

MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED PRACTICE THAT DELAYED ADVANCEMENT

In 2022, Kenya made minimal advancement in efforts to eliminate the worst forms of child labor. The government enacted the Children's Act, strengthening legal protections for children from child labor, including mandating the development of a light work framework, and outlining child protection mandates of government agencies, such as protecting children from armed conflict. In addition, the government substantially increased the number of worksite inspections for the reporting period, while achieving convictions and imposing sentences on two individuals for crimes related to human trafficking of children. However, despite new initiatives to address child labor, Kenya is assessed as having made only minimal advancement because it continued a practice that delays advancement to eliminate child labor. Elements within the Kenyan Defense Forces likely sustained in-kind support of a Somali federal member state group that has been implicated in the recruitment and use of child soldiers. Children in Kenya are subjected to the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking, and forced domestic service. Children also perform dangerous tasks in agriculture. Key coordinating committees related to the elimination of child labor lack adequate resources to carry out their mandates, and the labor inspectorate does not have sufficient financial and human resources, affecting its ability to ensure that child labor laws are enforced.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Table 1 provides key indicators on children's work and education in Kenya.

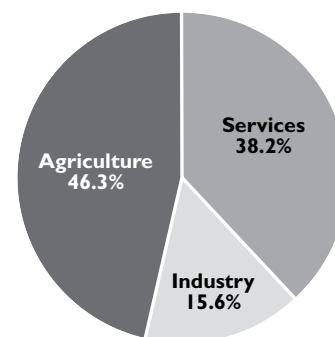
Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5 to 14	11.6 (1,468,203)
Attending School (%)	5 to 14	93.9
Combining Work and School (%)	7 to 14	11.5
Primary Completion Rate (%)		99.7

Source for primary completion rate: Data from 2016, published by the UNESCO Institute for Statistics, 2023. (1)

Source for all other data: International Labor Organization's analysis of statistics from Household Budget Survey (HBS), 2019. (2)

Figure 1. Working Children by Sector, Ages 5-14



Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Farming,† including the tilling of land, weeding, pruning, harvesting, transportation, and scaring off animals for production of tea and coffee, khat (<i>miraa</i>),† rice, sisal, sugarcane, tobacco, corn, and flowers (3-16)
	Herding and guarding cattle and livestock† (8,9,13-17)
	Fishing,† including for tilapia, sardines, Nile perch, and other fish, handling nets, cleaning fish and utensils, disposal of waste, and cleaning boats (14-19)
	Forestry, including cutting trees, fetching and burning wood to produce firewood and charcoal (9,14,20)
Industry	Construction,† including carrying bricks and transportation of materials (8,14)
	Quarrying,† including crushing rocks and stones, ferrying stones and gravel, and harvesting coral (8,11,14,16,21)
	Harvesting sand† (8,14-17,19,22-24)
	Mining† for gold (14,16-26)

Table 2. Overview of Children’s Work by Sector and Activity (Cont.)

Sector/Industry	Activity
Services	Domestic work,† including caregiving (13-15,19,27,28)
	Street work, including vending (8,14,17,27)
	Transporting goods and people by bicycle,† motorcycle,† and handcart† (8,14,29,27)
	Garbage scavenging,† including for scrap materials (12,14,16,30-32)
	Begging† (13,14,29,33)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation, sometimes as a result of human trafficking (9,13,19,29,33-38)
	Use in illicit activities, including in drug trafficking, intelligence gathering to plan for criminal operations, and providing security for criminal operations (12,13,29,39-42)
	Forced labor in slaughterhouses, sand harvesting, begging and street vending, domestic service, herding livestock, fishing, and agricultural work (13,19,27,43-46)

† Determined by national law or regulation as hazardous and, as such, relevant to Article 3(d) of ILO C. 182.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a)–(c) of ILO C. 182.

Children work at informal gold mining sites in western Kenya, using pickaxes and other dangerous tools, working underground, and carrying heavy loads. (25,26,47,48) In some instances, children working at mining sites have been trapped in collapsed mines, suffocated, or exposed to mercury poisoning. (25-29) In addition, children working in domestic service are often subject to long work hours and physical and sexual abuse. (45) Research indicates rising cases of children working in the harvesting of sand, which sometimes involves exploitation by criminal syndicates. (12,23,24)

Kenyan children are subjected to forced labor, including in domestic service, and commercial sexual exploitation, sometimes as a result of human trafficking, both within and outside the country. (19,45,46) Human traffickers exploit children from neighboring East African countries in domestic servitude, work in slaughterhouses, agriculture, and in commercial sexual exploitation. (12,49) Both boys and girls are also subjected to commercial sexual exploitation in tourism-heavy areas on the Kenyan coast, near gold mines and khat production sites, along major highways, and in Nairobi and Kisumu. (29,37,38,45,50,51) Commercialized sexual exploitation increasingly occurs in private villas and vacation homes to avoid law enforcement detection in hotels, and there is research indicating increasing use of online recruitment tactics to lure children into commercialized sexual exploitation. (19,52) Children living in refugee camps, especially those who identify as LGBTQI+, are targeted for commercial sexual exploitation. (19,53) Moreover, traffickers increasingly exploit children with disabilities from Tanzania and other neighboring countries in forced begging. (19)

Reports indicate local elements of the Kenyan Defense Forces (KDF) maintain ongoing support of Jubaland Security Forces (JSF), a federal member state group in Somalia, that the UN and other organizations report as recruiting and using children in armed conflict. Such support has included training, provision of transportation (including armed vehicles), intelligence sharing, payment of salaries of JSF combatants, and allowing JSF regiments to garrison in northern Kenya, near the border of Somalia. (13,54-56) Local NGOs and community leaders in both northern Kenya and Jubaland have likewise observed recruitment by the JSF, sometimes even occurring on the Kenyan side of the border, with some KDF elements providing direct training to child recruits. (13,57) Research cannot identify any screening or mitigation procedures within the KDF to ensure that children recruited by the JSF and their respective units are not benefiting from Kenyan training and other forms of tactical support. Reports also indicate that criminals involved in terrorist networks lure and recruit Kenyan children to join non-state armed groups, primarily Al Shabaab, in Somalia, sometimes with fraudulent promises of lucrative employment. (52)

