



Convention on the Elimination of All Forms of Discrimination against Women

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Committee on the Elimination of Discrimination against Women

List of issues and questions in relation to the ninth periodic report of Kenya*

Legislative framework and definition of discrimination

1. With reference to paragraph 11 of the Committee's previous concluding observations (CEDAW/C/KEN/CO/8) and paragraphs 9–12 of the ninth periodic report of Kenya (CEDAW/C/KEN/9), and in line with articles 1 and 2 of the Convention, please indicate what measures, including financial, administrative, judicial and other measures, have been taken to effectively implement and assess national legislation and policies aimed at eliminating direct and indirect discrimination and promoting gender equality, and to assess the impact of that legal framework; and legislative steps taken to remedy existing gender gaps in all social, economic, cultural, civil and political spheres. Please also indicate the measures taken to strengthen the capacity of the State Department of Gender and Affirmative Action, including the appointment of a Cabinet Secretary to oversee the effective implementation of the above-mentioned legal and policy frameworks and programmes and to coordinate multisectoral policies. Please provide information on efforts made to provide regular capacity-building and awareness-raising initiatives for judicial officers, prosecutors, law enforcement personnel, legal practitioners, traditional and religious leaders and civil society organizations in the State Party on the application of the Convention, regional instruments on the rights of women and girls that have been ratified by the State Party and relevant national legislation. Please also provide information on efforts made to give visibility to the Convention, including any awareness-raising campaigns for the general public – including women and girls – about the prohibition of discrimination against women, and on the number of cases in which the provisions of the Convention were invoked before or applied by domestic courts.

Access to justice

2. Please provide information on concrete steps taken to implement article 48 of the Constitution, the Committee's general recommendation No. 33 (2015) on women's access to justice and other national legal and policy frameworks on access to justice, including legal aid and reparations for women and girls, in particular women and girls with disabilities, victims/survivors of conflict-related sexual violence and of violence in the context of protests, older women, women and girls

* Adopted by the pre-sessional working group on 25 February 2025.



living in poverty, and refugee, migrant, internally displaced and asylum-seeking women and girls. Please provide an update on the steps taken to codify Muslim family law in a manner that is compatible with article 27 of the Constitution and articles 1, 2 and 16 of the Convention, including by engaging traditional and religious leaders in that process. Please describe the steps taken to educate women and girls, especially rural women and girls, and women and girls facing intersecting forms of discrimination, such as refugee, migrant, internally displaced and asylum-seeking women and girls, on their human rights and how to claim them. Please indicate any steps taken to abolish the death penalty, in particular given that Kenya voted in favour of a moratorium on the use of the death penalty in the plenary session of the General Assembly held on 17 December 2024.

Women and peace and security

3. With reference to paragraph 83 of the report, please provide updated information on the implementation and evaluation of the second national action plan for the advancement of Security Council resolution [1325 \(2000\)](#) on women and peace and security, which covered the period 2020–2024. Please also provide information on the steps taken to adopt the third national action plan on women and peace and security in line with Security Council resolution [1325 \(2000\)](#) and other subsequent resolutions and the Committee’s general recommendation No. 40 (2024) on the equal and inclusive representation of women in decision-making systems, and to ensure that the plan is adequately resourced, takes a parity approach and includes parity targets for the equal and inclusive representation of women and girls in the implementation of peace and security measures.

National machinery for the advancement of women

4. With reference to paragraphs 18 and 24 of the report, please provide information on the steps taken to enhance the implementation of the national policy on gender and development (2019) and the national action plan to implement the Committee’s previous concluding observations (2020–2022), and indicate the specific results achieved under the strategy on achieving Sustainable Development Goal 5 on gender equality and the empowerment of all women and girls (2020–2025). With reference to paragraph 25, please provide detailed information on measures taken to strengthen gender-responsive budgeting and monitoring systems, including on the effectiveness of the Control of Budget Management Information System in tracking and making public allocations for gender equality and women’s empowerment. Please describe the steps taken to address the low budget allocation for gender-related programmes and the impact of austerity measures on budget allocation for gender equality work. In addition, please indicate the mechanisms in place to ensure the systematic allocation of adequate human, technical and financial resources for the promotion of work on the rights of women and girls and to ensure effective gender mainstreaming across key ministries, and describe efforts to build the capacity of all government departments on gender-responsive planning and budgeting.

