



International
Labour
Office

KENYA

CHILD LABOUR DATA COUNTRY BRIEF

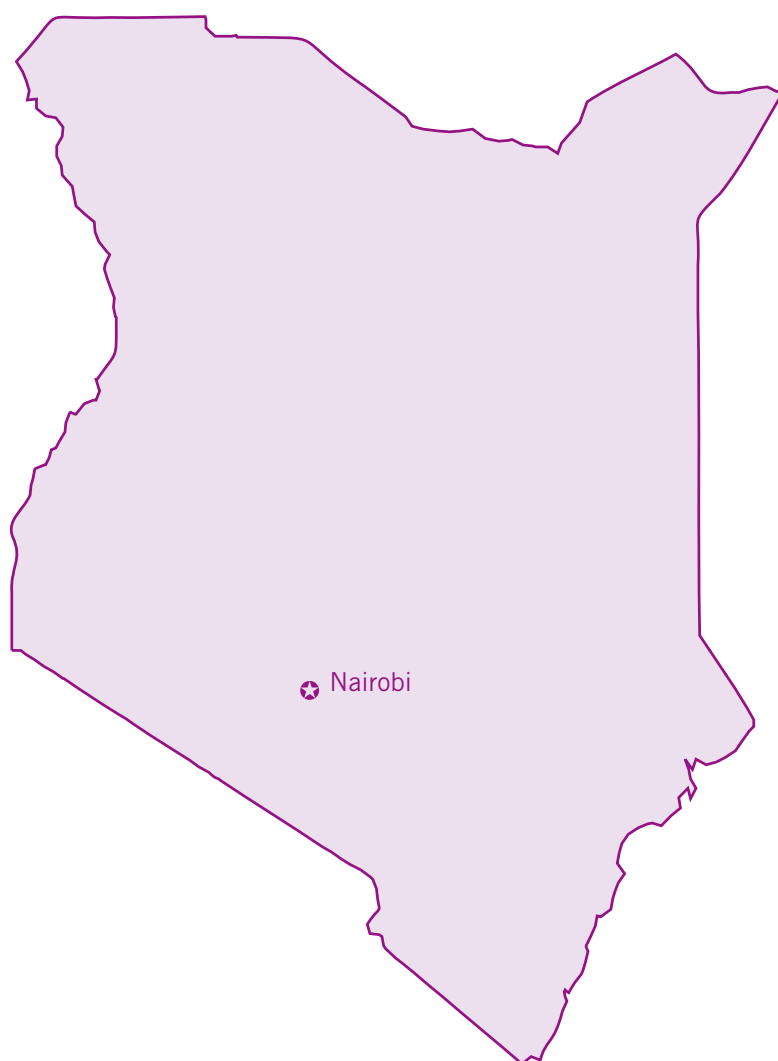


International
Programme on
the Elimination
of Child Labour
(IPEC)

SELECTED SOCIOECONOMIC INDICATORS

| | |
|--|---------|
| Population (millions) | 33.5 |
| Population under 15 years (percentage of total) | 42.9 |
| Literacy rate (percentage of people ages 15 and above) | 73.6 |
| Net primary school enrolment rate | 76 |
| GDP per capita, PPP | \$1,140 |
| Human Development Index Value | 0.491 |
| HDI ranking | 152/177 |

Source: 2004 data from UNDP Human Development Report 2006



I. Legislative Framework

RATIFIED CONVENTIONS RELATING TO CHILD LABOUR

| Convention | Ratification | Entry into force |
|--|--------------|------------------|
| The Minimum Age Convention (No. 138) (minimum age specified: 16 years) | 09-04-1979 | 09-04-1980 |
| The Worst Forms of Child Labour Convention (No. 182) | 07-05-2001 | 07-05-2002 |
| Convention on the Rights of the Child (CRC) | 30-07-1990 | 02-09-1990 |

RELEVANT NATIONAL LEGISLATION

- The Constitution of Kenya, Act No. 5 of 1969 (Revised Edition 1998);
- The Employment Act, Chapter 226, Act No. 2 of 1976 (consolidated to 1984);
- The Children's Act, Act No. 8 of 2001;
- Children's Act Cap 586 Laws of Kenya, 2001 – Free and compulsory education for children ages 6-14.

