



人权理事会
普遍定期审议工作组
第四十九届会议
2025 年 4 月 28 日至 5 月 9 日，日内瓦

利益攸关方就肯尼亚所提交材料的概述*

联合国人权事务高级专员办事处的报告

一. 背景

1. 本报告根据人权理事会第 5/1 号和第 16/21 号决议编写，同时考虑到普遍定期审议的周期和上次审议的结果。¹ 报告概述了 64 个利益攸关方为普遍定期审议提交的材料，因受字数限制，仅摘录相关内容。² 报告单列一章，收录经认证完全符合《巴黎原则》的国家人权机构提供的材料。

二. 经认证完全符合《巴黎原则》的国家人权机构提供的材料

2. 肯尼亚国家人权委员会提及在上次审议中得到肯尼亚支持的相关建议并指出：

(a) 2023 年 7 月 21 日，所有死刑均减为无期徒刑，2023 年《刑法(修正)法案》、2023 年《维护公共安全(修正)法案》和 2023 年《监狱(修正)法案》已提交议会，以期废除死刑；³

(b) 尽管肯尼亚承诺通过全面实施 2017 年《防止酷刑法》和 2017 年《国家验尸官服务法》，防止酷刑和有罪不罚现象，但这方面一直存在挑战；⁴

(c) 虽然肯尼亚国家人权委员会在 2020 年至 2023 年期间的预算拨款略有增加，但其资金仍不足以履行任务；⁵

(d) 国民议会推迟通过真相、正义与和解委员会的报告，导致恢复性正义基金迟迟未能设立；⁶

* 本文件印发前未经正式编辑。



(e) 警察因与 2007 年和 2017 年选举后暴力事件相关的指控而被传讯；关于 2022 年选举，处理选举呈请的司法人员人数也有所增加；⁷

(f) 示威期间记者安全和新闻自由没有得到保护；⁸

(g) 肯尼亚尚未通过人权维护者保护法和肯尼亚国家人权委员会制定的人权维护者政策；2013 年《公益组织法》已于 2024 年 5 月 14 日生效；2024 年发生抗议活动后，当局指控 16 个非政府组织利用福特基金会的资金资助抗议活动；⁹

(h) 国家政府和郡政府 2023/2024 年卫生部门预算拨款远低于 2001 年《阿布贾宣言》中承诺的年度预算 15% 的比例；¹⁰《国家生殖健康政策》(2022-2032 年)规定，为儿童提供生殖健康服务必须征得父母或监护人同意，2022 年《儿童法》规定了类似要求，应予以废除；¹¹

(i) 2024 年《财政法案》撤回后，教育部门面临大幅预算削减，将对教师招聘和培训产生不利影响；¹²

(j) 用于实施 2023 年 5 月启动的《工商企业与人权国家行动计划》的预算拨款不足，主要利益攸关方采取政策行动的速度因此放慢；¹³

(k) 消除切割女性生殖器做法的努力因这种做法的医疗化而受阻；¹⁴

(l) 尽管为打击歧视和暴力侵害儿童行为采取了值得称赞的举措，但仍有报告称存在贩运儿童、有害文化习俗和对儿童的经济剥削案件；¹⁵

(m) 关于童婚问题的国家行动计划草案尚未定稿，缺乏关于童婚普遍程度的最新统计数据；¹⁶

(n) 颁布了 2023 年《成文法(杂项规定)修正案》，对《刑法》和《证据法》部分章节做出修订，删除了用于描述残疾人的贬损性语言；¹⁷

(o) 正在努力通过白化病国家行动计划(2023-2028 年)；¹⁸

(p) 2021 年《难民法》已经通过 2024 年《难民(一般)条例》付诸实施，但获得难民身份和确定难民地位的过程依然缓慢。¹⁹

三. 其他利益攸关方提供的材料

A. 国际义务的范围²⁰ 以及与人权机制的合作

3. 联署材料 9 回顾指出，上次审议中关于批准《保护所有人免遭强迫失踪国际公约》的建议没有得到肯尼亚的支持，呼吁肯尼亚批准该公约。²¹

4. 联署材料 10 指出，肯尼亚尚未批准《公民权利和政治权利国际公约第二项任意议定书》；²² 独立医学法律部指出，肯尼亚尚未批准《禁止酷刑和其他残忍、不人道或有辱人格的待遇或处罚公约任择议定书》；²³ 联署材料 31 指出，肯尼亚尚未批准《儿童权利公约关于买卖儿童、儿童卖淫和儿童色情制品问题的任择议定书》；²⁴ 联署材料 43 指出，肯尼亚尚未批准《国际劳工组织第 189 号公约》²⁵ 和《第 190 号公约》²⁶；²⁷ 国际废除核武器运动指出，肯尼亚尚未批准

《禁止核武器条约》；²⁸ 全球无杀戮研究中心指出，肯尼亚尚未批准《防止及惩治灭绝种族罪公约》。²⁹

B. 国家人权框架

1. 宪法和法律框架

5. 联署材料 6 指出，《集会和示威法案》某些条款存在问题，包括禁止在示威期间遮盖面部，以及在限制示威方面赋予主管机构过多酌处权。³⁰

6. 联署材料 6 指出，《计算机滥用和网络犯罪(修正)法案》对有争议的 2018 年《计算机滥用和网络犯罪法》做出修改，试图限制在线表达，扩大国家审查范围。³¹

7. 联署材料 16 指出，2024 年教育法案和国家教育政策迟迟未能通过，阻碍了《国家教育部门战略规划》(2023-2027 年)的实施。³²

8. 联署材料 42 重点指出对 2024 年《宗教组织法案》的关切，包括该法案对宗教活动施加不公正限制，以及包括宗教领袖在内的利益攸关方没有参与法案的制定。³³

9. 联署材料 18 指出，2023 年《家庭保护法案》提议将同性恋、同性婚姻和倡导这些行为的活动定为刑事犯罪。该法案还建议将制作、营销、宣传、出版、印刷、广播和分发任何“倡导”或“鼓励”同性恋的内容，包括艺术性质的内容，定为刑事犯罪。³⁴

10. 卡特中心指出，由于议会未能通过选举改革立法，包括 2020 年独立选举边界委员会(修正)法案草案，2020 年选举活动筹资条例草案以及边界划定规则和程序，选举改革自 2017 年以来一直停滞不前。³⁵

2. 体制基础设施和政策措施

11. 联署材料 27 指出，在灾害风险管理机构的政府决策进程中，边缘化群体代表性不足，导致相关政策未将这些群体的脆弱性和需求纳入考量。³⁶

C. 促进和保护人权

1. 参照适用的国际人道法履行国际人权义务的情况

平等和不歧视

12. 世界基督教协进会教会国际事务委员会强调肯尼亚社会持续存在性别不平等现象，将其归因于社会对女童教育的态度以及关于男女在家庭和社会中角色的歧视性定型观念。³⁷

13. 联署材料 3 回顾，肯尼亚在上次审议期间收到 12 项关于男女同性恋、双性恋、跨性别者、性别奇异者和间性者等(LGBTIQ+)的平等和不歧视权的建议，以及关于打击针对这一群体的暴力和污名化的建议，并指出，国家官员发表的讲话似乎传达了反 LGBTIQ+情绪，使用了仇视同性恋的语言；LGBTIQ+群体遭受了污名和歧视。³⁸

生命权、人身自由和安全权以及免受酷刑的权利

14. 联署材料 41 回顾指出，肯尼亚在上次审议中对有关死刑的一些建议表示支持，包括为死刑犯减刑和全面贯彻最高法院关于某些罪行的强制性死刑属于违宪的裁决。³⁹ 然而，关于正式暂停或废除死刑的建议没有得到肯尼亚的支持。⁴⁰

15. 联署材料 10 指出，肯尼亚事实上已经暂停执行死刑多年。然而，法院继续对罪犯判处死刑。⁴¹

16. 联署材料 9 指出，上次审议提出的关于调查法外处决、强迫失踪和安全部队过度使用武力的指控的各项建议，其落实缺乏进展。⁴²

17. 联署材料 22 指出，法外处决十分普遍，被控对此种处决负有责任的官员未受到有效调查起诉，调查机构缺乏开展法医调查、保存和出示证据的能力。⁴³

18. 联署材料 21 和联署材料 22 指出，强迫失踪仍是一个严重问题，被控责任人极少受到调查起诉。绑架事件牵涉到安全机构，绑架的理由往往是涉嫌恐怖主义、参与抗议和持不同政见。⁴⁴

19. 非洲联盟非洲人权和民族权委员会表示关切的是，警察施暴、过度使用武力和与警察有关的有罪不罚现象持续存在。⁴⁵ 自由新闻无限组织指出，尽管肯尼亚在上次审议中支持关于调查袭击记者行为的建议，但大量针对记者的犯罪行为未受惩罚。⁴⁶

20. 联署材料 22 指出，长期存在对酷刑行为有罪不罚的文化，包括 2017 年《防止酷刑法》在内的法律执行不力。认为酷刑是可接受的正常审讯和刑罚手段这种文化观念仍然根深蒂固，酷刑被视为获取信息的合法途径。⁴⁷ 联署材料 41 指出，警察在审讯期间并对审前拘留的嫌疑人和囚犯使用酷刑和暴力。⁴⁸

