

Impunity

Inequality

Stigma

Injustice

Unfair
Labour
Practices

Degrading
Treatment

Violence


Constitution
2010

**How The Constitution
Protects HIV Related
Rights**

The Kenyan Bill of Rights lists fundamental rights of all people living in Kenya.

The table across explains provisions particularly important in the context of HIV.



NO	Article	Summary	Relevance to HIV	Example
1	2 (4) Supremacy of the Constitution	Prohibits customary law that is inconsistent with the Constitution	Cultural practices that increase the risk of HIV infection or make people more vulnerable to infection are rendered Unconstitutional.	Any customary practices which make worse the spread of HIV such as female genital mutilation, wife inheritance, and disinheritance of widows can be challenged under the Constitution insofar as they conflict with the rights enshrined in the Constitution
2	Article 2(6) Supremacy of the Constitution	Any treaty or law ratified by Kenya shall form part of the law.	Any ratified international treaty that relates to HIV is part of Kenyan law and must be complied with.	<p>Relevant international treaties include:</p> <ul style="list-style-type: none"> • The International Covenant on Economic Social and Cultural Rights; • The Convention on the Rights of the Child; • The Convention on the Elimination of all forms of Discrimination Against Women; • The African Charter on Human and People's Rights; • The African Charter on the Rights and Welfare of the Child. • The Convention on the Rights of Persons with Disabilities <p>The Constitution of Kenya 2010 has incorporated all these into Kenyan law.</p>
3	Article 6 Devolution and access to services	Establishes distinct and inter-dependent Governments at National and County level	Ensures division of specific roles between the national and county governments enhancing participation of the PLHIV communities in making decisions on issues that affects.	PLHIV can be more involved in decision making on issues affecting them both at National and County level by engaging in relevant legislative, policy and implementation processes.

NO	Article	Summary	Relevance to HIV	Example
4	Article 10 National Values and Principles of Governance	It provides a set of national values and principles that govern all persons when they interpret the Constitution.	Cultural practices that increase the risk of HIV infection or make people more vulnerable to infection are rendered unconstitutional.	Any customary practices which make worse the spread of HIV such as female genital mutilation, wife inheritance, and disinheritance of widows can be challenged under the Constitution insofar as they conflict with the rights enshrined in the Constitution
5	Article 14(4) Citizenship by Birth	Makes provision for presumption of Kenyan citizenship for orphans	Children within Kenya under the age of eight years and whose nationality and parents are not known will benefit from the presumption of Kenyan citizenship. Secures the nationality of children who have been orphaned as a result of HIV by making the process of securing vital identification documents easier by eliminating some barriers previously experienced.	Many children homes have experienced difficulty in registration for HIV orphans taken in after being neglected or abandoned. This makes the process of applying for identification documents easier for such orphans.
6	Article 19 Rights and fundamental freedoms	Confirms that rights and fundamental freedoms form part of the national framework and are an entitlement to all individuals	PLHIV have the right to the fundamental freedoms detailed in the Bill of Rights.	PLHIV have the right to be treated with dignity and respect. Their human rights must be upheld and enforced.
7	Article 20(3)(b) Application of Bill of Rights	Bill of rights applies to all law and state organs .	When applying a provision of the Bill of Rights, the courts will adopt the legal interpretation that most favours the enforcement of a right or fundamental freedom by all living with, affected by and at risk of HIV infection.	Where the enjoyment of an HIV related right is contested the courts must take the most liberal interpretation of the law to avoid denying the right to any group of people. This could help improve access to HIV related health services and commodities even for key populations.

