



**MINISTRY OF EAST AFRICAN COMMUNITY,  
LABOUR AND SOCIAL PROTECTION**



# **NATIONAL PLAN OF ACTION**

**on implementation of recommendations made by  
the Committee on the Rights of Persons With Disabilities  
in relation to the initial report of the Republic of Kenya,  
September 2015-June 2022.**



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MAY 2016





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# Acronyms and Abbreviations

AG	Attorney General
CRPD	Convention on the Rights of Persons with Disabilities
DPP	Director of Public Prosecution
DPO	Disabled Peoples' Organisations
DPP	Director of Public Prosecution
FGM	Female Genital Mutilation
JTI	Judicial Training Institute
KICD	Kenya Institute of Curriculum Development
KLRC	Kenya Law Reform Commission
KNAD	Kenya National Association of the Deaf
KNCHR	Kenya National Commission on Human Rights
KPS	Kenya Prison Service
LSK	Law Society of Kenya
MDP	Ministry of Devolution and Planning
MICT	Ministry of Information Communications and Technology
MEACL & SP	Ministry of East African Community, Labour and Social Protection
MOE	Ministry of Education
MOH	Ministry of Health
MPDB	Medical Practitioners and Dentists Board
NCPWD	National Council for Persons with Disabilities
NGEC	National Gender and Equality Commission
NPS	National Police Service
NTSA	National Transport and Safety Authority

## Acknowledgements



The ministry of East African Community, Labour and Social Protection acknowledges the technical committee that developed this Plan of Action. The technical committee was chaired by the Ministry of Labour and East African affairs and was composed of the Ministries of Health and Education, National Gender and Equality commission (NGEC), Kenya National Commission on Human Rights (KNCHR), National Council for Persons with Disabilities, United Disabled Persons of Kenya (UDPK), Ecumenical Disability Advocates Network (EDAN), Christoffel Blindenmission (CBM) Sight savers International, Kenya Association of the Intellectually Handicapped (KAIH), Kenya Human Rights Commission (NGO) and Kenya National Association of the Deaf.

In writing this Plan of Action the committee was guided by Persons with expertise and experience in disability matters and particularly in the human rights of persons with disabilities. Consultations to inform the development of this Plan of Action were wide and reached out to many other Ministries, Departments and Agencies, and Civil Society organisations.

Special acknowledgements go to KAIH for providing the technical Person who guided the writing of this Action Plan, and UDPK for supporting several meetings and workshops to enable technical Committee members to consult among themselves and to meet the wider disability sector, Ecumenical Disability Advocates Network (EDAN) for printing this Plan of Action and the ICT section in the Ministry for providing the technical support for framing the Plan of Action framework.

The Plan of Action elaborates ways and means of addressing the recommendations by the Committee on the Rights of Persons with Disabilities in relation to the initial report of Kenya under the Convention on the Rights of Persons with Disabilities. It sets out recommendations based on thematic areas in line with the various articles of the Convention on the rights of persons with disabilities. The Plan of Action Plan establishes objectives guide enable Ministries, Departments and Government Agencies to implement the recommendations. The framework consists of the recommendations, Objectives, Activities, Indicators or outputs, Timelines and Key Actors.

A handwritten signature in black ink, appearing to read 'Susan Mochache'.

*Susan Mochache*  
**PRINCIPAL SECRETARY**  
**STATE DEPARTMENT OF SOCIAL PROTECTION**



## Forward by the Cabinet Secretary

This Plan of action aims at guiding the implementation of the observations and recommendations by the Committee on the rights of Persons with Disabilities on Kenya under the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD), based on Kenya's initial report to the UNCRPD submitted in 2011.

Kenya's report to the UNCRPD Committee was reviewed in August 2015 in Geneva Switzerland where the state submitted both written and verbal responses to the list of issues in relation to the initial report of Kenya. The Country was well represented by both the Government and Civil Society.

This Plan of Action is a response to the recommendations there from and therefore it is a policy document to actualize the rights of Persons with Disabilities which should be embraced by all stakeholders to take the disability sector in Kenya to the next level.

Specific organizations and institutions have been given specific responsibilities in this policy document on which they will be expected to deliver depending on their mandates. Effective delivery on the recommendations is a responsibility of both the State and Non State Actors identified in the framework.

The implementation of this Plan of Action will be reported as from the year 2016 up to the year 2022 when Kenya is expected to be reviewed again by the Committee on the Rights of Persons with Disabilities. All identified institutions will be expected to document what they will have achieved and the outputs of the activities in implementation of this Plan of action plan.

The National Gender and Equality Commission (NGEC) will be expected to continuously monitor and periodically report on the implementation of this Plan of Action. The Kenya National Commission on Human Rights (KNCHR) will equally be expected to include the human rights of persons with disabilities in relation to the recommendations of this Action plan in their human rights reports.

The National Council for Persons with disabilities will be expected to oversee the implementation of this Plan of Action in addition to monitoring and also advising the Government and the wider disability sector on its implementation.

I call upon all critical stakeholders to play their different roles and continuously share their implementation progress to help Persons with disabilities in actualizing their rights.

The Ministry of East African Community, Labour and Social Protection will provide the overall coordination of the implementation of this action plan.

A handwritten signature in black ink that reads "Pyllis".

**Mrs Pyllis J. Kandie, EGH**  
**CABINET SECRETARY**

# I: Introduction

## A: Purpose

The Plan of Action on Implementation of the Recommendations Made by the Committee on the Rights of Persons with Disabilities to the Republic of Kenya is prepared by the Government in partnership with disabled peoples' organisations (DPOs). The Plan of Action is spear-headed by the Ministry of East African Community, Labour and Social Protection (MEACL & SP), whose functions include disability matters.

The Plan of Action identifies and concretises the objectives and milestones which the State must realise to ensure full implementation of the recommendations made following the State's presentation of its initial periodic report to the Committee on the Rights of Persons with Disabilities on 18-19 August 2015. It uses the recommendations made to Kenya by the Committee to establish objectives, activities and indicators/outputs. It also identifies key State as well as non-state actors who must play central roles for the full realization of the Committee's recommendations, as well as setting the timelines within which activities should be realized. The Plan of Action also includes a strategy for monitoring implementation of the Committee's recommendations derived from international good practice.

## B: Background

The Convention on the Rights of Persons with Disabilities (CRPD) was adopted by the United Nations General Assembly on 13 December 2006 following five years' negotiations. Kenya became a party to the Convention on 19 May 2008 when it ratified the Convention.

The overall purpose of the CRPD is to promote, protect and ensure the full and equal enjoyment of all human rights and fundamental freedoms by all persons with disabilities, and to promote respect for their inherent dignity. By becoming a party to the Convention, Kenya thereby committed to ensure, protect and promote the rights of persons with disabilities in the country. Kenya has proceeded to take policy, legislative, administrative and other measures to ensure and promote the full realization of all human rights and fundamental freedoms for all persons with disabilities without discrimination of any kind on the basis of disability.

Article 35 of the CRPD requires each State Party to submit to the Committee a comprehensive report of measures taken to give effect to its obligations under the Convention and the progress made in that regard. The initial such report is required to be submitted within two years upon the Convention's entry into force in the particular country.

Kenya's Initial Report, which was due in 2010, was submitted to the Committee on 3 April 2012. The Initial Periodic Report was prepared by the Government with the close collaboration and partnership of DPOs as well as other relevant State agencies including the Kenya National Commission on Human Rights (KNCHR) and the National Council for Persons with Disabilities (NCPWD). After a delay of a number of years, Kenya's initial report was reviewed by the Committee on 18-19 August 2015, subsequent to which the Committee issued its concluding observations.



The Government in partnership with DPOs then held a workshop on 22 September 2015 to review the Committee's recommendations and map a way forward. The Government also instituted a working group to finalise the Plan of Action and to guide its initial implementation.

## **C: Policy and Legislative Context**

According to the National Housing and Population Census of 2009, approximately 3.46 per cent of Kenyans have some form of disability. In fact, it is generally agreed that the percentage of persons with disabilities in Kenya is far higher – as high as 15 per cent of the population, using current World Health Organisation calculations. This means that over 6.6 million Kenyans have a disability.

The rights which persons with disabilities enjoy in Kenya are legislated at a number of levels. Article 2 (6) of the Constitution of Kenya (2010) provides that a treaty or convention ratified by Kenya is part of its laws. The rights and obligations established in the CRPD therefore constitute part of the country's laws.

Article 19 of the Constitution affirms that human rights belong to each individual, and the purpose of recognizing and protecting human rights and fundamental freedoms is to preserve the dignity of individuals and communities and to promote social justice and the realization of the potential of all human beings. Persons with disabilities therefore, like other individuals, enjoy all the rights established in the Bill of Rights. Article 54 of the Constitution additionally affirms disability-specific rights.

