THE ECONOMICS OF REPRESSION

Human rights toll of Kenya's public debt and wage burden

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KENYA HUMAN RIGHTS COMMISSION

OXFAM

Kenya's public wage bill accounted for

41.8%

of ordinary revenue, exceeding the 35% legal ceiling.

debt servicing absorbs

68%

of revenues (by 2025), leaving the State with shrinking fiscal space for essential services.

The law requires that

at least **30%** of the national budget be allocated to development expenditure.

However, the combined weight of wages and debt repayments leaves less than 10% available for development.

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Abbreviations and acronyms

ACHPR	African Charter on Human and Peoples' Rights
ADPs	Annual Development Plans
BPS	Budget Policy Statement
CBK	Central Bank of Kenya
CFSPs	County Fiscal Strategy Papers
CIDP	County Integrated Development Plan
CRPD	Convention on the Rights of Persons with Disabilities
ESCR	Economic, Social and Cultural Rights
FGD	Focus Group Discussion
FY	Financial Year
GDP	Gross Domestic Product
ICCPR	International Covenant on Civil and Political Rights
ICESCR	International Covenant on Economic, Social, and Cultural Rights
ILO	International Labour Organization
IMF	International Monetary Fund
KII	Key Informant Interviews
KNCHR	Kenya National Commission on Human Rights
MDAs	Ministries, Departments, and Agencies
MTDs	Medium-Term Debt Management Strategy
MTEF	Medium-Term Expenditure Framework
NGO	Non-Governmental Organization
NTA	National Taxpayers Association
OHCHR	Office of the High Commissioner on Human Rights
SDG	Sustainable Development Goals
Sh	Kenya Shilling
SRC	Salaries and Remuneration Commission
UDHR	Universal Declaration of Human Rights
UHC	Universal Health Coverage
UN	United Nations
WHO	World Health Organization

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Disclaimer

All concepts and views presented in this report are based on the experiences and work of the KHRC. They should not be construed as representing the positions of Oxfam Kenya.

Executive summary

This study aimed to investigate how Kenya's fiscal decisions, including runaway public debt and an ever-expanding wage bill, are eroding the economic and social rights of millions of citizens, as promised under Article 43 of the Constitution. It also investigated the implications on the "equality and freedom from discrimination rights" of the select disadvantaged groups in the society as provided for in Articles 27, 53, 54, 55,56 and 57 of the Constitution.

By analyzing national spending trends over the past five financial years (2020/21 to 2024/25) and engaging with voices across Nairobi, the research revealed a system where government priorities favor creditors and bureaucracy, while ordinary families and special interest groups, including persons with disabilities, youth, minorities, children, marginalized communities, and older members of society, bear the greatest burden owing to their economic, social, and political vulnerabilities.

This research found that debt repayment and salaries consume up to 68 percent of all ordinary revenue, leaving only a third for health, education, food security, social protection, water and sanitation, among other development sectors. Debt interest alone has jumped from 18 percent to 25 percent of total spending in four years, squeezing out investment in public goods. Further, development spending has sunk below 25 percent, even as the cost of living reaches historic highs

Data from the study reveals that the burden of austerity is falling most heavily on the poorest, with cash transfer programs providing the clearest example. While enrolment has increased, the actual amount of money allocated to vulnerable groups has declined, support for older persons fell from Sh18 billion to Sh15 billion, funding for orphans dropped from Sh7 billion to Sh5 billion, and individuals with severe disabilities are receiving less in real terms. In short, the most vulnerable are receiving less assistance precisely when they need it most.

The social sectors also tell the same story, if not a worse one. When adjusted for inflation, real spending on health, water, and education has stalled or declined nationally. Nairobi county, despite serving more than 5.7 million residents, watched its real health spending fall from Sh8 billion to Sh7 billion. Meanwhile, the county's financial system is buckling, as pending bills have ballooned to 300 times its total expenditure, and its wage bill eats up half its budget, leaving little for actual service delivery.

This fiscal crisis is felt in crowded classrooms and empty pharmacies. Patients are turned away from hospitals unless they show insurance cards. Many leave with prescriptions they cannot afford because public hospitals lack medicine. Schools delay learning or send children home due to capitation shortfalls. Youth speak of job losses as businesses suffocate under rising taxes. Widows in informal settlements say housing programmes exclude them entirely. Persons with disabilities report waiting years for funds that never arrive.

Across sectors and settlements, the message is that the choices by the government, particularly the Kenya Kwanza regime, are punishing citizens while protecting political and bureaucratic privilege. Corruption, waste, and leakages worsen the crisis.

This study concludes that Kenya's fiscal trajectory undermines the core of the Constitution by limiting the State's capacity to progressively realize economic and social rights and protect the most marginalized groups. Critical sectors, including health, education, food security, social protection, water and sanitation are underfunded, compromising equality, dignity, and full enjoyment of constitutional rights. Moreover, key vulnerable groups that depend on the social protection of the state remain exposed and neglected.

It is for this reason that we have titled the report, "The economics of repression: Human rights toll of Kenya's public debt and wage burden".

1.0 INTRODUCTION

Kenya commands the largest national budget in the East African region, yet the country is still failing to deliver the essential human rights[1] guaranteed under Articles 43, 27, 53, 54, 55, 56 and 57 of the Constitution[2],[3]. The issue is not a lack of money but the persistent mismanagement of public resources that has crippled service delivery and deepened inequality. This has been orchestrated by the State's failure to adhere to the national values and principles of governance in Article 10, as well as the principles and frameworks of public finance in Article 201. The inability to adopt the rights-based approach envisaged in Article 19 of the Bill of Rights has further deepened this crisis in governance.

Kenya has ratified major international human rights instruments which include, the Universal Declaration of Human Rights (UDHR), International Covenant on Economic, Social, and Cultural Rights (ICESCR), the African Charter on Human and Peoples' Rights (ACHPR), the Sustainable Development Goals (SDGs), the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (Maputo Protocol), Convention on the Rights of Persons with Disabilities (CRPD), and International Covenant on Civil and Political Rights (ICCPR). Together with the Constitution, these frameworks impose a clear duty on the state to respect, protect, and fulfil human rights for all and put in place mechanisms for progressive realization of economic, social, and cultural rights.

Debt repayment, entrenched corruption, and an inflated wage bill now consume nearly a third of all revenue, leaving too little for health, education, food security, social protection, water and sanitation, among other basic services. Kenya finds itself in a troubling paradox, where the economy appears to be expanding[4] on paper, but most citizens see no improvement in their daily lives as the constitutional promise of economic and social rights remains out of reach for millions. Fiscal choices, including how the government borrows, repays debt, and allocates funds, continue to undermine these obligations. When debt servicing and an oversized wage bill take precedence over essential services, rights are denied.

This study examined how Kenya's rising public debt and growing wage bill are squeezing the rights the state is bound to uphold. It sets out what must change for the country to honour its constitutional and international commitments.

1 Visit the SRC website: https://src.go.ke/resource-centre/reports
2 The Constitution of Kenya
3 These touch on the social and economic rights; equality and freedom from discrimination; rights of persons with disabilities, youth, minorities and marginalized groups and old members of the society respectively.
4 World Bank, 2025

1.1 Objectives

The overall objective of this study was to examine how Kenya's soaring public debt and its repayment, as well as an unsustainably bloated wage bill, are undermining the country's economic and social rights and protection of marginalized groups.

The specific objectives were:

1. To understand the impact of public debt servicing and the wage bill on the realization of economic and social rights, with a focus on health, education, food security, social protection, water and sanitation.
2. To examine the implications of current fiscal and governance practices for the protection of disadvantaged groups.

1.2 Study parameters and limitations

a. Parameters

This study examined how Kenya's mounting public debt and bloated wage bill constrain the realization of economic and social rights, focusing on how fiscal pressures shape funding for critical social sectors such as health, education, food security, social protection, water and sanitation. The analysis primarily relied on secondary data from government sources, including budget policy statements, public debt reports, and expenditure reviews, to map macro-fiscal trends and policy decisions for the period between the 2020/21 and 2024/25 financial years.

To complement this, the study incorporated qualitative insights from key informant interviews (KIIs), random survey and focus group discussions (FGDs) in Nairobi, capturing citizens' experiences and perceptions on debt management, public sector wages, and service delivery in select sectors.

b. Limitations

The scope of the study was limited to the national fiscal context and the perspectives of Nairobi residents, which may not capture the full diversity of experiences across other counties, particularly rural and marginalized populations. In addition, reliance on government published data introduced constraints related to timeliness, accuracy, and completeness. Despite these limitations, the study provides a clear lens on how Kenya's fiscal choices, particularly rising debt and an inflated wage bill, directly impact the economic and social rights of all citizens, as well as selected disadvantaged groups in society.

2.0 REVIEW OF RELATED LITERATURE

2.1 Frameworks on rights-based economic and social governance

The legal and regulatory framework provides a solid foundation for advancing economic and social rights, and protecting the key vulnerable groups.

a. Constitution of Kenya

The 2010 Constitution is the main framework that forms and guides the governance of Kenya's state. It begins by establishing the foundation of our society with a visionary declaration in Article 4(2) that Kenya shall be a multi-party democratic state founded on the national values and principles of governance in Article 10, which provides the indicators for assessing the extent to which this has been realized. Critical to this study were the principles of human rights, human dignity, equity, social justice, inclusiveness, non-discrimination and protection of the marginalized, democracy, transparency, accountability, integrity, and sustainable development.

In Article 19, the Constitution enshrines a rights-based approach to governance and development. It declares that the Bill of Rights is an integral part of Kenya's democratic state and serves as the framework for social, economic, and cultural policies.The Constitution advances this further by explicitly entrenching economic and social rights in Article 43, guaranteeing access to health, education, food, social protection, water, and sanitation.

Additionally, several other constitutional provisions reinforce the State's obligation to progressively realize these rights. Articles 27, 54, 55, 56, and 57 provide for equality and freedom from discrimination, rights of persons with disabilities, youth, minorities, marginalized groups, children and older members of society.

Chapter 12 on Public Finance, particularly Articles 201, 202 and 203, establishes principles of equitable sharing, transparency, public participation, and prudent use of public resources to ensure that national and county budgets allocate funds in a manner that promotes economic and social well-being. Article 206 reinforces accountability in the management of public funds, while Article 223 provides a mechanism for supplementary budgets, enabling the government to respond to urgent or unforeseen needs that may affect the delivery of essential social services.

In addition, Article 27 guarantees the rights of marginalized groups by prohibiting discrimination, promoting equal opportunity, and requiring the state to take affirmative measures that ensure their full inclusion, protection, and participation in social, economic, and political life.

Proper implementation of the legal requirements ensures inclusive decision-making, protects economic and social rights, safeguards marginalized groups, and promotes accountability, transparency, and justice in public administration.

b. Vision 2030 as a blueprint for planning

Kenya's Vision 2030 positions economic and social rights at the heart of national transformation, framing equitable access to health, education, food, social protection, water and sanitation as essential to inclusive growth. It envisions a just, cohesive society where development is people-centered and grounded in the constitutional values of human dignity and equity.

The blueprint stresses that planning and resource allocation must prioritize investments that expand opportunities and reduce regional and social disparities. In practice, this means that national budgets and medium-term plans should target macroeconomic growth while fulfilling the constitutional duty to progressively realize economic and social rights, ensuring that public spending directly improves citizens' welfare.

c. Complementary legislation and plans

The Public Finance Management (PFM) Act, 2012, the County Governments Act, 2012, and the Public Audit Act, 2015 translate constitutional guarantees into concrete mechanisms that safeguard transparency, accountability, and equitable allocation of public resources. Complementary planning and fiscal instruments, including the medium-term plans, the National Budget Policy Statement (BPS), County Integrated Development Plans (CIDPs), County Fiscal Strategy Papers (CFSPs), the medium-term expenditure framework, and public investment management guidelines, establish an integrated legal and institutional frameworks that ensures coherence between national and county development priorities and the resulting socioeconomic outcomes.