Despite the reopening of schools following the COVID-19 pandemic, some children have not returned and are in child labor. (15,58,59) A severe drought and food shortages have increased school absenteeism and child labor vulnerabilities, particularly in Kenya's northern counties. (14,15,60-62) Some children living in Kenya also lack birth registration and national identification documents, resulting in difficulties in accessing services and education. (14,63,64) Although Kenya law mandates free basic education and prohibits schools from charging




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tuition fees, the cost of unofficial fees levied by local schools, as well as the cost of books and uniforms, prevents some children from attending school, particularly at the secondary level. (16,37,63,65,66) Long travel distances, teacher and staff shortages, and sexual abuse within schools further contribute to children in Kenya dropping out of school and becoming vulnerable to the worst forms of child labor. (67-69) Furthermore, children seeking asylum or of refugee status are often restricted to living in designated areas, such as the Kakuma and Dadaab refugee camps, where there are limited schools and existing facilities lack sufficient teachers, textbooks, electricity, and latrines. Children who are refugees are particularly vulnerable to the worst forms of child labor, including commercial sexual exploitation and human trafficking. (43,50,70,71)

II. LEGAL FRAMEWORK FOR CHILD LABOR

Kenya has ratified most key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	
 Palermo Protocol on Trafficking in Persons	✓

The government has established laws and regulations related to child labor (Table 4). However, gaps exist in Kenya's legal framework to adequately protect children from the worst forms of child labor, including the gap between the compulsory education age and the minimum age for work.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards	Age	Legislation
Minimum Age for Work	Yes	16	Sections 2, 52, and 56 of the Employment Act; Sections 12 and 16 of the Employment (General) Rules; Section 10.4 of the Children Act; Sections 18.1 and 18.2 of the Children Act of 2022 (66,72-74)
Minimum Age for Hazardous Work	Yes	18	Sections 2, 53.1, and 64 of the Employment Act; Sections 2 and 10.1 of the Children Act; Sections 2 and 18 of the Children Act of 2022 (66,72,74)
Identification of Hazardous Occupations or Activities Prohibited for Children	Yes		Sections 2 and 52 of the Employment Act; Section 12 and the Fourth Schedule of the Employment (General) Rules (72,73)
Prohibition of Forced Labor	Yes		Article 30 of the Constitution; Sections 2, 4, and 53.1 of the Employment Act; Sections 174 and 254–266 of the Penal Code; Sections 2, 3, and 4 of the Counter-Trafficking in Persons Act; Section 13.1 of the Children Act; Section 18.3 of the Children Act of 2022 (66,72,74-77)
Prohibition of Child Trafficking	Yes		Sections 2 and 3 of the Counter-Trafficking in Persons Act; Sections 2 and 13 of the Sexual Offenses Act; Section 13.1 of the Children Act; Sections 2, 4, and 53.1 of the Employment Act; Sections 174 and 254–265 of the Penal Code (66,72,76-78)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Sections 2 and 13–16 of the Sexual Offenses Act; Sections 2 and 53.1 of the Employment Act; Sections 2 and 15 of the Children Act; Sections 2 and 22 of the Children's Act of 2022 (66,72,74,78)
Prohibition of Using Children in Illicit Activities	Yes		Sections 2 and 53.1 of the Employment Act; Sections 2 and 16 of the Children Act; Section 24.1(b) of the Children Act of 2022 (66,72)

Table 4. Laws and Regulations on Child Labor (Cont.)

Standard	Meets International Standards	Age	Legislation
Minimum Age for Voluntary State Military Recruitment	Yes	18	Sections 2 and 10.2 of the Children Act; Sections 6, 242, and 243 (1) of the Kenya Defense Forces Act (66,79)
Prohibition of Compulsory Recruitment of Children by (State) Military	N/A*		Section 243 (1) of the Kenya Defense Forces Act (79)
Prohibition of Military Recruitment by Non-state Armed Groups	Yes		Section 2, 3, and 10 of the Counter-Trafficking in Persons Act; Sections 19 and 246 of the Children Act of 2022 (74,77)
Compulsory Education Age	Yes	18	Sections 2, 28, and 30 of the Basic Education Act; Section 2 and 13 of the Children Act of 2022 (63,74)
Free Public Education	No		Section 7.2 of the Children Act; Sections 28–29 and 32 of the Basic Education Act; Article 53(b) of the Constitution; Section 13 of Children Act of 2022 (63,66,75)

* Country has no conscription (79)

Children ages 13 to 16 are only permitted to perform light work. However, Kenya's laws do not meet international standards because they do not limit the hours for light work, except for agricultural and horticultural work. (73) As the minimum age for work is lower than the compulsory education age, children may be encouraged to leave school before the completion of compulsory education. (63,72,73,80) Moreover, although the Basic Education Act establishes free basic education and stipulates that children should not be denied admission to school on account of not paying fees, the law does not meet international standards because it permits schools to levy tuition for children who reside in Kenya but do not have Kenyan citizenship. (63)

In 2022, the government enacted the Children Act of 2022. (74) The law directs the Cabinet Secretary of Labor to enact regulations prescribing the types and conditions of work that children aged 13 to 15 and 15 to 17 can undertake, and includes specific protections for children from online recruitment and use in commercial sex and production of pornography. (74) The law also directs the state to establish mechanisms to facilitate the protection, rehabilitation, care, recovery, and reintegration of children who may have been recruited or affected by armed conflict, social strife, or natural disasters. (74) Kenya's legal framework, however, does not fully meet international standards for the protection of children from armed conflict, because the Counter-Trafficking in Persons Act does not criminalize recruitment of children in the absence of force or fraud. (77) Although the Children Act of 2022 addresses this gap by prohibiting the use of children by armed groups both within Kenya and across the border, the penalty of imprisonment not to exceed 12 months is not commensurate with crimes of similar gravity. (74)

III. ENFORCEMENT OF LAWS ON CHILD LABOR

The government has established institutional mechanisms for the enforcement of laws and regulations on child labor (Table 5). However, gaps exist within the operations of enforcement agencies that may hinder adequate enforcement of child labor laws.

