



**REPUBLIC OF KENYA**

**The 4<sup>th</sup> Periodic Report by Kenya on the implementation of the African Charter on the Rights and Welfare of the Child submitted to the Committee of Experts as required under Article 43 of the Charter**

## LIST OF ACRONYMS

<b>ACERWC</b>	African Committee of Experts on the Rights and Welfare of the Child
<b>ASAL</b>	Arid and Semi-Arid Land
<b>AU</b>	African Union
<b>BIC</b>	Best Interest of the Child
<b>CAC</b>	Children Advisory Committees
<b>CAJ</b>	Commission on the Administration of Justice
<b>CBE</b>	Competency Based Education
<b>CCIs</b>	Charitable Children's Institutions
<b>COG</b>	Council of Governors
<b>CPIMS</b>	Child Protection Information Management System
<b>CPUs</b>	Child Protection Units
<b>CSOs</b>	Civil Society Organizations
<b>CT-OVC</b>	Cash Transfer for Orphans and Vulnerable Children
<b>DAC</b>	Day of the African Child
<b>DCS</b>	Directorate of Children Services
<b>DRS</b>	Department of Refugee Services
<b>ECD</b>	Early Childhood Development
<b>FGM</b>	Female Genital Mutilation
<b>GBV</b>	Gender Based Violence
<b>KCA</b>	Kenya Children's Assembly
<b>KNBS</b>	Kenya National Bureau of Statistics
<b>KNCHR</b>	Kenya National Commission on Human Rights
<b>MDAs</b>	Ministries, Departments and Agencies
<b>MOE</b>	Ministry of Education
<b>MOH</b>	Ministry of Health
<b>NCAJ</b>	National Council on the Administration of Justice
<b>NCCS</b>	National Council for Children's Services
<b>NCPWD</b>	National Council for Persons with Disabilities
<b>NGAO</b>	National Government Administrative Officer
<b>NGCDF</b>	National Government Constituency Development Fund
<b>NGEC</b>	National Gender and Equality Commission
<b>NICHE</b>	Nutrition Improvements through Cash and Health Education
<b>NPRP</b>	National Prevention and Response Plan
<b>OCSEA</b>	Online Child Sexual Exploitation and Abuse
<b>ODPC</b>	Office of the Data Protection Commissioner
<b>ODPP</b>	Office of the Director of Public Prosecutions
<b>PACS</b>	Probation and Aftercare Services
<b>PBOs</b>	Public Benefit Organizations
<b>SHA</b>	Social Health Authority
<b>SMP</b>	School Meal Programs

<b>TVC</b>	Technical and Vocational Colleges
<b>TVET</b>	Technical and Vocational Education and Training
<b>UCB</b>	Universal Child Benefit
<b>UN</b>	United Nations
<b>UNICEF</b>	United Nations Children Fund
<b>UNCRC</b>	United Nations Convention on the Rights of the Child
<b>VAC</b>	Violence Against Children
<b>WASH</b>	Water Sanitation and Hygiene
<b>WFP</b>	World Food Programme

## TABLE OF CONTENTS

LIST OF ACRONYMS.....	i
CHAPTER 1: GENERAL INFORMATION ABOUT THE STATE PARTY.....	1
1. INTRODUCTION.....	1
2. METHODOLOGY.....	2
3. DEMOGRAPHIC CHARACTERISTICS.....	3
CHAPTER TWO: GENERAL MEASURES OF IMPLEMENTATION (Art.1(1) .....	4
OBLIGATIONS OF STATE PARTIES.....	4
A. Constitutional, Legislative, and Policy framework for the promotion and protection of the rights and welfare of the Child .....	4
B. Polices, Strategies and Action Plans.....	5
C. Invoking of the Charter in Courts of Law .....	6
D. Institutional Framework for the Promotion and Protection of the Rights and Welfare of the Child.....	6
E. National Human Rights Institution(s).....	8
F. Budgetary Allocation .....	9
G. Cooperation with Non-State Actors .....	11
H. Implementation of the Decisions of the Committee and Other Relevant Regional Bodies.....	11
I. Implementation of Relevant Programmes, Action plans and Policies of the AU	12
CHAPTER THREE: DEFINITION OF A CHILD (art. 2).....	13
CHAPTER FOUR: GENERAL PRINCIPLES (arts. 3, 4, 5 and 26).....	14
A. Non-discrimination (art. 3 and 26) .....	14
B. Best Interests of the Child (art. 4).....	15
C. The Rights to Life, Survival and Development (art. 5).....	17
D. Respect for the views of the child (art. 4).....	19
CHAPTER FIVE: CIVIL RIGHTS AND FREEDOMS (arts. 6-10 and 16) .....	21
A. Name and Nationality (art. 6) .....	21
B. Freedom of Expression (art. 7).....	22
C. Freedom of Association (art. 8) .....	22
D. Freedom of Thought, Conscience and Religion (art. 9) .....	22
E. Protection of Privacy (art. 10) .....	23

F. The Right Not to Be Subjected to Torture (art. 16).....	24
Legislative Measures .....	24
Administrative, Social and Educational Measures .....	24
CHAPTER SIX: ECONOMIC, SOCIAL AND CULTURAL RIGHTS (arts. 11-12 and 14)...	29
A. Education (art. 11).....	29
B. Leisure, Recreational and Cultural Activities (art. 12).....	33
C. Health and Welfare (art. 14).....	34
CHAPTER SEVEN: FAMILY ENVIRONMENT AND ALTERNATIVE CARE (arts. 18-20 and 24).....	38
A. Protection of the Family (art. 18).....	38
B. Parental Care and Protection (art. 19).....	39
C. Parental Responsibilities (art. 20) .....	40
D. Adoption (art. 24).....	40
CHAPTER EIGHT: PROTECTION OF CHILDREN IN MOST VULNERABLE SITUATIONS (arts. 13, 22-23 and 25).....	42
A. Children with Disabilities (art. 13).....	42
B. Children in Situations of Economic Exploitation (art. 15).....	44
C. Refugee Children, Children Seeking Asylum and Internally Displaced Children (art. 23).....	46
D. Children in Armed Conflict (art. 22).....	48
E. Children of Imprisoned Mothers (art. 30).....	49
F. Children in Situations of Sexual Exploitations (art. 27).....	49
G. Children in situations of drug abuse (art. 28) .....	50
H. Children in Situations of Sale, Trafficking and Abduction (art. 29) .....	51
I. Children in Street Situations.....	52
CHAPTER NINE: HARMFUL PRACTICES (arts. 1(3) and 21).....	53
CHAPTER TEN: CHILD JUSTICE (arts. 17).....	56
CHAPTER ELEVEN: RESPONSIBILITIES OF THE CHILD (arts. 31).....	60
CHAPTER TWELVE: CONCLUSION .....	61
ANNEX I: STATE & NON-STATE AGENCIES IN THE REPORTING PROCESS.....	62
ANNEX 2: STATISTICAL MATRIX.....	64

## CHAPTER 1: GENERAL INFORMATION ABOUT THE STATE PARTY

### 1. INTRODUCTION

1. Kenya ratified the African Charter on the Rights and Welfare of the Child, herein after referred to as the Charter, in the year 2000. The Charter obligates State Parties to promote, protect and fulfil the rights provided for under the instrument. It further requires them to submit reports to the African Committee of Experts on the Rights and Welfare of the Child (**ACERWC**) on the measures that have been adopted to give effect to the provisions of the Charter. This report is submitted pursuant to Article 43 of the Reporting Procedure of the Charter.
2. The State Party has endeavoured to work towards the implementation of the Charter through domestication of its aspirations under the Constitution and other legislations such as the Children Act, Cap 141 of Laws of Kenya. In addition, it continues to implement the Sustainable Development Goals and “Agenda 2040: Fostering an Africa fit for Children” by integrating them into policies and government development plans.
3. The State Party submitted its Initial Report in 2007, the First Periodic Report in 2014 and a combined Second and Third Report in 2018. In each reporting period, the State Party has endeavoured to progressively implement the Charter while addressing the Concluding Observations issued by the Committee subsequent to the consideration of the Periodic Reports.
4. This report should address the Concluding Observations of the combined 2<sup>nd</sup> and 3<sup>rd</sup> Report, that were issued by the Committee in January of 2021, and outline other steps that the State Party has taken to implement the Charter. However, the State Party had a **Follow up Consultation** with the Committee during the 44<sup>th</sup> Ordinary Session that was held in Maseru, Lesotho in October, 2024 and discussed progress in implementation of the Concluding Observations and preparation of this report. This report, therefore, addresses the Concluding Observations that were not conclusively addressed at the 44<sup>th</sup> Session, the recommendations from the consultative meeting and other undertakings in furtherance of the State Party’s commitment towards fully implementing the Charter as guided by the aspirations of the Agenda 2040 and national laws and policies.

5. Consolidation of this Report was spearheaded by the National Council for Children's Services (NCCS) in collaboration with both State and Non-State agencies in the children's sector. The report covers the period between the year 2021 to date.

## **2. METHODOLOGY**

6. In compiling this Report, both primary and secondary data was collected. Primary data was collected through consultations and interviews while secondary data was obtained from desk review of documents and reports from both State and non-state agencies. The 6<sup>th</sup> and 7<sup>th</sup> State Party Report on the Implementation of the United Nations Convention on the Rights of the Child (UNCRC) also informed this Report.
7. A team comprising of representatives of MDAs and CSOs in the children sector was constituted by the Ministry responsible for children matters under the coordination of NCCS. These representatives were charged with the responsibility of collecting data and held an initial consultative meeting, to draw a workplan, and several workshops to consolidate the report.
8. To get the views of children on the State Party's implementation of the Charter, a web-based questionnaire<sup>1</sup> informed by the articles of the Charter was developed and administered to about three hundred and fifty (350) children from diverse backgrounds in Nairobi County, Turkana County including Kakuma Refugee Camp and Garissa County. Most of the children were drawn from the Sub-County and County Kenya Children's Assembly (KCA) chapters in those areas. While the sample size of children that participated in this process maybe limited, their views paint a picture of the State Party's efforts in safeguarding the rights and welfare of the child.
9. From the lessons learnt during this exercise, the State Party commits to refining the questionnaire to facilitate web-based parental consent and offline collection of views. It will also work towards reducing the number of questions and making

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<sup>1</sup> <https://views.nccs.go.ke/>

the tool more child-friendly to facilitate inclusion, based on the evolving capacities of children.

10. The views collected from children were analysed and packaged into a report as attached.
11. A statistical Matrix with data on the level of implementation of the various articles of the Charter is attached to this report.
12. A national validation workshop was held in Machakos County from 2<sup>nd</sup> – 3<sup>rd</sup> July, 2025 and in attendance were participants drawn from diverse State and non-state agencies.

### **3. DEMOGRAPHIC CHARACTERISTICS**

13. The State Party's background, constitutional, political and institutional frameworks remain relatively the same as in the previous reports except that its population has grown to an estimated 52.4 million with an inter-censal growth rate of (two point two) 2.2%. According to the 2024 Kenya Vital Statistics Report, forty-two point two (42.2%) of the Kenyan population lies within the age bracket of 0-18 years. The child population is estimated at 22.1 million with a girls-to-boys approximate ratio of 1:1.
14. A significant legal development in the State Party during the reporting period was the enactment of the Children Act, Cap 141 Laws of Kenya (herein referred to as the Children Act), which came into force in July, 2022 and consequently, repealed the 2001 Act. The Children Act addresses emerging child protection issues and harmonizes Kenya's legal framework with regional and international instruments.



## **CHAPTER TWO: GENERAL MEASURES OF IMPLEMENTATION (Art.1(1))**

### **OBLIGATIONS OF STATE PARTIES**

15. The effective implementation of article 1(1) of the Charter was advanced through the development of legislative and policy frameworks that have an impact on the enjoyment of rights under the Charter as outlined below;

#### **A. Constitutional, Legislative, and Policy framework for the promotion and protection of the rights and welfare of the Child**

16. The State Party continues to implement the Children Act and is in the process of developing the Regulations necessary to operationalize it as listed, hereunder:

- i. The Children (National Council for Children's Services) Regulations;
- ii. The Children (Adoption) Regulations;
- iii. The Children (Charitable Children Institutions) Regulations;
- iv. The Children (Welfare programmes) Regulations;
- v. The Children (Foster Care Placement) Regulations;
- vi. The Children (*Kafaalah*) Regulations;
- vii. The Children (Care and Protection) Regulations; and
- viii. The Children (Child Work) Regulations

As indicated during the follow-up consultation with the Committee, seven (7) of these Regulations were subjected to public participation in June, 2024. As a requirement under the Statutory Instruments Act, Cap 2A Laws of Kenya, Regulatory Impact Assessments (RIA) were conducted for the seven (7) Regulations and the assessment reports subjected to public participation. This was conducted in May, 2025 and the draft Regulations have since been forwarded to the Office of the Attorney General for processing, gazettelement and transmission to Parliament for discussion and adoption.

To give effect to Section 18 (4) of the Children Act and therefore, protect children from child labour, the Children (Child Work) Regulations have also been developed and subjected to RIA. Public Participation for these Regulations will be conducted within the 2025/2026 Financial Year.

**Other notable legislative measures that the Government has undertaken include;**

17. Amendment of the **Births and Deaths Registration Rules** to give effect to the Children Act on registration and access to registration services by intersex children.
18. Enactment of the **Persons with Disabilities Act, 2025**<sup>2</sup> which aligns to section 54 of the Constitution and makes provisions for enhanced safeguards for persons with disabilities. The Act provides clarity on the roles of the National and County Governments in service provision to persons with disabilities and restructures the National Council for Persons with Disabilities (NCPWD) assigning it clear functions and powers in protecting, promoting and monitoring the rights of persons with disabilities.
19. Adoption of the Refugees (General) Regulations, 2024 to fully operationalize the Refugees Act, Cap 173 Laws of Kenya.

**B. Policies, Strategies and Action Plans**

20. Review of the **National Children Policy, 2010**. As a result of the review, a draft Kenya Children Policy, 2025 has been developed, subjected to public participation and validated. It will be presented to the Cabinet for consideration and approval within this Financial Year 2025/26.
21. The draft **Integrated Early Childhood Development, 2024** has been endorsed by the Cabinet Secretaries in charge of children matters, health, education and finance. It has been submitted to the Cabinet for approval.
22. The **Shirika Plan for Refugees and Host Communities**<sup>3</sup> that was launched in March, 2025. This Plan is designed to enhance the socio-economic status of refugees through integration with host communities.

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<sup>2</sup> <https://new.kenyalaw.org/akn/ke/act/2025/4/eng@2025-05-27>

<sup>3</sup> <https://refugee.go.ke/kenya-shirika-plan-overview-and-action-plan>

23. ***The Committee recommends that the State Party develops a National Plan of Action for Children under the Children Act, CAP 141.***

24. In this regard, the Ministry in charge of children matters, in conjunction with relevant State and non-state agencies, has developed and disseminated an Implementation and Monitoring Framework for the Children Act. This Framework outlines the roles and responsibilities of key actors in Children Services and proposes timelines for implementation and reporting.

### **C. Invoking of the Charter in Courts of Law**

25. Article 2 of the Constitution of Kenya provides that the general rules of international law shall form part of the law and that any Treaty or Convention ratified by the State Party becomes an automatic source of law. The Children Act and its draft Regulations align with the Charter and other legal instruments for children that the State Party has ratified.

### **D. Institutional Framework for the Promotion and Protection of the Rights and Welfare of the Child**

#### **(i) Government Agencies involved in the implementation of the Charter**

26. The National and County Governments are all responsible for ensuring the progressive implementation of the Charter. The different mandates are embedded in policies and legislations and are executed by the various MDAs and County Governments.

#### **(ii) Overall responsibility for monitoring and coordinating the implementation of the Charter**

27. ***The Committee notes that Part IV of the Children Act comprehensively details the administration of Children's Services defining the mandate of the NCCS which includes regulating, coordinating, and overseeing children's services, and advising the Government on all matters concerning children. However, the Committee learned that the coordination of children's services faces challenges due to the multiplicity of State agencies with often duplicated mandates for children's rights.***

28. To enhance the overall coordination of Children Services, the State Party has established the State Department for Children Services under the Ministry of Gender, Culture and Children Services. Under the State Department, is the NCCS and the Directorate of Children Services (DCS). Pursuant to section 42 of the Children Act, NCCS is mandated to regulate, coordinate and oversee children services and advise the government on all children matters in Kenya. It also, among other functions, coordinates the country's participation in global platforms that promote and protect children's rights and prepares and submits reports and other communication to the multilateral organizations including relevant treaty bodies.
29. Pursuant to section 38 of the Children Act, DCS is the principal government agency responsible for the implementation and administration of children services in the State Party. DCS is charged with ensuring the welfare, rehabilitation, and protection of children in need of care and protection, including those facing hardship, abandonment, abuse, and other vulnerabilities. It also plays a key role in managing statutory children's institutions and supervising Charitable Children's Institutions (CCIs), enforcing court directives, facilitating family reunification, and maintaining comprehensive data on child protection.
30. This clear delineation of roles enhances efficiency in service delivery, ensuring a harmonized and well-coordinated approach to the promotion and protection of children's rights in the State Party.

**(i) Specific body responsible for receiving individual complaints from children and their representatives**

31. NCCS and DCS are the key government institutions established by the Children Act, with the primary mandate over children rights. Other independent agencies such as; the Kenya National Commission on Human Rights (KNCHR), the Commission on Administrative Justice (Office of the Ombudsman) and the National Gender and Equality Commission (NGEC) are also responsible for receiving individual complaints from children and their representatives.