21. 联署材料 11 指出，死刑犯面临恶劣条件，包括监狱过度拥挤、获得基本服务的机会有限，以及心理压力。⁴⁹

人权与反恐

22. 联署材料 33 指出，打击恐怖主义威胁和其他相关活动的安全政策和立法不符合国际人权标准。⁵⁰ 2012 年《防止恐怖主义法》没有按照区域公认或内部商定的标准全面界定“恐怖主义”，导致这项法律被任意适用，在执法中出现歧视和刻板定性。⁵¹ 联署材料 44 指出，反恐活动对穆斯林造成不成比例的影响。⁵²

司法(包括有罪不罚问题)和法治

23. 国际法学家委员会指出，司法机构仍然资金不足，对诉诸司法产生不利影响。⁵³ 国际法学家委员会表示，2016 年《法律援助法》的实施面临挑战，包括用于运作法律援助基金的预算拨款有限。⁵⁴

24. 联署材料 41 指出，最高法院废除了谋杀罪必判死刑的规定，⁵⁵ 一些被判死刑的罪犯因此申请重新量刑。法院在裁定这些申请时作出的重新量刑决定缺乏一致性和可预测性。2023 年，司法机构出台经修订的 2023 年《量刑政策指南》，其中包括量刑和重新量刑的最佳做法。然而对《指南》的宣传有限，因此迫切需要提高所有司法利益攸关方的认识。⁵⁶

25. 联署材料 2 和联署材料 36 指出，司法机构于 2023 年设立了性暴力和性别暴力法庭，并在蒙巴萨、西亚亚和基苏木设立了试点法庭。⁵⁷ 联署材料 43 回顾指出，上次审议中关于设立性暴力和性别暴力法庭的建议得到了肯尼亚的支持，呼吁在所有各郡设立此类法庭，并在内政和国家行政管理部设立专门的警务单位，监督执行 2006 年《性暴力法》。⁵⁸

26. 医生促进人权协会回顾称，上次审议中一项关于特别加强努力为 2007 年和 2017 年总统选举后的性暴力行为幸存者提供补救的建议得到了肯尼亚的支持，并指出，这方面存在重大挑战，肯尼亚不仅要确保诉诸司法的渠道畅通，还要确保及时伸张正义。⁵⁹

27. 联署材料 31 指出，儿童诉诸司法受阻，原因是拘留时间过长、案件拖延过久、审判过于冗长，以及缺乏法律代表。⁶⁰

28. 肯尼亚下一代律师组织指出，事实证明，对于起诉性取向、性别认同和表达少数群体⁶¹ 和重点人群权利受到侵害的案件，刑事司法系统不起作用。⁶²

基本自由以及公共和政治生活参与权

29. 欧洲法律和司法中心提及上次审议中得到支持的关于保护基督徒不受恐怖主义团体侵害的建议，指出肯尼亚正在开展的行动已被证明行之有效。⁶³ 世界路德会联合会指出，由于肯尼亚缺乏对宗教机构的监管框架，宗教机构中出现大量无资质的宗教领袖，有些宗教机构未经注册，而且宗教机构呈现出私有化运作的趋势。⁶⁴

30. 联署材料 6 指出，虽然上次审议中关于维护表达自由权的建议得到了肯尼亚的支持，但是《刑法》仍然从内容的角度对表达自由做出限制，不符合国际人权标准。⁶⁵ 联署材料 5 指出，2018 年《计算机滥用和网络犯罪法》第 22 条和第 23 条被用来针对博主。⁶⁶ 联署材料 37 指出，关闭互联网和对数字平台施加限制已成为令人越来越关切的问题。⁶⁷

31. 一些利益攸关方强调感到关切的是，记者受到威胁、恐吓、骚扰、监视和攻击，一些记者因害怕报复而对报道进行自我审查。⁶⁸ 自由新闻无线组织认为，上次审议中得到支持的关于保护表达自由和记者安全的建议尚未得到充分落实。⁶⁹

32. 联署材料 12 指出，执法机构经常滥用关于非法集会的《刑法》第 78 和第 79 条以及关于威胁破坏和平的《刑法》第 95 条，威胁、恐吓或骚扰民间社会组织和人权维护者，损害其和平集会权。⁷⁰

33. 联署材料 9 称已出现大规模抗议活动，反对政府《2024/2025 年财政法案》。尽管抗议活动基本上是和平的，但有指控称警察和安全人员过度使用致命武力，逮捕了数百名和平抗议者，还出现强迫失踪的报告。⁷¹ 联署材料 5 指出，据称警察以驱散抗议者为名袭击记者，而且不受惩罚。⁷² 联署材料 37 指出，有些媒体被认为报道了抗议活动或同情抗议活动，面临关停或经济处罚的警告和威胁。⁷³

34. 联署材料 9 指出，关于政府批评人士和不同政见者被噤声、记者和人权维护者遭到攻击以及抗议者被强迫失踪的报告令人深感关切，反映出上次审议中得到支持的相关建议未获落实。⁷⁴

35. 联署材料 10 指出人权维护者的安全和福祉受到越来越严重的威胁，并注意到缺乏确保人权维护者得到保护的法律框架。⁷⁵

36. 联署材料 12 指出，2022 年《社区团体登记法》赋予社会发展署署长对社区组织过多的权力，有可能干扰这些组织的活动和目标。⁷⁶

37. 联署材料 6 注意到上次审议中关于实施 2013 年《公益组织法》的建议得到肯尼亚的支持，⁷⁷ 并指出，该法已于 2024 年 5 月生效，规定所有注册的非政府组织须在 12 个月内变更为新的注册方式。然而，尚未制定为变更注册方式提供指导的指南。⁷⁸

38. 联署材料 6 指出，尽管肯尼亚在建立强有力的法律框架以确保信息获取方面取得了重大进展，但实际执行仍是一项挑战，公共机构经常对获取信息的要求不予回应。⁷⁹

39. 联署材料 2 和联署材料 36 指出，肯尼亚在推动妇女担任公共和政治领导职位的问题上面临障碍。缺乏落实《宪法》规定的三分之二性别原则的政治意愿。⁸⁰

40. 国际法学家委员会指出，负责监督全民投票和选举的独立选举边界委员会中没有委员，划界进程因此受阻，选举进程也陷入停滞。⁸¹

隐私权

41. 联署材料 6 回顾称，肯尼亚在上次审议中表示支持关于确保对公民的任何监视和定性都尊重隐私权并接受司法监督的建议，指出当局仍然拥有广泛权力，在缺乏适当人权保障的情况下实施大规模和有针对性的监视。⁸²

42. 国际法学家委员会指出，由于数字经济规模越来越大，个人数据的收集和处理因此增加，但保障措施薄弱，该委员会呼吁加强执行 2019 年《数据保护法》。⁸³ 联署材料 32 指出，选民登记册没有得到有效监管，导致选民数据处理不当，令人关切。⁸⁴

43. 联署材料 5 指出，使用监控技术在线上和线下监控个人及个人活动，引发了肯尼亚公民对身份识别和迫害的恐惧。⁸⁵

婚姻和家庭生活权

44. 联署材料 1 指出，尽管制定了相关政策以应对与婚姻和家庭有关的挑战，但离婚率和分居率仍然很高，女户主家庭数量也相对较多。⁸⁶

禁止一切形式的奴役，包括贩运人口

45. 联署材料 10 指出，由于司法人员和执法机构对 2010 年《反人口贩运法》缺乏认识，打击贩运人口的努力受阻。⁸⁷

工作权和公正良好工作条件权

46. 国际法学家委员会指出，青年失业率极高，原因包括学历与就业市场要求不匹配、缺乏实用技能以及正规部门工作机会有限。由于资金不足、执行不力，政府举措收效甚微。⁸⁸

47. 联署材料 2 指出，移民女工在劳工权利方面面临重大挑战，几乎或根本得不到补救，而缺乏适当的移民工作法律和政策框架又加剧了这一状况。⁸⁹

48. EATHAN 网络指出，跨性别者在工作场所面临歧视，许多雇主拒绝雇用或留用跨性别雇员。⁹⁰

49. 联署材料 43 指出，非正规就业部门普遍存在性骚扰现象，需要采取立法和政策措施保护工人。⁹¹

社会保障权

50. 联署材料 14 指出，由于社会保障方案不足，肯尼亚无法提供全面的社会保障。扩大覆盖面，将弱势群体纳入保障，对于减少贫困和脆弱性至关重要。⁹²

适当生活水准权

51. 国际法学家委员会指出，政府缺乏有效的财政政策和社会保障措施，难以应对对生活成本大幅上涨和严重通胀的问题，导致许多家庭难以维持基本生活。⁹³

52. 联署材料 17 指出，肯尼亚表示致力于解决粮食不安全问题，该国支持上次审议提出的相关建议，便体现了这一承诺。⁹⁴ 联署材料 34 指出，肯尼亚未能充分落实基于权利的粮食和营养安全综合办法。⁹⁵ 联署材料 4 指出，数百万人面临气候变化导致的粮食不安全，尽管肯尼亚在调整农业部门以实现粮食安全方面取得了进展，但是预计粮食不安全状况将会更加严重。⁹⁶ 联署材料 34 指出，农业粮食体系依托于不可持续的传统做法，农业部门投资减少。⁹⁷

