

KELIN Project Bulletin 2020-2024

Reclaiming Rights, Rebuilding Lives



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Executive Summary

Advancing Health and Human Rights in Kenya and Beyond

Over the past five years, KELIN has advanced the right to health and human dignity through bold, community-driven initiatives, strategic litigation, and innovative advocacy. From ensuring access to life-saving HIV and TB medicines, to fighting for sexual and reproductive health rights, to securing women's land and property rights — KELIN's work has remained grounded in justice, resilience, and human rights principles.

Highlights from 2020–2024

Over the past five years, KELIN has advanced the right to health and human dignity through bold, community-driven initiatives, strategic litigation, and innovative advocacy. From ensuring access to life-saving HIV and TB medicines, to fighting for sexual and reproductive health rights, to securing women's land

- **Health and Governance:** Spearheaded a rights-based COVID-19 response and championed food environment reforms, including the adoption of Kenya's first Nutrient Profile Model.
- **HIV, TB, and Key Populations:** Led successful litigation to end the incarceration of TB patients, exposed barriers to access to medicines, and amplified digital health rights.
- **Sexual and Reproductive Health Rights (SRHR):** Pioneered legal challenges to harmful policies, strengthened grassroots movements, and defended safe, legal access to abortion.
- **Strategic Litigation:** Set legal precedents upholding reproductive rights, access to information, and protection from coercive health practices.
- **Women's Land and Property Rights:** Secured property rights for widows through innovative Alternative Justice Systems and community sensitization.

Through a network of dedicated partners, communities, and advocates, KELIN has demonstrated that human rights-based approaches are not only possible — they are essential to building healthier, more equitable societies.

We invite you to explore our work — and to join us in shaping the future of health and human rights for all.

Call to Action

Together, we can realize the right to health for all.

As we build on the gains of 2020–2024, KELIN is looking ahead — scaling strategic litigation, deepening grassroots partnerships, and pushing for transformative policy reforms.




We invite:

- **Partners and Donors:** Invest in sustainable, rights-based health systems.
- **Communities:** Join us in defending dignity and driving change.
- **Policymakers and Duty Bearers:** Work with us to create enabling environments for health and justice.

Your support — whether through partnership, collaboration, or advocacy — is critical to achieving a world where health rights are fully realized.

Connect with us: info@kelinkenya.org | www.kelinkenya.org

The Kenya Legal and Ethical Issues Network on HIV (KELIN) is a pioneering non-governmental organization (NGO) established in 1994 following a transformative workshop in Accra, Ghana. The workshop emphasized the need for country-specific networks at the intersection of law, ethics, human rights, and HIV. Since its inception as an advocate for health-related human rights in the context of HIV, KELIN has expanded its focus to encompass a wide range of thematic areas, including;

- 01** **HIV ,TB, Key & Affected Populations** 
- 02** **Health & Governance** 
- 03** **Sexual Reproductive Health & Rights** 
- 04** **Strategic Litigation** 
- 05** **Women Land & Property Rights** 

Through its work with communities across Kenya, KELIN has uncovered innovative ways to address health-related human rights from diverse and holistic perspectives. By championing a human rights-based approach, the organization has consistently sought solutions tailored to the unique needs of each community it serves. Over time, KELIN has cultivated a robust network of partnerships, enabling it to advance health-related human rights with greater impact and reach.

At our core, KELIN envisions a world where everyone has access to quality healthcare, lives with dignity, and is treated with respect. To realize this vision, KELIN employs a community-centered approach, building resilience, addressing violations of health rights, and tackling their root causes through advocacy and strategic action.

Anchored by our mission to promote and protect health-related human rights for all, KELIN strives for the full enjoyment of these rights, fostering a future where justice, equity, and humanity prevail.

1. HIV, TB, and Key Populations



**“Health is a fundamental human right indispensable
for the exercise of other human rights.” - UN**

Committee on Economic, Social, and Cultural Rights

KELIN's HIV, TB, and Key Populations thematic area focuses on protecting and promoting the rights of vulnerable and marginalized groups by addressing the dual burden of HIV and TB and advocating for the dignity, health, and rights of affected populations. We work toward achieving universal access to prevention, treatment, care, and support while combating stigma, discrimination, and inequality.

Key projects

i)

Addressing Intellectual Property barriers hindering Access to Medicines

KELIN has implemented interventions aimed at addressing intellectual property barriers hindering access to medicines. In this context, KELIN has partnered with communities of people living with HIV, national, regional and global partners to advocate for access to essential HIV & TB medicines. In this sense, KELIN has convened multistakeholder conversation with both communities and policy makers to formulate strategies to address barriers hindering access, including intellectual property barriers. KELIN has also developed key resource materials to aid in advocacy. These include:

- An audit of the status of local manufacturing of ARVs for PLHIV in Kenya: kelinkenya.org/wp-content/uploads/2024/04/Audit-of-the-Status-of-Local-Manufacturing-of-ARVs-for-PLHIV-in-Kenya.pdf
- A review of the Intellectual Property Bill 2020: [FINAL-REPORT_Review-of-the-Intellectual-Property-Bill-2022-1.pdf](#) and a Policy Brief: [FINAL-Policy-Brief-Intellectual-Property-Bill-2022-1.pdf](#)
- A study on classification of HIV prevention tools: [Report-Classification-of-HIV-Prevention-Tools-Accessibility-Availability-and-Affordability.pdf](#) and a policy brief: [HIV-Prevention-tools-policy-brief.pdf](#)
- A study on the impact of evergreening on access to HIV treatment in Kenya: [The-Impact-of-Evergreening-in-the-access-of-HIV-treatment-in-Kenya.pdf](#)
- Market and Patent Intelligence Studies for Kenya, Malawi, Uganda and Senegal

Our collaboration with organizations like Aidsfonds and ITPC ensures that lifesaving medicines for HIV, TB, and other diseases remain affordable and accessible.



KELIN & ITPC invites you to the Africa Regional Consultation on Intellectual Property and Access to Medicine

19th November 2021 | 1100Hrs - 1300Hrs EAT

Register in advance on zoom

<https://us02web.zoom.us/meeting/register/tZMpdeCrpjksG9zcapcZv6jhKimU6Syb8vWu>



Digital Health and Rights Project

The Digital Health and Rights Project is a ground-breaking alternative model of community-centred social science and human rights research for global governance. Our collaboration uses participatory action research, an approach that centres affected communities at every stage of research, analysis, decision-making and policy engagement. Human rights lawyers, young people, civil society and community networks from high- and low-and-middle-income countries collaborate with social scientists to design and conduct research as equal partners, using findings to inform and deliver a collective advocacy plan. In this project, consortium partners collaborate in building the knowledge, networks and skills that enable all members of the consortium to speak authoritatively on digital governance to their own governments and in global spaces.

