



Economic and Social Council

Distr.: General
21 May 2026

Original: English

Committee on Economic, Social and Cultural Rights Seventy-ninth session

Summary record of the 3rd meeting

Held at the Palais Wilson, Geneva, on Tuesday, 10 February 2026, at 10 a.m.

Chair: Ms. Saran

Contents

Consideration of reports (*continued*)

- (a) Reports submitted by States Parties under articles 16 and 17 of the Covenant
(*continued*)

Sixth periodic report of Kenya (continued)

This record is subject to correction. Corrections should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent within one week of the date of the present record to the Documents Management Section (DMS-DCM@un.org).

Any corrected records of the public meetings of the Committee at this session will be reissued for technical reasons after the end of the session.



The meeting was called to order at 10 a.m.

Consideration of reports (continued)

(a) Reports submitted by States Parties under articles 16 and 17 of the Covenant (continued)

Sixth periodic report of Kenya (continued) (E/C.12/KEN/6; E/C.12/KEN/Q/6; E/C.12/KEN/RQ/6)

1. *At the invitation of the Chair, the delegation of Kenya joined the meeting.*
2. **The Chair**, welcoming the delegation of Kenya to the meeting, explained that some members of the delegation would be participating via video link. She invited the delegation to continue replying to the questions raised by Committee members at the previous meeting (E/C.12/2026/SR.2).
3. **A representative of Kenya** said that the Government was aware of the increasing number of platform workers, many of whom were young persons, and had begun to review labour laws in view of the need to set out the rights and obligations of such workers and provide them with greater protection. It had also started to develop an inclusive digital work policy, facilitated the establishment of a community of practice for those working in the sector and initiated the process to register the Kenya Union of Gig Workers so that platform workers had more than one organization through which they could exercise their freedom of association. In a court decision concerning a case brought against Meta Platforms by Kenyan content moderators who had been employed by the company, the Government had been instructed to strengthen occupational health and safety measures in order to protect workers in the digital economy.
4. In December 2024, Kenya had joined the Global Alliance to Eradicate Forced Labour, Modern Slavery, Human Trafficking and Child Labour with a view to strengthening its commitments in that area and promoting decent working conditions. A specific programme had been developed to tackle the use of child labour in sectors including coffee and tea production and mining. The results of a national survey on child labour would be published shortly. The Government had stepped up awareness-raising and inspection activities and had drawn up a 2025–2030 road map to strengthen social protection and the coordination of institutional efforts to eliminate child labour and promote school attendance among children. Companies were encouraged to work with schools to provide scholarships and school meals for vulnerable children. Bodies had been set up in various local communities and counties to work with civil society and children themselves to prevent child labour and remove and rehabilitate those who were already engaged in it. In 2025, there had been 371 cases in which children had been removed from child labour situations. The children concerned had been employed in a wide range of sectors including agriculture, domestic work, the hotel and service industries, transport and waste collection. A list of hazardous jobs was under development.
5. The Government had recently banned the use of nearly 80 pesticides that contained active ingredients that were known to kill bees and cause cancer and reproductive and endocrine issues. The use of a further 200 substances had been restricted owing to health and environmental concerns. Such action had been taken in response to the findings of scientific studies and advocacy by civil society groups. Farmers were being encouraged to adopt more natural pest management strategies and diversify their crops. Almost 10,000 workplace accidents had been reported in 2024 and 2025. During that time, approximately 12,000 workplaces had been inspected, more than 100,000 individuals performing hazardous work had undergone medical examinations and around 70,000 persons had received occupational health and safety training.
6. **A representative of Kenya** said that Executive Order No. 1 of 2025 provided for the establishment of the State Department of Justice, Human Rights and Constitutional Affairs and set out its obligation to implement the recommendations made by the presidential task forces set up to address various issues. One of those task forces had released a report on gender-based violence and femicide in Kenya, which contained recommendations concerning the mandatory installation of closed-circuit television (CCTV) cameras in certain

locations, the enactment of laws providing for citizens' responsibility to report any wrongdoing that came to their attention and the amendment of the Criminal Code to establish femicide as an offence distinct from that of murder. The task force had also advised the President to declare a national crisis, with a view to allowing for the emergency allocation of resources and adoption of measures to tackle gender-based violence, and to launch an awareness campaign to prevent the phenomenon. Other recommendations had included the creation of a fund dedicated to addressing gender-based violence and the ratification of key international treaties such as the African Union Convention on Ending Violence Against Women and Girls, the International Labour Organization (ILO) Domestic Workers Convention, 2011 (No. 189) and the ILO Violence and Harassment Convention, 2019 (No. 190), which was already under way.