NO	Article	Summary	Relevance to HIV	Example
8	Article 21 Implementation of rights and fundamental freedoms	1) State is under obligation to respect, protect, promote and fulfill human rights.	Respect: the government cannot violate the rights of PLHIV Protect: government has to prevent violations of rights of PLHIV by others and provide avenues to report and seek justice for violations Promote: active involvement of the government in ensuring everyone knows their human rights Fulfill: take all appropriate measures - legislative, administrative, budgetary, judicial, and otherwise to ensure HIV is managed	The government should secure the well-being of PLHIV by fostering an environment that promotes the rights of PLHIV. For example passing a Health law, educating people on it and ensuring proper financing and resource allocation of resources to ensure the right to health is a reality for PLHIV.
		2) State is required to make laws, policies and set standards for the progressive realization of socio-economic rights.	All appropriate measures are to be taken to ensure availability of HIV related services and commodities.	PLHIV should ensure that the government and relevant duty bearers are striving to develop laws and policies for enjoyment of rights, e.g. the right to health, and ensuring these are implemented to the maximum extent of their available resources.
		3) The state has a duty to address the needs of vulnerable groups, members of minority and marginalized communities.	Reduction in vulnerability to HIV requires actions that empower individuals and communities to make and effectuate choices in relation to their health and have accessible HIV related services.	Provides a good opportunity to design better HIV programs best suited to the circumstances and specific needs of these groups, such as ethnic minorities, refugees, etc.
		4) The state shall make laws to fulfill international obligations in respect of human rights.	Government is required to make laws to implement its international obligations in relation to HIV.	Government should develop laws and policies to incorporate and implement its international obligations in relation to PLHIV.

NO	Article	Summary	Relevance to HIV	Example
9	Article 22 Enforcement of Bill of rights	Everyone has a right to go to court seeking protection of human rights	Broadens the avenues for seeking redress for human rights abuses. Provides opportunities to any individual or organization acting on its own behalf, as a member of a group or class of persons, in the public interest or an association acting in the interest of one or more of its members.	<p>By removing the formerly strict legal requirements before filing a human rights case, it has opened the doors for PLHIV on their own or anyone acting on their behalf to bring a petition before the court should there be a violation of any human rights.</p> <p>PLHIV can now file human rights cases as individuals or on behalf of an individual. They can also benefit from experts enjoining their cases to enrich the case.</p> <p>Example The Patricia Asero case filed by three persons living with HIV challenging the provisions of the Anti Counterfeit Act 2008 that posed a threat on access to medicines was enjoined by HIV rights organizations and the UN special rapporteur on health who provided technical information that informed the judgment in favour of the petitioners.</p>
10	Article 23 Authority of the court to uphold and enforce bill of rights	The High Court and other courts authorized by law are mandated to hear and determine cases of human rights violations.	Ensures that the government does not limit rights without justification	The fundamental rights and freedoms of PLHIV can only be limited with a reasonable and justifiable reason, based on human dignity, equality and freedom, and taking into account all relevant factors.
11	Article 26 Right to life	Guarantees every person the right to life and allows for abortion in cases where a trained healthcare worker has determined that the mother's life is in danger. It states that life begins at conception.	This creates a positive obligation on the Government of Kenya to protect life. This includes appropriate efforts to prevent HIV transmission and comprehensive measures to facilitate treatment of PLHIV.	<p>Unjustified legal restrictions on access to life-saving HIV- prevention or treatment measures can be challenged as they threaten the enjoyment of one's right to life.</p> <p>This guarantees access to post-exposure prophylaxis for prevention of HIV infection following rape.</p> <p>PLHIV can also ensure that the government takes all possible measures to reduce infant mortality and to increase life expectancy.</p>