Policy, statutory and institutional interventions in key areas such as health and education cover all individuals including those with disabilities. In some instances, specific policy or legislation is in place to ensure the better implementation of the rights of persons with disabilities. Significantly, though, a substantial number of policy and law areas focusing on disability have not been reviewed following Kenya's entry into the Convention, and various ongoing initiatives aim to align these positions with the Convention and the Constitution. Notable such initiatives are:

1. Ongoing initiatives seeking to replace the Persons with Disabilities Act (No. 14 of 2003) with a new disability law;
2. Ongoing finalization of the Disability Policy; and
3. Initiatives to establish better bases for the political representation of persons with disabilities.

## II: Recommendations, Objectives, Activities and Indicators

The Committee on the Rights of Persons with Disabilities issued recommendations to Kenya covering most substantive articles of the CRPD. This part of the Implementation Plan sets out the recommendations thematically and then establishes the objectives which will enable the State to implement the recommendations. Activities as well as indicators are also set out.

<b>Article 1-4 General Obligations</b>					
<b>Recommendations</b>	<b>Objectives</b>	<b>Activities</b>	<b>Indicators/outputs</b>	<b>Timelines</b>	<b>Key Actors</b>
<p>Recommendation 1: Complete as a matter of priority and within a specific time-frame the process to review the Persons with Disabilities Act (No.14 of 2003) and bring it into line with the provisions of the Convention and human rights based approach to disability</p> <p>Recommendation 2: Ensure adequate processes in Parliament to enact various bills pending approval regarding the rights of persons with disabilities</p> <p>Recommendation 3: Adopt measures to amend and/or repeal legislation that includes derogatory terminology against persons with disabilities</p>	<p>To ensure the full domestication of the Convention on the Rights of Persons with Disabilities</p>	<p><b>Activity 1:</b> Finalise review of the Persons with Disabilities Act (Cap 133) and enact new persons with disabilities law in conformity with the CRPD and the Constitution</p>	<p>Repealed Persons with Disabilities Act (Cap 133); newly enacted disability law</p>	<p>December 2016</p>	<p>MEACL &amp; SP, KLRC, Parliament, NGEC, DPO's</p>
		<p><b>Activity 2:</b> Enact legislation on the rights of persons with disabilities pending before Parliament</p>	<p>Legislation on political representation of persons with disabilities; Amendment of Election Act (No. 24 of 2011) to clarify nomination processes; equality legislation; two-thirds gender representation law; legislation to make Article 54 (2) of the Constitution operational</p>	<p>December 2016</p>	<p>MEACL &amp; SP, AG, KLRC, Parliament, NGEC, DPO's</p>
		<p><b>Activity 3:</b> Amend and/or repeal legislation that includes derogatory terminology against persons with disabilities</p>	<p>amended Articles 83 (1) (b), 99 (2) (e) and 193 (2) (d) of the Constitution (2010); amendments of Section 9 of the Election Act (No. 24 of 2011), Section 40 (1) (e) of the County Government Act, Section 12 and 255 of the Penal Code, Section 162, 163 and 166 of the Criminal Procedure Code, Section 21 of the National Land Commission Act (No. 5 of 2012), Section 12 (a) (ii) of the Marriage Act (No. 4 of 2014)</p>	<p>December 2016</p>	<p>MEACL &amp; SP, AG, KLRC, Parliament, NGEC, DPO's</p>

<p>Recommendation 4: Raise awareness among members of Parliament with regard to the Convention and convey their involvement in implementing the Committee’s concluding observations</p> <p>Recommendation 5: Adopt measures to ensure that county governments and all local authorities allocate budgetary resources and establish action plans to implement the Convention with targets and indicators to monitor their results</p> <p>Recommendation 6: Establish formal mechanisms and protocols at the national, county and municipal levels and conduct consultations with organisations representing persons with disabilities in line with Kenya’s obligations under Article 4 3 of the Convention including the required financial resources and promote the meaningful participation of organisations of persons with disabilities in both rural and urban areas</p>	<p>To ensure that the Convention is implemented by the State fully</p>	<p><b>Activity 1:</b> Undertake awareness-raising about the CRPD to members of the National and County Parliaments</p>	<p>Number of awareness-raising meetings with parliamentary committees; number of workshops; number of conferences; quality of legislation</p>	<p>Continuous</p>	<p>NCPWD, Parliament, MEACL &amp; SP, County Assemblies, DPO’s</p>
		<p><b>Activity 2:</b> Ensure policy and law is in place to cover issues of disability within county planning and budgeting</p>	<p>Annual county development plans; annual county operational Plans and budgets</p>	<p>2022</p>	<p>MEACL &amp; SP, MDP, County Executive Committees and Assemblies, DPO’s</p>
		<p><b>Activity 3:</b> Ensure that county monitoring and evaluation include disability-disaggregated targets and indicators</p>	<p>County monitoring and evaluation frameworks; annual county monitoring and evaluation reports</p>	<p>2022</p>	<p>MEACL &amp; SP, MDP, MOH, County Executive Committees and Assemblies, DPO’s</p>
		<p><b>Activity 4:</b> Strengthen the policy and institutional framework for enabling consultation between the State and persons with disabilities in the development of policy and legislation on the rights of persons with disabilities and issues of disability</p>	<p>Adopted disability policy; properly institutionalised Council; resourced Council with national reach in all counties; consultation framework</p>	<p>2017</p>	<p>MEACL &amp; SP, Parliament, NCPWD, DPO’s</p>

## Article 5 Equality and Non-Discrimination

Recommendations	Objectives	Activities	Indicator/outputs	Timelines	Key Actors
<p>Recommendation 1: Enforce measures to ensure that cases of discrimination against persons with disabilities can be invoked before courts and that victims receive appropriate redress</p> <p>Recommendation 2: Define in its legislation the principle of reasonable accommodation in all areas, in line with article 2 of the Convention, and ensure legal recognition of the denial of reasonable accommodation as a form of discrimination</p>	<p>To ensure persons with disabilities have equal and effective legal protection against discrimination on all grounds</p>	<p><b>Activity 1:</b> Make persons with disabilities aware that they may under the Constitution seek judicial redress when they face discrimination, and provide capacities to judicial officers and lawyers on how to litigate or adjudicate cases of discrimination on the basis of disability</p>	<p>Number of cases filed; number of successful litigations; quality of judgements</p>	<p>Continuous</p>	<p>Judiciary, NCPWD, KNCHR, NGEC, DPO's, MEACL &amp; SP</p>
		<p><b>Activity 2:</b> Specifically include the principle of reasonable accommodation in legislation covering various spheres of life</p>	<p>Amended Basic Education Act (No. 13 of 2014), Employment Act (No. 11 of 2007), Persons with Disabilities Act (No. 14 of 2003), Public Health Act (Cap 242), Election Act (No. 24 of 2011), Political Parties Act (No. 11 of 2011)</p>	<p>2016</p>	<p>AG, KLRC, Parliament, MEACL &amp; SP, MOH, MOE, KNCHR, NGEC, DPO's, NCPWD</p>

## Article 6 Women with Disabilities

Recommendations	Objectives	Activities	Indicators/outputs	Timelines	Key Actors
<p>Recommendation 1: Systematically collect data and statistics on the situation of women and girls with disabilities living in rural and urban areas, and belonging to ethnic minorities and pastoralist communities</p> <p>Recommendation 2: Strengthen the mandate of the NGEC, and ensure it is allocated human, technical and budgetary resources specifically aimed at the advancement of the rights of women with disabilities</p> <p>Recommendation 3: Adopt a national strategy with a time frame and indicators to address intersectional discrimination against women and girls with disabilities, including those living in rural and urban areas, and ensure their effective participation in the design, implementation and monitoring of such a strategy</p>	<p>To ensure women and girls have full and equal enjoyment of all human rights and fundamental freedoms</p>	<p><b>Activity 1:</b> Ensure that data collection and analysis frameworks and tools for the 2019 National Population and Housing Census capture information on the situation of women and girls with disabilities in rural and urban settings in all counties and across all ethnic communities</p>	<p>Disability-inclusive data collection framework and tools; 2019 National Population and Housing Census</p>	<p>2020</p>	<p>KNBS, MDP, MEACL &amp; SP, MOH, MOE, NCPWD, DPO's</p>
		<p><b>Activity 2:</b> Ensure that national and county surveys capture information on the situation of women and girls with disabilities in rural and urban settings across all ethnic communities</p>	<p>2019 National Population and Housing census; Kenya National Health Demographic Survey</p>	<p>2020</p>	<p>KNBS, NCPWD, MDP, MOH, DPO's</p>
		<p><b>Activity 3:</b> Identify and ring-fence resources for advancing the rights of women with disabilities</p>	<p>Implementation of Regulation 1 of the Public Procurement and Disposal Preference and Reservations Amendment Regulations on 30% allocation of tenders to women and persons with disabilities; nature and extent of allocated resources</p>	<p>2016</p>	<p>Public Procurement and Oversight Authority, MDP, MEACL &amp; SP, NCPWD</p>
		<p><b>Activity 4:</b> Ensure NGEC programming is inclusive and accessible, and takes specific account of the rights of women with disabilities</p>	<p>NGEC strategic plan; Annual NGEC operational plans; number of county offices</p>	<p>Continuous</p>	<p>NGEC, DPOs</p>
		<p><b>Activity 5:</b> Ensure NGEC's monitoring and evaluation plan includes targets and indicators for assessing realisation of the rights of women with disabilities</p>	<p>NGEC monitoring and evaluation plan; annual NGEC monitoring and evaluation reports</p>	<p>Continuous</p>	<p>NGEC, DPOs</p>
		<p><b>Activity 6:</b> Establish a national strategy to address intersectional discrimination of women and girls with disabilities</p>	<p>The strategy; annual monitoring and evaluation reports</p>	<p>Continuous</p>	<p>MEACL &amp; SP, NGEC, DPO's</p>