From June 2023, the project has been conducting qualitative research in Colombia, Ghana, Kenya, and Vietnam on the future of human rights in the digital world. The consortium has also developed digital literacy training, and an open-access Digital Literacy Hub. The project's community-led national advocacy has been complemented by global advocacy and sparked new visions and voice from young study participants, to engage them in reshaping digital futures grounded in human rights.

Through this project, KELIN with the consortium partners collaborated with the UN Special Rapporteur on the Right to Health to develop a thematic report focusing on *Digital innovation, technologies and the right to health*. Read report here: [A/HRC/53/65: Digital innovation, technologies and the right to health | OHCHR](#) Read more about this project here: [UN Special Rapporteur on right to health shares report on Digital Innovation, Technologies, and Right to Health during a side event hosted by KELIN and partners. - KELIN Kenya](#)

Similarly, between 2020 and 2022, the consortium was able to investigate how young adults in Ghana, Kenya and Vietnam experience the digital transformation in health, and what they see as the effect on their human rights. See report here: [Digital health and human rights of young adults in Ghana, Kenya, and Vietnam final project report | IHEID](#)

Digital Innovation, New Technologies & The Right to Health

Venue (Hybrid): Geneva Graduate Institute, Auditorium Ivan Pictet A1 B, & online

FRIDAY
23
JUNE
2023

1:00PM-2:30PM CET
3:00PM-4:30PM EAT

PANELISTS

 Dr. Tlaleng Mofokeng UN Special Rapporteur on the Right to Health	 Allan Maleche Executive Director, (KELIN)	 Dr. Mandeep Dhaliwal Director, HIV, Health & Development Group, UNDP	 Joyce Ouma Advocacy & Campaigns Officer, Global Network of Young PLHIV (Y+ Global)	 Timothy Wafula Programme Manager, KELIN	 Timothy Fish Hodgson Legal Adviser, International Commission of Jurists (Africa).	 Prof. Sara (Meg) Davis Principal Investigator, Digital Health and Rights Project
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iii)

Research on the Impact of HIV index testing on access to sexual reproductive health services for women and girls living with HIV in Kenya

Noting reports from communities of people living with HIV who were reporting concerns over rights violation occurring in health facilities with respect to the way in which index testing practices are being carried out, KELIN undertook research to assess the impact of index testing on access to SRH services for women and girls living with HIV in Kenya. Through desk research and the experiences shared during the interviews conducted, KELIN was able to confirm that women interact with the healthcare system more frequently than men and are usually subject to coercive testing practices when testing for HIV.

This is particularly the case for women seeking maternal care who report being tested without their knowledge or consent. These coercive approaches to index testing are infringing on the exercise of their autonomy and is consequently soiling community attitudes towards HIV testing, eroding trust in treatment and care services and making retention in care more difficult. KELIN developed a research report and policy brief on the impact of HIV testing on access to sexual and reproductive health services for young women and girls living with HIV.

Read the research report here: [HIV-Index-Testing-Research.pdf \(kelinkenya.org\)](#) and the policy brief here: [HIV-Index-Testing-Policy-Brief.pdf \(kelinkenya.org\)](#)

A Qualitative Participatory Action Research Study on the
Impact of HIV Index Testing on Access to Sexual and Reproductive Health (SRH) Services for Young Women and Girls in Kenya



iv)

Advocacy for the right to bodily autonomy and integrity

The AIDS Rights Alliance in Southern and Eastern Africa (ARASA) launched *Every Body Counts Campaign* in 2020. The campaign aims to increase awareness and knowledge of the right to bodily autonomy and integrity to build national and regional movements around BAI issues, so that there can be collective advocacy towards policy change to support BAI. Under the same Campaign, KELIN, with support from ARASA, has since 2021 acted as a convenor of a National Activists Think Tank on Bodily Autonomy & Integrity with the main goal of protecting and promoting the bodily autonomy of all, especially vulnerable and marginalized groups. KELIN, as the convenor of the Think Tank uses an intersectional lens to advocate for the protection of bodily autonomy and integrity of all persons, especially marginalized and vulnerable groups including adolescent girls and young women, women living with HIV, persons with disabilities as well as Sexual Orientation and Gender Identity Minorities.

In 2022, KELIN partnered with two think tank members, CGHRD and AYARHEP, to implement a project whose goal was to advocate for an enabling environment for protection and promotion of bodily integrity and autonomy in Kenya. In the project, KELIN and the partners utilized several strategies to raise awareness on BAI as well as advocate for an enabling environment. For instance, KELIN used an essay competition titled: "My Integrity: My Dignity - What Bodily Autonomy and Integrity means to me," targeting persons aged between 17 and 25 years, to provide a platform for young people to express their opinion on what BAI means to them and the kind of environment needed to protect and promote BAI.

KELIN
Reclaiming Rights, Rebuilding Lives

ARASA
AIDS Rights Alliance
for Southern Africa

AYARHEP
African Youth & Adults Rights
Empowerment Project

1 Day to go

ESSAY COMPETITION

**My Integrity, My Dignity:
What Body Integrity Means to Me**

Themes to pick from:

- Reproductive Health & Rights
- Sexual Orientation & Gender Identity
- Ending Sexual & Gender Based Violence

SELECTION CRITERIA AND ELIGIBILITY

- Open to all adolescents and youth in Kenya: 16 - 25 years
- Word count: 1500
- Language: English
- Format: PDF
- **Deadline: 30th April 2022; 2359 EAT**
- Submit via: info@kelinkenya.org
- Email subject line: Bodily Integrity and Autonomy Essay Competition

AWARDS

- 1st prize winner
KSH. 50,000
- 2nd prize winner
KSH. 25,000
- 3rd prize winner
KSH. 10,000

v)

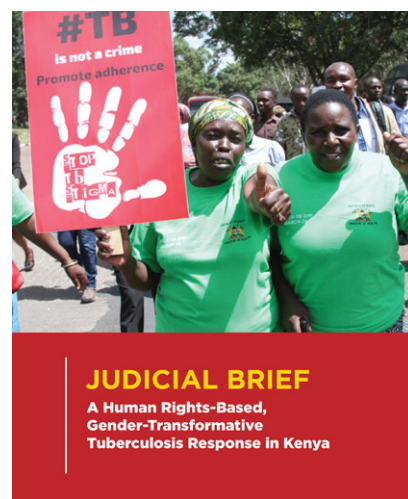
Community-Led Monitoring

Empowering communities to track transparency and accountability in health governance ensures that health systems remain people-centered, responsive, and equitable. This was crucial for the TB community to ensure sustainability in advocacy and continued advancement to stop TB. Community-Led Monitoring (CLM) is a participatory approach where communities actively engage in

monitoring and evaluating the delivery of health services, ensuring that these services meet the needs of affected individuals, particularly in the context of TB. It empowers communities to hold stakeholders accountable, enhance transparency, and ensure that the rights of people with TB are respected. KELIN plays a crucial role in advancing CLM in Kenya. Through its One Impact CLM platform, KELIN has advanced grassroot advocacy on health related human rights by training TB Champions across the nation (all 47 counties are represented), equipping them with the knowledge and tools to advocate for better TB response and human rights protections. Through this initiative, KELIN strengthens community systems and platforms, enabling local communities to drive change and contribute to the fight against TB.

