
SUPPLEMENTARY REPORT

**To Kenya's First Country Report on Implementation of
the UN Convention on the Rights of the Child**

March 2001

Produced By:

The Kenya NGO CRC Coalition

0.0 Background

- 0.01 Kenya has a population of 15 million children, constituting 54% of the 28 million national total. Over 12.6 million Kenyans, majority of who are children, live in absolute poverty. (1999)
- 0.02 In July 1990, Kenya became the 20th state to ratify the UN Convention on the Rights of the Child (CRC). In January 2000, the Government submitted to the UNCRC Committee the first country report on the implementation of the Convention. Though belated both in its preparation and submission, the state report is a commendable effort. The entire process of preparing that report was fairly inclusive and benefited from civil society input. The report clearly elaborates the various measures that Kenya has undertaken to make the Convention a reality for her children. Efforts made at the legislative level are explained in detail. The honesty with which the report admits the constraints encountered in the implementation process is equally commendable.
- 0.03 However, upon close scrutiny of the State report, the Kenya NGO CRC Coalition has identified a number of gaps that need to be addressed in order to provide a complete picture of the country's performance. There exist notable inadequacies in policy and administrative action, which are essential to the realization of any legislative objective. This explains why there are limitations regarding concrete strategies for tackling challenges like the street children problem. While the detailed description of the available legal and policy programs gives the impression that all the provisions are operational, this is not the reality. For instance, on critical evaluation of the more definite indicators of net enrolment, retention, completion, transition and wastage rates, it becomes clear that Kenya still has some ground to cover in her pursuit of Education For All (EFA). Another example is the Children Bill. Even after it is enacted, a lot more will have to be done to fully realize its good intentions. It is clear that there still remain major concerns pertaining to child survival, development, protection and participation that require urgent and concerted attention, especially for children in need of special protection.
- 0.04 In exercise of the mandate granted under article 45(a) of the Convention, the Kenya NGO CRC Coalition is submitting this 20-page report as a supplement to the State report. The document draws closer attention to the plight of Kenyan children under six thematic issues where the State report has been found to be inadequate in terms of omissions and inconclusive data. These are: *education, juvenile justice, refugee & internally displaced children, children with disabilities, children of pastoralist communities and street children*. Each issue is evaluated on the basis of prevailing status vis-à-vis the quality of implementation of the CRC. Gaps between legislation/policy and implementation are highlighted, and concrete recommendations offered for both the government and NGOs. The devastating effect of HIV/Aids is discussed in conclusion.
- 0.05 The Coalition takes note of the fact that the State report was submitted as a seven-year report (1990-97) combining the two - year initial and five - year first reports. The Coalition hopes that this supplementary report will not only provide a basis for closer government-NGO cooperation in implementation of the CRC, but will also serve as a catalyst for a new plan of action for Kenya's children. It recommends that in future the government should be prompt in reporting.
- 0.06 The Kenya NGO CRC Coalition brings together NGOs and Networks working for and with children in Kenya. Its purpose is to monitor and report on the implementation of the CRC.

0.10 Executive Summary

- 0.11 Six thematic issues covered here to supplement the State report are: *education, juvenile justice, refugee and internally displaced children, children with disabilities, children of pastoralist communities and street children*. Sources of information are footnoted, and a thematic bibliography annexed.
- 0.12 **Education:** The cost-sharing policy, under which parents contribute up to 65% of schools' recurrent costs, has a seriously limiting effect on access to education. Up to 46% of school-age children (5-14 years) are out of school. The net enrolment rate is estimated to be 60%. Pre-school enrolment has stagnated at 35% for the last 10 years, largely because poor families cannot afford to send their children to school. The non-formal education sub-sector is yet to be effectively linked to the formal structure so that its products are absorbed in the mainstream education system.
It is recommended that pre-school and primary education be made free and compulsory, and expanded to attain universality. The policy on non-formal education should focus on redirecting its recipients to the formal system. NGOs should press for free and compulsory education and supplement State efforts in the development and financing of the sector.
- 0.13 **Juvenile Justice:** Up to 85% of the children who go through the Kenyan juvenile justice system do not deserve to be exposed to the criminal justice process. Consequently, more harm than good is occasioned to them. Also, the system is not child-friendly. Personnel do not possess specialized child-handling skills. Emphasis is laid on institutional care, which is not always appropriate as proved by the frequent wrongful placement of children in Approved Schools. The institutional facilities hold two to three times their capacity, and most are in squalid conditions.
It is recommended that a social catchment policy be put in place to rescue and redirect children in need of care and protection before they enter the criminal justice system. The Judiciary should urgently train the personnel throughout the juvenile justice system on more child-sensitive practices and procedures. The residential facilities should be refurbished as a matter of priority. Closer Government-NGO collaboration is highly recommended in the provision of legal assistance to children within both the criminal and civil justice systems.
- 0.14 **Refugee and Internally Displaced Children:** By close of the year 2000, Kenya was host to 46,974 child refugees (23% of the total 206,106 people sheltered in the country). There are currently no special child-focused measures in the refugee handling programmes. The 1991/2 and 1997 *ethnic* clashes in parts of Western, Rift Valley and Coast regions displaced an estimated 300,000 people, over 50% of who were children. This exposed the government's incapacity to protect Kenyans endangered by armed conflict. The government was not only slow in providing protection to non-combatants, but its post-clashes intervention has also been limited. Today, a decade since the clashes first erupted, many families are yet to be permanently resettled, with harrowing effects on their children.
It is recommended that the resettlement programme should be hastened to provide lasting relief to the affected children. The government should develop a rapid-reaction emergency strategy to guard against future crisis, and to facilitate fast intervention in conflicts resulting in disruption of settled community life. The strategy should include mechanisms for community-based peace building, conflict resolution and reconciliation. The donor community should help build the capacities of the government and NGOs to effectively deal with the dual challenges of internal conflict and refugees.

0.15 **Children with Disabilities:** There are an estimated 1.5 million children with disabilities in Kenya. These children are most neglected in terms of policy efforts and direct programming. The 1998 report by a commission appointed to look into laws on persons with disabilities offers nothing to children. The draft Bill the commission recommended is silent on critical issues like provision of basic education and health, and the problem of child concealment.

It is recommended that a multi-sectoral intervention approach be adopted focusing on preventive care, increased resource allocation to special education, integration into ordinary schools and special programmes for those with multiple disabilities. The draft Bill on Persons with Disabilities should be reviewed, enacted and implemented expeditiously. The population of persons with disabilities should be computed precisely to facilitate effective planning. NGOs must continuously lobby for the required policy and legislative action, and supplement the government's efforts in provision of basic services.

0.16 **Children from Pastoralist Communities:** Insecurity and the poor state of infrastructure have seriously limited access to basic social services in the pastoralist regions. School gross enrolment rate (GER) averages at 30.5%, compared to the national average of 88.8%. Only 70% of infants are completely immunized by the age of two years and 20% of children are malnourished. Less than 50% of families have access to safe drinking water.