53. 联署材料 15 指出，自上次审议以来，肯尼亚采取各种立法、政策和实际措施，在推进住房权方面取得显著进展。⁹⁸ 据联署材料 14 称，肯尼亚没有关注为较贫困人口提供负担得起的住房。⁹⁹ 联署材料 10 指出，经济适用住房方案遭遇成本高昂、购置程序复杂等各种挑战，并导致强迫驱逐。¹⁰⁰

54. 联署材料 15 注意到 2022 年至 2024 年发生数起任意和非法驱逐边缘化社区的重大事件，并指出这种驱逐对流离失所家庭产生深远影响，而缺乏适当的重新安置选择和补偿进一步加剧了这种影响。¹⁰¹

55. 联署材料 14 指出，非正规住区居民住房条件不佳，主要是卫生条件差、房屋结构不安全，缺乏基本生活便利设施。¹⁰²

56. 联署材料 15 指出，对水、环境卫生和个人卫生的投资在总预算中的占比由 2019 年的 2.17% 下降到 2022/23 年的 1.84%。1.84% 的预算拨款低于人人享有环境卫生和饮用水(SWA 项目)的承诺，该项目要求至少将总预算的 7% 分配给水卫项目部门。¹⁰³

57. 联署材料 23 指出，普通公民无法享有可负担、可靠和广泛的能源供应，由于价格高昂，他们无法获得电力。¹⁰⁴

健康权

58. 联署材料 20、联署材料 25 和联署材料 38 指出，卫生预算在总预算中的占比低于《阿布贾宣言》所规定的 15% 的比例。¹⁰⁵ 联署材料 10 指出，卫生部门所获资源不足、人员配备不够，由于资源管理不善和资金挪用，本已稀少的资源已经耗尽。¹⁰⁶

59. 联署材料 35 回顾称，肯尼亚在上次审议中支持关于确保女童和年轻妇女获得性生殖健康服务的一项建议，并指出，这些群体在获得性健康和生殖健康保健和信息方面仍然面临障碍，健康因而容易受到不利影响。¹⁰⁷

60. 联署材料 10、联署材料 20 和联署材料 38 指出，《2022-2032 年国家生殖健康政策》规定 21 岁以下的年轻妇女和女童在接受生殖保健服务或信息前必须征得父母同意，这一不合理要求使其无法获得或接受此类重要信息和服务。¹⁰⁸ 联署材料 35 指出，在应对少女意外怀孕方面存在挑战，包括缺乏全面的适龄性教育。¹⁰⁹ 应增加青少年获得性健康和生殖健康信息和服务的机会。¹¹⁰ 联署材料 2 和联署材料 36 注意到女童和年轻妇女在获得月经保健产品方面面临的挑战，指出《2019-2030 年肯尼亚月经保健管理战略和政策》已确定政府计划让低收入妇女和女童能够获得负担得起的月经保健产品。¹¹¹

61. 天主教家庭和人权院指出，肯尼亚仍然是撒哈拉以南非洲产妇死亡率最高的国家之一。¹¹² 捍卫自由联盟国际称，医疗设施条件恶化对获得适当的孕期护理构成阻碍。据报告，产科出血和妊娠期高血压是孕产妇出现高危病症和死亡的主要原因。¹¹³

62. 联署材料 20 和联署材料 38 注意到《宪法》规定在某些条件下可以堕胎，指出《刑法》将堕胎定为刑事犯罪，造成对堕胎需求的了解不足而且难以应对。¹¹⁴ 天主教家庭和人权院指出，关于堕胎的公众舆论在很大程度上仍不赞成放宽《刑法》中的限制。¹¹⁵

63. 联署材料 3 提到上次审议中得到支持的相关建议，指出卫生部精神健康工作队未能将性取向、性别认同和/或性别表达确定为与精神健康相关的因素，2015-2030 年精神健康政策未将 LGBTIQ+ 人群确定为弱势群体。¹¹⁶ 联署材料 25 指出，这项政策以及《2021-2025 年精神健康行动计划》和《2023 年精神健康法》没有得到充分执行，同时缺乏处理精神健康设施和社区内的污名化和歧视问题的国家指南。¹¹⁷ 预防性心理健康行动联盟指出，获得精神健康服务的机会很少，原因包括精神健康预算拨款少，训练有素的精神健康专业人员不足。¹¹⁸

64. 肯尼亚下一代律师组织指出，肯尼亚根据 1994 年《麻醉药品和精神药物(管制)法》，采取严禁吸毒的方针。¹¹⁹ 联署材料 26 指出，吸毒被视为犯罪，而不是公众健康和人权问题。联署材料 26 和联署材料 8 指出，将吸毒定为刑事犯罪使吸毒者长期遭受污名化和歧视，并阻碍他们公平获得医疗保健。¹²⁰

65. 联署材料 20 指出，青年人对于如何预防艾滋病毒了解不足，重点人群不能平等获得安全、有效和优质的艾滋病毒相关服务。¹²¹

66. 联署材料 27 指出，重点人群和性取向、性别认同和表达少数群体¹²² 因为艾滋病毒所承受的负担尤为沉重，然而获得基本预防、治疗和护理服务的情况仍然不理想。¹²³

67. 联署材料 25 指出，缺乏为肺结核患者提供的适当设施；保健提供者常常假定肺结核患者是艾滋病毒阳性，如果不接受艾滋病毒检测，便拒绝为其提供治疗。¹²⁴

受教育权

68. 联署材料 16 指出，免费小学教育和免费走读制中学教育是按照学生人数拨款，但拨款未能随通货膨胀和生活成本的上升而相应增加。这也导致资金不足，影响到学校供餐、发展学校基础设施、雇用更多教师以及启动大学奖学金和贷款的新供资模式。¹²⁵

69. 联署材料 17 指出，尽管肯尼亚支持上次审议中关于确保农村地区受教育机会的建议，但农村地区的教育服务仍然落后，基础设施和资源不足。¹²⁶ 联署材料 14 指出，非正规住区在教育机会方面存在差距，学校短缺现象严重。¹²⁷

70. 联署材料 10 指出，家长、教师和教育官员对能力本位课程认识不足，限制了他们对课程的参与。¹²⁸ 联署材料 23 指出，因无力承担费用而缺少上网机会和数字设备，阻碍了在能力本位课程下的有效学习。¹²⁹

71. 联署材料 39 指出，教育部尚未将全面的性教育纳入学校课程，肯尼亚于 2023 年退出了《东部和南部非洲全面性教育部长级承诺》。¹³⁰

72. 联署材料 16 指出，缺乏一个框架，通过肯尼亚开放大学提供教育，通过技术职业教育机构和高等教育机构提供开放式和远程学习。¹³¹

73. 联署材料 44 指出，教育部于 2022 年认定，学校将宗教作为拒绝录取或开除学生的一个因素。教育部还发现，除其他违规行为外，学校禁止学生穿戴宗教服饰。¹³²

发展、环境及工商业与人权

74. 联署材料 10 指出，由于公共债务不可持续，政府收入的很大一部分用于偿还债务，导致用于医疗保健、教育和社会保障等基本服务的资源有限。¹³³

75. 联署材料 4 指出，干旱和洪水频发造成巨大破坏，缺乏全面的灾害管理政策导致政府各机构的应对措施相互脱节。¹³⁴

76. 联署材料 4 指出，由于森林砍伐和退化，红树林生态系统面临严重威胁，对渔业、海岸线稳定和资源可持续性产生负面影响。¹³⁵

77. 联署材料 7 对环境污染表示关切，特别是与图尔卡纳南部等地区的石油和天然气勘探有关的污染。¹³⁶

2. 特定个人或群体的权利

妇女

78. 联署材料 2 指出，性别暴力仍然令人关切，越来越多的妇女被杀害，更多妇女在网络平台上受到欺凌，而对这些暴力行为显然问责不力。¹³⁷ 联署材料 13 指出，肯尼亚没有对杀害妇女行为及针对妇女和女童的性别暴力做出充分反应，这些行为的实施者包括亲密伴侣和国家官员等各类行为者。¹³⁸

79. 联署材料 2 和联署材料 36 指出，越来越多的妇女和女童遭受了尚未入罪的新形式的性别暴力，包括利用技术手段实施的性别暴力和教育机构中的性勒索。¹³⁹

80. 联署材料 43 指出，由国家资助的性暴力幸存者庇护所和安全场所不足。¹⁴⁰ 联署材料 2 指出，2021 年启动了 POLICARE 倡议，作为应对性暴力和性别暴力

的多机构服务提供者。然而，随着 2022 年政府更迭，全国各地启动 POLICARE 中心的工作陷入停滞。¹⁴¹

81. 联署材料 35 回顾说，肯尼亚在上次审议中支持关于消除有害文化习俗的若干建议，并指出，虽然全国范围内女性外阴残割的发生率有所下降，但是在 47 个郡中的 22 个郡，这种习俗仍然根深蒂固。消除这些习俗的努力受到复杂的文化和经济因素的阻碍。¹⁴²

儿童

82. 联署材料 10 指出，由于缺乏健全的资源分配、监测和协调框架，2022 年《儿童法》的实施遭遇挑战。¹⁴³

83. 联署材料 30 指出，童婚现象十分普遍。联署材料 30 和联署材料 45 回顾说，上次审议中关于通过和执行终止童婚行动计划的建议得到肯尼亚的支持，并认为这些建议尚未得到落实，因为国家行动计划草案还有待定稿和实施。¹⁴⁴