In addition, other critical legal and institutional frameworks, such as the Intergovernmental Relations Act, 2012, the Urban Areas and Cities Act, 2011, the Public Procurement and Asset Disposal Act, 2015, the Controller of Budget and Commission on Revenue Allocation frameworks, the Salaries and Remuneration Commission Act, 2011, and county level public participation guidelines, reinforce the architecture of devolved governance. These frameworks collectively promote cooperative governance, transparent procurement, equitable revenue sharing, fiscal discipline, and participatory development envisioned in the Constitution towards realisation of economic and social rights.

d. KHRC's Strategic Plan and political positioning of the study

This study builds on the KHRC's 2025–2035 strategic plan, which is grounded on the philosophy that a modern democratic state should be evaluated by the extent to which it delivers freedoms and dignity to its citizens. While civil and political rights underpin the protection of freedoms, economic and social rights, which encompasses principles aimed at ensuring fair and equitable treatment and access to resources for all individuals and communities deepen human dignity.

As a result, KHRC has identified economic and social justice as one of its key programmes, focusing on the realization of health and educational rights, as enshrined in the Constitution, regional instruments, and international treaties, which are critical for safeguarding the well-being and promoting social development.

2.2 Public debt, wage bill, and socio-economic rights

Public debt analysis

The nexus between debt management and human rights is well established in development economics and international law. Instruments such as the UN Guiding Principles on Foreign Debt and Human Rights and the Sevilla Commitment underscore that States have a legal obligation to ensure that debt policies, negotiations, and macroeconomic reforms do not undermine economic, social, and cultural rights. These instruments require transparency, meaningful public participation, and human rights impact assessments, while emphasizing the prioritization of vulnerable groups during debt restructuring. Key principles such as progressive realization and non-retrogression mandate that States, international financial institutions, and private creditors conduct human rights due diligence, avoid predatory lending practices, maintain social expenditure floors, and integrate human rights considerations into debt-sustainability assessments.

In Kenya, the Constitution provides a robust framework for responsible public borrowing. Articles 202 and 203 require that all public debt be legally authorized, aligned with national development priorities, and managed sustainably, with oversight by Parliament and the Auditor-General ensuring transparency, accountability, and public participation. Article 223 further permits supplementary budgets for urgent needs, if borrowing remains fiscally sustainable and responsible.

Kenya's Vision 2030 underscores the dual goal of fiscal sustainability and social development, highlighting that efficient public spending and equitable allocation of resources are essential for achieving its goal of a "globally competitive and prosperous nation with a high quality of life for all."

However, Kenya's fiscal landscape is increasingly constrained by two interrelated pressures: soaring public debt and a high public wage bill, which limit the State's capacity to uphold economic and social rights. Public debt has nearly doubled in five years, rising from Sh6.6 trillion in FY 2019/20 to Sh12.0 trillion in FY 2025/26 (Central Bank of Kenya). This surge reflects a combination of large-scale infrastructure spending, persistent fiscal deficits, and currency depreciation, all of which have significantly increased debt-servicing costs.

Much of this debt accumulation stems from heavy capital and infrastructure investments such as roads, rail, energy, and ICT financed through external and domestic borrowing. As the shilling weakens, foreign-currency liabilities and repayment costs rise, further reducing the fiscal space available for essential services in health, education, food, social protection, water, and sanitation, as shown in the table below.

Table 1:The public debt indicators, value, and trends

Indicator	Value and trend (selected years)	Source
Public debt (total)	**Sh6.6 trillion** (end-June 2020) → **Sh10.58 trillion** (June 2024) → **Sh12.00 trillion** (September 2025).	Treasury Annual reports; Medium-Term Debt Management Strategy/ Central Bank of Kenya (CBK)
Debt composition	External = Sh5.39 trillion (46.3%) Domestic = Sh6.66 trillion (53.7%) (September 2025)	National Treasury/CBK
Fiscal deficit (headline)	Peaked after COVID, e.g., **8.3% of GDP (FY2020/21)** →improved to **5.6% (FY2022/23)**; government targets further reduction (3.9–4.8% in recent BPS/ estimates).	Budget documents / Budget Policy Statement (BPS) / Parliament budget brief. (Parliament of Kenya)
Infrastructure (capital) allocations	Energy, Infrastructure, and ICT sector development: **Sh302.3 billion (FY2024/25 development)**; numerous large capital projects across transport/energy have absorbed large shares of development budgets.	2024/25 Budget Explainer/ sector working group report. (Parliament of Kenya)
Interest/debt servicing burden	Kenya spends a large share of its revenue on interest; estimates suggest that approximately **one-third of government revenue goes to interest payments** (rating agencies, market reports).	Budget Policy Statement (BPS), the Budget Review and Outlook Paper (BROP), and the Consolidated Fund Services (CFS) statements.
Exchange rate (KES per USD)	Period averages: **101 Sh/USD (2019)** → **140–157 Sh/USD** (peak around 2023–early-2024); 2024–2025 averages stabilized **129–137 Sh/USD** (monthly/annual variation).	CBK, World Bank / CEIC / market reporting. (The World Bank Docs)

Trends in Kenya's debt landscape

Over the past five years, Kenya's fiscal landscape has been shaped by rising public debt, which have constrained resources for essential social services and development priorities as illustrated below.

Table 2: Illustration of how the fiscal picture changed for the last four years

Fiscal year (end)	Total public debt (Sh, ≈)	Fiscal deficit (%GDP, approx.)	Avg Sh per USD (period avg)
FY2019/20	Sh**6.6 trillion** (CBK)	Post-pre-COVID years: deficits smaller than peak (context).	**101 Sh/USD** (2019 avg). (The World Bank Docs)
FY2020/21	—	**8.3% of GDP** (pandemic shock peaked deficits). (Parliament of Kenya)	Depreciation begins.
June 2024	**Sh10.58 trillion** (MTDS figure June 2024).	Deficit improving but still elevated (5–6%)in recent years). (National Treasury)	**139–157 KSh/USD** (peak volatility around 2023–early-2024). (The World Bank Docs)
June 2025	**Sh11.8 trillion** (market reports/ CBK data).	Government targeting deficit reduction (targets in BPS: 3.9–4.8% depending on year). (National Treasury)	**129–137 Sh/USD** (period averages in 2024–25 stabilized around these values). (CEIC Data)

Composition of debt and debt service

As borrowing intensified, the government shifted its focus to domestic markets from FY2023/24 (Figure 1). While domestic debt mitigates currency risk, it comes at a high cost, as it inflates debt service and crowds out private investment (Parliamentary Budget Office, 2023).

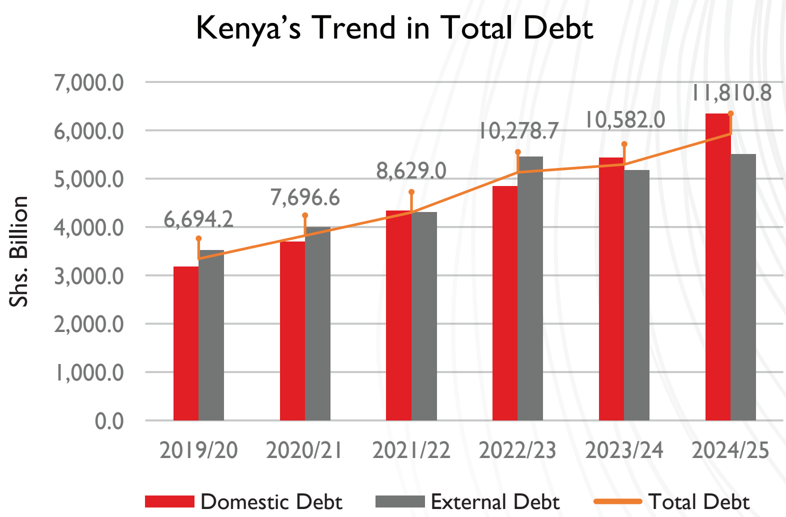

Figure 1: Composition of debt and debt service by debt type

PERCENTAGE OF DEBT SERVICE BY DEBT TYPE

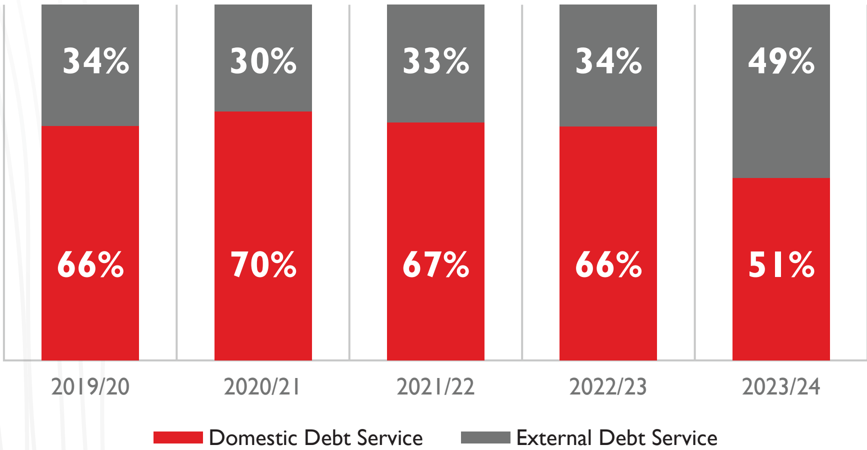

Figure 2: Composition of debt and debt service by debt type

Data source: National Treasury

According to the National Treasury (August 2025), debt servicing now consumes 68 percent of Kenya's ordinary revenue, leaving minimal fiscal space for social spending. Obuya (2008) terms this phenomenon "developmental fiscal compression," where debt obligations crowd out allocations to essential sectors such as health, education, food security, social protection, and water and sanitation—areas central to the progressive realization of human rights under Article 43 of the Constitution. In nominal terms, spending over half of ordinary revenue on debt means that more than half of every public shilling goes directly to creditors. From a human rights perspective, this represents the cost of dignity yet to be achieved: Funds that could otherwise hire 10,000 teachers, build classrooms, supply rural clinics, expand clean-water access, or support struggling families are instead diverted to debt delaying the realization of these rights.

In practice, however, borrowing decisions by the government are often influenced by political priorities, patronage, and incentives to deliver visible infrastructure before elections, coupled with limited parliamentary oversight. In 2014, legal amendments to the PFM Act granted the National Treasury, acting through the Cabinet Secretary, the power to raise external and domestic loans as they may "deem appropriate," effectively shifting borrowing authority away from the legislature. This move has led to a surge in public debt, which surpassed the unprecedented Sh12 trillion mark in September 2025, both domestic and external, raising serious concerns about illicit debt accumulation without parliamentary approval as was envisaged in law. This mismatch between legal intent and actual practice means debt may be contracted without proper scrutiny of economic returns or long-term affordability, expanding the debt burden and diverting resources from essential social sectors.

Wage bill review

Under the UN Guiding Principles, wage bill reforms must preserve essential public services, safeguard minimum core obligations, undergo human rights impact assessments, ensure transparency and participation, and prioritize vulnerable groups' access to health, education and social protection. States must ensure wage bill policies, including ceilings tied to fiscal or debt programmes, do not undermine economic, social and cultural rights.

Available data from the Salaries and Remuneration Commission (SRC) and the National Treasury indicate that although Kenya's wage bill has declined from 54.8 percent in FY 2020/21 to 41.8 percent in FY 2024/25, it remains significantly above the 35 percent legal benchmark. This pattern suggests limited fiscal consolidation while revealing the structural causes of Kenya's elevated wage burden, including administrative expansion, staffing pressures at both national and devolved units, and persistent demands for wage harmonisation.

The rising absolute wage bill, compounded by constrained revenue performance, deepens fiscal vulnerability by crowding out development financing, restricting essential public services, and fueling increased borrowing to meet recurrent obligations. As Maina (2021) notes, prioritising wage payments over infrastructure entrenches a fiscal paradox in which short-term employment protection weakens the systems required for long-term, rights-based service delivery, a concern reaffirmed in November 2025 by the Cabinet Secretary for the Treasury.

> "We are using Sh80 billion per month to pay salaries for public servants, that translates to Sh960 billion per year; that is not sustainable. We are crowding out development.
>
> John Mbadi, Treasury CS
>
> Excerpt from Citizen Digital

Economic and social rights

Economic and social rights in Kenya are constitutionally enforceable. Article 43 guarantees access to essential services, including health, education, food, social protection, water, and sanitation, while Article 21(2) obliges the State to adopt legislative, policy, and budgetary measures to progressively realize these rights. Despite these constitutional mandates, fiscal policy has often prioritized macroeconomic stabilization and debt repayment over social investment (Mutunga, 2020). Empirical evidence from the Institute of Public Finance (2024) shows that during periods of fiscal tightening, allocations to social sectors stagnate or decline in real terms, even as debt servicing and personnel expenditures continue to rise.