It is recommended that more resources be allocated for children of pastoralists and innovative efforts made to increase their access to education, health services and supplementary nutrition, with special attention to the girl-child. Economic empowerment for the communities is essential. NGOs should supplement government efforts by supporting education, health, feeding and security programmes.

0.17 **Street Children:** Conservative estimates indicate that 300,000 children live and work on the streets in Kenya, with over 50% of them concentrated in and around the capital Nairobi. Though there is still no exact data on their population and distribution, it is clear that their numbers are increasing rapidly owing to poverty, HIV/Aids and the collapsing family structure. The *ethnic* clashes sharply pushed up the numbers. Not only are street children locked out of the social services mainstream, but also their very basic right to life is at risk each passing day. Police harassment, sexual molestation, economic exploitation and the serious risk of disease stalk them daily. The street children problem remains a serious national challenge.

It is recommended that the government should immediately declare the street children problem a national challenge and institute special policy and legislative action as a matter of priority. The government in collaboration with NGOs must come up with community and family re-integration programs to divert the children from streets. The long-term target in all these efforts must be the primary causal factors of poverty, HIV/Aids, unemployment, the high cost of education and the disintegration of the family-care systems.

0.18 The Coalition concurs with the government that the HIV/Aids pandemic is a serious setback in efforts to fulfill the rights of Kenyan children as envisioned by the CRC.

Chapter Seven: Education, Leisure and Cultural Activities

1.0 Education (Article 28)

- 1.1 **Situation Analysis:** Implementation of the cost-sharing policy, under which Kenyan parents contribute up to 65% of the recurrent school costs, is the single most influential factor inhibiting universal participation¹. The National Poverty Eradication Plan recognizes that “*The burden of cost sharing is especially heavy and poor families are responding by enrolling fewer children or allowing them to drop out before completing primary education.*”² Millions of children are thus locked out of the school cycle, particularly those from poor households.
- 1.2 Of the 11 million children in the school-going age band of 5-14 years, only six million (54%) are in school.³ The net enrolment rate – the single most important indicator of progress towards universal primary education – is estimated to be about 60%.⁴ Early childhood education is even more dismal. In the 1989-98 period, the pre-school enrolment rate stagnated at about 35% as poor families opted to delay the formal education of their children until they are of primary school age. The completion rates between 1993 and 1998 remained at 46% for primary schools and 84.5% for secondary schools. Transition rates are equally poor. Only 45% of primary school pupils who sat the KCPE examination in 1997 were selected to secondary schools in 1998.⁵
- 1.3 Although the benefits of early childhood development (ECD) are recognized, public resource allocation to the sub-sector is limited. For over a decade the ECD share of the total public recurrent allocation to education hovered around 0.1% compared to an average of 55% for primary education. There is a serious shortage of trained teachers with 42% of the available 37,000 teachers being untrained. Increased contribution towards the cost of primary and secondary education has decreased the ability of most households to invest in ECD. It is unlikely that in the foreseeable future the sub-sector will be developed to cover all eligible children.⁶
- 1.4 A major shortcoming in the State’s reporting on school enrolments was the almost total reliance on the gross measure (GER). Failure to calculate the net measures gives an incomplete picture. For instance, whereas the national gross enrolment rate (GER) at the primary school level did increase from 76% in 1996 to 79% in 1999, the net enrolment rate (NER) was estimated at not more than 60% in 1999. It is equally important to note that the school system is characterized by large disparities in enrolment according to geographical regions. In 1998, the GER ranged from 124% for Nyandarua District (Central Province) to 22.5% for Garissa District (North Eastern Province). These disparities affect female children more adversely. Over the 1990s, the primary school enrolment grew at a rate lower than the growth rate of the population aged 6-13 years.⁷
- 1.5 The primary school system is characterized by a high wastage rate due to dropout and repetition. Of the 924,000 children who enrolled in Standard One in 1991, only 436,300 (47.2%) reached Standard Eight in 1998 – a wastage rate of 53%. However, an important positive development over the period was the narrowing of the gender gap in completion rates, with females attaining a higher rate (48.1%) than males (46.4%). The mean overall repeater rate for Kenya was 14% by the year 2000 (Female 13.7% and male 14.17)

¹ Report on “Alternative Approaches to Basic Education,” (SNV-Kenya) October 2000 pg. 19

² The National Poverty Eradication Plan: Government of Kenya (GoK), 1999 pg. 39

³ 1999 National Population and Housing Census (Volume II – Socio-economic profile of the population) pg. 1

⁴ Kenya Country Report on Education for All (EFA 2000), Ministry of Education, November 1999. Pg. viii

⁵ Report on “Harnessing policy and planning for attaining EFA in Kenya” (Action Aid-Kenya) April 2000 pg35.

⁶ Ibid, note 5 pg. 12

⁷ Action Aid, Supra note 5 pg. 88

- 1.6 The mean overall transition rate over the 1989/90 - 1997/98 period was about 44% (F: 42% and M: 45%). Of the 436,300 pupils who enrolled in Standard Eight in 1997, only 195,300 (44.8%) went to Form One in 1998. This is due to limited openings in secondary schools.
- 1.7 Under the cost sharing policy, the government pays teachers' salaries while parents and communities pay for all other items essential for learning. Consequently, the inability of most households to pay the necessary dues has led to inadequate facilities and instructional materials. The 1995 primary school census found that although, on average, each school had 16.5 classes, only 9.4 classrooms were available per school. The National Primary Education Baseline Survey (NPB) found that in North Eastern, Western, Rift Valley and Nyanza Provinces large proportions of primary schools had to *run some of their classes in the open air* (43%, 32%, 21%, and 18% respectively). Significant proportions of pupils did not have access to books: 30%, 34%, 43% and 64% in English, mathematics, Kiswahili and science respectively. Limited access was more glaring in North Eastern Province where the proportions were 48%, 53%, 48% and 78%.
- 1.8 Non-formal education is the only learning opportunity available to most children in need of special protection. The government recognizes the need to encourage non-formal education to address the declining trend of enrolment and falling completion rates in Sessional Paper N0 6 of 1988 on education and manpower development, and the 1999-2010 Master Plan for Education and Training (MPET).⁸ However, there is no clear policy yet on how to effectively link the sub-sector to the formal structure to facilitate the channeling of its recipients to the mainstream education system. Towards this end, the sub-sector requires clear standards and quality controls. Its graduates will need certification. Performance indicators, monitoring progress and evaluating the system are also required. If well implemented, non-formal education and other alternative approaches to education will increase primary school enrolment from 79% in 1999 to 90% by 2003; increase completion rates at primary level from 45% in 1999 to 55% in 2003; and increase participation of girls in basic education by 15% by 2003.⁹

1.9 **Recommendations for the Government**

- ❑ Pre-school and primary education should be made free and compulsory, and expanded to attain universality in terms of quality and quantity;
- ❑ A cheap community-based early childhood education program should be developed with close involvement of households and communities. A clear budgetary allocation policy is essential in this sub-sector;
- ❑ Cost sharing must be rationalized with what households can afford to pay. The State should take over from parents some of the responsibility of financing education;
- ❑ If EFA is a serious policy goal, then funds should be set aside for it at the macro level. The government should determine the unit cost of basic education that is satisfactory in terms of quality and relevance;
- ❑ The government should discuss with donors the possibility of swapping debt for social development. This would mobilize resources to help the State attain education for all.
- ❑ The policy focus in the non-formal education sub-sector should be to redirect its recipients to the formal system, and not to create a *parallel* structure for the poor. Factors like syllabus, teacher training, budgetary allocation and quality control should be handled with in mind. The government should work closely with NGOs in these endeavors.

