



**Convention on the
Rights of the Child**

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COMMITTEE ON THE RIGHTS OF THE CHILD
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**IMPLEMENTATION OF THE CONVENTION ON
THE RIGHTS OF THE CHILD**

**List of issues to be taken up in connection with the consideration
of the second periodic report of KENYA (CRC/C/KEN/2)**

PART I

Under this section the State party is requested to submit in written form additional and updated information, if possible, before 24 November 2006.

A. Data and statistics, if available

1. Please provide disaggregated statistical data (by sex, age groups, urban and rural areas) covering the years 2003, 2004 and 2005 on the number and percentage of children under 18 living in Kenya.
2. In the light of article 4 of the Convention, please provide disaggregated data on budget allocations and trends (in absolute figures and percentages of the national and regional budgets) for the years 2004, 2005 and 2006 regarding the implementation of the Convention evaluating also the priorities for budgetary expenditures given to the following:
 - (a) Education (different types of education, i.e. pre-primary, primary and secondary education);
 - (b) Health care (different types of health services, i.e. primary health care, vaccination programmes, adolescent health care, HIV/AIDS and other health-care services for children, including social insurance);

- (c) Programmes and services for children with disabilities;
 - (d) Support programmes for families;
 - (e) Support for children living below the poverty line;
 - (f) Protection of children who are in need of alternative care, including the support of care institutions;
 - (g) Programmes and activities for the prevention of and protection from child abuse, child sexual exploitation and child labour;
 - (h) Programmes and services for abandoned children, including street children;
 - (i) Programmes for the recovery and rehabilitation of juvenile offenders;
 - (j) Programmes and services for refugee and internally displaced children; and
 - (k) Programmes and services for children living in pastoralist and/or rural communities.
3. With reference to children deprived of a family environment and separated from parents, please provide disaggregated data (by sex, age groups, urban and rural areas) for the years 2003, 2004 and 2005 on the number of children:
- (a) Separated from their parents;
 - (b) Placed in institutions;
 - (c) Placed with foster families; and
 - (d) Adopted domestically or through intercountry adoptions.
4. Please specify the number of children with disabilities, up to the age of 18, disaggregated by sex, age groups and, if possible, urban and rural areas, covering the years 2003, 2004 and 2005:
- (a) Living with their families;
 - (b) Living in institutions;
 - (c) Placed in foster care;
 - (d) Attending regular schools;
 - (e) Attending special schools; and
 - (f) Not attending school.

5. Please provide disaggregated statistical data (by sex, age groups, if possible urban and rural areas) covering the years 2003, 2004 and 2005 on:
 - (a) Rates of infant and child mortality;
 - (b) Rates of immunization;
 - (c) Rates of malnutrition;
 - (d) Adolescent health, the rates of early pregnancy and sexually transmitted infections (STIs), drug, tobacco, other substance abuse, suicide and other mental health problems.
6. With reference to child abuse, please provide disaggregated data (by age, sex, if possible types of child abuse reported) covering the years 2003, 2004 and 2005 on:
 - (a) The number of reported child abuse cases;
 - (b) The number and percentage of reports with additional information on the type of follow-up provided and the outcome of the cases, including prosecution, withdrawals and sanctions for perpetrators;
 - (c) The number and proportion of child victims who have received counselling and assistance in recovery.
7. Please specify the criteria for “poverty” and indicate the number of children living below the poverty line.
8. With reference to the right to education, please provide disaggregated statistical data (by sex, age groups, if possible urban and rural areas) covering the years 2003, 2004 and 2005 in percentage of the relevant age group on:
 - (a) The rates of literacy, below and over 18 years;
 - (b) The rate of enrolment in pre-primary schools, primary schools and in secondary schools;
 - (c) The percentage of children completing primary and secondary education;
 - (d) The number and percentage of dropouts and repetitions; and
 - (e) The ratio of teachers per child and the number of children per class.
9. Please provide disaggregated statistical data (by sex, age groups, urban and rural areas) on the number of children:
 - (a) Infected by HIV/AIDS;
 - (b) Affected by HIV/AIDS;