7. In addition, the task force had recommended that the Sexual Offences Act should be amended to prohibit the withdrawal of cases involving such offences and ensure that trials were concluded within six months. Amendments should also be made to the Political Parties Act to specifically tackle political violence affecting women. Other recommendations concerned the strengthening of community-based support for survivors, the use of social media to curb gender-based violence and the establishment of a mechanism for alternative dispute resolution as part of which community chiefs and elders would be trained to respond appropriately to the phenomenon. All the recommendations had been submitted to the President and the State Department of Justice, Human Rights and Constitutional Affairs with a view to their implementation.

8. The Counter-Trafficking in Persons Act continued to be implemented through multiagency efforts led by a dedicated national department. In 2024, the Government had launched a national action plan to enhance the protection of trafficking victims, facilitate the prosecution of offenders, improve the harmonization of data and strengthen partnerships to dismantle transnational trafficking networks. The Directorate of Criminal Investigations and the Office of the Director of Public Prosecutions conducted targeted investigations, which, between 2022 and 2024, had culminated in more than 85 cases of trafficking going to trial and 34 convictions being handed down. A proposed national referral mechanism that would allow for the standardization of victim identification, rescue, referral, rehabilitation and reintegration procedures was currently under review. Victims had access to safe houses, where they could receive counselling and reintegration support. Rescue services, legal aid and other forms of support were also provided through the National Assistance Trust Fund for Victims of Trafficking in Persons, which was allocated an annual budget of 20 million shillings (K Sh). In 2023, more than 400 front-line officials, service providers and civil society representatives had received training on gender-sensitive victim identification and screening procedures and trauma-informed care.

9. **A representative of Kenya** said that, while the Government did not maintain a consolidated set of data on the actual use of statutory parental leave in both the public and private sectors, administrative records were kept by the human resources departments of individual institutions and companies. The right to take maternity or paternity leave, as guaranteed under the Employment Act, was consistently enforced by the courts, which awarded compensation in cases involving the withholding of such leave or unfair dismissal. Women who had faced pregnancy-related discrimination were entitled to be paid damages. A proposal to extend paternity leave beyond 14 days and introduce shared parental leave had been submitted in January 2025 during consultations on the modernization of national labour laws. Other proposals had included the introduction of workplace policies that supported remote working, the establishment of on-site childcare facilities and the launch of campaigns to raise awareness of the importance of fathers' involvement in childcare. Measures to promote positive parenting and shared parental responsibility had been introduced under the Nurturing Care Framework for Early Childhood Development, the National Care Reform Strategy for Children in Kenya 2022–2032 and the National Policy on Family Promotion and Protection.

10. The requirement for all children to receive a basic education was set out in a presidential directive. Government officials worked to enforce that directive by tracking students' attendance and helping out-of-school children return to education, thereby preventing them from engaging in child labour. National and regional programmes had been

set up to provide students with school meals. The National Action Plan for the Elimination of Child Labour set out frameworks addressing trafficking in children and child sexual abuse and exploitation. The Child Protection Information Management System had been put in place to gather data on child labour and manage cases thereof. The Children Act set out the forms of light work that could be done by children between the ages of 13 and 18 years; regulations governing such forms of work were currently being developed with input from the public.

11. A unit specializing in prosecuting cases of female genital mutilation and child marriage had been established within the Office of the Director of Public Prosecutions. According to the Kenya Demographic and Health Survey, the proportion of women between the ages of 20 and 24 years who had married before the age of 18 had fallen from 23% in 2014 to 13% in 2022. The decrease was attributable to the enforcement of the minimum legal age for marriage, the increase in the number of girls who stayed in school, the expansion of adolescent sexual and reproductive health services and the launch of community awareness-raising initiatives.