⁸ Government of Kenya Discussion Paper, undated

⁹ SNV-Kenya, Supra note 1 pg. 24

1.10 **NGO-specific interventions**

- NGOs must become active players in the education sector. They should not only press for attainment of free and universal basic education, but they must also supplement State efforts in financing education. Direct funding of learning facilities and school fees is an imperative short-term measure while economic capacity building of communities should be the long-term goal;
- Sensitization and training programmes by NGOs should pay close attention to issues of gender, the special situation of children deprived of formal education, problems of pupils from poor households, and the HIV/Aids pandemic;
- NGOs should keep the government focused on the goal of re-integrating recipients of non-formal education into the formal education system.

Chapter Eight: Special Protection Measures

2.0 Juvenile Justice (Article 40)

- 2.1 **Situation Analysis:** The State report describes the law relating to juvenile justice as “*satisfactory*”, and proceeds to conclude that “*the treatment of children in Kenyan criminal law promotes their sense of dignity and worth.*” This description, however, contrasts with the actual situation on the ground. Up to 85% of the children who go through the system do not deserve to be exposed to the criminal justice process. Surveys have established that only 15% of the children in the juvenile justice system are actually categorized as offenders. Of these, only a small fraction fall in the category of serious offences like murder, rape or robbery with violence. However, all the children undergo the same process within the system and are confined in the same institutions where little is done to separate children by age or reason for confinement.¹⁰
- 2.2 Of the 1,864 children who were taken to the Nairobi Juvenile court in 1997, about 80% were charged with vagrancy. The Vagrancy Act¹¹ defined a vagrant as “*a person having no fixed abode and not giving a satisfactory account of himself.*” Although the Act was repealed in 1997, the police continue to arbitrarily arrest and confine children. In almost 60% of the cases, the court records did not indicate what had happened to the children. The only records available indicated that 14.1% had been committed to approved schools, 16.8% repatriated to their homes, 8.7% acquitted or their cases withdrawn or handed to guardians, 0.6% fined and 0.9 caned.¹²
- 2.3 There is only one permanent juvenile court in Kenya, located in the capital Nairobi. In all other areas, the normal criminal court has to occasionally convert to a “juvenile court.” There is neither special selection nor training of the presiding officers on how to handle juveniles. They simply learn “on the job.” There is no State-funded legal aid for children who cannot afford legal representation. Section 27 of the Penal Code¹³ allows corporal punishment for boys. (Corporal punishment is currently lawful in schools and institutional rehabilitation facilities).
- 2.4 Children spend the first 24-48 hours in police cells before being taken to court. Children of 15 years and above tend to be confined in adult remand centers, where they are likely to be held together with adults. The remand period is often lengthy. A study undertaken in 1998 found that about 50% of the children remanded during the period spent more than six months in custody.¹⁴ Children in need of care and protection are routinely lumped with

¹⁰ Report from a situational survey by Save the Children Fund-UK (2000)

¹¹ Formally Cap 58 laws of Kenya (Repealed in 1997)

¹² Children in the Dock: A situation Analysis of the Juvenile Justice system in Kenya, ANPPCAN-Kenya, 1997

¹³ Cap 63 Laws of Kenya

¹⁴ Juvenile Injustice: Police Abuse and Detention of Street Children in Kenya, Human Rights Watch, 1998

those charged with offences. A survey in Nairobi has shown that police pick up both groups of children from the streets and hold them in the cells before taking them to court. At the court, they are kept in the same holding cells; called to court and share the same benches. At the juvenile remand home, no distinction is made between the two groups. Even the approved school is a destination for both groups of children¹⁵.

- 2.5 There is, generally, over-reliance on institutional care, even for children who are non-offenders and children who are first or minor offenders. Although the state report indicates that the government is becoming more aware of the need for community-based alternatives, little is being done to change the system. Conditions in the residential facilities are pathetic and appropriate programs are lacking. For example, there are approximately 4,800 children housed in the 11 approved schools across the country. The schools are designed to “rehabilitate” children found guilty of offences, but in practice, children needing care and protection are also sent there.

Nairobi Juvenile Remand Home¹⁶: The Juvenile Remand Home in Nairobi has a capacity for 80 children, but it was found to be accommodating 369 (322 boys and 47 girls), and more were expected later that day from the court. The home has only 15 staff members. Apart from the principal, who is a qualified social worker, the rest of the staff members have received three months training in “social work” at a government training school. The children looked shabby, dirty and unhappy. They could not wash themselves or their clothes because there was no water. The toilets stink and lack of proper sanitation poses a health risk. There are not enough beds or even mattresses; children sleep on the floor. At night the children are locked up in the dormitories and the only staff member on duty is a security guard. Each dormitory is designed to accommodate 20, but at the time of the visit there were about 120 children sleeping in one. There is no dining room and the children eat in the courtyard. There were about 30 children in the classroom while the rest idled in the courtyard. There were about 15 mentally retarded children who had been at the home for two years. This is despite the fact that the home is supposed to be a temporary place. A few children who looked ill lay on the ground in the courtyard. Children interviewed were unhappy, tearful, and homesick. They said they were worried about missing school. They complained about lack of water and being caned by staff.

Kabete Approved School¹⁷: The Kabete Approved School is designed to take 120, but has just over 200 boys. There are 30 members of staff. The principal conceded that situation at the school was worsening. Most of the boys sleep on the floor as the beds are not enough. As far as vocational training is concerned, very few workshops are operational and the equipment is very old. The institution lacks skilled teachers. The only recreational activities available are volleyball and football. The children are required to bring their own text and exercise books, and the boys who were interviewed identified this as a problem. Interviews with staff confirmed that about 25% of the children there were wrongly placed. They felt that had there been suitable programs, such children would have been helped instead of being sent to an approved school. The staff also felt there was a need to have more skilled people assessing the children and deciding where they should be taken.

- 2.6 Children seeking both civil and criminal justice for violation of their rights face many problems. These include lack of legal representation, difficult judicial procedures and insensitive methods of interrogation. The result is that many children continue to suffer violations of their rights, including disinheritance and sexual abuse. The unfamiliar and often unfriendly court environment makes it particularly difficult for children who have been sexually abused.

