



General Assembly

Distr.: General
5 October 2020

Original: English

Human Rights Council
Forty-fifth session
14 September–2 October 2020
Agenda item 6
Universal Periodic Review

Written submission by the National Commission on Human Rights* of Kenya

Note by the Secretariat

The Secretariat has the honour to transmit to the Human Rights Council the written submission by the National Commission on Human Rights of Kenya, which is being circulated in accordance with rule 7 (b) of the rules of procedure of the Council (see resolution 5/1, annex) and with the arrangements and practices agreed upon by the Commission on Human Rights in its resolution 2005/74.

* National human rights institution with A status accreditation from the Global Alliance of National Human Rights Institutions.



Submission by the National Commission on Human Rights of Kenya**

Statement of the National Commission on Human Rights of Kenya for the Adoption of the Outcome of the Universal Periodic Review of the Republic of Kenya

I am deeply honored to make this statement on behalf of the Kenyan NHRI, the Kenya National Commission on Human Rights, an A Status NHRI under the Paris Principles.

The Commission commends the 118 countries that have made recommendations to Kenya and welcomes the Government's acceptance of majority of the recommendations made to it. We further congratulate and laud the Government for its active participation in the three cycles of the UPR.

The Commission appreciates the commendable efforts of the civil society organizations; Ministries, Departments and Agencies and development partners towards implementation of recommendations under the UPR.

The Commission takes cognizance and supports the recommendations made to Kenya under the 3rd cycle of the UPR on issues of:

- (a) Accession to the Optional Protocol to the Convention on the Rights of the Child;
- (b) Enactment of legislation to give effect to Article 27 of the Constitution;
- (c) The full implementation of the Prevention of Torture Act and the National Coroners Service Act;
- (d) The realization of economic, social and cultural rights; and
- (e) Adoption of the national action plan on business and human rights by the Government.

We acknowledge the efforts made by the Government towards the recognition, protection and promotion of the rights of the vulnerable groups including the intersex persons, persons with disabilities and indigenous groups. We call upon the government to step up these measures to ensure the realisation of rights as set out under the Constitution and International Treaties the government has ratified. We call on the government to inject transparency and accountability measures in the use of the social protection funds meant to cushion the most needy in the society.

The Commission reiterates its call to the Government to support and implement these recommendations. Further, the Commission calls upon the Government to better enable UN mandate holders to visit and undertake human rights missions in Kenya.

The Commission acknowledges that the State cannot, by its own, implement the recommendations. The Commission therefore, calls upon the Government to intensify its collaboration with civil society organizations and other actors.

Finally, the Kenya National Commission on Human Rights calls upon the development partners and key actors in civil society to offer technical and financial support to enable the State to meet its obligations within the third cycle.

** Circulated as received, in the language of submission only.