TB is Not A Crime

KELIN filed a case on 12th August 2017 challenging the unconstitutional and unlawful incarceration of TB patients under partition 329 of 2014. Daniel, Henry, and Patrick, residents of Kenya's Nandi County, were arrested for default—not on a debt, but on a disease. They were charged with failing to maintain their prescribed medical treatment for tuberculosis (TB). Daniel and Patrick were arraigned before the principal magistrate at Kapsabet Court. Henry, in poor health, was admitted as a patient at Kapsabet District Hospital. Daniel and Patrick were convicted and sentenced to eight months in prison. Behind bars, they slept on the floor without bedding for over a week, were closely confined with other inmates, and weren't given the balanced diet required by TB patients on medication. They served 46 days of their prison terms before interventions from civil society organizations such as KELIN and partners got them released. This was the start of the TB is not a crime campaign. The court on the 24 March 2016 declared that it is unconstitutional and unlawful to jail TB patients who have challenges adhering to TB medication and further called the ministry of health to clarify that section 27 of the Public Act, under which the three were incarcerated, does not authorize confinement of persons suffering from infectious diseases in prison. This was a major win in protecting the health and human rights for people living with TB.



JUDICIAL BRIEF

A Human Rights-Based,
Gender-Transformative
Tuberculosis Response in Kenya



Everybody Said No

KELIN in collaboration with the Key Populations Consortium conducted research on the use of biometrics for HIV research. This research targeted persons living with HIV and Key Populations. This research aimed to analyze human rights issues raised by the use of biometrics in HIV research. The major concerns shared during the research was data security and the possibility that this data could be used to wrongfully target key populations and people living with HIV causing stigma and discrimination. Everyone said no to this and therefore the study was titled “Everyone Said No”



“Everyone said no” Biometrics, HIV and Human Rights A Kenya Case Study

KELIN and the Kenya Key Populations Consortium



2. Health and Governance



“Good governance in health is not just an ideal; it is the foundation for ensuring dignity, equality, and human rights.”

The Health and Governance thematic area underpins KELIN's mission to create a transparent, accountable, and effective health governance system. This work ensures that marginalized and vulnerable groups have access to quality, acceptable, and comprehensive health services. Recognizing that good governance is essential for realizing health-related human rights, KELIN strives to address the systemic inequities that hinder progress.

Our initiatives prioritize public participation, community oversight, and strengthening health governance structures. We address issues such as health financing, procurement processes, and accountability mechanisms to ensure the equitable delivery of services.

Key Initiatives

i)

A Policy Brief on the Social Health Insurance Act, 2023

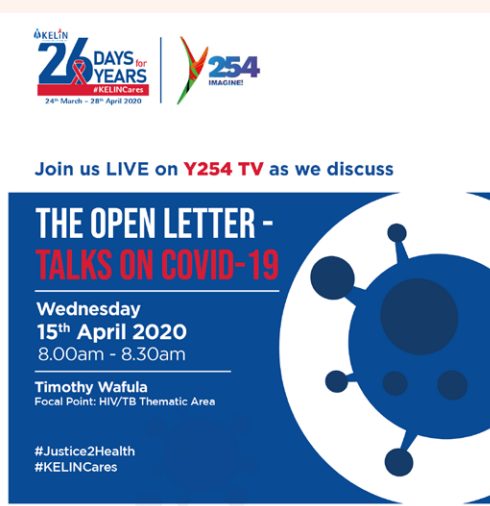
KELIN, with the help of Johnny Thompson, a visiting Fellow from the Harvard School of Law, has developed a policy brief on the new Social Health Insurance Act, 2023. In this policy brief, we have outlined the process of passing the law, the challenges surrounding the law such as Petition E473 of 2023 and the outcomes of this court process. Additionally, the policy brief has addressed the changes that the new law proposes to bring to solve the problems surrounding UHC which NHIF was not able to achieve. We will publish this policy brief by April 2025.

ii)

COVID-RBA Platform

KELIN, with technical and financial support from United Nations Development Programme (UNDP), implemented a grant whose aim was to monitor, document and advocate for a rights-based, transparent and accountable COVID-19 response in Kenya. This project was premised on the fact that Kenya's COVID-19 response while unprecedented, offered a unique opportunity to reflect on the health and governance frameworks in the country. It was and continues to be a time to remind ourselves that the elements of the right to health, that is, availability, accessibility, acceptability and quality (AAAQ) are essential and the government must strive to ensure that interventions comply with human rights principles including participation and inclusion, respect of human rights, transparency and accountability and sustainability of the intervention.

KELIN's work to create and coordinate a network of multi-stakeholder and multi-sectoral partners advocating for transparency and accountability in the COVID-19 pandemic response began with an Open Letter to the Cabinet Secretary of Health: A Rights-Based Response is Critical in Dealing with COVID-19 issued to the Cabinet Secretary (CS) Health on 13 March 2020; one day after the first confirmed case was reported in Kenya. The letter was a response to the Government's laissez-faire attitude to preventing entry of the virus into the country, and the fact that the government only began to take meaningful action after court intervention. The letter urged the National Emergency Response Committee on COVID-19 (NERC) to take a more active role in sharing accurate information on preventing infection and spread, and the government's state of preparedness to the response.