#### **E. National Human Rights Institution(s)**

32. The Constitution of Kenya 2010 under Article 59, establishes three independent Commissions (KNCHR, NGEC & CAJ) each with a distinct oversight mandate on: Human Rights; Gender Equality and Non-Discrimination; Administrative Justice and Access to Information, in accordance with their respective constitutive laws.
33. KNCHR has a designated focal person for children matters while NGEC has established a Youth and Children unit that handles children matters particularly with respect to gender equality and discrimination. The CAJ handles children matters on a case-by-case basis through their Complaints, Investigation and Legal Services Directorate given the nature of its mandate.
34. With regard to funding, there has been a steady increase in budgetary allocation to the three Commissions; the KNCHR budgetary allocation increased from Kes. 381,657,280 in FY 2020/2021 to Kes. 529,800,000 in FY 2023/2024, NGEC's allocation increased from Kes. 449,800,000 in FY 2020/2021 to Kes. 451,800,000 in FY 2023/2024 whilst CAJ's increased from Kes. 577,807,223 in FY 2020/2021 to 622, 5,142 million in FY 2024/2025. However, delay and budgetary cuts in the actual disbursement persist and this has hampered the optimal realization of the Commissions' mandate.
35. During the reporting period, KNCHR received 508 complaints, NGEC received 54 complaints whilst CAJ received 15 complaints.

#### **➤ The role played by the KNCHR in promoting and protecting children's rights**

36. KNCHR is the State Party's National Human Rights Institution (NHRI). It is accredited as an 'A status' in line with the U.N. Paris Principles and has an affiliate status before the ACERWC.
37. It is a Constitutional Commission with the core mandate of promoting and protecting human rights for all in the State Party. Additionally, it is mandated to monitor implementation of the Prevention of Torture Act, Cap 88 Laws of Kenya, as well as reporting on the Convention on the Rights of Persons with Disabilities.
38. Its mandate in child rights is informed by recognizing that children are human beings and bonafide constituents of the Bill of Rights. Further, Article 59 2 (d) of

the Constitution and section 8 of the KNCHR Act, Cap 71 Laws of Kenya, mandates KNCHR to; receive complaints, investigate, redress, monitor and report on observance of human rights in all spheres of life both public and private. Exercise of the Commission's mandate recognizes that human rights are inherent, indivisible, interdependent and universal.

39. Despite funding constraints, the KNCHR has designated a focal person to spearhead the mainstreaming of child rights in its programming and strengthening of partnerships with both State and non-state actors, for effective realization of child rights and general oversight on human rights within public and private spheres.
40. The KNCHR actively participates in national advocacy platforms that advise on child rights such as: National Task Forces; Advisory Boards; Committees and key partnerships with NCCS, the National Council on the Administration of Justice (NCAJ), among others. It also participates in regional and global platforms where human rights and state compliance dialogues take place.

#### **F. Budgetary Allocation**

41. The multi-faceted nature of children services means that they are rendered by different MDAs and County Governments in the State Party. Each of these entities receives government allocations based on sector priorities determined during the budget making process.
42. Notable in this regard during the period under review, is the earmarking of the implementation of the Children Act, Care Reforms and establishment of the Child Welfare Fund as key priority areas in the implementation of the next phase of the Vision 2030 (Medium Term Plan IV). This means that the State Party will be intentional in allocating resources towards the achievement of these priorities.
43. Further, UNICEF and the National Treasury facilitated the training of both county and national government planning and budgeting personnel on child friendly/sensitive budgeting. This will go a long way in ensuring that budgets are drawn with the Best Interest of the Child as the guiding principle.

44. The theme for the 2025 Day of the African Child (DAC), amplified efforts by stakeholders in the sector to lobby for increased funding for children services and inclusion of children in the budget making process. Both State and non-state actors engaged the Parliamentary Committees on Finance and Children Matters and highlighted shortfalls in the budgets of key agencies in children services. 1,945 Children from eleven (11) counties were also facilitated to articulate their fiscal priorities to Treasury. Arising from these, budgetary allocations for the State Department for Children Services for the next Financial Year 2025/2026 were reviewed upwards by Kes. 300 million.

45. The following is a breakdown of resource allocation to children services for the period under review:

*Table 1: Budget Allocation for safeguarding the rights and welfare of the child from 2021-2025 in Millions*

<b>Ministry, Department, and Agencies</b>	<b>2021/2022 (Kes.)</b>	<b>2022/2023 (Kes.)</b>	<b>2023/2024 (Kes.)</b>	<b>2024/2025 (Kes.)</b>
National Council for Children's Services (NCCS)	89.50	99.50	113.50	90.00
Directorate of Children Services (DCS)	3,100.26	3,349.47	3,368.82	2,946.24
National Council for Persons with Disability (NCPWD) (*inclusive of adults)	1,458.56	1,648.00	1,648.00	800.10
Directorate of Social Assistance (CT-OVC)	8,472.00	8,472.00	8,472.00	10,403.33
Street Families Rehabilitation Trust Fund (SFRTF)	202.29	202.29	200.29	230.00
The Anti-FGM Board	124.5	102.5	248.0	161.0
Ministry of Education (MOE)	474,054.17	580,058.09	713,534.56	703,387.97
National Council on the Administration of Justice (NCAJ)	50.3	78.8	118.8	38.0
Prisons (Borstal Institutions)	78.6	79.3	62.9	DNA
<b>TOTAL BUDGETARY ALLOCATIONS</b>	<b>487,630.18</b>	<b>594,089.95</b>	<b>727,766.87</b>	<b>718,056.64</b>

## **G. Cooperation with Non-State Actors**

46. The State Party has continued to create an environment that fosters collaboration of State and non-state agencies in service delivery. NCCS in its composition brings together representatives of key government agencies including the Council of Governors (COG), Public Benefit Organizations, Religious Organizations and the Private Sector. The Children Act also establishes the Children Advisory Committees (CACs) at the County and Sub-County levels whose composition reflects the State Party's efforts to ensure that all stakeholders work towards a common goal of safeguarding the rights and welfare of children. The establishment and operations of CACs is overseen by NCCS.
47. Other structures for collaboration within the State Party include, the Counter-trafficking Advisory Board, the Children Court Users Committees, Civils Society Forums such as the Joining Forces Alliance and Technical Working Groups for specific functions or that seek to address specific aspects of children services such as Violence Against Children, Missing Children and the National Committee on Ending Harmful Practices, among others.

## **H. Implementation of the Decisions of the Committee and Other Relevant Regional Bodies**

### **a) A decision of the Committee made in a communication determined by pursuant to article 44 of the Charter**

48. *Undertake legislative, administrative, and other measures to fully implement Communication No 002/com/002/2009, ensuring that children of Nubian descent are registered at birth and can attain nationality during childhood, and ensuring that the children are not discriminated in any manner when accessing public services. The State Party is recommended provide relevant information on the specific implementation of the Communication, and data reflecting the socio-economic conditions of children of Nubian descent in the next Period Report.*
49. NCCS and the Department of Justice, Human Rights and Constitutional Affairs held a meeting in April, 2025 to discuss this Communication and agreed to constitute a multi-agency team to spearhead its implementation. This will be comprehensively addressed in the Financial Year 2025/2026 and a progress



report submitted to the Committee in the next periodic report as advised in the report from the follow-up consultation.

50. As it continues to implement this Communication, the State Party assures the Committee that the country's birth registration is non-discriminatory and continues to serve all children born in Kenya equally. It also worth noting that vetting of persons in the issuance of National Identity Cards was lifted following a presidential directive on 5<sup>th</sup> February, 2025 and acquisition of the same is, therefore, not a hindrance to children of Nubian descent acquiring birth certificates.

**I. Implementation of Relevant Programmes, Action plans and Policies of the AU**

51. The State Party ensures that Programmes, Action Plans and Policies of the AU are implemented through national legislation, policies and sector plans aimed at protecting and promoting the rights of children. The national development blueprint, Vision 2030 aligns to Agenda 2063 and Agenda 2040. Like earlier stated, the implementation of the Children Act and Care Reforms as well as the establishment of the Child Welfare Fund are among key priorities for the State Party in the Medium-Term Plan IV of Vision 2030.
52. The Aspirations of Agenda 2040, continue to inform interventions at all levels of governance in all the relevant sectors as illustrated in this report.

### CHAPTER THREE: DEFINITION OF A CHILD (art. 2)

53. Article 260 of the Constitution of Kenya defines a **child** as an individual who has not attained the age of eighteen years.

*Table 2: Number of children under 18 living in Kenya by sex*

	2024			
	Male	Female	Intersex	Total
Number of children under 18 in Kenya	10,992,347	11,106,128	-	22,098,475

*Source: KNBS; Based on population projections*

*Table 3: Population Distribution by Age group and sex, 2024*

Age Group	2024			
	Male	Female	Intersex	Total
TOTAL	10,992,347	11,106,128	-	22,098,475
0-4	3,202,046	3,120,566	-	6,322,612
5-9	3,046,404	3,136,316	-	6,182,721
10-14	2,939,826	3,008,044	-	5,947,870
15-17	1,804,070	1,841,202	-	3,645,272

***Note: Population projections excluded intersex, because the parameters used to compute projections cannot be used to compute the inter- censual growth of intersex persons.***

## **CHAPTER FOUR: GENERAL PRINCIPLES (arts. 3, 4, 5 and 26)**

### **A. Non-discrimination (art. 3 and 26)**

54. The State Party remains committed to protecting the rights of children, preventing discrimination and ensuring equal and full enjoyment of the rights and freedoms as recognized and guaranteed by the Charter. Article 27 of the Constitution of Kenya recognizes the principle of equality and non-discrimination. It states that it is the duty of state officers to address the needs of vulnerable groups in society including children and take special measures for marginalized groups.
55. In echoing the Constitution as well as regional and international treaties for children that the State Party has ratified, the Children Act makes provisions for more categories of children in need of care and protection such as children with disabilities, intersex children, children in emergencies, among others. Furthermore, the enactment of the Persons with Disabilities Act, 2025 will bolster efforts towards ensuring that the needs of children with disabilities are sufficiently met by relevant service providers including the NCPWD.
56. During the period under review, the State Party through the NCPWD, established a framework for monitoring disability inclusion in public service. The Status Report on Disability Inclusion in Public Service for the FY 2022/2023, showed that 71% of the 369 public institutions surveyed provided information and communication in alternative formats including braille, large print, audio and video with captioning. The survey did not specifically focus on schools, hospitals and law courts; however, this report indicates that public institutions are responding to the accessibility needs of persons with disabilities to access information and communication.
57. To address the needs of learners with disability, the State Party enacted the Persons with Disabilities Act, 2025. Under Section 4(m) of the PWD Act, the National Government is under obligation to promote affirmative action to ensure that learners with disabilities are enrolled in learning institutions. The Act further, in section 20(8)(c) (iii), mandates the NCPWD together with relevant Government establishments to ensure that the Ministry responsible for Education formulates strategies to implement inclusive education through

establishment of specialized institutions that undertake research and development in education for learners with disabilities. As the PWD Act is being operationalized to facilitate its full implementation, the State Party continues to implement the Basic Education Act, Cap 211 Laws of Kenya, and the current Competence Based Education (CBE) curriculum, which integrate aspects that cater for this category of learners.

58. Additionally, during the period under review, the NCPWD provided education assistance in the form of grants/bursaries and scholarships to 6,388 children with disabilities in primary, secondary and tertiary levels.
59. The NCPWD also supports 3800 persons that include children, with sunscreen lotions, after sun lotions, lip balms, eyecare services, cancer treatment besides its awareness creation efforts. It does this under the National Albinism Support Programme.
60. ***Finalise the review of the Witchcraft Act to ensure the criminalisation and prosecution of harmful practices against children with albinism.***
61. The Witchcraft Act, Cap 67 Laws of Kenya, is still under review.

**B. Best Interests of the Child (art. 4)**

62. ***The Committee welcomes that the Children Act incorporates the constitutional principle that the best interests of the child should guide all matters concerning children. While mechanisms exist to facilitate children's involvement, the State Party acknowledged that these structures lack sufficient resources, hampering effective implementation of the principle. Additionally, the Children Act mandates the establishment of Child Protection Units (CPUs) in all police stations to ensure a safe environment for children to report violations. However, the Committee learned that 77 out of 81 police stations lack CPUs and that the CPUs were often not adequately staffed, and sometimes not being used for their intended purpose.***
63. The place of children in decision making is given due consideration in the State Party and in their best interest, children are facilitated to participate in matters

concerning them through existing child participation platforms<sup>4</sup>. The Kenya Children's Assembly (KCA) and other similar platforms exist to ensure that children access and exercise their right to participation. To strengthen the KCA, the State Party has finalized the review of the KCA Standing Orders and in collaboration with non-state agencies is currently facilitating KCA elections at the sub-county and county levels. As earlier stated, the State Department for Children Services held successful consultations with Parliament and the National Treasury and its budget for the Financial Year 2025/2026 has been enhanced. Key among the issues that were discussed in these consultations was child participation and the need for this to be consistently funded.

64. To ensure that the BIC is ingrained in the justice system at all levels as the Children Act envisions, the State Party through the Inspector General of Police (I.G) has continued to strengthen the 611 Gender and Children's Desks across the country by building the capacity of the officers designated to serve these desks. During the period under review, 678 Station Commanders, 150 Police College Instructors and 208 Crime Scene Investigation officers were trained on Investigating Defilement. Similarly, 25 Station Commanders and 175 Gender and Children Desk Officers in Kajiado county were trained on Investigation of Female Genital Mutilation (FGM) cases. Approximately 120 more officers were also been trained on Investigation of Online Child Sexual Exploitation.
65. Moreover, the State Party has developed a guidebook for child online safety dubbed, *Safe Online: A Guidebook for Children on Safe Internet Usage (2025)*. This was done in collaboration with children where their voices were captured and significantly shaped the ideas in the guidebook. So far, 550 children, through the KCA in various counties and sub-counties have been trained on OCSEA and key legal provisions on online child protection in the Children Act to enhance their self-protection skills through identification and reporting of online abuse and exploitation. Out of the 550 children, 100 children were trained as Trainer of Trainees to facilitate cascading of the trainings to the grassroots level as well as to strengthen peer to peer trainings.

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<sup>4</sup> <https://www.chr.up.ac.za/latest-news/4094-commemorating-the-day-of-the-african-child-in-lilongwe-malawi?highlight=WyJibHQiXQ==>

66. With regard to establishment of CPUs, the State Party wishes to report that there are currently 18 CPUs in the country. The I.G commits to marshal resources to ensure that these units are progressively established in all police stations as the Children Act provides for.

**C. The Rights to Life, Survival and Development (art. 5)**

67. Article 26 of the Constitution of Kenya guarantees every person the right to life and this is further reiterated in section 6 of the Children Act which states that every child has the right to life, survival, wellbeing, protection and development.

68. Additionally, the Children Act states that no court shall pass a death sentence for any offence committed by a child.

69. ***Ensure that the Social Health Insurance scheme does not exclude children from vulnerable backgrounds based on inability of families to make required monthly contributions.***

70. In an effort to provide Universal Health Care (UHC) to all its citizens including children, the State Party established the Social Health Authority (SHA) whose mandate is to provide healthcare services from empaneled and contracted healthcare providers and healthcare facilities on referral from primary health facilities. SHA ensures that every resident in Kenya can access a comprehensive range of quality health services without the burden of financial hardship. The rollout of SHA is ongoing, and significant milestones have been achieved: Over 19,340,978 Kenyans have been registered; Means Testing has been conducted for 3.33 million registrants; although this remains sub optimal, 8,813 out of 17,755 health facilities (56% of all active facilities) have enrolled, with 89% having successful logins; over 1 million Kenyans have accessed primary healthcare services since October 2024; and the average processing time for pre-authorization requests has significantly reduced from 526 minutes to 76 minutes.

71. Another notable gain with regard to Child Health in the State Party, is the decrease in under five mortality from 52 per 1000 live births in 2014 to 41 per 1000 live births in 2022 (KDHS Report, 2022). To sustain the gains made so far and progressively address concerns in New Born and Child Health, the State Party also developed the Newborn and Child Health Strategic Plan 2022-2026,

the Paediatric Quality of Care Standards of 2023 and reviewed the Basic Paediatric Protocol of 2022 (5th edition) during the period under review.

72. Additionally, the State Party through the MoH distributed insecticide-treated nets to children under one year to prevent diseases such as Malaria across the country.

73. The following table shows the number of nets distributed between 2021 and 2024.

*Table 4: number of mosquito nets distributed to children under one year.*

<b>Year</b>	<b>Number of nets distributed to children under 1year</b>
2021	681,115
2022	832,841
2023	898,110
2024	656,869

Source: MOH Kenya Health Information System (KHIS)

74. ***Expand the Universal Child Benefit (UCB) to all counties, ensuring that the cash transfer amount is sufficient to meet children’s needs.***

As reported during the follow-up consultation, piloting of the Universal Child Benefit was concluded and with the support of UNICEF and Save the Children, an impact assessment was conducted between May and July, 2024. The assessment report<sup>5</sup> was launched in March 2025 and it recommends that the UCB is scaled up gradually either geographically targeting areas with high vulnerability and malnutrition rates or gradually increasing coverage over time, similar to the South African and Nepalese experiences. It also recommends integration with other Social Protection Programs and specifically proposes

<sup>5</sup> <https://www.unicef.org/innocenti/media/10826/file/UNICEF%20Innocenti-Child-Benefit-Kenya-2025.pdf>

scaling up the UCB program to expand like the Cash Transfer for Orphans and Vulnerable Children (CT-OVC) and Nutrition Improvements through Cash and Health Education (NICHE) to create a lifecycle approach for child social protection. These and the many other recommendations that the report makes all aim to ensure the UCB program's scalability while maintaining its effectiveness and inclusivity and will greatly inform the State Party's Social Protection efforts especially those that are aimed at promoting the welfare of children.