National human rights institution

5. With reference to paragraph 28 of the report, please provide information on the process of selection and appointment of members to the Kenya National Commission on Human Rights. Please describe the steps taken to include in the Commission’s enabling law an explicit mandate to promote ratification of, or accession to, international human rights instruments and the effective implementation of treaties to which Kenya is a Party. Please also provide information on any measures taken to strengthen the Commission so that it can effectively and independently discharge its

mandate in full compliance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles).

Civil society and women human rights defenders

6. With reference to paragraph 86 of the report, please provide information on measures, including legislative measures, adopted to protect women human rights defenders, including Indigenous women and climate activists, from reprisals, violence, intimidation, threats, harassment, assault and arbitrary or unlawful arrest. Please also provide information on the number of investigations into perpetrators and on the remedies provided to victims. Please provide updated information on the status of the Victim Protection Trust Fund and the draft victims' rights charter.

Temporary special measures

7. With reference to paragraph 17 of the Committee's previous concluding observations, please provide information on measures taken to apply the two thirds gender rule requiring that women comprise at least 33 per cent of elective and appointive bodies, as set out in the Constitution; and on the status of proposed legislative amendments, such as the elections (amendment) bill (2024), the political parties (amendment) bill (2024), the Constitution of Kenya (amendment) bill (2023) and the representation of special interest groups laws (amendment) bill (2019). Please also provide information on awareness-raising campaigns aimed at government officials, policymakers, employers and the media on the value, importance and non-discriminatory nature of temporary special measures in accelerating the realization of substantive equality between women and men in all areas covered by the Convention.

Stereotypes and harmful practices

8. Please provide detailed information on measures taken to eliminate gender stereotypes and harmful practices against women and girls, in particular taking into account the fact that, despite the legal minimum marriage age of 18, child marriage persists in the State Party. Please indicate any challenges encountered in enforcing the relevant provisions of the Children's Act (2022), the Prohibition of Female Genital Mutilation Act (2011) and the Marriage Act (2014). Please indicate concrete steps taken to engage male traditional, religious and political leaders in the roll-out of the national action plan to end female genital mutilation (2022). In addition, please provide information on the practice of "beading", unsafe forced abortions and other harmful practices, such as bride prices and widowhood rites. Please provide detailed information on measures taken to address gender stereotypes, including all forms of objectification of women in the traditional media and on social media, in the digital space and in advertisements, including awareness-raising, advocacy and educational campaigns carried out in collaboration with civil society organizations, religious and traditional leaders, educators and other actors, on the impact of those measures, on the resources allocated to them and on any monitoring of results. Lastly, please provide information on measures taken to mainstream gender equality into the education curricula, including measures aimed at capacitating teachers and conducting impact assessments of capacity-building activities on women's rights and gender equality.

Gender-based violence against women and girls

9. Please provide data, disaggregated by age, sex and disability status, on the number of women and girls killed in cases of femicide in the State Party. Please provide information on measures taken to address the increasing number of cases of femicide, in particular in high-incidence counties, such as Nairobi, Kiambu and

Nakuru. Please also provide information on the steps taken to enact the national coroners service (amendment) bill (2023) and, in particular, to implement the provisions regarding the investigation and documentation of femicides; and provide data on prosecution and conviction rates, as well as on sentences in femicide cases, and information on the number of protection orders issued in the past four years, the penalties imposed in cases of non-compliance with those orders and the monitoring mechanisms in place. Please indicate the steps taken to strengthen the implementation of the Protection against Domestic Violence Act and provide information on the progress made in the adoption of the sexual offences (amendment) bill (2023).