NO	Article	Summary	Relevance to HIV	Example
12	Article 27 Equality and Non-Discrimination	Promotes equal treatment of men and women; and prohibits discrimination on the basis of health and other status.	This creates an obligation to ensure that all persons equally enjoy all the rights in the Constitution without discrimination. Prevents discrimination against PLHIV because of their HIV status. Promotes equality between men and women including those living with HIV. Recognizes the rights of PLHIV to land, to inheritance, to marry, and to found a family.	A person is denied housing, property, medicine, or education due to actual or presumed HIV status. Additionally a person living with HIV cannot be denied employment if they are fit to work. Government sponsored HIV information materials should not exclude information targeted at certain minorities such as persons with disabilities, Lesbian Gay Bisexual Transgender and Intersex (LGBTI) persons, sex workers, or people who use drugs. Discrimination in access and ownership of property and divorce which makes women more vulnerable to HIV can be challenged
13	Article 28 Human Dignity	Emphasizes the right of each person to be treated with dignity.	Calls for everyone, including persons PLHIV, to be treated with respect and dignity. The right to dignity is especially critical in the case of vulnerable and marginalized groups.	Singling out PLHIV for unfavorable treatment is a breach of their right to dignity.
14	Article 29 Freedom and Security of the person	Ensures liberty, and protection from cruel, inhuman or degrading treatment.	Empowers PLHIV to make their own decisions about medical treatment, and protects them from being treated in a cruel or inhumane manner.	PLHIV and key populations subjected to medical or scientific experiments without informed consent. A person compelled to mandatory testing for HIV and medical treatment for HIV related conditions. Being treated in a cruel or degrading way by any person or institution. This article was used to challenge the manner in which TB patients were being imprisoned for failing to adhere to their medication.
15	Article 31 Privacy	Provides for the right to confidentiality regarding personal information.	Relevant in ensuring that information about a person's HIV status is kept confidential and is not released by anyone without his /her consent. This right provides for confidentiality of a patient's HIV status, which should include reforming the laws and data management system on HIV.	If you have HIV you have the right to keep that information to yourself and no one can force you to share this information against your free will. Examples of breach of privacy: <ul style="list-style-type: none"> • Health care facilities testing pregnant mothers without their consent. • Health care workers failing to maintain the confidentiality of patients HIV records. • Patients forced to disclose their medical diagnosis to their employer in order to obtain sick leave from work. Legal provisions criminalizing certain sexual acts between consenting adults, such as anal sex, or sex work can be challenged.

NO	Article	Summary	Relevance to HIV	Example
16	Article 33 Freedom of Expression	Everyone has the right to freedom of expression	Everyone has the freedom to receive or give out HIV information or ideas on how to treat and manage new infection	One cannot advance ideas that amount to hate speech against any group of persons including PLHIV and LGBTI persons.
17	Article 35 Access to information	Everyone has the right to access to information that may affect the enjoyment of their rights. n	Information about HIV and AIDS is part of the right to information	This right is important, particularly as a way to ensure that proper information about how to prevent HIV is available in all settings including schools or prisons and to all persons including key population such as sex workers, injecting drug users, men who have sex with men, prison populations and LGBTI persons to mitigate new infection. Information should also be tailored for various forms of disability e.g. brail and sign language.
18	Article 36 Freedom of association	Everyone has the right to freedom of association.	PLHIV and key populations can form and join any organization they choose. The government cannot restrict formation of NGOs, community-based, or service organizations working on HIV and AIDS.	PLHIV cannot be forcefully separated from other people. You cannot be forced to live in a separate place, away from the rest of society. Protects HIV activists including those working with key populations from arbitrary arrests during authorized demonstrations. E.g. Recently a court ordered the Kenyan Non-Governmental Organizations (NGOs) Coordination Board to formally register the advocacy group working on transgender rights in Kenya.
19	Article 39 Freedom of movement	Allows for people to move freely inside and out of Kenya, without unnecessary restrictions.	PLHIV have the right to enter, to remain in and to live anywhere in the country. You cannot be forced to live in a separate place, away from the rest of society. The government cannot impose restrictive measures on the movement of anyone, including PLHIV.	Conducting HIV screening at borders, requiring disclosure of HIV status as a condition of immigration denying longer-term residency, or deportation of PLHIV is prohibited.
20	Article 40 Protection of Right to property	Allows for property ownership anywhere in Kenya irrespective of gender or age and it cannot be repossessed, subject to certain conditions.	A person cannot be denied the right to inherit or own property on the basis of their HIV status.	A family has no right to deny HIV positive widows and orphans the right to inherit the deceased's husbands or father's property.

