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Kenya

The present report is a compilation of the information contained in reports of the treaty bodies and special procedures, including observations and comments by the State concerned, in reports of the United Nations High Commissioner for Human Rights, and in other relevant official United Nations documents. It is presented in a summarized manner owing to word-limit constraints. For the full texts, please refer to the documents referenced. The report does not contain any opinions, views or suggestions on the part of the Office of the United Nations High Commissioner for Human Rights other than those contained in public reports and statements issued by the Office. It follows the general guidelines adopted by the Human Rights Council in its decision 17/119. Information included herein has been systematically referenced in endnotes. The report has been prepared taking into consideration the periodicity of the review, and developments during that period.

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I. Background and framework

A. Scope of international obligations¹

International human rights treaties²

	<i>Status during previous cycle</i>	<i>Action after review</i>	<i>Not ratified/not accepted</i>
<i>Ratification, accession or succession</i>	ICERD (2001)		ICCPR-OP 2
	ICESCR (1972)		OP-CAT
	ICCPR (1972)		OP-CRC-SC (signature 2000)
	CEDAW (1984)		ICRMW
	CAT (1997)		ICPPED (signature, 2007)
	CRC (1990)		
	OP-CRC-AC (2002)		
	OP-CRC-SC (signature, 2000)		
	CRPD (2008)		
	ICPPED (signature, 2007)		
<i>Reservations and/or declarations</i>	ICESCR (declaration: art. 10, para. 2, 1972)		
	OP-CRC-AC (declaration: art. 3, para. 2, age of recruitment 18 years old, 2002)		
<i>Complaints procedures, inquiries and urgent action³</i>	CAT, art. 20 (1997)		ICERD, art. 14
			OP-ICESCR
			ICCPR, art. 41
			ICCPR-OP 1
			OP-CEDAW
			CAT, arts. 21 and 22
			OP-CRC-IC
			ICRMW
			OP-CRPD
		ICPPED (signature, 2007)	

Other main relevant international instruments

	<i>Status during previous cycle</i>	<i>Action after review</i>	<i>Not ratified</i>
<i>Ratification, accession or succession</i>	Rome Statute of the International Criminal Court Palermo Protocol ⁴ 1951 Convention relating to the Status of Refugees and its 1967 Protocol Geneva Conventions of 12 August 1949 and Additional Protocols I and II ⁵ ILO fundamental conventions, except No. 87 ⁶	Additional Protocol III to the 1949 Geneva Conventions ⁷	Convention on the Prevention and Punishment of the Crime of Genocide Conventions on stateless persons ⁸ ILO Conventions Nos. 87, 169 and 189 ⁹ UNESCO Convention against Discrimination in Education

1. In 2011, the Committee on the Elimination of Racial Discrimination (CERD) and the Committee on the Elimination of Discrimination against Women (CEDAW) encouraged Kenya to ratify ICRMW.¹⁰ In 2012, the Human Rights Committee (HR Committee) recommended that Kenya accede to ICCPR-OP 2.¹¹ In 2013, the Committee against Torture (CAT) invited Kenya to ratify ICRMW, ICPPED, OP-ICESCR, ICCPR-OP 1, ICCPR-OP 2, OP-CEDAW, OP-CRC-SC and OP-CRPD.¹² Recalling the commitment made by Kenya during its first universal periodic review (UPR) in 2010, CAT also recommended the ratification of OP-CAT.¹³

2. CAT recommended that Kenya make the declarations envisaged under articles 21 and 22 of the Convention enabling the State and individual complaints procedures.¹⁴ CERD encouraged Kenya to consider making the optional declaration provided for in article 14 of the Convention enabling the individual complaints procedure,¹⁵ and recommended that it ratify the amendments to article 8, paragraph 6, of the Convention concerning the financing of the Committee.¹⁶ CEDAW encouraged Kenya to accept the amendment to article 20, paragraph 1, of the Convention concerning the meeting time of the Committee.¹⁷

3. The United Nations High Commissioner for Refugees (UNHCR) requested Kenya to accede to the 1954 Convention relating to the Status of Stateless Persons, the 1961 Convention on the Reduction of Statelessness and the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa.¹⁸

4. The United Nations Educational, Scientific and Cultural Organization (UNESCO) referred to recommendations on the right to education accepted by Kenya during its first UPR, and recommended that Kenya should be encouraged to ratify the UNESCO Convention against Discrimination in Education.¹⁹

B. Constitutional and legislative framework

5. Several treaty bodies²⁰ and the Secretary-General²¹ welcomed, and the ILO Committee of Experts on the Application of Conventions and Recommendations (ILO Committee of Experts) noted with interest,²² the adoption of the new Constitution in 2010.

6. On 28 July 2014, the Special Rapporteur on the human right to safe drinking water and sanitation recommended that rights to water and to sanitation be translated into laws, policies and budgeting. She also recommended, inter alia, that the Water Bill (2014) clearly affirm that the allocation of water for personal and domestic uses was prioritized over other

water uses; that the independent national water and sanitation regulator be given clear competence to set a mandatory affordability standard to ensure that water and sanitation were affordable for the poorest; and that the regulator also be given the mandate to monitor the compliance of counties and water providers with the normative content of the rights to water and to sanitation. The Special Rapporteur called on Parliament to urgently pass the Water Bill (2014) while ensuring improvements to the text regarding the issues raised, which were indispensable to clarify the responsibilities and accountability lines. She also called on the Government to adopt a new national water and sanitation strategy.²³

C. Institutional and human rights infrastructure and policy measures

Status of national human rights institutions²⁴

<i>National human rights institution</i>	<i>Status during previous cycle</i>	<i>Status during present cycle²⁵</i>
Kenya National Commission on Human Rights	A (2008)	A (2008)

7. The United Nations country team (UNCT) stated that the implementation of the mandates of the various constitutional commissions and oversight offices dealing with the promotion and protection of human rights was, among other things, challenged by the lack of programmatic funds and staff capacity.²⁶

