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KENYA HUMAN RIGHTS COMMISSION

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Acronyms

ACHPR	African Commission on Human and Peoples' Rights
ACRWC	African Charter on the Rights and Welfare of the Child
ACSOs	African Civil society Organisations
ADR	Alternative Dispute Resolution
AG	Attorney General
AGA	African Governance Architecture
ASP	Assembly of State Parties
ATJF	Africa Transitional Justice Framework
ATN	Africa Trade Network
CEDAW	Convention on the Elimination of all forms of Discrimination Against Women
CFTA	Continental Free Trade Area
CPR	Civil and Political Rights
CRC	Committee on the Rights of the Child
CSOs	Civil Society Organisations
DAP	Drivers for Accountability Programme
DIHR	Danish Institute for Human Rights
EAC	East African Community
ED	Executive Director
EFC	European Foundation Centre
END	Equality and Non-Discrimination
EPAs	Economic Partnership Agreements
ESCR	Economic Social and Cultural Rights
ESR	Economic and Social Rights
FHK	Finlay's Horticulture Kenya
FHRI	Foundation for Human Rights Initiative
GALA	Gay and Lesbian Awards
GALCK	Gay and Lesbian Coalition of Kenya
GNDEM	Global Network of Domestic Election Monitors
GSCG	Gender Sector Co-ordination Group
HCD	Horticulture Crop Directorate
HRC	Human Rights Council
HRDs	Human Rights Defenders
HRIA	Human Rights Impact Assessment
HRIS	Human Resources Information System
HRW	Human Rights Watch
HURINETs	Human Rights Networks
ICC	International Criminal Court
ICD	International Crimes Division
ICERD	International Convention on the Elimination of Racial Discrimination
ICT	Information Communications Technology
IDAHOT	International Day Against Homophobia and Transphobia
IDS	Institutional Development and Sustainability
IDPs	Internally Displaced Persons
IEBC	Independent Electoral and Boundaries Commission
IFFs	Illicit Financial Flows
IIRA	Incidences, Impact and Redress Assessment
INCLO	International Network of Civil Liberties Organizations
JSC	Judicial Service Commission
KDF	Kenya Defence Force
KEPHRA	Kenyan Parliamentary Human Rights Association
KEWOPA	Kenya Women Parliamentary Association
KHRC	Kenya Human Rights Commission
KNCHR	Kenya National Commission on Human Rights
KTJN	Kenya Transitional Justice Network
LAPSET	Lamu Port and South Sudan Ethiopia Transport

LGBTI	Lesbian Gay Bisexual Transgender and Intersex
MCA	Members of the County Assembly
M&E	Monitoring and Evaluations
NAP	National Action Plan
NCAJ	National Council on the Administration of Justice
NCIC	National Cohesion and Integration Commission
NCPWD	National Council for Persons with Disabilities
NCWTO	National Committee on WTO
NDEAP	National Democracy Education Plan
NGEC	National Gender and Equality Commission
NGLHRC	National Gay and Lesbian Human Rights Commission
NGOs	Non-Governmental Organisations
NLC	National Land Commission
NPS	National Police Service
NPSC	National Police Service Commission
OHCHR	Office of the High Commissioner for Human Rights
OWINFS	Our World is Not for Sale
PADV	Protection Against Domestic Violence
PBO	Public Benefits Organisation
PEMA-K	Persons Marginalized and Aggrieved - Kenya
PRWG	Police Reforms Working Group
PWGID	Protection Working Group on Internal Displacement
SALWs	Small Arms, Light Weapons
SDA	Seventh Day Adventists
SGBV	Sexual and Gender Based Violence
SICLD	Swedish International Center for Local Democracy
SOGI	Sexual Orientation and Gender Identity
TDF	The Devolution Forum
TFV	Trust Fund for Victims
TJN-A	Tax Justice Network Africa
TJRC	Truth Justice and Reconciliation Commission
ToTs	Training of Trainers
TWG	Technical Working Group
UK	United Kingdom
UN	United Nations
UNECA	United Nations Economic Commission for Africa
UNGP	UN Guiding Principles on Business and Human Rights
USA	United States of America
UPR	Universal Periodic Review

Acknowledgements

This report is dedicated to the many citizens and human rights defenders who have suffered abominable human rights violations in the hands of state and non-state actors. The Kenya Human Rights Commission (KHRC) hereby acknowledges all those who were involved in the implementation of its programmes and the development of this report.

First, we are grateful for all the staff of KHRC ((including the interns and associates supporting different projects) who worked diligently to implement our human rights initiatives in Kenya and in various spaces around the world.

The staff together with Human Rights Networks (HURINETs) among other partner organizations (state and non-state actors) worked tirelessly to effect changes at their various levels through concerted efforts across the board. It is these efforts that keep moving us closer towards our goal according to the 2014 – 2018 Strategic Plan, which focuses on: Enhanced Human rights-Centred Government at all Levels.

The senior management team at KHRC has achieved a tremendous feat in the compilation and drafting of this report working closely with the staff and partners. Andrew Songa, Elizabeth Kariuki, Esther Waweru, and Julie Kingsland drafted various sections of this report and are hereby acknowledged for their effort.

Julie Kingsland consolidated the different sections of the report and coordinated the reporting process to ensure that the whole team at KHRC shared reports in a timely fashion. Davis Malombe reviewed the initial draft and Audrey Kawire Wabwire copy edited and oversaw the final production of the report.

The Board of Directors (including the Executive Director) continues to offer critical strategic guidance for KHRC. We are especially grateful because they are available for consultation and assist the organization to achieve its maximum potential by offering the requisite guidance and direction. Thank you for your support.

It is through partnership, support and understanding that the all KHRC work is achieved. We thank all our partners who have supported our work this year by assisting in advocacy and implementation of sensitive interventions. We are grateful to our development partners who supported our finances, thereby allowing all operations to run smoothly.

To all, we say: *Asante sana.*

PART 1: INTRODUCTION

Foreword from the Executive Director



Mr. Davis M. Malombe

The KHRC is a premier non-governmental human rights and governance institution that was founded in 1991 and registered in Kenya in January 1994 with a vision of securing 'Human rights states and societies.' KHRC's Mission is 'to foster human rights, democratic values, human dignity and social justice'. Our mandate is to entrench human rights centred governance at all levels.

KHRC believes that this will be attained best if communities/ peoples organizations are the key agents of change governance and development processes. KHRC works with 31 Human Rights Networks (HURINETs) across Kenya as well as national, regional and international partners and coalitions to ensure human rights centred governance.

Towards this, the KHRC applies the following strategies: research, monitoring and documentation; legislative and policy advocacy; legal aid and public interest litigation; capacity building and networking with state and non-state actors; engaging in urgent action and rapid response to emerging issues; mainstreaming diversity and ensuring equality and non-discrimination; fostering media relations and publicity; monitoring and evaluation; and, enhancing institutional capacity and sustainability.

KHRC's has 4 programmes each with specific results that it wishes to achieve as outlined below:

- Programme 1: Civil and Political Right-with a strategic objective/ outcome of: 'Enhanced human rights based cultures of constitutionalism, people driven governance and responsive justice.'
- Programme 2: Economic and Social Rights – with a strategic objectives/ outcomes of: Protection of producers', workers', consumers' and host communities' rights'; and 'Improved accountability in service delivery leads to improved access to economic and socio-cultural rights in select counties'.
- Programme 3: Equality and Non-Discrimination-with a strategic objective and outcome of: 'Enhanced representation and participation of targeted marginalised groups in political governance.'
- Programme 4: Institutional Sustainability and Development- with a strategic objective and outcome of: 'A well-resourced and self-sustaining Commission that delivers on its mandate'.

This Annual Report draws together relevant information in order to present KHRC's work over the last year in a simple, concise and results focused manner. This report is by no means exhaustive and we would urge you to contact KHRC directly if you require further detail.

Basically, the report explains what the KHRC did and what difference it made between April 2014 and March 2015. Results have been presented to particularly capture duty bearers; a) commitments - statements, policies and laws, b) actions/efforts, and c) results for communities. These correlate to the UN Office of the High Commission for Human Rights recommendations of using *structural, process and outcome* indicators of change. At the same time, the report seeks to highlight changes in community empowerment and changes in the relationship between duty bearers and rights holders. The latter will look at responsiveness, transparency, and changes to the structures/rules for decision making. In this way, the KHRC will be measuring results from the duty bearer (supply), rights holder (demand) and outcomes angles. The report also captures any challenges experienced and opportunities grasped.

Davis M. Malombe,
Ag. Executive Director,
June 2015

MESSAGE FROM THE CHAIRPERSON



Prof. Makau Mutua

Last year has been an interesting and challenging one for KHRC, Kenya and the world in human rights protection and promotion. The Commission has remained focused and guided by its overall goal and mandate of entrenching human rights centred governance at all levels.

KHRC continued to intervene and shape the human rights agenda in the society through its engagement and leadership in respect of electoral governance, land reforms, transitional justice, constitutionalism, security reforms, gender justice, LGBTI rights, citizenship rights, labour rights, value chains, trade justice, corporate accountability, devolved governance and civic space in the society.

The Commission also experienced tremendous increment and improvements in its staff and board capacities and the operational systems as well. The period under review saw the adoption and implementation of new policies, strategies and other frameworks of governance including the 2013-2018 Strategic Plan, communications, human resources, financial and procurement, monitoring and evaluation (envisaged results and emerging violations) among others.

Owing to the new challenges and opportunities posited by the Kenyan State at the national, regional and international levels, the KHRC's management and Board held a retreat in November 2014 to review the institutional relevance, approach and strategic focus. It was noted that not only have the assumptions in KHRC's 2013-2018 strategic plan held true but unfortunately many of the risks postulated have played out in a manner worse than predicted.

The following were observed as the new external challenges to the work of the KHRC:

- Frequent attacks on human rights discourse and its proponents,
- Inadequate capacity of civil society organizations and human rights institutions,
- Increasing political despotism and dictatorship with little respect for human rights and democracy/ voices of the truly impoverished.
- Economic corporate capture/ growth driven by corporate interests,
- Security governance crisis,
- Threats to the devolution and the Constitution of Kenya,
- Continued marginalization and inequality, and
- Mega corruption.

In light of the analysis and the mandate of the KHRC, six areas have been identified as being critical for intervention by going forward. These are: Insecurity: particularly, terrorist killings and responses to the terrorist threat; as well as 'general insecurity' and responses to it; reforming electoral systems and combating ethnic polarization.

Other key issues for consideration will entail: Exposing mega corruption in the public and private sectors; challenging corporate capture; safeguarding constitutionalism and securing devolution. The KHRC however, will continue with its historical work on transitional justice and inequality with regards to gender inequality; sexual minorities and other marginalised groups.

Conscious that the primary purpose of a human rights organization is to shrink the spaces of powerlessness and to also make a difference in people's lives, the KHRC has made a bold decision to augment its confrontation with the vested interests that are controlling instruments of power, mainly the deep state.

The 'deep state' is a situation where a set of powerful and coercive institutions, actors and relationships influence public decisions beyond or outside those formally charged. It creates a culture of informal government that eludes official accountability mechanisms and deepens the culture of impunity in the

society. *We are committed to exposing, combating and confronting the malignancies of the deep states in Kenya and beyond.*

The KHRC will therefore continue to work at the county, national, regional and international levels. We are quite confident that the new strategy strategic direction will make the KHRC more *catalytic, shock the conscience of the nation, be highly visible setting the agenda, cutting edge, taking risks and connecting with the youth* and the Non-Governmental Organization that perpetrators of violations are “*most worried about*”.

Prof. Makau Mutua,

Chair, KHRC Board of Directors.

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PART 2: SUMMARY OF RESULTS ACHIEVED

Civil and Political Rights (CPR)

1. KHRC's electoral governance assessment framework has influenced actions taken by the Independent Electoral and Boundaries Commission (IEBC) to reform the electoral system. For example, the IEBC has; initiated continuous voter registration, developed a policy roadmap, begun to review the election observer guidelines, set up and committed to make more inclusive an IEBC/CSO Platform, and are working with the Kenya Institute of Curriculum Development to include voter education in school and tertiary education curricula. The framework has also enabled KHRC to input to a regional discussion on a human rights based approach to election observation and re-energize East and Horn of Africa (E-HORN) network; a regional network on the same.



2. The Africa Union's Africa Governance Architecture (AGA) and civil society from various countries are interested in pursuing an agreed framework on minimum human rights standards for constitution making and implementation in Africa.
3. Justice for Torture Victims - Following the statement of regret and positive settlement by the British Government with the Mau Mau War Veterans Association (MMWVA); KHRC together with MMWVA and the British High Commission (BHC) has designed and constructed a Mau Mau Monument. 4 of the cases filed for the widows and orphans of Nyayo House torture victims have proceeded to full hearing. 1 case so far has resulted in a judgment with an award of approx. 562,545 Kshs to a widow.

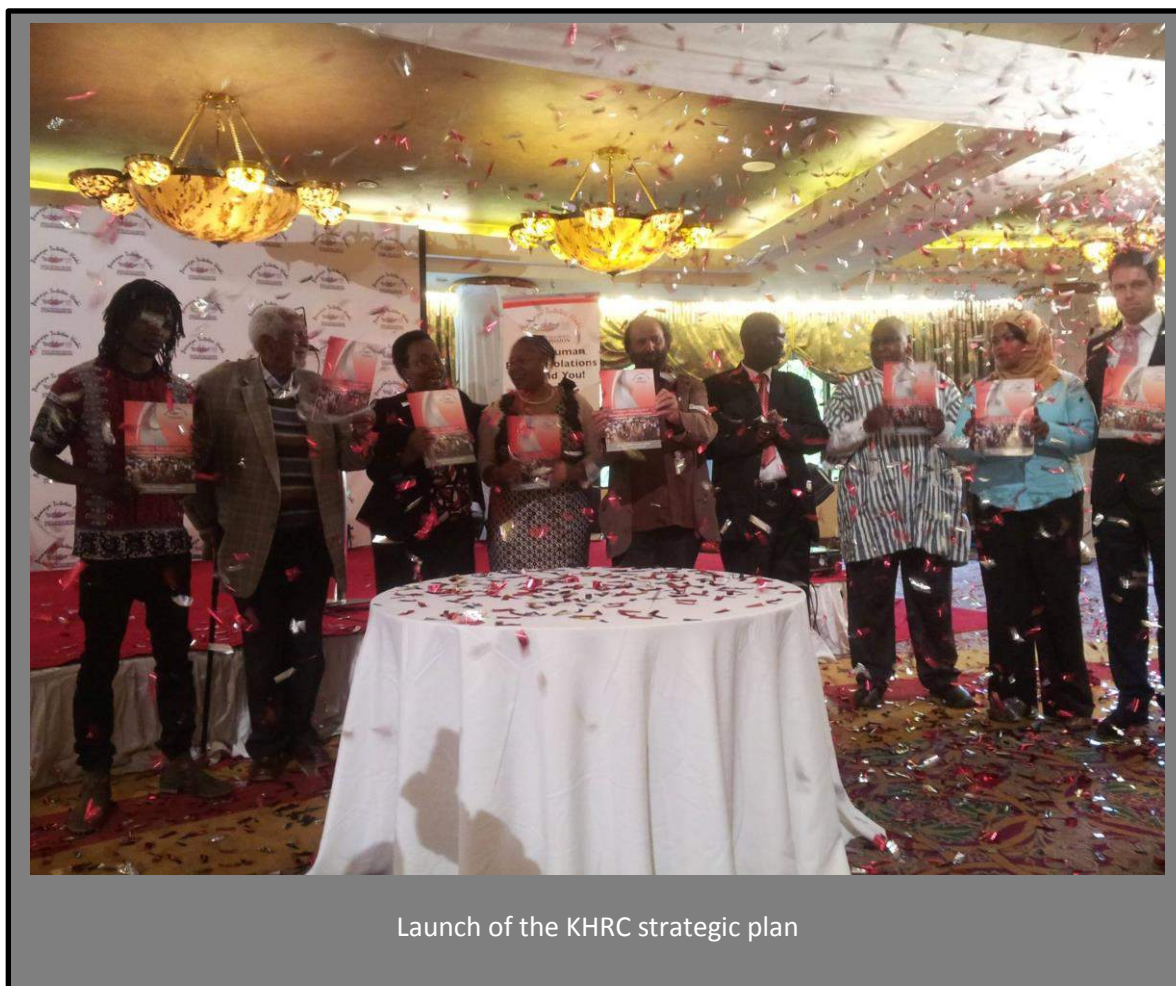
4. Maintained and advanced a robust transitional justice agenda - Secured a resolution from the African Commission on Human and Peoples' Rights (ACHPR) to institute a study on transitional justice in Africa and KHRC is in the studies advisory group. KHRC further advocated for and achieved the expansion of the membership of an Inter-Agency Committee to implement the Truth, Justice and Reconciliation Commission (TJRC) report to include non-state actors. Effectively rebutted Kenya's retrogressive proposed amendments to the Rome Statute establishing the International Criminal Court (ICC) and associated attempts to subvert criminal accountability for the 2007 post-election violence and deny victims justice.
5. Practical recommendations on the management of public assemblies will be drafted by the UN Special Rapporteur on the Rights to Freedom of Peaceful Assembly and Association (Maina Kiai) and The UN Special Rapporteur on Extrajudicial, Summary or Arbitrary Executions (Christof Heyns).
6. Consistently identified and illuminated systematic patterns of insecurity along with the human rights concerns therein, while also facilitating multi-stakeholder responses to issues such as: counter-terrorism operations by the government; irregularities in police recruitment; the enactment of the Security (Amendments) Act, 2014 and; the ongoing police vetting process.