**D. Respect for the views of the child (art. 4)**

75. Section 28 of the Children Act entrenches the right of the child to express his or her views in every matter affecting them. It provides, among others, that “every child shall have the right to express their views in all matters affecting them, and have those views heard and given due weight in accordance with the child’s age and maturity”.
76. Children were engaged in the consolidation of this report as explained in Chapter 2 (ii). While collecting the views of children, the State Party experienced challenges that limited the number of children that were reached. To address this, going forward, the State Party will improve the data collection system to ensure that it can collect data offline. It is also working towards making the tool as inclusive and child-friendly as possible.
77. ***Finalize the review of the Child Participation Guidelines and allocate a sufficient budget for the KCA to enhance its independence.***
78. Following the review of the Guidelines, the State Party has developed draft Guidelines for Child Participation that will, in the Financial Year 2025/2026, be subjected to child and wider stakeholder consultation and other necessary processes before it is launched and disseminated within the same period.
79. As earlier stated, children participated in the 2025/2026 National budgeting process and articulated their fiscal priorities. Their efforts were bolstered by those of the State Department for Children Services and CSO’s in the sector, and



the added resources courtesy of this will also be utilized in facilitating child participation.

80. Children in the State Party also took part in the celebrations marking this year's DAC both at national, county and sub-county levels. Some of them also represented the country at the Continental DAC event in Lilongwe, Malawi<sup>6</sup>, under the auspices of the Centre for Human Rights at the University of Pretoria. During the celebrations both in Kenya and in Malawi, children called upon the government (s) to prioritize their rights in resource allocation.
81. During the Africa Climate Summit in 2023, one hundred and seventeen (117) Children from across Kenya joined other children from Africa to participate in the event and add on to the climate action conversation. This is in line with different policy documents in the country and beyond like the National Climate Change Action Plan and Global Sustainable Development Goals (2030). The children developed an outcome statement that was later presented to the President of Kenya, and the then chair of the African Union, Hon. Mussa Faki. The outcome statement was adopted into the Nairobi Declaration<sup>7</sup>.

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<sup>6</sup> <https://www.chr.up.ac.za/latest-news/4094-commemorating-the-day-of-the-african-child-in-lilongwe-malawi?highlight=WyJibHQiXQ==>

<sup>7</sup> <https://resourcecentre.savethechildren.net/pdf/African-children-climate-declaration.pdf>

## **CHAPTER FIVE: CIVIL RIGHTS AND FREEDOMS (arts. 6-10 and 16)**

### **A. Name and Nationality (art. 6)**

82. The State Party's birth registration coverage stood at 70.4% in 2024, a drop from 77.1% in 2023, 82.9% in 2022 and 83.1% in 2021, indicating a downward trend. This is as per the Kenya Vital Statistics Report, 2024<sup>8</sup>.
83. The report indicates that ASAL counties had the lowest birth registration completeness and attributes this to the vastness of these areas, cultural and religious beliefs and the nomadic lifestyle of some the communities in the said areas.

### **Measures to Remove Social, Economic and Cultural Barriers that Hinder the Registration of Children Immediately after Birth**

84. The State Party is progressively working to remove social, economic and cultural factors that impede birth registration: For instance, 390 registration officers and clerks were employed in the Financial Year 2024/2025 to increase the number of personnel in the current registration offices. There are currently 167 registration offices in the country and the State Party is progressively working towards establishing more sub-county offices and employing staff to enhance coverage.
85. Other efforts by the State Party to increase birth registration include: collaboration with various State and non-state actors to conduct community sensitization and registration seminars for registration agents such as medical personnel and assistant chiefs on the importance of registration and the need to report occurrences of births within thirty (30) days; working with community health promoters at the location level to help in reporting births that have occurred in their jurisdictions and leveraging on social protection programmes that the State Party is implementing such as the NICHE programme that has been so instrumental in promoting birth registration.

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<sup>8</sup> <https://www.knbs.or.ke/reports/kenya-vital-statistics-report-2024/>

## **B. Freedom of Expression (art. 7)**

86. Article 33 of the Constitution, guarantees freedom of expression. This provision applies to all citizens in the State Party, including children. Moreover, section 28 of the Children Act provides that every child has the right to assemble, demonstrate, petition, and participate in public life, in matters affecting children, through lawfully established forums.

## **C. Freedom of Association (art. 8)**

87. The Constitution has guaranteed persons including children freedom of association (Article 36) and peaceful assembly (article 37). Furthermore, section 28 of the Children Act, reiterates the right to assemble, demonstrate, petition, and participate in public life but it shall be subject to the rights of others.

88. Kenya has continued to create safe spaces for children to meaningfully engage in and give opinions on matters that concern them. The KCA accords children opportunities to exercise their freedom of expression, association and peaceful assembly. Other platforms that allow children to express themselves include the School Councils and Child Rights clubs in schools. These platforms also provide avenues for children to learn and understand their rights and responsibilities as well as keep abreast with happenings in the children's environment both locally and beyond borders. This way, they are able to hold their duty bearers to account from an informed perspective. The platforms also serve to nurture leadership and build confidence in children.

## **D. Freedom of Thought, Conscience and Religion (art. 9)**

89. Article 32 of the Constitution guarantees freedom of conscience, religion, thought, belief and opinion. While section 15 (1) of the Children Act states that "every child shall have the right to freedom of thought, conscience, religion and religious education subject to appropriate parental guidance, and in the best interest of the child".

90. During the period under review, the State Party continued to sensitize children, caregivers and the general public on child rights and their respective roles in this regard, using various community engagement platforms in partnership with non-state actors.

91. It is also worthy to note that the school curriculum under the Competency Based Education (CBE), includes child rights as a learning area for learners at all levels to ensure that children know and understand their rights and responsibilities as per their evolving capacities. Additionally, religion is a taught subject in school and children get to study the subject either as Christians, Muslims or Hindus depending on their religious inclinations as guided by their parents or guardians.

#### **E. Protection of Privacy (art. 10)**

92. In line with Article 31 of the Constitution, which guarantees that each person has a right to privacy, the Children Act in section 27 (1) states that “no person shall subject a child to arbitrary or unlawful interference with his or her privacy, family or private affairs, or correspondence, or to attacks upon his or her honor or reputation.”
93. As reported during the follow - up consultation, the State Party established the Office of the Data Protection Commissioner following the enactment of the Data Protection Act in 2019. In the course of the period under review, the ODPC developed a regulatory framework that comprises of Regulations<sup>9</sup> necessary to operationalize the Act with regard to processing of personal data and registration of data controllers and processors. The ODPC has also continued its sensitization efforts to ensure that all Kenyans are aware of their rights and obligations as per the Data Protection Act. It also continues to receive and resolve cases on data breaches including those against children as in the link below<sup>10</sup>.
94. The Data Protection Act categorizes children’s data as sensitive and as such, the ODPC is in the process of developing Guidelines for handling such data. The Guidelines are currently being subjected to public participation.
95. In preparing this report, NCCS staff were trained on data protection and the State Party reporting process subjected to a Data Privacy Impact Assessment (DPIA) to identify possible areas of data breaches against children in this process and come up with remedies that enhance compliance with the law.

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<sup>9</sup> <https://www.odpc.go.ke/data-protection-laws-kenya/>

<sup>10</sup> <https://www.odpc.go.ke/wp-content/uploads/2025/03/BENJAMIN-OUMA-vs-DMI-EDUCATION-SERVICES-LTD-.pdf>

## **F. The Right Not to Be Subjected to Torture (art. 16)**

### **Legislative Measures**

96. Article 25 of the Constitution protects any person from being subjected to torture or corporal punishment of any kind. This is further reiterated in the Prevention of Torture Act, Cap 88 Laws of Kenya and the Children Act, which in section 25, provides for right of freedom of children from torture and cruel, inhuman or degrading treatment including corporal punishment.

### **Administrative, Social and Educational Measures**

97. To protect children from all forms of torture and inhuman or degrading treatment, the State Party continually builds the capacity of professionals, working with and for children on various aspects relating to abuse and the protection of children. Children Officers across the country, for instance, are trained using the Social Service Workforce Curriculum at the Kenya School of Government, to ensure that they are effective in preventing and responding to child rights violations.
98. The State Party also carries out awareness campaigns through the Ministry of Education in collaboration with other agencies for the promotion of safe school environments. This is done through various media platforms and community structures to educate the general public on the protection and promotion of child rights.
99. Further, the Positive Discipline Manual for Basic Education that was developed in 2021 presents a positive approach to discipline and guides teachers to help learners acquire knowledge, skills, attitudes and values critical for developing self-discipline throughout their learning process. It upholds the children's rights to healthy development, protection from violence, and active participation in learning.
100. Additionally, the Guidance and Counselling Policy of 2022 serves to strengthen guidance and counselling departments in learning institutions and provides positive alternative corrective measures for learning institutions to deal with challenges faced by learners. The policy provides a framework for teachers and other education stakeholders to guide learners to understand themselves, manage their environments and navigate personal life challenges.

101. Within the Child Justice System, the National Strategy on Justice for Children 2023-2028 seeks to strengthen the coordination efforts by the State Party to promote, protect and improve the administration and access to justice for children in the formal and informal sectors. Further, the Strategy seeks to empower all stakeholders, including children, communities, civil society organisations and development partners, to support a child-friendly justice sector. This partnership enhances response to violence against children, promotes child participation and empowerment, and strengthens collaboration among stakeholders. The Strategy's Monitoring, Evaluation and Learning (MEL) framework provides a robust foundation for assessing, improving and continually adapting the Strategy to ensure child-friendly and effective access to justice while upholding children's rights and dignity.
102. Following the launch of the OCSEA -NPA (2022-2026) in June 2022, the State Party has developed Standard Operating Procedures on Online Child Sexual Exploitation and Abuse in Kenya, the Industry Guidelines for Child Online Protection and Safety (2025), Training Manual for Social Service Workforce on Online Child Sexual Exploitation and Abuse and a Guidebook for Children on Safe Internet Usage to further protect children from online abuse and exploitation.
103. In January 2021, the Anti-Human Trafficking and Child Protection Unit (AHTCPU) entered into a partnership with the Internet Watch Foundation (IWF) to launch the first ever dedicated portal for law enforcement in the State Party to report suspected online images and videos of child sexual abuse to expert IWF analysts.
104. Other measures in this regard include; the launch of the Sexual Offenders Register in 2023 and strengthening of the 116 and 1195 helplines, which specifically respond to incidences of VAC and GBV.
105. ***In Concluding Recommendation 35, the Committee urges the State Party to review the Prevention of Torture Act, 2017 to extend the definition***

***of targeted perpetrators beyond public officers by including non-state actors.***

106. The State Party takes note of this and confirms its commitment to protect and promote human rights of its citizens including children. While it is yet to review the Act, it has formed a tripartite task force chaired by the Director of Public Prosecution to improve investigations on torture. The task force utilizes tools such as Standard Operating Procedures (SOPs) and the Police Accountability Case Digest.

107. ***In Recommendation 36, The Committee recommends that the State Party:***

***a. Takes concrete measures to ensure that violence against children is eradicated in the country;***

1. To address the findings and recommendations of the VAC survey of 2019, a National Response Plan on VAC (NPRP 2019-2023) was developed. The response plan called for multi-sectoral effort to prevent and respond to violence against children and was disseminated and implemented in all the 47 counties.

2. Additionally, during the [2024 Global Ministerial Conference on ending Violence Against Children in Bogota](#), the State Party committed to enhance response and support services towards transformative actions through:

- Developing and disseminating a Kenya Safeguarding Policy for Children by 2027;
- Providing trauma informed training for 1,600 authorized officers to handle child abuse cases;
- Training 80,000 Community Health Promoters to enhance awareness and support on Violence Against Children (VAC);
- Designating and gazetting Specialized Children Courts in 45 additional counties to fast-track the justice process by 2027;
- Increasing the number of children officers by 50% each year by 2027;
- Operationalizing the coordination structures (Children Advisory Committees) at 336 sub-counties and all 47 counties;

- Review the Sexual Offences Act Cap 63A Laws of Kenya, to include emerging issues including technology, and facilitated crimes against children;
3. Following these commitments, the State Party is currently reviewing the Sexual Offences Act and has operationalized CACs in all the 47 counties and 366 sub-counties.
  4. To enhance the coordination function of CACs, the State Party has continued to build their capacity. State and non-state agencies support CACs both financially and technically. During the last quarter of the Financial Year 2024/2025, NCCS disbursed funds to all CACs in the country. With an enhanced budget, NCCS will be able to sustain this support for efficient and effective service delivery to children.

108. ***In Concluding Recommendation 37, the Committee urges the State Party: to promptly investigate to bring to justice perpetrators of violence against children in the period before, during and after the 2017 general elections; and, develop guidelines for the protection of children in emergencies including such contexts as elections-related violence.***

109. The State Party has developed and is currently disseminating the Child Protection in Emergencies Operational Guidelines for Child Protection Practitioners in Kenya, 2023<sup>11</sup>.

110. With regard to election and other unrest related VAC incidences, there are currently seven (7) cases being prosecuted in court. Notably, four police officers finally took plea in May, 2025 for the 2017 murder of Baby Pendo<sup>12</sup>.

**Establishment Special Monitoring Units to Provide Necessary Support for Children and for those who Take Care of the Child**

111. The NCCS, County and Sub-County CACs collaborate with State and non-state agencies to monitor, evaluate programmes and implementation of support provided to children and to inspect, monitor and evaluate children facilities to ensure compliance with set standards. This is as mandated by the Children Act,

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<sup>11</sup> <https://www.wvi.org/sites/default/files/2023-07/Child%20Protection%20in%20Emergencies%20Guidelines%202023.pdf>

<sup>12</sup> <https://www.youtube.com/watch?v=Z4wqxQ56wgc>



in section 42(f), 54 and 55. In addition to this, county governments are progressively instituting county-specific measures that include development of policies to address child protection concerns in their jurisdictions. So far seven (7) counties have developed children Policies to guide their child protection interventions while Embu County has also gone ahead to establish Twelve (12) Positive Parenting Training Centres in every sub-county to mainstream positive parenting training in child protection to support childcare and family systems.

112. The State Party is also in the process of reviewing the National Standards for Best Practices in Charitable Children Institutions which provide minimum standards for operations of the CCIs that ensure a safe and secure environment for children in these institutions.

## **CHAPTER SIX: ECONOMIC, SOCIAL AND CULTURAL RIGHTS (arts. 11-12 and 14)**

### **A. Education (art. 11).**

#### **Aims and Objectives for which the State Party's Educational Policy and Curriculum have been Designed to Foster and Achieve**

113. The State Party continues to implement the Competency Based Education (CBE). As reported during the follow-up consultation, CBE is aimed at increasing the quality of education by ensuring that all learners acquire competencies and qualifications capable of promoting national values, inspiring individual observation and life-long learning. The curriculum under CBE encompasses training modules on human rights, education, global citizenship and civic responsibility and also encourages child participation through clubs in schools. The Presidential Working Party on Education Reforms of 2022 recommended in its report, rationalization on the Competency Based Curriculum (CBC) to make it more learner centered. Consequently, the Kenya Institute of Curriculum Development (KICD) reviewed the initial CBC learning areas to give prominence to foundational literacy, numeracy and transferable skills as well as address curriculum overload. Climate change action and environmental conservation were also infused into the curriculum.

#### **Measures Taken to Provide Early Childhood Education and Pre-Primary Education**

114. SDG4, target 2 obligates governments to ensure that, by 2030 all girls and boys have access to quality early childhood development, care and pre-primary education so that they are ready for primary education. The State Party has made progress towards this by improving infrastructure in pre-primary schools, providing learning resources to 2.87 million children and recruiting 77, 534 teachers in both public and private learning institutions to facilitate learning in 27,174 pre-primary schools.

115. During the period under review, the number of ECDE centers in the State Party increased from 46,623, that is, 31,757 public and 14,866 private pre-primary schools in 2022, to 47,666 in 2024 comprising of 32,461 public and 15,205 private centers.

116. Additionally, the first pre-service ECDE cohort of teachers trained in the Competency Based Curriculum was admitted into 12 Teacher Training Colleges in 2022.
117. The State Party is also implementing the School Meals Programme (SMP) in ASAL counties, in urban informal settlements and in institutions with learners with special needs and disabilities to enhance access, retention and seamless transition.
118. To progressively realize inclusive and equitable quality education for all children including those in vulnerable contexts, the State Party is currently implementing the National Education Sector Strategic Plan 2023-2027<sup>13</sup>. This Plan outlines key strategic areas of focus based on the challenges facing the education sector and proposes interventions to address them within the strategic period. The strategic areas include: access and participation; equity and inclusivity; education quality and relevance; education governance and accountability; as well as other cross cutting, pertinent and contemporary issues in the sector.
119. To enhance coordination in ECD and foster a collaborative approach to service delivery, the State Party developed an Integrated Early Childhood Development (IECD) Policy that is in the final stages of approval. This policy aligns to the Global Nurturing Care Framework for ECD that the State Party has adopted and outlines interventions for children between the ages of 0-8 years to support good health, adequate nutrition, responsive care-giving, safety and security and opportunities for early learning.

### **Measures Taken to Provide Free and Compulsory Basic Education**

120. Article 53 of the Constitution provides that every child has the right to free and compulsory basic education.
121. As part of its commitment to achieve universal primary education, the State Party undertook the following in the period under review:

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<sup>13</sup> [https://education.go.ke/sites/default/files/2024-07/NATIONAL%20EDUCATION%20STRATEGIC%20PLAN%202023-2027-compressed\\_removed.pdf](https://education.go.ke/sites/default/files/2024-07/NATIONAL%20EDUCATION%20STRATEGIC%20PLAN%202023-2027-compressed_removed.pdf)

- a. Provision of capitation grant to cover tuition, textbooks and other learning materials amounting to Kes. 1420 per learner per year;
- b. Development of school infrastructure: A total of 583 public primary schools undertook infrastructure improvement under renovations and rehabilitation while 76 low-cost boarding primary schools undertook boarding facilities improvement for 19 dining halls cum kitchens, 6 ablution blocks and 51 dormitories between 2021 and 2024;
- c. Provision of learning materials such as textbooks and tablets for e-learning;
- d. Implementation of the school meals programme in arid and semi-arid areas and in all special needs' institutions covering 2.6 million learners;
- e. Funding of 8000 refugee learners under the Elimu Scholarship programme;
- f. Recruitment of 56,000 teachers through the Teachers Service Commission (TSC).