KELIN then mobilized over 60 civil society organizations, community-based organizations, professional bodies and economic and governance experts to collaboratively develop an Advisory Note on Ensuring a Rights-Based Response to Curb the Spread of the COVID-19 dated 28th March 2020. The advisory was shared with key government officials and development partners and media houses. The Advisory Note sought to provide guidance on ensuring a rights-based response to COVID-19. This multi-sectoral response was the launch pad to the collaborative actions that KELIN facilitated. This was the KELIN-led 'COVID Rights-Based Approach' (COVID-RBA) platform. COVID-RBA platforms members coordinated and implemented interventions around eight areas: right to information and transparency; right to health; (respect for the rule of law; social protection and economic aspects; women and girls; children; healthcare workers and communications and media.

iii)

Healthier Food Environment and Policies

KELIN's Health and Governance department, in collaboration with sub-awardees the National Council of Churches of Kenya (NCCCK) and the Non-Communicable Diseases Alliance Kenya (NCDAK), is championing policy advocacy to promote a healthier food environment. A key milestone in this work was the adoption of the **Kenya Nutrient Profile Model (KNPM)** by the Ministry of Health in February 2025. This model provides a scientific basis for regulating unhealthy food products. Additionally, we are advancing regulations on **Mandatory Front-of-Pack Labelling (FOPL)** and restrictions on the marketing of unhealthy foods and non-alcoholic beverages to children.

Through strategic advocacy and stakeholder engagement, we are pushing for clear, science-based front-of-pack labels to empower consumers with accurate nutritional information. Our efforts also focus on limiting the misleading marketing of unhealthy products targeting children—reducing their exposure to foods and drinks linked to increasing rates of obesity and non-communicable diseases (NCDs).

By working closely with policymakers, civil society, and health experts, KELIN, NCCCK, and NCDAK are ensuring that legislative and policy reforms protect public health. Through community engagement and public awareness campaigns, we continue to advocate for stronger food regulations that prioritize the well-being of Kenyan children.



iv)

#KulaFitiKe campaign (Global Health Advocacy Incubator)

KELIN Kenya, in partnership with NCDAK, NCKK, and IILA under GHAI, is driving digital advocacy for stronger food environment policies through the #KulaFitiKe campaign. This six-month social media campaign raises awareness on the need for mandatory front-of-pack warning labels (FOPL) and restrictions on the marketing of unhealthy foods and beverages to children.

With support from seven digital strategists, the campaign creates public demand for policy change by engaging communities online and urging policymakers to take action. Using the primary hashtag #KulaFitiKe (#EatHealthyKe), alongside #WekaLabelMbele (#PlaceTheLabelInFront) and #StopPredatoryMarketing, the initiative amplifies voices advocating for transparent food labeling and responsible marketing to protect consumers, especially children.



v)

Promoting Physical Activity to Combat NCDs

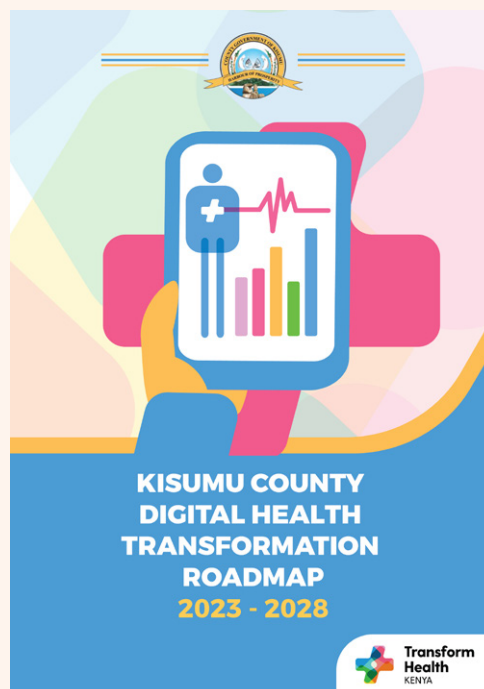
In collaboration with the **Ministry of Health**, KELIN is developing a **policy brief on physical activity** as part of efforts to combat **non-communicable diseases (NCDs)**. This brief will provide evidence-based recommendations to integrate physical activity into public health strategies, urban planning, and workplace policies. By advocating for policies that promote active lifestyles, we aim to reduce sedentary behaviors, a key risk factor for NCDs. Through stakeholder engagement, we are pushing for systemic changes that support healthier communities in Kenya.

vi)

Transform Health

KELIN is the national coordinator of Transform Health in Kenya, a coalition of organizations and institutions in Kenya working on health and human rights, working with key and affected populations, youth and women, all of whom are committed to achieving Universal Health Coverage through the use of digital technologies and data. The coalition's mission is to work with partners to influence governments to establish the proper regulation, legislation, policies and funding to create the right environment for achieving their UHC commitments by 2030. In partnership with Transform Health, KELIN conducted a landscape analysis on the legal and policy environment for UHC and digital health in Kenya. The research set in motion the work of Transform Health Kenya Coalition comprising seven

civil society organizations to advocate for increased use of digital technologies to achieve universal healthcare (UHC) in Kenya. Developed a legislative guide on digital health technologies and data in Kenya. KELIN and Transform Health launched the Digital Health Transformation Roadmap 2024-2026 on 16th October 2024. This roadmap set the stage for digitization of health in Kisumu County and is a step forward to attaining the full enjoyment of the right to health- access to the highest attainable standard of healthcare.



vii)

Anti-corruption campaign: Advocacy for transparency and accountability in the health sector

KELIN, has over time, undertaken advocacy initiatives to advocate against corruption in the health sector. KELIN has continued to express concerns that corruption in the health sector is negatively impacting on the realization of the rights to health. The advocacy has been through open letters, advisories, protests, litigation, request for information letters, petitions to parliament, among others to follow up and hold the government accountable.

See for instance: [Realizing the Right to Health Through Access to Information: A Case Study on Access to Information Day 2023 - KELIN Kenya](#)

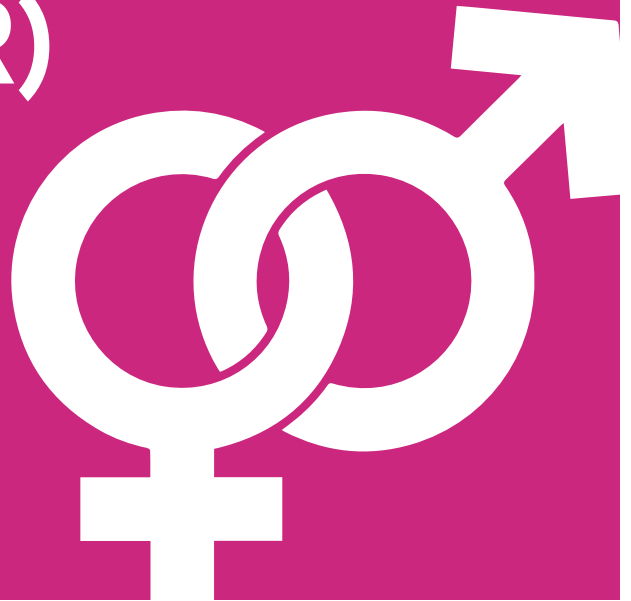
Press Release: [Auditor General's findings on the Social Health Authority \(SHA\): Corruption in the Health Sector is Murder! - KELIN Kenya](#)

[Press-Statement_CS0-Open-Letter-on-Corruption-in-the-Health-Sector_26092020.pdf](#)

[CSO STATEMENT ON THE NTV EXPOSE ON NHIF AND VARIOUS MEDICAL FACILITIES IN NAIROBI AND MERU COUNTIES AIRED ON 18TH JUNE 2023 - KELIN Kenya](#)

See also Media Brief: [KELIN-Commonwealth-Media-Brief-1.pdf](#)

3. Sexual and Reproductive Health Rights (SRHR)



“Reproductive rights are not negotiable—they are fundamental human rights that uphold the dignity and equality of all individuals.”