Equality and Non-Discrimination (END)

1. A presidential directive to begin the process of registration of the Makonde community in Kwale County who are stateless.
2. Joint assessment of the Makonde Community by KHRC and UNHCR.
3. Male legislators championed and made positive statements in Parliament in support of the Protection Against Domestic Violence (PADV) Bill after being convened by KHRC. The Bill was passed.
4. Adoption of the National Action Plan on the Women's Charter.
5. Isiolo, Nakuru and Kwale Counties have committed to work on equality policy frameworks.
6. During the Universal Periodic Review (UPR) Kenya accepted a recommendation to adopt a comprehensive anti-discrimination law affording protection to all individuals, irrespective of their sexual orientation or gender identity.
7. Contributed to the adoption of a resolution on violence on the basis of real or imputed sexual orientation by the ACHPR at its 55th Ordinary Session;
8. Through its pivotal role as the convener of the LGBTI Rights Community's Litigation Collective a number of positive judicial decisions were delivered to 1) protect freedom of association for NGOs focused on LGBTI rights, 2) require the Attorney- General to develop and submit to Parliament laws and guidelines on the registration of intersex children, and 3) enable a transgender individual to have her examination transcripts changed by the Kenya National Examination Council (KNEC) to reflect the change of names.
9. KHRC has submitted proposals for the realization of the Constitutional 2/3rds Gender Principle and offered leadership towards ensuring a mechanism and process for election of more women in Kenya.

Institutional Development and Sustainability (IDS)

1. **KHRC Has Remained Relevant by Being Flexible in its Strategic Direction:** Strategic plan developed printed and launched; KHRC remained flexible to further strategic reorientation after the launch of the organisational strategy. KHRC developed its current operational plan in January.



2. **Produced and agreed an institutional sustainability strategy:** Some of the key elements of this strategy have now been endorsed by KHRC's Board.
3. **Prevented Negative Changes to the PBO Act on a Number of Occasions:** As convener of the CSO reference group's PBO Act Advocacy team KHRC has audited Bills, mobilised joint media statements and ensured broad participation in the task force meetings.
7. **Ensured More Rights Violations Addressed:** The ICT project has increased the reporting of Rights Violations. The Short code reporting system was particularly popular because it is free and easy to remember and it received an average of 15 reports of human rights violations each month. On average 2-3 reports are received through social media each month. All of the survivors received legal aid or were referred to partners for assistance.
8. **Improved Capacity of KHRC to use ICT for National Advocacy:** KHRC's followers on Facebook have increase by 23% since the project began. KHRC now has regular Twitter chats which are documented on line, have dispelled myths about LGBTI people and seen influential leaders join the discussions. For example, Martha Karua engaged in one discussion.

9. **Increased Influence With County Government:** Visions Facilitators Network, Kwale Hurinet and Mid-Rift HURINETs have used WhatsApp groups to help the County Government to disseminate information as well as to collate information on human rights violations and to share these with Government agencies. Partners are now e-mailing Government officials achieving engagement with duty bearers on-line that had not occurred off-line.
10. **Broadened Social Mobilization:** Partners have been able to get more members of the public active in addressing human rights abuses by using social media pages to instigate action.
11. **Improved Capacity of Community-Based Human Rights Defenders to Use ICT:** This is evidenced by increased usage of ICT by HURINETs. 3 HURINETs have done step-down trainings in their locations meaning that the project has had a multiplier effect. HURINETs have also used their computers to submit applications for funding.
12. **Achieved Justice or Relevant Support to 616 Legal Aid Clients:** Improved satisfaction of clients due to more efficient systems.



PART 3: DETAILS OF THE RESULTS ACHIEVED

Civil and Political Rights

Strategic Output 1: Compliance with an agreed framework on minimum human rights standards for constitution making and implementation in target African countries.



Constitutionalism

Results:

- A commitment by representatives of the ACHPR and civil society from various countries to sustain a dialogue on how to integrate the African human rights normative context and modern constitutional ideas in a comprehensive framework to advise constitutional review processes.
- Enhanced dialogue and networking (Judiciary, Commission on Implementation of the Constitution (CIC), law school students and civil society) on frameworks to ensure effective constitutional interpretation and implementation of socio-economic rights.
- Enhanced level of participation and influence for civil society networks engaged in the constitutional review processes of South Sudan and Tanzania. In the case of South Sudan this has entailed

supporting their advocacy for reforms within the regional (ACHPR) and international (Human Rights Council) spaces.

- Facilitated an international discussion on shaping and interpreting transformative constitutions which enabled the sharing of diverse experiences and increased the possibility of infusing best practices in different country contexts. This was through (1) Co-convening an international conference which brought together prominent jurists and custodians of ongoing constitutional review processes from countries such as South Africa, India, Canada, Hong Kong and Tanzania to name a few; (2) Co-convening the Annual Judicial Colloquium with the Judges of the Superior Courts of Kenya to discuss judicial review in transformative constitutions and; (3) Co-sponsoring the 2014 Annual Jurists Conference whose theme was “*Implementing and Shaping Africa’s New and Emerging Constitutions: Opportunities, Prospects and Challenges.*”
- Engaged in National level advocacy (meetings and consultations) that has seen us significantly influence a raft of policy, legislative and institutional reforms aimed at implementation of the constitution. Some notable examples include: consultations on the National Public Participation Policy Framework; sitting on the National Council on the Administration of Justice (NCAJ) and; co-ordinating a multi-stakeholder effort to analyse, critique and rebut clauses of the Security (Amendments) Act, 2014 that contravened the Constitution.

Challenges:

- A considerable amount of time was dedicated to getting in contact with key actors on the subject of constitutionalism in the region. In some regions there was a considerable delay in finding strategic partners who could provide entry points in their country’s constitutional review processes.
- KHRC has been compelled to rationalize some of the regional and international interventions on constitutionalism on account of budgetary constraints and contextual realities e.g. Ebola situation in West Africa restricted our engagements with the constitutional review processes of Liberia and Sierra Leone
- An ambivalent approach by government to various policy processes that have since become inconsistent and unpredictable. The National Public Participation Policy Framework in particular has been adversely affected in this regard.

Opportunity:

- We will exploit some of the networks established such as with the Kenya judiciary and a series of prominent jurists to advance a regional discourse on minimum human rights standards for constitution making and implementation.
- A potential partnership with the Africa Union’s Africa Governance Architecture (AGA) is likely to be established in pursuit of an agreed framework on minimum human rights standards for constitution making and implementation in Africa. This follows AGA’s participation in the 2014 Annual Jurists’ Conference where they discussed the role of AGA in shaping constitutional review processes in Africa.

Strategic Output 2: Compliance with a human rights based model for electoral governance, monitoring and advocacy in target African countries

People-Driven Governance

Results:

- Furthered multi-stakeholder dialogues on human rights based model for electoral governance, monitoring and advocacy and initiated a process for consensus on the same at the regional level. Notably, KHRC convened a meeting with the Regional Secretariat for the East and Horn of Africa (E-HORN) network that secured support for the development of the model and a communique on Promoting Long-term Elections Observation in the Region with a focus on Voter Registration. In addition we made contact with 16 civil society organizations working on electoral governance in Brazil and thus enhanced the prospects for cross-continental collaboration to advance international advocacy on a human rights based mode for electoral governance.
- Successfully utilized the KHRC electoral governance assessment framework to undertake long-term election observation in South Africa, Malawi, Botswana and Zambia; thereby exposing it to the

scrutiny of different jurisdictions and advocating for its adoption at the regional level through establishing partnerships with civil society organizations from across the continent. A policy brief consolidating the findings and recommendations from these experiences is being developed with a view to enriching the unfolding regional dialogue on human rights-based electoral governance.

- Successfully utilized the KHRC electoral governance assessment framework to monitor by-elections in the aftermath of the 2013 general elections and whose resultant reports continue to inform our advocacy on reforming the electoral system. A policy brief consolidating our findings and recommendations from monitoring these by-elections is currently under development.
- Undertaken research and developed reports on: (1) the conduct of the 2013 elections (Democratic Paradox); (2) an Audit of the Elections management Body and identification of Best Practices in Electoral Management (3) a case digest profiling the jurisprudence emerging from the election petitions in the aftermath of the 2013 general elections and (4) A Factsheet on the extent of reforms undertaken since the 2013 general elections. These reports have significantly influenced the recommendations put forward by the Independent Electoral and Boundaries Commission (IEBC) to reform the electoral system.
- Convened and effectively participated in a series of national dialogues on improving Kenya's electoral system on the basis of the findings and recommendations from our electoral governance assessment and related research. Some of KHRC's significant engagements in this regard include the following: enlisted as part of a 8-member Election Technical Working Group (TWG) that periodically discusses issues of electoral reforms; participated in an evaluative meeting on the conduct and management of the 2013 general election as undertaken by the Independent IEBC where KHRC on effectiveness of technology as utilized by the IEBC in that election; participated in a consultative meeting and was enlisted to a writing committee that will yield a National Democracy Education Plan (NDEAP) ahead of the 2017 general election and; co-convened a Post-2013 Learning Forum on Elections and Electoral Processes in Kenya which saw the inclusion of critical State actors such as the IEBC, Judiciary, Office of the Registrar of Political Parties, National Police Service, Political Parties Dispute Tribunal and the National Registration Bureau alongside other stakeholders such as political parties and civil society organizations.
- In recognition of its established track-record on electoral governance matters, KHRC was admitted into the Global Network of Domestic Election Monitoring (GNDEM) in 2014 as a member.

Challenges:

- The unpredictability and cancellation of by-election dates in Kenya.
- Limited resources to identify strong partners in countries undergoing general elections.
- Limited resources to compile advance briefs for the monitoring teams.
- The absence of strong partners in the countries undergoing elections.

Opportunities:

- KHRC's membership of GNDEM will enhance its regional and international advocacy on electoral governance as it avails a global platform to engage with likeminded organizations on topical electoral governance issues as well as share its reports and other resources that it has worked on.
- KHRC will seek to introduce an electoral governance discourse within the space of the 56th Ordinary Session of the ACHPR and the NGO Forum that precedes it.
- At the national level, KHRC will continue to utilize its strategic position as a member of the TWG and its recognized leadership in a human rights based approach to electoral governance to steer discussions on electoral reforms ahead of the 2017 general elections.**Strategic Output 3: Increased acknowledgement, accountability and redress options for past and current human rights violations at the national and international levels**

Security Sector Reforms

Results:

- Increased public awareness of the police vetting exercise by conducting forums around the country that engaged over 500 community members and saw the dissemination of 6,500 copies of educational materials explaining the vetting process.

- Ensured community feedback on the police vetting process was submitted to the National Police Service Commission (NPSC) to improve the process.
- Strengthened the draft Regulations on Transfer and Deployment having co-convened a forum with NPSC targeting the Parliamentary Committee on Administration and National Security.
- Share experiences on police training with the Police Reforms Working Group (PRWG) with a view to agreeing a training programme with the NPSC.
- Called public attention to various instances of the State violating fundamental rights and freedoms on the pretext of National Security. Some notable instances include: a joint press statement on *Operation Usalama*, a security operation that led to the mass detention of Kenyan Somalis and the forcible transfer of Somali refugees from urban centres to refugee camps or back to Somalia; a shoot-to-kill directive from the Cabinet Secretary for Interior; an open letter to the President regarding the increased instances of insecurity entitled, “*No Stone will be left unturned*”: *For how long Mr. President?* and; a press statement and newspaper supplement highlighting the adverse effects of the Security (Amendments) Act, 2014.
- Assumed the role of focal point within the coalition of the International Civil Liberties Organizations (INCLEO) on the thematic areas of: (1) Police Brutality and Social Protests and; (2) Information Rights. To this end, KHRC has made substantive contributions to ongoing INCLEO research and advocacy on the use of non-lethal weapons in suppressing social protests and digital surveillance as a threat to human rights. Some notable achievements include: (1) Successfully advocating for the drafting of practical recommendations on the management of public assemblies by the UN Special Rapporteur on the Rights to Freedom of Peaceful Assembly and Association (Maina Kiai) and The UN Special Rapporteur on Extrajudicial, Summary or Arbitrary Executions (Christof Heyns) and; (2) Successfully advocating for the establishment of the mandate of UN Special Rapporteur on the Right to Privacy.
- Completed various researches and publications including: “*Arresting Kenya’s Arms Race- a Case for a Rights-Based Approach to Small Arms, Light Weapons (SALWs) Issues*” and; “*Policy Brief: Towards Achieving Peace and Security for Marginalized Communities in Kenya*”. These will advance advocacy with legislators on improving the security infrastructure in the marginalized areas of Kenya.

Challenges

- Restricted access to volatile areas of concern such as in Lamu at the height of the Al Shabab attacks and places of detention such as the Kasarani stadium during *Operation Usalama (Security)*.
- Poor communication by the NPSC on the outcome and future of the police vetting process.
- Increased instances of insecurity requiring urgent interventions in the face of limited resources.
- Hostile rhetoric from the government that has sought to characterize the work of civil society as being an impediment to fighting terrorism and restoring security.

Opportunities

- The NPSC has identified KHRC as key stakeholder it intends to partner with in advocacy targeting the legislature, outreach to the public with regard to police vetting and capacity enhancement of officers through training programmes.
- The strategic role of KHRC as a focal point within INCLEO provides it with an opportunity to effectively engage in contemporary security sector issues at the international level.
- KHRC will seek to utilize the space of the ACHPR and in particular engage the Special Rapporteur on Prisons and Conditions of Detention.

Transitional Justice

Results:

- Successfully influenced policy processes by the National Land Commission (NLC) such as the development of a conceptual framework on Alternative Dispute Resolution (ADR) in solving land disputes and a legislative framework on the investigation of historical land injustices- KHRC is an advisor to the taskforces steering these processes.
- Supported marginalized communities in asserting their community land rights through various advocacy initiatives that have begun to trigger State responses. In particular, we have developed an

advocacy strategy for the enactment of community land legislation and provided legal advice to the Endorois community on the implementation of the ACHPR decision- the government has since established a Taskforce on the Implementation of the Decision.

- Provided technical support to Members of County Assemblies (MCAs) and County Administration on land legislation which has informed their decisions with regard to natural resources e.g. negotiating for better terms in the exploration of coal in the Mui Coal basin.
- Held periodic civic engagement and education with HURINETs on land rights advocacy that has created a bottom-up approach to advocacy for community land legislation and equitable benefit sharing of natural resources. This includes a one-hour radio show on land rights every Wednesday facilitated by Radio Jambo that has seen an increased uptake of KHRC's legal aid services on matters of land rights.
- KHRC was a beneficiary of a Women's Land Rights Visiting Professionals Program that enhanced the international profile of our land right work in addition to broadening our thematic horizons on women's land rights. It also yielded a grant to further our sensitization efforts on land rights with women from the Coastal region.
- KHRC has been enlisted as part of a Civil Society Working Group that will work with the NLC to develop ADR mechanisms in furtherance of the constitutional principle of access to justice.
- Continued to undertake periodic monitoring of the IDP situation in the country which informs the advocacy positions of the Protection Working Group on Internal Displacement (PWGID). In addition, currently devising the Incidences, Impact and Redress Assessment (IIRA) tool which will ultimately provide a holistic approach to redress for IDPs as it links the concepts of durable solutions and reparations.
- Successfully launched and currently undertaking the construction of the Mau Mau Monument which has contributed to reviving the freedom struggle narrative in the country and accord the Mau Mau war veterans their rightful place in society. This has in turn instigated a wider discussion on the need to recognize Kenya's other heroes- again in line with our other initiatives to support memorialization efforts such as the Mekatilili Wa Menza festival.
- Successfully conducted an advocacy campaign on the implementation of the TJRC report under the auspices of the Kenya Transitional Justice Network (KTJN) which has led to the establishment of an Inter-agency Committee on the Implementation of the TJRC Report- KHRC was invited to advise on the terms of reference for the proposed Committee which will be situated in the Office of the President, Ministry of Interior, Directorate of National Cohesion. This also entails considering the inclusion of non-state actors within such a committee.
- Successfully conducted advocacy initiatives that have facilitated a multi-stakeholder approach to campaign for the establishment of a credible International Crimes Division (ICD) within the High Court in addition to assessing other local options for justice for the victims of post-election violence. This has seen joint policy proposals submitted to the Judicial Service Commission (JSC) and securing the support of the KNCHR with a view to utilizing its mandate as another possible avenue for ensuring accountability for the post-election violence.



Ground breaking ceremony of the Mau Mau monument

- Successfully instituted Public Interest Litigation on behalf of IDPs and victims of Sexual and Gender Based Violence (SGBV) with a view to seeking a declaration of the State's duty to accord victims' remedies for the harm suffered in the absence of State protection. So far, KHRC has facilitated the collection of witness testimonies from the IDP petitioners as well as a series of expert witnesses.
- Undertaken sustained regional advocacy on transitional justice that has contributed to the finalization of the Africa Transitional Justice Framework (ATJF) and the commencement of a study on Transitional Justice in Africa by the ACHPR where KHRC has been enlisted as a member of the Advisory Committee to the study. Also commenced conversations with ACHPR's Committee on the Prevention of Torture in Africa (CPTA) with a view to developing a general comment to the Robben Island Guidelines on the subject of reparation for the victims of torture. Additionally, KHRC has undertaken advocacy initiatives aimed at steering regional debates on international criminal accountability- this has been through propounding resolutions at the ACHPR, convening side-events and media engagements.
- Commenced a comparative study on Post-Conflict Justice Mechanisms in Africa that will seek to take stock of victims' engagements with these mechanisms and identify the existing gaps with a view to improving access, strengthening enforcement and deepening the discourse on complementarity and transnational accountability. The study has attracted submissions from scholars and practitioners from at least 6 African countries that have experienced post-conflict justice mechanisms¹.
- Enhanced the profile and consideration of the Leadership and Integrity chapter of the Constitution with regard to contesting for political office. This was through the case filed challenging the eligibility of Uhuru Kenyatta and William Ruto to contest in the 2013 general elections. Despite the case being dismissed and the Court taking the unusual step of issuing costs in a matter of public interest, the case still served the purpose of sparking a much needed public debate on the integrity threshold for our political leadership. KHRC was able to get the Court of Appeal to stay the

¹ These are: Kenya, Democratic Republic of Congo (DRC), Uganda, Sierra Leone, Sudan and Mali

execution of the costs until the hearing and determination of the appeal against the decision of the High Court in 2013.