**Measures Taken to Progressively Make Secondary Education Free and Accessible to All**

122. Towards this, the State Party undertook the following during the period under review:
- a. Provision of capitation grant to cover tuition, textbooks and other learning materials amounting to Kes. 22,244 per learner per year;
  - b. Construction of 20,279 classrooms, 3,919 laboratories, 19,722 WASH facilities, 1,576 dormitories, 435 libraries, 572 administration blocks, 571 dining halls between 2022 and 2024.
  - c. Supported 22,000 OVC under the Presidential Secondary School Bursary programme and an additional 14,426 needy learners in 2024 through other bursaries and scholarships.

**Measures Taken to Make Vocational and Higher Education Accessible to All on the Basis of Capacity and Ability**

123. The State Party is committed to improving access to vocational and higher education. During the period under review, it embarked on developing a National Policy on Continuous Professional Development for TVET Trainers. It also recruited and deployed 3,100 TVET trainers to different TVET institutions countrywide and will soon be undertaking the second phase of recruiting 2,000

trainers. This move will ensure that all TVETs have enough qualified trainers to run their programmes.

124. Further, the State party has continued to ensure that there is infrastructure development in all TVET institutions countrywide. Currently, the number of TVCs stands at 238 and construction of another 52 will be done in phases. Construction of TVETs in 16 constituencies is ongoing.

**Measures Taken to Encourage Regular Attendance and Retention at Schools and the Reduction of Drop-Outs Rates:**

125. As stated in paragraph 7, the State Party is implementing the School Meals Programme (SMP) in ASAL counties, in urban informal settlements and in institutions with learners with special needs and disabilities to enhance access, retention and seamless transition. An estimated 2.6 million learners are currently in the SMP and the State Party has committed to making this universal with a target of 6 million learners by 2030.

126. In addition to this, the State Party Provides dignity kits to 1.6 million needy girls in Primary and Junior Schools.

127. Refer to paragraphs 120 and 121 for other measures.

**Special Measures Taken to Ensure Equal Access to Education for All Sections the Community Especially for Female Children, Children with Disabilities and Children Belonging to Minority and Indigenous Groups**

128. For marginalized and vulnerable communities, the State Party has; developed a framework to guide education interventions in vulnerable areas, provided school meals, established more low-cost boarding school and provided mobile learning kits in nomadic communities. In order to ensure inclusive education for all children, public schools outside the refugee camps are fully mainstreamed and benefit from government programs such as capitation grants for free primary education and secondary education and other initiatives. This has made it possible for refugee children and children of the hosting communities to equally access this critical right.

**Measures Taken to Ensure that a Child Subjected to School or Parental Discipline is Treated with Humanity and Respect**

129. In 2023, the State Party developed the National Positive Parenting Guidelines, National Positive Parenting Training Manual and Implementation Guide for government and non-government organizations who are delivering the National Positive Parenting Training. This Implementation Guide provides all the practical information needed to prepare for, deliver and monitor comprehensive parenting packages to parents and caregivers in Kenya. The National Positive Parenting Training package promotes the State Party's commitment to strengthening families to prevent and respond to violence against children.

**Measures taken to ensure girls who become pregnant before completing their education have an opportunity to continue with their education**

130. In implementing the National Guidelines for School Re-entry in Early Learning and Basic Education (2020) to ensure that among other learners, girls who become pregnant continue with their education, the State Party:
- a. Provides guidance and counselling services to the learners to help them cope with stigma and psychological stress;
  - b. Creates awareness to the general public to reduce stigma and promote education for child mothers;
  - c. Provides flexible learning options for the learners to ensure that they are ready to rejoin school and to also facilitate feeding and bonding of mother and child;
  - d. In collaboration with local communities and non-state actors, has established support programmes where learners can drop off their babies as they attend school.

**B. Leisure, Recreational and Cultural Activities (art. 12)**

131. It is mandatory for every learning institution within the State Party to have facilities for play, leisure and recreation, with provisions for learners with disabilities. Besides this, co-curricular activities are mainstreamed into the curriculum at all levels of basic education. Additionally, annual cultural days are held in schools and the school curriculum was recently reviewed to include Creative Arts and Crafts as a core learning area in senior school.
132. In the period under review, the State Party developed a Social Behavioral Change and Communication (SBCC) Strategy anchored in the Nurturing Care Framework for Early Childhood Development. The SBCC strategy promotes play

based learning at the community level through the “Kuwa Kocha” campaign. The campaign is ongoing and State and non-state actors are working together to ensure that this is running country wide<sup>14</sup>.

### **C. Health and Welfare (art. 14)**

#### **Measures taken to increase the budget allocated to the Health Sector and ensure that the 15% requirement of the Abuja Principle for Health Financing is met every year;**

133. The State Party is committed to meeting the Abuja target of 15% financing of the health sector and is progressively making effort towards the same. These efforts are guided by the Kenya Health Financing Strategy 2020-2030 whose main goal is to ensure adequacy, efficiency and fairness in financing of health services in a manner that guarantees all Kenyans access to quality healthcare.

#### **Measures Taken to Strengthen Collaboration Between the National Government, Counties, Faith-Based Organizations, the Private Sector, and other Stakeholders to Facilitate Improvement in Service Delivery in the Health Sector;**

134. Within the State Party, counties are responsible for delivery of health services while the national government is responsible for policy and regulatory functions. The national government has continued to support county governments to facilitate a seamless approach to service delivery. It also coordinates multi-sectoral collaboration between State and non-state actors and this has yielded notable results, such as establishment of the multisectoral Early Childhood Development Technical Working Groups at both national and county levels, whose membership besides State actors include the private sector, faith-based organizations, and civil society organizations.

135. In 2023, stakeholders in ECD undertook to harmonize the Nurturing Care National Advocacy Strategy with the Children Act. This was aimed at enhancing service delivery to children and one of the key outcomes of this exercise is better coordination among State and non-state actors in ECD led by NCCS.

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<sup>14</sup> <https://www.unicef.org/kenya/stories/empowering-future-1000-teachers-trained-early-childhood-development-makueni-county>

**Measures Taken to Recruit an Adequate Number of Medical Personnel to Realize the Vision of Universal Health Coverage and Train Health Workers by Providing Free Specialized Training;**

136. Both levels of government, national and county, handle Human Resource for Health (HRH). The national government works collaboratively with county governments to handle HRH concerns. There is continuous recruitment of medical personnel at the counties on a need basis, and depending on availability of funds.

**Measures taken to Put in Place a National Children's Referral Health Facility that Adopts Inclusive Health Care for Children with Disabilities;**

137. While there is no particular referral health facility for children with disabilities, there is integration and inclusion in the existing health facilities. To enhance service delivery in this regard, the State Party has in place, the Disability Medical Assessment and Categorization Guidelines (2022). These guidelines seek to empower service providers to provide quality, affordable, available, acceptable, and accessible services. Further, the State Party launched the Rehabilitation and Assistive Technology Strategy (2022-2026) during the period under review. The Strategy outlines interventions spanning mobility, vision, hearing, and communication and aims to ensure that by end of 2025, an additional 275,000 people in Kenya get the assistive technology that they need.

**Measures taken to build more facilities, provide sufficient medical personnel and equipment, and ambulances to ensure quality health care services, especially in rural, semi-arid, and arid areas**

138. In 2023, the State Party conducted a census of health facilities in the country. During the census 12,384 health facilities across all counties were assessed.

139. The State Party is in the process of addressing the gaps identified by the census. The link below has the results database and dashboard containing the data analysis from the Kenya Health Facility Census Assessment and the Quality of Care conducted by the Ministry of Health in August 2023 and March 2024<sup>15</sup>.

**Measures taken to improve working conditions in the public healthcare sector to avoid the occurrence of strikes and staff resignations.**

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<sup>15</sup> <https://cema.shinyapps.io/kenya-hfa-app/>



140. The State Party has undertaken measures such as signing Collective Bargaining Agreements (CBA) and mass promotions of healthcare workers, that come with better remuneration packages to help improve the working conditions of healthcare workers. For instance, in August, 2024, the State Party, through the Ministry of Health and the Kenya National Union of Nurses and Midwives (KNUNM), signed a CBA effective from July 1, 2021, to June 30, 2025.

**Measures taken to train more specialized health workers and establish more specialized centres to address the needs of children with mental disabilities.**

141. Children with mental illness or disabilities are managed as per the Mental Health Act, Cap 248 which makes provisions for prevention, treatment and management of mental illnesses and conditions for all in Kenya. Even though there are no specialized hospitals for children with mental disabilities, there exist integrated units in healthcare facilities and special outpatient clinics that offer treatment and appropriate rehabilitative therapy.

**Measures taken to undertake appropriate steps to ensure that adolescents have access to comprehensive and scientifically accurate sexuality education by integrating the subject into national schools' curriculum as well as by developing and implementing programs to reach out to school adolescents and make sure that the information reaches girls at this Covid-19 season;**

142. The State Party has developed and launched the National Reproductive Health Policy 2022-2032<sup>16</sup>, which among other things, aims to improve sexual and reproductive health outcomes among adolescents and youths; calling for establishing a universal reproductive health literacy framework for the population, which will ensure adequate age-appropriate RH information and awareness for all persons including adolescents and young people.

**Measures taken to ensure that adolescents girls do not resort to unsafe abortion**

143. To provide adolescents with comprehensive sexual reproductive health services and information, State and non-state actors in the State Party have set up Adolescent and Youth friendly centers that offer comprehensive services.

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<sup>16</sup> <https://repository.kippra.or.ke/items/551684ca-2a88-413f-a789-e83831b2768b/full>

144. Implementation of sexual, reproductive health education at schools and community levels has made adolescents aware of the risks of abortions and steps taken to prevent unintended pregnancies. There are community engagements on provision of a supportive environment for pregnant adolescents.

**Measures taken to strengthen access to comprehensive adolescent-friendly reproductive health services**

145. The State Party has made initiatives to strengthen access to comprehensive adolescent - friendly reproductive health services. 62% of public health facilities in Kenya have Adolescent and Youth friendly Centres where comprehensive adolescent friendly services are offered. There are policies and guidelines in place such as the Adolescent and Youth Sexual Reproductive Health Policy and the National Adolescent Health Policy that address service delivery for this cohort.

146. Further, there is integration of services for adolescents through adoption of Adolescent Responsive Services that ensure that every health care provider has the capacity to provide adolescent care at different points of entry at facility level.

***Measures taken to enact the Reproductive Health Care Bill;***

147. The Reproductive Health Care Bill has not been enacted. It was last discussed in Parliament in 2020 and referred to the sponsor for review and for it to be subjected to public participation. The Bill has not been re-introduced to Parliament for discussion.

## CHAPTER SEVEN: FAMILY ENVIRONMENT AND ALTERNATIVE CARE (arts. 18-20 and 24)

### A. Protection of the Family (art. 18)

148. Article 45 of the Constitution of Kenya, recognizes the family as a fundamental unit of society and the necessary basis for social order and bestows the responsibility of childcare on the child's biological family. It further, in Article 53, emphasizes that children should, as much as possible, live with and be cared for by their families. To operationalize this during the period under review, the State Party:

149. Developed the National Policy on Family Promotion and Protection (2023)<sup>17</sup>. The policy intends to provide an environment that recognises and facilitates family well-being and empowerment of families to participate in the socio-economic development of the country.

150. Developed and rolled out for implementation, the National Care Reform Strategy 2022-2032<sup>18</sup> to transition from a system of care where children and young people are living in institutional care, or are unaccompanied or separated, to a system which allows all children to live safely, happily and sustainably in family and community-based care where their best interests are served. The three pillars of Care Reform are:

- a. **Pillar 1: Prevention of separation and family strengthening:** This involves support measures and services which strengthen families and prevent children being separated from their families. It includes education, health care, social protection, food security, livelihood support, positive parenting, psychosocial support, day-care facilities, community-based rehabilitation services for children with disabilities, employment support, support for child-headed households, among others.
- b. **Pillar 2: Alternative Care:** This involves strengthening and expanding family and community-based alternative care options for children who are unable to

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<sup>17</sup>[https://www.socialprotection.go.ke/sites/default/files/Downloads/National%20Policy%20on%20Family%20Promotion%20and%20protection%20\(2\)%20\(1\)%20\(1\).pdf](https://www.socialprotection.go.ke/sites/default/files/Downloads/National%20Policy%20on%20Family%20Promotion%20and%20protection%20(2)%20(1)%20(1).pdf)

<sup>18</sup> <https://bettercarenetwork.org/national-care-reform-strategy-for-children-in-kenya-2022-2032>

live in parental care. Alternative care includes kinship care, *kafaala*, foster care, guardianship, adoption, traditional approaches to care, places of safety and temporary shelter and institutional care, as well as strong gatekeeping mechanisms.

- c. **Pillar 3: Tracing, Reintegration and Transitioning to Family and Community-Based Care:** This relates to the safe and sustainable transition of institutionalized children and unaccompanied and separated children to family and community-based care. This includes tracing, reintegration and case management, as well as support for leaving care, aftercare and supported independent living. It also involves the redirection of resources from institutional care to family and community-based care, as well as the retraining and redeployment of institutional personnel.
151. Additionally, during the 2024 Global Ministerial Conference on ending Violence Against Children in Bogota<sup>19</sup>, the State committed to invest Kes.600 million for the implementation of the National Care Reform Strategy countrywide, transitioning 70% of children in residential institutions of care to safe, loving and supported families by 2027.

## **B. Parental Care and Protection (art. 19)**

152. The State Party targets to enhance parental and caregiver support through:
- a. Investing 2.6 billion Kenyan Shillings to strengthen the rolling out of the National Positive Parenting Programme (NPPP) to reach 2 million families by 2027.
  - b. Investing 600 million Kenya Shillings for the implementation of the National Care Reform Strategy countrywide transitioning 70% of childcare to safe, loving supported families by 2027.
  - c. Investing 16 billion Kenya Shillings for the establishment and operationalization of the Child Welfare Fund by 2027 to support 4.2 million families.
  - d. Implementing the Kenya Social Economic Inclusion Programme (KSEIP) by scaling up Nutrition Improvement through Cash and Health Education (NICHE) to reach 2.9 million families by 2030.

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<sup>19</sup> <https://endviolenceagainstchildrenconference.org/pledges/?country=kenya>

153. As pointed out earlier in paragraph 15, these commitments were pledged during the 2024 Global Ministerial Conference on ending Violence Against Children in Bogota.

**C. Parental Responsibilities (art. 20)**

154. Through the National Safety Net Program (*Inua Jami*), the State Party continues to cushion children and their families from the effects of poverty. The 1.7 million beneficiaries of this programme include those in the Cash Transfer for Orphans and Vulnerable Children (OVC-CT), Persons with Severe Disabilities Cash Transfer (PWSD-CT), Older Persons Cash Transfer (OPCT) and the Hunger Safety Net Program (HSNP).

**D. Adoption (art. 24)**

155. ***During the Follow Up Consultation, the Committee urged the State Party to: finalise and enforce the regulations for the operationalisation of the Child Welfare Fund, the regulations regarding alternative care and adoption under the Children Act and expand the National Positive Parenting Programme to all counties, and fully cater for the community-based care needs of children with disabilities. Additionally, ensure that the data collected on cases of child neglect and other family-based child rights violations, is utilised to ensure justice for children and to drive evidence-based policy interventions concerning violence within the family structure.***

156. To this end, the State Party has made strides towards finalizing the Regulations for the Child Welfare Fund and is currently planning to subject them to public participation in the course of the FY 2025/2026. Similarly, it has also made great progress towards finalizing seven (7) Regulations including Adoption, Foster Care, *Kafaala* and Child Welfare Programmes that are necessary to ensure that children without parental care or those at the risk of separation can access alternative care.

157. The national roll-out of the Positive Parenting Programme is ongoing and both State and non-state agencies in Care Reforms are working together to capacity build the workforce as the programme is cascaded down to the community<sup>20</sup>.
158. Case management for child rights violations reported to DCS are managed in the CPIMS for ease of tracking. Data from CPIMS is utilized by the State Department for Children Services to inform programming and is also submitted to KNBS to inform national planning and resourcing of children services.

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<sup>20</sup> [https://www.wearelumos.org/lumos-kenya-supports-rollout-of-national-positive-parenting-programme/#:~:text=The%20Positive%20Parenting%20Programme%20is,Kenya%20\(2022%2D2032\).](https://www.wearelumos.org/lumos-kenya-supports-rollout-of-national-positive-parenting-programme/#:~:text=The%20Positive%20Parenting%20Programme%20is,Kenya%20(2022%2D2032).)

## **CHAPTER EIGHT: PROTECTION OF CHILDREN IN MOST VULNERABLE SITUATIONS (arts. 13, 22-23 and 25)**

### **A. Children with Disabilities (art. 13)**

#### **Measures taken to ensure children with disabilities have effective access to education.**

159. The Basic Education Act, Cap 211 Laws of Kenya, provides for free compulsory basic education for all children including those with disabilities. The Act is currently under Parliamentary consideration through the Basic Education (Amendment) Bill, 2023<sup>21</sup> to improve access to education by children with disabilities.
160. There are several Special Needs Education (SNE) units across the country to cater for the specific needs of children with disabilities. These units are either integrated into mainstream schools or stand alone as specialized institutions to provide tailored support and resources to children with disabilities.
161. To ensure that no individual or learning institution denies admission to school to a child with disability, the State Party has made it an offense to do so under the Persons with Disabilities Act, 2025<sup>22</sup>.
162. Further, the State Party allocates resources to schools that have children with special needs. Secondary schools receive top-up capitations of Kes. 37,000 for every learner with special needs, while primary schools get Kes. 2,300. Grants are also provided to cater for staff who work with these children and teachers receive a 10% top-up on their salary. Additionally, there is allocation for infrastructure development for schools with children with disabilities.
163. The State Party has also continued to provide bursaries and scholarships through various funds such as the National Development Fund for Persons with Disabilities (NDFPWD) and other government initiatives to help support children with disabilities. Moreover, it continues to provide this category of children with assistive devices and technology<sup>23</sup> that include hearing aids, wheel chairs, braille through the NCPWD.