12. **A representative of Kenya** said that poverty had been steadily decreasing until the outbreak of the coronavirus disease (COVID-19) pandemic, which had led to a reversal of that trend. One of the steps taken by the Government to address persistent poverty among vulnerable communities had been the introduction of the Kenya Social and Economic Inclusion Project, through which nutritional counselling had been provided to 18,500 beneficiaries and cash transfers of K Sh 1,000 were offered to certain households. The second phase of the project was focused on lifting approximately 15,000 households in five counties out of extreme poverty.

13. The rate of food poverty stood at around 31%, remaining stable despite severe periods of drought and the volatility of global food prices. That stability was attributable to the adoption of measures such as the introduction of fertilizer subsidy programmes, the expansion of irrigation schemes and drought mitigation support and the increase of food reserves. The purpose of the agricultural reforms being implemented under the Bottom-up Economic Transformation Agenda was to improve food security and reduce the country's dependency on imports. The rate of stunting had declined from 35% in 2003 to 18% in 2022, which reflected the sustained investment in maternal health services, immunization programmes, community-based and primary healthcare and nutrition programming. There had also been a decline in chronic malnutrition.

14. Significant legal and policy safeguards had been put in place to strengthen the population's enjoyment of its housing rights. The Affordable Housing Programme was being implemented to expand access to adequate housing and improve tenure security, in particular for low-income households. In rural areas, the Government provided free construction machines and appropriate building material and helped train individuals to use them. It also offered members of rural communities housing loans of up to K Sh 4 million, at an interest rate of 5%. As part of the Kenya Informal Settlements Improvement Project, steps were being taken to upgrade roads, footpaths, drainage systems, water and sanitation networks, street lighting, waste management systems and pedestrian infrastructure. Forced evictions should not be carried out unless the acquisition of the land concerned was in the public interest and there were no feasible alternative options. The Government ensured that the affected individuals and the wider public were consulted prior to the issuance of any eviction decisions and that consideration was given to the impact of the eviction on vulnerable groups. All evictions must be conducted in accordance with the relevant provisions of the Constitution, and judicial remedies were available in the event of any breaches of eviction rules.

15. Access to basic drinking water services was steadily increasing. Priority continued to be given to improving access to water in underserved rural areas and counties and informal settlements. The Government had reduced reliance on unsafe water sources by expanding water schemes, rehabilitating boreholes and small dams and developing climate-resilient water infrastructure. Climate change adaptation efforts were focused on water security, sustainable land management and drought resilience. Steps continued to be taken to strengthen national data on climate-related displacement.

16. **A representative of Kenya** said that a programme providing farmers with drought-resistant seeds and helping them to introduce resilient livestock breeds was currently being implemented. In 2023, the Climate Change Act had been amended to ensure that local communities received 40% of the profit generated by green and carbon credit projects. Committees had been established in every ward to disburse those funds to those most in need.

17. **A representative of Kenya** said that the budget earmarked for the health sector had increased from nearly K Sh 50 billion in the 2021/22 financial year to approximately K Sh 127 billion in 2024/25. The number of health facilities had been increased to almost 16,000 in 2024. There had also been significant rises in the number of doctors, qualified nurses and laboratory technicians. The Government was implementing a number of programmes to address the persistent disparities in healthcare access, which particularly affected individuals in arid and semi-arid lands and remote rural areas. Steps were being taken to identify counties that were underserved by healthcare personnel and ensure that all parts of the country were covered by such professionals. The Government was working to ensure the sustainability of health programmes by increasing domestic funding for initiatives that had previously been supported by its development partners, strengthening public financial management systems to guarantee the timely disbursement of funds to health facilities and enhancing the efficiency of medical supply chains in order to ensure that essential medicines were readily available.

18. Access to mental healthcare had improved thanks to efforts to expand community-based care and strengthen the pathways for referral to specialized mental health services. Training in delivering basic mental healthcare had been provided to non-specialist health workers through the Mental Health Gap Action Programme. Mental health treatment had also been incorporated as one of the benefits offered through the Social Health Insurance Fund, thereby improving the affordability of and access to such treatment. The Government's efforts to address substance abuse were evidence-based and underpinned by human rights principles. It ran needle and syringe and community outreach programmes, provided methadone maintenance treatment for persons who were dependent on opioids and offered drug users the appropriate medication and psychosocial support.