84. 联署材料 45 注意到保护儿童的相关法律和政策框架，指出暴力侵害儿童问题仍然严重，依然存在线上和线下对儿童的性剥削。¹⁴⁵

老年人

85. 联署材料 46 指出，老年人获得基本服务遇到困难，由于缺乏政治意愿，政府议程没有充分优先考虑老年人的权利。¹⁴⁶

86. 联署材料 10 指出一些老年人在被指控施行巫术后遭到杀害，并列举了 2021 年 4 名被指控为女巫的妇女遭到私刑的案件。¹⁴⁷

残疾人

87. 联署材料 14 指出，残疾人在各个部门都面临歧视，包括教育、劳动力市场、交通、住房、卫生和社会保障。残疾人在获取信息、公共空间和关键公共服务方面也面临挑战。¹⁴⁸

土著人民和少数群体

88. 联署材料 15 指出，获得土地的机会不平等，土地保有权无保障，依赖传统土地保有权制度的土著社区受到影响。《社区土地法》(2016 年第 27 号法)旨在加强土地管理，落实承认社区土地权利的《宪法》第 63 条，但是这项法律的实施遭遇困难，未能顺利将这些权利正规化。¹⁴⁹

89. 联署材料 7 表示，奥杰克社区历来在土地问题上遭遇不公，最近一次驱逐发生在 2023 年，导致马萨伊马乌森林区的 700 个家庭流离失所。对恩多罗伊斯社区的强迫驱逐影响到大约 6,000 人。¹⁵⁰

90. 联署材料 7 指出，限制使用当地种子的政策限制了当地种子的使用、交换和销售，加剧了农民的粮食不安全。此外，农民在获得农业用水方面仍然面临挑战。¹⁵¹

男女同性恋、双性恋、跨性别者和间性者

91. 联署材料 3 指出，成年人之间自愿的同性性活动继续被定为刑事犯罪。许多 LGBTQ+ 人士经历了暴力、拘留、剥夺基本需求和其他侵犯人权行为，这些行为由其家人、宗教领袖和其他非国家行为者以“扭转疗法”为名实施，在肯尼亚是一种常见做法。¹⁵²

92. 联署材料 18 指出，反 LGBTI 立法削弱了 LGBTI 艺术家的权利，为审查以 LGBTI 为主题的艺术内容提供了理由。¹⁵³

93. 联署材料 3 指出，2019 年全国人口普查和 2022 年《儿童法》承认间性者。然而，成年间性者没有得到类似的法律承认和保护。¹⁵⁴

94. EATHAN 网络指出，跨性别者无法通过法律途径更改国民身份证件上的性别标记。¹⁵⁵

移民、难民和寻求庇护者

95. 联署材料 28 指出，由于存在限制性法律和缺乏明确的政策，难民获得工作许可、注册企业或获得金融服务的能力受到影响，社会经济融入受到阻碍。此外，难民地位确定程序过于冗长，过期身份证件不能及时更新，使难民和寻求庇护者处于法律上的不确定状态，无法获得某些保护服务和援助。¹⁵⁶

无国籍人

96. 联署材料 24 指出，肯尼亚没有无国籍状态确定程序，既不是 1954 年《无国籍人地位公约》缔约国，也不是 1961 年《减少无国籍状态公约》缔约国。¹⁵⁷

注

¹ A/HRC/44/9 and A/HRC/44/9/Add.1, and A/HRC/45/2.

² The stakeholders listed below have contributed information for this summary; the full texts of all original submissions are available at: www.ohchr.org (one asterisk denotes a national human rights institution with A status).

Civil society

Individual submissions:

ADF	ADF International, Geneva (Switzerland);
BC	Broken Chalk, Amsterdam (Netherlands);
CAPMHK	Coalition Action for Preventative Mental Health, Nairobi (Kenya);
C-Fam	Center for Family and Human Rights, Geneva (Switzerland);
CGNK	Center for Global Nonkilling, Geneva (Switzerland);
EATHAN	East Africa Trans Health and Advocacy Network, Nairobi (Kenya);
ECLJ	European Centre for Law and Justice, Strasbourg (France);
FPU	Free Press Unlimited, Amsterdam (Netherlands);
ICAN	International Campaign to Abolish Nuclear Weapons, Geneva (Switzerland);
ICJ	International Commission of Jurists – Kenya Section, Nairobi (Kenya);
IMLU	Independent Medico-Legal Unit, Nairobi (Kenya);
LWF	Lutheran World Federation's Member Church: Kenya Evangelical Lutheran Church, Nairobi (Kenya);

NL	Next Generation Lawyers-Kenya (Kenya);
PHR	Next Generation Lawyers-Kenya Physicians for Human Rights, New York (USA);
TCC	The Carter Center, Atlanta (USA);
WCC-CCIA	World Council of Churches, Geneva (Switzerland).
<i>Joint submissions:</i>	
JS1	Kenya Christian Professionals Forum, Secular Franciscan Order- Kenya, JPIC office of the Comboni Missionary of the Heart of Jesus, Alabasta Africa, Pearls & Treasures Trust, Protecting Life Movement Trust, Prolife Kariobangi, Africa Centre for Social Change Health and Development, Kenya Catholic Doctors Association, CitizenGO, Human Life International- Kenya and Our Lady of Charity of the Good Shepherd, Nairobi (Kenya) (Joint Submission 1);
JS2	African Gender and Media Initiative Trust, Association of Media Women in Kenya, Centre For Domestic Training & Development, Centre for the Study of Adolescents, Centre for Rights Education and Awareness, Flone Initiative, Plan International, Polycom Girls, Wangu Kanja Foundation, Women Empowerment Link, Zamara Foundation, Nairobi (Kenya) (Joint Submission 2);
JS3	The Advocates for Human Rights, Minneapolis (United States of America) and The Eagles for Life Kenya (Joint Submission 3);
JS4	Centre for the Study of Adolescence, East African Centre for Human Rights, East African Wildlife Society, Kenya Human Rights Commission, Pastoral climate Action, and The Arid Lands Information Network (Joint Submission 4);
JS5	Association for Progressive Communications, Johannesburg (South Africa) and Kenya ICT Action Network, Nairobi (Kenya) (Joint Submission 5);
JS6	ARTICLE 19 and The Committee to Protect Journalists (Joint Submission 6);
JS7	Centre for Minority Rights Development (Kenya), Endorois Welfare Council, Dupoto E maa, Network Empowering Samburu Transformation, Emparnat, Baringo Women and Youth Organization, Yiaku Laikipia Trust, Koimugul Indigenous Women Network, Ogiek Sisters for Sisters, Northern Indigenous People Organization, Shella Beach Management Unit, Tuangazie Jamii, Power, Lamu Minority People and Development, Illaramatiak Community concerns, Kimaeti Farmers Association, Ajomi Farmers, ASEGIS Community Network, Initiative for Nature Volition and Environmental Development, Article 43 Human Rights, SOET CBO, Bunyala Development Forum, Indigenous Livelihood Enhancement Partners, Chepkitale Indigenous Peoples Development Programme, Indigenous Women Council, Catholic Dioceses of Machakos, Utooni Development Organization, Caritas Kakamega, Catholic Dioceses of Kitui, Caritas Nyahururu, and Indigenous Peoples for Peace and Climate Justice (Joint Submission 7);
JS8	The Caucus on Harm Reduction and Drug Policy Reforms, comprising of the Kenya Network of Persons Who use drugs, Women in Response to HIV/AIDS and Drug Addiction, Reach Out Centre Trust, Muslim Education Welfare Association, Teens Watch, SHAPE Kenya, New Leaf, Kuza Trust, Next Generation Lawyers, VOCAL Kenya, The Key Populations