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<sup>21</sup><http://www.parliament.go.ke/sites/default/files/202402/The%20Basic%20Education%20%28Amendment%29%20Bill%20%2C2023.pdf>

<sup>22</sup> <https://new.kenyalaw.org/akn/ke/act/2025/4/eng@2025-05-27>

<sup>23</sup> <https://ncpwd.go.ke/download/assistive-devices-funding-summary/>

164. All school going children with disabilities within the State Party benefit from the government run school feeding program whose main aim is to ensure that such children do not drop out of school.
165. To equip teachers with the skills necessary for them to effectively support children with disabilities, both State and non-state institutions offer training programmes that are tailor made to address the different forms of disabilities. The Kenya Institute of Special Education (KISE) <sup>24</sup>is a leading government institution that provides such training.
166. To implement the Marrakesh Treaty, the State Party amended the Copyright Act, Cap 130 Laws of Kenya in 2019 and 2022, to introduce specific exceptions to copyright law, permitting the reproduction and distribution of works in accessible formats for individuals including children who are blind, visually impaired, or otherwise print-disabled. These exceptions enable persons with disabilities to create and share accessible format copies without infringing on copyright, provided certain conditions are met. Furthermore, NCPWD has initiated discussions with stakeholders to ensure the treaty is fully implemented.
167. From the lessons learnt during the Covid-19 pandemic, the State Party developed the Operational Guidelines for Child Protection Practitioners During Emergencies (2023), to guide practitioners in observing the principal of child participation in the prevention, response to and recovery from emergencies.
168. Also in place, are a Training Curriculum<sup>25</sup> and Manual<sup>26</sup> for equipping caregivers with skills necessary for enhancing care and protection of children with disabilities and those with special needs. So far, a pool of thirty-five (35) trainer of trainers has been created to capacity-build facilitators who are supporting improvement of knowledge and skills for parents, guardians and other caregivers.

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<sup>24</sup> <https://kise.ac.ke/>

<sup>25</sup> [socialprotection.go.ke/sites/default/files/Downloads/DCS Training curriculum on DSN 20.11.2024v2.pdf](https://socialprotection.go.ke/sites/default/files/Downloads/DCS%20Training%20curriculum%20on%20DSN%2020.11.2024v2.pdf)

<sup>26</sup> [socialprotection.go.ke/sites/default/files/Downloads/DSN Training Manual 20.11.2024v2.pdf](https://socialprotection.go.ke/sites/default/files/Downloads/DSN%20Training%20Manual%2020.11.2024v2.pdf)



**Measures taken to ensure children with disabilities have effective access to public highways, buildings and other places.**

169. The Constitution (Article 54), the Persons with Disabilities Act 2025, and the National Building Code, 2024<sup>27</sup> establish the legal foundation for accessibility. These laws require that all public buildings and spaces are made accessible to persons with disabilities.
170. To give effect to the law, the State Party has set standards for designing and constructing accessible buildings and infrastructure. These standards encompass features such as ramps, elevators, tactile paving, and accessible restrooms. The National Building Code, 2022 stipulates that buildings must be designed to facilitate access and usability for persons with disabilities in accordance with KS ISO 21542:2011.
171. Public Transport Initiative; Introduction of low floor buses and designated seating for people with disabilities in public transport is also an initiative aimed at ensuring that all persons with disabilities including children can access this service. The NCPWD monitors compliance with accessibility standards and takes action against non-compliant entities.
172. The State Party through the NCPWD is working with the Council of Governors to develop a framework for mainstreaming disability in Counties. This will ensure that sign language interpretation services are available at all levels in the 47 Counties.

**B. Children in Situations of Economic Exploitation (art. 15)**

**Whether appropriate penalties or other sanctions for non-compliance are provided;**

173. Under section 64 of the Employment Act Cap 226, a person who employs, engages, or uses a child in an any activity constituting worst form of child labour commits an offence and shall on conviction be liable to a fine not exceeding two hundred thousand shillings or to imprisonment for a term not exceeding twelve months or to both.

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<sup>27</sup> <https://new.kenyalaw.org/akn/ke/act/in/2024/47/eng@2024-03-01>

174. The Office of the Director of Public Prosecutions has prosecuted cases involving the trafficking and exploitation of children, ensuring that offenders face the full force of the law. In FY 2023/24, 31 child labour cases were filed and 40 concluded across various courts of law within jurisdiction of the State Party. By March 2025 (within FY 2024/25), 14 new cases had been filed and 24 concluded. The Maua Magistrates Court saw the highest case resolution (7 in 2023/24), despite not filing any new ones. The data reflects increased case resolution efficiency, with more cases concluded than filed in both years.
175. Through the Ministry of Labour and Social Protection, the State Party provides policy guidance to State and non-state actors for activities aimed at eliminating child labour in the country by integrating IEC (Information, Education and Communication) activities into national efforts to combat child labour.
176. The State Party also continues with coordination of national efforts of State and non-state actors to eliminate child labour through creation of structures (National Steering Committee, National Technical Working Committee, County Child Labour Committees and Sub County Child Labour Committees) in the National Policy on Elimination of Child Labour Sessional Paper No. 1 of 2015 for the purposes of eliminating all forms of child labour.
177. Further, the State Party has formed fourteen (14) County Child Labour Committees to coordinate activities geared towards elimination of child labour by State and non-state actors. The membership is drawn from selected State and non-state actors with the Directorate of Labour being the secretariat under the chairmanship of the County Commissioner.
178. Training and other forms of capacity building and awareness creation to stakeholders in child labour is continuous effort, and the State Party has particularly trained National government Administration Officers (NGAOs) on their roles and responsibilities in eliminating child labour in their areas of jurisdiction.
179. Moreover, the ODPP has partnered with various stakeholders to strengthen legal frameworks and raise awareness on Child Labour. It has instituted programs aimed at sensitizing the public and other stakeholders on Child labour.

It has also partnered with Organizations such as the ILO in developing Guidelines on Child labour as well as Information, Education and Communication Materials and Handbook.

180. ***Subsequent to the Follow Up Consultation, the Committee recommended that the State Party to review the minimum age of employment in line with international standards and adopt and enforce regulations under the Children Act regarding the terms and conditions under which children can perform work, in line with the Charter and Enhances monitoring in hotspot areas and conduct awareness raising campaigns on the dangers of child labour and enhance social security measures for families in the arid and semi-arid areas.***

181. To implement this recommendation, the State Party has developed draft Regulations for Child Work as required by Section 18 (4) of the Children Act to protect children from child labour. The draft Regulations will be subjected to public participation in the Financial Year 2025/2026 and thereafter submitted to the Office of the Attorney General for processing, gazettment and onward transmission to Parliament for adoption.

### **C. Refugee Children, Children Seeking Asylum and Internally Displaced Children (art. 23)**

182. As at 31st December 2024, the State Party was host to 823,932 registered refugees and asylum seekers in Dadaab, Kakuma and urban areas. Of these statistics, the total number of children was 209,542. Asylum seeking children and refugees residing in urban areas (Nairobi, Nakuru & Mombasa) were 16,441 while those in Dadaab and Kakuma camps were 116,842 and 76,259<sup>28</sup> respectively.

183. To address the needs of refugees and asylum seekers, the State Party has established eight (8) health facilities in Kakuma and nine (9) health facilities in Dadaab refugee camps. It also collaborates with PBOs and UN Agencies like UNHCR, in its continuous effort to ensure that all refugees and asylum seekers within the camps access medical services.

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<sup>28</sup> <https://refugee.go.ke/operation-statistics>

184. Similarly, through the collaboration of DRS and MOE, the State Party has established forty-nine (49) primary schools, nine (9) secondary schools and 41 pre-primary schools at Kakuma, Kalobeyi and Dadaab refugee camps. In the primary schools, are a total of 95,818 children; 52,633 boys and 40,551 girls. 2634 of these learners are children with disabilities. In secondary schools, there are a total of 25,936 boys and girls while 19,312 children are in the pre-primary schools.
185. The State Party, through the National Police Service and the Directorate of Children Services (DCS), facilitates the rescue of all children including refugee and asylum seeking children affected by abuse, exploitation, neglect and other forms of violence against children. DCS tracks and reports such cases through CPIMS while the Department of Refugee Services (DRS) monitors and manages similar cases reported to them through the ProGres System<sup>29</sup>.
186. Through the DRS, the State Party continues to conduct sensitizations for the refugee communities, government officials, humanitarian organizations and other relevant actors in urban areas and the refugee camps on the legal provisions of the Refugees Act, Cap 173 Laws of Kenya, the Refugees (General) Regulations, 2024 and the Children Act to guide them on handling of refugee and asylum-seeking children during their stay in Kenya.
187. To economically empower refugees with an aim of reducing their reliance on aid, the State Party launched the Shirika Plan<sup>30</sup> for integrating refugees with host communities, as indicated in paragraph 22 which in turn ensures that refugee and asylum-seeking parents and guardians sufficiently provide for their children.
188. The State Party, through the collaboration of UNHCR and DRS, has ensured that personnel who handle children's matters on a daily basis received training on the Best Interest Procedure (BIP)<sup>31</sup> that came in to force in May 2021.

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<sup>29</sup> Profile Global Registration System – database for managing information on refugees and other persons of concern.

<sup>30</sup> <https://refugee.go.ke/kenya-shirika-plan-overview-and-action-plan>

<sup>31</sup> [https://alliancecpha.org/sites/default/files/technical/attachments/Strategic%20Brief\\_Prioritising%20Protection%20of%20Children%20in%20a%20Changing%20Humanitarian%20Landscape.pdf](https://alliancecpha.org/sites/default/files/technical/attachments/Strategic%20Brief_Prioritising%20Protection%20of%20Children%20in%20a%20Changing%20Humanitarian%20Landscape.pdf)

#### **D. Children in Armed Conflict (art. 22)**

189. Section 19 of the Children Act, provides for the protection of children in armed conflict in the State Party. It states that it is an offence to subject a child to hostilities, social strife or recruitment into armed conflict, whether internal or cross border. The Employment Act, Cap 226, classifies recruitment of children into armed conflict as one of the worst forms of child labour and is punishable by law.
190. The State Party through the DCS works closely with security agencies to rescue, rehabilitate and reintegrate children who are victims of armed conflicts.
191. Through the International Peace Support Training College<sup>32</sup> and Humanitarian Peace Support School, the State Party carries out tailored training for pre-deployment of military, police and civilian peacekeepers on protection of children and gender issues during armed conflict interventions or local restoration of law and order.
192. Similarly, the State Party through the DCS carries out tailored training for Children Officers on Preventing and Countering Violent Extremism. Officers are sensitized on identification, deterrence and responding to cases of children who are at risk of being recruited or have been recruited into armed conflict. In 2023, about 540 officers benefited from this training that is guided by the *Training Curriculum and Manual for Children Officers on Preventing and Countering Violent Extremism*.
193. The State Party also encourages community involvement and CSOs to support the sensitization of vulnerable groups on preventing and countering Violent Extremism<sup>33</sup>.
194. In addition, it has reviewed the National Strategy for Countering Violent Extremism (NSCVE) to include measures aimed at caring for and protecting children involved in violent extremism and by extension armed conflict.

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<sup>32</sup> <https://www.ipstc.org/> <https://www.ipstc.org/>

<sup>33</sup> <https://gnrc.net/news/in-the-news/women-in-action-protecting-children-and-youth-from-violent-extremism-and-promoting-peaceful-and-harmonious-societies-for-the-upcoming-generation>

#### **E. Children of Imprisoned Mothers (art. 30)**

195. The State Party, through the Kenya Prisons Service, developed and is implementing the Policy on the Care of Children of Incarcerated Mothers (2022) based on the Nurturing Care Framework. The Policy provisions address concerns on living spaces, health, nutrition, psychosocial support, safety & security, early learning & play, responsive caregiving, and reintegration. The following steps have so far been taken to implement the Policy;

- Sensitization and Dissemination of the policy to Prison Officers,
- Establishment of a Committee on implementation of the policy,
- Ongoing preparations of budgets for implementation,
- Outsourcing for collaborative partnerships with State and non-state actors,
- Accommodation of expectant mothers and those accompanied by children separate from the larger prison population. Currently, 11 facilities have established daycare centers where children spend their day, outside the prison set-up.

196. Through the DCS the State Party, in collaboration with other State and non-state actors, is currently undertaking a baseline study aimed at informing policy and practice on matters concerning children left by their parents due to detention or incarceration. It is also in the final stages of developing a manual for Children of Incarcerated Parents (CoIP).

#### **F. Children in Situations of Sexual Exploitations (art. 27)**

##### **Measures taken to protect the child from all forms of sexual exploitation and sexual abuse.**

197. Child abuse has been defined in detail in the Children Act to include the exposure of a child to emotionally, traumatic and age-inappropriate content, information and photos of any kind; engaging a child in child sex tourism and child trafficking; the employment, use, persuasion, inducement, enticement or coercion of a child to engage in, or assist any other person to engage in, any sexually explicit conduct or simulation of such conduct; the use or exposure of a child in, electronic or online, platforms for purposes of prostitution, pornography or any other unlawful sexual practice; the use of a child's images for purposes of pornography or sexual gratification; dissemination to a child of any material, information, education or health services that promotes, induces,

condones, or normalizes sexual activity or behaviour among children or with children; or any other similar acts calculated to cause physical, emotional, economic or psychological injury to the child.

198. In the ongoing review of the Sexual Offences Act Cap 63A Laws of Kenya, a proposed amendment seeks to include child sex abuse material as a punishable offence under the Act.

#### **G. Children in situations of drug abuse (art. 28)**

##### **Measures taken to protect the child from the use of narcotics and illicit use of psychotropic substances and to prevent the use of children in the production and trafficking of such substances.**

199. Section 24 of the Children Act has made it an offense for any person who subjects a child to (a) the use of hallucinogens, narcotics, alcohol, tobacco products, glue, psychotropic drugs or any other drugs that may be declared harmful, or; (b) involvement in the production, trafficking, sale, storage or distribution of any of the drugs or substances referred to in paragraph (a) such person who contravenes the provisions of subsection (1) commits an offence and shall, on conviction, be liable to imprisonment for a term not exceeding five years or to a fine not less than five hundred thousand shillings, or to both.
200. To enhance effort towards combating drug trafficking, the State Party has dedicated a court and a police unit to handle cases of drugs being trafficked in and out of the country at the Jomo Kenyatta International Airport in the capital city, Nairobi.
201. To address alcohol and drug use and its complications the government, through National Authority for the Campaign Against Alcohol and Drug Abuse (NACADA), organizes sensitizations and structured training targeting families, workplaces, schools, and communities. These sensitizations aim to create awareness on prevention of alcohol and drug use at home, school, workplace, and community.
202. In 2022, NACADA conducted a National Survey on the status of Drug and Substance Use in Kenya and among the findings was that children as young as 6 years were abusing drugs and substances. The Survey report makes recommendations that seek to address this issue and calls for interventions on

family strengthening that will enhance parenting skills. In light of this: more than 13,000,000 parents have so far been sensitized on positive parenting through local and national radio, TV, social media and face to face engagements and; 18,166 parents' guide on alcohol and drug prevention booklets have distributed to parents in various fora.

203. Additionally, the State Party in 2021 developed the National Guidelines for Alcohol and Substance Use Prevention and Management in Basic Education Institutions<sup>34</sup>, to guide on supply reduction (eliminate access and availability of alcohol and substances in learning institutions); preventive education about alcohol, tobacco and other drugs; procedures for incident management involving alcohol, tobacco and other drugs and; counselling, referral and support to ensure learners with substance use disorders recover from negative effects of alcohol and/or drugs for continuity with education.

204. So far:

- 27,140 learners have been reached with preventive education;
- 65,345 age-appropriate booklets have distributed to children (6-8; 9-12; 13-15; 16-18 years);
- 21,032 out of school youth have been reached with prevention education on negative effects of alcohol and drugs; and
- 5,841 bar operators have been trained on the dangers of dispensing alcoholic beverages to children and youth to mitigate underage drinking.

#### **H. Children in Situations of Sale, Trafficking and Abduction (art. 29)**

**Measures taken to prevent the abduction, the pornography, the sale of, or traffic in children for any purpose and the use of children in all forms of begging.**

205. ***The Committee recommended to the State Party, following the Follow Up Consultation, to ensure the implementation of the National Plan of Action on Trafficking in Persons and develop a centralised data collection system to monitor trafficking-related crimes.***

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<sup>34</sup> <https://nacada.go.ke/sites/default/files/2021-07/National%20Guidelines%20for%20Alcohol%20and%20Substance%20Use%20Prevention%20and%20Management%20in%20Basic%20Education%20Institutions%202021.pdf>



206. State and non-state actors in the State Party meet twice every year to report on the status of implementation of the NPA for Combating Trafficking in Person (2022-2027).<sup>35</sup>

207. Through the Counter Trafficking in Person Secretariat, the State Party has developed the National Counter Trafficking in Person Information Management System<sup>36</sup> for tracking cases and data management.

## **I. Children in Street Situations**

208. The State Party, through the Street Families Rehabilitation Trust Fund (SFRTF), developed the National Policy on Rehabilitation of Street Families in 2023, to provide a coherent and sustainable framework for the rehabilitation of street families in Kenya. The policy provides guidelines for the establishment and operationalization of County Chapters that are responsible for the implementation of the SFRTF programmes and initiatives at the county and other lower levels.