Scholars and policy analysts widely agree that Kenya needs to transition toward rights-based fiscal governance. Debt sustainability frameworks should integrate minimum social spending thresholds alongside measures to improve efficiency in the wage bill. Fiscal policy must shift from short-term liquidity management toward long-term human development priorities. As Ndung'u (2024) argues, institutional reforms in debt management, expenditure prioritization, and performance-based budgeting are essential to ensure that macroeconomic stability translates into tangible economic and social outcomes for citizens.

3.0 RESEARCH DESIGN AND METHODOLOGY

This study employed a mixed-methods research design, combining quantitative and qualitative approaches to provide a comprehensive understanding of the research problem. The quantitative component focused on collecting numerical data to identify patterns, trends, and measurable outcomes. The qualitative component explored participants' experiences, perceptions, and attitudes, offering rich, contextual insights that complement the numerical findings.

3.1 Data

Data collection was conducted in Nairobi County to gather comprehensive, high-quality information, including numerical data and personal experiences, to generate meaningful insights and clear study findings. A mixed methods approach was employed, comprising document review, KIIs, FGDs, surveys, and direct observations. Simple random sampling was used for the surveys to give each participant an equal chance of selection, reducing bias and ensuring representativeness. Combining these methods allowed data from different sources to be cross checked for accuracy, enhancing the reliability and credibility of the findings. Secondary data were obtained from sector working group reports, National Treasury debt reports, budget implementation reviews from the Controller of Budget, and datasets from the Kenya National Bureau of Statistics.

3.2 Sampling and data sources

The study employed different sampling techniques for each group of respondents. FGDs of 10–12 participants were conducted with selected groups comprising PWDs, women, opinion leaders, and youth from the informal-settlement areas, with participants chosen using purposive sampling to ensure adequate representation of the target population. Purposive sampling was also used for KIIs, allowing the selection of respondents with relevant and critical information. This approach saved time and resources while enhancing the depth and quality of the findings.

For the survey component, simple random sampling was used to select participants from the 17 sub-counties of Nairobi (Embakasi Central, Embakasi East, Embakasi North, Embakasi South, Embakasi West, Kamukunji, Kasarani, Kibra, Langata, Makadara, Mathare, Roysambu, Ruaraka, Starehe, Westlands, Dagoretti North, and Dagoretti South), giving every individual in the target population an equal chance of being included and minimizing selection bias. In total, the study reached 1,050 respondents, including 459 females, 538 males, and 44 individuals who preferred not to disclose their gender.

Notably, most respondents were either self-employed or worked in the informal sector. Among those in the informal sector, men predominated, whereas self-employed respondents and students were evenly distributed between men and women.

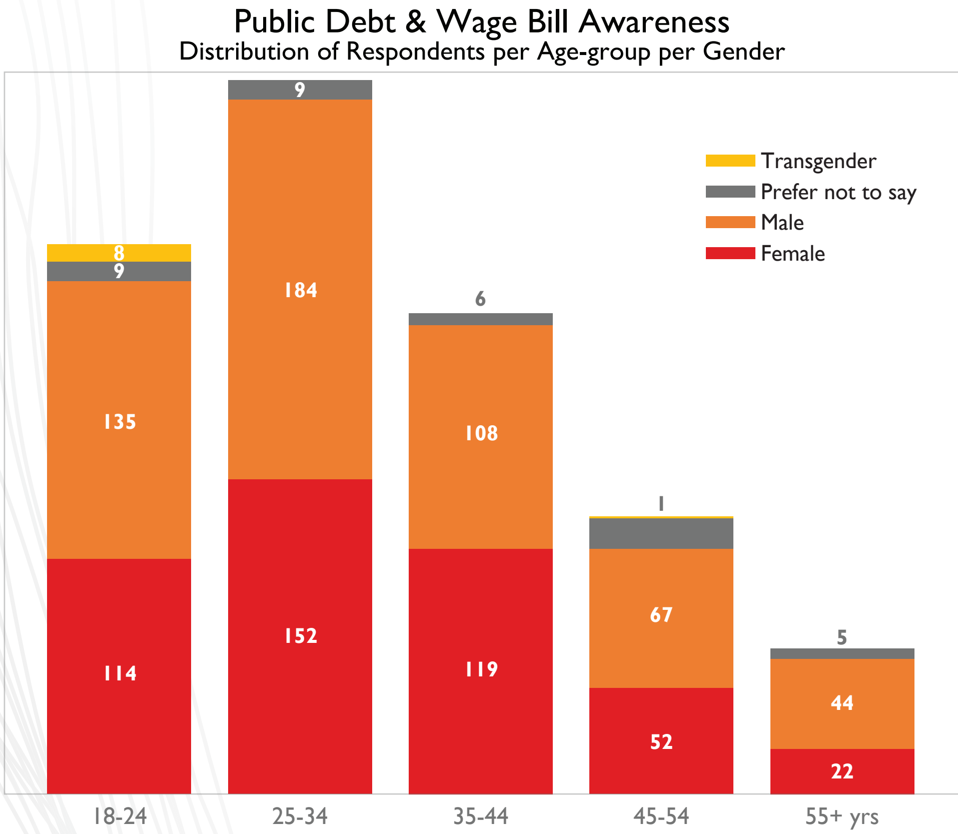

Figure 3: Public Debt & Wage Bill Awareness: Distribution of Respondents per Age-group per Gender

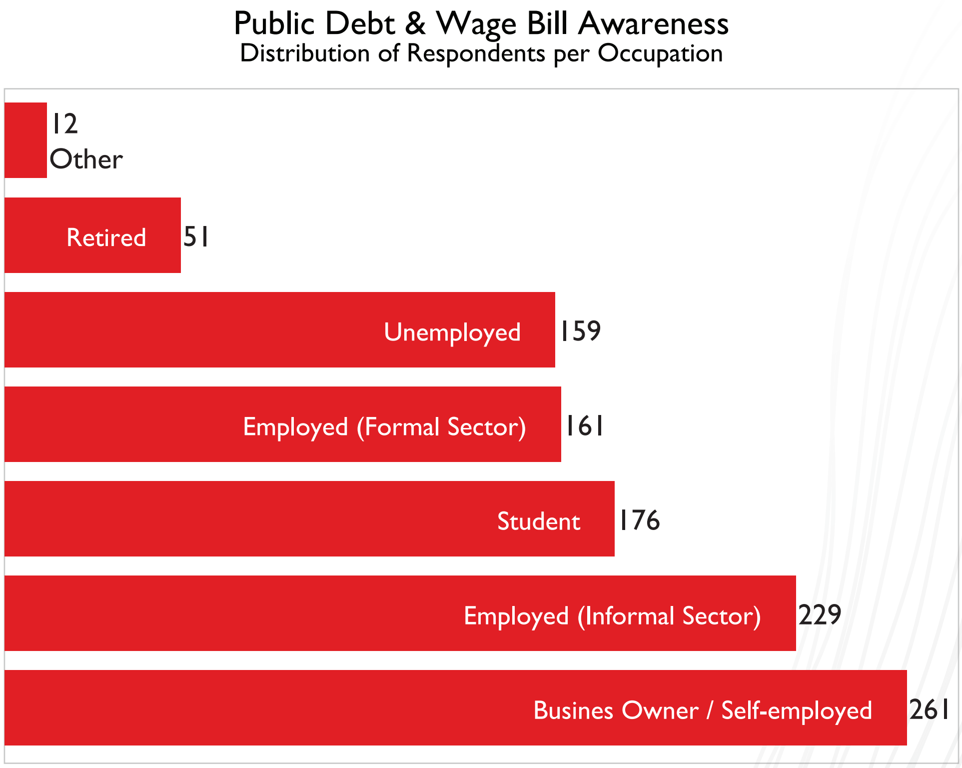

Figure 4: Public Debt & Wage Bill Awareness: Distribution of Respondents per Occupation

3.3 Ethical considerations

To ensure the collection of honest and comprehensive information while adhering to ethical standards, the study design and approach prioritized cultural sensitivity. This included respecting differences in beliefs and customs and maintaining integrity and honesty in all interactions with stakeholders. Formal consent was obtained from each respondent before participating in interviews or FGDs.

4.0 FINDINGS

4.1 How debt service and wage bill excesses are gutting socio-economic rights at national level

Kenya's fiscal structure has grown increasingly rigid, with debt servicing and a rising wage bill squeezing out development and social spending. As shown in Figure 2, national expenditure is now dominated by interest payments and other recurrent costs, together consuming about half of total spending. Meanwhile, development spending has remained stuck below 25 percent, leaving little fiscal room for growth-driving and rights-focused investments in health, education, food, social protection, water and sanitation.

Transfers to counties have risen modestly, but these gains are overshadowed by the relentless growth in debt interest payments, which climbed from 18 percent of total spending in FY2020/21 to 25 percent by FY2024/25. This sharp increase underscores the escalating cost of Kenya's debt and the shrinking space for investments that directly benefit citizens.