10. Please provide information on access and budgetary resources allocated to support services, including safe and accessible shelters, psychosocial support and legal aid for women and girls who are victims of gender-based violence, including rural and Indigenous women, older women, women living in poverty and refugee, migrant and asylum-seeking women, as well as for their children. Please describe the measures taken to address new forms of gender-based violence against women and girls, including technology-facilitated violence, such as online harassment, online stalking and non-consensual sharing of intimate images. In addition, please provide information on the technical working group on gender-based violence and any steps taken to develop a legal framework on femicide. Please provide information on the efforts made to establish specialized mechanisms, including gender-based violence courts and desks in the police, to strengthen gender-based violence referral pathways and ensure the prosecution, conviction and punishment of perpetrators of gender-based violence; and on efforts to enhance the collection of data on the prevalence of different forms of gender-based violence, disaggregated by sex, age, the type of violence and the relationship between the victim and the perpetrator.

Trafficking and exploitation of prostitution

11. Recalling the Committee's general recommendation No. 38 (2020) on trafficking in women and girls in the context of global migration, please indicate the most recent data on concrete measures taken to investigate, prosecute and adequately punish perpetrators of trafficking in women and girls; and indicate the resources allocated for victim support services through the migrant welfare fund and victim assistance fund and the measures taken to ensure access to legal aid, and free and immediate access to temporary residence permits, medical care, psychosocial and trauma counselling and to rehabilitation and reintegration services, irrespective of victims' ability or willingness to cooperate with the prosecution authorities. Please provide information on the resources allocated to the implementation of legal and policy frameworks on trafficking; the status of the Penal Code (amendment) bill (2023), aimed at decriminalizing prostitution by deleting sections 153, 154 and 155 of the Code; efforts taken to build the capacity of law enforcement officials, the judiciary, social workers and legal practitioners on the gendered dimensions of trafficking in persons; and measures taken to strengthen coordination between relevant ministries, resource allocation and anti-corruption efforts aimed at ensuring the effective prosecution of perpetrators. In addition, please provide information on measures taken to strengthen data collection on women and children, including refugee, migrant, internally displaced and asylum-seeking women and girls, subjected to trafficking, in particular with regard to prostitution and forced labour; and to effectively strengthen victim identification and protection measures, including steps taken to establish a formal referral mechanism.

Participation in political and public life

12. In line with the Committee's general recommendation No. 40 (2024) on the equal and inclusive representation of women in decision-making systems, please

provide further information on the measures taken to promote women's and girls' leadership, provide campaign financing and address practical and structural barriers to the participation of women and girls in political and public life, including through the Women's Inclusion and Political Participation Fund and the allocation of increased budgetary resources for gender equality programmes. Please indicate any specific temporary special measures, such as parity quotas or preferential appointment of women, as well as any sanctions for non-compliance, to accelerate the equal representation of women in Parliament and the Cabinet, the judiciary, international and diplomatic positions, corporate leadership positions and other sectors; and measures taken to achieve the target of 24 women governors by 2027. In addition, please indicate any temporary special measures aimed at increasing the representation of women and girls with disabilities and rural women in elected and appointed positions.

Nationality

13. With reference to paragraph 33 of the report, please provide information on the status of the amendments to the refugee bill (2019) and the Citizenship and Immigration Act (2012) to enhance international protection for refugee, asylum-seeking and stateless women, in particular those at risk of gender-based violence. In addition, please indicate the steps taken towards accession to the Convention relating to the Status of Stateless Persons and the Convention on the Reduction of Statelessness. Please provide information on measures taken to improve the access of rural women and girls and those with disabilities to civil registration documents, including birth certificates and identity documents, and on any awareness-raising programmes and support mechanisms to facilitate their access to such documentation.