209. So far 23 County Chapters have been established in the counties with the highest concentration of street families as per the 2018 census for Street Families. They include; Kisumu, Kakamega, Uasin Gishu, Bomet, Garissa, Nairobi, Nakuru, Nyeri, Meru, Embu, Mombasa, Migori, Siaya, Homabay, Kajiado, Kiambu, Makueni, Taita-Taveta Baringo, Kitui, Samburu, Laikipia and Murang'a.

210. The SFRTF partners with the DCS, the Directorate of Social Development and other State and non- state agencies to implement their programs in the areas that have not established County Chapters.

211. The SFRTF continues to offer financial support to Children Institutions rehabilitating children in street situations through grants. It is currently supporting 30 institutions across the country to undertake rehabilitation of street families.

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<sup>35</sup> [https://www.socialprotection.go.ke/sites/default/files/Downloads/NPA%20\(1\)%20\(1\).pdf](https://www.socialprotection.go.ke/sites/default/files/Downloads/NPA%20(1)%20(1).pdf)

<sup>36</sup> <https://ctip.socialprotection.go.ke/>

## CHAPTER NINE: HARMFUL PRACTICES (arts. 1(3) and 21)

### **a) The nature, type and prevalence of harmful social and cultural practices within its jurisdiction;**

212. The Children Act outlaws harmful practices such as Female Genital Mutilation, child marriage, forced male circumcision, virginity testing, girl child beading, except with the advice of a medical geneticist, organ change or removal in case of an intersex child or any other cultural or religious rite, custom or practice that is likely to negatively affect the child's life, health, social wellbeing, dignity, physical, emotional or psychological development.

213. The prevalence of FGM in the State Party currently stands at 14% while Child Marriage is at 14.2% according to the KDHS report, 2022.

### **b) Measures taken to discourage and eliminate harmful social and cultural practices;**

214. Through relevant State and non-state actors, the State Party continuously carries out capacity building of duty bearers and community sensitization on harmful cultural practices.

215. In April, 2024, the Chief Justice adopted the report on the Definition of Case Types for the SGBV Court Report and established Gender Justice Courts to address the multifaceted nature of gender-based violence cases.

216. The State Party through the Anti-FGM Board, works with community elders and men engagement champions, religious leaders and youth leaders to sustain the conversation on eradication of FGM. In 2024, the Board supported the Sabaot Community of Bungoma County in declaring the abandonment Female Genital Mutilation<sup>37</sup>.

217. The State Party also marks the International Day of the Girl Child, The Day of the African Child and the International Day of Zero Tolerance for FGM. These important days provide platforms for taking stock of progress in combatting harmful cultural practices, identifying challenges and coming with new strategies to bolster ongoing effort towards their eradication. In the Financial

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<sup>37</sup> <https://youtu.be/98ekFBDbl-M>

Year 2024/2025, the Anti-FGM board led the country in celebrating the International Day of Zero Tolerance for FGM in Meru County where FGM prevalence is still significantly high at 18.8% (KDHS, 2022)<sup>38</sup>.

218. To ensure that the fight against FGM is sustained at the community level, the Anti-FGM Board supports counties to develop county specific policies for the eradication of FGM. Garissa County for instance conducted public participation on its draft Policy in February, 2025<sup>39</sup>.

219. The State Party is currently reviewing the Prohibition of Female Genital Mutilation Act, Cap 63B Laws of Kenya, to address emerging issues such as medicalization of FGM and challenges that have been encountered in law enforcement. Along with this, the Anti-FGM Board is developing the Safeguarding Policy that is aimed at ensuring that all individuals—survivors, at-risk populations, practitioners, and stakeholders—are protected from harm, exploitation, and abuse.

220. Other efforts by the Anti-FGM Board towards eradication of FGM include: development of the Pasha App, a mobile application that will enable generation of reports and help in determining patterns of FGM; and recruitment of 20 staff members in June, 2024 to enhance the institutional capacity of the Anti-FGM Board.

**c) Measures taken to rescue and rehabilitate children who have been subjected to or affected by harmful social and harmful practices;**

221. The State Party, through the relevant agencies such as DCS, the Anti-FGM Board and the National Police Service facilitates the rescue and treatment of child victims and survivors of FGM. Upon rescue, children are provided with psychosocial support and offered other necessary services before they are re-integrated back to the community.

**d) Where applicable, measures taken to specifically protect children with albinism from violence;**

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<sup>38</sup> <https://x.com/AFGMBoard/status/1887419568559194119?t=sJ8GygdVPGYovjdIB-AIAw&s=19>

<sup>39</sup> <https://x.com/AFGMBoard/status/1886465491948159143?t=ijYqn1ujbr54fww3hMN5tg&s=19N>

222. The Persons with Disabilities Act, 2025, explicitly recognizes albinism as a disability, thereby enhancing safeguards for this category of people including children.
223. Through the CPIMS, the State Party manages, tracks, and reports data on all children affected by violence, abuse, neglect, and exploitation.
224. The NCPWD collaborates with various Albinism organizations such as the Albinism Society of Kenya (ASK) in public awareness campaigns to dispel myths and misconceptions about albinism. These campaigns aim to reduce stigma and prevent violence against children with albinism.
225. The State Party has established multi-agency frameworks such as the National Referral Mechanism that coordinates the responses of law enforcement, PACs, DCS, Social Services, and non-state agencies in early identification, rescue, and referral of trafficking victims including children with albinism. This is to ensure their protection and rehabilitation.

## CHAPTER TEN: CHILD JUSTICE (arts. 17)

### **a) Measures taken to ensure that children deprived of their liberty are not subjected to torture or any other form of physical or psychological violence;**

226. The Children Act states that a child has the right to privacy during arrest, investigation of the offence and at any other stage of the course of the matter. It also provides for the notification of the parent or guardian and the Children Officer in the event of an apprehension and that a child has the right to legal representation and to be informed of the wrong committed without coercion.

227. Refer to Para. 64 for measures that the State Party, through the National Police Service, has taken to protect children in this regard.

228. The ODPP has in place, the Decision to Charge Guidelines<sup>40</sup> and a Diversion Policy<sup>41</sup>. The Policy stipulates that all cases involving Children must first be considered for diversion, and that charging should be a measure of last resort.

229. The Borstal Institutions Act (Cap 92) provides for the detention and rehabilitation of young offenders, separate from adult prisoners in line with international standards.

### **b) Measures taken to divert children from detention facilities;**

230. The Constitution under Article 159 encourages the use of Alternative Dispute Resolution. In giving effect to this provision, the Children Act in sections 226 and 227 provides for the diversion and objects of diversion for children from the justice system. The Office of the Director of Public Prosecutions works collaboratively with other departments, including the Judiciary, the DCS, and the NPS, to divert children's cases from the court trial process.

231. The Government through the Judiciary in collaboration with the NCAJ, holds the Annual Child Justice Month in the month of November in all court stations in Kenya. The theme for the service month, 2024 was *“Enhancing Child Justice through Preliminary Inquiry and Diversion: Promoting Rehabilitation,*

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<sup>40</sup> <https://odpp.go.ke/wp-content/uploads/2024/08/Decision-to-Charge-Guidelines.pdf>

<sup>41</sup> [https://odpp.go.ke/wp-content/uploads/2025/02/ODPP-Diversion-Policy\\_250207\\_073127.pdf](https://odpp.go.ke/wp-content/uploads/2025/02/ODPP-Diversion-Policy_250207_073127.pdf)

*Reintegration, and Dignity for Children in Conflict with the Law*” urging the courts and other stakeholders in the justice system to utilize alternative dispute resolution mechanisms when handling cases involving children.

232. In July 2024 the State Party, through the NCAJ, launched the National Strategy on Justice for Children (2023-2028)<sup>42</sup> which proposes an Alternative Justice System to be used as a forum of first instance in appropriate children’s cases.

233. Further, the State Party is implementing the Sentencing Policy Guidelines, 2023<sup>43</sup> that encourage non- custodial sentences for children in conflict with the law guided by the best interest of the child.

**c) Whether children are separated from adults in their place of detention or imprisonment;**

234. The Constitution and the Children Act state that the children should only be detained as a measure of last resort and separated from adults and in condition that take account of the child’s sex and age.

235. Children in DCS and Borstal Institutions facilities are held in separate facilities for boys, girls and intersex. This is to ensure that they are protected and are in conditions that reduce the risk of harm to them, including the risk of harm caused by fellow children.

**d) Whether children accused of a criminal offence are afforded legal assistance and fair trial guarantees;**

236. The Children Act, section 222 states every child shall be afforded an opportunity to be heard in proceedings affecting the child, either directly or through a representative.

237. Further, the Children Act in section 3 states that a child shall be detained under conditions that take full account of the child’s particular needs, status and special needs according to their age, sex and type of offence, as well as

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<sup>42</sup> <https://ncaj.go.ke/wp-content/uploads/download-manager-files/FINAL-NATIONAL-STRATEGY-ON-JUSTICE-FOR-CHILDREN-21st-feb-2024.pdf>

<sup>43</sup> <https://judiciary.go.ke/download/sentencing-policy-guidelines-2023/>

mental and physical health or disability, and protect them from harmful influence and situations of risk.

238. The Judiciary in the State Party runs a *pro bono* scheme that offers legal aid to children accused of an offence (Legal Notice 370 of 2016).

**e) Whether the press and the public are prohibited from the trial of children;**

239. The State Party, under section 94 of the Children Act, allows an accredited journalist or a registered media professional during court proceedings.

240. However, the Code of Conduct for the Practice of Journalism<sup>44</sup> in Kenya by the Media Council of Kenya Section 18 underscores the importance of protection of a child during media coverage.

**f) Whether the minimum age below which children are presumed not to have the capacity to infringe the penal law is prescribed;**

241. The Children Act, section 221 (1) stipulates that a person under the age of twelve (12) years shall not be criminally responsible for any act or omission.

**g) Measures taken to train law enforcement, prison wardens and judicial officers on child justice;**

242. The State Party through the NCAJ has developed training curriculum for child justice actors. In the financial year, 2023/24<sup>45</sup>, the justice sector trained over 500 participants on alternative justice systems and also conducted sensitization through media where a further over 20,000 people were reached.

243. Through the NCAJ, the State Party launched the Through Care and Aftercare Procedures for Statutory Children Institutions in Kenya (2023)<sup>46</sup>. These elaborate procedures are aimed at sealing identified gaps impeding access to justice for children as well as ensuring effective case management involving all justice agencies.

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<sup>44</sup><https://mediacouncil.or.ke/sites/default/files/regulations/Code%20of%20Conduct%20for%20the%20Practice%20of%20Journalism%20-%20Media%20Council%20Act%202013.pdf>

<sup>45</sup> <https://judiciary.go.ke/downloads-reports/>

<sup>46</sup> <https://ncaj.go.ke/wp-content/uploads/download-manager-files/NCAJ-Throughcare-and-Aftercare-Procedures-Rev-2.pdf>

**h) Measures taken to ensure that children deprived of their liberty access essential services including education and health services**

244. The State Party has directed that all children, whether detained or not, must be registered under the Social Health Authority (SHA) to facilitate access to healthcare.
245. The State Party through the DCS ensures that children committed to Rehabilitation Schools are provided with formal education. Children in other correctional institutions that do not provide formal education within the institutions access education in the nearby public schools as is in the case of Probation Hostels. DCS also provides formal education to children in remand homes to ensure that they continue accessing education as their matters proceed in court.
246. The State Department for Correctional Services continues to collaborate with MOE to streamline issues of education in Borstal institutions, Probation Hostels, Probations Centres and the Youth Corrective Training Centre. This is so as to ensure that children in these institutions continue to access this critical right while serving their terms.



## **CHAPTER ELEVEN: RESPONSIBILITIES OF THE CHILD (arts. 31)**

247. The State Party has embedded child rights and responsibilities in the Children Act.
248. To give effect to the law in this regard, child rights and responsibilities have been mainstreamed into the school curriculum and children are taught on the same as appropriate to their evolving capacities.
249. The State Party through State and non-state agencies have continued to collaborate in awareness creation to stakeholders in the children sector including children on child rights and welfare. They also support the KCA and other platforms for child participation that provide avenues for children to learn their rights and responsibilities.
250. As earlier stated, the parenting program implemented by the State Party plays a pivotal role in shaping responsible children by equipping parents and guardians with essential parenting skills. The curriculum-based training enhances parents' understanding of child rights and their roles in raising responsible children. It also strengthens their ability to model ethical behaviour and reinforce positive discipline at home and within the community.

## **CHAPTER TWELVE: CONCLUSION**

251. The progress made by the State Party in implementing the Charter, as brought out by this report, is a show of its commitment towards safeguarding the right and welfare of children in Kenya. The enactment of the Children Act, and the subsequent efforts by both State and non-state actors to operationalize it, is a significant milestone that the State Party will continue building upon to ensure that children in Kenya enjoy wholesome childhoods and live up to their full potential.
252. Even with the progress made, the State Party is alive to the challenges that continue to impede the full realization of the aspirations of the Charter. While it boasts of a robust legal and policy framework, a strong institutional framework for service delivery, an enabling environment for collaboration and partnership between State and non-state actors and a populace that is reasonably aware of the rights of the children and their roles thereby, there are significant challenges that require the concerted effort of all the stakeholders in children services to address.
253. The challenges include, among others, the weak implementation of laws and policies and resource constraints especially post Covid-19 that have strained service delivery. The State Party reiterates its commitment to ensuring that these are addressed over time and that children in Kenya enjoy their rights as stipulated in the Charter and its national laws.
254. The State Party acknowledges the consistent support from the Committee and appreciates its guidance towards ensuring that Kenya like other State Parties continues to fulfill its obligations in this regard. It particularly appreciates the follow-up mission that it had with the Committee during the 44<sup>th</sup> session and would like to recommend that this is adopted as practice in monitoring State Parties to simplify the reporting process and, therefore, encourage State Party compliance with reporting obligations.
255. The State Party looks forward to further discussing its progress in implementing the Charter during the review of this report.

# ANNEX I: STATE & NON-STATE AGENCIES IN THE REPORTING PROCESS

<b>S/No</b>	<b>Organization</b>
1.	National Council for Children's Services
2.	Directorate of Children Services
3.	State Department for Social Protection & Senior Citizen Affairs
4.	National Council for Persons with Disabilities
5.	Street Families Rehabilitation Trust Fund
6.	National Social Protection Secretariat
7.	Directorate of Social Assistance
8.	Directorate of Social Development
9.	Office of the Attorney General and State Department of Justice, Human Rights and Constitutional Affairs
10.	The Judiciary
11.	National Council on the Administration of Justice
12.	The Commission on Administrative Justice
13.	The Ministry of Education
14.	The Ministry of Health
15.	Kenya National Commission on Human Rights
16.	National Gender and Equality Commission
17.	Department of Refugee Affairs
18.	Department of Registration Services
19.	Kenya National Bureau of Statistics
20.	State Department for Labour & Skills Development
21.	The Department of Probation and Aftercare Services
22.	The Anti- FGM Board
23.	National Police Service
24.	Kenya Prisons Service
25.	Office of the Director of Public Prosecutions
26.	The East Africa Child Rights Network (EACRN)
27.	Legatum

<b>S/No</b>	<b>Organization</b>
28.	Plan International
29.	Childfund
30.	Save the Children
31.	Catholic Diocese of Murang'a
32.	The Association of Sisterhoods of Kenya (AOSK)
33.	African Early Childhood Network (AfECN)
34.	African Institute for Children Services (AICS)
35.	Center for Reproductive Rights (CRR)
36.	Catholic Relief Services (CRS)
37.	Changing the Way we Care (CTWWC)
38.	Graca Machel Trust
39.	Mtoto News
40.	Kidogo
41.	Clean Start
42.	Forum for African Women Educationalists (FAWE)
43.	African Population and Health Research Center (APHRC)

## ANNEX 2: STATISTICAL MATRIX

### GENERAL MEASURES OF IMPLEMENTATION

#### Allocation of resources and actual expenditures for social services

a) Allocation of resources and actual expenditures during the reporting period for social services for:

#### Budgetary support programmes for families (amount in millions)

	2020/2021 (Kes.)	2021/2022 (Kes.)	2022/2023 (Kes.)	2023/2024 (Kes.)
Cash Transfer Program (CTP) Total	<b>25630.98</b>	<b>25794.2</b>	<b>25913.7</b>	<b>25891.8</b>
CT-OVC	7917.48	7930.7	7648.8	6210.1
OP-CT	16673.5	16673.5	17372.4	18491.7
PWSD-CT	1040.0	1190.0	892.5	1190.0

Source: Economic survey

#### Recurrent budgetary expenditure to Ministry of education in millions

	2020/2021 (Kes.)	2021/2022 (Kes.)	2022/2023 (Kes.)	2023/2024 (Kes.)
Pre-primary education	2.6	2.9	2.6	3.1
Primary education	16,135.9	16,425.2	18,743.6	20,559.0
Secondary education	63,163.4	66,242.1	81,677.2	94,840.5
Special Education	961.9	1,090.6	1,081.7	900.7
Tertiary Education	73,737.87	82,204.27	75,204.50	119,365.04
<b>TOTAL</b>	<b>154,001.67</b>	<b>165,965.07</b>	<b>176,709.6</b>	<b>235,668.34</b>

Source: Economic Survey

**Development budgetary expenditure to Ministry of education in millions**

	<b>2020/2021</b> <b>(Kes.)</b>	<b>2021/2022</b> <b>(Kes.)</b>	<b>2022/2023</b> <b>(Kes.)</b>	<b>2023/2024</b> <b>(Kes.)</b>
Pre-primary education	0	0	0	0
Primary	3,403.6	3,469.1	8,813.1	10,900.2
Secondary	5,326.7	8,244.8	14,626.5	8,837.8
Tertiary education	9,460.3	6,074.9	5,796.5	9,424.7
Special Education	50.0	151.0	100.0	155.0
<b>TOTAL</b>	<b>18,240.6</b>	<b>17,939.8</b>	<b>29,336.1</b>	<b>29,317.7</b>

