

# **KENYA: ADVANCING HUMAN RIGHTS THROUGH UNHRC MEMBERSHIP-VOLUNTARY PLEDGES & COMMITMENTS**

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## **Introduction**

1. The Republic of Kenya has the honour to present its candidature for membership of the United Nations Human Rights Council for the term 2025-2027 at the elections to be held during the seventy-ninth session of the UN General Assembly in October 2024, in New York.
2. Kenya strongly supports the Human Rights Council, recognizing its vital role in safeguarding human rights globally. The Council stands as a vital cornerstone within the UN, fostering international collaboration to safeguard the fundamental rights of every person, across the globe.
3. Kenya champions the inherent and universal value of all human rights, unwavering in its defense of civil, political, economic, social, and cultural rights for every person on the planet. The government recognizes these rights as the bedrock of human dignity, liberty, and the flourishing of open, free societies around the world. This conviction fuels Kenya's strong commitment to upholding human rights, for it believes that doing so fosters a just, prosperous and stable world.
4. As a member of the Human Rights Council, Kenya commits to a collaborative journey of advancing and protecting human rights for all. We believe in achieving this through partnerships built on equality, constructive dialogue, and a shared commitment to include all stakeholders. This collaborative spirit will be the cornerstone of upholding the principles of equality and non-discrimination, ensuring no voice is left unheard.

## **Pledges and Commitments pursuant to General Assembly Resolution 60/251**

### **Pledges and Commitments at National Level**

5. Kenya's role as a regional hub for the Universal Declaration of Human Rights (UDHR) 75<sup>th</sup> anniversary highlights its commitment to human rights unity. Through nationwide inclusive dialogues with the Kenyan people, the Government identified four key achievable pledges reflecting ongoing efforts for lasting human rights progress:
6. Recognizing the need to address evolving human rights challenges, the Government pledges to review the 2014 National Policy and Action Plan on Human Rights to take into consideration emerging challenges. By learning from past experiences, this initiative presents a valuable opportunity to shape a future where human rights are seamlessly integrated into all aspects of development and governance.
7. Kenya takes a bold stride towards environmental sustainability and is committed in the efforts to achieve 100 per cent renewable power by 2030. This commitment contributes to the global

protecting human rights globally. This includes respect for the independence of the Office of the United Nations High Commissioner for Human Rights (OHCHR) and complete cooperation with the Council and its mechanisms.

15. Kenya champions a Human Rights Council that is impactful, and embraces diverse voices. We will be a driving force in deliberations on improving its operations, maximizing its effectiveness, and implementing reforms that make a real difference.
16. Kenya is a staunch advocate for open dialogue and constructive feedback. Fostering mutual understanding of the challenges in upholding human rights, both within our own borders and on the global stage, is the cornerstone of effective collaboration within the Council.
17. Kenya fosters a vibrant and collaborative partnership with Civil Society Organizations (CSOs). This commitment extends to the Human Rights Council, where Kenya commits to working tirelessly to ensure CSOs are included and have a voice within the Council.
18. Kenya remains a steadfast champion for the independence of the High Commissioner and the vital work of the OHCHR. We will continue our collaboration with both the OHCHR and the Human Rights Council, actively engaging with its mechanisms.
19. Kenya is deeply committed to a robust and independent UN human rights treaty body system. We pledge full cooperation with these bodies to ensure their effectiveness in protecting and promoting human rights globally.
20. Kenya pledges to sponsor and support crucial human rights issues and connected themes at the United Nations General Assembly and Human Rights Council. These include actively advocating for and sponsoring resolutions addressing challenges such as poverty, the fight against impunity, and the climate change.
21. Kenya strongly supports the Universal Periodic Review (UPR) mechanism and actively participates in all review sessions. We recognize the UPR's value as an equal and transparent process for promoting and protecting human rights. Indeed, over the years UPR recommendations have led to the development of various domestic laws, policies and administrative action for the promotion and protection of human rights in Kenya.

**Global Advocacy:**

22. Kenya actively engages in international human rights forums, influencing global discussions and policies through participation and presentations. Its recent tenure on the UN Security Council (2021-2022) exemplifies this commitment. Kenya championed a human rights-centered approach to global security, prioritizing the plight of women and children during its presidency.