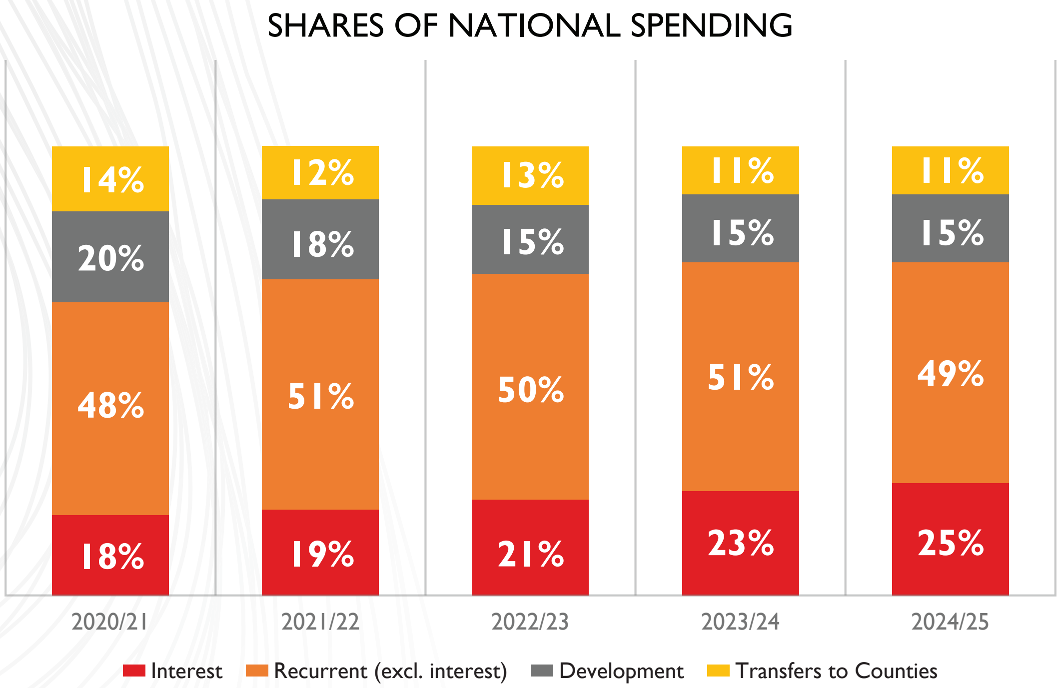

Figure 5: National government spending, debt, and wage bill

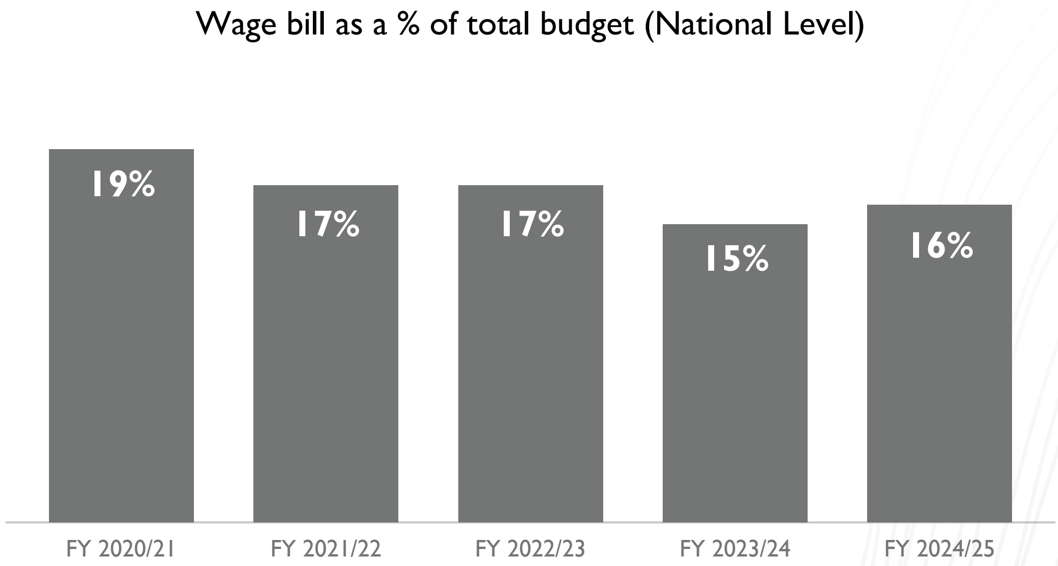

Figure 6: National government spending, debt, and wage bill

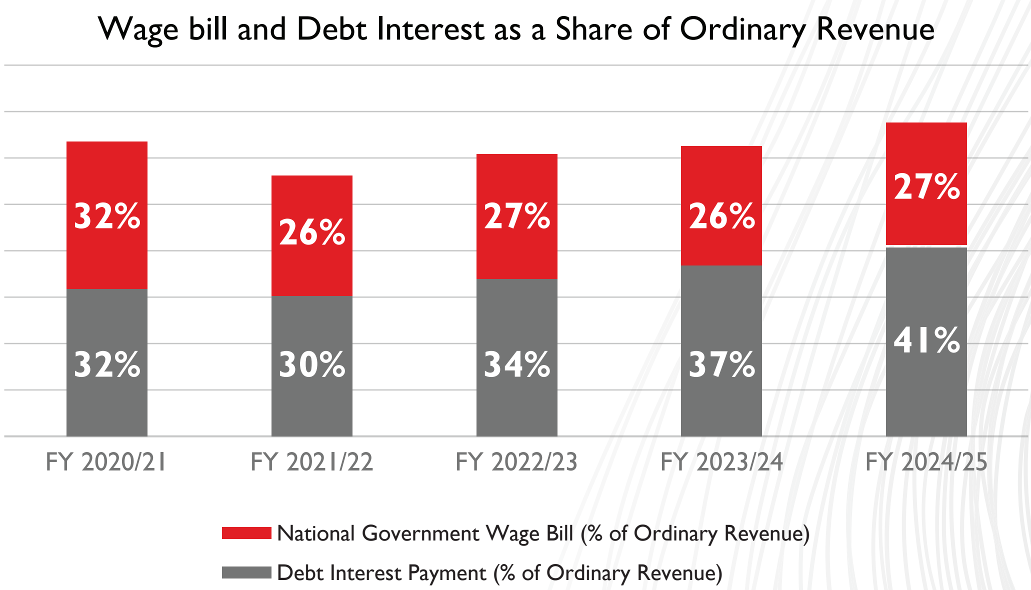

Figure 7: National government spending, debt, and wage bill

Data sources: Office of the Controller of Budget & National Treasury

The wage bill remains high, taking up 15 percent to 19 percent of the national budget throughout the review period. Even with a slight decline, it still consumes resources that could be used to strengthen service delivery, particularly in sectors essential to socio-economic rights such as health, education, food, social protection, and water and sanitation.

When combined with debt interest payments, the scale of fiscal rigidity becomes stark. Together, the wage bill and debt interest swallow nearly two-thirds of all ordinary revenue, rising from 64 percent in FY2020/21 to 68 percent in FY2024/25. This leaves the government with barely one-third of its revenue to fund development, county transfers, and essential social programs as exemplified below.

4.1.1 Social protection by national government

Article 27 requires the government to guarantee equality and non-discrimination by taking deliberate measures, including targeted planning and budgeting to support the welfare of marginalised and special interest groups, thereby ensuring their full protection under the Constitution.

According to the Economic Survey 2025[5], more Kenyans are enrolling in cash transfer programmes, but the funding for these lifelines is shrinking. Available data reveals that the number of older persons in the cash transfer programme increased from 763,553 in FY2021/22 to a provisional 1,252,428 in FY2024/25; however, total disbursements fell from Sh18 billion to Sh15 billion.

The trend is the same for orphans and vulnerable children. Beneficiary numbers rose from 293,665 to 443,972 over the same period, but the budget dropped from Sh7 billion to Sh5 billion.

People with severe disabilities were similarly affected. Enrolment grew from 33,948 in FY2021/22 to 62,335 in FY2024/25, while disbursements declined from Sh815 million to Sh748 million.

When adjusted for inflation, the situation worsens: real per capita spending per beneficiary is steadily declining, reducing support for vulnerable groups even as the cost of living rises (see Figure 8).

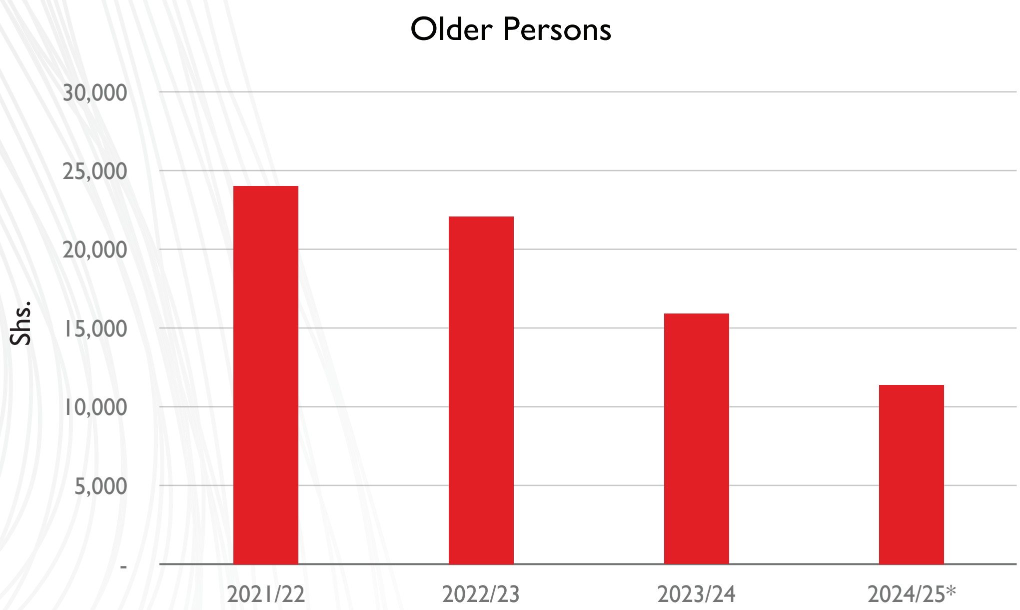

Figure 8: Real per capita disbursement (Base= FY2021/22=100)

5 Kenya National Bureau of Statistics. Economic Survey 2025. Vide, https://www.knbs.or.ke/wp-content/uploads/2025/05/2025-Economic-Survey.pdf

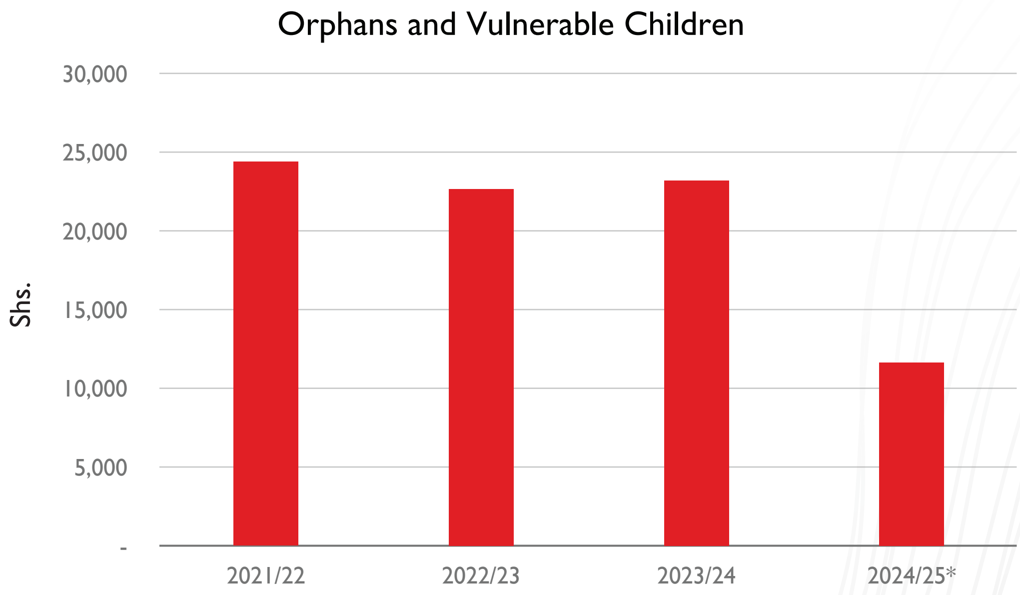

Figure 9: Real per capita disbursement (Base= FY2021/22=100)

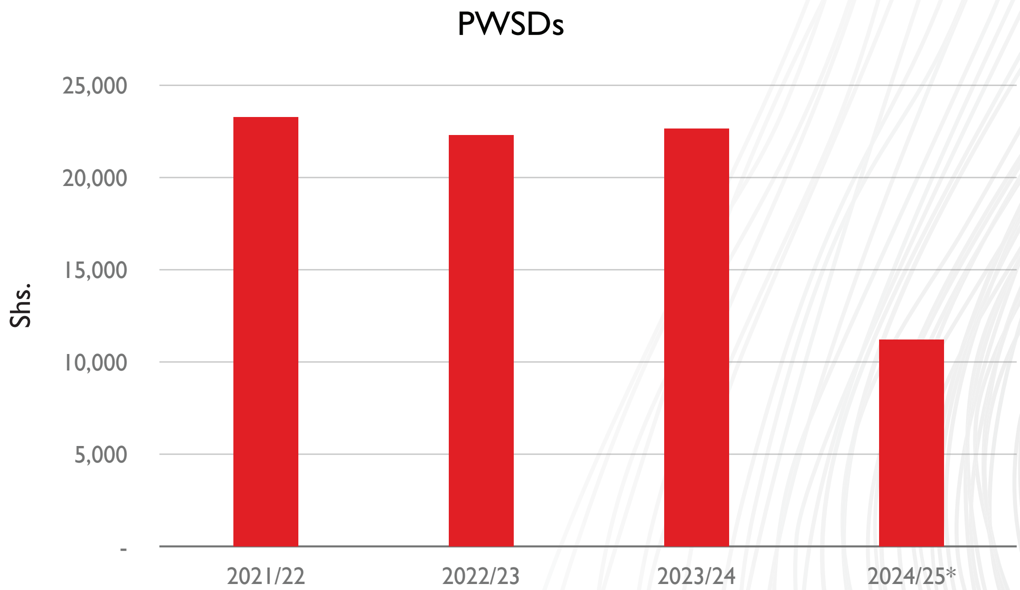

Figure 10: Real per capita disbursement (Base= FY2021/22=100)

Data source: KNBS, Economic Survey 2025

Analysis of the gendered lens to government reports shows that more women than men depend on state-funded social protection programmes, largely due to the higher incidence of poverty among them.[6] Women also constitute most caregivers and, therefore, rely heavily on cash transfer programmes to meet their caregiving responsibilities. As a result, while budget cuts harm men and women, they disproportionately impact women.

Additionally, vulnerable groups, including persons with disabilities, children, and older persons, are at greater risk of falling into deeper destitution as austerity measures continue to shrink allocations to the social protection sector. A decline in social protection financing violates Kenya's non-retrogressive obligations and undermines progress toward achieving the UN Sustainable Development Goals, including women's empowerment.[7]

4.1.2 National government spending on health, education, water and sanitation

Figure 4 shows that because Kenya is spending more money on paying debts and on the public wage bill, there is less money available for key social services. Even though the budget for education, health, water and sanitation appears to rise each year, the real value of this money has stayed the same or even gone down. This is because the government is prioritizing debt repayment and other recurring costs over investing in social services.