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Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role & Activities
Ministry of Labor and Social Protection (MLSP)	Conducts labor inspections and enforces labor laws, including those related to child labor. (47) Directs activities to promote awareness and withdraw children from child labor through its Child Labor Division. (12,47,81) Following the 2022 elections, the Ministry was reorganized to include the State Department for Labor and Skills Development (SDLSD), which includes the Child Labor Division, and the State Department for Social Protection and Senior Citizens' Affairs (SDSPSCA), which is responsible for general child protection issues through its Department of Children Services. (14) The Department of Children Services maintains a Child Protection Information Management System that collects, aggregates, and reports on child protection data, including child labor violations, to assist child protection officials to track and report on child protection activities. (14,67) In 2022, approximately 166 cases of child labor were reported in the Child Protection Information Management System. Research, however, indicates there are gaps in coordination in information sharing and case management between the SDLSD and the SDSPSCA, and thus it is not clear whether these cases derived from labor inspections or other social protection interventions. (14,82) In March 2023, the Department of Children Services conducted a training on the Child Protection Information Management System to newly recruited child protection officers. (83)
National Police Service	Investigates and enforces laws related to the worst forms of child labor, in coordination with MLSP and the Office of the Director of Public Prosecutions. (47) Includes the Anti-Human Trafficking and Child Protection Unit, which carries out investigations related to commercial sexual exploitation of children, child trafficking, and other worst forms of child labor. (43,67,84,85)
Office of the Director of Public Prosecutions	Enforces laws through the prosecution of criminal offenses, including labor-related offenses. The Office of the Director of Public Prosecutions directs the National Police Service to investigate cases. (47) Research indicates magistrates lacked specialized knowledge in children's laws, policies, and rights that relate to the worst forms of child labor, including the Sexual Offenses Act and the Children Act. (84) In response to these challenges, the National Commission on Administration of Justice held trainings for court users, including trainings in Nairobi and Kiambu counties held in May 2022. In addition, ILO trained four investigators on the new Children Act in December 2022. (14)

Labor Law Enforcement

In 2022, labor law enforcement agencies in Kenya took actions to address child labor (Table 6). However, gaps exist within the operations of the SDLSD that may hinder adequate labor law enforcement, including insufficient financial resource allocation.

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2021	2022
Labor Inspectorate Funding	Unknown (12)	Unknown (14)
Number of Labor Inspectors	130 (86)	130 (14)
Mechanism to Assess Civil Penalties	Yes (87)	Yes (87)
Training for Labor Inspectors Provided	Yes (12)	Yes (14)
Number of Labor Inspections Conducted at Worksite	3,458 [†] (88)	8,131 [‡] (14,89)
Number of Child Labor Violations Found	Unknown (12,23)	Unknown (14)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown (12)	Unknown (14)
Number of Child Labor Penalties Imposed that Were Collected	Unknown (12)	Unknown (14)
Routine Inspections Conducted	Yes (12)	Yes (14)
Routine Inspections Targeted	Yes (12)	Unknown (14)
Unannounced Inspections Permitted	Yes (87)	Yes (87)
Unannounced Inspections Conducted	Yes (12)	Yes (14)
Complaint Mechanism Exists	Yes (12)	Yes (14)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Yes (12)	Yes (14)

[†] Data are from July 1, 2020, to June 30, 2021.

[‡] Data are from July 1, 2021, to June 30, 2022.

Research indicates that Kenya, although significantly increasing the number of worksite inspections, does not have adequate number of labor inspectors, and a lack of material resources, including facilities and transportation, likely hinders their capacity to enforce child labor laws and other labor standards, including in the agricultural sector. (14,90-92) Labor inspectors, moreover, are often tasked with mediating individual and collective labor disputes, which come at the expense of carrying out inspection visits. (93)

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Criminal Law Enforcement

In 2022, criminal law enforcement agencies in Kenya took actions to address child labor (Table 7). However, gaps exist within the operations of enforcement agencies that may hinder adequate criminal law enforcement, including a lack of training.

Table 7. Criminal Law Enforcement Efforts Related to Child Labor

Overview of Criminal Law Enforcement	2021	2022
Training for Criminal Investigators Provided	Unknown (12)	Yes (62)
Number of Investigations	38 (94)	Unknown (14)
Number of Prosecutions Initiated	22 (94)	Unknown (14)
Number of Convictions	Unknown (12)	2 (95)
Imposed Penalties for Violations Related to the Worst Forms of Child Labor	Yes (94,96)	Yes (95)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Yes (12)	Yes (14)

The government did not provide comprehensive statistics on its criminal law enforcement efforts related to the worst forms of child labor in 2022, but it reported at least two new convictions related to child trafficking, sentencing both convicted individuals. (95) The Kenyan Police also conducted an investigation in response to a media report highlighting human trafficking of Tanzanian children with physical disabilities, resulting in the removal of two children from forced begging. (95) However, a Kenyan appeals court overturned a previously reported conviction related to commercial sexual exploitation, in which some of the exploited individuals were children, for unspecified reasons. (95)

IV. COORDINATION OF GOVERNMENT EFFORTS ON CHILD LABOR

The government has established a key mechanism to coordinate its efforts to address child labor (Table 8). However, gaps exist that hinder the effective coordination of efforts to address child labor, including inefficacy in accomplishing mandates.

