Tables for UN Compilation on Kenya

I. Scope of international obligations[[1]](#endnote-2)

A. International human rights treaties[[2]](#endnote-3)

|  |  |  |  |
| --- | --- | --- | --- |
|  | *Status during previous cycle* | *Action after review* | *Not ratified/not accepted* |
|  |  |  |  |
| *Ratification, accession or succession* | ICERD (2001)  ICESCR (1972)  ICCPR (1972)  CEDAW (1984)  CAT (1997)  CRC (1990)  OP-CRC-AC (2002)  OP-CRC-SC (signature, 2000)  CRPD (2008)  ICPPED (signature, 2007) | -- | ICCPR-OP 2  OP-CAT  OP-CRC-SC (signature, 2000)  ICRMW  ICPPED (signature, 2007) |
| *Complaints procedures, inquiries and  urgent action*[[3]](#endnote-4) | 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) |

|  |  |  |  |
| --- | --- | --- | --- |
| *Reservations and / or declarations* | *Status during previous cycle* | *Action after review* | *Current Status* |
|  |  |  |  |
|  | ICESCR (Declaration, art. 10.2, 1972) | -- | ICESCR (Declaration, art. 10.2) |
|  | OP-CRC-AC (Declaration, art. 3.2, minimum age of recruitment at 18 years, 2002) |  | OP-CRC-AC (Declaration, art. 3.2, minimum age of recruitment at 18 years) |

B. Other main relevant international instruments

|  |  |  |  |
| --- | --- | --- | --- |
|  | *Status during previous cycle* | *Action after review* | *Not ratified* |
|  |  |  |  |
| *Ratification, accession or succession* |  |  | 1954 Convention relating to the Status of Stateless Persons, and 1961 Convention on the Reduction of Statelessness |
|  |  |  | Convention on the Prevention and Punishment of the Crime of Genocide[[4]](#endnote-5) |
|  | Geneva Conventions of 12 August 1949 and Additional Protocols I, II and III[[5]](#endnote-6) |  | ILO fundamental Convention No. 87[[6]](#endnote-7) |
|  |  |  | ILO Conventions Nos. 169 and 189[[7]](#endnote-8) |
|  | Rome Statute of the International Criminal Court |  | Convention against Discrimination in Education[[8]](#endnote-9) |
|  | 1951 Convention Relating to the Status of Refugees and its 1967 Protocol. |  |  |
|  | Palermo Protocol[[9]](#endnote-10) |  |  |
|  | ILO fundamental Conventions[[10]](#endnote-11) |  |  |

II. Cooperation with human rights mechanisms and bodies

A. Cooperation with treaty bodies[[11]](#endnote-12)

Reporting status

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| *Treaty body* | *Concluding observations included in previous review* | *Latest report submitted since previous review* | *Latest concluding observations* | *Reporting status* |
|  |  |  |  |  |
| CERD | August 2011 | 2015 | May 2017 | Eighth to ninth reports due in 2020 |
| CESCR | -- | 2013 | February 2016 | Sixth report due in 2021 |
| HR Committee | July 2012 | 2019 | -- | Fourth report pending consideration in 2020 |
| CEDAW | January 2011 | 2016 | November 2017 | Ninth report due in 2021 |
| CAT | May 2013 | 2018 | -- | Third report pending consideration in 2020 |
| CRC | -- | 2013 | January 2016 | Sixth and seventh reports due in 2021. Initial report on OP-CRC-AC overdue since 2004 |
| CRPD | -- | 2012 | August 2015 | Second, third and fourth reports due in 2022 |
|  |  |  |  |  |
|  |  |  |  |  |

Responses to specific follow-up requests from concluding observations

|  |  |  |  |
| --- | --- | --- | --- |
| *Treaty body* | *Due in* | *Subject matter* | *Submitted* |
|  |  |  |  |
| CERD | 2018 | Statistics; and racial discrimination, racist hate speech and incitement to racial hatred.[[12]](#endnote-13) |  |
| HR Committee | 2013 | Political participation of women; impunity; and conditions in prisons.[[13]](#endnote-14) | 2015.[[14]](#endnote-15) Follow up concluded.[[15]](#endnote-16) |
| CEDAW | 2013  2019 | Enactment of various laws; and violence against women.[[16]](#endnote-17)  Participation in political and public life; decriminalize abortion; and equality in all areas of marriage.[[17]](#endnote-18) | 2014.[[18]](#endnote-19) More information requested.[[19]](#endnote-20) |
| CAT | 2014 | Legal safeguards for persons detained; and investigations of cases of torture or ill-treatment.[[20]](#endnote-21) | 2013.[[21]](#endnote-22) More information requested.[[22]](#endnote-23) |
| CRPD | 2016 | National implementation and monitoring body.[[23]](#endnote-24) |  |

B. Cooperation with special procedures[[24]](#endnote-25)

|  |  |  |
| --- | --- | --- |
|  | Status during previous cycle | Current status |
|  |  |  |
| *Standing invitations* | No | Yes |
| *Visits undertaken* | African Descent  Albinism  Arbitrary detention  Belarus  Business and transnational corporations  Cambodia  Central Africa Republic  Côte d’Ivoire  Cultural rights | Democratic People’s Republic of Korea  Development  Disability  Disappearances  Discrimination against women in law and practise  Education  Environment  Eritrea  Food  Foreign debts  Freedom of opinion and expression  Freedom of peaceful assembly and association |
| *Visits agreed to in principle* | Haïti  Hazardous substances and wastes  Health  Housing  Human Rights Defenders  Independence of Judges and Lawyers  Indigenous peoples  Internally Displaced Persons  International order  International solidarity  Islamic Republic of Iran | Mali  Mercenaries  Migrants  Minority issues  Myanmar  Older persons  Palestinian territories  Poverty  Privacy  Racism  Religion or belief |
| *Visits requested* | Sale of Children  Sexual orientation and  gender identity  Slavery  Somalia  Sudan  Summary executions  Syrian Arab Republic | Terrorism  Torture  Trafficking in persons  Truth, justice, reparation and guarantees of non-recurrence  Unilateral coercive measures  Violence against women  Water and sanitation |
|  |  |  |
| *Responses to letters of  allegation and urgent appeal* | During the period under review 33 communications were sent.[[25]](#endnote-26) The Government replied to 1 communication.[[26]](#endnote-27) |  |
| *Follow-up reports and missions* | Summary executions |  |