II. Cooperation with human rights mechanisms

A. Cooperation with treaty bodies²⁷

1. Reporting status

<i>Treaty body</i>	<i>Concluding observations included in previous review</i>	<i>Latest report submitted since previous review</i>	<i>Latest concluding observations</i>	<i>Reporting status</i>
CERD	-	2010	August 2011	Fifth to seventh reports due in October 2014
CESCR	November 2008	2013	-	Second to fifth reports pending consideration
HR Committee	March 2005	2010	July 2012	Fourth report due in 2015
CEDAW	July 2007	2009	January 2011	Eighth report due in 2015
CAT	November 2008	2012	May 2013	Third report due in 2017
CRC	February 2007	2013	-	Third to fifth reports pending consideration in 2016. Initial report under OP-CRC-AC overdue since 2004
CRPD	-	2012	-	Initial report pending consideration

2. Responses to specific follow-up requests by treaty bodies

Concluding observations

<i>Treaty body</i>	<i>Due in</i>	<i>Subject matter</i>	<i>Submitted in</i>
CERD	2012	Incitement to hatred; forced evictions of Endorois and Ogiek from their lands; and community lands and minority rights. ²⁸	-
HR Committee	2013	Women's participation in the public and private sectors; lack of investigation of all cases of post-2007 election violence; and detention conditions. ²⁹	Reminder sent in 2014. ³⁰
CEDAW	2013	Enactment of several bills; and violence against women. ³¹	2014. ³²
CAT	2009	Definition of torture; age of criminal responsibility; arbitrary arrest and police corruption; use of force by police during post-election violence; violence by State agents and access to land; and redress and compensation for victims of torture. ³³	
	2014	Strengthening legal safeguards for persons detained; conducting investigations; and sanctioning perpetrators of torture or ill-treatment. ³⁴	-

B. Cooperation with special procedures³⁵

	<i>Status during previous cycle</i>	<i>Current status</i>
<i>Standing invitation</i>	No	No
<i>Visits undertaken</i>	Summary executions	Somalia
	Internally displaced persons	Water and sanitation
	Adequate housing	Internally displaced persons
<i>Visits agreed to in principle</i>		Independence of judges and lawyers
		Freedom of peaceful assembly and of association
<i>Visits requested</i>	Minority issues	Torture
	Extreme poverty	Disappearances
	Independence of judges and lawyers	Promotion of truth
	Human rights defenders	
<i>Responses to letters of allegation and urgent appeals</i>	During the period under review, 20 communications were transmitted. The Government replied to two of them.	

C. Cooperation with the Office of the United Nations High Commissioner for Human Rights

8. In 2011, OHCHR continued to coordinate the UNCT support for the process of the Truth, Justice and Reconciliation Commission. As a result, the Civil Society Organizations Network (CSO Network) was able to bring witnesses to testify during the Commission's hearings in Kisumu.³⁶ OHCHR also continued to work with the Government, especially the Ministry of Justice, National Cohesion and Constitutional Affairs and the Office of the Prime Minister, to assist with the implementation of recommendations emanating from the UPR and the international human rights treaty bodies.³⁷

9. In 2012, OHCHR provided technical support, inter alia, in the preparation and launch of the second annual progress report on the UPR recommendations by civil society groups. The report served as an advocacy tool to ensure that the Government implemented the UPR recommendations in a timely fashion.³⁸

10. In March 2013, OHCHR deployed a team to monitor the human rights situation during the electoral period and to support the Kenya National Commission of Human Rights and civil society organizations.³⁹

11. Also in 2013, following inputs and recommendations from OHCHR, the Government's Second Medium Term Plan (2013–2017), which sought to provide a road map for development, had incorporated a human rights-based approach. The human rights adviser, deployed by OHCHR since 2008, had provided technical assistance and advice to the judiciary and a human rights perspective had been included in the Judiciary Transformation Framework for 2013–2016 to ensure that judges had the knowledge and capacity to apply international human rights standards, particularly in the area of economic, social and cultural rights.⁴⁰

III. Implementation of international human rights obligations, taking into account applicable international humanitarian law

A. Equality and non-discrimination

12. In 2011, CEDAW urged Kenya to eliminate harmful practices and stereotypes that discriminate against women.⁴¹ In 2013, the ILO Committee of Experts asked Kenya to provide information on any specific measures taken, in the context of education, training, employment and occupation, to carry out awareness-raising campaigns to effectively address gender stereotypes.⁴²

13. In 2011, CERD urged Kenya to strictly enforce the legislation on hate speech and incitement to hatred; investigate all allegations and prosecute those charged.⁴³

14. CERD expressed concern at the discriminatory extra requirements for Nubians, Coastal Arabs, Somalis and Kenyans of Asian descent in the recognition of nationality and in accessing identity documentation. It also expressed concern that, by introducing the possibility of revocation of nationality, the new Constitution imposed a differential treatment of citizens according to how Kenyan nationality had been acquired. It urged Kenya to ensure that all citizens were treated equally and received identity documents.⁴⁴

15. UNICEF noted that in 2011 the African Committee of Experts on the Rights and Welfare of the Child had found Kenya to be in violation of the rights of Nubian children to non-discrimination, to nationality and to the prevention of statelessness. Nubian children

were refused birth certificates and denied automatic citizenship at age 18, with consequent restriction of property rights and the rights to health and to education.⁴⁵ The HR Committee urged Kenya to respect the rights of all children of Nubian descent, and other children in a similar situation, to citizenship and a national identity card.⁴⁶

16. The HR Committee was concerned at the slow registration of births. It urged Kenya to ensure universal birth registration to all children born in its territory.⁴⁷

B. Right to life, liberty and security of the person

17. UNCT stated that although there was a moratorium on the death penalty in Kenya, little progress had been made towards abolishing it.⁴⁸ The HR Committee, in 2012, and CAT, in 2013, made similar observations.⁴⁹

18. UNCT indicated that the enjoyment of the right to life, liberty and security of the person continued to be curtailed in Kenya by, inter alia, the existing security risks and threats of violent armed conflicts within the country and in the Great Lakes and Horn of Africa regions; armed criminal gangs and militia in both urban and rural locations; terrorist attacks; violent conflicts in the northern regions; intercommunal and inter-clan resource-based conflicts; land disputes; and politically instigated administrative boundary conflicts.⁵⁰

19. UNCT stated that while there were efforts to enact the Prevention of Torture Bill, torture and extrajudicial killings by State security agents had been reported in the media, particularly in the Coast region.⁵¹ CAT and the HR Committee made similar observations.⁵² CAT urged Kenya to investigate and bring to justice alleged perpetrators of all cases of use of lethal force and excessive force by security forces, and to ensure that all police and military operations, including counter-terrorism activities, were carried out in full compliance with the country's international law obligations.⁵³ CAT also urged Kenya to ensure that the National Police Service Commission used a vetting system, whereby alleged offenders were suspended from duty pending investigation.⁵⁴ The HR Committee urged Kenya to adequately compensate the victims.⁵⁵