Table 8. Key Mechanism to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Activities
National Steering Committee on Child Labor	Oversees efforts to prevent and eliminate child labor and comprises government agencies, private employers, and workers' organizations. Chaired by the Principal Secretary for Labor, with coordination duties performed by the Child Labor Division of the SDLSL. (12) The technical team of the National Steering Committee on Child Labor engaged in planning meetings during the reporting period but produced no concrete outcomes. (86) Children Area Advisory Councils complement the National Steering Committee by steering child labor prevention efforts at the county level. (14,62) In 2022, ILO worked with county-level Children Area Advisory Councils to conduct trainings and integrate child labor prevention strategies into their work, including by convening workshops in Bungoma, Nairobi, and Kajiado counties during the reporting period. (62)

Research indicates that a lack of sufficient funding likely inhibits the National Steering Committee on Child Labor and other coordinating bodies from meeting and undertaking activities according to their mandates. (47)

V. GOVERNMENT POLICIES ON CHILD LABOR

The government has established policies related to child labor (Table 9). However, policy gaps exist that hinder efforts to address child labor, including a lack of implementation.

Table 9. Key Policies Related to Child Labor

Policy	Description & Activities
National Policy on the Elimination of Child Labor	Proposes strategies to prevent and eliminate child labor, including its worst forms, while providing support and rehabilitation for children removed from child labor. Includes measures to establish child labor-free zones, increase financial support for labor law enforcement, raise awareness, improve accessibility to education and social protection programs, and integrate child labor into corporate responsibility programs. (97)
National Plan of Action for Children in Kenya (2015–2022)	Provided an operational framework for coordinating, planning, implementing, and monitoring programs for children's welfare. Also outlined programs, awareness-raising activities, and research, with the goal of reducing child labor and other child exploitation cases by 50 percent by 2022. (98-100)

‡ The government had other policies that may have addressed child labor issues or had an impact on child labor. (67,100-104)

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Research was unable to determine whether activities were undertaken to implement key policies related to child labor in Kenya during the reporting period. (14) Insufficient funding for public institutions has led to delays in both the development of new policies and the implementation of existing policies to eliminate the worst forms of child labor in Kenya. (100)

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2022, the government funded and participated in programs that include the goal of eliminating or preventing child labor (Table 10). However, gaps exist in these social programs, including the inadequacy of programs to address the full scope of the problem.

Table 10. Key Social Programs to Address Child Labor

Program	Description & Activities
National Safety Net Program (2013–2026) [†]	Government-funded, social safety net program, with support from the World Bank. (67) During the reporting period, the National Safety Net Program supported 278,945 households with orphans and vulnerable children. (89) In addition, the government allocated approximately \$11 million (1.1 billion Kenyan shillings) to respond to the drought and food crises facing Kenya's northern counties, reaching 58,000 families as of August 2022. (105) These actions likely partially mitigated vulnerabilities of climate shocks and extreme poverty that contribute to child labor in Kenya.

For information about USDOL's projects to address child labor around the world, visit <https://www.dol.gov/agencies/ilab/ilab-project-page-search>

[†] Program is funded by the Government of Kenya.

[‡] The government had other social programs that may have included the goal of eliminating or preventing child labor. (67, 106)

In September 2022, the Ministry of Labor and Social Protection (MLSP) and the ILO convened a national symposium on social protection as a means of addressing child labor and forced labor, responding to key recommendations from the 5th Global Conference on the Elimination of Child Labor. The symposium focused on four areas—enhancement of access to social security and social protection, universal access to education, ending child labor in agriculture, and financing of intersectional interventions around child labor—resulting in strategies to catalyze policy and programming development by government and non-state actors and elevate the importance of universal social protection as a means of responding to child labor in Kenya. (14,62) The workshop resulted in a workplan for the development of policy and implementation frameworks to strengthen social protection mechanisms, including interventions targeting elimination of child labor, which will be developed by the MLSP in collaboration with civil society stakeholders. (62) However, although Kenya has programs that target child labor, the scope of these programs is insufficient to fully address the extent of the problem, especially the commercial sexual exploitation of children.

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor in Kenya (Table 11).

Table 11. Suggested Government Actions to Eliminate Child Labor

Area	Suggested Action	Year(s) Suggested
Legal Framework	Accede to the CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography.	2013 – 2022
	Broaden light work regulations to limit the number of hours for all light work activities, including for work outside of agriculture or horticulture.	2019 – 2022
	Raise the minimum age of work from 16 to 18 to align with the compulsory education age and ensure that children up to the compulsory education age are covered by the light work provisions.	2020 – 2022
	Ensure that laws providing free basic education cover all children in Kenya, including non-citizens.	2020 – 2022
	Increase penalties for all recruitment of children by non-state armed groups, whether by force or not, to be commensurate with crimes of similar gravity, such as forcible recruitment for armed conflict	2022
Enforcement	Publish information about labor law enforcement efforts, including the funding of the labor inspectorate, the number of child labor violations, and the number of child labor violations in which penalties were imposed and collected.	2009 – 2022

Table 11. Suggested Government Actions to Eliminate Child Labor (Cont.)