32. Pioneering the first National Action Plan on Business and Human Rights on the African continent in 2020, Kenya is unwavering in its commitment to the Plan's continuous implementation and improvement, ensuring that businesses operating within our borders uphold the highest human rights standards.
33. Building on its groundbreaking achievement as the first African nation to enumerate intersex people in the 2019 census, Kenya commits to continue championing their rights including ensuring that intersex persons are fully embraced within the government's legal and policy framework.
34. Deeply aware of the hardships faced by stateless individuals, Kenya established a groundbreaking recognition program. This program continues to empower thousands to claim their rightful place within the Kenyan society. By granting them citizenship, Kenya ensures their full participation in society and the ability to enjoy their fundamental rights.
35. Kenya's Children's Act of 2022 takes significant strides in safeguarding children. It recognizes a broader scope of children's rights, including protection from online dangers and a complete ban on corporal punishment. The Act prioritizes keeping children within families whenever possible, through alternative care options. Additionally, it raises the age of criminal culpability and emphasizes rehabilitation for children in conflict with the law. These measures create a more comprehensive framework for protecting children in Kenya.
36. Kenya is taking a zero-tolerance approach to Sexual and Gender-Based Violence through a comprehensive strategy. The National Police Service Response (POLICARE) establishes a coordinated national network to effectively address SGBV cases. Specialized GBV Courts in counties are leading the way by providing a more sensitive and efficient justice system for victims. Gender Violence Recovery Centers and Gender Desks offer safe spaces for victims to report abuse and receive vital support services. Furthermore, the Protection against Domestic Violence Act and Rules (2022) prioritize prevention, intervention, and victim support. This critical legislation empowers victims to seek protection orders, providing a crucial tool for early detection and ultimately, preventing violence before it occurs.
37. Kenya is making strong strides in its fight against poverty through a multi-pronged approach of social protection programs. One such program, *Inua Jamii*, provides a vital lifeline to vulnerable populations like the elderly, orphans, and people with disabilities. There's a continued focus on ensuring the programme reaches a larger portion of the population in need. The Affirmative Action Fund disburses resources directly to youth, women, and vulnerable groups. These funds provide them with the critical financial tools and opportunities they need to break the cycle of poverty and build a brighter future.
38. Kenya is committed to educational equity for all. This is evident through increased funding for public schools, with a focus on students with disabilities. Marginalized areas receive additional support through targeted projects like the Secondary Education Quality Improvement Project and school meal programs. Recognizing the unique needs of groups like nomadic communities, Kenya has dedicated initiatives like National Council for Nomadic Education in Kenya and the Girls' Education Challenge to ensure everyone has a chance to succeed in school.

49. Kenya's resolute commitment to upholding human rights, both domestically and internationally, positions it as a strong candidate for membership of the Human Rights Council. We recognize the journey towards stronger human rights requires ongoing collaboration. We stand ready to work together in the endeavor to achieve our common goal of defending human rights and to create a more equitable future for all.
50. The Republic of Kenya is happy to publish these Voluntary Pledges and Commitments in line with General Assembly Resolution 60/251.

## Kenya Scorecard

Seeking Election

Previous Terms: 2013-2015; 2016-2018

Submitted a public pledge on candidacy	✓
Submitted pledge in a timely manner	✓
Supported all country-specific resolutions at the General Assembly and Human Rights Council	X
Played a leadership role on country situations at the Council	X
Accepted all country visit requests	X
Sent substantive replies to all communications sent by Special Procedures	X
Developed and published an action plan for the implementation of UPR recommendations	✓ <a href="https://www.statelaw.go.ke/wp-content/uploads/2024/05/3rd-Cycle-UPR-Implementation-Plan-2021-to-2025.pdf">https://www.statelaw.go.ke/wp-content/uploads/2024/05/3rd-Cycle-UPR-Implementation-Plan-2021-to-2025.pdf</a>
Submitted a UPR mid-term report	✓
Ratified the 9 core international human rights treaties plus the related optional protocols	X
Accepted all individual complaint mechanisms	X
No outstanding treaty reports	✓ <b>COMPLIED:</b> Kenya has submitted its periodic reports and has been reviewed on: UNCAT, ICCPR and CEDAW (submitted report on the implementation of specific recommendations of Kenya's 8 <sup>th</sup> periodic report).