20. UNCT noted the progress made in terms of judicial reform, the ongoing implementation of the recommendations of the National Taskforce on Penal Reforms, and the progress made towards improving the rights of persons deprived of their liberty. However, there was a need for increased national budgetary allocation to correctional institutions and the larger prison reforms.⁵⁶ The HR Committee urged Kenya to address overcrowding in prisons, including through alternative forms of punishment.⁵⁷ CAT urged Kenya to bring detention conditions into line with United Nations standards.⁵⁸

21. UNCT indicated that positive developments relating to women's and children's rights included the enactment of the Prohibition of Female Genital Mutilation Act of 2011 and the review of the policy on female genital mutilation. While the Anti-Female Genital Mutilation Board was not fully operational, the implementation of Act was also challenged by prevailing cultural norms and traditional practices.⁵⁹ Several treaty bodies expressed similar concerns about female genital mutilation⁶⁰ and also about violence against women and girls in general.⁶¹

22. CAT was concerned by reports of lynchings, particularly of elderly women accused of witchcraft. It urged Kenya to amend the Witchcraft Act (1925) in order to eliminate the practice of lynching; and investigate and prosecute the perpetrators of such acts.⁶²

23. CEDAW was particularly concerned at the persistence of trafficking and sexual exploitation of women and girls and the role of sex tourism in that regard. It also remained concerned that the law criminalized only prostitutes, while the demand side was not sanctioned.⁶³ It called upon Kenya, inter alia, to protect victims; eliminate the vulnerability

of girls and women to sexual exploitation; prosecute alleged perpetrators; facilitate the recovery and social integration of victims; and adopt a comprehensive action plan to address the trafficking and sexual exploitation of women and girls.⁶⁴

24. UNICEF stated that despite the efforts made so far, child prostitution and the trafficking of children were still prevalent and there were significant numbers of street children who were vulnerable to various forms of violence and lacked appropriate care and protection. Moreover, the level of the Government resource allocation slowed the implementation of legal frameworks and structural reforms devoted to the protection of children from exploitative labour.⁶⁵ CEDAW, in 2011, and the ILO Committee of Experts, in 2012, expressed similar concerns.⁶⁶ CEDAW requested Kenya to eradicate child labour by enforcing compulsory education.⁶⁷ The ILO Committee of Experts urged Kenya to strengthen its efforts to combat child labour with a view to eliminating it progressively within a defined time frame.⁶⁸

25. While welcoming the Counter Trafficking in Persons Act (2010), the HR Committee was concerned at reports of trafficking in persons for labour, sexual exploitation and for body parts, particularly of people with albinism.⁶⁹ In 2013, the United Nations High Commissioner for Human Rights reported on the same issue.⁷⁰ She also reported that in its thirty-fourth activity report submitted to the African Union Assembly of Heads of State and Government, the African Commission on Human and Peoples' Rights had identified the situation of persons with albinism in Kenya as a matter of concern, highlighting some initiatives taken by Kenya, such as the provision of free sunscreen and education campaigns.⁷¹ She noted that the amended version of the Persons with Disabilities Act in Kenya recognized albinism as a disability.⁷²

C. Administration of justice, including impunity, and the rule of law

26. Regarding Khadi courts, established under the new Constitution as a separate subsidiary court for the hearing of Muslim family law matters, CEDAW urged Kenya to harmonize religious and customary law with the Convention, and bring Khadi courts under the specific equality provision enshrined in the new Constitution.⁷³

27. Several treaty bodies expressed concern about the problem of access to justice. CEDAW requested Kenya to remove impediments that women faced in gaining access to justice.⁷⁴ CERD recommended the provision of free legal aid throughout the country.⁷⁵ The HR Committee recommended, inter alia, providing adequate funding for the legal aid scheme.⁷⁶ CAT urged Kenya to promptly table the Legal Aid Bill (2012) in Parliament, together with the national legal aid policy.⁷⁷

28. The Special Rapporteur on water and sanitation highlighted that access to justice in cases of alleged violations of the rights to water and to sanitation was crucial to hold authorities accountable. Kenya had to ensure that the rights to water and to sanitation were effectively legally enforceable.⁷⁸

29. UNCT indicated that the Witness Protection (Amendment) Act (2010) had been enacted and the Witness Protection Agency established. However, the Agency was challenged by lack of resources.⁷⁹ CAT urged Kenya to uphold the provisions of the Witness Protection Act, investigate violations and prosecute alleged perpetrators.⁸⁰

30. UNCT noted that the Truth, Justice and Reconciliation Commission established in 2008 had completed its assignment and had submitted its final report to the President in 2013. The report had not been debated in Parliament and its recommendations were yet to be implemented.⁸¹

31. On the same issue, CERD regretted that no victim of the post-election violence had received reparation and that perpetrators had yet to be prosecuted.⁸² CEDAW urged Kenya to ensure that women and girls who had been victims of that violence had access to protection and effective redress.⁸³ The HR Committee regretted the lack of investigations and prosecutions, which exacerbated the prevailing climate of impunity.⁸⁴ CAT urged Kenya to investigate all allegations of excessive use of force, torture and extrajudicial killings by the police and the military during the post-election violence, to prosecute perpetrators and to provide adequate redress to all victims.⁸⁵

32. CAT urged Kenya to continue to cooperate with the Prosecutor of the International Criminal Court.⁸⁶ UNCT indicated that Kenya had taken steps to cooperate with the Court. However, it also indicated that the Chief Prosecutor of the International Criminal Court had made allegations of non-cooperation and witness interference against Kenya.⁸⁷

33. UNICEF noted the progress made in the establishment of necessary measures to address the needs and challenges of juveniles in prison and custody. However, it indicated that the age of criminal responsibility, at 8 years, was yet to be raised in line with international standards.⁸⁸ CAT made similar observations.⁸⁹

D. Right to privacy, marriage and family life

34. The HR Committee recommended that Kenya decriminalize sexual relations between consenting adults of the same sex and put an end to the social stigmatization of homosexuality.⁹⁰