Area	Suggested Action	Year(s) Suggested
Enforcement	Increase the number of labor inspectors from 130 to 1,314 to ensure adequate coverage all sectors, including agriculture, while reducing labor arbitration responsibilities that limit time dedicated for onsite labor inspections.	2015 – 2022
	Ensure that the Ministry of Labor has sufficient material resources, including transportation and offices, to address labor violations in all sectors, including agriculture.	2017 – 2022
	Publish information about criminal law enforcement efforts related to the worst forms of child labor, including the number of investigations and prosecutions initiated.	2021 – 2022
	Ensure that magistrates handling child protection cases receive training on policies, laws, and procedures, including the Sexual Offenses Act and the Children Act.	2019 – 2022
Coordination	Strengthen coordination between the Child Labor Unit and the Department of Children Services, including sharing of child protection data and referral of child laborers for rehabilitation services, to better facilitate management and resolution of child labor cases.	2021 – 2022
	Ensure that all coordinating bodies, including the National Steering Committee on Child Labor, receive sufficient funding to fully carry out their intended mandates of overseeing efforts to eliminate child labor across government agencies, civil society organizations, and employer organizations.	2016 – 2022
Government Policies	Ensure that activities are undertaken to implement key policies related to child labor and publish results from activities implemented during the reporting period, including implementation of outlined strategies to increase child labor awareness, establish child labor free zones, and improve accessibility to education and social protection programs.	2017 – 2022
	Provide sufficient fiscal resources for public institutions mandated to develop and implement child labor policies, including the State Department for Labor and its National Steering Committee on Child Labor, as well as the State Department for Social Protection.	2021 – 2022
Social Programs	Put in place measures to strengthen the monitoring and prevention of child recruitment into armed conflict, including by armed groups receiving financial, training, transportation, and other forms of in-kind support from Kenyan Defense Forces, and develop accountability mechanisms to hold perpetrators of the worst forms of child labor, including child soldiering, accountable.	2020 – 2022
	Enhance efforts to eliminate barriers and make education accessible for all children, including girls and refugee children, by improving access to birth registration documents, increasing the number of schools, and improving existing educational facilities in refugee camps.	2010 – 2022
	Improve access to education by increasing the number of schools and teachers, addressing sexual abuse in schools, and eliminating or defraying the cost of school fees, books, and uniforms.	2010 – 2022
	Expand existing programs to address the scope of the child labor problem, including establishing interventions to support children engaged in commercial sexual exploitation.	2009 – 2022

REFERENCES

- UNESCO Institute for Statistics. Gross intake ratio to the last grade of primary education, both sexes (%). Accessed March 15, 2023. For more information, please see “Children’s Work and Education Statistics: Sources and Definitions” in the Reference Materials section of this report. <http://data.uis.unesco.org/>
- ILO. Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys. Original data from Population and Housing Census, 2009. Analysis received March 2023. For more information, please see “Children’s Work and Education Statistics: Sources and Definitions” in the Reference Materials section of this report.
- Chepkoech, Anita. Minors engaged in hard labour in tea farms. Daily Nation. December 6, 2019. <https://nation.africa/kenya/news/minors-engaged-in-hard-labour-in-tea-farms-230078>
- KNA. Children Working as Scarecrows in Mwea Rice Fields. Business Today. September 12, 2019. <https://businesstoday.co.ke/child-labour-on-the-rise-in-the-rice-fields-of-mwea/>
- King, William. Surviving Covid-19: Children Now Forced Into Casual Labour. October 2, 2020. <https://nation.africa/kenya/news/surviving-covid-19-children-now-forced-into-casual-labour-2454860>
- Gathigah, Miriam. Nobel Laureates and Global Leaders Call for Urgent Action to Prevent COVID-19 Child Rights Disaster. Inter Press Service. September 4, 2020. <http://www.ipsnews.net/2020/09/nobel-laureates-and-global-leaders-call-for-urgent-action-to-prevent-covid-19-child-rights-disaster/>
- Bearak, Max and Tato, Luis. The Wild Ride of East Africa’s Favorite Stimulant. The Washington Post. January 17, 2020. <https://www.washingtonpost.com/graphics/2020/world/amp-stories/miraa-east-africa-favorite-stimulant/>
- ANPPCAN. Impact of COVID-19 on Children in Busia, Loitokitok, Marsabit and Nairobi - Kenya 2021. <http://www.anppcan.org/wp-content/uploads/2014/11/Study-on-the-Impact-of-Covid-19-on-Children-4.pdf>
- Agimba, George. Migori: A County Where Child Labour Thrives. Kenya News Agency. December 21, 2020. <https://www.kenyanews.go.ke/migori-a-county-where-child-labour-thrives/>
- ILO. Mapping of initiatives and services addressing child labour, forced labour and human trafficking with a focus on the agricultural sector (coffee, fish, miraa, rice, sisal, sugarcane, tea and tobacco supply chains) A report from the CAPSA Project October 2021. Source on file.
- Wasike, Andrew. Child labor soars in Kenya during pandemic. AA, June 11, 2021 <https://www.aa.com.tr/en/africa/child-labor-soars-in-kenya-during-pandemic/2270287>