19. Progress had been made in preventing HIV/AIDS, the prevalence of which would be further reduced by strengthening care and referral systems in communities, correctional facilities and health institutions, enhancing monitoring and the use of data to increase retention in care and improve treatment outcomes and investing in community health systems and peer-led programmes to build trust, increase the number of people using the available services and tackle stigmatization and discrimination. Steps would also be taken to strengthen efforts to prevent mother-to-child transmission, with a particular focus on adolescent and young women, and ensure that interventions were gender-sensitive and tailored to the needs of young people. Sustainable sources of domestic financing had been made available to keep services running, consolidate the progress made and scale up high-impact interventions. Public awareness-raising campaigns had been run in communities, the media, schools, workplaces and health facilities with the aim of addressing harmful stereotypes and misconceptions surrounding persons living with HIV and promoting their full enjoyment of their economic, social and cultural rights. The number of health education sessions offered to adolescents and women from marginalized and disadvantaged communities had been increased in order to fill the gaps in their knowledge of modern contraceptive methods. Measures had also been introduced to improve the supply of contraception to those communities.

20. **Mr. Windfuhr** (Country Task Force) said that he would welcome an explanation of the reasons for which the rate of stunting remained particularly high in rural areas and what steps the State Party would take to meet the target, set under the terms of the Comprehensive Africa Agriculture Development Programme, for 10% of the national budget to be allocated to rural and agricultural development. The delegation might comment on the view expressed by the Kenya National Commission on Human Rights that there was a need to improve the mechanisms for the resolution of land conflicts and might explain whether such mechanisms could help reduce malnutrition further. He would be interested to hear what the State Party considered to be the greatest challenges affecting its management of drought and urban water supply.

21. **Ms. Pérez** said that she wished to know how the State Party measured multidimensional poverty, in particular among rural communities. Information on any steps that would be taken to provide the population with guaranteed access to emergency contraception would be welcome, as would up-to-date statistics on the fertility rate among teenagers.

22. **Ms. Rossi** (Country Rapporteur) said that she was curious to know what the State Party was doing to address the fact that individuals who were unemployed or worked in the informal sector continued to lack effective access to healthcare since they were unable to pay the contributions required to obtain coverage under the new universal healthcare system. It would be helpful to learn what measures were being taken to guarantee access to legal and safe abortions and to harmonize the Criminal Code with article 26 (4) of the Constitution, which authorized the delivery of abortion services in a number of specific circumstances. She wondered whether the State Party planned to amend the National Reproductive Health Policy 2022–2032 to ensure that it set out clear guidance on the provision of legal and safe abortion services in the circumstances permitted under the Constitution. The delegation might specify whether measures were in place to ensure that LGBTIQ+ individuals did not face discrimination when seeking to obtain access to healthcare and whether efforts were being made to guarantee access to hormone therapy and gender-affirming treatment. She would be grateful for more detailed information on the legal and administrative norms governing eviction procedures, the action taken to guarantee the rights of persons who had been displaced by climate events, in particular in the Lake Baringo area, and the measures being adopted to ensure that the communities affected had access to adequate housing and healthcare services and to identify durable solutions to the challenges they faced.

23. **A representative of Kenya** said that guidelines promoting a human rights-based approach to evictions were being developed by the National Council on the Administration of Justice and would eventually be used to train law enforcement officers and inform the courts' handling of eviction-related cases. Most of those cases arose in Nairobi City County, which was why a bill setting out the legal framework governing evictions had been submitted to the Nairobi City County Assembly for approval. It was hoped that the bill would serve as a model of legislation that could be adopted by other county assemblies.