	Consortium, Coalition Action for Preventive Mental Health and Mumbo International (Joint Submission 8);
JS9	Christian Solidarity Worldwide and Christian Solidarity Worldwide – Nigeria (Joint Submission 9);
JS10	The East African Centre for Human Rights, Nairobi (Kenya) (Joint Submission 10);
JS11	ECPM (Ensemble contre la peine de mort/Together Against the Death Penalty, Paris (France) and Crime Si Poa (Youth Safety Awareness Initiative) (Joint Submission 11);
JS12	The East and Horn of Africa Human Rights Defenders Project, Kampala (Uganda) and the National Coalition of Human Rights Defenders (Kenya) (Joint Submission 12);
JS13	Murang'a Stars, Healing Hearts CBO, Citizen Voice and Action, Nandi Women Network, Rafiki Voices CBO, Eldoret Sex Worker Association, The Queer Republic, Nguvu Collective (Kenya) (Joint Submission 13);
JS14	Edmund Rice International Limited, VIVAT International, Edmund Rice Centre Nairobi, Ruben Centre, Edmund Rice Network-East Africa, Edmund Rice Catholic Education Center, Education for Life, Eldoret, and Edmund Rice Eldoret Empowerment Program (Joint Submission 14);
JS15	Economic and Social Rights centre, Housing Coalition and Pamoja Trust (Joint Submission 15);
JS16	Akili Dada, Center For Resilience and Sustainable Africa, Centre for Innovative Community Advocacy and Development, Collaborative Centre for Gender and Development, Counter Human Trafficking Trust -East Africa, Global Initiative for Economic, Social & Cultural Rights, Florics of Hope Africa, Forum for African Women Educationalists - Kenya Chapter, Haki Jamii, Jesuit Hakimani Centre, Juhudi Centre, Kaka Amua Group, Kenya Human Rights Commission, Kilifi Youth On The Move, Rural Agency for Community Empowerment & Sustainability – Africa, RefuSHE, The Safenest organization, Socially Organized Educative Team, The CRADLE, The Children Foundation, The East African Centre for Human Rights (Joint Submission 16);
JS17	Marist International Solidarity Foundation and Our Lady of Orote-Marist Brothers of Kenya (Joint Submission 17);
JS18	Freemuse, Asker (Norway) and The Nhimbe Trust, Bulawayo (Zimbabwe) (Joint Submission 18);
JS19	Grace Agenda, Nairobi (Kenya) and National Victims and Survivors Network (Kenya) (Joint Submission 19);
JS20	We Lead Kenya, Restless Development, FEMNET, POSITIVE VYBES, MARSA, HIVOs, AMKA Africa, Positive Young Women Voices, Resilient Action International, Centre for the Study of Adolescence, Stretchers Youth organization, Dream Achievers Youth Organization, NYECBO, Inuka Success and AFOSI (Joint Submission 20);
JS21	Human Rights Agenda and Haki na Sheria (Joint Submission 21);
JS22	Article 19 EA, Free the Slaves, Haki na Sheria, Human Rights Agenda, Independent Medico Legal Unit, International Centre for Civil and Political Rights, International Commission for Jurists, International Justice Mission, Kenya Human Rights Commission, Katiba Institute, National Coalition of Human Rights Defenders – Kenya, Peace Brigades International

- Kenya, Reprieve-UK, and Terre Des Hommes (Joint Submission 22);
- JS23 Istituto Internazionale Maria Ausiliatrice delle Salesiane di Don Bosco, International Volunteerism Organization for Women, Education and Development, Congregation of Our Lady of Charity of the Good Shepherd, and Daughters of Mary Help of Christians, Province of East Africa (Joint Submission 23);
- JS24 Nubian Rights Forum, Haki Centre Organization, Haki na Sheria, Namati, The Institute on Statelessness and Inclusion (Joint Submission 24);
- JS25 Kenya Legal and Ethical Issues Network on HIV and AIDS, Afyafrika, Center for Reproductive Rights, Centre for the Study of Adolescence Kenya, EACH Rights, Feminist for Peace Rights and Justice Centre, Global Initiative, Health NGOS Network, Health Options for Young Men on HIV/AIDS/STI, Health Rights Advocacy Forum, JINSIANGU, LVCT Health, Hakijamii – ESRC, Pema Kenya, People’s Health Movement Kenya, Talk It Out CBO, The Cradle, Trans Alliance Kenya, Umande Trust, Undugu Family of Hope, Voluntary Services Organization, Wangu Kanja Foundation, Western Kenya LBQT Feminist Forum, (Joint Submission 25);
- JS26 The Kenya Network of People who use drugs, The Caucus for Harm Reduction and Drug Policy Reform, Women in Response to HIV/AIDS and Drug Addiction, Muslim Education and Welfare Association, Teenswatch Centre, Next Generation Lawyers Kenya, Kuza Trust, Kisumu Initiative for People who use drugs, and the African Network of People who use Drugs (Joint Submission 26);
- JS27 The Kenya Human Rights Platform (Joint Submission 27);
- JS28 The Lutheran World Federation, Geneva (Switzerland), Refugee Consortium of Kenya, Finn Church Aid, Centre for Minority Rights Development, Frena, Community Hope Revival, KADANA, Pamoja Trust, L'Africana, International Detention Coalition, International Rescue Committee, and Caring for widows and orphans RLO (Joint Submission 28);
- JS29 National Coalition of Human Rights Defenders, Social Justice Centres Working Group, Coalition for Grassroot Human Rights Defenders, Protection International - Africa, Kenya Human Rights Commission, Pema Kenya, The Gay and Lesbian Coalition of Kenya, Universal Rights Group, Ogiek People’s Development Programme, and Women Empowerment and Mentor All (Joint Submission 29);
- JS30 The Orchid Project, and Girls Not Brides Kenya National Partnership (Joint Submission 30);
- JS31 Pendekezo Letu, Each Rights, Child Fund, Equality Now, Plan International, Girls Not Brides Kenya, Forum for African Women Educationalists Kenya, The Cradle – The Children Foundation, Roots and Wings, Malkia Initiative, Terre des Hommes Netherlands, and Wangu Kanja (Joint Submission 31);
- JS32 Privacy International, the Kenya Legal & Ethical Issues Network on HIV and AIDS (KELIN), ICJ-Kenya, Haki Na Sheria Initiative, STOPAIDS (Joint Submission 32);
- JS33 The Africa Centre for Engendered Security, Collaboration of Women in Development, Centre for Human Rights and Policy

- Studies, Community Development and Sustainability Organization, and Rights & Security International (Joint Submission 33);
- JS34 Article 43 Committee of the Social Justice Centres Working Group, Centre for Minority Rights Development, Concern Worldwide, Consumer Grassroots Association, East Africa Centre for Human Rights, FIAN Kenya, Freedom Development and Progress, GAIN Kenya, Intersectoral Forum on Agrobiodiversity and Agroecology, Jamii Kwanza Youth Organization, Kaka Amua Initiative, KELIN Kenya, Kenya Parliamentary Human Rights Association, KK Law, Lake Region Food Systems Network, RECONCILE, Right to Food Coalition, Rural Outreach Africa, Seed Savers Network Kenya, Slums Information Development and Resource Centres, The African Population and Health Research Center, The Cradle, The Institute for Social Accountability, Welthungerhilfe, and Youth Alive Kenya (Joint Submission 34);
- JS35 Forum for African Women Educationists – Kenya, Nairobi (Kenya), Plan International -Kenya, Nairobi (Kenya), Malkia Initiative, Nairobi (Kenya), Forum for African Women Educationists – Regional Secretariat, Nairobi (Kenya), SRHR Africa Trust, Johannesburg (South Africa) (Joint Submission 35);
- JS36 She Leads Kenya comprising of: Terre des Hommes Netherlands, Plan International Kenya, Kenya Alliance for Advancement of Children, Pamoja CBO, Network for Adolescent and Youth of Africa, African Gender and Media Initiative Trust and Polycom Girls, Plan International Netherlands, Defence for Children - Netherlands, The African Women's Development and Communication Network, and Terre des Hommes Netherlands (Joint Submission 36);
- JS37 KICTANet, The Collaboration on International ICT Policy For East and Southern Africa, and Small Media (Joint Submission 37);
- JS38 Action For Sustainability Initiative, The African Gender and Media Initiative Trust, Centre for the Study of Adolescence, CSO's Network Coast Region, CSO's Network Nyanza Region, Dream Achievers Youth Organization, East African Centre for Human Rights, FIDA Kenya, Kenya Human Rights Commission, Kenya Legal and Ethical Issues Network, MSI Reproductive Choices Kenya, Network of African National Human Rights Institutions, Network for Adolescent and Youth of Africa, Nyimine Empowerment CBO, Positive Young Women Voices, Raise Your Voice, Reproductive Health Choices, Resilience Action International, Reproductive Health Network Kenya, Sexual Reproductive Health Rights Alliance, Stretchers Youth Organization, Talanta Africa, Trust for Indigenous Culture and Health, VSO Kenya, and Zamara Foundation (Joint Submission 38);
- JS39 Network for Adolescents and Youth of Africa, Right Here Right Now Kenya, and Sexual Rights Initiative, Geneva (Switzerland) (Joint Submission 39);
- JS40 Talk it out CBO (Kenya) in collaboration with EACHRights, Kenya Legal and Ethical Issues Network on HIV and AIDS, Umande Trust, MICOP Kenya, Global Initiative, Health Rights Advocacy Forum, LVCT Health, Hakijamii – ESRC,

