

# Kenya

## MINIMAL ADVANCEMENT – EFFORTS MADE BUT CONTINUED PRACTICE THAT DELAYED ADVANCEMENT

In 2024, Kenya made minimal advancement in efforts to eliminate the worst forms of child labor. The government initiated new efforts to eliminate child labor in tea and coffee supply chains by joining an established international project in partnership with the International Labor Organization and the Government of the Netherlands and by finalizing a multilateral communique to address child labor in tea production with the Governments of Uganda and Malawi. Additionally, the Children’s Division of the Office of the Director of Public Prosecutions trained prosecutors on child protection practices and trying child trafficking cases, and developed a guidance factsheet to provide procedural best practices for prosecuting child labor cases. Furthermore, the government continued its support of county-level child labor interventions, establishing child labor committees in Kajiado, Nairobi, Kwale, Bungoma, and Mombasa counties, to strengthen whole-of-government subnational efforts and coordination against child labor. However, despite new initiatives to address child labor, Kenya is assessed as having made only minimal advancement due to continued concerns with the Kenyan Defense Forces’ in-kind support to a Somali federal member state group that has been implicated in the recruitment and use of child soldiers. Research cannot confirm whether efforts were taken to screen, mitigate, or remediate within the Kenyan Defense Forces to ensure that children recruited by a Somali federal member state group are not benefiting from Kenyan training, tactical support, or other forms of in-kind assistance. In addition, the National Steering Committee on Child Labor and county-level child labor committees lack adequate resources to carry out their whole-of-government approach to eliminating child labor and exploitation, and the labor inspectorate does not have sufficient financial and human resources, affecting its ability to ensure that child labor laws are enforced.

## PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Statistics on Children’s Work and Education		
Children	Age	Percent and Population
Working	5 to 14	5.9% (782,258)
Boys		7.4%
Girls		4.5%
Urban		1.0%
Rural		7.7%
Hazardous Work by Children	15 to 17	1.9% (67,162)
Boys		2.5%
Girls		1.4%
Urban		1.3%
Rural		2.1%
Attending School	5 to 14	92.4%
Combining Work and School	7 to 14	6.2%

Working Children by Sector, Ages 5-14	
Sector/Industry	Percent
Agriculture	96.6%
Industry	0.3%
Services	3.1%

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.

Overview of Children’s Work by Sector and Activity	
Agriculture	Farming, <sup>†</sup> including cultivating land, tilling, planting, weeding, and harvesting of sisal, sugarcane, tea, coffee, tobacco, khat ( <i>miraa</i> ), <sup>†</sup> rice, and other crops, herding <sup>†</sup> cattle, and fishing. <sup>†</sup>
Industry	Construction, <sup>†</sup> quarrying <sup>†</sup> for stone, sand harvesting, <sup>†</sup> and mining <sup>†</sup> for gold.
Services	Domestic work, <sup>†</sup> street work, including vending and hawking, transporting <sup>†</sup> goods and people. Garbage scavenging <sup>†</sup> and begging. <sup>†</sup>

Overview of Children's Work by Sector and Activity	
<b>Categorical Worst Forms of Child Labor†</b>	Forced labor in slaughterhouses, begging and street vending, domestic work, herding livestock, fishing, as well as commercial sexual exploitation, sometimes as a result of human trafficking; use in illicit activities, including in drug trafficking, intelligence gathering to plan for criminal operations, and providing security for criminal operations.

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

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

Reports indicate that local elements of the Kenyan Defense Forces (KDF) have provided support to the Jubaland Security Forces (JSF), a federal member state group in Somalia, which 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. Local organizations and community leaders in both northern Kenya and Jubaland have observed recruitment by the JSF, sometimes occurring on the Kenyan side of the border, with some KDF elements providing direct training to child recruits. In July 2024, KDF personnel serving with the African Union Transition Mission in Somalia (ATMIS) completed a 5-day training program on civilian protection and human rights including child soldier recruitment, but research cannot confirm any further efforts to screen, mitigate, or remediate within the KDF to ensure that children recruited by the JSF and their respective units are not benefiting from Kenyan training, tactical support, or other forms of in-kind assistance.

## SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE CHILD LABOR

The suggested government actions below would close gaps USDOL has identified in Kenya's implementation of its international commitments to eliminate the worst forms of child labor.