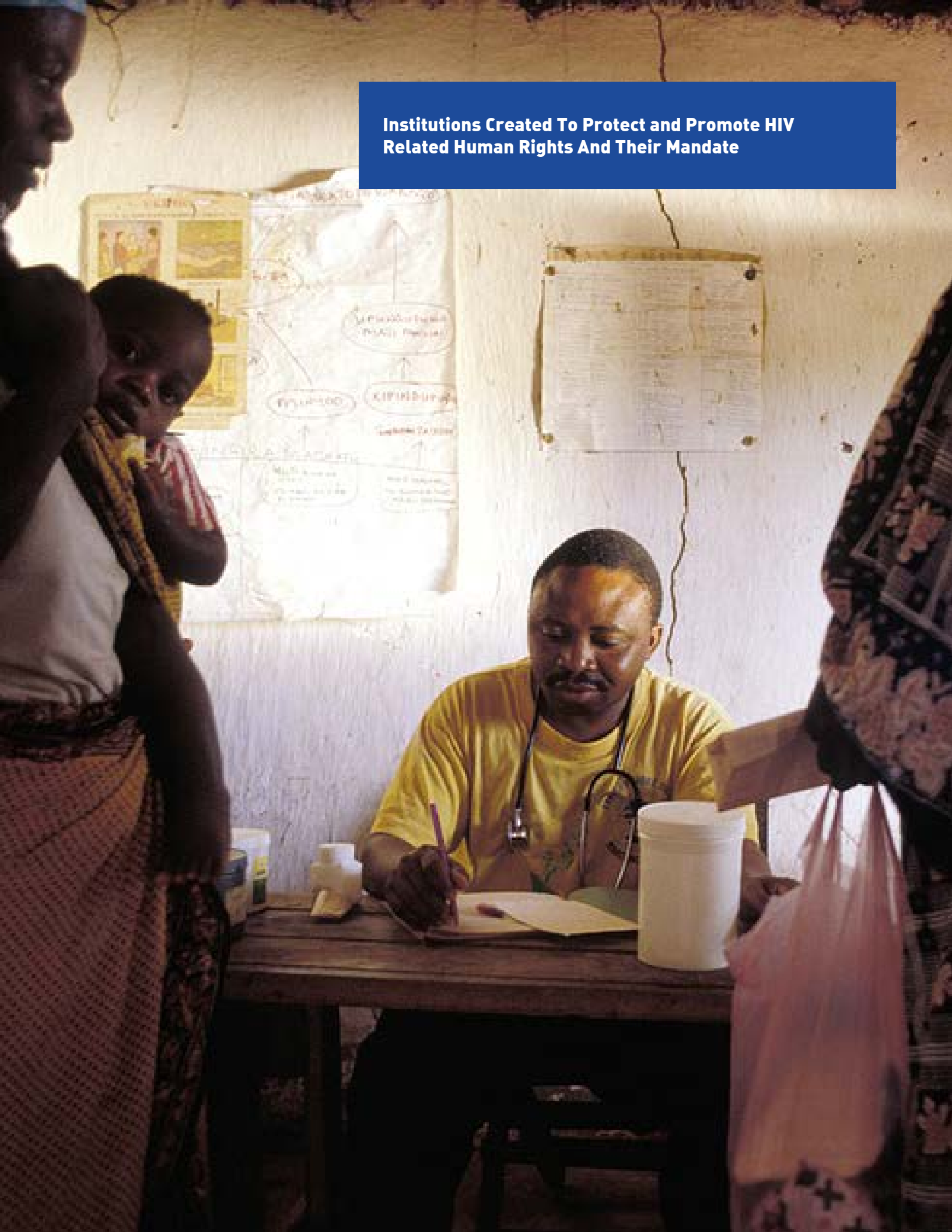
NO	Article	Summary	Relevance to HIV	Example
21	Article 41 Labour relations	Sets out general working standards for employees, and rights of employers and trade unions.	Ensures that PLHIV are reasonably accommodated in their place of work and that their working conditions are fair. Also ensures adequate remuneration irrespective of HIV status.	Protects against denying a person the right to work on the basis of his or her HIV status. This article applies to military recruitment as well. It is unlawful to dismiss an employee from employment due to their HIV positive status when they are fit and able to perform.
22	Article 43 Economic and Social Rights	Every individual has the right to health care, sanitation, clean water, housing, social security and education. The right to emergency medical care is also guaranteed.	The right to health, education, social security, housing, water and food are all important—and these factors can prolong the life of PLHIV.	The government must take progressive steps to ensure access to anti-retroviral drugs, treatment for opportunistic infections, opioid pain medications for palliative care, and comprehensive TB care for PLHIV. The government must take progressive steps to ensure that laws and policies to actualise the social economic rights are enacted and enforced.
23	Article 45 Family	Guarantees the right to marry and found a family	PLHIV cannot be denied their right to marry on the basis of their HIV status.	The mandatory requirement by some churches for HIV testing or proof of HIV- negative status before marriage is against not permitted. Will discourage violations where women living with HIV forced to undergo abortion or sterilization, rather than providing information and services to prevent mother-to-child transmission of HIV. Women should have equal rights in marriage, divorce, or within families in decision making allowing them to the ability to negotiate for safer sex or leave relationships that put them at risk of HIV.
24	Article 46 Consumer Rights	Consumers have the right to access goods and services for the protection of their health and safety	PLHIV are entitled to quality drugs and adequate treatment.	PLHIV can challenge the supply of substandard ARV medicines and faulty HIV testing kits.
25	Article 47 Fair administrative action	This highlights the need for administrative action that is expeditious, efficient, lawful, reasonable and procedurally fair.	If a right or fundamental freedom of a person has been or is likely to be adversely affected by administrative action, then that person has the right to be given written reasons for the action.	PLHIV whose rights have been negatively affected by administrative action can challenge such action e.g. a decision by police to compel all arrested sex workers to undergo HIV testing can be challenged as unfair administrative action.