- Afyafrika, Feminist for Peace Rights and Justice Centre, Health NGOS Network, Voluntary Services Organization, and Coalition Action for Preventive Mental Health (Joint Submission 40);
- JS41 The Advocates for Human Rights, The International Commission of Jurists – Kenyan Section (ICJ Kenya), Reprieve, and The World Coalition Against the Death Penalty (Joint Submission 41);
- JS42 The World Evangelical Alliance and The Evangelical Alliance of Kenya, Geneva (Switzerland) (Joint Submission 42);
- JS43 Wangu Kanja Foundation, Utu Wetu Trust, The Kenya Legal and Ethical Issues Network, Flone Initiative Trust, Advocates for Social Change Kenya, Peace Brigades International Kenya, HURU Defenders Africa, The African Gender and Media Initiative, Oxfam, Gender Violence Recovery Centre, Trust for Indigenous Culture in Kenya, Kenya Sex Workers Alliance, Centre for Rights Education and Awareness, Independent Medico-Legal Unit, Association of Grassroots Journalists in Kenya, Physicians for Human Rights, Grace Agenda, The Social Justice Movement, Plan International, The CRADLE, Health Options for Young Men on HIV/AIDS/STI, and African Sex Worker Alliance (Joint Submission 43);
- JS44 Joint Initiative for Strategic Religious Action comprising of: Chemchemi Ya Ukweli, Coast Interfaith Council of Clerics, Inter-Religious Council of Kenya, Kenya Community Support Center, Kenya Muslim Youth Alliance, Muslims for Human Rights, Supreme Council of Kenya Muslims, Faith to Action Network, Mensen met een Missie, and Search for Common Ground (Joint Submission 44);
- JS45 Pendekezo Letu, Each Rights, Child Fund, Equality Now, Plan International, Girls Not Brides Kenya, Forum for African Women Educationalists Kenya, The Cradle – The Children Foundation, Roots and Wings, Malkia Initiative, Terre des Hommes Netherlands, and Wangu Kanja (Joint Submission 45);
- JS46 Mangu Integrated Community Project, Suqoon Kenya, UHAI Kenya NGO, Ageing Dignified Kenya, and Kibera Day Care Centre for the Elderly (Joint Submission 46).
- National human rights institution:*
- KNCHR Kenya National Commission on Human Rights, Nairobi (Kenya).
- Regional intergovernmental organization(s):*
- AU-ACHPR African Union- African Commission on Human and Peoples' Rights, Banjul, (The Gambia).
- ³ KNCHR, para. 6, referring to A/HRC/44/9, para. 142.81 (Namibia), 142.82 (Angola), 142.83 (Brazil), 142.84 (Georgia), 142.85 (Mozambique), 142.86 (Romania), 142.87 (Rwanda), 142.88 (South Africa), 142.89 (Switzerland). KNCHR made recommendations (pp.2–3).
- ⁴ KNCHR, paras. 2 and 3, referring to A/HRC/44/9, para. 142.91 (Canada), para. 142.92 (France), para. 142.94 (Ghana), para. 142.137 (Australia), para. 142.138 (Austria), para. 142.140 (Czechia), para. 142.142 (Botswana), para. 142.144 (France), para. 142.145 (Germany), para. 142.146 (Costa Rica), and para. 142.148 (United States of America). KNCHR made recommendations (p. 1.). See also IMLU, paras. 13 and 14. IMLU made a recommendation (para. 20).
- ⁵ KNCHR, para. 10, referring to A/HRC/44/9, para. 142.36 (Egypt), para. 142.37 (Sierra Leone) and para. 142.38 (Togo). KNCHR made recommendations (p. 4).
- ⁶ KNCHR, para. 7, referring to A/HRC/44/9, para. 142.149 (Argentina), para. 142.135 (Ukraine), and para. 142.51 (Croatia). KNCHR made recommendations (p. 3). See also JS10, para. 44. JS10 made recommendations (paras. 45 and 46); and JS19, para. 17. JS19 made a recommendation (para. 25).

- ⁷ KNCHR, paras. 8 and 9, referring to A/HRC/44/9, para. 142.136 (United Kingdom of Great Britain and Northern Ireland), para. 142.168 (Croatia), para. 142.167 (Japan), para. 142.169 (Vanuatu). KNCHR made recommendations (p. 3).
- ⁸ KNCHR, para. 4, referring to A/HRC/44/9, para. 142.157 (Greece). KNCHR made recommendations (p. 2).
- ⁹ KNCHR, para. 5, referring to A/HRC/44/9, para. 143.139 (Austria) and para. 143.160 (Ireland). KNCHR made recommendations (p. 2). See also JS10, para. 15. JS10 made recommendations (paras. 16 and 17).
- ¹⁰ KNCHR, para. 13, referring to A/HRC/44/9, para. 142.194 (Eritrea). KNCHR made a recommendation (p. 5).
- ¹¹ KNCHR, para. 15, referring to A/HRC/44/9, para. 142.202 (Portugal). KNCHR made recommendations (p. 6).
- ¹² KNCHR, paras. 16 and 17, referring to A/HRC/44/9, para. 142.207 (China), para. 142.208 (Djibouti), para. 142.209 (Mauritius), para. 142.210 (Bolivarian Republic of Venezuela), para. 142.215 (Myanmar), and para. 142.217 (Russian Federation). KNCHR made recommendations (p. 6).
- ¹³ KNCHR, para. 12, referring to A/HRC/44/9, para. 142.73 (Zambia), para. 42.74 (Norway), and para. 142.75 (Switzerland). KNCHR made recommendations (p. 4).
- ¹⁴ KNCHR, para. 22, referring to A/HRC/44/9, para. 142.98 (Belgium), para. 142.99 (Burkina Faso), para. 142.100 (Burkina Faso), para. 142.101 (Cabo Verde), para. 142.102 (Eritrea), para. 142.103 (France), para. 142.104 (Georgia), para. 142.105 (Ghana), para. 142.106 (Ireland), para. 142.107 (Italy), para. 142.108 (Maldives), para. 142.109 (Namibia), para. 142.110 (Nepal), para. 142.111 (New Zealand), para. 142.112 (Costa Rica), para. 142.114 (Senegal), para. 142.115 (Spain), para. 142.116 (Sweden), para. 142.117 (Ukraine), para. 142.133 (Afghanistan), para. 142.115 (Spain), para. 142.117 (Ukraine), para. 142.95 (Zimbabwe), para. 142.96 (Angola), and para. 142.97 (Austria). KNCHR made recommendations (p. 8).
- ¹⁵ KNCHR, para. 18, referring to A/HRC/44/9, para. 142.229 (Poland), para. 142.250 (Iraq), and para. 142.256 (Ukraine). KNCHR made a recommendation (p. 7).
- ¹⁶ KNCHR, para. 22, referring to A/HRC/44/9, para. 142.33 (Canada), para. 142.34 (Norway), para. 142.35 (Chile). KNCHR made recommendations (p. 8).
- ¹⁷ KNCHR, para. 19, referring to A/HRC/44/9, para. 142.248 (Algeria), para. 142.249 (Egypt), para. 142.250 (Iraq), para. 142.251 (Libya), para. 142.252 (Saudi Arabia), para. 142.253 (Serbia), para. 142.254 (Singapore), and para. 142.255 (Sudan). KNCHR made a recommendation (p. 7).
- ¹⁸ KNCHR, para. 21, referring to A/HRC/44/9, para. 142.118 (Gabon), para. 142.119 (Comoros), para. 142.120 (Congo), para. 142.121 (Nepal), para. 142.122 (Costa Rica), para. 142.123 (Senegal), and para. 142.124 (Somalia). KNCHR made a recommendation (p. 8).
- ¹⁹ KNCHR, para. 20, referring to A/HRC/44/9, para. 142.259 (Afghanistan) and para. 142.260 (Zambia). KNCHR made a recommendation (p. 7).
- ²⁰ The following abbreviations of international human rights instruments are used in UPR documents:
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| 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

- ²¹ JS9, paras. 17 and 37, referring to A/HRC/44/9, para. 144.10 (France) and para. 144.11 (Seychelles). See also JS10, para. 7. JS10 made a recommendation (para. 9); JS21, para. 13. JS21 made a recommendation (para. 33); IMLU, para. 24. IMLU made a recommendation (para. 27); and JS33, para. 12. JS33 made a recommendation (p. 6).
- ²² JS10, para. 11. JS10 made a recommendation (para. 13). See also JS11, p. 2. JS11 made a recommendation (p. 3).
- ²³ IMLU, para. 23. IMLU made a recommendation (para. 26).
- ²⁴ JS31, para. 44. JS31 made a recommendation (para. 51).
- ²⁵ The Domestic Workers Convention, 2011 (No. 189).
- ²⁶ The Violence and Harassment Convention, 2019 (No. 190).
- ²⁷ JS43, para. 20.
- ²⁸ ICAN, pp. 1–2.
- ²⁹ CGNK, p. 4.
- ³⁰ JS6, para. 37. JS6 made recommendations (p. 13). See also JS10, para. 22. JS10 made recommendations (paras. 23–25); JS29, para. 3.8. JS29 made recommendations (para. 6.6); and JS5, para. 27.
- ³¹ JS6, para. 18. JS6 made recommendations (p. 5).
- ³² JS16, para. 50. JS16 made a recommendation (para. 55).
- ³³ JS24, paras. 6 and 11. JS24 made a recommendation (para. 21).
- ³⁴ JS18, paras. 25 and 27. JS18 made recommendations (para. 50). See also JS29, para. 2.4.
- ³⁵ TCC, p. 3. TCC made a recommendation (p. 3).
- ³⁶ JS27, paras. 8 and 9. JS27 made a recommendation (p. 6).
- ³⁷ WCC-CCIA, pp. 4–5. WCC-CCIA made recommendations (p. 5).
- ³⁸ JS3, paras. 32–40, referring to A/HRC/44/9, para. 144.27 (Iceland), para. 144.28 (Australia), para. 144.29 (Czechia), para. 144.31 (Chile), para. 144.32 (France), para. 144.33 (Italy), para. 144.35 (Malta), para. 144.36 (Mexico), para. 144.37 (New Zealand), para. 144.38 (Slovenia), para. 144.39 (Spain), and para. 144.40 (United States of America). JS3 made recommendations (para. 57). See also JS27, para. 15. JS27 made recommendations (p. 9); and EATHAN, paras. 8 and 9. EATHAN made recommendations (p. 6).
- ³⁹ JS41, para. 6, referring to A/HRC/44/9, para. 142.81 (Namibia), para. 142.82 (Angola), para. 142.83 (Brazil), para. 142.84 (Georgia), para. 142.85 (Mozambique), para. 142.86 (Romania), para. 142.87 (Rwanda), para. 142.88 (South Africa), and para. 142.89 (Switzerland).
- ⁴⁰ JS41, para. 6, referring to A/HRC/44/9, para. 144.42 (Australia), para. 144.43 (Cabo Verde) (Slovenia) (Togo), para. 144.44 (Fiji), and para. 144.45 (France).
- ⁴¹ JS10, para. 11. JS10 made recommendations (paras. 12–14). See also JS11, p. 2. JS11 made recommendations (p. 2); JS14, paras. 9 and 46. JS14 made recommendations (para. 49). See also ICJ, p. 4. ICJ made recommendations (p. 4); and IMLU, para. 16. IMLU made recommendations (para. 21).
- ⁴² JS9, para. 17, referring to A/HRC/44/9, para. 142.19 (Italy), para. 142.56 (Finland), para. 142.90 (Republic of Korea), para. 142.137 (Australia), para. 142.138 (Austria), para. 142.140 (Czechia), para. 142.142 (Botswana), para. 142.145 (Germany), para. 142.146 (Costa Rica), para. 142.147 (; United Kingdom of Great Britain and Northern Ireland), para. 142.148 (United States of America) and para. 142.144 (France).
- ⁴³ JS22, paras. 25 and 26. JS22 made recommendations (paras. 41 and 42). See also JS33, para. 9. JS33 made recommendations (p. 6).
- ⁴⁴ JS21, para. 5. JS22, paras. 5 and 7. JS22 made recommendations (paras. 15 and 16. See also JS10, paras. 7, 8 and 10; ICJ, p. 3. ICJ made recommendations (p. 3); and JS33, para. 11.
- ⁴⁵ ACHPR, p. 7.