Area	Suggested Action
<b>Legal Framework</b>	Accede to the United Nations Convention on the Rights of the Child Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography.
	Raise the minimum age for work from age 16 to age 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.
	Broaden light work regulations for children to limit the number of hours for all light work activities, including for work outside of agriculture or horticulture.
	Ensure that laws providing free basic education cover all children in Kenya.
	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.
<b>Enforcement</b>	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. Implement a digital tracking system for civil worst forms of child labor inspection.
	Increase the number of labor inspectors from 152 to 1,357; reduce the burden of labor arbitration responsibilities that limit time dedicated for onsite labor inspections; and strengthen the labor inspectorate by initiating targeted inspections in risk-prone sectors with patterns of serious incidents, including agriculture, domestic service, and the informal sector. Ensure that the Ministry of Labor and Social Protection and its labor inspectorate have sufficient training, funding, and material resources, including vehicles, to address labor violations in all geographical regions and sectors, including in the informal economy.
	Publish complete information about criminal law enforcement efforts related to the worst forms of child labor, including the number of investigations initiated and trainings provided to criminal investigators and publish information about child labor and exploitation complaints through the government's child abuse helpline and subsequent responses.
	Ensure that magistrates handling child protection cases receive training on policies, laws, and procedures, including the Sexual Offenses Act and the Children Act.

Area	Suggested Action
	Equip criminal law enforcement authorities such as the Office of the Director of Public Prosecutions and the Directorate of Criminal Investigations with adequate expertise to investigate and prosecute online child sexual exploitation and other pressing forms of child labor exploitation.
<b>Coordination</b>	Strengthen coordination between the Child Labor Unit and the Directorate of Children's 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.
	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.
	Increase coordination between the Office of the Director of Public Prosecutions and the State Department for Labor and Skills Development regarding litigation and penalty assessment of cases related to labor violations to ensure timely adjudication of violations related to labor law, including child labor.
<b>Government Policies</b>	Ensure that activities are undertaken to implement the National Policy on the Elimination of 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.
	Provide sufficient fiscal resources for public institutions mandated to develop and implement child labor policies, including the State Department for Labor and Skills Development and its National Steering Committee on Child Labor, as well as the State Department for Social Protection.
<b>Social Programs</b>	Put in place measures to strengthen the monitoring, prevention, and remediation 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.
	Enhance efforts to eliminate barriers and make education accessible for all children, including girls, refugee children, and displaced children, including by improving access to birth registration documents, increasing the number of and access to schools, improving existing educational facilities in refugee camps, and ensuring safe school facilities with proper hygiene and sanitary resources.
	Improve access to education by eliminating or defraying the cost of school fees, books, and other unofficial fees, and increasing the number of schools, teachers, and staff.
	Expand existing programs to address the scope of the child labor problem, including establishing interventions to support children engaged in commercial sexual exploitation.

## CHILDREN AT HIGHER RISK

Severe drought, flooding, and food shortages have increased school absenteeism and child labor vulnerabilities, particularly in Kenya's northern and western counties. In addition, unaccompanied refugee children in Nairobi and children living in refugee camps are vulnerable to commercial sexual exploitation. Children from rural areas and nearby countries are vulnerable to various forms of exploitation. In particular, children from Tanzania, Somalia, Uganda, and other countries in the region, as well as children from other rural areas of Kenya, widely become domestic workers and are sometimes subjected to exploitative conditions and physical or sexual abuse. Moreover, traffickers increasingly exploit displaced children and children with disabilities in forced begging, as well as girls from Uganda's Karamoja region in domestic work, commercial sex work (some of which is coerced through threats of arrest for lack of documentation), and street vending. Finally, criminals connected to terrorist networks recruit Kenyan children to join non-state armed groups, primarily Al Shabaab in Somalia, sometimes by falsely promising lucrative employment.

## BARRIERS TO EDUCATION ACCESS

Many children, often including the stateless, asylum-seekers, registered refugees, ethnic minorities, and orphans, lack birth registration and national identification documents, making it difficult to access education and related services. Reports indicate that

some children and their families have been displaced from their homes in areas subject to banditry, causing them to miss school for long periods. Although Kenyan law mandates free basic education and prohibits schools from charging tuition fees, the cost of unofficial fees levied by local schools, as well as the cost of books and uniforms, prevent some children from attending school, particularly at the secondary level. Long travel distances and inadequate infrastructure (especially in rural areas) coupled with teacher and staff shortages further contribute to children in Kenya dropping out of school and becoming vulnerable to child labor, including its worst forms. Girls in particular are at greater risk of dropping out of school due to several factors including lack of access to sanitary pads during menstruation, pregnancy, and sexual violence. Children seeking asylum or 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, latrines, and sanitary or hygiene facilities and resources (particularly for girls), and where girls struggle to stay enrolled due to sexual violence from teachers and pregnancy. Flooding across western Kenya in the spring and summer of 2024 displaced primary and secondary school students; disrupted and delayed school calendars and caused prolonged periods out of school for many children; damaged school facilities and learning materials such as textbooks and desks; and led to insufficient water, sanitation, and hygiene facilities.