Education

14. With reference to paragraph 35 of the Committee's previous concluding observations, please provide information on measures taken to ensure that women and girls have equal, inclusive and affordable access to all levels and fields of education, including towards reaching gender parity in science, technology, engineering and mathematics; to ensure a safe educational environment, free from discrimination and violence, including sexual violence, bullying and online violence, and to ensure safe transportation to and from schools; and to increase comprehensive age-appropriate sexuality education and access to contraception. Please indicate the steps taken to ensure adequate funding for loans and bursaries, with a view to sustaining the increased enrolment of girls and women in higher education, especially for girls living in poverty. Please provide updated information on the coverage of mobile schools aimed at providing education to girls living in arid and semi-arid areas; and on investments made to improve school infrastructure, including adequate sanitary facilities, to create a conducive learning environment for girls and to improve access to inclusive education for girls with disabilities. Please describe the impact of the school meals programme and the sanitary towel programme on enrolment, attendance and retention rates, especially with regard to rural girls and those in underserved communities, taking into account that, according to the United Nations Children's Fund, approximately 65 per cent of women and girls in Kenya cannot afford sanitary products.

Employment

15. Please provide detailed information on measures taken to address persistent occupational discrimination, taking into consideration that women remain significantly underrepresented in the formal economy and are concentrated in lower-paid informal jobs. Please indicate the steps taken to enforce the principle of equal

pay for work of equal value, bearing in mind the persistent gender pay gap across sectors. Please also provide information on measures to address sexual harassment in the workplace, as well as gender biases that affect hiring practices, promotions and workplace dynamics, including any relevant awareness-raising campaigns or capacity-building programmes. Furthermore, please provide information on measures taken to reconcile work and family responsibilities, including the provision of affordable, high-quality childcare facilities and flexible working arrangements. Please provide information on the gendered nature of the extractive industry, specific measures taken to ensure full access by women with disabilities to the formal labour market, the situation of women and girls working in the informal sector, and any targeted interventions to reach gender parity in leadership positions in the private sector, as well as to reach gender parity in innovative sectors within the workforce and in leadership, in particular in positions in the fields of science, technology, engineering and mathematics.

Health

16. With reference to paragraph 39 of the Committee's previous concluding observations, please provide detailed information on measures taken to enhance access by women and girls to sexual and reproductive health services. Please indicate the steps taken to increase health sector financing in order to meet the 12 per cent target recommended in the Kenya Health Sector Strategic Plan (2023–2027) and the 15 per cent target set out in the Abuja Declaration on HIV/AIDS, Tuberculosis and Other Related Infectious Diseases, especially taking into account the projected shortage of 114,000 healthcare workers by 2030; and describe the mechanisms established to conduct comprehensive gender audits of fund allocation aimed at addressing national gender budgeting gaps. Please provide information on the impact of the Digital Health Act (2023) on improving access for women to healthcare and of the Social Health Insurance Act (2023), in particular regarding the transition from the National Health Insurance Fund to the Social Health Insurance Fund. In addition, please describe the specific measures taken to ensure that the Social Health Insurance Fund is affordable and accessible for women and girls from low-income households and those with limited literacy.

17. Please provide information on the steps taken to address the high maternal mortality and neonatal mortality rates, estimated at 355 deaths per 100,000 live births and 21 deaths per 1,000 live births, respectively. Please provide information on measures taken to combat noncommunicable diseases and sexually transmitted infections among women and girls, and obstetric violence, including measures to prevent verbal and physical abuse, non-consensual medical procedures and breaches of confidentiality during pregnancy, childbirth and postnatal care. In addition, please describe efforts made by the State Party to review and align the National Reproductive Health Policy (2022–2032) with the Constitution, in particular regarding age of consent restrictions and access to reproductive health information and services for all women and adolescents, especially those who are unmarried. In view of reports that unsafe abortion is also a cause of the high rates of maternal mortality, please provide information about the legislative, administrative, budgetary, programmatic and other measures being put in place to ensure access to safe, legal abortion and post-abortion care services throughout the country and to decriminalize abortion, at least in cases of rape, incest, threats to the life or health of the pregnant woman and severe fetal impairment. Please also indicate the steps being taken towards fully prohibiting and criminalizing sterilization without prior, full, free and informed consent, including in relation to women and girls with disabilities.