Source: Ministry of Education

**Budget expenditures for special education under Early Learning and Basic Education, Ministry of Education in millions**

		<b>2020/2021</b> <b>(Kes.)</b>	<b>2021/2022</b> <b>(Kes.)</b>	<b>2022/2023</b> <b>(Kes.)</b>	<b>2023/2024</b> <b>(Kes.)</b>
Special education	Recurrent	961.9	1,090.6	1,081.7	900.7
	Development	50.0	151.0	100.0	155.0
<b>TOTAL</b>		<b>1,011.9</b>	<b>1,241.6</b>	<b>1,181.7</b>	<b>1,055.7</b>

Source: Ministry of Education

**Budget allocation for children services in millions**

<b>Ministry, Department, and Agencies</b>	<b>2021/2022</b> <b>(Kes.)</b>	<b>2022/2023</b> <b>(Kes.)</b>	<b>2023/2024</b> <b>(Kes.)</b>	<b>2024/2025</b> <b>(Kes.)</b>
National Council for Children's Services (NCCS)	89.50	99.50	113.50	90.00
Directorate of Children Services (DCS)	3,100.26	3,349.47	3,368.82	2,946.24
National Council for Persons with Disabilities (NCPWD) (*inclusive of adults)	1,458.56	1,648.00	1,648.00	800.10
Directorate of Social Assistance (CT-OVC)	8,472.00	8,472.00	8,472.00	10,403.33
Street Families Rehabilitation Trust Fund (SFRTF)	202.29	202.29	200.29	230.00
The Anti-FGM Board	124.5	102.5	248.0	161.0

Ministry of Education (MOE)	474,054.17	580,058.09	713,534.56	703,387.97
National Council for Administration of Justice (NCAJ)	50.3	78.8	118.8	38.0
Prisons (Borstal institutions)	78.6	79.3	62.9	0
<b>TOTAL BUDGETARY ALLOCATIONS</b>	<b>487,630.18</b>	<b>594,089.95</b>	<b>727,766.87</b>	<b>718,056.64</b>

Source: The National Treasury; Approved Budget estimates

#### **Budget for Rehabilitation of Children in Institutions in millions**

	<b>2020/2021 (Kes.)</b>	<b>2021/2022 (Kes.)</b>	<b>2022/2023 (Kes.)</b>	<b>2023/2024 (Kes.)</b>
Borstal Institutions	78.6	79.3	62.9	0
Rehabilitation Schools	278.0	286.0	292.8	292.0
Remand Homes	170.2	174.5	176.3	180.3
Probation Hostels	90.4	130.9	71.5	133.6
Aftercare services	0	0	0	0
<b>Total</b>	<b>617.2</b>	<b>670.7</b>	<b>603.5</b>	<b>605.9</b>

Source: Directorate of Children Services, Probation and Aftercare services, prisons

#### **DEFINITION OF THE CHILD (art. 2)**

Number and proportion of children under 18 living in Kenya by sex

	<b>2024</b>			
	<b>Male</b>	<b>Female</b>	<b>Intersex</b>	<b>Total</b>
Number of children under 18 in Kenya	10,992,347	11,106,128	-	22,098,475

Source: KNBS, Based on population projections

### Population Distribution by Age group and sex, 2024

Age Group	2024			
	Male	Female	Intersex	Total
TOTAL	10,992,347	11,106,128	-	22,098,475
0-4	3,202,046	3,120,566	-	6,322,612
5-9	3,046,404	3,136,316	-	6,182,721
10-14	2,939,826	3,008,044	-	5,947,870
15-17	1,804,070	1,841,202	-	3,645,272

***Note: Population projections excluded intersex, because of the parameters used to compute projections cannot be used to compute the inter- censual growth of intersex persons***



**GENERAL PRINCIPLES** (arts. 3, 4, 5 and 26)

Death of children		2021		2022		2023		2024	
		M	F	M	F	M	F	M	F
As a result of extrajudicial, summary or arbitrary executions;		DNA	DNA	DNA	DNA	DNA	DNA	DNA	DNA
As a result of capital punishment;		DNA	DNA	DNA	DNA	DNA	DNA	DNA	DNA
As a result of harmful cultural practices		DNA	DNA	DNA	DNA	DNA	DNA	DNA	DNA
Due to illnesses	HIV/AIDS	21	21	13	16	29	24	31	24
	Malaria	1322	1191	1231	1111	1163	968	1080	898
	Polio	3	1	1	0	1	5	0	0
	Hepatitis	4	7	13	16	6	6	7	7
	Respiratory Disease	995	946	1252	1249	155	175	737	819
	Tuberculosis	61	72	86	83	80	71	76	71
As a result of traffic or other accidents; Crime and other forms of violence	Road traffic. Acc.	46	43	63	40	49	30	54	49
	Other accidents	154	128	164	136	272	212	218	153
	Crime and other forms of violence	2	6	2	3	6	4	2	2
<b>TOTAL</b>		<b>2608</b>	<b>2415</b>	<b>2825</b>	<b>2654</b>	<b>1761</b>	<b>1495</b>	<b>2205</b>	<b>2023</b>

Source: Department of Civil Registration, Annual Vital Statistics Reports

\*\*\*\*\*Note that the 2024 figures are provisional numbers as the data is still undergoing cleaning and analysis.

The number of child and youth organizations or association and the number of children they represent

	<b>2020/2021</b>	<b>2021/2022</b>	<b>2022/2023</b>	<b>2023/2024</b>
Number of child/youth organizations (County Kenya Children Assemblies and National Chapters)	48	48	48	48
Number of children represented	<b>All children in Kenya</b>			

*Source: Directorate of Children Services*

*Note: there are also sub-county Chapters of the Kenya Children Assembly*

## CIVIL RIGHTS AND FREEDOMS (arts. 6- 10 and 16)

Number and percentage of children who are registered after birth and when such registration takes place

		2021		2022		2023		2024	
		F	M	F	M	F	M	F	M
Children registered at birth up to 6 months	Number	587,756	612,434	601,515	619,929	584,242*	608,471	539,724*	570,830
	Percentage	83.1		80.6		77.1		70.3	
Children registered after six months	Number	DNA	DNA	698,402**		825,764**		521,449**	
	Percentage	16.9		19.4		22.9		29.7	
Refugee and Asylum-seeking children who are registered after birth	Number	11,990	12,712	3,912	4,110	4,725	4,888	12,336	13,028
	Percentage	35%	37%	17%	18%	6%	6%	13%	14%
Refugee and Asylum-seeking children who are registered after birth who are unaccompanied or separated from guardians/parents	Number	189	331	326	597	677	1316	291	404
	Percentage	1%	1%	1%	3%	1%	2%	0.3%	0.4%
Stateless Children	Number	0	0	0	0	0	0	0	0

Source: KNBS; CRS, DRS

**\*4 children were recorded as intersex (2023)**

**\*9 children were recorded as intersex (2024)**

**\*\*Total number of children whose births were registered after 6 months.**

Number of registration centres in the rural and in hard-to-reach areas

	<b>2021</b>	<b>2022</b>	<b>2023</b>	<b>2024</b>
No of registration centres (for births and deaths)	128	132	140	166

Source: CRS,

No of Schools equipped with information technologies

	<b>2021</b>	<b>2022</b>	<b>2023</b>	<b>2024</b>
No of Schools equipped with information technologies (computer labs)	1200	4200	4250	4300

Source: Ministry of Education

Disaggregated data on violence against children:

	2021		2022		2023		2024	
	<b>M</b>	<b>F</b>	<b>M</b>	<b>F</b>	<b>M</b>	<b>F</b>	<b>M</b>	<b>F</b>
Number of children reported as victims of violence (Cruel, inhuman or degrading treatment (Emotional + others) reported to DCS	73481	74143	71482	70922	71343	72344	57607	59148
Number of court cases instituted against alleged perpetrators of torture against children and the results of these cases	4010	4013	4111	3754	4063	3912	3655	3906

Source: Directorate of Children Services, Judiciary

## EDUCATION, SOCIAL AND CULTURAL ACTIVITIES (ARTS 11, 12 & 14)

### Right to education

#### Literacy rates of children and adults

	2021		2022		2023		2024	
	F	M	F	M	F	M	F	M
Percentage of children	DNA	DNA	DNA	DNA	DNA	DNA	DNA	DNA
Percentage of adults (age 15-49)	DNA	DNA	91.0	93.8	DNA	DNA	DNA	DNA

Source: KNBS, DNA- Data Not Available

#### Enrolment rates:

##### Primary schools

#### Primary school enrolment by standard and sex 2021-2024

Class /Grade	2021		2022		2023		2024	
	Boys	Girls	Boys	Girls	Boys	Girls	Boys	Girls
1	654.5	622.0	647.4	615.6	703.4	683.9	714.1	687.2
2	672.5	635.6	666.8	650.7	645.2	611.5	711.1	685.9
3	675.2	643.2	667.8	648.6	662.5	643.4	712.2	683.7
4	658.3	626.7	659.0	642.9	661.9	643.4	690.6	658.6
5	649.6	618.6	646.6	630.6	653.2	642.6	692.8	658.0
6	687.4	660.8	665.6	649.8	645.9	630.0	677.0	637.1
Standard 7	656.5	647.2	651.9	637.7	-	-	-	-
Standard 8	589.4	587.6	643.1	640.1	649.3	633.3	-	-
<b>TOTAL</b>	<b>5,243.5</b>	<b>5,041.7</b>	<b>5,248.2</b>	<b>5,116.0</b>	<b>4,621.4</b>	<b>4,488.1</b>	<b>4,197.9</b>	<b>4,010.5</b>

<b>Junior School</b>								
Grade 7	0	0	0	0	656.0	631.5	658.0	623.6
Grade 8	0	0	0	0	0	0	643.0	600.2
<b>Total</b>	<b>5,243.5</b>	<b>5,041.7</b>	<b>5,248.2</b>	<b>5,116.0</b>	<b>5144.1</b>	<b>5119.6</b>	<b>5498.9</b>	<b>5234.3</b>
<b>Grand Totals</b>	<b>10,285.2</b>		<b>10,364.2</b>		<b>10,263.7</b>		<b>10,733.2</b>	

Source: Economic Survey Reports (KNBS), Basic Education Statistical Booklet (MOE)

## Secondary schools

### Enrolment in secondary schools by form and sex 2021-2024

<b>Form</b>	<b>2021</b>		<b>2022</b>		<b>2023</b>		<b>2024</b>	
	<b>Boys</b>	<b>Girls</b>	<b>Boys</b>	<b>Girls</b>	<b>Boys</b>	<b>Girls</b>	<b>Boys</b>	<b>Girls</b>
Form 1	450.1	462.9	481.2	501.9	553.5	568.6	642.8	633.9
Form 2	464.9	478.0	486.0	504.4	509.5	533.2	527.3	540.8
Form 3	454.3	469.9	487.6	504.0	494.9	513.3	497.9	513.7
Form 4	453.5	458.6	470.0	485.2	466.7	469.8	481.6	483.5
<b>TOTAL</b>	1,822.7	1,869.3	1,924.8	1,995.5	2,024.5	2,084.9	2,149.8	2,171.9
<b>GRAND TOTAL</b>	<b>3,692.00</b>		<b>3,920.30</b>		<b>4,109.40</b>		<b>4,321.70</b>	

Source: Economic Survey Reports (KNBS), Basic Education Statistical Booklet (MOE)

**Learners enrolled in institutions in correctional facilities by standard and sex 2021-2024**

Class /Grade	2021			2022			2023			2024		
	Boys	Girls	Total	Boys	Girls	Total	Boys	Girls	Total	Boys	Girls	Total
1	92	3	95	290	9	299	183	6	189	-	-	-
2	113	6	119	319	13	332	193	13	206	-	-	-
3	94	3	97	295	19	314	244	4	248	-	-	-
4	187	11	195	347	22	269	247	5	252	-	-	-
5	96	1	97	295	32	327	263	5	268	-	-	-
6	105	9	114	288	47	335	185	10	195			
7	279	16	295	267	69	436	247	27	274			
8	479	57	536	443	75	518	905	71	976			
Form1	111	60	171	235	0	235	340	17	357			
Form2	100	59	159	143	10	153	187	18	205			
Form 3	165	30	195	124	12	136	166	11	177			
Form4	90	20	110	146	43	185	127	6	133			

Source: Basic Education Statistical Booklet (MOE) (2024 Data Not Available)

## TIVET

### Enrolment in Technical Industrial Vocational and Entrepreneurship Training (TIVET)

TIVET	2021		2022		2023		2024	
	Boys	Girls	Boys	Girls	Boys	Girls	Boys	Girls
Number	228,982	172,107	241,689	207,197	291,839	246,220	253,746	230,687
<b>GRAND TOTAL</b>	<b>401089</b>		<b>448886</b>		<b>538109</b>		<b>484436</b>	

Source: Ministry of Education (Fact sheet and Economic Survey – KNBS)

### Transition rate from primary to secondary school by gender 2021-2024

Year in Class 8	Year in form 1	Enrolment in Std 8 ('000)			Enrolment in Form 1 ('000)			% transiting to form 1		
		Boys	Girls	Total	Boys	Girls	Total	Boys	Girls	Total
2021	2021	581.3	582.5	1,163.8	450.1	462.9	913.0	77.4	79.4	78.4
2022	2022	589.4	587.6	1,177.0	481.2	501.9	983.1	81.6	85.4	83.5
2023	2023	643.1	640.1	1,283.2	553.5	568.6	1,122.1	86.0	88.8	87.4
2024	2024	649.3	633.3	1,282.6	642.8	633.9	1,276.8	98.9	100.0	99.5

Source: Basic Education Statistical Booklet (MOE)



### ***Teacher Numbers and Qualification***

#### **Primary schools Pupils Teacher ratio (PTR) by County 2024**

<b>No.</b>	<b>County</b>	<b>Enrolments</b>			<b>Teachers</b>			<b>Pupil Teacher Ratio</b>		
		<b>Public</b>	<b>Private</b>	<b>Total</b>	<b>Public</b>	<b>Private</b>	<b>Total</b>	<b>Public</b>	<b>Private</b>	<b>Average</b>
<b>1</b>	Baringo	742	134	876	5925	337	6262	125.2	397.6	139.9
<b>2</b>	Bomet	689	215	904	5084	1724	6808	135.5	124.7	132.8
<b>3</b>	Bungoma	803	281	1084	9111	358	9469	88.1	784.9	114.5
<b>4</b>	Busia	425	164	589	4812	508	5320	88.3	322.8	110.7
<b>5</b>	E/Marakwet	415	67	482	3890	354	4244	106.6	189.2	113.6
<b>6</b>	Embu	385	164	549	3915	261	4176	98.3	628.3	131.5
<b>7</b>	Garissa	232	79	311	1104	1282	2386	210.1	61.6	130.3
<b>8</b>	Homa Bay	850	234	1084	7094	368	7462	119.8	635.8	145.3
<b>9</b>	Isiolo	108	35	143	1133	402	1535	95.3	87	93.2
<b>10</b>	Kajiado	466	574	1040	3829	2860	6689	121.7	200.6	155.5
<b>11</b>	Kakamega	927	318	1245	10555	396	10951	87.8	803.0	113.7
<b>12</b>	Kericho	558	279	837	5189	296	5485	107.5	942.5	152.6
<b>13</b>	Kiambu	486	1014	1500	6191	2738	8927	78.5	370.3	168.0
<b>14</b>	Kilifi	448	280	728	5783	444	6227	74.4	630.6	116.9
<b>15</b>	Kirinyaga	196	189	385	2638	812	3450	74.2	232.7	111.6
<b>16</b>	Kisii	706	371	1077	7420	737	8157	95.1	503.3	132.0
<b>17</b>	Kisumu	618	288	906	6323	662	6985	97.7	435.0	129.7

No.	County	Enrolments			Teachers			Pupil Teacher Ratio		
		Public	Private	Total	Public	Private	Total	Public	Private	Average
18	Kitui	1340	181	1521	7046	365	7411	190.1	495.8	205.2
19	Kwale	423	163	586	3882	1043	4925	108.9	156.2	119.0
20	Laikipia	291	76	367	2784	175	2959	104.5	434.2	124.0
21	Lamu	114	26	140	1048	171	1219	108.7	152.0	114.8
22	Machakos	854	563	1417	8097	641	8738	105.4	878.3	162.2
23	Makueni	901	156	1057	8221	354	8575	109.5	440.6	123.3
24	Mandera	377	31	408	1184	345	1529	318.4	89.8	266.8
25	Marsabit	194	19	2131	387	143	1530	139.8	132.8	1392.8
26	Meru	744	420	1164	8489	1061	9550	87.6	395.8	121.9
27	Migori	645	307	952	6470	271	6741	99.6	1132.8	141.2
28	Mombasa	94	732	826	1576	1568	3144	59.6	466.8	262.7
29	Murang'a	509	196	705	5546	769	6315	91.7	254.8	111.6
30	Nairobi	204	1358	1562	4079	5838	9917	50.0	232.6	157.5
31	Nakuru	775	534	1309	9120	1332	10452	84.9	400.9	125.2
32	Nandi	767	192	959	6211	556	6767	123.4	345.3	141.7
33	Narok	622	199	821	5934	792	6726	104.8	251.2	122.1
34	Nyamira	331	193	524	3955	1495	5450	83.6	129.0	96.1
35	Nyandarua	347	168	515	3713	638	4351	93.4	263.3	118.4
36	Nyeri	381	116	497	3788	1066	4254	100.5	108.8	116.8