E. Freedom of expression, association and peaceful assembly, and right to participate in public and political life

35. UNCT noted that while the Constitution provided for freedom of expression, there was an upsurge in hate speech, religious intolerance, negative ethnicity and stereotyping reported in the media.⁹¹

36. UNESCO recommended that Kenya should be encouraged to decriminalize defamation, which was a criminal offence under articles 194–200 of the Penal Code, and place it within the Civil Code in accordance with international standards; review the Kenya Information Communication (Amendment) Bill (2013) to ensure that it was in accordance with international standards; ensure that journalists and media workers were able to practice in a free and safe environment; investigate all attacks on journalists and media workers; and ensure the full implementation of the rule of law.⁹²

37. CAT was concerned that human rights defenders reported intimidation, harassment and ill-treatment by the police. Kenya should promptly investigate any allegations of abuse or intimidation against human rights defenders.⁹³

38. UNCT indicated that the Constitution enjoined the Government to take legislative and other measures to implement the principle that not more than two thirds of the members of elective or appointive bodies should be of the same gender. Such measures had resulted in an unprecedented 25 per cent increase in women's representation in legislative, judicial and executive arms of government. Nevertheless, according to UNCT, the implementation of the two-thirds gender rule had suffered setbacks and had not met the 30 per cent constitutional threshold owing to the absence of a policy and legislative framework.⁹⁴ CEDAW made similar observations.⁹⁵

F. Right to work and to just and favourable conditions of work

39. CEDAW was concerned about persistent discrimination against women in the labour market; the wide wage gap between women and men; occupational segregation; and the concentration of women in the informal sector without social security. It requested Kenya to increase the percentage of women in paid work; strengthen measures to eliminate horizontal and vertical occupational segregation; and guarantee the principle of equal pay for work of equal value.⁹⁶

G. Right to social security and to an adequate standard of living

40. UNCT indicated that Kenya had made efforts to reduce the number of populations chronically in need of food aid assistance in arid and semi-arid regions. However, statistics showed that on average 1.9 million Kenyans were chronically in need of such assistance and 65 per cent of that population was women and children.⁹⁷

41. Regretting reports of forcible evictions from informal settlements without prior consultation and notification, the HR Committee recommended the development of transparent laws and policies for conducting evictions.⁹⁸

42. The Special Rapporteur on water and sanitation noted that inequalities in access to water in urban and rural areas were significant. For example, in one very remote area in Turkana, the distance to fetch water could be as long as 25 km; mainly women and children carried the water in jerricans. The Special Rapporteur also indicated that many women and girls had expressed their fears of being victims of violence, including sexual violence, when using public restrooms at night.⁹⁹

H. Right to health

43. CAT was concerned at occurrences of forced and coerced sterilization of HIV-positive women and women with disabilities. It urged Kenya to strengthen efforts to investigate allegations of involuntary sterilization or other harmful practices in connection with reproductive health.¹⁰⁰

44. UNCT indicated that inadequate progress by Kenya in reducing preventable deaths of women, newborns and children under 5 years of age had been noted. UNICEF made similar observations.¹⁰¹ Government funding to health remained low, and a major proportion of total health expenditure was borne by households, with most of that expenditure being direct out-of-pocket spending.¹⁰²

45. The Special Rapporteur on water and sanitation emphasized that the benefits of investing in water and sanitation were particularly evident in improved health. Such investment averted illnesses such as diarrhoea, reduced child mortality and increased adults' productivity and children's attendance at school. She reported that as at 2012, 10 per cent of under-five mortality (73 per 1,000 live births) in the country was still attributed to diarrhoea.¹⁰³

46. UNICEF was concerned that women and girls were disproportionately more affected than men by HIV, with 30 per cent of new infections occurring among young women between 15 and 24 years of age.¹⁰⁴ CEDAW expressed similar concerns.¹⁰⁵

I. Right to education

47. UNCT noted that while progress had been recorded since 2010, much more needed to be done in respect of enhancing the right to education of marginalized communities, including refugees living in the arid and semi-arid regions, learners living with HIV, and a large proportion of urban poor living in informal settlements, in particular in Nairobi.¹⁰⁶ UNCT also noted that while women's literacy rate had increased as a result of positive government policies, gender disparity remained a challenge, as 33 per cent of women still lacked basic literacy skills, compared with 22 per cent of men.¹⁰⁷

48. UNESCO referred to recommendations on the right to education accepted by Kenya during its first UPR,¹⁰⁸ and recommended that Kenya should be encouraged, *inter alia*, to set up its efforts to improve the quality of education; take additional measures to improve access to education for vulnerable children, especially children from low-income households; and continue its efforts towards gender equality in the field of education.¹⁰⁹ UNICEF and CEDAW made similar recommendations.¹¹⁰

49. In 2013, the ILO Committee of Experts noted that the Education Act, adopted in January 2013, extended the compulsory schooling age up to 18 years, which was higher than the minimum age for admission to work (16 years). It recalled that the Minimum Age Convention, 1973 (No. 138) required member States to set a minimum age for work that was not less than the age of completion of compulsory schooling, and emphasized the desirability of linking those two ages, as advocated by the Minimum Age Recommendation, 1973 (No. 146).¹¹¹ The Committee also considered that education was one of the most effective means of combating child labour, and encouraged Kenya to strengthen its efforts to increase school enrolment and attendance rates, particularly of children up to 16 years of age.¹¹²

J. Persons with disabilities

50. UNICEF indicated that Kenya had set aside cash transfers to address the needs of people living with severe disability, including children, and also those living with albinism. However, limited resources restricted the quality of education offered to those vulnerable groups.¹¹³ UNCT made similar observations.¹¹⁴

K. Minorities and indigenous peoples

51. CERD encouraged Kenya to enable the representation of ethnic minorities in government bodies, bodies and commissions established by the new Constitution, and elected organs, such as Parliament.¹¹⁵ It also encouraged the country, *inter alia*, to address ethnic and regional disparities and reduce the inequalities among ethnic groups in areas such as employment and education.¹¹⁶

52. The HR Committee raised concerns at reports of forced evictions, interference and dispossession of ancestral land from the Ogiek and Endorois communities.¹¹⁷ CERD noted with concern that Kenya had not acted on the decisions of the African Commission on Human and Peoples' Rights regarding the forced evictions of the Ogiek and Endorois from their lands, and urged it to provide them with redress.¹¹⁸ The ILO Committee of Experts made a similar recommendation.¹¹⁹ CERD also made similar observations regarding the eviction of the Samburu people and Sengwer people from their homelands.¹²⁰ UNCT stated that the Government of Kenya had set up a task force to develop a framework for implementing the Commission's decisions on the Endorois evictions.¹²¹