24. **A representative of Kenya** said that the National Reproductive Health Policy 2022–2032 was grounded in human rights principles and provided a comprehensive framework for the delivery of sexual and reproductive health services for individuals of all ages. Steps had been taken to improve access to family planning services and maternal healthcare and ensure that post-abortion care services were offered within the public health system. Healthcare providers participated in capacity-building initiatives designed to help them deliver rights-based, ethical and quality sexual and reproductive health services and thus reduce preventable diseases and deaths among women and girls. Educational activities were organized to improve the population's knowledge of appropriate contraceptive methods. The Government was continuing to run public awareness-raising campaigns to encourage people to join the new Social Health Insurance Fund.

25. **A representative of Kenya** said that the Government was working to address malnutrition by scaling up community initiatives that encouraged women to exclusively breastfeed for six months after their child's birth and providing essential supplements for pregnant women and children aged under 5 years. It was also implementing a strategy to encourage communities to set up kitchen gardens to enable them to produce a diverse range of nutritious foods. The Agricultural Sector Transformation and Growth Strategy 2019–2029 was focused on boosting farmers' incomes, increasing agricultural output and enhancing value addition. The purpose of the Kenya Agri-Nutrition Strategy 2020–2024 had been to ensure widespread access to safe, diverse and nutritious foods by strengthening supply chains and local production systems. The irrigated land area had been increased from 119,000 to 159,000 hectares.

26. **A representative of Kenya** said that the purpose of the National Information Platform for Food Security and Nutrition, which had been developed with support from international partners, was to enhance food security by providing timely and reliable data that would inform policymaking processes. The platform would also help national institutions manage

information on food and nutrition, monitor the fulfilment of objectives in that area and build the capacity of their staff to use data to inform their decision-making.

27. **A representative of Kenya** said that the Meteorological Department had modernized almost 90% of its equipment, which it used to provide people with daily, weekly and monthly updates on weather conditions and thus help them prepare for floods and drought. The national and local authorities had taken a range of steps to protect women and other groups in the Lake Baringo area who had been affected by climate-related issues. For example, measures had been introduced under the Kenya Climate Change and Health Strategy to build climate-resilient healthcare systems and monitor the prevalence of disease in that area. Female heads of household were given climate-resilient seeds to help them establish their own food-producing gardens.

28. **A representative of Kenya** said that information on land-related conflicts would be submitted after the meeting. Individuals belonging to the LGBTQ community faced no discrimination affecting their access to healthcare or education. They were not asked about their sexual orientation when using such services; they simply had to present their national identity card and then enjoyed the same access as all other Kenyans.

29. The resources available under the Women Enterprise Fund and the National Government Constituencies Development Fund went directly to each of the country's 290 constituencies to support poverty alleviation efforts. One of the goals set under the Affordable Housing Programme was to build between 200,000 and 250,000 safe and modern housing units per year. Such units had already been built in the Kibera and Mukuru slums. The Programme's implementation had led to the creation of more than 300,000 direct and indirect jobs, helping to tackle poverty in the areas concerned.

30. **Mr. Palmisano** (Country Task Force), noting that the State Party's education spending had not kept pace with the needs of the sector, said that he wished to know how the education budget was calculated, with a particular focus on how factors such as inflationary pressures, the growth in the school-age population and the transition to the competency-based curriculum were taken into account, and whether capitation increases took account of hidden costs such as uniforms. The delegation might comment on whether the need to recruit an additional 100,000 teachers and to increase teachers' salaries had been factored in when calculating the public education budget.

31. Despite the Alternative Provision of Basic Education and Training initiative having been in operation since 2009, no standards had been introduced to regulate it. As a result, schools that had been set up under the initiative operated without regulatory clarity or any oversight or accountability with regard to the quality of education. He wished to know what measures had been or would be taken to ensure that schools operating as part of the initiative were registered and that they complied with the Basic Education Act.

32. In the light of reports of low school enrolment rates and a chronic lack of school infrastructure in remote rural areas, including arid and semi-arid lands, he wondered what was being done to improve the availability and accessibility of education in such areas and whether the Ministry of Education planned to conduct an audit of school infrastructure, staffing levels and accessibility issues with a view to shaping targeted investment in the construction of classrooms and sanitation facilities and deploying more teachers in underserved locations.

33. He wished to know more about any measures aimed at improving inclusive education for learners with disabilities, including better training for teachers, and at progressively phasing out special schools.