C. Status of national human rights institutions[[27]](#endnote-28)

|  |  |  |
| --- | --- | --- |
| *National human rights institution* | *Status during previous cycle* | *Status during present cycle*[[28]](#endnote-29) |
| Kenya National Commission on Human Rights | A (2008) | A |

1. Notes

   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.6/21/KEN/2). [↑](#endnote-ref-2)
2. The following abbreviations have been used in the universal periodic review 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. [↑](#endnote-ref-3)
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; ICERD, art. 11; ICRMW, art. 76; ICPPED, art. 32; CAT, art. 21; OP-ICESCR, art. 10; and OP-CRC-IC, art. 12. Urgent action: ICPPED, art. 30. [↑](#endnote-ref-4)
4. See: <https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-1&chapter=4&clang=_en>, accessed on 11.10.19 [↑](#endnote-ref-5)
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); Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II); Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Adoption of an Additional Distinctive Emblem (Protocol III). [↑](#endnote-ref-6)
6. ILO Convention No. 87 concerning Freedom of Association and Protection of the Right to Organise See: [https://www.ilo.org/dyn/normlex/en/f?p=1000:11210:0::NO:11210:P11210\_  
   COUNTRY\_ID:103315](https://www.ilo.org/dyn/normlex/en/f?p=1000:11210:0::NO:11210:P11210_COUNTRY_ID:103315), accessed on 11.10.19. [↑](#endnote-ref-7)
7. ILO Indigenous and Tribal Peoples Convention, 1989 (No. 169) and Domestic Workers Convention, 2011 (No. 189), see <https://www.ilo.org/dyn/normlex/en/f?p=1000:11210:0::NO:11210:P11210_COUNTRY_ID:103315>, accessed on 11.10.19. [↑](#endnote-ref-8)
8. See: <http://www.unesco.org/eri/la/conventions_by_country.asp?contr=KE&language=E&typeconv=0>, accessed on 11.10.19. [↑](#endnote-ref-9)
9. Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime. [↑](#endnote-ref-10)
10. 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. [↑](#endnote-ref-11)
11. The following abbreviations have been used in the present document:

    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. [↑](#endnote-ref-12)
12. CERD/C/KEN/CO/5-7, para. 46. [↑](#endnote-ref-13)
13. CCPR/C/KEN/CO/3, para. 26. [↑](#endnote-ref-14)
14. CCPR/C/KEN/CO/3/Add.1. [↑](#endnote-ref-15)
15. Letter from HR Committee to the Permanent Mission of Kenya to the United Nations Office and other international organizations in Geneva, dated 10 December 2015, available from https://tbinternet.ohchr.org/Treaties/CCPR/Shared%20Documents/KEN/INT\_CCPR\_FUL\_KEN\_22490\_E.pdf (accessed on 11 October 2019). [↑](#endnote-ref-16)
16. CEDAW/C/KEN/CO/7, para. 53. [↑](#endnote-ref-17)
17. CEDAW/C/KEN/CO/8, para. 58. [↑](#endnote-ref-18)
18. CEDAW/C/KEN/CO/7/Add.1. [↑](#endnote-ref-19)
19. Letter from CEDAW to the Permanent Mission of Kenya to the United Nations Office and other international organizations in Geneva, dated 16 December 2014, available from https://tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/KEN/INT\_CEDAW\_FUL\_KEN\_19247\_E.pdf (accessed on 11 October 2019). [↑](#endnote-ref-20)
20. CAT/C/KEN/CO/2, para. 40. [↑](#endnote-ref-21)
21. CAT/C/KEN/CO/2/Add.1. [↑](#endnote-ref-22)
22. Letter from CAT to the Permanent Mission of Kenya to the United Nations Office and other international organizations in Geneva, dated 29 August 2016, available from https://tbinternet.ohchr.org/Treaties/CAT/Shared%20Documents/KEN/INT\_CAT\_FUL\_KEN\_25016\_E.pdf (accessed on 11 October 2019). [↑](#endnote-ref-23)
23. CRPD/C/KEN/CO/1, para. 62. [↑](#endnote-ref-24)
24. For the titles of special procedure mandate holders see: https://spcommreports.ohchr.org/about/abbreviations [↑](#endnote-ref-25)
25. See <https://spcommreports.ohchr.org/TmSearch/Results?page=1>, accessed on 11.10.19. [↑](#endnote-ref-26)
26. See <https://spcommreports.ohchr.org/TmSearch/Results?page=1>, accessed on 11.10.19. [↑](#endnote-ref-27)
27. According to article 5 of the rules of procedure of the Global Alliance of National Human Rights Institutions (GANHRI), 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); and C: no status (not in compliance with the Paris Principles). [↑](#endnote-ref-28)
28. The list of national human rights institutions with accreditation status granted by the Global Alliance of National Human Rights Institutions (GANHRI), accessed at:

    <https://nhri.ohchr.org/EN/Documents/Status%20Accreditation%20Chart%20%289%20May%202019%29.pdf>

    [↑](#endnote-ref-29)