- ⁴⁶ FPU, para. 2.4, referring to A/HRC/44/9, para. 142.143 (Estonia). FPU made a recommendation (para. 3.1). See also JS5, para. 23.
- ⁴⁷ JS22, paras. 46–48. JS22 made recommendations (paras. 56–62).
- ⁴⁸ JS41, para. 21. JS41 made a recommendation (p. 11).
- ⁴⁹ JS11, p. 3. JS11 made a recommendation (p. 3). See also JS41, para. 27. JS41 made recommendations (p. 12).
- ⁵⁰ JS33, para. 8.
- ⁵¹ JS33, paras. 15 and 16. JS33 made a recommendation (p. 6).
- ⁵² JS44, p. 7.
- ⁵³ ICJ, p. 2. ICJ made recommendations (p. 2).
- ⁵⁴ ICJ, p. 1. ICJ made recommendations (p. 1). See also JS10, para. 18. JS10 made recommendations (paras. 19–21).
- ⁵⁵ JS41 referring to *Muruatetu & another v Republic; Katiba Institute & 5 others (Amicus Curiae)* (Petition 15 & 16 of 2015 (Consolidated)) [2017] KESC 2 (KLR) (14 December 2017) (Judgment).
- ⁵⁶ JS41, paras. 12 and 14. JS41 made recommendations (p. 11).
- ⁵⁷ JS2, para. 23. JS2 made a recommendation (para. 29). JS36, para. 53. See also JS19, para. 10.
- ⁵⁸ JS43, paras. 7 and 10.
- ⁵⁹ PHR, paras. 12 and 13, referring to A/HRC/44/9, para. 142.136 (United Kingdom, of Great Britain and Northern Ireland). PHR made recommendations (p. 6).
- ⁶⁰ JS31, para. 6. JS31 made recommendations (paras. 21–24).
- ⁶¹ sexual orientation, gender identity, gender expression and sex characteristics.
- ⁶² NL, pp. 7–8.
- ⁶³ ECLJ, paras. 3, 7 and 18, referring to A/HRC/44/9, para. 142.151 (Haiti). ECLJ made a recommendation (para. 19). See also LWF, p. 3.
- ⁶⁴ LWF, p. 3. LWF made recommendations (p. 3).
- ⁶⁵ JS6, paras. 4, 11 and 12, referring to A/HRC/44/9, para. 142.155 (Czechia), para. 142.154 (Australia), para. 142.158 (Uruguay), para. 142.159 (France), para. 142.160 (Ireland), para. 142.161 (Norway). JS6 made recommendations (p. 3). See also JS10, para. 34. JS10 made recommendations (paras. 35–37).
- ⁶⁶ JS5, paras. 18 and 19. JS5 made recommendations (pp. 15–16). See also JS6, paras. 14, 15 and 17. JS6 made recommendations (p. 5); JS12, para. 5.2; JS29, para. 5.3 and JS37, para. 41. JS37 made a recommendation (para. 76).
- ⁶⁷ JS37, para. 32. JS37 made recommendations (para. 72).
- ⁶⁸ JS10, paras. 17 and 26. JS10 made recommendations (paras. 27 and 28); JS37, para. 46. JS37 made a recommendation (para. 73); and JS5, para. 24.
- ⁶⁹ FPU, para. 21, referring to A/HRC/44/9, para. 142.158 (Uruguay), para. 142.157 (Greece), and para. 142.154 (Australia).
- ⁷⁰ JS12, para. 3.2. JS12 made recommendations (para. 6.4). See also JS29, para. 3.1. JS29 made recommendations (para. 6.6).
- ⁷¹ JS9, paras. 5–7. JS9 made recommendations (paras. 46 and 47). See also JS12, para. 3.6; ICJ, pp. 7–8. ICJ made recommendations (p. 8); JS37, paras. 12 and 13; and JS44, pp. 5–6. JS44 made recommendations (p. 8).
- ⁷² JS5, para. 25. See also JS37, para. 18.
- ⁷³ JS37, para. 19.
- ⁷⁴ JS9, para. 21, referring to A/HRC/44/9, para. 142.143 (Estonia), para. 142.154 (Australia), para. 142.155 (Czechia) and para. 142.157 (Greece). See also JS29, para. 4.4, referring to A/HRC/44/9, para. 142.139 (Austria) and para. 142.161 (Norway). JS29 made recommendations (para. 6.4).
- ⁷⁵ JS29 made recommendations (para. 6.4). JS10, para. 15. JS10 made recommendations (paras. 16 and 17).
- ⁷⁶ JS12, para. 2.3. See also JS29, para. 2.5.
- ⁷⁷ JS6, para. 31, referring to A/HRC/44/9, para. 142.164 (United States of America) and 143.3 (Germany) and A/HRC/44/9/Add.1, para. 6.
- ⁷⁸ JS6, para. 34. JS6 made recommendations (para. 11). See also JS10, para. 41. JS10 made recommendations (paras. 42 and 43); JS12, paras. 2.6 and 2.7. JS12 made recommendations (paras. 6.1); and JS29, paras. 2.7 and 2.8. JS29 made recommendations (para. 6.3).
- ⁷⁹ JS6, para. 45. JS6 made recommendations (p. 14). See also JS10, para. 38. JS10 made recommendations (paras. 39 and 40).

