

# WOMEN'S AND GIRLS' RIGHTS IN KENYA

## HARMFUL PRACTICES: FGM & CHILD AND EARLY MARRIAGE

UNIVERSAL PERIODIC REVIEW - PRE SESSION 35



### ISSUE:

Three out of ten girls in Kenya are/were married as child brides. Kenya has the 20th highest absolute number of child brides in the world – 527,000(1). Child marriage violates girls' human rights and negatively impacts their future.

### PROGRESS SINCE KENYA'S LAST UPR:

In 2017, Kenya became the 19th country in Africa to launch the African Union Campaign to End Child Marriage. Further, the government developed a draft National Action Plan to end child marriage. The Action Plan is however yet to be adopted and implemented by the government.

### CHALLENGES:

Increased cases of child marriage and abduction of girls, ineffective law enforcement, lack of national policy / action plan to address child marriage and the drivers of the same.

### RECOMMENDATION:

The Kenya Government should adopt, resource and implement the National Action on ending child marriage.

1 - <https://www.girlsnotbrides.org/child-marriage/ken>



## ISSUE:

The national prevalence average of FGM is 21 percent among girls and women between the ages of 15-49. Despite this, FGM is almost universal in some communities such as the Somali (94%), Samburu (86%), Kisii (84%) and Maasai (78%). FGM is recognized internationally as a violation of the rights of women and girls, and an extreme form of violence whose physical and psychological effects are extensive and irreversible.

## PROGRESS SINCE KENYA'S LAST UPR:

In 2019 the government officially launched the National Anti-FGM Policy which informs the implementation of the Prohibition of FGM Act of 2011. Kajiado County became the first county to have a policy on eradication of FGM a model that can be emulated by other counties with high FGM prevalence. The Anti-FGM board has held two National conferences in 2018 and 2019 which brought together state and non state actors for national dialogues to end FGM. These two conferences came up with Plans of action although they were not well implemented or monitored.

## CHALLENGES:

Since the inception of the Anti-FGM board the institution has struggled with funding. The board is not able to carry out its mandate fully, especially at the county level due minimal funding that limits its operations. In addition there are a lot of cases reported however those that go through the justice systems and convictions made are very minimal.

## RECOMMENDATION:

The Kenyan government should:

- Allocate resources for the implementation of the National Anti-FGM Policy and the operations of the Anti- FGM Board to enable the institution carry out its mandate from national to county level.
- Address challenges in prosecution and ensure cases of FGM do not lead to convictions of survivors of FGM but instead result in access to justice and remedies for survivors.