## LEGAL FRAMEWORK FOR CHILD LABOR

Kenya has not ratified all key international conventions concerning child labor, including the UN Convention on the Rights of the Child Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography. In addition, Kenya's laws do not meet international standards on free public education because the law allows fees to be levied for children residing in Kenya but who are not Kenyan citizens.

Laws and Regulations on Child Labor			
Standard	Age	Meets International Standards	Legislation
Minimum Age for Work	16	✓	Sections 2, 52, and 56 of the Employment Act; Sections 12 and 16 of the Employment (General) Rules; Sections 18.1, 18.2, and 18.4 of the Children Act of 2022
Minimum Age for Hazardous Work	18	✓	Sections 2, 53.1, and 64 of the Employment Act; Sections 2 and 18 of the Children Act of 2022
Identification of Hazardous Occupations or Activities Prohibited for Children		✓	Sections 2 and 52 of the Employment Act; Section 12 and the Fourth Schedule of the Employment (General) Rules
Prohibition of Slavery, Debt Bondage, and Forced Labor		✓	Article 30 of the Constitution; Sections 2, 4, and 53.1 of the Employment Act; Sections 254–266 of the Penal Code; Sections 2–4 of the Counter-Trafficking in Persons Act; Section 18.3 of the Children Act of 2022
Prohibition of Child Trafficking		✓	Sections 2 and 3 of the Counter-Trafficking in Persons Act; Section 2 and 22 of the Children Act of 2022; Sections 2, 4, and 53.1 of the Employment Act; Sections 174 and 254–265 of the Penal Code
Prohibition of Commercial Sexual Exploitation of Children		✓	Sections 2 and 13–16 of the Sexual Offenses Act; Sections 2 and 53.1 of the Employment Act; Sections 2 and 22 of the Children Act of 2022
Prohibition of Using Children in Illicit Activities		✓	Sections 2 and 53.1 of the Employment Act; Sections 2 and 24 of the Children Act of 2022
Minimum Age for Voluntary State Military Recruitment	18	✓	Sections 2 and 19 of the Children Act of 2022; Section 243 (1) of the Kenya Defense Forces Act
Prohibition of Compulsory Recruitment of Children by (State) Military		N/A	

Laws and Regulations on Child Labor			
Standard	Age	Meets International Standards	Legislation
Prohibition of Military Recruitment by Non-state Armed Groups		✓	Section 2, 3, and 10 of the Counter-Trafficking in Persons Act; Sections 19 and 246 of the Children Act of 2022
Compulsory Education Age	18	✓	Sections 2 and 28 of the Basic Education Act; Section 2 and 13 of the Children Act of 2022
Free Public Education		X	Sections 28, 29, and 32 of the Basic Education Act; Article 53(b) of the Constitution; Section 13 of the Children Act of 2022

Children aged 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. In addition, 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. 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. Kenya's legal framework also does not fully meet international standards for the protection of children from armed conflict, because the Counter-Trafficking in Persons Act does not criminalize the recruitment of children in the absence of force or fraud. 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.

## ENFORCEMENT OF LAWS ON CHILD LABOR

In 2024, labor and criminal law enforcement agencies in Kenya took actions to address child labor. However, an insufficient number of labor inspectors and insufficient training and operational resources hindered enforcement efforts.