Economic empowerment of women

18. Please provide detailed information on measures taken to promote the economic empowerment of women, in particular under the National Care Policy and the National Policy on Women's Economic Empowerment. Please describe initiatives to improve women entrepreneurs' access to markets, low-interest loans without collateral, financial services, technology and business development opportunities, including the Women Enterprise Fund and the Access to Government Procurement Opportunities programme, on an equal basis with men. Please provide information on gender-responsive procurement and the impact of illicit financial flows and austerity measures on gender equality and the economic empowerment of women and girls; and indicate the measures taken to ensure access for women to value chain markets, entrepreneurship, technical support to facilitate alternative economic activities, technology and new and innovative economic sectors.

Rural women, climate change and disaster risk reduction

19. Please indicate the progress made and resources allocated to ensure access to essential services, including adequate housing, water, hygiene and sanitation facilities, education, healthcare and infrastructure. Please also specify the steps taken to tackle the high rates of poverty among rural women and girls and older women. In addition, please provide information on any steps taken to introduce a rural development strategy with a focus on the empowerment of rural women and the development of rural communities. With reference to paragraph 43 of the Committee's previous concluding observations, please describe measures taken to ensure the active participation and equal representation of women and girls, especially rural and Indigenous women and girls and women from arid and semi-arid areas, in decision-making systems and processes related to climate change and environmental disaster risk reduction, rural development, the blue economy, the agricultural and forestry sector, natural resource and land management, and water, hygiene and sanitation management. Please provide updated information on how the Kenya Climate Smart Agriculture Strategy (2017–2026) is being implemented to build the resilience of women in agricultural systems while minimizing emissions, and on the specific benefits for women farmers.

20. Please indicate whether the community land (amendment) regulations (2023) address the specific needs and challenges faced by Indigenous and rural women. Please describe initiatives, including awareness-raising campaigns, to ensure that rural and Indigenous women and girls have equal access to land and equal opportunities to use, control and benefit from productive resources and skills and to be represented on community land management committees. Please describe measures taken to improve access for rural women and girls to sexual and reproductive health services; comprehensive sexual and reproductive health education; economic empowerment skills, tools and resources, such as sustainable agricultural practices; and financial services.

Women and girls facing intersecting forms of discrimination

21. Please provide information on measures taken to address the discrimination faced by women and girls with disabilities, including in relation to education, employment, technology and health. Please provide information on the measures in place to ensure compliance with the mandated 5 per cent minimum requirement for the employment of persons with disabilities and the penalties imposed in case of non-compliance. In addition, please describe any programmes or initiatives designed to facilitate the workplace integration of women with disabilities. Lastly, please

provide information on all measures taken to eliminate discrimination against lesbian, bisexual, transgender and intersex women and girls.

Marriage and family relations

22. Please inform the Committee about measures taken to ensure that women and girls are aware of their rights following the criminalization of child and forced marriage. Please describe how the amendments made in 2022 to the Matrimonial Property Act and the Law of Succession Act, recognizing non-monetary contributions and ensuring equal property rights and equal inheritance rights, have been applied in the courts and in practice. Please also provide information on awareness-raising initiatives and capacity-building for judges and other judicial actors regarding the gender-sensitive implementation of the laws relating to marriage and family relations. Please provide updated information on advancements in gender equality and the elimination of discrimination in relation to marriage and family relations, including customary marriage, divorce, child custody and inheritance.

Data collection and analysis

23. With regard to paragraph 35 of the report and paragraph 15 (c) of the Committee's previous concluding observations, please describe the specific steps taken to address the lack of comprehensive and updated data disaggregated by sex, age and disability status across sectors, especially concerning unpaid care work and gender-based violence, including femicide. Please indicate efforts to improve the collection of intersectional data on gender and disability, age and other factors. Furthermore, please provide information on partnerships established or leveraged with development partners, such as the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women), to access global frameworks and technical expertise in gender data collection and analysis. Please also provide information on collaboration with donors to secure funding for data collection and describe partnerships with academic institutions for gender-focused research.