L. Migrants, refugees and asylum seekers

53. UNHCR stated that following a series of security incidents, the Government of Kenya had issued in December 2012 a directive outlining the encampment policy and requesting refugees and asylum seekers to relocate from urban centres to the refugee camps in Dadaab and Kakuma. In March 2014 a renewed directive had been released; subsequently the Government had stipulated that those camps were the only areas in which refugees and asylum seekers could reside in Kenya. According to UNHCR, the two directives and security measures had had a significant impact on refugees and asylum seekers in Nairobi and other urban centres, including as a result of the closure of reception, documentation and registration services and the arrest and detention of refugees and asylum seekers. UNHCR reported that in conjunction with those arrests and detentions, several cases of abuse by law enforcement officials, including physical violence, sexual and gender-based violence, degrading treatment and extortion, had been recorded, as well as growing xenophobic attitudes in the public and the media. Women, children and persons with specific needs had been reported to be among detainees, and UNHCR had been granted limited access to detention facilities.¹²² UNHCR also stated that in April 2014, the Government had started to relocate refugees and asylum seekers from urban areas, including by forced relocations, to the Dadaab and Kakuma camps.¹²³ Approximately 300 children had been separated from their parents due to the involuntary relocation of the parents or caretakers to the camps.¹²⁴

54. In the light of that situation, UNHCR recommended that Kenya, inter alia, apply clear, transparent and consistent security screening procedures and provide unhindered access to refugees and asylum seekers in detention; conform with the High Court judgement of July 2013 that ascertained that refugees should enjoy freedom of movement and other basic rights; review the necessity of the encampment policy with regard to national security imperatives; apply appropriate exemption categories for persons with specific protection needs to allow their continued stay in urban centres and prevent forced relocation; prevent family separations among refugees and asylum seekers and extend its cooperation to family reunifications; pay particular attention to persons with specific needs in detention and avoid the arrest and detention of minors; effectively investigate and follow up on reports of abuse and human rights violations conducted by law enforcement officials; and actively counter xenophobic attitudes in collaboration with UNHCR.¹²⁵

55. UNHCR also recommended that Kenya abide by the principle of non-refoulement, take steps to ensure that no more refugees/asylum seekers were returned and approve the readmission in the country of returned refugees.¹²⁶ CAT and UNCT made similar recommendations.¹²⁷

M. Internally displaced persons

56. UNCT indicated that Kenya had made progress in facilitating the return and resettlement of most of the internally displaced persons following the 2007–2008 post-election violence. However, there was need to address compensation issues surrounding integrated internally displaced persons and to identify long-lasting solutions for the affected populations.¹²⁸ CERD and the HR Committee expressed similar concerns.¹²⁹

N. Right to development, and environmental issues

57. The Special Rapporteur on water and sanitation stressed that the level of water lost due to illegal connections, leakages and other technical losses was 50 per cent in the majority of the country. That was a serious concern in a water-scarce country like Kenya,

and it also threatened sustainability — both economic and environmental. More efforts had to be deployed in order to further decrease those losses, including through targeted investment for operation and maintenance. Furthermore, the Government should increase rainwater harvesting and storage capacities.¹³⁰

58. UNCT indicated that Kenya had adopted the Second Medium Term Plan (2013–2017), which was part of the implementation of Vision 2030, the United Nations Development Assistance Framework for Kenya 2014–2018 and the nationwide County Integrated Development Plans.¹³¹ The United Nations Development Assistance Framework¹³² had the following strategic results areas: transformational governance; human capital development; inclusive and sustainable economic growth; and environmental sustainability, land management and human security.

59. UNCT noted that relevant bills, such as the Mining Bill (2014) and the Energy Bill (2013) were before Parliament to ensure equitable distribution of the country's natural wealth and resources. According to UNCT, deliberations on those bills presented a great and timely opportunity to define the operations and regulations of those sectors.¹³³

O. Human rights and counter-terrorism

60. While noting the increase in terrorist attacks in Kenya, the HR Committee was concerned at the lack of a legal framework setting out the human rights that must be respected in the fight against terrorism, and at allegations of involvement by Kenya in extraordinary renditions and refoulement of individuals suspected of being involved in terrorist acts to countries where they were likely to face human rights violations. It urged Kenya to enact legislation on counter-terrorism, defining terrorist crimes and not imposing restrictions on the rights under the Covenant.¹³⁴

61. UNCT indicated that as part of its anti-terrorism measures, Kenya had rolled out Operation Usalama Watch, characterized by a series of massive sweeps in Nairobi and other major towns seeking illegal immigrants and terrorists. UNCT added that the operation had been criticized for its negation of human rights and its dramatic physical and psychological impact on those affected by the arrests, detentions and subsequent removals from Nairobi and other places, including the separation of infants and children from their parents.¹³⁵

62. The Secretary-General condemned the terrorist attacks that took place on 1 July 2012¹³⁶ and 21 September 2013,¹³⁷ and also condemned in the strongest terms the attacks carried out on 15 June 2014 in Mpeketoni, Kenya, which reportedly killed at least 48 people and wounded many more. He reiterated the solidarity of the United Nations with the people and Government of Kenya in their struggle against terrorism. He expressed his trust that the authorities would do all in their power to bring the perpetrators to justice in a manner that was fully respectful of the human rights obligations of Kenya.¹³⁸

Notes

¹ Unless indicated otherwise, the status of ratification of instruments listed in the table may be found on the official website of the United Nations Treaty Collection database, Office of Legal Affairs of the United Nations Secretariat, <http://treaties.un.org/>. Please also refer to the United Nations compilation on Kenya from the previous cycle (A/HRC/WG.6/8/KEN/2).

