

Human Rights Council - 45th Session
Item 6: Adoption of Universal Periodic Review – Kenya
Federation for Women and Family Planning
September 28, 2020

Thank you, President.

The Federation makes this statement on behalf of the Network for Adolescents and Youth of Africa, RHRN Kenya, Kenya SRHR Alliance, Love Matters Kenya and the Sexual Rights Initiative. We welcome the finalisation of the UPR process for Kenya. We particularly welcome Kenya's acceptance of key recommendations including to adopt legislative and administrative measures to combat discrimination against women and lesbian, gay, bisexual, transgender and intersex people; to implement policy to ensure gender equality and participation of women in decision-making; to combat discrimination against women on any grounds and to eliminate harmful practices and gender-based violence against women and girls. We call on the state, to develop, in collaboration with young people and CSOs, a matrix for implementing these recommendations with a monitoring framework for follow-up and accountability.

However, we are concerned by the failure of the state to accept recommendations to respect, protect and fulfil SRHR for all including the refusal to enact a reproductive health law to provide legal framework for SRHR; to adopt a comprehensive equality and non-discrimination law for protection of all individuals including sexual and gender minorities; to decriminalize consensual sexual relations between adults of the same sex; to reinstate the standards and guidelines on reducing maternal mortality and morbidity from unsafe abortions; and to adopt and implement curricula on comprehensive sexuality education.

Despite the constitutional guarantee on the right to the highest attainable standard of health including reproductive healthcare, access to SRHR services and information remains inadequate. Young people, sexual and gender minorities and other marginalized groups are disproportionately affected leading to poor SRHR outcomes. We note with concern the justifications to reject these recommendations and are deeply worried that this could be used to deny access.

We call on the state to pass the Reproductive Health Bill which provides a legal framework for SRHR for all young people and in doing so to realize the constitutionally guaranteed rights to health, SRHR and meaningful youth engagement.