No.	County	Enrolments			Teachers			Pupil Teacher Ratio		
		Public	Private	Total	Public	Private	Total	Public	Private	Average
37	Samburu	198	22	220	1351	70	1421	146.5	314.2	154.8
38	Siaya	661	221	882	5927	265	6192	11.5	833.9	142.4
39	Taita Taveta	220	80	300	2029	464	2493	108.4	172.4	120.3
40	Tana River	183	21	204	1414	79	1493	129.4	265.8	136.6
41	Tharaka Nithi	392	146	538	3915	298	4213	100.1	489.9	127.7
42	Trans Nzoia	389	300	689	4730	1154	5884	82.2	259.9	117.1
43	Turkana	472	73	545	2070	392	2462	228.0	186.2	221.4
44	Uasin Gishu	941	377	1318	5258	1297	6555	178.9	290.6	201.1
45	Vihiga	395	85	480	4133	396	4529	95.5	214.6	106.0
46	Wajir	324	43	3671	1243	441	1684	260.8	97.5	2179.9
47	West Pokot	689	55	744	3713	185	3898	185.5	297.2	190.9
	<b>Grand Total</b>	<b>23831</b>	<b>11739</b>	<b>35570</b>	<b>218309</b>	<b>38203</b>	<b>256,512</b>	<b>109.2</b>	<b>307.3</b>	138.7

Source: Ministry of Education

#### Secondary schools Pupils Teacher ratio (PTR) by County 2024

No.	County	Enrolments			Teachers			Pupil Teacher Ratio		
		Public	Private	Total	Public	Private	Total	Public	Private	Average
1	Baringo	192	8	200	3409	89	3498	56.4	89.8	57.2
2	Bomet	291	5	296	4180	11	4191	69.6	454.5	70.6
3	Bungoma	391	16	407	7226	19	7245	54.1	842.1	56.2

No.	County	Enrolments			Teachers			Pupil Teacher Ratio		
		Public	Private	Total	Public	Private	Total	Public	Private	Average
4	Busia	168	6	174	3233	49	3282	51.9	122.4	53.0
5	E/Marakwet	138	1	139	3277	15	3292	42.1	66.6	42.2
6	Embu	197	13	210	4067	120	4187	48.4	108.3	50.2
7	Garissa	45	33	78	784	24	808	57.3	137.5	96.5
8	Homa Bay	334	21	355	4901	158	5059	68.1	132.9	70.2
9	Isiolo	32	6	38	564	53	617	56.7	113.2	61.6
10	Kajiado	99	74	173	2417	383	2800	40.9	193.2	61.8
11	Kakamega	442	23	465	8271	109	8380	53.4	211.0	55.5
12	Kericho	247	9	256	2376	45	4621	53.9	200	55.4
13	Kiambu	293	82	375	10086	250	10336	29.0	328	36.3
14	Kilifi	173	54	227	3020	297	3317	57.2	181.8	68.4
15	Kirinyaga	152	14	166	3589	103	3692	42.3	135.9	45.0
16	Kisii	352	21	373	7338	14	7352	47.9	150.0	50.7
17	Kisumu	230	20	250	5098	149	5247	45.1	134.2	47.6
18	Kitui	458	12	470	6258	53	6311	73.1	226.4	74.5
19	Kwale	103	13	116	1765	52	1817	58.3	250	63.8
20	Laikipia	132	17	149	2540	21	2561	51.9	809.5	58.2
21	Lamu	29	3	32	513	24	537	56.5	125	59.6
22	Machakos	376	83	459	6813	581	7394	55.1	142.8	62.1

No.	County	Enrolments			Teachers			Pupil Teacher Ratio		
		Public	Private	Total	Public	Private	Total	Public	Private	Average
23	Makueni	393	23	416	6520	133	6653	60.2	172.9	62.5
24	Mandera	65	2	67	736	5	741	88.3	400	90.4
25	Marsabit	47	7	54	695	47	742	67.6	148.9	72.8
26	Meru	392	22	414	7560	73	7633	51.8	301.3	54.2
27	Migori	290	22	312	4232	144	4376	68.5	152.7	71.3
28	Mombasa	58	86	144	1644	207	1851	35.2	415.4	77.8
29	Murang'a	321	30	351	8021	357	8378	40.0	84.0	41.9
30	Nairobi	117	207	324	4978	241	5219	23.5	858.9	62.1
31	Nakuru	380	149	529	8029	413	8442	47.3	360.7	62.7
32	Nandi	253	6	259	4461	51	4512	56.7	117.6	57.4
33	Narok	181	16	197	2424	69	2493	74.6	231.8	79.0
34	Nyamira	190	4	194	3541	54	3595	53.6	74.0	54.0
35	Nyandarua	176	30	206	3446	215	3661	51.0	139.5	56.3
36	Nyeri	219	13	232	5258	142	5400	41.6	91.5	43.0
37	Samburu	51	5	56	699	77	776	72.9	64.9	72.2
38	Siaya	243	1	244	4136	12	4148	58.7	83.3	58.8
39	Taita Taveta	89	7	96	1554	71	1625	57.2	98.5	59.1
40	Tana River	41	4	45	519	10	529	78.9	400	85.1
41	Tharaka Nithi	161	12	173	3684	118	3802	43.7	101.6	45.5

No.	County	Enrolments			Teachers			Pupil Teacher Ratio		
		Public	Private	Total	Public	Private	Total	Public	Private	Average
42	Trans Nzoia	240	19	259	4336	128	4464	55.3	148.4	58.0
43	Turkana	69	7	76	852	108	960	80.9	64.8	79.2
44	Uasin Gishu	198	47	245	5080	292	5372	38.9	160.9	45.6
45	Vihiga	159	8	167	3585	40	3625	44.3	200	46.1
46	Wajir	68	2	70	816	27	843	83.3	74.0	83.0
47	West Pokot	185	4	189	2180	12	2192	84.8	333.3	86.2
	<b>Grand Total</b>	<b>9460</b>	<b>1267</b>	<b>19727</b>	<b>182911</b>	<b>5665</b>	<b>188,576</b>	51.7	223.7	104.6

Source: Ministry of Education

### Right to life

	2021		2022		2023		2024	
	F	M	F	M	F	M	F	M
Rates of infant mortality	DNA	DNA	29/1000	35/1000	DNA	DNA	DNA	DNA
Under 5 child mortality rates	DNA	DNA	45/1000	38/1000	DNA	DNA	DNA	DNA
Proportion of households using treated water	DNA		76.04		76.14		78.07	
Proportion of Households with Hand washing facilities	DNA		65.4		61.52		61.87	
Proportion of Households with Refuse disposal Facility	DNA		59.86		63.59		69.14	

Proportion of children under one year who are fully immunized	DNA		81.73		78.8		77.78	
Postnatal coverage	DNA		114.28		122.36		133.2	
4th Antenatal Care (ANC) Coverage (%)	DNA		51.39		51.42		51.74	
Proportion of pregnant women provided with HIV PMTCT services and percentage of children born with HIV	DNA	DNA	DNA	DNA	DNA	DNA	DNA	DNA
	DNA	DNA	DNA	DNA	DNA	DNA	DNA	DNA

**Source: MOH and KNBS**

**Note:** Percentage of households without access to hygienic sanitation facilities and access to safe drinking water as in the guideline has been broken down to the following indicators to reflect the Kenya context and how data is captured in KHIS:

- Proportion of households using treated water
- Proportions of Households with hand washing facilities
- Proportion of households with refuse disposal facility

**Note:** Proportion of pregnant women who have access to, and benefit from, prenatal and post-natal health care as in the guideline has been broken down to the following indicators to reflect the Kenya context and how data is captured in KHIS:

- Postnatal coverage
- 4<sup>th</sup> Antenatal Care (ANC) Coverage (%)

### **FAMILY ENVIRONMENT AND ALTERNATIVE CARE (arts. 18-20 and 24)**

Number of children separated from their parents as a result of court decisions (inter alia, in relation to situations of detention, imprisonment, exile or deportation);

	<b>2021</b>		<b>2022</b>		<b>2023</b>		<b>2024</b>	
	<b>M</b>	<b>F</b>	<b>M</b>	<b>F</b>	<b>M</b>	<b>F</b>	<b>M</b>	<b>F</b>
Domestic violence	DNA	DNA	DNA	DNA	DNA	DNA	DNA	DNA
Imprisonment	59	46	82	78	66	53	95	89
Exile	DNA	DNA	DNA	DNA	DNA	DNA	DNA	DNA
Deportation (Repatriation)	80	70	117	74	85	83	41	32
Negligence reported to DCS	69898	67621	68561	65203	68375	66125	55218	54264

**Source: Directorate of Children Services (CPIMS), Judiciary**

Number of institutions for hosting children without parental care, those providing care and the number of children in these institutions

	<b>2021</b>			<b>2022</b>			<b>2023</b>			<b>2024</b>			
	Number	Population		Number	Population		Number	Population		Number	Population		
		F	M		F	M		F	M		F	M	I
CCI'S	745	DNA	DNA	DNA	DNA	DNA	DNA	DNA	DNA	902	20483	23570	17
Probation hostels	4	23	61	4	23	102	4	26	120	4	26	113	0
Remand homes	14	372	1447	14	595	2290	14	537	2650	14	370	2265	0



Rehabilitation schools	9	57	203	9	50	180	9	65	177	9	55	213	0
Children rescue centres	5	200	212	5	218	221	5	217	209	5	242	235	0

**Source: DCS, Probation, NCCS**

Number of children domestic and inter-country adoption programmes.

	<b>2021</b>		<b>2022</b>		<b>2023</b>		<b>2024</b>	
	<b>M</b>	<b>F</b>	<b>M</b>	<b>F</b>	<b>M</b>	<b>F</b>	<b>M</b>	<b>F</b>
Number of children in domestic adopting	169	172	135	162	225	249	165	170
Number of children in inter-country adoption	<p>The existence of the Moratorium on inter-country Adoption means we have not registered any intercountry adoptions.</p> <p>The foreigners who have married Kenyan Citizen get their orders under Kinship Adoption which has been captured under domestic adoptions.</p>							

**Source: DCS, NCCS, AG, JUDICIARY**

## Protection of Children in most vulnerable situations (arts. 12, 22-23 and 25)

### Children with disabilities

Distribution of registered Children with disabilities by sex and type of disability (2021-2024)

	PWDS (Number)			Visual (%)			Hearing (%)			Mobility (%)			Cognition (%)			Self-care (%)			Communication (%)		
	F	M	Total	F	M	Total	F	M	Total	F	M	Total	F	M	Total	F	M	Total	F	M	Total
<b>2021</b>	985	464	2149	49	73	122	311	301	612	397	494	891	0	0	0	0	0	0	0	0	0
<b>2022</b>	980	1193	2175	57	73	130	295	374	669	370	460	830	0	0	0	0	0	0	0	0	0
<b>2023</b>	1243	1015	2258	64	84	148	359	324	683	412	540	954	0	0	0	0	0	0	0	0	0
<b>2024</b>	1063	1218	2281	73	101	174	308	341	649	440	468	908	0	0	0	0	0	0	0	0	0

**Source:** NCPWD, KNBS

Distribution of children with disabilities by sex and living in institutions and outside their families (2021-2024)

Age range	PWDS (Number)			Number Living in institutions				Number living outside their families		
	F	M	Total	F	M	I	Total	F	M	Total
<b>2021</b>	DNA	DNA	DNA	DNA	DNA	DNA	DNA	DNA	DNA	DNA
<b>2022</b>	DNA	DNA	DNA	DNA	DNA	DNA	DNA	DNA	DNA	DNA
<b>2023</b>	DNA	DNA	DNA	DNA	DNA	DNA	DNA	DNA	DNA	DNA
<b>2024</b>	DNA	DNA	DNA	<b>925</b>	<b>1124</b>	<b>7</b>	<b>2056</b>	DNA	DNA	DNA

**Source:** DCS, NCPWD, KNBS

Distribution of school going children with disability by sex, and school attendance

	PWDS (Number) (school attending age)			Attending regular schools			Attending special schools			Not attending schools		
	F	M	Total	F	M	Total	F	M	Total	F	M	Total
<b>2021</b>	DNA	DNA	DNA	0	0	0	34420	42517	76837	DNA	DNA	DNA
<b>2022</b>	DNA	DNA	DNA	0	0	0	30377	36344	66721	DNA	DNA	DNA
<b>2023</b>	DNA	DNA	DNA	0	0	0	23647	28527	52174	DNA	DNA	DNA
<b>2024</b>	DNA	DNA	DNA	17527	22027	39554	6120	6500	12620	DNA	DNA	DNA

Source: KNBS, MOE, NCPWD

### Refugee children, children seeking asylum and internally displace persons

Distribution of refugee children, children seeking asylum and internally displaced persons by sex

	2021		2022		2023		2024	
	F	M	F	M	F	M	F	M
Number of refugee children and children seeking asylum	16,739	17,208	10,548	12,850	38,065	41,868	44,012	50,070
Number of internally displaced persons (children)	35	44	56	75	47	54	2086	1740
Number of refugee children and children seeking asylum who are accompanied by their parents/ guardians	4,560	4,165	6,310	8,143	32,663	35,664	31,385	36,638
Number of internally displaced persons (children) who are accompanied by their parents/ guardians	DNA	DNA	DNA	DNA	DNA	DNA	DNA	DNA
Number and percentage of refugee children, children seeking asylum and internally displaced persons who are attending	DNA	DNA	DNA	DNA	DNA	DNA	DNA	DNA
	DNA	DNA	DNA	DNA	DNA	DNA	DNA	DNA

national, public, and secondary schools or vocation training								
Number and percentage of refugee children, children seeking asylum and internally displaced persons accessing health services, child protection or welfare services	DNA	DNA	DNA	DNA	DNA	DNA	DNA	DNA
	DNA	DNA	DNA	DNA	DNA	DNA	DNA	DNA
Number and percentage of refugee children, children seeking asylum and internally displaced persons who have disappeared during or after the status of determination proceedings or processes	DNA	DNA	DNA	DNA	DNA	DNA	DNA	DNA
	DNA	DNA	DNA	DNA	DNA	DNA	DNA	DNA

**Source: Department of Refugee Services, DCS, MOE, NPS, Judiciary**

### **Children in armed conflicts**

	<b>2021</b>		<b>2022</b>		<b>2023</b>		<b>2024</b>	
	<b>M</b>	<b>F</b>	<b>M</b>	<b>F</b>	<b>M</b>	<b>F</b>	<b>M</b>	<b>F</b>
Children affected by armed conflict including internal armed conflicts, tensions and strife	0	0	0	0	0	0	0	0
Number of children involved in armed conflicts accessing DDDR programmes	0	0	0	0	0	0	0	0

**Source: DCS (CPIMS)**

**Children living in prison, involved in child labor, in street situations, involved in sexual exploitation, drug abuse and trafficking**

	<b>2021</b>		<b>2022</b>		<b>2023</b>		<b>2024</b>	
	<b>M</b>	<b>F</b>	<b>M</b>	<b>F</b>	<b>M</b>	<b>F</b>	<b>M</b>	<b>F</b>
Number of children living with their mothers in prison	5	5	10	7	13	9	10	10
Number of children involved in child labour	129	143	104	113	158	123	105	136
Number of children in street situations	<b>DNA</b>	<b>DNA</b>	<b>DNA</b>	<b>DNA</b>	<b>DNA</b>	<b>DNA</b>	<b>DNA</b>	<b>DNA</b>

**Source: DCS, SFRTF, DOL**

The number of children involved in sexual exploitation, drug abuse and trafficking

		<b>2021</b>		<b>2022</b>		<b>2023</b>		<b>2024</b>	
	<b>Type of Abuse</b>	<b>M</b>	<b>F</b>	<b>M</b>	<b>F</b>	<b>M</b>	<b>F</b>	<b>M</b>	<b>F</b>
Number of children victims reported at the DCS	Defilement	386	2414	398	2198	401	2088	395	2021
	Sexual exploitation and abuse (including sexual assault)	67	217	78	197	83	186	64	234
	Trafficking	996	980	1025	922	977	1032	912	981
	<b>Total</b>	<b>1449</b>	<b>3611</b>	<b>1501</b>	<b>3317</b>	<b>1461</b>	<b>3306</b>	<b>1371</b>	<b>3236</b>

**Source: DCS (CPIMS)**

**Harmful practices (arts. 1(3) and 21)**

	<b>2021</b>		<b>2022</b>		<b>2023</b>		<b>2024</b>	
	<b>M</b>	<b>F</b>	<b>M</b>	<b>F</b>	<b>M</b>	<b>F</b>	<b>M</b>	<b>F</b>
Number of children who have been subjected to harmful cultural practices	9	82	9	245	24	367	12	69
Number of children who have been rescued from harmful cultural practices		562		978		211		429
Number of children in child marriages	28	453	28	268	31	356	20	261

**Source: Anti-FGM, DCS**

**Child Justice (art. 17)**

	2021		2022		2023		2024	
	M	F	M	F	M	F	M	F
Number of cases involving children and in which legal or other assistance has been provided;	535	696	746	681	1000	1042	1022	957
Number of children who have been referred to diversion programmes including professional counselling;	1752	1644	1514	1579	1465	1689	1461	1651
Number of children held in police stations or pretrial detention after having been accused of committing a crime reported to the police	DNA	DNA	DNA	DNA	DNA	DNA	DNA	DNA
The number of children who have been found guilty of an offence by a court and sentenced to detention	389	17	880	47	319	99	453	81
The number of children detained in institutions where they are not separated from adults;	0	0	0	0	0	0	0	0
The number of children detained in institutions where they are separated from adults;	389	17	880	47	319	99	453	81

**Source: Judiciary, ODPP, DCS, Prison**

		2021	2022	2023	2024
Number of filed cases involving children	Civil	DNA	5990	7577	14508
	Criminal	DNA	5904	4983	1775
Number of resolved cases involving children	Civil	DNA	6518	9141	6518
	Criminal	DNA	4631	4866	4631
Number of pending cases involving children	Children in conflict	DNA	49404	9476	9485
	Children in need of care and protection	DNA	16094	15437	14741

**Source: Judiciary<sup>47</sup>**

<sup>47</sup> <https://judiciary.go.ke/downloads-reports/>