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| **S/NO.** | **QUESTIONS** | **RESPONSE(S)** |
| **1.** | Provide information on Legal, policy, Institutional and budgetary framework developed by Kenya to establish assistance and rehabilitation programmes for child victims of sale and exploitation including sexual exploitation. | 1. Constitution of Kenya 2010 provides specific rights to Children, youth, persons with disabilities, minorities, and marginalized groups and older members of society. Under provisions in the constitution – Article 53(1) (b) provides every child has the right to fees and compulsory basic education. 2. The Children Act, 2001 currently under Amendment. 3. Enacted Basic Education Act, No. 14 of 2013 guarantees the right of every child to free and compulsory education. 4. Issues of child labour have been captured and strengthened through decent work country programme(DWCP) OF 2012/2015 prioritizing child labour as well as the medium Term Plan (MTP) of 2013/2017 which has child labour as a planned activity under the performance contracting obligation. 5. National Plan of Action (NPA) for children 2015 -2022. The NPA aims to realign the children sector with the constitution and vision 2030. The NPA programmes integration and alignment to the plan, fostering programming, transparency, effectiveness and accountability for state and non-state actors and duty bearers working with and for children. 6. Kenya, through the National Council for Children’s Services (NCCS) developed The National Children Policy – 2010. Its policy goals are based on the Key pillars of child rights as articulated in the United Nations Convention on the Rights of the Child (UNCRC) 1989- survival, development, protection and participation rights.   The vision of the policy is to create an environment where all the rights of a child in Kenya will be fulfilled.   1. National Plan of Action Against Sexual Exploitation of Children in Kenya 2013-2-17. It was developed through the National Council for Children’s Services (NCCS) around the areas of prevention, protection recovering, reintegration, coordination and cooperation, child participation, monitoring and evaluation. 2. Counter – trafficking in persons Act of 2010. 3. National Plan of Action on child labour 2004-2015. 4. National guidelines on the management of sexual violence in Kenya – 2009. 5. Sexual offences Act, 2006 6. Development of the Cash – Transfer (CT) programme for orphans and vulnerable children 7. Policy framework for Nomadic Education in Kenya. 8. The framework for the National Child Protection system for Kenya (CPF) 9. Guidelines for the establishment and operations of Area Advisory Councils. 10. National Child Participation Guidelines 11. The National Gender and Equality Commission Act of 2011 which emphasizes on non-discrimination. 12. Prohibition of Female Genital Mutilation Act, of 2011 protecting the rights of a girl child against FGM. 13. ILO/IPEC Programme has continued support since 1992 to assist in elimination of Child Labour in Kenya and has sponsored programmes such as strengthening of the National Action (SNAP), tackling child labour through education (TACKLE) to mention but a few 14. Provision of education, vocational training and psycho social support to all children placed in statutory rehabilitation institutions and their integration and resettlement back into their communities. 15. Establishment of a street Family Rehabilitation Trust Fund (SFRTF). 16. The state has continued to increase budgetary allocation to children’s services progressively.   The budgetary allocation for children’s department is used in programmes for the protection from child abuse, child labour and sexual exploitation. In 2002/2003, and the recurrent and development the department received kshs. 255,402,170,  2003/2004 – ksh.255,790,572  2004/2005 – ksh.242,743,570  2005/2006 – ksh.662, 873,584 and in 2014/2015 financial year ksh.9.2 billion was allocated to the children’s services. |
| **2.** | Based on your experience, what elements are necessary for a comprehensive and rights – based care and recovery system of child victims of sale and exploitation including sexual exploitation? | 1. Kenya is making significant progress to put in place a responsive child protection system but major gaps still exist. 2. Inadequate personnel, knowledge and limited child protection infrastructure also hamper the ability of service providers to respond to needs. 3. Kenya has an elaborate legal and policy framework to protect children from all forms of abuse and exploitations. However, enforcement and delayed justice remain a major challenge. 4. In matters of child trafficking and sexual exploitation, it is still a major concern especially in the Tourism industry in urban centers. However, the government is also making significant efforts to comply with the minimum standards for the elimination of trafficking but the major gap is full enactment of Anti-trafficking laws and coordination of state actors. 5. The sexual offences Act of 2006 provides strong legal protection of victims of sexual violence but major steps need to be taken in terms of exploitation, increasing coordination and resource allocation to enable actors to provide witness protection, raise awareness on SOA and improve investigative and prosecutorial capacity and to also improve provision of psychosocial support for survivors of sexual offences (SOA 2008). Among these, there is need to give more attention into adequately address the mental impact of sexual abuse and exploitation. 6. Note: Kenya has good example of recovery and reintegration initiatives although a lot more needs to be done. Some of the issues that have been addressed include counselling, training of those working with victims prevention of social stigmatization, provision of alternative sources of livelihoods to victims and reintegration of victims into their communities and families. However, there are two main gender violence and recovery centres for such abused victims of sexual exploitation for counselling and treatment. (Kenyatta National Hospital and Nairobi women’s Hospital) This facilities cannot serve the overwhelming numbers of victims therefore needing mainstreaming and decentralization to local levels e.g. County, sub-county and ward. 7. There is need to also create awareness, review of training materials for use in institutions mainstreaming medical care and aftercare services, equip centres and facilities catering for child victims/survivors of sexual abuse and children with disabilities, adequate referral services of survivors under temporary settlements/shelters among others. |
