

# Kenya

Kenya is a Member State of the African Union (AU) and of the United Nations (UN), and has human rights obligations at both the regional and universal levels.

## Regional: African System



Kenya has ratified the African Charter on Human and Peoples' Rights (African Charter), and its human rights policies and practices are monitored by the African Commission on Human and Peoples' Rights (ACHPR), which reviews the State's reports concerning its human rights situation and decides complaints of alleged violations. Additionally, Kenya has accepted the jurisdiction of the African Court on Human and Peoples' Rights to hear complaints presented by the Commission, African intergovernmental organizations, and States parties to the African Charter.

Individuals and groups have submitted complaints of human rights violations committed by Kenya to the [African human rights system](#). For example, the ACHPR found the State in violation of numerous articles of the African Charter in connection with the displacement of the indigenous Endorois community. See *ACommHPR, Centre for Minority Rights Development (Kenya) and Minority Rights Group (on behalf of Endorois Welfare Council) v. Kenya*, Communication No. 276/03, 46<sup>th</sup> Ordinary Session, 25 November 2009. Additionally, the Commission has issued [provisional measures](#) to protect people in urgent situations of risk in Kenya.

Kenya has fallen behind in submitting its [periodic reports](#) to the ACHPR on human rights conditions in the country. The ACHPR has conducted two missions to Kenya including a promotion mission in [1998](#) and a mission on indigenous populations in [2010](#).

Kenya has ratified the following **regional human rights treaties**:

- African Charter on Human and Peoples' Rights
- African Charter on the Rights and Welfare of the Child
- AU Convention Governing Specific Aspects of Refugee Problems in Africa
- Protocol to the African Charter on Human and Peoples' Rights on the Establishment of the African Court on Human and Peoples' Rights
- Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa

## United Nations System

As a UN Member State, Kenya is subject to the oversight of various [UN human rights bodies](#), including the [Human Rights Council](#) and its [Universal Periodic Review](#) and thematic [special procedures](#). As a party to specific universal human rights treaties, Kenya's policies and practices are monitored by [UN treaty bodies](#). It has not accepted the complaints procedure of any treaty bodies.

Kenya has ratified the following **UN human rights treaties**:

- International Covenant on Civil and Political Rights (ICCPR)
- International Covenant on Economic, Social and Cultural Rights (ICESCR)
- Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT)
- Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)
- Convention on the Rights of Persons with Disabilities (CRPD)
- Convention on the Rights of the Child (CRC)
- International Convention on the Elimination of All Forms of Racial Discrimination (CERD)

Kenya has submitted a reservation, declaration or understanding that modifies its obligations under the [ICESCR](#).

Kenya has ratified the Optional Protocol to the CRC addressing the involvement of children in armed conflict. Kenya has a duty to submit **State reports** to the UN treaty body associated with each treaty it has ratified. These reports must be submitted on a periodic basis and describe the steps Kenya has taken to implement the treaty provisions.

Kenya has not authorized individuals to submit **complaints** against the State alleging violations of any UN human rights treaty. Certain UN treaties include **inquiry procedures**, which allow the UN treaty body to consider allegations of grave or systematic human rights violations. Kenya has accepted the inquiry procedure of the CAT.

On January 22, 2015 Kenya extended a **standing invitation** to UN special procedures, which means that any special rapporteurs and working groups are welcome to conduct missions to Kenya. For example, the Special Rapporteur on extrajudicial, summary or arbitrary executions conducted a mission to Kenya in February 2009 and published a [report](#) on that visit in May 2009.

For more information on Kenya's engagement with [UN human rights bodies](#), visit <http://www.ohchr.org/EN/countries/AfricaRegion/Pages/KEIndex.aspx>.

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