- ⁸⁰ JS2, paras. 62 and 63. JS2 made a recommendation (para. 68) and JS36, paras. 25, 27 and 28. JS36 made a recommendation (para. 33). See also TCC, p. 5. TCC made a recommendation (p. 6); and WCC-CCIA, p. 4.
- ⁸¹ ICJ, p. 1. ICJ made recommendations (p. 2). See also TCC, p. 3. TCC made a recommendation (p. 4).
- ⁸² JS6, para. 20, referring to A/HRC/44/9, para. 142.176 (Germany). See also JS6, paras. 20–22. JS6 made recommendations (pp. 6–7); and JS10, para. 3. JS10 made recommendations (paras. 4–6).
- ⁸³ ICJ, p. 5. ICJ made recommendations (p. 5). See also JS32, para. 24.
- ⁸⁴ JS32, para. 25. See also TCC, p. 6. TCC made a recommendation (p. 6).
- ⁸⁵ JS5, para. 38. JS5 made recommendations (p. 16). See also ICJ, p. 6. ICJ made recommendations (p. 6).
- ⁸⁶ JS1, paras. 11–13.
- ⁸⁷ JS10, para. 91. JS10 made recommendations (paras. 92–94).
- ⁸⁸ ICJ, pp. 6–7. ICJ made recommendations (p. 7).
- ⁸⁹ JS2, para. 71–72. JS2 made recommendations (para. 78–80).
- ⁹⁰ EATHAN, para. 7.
- ⁹¹ JS43, para. 14.
- ⁹² JS14, paras. 5, 20 and 21. JS14 made recommendations (para. 23).
- ⁹³ ICJ, p. 6. ICJ made recommendations (p. 11).
- ⁹⁴ JS17, para. 18, referring to A/HRC/44/9, para. 142.66 (Barbados) and para. 142.259 (Afghanistan).
- ⁹⁵ JS34, para. 13. JS34 made recommendations (pp. 9–11). See also JS10, para. 64. JS10 made a recommendation (para. 65).
- ⁹⁶ JS4, paras. 13 and 16. JS4 made recommendations (paras. 17–19). See also JS10, para. 82. JS10 made recommendations (paras. 83–85); and JS7, para. 39. JS7 made recommendations (paras. 42–45).
- ⁹⁷ JS34, para. 3. JS34 made recommendations (pp. 9–10).
- ⁹⁸ JS15, para. 46. JS15 made recommendations (paras. 50–53).
- ⁹⁹ JS14, paras. 12 and 13. JS14 made recommendations (para. 18).
- ¹⁰⁰ JS10, para. 50. JS10 made recommendations (paras. 51–54); See also JS15, para. 41; ICJ, p. 7. ICJ made recommendations (p. 7); and JS14, paras. 12 and 13. JS14 made recommendations (para. 18).
- ¹⁰¹ JS15, paras. 55 and 57. JS15 made recommendations (paras. 65–69).
- ¹⁰² JS14, paras. 4, 15 and 16. JS14 made recommendations (para. 18).
- ¹⁰³ JS15, para. 6. JS15 made a recommendation (para. 14). See also JS10, para. 60. JS10 made recommendations (paras. 61–63); and WCC-CCIA, pp. 7–8. WCC-CCIA made recommendations (p. 9).
- ¹⁰⁴ JS23, para. 10. JS23 made a recommendation (para. 15).
- ¹⁰⁵ JS20, para. 33. JS20 made a recommendation (para. 41); JS25, para. 1. JS25 made recommendations (para. 17); and JS38, para. 21. JS38 made a recommendation (para. 29).
- ¹⁰⁶ JS10, paras. 67–69. JS10 made recommendations (paras. 70 and 71). See also JS25, para. 5.
- ¹⁰⁷ JS35, paras. 9 and 11, referring to A/HRC/44/9, para. 142.202 (Portugal). See also JS38, para. 5; and JS39, para. 40. JS39 made recommendations (pp. 11–12).
- ¹⁰⁸ JS10, para. 72. JS10 made recommendations (paras. 73 and 74); JS20, para. 9. JS20 made a recommendation (para. 20); and JS38, para. 7. See also JS25, para. 40. JS25 made recommendations (para. 50).
- ¹⁰⁹ JS35, paras. 19 and 20. JS35 made a recommendation (para. 8). See also JS1, paras. 8, 9 and 10.
- ¹¹⁰ JS38, para. 16. JS38 made a recommendation (para. 19).
- ¹¹¹ JS2, para. 43 and 50. JS2 made recommendations (paras. 52, 55 and 56.). JS36, para. 75. JS36 made recommendations (paras. 79 and 80).
- ¹¹² C-Fam, para. 5. C-Fam made a recommendation (para. 22).
- ¹¹³ ADF, paras. 3–4. ADF made recommendations (para. 23).
- ¹¹⁴ JS20, paras. 23–25. JS38, paras. 33–35. See also JS39, para. 46. JS39 made recommendations (pp. 11–12).
- ¹¹⁵ C-Fam, paras. 6 and 8. C-Fam made a recommendation (para. 23).
- ¹¹⁶ JS3, paras. 41–47, referring to referring to A/HRC/44/9, para. 142.197 (Dominican Republic), para. 142.202 (Portugal), and para. 142.203 (Portugal). JS3 made recommendations (para. 57).
- ¹¹⁷ JS25, paras. 54 and 56. JS25 made recommendations (para. 61).
- ¹¹⁸ CAPMHK, p. 2. CAPMHK made recommendations (p. 3). See also JS10, para. 77. JS10 made recommendations (paras. 78–81); JS25 para. 51. JS25 made recommendations (para. 61); JS40, p. 3. JS40 made recommendations (pp. 3–4); and JS23, para. 48. JS23 made recommendations (para. 49).

- 119 NL, pp. 3–4.
- 120 JS26, paras. 2, 3, 17, and 28. JS26 made recommendations (paras. 11–15, 23–27 and 35–43). JS8, paras. 1, 16 and 28. JS8 made recommendations (paras. 11–15, 23–27 and 35–43.) See also JS10, para. 110. JS10 made recommendations (paras. 111 and 112).
- 121 JS20, paras. 12 and 13. See also JS25, paras. 19 and 43. JS25 made recommendations (para. 31).
- 122 sexual orientation, gender identity, gender expression and sex characteristics.
- 123 JS27, p. 2. JS27 made recommendations (p. 4).
- 124 JS25, para. 32. JS25 made recommendations (para. 39).
- 125 JS16, paras. 4, 8, 9–11, 12, 16, 24, 64 and 65. JS16 made recommendations (paras. 19–30, 32, 33 and 66).
- 126 JS17, para. 11, referring to A/HRC/44/9, para. 142.207 (China) and para. 142.208 (Djibouti).
- 127 JS14, paras. 31 and 33. JS14 made recommendations (para. 37).
- 128 JS10, para. 55. JS10 made recommendations (paras. 56 and 57). See also JS16, para. 35; and JS17, para. 11.
- 129 JS23, para. 11. JS23 made a recommendation (para. 15).
- 130 JS39, paras. 33 and 34. JS39 made recommendations (pp. 11–12). See also JS14, para. 26. JS14 made recommendations (para. 28); JS10, para. 72; and JS1, para. 14. JS1 made recommendations (p. 5).
- 131 JS16, para. 42. JS16 made a recommendation (para. 43).
- 132 JS44, p. 8.
- 133 JS10, para. 29. JS10 made recommendations (paras. 30–33).
- 134 JS4, paras. 6–8, and 10. JS4 made recommendations (paras. 11 and 12).
- 135 JS4, para. 20. JS4 made recommendations (paras. 28–30).
- 136 JS7, para. 60. JS7 made recommendations (para. 64).
- 137 JS2, para. 20. JS2 made a recommendation (para. 27).
- 138 JS13, paras 25 (b) and (c). JS13 made recommendations (para. 33). See also PHP, para. 16.
- 139 JS2, para. 16 and JS36, para. 45. JS36 made recommendations (paras. 56 and 57). See also JS10, para. 99. JS10 made recommendations (paras. 100–102); JS23, para. 29. JS23 made recommendations (para. 35); and JS5, para. 43. JS5 made recommendations (p. 17).
- 140 JS43, para. 54.
- 141 JS2, para. 22. JS2 made a recommendation (para. 28).
- 142 JS35, paras. 1–6, referring to A/HRC/44/9, para. 142.94 (Zimbabwe), para. 142.96 (Angola), para. 142.97 (Austria), para. 142.98 (Belgium), para. 142.99 (Burkina Faso), para. 142.100 (Burkina Faso), para. 142.101 (Cabo Verde), para. 142.102 (Eritrea), para. 142.103 (France), para. 142.104 (Georgia), para. 142.105 (Ghana), para. 142.106 (Ireland), para. 142.107 (Italy), para. 142.108 (Maldives), para. 142.109 (Namibia), para. 142.110 (Nepal), para. 142.111 (New Zealand), para. 142.112 (Costa Rica), para. 142.113 (Philippines), para. 142.114 (Senegal), para. 142.115 (Spain), para. 142.116 (Sweden), and para. 142. 117 (Ukraine). JS35 made recommendations (p. 7). See also JS44, pp. 12–13. JS44 made recommendations (p. 13); JS30, paras. 19 and 24. JS30 made recommendations (paras. 25 and 26); JS45, para. 7. JS45 made recommendations (paras. 13 and 14); and WCC-CCIA, p. 2. WCC-CCIA made recommendations (pp. 2–3).
- 143 JS10, para. 89. JS10 made a recommendation (para. 90). See also JS31, para. 25. JS31 made recommendations (paras. 30 and 31).
- 144 JS30, paras. 5 and 10, referring to A/HRC/44/9, para. 142.33 (Canada) and para. 142.34 (Norway). JS30 made recommendations (paras. 14–17). JS45, para. 15. JS45 made recommendations (paras. 21 and 22). See also JS35, para. 4. JS35 made a recommendation (p. 7); JS38, paras. 43–45. JS38 made recommendations (paras. 51–53); and WCC-CCIA, pp. 3–4. WCC-CCIA made recommendations (p. 4).
- 145 JS45, paras. 23, 24, 30–35. JS45 made recommendations (paras. 38–40).
- 146 JS46, paras. 1 and 10. JS46 made a recommendation (p. 4).
- 147 JS10, para. 86. JS10 made recommendations (paras. 87 and 88). See also JS46, para. 9. JS46 made a recommendation (p. 3).
- 148 JS14, paras 40 and 43. JS14 made recommendations (para. 45).
- 149 JS15, paras. 70 and 73. JS15 made recommendations (paras. 78–87). See also JS7, para. 30. JS7 made a recommendation (para. 33); and JS10, para. 47. JS10 made recommendations (paras. 48 and 49).
- 150 JS7, paras. 9–13. JS7 made recommendations (paras. 16–21). See also JS34, para. 5.
- 151 JS7, paras. 22, 23 and 47. JS7 made recommendations (paras. 26–29, 48 and 49). See also JS10, para. 103. JS10 made recommendations (paras. 104 and 105).

¹⁵² JS3, paras. 5, 6 and 27. JS3 made recommendations (para. 57).

¹⁵³ JS18, para. 16. JS18 made recommendations (para. 50).

¹⁵⁴ JS3, paras. 10 and 11. JS3 made recommendations (para. 57).

¹⁵⁵ EATHAN, paras. 3 and 4. EATHAN made recommendations (p. 5).

¹⁵⁶ JS28, paras. 4, 6, 9, and 10. (JS28 made recommendations (para. 12).

¹⁵⁷ JS24, paras. 7 and 16.