- On the International Criminal Court (ICC), KHRC has successfully articulated the justice needs of victims of the 2007 post-election violence in the midst of State efforts to have the Kenyan cases withdrawn, deferred or dismissed. This has been through advocacy initiatives directed at the UN Security Council, the Africa Union and various organs of the court itself. Most significantly, KHRC alongside other stakeholders under the banner of Kenyans for Peace with Truth and Justice (KPTJ) executed a robust advocacy agenda for the December 2014 Assembly of State Parties (ASP) to the Rome Statute which achieved the following: a strong rebuttal of the Kenyan government's non-cooperation with the ICC as expressed through a statement calling for full and meaningful cooperation as well as accountability for the State's interference with the prosecutors case; an illumination of actions taken by the Kenyan government to frustrate the ICC cases as epitomized in the KPTJ brief entitled, "*Kenya's 7-Step Formula for Impunity*" and; maintaining sustained pressure on the Trust Fund for Victims (TFV) to commence its activities with regard to the Kenya situation. We have further countered State efforts to have the Rome Statute reviewed with a view to instituting immunity from prosecution for sitting Heads of State.

Challenges

- The NLC being undermined by the Ministry of Lands in the execution of its mandate.
- The non-responsiveness of the Ministry of Devolution and Planning on the matters of internal displacement and in particular the implementation of the IDP Act (2012).
- Attempts to scuttle the construction of the Mau Mau monument by dissenting voices within the veterans association in addition to litigation seeking to challenge the settlement with the British government.
- The uncertainty brought on by the prospects of the National Assembly adversely altering the TJRC report when they eventually consider it in line with the amended TJRC Act.
- A lull in the activities of ACHPR as occasioned by the ongoing Ebola crisis- the 56th Session that was to take place in Niger has been postponed.
- The lack of political will to establish a credible local judicial process to deal with post-election violence crimes.
- The establishment of the ICD is seemingly in abeyance as timelines lapse without tangible progress.
- The High Court's unusual step of issuing costs in the integrity case which is essentially one of public interest, may prevent other members of the public from undertaking public interest litigation.
- The lack of communication from the ICC organs on developments around the Kenyan situation especially with regards to the work of the TFV has been a huge challenge.
- Increased political rhetoric seeking to characterize civil society pursuing accountability for post-election violence crimes as enemies of peace and reconciliation.

Equality and Non-Discrimination

Strategic Output 1: Marginalised groups are effectively participating in political spaces at the national and international levels by 2015.

Women and Marginalised Ethnic Group's Political Representation

Results:

- Increased support for mechanisms that do not require Constitutional amendment to realize the Constitutional provision that not more than two-thirds of those in elective and appointive office are of the same gender. This was achieved by submitting detailed proposals to the National Gender and Equality Commissions (NGEC) that has been mandated to consolidate stakeholder proposals in line with the Supreme Court Advisory Opinion of 2012 that requires a framework be in place by August 2015.
- External pressure on the Kenyan government to implement the 2/3rds gender principle.

- The prospect of a general resolution or general recommendation on the right to equal participation of women and marginalized communities in Africa has been raised through KHRC's participation in the ACHPR.
- KHRC is in discussion with ESCR-Net on the possibility of advocating for the adoption of a general recommendation from the UN in the run up to Kenya's election in 2017 urging the government to ensure the realization of this principle.
- KHRC has broadened debate to include discussion on women's rights to representation and participation in political processes. Previously ESCRs dominated the working group discussions during the NGO Forum that precedes the ACHPR session. KHRC has also forged working relationships with some of the thematic special mandate holders at the ACHPR.
- KHRC has partnered with IGED Africa and ESCR-Net to advocate for the adoption of a General Comment to Article 7 of the Maputo Protocol on women's property rights. The partnership also enabled KHRC to participate in the post 2015 Sustainable development goals which would help realize the rights of women especially their economic and social rights. The discussions at this level have opened up the prospects of further broadening the focus on women's rights at the regional level to also include aspects of women's political participation and representation in governance.
- KHRC has been appointed to join in the special taskforce to steer the process of legal reforms to ensure gender equality and inclusion of all marginalized groups. This appointment came out of a parliamentarians retreat organized by KHRC to deliberate on gender related legislation.
- Sector support to prioritize the adoption of a comprehensive equality framework, the Prevention Against Domestic Violence (PADV) bill, the implementation framework for the two-third constitutional gender principle and regional and international treaty body reporting. This support has been achieved through; 1) membership of the Mwamko Mpya Uongozi Bora (New Awakening for Better Leadership) initiative that brings together over 30 non-governmental organizations, and 2) Co-chairing the Gender Sector Co-ordination Group (GSCG) sub-cluster on Gender Policies, Legislation and Normative Work in compliance with regional and international obligations.
- KHRC participated in the 59th Session of the Commission on the Status of Women. Being the first time to engage in this space, we were able to advance discussions around our strategic areas of interest – women's political participation and representation; women's economic and social rights including property ownership and matrimonial rights. We participated in the annual strategic meeting on women's rights of which KHRC is a member of the ESCR-Net women's rights working group. We also held a strategy meeting on advancing women's ESC rights through advocating for the adoption of the general comment on Article 7(d) of the Maputo Protocol and the regional meeting on women's ESCR in Africa. KHRC was able to develop partnerships and interests across the globe on these strategic areas of interest.
- KHRC was tasked to lead other civil society organisations in developing a comprehensive equality law to give effect to article 100 of the Constitutions at a meeting organised by KHRC that brought together members of parliament, the NGEK and over 30 civil society organisations to discuss some possible options on how to realise the two third gender rules.
- The PADV Bill was passed by parliament in March 2015 and is awaiting presidential assent. KHRC contributed to the achievement of this result by actively engaging in the legislative and advocacy process of the PADV Bill. In this regard, KHRC drafted proposed amendments to the Bill and supported stakeholder engagements on the same. In particular, KHRC brought together a group of Members of Parliament in August and September 2014 to garner their support for the bill. We further engaged in robust advocacy including on social media calling for the passage of the Bill.
- KHRC has also been part of the government taskforce that is working on the state report on the convention on elimination of all forms of discrimination against women (CEDAW). KHRC role is mainly to provide input on women's political representation as well as give a judicial perspective on the implementation of CEDAW. KHRC took part in the shadow report drafting led by FIDA Kenya
- KHRC as part of the GBV working group joined state and non-state actors in preparing for the 16 days of activism. KHRC prepared a spirited social media campaign. KHRC also received lots of GBV cases and provided legal aid for the same. KHRC also shot a documentary to illustrate the gender impact of state perpetrated violence in Samburu and Lamu counties. The campaign

came to a close on the international human rights day but the issues remained unresolved and KHRC proposed policy and administrative measures to redress the same.

- The National Action Plan (NAP) for the Women's Charter was launched by the Cabinet Secretary in charge of Devolution and Planning. The launch was attended by over 1,500 participants, brought together national and county government departments, ministries and agencies, civil society actors, members of the private sector, academia and students. KHRC successfully convened two side events on women's representation (under the theme: Beyond the Numbers) and elimination of discrimination and right to dignity and respect (Under the theme: From spectators to partakers; women's rights as human rights).



The National Action Plan for the Women's Charter launch held at Kasarani stadium.

- KHRC's Equality and Non-Discrimination Programme has identified three counties within which to prioritize its engagement- Isiolo, Nakuru and Kwale. In these counties KHRC has trained its community Human Rights Networks (HURINETS) on devolution. KHRC developed and launched the Model County Framework that articulates the aspirations of a model county based upon 10 criteria points including equality and non-discrimination. Based on this model, we have had engagements with the County Executive Committee members in the 3 counties and received notable endorsement of the model. The launch of the model was done jointly with the Transition Authority and, therefore, this bolsters the engagement with county executives on the same. The HURINETS that we have trained act as monitors on the extent to which county governments mainstream equality in their legislative and administrative roles. Already KHRC is working with Nakuru County towards the development and adoption of an equality framework for this county, this will be based upon the criteria in the model county as well as the KHRC developed principles for a comprehensive equality policy map.
- KHRC organised and submitted a public petition on the increased incidences of sexual violations and gender based crimes including by legislators which often receive lacklustre treatment by the police and the inspector general. KHRC and other partners successfully organized a protest march and public delivery of the petition to the Inspector General of Police, the President and Parliament. As a result of this public action, one of the alleged perpetrators, Gideon Mwiti was arraigned in court on charges of rape and indecent assault.
- KHRC was also invited to attend a NAP on Disability mainstreaming. The launch was a success because this a good entry point for KHRC into the disability rights arena. KHRC was asked to

partner with the National Council on Persons With Disabilities (NCPWD) on issues to do with discrimination especially in the political spaces where PWDs are still underrepresented.

Challenges:

- The CSO reference group convened by FIDA Kenya has had challenges in getting together to agree on a common position on the realization of the 2/3rd gender principle.
- The process of achieving the 2/3rds gender principle risks being dragged into the referendum debate and this could result in not only opening the Constitution to a myriad of amendments but there is a very high risk of losing the affirmative action provisions in the Constitution and at the worst losing the principle of equality and non-discrimination all together.
- Garnering support at the ACHPR for discussion on women's right to political representation and participation.
- The NGEK submitted 7 proposals to parliament and this lengthens the process of getting an enabling framework and leaves the process in the hands of Members of Parliament
- The PADV Bill which was due for third reading had been delayed due to the ensuing state of political and civil affairs in Kenya.
- KHRC has been unable to work on disability rights. It is tough to convince other organizations of KHRC's capacity in this area. KHRC also has no specific budget for disability rights.

Opportunities:

- We have formed partnerships with organizations working on the PADV Bill (Under the Mwamko Mpya Initiative), which KHRC has taken a positive role in, not just in critiquing the bill but also in bringing together a group of male legislators identified as champions for the PADV bill, which has just passed its second reading. These legislators have also offered an entry point into the discussions around the 2/3rd gender rule. KHRC believes that securing equality at the family level will promote equality at the County and National level as well.
- Under this process KHRC has worked closely with the county members of parliament as well as the Kenya Women Parliamentary Association (KEWOPA) and the Kenya Parliamentarians Human Rights Association (KEPHRA) to see how to enhance the visibility of women parliamentarians.
- KHRC has been tasked with leading the Mwamko Mpya (New Awakening) initiative in coming up with an action plan towards comprehensive equality. A concept has been prepared and the Mwamko Mpya initiative launched a National action plan to address gender equality in political, social and economic spheres.
- KHRC plans to hold preliminary meetings with the commissioners to the ACHPR about the likelihood of having a general comment to the Maputo Protocol on women's participation in political and decision making positions.

Strategic Output 2: The LGBTI community effectively represent SOGI issues at national, regional and international platforms by 2015.

LGBTI Rights

Results:

- Adoption of a resolution on violence on the basis of real or imputed sexual orientation by the ACHPR in its 55th Session in April 2014.
- Exercise and promotion of 'freedom of expression' by the LGBTI community by commemorating the International Day Against Homophobia and Transphobia (IDAHOT) at The Mall in Westlands in partnership with the Gay and Lesbian Coalition of Kenya (GALCK) and its constituent members. The LGBTI community, media, CSOs and some general members of the public participated in the various exhibitions. KHRC also held the Gay and Lesbian Awards (GALA) in partnership with the National Gay and Lesbian Human Rights Commission (NGLHRC).
- Improved co-ordination, synergetic and strategic approach of the LGBTI movement by:

- facilitating, in partnership with GALCK, the 2nd Member Representatives Forum. The Forum brought together all GALCK's member-group representatives (38 persons) from across the country.
- holding 12 quarterly and ad hoc strategy and planning meetings with LGBTI partners including GALCK and NGLHRC.
- Being an active member of an International SOGIE (Sexual Orientation Gender Identity and Expression) forum that brings together members of CSOs and development and funding partners from different embassies.
- Enhanced capacity of SOGI groups to articulate their issues using human rights mechanisms at the regional and international levels by providing training for groups in the North Rift and Coast on these platforms;
- Media has improved understanding of how to ensure sensitive and human rights based reporting of LGBTI issues. This was achieved through a dialogue forum with the media;
- A strategic approach to LGBTI rights litigation by hosting the litigation collective;
- Judgement was given in December and "Baby A" (an intersex child) has finally been allowed a chance to be registered as an intersex child. KHRC convened all the interested parties to the case and developed a case strategy.
- GALCK and the LGBTI community gained diplomatic ties and advocacy opportunities. KHRC facilitated meetings between representatives of GALCK, and the Danish Ambassador to Kenya and with the Danish Minister for Health and other public officials.
- Due to the continued threat to life and freedom of association and expression for the LGBTI community in east Africa KHRC has filed a case to safeguard fundamental rights and freedoms for the LGBTI community and organisations working on them.
- KHRC has joined GALCK and KNHCR in coming up with a strategy of countering the proposed Anti-Homosexuality Bill in Kenya.
- KHRC represented two LGBTI individuals in Kwale where they were accused of having sex against the order of nature. The individuals had been arrested after a wave of violence against LGBTI individuals in Kwale. Together with PEMA-K we provided legal counsel for the accused persons.
- KHRC was also involved in an investigation of violence against LGBT persons in Malindi. We concluded that the media portrayed the case in sensational manner to sell their newspapers.
- To inform our interventions for the 2015-2016 operational year KHRC held consultative and planning meetings with GALCK and NGLHRC ahead of our operational planning.

Challenges:

- The GALCK leadership continues to be in transition under the management of the GALCK Reloaded Taskforce. There have, however, been efforts at having a permanent co-ordinator.
- The LGBTI community appears to be fragmented in some instances which results in delays in decision making by the umbrella body (GALCK).
- The bond terms set in the Kwale case were extremely tough and hence KHRC and partners could not ensure that the two individuals were released resulting in their incarceration for more than three months.

Opportunities:

- KHRC continues to deliberately seek to take on board at least one intern from the LGBTI community. This has enhanced the ties between KHRC and these groups while offering an opportunity for LGBTI persons to benefit from intensive human rights mentorship programmes.
- The KHRC operational planning was informed by the priorities of the LGBTI community following pre-planning deliberations with the 2 leading SOGI umbrella bodies- GALCK and NGLHRC. This will ensure legitimacy of initiatives as well as strengthen the ties and synergies of KHRC with SOGI groups.

Strategic Output 3: A non-discriminatory process for acquiring citizenship rights for marginalized groups by 2015

Citizenship Rights

Results:

- KHRC has evidence of and recommendations to address discrimination against ethnic Somalis and corruption in the processes of citizenship determination and acquisition of related documents. This was achieved through the collection of comparative data in the frontier Counties of Mandera, Wajir and Migori. The data was analysed by bringing together practitioners and scholars on citizenship matters as well as legislators who have been affected by the non-inclusive nature of citizenship in Kenya. Discrimination and corruption has resulted in people being rendered stateless and for challenges to Kenyan's security;
- KHRC has formed strategic partnerships with the Open Society's Justice Initiative and NAMATI society to support a team of people equipped with paralegal skills on citizenship;
- The paralegal capacity of communities faced with statelessness has been increased. ToTs were held in Tana River, Kwale and Wajir in partnership with NAMATI and the Nubian Rights Forum. The Makonde and the Pembas were well represented in the training as these were communities that KHRC has been working with.
- The Makonde community in Kwale who are stateless have been recognized as such by the Kenyan Governments. This was achieved by:
 - clearly communicating their concerns around their identity and articulating their desires regarding citizenship to the Mozambican and Kenyan governments
 - facilitating dialogue on civil registration between the Makonde and relevant state actors;
 - creating awareness on the citizenship process among the Makonde community.
- Following this, the County government raised the issues at the national level. Subsequently, KHRC in conjunction with the UNHCR, the Open Society Justice Initiative, and Haki na Sheria conducted an assessment of the Makonde Community in Kwale, Kilifi and Mombasa Counties. The assessment was able to gather the generations of Makonde's in Kenya; the estimated number of Makonde's married to Kenyans and the social economic impact of their statelessness. The assessment also brought out the complexities in nationalities and understanding of the concept of statelessness among the Makonde. The assessment will inform the statelessness working group of feasible next steps towards ending statelessness.
- Following a presidential directive, the process of registration of the Makonde community began in February 2015. The Makonde community and the Kwale County government have expressed their indebtedness to the KHRC for this.
- KHRC is part of the 'Chapter 3 Coalition' that has been advocating for the enactment of the procedural law that will give effect to Chapter 3 of the Constitution;
- KHRC shared insights on how and why state actors take action on statelessness at the first global forum on statelessness at The Hague. At this forum KHRC also gained information of opportunities for engagement at the international and regional levels.
- Proposed recommendations on how to tackle statelessness as a country were raised and these will form the basis for further discussions with state actors. The recommendations emerged from training that KHRC organised under the statelessness working group on statelessness in Kenya for officials from the Department of Refugee Affairs, Department of Immigration, National Registration Bureau, Kenya Bureau of Statistics, Department of Civil Registration, Department of Registration of Births and Deaths. KHRC's training focused on administrative process and deep rooted practices that have resulted in both *de facto* and *de jure* stateless persons.
- Recommendations on ensuring gender equality in Kenya's nationality laws and practices were shared with government officials in the Country roundtable, submitted to the director of immigration and will be included in the UNHCR newsletter. The recommendations came out of a gender roundtable that KHRC in conjunction with the UNHCR held with affected persons, civil society organisations and the NGECC.