¹⁵ Juvenile Justice in Kenya: A report by the South Consult for the Royal Netherlands Embassy, May 1999 pgs. 8, 12

¹⁶ Ibid pg. 15

¹⁷ South Consult, Supra note 15 pg. 16

- 2.7 There is evidence that the child minders (police and administrative officers) frequently intimidate and manhandle the children, leaving them feeling helpless and unwanted. They come out of the system badly shaken and traumatized.¹⁸
- 2.8 Even after the Children Bill is enacted, there will still be a need to amend 63 pieces of legislation that touch on child-related issues. Otherwise, there will be several contradictions in the law, which will stand in the way of justice for children. Certain improvements in the law, such as legal assistance for children, operations of the Family Court Division and separation of children charged with offences from those requiring care and protection will require financing.

2.9 Recommendations for the government:

- ❑ A child-friendly social policy should be instituted to rescue and re-direct children in need of care and protection before they enter the criminal justice system.
- ❑ Magistrates and other personnel who handle juvenile cases should be specially trained;
- ❑ The government should take steps to provide children with legal assistance in their cases. Magistrates should make an extra effort to ensure that children understand the nature of their cases. Family members should participate in the proceedings;
- ❑ Community-based rehabilitation as an alternative to institutional care should be given priority. Placing children in residential institutions should only be done as a last resort, and for the shortest period necessary;
- ❑ Court practice should be changed so that cases of children who are *in need of care and protection* are not treated as criminal cases. Such children should not be committed to the same institutions as children who are convicted of crimes;
- ❑ A set of guiding principles should be formulated to direct law enforcement personnel in dealing with juvenile cases, based on the CRC, the OAU Charter on the Rights and Welfare of Children and the 1985 UN Standard Minimum Rules on Administration of Juvenile Justice;
- ❑ Prevention should be the ultimate focus. This will require full government commitment and donor support. It should cover community-based vocational training centers, drug and alcohol rehabilitation centers and “Safe Houses” for emergency placement of children at risk.

2.10 NGO-specific interventions:

- ❑ NGOs should develop an understanding with the government that will permit their representatives to act as approved officers, and to provide assistance to children in the court;
- ❑ Many children end up in the streets - and in conflict with the law - because they are out of school. There is need to address causes of the high school dropout rates. NGOs should sensitize children to understand and defend their rights. They should assist in the provision of legal aid, facilitate subsequent care and rehabilitation, and monitor the system;
- ❑ NGOs should continuously sensitize law enforcement officers working in the juvenile justice system and the public at large on the rights of children.

3.0 Refugee and Internally Displaced Children (Articles 22, 38 and 39)

- 3.1 Situation Analysis:** While the State report states that “*children in emergency situations are well catered for,*” the actual plight of internally displaced children and those living under refugee status calls for more focused attention from the government and other concerned parties.

¹⁸ ANNPCAN-Kenya, Supra note 12 pg. x

- 3.2 *Refugee children in Kenya:* By the end of the year 2000, Kenya was host to 46,974 child refugees. This constitutes 23% of the total number of 206,106 people that have sought refuge in Kenya.¹⁹ It is, however, important to note that data on refugees and displaced people is always subject to variance and unreliability due to the transient nature of such populations. For instance, at the peak of the refugee influx into Kenya in December 1992 there were 420,000 refugees (including about 97,000 children).
- 3.3 The refugees are currently sheltered in two main camps: Daadab to the northeast and Kakuma to the northwest. The climate in both areas is extremely harsh. Children are the hardest hit in this bare desert life. In spite of efforts by United Nations High Commissioner for Refugees to make life bearable, existence in the secluded camps remains a struggle for survival. Access to basic necessities is limited. Shelter is in the form of makeshift structures. Each refugee receives approximately 2,100 kilocalories of food daily while water is mostly pumped from bore holes. Although each camp has a hospital and several health posts, there are recurrent illnesses, which include malaria, dysentery, respiratory tract infections, eye infections, and tuberculosis. Cases of *hydatid* and *kal-azar (Leishmaniasis)* - a tropical disease transmitted by sand flies - have also been reported.²⁰
- 3.4 The two camps have several pre-schools, some 24 primary schools, one secondary school and a number of vocational training facilities. As at 31st December 2000, 25,423 children and adults were enrolled in the primary, secondary and vocational training institutions. In most of the schools, classes are conducted under trees and there is little hope that this will change, owing to budgetary cutbacks.²¹ It is also not clear how relevant the education offered is to the children's future.
- 3.5 Security in and around the camps is not guaranteed. The road used by the UNHCR to transport refugees and supplies is bandit-prone and impassable without police escort. Banditry in and around the camps is common. Refugee girls are particularly vulnerable to sexual abuse. Though several cases have been reported, the level of crime reporting and investigation is low. The number of police officers deployed to both camps is 220 - a ratio of one policeman to 937 people.²²
- 3.6 Since Kenya does not encourage local integration of refugees, the only options available to the children are repatriation, resettlement or staying in the camp with enhanced protection and security provided. There does not seem to be any efforts to re-unite children classified as unaccompanied minors with their families.
- 3.7 ***Recommendations for the Government.*** It is acknowledged that the refugee challenge has placed a serious strain on Kenya's already bad socio-economic situation. However, the government should undertake the following measures in favor of child refugees in Kenya:
- ❑ Beef up security around and inside the refugee camps. Girls particularly require protection against sexual abuse and harassment;
 - ❑ Consider establishing the camps in environments with better climate;
 - ❑ Permit controlled local integration for unaccompanied children. This could include permanent resettlement, local adoption and fostering.
- 3.8 *NGO-specific interventions.***
- ❑ Develop a clear and coordinated strategy of responding to the needs of child-refugees. This should include constant documentation of their situation;

¹⁹ UNHCR Public Information Department (Briefing Note on Refugee Programme in Kenya, January 2001)

²⁰ UNHCR (Kenya/Somali Programme) Information Bulletin, July 1998

²¹ Ibid pg. 2

²² UNHCR, Supra note 20, pg. 4

- Supplement UNHCR efforts through direct provision of basic social services like food, water, health and education.

3.9 Internally Displaced Children: Kenya's transition from single party rule to multi-party democracy in 1990 was accompanied by intra-ethnic animosities, which quickly degenerated into the armed conflicts that are now commonly referred to as *ethnic* clashes. The clashes first erupted in 1991/92 in Western, Nyanza and Rift Valley provinces, and again in 1993/94. In 1997, there were clashes in Coast Province.

A visit to Thessalia camp, Kericho District²³: We visited the 500 displaced persons camped in the Norwegian Pentecostal church compound adjacent to Thessalia primary school. The villagers are scattered on the church compound and occupy all the available space. Cooking is done in the open. When it rains, no cooking takes place. At night, women and children sleep in three classrooms while men and boys sleep on the verandah. Each adult is given 7.5 kg of maize and 300 grams of cooking oil, and unimix for children. Ten pupils passed their KCPE examination but cannot go to secondary school because their parents can't afford the fees. Six children and three adults have died in the past year. A mother is sick with breast cancer. Her two-year-old baby is suffering from malnutrition. The local mission dispensary only treats minor illnesses. The villagers live in unhygienic conditions. They appear tortured, both physically and mentally.