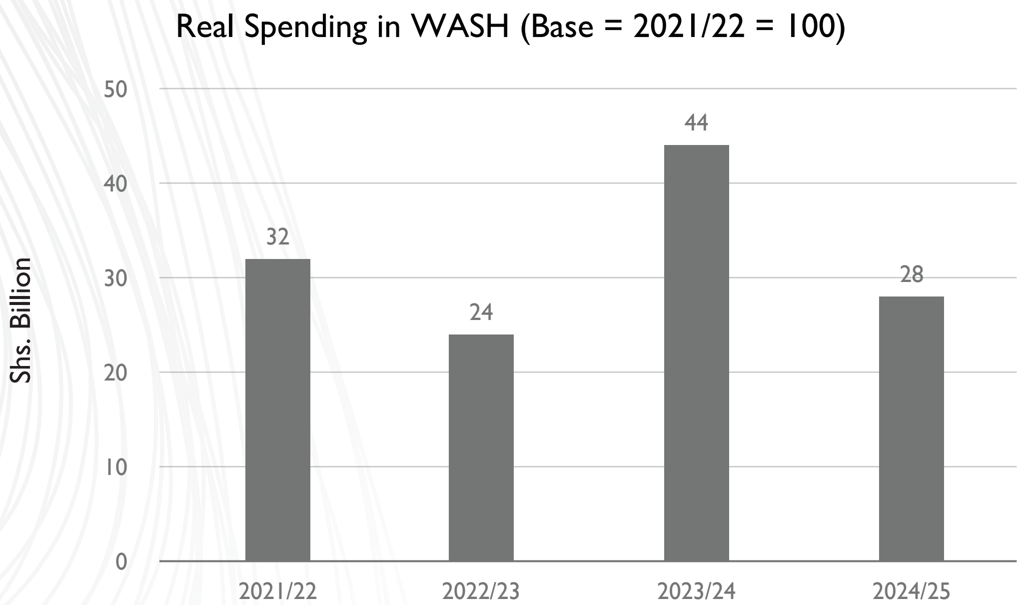

Figure 11: Real spending on health, education, water and sanitation

6 Ministry of Labour and Social Protection, Kenya Social Protection Sector Annual Report https://www.socialprotection. go.ke/downloads
7 The impact of the IMF Fiscal Consolidation Programme in Kenya: An Economic and Human Rights analysis

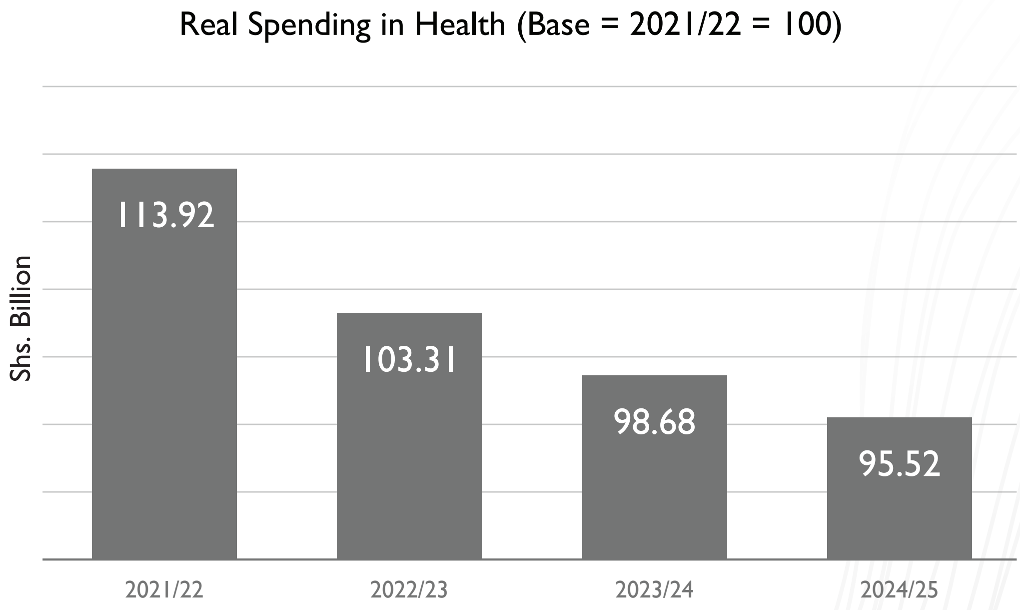

Figure 12: Real spending on health, education, water and sanitation

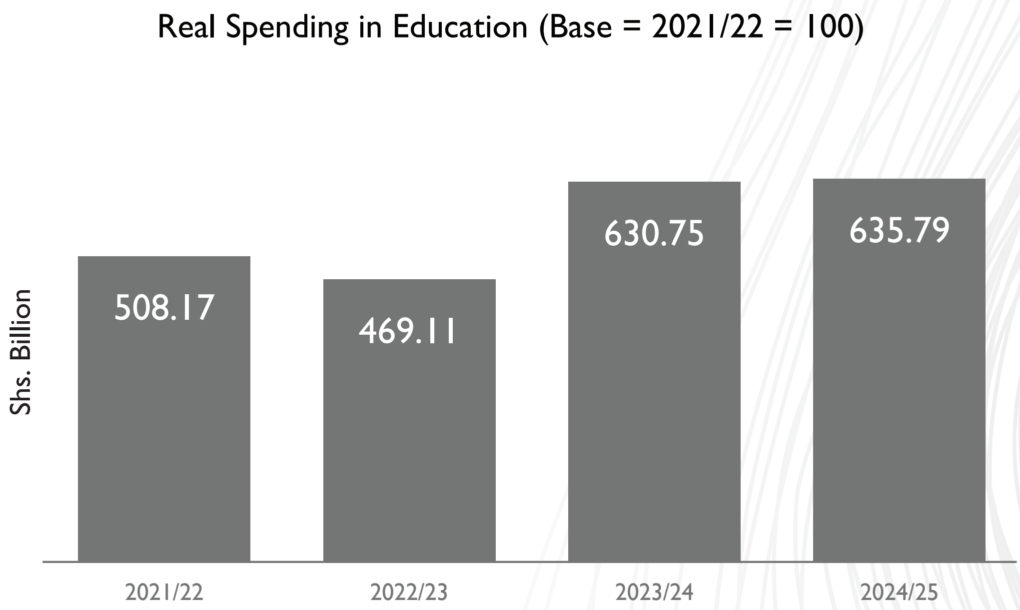

Figure 13: Real spending on health, education, water and sanitation

Data source: Office of the Controller of Budget and the State Department for Water and Sanitation

This shift in spending indicates that Kenya's budget has become increasingly constrained. Mandatory costs, particularly debt interest and salaries, consume most resources, leaving limited funding for development and essential services. Consequently, the government's capacity to provide basic public goods is gradually weakening, undermining the spirit of Article 43 of the Constitution, which mandates the progressive realization of economic and social rights. In addition, reductions in real-term funding for education and health negatively affect access and quality of services while lower investment in water and sanitation, undermines progress in dignity, gender equality, and public health.

Respondents observed that the government's continued failure to significantly raise real spending on education, together with policy changes such as higher university fees under the new funding model, will hurt poor and marginalised families the most as they will be required to pay more for university and tertiary education.

Another major challenge was the government's failure to meet capitation targets. Schools and learners were adversely affected because grants were often released late or in amounts far smaller than promised. In Kenya, capitation funds for public schools are typically disbursed quarterly to cover operational costs. By the middle of a school term, schools are expected to have received a portion of their allocation for that term; however, in practice, many schools received significantly less than planned, often less than 25 percent. School heads reported that these delays force them to postpone maintenance, delay payments to suppliers, and cut co-curricular activities.

Beyond reduced real spending on education, corruption and mismanagement of public resources were also reported to harm school stability, the quality of education, and trust in free and compulsory basic education. It was noted that funds were lost through schemes involving non-existent schools and ghost learners.[8] This corruption causes further delays in releasing capitation money as the ministry undertakes verification exercises; delays that ultimately hurt learners the most.[9]

4.2 Public debt and wage bill and implication on devolution

With public debt being a first charge on the consolidated fund service, its unmitigated growth continues to pose threats to the realization of the gains that were envisaged from devolution. The table below shows the trend in Kenya's debt service as a ratio of revenue (in percentage) compared to the equitable share transfers to the devolved units.

8 See media report detailing what the Auditor General established. Link
9 Confirmed by the CS for Education when answering questions in Parliament. Vide, https://www.parliament.go.ke/node/24683

Notably, the analysis shows that although the size of Kenya's budget has continued to grow over the last decade, the county transfers as a share of the revenue is projected to decline from 16 percent in FY 2024/25 to 14 percent in FY 2025/26. This trend if unchecked may continue to undermine the realization of the objects of devolution espoused in article 174 of the Constitution.

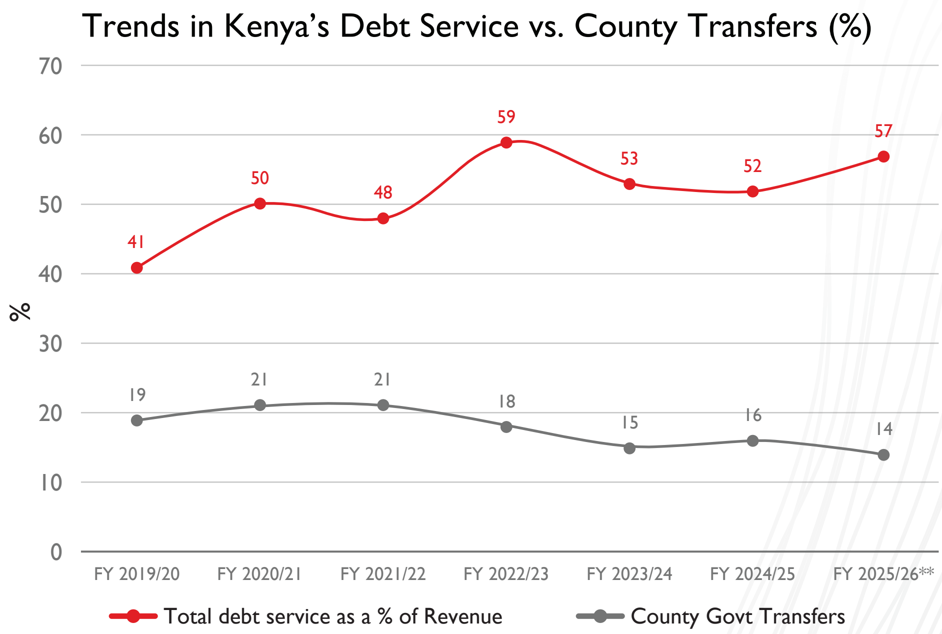

Figure 14: Trends in Kenya's Debt Service vs. County Transfers (%)

Findings revealed that as the national government struggled with rising debt payments, a high wage bill, and lower-than-expected revenue, county transfers were affected. For example, over four years, Nairobi County did not receive an average of Sh956 million annually (see Figure 5).

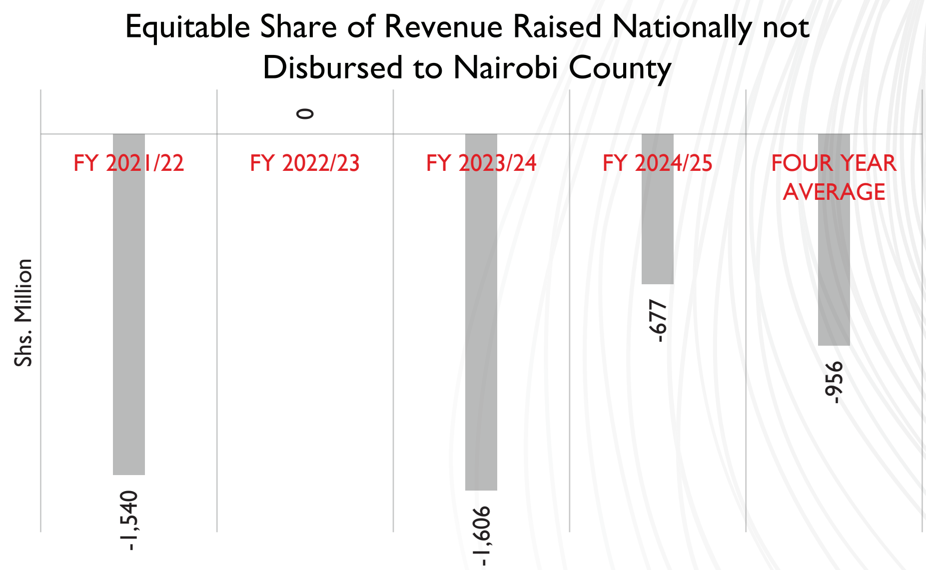

Figure 15: Undisbursed equitable share for Nairobi County

Data source: Office of the Controller of Budget and County Budget Implementation Review reports

Nairobi county also struggled with huge pending bills that constituted up to 300 times its total annual expenditure, as well as a wage bill that accounted for half of its budget. Poor fiscal management causes the county to break Regulation 41(2) of the Public Finance Management (County Governments) Act, 2015, by failing to pay pending bills first. It also threatens the county's overall financial stability.