- KHRC brought together CSOs to prepare an alternative report on Kenya's obligations under the International Convention on the Elimination of Racial Discrimination (ICERD) which is currently underway. We have critiqued and in-putted in preparatory and validation sessions of the state report.

Challenges:

- Capacity strengthening community-based partners working in Wajir and Mandera counties on matters of citizenship has faced challenges with security due to recurrent conflict. This has made it difficult for KHRC to execute its plans in the area.
- The Security amendment bill has institutionalised vetting committees in a very narrow way and allowed for revocation of citizenship without clear grounds. This could result in increased numbers of stateless persons.
- Some of the members of the Makonde community took part in the Mozambique general elections and this action has been used to slow down the process of determining their statelessness status.

Opportunities:

- The training KHRC provided on statelessness to state actors offered a good opportunity for KHRC to be clear stereotypes of human rights organisations being anti-government.
- KHRC joined the UNHCR in conducting a survey of the Makonde and used the findings to explore judicial and or administrative action to enable the community to access citizenship documents.
- KHRC, plans to
 - document the stateless communities in Kwale county and Tana-River county.
 - train at least 30 paralegals from Wajir, Mandera, Kwale and Tana-River counties.
 - launch its most recent report findings on inclusive citizenship during the UNHCR country forum which was held on the 2nd to 3rd December 2014.
 - release a position paper on citizenship in border counties, stateless communities in Kenya as part of advocacy towards the enactment of the National Registration and Identification Bill (2012).

Strategic Output 4: Enhanced equity and equality of marginalized groups in devolved governance structures by 2015

Equity in Devolved Governance

Results:

- Kwale county assembly has been influenced to audit its recruitment process and to take corrective steps to ensure for equity from the onset;
- Ensured that the principle of non-discrimination is reflected in KHRC's human rights centred model county, by mobilising the relevant government agencies working on equality and non-discrimination to attend and give their input during the validation forum.
- Built a partnership with Nakuru county government to come up with a gender equality policy
- KHRC conducted a meeting with Isiolo County government and community members. This broke a stalemate where the National Assembly had shut down due to differences between the assembly and the executive and following the ousting of the Speaker. The meeting also found that issues of equality and non-discrimination are given very little thought by both the County Assembly and the county executive.

Challenges:

- The Counties are focused on just setting up the County structures and not on entrenching equity and equality into the Counties.

Opportunities:

- KHRC will continue to engage in Kwale, Isiolo and Nakuru counties and to make its contribution towards the adoption of equality policies for county governments under the stewardship of the Transitional Authority.

- KHRC plans to work with government and civil society organization to create a near universal understanding of the principle of equality and non-discrimination.

Strategic Output 5: Conscious recognition of the need to address ethnic discrimination by rights holders by 2015

Combating Ethnic Polarisation

Results:

- A concept on how to address ethnic discrimination in political representation as well as distribution of resources has been developed;
- KHRC has established contacts with likeminded organizations and institutions on how to address ethnicity.
- KHRC has drafted an alternative report to the international convention on elimination of racial discrimination (ICERD). Seven other organizations have agreed to come on board and to prepare a joint report for submission in late October.
- Participation in a pluralism summer school has helped KHRC to build capacity in this area.

Challenges:

- Mapping out the area of focus has been difficult for the organization but KHRC plans to refine its thoughts through county level research and during a national expert's stakeholder meeting.

Opportunities:

- KHRC intends to commission a research on ethnicity in political representation and also to hold a national strategy meeting to narrow down on the gaps that exist in monitoring for inclusion and cohesion by the National Gender and Equality Commission (NGEC) and The National Cohesion and Integration Commission (NCIC).

Other Cross-Cutting Engagements

In addition to this, KHRC has submitted several alternative and shadow reports to the UN bodies including the HRC through the UPR process. In these reports KHRC has highlighted the status of enjoyment of rights of marginalized groups including women, LGBTI persons, IDPs and ethnic minorities.

KHRC is in the process of firming up a partnership with the Kenya Parliamentarians Human Rights Advocacy Caucus (KEPHRA) that will help in legislative and policy advocacy through pre-legislative scrutiny and as well as support parliamentarians in their oversight role by submitting petitions and memorandum to them for action. The members of KEPHRA joined KHRC and KNCHR in commemorating the international human rights day. During this year, KHRC has forged strategic partnership and built working relationship with members of parliament and has identified champions for gender and equality related bills and motions. We have a great working relationship and partnership with KEPHRA.

Economic and Social Rights

Strategic Output 1: Fair formula for equitable benefit sharing along value chains of select Kenyan products

Fair Value Chains

- All aspects of the French bean supply chain² that adversely affect the human rights and livelihoods of small-scale farmers and workers in Meru who are involved in growing and packaging horticultural produce for export have been investigated and documented in a Human Rights Impact Assessment (HRIA) report. The HRIA informed the design of the programmatic intervention and advocacy. The evidence in this report on the extent of violations provided grounds for the pursuit of the following issues:
 - i) immediate payment to farmers of at least 10% of a products sale price
 - ii) agreement of a pricing formula so that producers of primary commodity in developing countries are paid not less than 25% of the price that end-consumers pay,
 - iii) a review of the process used in developing certification standards and the accuracy of what they communicate to consumers, and
 - iv) global standardization of weights and measures to enable calculation of percentages of consumer's price.
- Commitment made by the exporter, Finlay's Horticulture Kenya (FHK), to learn more about becoming human rights compliant and reaching a '*Good for Business; Good for workers*' equilibrium.
- Workers and farmers in the horticulture supply chain (exporter, importer and UK based retailers) for green beans have an improved situation in terms of practical realities such as access to healthcare and their ability to negotiate strategically with actors along the supply chain. For example:

Changes for workers:

- Improved or introduced provision of; protective clothing, transport, health care, sanitary bins, training, food, water and hot drinks.
- Agreement reached on the frequency and form of meetings between management and workers.
- 87.31% of workers felt that the form of meetings between workers and management had improved since the project started. Workers stated that the form of meeting has improved because now "workers representatives collaborate with the Human Resources to schedule the meetings, agendas are set by workers, workers are given opportunities to voice their concerns, and workers are listened to."
- Workers representatives have met with Marks and Spencers for the first time.
- Improvements in working hours and drastic reduction in instances of overtime due to the introduction of performance related pay.

Changes for Farmers:

- Farmers now have a binding contract guaranteeing a minimum price for purchase of green beans and that Finlays will take the whole crop.
- Adequate crates are provided by Finlays which reduces wastage due to crop damage.
- Farmers have met with Marks and Spencers Management
- Farmers groups are now linked into a platform so they can better negotiate with Finlays

² This refers to the supply chain under focus in the Kenya Horticulture Project. The actors in this chain are Marks and Spencer (the retailer), FHK (the exporter) workers at FHK and small scale farmers in Meru (the outgrowers)

- Small farmers groups meet with Finlays management at least 3 times a year.
 - Farmers groups discuss more strategic issues alongside their operational issues and some groups bring in Finlays staff when their discussions are about their relationship with Finlays. This is a change from baseline when Farmers groups discussed only operational issues.
 - Huge reduction in loss due to poor quality at farm level (60% of crop at baseline and 20% now)
 - Farmers groups have begun to build relationships with staff at the Horticulture Crop Directorate (HCD).
 - The HCD is raising concerns with Finlays management on the farmers behalf.
- KHRC (together with Traidcraft Exchange) managed to bring all players in the French bean supply chain from Kenya and the UK to a negotiating table. Commitments made and further consultations proposed during the negotiations held on October 15, 2014 once fulfilled will not only be precedent setting but also have the potential to influence other supply chains in Kenya and beyond.
 - Better and legally binding contracts were negotiated for the producers of green beans. This emanated from sustained advocacy by KHRC and Traidcraft. This result is critical as it opened a new chapter in the safeguarding of the interests of small scale farmers who prior to this development had no contracts and suffered massive losses as a result of quotas imposed by FHK. This development will facilitate fairer, more predictable and secure incomes for farmers.
 - Increased capacity of farmers to negotiate for better terms of business with FHK through organising them into groups and providing ongoing training on grievance handling and negotiations. Further to this, KHRC supported the registration of these groups with the CDA office therefore enabling them to formalise their operations and increase their chances of accessing various opportunities e.g credit and technical support, among others.
 - An investigative report titled *“Robbery without violence: The sad state of Kenya’s Agricultural Co-operatives and Out-Grower institutions in delivering Trade Justice for Kenyan Small-holder Farmers”* was produced from field visits in seven counties (Kakamega, Migori, Murangá, Nyeri, Kirinyanga, Meru and Kericho). The report addresses the questions of transparency, accountability and inclusiveness in sharing the returns accrued from farming activities along the value chains for producers of rice, coffee, tea and sugarcane. The report empowered farmers’ networks on how to continually demand for fair prices from market players and governments. County governments (Meru and Migori) involved have used this report to inform the legislation of regulating cooperatives and assisting farmers’ to access markets at local and international level.

Challenges:

- Insecurity, for example, several instances of cattle rustling in Isiolo, interfered with implementation.
- Weather vagaries, particularly heavy rains, impeded access to the farms in some instances therefore impacting project implementation.
- Participation of farmers in project activity varied depending on the level of activity on their farms. Consequently, during busy seasons such as planting and harvesting time, it was difficult to conduct activities that required the involvement of farmers thus impacting on roll-out of project activities.
- Though a lot of training was conducted to enhance the confidence levels of workers, the fear of reprisals made some of them avoid expressing their grievances to management.
- The seasonality of horticulture business meant that KHRC had to synchronize its training sessions and engagements with FHK staff with the FHK business calendar to ensure that such sessions do not coincide with the horticulture high seasons. This made it difficult to implement the project work plan as had been envisaged at the design stage.

Opportunities:

- FHK’s commitment to engage with the project has created a big opportunity to create lasting change for farmers and workers.

Strategic Output 2: Improved access to and competitiveness of select crops and products to local, regional and international markets

Trade Justice

Results:

- The impacts of Economic Partnership Agreements (EPAs) on farmers in the East Africa Community (EAC) region documented and shared at a Regional Multi-Stakeholder Workshop.
- Fostered a national CSOs platform working on regional integration, EPAs and WTO issues and presented shared views through the; Kenya's National Committee on WTO (NCWTO), Africa Trade Network (ATN) and Our World is Not for Sale (OWINFS) platforms.
- Articulated the importance of participation of small-scale farmers in the formulation of national and international trade policy at the following fora:
 - Regional Multi-Stakeholder Conference on the EAC-EU EPA Negotiations. This was preceded by a conference statement and a TV interview;
 - 5 panelist presentations at the WTO Forum *'Why Trade Matters to everyone.'*
- Increased participation, information sharing and awareness among civil society actors on EPAs and WTO issues. This was facilitated by meetings convened by KHRC as well as presentations, papers and joint statements made by KHRC in different fora.
- KHRC influenced the mainstreaming of human rights in negotiation of the Continental Free Trade Area (CFTA) by the Africa Union (AU) and United Nations through submitting statements and reports.

Challenges:

- The Kenya government's non-compliance with the directive in the 2007 legal judgement requiring policies and mechanisms to ensure the participation of small-scale farmers before the government signs any trade agreements. The decision to sign the EPAs seems to have had support from the highest level of Kenya's executive with total disregard of the interests of other key stakeholders, particularly, small-scale farmers.
- Developed countries trade bloc incessant pressure on the governments of developing countries to sign trade agreements which are not in the interests of small-scale farmers.
- Low civic awareness on trade justice – even senior executives, public offers and trade negotiators from Kenya and other developing countries lack capacity. This greatly compromises Kenya's negotiating power.

Opportunities:

- KHRC joined African Civil society Organisations (ACSOs)-United Nations Economic Commission for Africa (UNECA) consultative and Strategic Meeting on illicit Financial Flows in Africa which took place in Addis Ababa on 31st January, 2015. The meeting was organised by Tax Justice Network Africa (TJN-A), Oxfam and Action Aid with the main aim of outlining actions to be pursued regarding the AU/UNECA High Level Panel Report on Illicit Financial Flows (IFFs) from Africa adopted at the 24th AU Summit, in January 2015. The CSOs statement was sent to the AU heads of states and governments who attended the AU summit. The objectives of the meeting were:
 - i) To establish a roadmap of how ACSOs can help in the implementation of the report.
 - ii) To establish a joint CSO advocacy strategy with regard to IFFs in Africa.
 - iii) To discuss how ACSOs can strategically partner with UNECA in implementing the recommendations made in the report.
- National Committee on WTO preparatory meetings involving civil society organisations working on economic and social rights. KHRC will conduct mobilisation and sensitisation on issues of agriculture affecting Africa that will be discussed during the WTO Ministerial Conference scheduled to take place in Nairobi in December 2015.
- KHRC intends to continue exploiting these and other platforms to inform the agenda and shape opinion on trade justice.

Strategic Output 3: Corporate accountability and responsibility for human rights, environmental protection, safe products and basic social services.

Labour Rights

Results:

- African CSOs mobilized at the 55th Session of the ACHPR to ensure a living wage (minimum set and actually paid) from transnational corporations operating in developing countries;
- Partnerships built with diverse drivers of the Living Wage Campaign across the world with a view to hosting a Regional Living Wage Colloquium in Kenya,
- KHRC's expertise and leadership in the labour rights sector recognised through i) an invitation to develop materials and to train two large trade unions in the Education sector and ii) Fahamu's invitation to mentor Pan African labour rights activists.

Opportunities:

- Advocacy for the ratification of the Optional Protocol on Economic Social and Cultural Rights (ESCR) by the government of Kenya.
- Continued engagement with its key alliances among them; i) the Clean Clothes Campaign in which transnational corporations and government workers in Cambodia and Bangladesh signed a letter asking government to adopt a living wage, ii) the Asian Floor Wage Alliance, and iii) the Fair Foods Campaign among food and beverage (agribusiness) companies in the USA.
- Engaging with labour rights academia with a view to auditing and strengthening the Labour Rights curriculum taught in Kenyan learning institutions to ensure it adequately prepares workers to legally and non-violently assert their labour rights;
- There is still an opportunity to lobby the government of Kenya to adopt a living wage policy

Corporate Accountability

Results:

- Building on the Human Rights Council's (HRC) resolution calling for a legally binding instrument to implement the guiding principles on business and human rights (UNGPs)³, a letter was written to the President of the Permanent Mission of Kenya in Geneva urging the HRC to enjoin Kenya in the global call for this instrument;
- Sensitization of civil society, media, private sector, government and regional bodies in Africa through:-
 - A two day seminar on Extractives in Nairobi,
 - Collaboration with the Africa Development Bank in ensuring that the bank and project implementation units comply with human rights standards,
 - Presentation of a paper on non-formal grievance mechanisms at the UN Africa Business and Human rights forum in Addis Ababa, Ethiopia.
- At the CSOs meeting of the 55th Session of the ACHPR KHRC co-chaired the ESR thematic group. In this capacity KHRC was able to draw attention to the fact that the UPR and other international human rights monitoring mechanisms are not structured to look out for and to give comments to state parties on the following issues; unsustainable public wage bills, weak minimum wage setting policies, income inequality, lack of tax justice particularly among transnational corporations, waste of public resources through irrelevant or duplicated bureaucracies some of which violate the principle of separation of powers and general bad governance. Also KHRC drew attention to the need for recognition of human rights defenders (HRDs) that blow the whistle on economic crimes relating not only to corruption, but also to corporate accountability, trade and tax justice;
- National level publicity made on the adverse human rights impacts of the Lamu Port and South Sudan Ethiopia Transport (LAPSSET) Corridor project and recommendations provided on how to mitigate these;

³ <http://www.treatymovement.com/statement/>

- Communities in Lamu supported to seek judicial redress for the adverse human rights impacts of LAPSSSET.

Challenges:

- Weak or non-existent laws to enforce corporate accountability,
- Corporate capture of law making processes in developing countries,
- Under-utilisation or unsuitability of non-judicial mechanism for developing countries nascent economies.
- International human rights monitoring mechanisms are not structured to recognize, monitor and consequently advise state parties to address corruption, corporate accountability, trade and tax justice.
- Supply Side of Corruption - Most corruption perception indices only measure the demand side (public officers in developing countries accepting bribes) but not the supply side of corruption (agents of transnational corporations giving bribes or financing conflict to influence decision making in their favour).

Opportunities:

- KHRC's appointment as the co-host of the 2015 Peoples' Forum on Business and Human Rights in Africa.
- A high level of interest from possible participants in a CSO Strategy Meeting on '***Giving Prominence to ESR through International Human Rights Monitoring Mechanisms***' that will be co-convened by the KHRC prior to the 56th Session of the ACHPR.
- KHRC's partnership with the Danish Institute of Human Rights and the Kenya National Commission on Human Rights in the development of a Country Guide on Business and Human Rights. This guide will be a good tool for informing advocacy. Additionally, it will act as base document for the government to develop a national action plan for the implementation of the UN Guiding Principles on Business and Human Rights.
- KHRC's partnership with Dejusticia has led to an invitation by Dejusticia to KHRC to co-host the Action Research workshop in 2015.
- KHRC has an opportunity to advance the Treaty Initiative in Africa. Talks with ESCR- Net on how to go about this have begun and a full day dedicated to discuss the next steps in ensuring a binding treaty for corporate accountability during the 2015 Peoples Forum.

ESR Strategic Objective 2 - Strategic Output 1: Informed citizens' participation, especially of marginalized groups, in fiscal decision making at regional, national and county level.