² The following abbreviations have been used in the present document:

ICERD	International Convention on the Elimination of All Forms of Racial Discrimination
ICESCR	International Covenant on Economic, Social and Cultural Rights
OP-ICESCR	Optional Protocol to ICESCR
ICCPR	International Covenant on Civil and Political Rights
ICCPR-OP 1	Optional Protocol to ICCPR
ICCPR-OP 2	Second Optional Protocol to ICCPR, aiming at the abolition of the death penalty
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
OP-CEDAW	Optional Protocol to CEDAW
CAT	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
OP-CAT	Optional Protocol to CAT
CRC	Convention on the Rights of the Child
OP-CRC-AC	Optional Protocol to CRC on the involvement of children in armed conflict
OP-CRC-SC	Optional Protocol to CRC on the sale of children, child prostitution and child pornography
OP-CRC-IC	Optional Protocol to CRC on a communications procedure
ICRMW	International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families
CRPD	Convention on the Rights of Persons with Disabilities
OP-CRPD	Optional Protocol to CRPD
ICPPED	International Convention for the Protection of All Persons from Enforced Disappearance

³ Individual complaints: ICCPR-OP 1, art. 1; OP-CEDAW, art. 1; OP-CRPD, art. 1; OP-ICESCR, art. 1; OP-CRC-IC, art. 5; ICERD, art. 14; CAT, art. 22; ICRMW, art. 77; and ICPPED, art. 31. Inquiry procedure: OP-CEDAW, art. 8; CAT, art. 20; ICPPED, art. 33; OP-CRPD, art. 6; OP-ICESCR, art. 11; and OP-CRC-IC, art. 13. Inter-State complaints: ICCPR, art. 41; ICRMW, art. 76; ICPPED, art. 32; CAT, art. 21; OP-ICESCR, art. 10; and OP-CRC-IC, art. 12. Urgent action: ICPPED, art. 30.

⁴ Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime.

⁵ Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field (First Convention); Geneva Convention for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea (Second Convention); Geneva Convention relative to the Treatment of Prisoners of War (Third Convention); Geneva Convention relative to the Protection of Civilian Persons in Time of War (Fourth Convention); Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I); and Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II). For the official status of ratifications, see International Committee of the Red Cross, at <https://www.icrc.org/IHL>.

⁶ International Labour Organization Convention No. 29 concerning Forced or Compulsory Labour; Convention No. 105 concerning the Abolition of Forced Labour; Convention No. 98 concerning the Application of the Principles of the Right to Organise and to Bargain Collectively; Convention No. 100 concerning Equal Remuneration for Men and Women Workers for Work of Equal Value; Convention No. 111 concerning Discrimination in Respect of Employment and Occupation;

- Convention No. 138 concerning Minimum Age for Admission to Employment; Convention No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour.
- ⁷ Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Adoption of an Additional Distinctive Emblem (Protocol III). For the official status of ratifications, see International Committee of the Red Cross, at <https://www.icrc.org/IHL>.
- ⁸ 1954 Convention relating to the Status of Stateless Persons and 1961 Convention on the Reduction of Statelessness.
- ⁹ International Labour Organization Convention No. 87 concerning Freedom of Association and Protection of the Right to Organise, Convention No. 169 concerning Indigenous and Tribal Peoples in Independent Countries and Convention No. 189 concerning Decent Work for Domestic Workers.
- ¹⁰ Concluding observations of the Committee on the Elimination of Racial Discrimination (CERD/C/KEN/CO/1-4), para. 29, and concluding observations of the Committee on the Elimination of Discrimination against Women (CEDAW/C/KEN/CO/7), para. 52.
- ¹¹ Concluding observations of the Human Rights Committee (CCPR/C/KEN/CO/3), para. 10.
- ¹² Concluding observations of the Committee against Torture (CAT/C/KEN/CO/2) and Corr.1, para. 39. See also CEDAW/C/KEN/CO/7, paras. 47 and 52.
- ¹³ CAT/C/KEN/CO/2 and Corr.1, para. 37. For the full text of the UPR recommendation, see A/HRC/15/8, para. 101.3 (Denmark).
- ¹⁴ CAT/C/KEN/CO/2 and Corr.1, para. 38.
- ¹⁵ CERD/C/KEN/CO/1-4, para. 28.
- ¹⁶ *Ibid.*, para. 27.
- ¹⁷ CEDAW/C/KEN/CO/7, para. 48.
- ¹⁸ UNHCR submission for the UPR of Kenya, pp. 9–10.
- ¹⁹ UNESCO submission for the UPR of Kenya, pp. 6–8. For the full text of the UPR recommendations, see, for example, A/HRC/15/8, paras. 101.17 (Saudi Arabia), 101.35 (Senegal), 101.109 (Slovakia), 101.110 (Plurinational State of Bolivia), 101.111 (Niger), 101.112 (Ireland), 101.113 (Cuba), 101.126 (Indonesia).
- ²⁰ CERD/C/KEN/CO/1-4, para. 5; CCPR/C/KEN/CO/3, para. 3; CEDAW/C/KEN/CO/7, para. 4; and CAT/C/KEN/CO/2 and Corr.1, para. 4.
- ²¹ www.un.org/sg/statements/index.asp?nid=4714.
- ²² ILO Committee of Experts on the Application of Conventions and Recommendations, observation concerning the ILO Discrimination (Employment and Occupation) Convention, 1958 (No. 111), adopted in 2011, published 101st ILC session (2012), available from: www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:2699499.
- ²³ Statement by the Special Rapporteur on the human right to safe drinking water and sanitation, 28 July 2014. Available from www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=14912&LangID=E.
- ²⁴ According to article 5 of the rules of procedure of the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights (ICC) Sub-Committee on Accreditation, the classifications for accreditation used by the Sub-Committee are: A: Voting Member (fully in compliance with each of the Paris Principles), B: Non-Voting Member (not fully in compliance with each of the Paris Principles or insufficient information provided to make a determination), C: No Status (not in compliance with the Paris Principles).
- ²⁵ For the list of national human rights institutions with accreditation status granted by the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights (ICC), see A/HRC/27/40, annex.
- ²⁶ UNCT submission for the UPR of Kenya, para. 3.
- ²⁷ The following abbreviations have been used in the present document:
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| CERD | Committee on the Elimination of Racial Discrimination |
| CESCR | Committee on Economic, Social and Cultural Rights |
| HR Committee | Human Rights Committee |
| CEDAW | Committee on the Elimination of Discrimination against Women |
| CAT | Committee against Torture |
| CRC | Committee on the Rights of the Child |
| CRPD | Committee on the Rights of Persons with Disabilities |