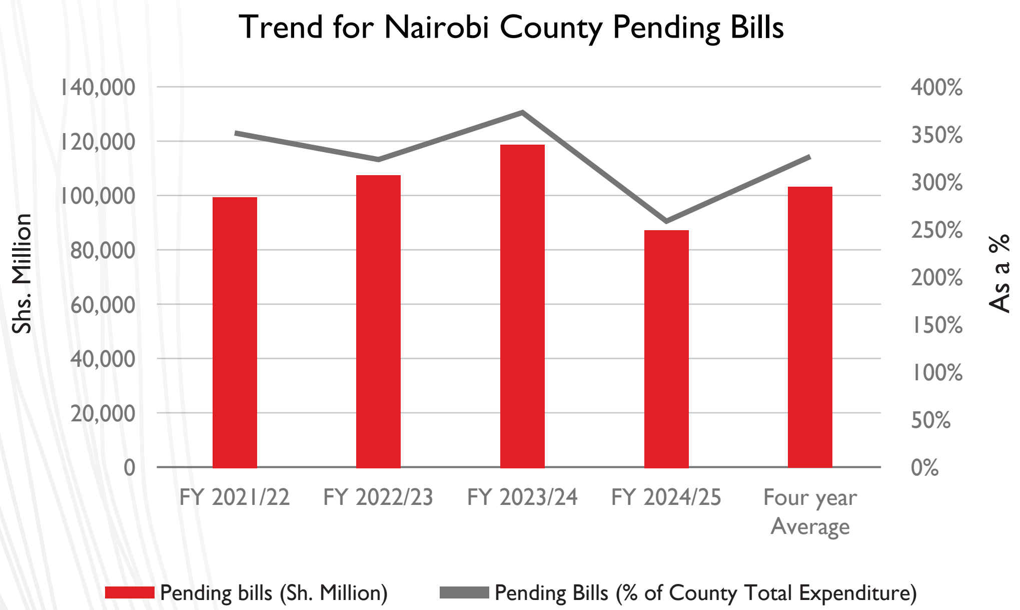

Figure 16:Trends in pending bills and wage bill for Nairobi county

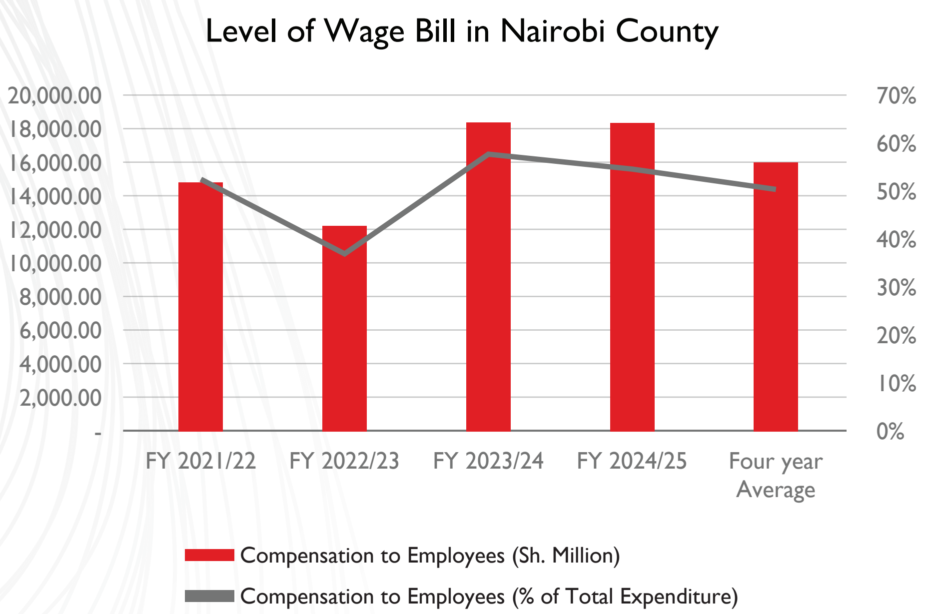

Figure 17:Trends in pending bills and wage bill for Nairobi county

Data source: Office of the Controller of Budget and County Budget Implementation Review reports

Fiscal pressures from high national debt and a large wage bill, combined with delays in disbursing Nairobi county's equitable share and internal challenges like a high county wage bill and huge pending bills (see Figure 7), continue to affect service delivery. Budget allocations and spending did not show enough commitment to sectors that could improve citizens' economic and social well-being.

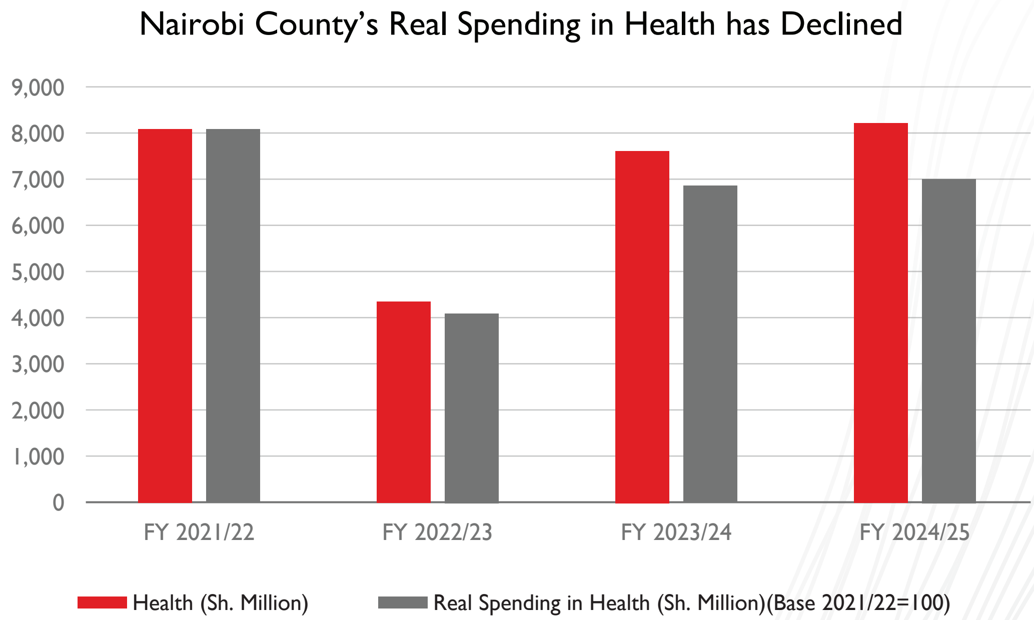

Figure 18: Nairobi county's spending on health, water, education and social protection

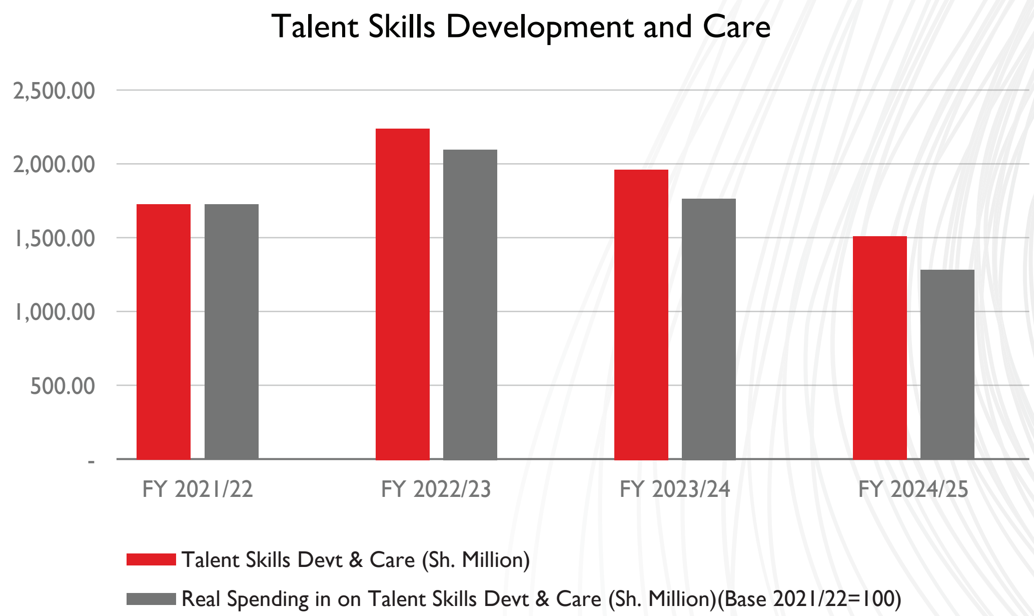

Figure 19: Nairobi county's spending on health, water, education and social protection

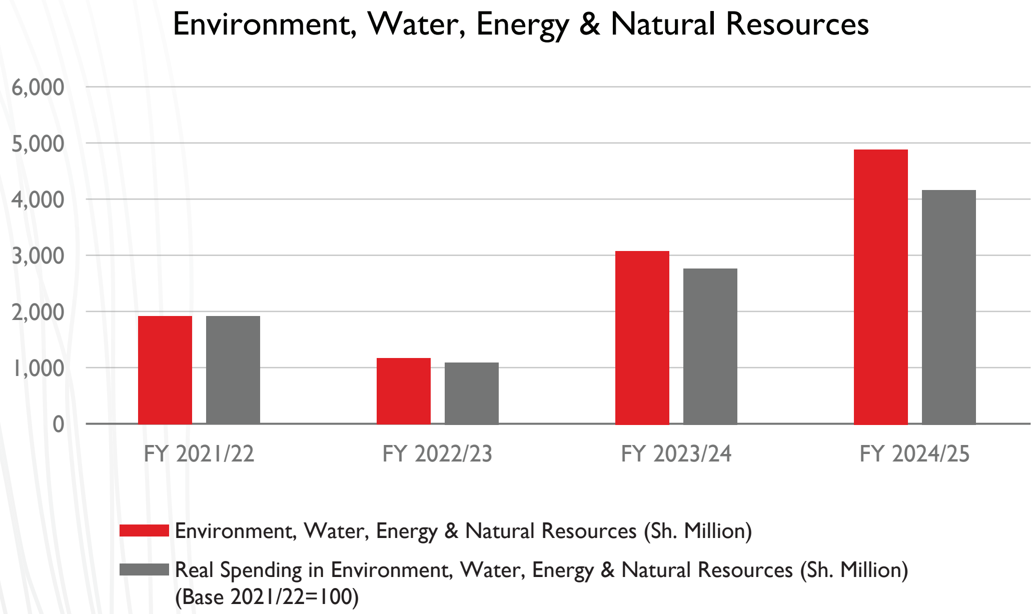

Figure 20: Nairobi county's spending on health, water, education and social protection

Data source: Office of the Controller of Budget and County Budget Implementation Review reports

Real spending on health in Nairobi county fell from Sh8 billion in FY2021/22 to Sh7 billion in FY2024/25, even as the population grew to over 5.7 million. Spending on talent development and caregiving also declined in nominal and real terms. While the county increased funding for the environment, water, energy, and natural resources sector from FY2023/24, water, and sanitation remained in poor condition, particularly in informal settlements. The failure of increased spending to improve services highlights inefficiencies, mismanagement, and potential leakages of public funds.

The decline in investment in essential sectors such as health, and water, sanitation, and hygiene is reflected in citizens' daily experiences. Health emerged as the most pressing issue, with hospitals lacking drugs, doctors on strike, and a failing insurance system. Citizens reported being turned away in emergencies unless they had SHA membership, while programs like NHIF and Linda Mama were recalled as more inclusive. One widow explained the challenge:

> "Even in emergencies, you must show SHA membership before treatment. After treatment, they do not give you drugs-just a prescription to buy outside."