## Article 7 Children with Disabilities

Recommendations	Objectives	Activities	Indicators/outputs	Timelines	Key Actors
<p>Recommendation 1: Adopt as a matter of priority a strategy to combat stereotypes against girls and boys with disabilities within families and in society and implement an early warning mechanism to prevent the abandonment of children with disabilities in urban and rural areas</p> <p>Recommendation 2: Provide community-based services and assistance for girls and boys with disabilities with a view to eliminating institutionalisation, and ensure that grants from the Transfer Programme for Orphans and Vulnerable Children reach children with disabilities in rural areas</p> <p>Recommendation 3: Take measures to assess the situation of girls and boys who are deaf-blind and ensure that public policies and programmes are responsive to their specific needs</p> <p>Recommendation 4: Implement measures, in partnership with organisations of persons with disabilities and other civil society organisations, aimed at promoting the right of children with disabilities to be consulted in all matters concerning their lives, and ensuring that they receive assistance appropriate to their age and disability</p>	<p>Objective: To ensure the full enjoyment by children with disabilities of all human rights and fundamental freedoms on an equal basis with other children</p>	<p><b>Activity 1:</b> Incorporate into children’s policy, law and administrative action measures for combatting stereotypes against boys and girls with disabilities</p>	<p>Review implementation of the National Children Policy 2008</p>	<p>2017</p>	<p>Department of Children, MEACL &amp; SP</p>
		<p><b>Activity 2:</b> Put in place measures to ensure that children with disabilities in rural and urban areas are not abandoned</p>	<p>Number of children with disabilities registered at birth; number of education assessment and resource centres; number of assessed children; extent of community awareness-raising</p>	<p>Continuous</p>	<p>Department of Children, Directorate of Immigration and Registration of Persons, MOH, MOE, NCPWD, DPOs</p>
		<p><b>Activity 3:</b> Strengthen community-based-rehabilitation programmes as a way of eliminating institutionalisation of children with disabilities</p>	<p>number and scope of programmes</p>	<p>Continuous</p>	<p>MEACL &amp; SP, Department of Children, NCPWD, DPO’s</p>
		<p><b>Activity 4:</b> Provide grants to children with disabilities</p>	<p>nature and extent of grant</p>	<p>Continuous</p>	<p>MEACL &amp; SP, NCPWD, DPO’s</p>
		<p><b>Activity 5:</b> Assess the situation of girls and boys who are deaf-blind and ensure that public policies and programmes are responsive to their specific needs</p>	<p>Assessment report; implementation reports</p>	<p>2017</p>	<p>MEACL &amp; SP, MOE, NCPWD, National Council for Children Services, DPO’s</p>
		<p><b>Activity 6:</b> Put measures in place, in partnership with organisations of persons with disabilities and other civil society organisations, aimed at promoting the right of children with disabilities to be consulted in all matters concerning their lives, and ensuring that they receive assistance appropriate to their age and disability</p>	<p>Participation of children with disabilities in Children’s Parliament; extent of implementation of participation under the National Children Policy</p>	<p>Continuous</p>	<p>Department of Children, MEACL &amp; SP, NCPWD, DPO’s</p>

## Article 8 Awareness-raising

Recommendations	Objectives	Activities	Indicator/outputs	Timelines	Key Actors
<p>Recommendation 1: Set up a long-term strategy aimed at raising awareness and combating discrimination against persons with disabilities among the public in general, in rural and urban areas, including all aspects covered by the Convention</p> <p>Recommendation 2: Carry out mass-media awareness-raising campaigns and workshops in order to foster a positive image of persons with disabilities and their contributions to society</p> <p>Recommendation 3: Human rights-based training programmes be provided in both the private and the public sectors for all officials, in consultation with organizations of persons with disabilities and in collaboration with human rights institutions and organizations</p>	<p>Objective: To adopt immediate, effective and appropriate measures to raise awareness regarding persons with disabilities</p>	<p><b>Activity 1:</b> Develop a long-term strategy for awareness-raising against discrimination of persons with disabilities</p>	<p>Development of strategy</p>	<p>2016</p>	<p>NCPWD, MEACL &amp; SP, NGEC, DPO's</p>
		<p><b>Activity 2:</b> Carry out mass-media awareness-raising campaigns and workshops to foster a positive image of persons with disabilities and their contributions to society</p>	<p>Number of awareness raising activities</p>	<p>Continuous</p>	<p>NCPWD, MEACL &amp; SP, DPO's</p>
		<p><b>Activity 3:</b> Undertake human rights-based training programmes in both the private and the public sectors</p>	<p>Number and quality of trainings undertaken</p>	<p>Continuous</p>	<p>NCPWD, KNCHR, NGEC, MEACL &amp; SP, Children's Department</p>

## Article 9 Accessibility

Recommendations	Objectives	Activities	Indicators/outputs	Timelines	Key Actors
<p>Recommendation 1: Finalise and adopt the draft consolidated national action plan on accessibility and disability rights for the implementation of the Persons with Disabilities Act (No.14 of 2003) and related provisions of the Constitution 2010</p> <p>Recommendation 2: Effectively implement the regulations of non-compliance as provided in the Persons with Disabilities Act (No.14 of 2003) and ensure adjustment orders are issued to non-compliant stakeholders</p>	<p>To ensure to persons with disabilities access, on an equal basis with others, to the physical environment, to transportation, to information and communications, and to other facilities and services open or provided to the public, both in rural and urban areas</p>	<p><b>Activity 1:</b> Launch and implement the National Action Plan on Accessibility and Disability Rights in Kenya</p>	<p>the Plan; implementation reports</p>	<p>Continuous</p>	<p>MEACL &amp; SP, NCPWD, NTSA, National Construction Authority, Ministry of Land Housing and Settlement, County Executive Committees, Architectural Association of Kenya, Department of Public Health, Ministry of Transport</p>
		<p><b>Activity 2:</b> Implement the regulations of non-compliance as provided in the Persons with Disabilities Act (No. 14 of 2003) and ensure adjustment orders are issued to non-compliant stakeholders</p>	<p>Number of complaints; number of adjustment orders; extent of compliance; guidelines on minimum standards of accessibility</p>	<p>Continuous</p>	<p>NCPWD, NTSA, National Construction Authority, Ministry of Transport and Infrastructure</p>



<b>Article 10 Right to life</b>					
<b>Recommendations</b>	<b>Objectives</b>	<b>Activities</b>	<b>Indicators/outputs</b>	<b>Timelines</b>	<b>Key Actors</b>
Recommendation 1: Promptly investigate all cases of violence against persons with albinism, ensuring that they are appropriately prosecuted and punished	To ensure protection of the right to life of persons with albinism	<b>Activity 1:</b> Investigate cases of violence against persons with albinism	Number of investigations; number and outcomes of prosecutions	Continuous	NPS, DPP, NCPWD, DPOs, Judiciary
Recommendation 2: Create shelters and redress services for victims of attacks, including health care, counselling and free legal aid		<b>Activity 2:</b> Create safe spaces and redress services for victims of attacks, including health care, counselling and free legal aid	number of safe spaces set up	Continuous	MDP, MOH, NCPWD, Department of Justice
Recommendation 3: Redouble efforts to raise awareness about the dignity and rights of persons with albinism and ensure the involvement of organizations of persons with albinism in any campaigns aimed at eliminating stigmatization and myths that underpin violence against persons with albinism		<b>Activity 3:</b> Undertake advocacy and awareness-raising on the rights and dignity of persons with albinism	Extent and quality of awareness-campaigns	Continuous	NCPWD, DPO's