| **3** | Provide examples of practices and successful initiatives of assistance and rehabilitation programmes which facilitate the rehabilitation and re-integration of child victim’s o of sale and exploitation including sexual exploitation. | 1. The government of Kenya has followed up the violence against children study by developing a response plan outlining several key strategies to combat and prevent violence (This plan is being finalized). 2. Children with such cases are placed in charitable children’s institution, rescue centres or alternative care institutions. 3. Establishment of a child helpline 116 which is a toll free line 4. Sexual offences Act, 2006 provides strong legal protection for victims of sexual violence. 5. The framework for the National child protection system for Kenya 2010. 6. There is a National Children Policy developed (2010) which provides under the protection rights the following principles: –  * To uphold the best interest of the child in all situations * To ensure respect for human dignity; accountability, none, discrimination, equity and equality in relation to children. * To ensure accessibility of services and participation of children. * To commit every individual adult to take responsibility to protect rights of the child regardless of the individuals relationship with the child. * The constitution is a major milestone for the children of Kenya as it recognizes some fundamental human rights in line with the UNCRC, the ACRWC and other international and regional treaties. * The vision 2030 though the 2nd medium term plan highlights the flagship projects to be undertaken towards the realization of children’s Rights for National prosperity * Free and compulsory primary education and subsidized secondary school education * Budget allocation for children department in the Ministry of Labour, Social Security and Services for programmes to prevent and protect children from child labour, child abuse and child sexual exploitation in a progressive manner each financial year. * Establishment of a street families, trust fund (SFTF) used for children removed from the streets and placed in schools and rehabilitation centres and in employment. * Programmes for the rehabilitation of juvenile offenders is allocated funds to rehabilitate them in statutory institutions. * The civil society organisations do partner with the Government in matters of children. * These among others. |
| **4.** | **Describe challenges that your country has identified in the establishment and management of assistance and rehabilitation programmes for a child victims of sale and exploitation, including sexual exploitation.** | * The children helpline 116 which is a toll-free line was established in 2006 by childline Kenya in partnership with GOK has proved to have an overwhelming caseload and as at now operates under 50%. The line has however demonstrated great potential for enhancement of child protection programmes in the county. * There is need to strengthen overall coordination of children’s services and welfare. The National Council for Children’s Services has the mandate to exercise general supervision and control over the planning, financing and coordination of child rights and welfare activities and to advise the government on all aspects thereof. * Inadequate resources both financial and human. * Inadequate data thus calling for a fully functional national children database and appropriate indicators to systematize monitoring and evaluation of programmes. * Inadequate capacity for services providers through training of trainers. * Need to further develop and strengthening of referral systems of victims (multi-sectoral referral system and structures). |
| **5** | **How do you ensure that the views and needs of children are duly taken into account in the design and provision of care and recovery services.** | * Upholding the best interest of the child in all situations. * Ensuring respect of human dignity, accountability, non-discrimination, equity and equality in relation to children. * Ensuring accessibility of services and participation by children. * Committing every individual adult to take responsibility to protect the rights of the child regardless of the individual’s relationship with the child. ( The four principles are in the National Children Policy 2010). * Further to this, the national council for children’s services (NCCS) developed guidelines for child participation in Kenya (revised in 2014) in collaboration with numerous stakeholders to establish, regulate and enforce procedures and standards for child participation in different spheres of life. The guidelines also address rules to be followed in the process of child participation such as mutual respect for all the views of all children indiscriminately, access to information, equal rights to participation and use of appropriate methodologies to enhance child participation. |
| **6.** | **How do you ensure access of child victims to support services.** | * Reporting of cases to the police stations * Reportingin thechildren’s department which has established offices in 175 sub-counties countrywide * Referral from other support services run by charitable organizations and civil society organizations. * Child helpline 116 which is a toll free line * National Council for children’s Services in partnership with the University Research Company (URC) and Goal Kenya has mapped the children’s services providers in the all the 47 counties inorder to come –up with a National directory for purpose(s) of enhancing the referral system( later derive at county specific directories). * The establishment of Areal Advisory Councils at sub-county level and ward level creates awareness on children’s Rights, so fare there are 175 establish AAC’s and the NCCS is due to establish county Area Advisory Councils. (47) |
| **7.** | **How do you ensure a gender perspective in the establishment and management of assistance and rehabilitation programs? Do your programs provide gender specific measures for the care and recovery for boys and girls.** | * The government of Kenya through the National Council for Children’s Services NCCS has developed a National Children Policy whose overall goals is to realize and safeguard the rights and welfare of the child. * The policy principles are used to guide in children’s matters e.g.  1. To uphold the best interest of the child in all situations. 2. To ensure respect for human dignity, accountability, non-discrimination, equity and equality in relation to children. 3. To ensure accessibility of services and participation of children 4. To commit every individual adult to take responsibility to protect the rights of the child regardless of the individual’s relationship with the child. 5. The principle of Non-discrimination is encouraged and enshrined in the Children Act 2001 and also in the constitution, the boys and girls are given equal chances in all programmes. |
| **8.** | **Provide information on prevention programmes developed by your county with a specific focus on children at risk or vulnerable situations (e.g. Children working and /or living on the street, children placed in institutions, unaccompanied migrant children.** | * The government of Kenya has provided free and compulsory primary education and subsidized secondary education. In line with united Nations convention on the Rights and Welfare of the Child the governments endeavours to ensure that all children are able to achieve human growth and development milestones and all children especially those in difficult circumstances and those from marginalized/vulnerable groups have access to free and compulsory education and achieve a net enrollment rate (NER) OF 100%. * Bursary funds are available for children * Girls who fall pregnant are given chance to return to school for continuity in schooling. * The government endeavors to strengthen child protection by establishing a comprehensive and functional child protection system which should be effectively coordinated. * All children in Kenya including un-=accompanied migrant children are accorded the same rights as children born and living in Kenya. * Cash-Transfer (CT) programe for Orphans and Vulnerable children. * Street Families Trust Fund which runs rehabilitation programmes for the street children and families among other programmes. * Partnerships in children’s matters with the civil society and other development orgnisations in various programs and projects. |