- (c) Heading households due to HIV/AIDS; and
 - (d) Orphans because of HIV/AIDS living in extended families or institutions.
10. Please provide disaggregated statistical data (including by sex, age and type of crime) covering the years 2003, 2004 and 2005, in particular on the number of:
- (a) Persons below 18 years, who have allegedly committed a crime, reported to the police;
 - (b) Persons below 18 who have been charged with a crime and of them those who are sentenced, and the type of punishment or sanctions related to offences including length of deprivation of liberty;
 - (c) Detention facilities for persons below 18 in conflict with law and their capacity;
 - (d) Persons below 18 detained in these facilities and persons below 18 detained in adult facilities;
 - (e) Person below 18 kept in pre-trial detention and the average length of their detention;
 - (f) Reported cases of abuse and maltreatment of persons below 18 occurred during their arrest and detention;
 - (g) Persons under 18 tried and sentenced as adults;
 - (h) Persons below 18 involved in diversion programmes; and
 - (i) Persons below 18 who have served their sentence, have been released and are involved in social reintegration programmes.
11. With reference to special protection measures, please provide statistical data (including by sex, age, if possible urban and rural areas) for the years 2003, 2004 and 2005 on the number of children:
- (a) Involved in sexual exploitation, including prostitution, pornography and trafficking and the number of children provided with access to recovery and other assistance;
 - (b) Involved in substance abuse and the number of children who received treatment and rehabilitative assistance;
 - (c) Involved in child labour, indicating type of work; and
 - (d) Children working in the street.

B. General measures of implementation

1. The Committee would appreciate receiving information on activities meant to implement recommendations contained in the Committee's previous concluding observations on the initial report of Kenya (CRC/C/3/Add.62) which have not yet been fully implemented, in particular regarding paragraphs 12 and 13 (coordination); 16 (monitoring mechanisms); 18 (resources for children); 22 and 23 (definition of the child); 33 (corporal punishment); 37 and 38 (protection of children deprived of a family environment); 43 and 44 (right to health and access to health services); 47 and 48 (female genital mutilation); 49 (children with disabilities); 51 (right to adequate standard of living) and 61 and 62 (sexual exploitation and sexual abuse).
2. Please provide information on cases, if any, where the Convention has been directly invoked in domestic courts, and if so, please provide examples of such cases.
3. Please provide information on whether the National Council for Children Services receives individual complaints. Please also provide information regarding resources and constraints.
4. Please provide further information on a national programme of action, whether it covers all areas of the Convention and takes into account the objectives and goals of the outcome document entitled "A world fit for children" of the General Assembly special session on children held in 2002.
5. Please provide updated information on efforts to disseminate the Convention, the State party report and the previous concluding observations of the Committee (CRC/C/15/Add.160).
6. Please provide updated information on efforts made to provide training, awareness about the Convention and human rights in general, to children, parents, teachers, social workers and other professionals working with and for children.
7. Please provide updated information on the cooperation between the State party and the international community, including non-governmental organizations, in the efforts to implement the Convention.
8. Please indicate the issues affecting children that the State party considers to be priorities requiring the most urgent attention with regard to the implementation of the Convention.

PART II

Please provide the Committee with copies of the text of the Convention on the Rights of the Child in all official languages of the State party as well as in other languages or dialects, when available. If possible, please submit these texts in electronic form.

PART III

Under this section, the State party is to briefly (3 pages maximum) update the information provided in its report with regard to:

- New bills or enacted legislation;
- New institutions;
- Newly implemented policies; and
- Newly implemented programmes and projects and their scope.

PART IV

The following is a preliminary list of major issues (that does not contain issues already covered in Part I) that the Committee may take up during the dialogue with the State party. They do not require written answers. This list is not exhaustive as other issues might be raised in the course of the dialogue.

1. Non-discrimination in general and in particular discrimination against girls, children with disabilities, children living in poverty, children infected or affected by HIV/AIDS, children born out of wedlock, internally displaced children, refugee and asylum-seeking children, children in conflict with the law, children living in pastoralist communities, and children living in rural areas.
2. Measures taken to eliminate the disparities between various parts of Kenya, in particular between the urban and rural areas.
3. Respect for the views of the child, specifically in the proceedings (judicial or administrative) and in the public life (family, community, school, administrative and judicial proceedings).
4. Corporal punishment in the family, schools and other institutions.
5. Child abuse, neglect, and domestic violence.
6. Adoption and alternative care offered especially to the many HIV/AIDS orphans.
7. Standard of living, in particular high levels of poverty and in the context of the ongoing drought.
8. Quality of education, in particular high levels of illiteracy and lack of trained teachers.
9. Health-care services.

10. HIV/AIDS and its widespread impact on infected and affected children.
11. Alcohol and other substance abuse by children and parents.
12. Economic exploitation, including child labour and sexual exploitation.
13. Refugee and internally displaced children.
14. Children working and living in the streets.
15. Harmful traditional practices.
16. Administration of juvenile justice, follow-up for recovery and social reintegration.
17. Children belonging to minority groups.