KELIN's SRHR thematic area is dedicated to protecting the sexual and reproductive health rights of all individuals, particularly women, girls, adolescents, and key populations. This area addresses the systemic barriers that prevent individuals from accessing reproductive health services, focusing on combating gender-based violence, advocating for policy reforms, and ensuring justice for victims of reproductive health rights violations.

Our work aims to create an environment where SRHR services are accessible, equitable, and stigma-free. We believe that reproductive health is a cornerstone of overall well-being and that addressing these issues fosters gender equality and social justice.

Key Projects

i)

DREAMS Innovation Challenge 2017-2018

KELIN was an implementing partner for the DREAMS Innovation challenge in Kisumu and Homa Bay counties. DREAMS was a two-year intervention aiming to curb the increasing rate of new HIV infections among women, girls and young adolescents who are vulnerable. The conveners of this programme were partners from Positive Action for Girls and Women – Viiv Healthcare. KELIN conducted medico-legal training for members of the community in both Homa Bay and Kisumu, which saw support from various offices including the office of the first lady, the judiciary and ministry of health. KELIN also hosted a soccer clinic and tournament as a way of engaging the young girls in the counties while elevating their talents. Through these interactions, KELIN successfully trained 30 adolescent girls as champions for the programme. Over the two years, the DREAMS intervention empowered over 1,000 adolescent girls and young women in Kisumu and Homa Bay Counties to access SRHR services and pursue their full potential. This project aimed to help girls develop into Determined, Resilient, Empowered, AIDS-free, Mentored, and Safe women.



ii)

The United Nations Universal Periodic Review Process – SRT

KELIN convened and spearheaded the development of the Universal Periodic Review (UPR) Right to Health CSO Stakeholder Report <https://www.kelinkkenya.org/wp-content/uploads/2024/12/UPR-Right-to-Health-report.pdf>. The Report was prepared and submitted by 23 civil society organizations to the United Nations Office of the High Commissioner for Human Rights in October 2024. The Universal Periodic Process (UPR) process is a pivotal UN mechanism that reviews the human rights records of member states every 4.5 years. Kenya's 57th session UPR process before the United Nations Human Rights Council in May 2025. The 6 issues within the report are: Inadequate financial resourcing for health; Limited access to comprehensive and integrated HIV prevention services for Key Populations (including prisoners and SOGIESC persons) in Kenya; Gaps in TB service delivery; Limited access to sexual reproductive health services, information and commodities by adolescents & young people, persons with disability, People living with HIV & Key Populations; Gaps in mental health service delivery and Lack of a comprehensive regulatory framework for digital health and rights.

iii)

A stronger movement of pro-SRHR actors in Kenya – OMNIBUS

KELIN developed a training curriculum on community and movement holders' engagement strategies for the advancement of SRHR <https://www.kelinkkenya.org/wp-content/uploads/2024/01/SRHR-Training-Curriculum-Final.pdf>. The Training employed a Trainer of Trainers (TOTs) approach and sought to build a stronger movement of pro-SRHR actors in Kenya. The 32 ToTs created an increase in demand for accountability for available, accessible, acceptable and quality standards of SRHR information, services & commodities for all and comprehensive SGBV support delivery for all by the ToTs from Mombasa, Kilifi, Kisumu, Homabay, Nairobi and Nakuru.

iv)

Decriminalization of Abortion – SAAF

KELIN has worked overtime to ensure the reproductive and health rights of everyone are protected, promoted and upheld. In line with this, KELIN believes that abortion is healthcare, and everyone has a right to access healthcare. In collaboration with SAAF, KELIN advocates for destigmatizing abortion and strengthening reproductive rights for marginalized communities. Some of the communities that KELIN has engaged, trained and made progress in line with this include, Nakuru and Kilifi Counties.



v)

Safe & Legal Abortion Campaign – Kommons

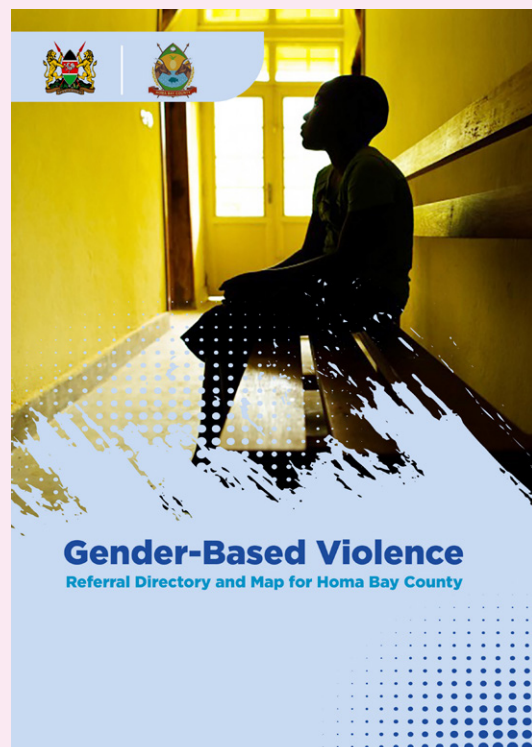
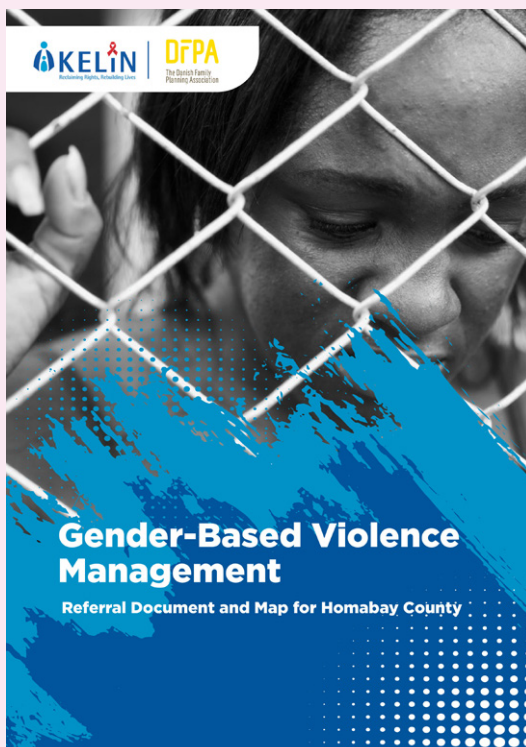
KELIN developed a guide on messaging towards support for Safe and Legal Access to Abortion in Kenya <https://www.kelinkkenya.org/wp-content/uploads/2025/03/Protecting-Women-and-Families-Building-Support.pdf>. The guide titled Protecting Women and Families: Building Support for Safe and Legal Access to Abortion in Kenya. The aim of the guide is to assist activists and others who are supportive of women having access to safe and legal abortion care in Kenya and those working to increase access to safe and legal termination of pregnancy



vi)