34. Given the ongoing structural discrimination faced by Indigenous communities, including the Ogiek, Sengwer, Yaaku, Endorois, Maasai and Turkana groups, the delegation might give an account of any measures that had been taken to protect and promote the cultural and linguistic identity of Indigenous ethnic minorities, in line with the Constitution and the National Policy on Ethnic Minorities and Marginalized Communities.

35. **A representative of Kenya** said that education accounted for 16.6% of the national budget. The amount allocated to education had increased by K Sh 44 billion to K Sh 702.7 billion for the 2025/26 financial year.

36. For primary schools, capitation was set at K Sh 1,420 per learner per year, rising to K Sh 2,300 for each learner with special needs. For the lower secondary level, it was set at K Sh 15,042, and for the upper secondary level, at K Sh 22,244, rising to K Sh 57,974 for learners with special needs at boarding schools. The charging of tuition fees in public schools was prohibited under the Basic Education Act.

37. The National Education Policy, which was set out in Sessional Paper No. 1 of 2019, was aimed at integrating alternative provision of basic education and training into the formal education system to improve quality and inclusivity for disadvantaged learners. Guidelines were in place on the minimum standards for the registration of schools operating as part of the Alternative Provision of Basic Education and Training initiative. The Presidential Working Party on Education Reform, which had been set up to examine the implementation of the competency-based curriculum, had issued a recommendation for the development of regulations on alternative basic education and adult continuing education, with the aim of ensuring greater compliance with standards. A definition of alternative basic education was set out in the bill on basic education.

38. The Government had put in place measures, including the provision of grants and the introduction of a policy designed to ensure that all learners transitioned from primary to secondary schools, to help improve access to education in marginalized or hard-to-reach areas. A range of other initiatives, such as the school feeding programme, the sanitary towels programme and the guidelines on school re-entry, had been implemented to address drivers of school dropout. The National Council for Nomadic Education in Kenya had introduced targeted interventions, including mobile schools, for learners in nomadic communities.

39. During the 2024/25 financial year, 23,000 classrooms had been built around the country as part of the Kenya Primary Equity in Early Learning (KPEEL) programme, which was funded by the World Bank. By June 2026, 1,600 laboratories would be constructed in upper secondary schools. In the 2025/26 financial year, up to 46,000 teachers would be recruited to meet the staffing shortfall.

40. Access to education for persons with disabilities was being taken into account in the education reform process, in terms of both policy and legislation. The new Kenya Education Management Information System would track all learners, from pre-primary to university level, improving integrated reporting for learners with disabilities. Efforts were being made to improve coordination at the national and county levels in the area of special needs education, and the Kenya Institute of Special Education was working to strengthen education assessment and resource centres. The Teachers Service Commission had provided training for special needs teachers, with support from the Kenya Institute of Curriculum Development.

41. **A representative of Kenya** said that the Ministry of Education paid hardship allowances to teachers working in hard-to-reach locations.

42. The National Policy on Ethnic Minorities and Marginalized Communities set out a range of key interventions in a number of areas. For example, the Minorities and Marginalized Communities Agency would be established within the Executive Office of the President, and a focal point would be selected to deal with relevant issues in each ministry. In addition, there were plans to scale up climate resilience, invest in vocational training for pastoralists, hunter-gatherers and fisherfolk, enact legislation providing for an equalization fund, and promote civic education and leadership development programmes. Community land title deeds would be issued, legal redress and compensation would be provided for historical land grievances, and mandatory free, prior and informed consent protocols would be enforced for land and resources projects. The history and culture of minority communities would be showcased in the national curriculum and in the media, languages would be revitalized through community schools, and access to civil status documents would be streamlined. Efforts would be made to expand healthcare and income support for older persons in marginalized areas, accelerate rural electrification and the roll-out of renewable energy sources and improve digital literacy and access to the Internet. Mobile courts and legal aid centres would be established in remote areas, mechanisms would be developed for the reporting of human rights violations committed against ethnic minorities and marginalized communities, and judicial officials and law enforcement officers would be

trained on the rights of ethnic minorities and marginalized communities to eliminate bias. Cash transfer programmes would be expanded in arid and semi-arid lands, and community-owned resilience mechanisms such as grain reserves would be promoted.