NO	Article	Summary	Relevance to HIV	Example
26	Article 48 Access to justice	The State is obligated to ensure that people can get justice, without unreasonable cost.	PLHIV who face human rights violations have the right to have any dispute decided in a fair hearing before an appropriate forum.	Measures should be taken to facilitate PLHIVs access to courts and access to justice e.g. distance to court, access to affordable legal representation, reasonable professional and court fees.
27	Article 51 Rights of persons detained, held in custody or imprisoned	A person detained, held in custody or imprisoned retains their rights and fundamental freedom in the bill of rights	Persons detained, held in custody or imprisoned have a right to access HIV related health services and the government is obligated to ensure they are not exposed to an environment that predisposes them to higher risk of HIV and related conditions.	Prisoners are entitled to all the national interventions and health services laid out in Kenya for HIV prevention, testing, treatment and care. Persons detained, held in custody or imprisoned should have access to HIV treatment, protection from HIV exposure as a result of rape and medical parole.
28	Article 53 Children	Provides for special rights for children in addition to all the other rights provided under the bill of rights	Children have a right to a standard of living adequate for their physical, mental, spiritual, moral and social development. Children also have a right to protection of abuse that may potentially put them at risk of HIV. Parents have the primary responsibility to fulfill this right. The principle of the 'best interests' of the child is the most important consideration when legislation, decisions, structures and service are made regarding the child.	Children must be protected from sexual abuse and cultural exploitation that puts them at risk of HIV infection. The right to alternative care, where the family is unable, is important for children affected by HIV such as those living in child headed households or orphans. It is unlawful to segregate HIV positive children and deny them access to regular orphanages, medical care and educational facilities. E.g. Cash transfer Program for Orphans and Vulnerable children provides support to child headed homes
29	Article 54 Persons with disability	Provides for special rights for persons with disability in addition to all the other rights provided under the bill of rights.	Persons with disabilities living with HIV enjoy all human rights and fundamental freedoms on an equal basis with others. Persons with disabilities have the right to be actively involved in planning and carrying out HIV policies and programs, especially those directly impacting them.	Protection of individuals with disabilities from physical abuse, sexual abuse, and rape which makes them more vulnerable to HIV. Government needs to make provisions for access to police, legal counsel, and courts for their protection. Ensuring education and access to relevant information including on HIV and sexual health in a format appropriate factoring various types of disability.

