 3 key cities – NBI, MBS and KSM) - Ongoing social media and website updates and sharing of members activities
April	- TV and Radio interviews - Website updates and blog pieces or stories and highlights of activities by members - Social media updates - Participate in podcast such as AfroQueer, The Spread, etc
May	International Day to end Homophobia – May 17 - Launch of Photo campaign – telling sex workers story through images - Support IDAHO events for LGBTIQ-identifying sex workers - Launch guide/policy paper or brief on sex work – topic can vary - Social media updates
June	- Social media campaign - Highlights of KESWA work – can include re-sharing resources
July	- Launch of 3 Roadside adverts on major roads or cities with sex work messaging - Include radio or TV interview
August	- Social Media campaign - Support members activities by highlighting and writing about them on social media - Produce video
September	Sex Workers Pride Day – September 9 - Organise an event (demo/march) in 3 minor cities – Marsabit, Machakos, Kisii - Social media updates
October	- TV and radio adverts - Social media updates - Publish interviews of sex worker activists and organisations
November	Reports/brief launch
December	World AIDS Day – Dec 1 International Day to End Violence against Sex Workers – December 17 - Publish press release on major TV or newspaper - Social media updates - Organise event (demo/march)

4.0 Monitoring and Evaluation

4.0 Monitoring And Evaluation

Monitoring and evaluation determines whether a strategy accomplished its goals and objectives. KESWA has in place mechanisms of receiving reports from the its members on their work. Monitoring and evaluation of this communications strategy will be incorporated in the monthly reports of KESWA and partners.

The recommendations of UNAIDS (Communications Framework for HIV and AIDS: A New Direction: 1999) is that a communications strategy must go beyond merely disseminating messages to demonstrate that the messages have been truly effective. As such, KESWA and her member organisations will encourage a continuous process to examine com-

munication needs and participate in the construction of solutions. It may sometime involve informal methods within the sex worker community so as to reveal real needs and obtain reliable information.

The template below provides the ideal evaluation and monitoring mechanism for this communications strategy. Having been developed, as a guide, it is recommended that all members synthesise, internalise and operationalise the mechanism.

The template should work as a communication plan that gives directions on the implementation of the strategy. It recognises the capacities and limitations of KESWA and her members using it.

ORGANISATION	OBJECTIVE/S	ACTIVITY/S	OUTPUT	TIMELINES	STATUS
Organisation A	Ensure access to health care	Panel discussion with health care providers	Number of members report on non-discrimination in health centres	Monthly	Met Director of Medical Services – 04/04/2020
	Lobby for equal participation in society	One on one meeting with local administration (Chief & Elders)	Members incorporated policy making and other bodies	Monthly	Ongoing
Organisation B	Impart information about realities of LGBTI.	Publish news, interviews and columns in the website. Train sex workers as community journalists/ contributors	Number of new stories published Frequency of contributors Hits and visits	Monthly	Ongoing
Organisation C	Development of policies	Publish reports on criminalisation Publish guide on PreP	Number of reports done Number of downloads Number of references done	Monthly	Two reports launched on December 17th

KESWA and its member organisations should develop its communication plan based on the above template and use it as its monitoring and evaluation tool. In addition, a communication audit should be conducted at KESWA level to monitor the implementation strategy at its own level and at membership level. Such an audit should form a basis upon which future strategies would be planned.

5.0 Conclusion

Sex worker issues tend to arouse emotional and sometimes irrational public debate. There is need to envision how to deal with crisis communications once a need arises. The decrim working group should also coordinate and harmonise messages and the targeting and also to create linkages between communication activities and membership level interventions. This communications strategy endeavors to be in tandem with globally accepted principles of communicating and advocating for sex workers rights and issues.



References

ⁱ Ongea is a Swahili word for 'Speak!'

ⁱⁱ <https://www.knchr.org/Portals/0/PETTY%20OFFENCES%20-%20FINAL%20FINAL.pdf>

ⁱⁱⁱ <https://www.nswp.org/resource/sex-work-and-the-law-the-case-decriminalisation>

^{iv} <https://keswa-kenya.org/>

^v UNAIDS : Communications Framework for HIV and Aids: A New Direction, UNAIDS, Geneva, 1999

^{vi} <http://kenyalaw.org/kl/index.php?id=398>

^{vii} <http://www.kenyalaw.org/lex/actview.xql?actid=CAP%2063> Woman living on earnings of prostitution or aiding, etc., prostitution Every woman who knowingly lives wholly or in part on the earnings of prostitution, or who is proved to have, for the purpose of gain, exercised control, direction or influence over the movements of a prostitute in such a manner as to show that she is aiding, abetting or compelling her prostitution with any person, or generally, is guilty of a felony.

^{viii} https://keswa-kenya.org/publications/#dfliip-df_I107/3/

^{ix} <https://www.avert.org/professionals/hiv-around-world/sub-saharan-africa/Kenya> Paragraph retrieved April 08, 2020



Get in Touch



Kenya Sex Workers Alliance (KESWA)

Membley Estate,
Church Lane off Eastern Bypass,
P.O Box 16885-00200,
Nairobi
Kenya

Telephone: +254 (0) 20 529 26 24

Telephone: +254 (0) 707 225 813

Email: info@keswa-kenya.org

www.keswa-kenya.org



Thank You

We would like to thank the following partners for their support in developing this strategy and to KESWA in general:



PITCH - Aids Fonds



Red Umbrella Fund