Accountability and Devolution

Results:

- Validation and endorsement of the Annual Model County Awards Scheme and its 10 point human rights criteria by key stakeholders and partners;
- Kiswahili translation produced of the '***Functions of Elected State Officers***', both versions (English and Swahili) have been uploaded on the KHRC website.
- The Swedish International Center for Local Democracy (SICLD) and the Institute for Development Studies of the University of Nairobi hosted a workshop on Devolution and Local Development in Kenya. KHRC presented a paper on entitled "***Kenya's Devolution: Taking Stock One Year On***". The SICLD has shared edited document and confirmed publication of the paper in their newsletter and website by January 2015.
- The programme hosted a talk-show on Devolution and County Budget Making Process on Radio Waumini. The sound bites on the talk-show are posted on KHRC's website.
- The capacity enhancement on Human Rights, Devolution and County Budget Making Process for county monitors/whistle blowers equipped resource persons with knowledge, skills and tools for social audit and Community attitude change. The established county monitoring forums identified their priority issues for monitoring and established a platform to hold county government to account to the people.

Challenges:

- Political support by state actors for structures that stifle devolution and human rights centred governance.
- Monitoring corruption, trade and tax justice requires inter-state cooperation, specialized staff capacities, and fiscal systems that most African governments do not have.
- Annual monitoring of traditionally recognized ESR indicators through the human development index and millennium development goals won't cause transformation, unless actual corruption, public wage bills, costly bureaucracies as well as the lack of corporate accountability, trade and tax justice are also monitored.
- The protracted legal tussle between the arms of government, the call for referendum by counties and the national government attempts to scuttle the same and the jostling for power between senate and the national assembly does not portend well for service delivery at the county
- The runaway insecurity and the attempts by the national government to push through the Security Amendment Bill, 2014 is a travesty to human rights and democratic governance gains made so far and impact negatively on county access to rights.

Opportunities:

- Great support for KHRC's Annual Model County awards Scheme and 10 point performance rating criteria.
- Through The Devolution Forum's (TDF) technical committee of which KHRC is a member, A working relationship has been forged with the Senate through the speaker to provide technical support to relevant committees of the Senate.

Institutional Development and Sustainability (IDS)**Strategic Output 1: A Comprehensive 5 Year Sustainability Plan Developed and Secured****Financial Sustainability****Results:**

- KHRC had Ksh. 321,139,306 income in the last financial year which was largely raised through fundraising for grant income.
- Resource Mobilizations and Financial Sustainability Strategy (Ethical Fundraising Policy, Cash and Reserve Investments, Capital Campaign, Hybrid NGO Model and Fundraising Strategy) developed and awaiting Board feedback;
- Specification developed for a contact and relationship management database, bids received and developer identified;
- Prospects identified and researched and lapsed donors listed;
- KHRC better able to access and influence funding from European donors as a result of being accepted as an Affiliate Partner of the European Foundation Centre (EFC). Members can attend the EFC's Annual General Assembly which will give KHRC the opportunity to profile ourselves and to learn about the interests of many new donors.
- Advice on engaging with funding networks shared.

Challenges:

- Late production of KHRC's audit report;
- Late payment by donors causing cash flow problems;

Opportunities:

- Donor Round Table in the USA which is planned for the 15/16 year;
- Attendance at the EFC annual general meeting in May 2015 (funding dependant).

Strategic Output 2: KHRC recognised as a well-established and accountable reference point on human rights**Procurement and Asset Management****Results:**

- Plan of vehicle servicing developed

- The Procurement committee for the 2015/16 year was appointed and has begun work.
- Procurement requests are sent in early and uploaded on the system to ensure that requisitions are approved before procurement is done. This is to ensure that procurement is done as per the policies and that adequate support documents are provided to eradicate audit queries.
- Single sourced procurements are now supported by written and approved justifications by the ED.
- Booking of hotels outside of the country are now being handled by a prequalified travel agent. This has reduced costs as the agent can get better deals due to their relationships with the hotels.
- We are at 75% in terms of having copies of existing contracts with suppliers in file.

Challenges:

- Contracts are not all placed in one location and can be hard to find
- Vehicle log books are not consistently filled out
- Restoring a healthy working relationship between KHRC and its suppliers due to lengthy time taken to settle dues.

M&E

Results:

- The 'M&E for Human Rights' Learning group has been instigated, a capacity assessment of membership has been conducted and meetings have been held to share learning;
- The Drivers for Accountability Programme (DAP) end of project audit and evaluation is complete and recommendations and results have been shared within KHRC. Outcome Harvesting was also conducted for DAP funded work;
- Financial, ICT and pension audits complete;
- Planning, Learning, Monitoring and Reporting manual and tools updated;
- Staff are beginning to use activity reporting tool, registration forms and training evaluation forms.
- Results and indicators for KHRC's horticultural farmer's rights programme are now simplified. Related monitoring tools have been developed and used.
- Viwango (standards) system of self-regulation has been introduced to KHRC and some funding has been secured to begin the self-assessment process.
- Discussions are being held with different actors about an international conference on human rights monitoring and M&E of human rights programmes.

Strategic and Operational Planning

Result:

- Strategic plan developed printed and launched.
- Operational plan developed and shared within KHRC.
- Reflection Meetings

Results:

- KHRC's strategic direction adjusted through discussions between KHRC's Board and management.
- Community reflections held which; 1) gave KHRC a good understanding of partner's priorities as we entered into operational planning, 2) highlighted previous challenges and 3) helped to ensure partnerships are looked at more strategically in the future.

Challenges:

- Programme meeting at end of first quarter was not held.
- A fluid and ever challenging human rights context in Kenya has led to a need to adjust the recently agreed strategic plan.

Results:

Pro-active response to emerging human rights issues.

- Guidelines and tools developed for fact finding missions. In April 2015 this will be strengthened to include a framework for identifying and prioritizing human rights situations that merit a fact finding mission to ensure greater impact;
- Developed KHRC's Human Rights Monitoring Framework to facilitate continuous and organized data collection and analysis of human rights and governance violations from all

programmes within the Commission. Data sources - Legal Aid, ICT for Human Rights Office (SMS and Social Media platforms) and Globetrack media monitoring reports.

- Fact Finding Missions carried out and recommendations given:
 - 1) High level of incidences of sexual abuse and Assault of Children (Vihiga County)
 - 2) Land dispute – legal action (Taita Taveta). In 2015 Hon. Mr. Justice Isaac Lenaola threatened to institute contempt of court orders on officials who were disregarding his ruling of 2012 that conservatory orders be issued restraining any of the Respondents or Interested Parties from alienating, transferring, disposing, attaching or in any manner dealing with the Petitioner's land parcels LR. Nos. Numbers 6731 and 6732 situated in Taveta District. The community's interest in following up on the case is high and they have organised themselves to provide KHRC with statements to facilitate their representatives.
 - 3) National Police Service (NPS) and Kenya Defence Force (KDF) response to contain insecurity (Lamu and Tana River Counties). The report will be jointly launched with Human Rights Watch (HRW) in June 2015. KHRC and HRW with the KNCHR and IPOA will then conduct advocacy for implementation of the recommendations raised. KHRC will also meet the National Police Service and CSOs working on police sector reform to disseminate the report findings, strategize on ensuring the recommendations are implemented and also to push for police sector reforms. KHRC plans to have a meeting with Senate and National Assembly Committees on Human Rights to conduct further advocacy.
- Pressure on Government for a focus on police reforms through the coverage of KHRC's Executive Director on the Prime Time News of a major TV station. Atsango Chesoni was featured in the news during a Solidarity March, jointly organised by KHRC and the Kenyan Association of Women in Policing, after massacres of police officers.
- Press statements on; 1) insecurity in Kenya, 2) need to release the Baragoi police killings report, and 3) deregistration of NGOs. The statements called for; the actualisation of police reforms, transparency regarding police reports and argued that any actions aimed at securing the country and enhancing accountability for state and non-state actors must be, as per the Constitution, only those reasonably justifiable in an open and democratic society based solely on human dignity, equality and freedom.



Roland Ebole, Programme Advisor-Human Rights Monitoring pays tribute to fallen Kenyan Heroes

- KHRC's Programme Advisor – Human Rights Monitoring was appointed to raise LAPSSSET through the UPR process during a people's dialogue on the implications of the Lamu Port and South Sudan Ethiopia Transport (LAPSSSET) development.
- An implementation plan for UPR recommendations and CSO action strategy to ensure implementation plan is actualised were developed during a workshop organised by KHRC.

Enhanced participation in the development of CSO regulatory frameworks.

- KHRC appointed as team convenor for the CSO reference group's PBO Act Advocacy team;
- CSO Reference Group supported to develop its strategic intent;
- CSO Reference Group agreed its programme pillars;
- Newspaper supplement placed condemning the governments deregistration of 510 NGOs as a threat to civil liberties in Kenya;
- Influenced the Government taskforce which is examining proposed retrogressive amendments to the Public Benefit Organisation (PBO) Act (2013) through:
 - Commissioning a study to assess and quantify the social and economic impact of Governance CSOs on Kenyan Society. The findings will be used to stimulate public awareness and engagements on the PBO Act.
 - Facilitating CSOs to propose recommendations to the PBO Taskforce. This was achieved by KHRC organizing a regional forum in the North Rift in which CSO leaders from eight counties in the region participated.

Improved public appreciation of human rights concerns in Kenya.

- International Human Rights Day was commemorated on the 10th of December under the theme: "*End Insecurity and Intolerance: Enhancing Public Accountability.*" KHRC co-ordinated 6 NGOs to commemorate the day. Commemoration included;
 - The launch of security reports by the KNCHR and KHRC
 - A legal aid (advocacy) caravan around the city
 - The publication of newspapers' supplements in two major dailies
 - A live forum on NTV that engaged a panel made up of the Spokesperson of the National Police Service, Hon. Diriye Abdullahi, Wajir South MP, Hon. Sarah Lekorere, Nominated MP, Laikipia North and a HURINET member. The panellists articulated issues around security and human rights and engaged the audience. The audience included representatives from missions of Finland, the Netherlands and a representative of the Office of the High Commissioner for Human Rights (OHCHR).
- The 2010-2014 Status of Human Rights Report and the biennial (April to October 2014) Status of Human Rights Report have been finalised and published. These reports will be launched alongside the October 2014 - April 2015 human rights report to give a picture of the human rights situation and how it has changed over the last 5 years. At the launch a strategy will also be shared on addressing where the country is at in as far as human rights are concerned.
- New diverse strategic partnerships with non-traditional actors.
 - Facilitated a meeting between the KNCHR's Vice Chair and the International Co-ordinating Committee of National Human Rights Institutions to see how the later could support KNCHR through capacity building and linkages with the UN Human Rights Council and Treaty Bodies;
 - The Danish Institute for Human Rights (DIHR), the KNCHR and KHRC are discussing a possible partnership around a Country Guide and National Baseline towards a National Action Plan on Human Rights and Business. DIHR has already shared a National Action Plan toolkit which includes a draft template for a baseline.
 - Child Rights Connect has offered to assist KHRC to build on its work co-ordinating civil society in Kenya to engage in the UPR process and using the African Charter on the Rights and Welfare of the Child (ACRWC) to also engage in the upcoming review of Kenya by the Committee on the Rights of the Child (CRC).

- Funding permitting KHRC and the Foundation for Human Rights Initiative (FHRI) Uganda have agreed that they would like to collaborate to counter the closing of civic space in the two countries and the region more broadly.

Challenges:

- Delay in funding and budget re-adjustments affected planned Human Rights Monitoring activities and fact finding missions. This also slowed implementation e.g. KHRC was not able to conduct staff training on the human rights monitoring framework and on regional and international human rights instruments due to funding challenges that saw various other planned projects suspended.
- Delay in the launch of the Status of Human Rights Report 2010 – 2014 created a situation whereby the report became out of date. The remedy to this was to have the April 2014 – March 2015 report out so that the two reports can be launched together to show where Kenya was and where it currently is at.
- There exist some levels of reluctance from certain programmes towards working together or sharing information with the human rights monitoring programme. Sharing information would go a long way into building synergies and enhancing appropriate response or action to various human rights issues.

Legal Affairs

Results:

Legal Aid in Nairobi:

Complaint	Adult Male	Adult Female	Children	Total Served	In Court	Mediation	Referral
Labour	390	230	8	628	6	120	30
Land	45	5	1	51	4	0	8
Succession	21	10	0	31	6	3	22
Maintenance/ divorce/custody	3	18	0	21	0	4	0
Threats	12	5	0	17	0	0	0
SGBV	2	5	1	8	0	0	0
Professional Misconduct	3	1	0	4	0	0	1
Murder	2	2	0	4	4	0	0
Assault / Grievous Harm	0	0	0	0	0	0	0

Cases not listed as ‘in court,’ ‘mediation’ or ‘referral’ were either identified as not actually being legal cases, legal cases but lacking evidence to move them forward, resolved or dropped by the client. These additional eventualities will be captured in future statistics.

Legal Aid Outreach:

COUNTY:	NO. of persons attended to
Kiambu	24
Ngong	17
Machakos	21
Murang'a	23
Kangundo	19

Case Studies: Note the names in this section are not the real names of KHRC’s clients.

Lillian Achieng - worked as a housekeeper at a residential home located in Racecourse, Nairobi. She was not paid her salary for December 2014. Upon contacting the employer on 8th January 2015 the employer came to the KHRC offices and paid the outstanding dues to Ms. Achieng.

Mohammed Haji - was seeking assistance from KHRC for persecution on the grounds of his religion. The petitioner avers that he got married to a Christian lady and henceforth decided to change religion and herein became a member of the Seventh Day Adventist (SDA) church.

In 2014 he was lured by a group of his Muslim friends who advised him that they wanted to do business with him. It is upon meeting them that he realized they had ulterior motives as he claims they threw him 4 floors down a building.

He sought assistance from KHRC where we first advised him to seek help from his church SDA which would help him relocate to another country easily. Also, KHRC advised him to cross an international border so as to fulfil the grounds of an asylum seeker. It is at this juncture that the couple decided to cross over to Uganda upon arrival they would apply for Refugee Status.



Peter Njoroge - was employed by Laboratory & Allied Ltd. and retired from their employment in May 2013. Mr. Njoroge was claiming a collection of unpaid dues and benefits from his employer, for the sum of Ksh. 253,516.60. This amount was calculated by his union.

Initially, the dispute was being handled between Mr. Njoroge's union and the employer. During this initial time, his employer had refused to pay him any dues because his union was involved in a battle with the company on terms of a new collective bargaining agreement. KHRC entered the dispute at this time. KHRC wrote a demand letter dated 28 October 2014 to his employer, demanding his outstanding monies. In a follow up letter his employer expressed a willingness and eagerness to settle the dispute. On Mr. Njoroge's next visit to KHRC he informed the team that he and the MD of the company had met and negotiated an amount for settlement, following KHRC's demand letter and Mr. Njoroge's stipulation that he had since left the union. KHRC telephoned the MD of the company, who confirmed that he was willing to end the dispute, but was concerned that Mr. Njoroge would go back on his word as he has done previously. KHRC advised the company to complete a payment agreement. By a letter and payment agreement dated 28 November 2014 Laboratory & Allied Ltd. Mr. Njoroge received Ksh. 147,000 in full and final settlement of his claim against the company, and maintains that there are no further claims against the MD, or the company.



KHRC members of staff support Bring Back Our Girls Campaign

Public Interest Cases:

Case	Direct Claimants	Indirect Beneficiaries
Mithonge Torture Victims	19 Victims	family
Nyayo House torture Victims	10 Victims	Families and other victims of torture
FERA Torture Victims	17 victims	Families and other victims of torture
IDP case	Over 3000 victims	victims
Taveta Land Case	over 1,500 beneficiaries	Residents of Taveta
Hassan Guyo Murder Inquest	Family	n/a
Leadership and Integrity Case SGBV Case	KHRC and ICJ	–
The Nairobi Safari club labour dispute	69 workers	Families and other workers facing similar challenges
Kaisugu Tea Company	101 workers	families
Sanitation in Mukuru Slums	Unspecified number/residents of Mukuru slums	residents
Totals		

Challenges:

- Appropriate space – In the rainy season people come into the tent making confidentiality a challenge.
- Lack of co-operation from the labour office which clients say collude with employers. In some cases the labour offices has compelled clients to withdraw their cases.
- Clients lack of employment contracts.
- Lack of pro-bono lawyers to take up Public Interest Litigation (PIL) cases.

Proposed Actions:

- The Legal Affairs Programme and Labour Rights Programme should collaborate to create awareness and to build capacity on the importance of a written contract and what it should contain. Legal affairs should also work with institutions working around labour related cases like the labour office in addressing this concern as a sectoral problem.
- Legal affairs will seek partnerships with some of the referral partners most especially the Labour office, Independent Policing Authority, F.I.D.A, I.M.L.U and Kituo cha Sheria. These partnerships will ensure that there is continuity in the assistance given to clients.
- There is a great need to recruit a female Legal Associate for purposes of attending to the ever growing need for Legal counsel and assistance at the Legal Aid Clinic and to ensure gender balance in the team. Media and Communications

Results:

- Increased social media engagement with 25,000 new users in the last quarter
- National Women's Action Plan Launch (February 2015) which had
 - Live Twitter Chat to create awareness about the launch
 - Production of graphics series for online promotion
- Model County Award Scheme Launch (March 2015) which had:
 - 2 publications produced with 1 already has a second edition
 - 1 20-minute video documentary
 - Social media coverage
 - Mainstream media coverage
 - 2 newspaper supplements
- Media strategy developed to be implemented in the 2015/6 operational plan.

Opportunities:

- TV stations have approached KHRC to sponsor human rights content on TV especially in shaping opinion around the 2017 general election. The communications team shall use the media strategy to fundraise for this activity.

ICT**Results:**

KHRC has improved capacity as it:

- Now has a tablet for its social media engagements;
- Has learnt from a visit to the Commission for Human Rights and Good Governance's ICT programme in Tanzania and attendance at the 9th Internet Governance Forum in Turkey.