43. **Mr. Palmisano** said that he wished to know what action the Government was taking to address the high rates of teenage pregnancy and to support pregnant girls to attend school, as well as to protect LGBTQIA+ students, who reportedly experienced harassment and bullying at school.

44. In 2023 and 2024, students had reportedly died at school as a result of illness, fires, bandit attacks and the use of tear gas during demonstrations. He would like to know about any measures that were in place to guarantee security in schools and to prevent violent conduct by military forces in schools.

45. In the light of reports that many schools in remote areas still lacked adequate Internet access and that many families and rural communities faced limited connectivity and high costs, he wished to know what concrete measures had been adopted to improve access to the Internet and the use of digital platforms and data for educational, scientific and cultural purposes, especially in remote areas.

46. **Mr. Bouzid** asked how many universities existed in the State Party, how many students attended those universities, whether they were charged tuition fees and what the language of instruction was.

47. **Ms. Rossi** said that she wished to know if there were any plans to update the curriculum to include the provision of comprehensive age-appropriate and evidence-based sex education with a human rights perspective.

48. She would welcome more information on the current prevalence of female genital mutilation, as well as on the impact of the legislation that had been introduced to ban the practice and on any specific eradication measures that were in place.

49. She would be interested to know more about how the authorities guaranteed the effective application of free, prior and informed consent processes for Indigenous Peoples, as well as about how the State Party ensured that environmental and human rights impact assessments were conducted. She would be grateful for an update on the implementation of the court ruling issued in the Lamu Port case.

50. She wondered whether there were any plans to decriminalize the possession of drugs for personal consumption and to prioritize harm reduction strategies over punitive measures. The delegation might provide additional information on the regulatory framework for harm reduction programmes, with a particular focus on quality, funding and geographical coverage.

51. **Ms. Chen** said that she wished to receive updated data demonstrating the impact of the measures taken by the National Council for Persons with Disabilities to improve school enrolment, retention and completion for persons with disabilities and to ensure that they were able to obtain gainful employment.

52. She asked whether the rising number of cases of female genital mutilation that had been brought before the courts indicated an increase in the prevalence of the practice or simply reflected the authorities' enhanced efforts to combat it.

53. **A representative of Kenya** said that, pursuant to the guidelines on school re-entry, girls who dropped out of school as a result of pregnancy should be permitted to return to education once they had weaned their children. The Ministry of Education, with support from other agencies, performed routine checks to ensure that children who were out of school did not miss out on their education. In 2025, a review had been conducted of the Education and Training Sector Gender Policy to address gender-based violence in schools and protect learners.

54. The right to education was applicable to everyone, irrespective of gender or race. Learners were not discriminated against on the basis of sexual orientation, and every school had disciplinary policies in place to deal with bullying.

55. The issue of security in schools was addressed using a whole-of-government approach. The Ministry of Education, the Ministry of the Interior and county education boards all had a role to play. The bill on basic education contained a proposal for county commissioners to chair county education boards to improve the focus on security.

56. The Last Mile Connectivity project had been launched to ensure that all schools were connected to the Internet. The Ministry of Education, the Communications Authority of Kenya, the State Department for Information and Communications Technology and the State Department for Energy were all involved in the project.

57. Stakeholder engagement was ongoing with the aim of integrating reproductive health education into the national curriculum. In the meantime, life skills education had been introduced.

58. **A representative of Kenya** said that there were 38 public and 34 private universities in Kenya. There were 631,307 university students, 284,545 of them female and 346,762 male. A total of 3,106 students were enrolled in the newly established Open University.

59. The most recent iteration of the Kenya Demographic and Health Survey, which had been conducted in 2022, had shown that the prevalence of female genital mutilation stood at 15%, reflecting a significant decrease since 1998, when it had stood at 38%. Through an initiative organized by the Kenya National Bureau of Statistics and the agency tasked with eradicating female genital mutilation, detailed data had been collected in 22 hotspot counties.

