KENYA NATIONAL COMMISSION ON HUMAN RIGHTS (KNCHR)

10 YEAR CELEBRATION OF THE HUMAN RIGHTS TO WATER AND SANITATION
Introduction

KNCHR is an independent National Human Rights Institution established by the Constitution with the mandate to promote and protect human rights in Kenya.

On the topic in discussion it is worth noting:

Kenya is a water scarce country. There is therefore intense competition and water use conflicts by water users as interests vary.
Taking Stock
Kenya’s Legal Frameworks on HRWS

**National** – Constitution, Water Act, Public Health Act, EMCA
- Regulations, Policies, Strategies, Plans
- County Legislation

**Regional** – e.g Principles & guidelines on the implementation of ESCR in the ACHPR

**International** – ICESCR (Gen. Comment 15 on Arts. 11&12), MDGs, SDGs
Overview of the Water and Sanitation sector in Kenya

• In a report by KIPPRA, by 2015, the MDG target of 40% sewerage, 80% water and 76% sanitation coverage were missed.

• In areas serviced by water utilities, accessing safely managed drinking water reached 58% in 2016, with 68.3% for urban and 50.2% for rural areas. Sewerage coverage was estimated at 15% of the population in urban areas while the overall access to improved sanitation in both urban and rural areas was below 40%.

• The WASH joint monitoring programme report (2019) by WHO and UNICEF found that only 59% of Kenyans have access to basic water services and only 29% have access to sanitary services.
## Emerging issues on HRWS (sampled)

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<tr>
<th>Progress made</th>
<th>Challenges</th>
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<tr>
<td>WASREB- Policy setting; Complaints handling</td>
<td>- Inadequate capacity by RH to claim their rights/engage with process</td>
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<td>- Unlicensed WSPs</td>
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<td>Budget allocation ↑ (2015-2018)</td>
<td>- Only 2% of NB (competing priorities); Low absorption rates;</td>
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<td>Skewed against Sanitation sector (9% of sector budget); Corruption</td>
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<td>Enforcement and sector targets lagging behind</td>
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Opportunities

Implement framework for monitoring realization of R2WS in Kenya. Developed jointly in 2017 by KNCHR, MoW, MoH, MoD, WASREB... supported by WHO. The framework will ensure targeted and more inclusive interventions so that No one is Left Behind.

Human Rights for all, All the time

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