KHRC's community based humans right network (Hurinet) partners have improved ICT capacity:

- ICT equipment (computers, generators, UPSs) procured for Hurinets;
- Support visits conducted with 5 Hurinets.
- Hurinets are now reporting their cases of violation through blogs, SMS and social media platforms. An average of 15 violations are reported each month through SMS and the victims of these abuses have been offered legal support.
- Many ICT trainees have created whatsapp groups for mobilization and effective reporting of cases. They have also set up social media accounts;



KHRC donates a generator to South Nyanza Human Rights Network under the IC4Democracy project- Will check what SONY stands

Target communities now have improved ICT capacity:

- 3 Hurinets have conducted step down trainings with other networks or community members.
- Through outreach communities in informal settlements in Nairobi (Dandora, Korogocho, Kangemi, Huruma and Kibera) and University students at Daystar University have been sensitized on their rights, ICT platforms and what needs to be done when their rights are violated i.e to who and how it should be reported;
- From the outreaches many people have received legal advice directly and others have been referred to our offices for further consultation;

Challenges

- No professional camera to capture milestones of the project. However, funds were identified to buy 3 digital cameras.
- Lack of commitment from University students and hence a delay of University outreaches. To address this energy has been put into building relationships with Universities;
- Lack of reports from Hurinets on the ICT project;
- Late submission of articles from Hurinets for the Mizizi ya Haki (Root of Rights) community newsletter. Most articles received also do not have photographs. To deal with this challenge blogs developed by Hurinets were edited and used for Mizizi ya Haki.

Strategic Output 3: An Integrated and Efficient Information System

IT

Results:

- Improve KHRC's external relationships, prevent loss of contacts when people leave KHRC, help KHRC to achieve its strategic objectives and hopefully lead to increased funding for KHRC:
 - The tenders for a contact, relationship and grant management system were reviewed and 3 companies have been shortlisted. The shortlisted companies have given a demo of their system and a company has been selected.
 - Customization of the financial system is still on going. This is to ensure the system works according to the organization needs, streamlining the requisition, approval and procurement process.
- Effective communication within and outside of KHRC:

- Internet connection migrated from WiMAX to fibre so that staff have an improved and more reliable internet service connection.
- The internet link Migration is currently underway from MTN to Access Kenya. This is scheduled to be completed by 28th April 2015. This will lead to higher bandwidth to support the growing number of employees and also reduce costs.
- Plans are underway to migrate KHRC mails from Microsoft Exchange server to Google Business. This will ensure uptime at all times thus reliability.
- Draft ICT policy document reviews done internally. Currently benchmarking KHRC's ICT policy with other organizations in the NGO sector.
- Procurement of ICT equipment for Hurinets and office use.
- Staff supported in their ICT needs
- Installation of the Sage HR system.
- Updated the store inventory on Serenic system.
- Performed inventory of all IT equipment in the office.
- Meetings held:
 - Discussed with the better SMS team the challenges experienced with the system
 - Training on the SharePoint/intranet
 - Had a learning session at Commission of Human Rights and Good Governance (CHRAGG) in Tanzania on their SMS platform.

Challenges:

- Upgrading of interns computers with modern computers has not been done due to lack of funds.
- Upgrading of the server room with a more spacious, user friendly and fully equipped with environmental and access controls has not been done due to lack of funds and space.

Resource Centre

Results:

Right to Information:

- The digitisation of KHRC's publications (Digital Library) has enabled the public to access all of KHRC's publications online regardless of their geographical location;
- Increased utilization of the resource centre due to people becoming more aware of its existence.
- KHRC signed the Lyon Declaration on Access to Information and Development which should influence the content of the post-2015 development agenda to ensure that everyone has access to, and is able to understand, use and share the information that is necessary to promote sustainable development and democratic societies. See: <http://www.lyondeclaration.org/signatories/>;

Publicity:

- Participated in two forums that presented publicity opportunities for the KHRC Digital Library (Training of Hurinets on writing and social media skill, and a validation workshop on cooperative research for Hurinets). Here the KHRC got a chance to also train the Hurinets and other KHRC partners on how to access the digital library as well as the use of the resource centre's online catalogue that enables them to see what the resource centre has in its collection.

The resource centre has since seen a number of researchers, information workers and even the general public paying visits to the resource centre to understand how the digital library works. Some of the examples among others include:

- A visit by the Jomo Kenyatta Foundation information team visiting the resource centre after seeing the KHRC's digital library online and requesting us to share with them how we went about establishing a digital library since they would like to establish one.
- Morgana Andrade, a doctoral student at the University of Minho, Portugal after seeing the KHRC digital library online sent an email requesting KHRC to participate in filling a study questionnaire on Research - Repository Application Profiles and Metadata Schemes.

- A researcher from Kenyatta University by the name Merceline Kakoro calling to inform the resource centre that she is checking for a book from our online catalogue but without success and if KHRC could be of help. The resource centre discovered that the book was not yet ready for circulation but available so she came to read from the resource centre.

Challenges:

- The resource centre policy has not yet been developed. This policy will help reduce the challenge of space and make the library collection content more strategic. This delay has been due to other departmental responsibilities (covering media activities due to the departure of the Programme Advisor – Media and Communications). To address this the resource centre has embarked on an evaluation of its services and this will address the challenge of the absence of a resource centre policy.

Opportunities:

- Approached the International Federation of Library Associations (IFLA) about potential funding for building libraries’ capacity to positively influence digital information policy through new International Advocacy. KHRC is awaiting information on this opportunity and how to apply.

Strategic Output 4: Adequate Human Resource That is Highly Skilled and Motivated

Human Resources

Results:

- Staff members have bought into the new Balanced Score Card performance management approach. This will analyse both the organizational and individual performance holistically using four critical perspectives.
- A Competency framework has been developed which will be used for recruitment and selection, performance management and career development. The framework will support KHRC to achieve its strategic results.
- 13 new staff have been recruited (new positions and replacements) in this financial year.
 - Administration Assistant
 - Administration Officer
 - Finance Officer
 - Procurement & Logistics Assistant
 - ICT & Social Media Assistant
 - IT Assistant
 - Programme Advisor (PA) - Labour Rights
 - PA - Human Rights Monitoring
 - PA – Electoral Governance
 - PA- Equality and Non-Discrimination
 - Programme Manager - Economic & Social Rights
 - Communications Manager
 - Executive Assistant
- 10 staff members have been trained in Policy Formulation, Analysis and Legislative drafting.
- The entire management team have been signed up for a management course called Bullet Proof which is a course that runs for a year and builds critical leadership skills and competencies.
- The new Human Resources Information System (HRIS) has been successfully installed. The installation of SAGE HRIS system will deal with – file management, performance management, training, leave, payslips and succession planning.

PART 4: THANKS TO DEVELOPMENT PARTNERS

We take this opportunity to thank the following donors for their generous support and partnership in the 2014/15 financial year:

Development Partner	Project/ Initiative
<i>Christian Aid</i>	<i>Towards Building a Movement for Citizenship Rights in Kenya</i>
<i>Global Partners Digital</i>	<i>Global Internet Freedom Program</i>
<i>Landesa</i>	<i>Women's land rights</i>
<i>Misereor</i>	<i>Peace and Security in Cattle Theft Prone Areas in Kenya</i>
<i>Trocaire</i>	<i>Public Participation in Devolved Governance</i>
<i>Centre for the Study of Violence and Reconciliation (CSV)</i>	<i>The Peace Through Accountability in Africa Project (PTAAP)</i>
<i>Traidcraft</i>	<i>A Fair Deal for Small Farmers and Workers (Horticulture)</i>
<i>British High Commission</i>	<i>Mau Mau Memorial Project</i>
<i>Drivers for Accountability Programme (DAP)</i>	<i>Towards more accountable and Human Rights centred Governance</i>
<i>Swedish Programme for ICT in Developing Regions (SPIDER)</i>	<i>The Swedish programs for ICT in developing regions</i>
<i>Collaboration on International ICT Policy in East and Southern Africa (CIPESA)</i>	<i>Promoting Open Government, Human Rights, Rights to Information and Civic Agency in Kenya</i>
<i>Ford Foundation-Regional Office for Eastern Africa</i>	<i>Institutional Sustainability & Equality of opportunities Project General Support-Champions for Democracy Award and the Financial Sustainability Training Initiative</i>
<i>Ford Foundation-Global Human Rights Initiative Fund</i>	<i>Towards A Human Rights Based Constitutional and Democratic Culture in Africa</i>
<i>Norwegian Embassy</i>	<i>Core funding towards the Operational plan entitled: Enhancing Human Rights-Centred Governance At All Levels.</i>
<i>UN Voluntary Fund for Victims of Torture</i>	<i>Campaign for Justice for February Eighteenth Movement torture victims & survivors</i>
<i>Open Society Initiative East Africa (OSIEA)</i>	<i>Strategic Litigation at the East African Court of Justice to Promote Freedom of Movement in the Region for Human Rights Defenders</i>
<i>International Network of Civil Liberties Organizations (INCLLO)</i>	<i>Response and Partnership on Emerging Civic Liberties Issues</i>

Note: Some of these partners manage project funds mobilized from other donors. For instance, INCLLO secures funds from the Open Society, Traidcraft has funds from Comic Relief, Christian Aid has DFID funding and DAP grants KHRC funding from the Danish Government.

PART 5: FINANCIAL STATEMENTS FOR YEAR 2014/ 2015

KENYA HUMAN RIGHTS COMMISSION

ANNUAL REPORT AND FINANCIAL STATEMENTS

FOR THE YEAR ENDED 31 MARCH 2015



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REGISTERED OFFICE

Kenya Human Rights Commission
P.O Box 41079, 00100
NAIROBI

PRINCIPAL PLACE OF BUSINESS

Valley Arcade Gitanga Road
P.O 41079, 00100
NAIROBI

INDEPENDENT AUDITOR

PricewaterhouseCoopers
Certified Public Accountants
P.O Box 43693, 00100
NAIROBI

PRINCIPAL BANKERS

National Industrial Credit Bank Limited
NIC House
Masaba Road
P.O Box 44599, 00100
NAIROBI

Commercial Bank of Africa Limited
International Life House
P.O Box 45136, 00100
NAIROBI

SOLICITORS

Waruhiu K'Owade & Ng'ang'a Advocates
4th Floor TAJ Towers
Upper Hill Road
P.O Box 47122, 00100
NAIROBI

The directors submit their report together with the audited financial statements for the year ended 31 March 2015, which disclose the state of affairs of the Kenya Human Rights Commission.

PRINCIPAL ACTIVITIES

The principal activity of the commission is the protection of and advocacy for fundamental human rights in Kenya.

RESULTS

The surplus for the year of Shs 18,525,316 (2014: Surplus of Shs 92,641,236) has been added to the general fund.

DIRECTORS


The directors who held office during the year and to the date of this report were:

Makau Wa Mutua (Chair)
Betty Murungi (Vice Chair)
Atsango Chesoni (Term ended on 14 May 2015)
Davis Malombe (Ag Executive Director appointed 14 May 2015)
Karuti Kanyinga
Davinder Lamba
Maina Kiai
Gabriel Dolan (Appointed 10 October 2014)
George Kegoro (Appointed 10 October 2014)
L. Muthoni Wanyeki (Appointed 10 October 2014)
Godwing Murunga (Appointed 10 October 2014)

AUDITOR

The Organisation's auditor, PricewaterhouseCoopers, continues in office.

By order of the Board



Professor Makau wa Mutua
Chair of the Board of Directors

 2015

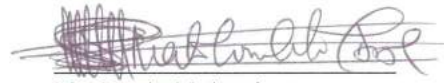
The Non –Governmental Organisations (NGO) requires directors to prepare financial statements for each financial year that give a true and fair view of the state of affairs of the organisation as at the end of the financial year and of its profit or loss. It also requires the directors to ensure that the organisation keeps proper accounting records that disclose, with reasonable accuracy, the financial position of the organisation. They are also responsible for safeguarding the assets of the organisation.

The directors accept responsibility for the financial statements, which have been prepared using appropriate accounting policies supported by reasonable estimates, in conformity with International Financial Reporting Standards and the requirements of the NGO Act. The directors are of the opinion that the financial statements give a true and fair view of the state of the financial affairs of the organisation and of its profit or loss in accordance with International Financial Reporting Standards. The directors further accept responsibility for the maintenance of accounting records that may be relied upon in the preparation of financial statements, as well as designing, implementing and maintaining internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement.

Nothing has come to the attention of the directors to indicate that the company will not remain a going concern for at least the next twelve months from the date of this statement.

Approved by the Board of Directors on _____ 7/3/15 2015 and signed on its behalf by:


Prof. Makau wa Mutua
Chair of the Board of Directors


Mr. Davis Malombe
Ag. Executive Director



REPORT OF THE INDEPENDENT AUDITOR TO THE DIRECTORS OF KENYA HUMAN RIGHTS COMMISSION

Report on the financial statements

We have audited the accompanying financial statements of Kenya Human Rights Commission (the "Organisation"), as set out on pages 6 to 31. These financial statements comprise the statement of financial position at 31 March 2015, and the statement of comprehensive income, statement of changes in fund balance and statement of cash flows for the year then ended, and a summary of significant accounting policies and other explanatory notes.

Directors' responsibility for the financial statements

The directors are responsible for the preparation and fair presentation of these financial statements in accordance with International Financial Reporting Standards and with the requirements of the NGO Act, and for such internal control, as the directors determine necessary to enable the preparation of financial statements that are free from material misstatements, whether due to fraud or error.

Auditor's responsibility

Our responsibility is to express an opinion on the financial statements based on our audit. We conducted our audit in accordance with International Standards on Auditing. Those standards require that we comply with ethical requirements and plan and perform our audit to obtain reasonable assurance that the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgement, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of accounting estimates made by the directors, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

Opinion

In our opinion the accompanying financial statements give a true and fair view of the state of the organisation's financial affairs at 31 March 2015 and of its surplus and cash flows for the year then ended in accordance with International Financial Reporting Standards and the NGO Act.



REPORT OF THE INDEPENDENT AUDITOR TO THE DIRECTORS OF KENYA HUMAN RIGHTS COMMISSION (CONTINUED)

The engagement leader responsible for the audit resulting in this independent auditor's report is **CPA Stephen Ochieng' Norbert's – P/1819.**

PricewaterhouseCoopers

Certified Public Accountants
Nairobi.

9 July 2015

Statement of comprehensive income

	Notes	Year ended 31 March	
		2015 Shs	2014 Shs
INCOME			
Grant income	5	310,531,734	295,565,007
Amortisation of capital grant	14	2,509,366	2,509,357
Other income	6	8,098,206	11,941,505
Total income		321,139,306	310,015,869
EXPENSES			
Projects costs			
Civil and political rights		44,637,875	42,779,564
Economic and social rights		30,165,580	22,297,242
Institutional development and sustainability		65,021,412	33,124,112
Equality and non-discrimination		17,038,811	13,167,292
Sub grantees costs		44,050,000	19,650,000
Administration costs		18,194,715	13,201,527
Staff costs	7	80,681,937	71,099,674
Depreciation	8	3,368,488	4,385,255
Amortisation	9	907,318	907,318
Total expenses		304,066,136	220,611,984
Net operating income		17,073,170	89,403,885
Finance income	10	1,452,146	3,237,351
Surplus for the year		18,525,316	92,641,236
Other comprehensive income, net of tax		-	-
Total comprehensive income for the year		18,525,316	92,641,236

The notes on pages 10 to 31 are an integral part of these financial statements

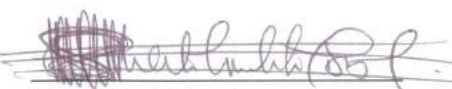
Statement of financial position

	Notes	31 March 2014 Shs	31 March 2014 Shs
ASSETS			
Non-current assets			
Property and equipment	8	3,777,126	5,203,264
Intangible assets	9	-	907,318
		<hr/>	<hr/>
		3,777,126	6,110,582
Current assets			
Grants receivable	11	8,445,262	66,423,138
Debtors and other receivables	12	5,442,853	2,766,350
Cash and bank balances	13	108,523,864	76,042,025
		<hr/>	<hr/>
		122,411,979	145,231,513
		<hr/>	<hr/>
TOTAL ASSETS		126,189,105	151,342,095
FUND BALANCE AND LIABILITIES			
General fund balance		49,449,392	43,729,890
KHRC premises fund		10,375,643	10,375,643
Restricted fund		12,805,814	70,425,236
		<hr/>	<hr/>
		72,630,849	124,530,769
Current liabilities			
Capital grants	14	3,564,063	6,073,429
Deferred income	11	25,916,118	4,525,780
Payables	15	24,078,075	16,212,117
		<hr/>	<hr/>
		53,558,256	26,811,326
		<hr/>	<hr/>
TOTAL FUND BALANCES AND LIABILITIES		126,189,105	151,342,095

The notes on pages 10 to 31 are an integral part of these financial statements

The financial statements on pages 6 to 31 were approved for issue by the Board of Directors on 31/3/2015 2015 and signed on its behalf by:


 Prof. Makau wa Mutua
 Chair of the Board of Directors


 Mr. Davis Malombe
 Ag. Executive Director

Statement of changes in fund balance

	General fund Shs	KHRC premises fund Shs	Restricted fund Shs	Total Shs
Year ended 31 March 2014				
At start of year	21,513,890	10,375,643	6,434,791	38,324,324
Surplus for the year	92,641,236	-	-	92,641,236
Transfer to restricted income	(70,425,236)	-	70,425,236	-
Funds utilised	-	-	(6,434,791)	(6,434,791)
At end of year	43,729,890	10,375,643	70,425,236	124,530,769
Year ended 31 March 2015				
At start of year	43,729,890	10,375,643	70,425,236	124,530,769
Surplus for the year	18,525,316	-	-	18,525,316
Transfer to restricted income	(12,805,814)	-	12,805,814	-
Funds utilised	-	-	(70,425,236)	(70,425,236)
At end of year	49,449,392	10,375,643	12,805,814	72,630,849

The notes on pages 10 to 31 are an integral part of these financial statements.