3.10 An estimated 300,000 people were displaced during these conflicts, over 50% of who were children.²⁴ Today, a decade since the clashes first erupted, many families are yet to be permanently resettled, with harrowing effects on their children. Most have no access to education and other basic services.

Report on Maela Camp for Displaced Persons from Enosupukia, Narok District:²⁵ Set up by the Catholic Church, Maela camp sheltered over 30,000 people (including about 10,000 children) at the height of the clashes. Sometimes whole families of parents, youths and children occupy the same hut in disregard of tribal customs. The huts are hot and humid by day and cold at night. During the rainy season, the roofs leak. The people lack even basic foodstuff. Brown paper was being soaked in boiling water to make a brownish liquid, which was drunk in the place of tea. Milk, bread, fruits and sugar were not available. The water was inadequate, and when available, it was salty. There were only eight pit latrines to cater for the whole population. Besides other illnesses, diarrhea, kwashiorkor, flu, stomachaches, measles, skin diseases, epilepsy and ulcers, brought on by the squalid conditions at the camp were common. There were many cases of complicated pregnancies because of malnutrition and weakness. A number of babies had died from asphyxia after being born in the hot make-shift plastic shelters. There are only two clinics serving both the town residents and the displaced people. The Catholic Church has set up nursery schools for 800 children with the help of willing but inadequately trained volunteers. About 500 children of primary school age have been absorbed into the local primary schools. Many lack fees, uniform or books.

3.11 Recommendations for the government

- The resettlement program should be hastened to provide a lasting relief to affected children. The government should state the impact the clashes had on children and explain the measures it took to protect them;
- The government should urgently develop an emergency strategy to guard against future crisis, and to facilitate fast intervention in conflicts resulting in disruption of settled community life. The strategy should include mechanisms for community-based peace building, conflict resolution and reconciliation. The donor community should help build the

²³ Report prepared for the People for Peace in Africa, October 1994

²⁴ Human Rights Watch, *Supra* note 14, pg. 2. Estimates calculated from reports by religious agencies and NGOs directly involved in caring for the displaced populations place the figure at over 365,000. Many more were affected in other ways.

²⁵ Report prepared for the Catholic Peace and Justice Commission, 1994

capacities of the government and NGOs to effectively deal with the dual challenges of internal conflict and refugees.

- The government should facilitate free and unhindered humanitarian intervention in situations of conflict by all interested stakeholders.

3.12 NGO-specific interventions

- NGOs should lobby the government to release the clashes report so as to determine the full extent of children's suffering in these conflicts;
- They should work closely with the government in efforts to resettle displaced families and find ways of giving affected children a fresh start;
- Develop an NGO disaster preparedness strategy to guide child-focused interventions in future instances of armed conflict.

4.0 Children with Disabilities (Article 23)

4.1 *Situation Analysis:* Persons with disabilities are estimated to constitute 10% (about three million) of Kenya's population. Of these, about 52% (1.5 million) are children.²⁶ These children constitute the most inconspicuous category of children in need of special protection, in terms of policy efforts and direct programming. This has seriously compromised their right to survival, protection and development. They suffer double jeopardy by reason of their age and impairment. The situation is worse for those with multiple disabilities and mental impairment.

4.2 For many children, a disability leads to rejection, isolation and discrimination, hindering their psychological development. The situation is particularly grim for the girl child with a disability as she suffers triple discrimination on account of being a child, having a disability and being female. Many families are known to restrict their disabled children's contact with the outside world, which further destroys their chances of developing as normal human beings. The problem of parents who are "ashamed" of their disabled children concealing them is a major concern.

4.3 Children with disability have no access to virtually all the rights they are entitled to under the CRC. The right to information and free expression of ideas does not exist for the deaf children and is quite limited for the blind. Braille and sign language have not been recognized as major forms of communication, with limited interest both in government and the general public. The freedom of movement is seriously restricted for the physically disabled. Most buildings, even in public schools, do not have ramps to facilitate the movement of those in wheelchairs. Kenya does not have a disability-conscious architectural and building policy to address these issues. The white cane used by the blind does not give the user the right of way.

4.4 Special education for children with disabilities is one of the most neglected areas in the education sector. The government's commitment to get actively involved in the provision and development of education for persons with disability has been stated in all education plans. It was further emphasized when Kenya signed the 1990 world Declaration on Education For all in Jomtien, Thailand, and endorsed resolutions of the World Summit for Children in New York. This commitment is also underscored by the government's commitment to the spirit of the CRC.

4.5 In spite of all these, special education services have remained rudimentary. In 1995, the World Bank estimated that there were 2.2 million handicapped persons aged between 0-19 who needed special education. But, as indicated in the State report, only 6% of these are

²⁶ Estimates by the United Disabled Persons of Kenya (UDPK)

receiving education. Recent data from the Education Assessment and Resource Centers (EARS) indicate that out of 80,000 children with disabilities surveyed, only 0.5% (400) are in special schools.²⁷ The Ministry of Education allocates a paltry 0.2-0.4% of its budget to special education. Lack of facilities, inadequate trained manpower, negative societal attitudes and lack of specific policy guidelines also contribute to poor delivery of special education and related services. This has led to the low enrolment rates for children with disabilities.²⁸

4.6 There are no clear guidelines on how to formulate specific learning approaches to suit the respective forms of disability. Teacher training for this sector is grossly inadequate and underrated. The syllabus is limited, which constrains advancement beyond basic education. The policy of integrating children with disabilities into the mainstream education system has not been effectively implemented. Braille is expensive and secluded and frequent changes in the syllabus make it difficult for blind children to effectively use Braille.

4.7 Children with disabilities also lack access to health facilities and leisure activities.

4.8 In 1992, the Attorney-General appointed a task force to review laws relating to persons with disabilities in Kenya. The task force submitted its report to the government in 1997. One of the key recommendations is a draft Bill proposed to be enacted into a "*Persons with Disabilities Act.*" Unfortunately, the Bill contains no specific and express provisions on children with disabilities as a distinct category. The Bill seems to regard disability as a challenge that affects both child and adult equally. It is silent on issues like promotion of basic education and the problem of child concealment and neglect. The Bill is yet to be published.

4.9 Recommendations for the government

- ❑ A multi-sectoral policy should be developed to address: preventive care, increased resource allocation to special education, integration of the children into ordinary schools and special programs for children with multiple disabilities.
- ❑ The draft Bill on Persons with Disabilities should be reviewed to address specific concerns of children. It will be imperative for the Bill to be enacted into law and implemented so that children in this category can benefit.
- ❑ The government should embark on a 10-year program to substantially raise the enrolment rate from the current 6%. This will mean increasing the number of school-going children by expanding and improving existing institutions of learning. The syllabus should also be reviewed to give these children a wide choice and similar options as other children in ordinary schools.
- ❑ Educational authorities should recognize and plan for the different needs of all categories of children with disabilities, with specific regard to the nature and degree of disability. Braille and sign language should be recognized as means of communication in both educational circles and the public.
- ❑ The government should expand the training of teachers and other professionals to cope with the increased enrollment and diversified services.
- ❑ The Central Bureau of Statistics (CBS) should make an effort to compute the population of persons with disabilities as a periodic exercise, and during the national census they should be recognized as a special interest group and enumerated precisely.