## Article II Situations of risk and humanitarian emergencies

Recommendations	Objectives	Activities	Indicators	Timelines	Key Actors
<p>Recommendation 1: Adopt a national plan to ensure the protection of persons with disabilities in situations of risk and humanitarian emergencies and to ensure universal accessibility and inclusion for persons with disabilities at all stages and levels of all disaster risk reduction policies and their implementation</p> <p>Recommendation 2: Provide information in modes, means and formats of communication accessible to all persons with disabilities, in all of the State party's official languages and indigenous languages, about early warning mechanisms in case of risk and humanitarian emergency</p> <p>Recommendation 3: Adopt measures to monitor the situation of persons with disabilities in refugee camps and internally displaced persons with disabilities, and ensure that they are entitled to access all services available, including accessible shelters, water and sanitation, education and health</p>	<p>Objective: To ensure the protection and safety of persons with disabilities in situations of risk</p>	<p><b>Activity 1:</b> Adopt a national plan to ensure the protection of persons with disabilities in situations of risk and humanitarian emergencies and to ensure universal accessibility and inclusion for persons with disabilities at all stages and levels of all disaster risk reduction policies and their implementation</p>	<p>Plan and the extent to which it takes into account persons with disabilities</p>	2017	<p>MDP, Department of Special Programmes, MEACL &amp; SP, NCPWD, NGEC, DPOs, international humanitarian agencies</p>
		<p><b>Activity 2:</b> Ensure that information on early warning mechanisms in cases of risk and humanitarian emergencies are provided in means, modes and formats of communication accessible to persons with disabilities</p>	<p>Reports; National Disability Policy</p>	2017	<p>MDP, Department of Special Programmes, NCPWD, international humanitarian agencies</p>
		<p><b>Activity 3:</b> Adopt measures to monitor the situation of persons with disabilities in refugee camps and ensure they are entitled to access all services available</p>	<p>Monitoring and evaluation reports</p>	Continuous	<p>MDP, Department of Special Programmes, NCPWD, DPO's, international humanitarian agencies, Department of Refugee Affairs</p>
		<p><b>Activity 4:</b> Adopt measures to monitor the situation of internally displaced persons with disabilities, and ensure they are entitled to access all services available</p>	<p>reporting framework; monitoring and evaluation reports</p>	2017	<p>MDP, NCPWD</p>

## Article 12 – equal recognition before the law

Recommendations	Objectives	Activities	Indicators/outputs	Timelines	Key Actors
<p>Recommendation 1: Eliminate all forms of formal and informal substituted decision-making regimes and replace them with a system of supported decision-making, in line with the Committee’s general comment No. 1 (2014) on equal recognition before the law</p> <p>Recommendation 2: Repeal legislation and practices that allow for the deprivation of legal capacity on the basis of impairment, and adopt measures to prohibit the deprivation of legal capacity on a customary basis</p> <p>Recommendation 3: Support and facilitate ongoing initiatives to implement article 12, including research by the KNCHR and the models of supported decision-making spearheaded by representative organizations of persons with disabilities</p>	<p>Objective: To adopt and implement a policy, legislative and administrative framework replacing all forms of substituted decision-making regimes or other deprivation of legal capacity on the basis of impairment with an appropriate system of supported decision-making</p>	<p><b>Activity 1:</b> Establish policy on supported decision-making and amend or repeal legislation allowing or condoning formal or informal substituted decision-making</p>	<p>Policy on supported decision-making; repealed or amended Mental Health Act (Cap 248), The Civil Procedure Act (Cap 21) and the Civil Procedure Rules, The Children’s Act (Cap 141), The Constitution of Kenya (2010), Age of Majority Act (Cap 33), Marriage Act (No. 4 of 2014), Matrimonial Causes Act (No. 49 of 2013), Sale of Goods Act (Cap 31), Law of Succession Act (Cap 160), Traffic Act (Cap 403), Penal Code (Cap 63), Criminal Procedure Code (Cap 75), Sexual Offences Act (Cap 62A), Evidence Act (Cap 80), Election Act (No. 24 of 2011), HIV and AIDS Prevention and Control Act (Cap 246A) and the Persons with Disabilities Act (No.14 of 2003)</p>	2017	AG, Parliament, KLRC, NCPWD, MEACL & SP, DPO’s
		<p><b>Activity 2:</b> Establish a framework and strategy for partnering with representative organisations of persons with disabilities working on models of supported decision-making</p>	<p>Framework for the strategy</p>	2016	NCPWD, DPO’s, MEACL & SP
		<p><b>Activity 3:</b> Develop training and information material on the right to legal capacity in partnership with organisations of persons with disabilities</p>	<p>Number and quality of training material</p>	2017	MEACL & SP, NCPWD, KNCHR, DPO’s
		<p><b>Activity 4:</b> Undertake ongoing training and awareness-raising campaigns in partnership with organisations of persons with disabilities</p>	<p>number and scope of campaigns carried out</p>	Continuous	MEACL & SP, NCPWD, DPO’s
		<p><b>Activity 5:</b> Undertake monitoring and evaluation to assess the effectiveness of the training and information campaigns in partnership with organisations of persons with disabilities</p>	<p>Monitoring and evaluation reports</p>	Continuous	MEACL & SP, NCPWD, NGEC

## Article 13 – access to justice

Recommendations	Objectives	Activities	Indicators/outputs	Timelines	Key Actors
<p>Recommendation 1: Adopt measures to ensure that all persons with disabilities have access to justice, including by establishing free legal aid for persons with disabilities who claim their rights, and by providing information and communications technology in accessible formats, including Kenyan sign language</p> <p>Recommendation 2: Define explicitly in legal instruments the duty of the judiciary to provide procedural accommodations for persons with disabilities in accordance with article 13 of the Convention</p> <p>Recommendation 3: Develop a capacity-building strategy within the judicial branch on the rights of persons with disabilities, including lawyers, magistrates, judges, prison staff and the Police</p>	<p>To establish or strengthen measures for ensuring that all persons with disabilities have access to justice</p>	<p><b>Activity 1:</b> Review and amend legislation to take account of the rights of persons with disabilities to access justice</p>	<p>Amended Civil Procedure Act (Cap 21) and Civil Procedure Rules, Constitution of Kenya (2010), Age of Majority Act (Cap 33), Penal Code (Cap 63), Criminal Procedure Code (Cap 75), Sexual Offences Act (Cap 62A), Evidence Act (Cap 80) and the Persons with Disabilities Act (No.14 of 2003)</p>	<p>2016</p>	<p>AG, Parliament, KLRC, NCPWD, MEACL &amp; SP, LSK, Judiciary, DPO's</p>
		<p><b>Activity 2:</b> Establish institutional and resource mechanisms to provide free legal aid for persons with disabilities who claim their rights</p>	<p>Enactment of the Legal Aid Bill, 2015</p>	<p>2016</p>	<p>AG, Parliament, KLRC, NCPWD, MEACL &amp; SP, DPO's</p>
		<p><b>Activity 3:</b> Ensure justice institutions - including police, prosecutions, judicial and correctional services – use accessible formats to provide information as appropriate to persons with disabilities and provide them with appropriate procedural accommodations</p>	<p>Number of courts, police stations and correctional facilities that are accessible to persons with disabilities; number of courts, police stations and correctional facilities using accessible communication formats</p>	<p>Continuous</p>	<p>JTI, NPS, KPS, NCPWD</p>
		<p><b>Activity 4:</b> Develop a capacity-building strategy within the judicial branch on the rights of persons with disabilities, including lawyers, magistrates, judges, prison staff and the Police</p>	<p>Number of judges, magistrates, lawyers, police and prison officers trained on the needs of persons with disabilities using the justice system</p>	<p>Continuous</p>	<p>JTI, NPS, LSK, KPS, NCPWD, DPO's</p>

## Article 14 Liberty and security of person

Recommendations	Objectives	Activities	Indicators/outputs	Timelines	Key Actors
<p>Recommendation 1: Amend or repeal legislation to prohibit involuntary placement, including provisions in the Mental Health Act (Cap 248), amend the Persons Deprived of Liberty Act (No. 23 of 2014), which allows detention for the purpose of psychiatry treatment, and ensure that new legislation is fully compatible with article 14 of the Convention in all cases</p> <p>Recommendation 2: Repeal Section 166 of the Criminal Procedure Code (Cap 75), concerning the declaration of 'insanity' and reaffirm the right to a fair trial of persons with disabilities, in accordance with the Convention</p>	<p>Objective: To repeal or amend legislation which undermines the liberty or security of person of persons with disabilities</p>	<p><b>Activity 1:</b> Adopt legislation to prohibit involuntary placement and accordingly repeal or amend legislation allowing involuntary placement or the detention of persons with psychosocial disabilities</p>	<p>Law prohibiting involuntary placement; repealed or amended Mental Health Act (Cap 248) and Persons Deprived of Liberty Act (No. 23 of 2014)</p>	2017	AG, Parliament, KLRC, NCPWD, MEACL & SP, DPO's
		<p><b>Activity 2:</b> Amend laws to reaffirm the right to a fair trial for persons with disabilities</p>	<p>Amended section 166 of the Criminal Procedure Code and the Evidence Act (Cap 80)</p>	2016	AG, Parliament, KLRC, NCPWD, MEACL & SP, DPO's