NO	Article	Summary	Relevance to HIV	Example
30	Article 55 Youth	Youth have been identified as a particularly vulnerable Hence provisions are made to ensure their participation, involvement and access to opportunities.	Youth are a critical component of HIV and protection of their rights is paramount in ensuring a human rights approach to HIV. This provision ensures the right of young people with HIV to high-quality care and services whilst also involving them in various opportunities which reduces their vulnerability	Involvement of youth helps young people make informed and responsible decisions about their lives including their reproductive and sexual health.
31	Article 56 Minorities and Marginalized groups	Ensures better attention to the rights of minorities and marginalized groups.	Human rights and fundamental freedoms of marginalized and vulnerable people remain vastly underserved leaving them vulnerable to HIV and failing to make provisions for essential HIV related services	These groups can now push for HIV interventions that are tailored to their needs given their vulnerability
32	Article 57 Older members of society	Ensures measures are taken to protect the rights of older persons and their participation in society.	Although older adults serve as essential resources to their communities, however they face a great risk of marginalization in HIV programming. Growing evidence indicates that older persons are being increasingly infected and affected by HIV.	Due to deaths of young parents, grandparents have to provide support to children orphaned as a result of HIV. Promoting rights for older persons ensures a better quality of life for them including participation in HIV programming and address the vulnerability of others from HIV infection through social protection including financial support, protection from abuse and exploitation. E.g. The cash transfer program for older persons
33	Article 59 Kenya National Human Rights and Equality Commission	Commission established to promote respect and protection of human rights for all	Through the long struggle against HIV, it has become clear that human rights are central to effective national HIV responses. HIV can be integrated into the mandate of human rights commissions in relation to protection and promotions of human rights for PLHIV and key populations.	Where the human rights of PLHIV are not protected, they suffer stigma and Discrimination, become ill, become unable to support themselves and their families, and if not provided treatment, they die. PLHIV and key populations can report cases and seek redress for human rights violations.

NO	Article	Summary	Relevance to HIV	Example
34	Article 60(1)g Principles of Land Policy	Encouragement of communities to settle land disputes through recognized local community initiatives consistent with this Constitution	Local dispute settlement initiatives are encouraged and can effectively address cultural and societal factor that influence the right of PLHIV to own.	Traditional dispute resolution mechanisms can be empowered to facilitate more affordable and acceptable access to justice for PLHIV as an alternative to the formal court system. Their decisions and processes must be informed by the provisions of the Constitution.
35	Article 68(c) vi Legislation on Land	Parliament shall enact legislation to protect the dependants of deceased persons holding interest in any land, including the interests of spouses in actual occupation of land.	Protects the interest PLHIV in any land, particularly HIV widows and orphans who have often been denied access and rights to inherit land.	Women and orphans living with HIV have particularly been socially vulnerable to disinheritance on account of their HIV status. Disinheritance affects their agricultural productivity, food security and poverty.
36	Article 174 Objects of devolution	Outlines the objects of devolution in bringing services closer to the people	The objects of devolve governance is to give powers of self-governance to people and enhance participation of the people in the exercise of the powers and in making decisions affecting them.	As Devolution aims to bring services closer to people , PLHIV have the opportunity to engage in processes that call for public participation in order to promote and protect their interests and the right of marginalized and minority groups.
37	Article 201 Principles of Public Finance	Stipulates the principles governing the management of public finance	Has introduced fundamental changes in the management of public finance, which provides opportunities for PLHIV to participate in budgetary processes and calls for accountability and transparency in handling public finances. Initially, national resources were managed at national level but with devolution, the resources will be managed from the county level and this will give power to the local communities to be in charge of their own resources.	PLHIV can monitor executive excesses and abuses in public spending. If strictly adhered to these principles can alter policy formulation and the management of public resources for the benefit of PLHIV, marginalized and minority groups. PLHIV can ensure that essential services are not denied to some areas on the grounds that they had voted against the ruling party, as was the case in the past regime.