- ²⁸ CERD/C/KEN/CO/1-4, para. 34.
- ²⁹ CCPR/C/KEN/CO/3, para. 26.
- ³⁰ Letter from the HR Committee to the Permanent Mission of Kenya to the United Nations Office and other international organizations in Geneva dated 28 April 2014, available from http://tbinternet.ohchr.org/Treaties/CCPR/Shared%20Documents/KEN/INT_CCPR_FUL_KEN_17219_E.pdf.
- ³¹ CEDAW/C/KEN/CO/7, para. 53.
- ³² CEDAW/C/KEN/CO/7/Add.1. See also letters from CEDAW to the Permanent Mission of Kenya to the United Nations Office and other international organizations in Geneva dated 27 August 2013 and 8 April 2014, available from http://tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/KEN/INT_CEDAW_FUL_KEN_15058_E.pdf and http://tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/KEN/INT_CEDAW_FUL_KEN_16986_E.pdf.
- ³³ CAT/C/KEN/CO/1, para. 36.
- ³⁴ CAT/C/KEN/CO/2 and Corr.1, para. 40.
- ³⁵ For the titles of special procedures, see www.ohchr.org/EN/HRBodies/SP/Pages/Themes.aspx and www.ohchr.org/EN/HRBodies/SP/Pages/Countries.aspx.
- ³⁶ OHCHR Report 2011, OHCHR in the Field: Africa, p. 260. Available from http://www2.ohchr.org/english/ohchrreport2011/web_version/ohchr_report2011_web/pages/ohchr_field.html.
- ³⁷ Ibid., p. 259.
- ³⁸ OHCHR Report 2012, p. 212. Available from http://www2.ohchr.org/english/ohchrreport2012/web_en/allegati/15_Africa.pdf.
- ³⁹ www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=13064&LangID=E.
- ⁴⁰ OHCHR Report 2013, p. 239. Available from http://www2.ohchr.org/english/OHCHRReport2013/WEB_version/allegati/15_Africa.pdf.
- ⁴¹ CEDAW/C/KEN/CO/7, paras. 17–18.
- ⁴² ILO Committee of Experts on the Application of Conventions and Recommendations, direct request concerning the ILO Discrimination (Employment and Occupation) Convention, 1958 (No. 111), adopted in 2013, published 103rd ILC session (2014), available from: www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3142554.
- ⁴³ CERD/C/KEN/CO/1-4, para. 13.
- ⁴⁴ Ibid., para. 21.
- ⁴⁵ UNICEF submission for the UPR of Kenya, para. 2.
- ⁴⁶ CCPR/C/KEN/CO/3, para. 23.
- ⁴⁷ Ibid.
- ⁴⁸ UNCT submission for the UPR of Kenya, para. 15.
- ⁴⁹ CCPR/C/KEN/CO/3, para. 10; CAT/C/KEN/CO/2 and Corr.1, para. 33.
- ⁵⁰ UNCT submission for the UPR of Kenya, paras. 11–12.
- ⁵¹ Ibid., para. 14.
- ⁵² CAT/C/KEN/CO/2 and Corr.1, para. 9, and CCPR/C/KEN/CO/3, para. 11.
- ⁵³ CAT/C/KEN/CO/2 and Corr.1, paras. 9 and 19.
- ⁵⁴ Ibid., para. 11.
- ⁵⁵ CCPR/C/KEN/CO/3, para. 11.
- ⁵⁶ UNCT submission for the UPR of Kenya, paras. 17–18.
- ⁵⁷ CCPR/C/KEN/CO/3, para. 16.
- ⁵⁸ CAT/C/KEN/CO/2 and Corr.1, paras. 12 and 15.
- ⁵⁹ UNCT submission for the UPR of Kenya, para. 10.
- ⁶⁰ CCPR/C/KEN/CO/3, paras. 3 and 15; CAT/C/KEN/CO/2 and Corr.1, para. 26; CEDAW/C/KEN/CO/7, paras. 19–20.
- ⁶¹ CCPR/C/KEN/CO/3, para. 15; CEDAW/C/KEN/CO/7, paras. 21, 22 and 24.
- ⁶² CAT/C/KEN/CO/2 and Corr.1, para. 17.
- ⁶³ CEDAW/C/KEN/CO/7, para. 27.
- ⁶⁴ Ibid., para. 28.
- ⁶⁵ UNICEF submission for the UPR of Kenya, paras. 8–9.