Statement of cash flows

	Notes	Year ended 31 March	
		2014 Shs	2014 Shs
Cash flows from operating activities			
Surplus for the year		18,525,316	92,641,236
Adjustment for:			
Depreciation		3,368,488	4,385,255
Amortisation		907,318	907,318
Restricted income from prior year		(70,425,236)	(6,434,791)
		<u>(47,624,114)</u>	<u>91,499,018</u>
Movement in working capital			
Debtors and other receivables		(2,676,504)	645,097
Grant receivable		57,977,877	(84,066,895)
Deferred income		21,390,338	(8,769,337)
Payables		7,865,958	(57,304,162)
Capital grants		(2,509,366)	(1,817,637)
		<u>82,048,303</u>	<u>151,312,934</u>
Net cash from/ (used in) operating activities		<u>34,424,189</u>	<u>(59,813,916)</u>
Cash flow from investing activities			
Purchase of property and equipment	8	(1,942,350)	(2,774,119)
Net cash used in investing activities		<u>(1,942,350)</u>	<u>(2,774,119)</u>
Net movement in cash and cash equivalents		32,481,839	(62,588,035)
Cash and cash equivalents at beginning of year		76,042,025	138,630,060
Cash and cash equivalents at end of year	12	<u>108,523,864</u>	<u>76,042,025</u>

The notes on pages 10 to 31 are an integral part of these financial statements.

Notes

1 General Information

The Kenya Human Rights Commission is an organisation incorporated in Kenya under the Non-Governmental Organisation (NGO) Act, and is domiciled in Kenya. The address of its registered office is:

Kenya Human Rights Commission
Valley Arcade, Gitanga road
P.O Box 41079
Nairobi
Kenya

2 Summary of significant accounting policies

The principal accounting policies applied in the preparation of these financial statements are set out below. These policies have been consistently applied to all the years presented, unless otherwise stated.

(a) Basis of preparation

The financial statements of Kenya Human Rights Commission have been prepared in accordance with International Financial Reporting Standards (IFRS) and IFRS Interpretations Committee (IFRS IC) applicable to organisations reporting under IFRS. The measurement basis applied is the historical cost basis, except where otherwise stated in the accounting policies below. The financial statements are presented in Kenya Shillings (Shs).

The preparation of financial statements in conformity with IFRS requires the use of certain critical accounting estimates. It also requires the Directors to exercise judgement in the process of applying the accounting policies. The areas involving a higher degree of judgement or complexity, or areas where assumptions and estimates are significant to the financial statements are disclosed in note 3.

Changes in accounting policy and disclosures

(i) New and amended standards adopted by the Organisation

There are no IFRSs or IFRIC interpretations that are effective for the first time for the financial year beginning on or after 1 April 2013 that would be expected to have a material impact on the organisation.

Amendment to IAS 1, 'Financial statement presentation' regarding other comprehensive income. The main change resulting from these amendments is a requirement for entities to group items presented in 'other comprehensive income' (OCI) on the basis of whether they are potentially reclassifiable to profit or loss subsequently (reclassification adjustments).

IFRS 13, 'Fair value measurement', aims to improve consistency and reduce complexity by providing a precise definition of fair value and a single source of fair value measurement and disclosure requirements for use across IFRSs. The requirements, which are largely aligned between IFRSs and US GAAP, do not extend the use of fair value accounting but provide guidance on how it should be applied where its use is already required or permitted by other standards within IFRSs or USGAAP

IFRS 12, 'Disclosures of interests in other entities', includes the disclosure requirements for all forms of interests in other entities, including joint arrangements, associates, special purpose vehicles and other off balance sheet vehicles. This standard is expected to have no impact on the organisation's reporting.

Notes (continued)

2 Summary of significant accounting policies (continued)

(a) Basis of preparation (continued)

(ii) New standards and interpretations that are not yet effective and have not been early adopted

A number of new standards and amendments to standards and interpretations are effective for annual periods beginning after 1 January 2013, and have not been applied in preparing these financial statements. None of these is expected to have a significant effect on the financial statements of the organisation, except the following set out below:

IFRS 9, 'Financial instruments', addresses the classification, measurement and recognition of financial assets and financial liabilities. IFRS 9 was issued in November 2009 and October 2010. It replaces the parts of IAS 39 that relate to the classification and measurement of financial instruments. IFRS 9 requires financial assets to be classified into two measurement categories: those measured as at fair value and those measured at amortised cost. The determination is made at initial recognition. The classification depends on the entity's business model for managing its financial instruments and the contractual cash flow characteristics of the instrument. For financial liabilities, the standard retains most of the IAS 39 requirements. The main change is that, in cases where the fair value option is taken for financial liabilities, the part of a fair value change due to an entity's own credit risk is recorded in other comprehensive income rather than the income statement, unless this creates an accounting mismatch. The Directors are yet to assess IFRS 9's full impact and intends to adopt IFRS 9 no later than the accounting period beginning on or after 1 January 2015. The Directors will also consider the impact of the remaining phases of IFRS 9 when completed by the IASB.

There are no other IFRSs or IFRIC interpretations that are not yet effective that would be expected to have a material impact on the Organisation.

(b) Revenue recognition

The organisation recognises revenue when the amount of revenue can be reliably measured, it is probable that future economic benefits will flow to the entity and when specific criteria have been met for each of the organisation's activities as described below. The organisation bases its estimates on historical results, taking into consideration the type of donor, the type of transaction and the specifics of each arrangement.

Where grants are received for a specific purpose, income is recognised in the statement of comprehensive income as the specific purpose is realised. This treatment complies with matching of income to expenditure concept. Any unexpended grants are accounted for as deferred income under current and non-current liabilities. All other grants are accounted for on receipt.

Revenue from trading activities by the organisation is recognised on an accrual basis. Revenue comprises the fair value of the consideration received or receivable for the sale of goods and services in the ordinary course of the organisation's activities. Revenue is shown net of value-added tax (VAT), returns, rebates and discounts and after eliminating sales within the organisation.

Revenue is recognised as follows:

- (i) Sales of goods are recognised in the period in which the organisation has delivered products to the customer, the customer has full discretion over the channel and price to sell the products, and there is no unfulfilled obligation that could affect the customer's acceptance of the products. Delivery does not occur until the products have been accepted by the customer.
- (ii) Interest income is recognised using the effective interest method.

Notes (continued)

2 Summary of significant accounting policies (continued)

Grants

Grants are recognised at their fair value where there is a reasonable assurance that the grant will be received and the organisation will comply with all attached conditions.

(i) Revenue grants

Grants received for a specific purpose are initially recognised as deferred income under current liabilities and subsequently recognised in the statement of comprehensive income as the specific purpose is realised. All other grants are recognised in the statement of comprehensive income when received.

Interest income earned on grants received for specific purposes is initially recognised as deferred income and subsequently transferred to the statement of comprehensive income as the specific purpose is realised.

(ii) Capital grants

Grants relating to property, plant and equipment are included in non-current liabilities as capital grants and are credited to the statement of comprehensive income on a straight-line basis over the expected lives of the related assets.

(c) Foreign currency translation

(i) Functional and presentation currency

Items included in the financial statements of the organisation are measured using the currency of the primary economic environment in which the entity operates ('the functional currency'). The financial statements are presented in Kenya Shillings ("Shs") which is the organisation's functional currency.

(ii) Transactions and balances

Foreign currency transactions are translated into the functional currency of the respective entity using the exchange rates prevailing at the dates of the transactions. Foreign exchange gains and losses resulting from the settlement of such transactions and from the translation at year-end exchange rates of monetary assets and liabilities denominated in foreign currencies are recognised in profit or loss.

Foreign exchange gains and losses that relate to cash and cash equivalents are presented in profit or loss within 'finance income or cost'. All other foreign gains and losses are presented in profit or loss within 'other income' or 'other expenses'.

(d) Property and equipment

Property, plant and equipment are stated at historical cost less depreciation. Historical cost includes expenditure that is directly attributable to the acquisition of the items.

Subsequent costs are included in the asset's carrying amount or recognised as a separate asset, as appropriate, only when it is probable that future economic benefits associated with the item will flow to the organisation and the cost of the item can be measured reliably. The carrying amount of the replaced part is derecognised. All other repairs and maintenance are charged to the statement of comprehensive income during the financial period in which they are incurred.

Notes (continued)

2 Summary of significant accounting policies (continued)

(d) Property and equipment (continued)

Depreciation on assets is calculated using the straight-line method to allocate their cost to their residual values over their estimated useful lives, as follows:

Furniture and fittings	8 years
Prefabs	5 years
Equipment	5 years
Motor vehicles	4 years
Computers	3 years

The assets' residual values and useful lives are reviewed, and adjusted if appropriate, at the end of each reporting period.

Property, plant and equipment are reviewed for impairment whenever events or changes in circumstances indicate that the carrying amount may not be recoverable. An impairment loss is recognised for the amount by which the asset's carrying amount exceeds its recoverable amount. The recoverable amount is the higher of an asset's fair value less costs to sell and value in use. For the purposes of assessing impairment, assets are grouped at the lowest levels for which there are separately identifiable cash flows (cash-generating units).

Gains and losses on disposal of property, plant and equipment are determined by reference to their carrying amounts and are taken into account in determining operating surplus.

(e) Intangible assets

Costs associated with maintaining computer software programmes are recognised as an expense as incurred. Development costs that are directly attributable to the design and testing of identifiable and unique software products controlled by the organisation are recognised as intangible assets when the following criteria are met:

- it is technically feasible to complete the software product so that it will be available for use;
- management intends to complete the software product and use or sell it;
- there is an ability to use or sell the software product;
- it can be demonstrated how the software product will generate probable future economic benefits;
- adequate technical, financial and other resources to complete the development and to use or sell the software product are available; and
- the expenditure attributable to the software product during its development can be reliably measured.

Directly attributable costs that are capitalised as part of the software product include the software development employee costs and an appropriate portion of relevant overheads.

Other development expenditures that do not meet these criteria are recognised as an expense as incurred. Development costs previously recognised as an expense are not recognised as an asset in a subsequent period.

Computer software development costs recognised as assets are amortised over their estimated useful lives, which does not exceed three years.

Acquired computer software licences are capitalised on the basis of the costs incurred to acquire and bring to use the specific software. These costs are amortised on the basis of the expected useful lives. Software has a maximum expected useful life of 3 years.

Notes (continued)

2 Summary of significant accounting policies (continued)

(f) Leases

Leases in which a significant portion of the risks and rewards of ownership are retained by the lessor are classified as operating leases. Payments made under operating leases (net of any incentives received from the lessor) are charged to surplus or deficit on a straight-line basis over the period of the lease.

(g) Financial assets

(i) Classification

All financial assets of the organisation are classified as loans and receivables, based on the purpose for which the financial assets were acquired. The directors determine the classification of the financial assets at initial recognition.

(ii) Recognition and measurement

Regular purchases and sales of financial assets are recognised on the trade-date – the date on which the organisation commits to purchase or sell the asset. Receivables are subsequently carried at amortised cost using the effective interest method.

(iii) Offsetting financial instruments

Financial assets and liabilities are offset and the net amount reported in the statement of financial position when there is a legally enforceable right to offset the recognised amounts and there is an intention to settle on a net basis or realise the asset and settle the liability simultaneously.

(iv) Impairment

The organisation assess at the end of each reporting period whether there is objective evidence that a financial asset or group of financial assets is impaired. A financial asset or a group of financial assets is impaired and impairment losses are incurred only if there is objective evidence of impairment as a result of one or more events that occurred after the initial recognition of the asset (a 'loss event') and that loss event (or events) has an impact on the estimated future cash flows of the financial asset or group of financial assets that can be reliably estimated.

Evidence of impairment may include indications that the debtors or a group of debtors is experiencing significant financial difficulty, default or delinquency in interest or principal payments, the probability that they will enter bankruptcy or other financial reorganisation, and where observable data indicate that there is a measurable decrease in the estimated future cash flows, such as changes in arrears or economic conditions that correlate with defaults.

The amount of the loss is measured as the difference between the asset's carrying amount and the present value of estimated future cash flows (excluding future credit losses that have not been incurred) discounted at the financial asset's original effective interest rate. The carrying amount of the asset is reduced and the amount of the loss is recognised in surplus or deficit. If a loan has a variable interest rate, the discount rate for measuring any impairment loss is the current effective interest rate determined under the contract.

If, in a subsequent period, the amount of the impairment loss decreases and the decrease can be related objectively to an event occurring after the impairment was recognised (such as an improvement in the debtor's credit rating), the reversal of the previously recognised impairment loss is recognised in surplus or deficit.

Notes (continued)

2 Summary of significant accounting policies (continued)

(h) Receivables

Receivables are recognised initially at fair value and subsequently measured at amortised cost using the effective interest method less provision for impairment.

(i) Cash and cash equivalents

Cash and cash equivalents includes cash in hand, deposits held at call with banks, other short term highly liquid investments with original maturities of three months or less, and bank overdrafts.

(j) Employee benefits

Retirement benefit obligations

The organisation and all its employees contribute to the National Social Security Fund (NSSF) which is a defined contribution plan. The organisation also operates a defined contribution staff retirement benefit scheme for its employees on confirmed employment contracts. This is administered by Liberty Life Assurance.

A defined contribution plan is a pension plan under which the organisation pays fixed contributions into a separate entity. The organisation has no legal or constructive obligations to pay further contributions if the fund does not hold sufficient assets to pay all employees the benefits relating to employee service in the current and prior periods.

The organisation's contributions to the defined contribution schemes are recognised as an employee benefit expense when they fall due. The Company has no further payment obligations once the contributions have been paid.

(k) Payables

Payables are obligations to pay for goods or services that have been acquired in the ordinary course of business from suppliers. Accounts payable are classified as current liabilities if payment is due within one year or less (or in the normal operating cycle of the business if longer). If not, they are presented as non-current liabilities.

Payables are recognised initially at fair value and subsequently measured at amortised cost using the effective interest method.

(l) Provisions

Provisions are recognised when: the organisation has a present legal or constructive obligation as a result of past events; it is probable that an outflow of resources will be required to settle the obligation; and the amount has been reliably estimated. Provisions are not recognised for future operating losses.

Provisions are measured at the present value of the expenditures expected to be required to settle the obligation using a pre-tax rate that reflects current market assessments of the time value of money and the risks specific to the obligation. The increase in the provision due to passage of time is recognised as interest expense.

Notes (continued)

3 Critical accounting estimates and judgments

Estimates and judgements are continually evaluated and are based on historical experience and other factors, including experience of future events that are believed to be reasonable under the circumstances.

(i) critical accounting estimates and assumptions

The organisation makes estimates and assumptions concerning the future. The resulting accounting estimates will, by definition, seldom equal the related actual results. The estimates and assumptions that have a significant risk of causing a material adjustment to the carrying amounts of assets and liabilities within the next financial year are addressed below.

Useful lives of property and equipment

The Organisation's management makes estimates in determining the depreciation rates for property, plant and equipment. The rates used are set out in the accounting policy Note 2 (d).

4 Financial risk management objectives and policies

The organisation's activities expose it to a variety of financial risks: market risk (including foreign exchange risk and interest rate risk), credit risk and liquidity risk.

The organisation's overall risk management programme focuses on the unpredictability of financial markets and seeks to minimise potential adverse effects on its financial performance. The organisation does not hedge any of its risk exposures.

Financial risk management is carried out by the finance department under guidance of the Board of Directors.

Market risk

(i) Foreign exchange risk

The organisation receives grants and is exposed to foreign exchange risk arising from various currency exposures, primarily with respect to the US Dollar, Great Britain Pound and Euro. Foreign exchange risk arises from future commercial transactions, and recognised assets and liabilities.

Management's policy to manage foreign exchange risk is to hold foreign currency bank accounts which act as a natural hedge.

Notes (continued)

4 Financial risk management objectives and policies (continued)

Market risk (continued)

(i) Foreign exchange risk (continued)

The table below summarises the effect on surplus had the Kenya Shilling weakened/strengthened by 10% (2014:10%) against each currencies held, with all variables held constant.

Year 2015

	US \$	Euro	GBP
Effect on surplus/ (deficit) increase	4,216,329	107,859	16

Year 2014

	US \$	Euro	GBP
Effect on surplus /(deficit)	681,774	1,977,884	2,534,204

(ii) Price risk

The organisation does not hold any financial instrument subject to price risk.

(iii) Cash flow and fair value interest rate risk.

The organisation does not hold any financial instrument subject to cash flow and fair value interest rate risks.

Credit risk

Credit risk arises from cash and cash equivalents and deposits with banks and financial institutions as well as credit exposures to customers, including outstanding receivables and committed transactions. Management is responsible for managing and analysing credit risk for each new client before standard payment and delivery terms are offered. The organisation does not have any significant concentrations of credit risk.

For banks and financial institutions, only reputable well established financial institutions are accepted. For receivables, the senior accountant assesses the credit quality of the customer, taking into account its financial position, past experience and other factors. The organisation does not grade the credit quality of receivables. Individual risk limits are set based on internal ratings in accordance with limits set by the Board. The utilisation of credit limits is regularly monitored.

No credit limits were exceeded during the reporting period, and management does not expect any losses from non-performance by these counterparties.

