



## Kenya

11 October 2010

### Kenya : Concrete steps required to demonstrate government's will to respect women's rights

**As Kenya hosts the launch of the "African Women's Decade" by the African Union this week in Nairobi, the Coalition of the Campaign "Africa for women's rights: ratify and respect" calls on the Kenyan authorities to ratify two key women's rights protection instruments and to adopt pending bills to protect women's rights, in conformity with the new Constitution.**

The Coalition of the Campaign welcomes the recent decision of the Kenyan parliament authorising ratification of the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (Maputo Protocol). The Coalition calls on the Kenyan government urgently to deposit the formal instrument with the Commission of the African Union, in order for ratification to take effect. Furthermore, although Kenya ratified the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) in 1984, it has not yet ratified its Optional Protocol.

Meanwhile, violations of women's rights persist in the country, including discriminatory laws, violence, obstacles to education, property and health services and under-representation in political life. The ratification of these two key instruments would be an important sign of the government's political will to put an end to such violations.

Whilst the new Constitution, adopted in August 2010, contains provisions prohibiting discrimination against women (eg. Articles 21, 27 and 45), the Coalition of the Campaign is also concerned about delays in adoption of legislation that eliminates discrimination and protects women's human rights. Bills pending before the Kenyan parliament include: the Family Protection Bill 2007, the Marriage Bill 2008, the Domestic Violence Bill 1999, the Matrimonial Property Bill 2008, the Equal Opportunities Bill 2008 and the Affirmative Action Bill 2000. The Coalition of the Campaign calls for the examination of these bills to be urgently accelerated.

#### Background

Adopted in 2003 the Maputo Protocol entered into force in 2005 and has now been ratified by the majority of African states which have thus committed themselves to "ensur[ing] that the rights of women are promoted, realised and protected". The Protocol provides a legal framework of reference for ensuring respect for women's human rights: elimination of discrimination and harmful practices; right to life and to physical integrity; equality in the domain of the family and civil rights; access to justice; right to participate in the political process; protection in armed conflicts; economic rights and social protection; right to health and food security, etc.

The Optional Protocol to CEDAW enables victims of violations, who are unable to obtain justice at the national level,

to seek redress before an international body.

*\*This Campaign was initiated by FIDH in collaboration with 5 regional organisations: Femmes Africa Solidarités (FAS), Women in Law in South Africa (WLSA), African Center for Democracy and Human Rights Studies (ACDHRS), Women in Law and Development in Africa (WILDAF) and Women's aid Collective (WACOL). Campaign blog : [www.africa4womensrights.org](http://www.africa4womensrights.org)*

<http://www.fidh.org/Kenya-Concrete-steps-required-to-demonstrate>