**Institutions Created To Protect and Promote HIV
Related Human Rights And Their Mandate**



	Name of Institution	Mandate	Remedies it offers	How can One Engage with it	How to get in-touch
1	Judiciary (All courts)	<ul style="list-style-type: none"> • Derives its mandate from the constitution. • Its mandate is to provide justice fairly expeditiously and impartially. Its role is to also promote alternative forms of dispute resolution 	<ul style="list-style-type: none"> • Compensation • Injunctions • Declarations • Specific Performance • Restitution 	<p>Available country wide</p> <p>Individuals can file cases</p> <p>NGOs can file cases</p> <p>Experts can enjoin onto filed case</p>	<p>The Chief Registrar of the Judiciary, Supreme Court of Kenya, City Hall way.</p> <p>P.O. Box 30041-00100 Nairobi, Kenya</p> <p>Tel: (020) 2221 221</p> <p>email : info@judiciary.go.ke</p>
2	HIV & AIDS Tribunal	<ul style="list-style-type: none"> • The Tribunal has the power of a court and can receive evidence, hear witness accounts, conduct full hearings and pass judgments on matters related to HIV. • The Tribunal can also perform functions related to the HIV Aids Prevention and Control Act, but does not have criminal jurisdiction. • It can also set aside, confirm or vary decisions, summon expert evidence, and direct specific steps be taken to stop discriminatory practice . 	<p>It can make an order for:</p> <ul style="list-style-type: none"> • Damages or • Costs 	<p>Procedure fairly informal and complaint can be made even by way of a simple letter</p> <p>Easily accessible by individuals even without legal representation</p> <p>Matters are heard in camera and persons not directly involved in the case are not allowed to sit in during the hearing of the case</p>	
3	National Gender Equality Commission	<ul style="list-style-type: none"> •The Commission's mandate is to promote gender equity and non-discrimination in accordance with Article 27 of the Constitution. •The Commission target groups are; youth, children, women, persons with disabilities, older persons, minorities and marginalized persons. 	<ul style="list-style-type: none"> • In criminal cases - report to Director of Public Prosecution. • Make recommendations to complainants of other ways of resolving complaint. • Provide copy of the report. 	<p>Procedure fairly informal and complaint can be made even by way of a simple letter</p> <p>Easily accessible by individuals even without legal representation</p>	<p>Nairobi Office:</p> <p>Solutions Tech Place, Upper Hill (Longonot Road, Next to Crowne Plaza Hotel)</p> <p>P.O. Box 27512-00506, Nyayo Stadium, Nairobi, Kenya.</p> <p>Telephone: +254 20 2727778</p> <p>Email: info@gendercommission.org</p>