60. **A representative of Kenya** said that Kenya had committed to ending gender-based violence and female genital mutilation by 2026. K Sh 129 million had been allocated to efforts to combat female genital mutilation in 2022, and an additional K Sh 120 million in counterpart funds for that purpose had been provided under the Kenya-Finland Bilateral Programme between 2021 and 2024. Guidelines had been developed for the engagement of men and boys in eliminating female genital mutilation, and initiatives had been stepped up to raise awareness among elders in hotspot counties, as a result of which some elders had made declarations committing to abandoning the practice.

61. **Mr. Windfuhr** asked how much the Government was investing to ensure that the State Party achieved the target of spending 10% of the national budget on agriculture and rural development, as set out in the terms of the Comprehensive Africa Agriculture Development Programme.

62. **Ms. Rossi** asked what specific measures were being taken to uphold the right to sexual and reproductive health for persons with disabilities and to guarantee the right to housing for that group, with a particular focus on accessibility regulations for social housing.

63. **A representative of Kenya** said that the National Environment Management Authority had completed several legislative and policy reforms to enhance transparency and effective public participation in environmental impact assessment processes. In particular, the amendments made to the Environmental Management and Coordination Act had enhanced the regulatory powers of the Cabinet Secretary with regard to, inter alia, licensing procedures. The National Environment Tribunal had handled the Lamu Port case in 2019, and the ruling it had handed down had been upheld in 2025. Further details on the case would be provided to the Committee in writing.

64. Formal guidelines and binding regulations were in force governing free, prior and informed consent in the environmental and land-based sectors. The Climate Change (Carbon Markets) Regulations, adopted in 2024, mandated companies to present proof that consent for carbon projects had been obtained and established a requirement for 40% of earnings from projects on public or community land to be paid to the relevant Indigenous communities.

65. **A representative of Kenya** said that a multisectoral working group had been set up in 2023 to draw up a road map for the ratification of the International Labour Organization Domestic Workers Convention, 2011 (No. 189) and Violence and Harassment Convention, 2019 (No. 190). The working group had conducted a policy and legislation gap analysis and a cost-benefit analysis and identified areas for improvement and the funding that would be required for the implementation of the conventions. Public participation activities had been

organized in 13 counties, and the Ministry of the Interior had conducted grass-roots engagement initiatives with local chiefs. Awareness of the ratification process had also been raised through television broadcasts and social media platforms.

66. As part of the Alliance 8.7 initiative, the authorities were working closely with survivors of trafficking in persons, including some who had experienced forced labour in the Middle East, to inform efforts to combat the practice.

67. **A representative of Kenya** said that, in terms of affirmative action aimed at persons with disabilities, at least 5% of all new residential and commercial buildings were reserved for that group, and interest-free loans were available to help them acquire property. Every household that was home to a person with a disability was entitled to a monthly cash transfer of K Sh 2,000.

68. Kenya was shifting from an institutional care model to community-based independent living. Under the National Building Code and the Persons with Disabilities Act, ramps, elevators and accessible entrances and exits were required in all buildings. The National Council for Persons with Disabilities had the power to order property owners to install accessibility features and to issue fines for non-compliance. It also provided subsidies for assistive devices.

69. **A representative of Kenya** said that, although the target of allocating 10% of the national budget to agriculture and rural development had yet to be met, the Government had undertaken significant reforms to align with global agricultural standards and was shifting to an agrifood systems perspective, including through the prioritization of nutrition-sensitive spending. K Sh 1.3 billion had been allocated to build resilience in the area of food security. Through the implementation of the Agricultural Sector Growth and Transformation Strategy, the Government aimed, inter alia, to increase the income of small-scale farmers by 35%. To increase agricultural efficiency, K Sh 8 billion had been allocated to fertilizer subsidies and K Sh 10.2 billion to value-chain development. A further K Sh 11.5 billion had been leveraged for climate finance.

70. **Ms. Rossi** said that the Committee welcomed the delegation's constructive engagement in the dialogue and acknowledged the progress made and the gaps remaining in the State Party's implementation of the Covenant.

71. **A representative of Kenya** said that the delegation had taken due note of the Committee's observations. The Government was committed to taking practical and measurable steps, guided by the principles of the universality, indivisibility and interdependence of human rights, to strengthen the realization of Covenant rights for all Kenyans.

The meeting rose at 1 p.m.