



**KENYA NATIONAL COMMISSION ON HUMAN RIGHTS (KNCHR)**

**SUBMISSIONS  
ON  
THE DRAFT ACTION PLAN FOR THE FOURTH PHASE (2020-2024) OF THE  
WORLD PROGRAMME FOR HUMAN RIGHTS EDUCATION**

**PRESENTED TO:**

**THE OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS**

**Dated: 3<sup>rd</sup> June 2019**

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## A. INTRODUCTION:

1. The Kenya National Commission on Human Rights is an Independent National Human Rights Institution (NHRI) established under the Constitution of Kenya, 2010 and operationalized under the Kenya National Commission on Human Rights Act, 2011 (revised 2012). The Commission has broad mandate to promote the respect and a culture of human rights in Kenya. The Commission's mandate is implemented through various strategies including research, advocacy and lobbying, education and training, complaints handling and investigations, monitoring, partnership building and networking among others.
2. The Commission's functions are guided by the 1993 United Nations approved principles on the establishment and functioning of national human rights institution (Paris Principles) and is accredited as an 'A' status institution for its compliance with the Paris Principles by the Global Alliance of National Human Rights Institutions (GANHRI). The Commission also enjoys Affiliate Status before the African Commission on Human and Peoples' Rights.

## B. SPECIFIC COMMENTS

### *a) Mechanisms for Review at International and Regional Level*

3. The Action Plan at page 24 requires states to submit reports to the human rights council at mid-point on implementation of the human rights education programs for the youth. The action plan calls on treaty body mechanisms as well as special procedure mechanisms to review progress of states with respect to implementation of the action plan. In addition to these mechanisms, the commission proposes that state should also report to the High Level Political Forum on Sustainable Development. The proposal is made in view of the Sustainable Development Goal 4 target 7 which enjoins states to ensure by 2030 *'that all learners acquire the knowledge and skills needed to promote sustainable development, including, among others, through education for sustainable development and sustainable lifestyles, **human rights**, gender equality, promotion of a culture of peace and non-violence, global citizenship and appreciation of cultural diversity and of culture's contribution to sustainable development.'*<sup>1</sup>
4. Whereas the action plan falls within the remit of the Human Rights Council, the additional layer of reporting will also ensure states consciously plan and report on progress made on human rights education targeting the youth.

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<sup>1</sup> Available at <https://sustainabledevelopment.un.org/topics/sustainabledevelopmentgoals>

***b) Licensing and Accreditation of Human Rights Educators in non-formal settings***

5. Paragraph 28 page 10 of the draft Action Plan requires States to come up with policies and related implementation measures for human rights education in non-formal settings. States are enjoined to develop and implement policy measures that ensure human rights education programs targeting the youth and carried out by civil society organizations in non-formal settings are certified, licenses and recognised.
6. The Commission proposes that the draft Action Plan should emphasize that the modalities for accreditation and licensing of human rights educators in the non-formal settings should not be used as a tool for reprisals against civil society organizations. In addition, the Action Plan ought to emphasize that an objective criteria for licensing and accreditation needs to be developed and should be administered as the basis of accreditation and licensing to forestall any likelihood of reprisals. The criteria for licensing and accreditation should also be made public.

***c) Role of NHRIs in the National Coordinating Body on Human Rights Education***

7. The draft Action Plan at paragraph 49 to 51 page 20 requires member states to designate relevant departments as focal points to take responsibility for human rights education and establish a national coordinating body involving relevant government entities, civil society organizations with youth representatives as essential participants. NHRIs have been identified as critical national actors that must be included in the national coordinating body.
8. In view of the above, the Commission proposes that the role of NHRIs established in accordance with the Paris Principles in the delivery of human rights education and its role in the National Coordinating Committee be defined. The need to define the role of NHRIs is critical in order to:
  - (i) Maximize its participation in the national coordinating body.
  - (ii) Enhance clarity and safeguard the independence of National Human Rights Institutions as they partake in the activities of the National Coordinating Committee.
9. The proposal to define the role of NHRIs is made in light of observations made in a Survey carried out by the Danish Institute for Human Rights which demonstrated that NHRIs lack ‘a common understanding and vision for NHRIs roles and responsibilities in relation to human rights education’.<sup>2</sup> The survey further highlighted that NHRIs are challenged in their understanding of role in delivering human rights education due to the absence of common standards and guidelines and due to lack of knowledge about strategic approaches to human rights education.<sup>3</sup> The survey further pointed out that

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<sup>2</sup> Danish Institute for Human Rights ‘Guide to a Strategic Approach to Human Rights Education: How National Human Rights Institutions can Benefit from their Unique Position and Set Winning Priorities (2017)’ available at [https://www.humanrights.dk/sites/humanrights.dk/files/media/dokumenter/udgivelser/hrc\\_2017/guide\\_to\\_a\\_strategic\\_approach\\_to\\_human\\_rights\\_education\\_2017.pdf](https://www.humanrights.dk/sites/humanrights.dk/files/media/dokumenter/udgivelser/hrc_2017/guide_to_a_strategic_approach_to_human_rights_education_2017.pdf) page 8

<sup>3</sup> Ibid page 8

NHRIs have a tendency to limit their activities on human rights education to ad hoc training and conducting lectures, seminars, training civil servants and community outreach.<sup>4</sup>

10. To address the challenges noted above, the Danish Institute for Human Rights has attempted to define strategic approaches to human right education that NHRIs can take. The role of NHRIs has been defined to cover the following spectrum of activities:
- (i) Monitoring and documenting the status of human rights education.<sup>5</sup> Key activities contemplated are monitoring and documenting quality and extent of human rights education for relevant levels and professions. Monitoring and data collection related to target 4.7 of the sustainable development goals. Documenting developments in human rights education in annual NHRI reports.
  - (ii) Advising governments, parliaments and education authorities.<sup>6</sup> NHRIs can provide advice on human rights education and curriculum development based on advisories that proffer recommendations and proposal. Do baseline analysis of human rights education and involvement of stakeholders.
  - (iii) Coordinate and cooperate with parliaments, regional and international human rights systems and civil societies to strengthen human rights education in the country.<sup>7</sup> NHRIs can report to international and regional human rights systems on human rights education. Act as a bridge between governments, parliaments, education authorities, educational institutions and civil society institutions.

In addition to the above, reference must be made to the Paris Principles which specifically require NHRIs to:

- (i) Assist in the formulation of programmes for teaching of, and research into, human rights and to take part in their execution in schools, universities and professional circles.
- (ii) Publicize human rights and efforts to combat all forms of discrimination, in particular racial discrimination by increasing public awareness, especially through information and education and by making use of all press organs.

#### 11. D. Components

Number 34.

KNCHR proposed an additional bullet “h” to focus on development of youth friendly material. These materials will be developed with the specific expectations and needs for the youth. Those that are accessible, acceptable, equitable, appropriate and effective for different youth subpopulations.

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<sup>4</sup> Ibid page 36

<sup>5</sup> Ibid page 82

<sup>6</sup> Ibid page 82

<sup>7</sup> Ibid page 83

12. Bullet 66 page 24.

On the list of institutions that can support/offer International cooperation and assistance, there is need to include National Human Rights Institutions as they have the mandate to promote human rights education through various strategies.