²⁷ Ministry of Education, EARS (2000)

²⁸ UDPK, Supra note 26

4.10 NGO-specific interventions

- NGOs must play a coordinated role of continuous lobbying for the required policy and legislative action. They should complement the government's efforts in provision of basic social services and objectively monitor interventions.

5.0 Children from Pastoralist Communities (Under Article 30-Children of Minority and Indigenous Groups)

5.1 *Situation Analysis:* The special focus on Children from Pastoralist communities is motivated by the difficult socio-economic circumstances of their existence, which qualifies them to be categorized as children belonging to minority or indigenous groups and, therefore, in need of special protection.

5.2 There are about 15 districts in Kenya under a predominantly pastoralist economy and nomadic lifestyle and which are home to about 25% of Kenya's population. The regions are classified as Arid and Semi Arid Lands (ASAL), and constitute 75-80% of Kenya's total landmass. The areas are characterized by severe hardships, including a hostile climate, livestock rustling and conflicts over pasture and water resources. Some areas are prone to banditry and general insecurity. Opportunities for agriculture are nonexistent while trade or employment opportunities are limited. There is little government investment in these areas.

5.3 The combination of natural factors and inadequacies in planning have severely limited pastoralist children's enjoyment of their right to survival, human development and participation. The greatest challenge faced by these children is limited access to basic social services, particularly education and health. They also lack food as the regions are perpetually prone to drought and famine. Sample surveys in a number of pastoralist communities revealed that: only 25% children have access to pre-school education.²⁹ Gross enrolment rate (GER) averages at 30.5%,³⁰ compared to the national average of 88.8%. Only 70% of infants are completely immunized by the age of two years and 20% of children are malnourished. Less than 50% of families have access to safe water.³¹

5.3 Pastoralism requires children to herd livestock at the time when they should be in school. The nomadic lifestyle makes provision of basic social services, especially education, difficult. A survey in Samburu District established that 70% of the boys who drop out of school do so because school attendance conflicts with their herding duties.³² The frequent droughts and famine are also a serious distraction. It has been established in Turkana that most children are sent to pre-school to be fed, and when there is no food the children do not turn up.³³ Some aspects of traditional initiation interfere with participation in formal schooling. Surveys in 1999 revealed that initiation, a rite of passage that is an important part of traditional education among the Maasai and other nomadic pastoralists, is in conflict with formal schooling.

5.4 The problem of insecurity in some of the areas has contributed immensely to impoverishment of the population, leading to reduced enrolment of pupils in schools as well as increased school dropout. Given that most pupils have to travel long distances to school, insecurity is a major hindrance to attendance.³⁴ There are cases where violent banditry has resulted in closure of schools. At the time of compiling this report, an armed raid by the

²⁹ An Assessment of the pre-school situation in Turkana district: Turkana Women Conference Center (April 1999)

³⁰ Action Aid, Supra note 5

³¹ Christian Children's Fund (CCF) Field Reports, 2000

³² SNV-Kenya, Supra note 1 pg. 17

³³ Turkana Women Conference Center, Supra note 29 (Introduction)

³⁴ Action Aid, Supra note 5

Pokot against their Marakwet neighbors left about 60 people dead, many homeless and learning activities disrupted in several schools.

5.5 Inadequate attention to these specific challenges by the formal school delivery structure has resulted in exclusion of most pastoralist children from education. With few exceptions, educational participation as indicated by enrolment falls below the national average in most of the ASAL districts. Disparities between districts are high. For example, the enrolment rate for Garissa is 27.1% compared to Bungoma's 97.8%. North Eastern Province has the lowest regional average of 31.7% compared to the highest of 86.8% (Western). The region also posts the highest gender imbalance, with only 20.9% for girls, compared to 87.2% for Western. The dropout rate is high. In Turkana, only 13.1% of those who enroll complete primary school.³⁵ A study on boarding facilities in Wajir and Mandera districts confirms existence of pathetic conditions that have led to low enrolment, under-utilization and closure of educational facilities. Enrolment in boarding schools is reported to have dropped from 3,000 to only 1,000.³⁶

5.6 Access to basic health care is equally limited. Families have to cover great distances (in some instances up to 100 miles) to reach the few and often poorly equipped medical facilities.³⁷

5.8 Recommendations for the Government

Addressing the problems faced by children in these communities calls for a tacit policy of affirmative action to tackle the challenges from perspectives of marginalized communities.

- ❑ The Ministry of Education should adopt the "Shepherd" education model developed by OSILIGI and SNV among the Maasai to provide a flexible "mobile" education system to nomadic children, without compromising the quality of the content. Similar delivery approaches should be applied to health services and food security programmes;
- ❑ A special affirmative action policy should be instituted to increase budgetary allocation for basic social services, upgrading of infrastructure, promotion of gender equity within the education system and economic empowerment of the local communities;
- ❑ The government should evolve effective disaster preparedness strategies to protect households from the effects of drought and famine, which lead to school dropout and malnutrition;
- ❑ Security should be provided in all pastoralist areas prone to banditry and livestock theft;
- ❑ Community-based peace and reconciliation initiatives should be promoted.

5.9 NGO-specific interventions

- ❑ NGOs should supplement government efforts by supporting mobile education, health services, nutrition and community security.
- ❑ They should sensitize local communities on the value of modern education for their children;

6.0 Special Theme: Street Children (under Special Protection Measures)

³⁵ Action Aid, Supra note 5 pg. 15

³⁶ Action Aid, Supra note 5 pg. 13

³⁷ ABANTU For Development "Poverty Hearings" (2001)