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8	National Gender Equality Commission	<ul style="list-style-type: none"> •The Commission’s mandate is to promote gender equity and non-discrimination in accordance with Article 27 of the Constitution. •The Commission target groups are; youth, children, women, persons with disabilities, older persons, minorities and marginalized persons. •Its mandate also includes ensuring compliance with all treaties and conventions relating to equality and freedom from discrimination for women, persons with disabilities, and children •Investigating any matters which violate the principles of equality and freedom from discrimination 	<ul style="list-style-type: none"> • In criminal cases - report to Director of Public Prosecution. • Make recommendations to complainants of other ways of resolving complaint. • Provide copy of the report. 	<p>Procedure fairly informal and complaint can be made even by way of a simple letter</p> <p>Easily accessible by individuals even without legal representation</p>	<p>Nairobi Office:</p> <p>Solutions Tech Place, Upper Hill (Longonot Road, Next to Crowne Plaza Hotel)</p> <p>P.O. Box 27512-00506, Nyayo Stadium, Nairobi, Kenya. Telephone: +254 20 2727778 Email: info@gendercommission.org</p> <p>Kisumu office: Reinsurance Plaza,3rd Floor Bank Street Kisumu Telephone: 20 2727776</p> <p>Nakuru office: P.O. Box 15263 Nakuru, Tamoh Plaza, 1st Floor, Kijabe Street Telephone: +254 722 824303 - Mr. Wanyonyi E-mail: gwanyonyi@ngeck- enya.org</p> <p>Garissa Office: Along Thika- Garissa Road, County Commissioner’s office turn left from KWS signage, NGEC office is opposite Care International Offices. Telephone: +254 722 660013 - Mrs Carolyn</p>

	Name of Institution	Mandate	Remedies it offers	How can One Engage with it	How to get in-touch
9	Commission on Administrative Justice	<p>The Commission has been given a wide mandate both by the Constitution and the Commission on Administrative Justice Act, to enforce the right to fair administrative action which is a fundamental right under Article 47 of the Constitution. Its mandate includes:</p> <ul style="list-style-type: none"> - Investigating complaints of abuse of power, unfair treatment, manifest injustice or unlawful, oppressive, unfair or unresponsive official conduct within the public sector; Reporting to the National Assembly on the complaints investigated and action taken ; and - Inquiring into allegations of maladministration, delay, administrative injustice, discourtesy, incompetence, misbehavior, inefficiency or ineptitude within the public service. 	<p>After carrying out an inquiry , it can:</p> <ul style="list-style-type: none"> • Refer the matter to the Director of Public Prosecutions or any other relevant body. • Make relevant recommendations to the complainant. • Recommend other appropriate methods of settling the complaint or to obtain relief. • Provide a copy of the inquiry report to all interested parties. 	<p>Has vast powers to investigate complaints against public officers, institute proceedings, formally determine a matter and recommend appropriate remedy and award compensation</p>	<p>The Commission Secretary, Commission on Administrative Justice 2nd Floor, West End Towers Opposite Aga Khan High School off Waiyaki Way - Westlands</p> <p>P.O. Box 20414 – 00200 Nairobi, Kenya.</p> <p>Tel: +254-20-</p>
10	Director of Public Prosecution	<ul style="list-style-type: none"> - Institutes and takes over criminal proceedings. - Discontinues proceedings , with the permission of the court taken over by the Director of Prosecutions at any stage before judgments are delivered . 	<ul style="list-style-type: none"> • Fines • Arrest • Imprisonment, • Community service, • Probation. 		<p>Office of the Director of Public Prosecutions NSSF building, Block a, 19th Floor Bishops Road, Nairobi P.O. Box 30701-00100 GPO, Nairobi</p> <p>Nairobi Telephone: +254 20 2732090</p> <p>Email: info@odpp.go.ke</p> <p>Kisumu Telephone: 057-2024620</p>

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	Name of Institution	Mandate	Remedies it offers	How can One Engage with it	How to get in-touch
13	The National Land Commission.	<ul style="list-style-type: none"> • Manage public land, recommend land policies to the national government, suggest a program for registering title in land and • Investigate historical land injustices. 	Manage public land, recommend land policies to the national government, suggest a program for registering title in land and	Has vast powers to investigate complaints against public officers, institute proceedings, formally determine a matter and recommend appropriate remedy and award compensation	<p>The National Land Commission, Ardhi House, 1st Ngong Avenue, Off Ngong Road, P.O. Box 44417 – 00100, Telephone: +254 20 2718050</p> <p>Email: info@nlc.or.ke 2270000/2303000/2603765/2441211/8030666 Email: info@ombudsman.go.ke (for general inquiries) complain@ombudsman.go.ke (for complaints)</p>





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