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- 12 U.S. Embassy- Nairobi. Reporting. January 14, 2022.
- 13 ICF. Desk Research and In-Country Data Collection of Worst Forms of Child Labor in Somalia and Kenya August 31, 2022. Source on file.
- 14 U.S. Embassy- Nairobi. Reporting. January 17, 2023.
- 15 Rop, Janet. Child Labour And Trafficking On The Rise In Kenya. Kenya News Agency. September 22, 2022.
<https://www.kenyanews.go.ke/child-labour-and-trafficking-on-the-rise-in-kenya/>
- 16 Media Voices for Children. Kenya Schoolhouse 2022 Vimeo. December 13, 2022. Accessed February 13, 2023.
<https://vimeo.com/780784901>
- 17 ILO. Technical Progress Report, Strengthening Capacity of Governments to Address Child Labor and Forced Labor and Violations of Acceptable Conditions to Work in Sub-Saharan Africa (CAPSA), April 30, 2021–October 30, 2021. October 30, 2021. Source on file.
- 18 U.S. Embassy- Nairobi official. E-mail communication to USDOL official. June 5, 2020.
- 19 Alwanda, Salome. Child Labour Project To Be Launched In Busia Kenya News Agency. July 27, 2022.
<https://www.kenyanews.go.ke/child-labour-project-to-be-launched-in-busia/>
- 20 OCHA. Drought in Kenya: the Cost of Inaction. November 21, 2021.
https://reliefweb.int/sites/reliefweb.int/files/resources/ROSEA_20211209_KenyaDrought_CostOfInaction_def.pdf
- 21 U.S. Embassy- Nairobi. Reporting. February 13, 2018.
- 22 Gettleman, Jeffrey and Raj, Suhasingi. As Covid-19 Closes Schools, the World's Children Go to Work. The New York Times. September 27, 2020.
<https://www.nytimes.com/2020/09/27/world/asia/covid-19-india-children-school-education-labor.html>
- 23 World Wildlife Federation. Sand Mafias: Environmental Harm, Corruption and Economic Impacts. June 2021.
<https://www.worldwildlife.org/pages/tncr-blog-sand-mafias-environmental-harm-corruption-and-economic-impacts>
- 24 The Star. Underage Children engaged in sand harvesting illegally in Magarini. YouTube. July 14, 2021.
https://www.youtube.com/watch?v=vC_F5EP5pYQ
- 25 Nandiemo, Vivere. Migori Mines Take a Toll on Schooling. The Daily Nation. March 31, 2018.
<https://www.nation.co.ke/counties/migori/Migori-mines-take-a-toll-on-schooling/1183306-4366676-2hnp3z/index.html>
- 26 Odeny, Manuel. Migori Gold Rush Wrecks Lives and Destroys Land. The Star. February 1, 2019.
<https://www.the-star.co.ke/counties/nyanza/2019-02-01-migori-gold-rush-wrecks-lives-and-destroys-land/>
- 27 Mohammed, Hussein. A Tale of Child Trafficking at the Kenya-Ethiopia Border. October 6, 2019.
<https://www.standardmedia.co.ke/ktnnews/video/2000177782/a-tale-of-child-trafficking-at-the-kenya-ethiopia-border-servitude>
- 28 Otieno, Brian. New study exposes exploitation of child domestic workers. The Standard. December 11, 2022.
<https://www.standardmedia.co.ke/evewoman/national/article/2001462927/new-study-exposes-exploitation-of-child-domestic-workers>
- 29 UNICEF. Situation Analysis of Children and Women in Kenya, 2017. Published April 2018.
<https://www.unicef.org/kenya/reports/situation-analysis-children-and-women-kenya-2017>
- 30 Lerner, Sharon. Africa's Exploding Plastic Nightmare. The Intercept. April 19, 2020.
<https://theintercept.com/2020/04/19/africa-plastic-waste-kenya-ethiopia/>
- 31 Odula, Tom. From 'role models' to sex workers: Kenya's child labor rises. The Associated Press. October 20, 2020.
<https://apnews.com/article/virus-outbreak-africa-united-nations-kenya-nairobi-4c0fa9421409d2a8e79045ba896f4db7>
- 32 VOA. Nairobi street children find savior. December 16, 2020.
<https://www.voaswahili.com/a/watoto-wa-mitaani-nairobi-wapata-mwokozi/5702301.html>
- 33 Mkongo, Malemba. Students fight sex slavery and forced labour among children in Mombasa. The Star, November 3, 2017. Source on file.
- 34 U.S. Embassy- Nairobi. Reporting. January 13, 2021.
- 35 Wesangula, Daniel. Culture and Greed Fueling Child Sexual Exploitation. The Standard, December 21, 2020.
<https://www.standardmedia.co.ke/article/2001353966/culture-and-greed-fueling-child-sexual-exploitation>
- 36 Bhalla, Nita. Child Sex for a Dollar on Kenya's Palm-Fringed Beaches. Reuters, June 14, 2018.
<https://www.reuters.com/article/us-kenya-tourism-prostitution/child-sex-for-a-dollar-on-kenyas-palm-fringed-beaches-idUSKBN1JA2NE>
- 37 ILO Committee of Experts. Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Kenya (ratification: 2001). Published 2020.
https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:4020287:NO
- 38 International Justice Mission, et. al. Commercial Sexual Exploitation of Children in Kenya. 2020. Source on file.
- 39 Mwangi, James. Nairobi drug dealers employ street kids to sell guns, heroin. The Standard, November 23, 2018.
<https://www.standardmedia.co.ke/entertainment/county-nairobi/article/2001303713/nairobi-drug-dealers-employ-street-kids-to-sell-guns-heroin>
- 40 Gumba, Deo. Drug trafficking / Armed gangs are perpetuating Mombasa's narco-city image. ENACT. September 9, 2020.
<https://enactafrica.org/enact-observer/armed-gangs-are-perpetuating-mombasas-narco-city-image>
- 41 Aieno, Winnie. Juvenile gangs wreaking havoc in Mombasa. The Nation. September 3, 2021.
<https://nation.africa/kenya/counties/mombasa/juvenile-gangs-wreaking-havoc-in-mombasa-3537174>
- 42 Vidija, Patrick. Promise of easy money lures idle kids to gangs. The Star, October 28, 2020.
<https://www.the-star.co.ke/news/big-read/2020-10-28-promise-of-easy-money-lures-idle-kids-to-gangs/#:~:text=Recruits are tasked with sending,calls to the unsuspecting victims>
- 43 U.S. Embassy- Nairobi. Reporting. February 11, 2021.
- 44 Kaberia, Judie. The Agony of Child Labor Trafficking in Kenya. Capital News, September 13, 2020.
<https://www.capitalfm.co.ke/news/2020/09/the-agony-of-child-labor-trafficking-in-kenya/>
- 45 ILO Committee of Experts. Observation concerning Worst Forms of Child Labour Convention, 1999 (No. 182) Kenya (ratification: 2001). Published 2023.
https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:P13100_COUNTRY_ID:4325088,103315
- 46 Okumu, Willis and Kirabira, Annette. Girls from Karamoja sold for US\$5 and trafficked to Nairobi. Enact, July 21, 2021.
<https://enactafrica.org/enact-observer/girls-from-karamoja-sold-for-us5-and-trafficked-to-nairobi>
- 47 U.S. Embassy- Nairobi. Reporting. January 17, 2020.
- 48 Wasike, Andrew and Mukami, Magdalene. Kenya: Children Descend into Hard Earth to Dig for Gold. AA, June 12, 2019.
<https://www.aa.com.tr/en/africa/kenya-children-descend-into-hard-earth-to-dig-for-gold/1501861>
- 49 U.S. Department of State. Trafficking in Persons Report- 2020: Kenya. Washington, D.C., June 25, 2020.
<https://www.state.gov/reports/2020-trafficking-in-persons-report/kenya/>
- 50 U.S. Department of State. Trafficking in Persons Report- 2021: Kenya. Washington, D.C., July 1, 2021.
<https://www.state.gov/reports/2021-trafficking-in-persons-report/kenya/>

MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED PRACTICE THAT DELAYED ADVANCEMENT

- 51 Etyang, Hesborn. Child labour fuels spread of HIV in Turkana. *The Star*, February 17, 2020. <https://www.the-star.co.ke/news/2020-02-17-child-labour-fuels-spread-of-hiv-in-turkana/>
- 52 U.S. Department of State. *Trafficking in Persons Report- 2023: Kenya*. Washington, D.C., June 15, 2023. <https://www.state.gov/reports/2023-trafficking-in-persons-report/>
- 53 Women's Refugee Commission. "We Have a Broken Heart": Sexual Violence against Refugees in Nairobi and Mombasa, Kenya. October 2019. <http://www.womensrefugeecommission.org/research-resources/we-have-a-broken-heart-sexual-violence-against-refugees-in-nairobi-and-mombasa-kenya/>
- 54 Makori, Abuga. Jubaland minister lands in Kenya after escaping from Mogadishu jail. *Garowe*, February 1, 2020. <https://www.garoweonline.com/en/news/somalia/somalia-jubaland-minister-lands-in-kenya-after-escaping-from-mogadishu-jail>
- 55 Day, Adam. *Hybrid Conflict, Hybrid Peace: How Militias and Paramilitary Groups Shape Post-Conflict Transitions*. New York: United Nations University, 2020. <https://cpr.unu.edu/research/projects/hybrid-conflict.html#outline>
- 56 Valar Frontier Solutions. *Gedo at the Crossroads: Factionalism, Resectorization, and Divided Loyalties*. July 28, 2018. Source on file.
- 57 Shabelle TV. 15 jir kamid ahaa Ciidamadii Wasiir Janan oo sheegay in lagu soo qalday Dagaalkii Balad Xaawo. February 7, 2021. <https://www.youtube.com/watch?v=GBCsFVNxGwE>
- 58 Kenyan News Agency. *Child Labor and Teenage Pregnancies Blamed for Poor Form One Turnout*. *CapitolFM*. May 14, 2022. <https://www.capitolfm.co.ke/news/2022/05/child-labor-and-teenage-pregnancies-blamed-for-poor-form-one-turnout/>
- 59 Oduor, August. *Shock of counties with 1.8m missing school children*. *The Standard*, October 18, 2021. <https://www.standardmedia.co.ke/education/article/2001426738/shock-of-counties-with-18m-missing-school-children>
- 60 UNICEF. *More than twenty million children suffering in the Horn of Africa as drought intensifies*. December 22, 2022. <https://www.unicef.org/press-releases/more-twenty-million-children-suffering-horn-africa-drought-intensifies-unicef>
- 61 Makong, Bruhan. *At Least 3.5 Million Children Risk Missing School in January Due to Drought*. *CapitalFM*. December 6, 2022. <https://www.capitolfm.co.ke/news/2022/12/at-least-3-5mn-children-risk-missing-school-in-jan-due-to-drought-save-the-children/>
- 62 ILO. *Technical Progress Report: Strengthening Capacity of Governments to Address Child Labor and/or Forced Labor, Human Trafficking and Violations of Acceptable Conditions of Work in Sub-Saharan Africa*, (CAPSA). October 31, 2022. Source on file.
- 63 Government of Kenya. *The Basic Education Act, 14*. Enacted: January 14, 2013. <http://ilo.org/dyn/natlex/docs/ELECTRONIC/94495/117651/F-1505056566/KEN94495.pdf>
- 64 Freytsis, Maria, et. al. *Development of a Mobile, Self-Sovereign Identity Approach for Facility Birth Registration in Kenya*. *Frontiers in Blockchain*. February 15, 2021. <https://doi.org/10.3389/fbloc.2021.631341>
- 65 Muchunguh, David. *Headache for Parents as Schools Demand Fees*. *AllAfrica*, September 27, 2021. <https://allafrica.com/stories/202109270109.html>
- 66 Government of Kenya. *The Children Act, 141*. Enacted: 2010. https://bettercarenetwork.org/sites/default/files/The_Children's_Act_Kenya_0.pdf
- 67 U.S. Embassy- Nairobi. *Reporting*. January 24, 2019.
- 68 UN Committee on the Elimination of Discrimination against Women. *Summary record of the 1547th meeting*. November 14, 2017: CEDAW/C/SR.1547. http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CEDAW/C/SR.1547&Lang=en
- 69 Muchunguh, David. *Schools in Need of 60,000 Teachers As Form One Double Intake Looms*. *AllAfrica*. 2021. <https://allafrica.com/stories/202102180081.html>
- 70 U.S. Department of State. *Country Reports on Human Rights Practices- 2020: Kenya*. Washington, D.C., March 20, 2021. <https://www.state.gov/wp-content/uploads/2021/03/KENYA-2020-HUMAN-RIGHTS-REPORT.pdf>
- 71 Butrymowicz, Sarah. *Refugee girls want to improve the world. Will we let them do so?* *Hechinger Report*, January 7, 2019. <https://hechingerreport.org/refugee-girls-want-to-improve-the-world-will-we-let-them-do-so/>
- 72 Government of Kenya. *The Employment Act, 11*. Enacted: October 22, 2007. Source on file.
- 73 Government of Kenya. *The Employment (General) Rules, 2014*. Enacted: March 2014. Source on file.
- 74 Government of Kenya. *The Children Act of 2022*. Enacted July 26th, 2022. <https://bettercarenetwork.org/sites/default/files/2022-10/kenya-the-children-act-2022.pdf>
- 75 Government of Kenya. *The Constitution of Kenya*. Enacted: 2010. Source on file.
- 76 Government of Kenya. *Penal Code, 63*. Enacted: 2009. Source on file.
- 77 Government of Kenya. *Counter-Trafficking in Persons Act*. Enacted: 2010. Source on file.
- 78 Government of Kenya. *The Sexual Offences Act, 3*. Enacted: July 21, 2006. Source on file.
- 79 Government of Kenya. *Kenya Defence Forces Act*. Enacted: 2012. Source on file.
- 80 ILO Committee of Experts. *Direct Request concerning Minimum Age Convention, 1973 (No. 138) Kenya (ratification: 1979)* Published 2021. https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:4020686:NO
- 81 Government of Kenya. *State Department for Labour, Labour Department*. Accessed February 25, 2020. Source on File.
- 82 U.S. Embassy- Nairobi official. *E-mail communication to USDOL official*. February 16, 2021.
- 83 U.S. Department of State official. *E-mail communication with USDOL official*. June 29, 2023.
- 84 Government of Kenya. *Status Report on Children in the Justice System in Kenya*. 2019. <https://ncaj.go.ke/wp-content/uploads/2019/11/NCAJ-Report-Digital-Version.pdf>
- 85 Government of Kenya. *Anti-Human Trafficking and Child Protection Unit (AHTCPU)*. Directorate of Criminal Investigations. Accessed March 12, 2021. <https://www.cid.go.ke/index.php/sections/investigationunits/anti-human-trafficking-child-protection-unit-ahtcpu.html>
- 86 U.S. Embassy- Nairobi official. *Written communication to USDOL official*. June 29, 2022.
- 87 Government of Kenya. *Labour Institutions Act*. Enacted: 2007, Revised edition 2012. https://www.ilo.org/dyn/natlex/docs/ELECTRONIC/78260/83539/F-1091781562/KEN78260_2012.pdf
- 88 Government of Kenya. *Social Protection, Culture, and Recreation Sector Report 2022/2023-2024/2025*. December, 2022. <https://www.treasury.go.ke/wp-content/uploads/2023/01/Social-Protection-Culture-and-Recreation-Sector-Report.pdf>
- 89 Government of Kenya. *Social Protection, Culture, and Recreation Sector Report 2023/24 – 2025/26*. December 2022. <https://www.treasury.go.ke/wp-content/uploads/2022/12/Social-Protection-Sector-Report.pdf>
- 90 UN. *World Economic Situation and Prospects. 2022 Statistical Annex*. New York, 2022. Please see "Labor Law Enforcement: Sources and Definitions" in the Reference Materials section of this report. https://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/WESP2022_ANNEX.pdf

MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED PRACTICE THAT DELAYED ADVANCEMENT

- 91 ILO. Labor Force Statistics (LFS)—Population and labour force. Accessed January 31, 2023. Labor force data is government-reported data collected by the ILO. Please see “Labor Law Enforcement: Sources and Definitions” in the Reference Materials section of this report. <https://ilostat.ilo.org/data/>
- 92 ILO Committee of Experts. Observation concerning Labour Inspection Convention, 1947 (No. 81) (Ratification: 1964) Published 2023. https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:PI3100_COMMENT_ID,PI3100_COUNTRY_ID:4302671,103315
- 93 ILO Committee of Experts. Direct request concerning Labour Inspection Convention, 1947 (No. 81) (Ratification: 1964) Published 2023. https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:PI3100_COMMENT_ID,PI3100_COUNTRY_ID:4302675,103315
- 94 U.S. Embassy- Nairobi. Reporting. February 4, 2022.
- 95 U.S. Embassy- Nairobi. Reporting. March 3, 2023.
- 96 Lwanga, Charles. Man Jailed for 30 Years for Human Trafficking. *The People Daily*. December 9, 2021. Source on file.
- 97 Republic of Kenya, Ministry of Labour, Social Security and Services. Sessional Paper No. 1 of 2015 on the National Policy on Elimination of Child Labour. 2013. Source on file.
- 98 Government of Kenya. National Plan of Action for Children in Kenya. 2015. <https://bettercarenetwork.org/sites/default/files/2020-10/National-Plan-of-Action-for-Children-in-Kenya-2015-2022.pdf>
- 99 ILO. Strengthening Government’s Capacity to Address Child Labor and/or Forced Labor and Violations of Acceptable Work Conditions in Sub-Saharan Africa. 2020: Technical Progress Report. Source on file.
- 100 ILO. Mapping of the existing labour law and policy framework, enforcement structures, systems and processes relating to child labour, forced labour, human trafficking and violations of acceptable conditions of work in Kenya. October 2021. Source on file.
- 101 Government of Kenya. Session Paper No. 4 of 2013 on Employment Policy and Strategy for Kenya. 2013. <https://repository.kippira.or.ke/handle/123456789/762?show=full#:~:text=04 of 2013 on Employment Policy and Strategy for Kenya,-dc.coverage.spatial&text=Employment Policy is an invaluable,growth and socio-economic development>
- 102 Government of Kenya. The Framework for the National Child Protection System for Kenya. Nairobi: The National Council for Children’s Services. November 2011. <http://resourcecentre.savethechildren.se/sites/default/files/documents/5429.pdf>
- 103 Government of Kenya. National Prevention and Response Plan on Violence Against Children in Kenya, 2019–2023. June 2020. [https://www.unicef.org/kenya/media/1526/file/National Prevention & Response Plan on VAC.pdf](https://www.unicef.org/kenya/media/1526/file/National%20Prevention%20&%20Response%20Plan%20on%20VAC.pdf)
- 104 Government of Kenya. National Care Reform Strategy for Children in Kenya. 2022. https://bettercarenetwork.org/sites/default/files/2022-06/kenya_national_care_reform_strategy_web_version.pdf
- 105 KSEIP News. Kenya Social and Economic Inclusion Project (KSEIP). August 2022. <https://www.socialprotection.or.ke/information-center/newsletters/221-kenya-social-and-economic-inclusion-project-kseip-news-issue-4-july-august-2022>
- 106 Government of Kenya. Third Generation Decent Work Country Program. November 2021. https://www.ilo.org/wcmsp5/groups/public/---ed_mas/---program/documents/genericdocument/wcms_829831.pdf