Gender-Based Violence (GBV) Advocacy- DFPA

In its efforts to reduce the cases of GBV in Homa Bay and Kilifi, KELIN conducted community dialogue sessions challenging harmful social and gender norms (GTA), through policy prescriptions and frameworks around GBV and finally capacity build duty bearers on GBV and legal frameworks. Capacity building sessions was conducted for law enforcement officers, duty bearers and community champions against GBV. This led to the successful development of Homabay County SGBV policy, Gender responsive programming tracking tool and development of Homa Bay County SGBV Bill 2025, to protect survivors and hold perpetrators accountable. KELIN also does litigation on GBV prevention and response as an area of intervention.



vii)

Planned Parenthood Global

KELIN is part of the Reproductive Health and Rights Alliance convened by Planned Parenthood Global to tackle the intersectionality of SRHR. KELIN's role in the RHRA is litigation handling SRHR as a legal issue handling cases on access to abortion as a healthcare service- decriminalizing abortion. Some of the ground-breaking cases include the JMM Case, BA case and RO case. Through these cases, KELIN was able to uncover the existing gaps between laws and practice. The judgements from these cases provided grounds for advocating for decriminalization of abortion. Through its mandate within the Alliance KELIN also hosts the Legal Support Network Kenya (LSN-K) which is a major resource hub and think tank for the alliance when it comes to litigation.



The Practice of Prosecution of Women and Medical Providers Post Enactment of Article 26(4) on Access to Abortions

viii)

Opposition Monitoring and Mitigation

For the past three years, KELIN has coordinated activity round monitoring and mitigation of opposition to sexual and reproductive health and rights in Kenya. We have done so alongside our colleagues in the movement who organize across communication, intelligence, grassroots movement building and advocacy avenues to effect sufficient mitigation of opposition influence. Some of our notable achievements include an intervention on the falsehoods surrounding utilization of funds in programs supported by PEPFAR in Kenya and the footwork that resulted in Petition 27 of 2022 on the Kenya Reproductive Health Policy, 2022-2032.

4. Strategic Litigation Unit (SILU)



“Law is a powerful tool for social change, transforming injustices into opportunities for accountability and reform.”

The Strategic Litigation Unit uses legal frameworks to challenge systemic health rights violations, ensuring justice for individuals while setting precedents that influence broader societal change. SILU focuses on public interest litigation, targeting issues that have widespread implications on health and human rights.

By addressing long-standing challenges in the health sector, SILU aims to foster accountability among institutions tasked with service delivery while advancing jurisprudence that upholds human rights.

i)

Challenging The State's Response to COVID

JMK & 3 others v Kenyatta University Teaching, Referral & Research Hospital (KUTRRH) & 3 others Petition E295 of 2020

The Petition challenged the forceful detention of patients for failure to pay for costs of testing and medical treatment of COVID 19 while in isolation in Kenyatta University Teaching, Referral and Research Hospital (KUTRRH) and the failure of the state to cater for costs for testing and medical treatment of COVID 19 patients in public health facilities. It also challenges the State's attempt to compel people admitted to public health facilities for isolation and treatment of COVID-19 to pay the cost. Together with the Petition, the Petitioners had also filed an application to safeguard the privacy and confidentiality of their health information and sought orders from the court, to allow the petition to be heard and determined using their initials. This application by the Petitioners was dismissed by the court on 17 December 2020 on the grounds that the disclosure of the petitioners names was not likely to prejudice them, instead it will enable the Respondents to adequately respond to the allegations by the Petitioners. KELIN has appealed against the ruling of the court before the Court of Appeal.



CM (Suing on her on behalf and on behalf of PM (Minor) as parent) & 8 others v Attorney General & 2 others Constitutional Petition E51 of 2020

The Petition challenged the manner in which mandatory quarantine during the COVID pandemic was implemented. The Petition, filed on 6th May 2020 by seven people who were under mandatory quarantine together with the KELIN and Katiba Institute, seek to enforce constitutional protections during mandatory quarantine. The Petition contestation was that the way the government was enforcing quarantine during the COVID 19 was unlawful, inappropriately punitive, violates human rights, and creates public health risks. The Petitioners sought the Court's urgent intervention to prevent the government from unlawfully detaining people in quarantine and in curfew breakers holding places for violating curfew and to ensure that human rights standards are respected and protected in quarantine facilities. Judgement in this Petition was delivered on 22 September 2023 the court partially allowed the Petition. KELIN has appealed against the judgement before the court of appeal and as at March 2025, we are currently awaiting the directions on the appeal from the Court of Appeal.

Erick Okioma & 12 others vs Mutahi Kagwe, Cabinet Secretary for Health & 8 others Petition No 218 of 2020

On 2nd July 2020, 13 Petitioners supported by KELIN filed an urgent case against various several government officials in the High Court in Nairobi for failure on their part to provide the information sought from them in accordance to Article 35 of the Constitution of Kenya, 2010 and the Access to Information Act, 2016 in the context of the COVID-19 pandemic responses in Kenya.

The High Court in Nairobi delivered the judgement in this petition on 15th September 2023 in its entirety stating that it had no jurisdiction to consider the arguments of the parties. KELIN has since appealed this decision before the Court of Appeal and is currently awaiting directions on the hearing of the appeal.

On 15th October 2021, the Court gave the parties time to put in their written submissions. We are scheduled to return to court on 23rd May 2023.

ii)

Challenging the Constitutionality of the National Reproductive Health Policy

Rachael Mwikali & 3 Others V The Cs, Ministry Of Health; (Kenya Obstetrician Gynecologist Society & Katiba Institute) Interested Parties High Court Petition 27 of 2022

This is a petition filed on 8th September 2022 against the Cabinet Secretary, Ministry of Health, challenging the constitutionality of the National Reproductive Health Policy 2022-2032 due to procedural and substantive elements. The policy was passed without the Ministry of Health conducting meaningful public participation in developing the policy contrary to Article 10 and 232(1)(d) of the Constitution.