## Article 15 – freedom from torture or cruel, inhuman or degrading treatment or punishment

Recommendations	Objectives	Activities	Indicators/outputs	Timelines	Key Actors
<p>Recommendation 1: Establish a mechanism on the prevention of torture, considering in particular the protection of persons with disabilities</p> <p>Recommendation 2: Provide support to persons with disabilities, including information in accessible formats, in order to be able to give free and informed consent in relation to medical treatment and scientific experimentation</p> <p>Recommendation 3: Train health-care professionals on the rights of persons with disabilities, specifically on the right to free and informed consent</p>	<p>Objective: To ensure that persons with disabilities are not subjected to torture or cruel, inhuman or degrading treatment or punishment</p>	<p><b>Activity 1:</b> Review and amend laws and bills on the prevention of torture to ensure persons with disabilities are not subjected to torture</p>	<p>Amended Mental Health Act (Cap 248), Evidence Act (Cap 80), Prisons Act (Cap 90)</p>	2016	AG, Parliament, KLRC, NCPWD, MEACL & SP, MOH, DPO's
		<p><b>Activity 2:</b> Establish and implement support frameworks and protocols covering medical and scientific fields to ensure persons with disabilities are not subjected to medical treatment and scientific experimentation without their free and informed consent</p>	<p>Enactment of the Health Bill; Establishment of protocols; implementation reports</p>	2016	AG, Parliament, KLRC, MOH, MPDB, NCPWD, DPO's
		<p><b>Activity 3:</b> Prepare and implement training programmes for health-care professionals on the rights of persons with disabilities</p>	<p>Number of health care professionals trained, number of complaints</p>	Continuous	MOH, MPDB, Medical Tribunal Board, NCPWD, DPO's

## Article 16 – freedom from exploitation, violence and abuse

Recommendations	Objectives	Activities	Indicators/outputs	Timelines	Key Actors
<p>Recommendation 1: Design and implement a strategy with adequate funding for the protection of persons with disabilities, particularly women and children with disabilities, from exploitation, violence and abuse – including prevention, early recovery, legal remedies, including compensation and reparation, and accessible services and counselling for victims</p> <p>Recommendation 2: Set up an independent mechanism to monitor the conditions in all facilities designed to serve persons with disabilities, in accordance with article 16 (3) of the Convention</p> <p>Recommendation 3: Take the necessary measures to prevent children with disabilities from falling into exploitation by begging and create programmes at the national, county and municipal levels for their rehabilitation, recovery and inclusion in family and community life</p> <p>Recommendation 4: Ensure that gender violence recovery centres are established throughout the country and are accessible for women with disabilities, and collect information about women with disabilities who have benefited from the services at such centres</p>	<p>Objective: To ensure persons with disabilities are protected, both within and outside the home, from all forms of exploitation, violence and abuse</p>	<p><b>Activity 1:</b> Design, resource and implement a strategy for the protection of persons with disabilities from exploitation, violence and abuse, focusing in particular on women and children, and covering prevention, early recovery, legal remedies and accessible services and counselling for victims</p>	Strategy	2017	NCPWD, NGEC, Children’s Council, MEACL & SP
		<p><b>Activity 2:</b> Establish or designate an independent mechanism to monitor conditions in facilities designed to serve persons with disabilities, to prevent the occurrence of all forms of exploitation, violence and abuse</p>	Establishment or designation of the independent mechanism	2017	MEACL & SP, KNCHR, NGEC, NCPWD
		<p><b>Activity 3:</b> Take necessary measures to prevent children with disabilities from falling into exploitation by begging and create programmes at the national, county and municipal levels for their rehabilitation, recovery and inclusion in family and community life</p>	Review implementation of the National Children Policy	2017	National Children Council, NCPWD, MEACL & SP
		<p><b>Activity 4:</b> Ensure that gender violence recovery centres are established throughout the country and that they are accessible for women with disabilities, and collect information about women with disabilities who have benefited from the services at such centres</p>	Number of gender recovery centres established	Continuous	MOH, MEACL & SP, NCPWD, County Governments

## Article 17 – protecting the integrity of the person

Recommendations	Objectives	Activities	Indicators/outputs	Timelines	Key Actors
<p>Recommendation 1: Establish mechanisms to monitor health-care facilities and adopt measures to prohibit forced sterilization and ensure that adequate information is provided in accessible formats for all women and girls with disabilities concerning their sexual and reproductive rights</p> <p>Recommendation 2: Implement the recommendations issued by the Committee on the Elimination of Discrimination against Women in 2011 (CEDAW/C/KEN/CO/7) relevant to female genital mutilation (FGM), and ensure that the action plan of the Anti-FGM Board includes a compilation of information on the women and girls subjected to such a practice and mechanisms for their reparation and redress</p>	<p>Objective: To ensure the right to respect for the right of every person with disability's physical and mental integrity</p>	<p><b>Activity 1:</b> Establish or amend legislation to prohibit forced sterilisation and to accordingly monitor health-care facilities</p>	Established or amended law	2016	AG, Parliament, KLRC, NCPWD, MEACL & SP, MOH
		<p><b>Activity 2:</b> Establish and implement frameworks to ensure adequate information is provided in accessible formats for all women and girls with disabilities concerning their sexual and reproductive rights</p>	Adoption and implementation of the National Disability Policy; enactment of disability law	2016	Parliament, MEACL & SP, NCPWD
		<p>Activity 3: Implement the recommendations issued by the Committee on the Elimination of Discrimination against Women in 2011 focusing on FGM</p>	Implementation of the Prohibition of Female Genital Mutilation Act (Cap 62B)	Continuous	Anti- FGM Board, NGEC, KNCHR, NCPWD
		<p>Activity 4: Ensure that the action plan of the Anti-FGM Board includes a compilation of information on women and girls subjected to FGM and mechanisms for their reparation and redress</p>	Progress reports of the action plan	2017	Anti-FGM Board, NCPWD, KNCHR, NGEC

## Article 18 – liberty of movement and nationality

Recommendations	Objectives	Activities	Indicators/outputs	Timelines	Key Actors
Recommendation: Strengthen the registration programme with the necessary budget and personal resources to ensure that persons with disabilities in all areas of the country, including persons in refugee camps, gain access to identification documents	Objective: To ensure persons with disabilities have liberty of movement, freedom to choose their residence and have a nationality	Review the national registration programme to ensure persons with disabilities access identification documents including birth certificates, identity cards and passports	Number of persons with disabilities issued with identification documents; accessibility of registration centres	Continuous	Directorate of Immigration and Registration of Persons, NCPWD, MEACL & SP, NGEC, KNCHR, Department of Refugee Affairs

## Article 19 – living independently and being included in the community

Recommendations	Objectives	Activities	Indicators/ Outputs	Timelines	Key Actors
Recommendation 1: Adopt a strategy for the de-institutionalization of persons with disabilities, within a time frame and measurable indicators. This strategy must involve the participation of organizations of persons with disabilities; Recommendation 2: Launch a comprehensive strategy, with time frame and human rights-based indicators, to make community-based services available for persons with disabilities Recommendation 3: Take steps to introduce specific budgetary allocations for the promotion of independent living, including cash transfer schemes for personal assistance services	Objective: To ensure persons with disabilities may exercise their equal right to live in the community, with choices equal to others	<b>Activity 1:</b> Adopt a strategy for the de-institutionalisation of persons with disabilities, within a time frame and measurable indicators, involving the participation of organizations of persons with disabilities	Strategy	2017	MEACL & SP, NGEC, NCPWD, DPO's
		<b>Activity 2:</b> Launch a comprehensive strategy, with time frame and human rights-based indicators, to make community-based services available for persons with disabilities	Strategy	2017	MEACL & SP, NCPWD, DPO's
		<b>Activity 3:</b> Take steps to introduce specific budgetary allocations for the promotion of independent living, including cash transfer schemes for personal assistance services	Annual Budget allocation	Continuous	National Treasury, MEACL & SP, NCPWD



## Article 21 – freedom of expression and opinion and access to information

Recommendations	Objectives	Activities	Indicators/Outputs	Timelines	Key Actors
<p>Recommendation 1: Establish jointly with organizations of deaf persons and Kenyan sign language interpreters a mechanism to certify the quality of interpretation services and ensure that opportunities for continuous training are provided for interpreters</p> <p>Recommendation 2: Strengthen measures to grant persons with disabilities access to information and communications technology, including the provision of low-cost software and assistive devices to all persons with disabilities, including those living in rural areas</p>	<p>Objective: To ensure persons with disabilities can exercise the right to freedom of expression and opinion on an equal basis with others and through forms of communication of their choice</p>	<p><b>Activity 1:</b> Establish a mechanism to certify the quality of interpretation services and ensure that opportunities for continuous training are provided for interpreters in all Public offices</p>	Certification mechanism	2017	MEACL & SP, NCPWD, Kenya National Association for the Deaf
		<p><b>Activity 2:</b> Strengthen measures to grant persons with disabilities access to information and communications technology</p>	National Disability Policy; disability law; grant programme for assistive technologies for persons with disabilities	2017	MEACL & SP, MICT, NCPWD