Families already struggling with the high cost of food and rent are forced to purchase essential medicines from private pharmacies, further adding to their hardship. Respondents noted that health financing is undermined by rising debt obligations and inflated salaries, which divert resources away from service delivery. The psychological toll is also clear, with parents describing the stress of watching loved ones suffer due to underfunded public hospitals, while some leaders seek treatment abroad thus deepening citizens' mistrust of government priorities.

Regarding government investment in healthcare, 41.6 percent of respondents strongly agreed that high public debt makes it difficult for the government to adequately fund health services, as shown in the results below.

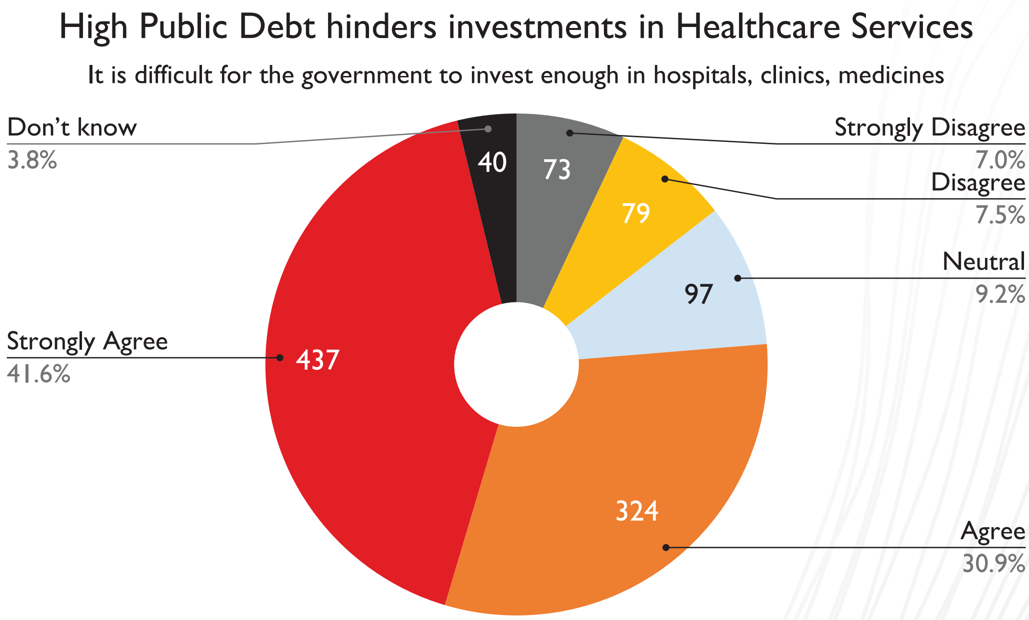

Figure 21: High Public Debt hinders investments in Healthcare Services

Education, once seen as the surest path out of poverty, is becoming increasingly out of reach for the poor. Respondents reported illegal levies, overcrowded classrooms, and declining quality. Parents described struggling to keep their children in school while also covering food and rent:

> "Illegal levies in schools make education unaffordable. Free education does not exist. Children are becoming street kids. Public schools are overcrowded. School fees are a major challenge."

The study found that people clearly linked these challenges to public debt and the wage bill. Many believed that funds meant for education are consumed by salaries or lost to corruption, leaving schools under-resourced. Parents noted that while the government borrows in the name of expanding access, the reality is exclusion.

Respondents also highlighted intergenerational consequences. Youth often remain idle after graduation, meaning families that invested heavily in their education see little return. Many parents expressed frustration that their educated children cannot support them due to the scarcity of jobs and widespread underemployment.

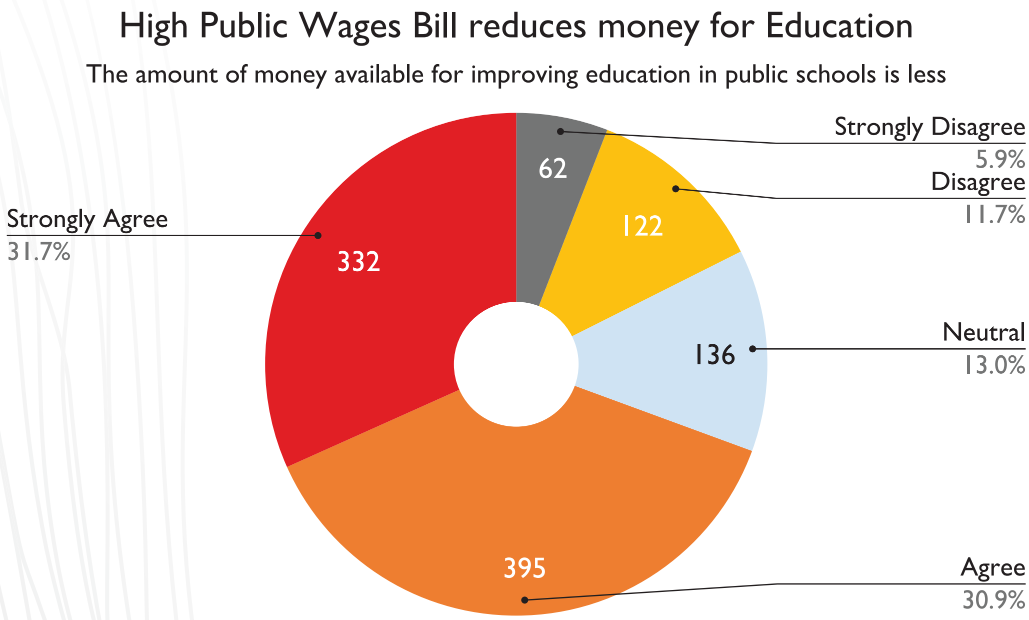

Figure 22: High Public Wages Bill reduces money for Education

Sanitation issues, although mentioned less frequently, were raised in complaints about poor waste management, inadequate lighting, and stalled infrastructure. One participant summed up the frustration:

> "Development is only on paper. On the ground, there is nothing."

For many respondents, the gap between government borrowing and visible results in sanitation reinforced the perception that government priorities are out of touch with citizens' realities.

Regarding the impact of Kenya's public debt and wage bill on the quality of services, such as food and water, most respondents rated it as "fair" (43 percent for food, 50 percent for water). Moreover, ratings for "good" followed closely with "poor" at (33 percent for food and 19 percent for water), and 17 percent for food and 27 percent for water, respectively. The ratings for "excellent" quality were almost negligible (7percent for food and 3 percent for water).

The visual representation of these sentiments is provided below, where the number of respondents per age group is shown, followed by the number per gender, with color coding highlighting the frequency.

Figure 23: Ratings for Quality of Food Across Genders

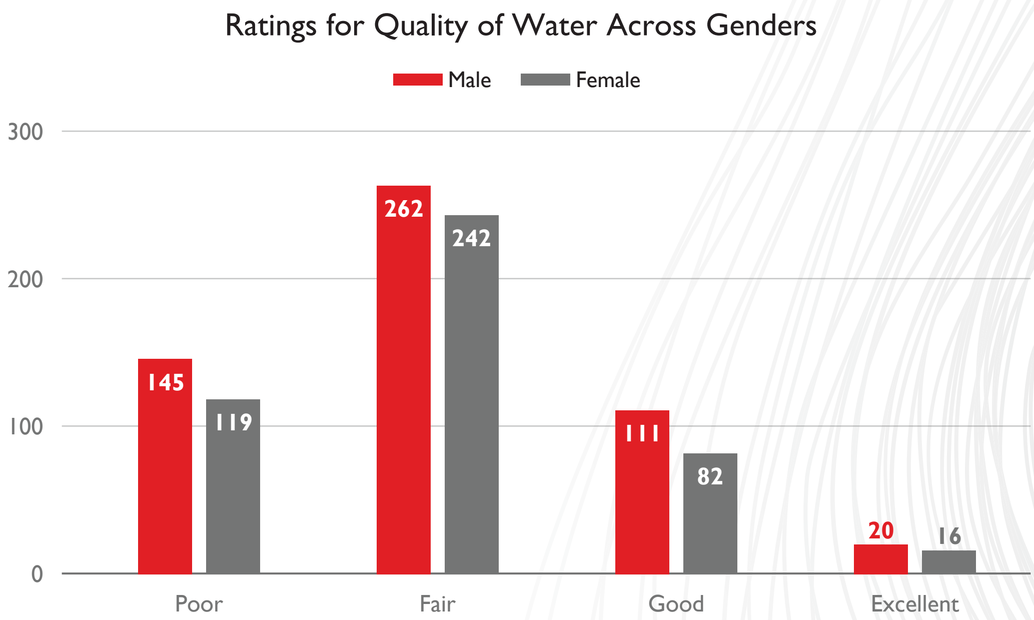

Figure 24: Ratings for Quality of Water Across Genders

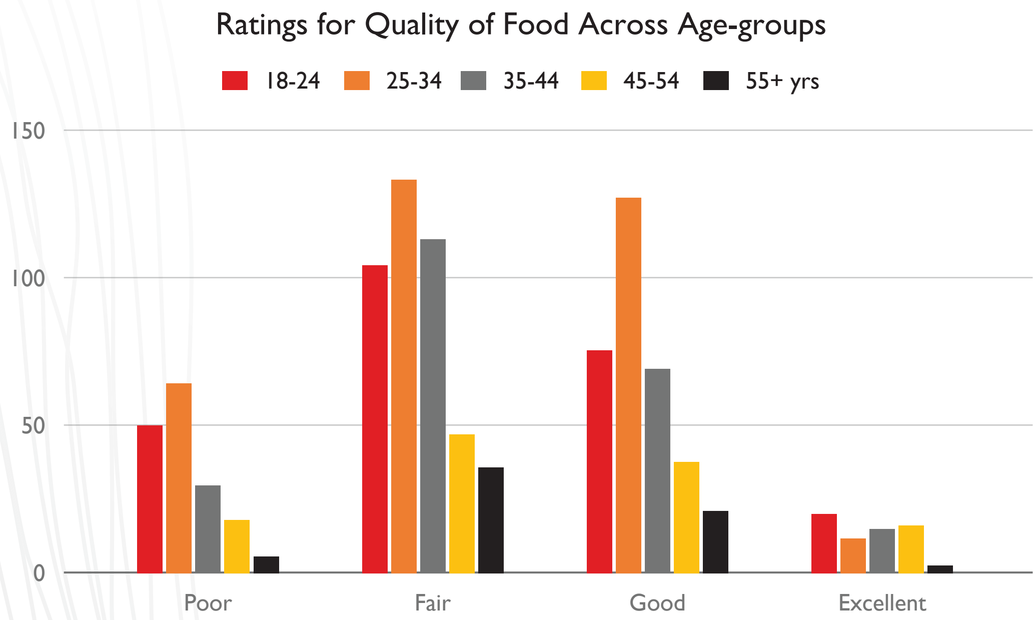

Figure 25: Ratings for Quality of Food Across Age-groups

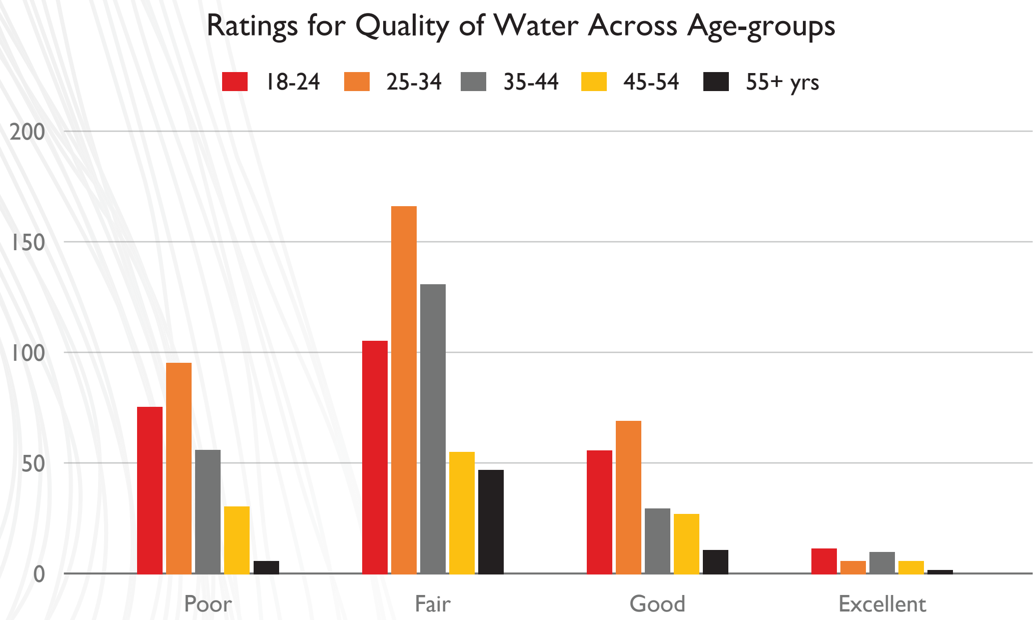

Figure 26: Ratings for Quality of Water Across Age-groups

When it came to the quality of education and healthcare, most respondents rated these services as "fair" — 47 percent for education and 44 percent for healthcare. "Poor" ratings followed closely, with 30 percent for education and 41 percent for healthcare, while a smaller number rated services as "good" (19 percent for education and 12 percent for healthcare). Like food and water, very few respondents considered the quality of these services to be "excellent" — just 4 percent for education and 2 percent for healthcare.