Notes (continued)

4 Financial risk management objectives and policies (continued)

Credit risk (continued)

The amount that best represents the organisation's maximum exposure to credit risk at 31 March 2015 is made up as follows:

	2015 Shs	2014 Shs
Cash at bank and short term bank deposits	106,995,926	74,393,758
Debtors and other receivables	13,478,663	65,626,174
	<u>120,474,589</u>	<u>140,019,932</u>

The maximum exposure to credit risk at the reporting date is the carrying value of each class of financial assets.

There were no receivables which were past due but not impaired.

Liquidity risk

Liquidity risk is the risk that the organisation will not be able to meet its financial obligations as they fall due. Prudent liquidity risk management includes maintaining sufficient cash balances, and the availability of funding from an adequate amount of committed credit facilities.

Management perform cash flow forecasting and monitor rolling forecasts of the organisation's liquidity requirements to ensure it has sufficient cash to meet its operational needs.

The organisation's approach when managing liquidity is to ensure, as far as possible, that it will always have sufficient liquidity to meet its liabilities when due, without incurring unacceptable losses or risking damage to the organisation's reputation. The organisation relies on grants to fund working capital requirements.

The table below analyses the organisation's financial liabilities that will be settled on a net basis into relevant maturity groupings based on the remaining period at the statement of financial position date to the contractual maturity date. The amounts disclosed in the table below are the contractual undiscounted cash flows.

Notes (continued)

4 Financial risk management objectives and policies (continued)

Liquidity risk (continued)

	Less than 1 year Shs	Between 1 and 2 years Shs	Between 2 and 5 years Shs	Over 5 years Shs
At 31 March 2015				
Payables	24,078,075	-	-	-
Deferred income	25,916,118	-	-	-
	<hr/>	<hr/>	<hr/>	<hr/>
At 31 March 2014				
Payables	16,765,688	-	-	-
Deferred income	4,525,780	-	-	-
	<hr/>	<hr/>	<hr/>	<hr/>

Capital risk management

The organisation's objectives when managing capital is to safeguard the organisation's ability to continue as a going concern.

The organisation places emphasis on proper planning during the annual budget preparation process, cash flow monitoring and monthly tracking of actual operating results against budget.

Financial instruments by category

No financial assets are carried at fair value hence no fair value hierarchy disclosures are required.

Notes (continued)

5 Grant income

	2015	2014
	Shs	Shs
United Nations Voluntary fund for victims of Torture (UNVFVT)	2,218	1,739,093
Office of the High Commissioner for Human Rights (OCHCHR)	1,871,259	434,935
United Nations Development Programme (UNDP) – Amkeni 2	(4,717,084)	3,199,025
Christian Aid	219,224	5,876,042
C- Aid citizenship	707,890	2,493,013
Canadian International Development Agency (CIDA)	123,324	123,324
Danish International Development Agency (DANIDA) through DAP Programme 1	6,349,974	16,859,532
Danish International Development Agency (DANIDA) through DAP Programme 2	23,716,461	-
Ford	11,614,480	8,569,000
Ford Global	71,420,516	71,943,952
Misereor	8,607,466	701,102
Norwegian embassy	137,981,784	130,307,054
Swedish International Development Agency (SIDA)	267,747	263,314
Spider	2,252,201	5,428,763
Centre for the Study of Violence and Reconciliation (CSVR)	3,679,003	13,645,815
Trocaire	5,086,943	2,202,839
United Nations Women	(109,602)	31,428
Uhai	(2)	(2)
SOMO-EPA	(18,438)	(62,800)
Stichting Onderzoek Multinationale Ondernemingen (SOMO)	1,345,220	2,559,630
Helen Bader Foundation (HBF)	-	82,000
Comic relief through Traidcraft	11,470,505	11,239,444
Open Society Initiative of East Africa (OSIEA)	880,068	803,022
Global Partners Digital (GPD)	2,052,580	2,000,417
Leighday	138,345	15,816,785
Open Society Foundation	5,456,759	-
British High Commission	14,580,935	-
LANDESA	453,882	-
SIDA-CIPESA	5,098,076	-
Total grant income (Note 13)	310,531,734	296,256,727

Notes (continued)

6 Other income

	2015	2014
	Shs	Shs
Sale of publications	20,648	11,600
Foreign exchange gain/(loss)	4,770,565	4,909,217
Bank interest	264,701	344,136
Reversal of accruals - general	-	6,361,552
Miscellaneous income	3,042,292	8,000
Income from Africog	-	240,000
Income from Friedrich Ebert Stiftung (FES)	-	67,000
	<hr/>	<hr/>
	8,098,206	11,941,505
	<hr/>	<hr/>

7 Staff costs

	2015	2014
	Shs	Shs
Salaries & allowances	67,002,245	51,651,683
Retirement benefit costs		
-Defined contribution scheme	4,692,595	4,801,004
-National social security fund	121,400	101,200
Others	8,865,697	14,545,787
	<hr/>	<hr/>
	80,681,937	71,099,674
	<hr/>	<hr/>

Notes (continued)

8 Property and equipment

	Prefabs	Furniture and fittings	Office equipment	Motor vehicles and motorcycles	Computers	Total
	Shs	Shs	Shs	Shs	Shs	Shs
Year ended 31 March 2015						
Cost						
At 1 April 2014	2,424,716	3,753,701	10,825,422	5,920,000	16,772,704	39,696,543
Additions	-	159,800	716,958	-	1,065,592	1,942,350
At 31 March 2015	2,424,716	3,913,501	11,542,380	5,920,000	17,838,296	41,638,893
Depreciation						
At 1 April 2014	2,424,716	2,802,789	9,113,983	5,500,000	14,651,791	34,493,279
Charge for the year	-	186,713	726,186	310,000	2,145,589	3,368,488
At 31 March 2015	2,424,716	2,989,502	9,840,169	5,810,000	16,797,380	37,861,767
Net book amount	-	923,999	1,702,211	110,000	1,040,916	3,777,126

Notes (continued)

8 Property and equipment (continued)

	Prefabs	Furniture and fittings	Office equipment	Motor vehicles and motorcycles	Computers	Total
	Shs	Shs	Shs	Shs	Shs	Shs
Year ended 31 March 2014						
Cost						
At 1 April 2013	2,424,716	3,440,061	10,400,682	5,700,000	14,956,965	36,922,424
Additions	-	313,640	424,740	220,000	1,815,739	2,774,119
At 31 March 2014	2,424,716	3,753,701	10,825,422	5,920,000	16,772,704	39,696,543
Depreciation						
At 1 April 2013	2,424,716	2,585,358	8,298,231	4,427,500	12,372,219	30,108,024
Charge for the year	-	217,431	815,752	1,072,500	2,279,572	4,385,255
At 31 March 2014	2,424,716	2,802,789	9,113,983	5,500,000	14,651,791	34,493,279
Net book amount	-	950,912	1,711,439	420,000	2,120,913	5,203,264

Notes (continued)

9 Intangible assets

	2015 Shs	2014 Shs
Cost		
At start of year	2,721,954	2,721,954
Additions	-	-
	<hr/>	<hr/>
At end of year	2,721,954	2,721,954
	<hr/>	<hr/>
Amortisation		
At start of year	1,814,636	907,318
Amortisation for the period	907,318	907,318
	<hr/>	<hr/>
Accumulated amortisation	2,721,954	1,814,636
	<hr/>	<hr/>
At end of year	-	907,318
	<hr/>	<hr/>

10 Finance income

Finance income relates to interest income from short term fixed deposits.

	2015 Shs	2014 Shs
Finance income	1,452,146	3,237,351
	<hr/>	<hr/>

Notes (continued)

11 Restricted fund

Grant income and receipts are analysed as follows:

Revenue grants

Year ended 31 March 2015

	Bal as at 1st April 2014	Receipts	Transfer from deferred income	Grant receivable	Transfer to deferred income	Refunds	Income receivable for 2014 which had already been recognised in the prior year	Grant income Z=a+b+c+d-e- f-g	Foreign exchange gain	Interest Rec'd	Transfer to general funds	Capital grant	Expended	Bal as at 31 March 2015
	Shs	Shs	Shs	Shs	Shs	Shs	Shs	Shs	Shs	Shs	Shs	Shs	Shs	Shs
	a	b	c	d	e	f	g	h	i	j	k	l	m	n
UNVFVT	2,218	-	-	-	-	-	-	2,218	-	2,218	-	-	-	-
OCHCHR	576,459	-	1,294,800	-	-	-	-	1,871,259	-	592	-	-	1,846,758	25,093
UNDP-Amkeni2	(4,717,084)	-	-	-	-	-	-	(4,717,084)	-	(2,610,834)	-	-	219,224	(2,106,250)
Christian Aid	219,224	-	-	-	-	-	-	219,224.00	-	-	-	-	708,014	-
C- Aid Citizenship	707,890	-	-	-	-	-	-	707,890	-	(124)	-	-	123,234	-
Cida	123,324	-	-	-	-	-	-	123,324	-	90	-	-	1,097,483	5,252,491
DAP	6,349,974	-	-	-	-	-	-	6,349,974	-	-	-	-	19,876,466	3,839,995
DAP 2	-	23,716,461	-	-	-	-	-	23,716,461	-	-	-	-	8,797,480	-
Ford National	665,356	10,949,124	-	-	-	-	-	11,614,480	-	-	2,817,000	-	74,422,842	(2,944,377)
Ford Global	20,727,938	76,608,696	-	25,916,118	-	-	-	71,420,516	901	57,046	-	-	8,618,568	-
Misereor	(2,092,353)	10,699,819	-	-	-	-	-	8,607,466	-	9,052	(2,050)	-	146,201,222	(7,679,083)
Norwegian	36,888,838	152,800,000	-	-	-	-	51,707,054	137,981,784	-	540,355	-	-	267,500	-
Sida	267,747	-	-	-	-	-	-	267,747	-	247	-	-	-	-

Kenya Human Rights Commission
Financial Statements
For the year ended 31 March 2015

	Bal as at 1st April 2014	Receipts	Transfer from deferred income	Grant receivable	Transfer to deferred income	Refunds	Income receivable for 2014 which had already been recognised in the prior year	Grant income	Foreign exchange gain	Interest Rec'd	Transfer to general funds	Capital grant	Expended	Bal as at 31 March 2015
	Shs	Shs	Shs	Shs	Shs	Shs	Shs	Shs	Shs	Shs	Shs	Shs	Shs	Shs
	a	b	c	d	e	f	g	Z=a+b+c+d-e-f-g	h	i	j	k	l	X=Z+h+i-j-k
Spider	701,738	-	1,550,463	-	-	-	-	2,252,201	-	-	(70,059)	-	2,322,260	-
CSVR	3,679,003	7,780,687	-	-	-	-	7,780,687	3,679,003	-	-	-	-	3,679,003	-
Trocaire	3	2,489,756	1,680,517	916,667	-	-	-	5,086,943	267,699	-	-	-	5,033,984	320,658
UN-Women	(109,602)	-	-	-	-	-	-	(109,602)	-	-	(109,602)	-	-	(0.00)
UHAI	(2)	-	-	-	-	-	-	(2)	-	-	(2)	-	-	-
Somo-EPA	(18,438)	-	-	-	-	-	-	(18,438)	-	-	(18,438)	-	-	-
Somo-Flower	1,345,220	228,817	-	-	-	-	228,817	1,345,220	-	-	-	-	840,257	504,963
Traidercraft	3,534,232	14,489,081	-	-	-	-	6,552,808	11,470,505	-	1,093	-	-	8,382,362	3,089,236
Leighday	138,345	-	-	-	-	-	-	138,345	-	-	-	-	138,345	-
OSIEA	880,068	-	-	-	-	-	-	880,068	-	36,048	916,116	-	-	-
OSF	-	5,456,759	-	-	-	-	-	5,456,759	-	-	-	-	986,533	4,470,226
GPD	555,138	1,497,442	-	-	-	-	-	2,052,580	-	-	-	-	1,753,386	299,194
BHC	-	7,052,340	-	7,528,595	-	-	-	14,580,935	-	-	-	-	7,487,552	7,093,383
LANDESA	-	453,882	-	-	-	-	-	453,882	-	-	-	-	-	453,882
SIDA - CIPESA	-	5,098,076	-	-	-	-	-	5,098,076	-	-	-	-	4,911,673	186,403
	70,425,236	319,320,940	4,525,780	8,445,262	25,916,118	-	66,269,366	310,531,734	268,600	644,186	924,562	-	297,714,146	12,805,814

Notes (continued)

11 Restricted fund (continued)

Grant income and receipts are analysed as follows:-

Revenue grants

Year Ended 31 March 2014

	Bal as at 1st April 2013	Receipts	Transfer from deferred income	Grant receivable	Transfer to deferred income	Refunds	Income receivable for 2013 which had already been recognised in the prior year	Grant income Z=a+b+c+d-e- f-g	Foreign exchange gain	Interest Rec'd	Transfer to general funds	Capital grant	Expended	Bal as at 31 March 2014
	Shs	Shs	Shs	Shs	Shs	Shs	Shs	Shs	Shs	Shs	Shs	Shs	Shs	Shs
	a	b	c	d	e	f	g		h	i	j	k	l	X=Z+h+i+j+k
UNFVT			1,739,093					1,739,093					1,736,875	2,218
OCHCHR		1,729,735			1,294,800			434,935	133,018	8,506				576,459
UNDP-Amkeni2		2,106,250	1,082,775					3,199,025					7,916,109	(4,717,084)
Christian Aid			9,177,053			3,301,011		5,876,042	193,594	25,630			5,876,042	219,224
C- Aid								2,493,013					1,785,123	707,890
Citizenship		2,493,013												
Cida	123,324							123,324						123,324
DAP		17,517,950	1,137,159				1,795,577	16,859,532		44			10,509,602	6,349,974
Finnish														
Ford		8,569,000						8,569,000	665,356		8,569,000			665,356
Ford global			71,943,952	-				71,943,952		35,575			51,251,589	20,727,938
Misereor			701,102	-				701,102		18,748			2,812,203	(2,092,353)
Norwegian		78,600,000		51,707,054				130,307,054	(5,154)	144,782			93,557,844	36,888,838
Sida	5,896,467					5,633,153		263,314		4,433				267,747
Spider		5,222,613	1,756,613	-	1,550,463			5,428,763	397,171				5,124,196	701,738

Notes (continued)

12 Debtors

	2015 Shs	2014 Shs
Staff advances	4,787,248	2,910,840
Less: provision for impairment	-	(553,941)
	<hr/>	<hr/>
Net staff advances	4,787,248	2,356,899
	<hr/>	<hr/>
Other debtors	-	-
Prepaid expenses	409,451	409,451
Interest receivable	246,154	-
	<hr/>	<hr/>
Total debtors and other receivables	5,442,853	2,766,350
	<hr/>	<hr/>
Movement in impairment provisions		
At start of year	553,941	256,810
Additions/(reduction)	(553,941)	297,131
	<hr/>	<hr/>
At end of year	-	553,941
	<hr/>	<hr/>

The carrying amounts of the above debtors and receivables approximate their fair values.

13 Cash and cash equivalents

Cash and cash equivalents included in the statement of cash flows comprise the following statement of financial position amounts:

	2015 Shs	2014 Shs
Bank and cash balances	68,384,477	47,507,419
Fixed deposit	40,139,387	28,534,606
	<hr/>	<hr/>
	108,523,864	76,042,025
	<hr/>	<hr/>

The carrying amounts of the organisation's cash and cash equivalents are denominated in the following currencies:

	2015 Shs	2014 Shs
Kenya Shillings	65,366,088	22,519,186
US Dollar	42,079,029	33,701,550
Euro	1,078,589	19,778,866
UK Pound	158	42,423
	<hr/>	<hr/>
	108,523,864	76,042,025
	<hr/>	<hr/>

14 Capital grants	2015	2014
	Shs	Shs
Cost		
At start of year	47,451,786	46,760,066
Additions	-	691,720
At end of year	47,451,786	47,451,786
Amortisation		
At start of year	41,378,357	38,869,000
Transfer to income	2,509,366	2,509,357
At end of year	43,887,723	41,378,357
	3,564,063	6,073,429

This represents funds received for purchase of equipment. The grant balance is amortised annually at a rate equivalent to that of depreciating the assets purchased with the grants.

15 Payables	2015	2014
	Shs	Shs
Accrued expenses	6,153,543	10,140,517
Other creditors	17,924,532	6,071,600
At end of year	24,078,075	16,212,117

The carrying amounts of the above payables approximate their fair value.

16 Commitments

Operating lease commitments

The Organisation leases its premise under an operating lease. The lease term is for 5 years. The future lease payments due to the rental premise is as follows:

	2015	2014
	Shs	Shs
Falling due within one year	2,600,000	2,600,000
Falling due between one and five years	7,380,000	9,980,000
	9,980,000	12,580,000

Notes (continued)

17 Related party transactions

(i) Key management compensation

Key management include directors and senior management. The compensation paid/payable to key management for employee services is shown below:

	2015 Shs	2014 Shs
Salaries	15,353,798	17,968,409
Post-employment benefits	1,241,210	1,689,986
	<hr/>	<hr/>
At end of year	16,595,008	19,658,395
	<hr/>	<hr/>

The directors do not get compensated for their services as directors.

18 Taxation

The directors have made an application for tax exemption to the Kenya Revenue Authority in view of the nature of the organisation's activities. Consequently, no provision for taxes has been made in these financial statements.

19 Employees

The number of employees at the end of the year was 32 (2014: 28)

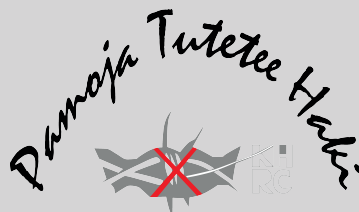
20 Incorporation

The organisation is registered in Kenya under the Non-Governmental Organisations Act, 1990.

21 Currency


These financial statements are presented in Kenya Shillings (Shs).

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KENYA HUMAN RIGHTS
COMMISSION

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