The Policy that was passed contains various unconstitutional provisions. First, the policy excludes certain populations, particularly young women and girls below the age of 21 years from accessing or receiving critical reproductive health care services or information. Secondly the policy is also exclusionary and discriminatory contrary to Article 27 on equality and freedom from discrimination by requiring that contraceptives to be provided to women in family unions only. Thirdly the policy violates the rights of children as guaranteed under Article 53 of the Constitution of Kenya 2010 by limiting reproductive intervention of adolescents by impeding access to reproductive health services for young girls under the age 21 and requiring parental consent for girls under the age of 18 for all reproductive health interventions. the implementation of which will greatly violate the rights of Kenyans, particularly with respect to the right to reproductive health. The hearing of the petition has concluded, and judgement is set to be delivered on 4th July 2025.

iii)

FA, Kenya Legal & Ethical Issues Network on HIV and AIDS (KELIN) & 5 Others v CS Ministry of Health & Others, Petition E008 of 2023

This petition filed before the High Court in Kisumu by women living with HIV, supported by KELIN and other civil society organizations sought to hold the Cabinet Secretary for Health and the Kenya Medical Supplies Authority (KEMSA) accountable for their failure to ensure continuous and uninterrupted supplies of life-saving ARVs and essential commodities for HIV management in public health facilities. During the period 2021 to 2023 they were repeated stockouts of life-saving antiretroviral medicines, viral load testing kits, and early infant diagnostic commodities between 2021 and 2023. In the judgement delivered on 7th February 2025, the high court dismissed this petition in its entirety. This is despite the Kenya Medical Supplies Authority (KEMSA) admitting to supply challenges and corruption-related disruptions, the court found no violation of the petitioners' constitutional rights. KELIN and the petitioners respectfully disagree with the judgment and will appeal the decision.



iv)

Kenya Legal & Ethical Issues Network on HIV and AIDS (KELIN) v The Attorney General, CS Ministry of Health & The Commission on Administrative Justice (Interested Party) Petition E063 of 2021

KELIN through a petition dated 25th February 2021 sued the Cabinet Secretary for Health for violating the right to access information guaranteed under Article 35 of the Constitution. The information requested was on due to the misappropriation of funds received from the rough the Ministry of Health, accountable for funds received from the Global Alliance for Vaccines Immunization (GAVI) to support the Kenya Expanded Programme of Immunisation (KEPI) in the period 1st July 2009 and 30th June 2015.

KELIN and other civil society partners requested information on the misappropriation of these funds but these requests were not acted upon by the Ministry of Health despite various reminders from KELIN as well as interventions from the Commission on Administrative Justice. In the judgement delivered on 22nd September 2023 the court determined that the conduct of the MOH was a clear violation of the right of access to information and by failing to provide the information on utilization of the GAVI funds they had violated the principles of openness, transparency and accountability provided for in Article 201(a) of the Constitution. The Court allowed the prayers sought and directed the Ministry of Health to provide the information sought. The Ministry of Health is yet to comply with this order.

v)

Republic v Joshua Gichuki Mwangi: Kenya Legal & Ethical Issues Network on HIV and AIDS (KELIN) & 3 Others (Amicus Curiae) Supreme Court Petition E018 of 2023

This appeal filed before the Supreme Court of Kenya sought to challenge the decision of the Court of Appeal that declared that mandatory minimum sentences for sexual offences are unconstitutional as they limit the discretion of the court. KELIN together with Initiative for Strategic Litigation in Africa (ISLA), Federation of Women Lawyers in Kenya (FIDA Kenya) and Women Link Worldwide participated in this case as joint Amici Curiae.

In the judgement delivered on 12th July 2024, the Supreme Court allowed the appeal to the extent of setting aside the judgment by the Court of Appeal in Nyeri in which it declared [mandatory] minimum sentences for sexual offences unconstitutional in that they limit the discretion of the court. The Court uphold the constitutionality of the mandatory minimum sentencing for sexual offences and distinguished between mandatory sentences and minimum sentences, where mandatory sentences leave no discretion for the judge to individualize punishment whereas minimum sentences set the floor rather than the ceiling. The further stated that although the term '*mandatory minimum*' has been used in other jurisdictions, it is not applicable as a legally recognized term in Kenya

vi)

SWK, Kenya Legal & Ethical Issues Network on HIV and AIDS & 3 others v Medecins Sans Frontieres - France & 5 others; Secretariat of the United Nations Programme on HIV/AIDS (UNAIDS) Secretariat & 2 others (Amicus Curiae); International Community of Women Living with HIV (ICW) & another (Interested Parties) (Constitutional Petition E605 of 2014 [2023]

The judgement in this petition which has been ongoing since 2014 was delivered on 21st September 2024. This petitions four women living with HIV were coerced into undergoing bilateral tubal ligation procedures with threats of withholding of food rations and medical support. In each of these secondary health facilities the Petitioners were subjected to sterilization without their informed consent. The court in its judgment declared that it is the right of women living with HIV to have equal access to reproductive health rights including the right to freely and voluntarily determine if, when and how often to bear children. Referral medical institutions must obtain informed consent from patients when undertaking operations.

KELIN has partially appealed against the judgement seeking to hold the Cabinet Secretary Ministry of Health accountability in ensuring that the Petitioners accessed sexual and reproductive health in a manner free from violence.

vii)

LAW, KELIN & Another v Marura Maternity & Nursing Home & 3 others; International Community of Women Living with HIV (ICW) (Interested Party); Secretariat of the Joint United Nations Programme on HIV/AIDS & 2 others (Amicus Curiae) Constitutional Petition 606 of 2014[2022]

This case was about the forced and coerced sterilization of LAW a woman living with HIV without her informed consent by way of bilateral tubal ligation. L.A.W. was pregnant when she went for antenatal care, she tested positive for HIV. She was told at the attending clinic that she should not have any more children because of her HIV status. Years later after having trouble with conceiving she was informed that she had been sterilized by way of bilateral tubal ligation during her caesarean.

The court in its decision declared that it is the right of women living with HIV to have equal access to reproductive health rights, including the right to freely and voluntarily determine if, when and how often to bear children. Further referral medical institutions must obtain informed consent from patients when undertaking operations.

viii)

KELIN Kenya's Case Tracker

This serves as a vital tool in monitoring and updating ongoing legal proceedings, ensuring transparency and accessibility in matters of public interest. To stay informed on these crucial updates, visit the Case Tracker [here](#).