4.3 Case studies and lived experiences

Case study 1: A parent struggling with food and education

A mother from Mukuru described the heavy burden of rising costs:

> “ I cannot give my children three meals a day. School fees are too high. There is no food in the house. My kids want to study for degrees, but I cannot afford it. I am owed everywhere in schools.”

Her story reflects the double strain many households face—providing basic nutrition while trying to keep children in school. It also shows the clear link between high debt repayments, reduced social service funding, and the erosion of education rights.

Case study 2: Health access denied without insurance

Participants expressed anger at being denied health services due to a lack of insurance. One resident said:

> “ Level 4 hospitals require SHA membership even for immunization and family planning. Is that really what Article 43 says?”

This example shows how debt and high wage bills have weakened healthcare financing, forcing people to pay out of pocket for essential services. For low-income families, this creates impossible choices between food, rent, and healthcare.

Case study 3: A laid-off worker and the collapse of livelihoods

Unemployment, particularly among young people, was a common concern. One respondent who had lost their job said:

> “ My boss closed the company due to high taxation. I was laid off from EPZ. This government is hard.”

This story shows how fiscal policies, such as high taxes, directly contribute to job losses. Families lose stable incomes, and young people are left vulnerable to despair, drugs, or risky informal work.

Case study 4: PWDs excluded from support

Persons living with disabilities reported being systematically excluded from state support, even when funds were allocated. One respondent said:

> “Funds meant for us have not been disbursed for up to three years. The criteria for identifying PWDs are insensitive.”

This illustrates how fiscal mismanagement and corruption hinder the allocation of critical resources to the most vulnerable, thereby undermining the Constitution’s principles of equity and inclusion.

Case study 5: Generational poverty and youth disillusionment

Young people expressed deep frustration over rising debt and unemployment, feeling that current policies will harm their prospects. One said:

> “We are the first-hand experiencers of government actions. We will be the ones repaying these loans. Generational poverty is real.”

Case study 6: Public participation as a “wash-wash game”

Citizens expressed strong doubts about public participation forums. One respondent said:

> “It is just for taking photos — a wash-wash game.”

This suggests that engagement in fiscal decision-making is often ineffective. It reinforces the perception that citizens’ voices are overlooked while decisions are made behind closed doors.

5.0 CONCLUSION

The study concludes that Kenya's fiscal path exhibits a persistent imbalance, characterized by rising debt and high recurrent spending that is increasingly crowding out social investment. While borrowing has funded infrastructure and salaries, it has come at a heavy cost to social progress, reducing allocations for health, education, food, social protection, water and sanitation services. Combined with inefficiencies, leakages, and corruption, these factors have slowed the realization of economic and social rights and protection of the marginalized groups.

Fiscal consolidation without proper social safeguards has weakened citizen welfare, worsened gender inequalities, and eroded trust in government institutions. The experiences of ordinary Kenyans highlight the urgent need to reassess fiscal priorities—shifting the focus from debt repayment and administrative costs toward equitable service delivery, inclusive growth, and meaningful protection of economic and social rights—so that public resources genuinely benefit everyone.

6.0 RECOMMENDATIONS

6.1 Fiscal policy and debt management

1. The UN Independent Expert on foreign debt and human rights to initiate an urgent special inquiry into Kenya's debt distress, determining its human rights impacts, identifying breaches of Economic, Social and Cultural Rights (ESCR) obligations, and recommending immediate corrective measures to safeguard fiscal space, social protection, and rights-compliant economic governance.
2. Create a Fiscal Justice and Rights Observatory within the National Treasury or the Kenya National Commission on Human Rights to track how fiscal policies affect economic and social rights.
3. Implement a minimum threshold for social spending in the national budget to protect funds for health, education, food, security, social protection, water, and sanitation, even during fiscal tightening.

6.2 Public wage bill rationalization

1. Legally cap the size of executive and advisory offices, limiting post-election appointments and requiring any expansion to be publicly justified and costed.
2. Implement a performance-based payroll system to link pay with productivity and eliminate ghost workers.

6.3 Transparency, participation, and accountability

1. Increase debt transparency by publishing full debt registers indicating how repayments affect service delivery.

6.4 County-level fiscal reforms

1. Mandate timely equitable-share transfers and require counties to settle pending bills as a legal precondition for approving any new spending to safeguard service delivery.

6.5 Social protection and gender equity

1. Protect funding for cash transfer programs to ensure reliable and sufficient support for the vulnerable members of the society as envisaged in the Constitution.

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8.0 ANNEXES

DATA COLLECTION TOOLS (SURVEY QUESTIONNAIRE, KIIS, FGDS)

Street Survey:

National Debt, Public Wage Bill, and Social & Economic Rights in Nairobi

Introduction:

Good morning/afternoon. My name is____
and I work for the Kenya Human Rights Commission. I am conducting a short survey to understand how people in Nairobi view the national debt and the public wage bill in relation to their social and economic well-being and rights. Your participation is voluntary, and your responses will be kept confidential. It will take approximately 10-15 minutes of your time. Thank you for helping us understand these important issues.

Section A: About You (Optional)

Gender:

- ☐ Male
- ☐ Female
- ☐ Other
- ☐ Prefer not to say

Age Group:

- ☐ 18-24
- ☐ 25-34
- ☐ 35-44
- ☐ 45-54
- ☐ 55 years and above

What is your main occupation or source of livelihood?

- ☐ Employed (Formal Sector)
- ☐ Employed (Informal Sector)
- ☐ Business Owner/Self-Employed
- ☐ Student
- ☐ Unemployed
- ☐ Retired

Other (Please specify): ____

In which ward/general area of Nairobi do you currently reside? (Optional - helps understand location-based differences)

____

Section B: Awareness and Perceptions

How aware are you of Kenya's current national debt level?

- [ ] Very Aware
- [ ] Somewhat Aware
- [ ] Slightly Aware
- [ ] Not Aware at all

How aware are you of the discussions and concerns about the size of the public wage bill in Kenya?

- [ ] Very Aware
- [ ] Somewhat Aware
- [ ] Slightly Aware
- [ ] Not Aware at all

Explain your response:

In your opinion, is Kenya's national debt currently a major problem, a minor problem, or not a problem?

- [ ] A Major Problem
- [ ] A Minor Problem
- [ ] Not a Problem
- [ ] Not Sure

Explain your answer:

In your opinion, is the public wage bill currently a major problem, a minor problem, or not a problem?

- [ ] A Major Problem
- [ ] A Minor Problem
- [ ] Not a Problem
- [ ] Not Sure

Please explain:

Section C: Accessibility, affordability and quality of government service provision in food security, education, health, water and sanitation.

How accessible are the following services to you?

Food

- [ ] Very accessible
- [ ] Somewhat accessible
- [ ] Not accessible

Education

- [ ] Very accessible
- [ ] Somewhat accessible
- [ ] Not accessible

Health

- [ ] Very accessible
- [ ] Somewhat accessible
- [ ] Not accessible

Water and sanitation

- [ ] Very accessible
- [ ] Somewhat accessible
- [ ] Not accessible

How affordable are the following services to you?

Food

- [ ] Very affordable
- [ ] Somewhat affordable
- [ ] Not affordable

Health

- [ ] Very affordable
- [ ] Somewhat affordable
- [ ] Not affordable

Education

- [ ] Very affordable
- [ ] Somewhat affordable
- [ ] Not affordable

Water and sanitation

- [ ] Very affordable
- [ ] Somewhat affordable
- [ ] Not affordable

From your experience, how would you rate the quality of the following services?

Food

- [ ] Excellent
- [ ] Good
- [ ] Fair
- [ ] Poor

Health

- [ ] Excellent
- [ ] Good
- [ ] Fair
- [ ] Poor

Education

- [ ] Excellent
- [ ] Good
- [ ] Fair
- [ ] Poor

Water and sanitation

- [ ] Excellent
- [ ] Good
- [ ] Fair
- [ ] Poor

Looking at a period of five years, which of the following statements would be accurate in relation to food, health, education, water, and sanitation?

- [ ] They have become more affordable and accessible
- [ ] There has been no change in access and affordability
- [ ] They have become less affordable and less accessible

Section D: Perceived Impact of public debt/ wage bill on Social and Economic Rights

Please indicate how much you agree or disagree with the following statements:

The high national debt makes it difficult for the government to invest enough in public healthcare services (hospitals, clinics, medicines).

- ☐ Strongly Agree
- ☐ Agree
- ☐ Neither Agree nor Disagree
- ☐ Disagree
- ☐ Strongly Disagree
- ☐ Don't Know

The high public wage bill reduces the amount of money available for improving the quality of education in public schools.

- ☐ Strongly Agree
- ☐ Agree
- ☐ Neither Agree nor Disagree
- ☐ Disagree
- ☐ Strongly Disagree
- ☐ Don't Know

Because of the national debt, the cost of basic goods and services (like food, transport, and housing) is increasing, affecting my economic well-being.

- ☐ Strongly Agree
- ☐ Agree
- ☐ Neither Agree nor Disagree
- ☐ Disagree
- ☐ Strongly Disagree
- ☐ Don't Know

The large amount spent on the public wage bill means there are fewer resources for expanding water and sanitation infrastructure.

- ☐ Strongly Agree
- ☐ Agree
- ☐ Neither Agree nor Disagree
- ☐ Disagree
- ☐ Strongly Disagree
- ☐ Don't Know

The large amount spent on paying public debt means there are fewer resources for creating jobs or supporting businesses in the private sector.

- ☐ Strongly Agree
- ☐ Agree
- ☐ Neither Agree nor Disagree
- ☐ Disagree
- ☐ Strongly Disagree
- ☐ Don't Know

In what way would you say government service delivery in terms of food, education, health, water and sanitation has changed over the last five years.

- [ ] Significantly improved
- [ ] Slightly improved
- [ ] No change (Neither improved nor declined)
- [ ] Slightly declined
- [ ] Significantly declined

In relation to the changes in government service provision, which sector do you think has been most affected? Kindly rank them in order of impact starting with the most affected to the least affected.

- [ ] Healthcare
- [ ] Education
- [ ] Food security
- [ ] Water and Sanitation

Do you believe the national debt and/or public wage bill have directly affected your personal ability to access or afford essential services like healthcare, education or food?

- [ ] Yes, significantly
- [ ] Yes, somewhat
- [ ] No, not really
- [ ] Not sure

(Open-ended - if time permits and the respondent is willing): In what specific way do you feel the national debt or public wage bill has impacted your life or community?

Thank you very much for your time and valuable input!

Guidance for Conducting the Survey:

You would like to hear from people about their perceptions of the issues in the survey. Honor those who give you their time.

- Be respectful: Always approach potential respondents politely and clearly explain the purpose.
- Ensure privacy: Interview in a way that respects the respondent's privacy, especially in a public space.

Keep it moving: Try to keep the interview flowing to respect people's time.

- Record responses accurately: Clearly mark or write down the responses for each question.
- Choose locations wisely: You are interested in the views of different socio-economic strata. Survey various areas of Nairobi (e.g., market areas, near transport hubs, residential neighborhoods) to capture diverse perspectives.
- Aim for diversity: Try to approach a mix of genders, age groups, disability status, and apparent socio-economic backgrounds.

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