



STATEMENT

UPR Pre-session on Kenya

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Delivered by: Girls Advocacy Alliance Coalition (*comprising of Plan International, Terre des Hommes Netherlands, Coalition on Violence Against Women, Women's Empowerment Link and Nyanza Initiative for Girls Education and Empowerment*)

My name is Emily. I am 20 years old, and a girl advocate of the Girls Advocacy Alliance (GAA) from Kenya. Through the Girls Advocacy Alliance, we conduct awareness raising at the community level, and engage decision makers and duty bearers in policy dialogues, on the promotion and safeguarding of women and girls' rights.

I deliver this statement on behalf of 450 adolescent girls and young women who are youth advocates, and some survivors of sexual abuse or gender-based violence. I also represent inputs from various CSOs under the Kenya Stakeholders Coalition.

As youth advocates, we have identified **three critical issues** that we believe need to be addressed in order to overcome poverty and ensure that children, girls, and women enjoy equal rights and opportunities, and that they benefit equally from development outcomes.

This statement addresses the following three issues: (1) **Gender-based violence** (2) **Gender stereotypes and harmful cultural practices** (3) **Rights of children**

1) Gender-based violence

During the last UPR, the Government of Kenya received several recommendations, of which I will report some.

- A number of States recommended to increase its efforts to address sexual exploitation of girls and women.
- Spain recommended to set up special units in the justice and health systems to deal with gender-based violence and discrimination.
- **No** recommendation was given to address Sexual and Gender Based Violence (SGBV) at the workplace.

Progress and gaps:

- In 2017, the National Gender and Equality Commission developed the County Government Model Policy on Sexual and Gender Based Violence. **The County governments are yet to adopt and domesticate it;**
- The establishment of Gender-Based Violence Recovery Centres (GBVRCs) in 5 major government hospitals. However, there is **lack of rescue centers and safe shelters that support full recovery of the survivors;**
- Setting up of Gender Desks in Divisional Police headquarters but not in each police station. However, **some of these existing Gender Desks do not provide victim-centered /friendly services for case reporting.**



Considering what I have just said, we would encourage states to recommend Kenya to:

1. **Ensure the adoption, domestication and full implementation of the County Government Model Policy on Sexual and Gender Based Violence together with the National Monitoring and Evaluation Framework** by all the 47 counties in Kenya by 2022;
2. **Ensure the setting up of Gender Desks at all the police stations** country wide and **provide adequate resources**, including training of the officers, to support effective reporting and handling of gender-based violence cases before the next Review;
3. **Establish and ensure well equipped and functional Gender Based Violence Recovery Centers and safe shelters** in all the 47 counties to offer comprehensive, quality care to survivors of sexual and gender-based violence before the next Review;
4. **Allocate adequate resources for effective implementation and monitoring** of laws and policies on gender-based violence at the workplace immediately.

2) Gender stereotypes and harmful cultural practices.

Some of the recommendations given to Kenya by various states were:

- Allocate adequate resources to implement affirmative action policies for the protection and advancement of the rights of women and girls (Philippines)
- Eliminate stereotypes and harmful practices against women (including female genital mutilation, wife inheritance, and forced and early marriage) (Estonia)

Progress and gaps:

There has been made to address the root causes of the stereotypes that are discriminatory against girls and that lead to harmful practices through;

- Development of the Community Dialogue and the Alternative Rites of Passage Guidelines by the Anti-FGM Board.
- The State's School Re-entry Policy of ensuring the readmission of girls who drop out of school due to pregnancy and child/forced marriages is laudable. There is, however, **minimal awareness regarding the existence and intention of this policy** amongst communities, teachers and other stakeholders across the country.

In order to overcome these issues, we make the following recommendations to the Government of Kenya:

1. **Fast track the formulation and implementation of an End Child Marriage Policy, by 2022;**
2. **Strictly enforce the School Re-entry Policy for young mothers, and take administrative action against schools that violate the policy, immediately;**
3. **Enact the Care and Protection of Child Parents, Senate Bill 2019, immediately.** This will provide a framework within the Counties through which an expectant girl child, or a child parent, may actualise their right to basic education, and at the same time ensure the care of their children; and for connected purposes.

3) Rights of the Child: Issues- Legal and policy framework, Budgetary allocation for child rights, Sexual Exploitation and Child Trafficking.

The following recommendations were given to the State during the last review:

- Prosecute the perpetrators of trafficking and sexual exploitation of women and children (Sierra Leone)



- Take measures to develop an integral plan of action to combat trafficking and the sexual exploitation of women and girls, including through medical and psychological assistance to victims of these crimes (Mexico)
- End early marriages and the trafficking of minors (Spain)

Progress and gaps:

- The draft **Children's Bill published in 2016** following a review process that began in 2010.
- Put in place the **National Plan of Action for Children 2015-2022** although **not fully costed**.
- Put in place the **National Plan of Action on Sexual Exploitation of Children 2018-2022** although **not yet launched and disseminated for implementation**.
- Establishment of **Anti- Human Trafficking and Child Protection Unit** as well as the **Transnational Organized Crime Unit**, **though not well resourced**.
- Setting up of the **National Assistance Trust Fund for Victims of Trafficking in Persons (Trust Fund)**.

In this regard, we therefore call on the Government of Kenya to:

1. **Fast track the enactment of the Draft Children Bill** by ensuring that the proposed Bill is tabled in Parliament without any further delays;
2. **Fast track the review of the National Plan of Action for Children 2015-2022, and cost it appropriately** to ensure that there is a framework in place for budgeting for children in Kenya, by 2020;
3. **Disseminate and fully implement the National Plan of Action on Sexual Exploitation of Children 2018-2022**, to enhance the prevention of and response to sexual exploitation of children in Kenya, immediately;
4. **Develop a data collection and storage system of human trafficking cases** including child trafficking, by the end of 2020;
5. **Fully operationalize the Trust Fund by allocating funds and gazettelement of the regulations on the Trust Fund, immediately.**

I thank you for your kind attention and I am happy to answer any questions afterwards.