- ⁶⁶ CEDAW/C/KEN/CO/3, paras. 27 and 28; ILO Committee of Experts on the Application of Conventions and Recommendations, direct request concerning the Worst Forms of Child Labour Convention, 1999 (No. 182), adopted in 2012, published 102nd ILC session (2013), available from www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3075837.
- ⁶⁷ CEDAW/C/KEN/CO/7, paras. 33–34.
- ⁶⁸ ILO Committee of Experts on the Application of Conventions and Recommendations, observation concerning the Minimum Age Convention, 1973 (No. 138), adopted in 2013, published 102nd ILC session (2013), available from www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3131848.
- ⁶⁹ CCPR/C/KEN/CO/3, para. 17.
- ⁷⁰ A/HRC/24/57, para. 39.
- ⁷¹ *Ibid.*, para. 63.
- ⁷² *Ibid.*, para. 78.
- ⁷³ CEDAW/C/KEN/CO/7, paras. 11–12.
- ⁷⁴ *Ibid.*, paras. 13–14.
- ⁷⁵ CERD/C/KEN/CO/1-4, para. 10.
- ⁷⁶ CCPR/C/KEN/CO/3, para. 19.
- ⁷⁷ CAT/C/KEN/CO/2 and Corr.1, para. 25.
- ⁷⁸ Statement by the United Nations Special Rapporteur on the human right to safe drinking water and sanitation, 28 July 2014.
- ⁷⁹ UNCT submission for the UPR of Kenya, para. 14.
- ⁸⁰ CAT/C/KEN/CO/2 and Corr.1, para. 21.
- ⁸¹ UNCT submission for the UPR of Kenya, para. 19.
- ⁸² CERD/C/KEN/CO/1-4, para. 15.
- ⁸³ CEDAW/C/KEN/CO/7, para. 26.
- ⁸⁴ CCPR/C/KEN/CO/3, para. 13.
- ⁸⁵ CAT/C/KEN/CO/2 and Corr.1, para. 18.
- ⁸⁶ *Ibid.*
- ⁸⁷ UNCT submission for the UPR of Kenya, para. 21.
- ⁸⁸ UNICEF submission for the UPR of Kenya, para. 10.
- ⁸⁹ CAT/C/KEN/CO/2 and Corr.1, para. 29.
- ⁹⁰ CCPR/C/KEN/CO/3, para. 8.
- ⁹¹ UNCT submission for the UPR of Kenya, para. 25.
- ⁹² UNESCO submission for the UPR of Kenya, p. 8.
- ⁹³ CAT/C/KEN/CO/2 and Corr.1, para. 32.
- ⁹⁴ UNCT submission for the UPR of Kenya, para. 7.
- ⁹⁵ CEDAW/C/KEN/CO/7, paras. 29–30.
- ⁹⁶ *Ibid.*, paras. 33–34.
- ⁹⁷ UNCT submission for the UPR of Kenya, para. 33.
- ⁹⁸ CCPR/C/KEN/CO/3, para. 21.
- ⁹⁹ Statement by the Special Rapporteur on the human right to safe drinking water and sanitation – 28 July 2014.
- ¹⁰⁰ CAT/C/KEN/CO/2 and Corr.1, para. 27.
- ¹⁰¹ UNICEF submission for the UPR of Kenya, para. 17.
- ¹⁰² UNCT submission for the UPR of Kenya, para. 36.
- ¹⁰³ Statement by the Special Rapporteur on the human right to safe drinking water and sanitation, 28 July 2014.
- ¹⁰⁴ UNICEF submission for the UPR of Kenya, para. 20.
- ¹⁰⁵ CEDAW/C/KEN/CO/7, para. 39.
- ¹⁰⁶ UNCT submission for the UPR of Kenya, para. 37.
- ¹⁰⁷ *Ibid.*, para. 38.
- ¹⁰⁸ UNESCO submission for the UPR of Kenya, p. 8. For the full text of the UPR recommendations, see for example A/HRC/15/8, paras. 101.17 (Saudi Arabia), 101.35 (Senegal), 101.109 (Slovakia), 101.110 (Plurinational State of Bolivia), 101.111 (Niger), 101.112 (Ireland), 101.113 (Cuba), 101.126 (Indonesia).
- ¹⁰⁹ UNESCO submission for the UPR of Kenya, p. 8.

- ¹¹⁰ UNICEF submission for the UPR of Kenya, para. 13; CEDAW/C/KEN/CO/7, paras. 31–32.
- ¹¹¹ ILO Committee of Experts on the Application of Conventions and Recommendations, observation concerning the Minimum Age Convention, 1973 (No. 138), adopted 2013, published 102nd ILC session (2013), available from www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3131848.
- ¹¹² ILO Committee of Experts on the Application of Conventions and Recommendations, direct request concerning the Minimum Age Convention, 1973 (No. 138), adopted in 2013, published 103rd ILC session (2014), available from www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3142561.
- ¹¹³ UNICEF submission for the UPR of Kenya, para. 21.
- ¹¹⁴ UNCT submission for the UPR of Kenya, para. 41.
- ¹¹⁵ CERD/C/KEN/CO/1-4, para. 20.
- ¹¹⁶ *Ibid.*, para. 23.
- ¹¹⁷ CCPR/C/KEN/CO/3, para. 24.
- ¹¹⁸ CERD/C/KEN/CO/1-4, para. 17 and letters from CERD to the Permanent Mission of Kenya to the United Nations Office and other international organizations in Geneva dated 30 August 2013, p. 2, and 7 March 2014, p. 2, available from http://tbinternet.ohchr.org/Treaties/CERD/Shared%20Documents/KEN/INT_CERD_ALE_KEN_7099_E.pdf and www.ohchr.org/Documents/HRBodies/CERD/EarlyWarning/Kenya7April2014.pdf. See also CCPR/C/KEN/CO/3, para. 24.
- ¹¹⁹ ILO Committee of Experts on the Application of Conventions and Recommendations, direct request concerning the Discrimination (Employment and Occupation) Convention, 1958 (No. 111), adopted in 2013, published 103rd ILC session (2014), available from www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3142554.
- ¹²⁰ Letters from CERD to the Permanent Mission of Kenya to the United Nations Office and other international organizations in Geneva dated 9 March 2012, p. 1, available from http://www2.ohchr.org/english/bodies/cerd/docs/CERD_Kenya.pdf; 30 August 2013, p. 1, available from http://tbinternet.ohchr.org/Treaties/CERD/Shared%20Documents/KEN/INT_CERD_ALE_KEN_7099_E.pdf; and 7 March 2014, pp. 1–2, available from www.ohchr.org/Documents/HRBodies/CERD/EarlyWarning/Kenya7April2014.pdf.
- ¹²¹ UNCT submission for the UPR of Kenya, para. 42.
- ¹²² UNHCR submission for the UPR of Kenya, pp. 5 and 6. See also p. 1.
- ¹²³ *Ibid.*, p. 2.
- ¹²⁴ *Ibid.*, p. 7.
- ¹²⁵ *Ibid.*, pp. 6 and 7.
- ¹²⁶ *Ibid.*, p. 7.
- ¹²⁷ CAT/C/KEN/CO/2 and Corr.1, para. 20; UNCT submission for the UPR of Kenya, paras. 48 and 50.
- ¹²⁸ UNCT submission for the UPR of Kenya, para. 52.
- ¹²⁹ CERD/C/KEN/CO/1-4, para. 16 and CCPR/C/KEN/CO/3, para. 20. See also CEDAW/C/KEN/CO/7, para. 43.
- ¹³⁰ Statement by the Special Rapporteur on the human right to safe drinking water and sanitation, 28 July 2014.
- ¹³¹ UNCT submission for the UPR of Kenya, para. 56.
- ¹³² Available from www.undg.org/docs/13463/UNDAF-Kenya-2014-2018.pdf.
- ¹³³ UNCT submission for the UPR of Kenya, para. 57.
- ¹³⁴ CCPR/C/KEN/CO/3, para. 14.
- ¹³⁵ UNCT submission for the UPR of Kenya, para. 60.
- ¹³⁶ www.un.org/sg/statements/index.asp?nid=6166.
- ¹³⁷ www.un.org/sg/statements/index.asp?nid=7106.
- ¹³⁸ www.un.org/News/Press/docs/2014/sghsm15951.doc.htm.