- 6.1 *Situation Analysis:*** Street children have been singled out for special reporting because of the magnitude of the problem in Kenya, where it has now reached crisis levels.
- 6.2** The term *street children* refers to *those (children) for whom the street, more than their family has become their home, a situation in which there is no protection, supervision, or direction from responsible adults.*³⁸ A study by Unicef has identified at least three major categories of street children. The first refers to children *on* the streets. They maintain good family ties, and often return home in the evening. The second comprises children *of* the streets. These have loose family contacts, and spend some nights or days or part of the day on the streets, and occasionally go back home. The third category refers to children who are completely detached from their families, leading a gang life in makeshift shelters. A new category is emerging, composed of *children of street families*.
- 6.3** Independent estimates place the number of street children in Kenya at 300,000, with over 50% of them concentrated in and around the capital Nairobi,³⁹ but the government's figure is 135,000.⁴⁰ A 1998 survey established that the number in Nairobi alone is over 150,000.⁴¹ This inexact and scattered nature of data is one of the biggest challenges in dealing with this problem. It is however clear that the number of children living and working on the streets is rapidly increasing due to poverty, HIV/Aids and the collapsing family structure. Indeed street children are now estimated to constitute the single largest bloc of children in need of special protection in Kenya. As the first generation of these children mature on the pavements and alleys, a new phenomenon of "*street parents and children of street children*" is emerging. This generation also poses a security risk.
- 6.4** The street children problem poses a serious challenge to this country's efforts of realizing universal enjoyment by Kenyan children of their right to survival, protection and development. These children exist in circumstances that are sub-human. Not only are they locked out of the social services mainstream, their very basic right to life is at risk every day. Police harassment, sexual molestation, economic exploitation and the serious risk of disease stalk them daily. Society is hostile to them, regarding them more as deviants than as children requiring care and protection.
- 6.5** In addition to the hazards of living on the streets, the children are subjected to beatings, extortion, and sexual abuse by police. In violation of international law, police round them up and hold them for days or weeks under deplorable conditions, together with adults. Those who are brought to court are usually charged with vagrancy, or classified as being "*in need of protection or discipline.*" Pending adjudication of their cases, they are committed to crowded remand institutions. The children, who have no legal representation, may be finally committed to correctional institutions and prisons.⁴²
- 6.6** With their numbers on the rise, police and local government authorities are increasingly at a loss as to what to do about the street children problem. Despite the emergence of coalitions of NGOs working on issues related to street children, the establishment of the National Task Force on Street Children, and a stated commitment of the Attorney-General to address needs of street children, these children continue to live under difficult circumstances.

³⁸ Street Children and Gangs in African Cities, Guidelines for local authorities: Habitat (May 2000)

³⁹ Estimate from a Survey conducted jointly by the University of Nairobi the GTZ, 1998

⁴⁰ Estimate by the Department of Children's Services, November 2000

⁴¹ Rescue Dada, 1998

⁴² Human Rights Watch, Supra note 14

Esther:⁴³ Esther grew up in the Mathare slum, where her single mother sells fruits and vegetables on the streets. She had to leave school in Standard Six because her mother could not afford to educate her. She joined a group of girls in downtown Nairobi, and lived as a prostitute. During the day they smoked *bhang* and begged in the streets. The night brought a “new day”, with the girls offering sex to men in their cars. When business was poor she had to bribe night watchmen to protect her from street boys. *“One night in 1995, some friends and I were attacked at 4 am by a group of policemen while we were asleep. They beat us up, threw us into a car and took us to Central Police Station, where they wrote statements and forced us to sign. The statements said we had been found soliciting, which was not true. We were then taken to the cells and locked up with adults. Conditions were terrible. The cells were filthy and smelly and infested with lice and everyone slept on the floor without any blankets.”* A day later, they were taken to the juvenile court and charged with prostitution and remanded at Kabete Remand Home. Nothing was explained to them, nor were they given an opportunity to speak for themselves in court. *“Life at Kabete was very hard. We were made to work on the farm and fed meagerly on half-cooked food. We were beaten for no reason.* After two weeks, Esther was taken back to court and committed to Kirigiti Approved School for seven years. Life in Kirigiti was worse than at Kabete. Thorough beatings were common for every petty misdeed, and often for no reason. Conditions in the dormitories were atrocious. Because of overcrowding each small bed was shared by three girls. The beds were infested with lice and bedbugs. The girls did hard labor. After two months, her mother got permission to take her to their rural home. But after a short while she ran back to Nairobi and returned to the streets. However, she dreaded being arrested and taken back to Kirigiti. After about four months, she joined a rehabilitation center for street girls. She now lives at the center and is taking a dressmaking course.

6.7 The government has not evolved any tangible policy and strategies to tackle what now ranks as a national crisis. Arresting and charging the children with vagrancy has proved to be ineffective and dehumanizing. Even this “intervention” is normally erratic and sporadic, with no intention to rehabilitate the arrested children.

6.8 Although agencies working in this area have made commendable efforts, a lot still remains to be done. There is need to conduct a nationwide survey to ascertain the exact number of street children, their distribution, rate of increase and primary causal factors. The stakeholders should come up with a national long-term strategy to tackle the problem from a multi-sectoral perspective. Their interventions will only be fully effective if they combine both immediate symptomatic solutions and long-term preventive remedies. Collaboration and networking in the area of street children work is weak and resources limited. With their numbers rising rapidly, street children are likely to continue suffering monstrous deprivations and gross violations of their rights, unless drastic measures are taken to address the problem.

6.9 Recommendations for the government

The government should immediately declare the street children problem a national challenge and institute special policy action as a priority. It should work with Unicef and NGOs to produce a policy document clearly outlining short and long-term preventive strategies. These should address basic education for vulnerable families, vocational training for school dropouts, rescue centers for children orphaned by HIV/Aids, rehabilitation of children already on the streets, and income capacity building for slum families.

It should conduct a nationwide survey on the numbers, distribution and magnitude of the street children problem;

⁴³ ANNPCAN-Kenya Supra note 12 pg. 37

- ❑ The government should protect the rights of children living and working on the streets. A mobile delivery system should be designed to ensure that they access basic social services on the streets;
- ❑ Conditions in slum and squatter settlements should be improved to prevent children from moving to streets. Community support should include provision of basic infrastructure such as housing, roads, sanitation, waste disposal, water and sewerage. The government and local authorities should also find a permanent solution to the problem of landlessness and homelessness through land tenure reforms.
- ❑ The government should urgently legislate against the use of toxic glue in factories and at market centers to check against its abuse by children. Stringent measures should be taken against adults found selling drugs to children.

6.10 NGO-specific interventions

- ❑ NGOs should design an intervention strategy paper detailing the following: Common working standards as a tool for regulating and evaluating all agencies working with and for street children; Areas of cooperation with the government; sources and allocation of critical resources; and training for street children workers.
- ❑ They should institute street-based interventions such as street education, health care, human rights awareness and specialized de-toxication care.

7.0 Conclusion

7.1 In concluding this report, the Kenya NGO CRC Coalition wishes to draw the attention of the UNCRC Committee to the HIV/Aids catastrophe in Kenya, and the grim devastation it continues to wreak on the children of this country. The Coalition entirely concurs with the government that the HIV/Aids pandemic is now the single most serious setback in the efforts to fulfill the rights of Kenyan children as envisioned by the CRC, particularly those guaranteeing life, survival and development. The effects on children are both direct in the form of early painful deaths and being made orphans, and indirect through diminishing basic social services as a consequence of over-stretched resources.