## Article 23 – respect for home and the family

Recommendations	Objectives	Activities	Indicators /Outputs	Timelines	Key Actors
<p>Recommendation 1: Take steps to increase information and support to families of children with disabilities to ensure they can be raised within the family home, expand the scope of the transfer fund for children with ‘severe’ disabilities to benefit all children with disabilities and establish a monitoring mechanism on the effective disbursement of the resources through the country</p> <p>Recommendation 2: Review the Marriage Act (2014) to repeal provisions that discriminate against persons with psychosocial and/or intellectual disabilities on their right to marriage</p>	<p>Objective: To eliminate discrimination against persons with disabilities in all matters relating to marriage, family, parenthood and relationships on an equal basis with others</p>	<p><b>Activity 1:</b> Establish and implement a policy, legislative and administrative framework for increasing information and support to families of children with disabilities to ensure they can be raised within the family home</p>	policy framework; implementation of cash transfer funds (Older Persons Cash Transfer, Orphaned and Vulnerable Children Cash Transfer, Persons with Severe Disabilities Cash Transfer, Hunger Safety Net Programme, Urban Food Subsidy Programme, etc.)	2017	MEACL & SP, NCPWD, DPOs
		<p><b>Activity 2:</b> Expand the scope of the transfer fund for children with severe disabilities to benefit all children with disabilities and establish a monitoring mechanism on the effective disbursement of the resources throughout the country</p>	Number of families receiving funds	2017	MEACL & SP, NCPWD, Treasury, Parliament
		<p><b>Activity 3:</b> Review the Marriage Act (No. 4 of 2014) to repeal provisions that discriminate against persons with psychosocial and/or intellectual disabilities on their right to marriage</p>	Amendment of the Marriage Act (No. 4 of 2014)	2016	AG, Parliament, MEACL & SP, NCPWD, KLRC, DPO’s

## Article 24 – Education

Recommendations	Objectives	Activities	Indicators/Outputs	Timelines	Key Actors
<p>Recommendation 1: Establish a time-frame for the transition process from segregated to inclusive quality education and ensure that budgetary, technical and personal resources are available to complete the process, and collect disaggregated data on the advancement of the inclusive education system</p> <p>Recommendation 2: Immediately adopt a non-rejection policy for children with disabilities enrolling in regular schools, and provide reasonable accommodation</p> <p>Recommendation 3: Ensure that school facilities are accessible for deaf-mute children, and provide materials and curricula adequate to their needs</p> <p>Recommendation 4: Undertake measures, including by encouraging public-private partnerships, to ensure the provision of assistive technologies in education</p> <p>Recommendation 5: Ensure the training of all teachers in inclusive education and establish a programme for continuous training in sign language in mainstream schools and universities</p>	<p>Objective: To ensure persons with disabilities can exercise their right to education</p>	<p><b>Activity 1:</b> Review and amend policy and legislation as appropriate to provide for inclusive education</p>	<p>amended education policy; amended Basic Education Act (No. 13 of 2014)</p>	<p>2017</p>	<p>AG, Parliament, KLRC, MOE, MEACL &amp; SP, NCPWD, DPO's</p>
		<p><b>Activity 2:</b> Take measures to implement inclusive education, including by establishing a time-frame for transiting from segregated to inclusive education and by providing budgetary, technical and personal resources for that purpose</p>	<p>Budget allocation to inclusive education; review of education policy; guidelines on inclusive education</p>	<p>2017</p>	<p>MOE, MEACL &amp; SP, NCPWD</p>
		<p><b>Activity 3:</b> Ensure that regular schools do not stop the enrolment of children with disabilities and establish a framework for providing reasonable accommodations to such children</p>	<p>Number of regular schools which are enrolling students with disabilities and affording them necessary supports</p>	<p>Continuous</p>	<p>MOE, MEACL &amp; SP, NCPWD, KNCHR, NGEC</p>
		<p><b>Activity 4:</b> Ensure that school facilities are accessible for deaf-mute children, and provide materials and curricula adequate to their needs</p>	<p>National Disability Policy; Education Policy; monitoring reports</p>	<p>2017</p>	<p>MOE, KICD, MEACL &amp; SP</p>
		<p><b>Activity 5:</b> Undertake measures, including by encouraging public-private partnerships, to ensure the provision of assistive technologies in education</p>	<p>Adoption and implementation of National Disability Policy</p>	<p>2017</p>	<p>Parliament, KICD, MEACL &amp; SP, MOE, KRA</p>
		<p><b>Activity 6:</b> Ensure the training of all teachers in inclusive education and establish a programme for continuous training in sign language in mainstream schools and universities</p>	<p>Number of teachers trained</p>	<p>Continuous</p>	<p>MOE, MEACL &amp; SP, Commission of University Education, Institute of Special Education</p>

## Article 25 – health

Recommendations	Objectives	Activities	Indicators/Outputs	Timelines	Key Actors
<p>Recommendation 1: Strengthen its efforts to ensure that all health policies, programmes and services, including on sexual and reproductive health and those related to HIV/AIDS, are fully accessible and incorporate a gender perspective, especially in rural areas and at the community level</p> <p>Recommendation 2: Adopt measures to establish accessible health-care facilities and technologies for persons with disabilities in urban and rural areas</p> <p>Recommendation 3: Develop a wide range of community-based services that respond to the needs of persons with disabilities and respect the person’s autonomy, choices, dignity and privacy, including peer support and other alternatives to the medical model of mental health</p>	<p>Objective: To ensure persons with disabilities enjoy the right to the highest attainable standard of health without discrimination on the basis of disability</p>	<p><b>Activity 1:</b> Ensure that health policies, programmes and services, including on sexual and reproductive health and those related to HIV/AIDS, are fully accessible and incorporate a gender perspective</p>	<p>Health Policy; Health Bill; monitoring reports</p>	<p>2017</p>	<p>AG, Parliament, KLRC, MEACL &amp; SP, MOH, NCPWD, DPOs</p>
		<p><b>Activity 2:</b> Adopt measures to establish accessible health-care facilities and technologies for persons with disabilities in urban and rural areas</p>	<p>Health Policy; Health Bill; monitoring reports</p>	<p>2017</p>	<p>AG, Parliament, KLRC, MEACL &amp; SP, MOH, NCPWD, NGEC, DPOs</p>
		<p><b>Activity 3:</b> Develop a wide range of community-based services that respond to the needs of persons with disabilities and respect the person’s autonomy, choices, dignity and privacy, including peer support and other alternatives to the medical model of mental health</p>	<p>Health Policy</p>	<p>2017</p>	<p>MEACL &amp; SP, MOH, NCPWD, DPO’s</p>

## Article 27 – right to work and employment

Recommendations	Objectives	Activities	Indicators/Outputs	Timelines	Key Actors
<p>Recommendation 1: Adopt immediate measures to foster compliance with the positive measure of quotas for persons with disabilities in employment, including an effective enforcement mechanism and sanctions for non-compliance, both in the public and the private sectors</p> <p>Recommendation 2: Design work and employment programmes in the open labour market specifically aimed at persons with disabilities, including information on job opportunities in accessible formats and the development of skills to undergo competitive selection processes to access jobs</p> <p>Recommendation 3: Support entrepreneurship among persons with disabilities including by providing training on accessing markets</p> <p>Recommendation 4: Collect periodically statistics and information on persons with disabilities' access to work as a matter of public accountability</p>	<p>Objective: To ensure the right of persons with disabilities to work on an equal basis with others</p>	<p><b>Activity 1:</b> Adopt immediate measures to foster compliance with quotas for persons with disabilities in employment both in the public and the private sectors</p>	<p>Disability Policy; enacted disability law; reports on enforcement of quotas</p>	<p>2016</p>	<p>AG, Parliament, KLRC, MEACL &amp; SP, NCPWD, DPO's</p>
		<p><b>Activity 2:</b> Design work and employment programmes in the open labour market specifically aimed at persons with disabilities</p>	<p>number of programmes; number of employees with disabilities</p>	<p>Continuous</p>	<p>MEACL &amp; SP, NCPWD, DPO's</p>
		<p><b>Activity 3:</b> Support entrepreneurship among persons with disabilities</p>	<p>Number of entrepreneurs with disabilities; number of persons with disabilities working on government tenders</p>	<p>Continuous</p>	<p>MEACL &amp; SP, NCPWD, DPO's</p>
		<p><b>Activity 4:</b> Collect statistics and information on persons with disabilities' access to work</p>	<p>Kenya National Bureau of Statistics Economic Survey</p>	<p>Continuous</p>	<p>KNBS, MEACL &amp; SP, NCPWD</p>