Agencies Responsible for Child Labor Law Enforcement
<p><b>Ministry of Labor and Social Protection:</b> Conducts labor inspections and enforces labor laws, including those related to child labor, and directs activities to promote awareness and withdraw children from child labor through its Child Labor Division, housed under the State Department for Labor and Skills Development (SDLSD). Also includes the State Department for Social Protection and Senior Citizen's Affairs (SDSPSCA), which 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. During the reporting period, labor inspectors underwent labor administration training through the African Regional Labor Administration Center and the ILO. Reporting indicates that the labor inspectorate experienced insufficient funding for trainings, inspector hirings, vehicles to conduct inspections (particularly outside of Nairobi), and inspectors to monitor all areas and sectors (particularly the informal sector). Research indicates that there are gaps in coordination, information sharing, and case management between SDLSD and SDSPSCA.</p>
<p><b>Office of the Director of Public Prosecutions (ODPP):</b> Enforces laws through the prosecution of criminal offenses, including labor-related offenses, child trafficking, and sexual exploitation. ODPP directs the National Police Service, including its Anti-Human Trafficking and Child Protection Unit, to investigate cases and enforce laws related to child labor and the worst forms of child labor, including commercial sexual exploitation, recruitment, and use of children in illicit activities. ODPP and the Directorate of Criminal Investigations reported that they have inadequate training to investigate and prosecute new forms of child labor and exploitation such as online sexual exploitation.</p>

Enforcement Mechanisms and Efforts	
Has a Labor Inspectorate	Yes
Able to Assess Civil Penalties	Yes
Routinely Conducted Worksite Inspections	Yes
Unannounced Inspections Permitted	Yes
Has a Complaint Mechanism	Yes
Imposed Penalties for Child Labor Violations	Unknown
Conducted Criminal Investigations for Worst Forms of Child Labor Crimes	Yes
Imposed Penalties for Worst Forms of Child Labor Crimes	Yes

In 2024, **152** labor inspectors conducted **14,632** worksite inspections, finding an **unknown** number of child labor violations. It is **unknown** how many investigations into the worst forms of child labor were conducted, although **10** prosecutions were initiated, and **2** perpetrators were convicted and sentenced.

## COORDINATION, POLICIES, AND PROGRAMS

Kenya established a mechanism to coordinate its efforts to address child labor. However, there was a lack of coordination between government agencies involved in the protection of children from child labor.

Key Mechanism to Coordinate Government Efforts on Child Labor
<b>National Steering Committee on Child Labor:</b> Oversees efforts to prevent and eliminate child labor and comprises government agencies, private employers, and workers' organizations. Children Area Advisory Councils work with the National Steering Committee to carry out child labor prevention efforts at the county level. During the reporting period, the Committee finalized review of the National Policy on Elimination on Child Labor and reviewed child labor indicators in the Child Protection Management Information System to facilitate child labor data reporting.

Kenya established policies related to child labor. However, insufficient funding hindered implementation of these policies.

Key Policies Related to Child Labor
<b>National Policy on the Elimination of Child Labor:</b> 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. In 2024, the government finalized a new draft National Policy on the Elimination of Child Labor for 2025–2030, which works toward the elimination child labor in agriculture, advances universal access to free and compulsory education and social protections, and advances decent work for adults and youth above the minimum age for work.
<b>UN Strategic Roadmap (2025–2030):*</b> This roadmap focuses on child labor in agriculture, domestic servitude, and the informal sector, including construction and small-scale industry. In December 2024, Kenya joined 26 other countries to unveil the Strategic Roadmap 2025–2030, which outlines five strategic priorities to address child labor, including strengthening legal frameworks, research and data management, advocacy and awareness, international cooperation, and victim assistance.

\* Policy was approved during the reporting period.

† The government had other policies that may have addressed child labor issues or had an impact on child labor.

Kenya funded and participated in programs that include the goal of eliminating or preventing child labor. However, these social programs are inadequate to address the problem in all sectors and in all states where child labor has been identified, including in the commercial sexual exploitation of children.

### Key Social Programs to Address Child Labor

**ACCEL AFRICA Phase 2:**\* Funded by the Government of the Netherlands, *Accelerating action for the elimination of child labor in supply chains in Africa (ACCEL AFRICA)* is an ILO project that addresses child labor in supply chains across Africa, including cocoa, coffee, tea, cotton, and gold. In April 2024, the Government of Kenya officially joined Phase 2 of the program and will focus on agricultural supply chains and the informal economy, especially coffee and tea, through strengthening national frameworks; innovative interventions focusing on social protection, decent work and youth employment; and knowledge sharing with regional and global partners.

**National Safety Net Program (2013–2026):**‡ Government-funded, social safety net program, with support from the World Bank. As of March 2024, the Program was serving 290,637 individuals. The government further expanded the Program’s registry for beneficiaries to cover at least 75 percent of targeted households in 35 of 47 counties throughout Kenya. However, the program has yet to adequately cover targeted households in the other 12 counties, due in part to inadequate funding.

\* Program was launched during the reporting period.

‡ 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.

For references, please visit [dol.gov/ChildLaborReports](https://dol.gov/ChildLaborReports)