7.2 The pandemic is already undermining efforts in child survival at an alarming rate. It is estimated that 30-40% of babies born to infected mothers will also be infected with HIV. Most of these babies will develop Aids and die within two years. Few will survive past the age of five years. Aids may already be the major cause of child death, overtaking other major causes such as measles and malaria. For example, the annual number of child deaths due to measles is expected to be between 5,000 and 10,000 through the year 2005. The annual number of deaths due to Aids could reach 50,000 - 60,000 over the same period.⁴⁴ This increase in the number of child deaths threatens to reverse the recent gains of child survival programs. Without Aids, the current infant mortality (death within first year of life) of around 74 per 1000 live births would decline to 45-50 by 2005. However, with Aids, it declines to only 55 - 60. The child mortality rate (death before 5th birthday) presently at 112 per 1000 live births could have declined to 70, but is now likely to remain constant or rise slightly to 120-125.⁴⁵

7.3 One of the worst consequences of Aids deaths amongst young adults is the sharp increase in the number of orphans. An estimated two million Kenyans were infected by 2000, 75% of who fall in the 20-45 age band. The number of Aids orphans under the age of 15 years is estimated to be already over 900,000, and it is projected that it will increase to 1.5 million by 2005.⁴⁶ Most of these children lack the proper care and supervision they need at this critical stage. At the family level, there is increased burden and stress for the extended family trying to care for orphans. An increasing number of families are now headed by

⁴⁴ AIDS in Kenya: Background, Projections, Impact, Interventions and Policy (6th ed.), National Aids Control Council (2000)

⁴⁵ Ibid note 44, pg. 34

⁴⁶ NACC, supra note 44, pg. 29

children as young as 10 - 12 years. At the community and national level, the societal burden to provide services like orphanages, health care and school fees is fast rising. Many children are going without adequate health care and schooling, increasing the future burden on the entire Kenyan society. All these factors are contributing to the sharp rise in the number of children in need of special protection. Denied the essential family care by reason of death or terminal illness of their parents, many children are ending up on the streets from where they are likely to come into conflict with the law.

- 7.4 The Coalition appreciates the government's efforts in the battle against the scourge, which was declared a national disaster by the President in 1999. It will be vital to sustain this high level political commitment. All players are urged to step up implementation of multi-sectoral strategies since Aids is not just a health concern. NGOs should work closely with the government to develop a child-specific intervention master plan to address issues of affordable medication, alternative family care, education support and prevention.

Annex I Accompaniments

The following documents are accompanying this Supplementary Report for the UNCRC Committee's reference.

1. Need for Alternative Approaches to Education: Netherlands Development Organization (SNV-Kenya) (2000)
2. Juvenile Injustice: Police Abuse and Detention of Street Children in Kenya: Human Rights Watch, Children's Rights Project (1997)
3. Juvenile Justice in Kenya: South Consult Report for the Royal Netherlands Embassy (May, 1999)
4. Reports on ethnic clashes: Catholic Justice & Peace Commission, People for Peace in Africa (1994)
5. AIDS in Kenya: Background, Projections, Impact, Interventions and Policy (6th edition):- National AIDS Control Council (NACC)-2000
6. Children in The Dock: A situational analysis of the juvenile justice system in Kenya: ANPPCAN-Kenya (1998)
7. Children's Rights in the Print Media: SNV Kenya (November 2000)

Annex II: Sources of statistical data and information

Education

1. 1999 Population and Housing Census, Vol. II (Socio-economic profile of the Population): GoK (2001)
2. Kenya Country Report on Education For All (EFA 2000): GoK (Ministry of Education), (Nov. 1999)
3. Harnessing Policy and Planning for Attainment of Education For All: Action Aid-Kenya (2000)
4. Need for Alternative Approaches to Education: Netherlands Dev. Organization (SNV-Kenya) (2000)

Juvenile Justice

1. Children in The Dock: A situational Analysis of the Juvenile Justice System in Kenya: ANPPCAN-Kenya (1998)
2. Juvenile Injustice: Police Abuse and Detention of Street Children in Kenya: Human Rights Watch, Children's Rights Project (1997)
3. Juvenile Justice in Kenya: South Consult Report for the Royal Netherlands Embassy (May, 1999)

4. Report of the Juvenile Justice Situational Survey: Save the Children UK (1999)

Refugee and Internally Displaced Children

1. UNHCR: Briefing Note (2001), Information Bulletin (1998), Profiles on Refugee Camps (2001)
2. Developments and Prospects for Internally Displaced Persons in Western and Rift Valley Provinces: - Report submitted to the National Coordinating Committee for Displaced Persons by John R. Rogge, Consultant (1994)
3. Field Reports on victims of ethnic clashes: Catholic Justice and Peace Commission (1994)
4. Report by the People for Peace in Africa (1994)

Children With Disabilities

1. Draft Bill on Persons with Disabilities (1997)
2. Survey Reports by VSO-Kenya
3. United Disabled Persons of Kenya (UDPK) Reports

Children of Pastoralist Communities

1. An Assessment of the Pre-school situation in Turkana District: Turkana Women Conference Center, (April 1999)
2. Harnessing Policy and Planning for Attainment of Education For All: Action Aid-Kenya (2000)
3. Need for Alternative Approaches to Education: Netherlands Dev. Organization (SNV-Kenya)
4. Field Reports by CARE-Kenya and Christian Children's Fund (CCF)

Street Children

1. Street Children and Gangs in African Cities: Guidelines for Local Authorities: - HABITAT (2000)
2. Juvenile Injustice: Police Abuse and Detention of Street Children in Kenya: Human Rights Watch, Children's Rights Project (1997)
3. Reports of the SNV-Street Children Programme

HIV/AIDS (Conclusion)

1. AIDS in Kenya: Background, Projections, Impact, Interventions and Policy (6th edition):- National AIDS Control Council (NACC)-2000
2. AIDS In Kenya: Socio-economic Impact and Policy Implications:- USAID AIDSCAP/Family Health International (1996).

Annex III: Members of the Kenya NGO CRC Coalition

1. Action-Aid (Kenya) – email: conceptam@actionaidkenya.org
2. African Network for the Prevention & Protection against Child Abuse & Neglect (ANPPCAN Kenya Chapter) – email: Anppcankenya@kenyaweb.com
3. ANPPCAN-Regional Office – email: anppcan@arcc.or.ke
4. CARE-Kenya – email: info@care.or.ke
5. Child Legal Aid Programme (Child Lawyer) – email: childlawyer2000@yahoo.com
6. Child Rights Advisory and Legal Center (CRADLE) – email: cradlech@yahoo.com
7. Child Life Trust – email: childlife@form-net.com
8. Child Welfare Society of Kenya
9. Christian Children's Fund (CCF) – email: ccfke@arcc.or.ke
10. CRECHE: kola@hotmail.com

11. Girl Child Network (GCN) – email: gcn@wananchi.com
12. Kenya Alliance for Advancement of Children (KAACR) –
email: kaacr@iconnect.co.ke
13. National Children in Need Network (NCNN) –
email: pwkamau@insightkenya.com
14. Plan International – email: c.kenya@plan.geis.com
15. Save the Children Fund-Canada – email: scckfo@nbnet.co.ke
16. Save the Children Fund-UK – email: savechildsom@maf.com
17. SNV-Kenya - email: scp@iconnect.co.ke
18. Terre des Hommes-Netherlands – email: tdh.nai@africaonline.co.ke
19. World Vision – email: wvkenya@africaonline.co.ke