## Article 28 – adequate standard of living and social protection

Recommendations	Objectives	Activities	Indicators/Outputs	Timelines	Key Actors
<p>Recommendation 1: Take steps to extend urgently the coverage of social protection schemes beyond persons with ‘severe’ disabilities to ensure an adequate standard of living to all persons with disabilities who are not currently eligible for social protection schemes, and ensure that support services and social assistance for persons with disabilities are distributed on a regular basis and that progress in the living conditions of persons with disabilities is monitored</p> <p>Recommendation 2: Expand the coverage of the national development fund for persons with disabilities and facilitate the involvement of organizations of persons with disabilities in the formulation of their goals and priorities</p> <p>Recommendation 3: Adopt measures to include persons with disabilities in post-2015 development policies, including monitoring with a community and rural focus, and ensure that the needs, perspectives and views of persons with disabilities are taken into account in such policies</p>	<p><b>Objective 1:</b> To ensure that persons with disabilities may without discrimination on the basis of disability exercise their right to an adequate standard of living for themselves and their families and to the continuous improvement of their living conditions</p> <p><b>Objective 2:</b> To ensure the enjoyment of the right to social protection by persons with disabilities without discrimination on the basis of disability</p>	<p><b>Activity 1:</b> Take urgent steps to extend the coverage of social protection schemes beyond persons with severe disabilities to ensure an adequate standard of living to all persons with disabilities who are not currently eligible for social protection schemes, and ensure that support services and social assistance for persons with disabilities are distributed on a regular basis and that progress in the living conditions of persons with disabilities is monitored</p>	Budget allocation	2016	National Treasury, MEACL & SP, NCPWD
		<p><b>Activity 2:</b> Expand the coverage of the National Development Fund for persons with disabilities and facilitate the involvement of organizations of persons with disabilities in the formulation of their goals and priorities</p>	Extent of coverage	Continuous	MEACL & SP, National Treasury, NCPWD, DPO’s
		<p><b>Activity 3:</b> Adopt measures to include persons with disabilities in post-2015 development policies and ensure that the needs, perspectives and views of persons with disabilities are taken into account in such policies</p>	Implementation plan for the Sustainable Development Goals	Continuous	MEACL & SP, NCPWD, DPO’s

## Article 29 – participation in political and public life

Recommendations	Objectives	Activities	Indicators/Outputs	Timelines	Key Actors
<p>Recommendation 1: Repeal constitutional provisions that restrict the right of persons with disabilities to be elected as members of parliament and to vote on an equal basis with others</p> <p>Recommendation 2: Guarantee full accessibility to polling stations throughout the country in election processes and design and develop election-related information on accessible formats for persons with disabilities</p>	<p>Objective: To ensure persons with disabilities have the opportunity to enjoy political rights on an equal basis with others</p>	<p><b>Activity 1:</b> Repeal constitutional and statutory provisions that restrict the right of persons with disabilities to be elected as members of parliament and to vote on an equal basis with others</p>	<p>Amend Articles 83 (1) (b), 99 (2) (e) and 193 (2) (d) of the Constitution (2010); amend Section 9 of the Election Act (No. 24 of 2011) and Section 40 (1) (e) of the County Government Act</p>	2016	AG, Parliament, KLRC, MEACL & SP, NCPWD, DPO's
		<p><b>Activity 2:</b> Guarantee full accessibility to polling stations throughout the country in election processes</p>	<p>Number of accessible polling centres</p>	2017	IEBC, NGEC, DPOs
		<p><b>Activity 3:</b> Design and develop election-related information on accessible formats for persons with disabilities</p>	<p>Accessible election materials</p>	2017	IEBC, DPOs

## Article 30 – participation in cultural life, recreation, leisure and sport

Recommendations	Objectives	Activities	Indicators/Outputs	Timelines	Key Actors
<p>Recommendation: Take all necessary steps to ratify and implement the Marrakesh Treaty as soon as possible</p>	<p>Objective: To ensure that laws protecting intellectual property rights do not constitute an unreasonable or discriminatory barrier to access by persons with disabilities to cultural materials</p>	<p><b>Activity:</b> Take steps to ratify and implement the Marrakesh Treaty to Facilitate Access to Published Works for Persons who are Blind, Visually Impaired or Otherwise Print Disabled</p>	<p>Signature and Ratification of the Marrakesh Treaty to Facilitate Access to Published Works for Persons who are Blind, Visually Impaired or Otherwise Print Disabled</p>	2017	Parliament, AG, Ministry of Foreign Affairs, MEACL & SP, NCPWD, Kenya Industrial Property Institute, DPO's

### Article 31 – statistics and data collection

Recommendations	Objectives	Activities	Indicators/Outputs	Timelines	Key Actors
Recommendation: Systematically facilitate the collection, analysis and dissemination of data disaggregated by sex, age, disability, indigenous communities, refugee or migrant status and geographical location across all sectors, including health, education, employment, political participation, access to justice, social protection and violence, by disability and according to other categories listed above, and that it amend the census questions, in close cooperation with organizations of persons with disabilities, to accurately reflect the population	Objective: To collect appropriate information, including statistical and research data, to enable the State to formulate and implement policies to give effect to the Convention	<b>Activity 1:</b> Systematically facilitate the collection, analysis and dissemination of data disaggregated by sex, age, disability, indigenous communities, refugee or migrant status and geographical location across all sectors	2019 Kenya National Housing and Population Census	2019	KNBS, MEACL & SP, MOH, MOE, DPO's, NCPWD
		<b>Activity 2:</b> Amend the census questions to accurately reflect the population	Amended census questionnaires	2018	KNBS, MEACL & SP, DPO's, NCPWD

### Article 32 – international cooperation

Recommendations	Objectives	Activities	Indicators/Outputs	Timelines	Key Actors
Recommendation: Involve organizations of persons with disabilities in the implementation and monitoring of projects supported by international cooperation, in order to ensure that they have an impact on progress towards the implementation of the Convention and the framework of the Sustainable Development Goals	To ensure that projects supported by international cooperation have an impact on implementation of the Convention and the sustainable development goals	<b>Activity:</b> Involve organizations of persons with disabilities in the implementation and monitoring of projects supported by international cooperation	Number of disabled peoples' organisations involved	Continuous	NCPWD, DPO's

## Article 33 – national implementation and monitoring

Recommendations	Objectives	Activities	Indicators/Outputs	Timelines	Key Actors
<p>Recommendation 1: Appoint explicitly a governmental body to be the focal point for the implementation of the Convention, and consider the appointment of a coordination mechanism under article 33 (1) and elaborate concretely on its prerogatives</p> <p>Recommendation 2: Establish a national mechanism to monitor the implementation of the Convention, with the participation of the Kenya National Commission on Human Rights, as an institution in compliance with the Paris Principles, in line with article 33 (2) of the Convention, and ensure the full participation of persons with disabilities and their representative organizations in the monitoring process, including by providing the necessary funding</p>	<p>Objective: To establish and support national implementation and monitoring mechanisms</p>	<p><b>Activity 1:</b> Review and confirm the governmental body which is the focal point for the implementation of the Convention and appoint or designate a coordination mechanism to facilitate implementation of the Convention</p>	<p>Appointed body; designated coordination mechanism</p>	<p>2016</p>	<p>MEACL &amp; SP, NCPWD, DPOs</p>
		<p><b>Activity 2:</b> Establish a national mechanism to monitor the implementation of the Convention which is compliant with the Paris Principles, and ensure the full participation of persons with disabilities and their representative organizations in the monitoring process</p>	<p>Mechanism</p>	<p>2016</p>	<p>MEACL &amp; SP, AG, NGEC, KNCHR, NCPWD, DPOs</p>



### III: Approach for Ensuring Implementation of the Recommendations Made to Kenya by the Committee on the Rights of Persons with Disabilities

1. The State will employ multiple strategies for purposes of ensuring full implementation of the recommendations made to Kenya by the Committee on the Rights of Persons with Disabilities. Strategies will include policy and law-making, research, advocacy, training, capacity-building and awareness-raising.
2. These strategies will be made operational at the national as well as at the county and sub-county levels, and they will involve State, civil society and disabled peoples' organisations (DPOs) as well as the public generally.