5. Women's Land and Property Rights (WLPR)



“Securing women’s land rights secures the future of families, fosters equality, and strengthens communities.”

KELIN’s WLPR thematic area focuses on transforming norms and advocating for policies that protect women’s rights to land and property. By addressing cultural and legal barriers, we aim to ensure that widows, orphans, and marginalized women are empowered to claim their rightful inheritance and participate fully in economic and social life.

We emphasize the importance of community-driven approaches, such as Alternative Justice Systems (AJS), to resolve disputes effectively and inclusively.

Key Projects

i)

Securing Your Family's Future (SYFF)

KELIN works to ensure that women land rights are protected to address this, they launched the Secure Your Family's future campaign aimed at protecting the rights of widows, women and children to prevent disinheritance. A campaign aimed at promoting women's land ownership through sensitization and advocacy for a gendered approach to inheritance laws. This campaign saw over 450 women and members of the community educated on their rights to land and property. This training was on successful registration of marriage, writing a successful will, steps of succession and land and property registration. This saw a reduction in the number of women property disinheritance. This campaign took a holistic approach ensuring that all members of the community were trained and well equipped. During this campaign, KELIN constructed houses for widows after reclaiming the land of their deceased husbands in a bid to ensure they have fully resettled their family.



ii)

Alternative Justice Systems (AJS):

KELIN was among the pioneers of AJS in Kenya, a bid to ensure equal access to justice for all. To reduce court congestion and backlog of cases, there was the introduction of the Alternative Justice Systems as provided in Article 10 of the constitution. Alternative Justice Systems are the alternate ways of solving disputes outside the court system. Since its inception, KELIN has partnered with NASCI AJS and the judiciary to train elders, CuCs, and to launch county-specific AJS models in Kisumu, Kajiado, Siaya and Nakuru. This is to ensure equal and affordable access to justice, People centered justice and ensure prompt justice for “minor cases” KELIN facilitated mediations and successful resettlement of 73 cases out of the projected 40 cases that contributed to women gaining control of their land and property in Kisumu, Kakamega, and Homa Bay. AJS provides an

affordable, easily accessible, prompt and people centered justice system. KELIN has provided a solid foundation for the AJS by fully equipping elders and local leaders to solve disputes and ensure that justice is served for the members of their communities. Through this, the elders in collaboration with KELIN have developed the [Compendium of cases](#) which is a collection of the various cases that have been settled successfully since the commissioning of the various AJS models.



iii)

Lake Region Economic Bloc Forum-LREB

KELIN is a key partner in the LREB forum, which centers the role and place of women in contributing to the Lake Region Economic growth. KELIN's role in the LREB stems from the excellent work they have accomplished in promoting and protecting women's land and property rights. This has elevated KELIN's work in communities in Nyanza and western region. Over the years, the role of women in growing the LREB has often been placed at the periphery yet they play a very crucial role in growing the Lake Region Economy. Through this forum, KELIN and partners have elevated the role of women in the growth of the economy in the lake region, attributing majority of the success to women. KELIN has also worked to ensure that the rights of these women are protected, promoted and upheld. This engagement has garnered many positive testimonials of women sharing their journey in the omena business and how KELIN and partners have been part of their journey.



ANNUAL REPORTS: 2018–2023



2018 Annual report

[Read here](#)



2019 Annual report

[Read here](#)



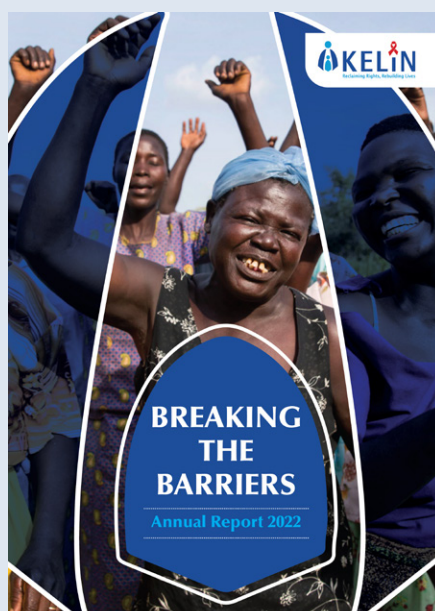
2020 Annual report

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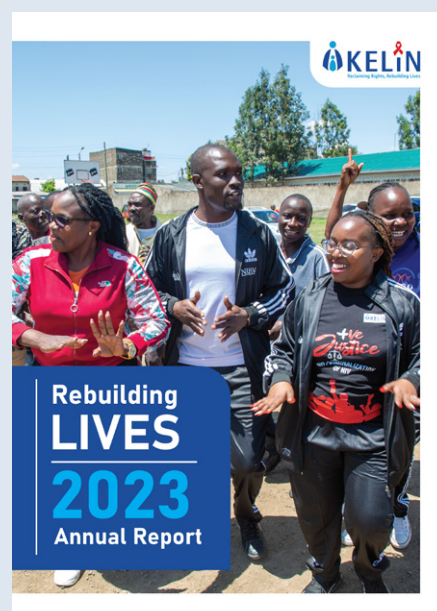
2021 Annual report

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2022 Annual report

[Read here](#)



2023 Annual report

[Read here](#)

PHOTO GALLERY



The Kisumu County governor discussing status of land in Kisumu during the strategic meeting with National Land Commission and KELIN



Strategic meeting on gender transformative interventions for land tenure



Elders from Muhoroni and widow Maria Siangla holding her title



Research team from KELIN and the Graduate Institute of International and Development Studies in Geneva represented by Dr. Sara Meg Davis



Peaceful SRHR protests in Nairobi calling for the realization of a progressive environment for #SRHR



Council of elders in Rawinji, Oyugis and Homa Bay conducting mediations





KELIN pays a courtesy visit to the Homa Bay County Governor's office - Hon Gladys Wanga, to discuss the ongoing partnership addressing SGBV in the County.



KELIN connects with partners at the Women Deliver Conference 2023



KELIN and partners at the Digital Health Week Conference 2023 with Transform Health Kenya



KELIN in Mfangano Island conducting a Women land rights sensitization forum with elders and paralegals





KELIN contributes to conversations during the Maputo @20 High Tea



KELIN in Homa Bay County on World AIDS Day 2023- My Body Is Not a Democracy, participants display their paintings from the art competition



Traditional dancers entertaining community members and invited guests during World AIDS Day 2023



KELIN awards winning teams and individuals from World AIDS Day 2023 competitive activities



Goals Beyond the Game - Activities at the World Safe Abortion Day 2023



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