#### Implementing ministries, departments and agencies

3. The State will ensure disability matters are mainstreamed into all its policies, programmes and activities.
4. The lead ministry for purposes of implementing this Plan is the Ministry of East African Community, Labour and Social Protection (MEACL & SP). Other key implementing ministries are the Ministries responsible for matters of finance, education, health, transport, youth, gender, and Devolution and planning.
5. Within MEACL & SP, the Department of Social Development, whose responsibilities include disability matters, will play day-to-day executive roles.
6. A number of State agencies will also play critical roles towards successful implementation of the Plan. These are the National Council for Persons with Disabilities (NCPWD), the Kenya National Commission on Human Rights, the National Gender and Equality Commission and the Independent Electoral and Boundaries Commission.
7. The Council of Governors shall be kept apprised on relevant matters to ensure smooth implementation of the Plan within counties.

#### Delineation of functions

8. MEACL & SP will prepare and ensure execution of policy, legislative and administrative instruments as necessary to ensure implementation. It will also encourage and provide necessary technical support to other ministries whose interventions are critical to full implementation of the Plan. The Ministry will also play overall coordinating functions for purposes of implementing this Plan.

9. Parliament, both at the national and county levels, will pass legislation necessary for implementing the Plan.
10. The Judiciary will play its adjudicative roles in terms of the Constitution taking heed of the fundamental principles established in the Convention on the Rights of Persons with Disabilities (CRPD).
11. The government will continue to recognise the fundamental contributions which civil society organisations generally and DPOs in particular play in ensuring the rights of persons with disabilities.

## Institutional framework

12. The Government will rationalize and accordingly review relevant policy, legislative and administrative instruments to ensure harmony and synergy between the various institutions with disability mandates. In particular:
  - a. The NCPWD will be revitalized within the context of a revised disability law; and
  - b. The agencies with implementation and monitoring roles under Article 33 of the CRPD will be established, designated or reconfirmed and resourced appropriately. Critically, the Government will ensure that the Article 33 (2) monitoring agencies include a body or bodies with the independence and autonomy anticipated by the Paris Principles on the establishment and operation of national human rights institutions.

## The Working Group

13. The Working Group for Implementation of the Recommendations Made to Kenya by the Committee on the Rights of Persons with Disabilities (Working Group) will provide support to the MEACL & SP for purposes of implementing the Plan.
14. The Working Group will from time to time review the state of implementation and accordingly offer advice to the Ministry.
15. The Working Group will, in consultation with MEACL & SP, the NCPWD and DPOs, organize annual consultations with stakeholders at which matters of mutual concern will be considered. Such consultations may take the form of thematic conferences on the state of persons with disabilities.
16. The Working Group may delegate tasks to sub-committees and co-opt members as necessary for the better implementation of its functions.

## Relationship between the Implementation Plan and other general and specific State programmes

17. Government programming and budgeting will take account of the Implementation Plan. In particular:

- a. The Plan's aims and activities will be integrated into overall government planning frameworks, including the Kenya 2030 Vision and the relevant Medium Term Plan.
  - b. The Working Group will, to avoid function-duplication, advise on implementation of the National Action Plan on Accessibility and Disability Rights, and the action plan contemplated in the Disability Policy.
  - c. The 2030 Sustainable Development Goals programme will also be heeded in the course of implementing the Plan.
18. The Working Group shall be kept apprised of and shall be responsive to recommendations made to Kenya on disability matters by other international and regional human rights mechanisms, including the Universal Periodic Review mechanism, United Nations treaty bodies, African human rights bodies and relevant sub-regional bodies. All such recommendations shall be reviewed and taken account of while implementing this Plan.

### Annual implementation report

19. The Government, with the advice of the Working Group, will prepare an Annual Implementation Report of the Concluding Observations to Kenya by the Committee on the Rights of Persons with Disabilities. That report will be informed by the objectives, activities and indicators established in this Plan or variations from the Plan which may be necessitated by changing circumstances.
20. The first such Report should be prepared for the period ending August 2016; and that report should take account of the recommendation which required Kenya to provide information on measures taken to ensure explicit appointment of relevant bodies under Article 33 of the CRPD.

## Technical Standing Committee to Guide the Implementation of The National Plan of Action on Concluding Recommendations on Kenya under CRPD by the Experts Committee of UNCRPD 2016-2022

	<b>Name</b>	<b>Organization</b>
1	Dr. Samuel N. Kabue (chair)	Ecumenical Disability Advocates Network
2	Mr. Peter S. Musakhi ( Secretary)	Ministry of East African Community, Labour and Social Protection
3	Susan Mutungi	Ministry of East African Community, Labour and Social Protection
4	Mr. James Mwakazi	Kenya National Commission on Human Rights
5	Mr. Anderson Gitonga	United Disabled Persons of Kenya
6	Mr. Fredrick Haga	Ministry of Education
7	Mr. Michael Njenga	Users and Survivors of Psychiatry in Kenya
8	Mr. James Ndwiga	National Council for Persons with Disabilities
9	Ms. Fatma Wangare Haji	Kenya Association of the Intellectually Handicapped
10	Ms. Emily Chweya	Office of Attorney General – Department of Justice
11	Mr. Nickson Kakiri	Kenya National Association of the Deaf
12	Mr. Titus M. Kilika	Ministry of Health
13	Mr. Peter Chebii	National Council for Persons with Disabilities
14	Mr. William Oluchina	Kenya Human Rights Commission
15	Ms. Nereah Thigo	Christian Blind Mission
16	Ms. Elizabeth Oyugi	Sight Savers
17	Mr. Simon Ndubai	National Gender and Equality Commission



*His Excellency Hon. William Ruto the Deputy President of the Republic of Kenya issuing wheelchairs to various users.*



*His Excellency Margaret Kenyatta, First Lady of Republic of Kenya, receiving donation of motorised wheelchairs from First lady of Turkey and also issuing them to users at State House, Nairobi. Present is Susan Mochache, Principal Secretary-State Department of Social Protection, Ministry of East African Community, Labour and Social Protection and Dr. David Sankok, chairman, NCPWD.*



*MEAC, L&SP, NCPWD, UDPK, with members of Kenya Disability Parliamentary Association (KEDIPA) in Mombasa on 27th and 28th May, 2016 for Review of the Persons with Disability Bill, 2016, led by Susan Mochache and Hon. Isaac M. Mwaura for Ministry and KEDIPA respectively*



*Group photo: Part of the Kenyan delegation to the meeting with the UN Committee on Human rights for Persons with disabilities, at Wilsons, Geneva. From Right: Stephanie Muigai ( MoFA), Ceclia Mbaka (MEAC,L&SP), Ms (AG's Office) Peter Musakhi (MEAC,L&SP), Mr. Ali Noor Ismail, OGW (Then PS, for labour, social security and services- Alternate Head of delegation), Fredrick Haga Ochienga(MoE), Hon. John Sakaja (NA),Kihurani (D.Ambassador-Geneva),Hon. Githu Muigai , EGH, SC (Attorney General-Head of delegation),Emily Achieng Chweya, (State Counsel, Attorney General Office), Hon. Winnie K. Njuguna, Hon.John Serut , Titus Muteti Kilika (MoH)*



*Josephtha Mukobe, Principal Secretary, State Department of Special Programmes, Ministry of Devolution and Planning, Reading the Kenya Statement to the UN as Head of Delegation during the 9th session of the conference of state parties to CRPD, in New York, 2016. She is flanked by Dr Samuel Kabue and Amb. Koki Muli Grindon (Deputy Permanent Representative for Kenya in New York) on the her right. Others are Dr. David Sankok, James Ndirangu Waweru- Minister Counsellor-legal, Main campaigner for candidacy of Dr kabue for committee of experts on disability and (hidden behind Dr kabue)*



*Some of the Kenyan delegation to UN Conference on the Rights of Persons with disabilities 10th to 12th June, 2014, New York, USA, led by Mrs Lydia Muriuki, Secretary for Social Development, The then Ministry of Labour, Social Security and Services. L-R standing: Peter Musakhi (Then MLSSS), Hon. Isaac Maigua Mwaura (national Assembly), Kingori ( MCA-Nyeri County Govt), Humphrey Wesonga Abwora( Aide to Senator Godliver Omondi), Mrs Lydia Muriuki (SSD-MLSSS), Sande Marale ( National Assembly), Dr.K.Imaana Laibuta( CIC), Susan Mutungi (Then MLSSS), William Aseka( Student on Disability in USA), Young Voices representative ( Leonard Chesire) Dr.Samuel Kabue ( EDAN), Senator. Paul Njoroge Githuku ( Senate), Collins Omondi ( Then at NCPWD), James Ndwiga ( NCPWD)*



*Ms Lydia Muriuki, (OGW), while Opening the Meeting to review recommendations on Kenya, under UNCRPD by the Committee of experts on Human Rights of Persons with Disabilities: 25th September, 2015 at Laico Regency Hotel.*



*Part of Kenyan Delegation to the 8th session of the conference of state parties to CRPD, meeting the Staff at Kenyan Mission office, led by Amb. Koki Muli Grindon (Deputy Permanent Representative for Kenya in New York) for briefing before commencement of the Conference*



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