REGULATION OF WORK FOR PERSONS BELOW 18 YEARS

| Regulation of work for persons below 18 years | Age | Legislation |
|---|---------------|--|
| General minimum age for admission to employment or work | 16 years | Section 25 (1) of the Employment Act |
| Admission to light work activities | Not specified | |
| Admission to hazardous work | 16 years | Section 10 (1) of the Children's Act; The list of types of hazardous work has not been determined |

II. Child Labour Indicators

Key child labour indicators can be derived from the Child Labour Module of the Integrated Labour Force Survey, conducted by the Central Bureau of Statistics in 1998-99. The survey was carried out within the framework of the Statistical Information and Monitoring Programme (SIMPOC) of the ILO's International Programme on the Elimination of Child Labour (IPEC). The NCLS was an independent survey intended to collect information on the socio-economic and demographic characteristics of boys and girls aged 5-17 and their households.

Children's activities

Results from the Child Labour Module of the Integrated Labour Force Survey (IPEC/SIMPOC, 1998-99) indicate that 6.4 per cent (0.29 million) of boys and 5.9 per cent (0.25 million) of girls ages 5 to 14 work, resulting in 6.1 per cent (0.53 million) of all children working. Approximately 2.9 per cent (0.25 million) of children participate in the labour force without attending school. The percentage is slightly higher for boys (3.0 per cent) than for girls (2.9 per cent).

CHILDREN AGED 5-14, BY SEX AND TYPE OF ACTIVITY

| Activity | Male | | Female | | Total | |
|-----------------------------|------|-----------|--------|-----------|-------|-----------|
| | % | No. | % | No. | % | No. |
| Work only ^a | 3.0 | 132,090 | 2.9 | 119,990 | 2.9 | 252,080 |
| Study only ^b | 66.8 | 2,989,222 | 67.6 | 2,846,801 | 67.2 | 5,836,023 |
| Work and study ^c | 3.5 | 154,516 | 3.0 | 127,158 | 3.2 | 281,674 |
| Total work* | 6.4 | 286,606 | 5.9 | 247,148 | 6.1 | 533,754 |
| Total study** | 70.2 | 3,143,738 | 70.6 | 2,973,959 | 70.4 | 6,117,697 |
| Neither | 26.9 | 1,202,205 | 26.6 | 1,118,613 | 26.7 | 2,320,818 |

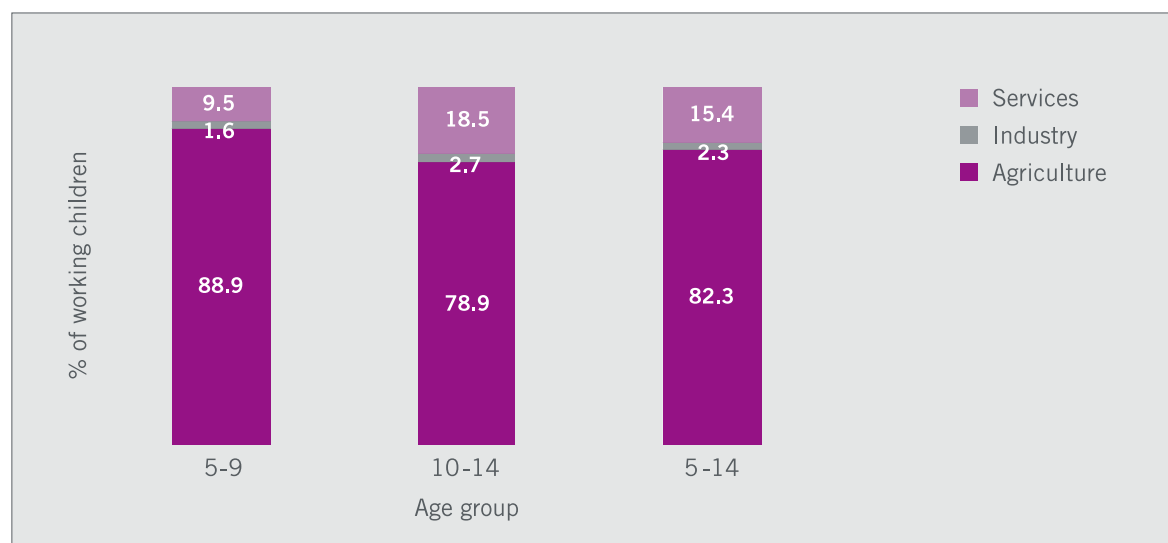
* "Total work" refers to children that work only and children that work and study, i.e. a+c

** "Total study" refers to children that study only and children that work and study, i.e. b+c

Characteristics and conditions of child labour

Among working children 5-14 years, approximately four out of every five are employed in the agricultural sector, 2.3 per cent are employed in the industrial sector and the remaining 15.4 per cent work in services. A similar pattern can be observed among the age sub-categories 5-9 and 10-14. Girls are more likely than boys to be employed in services (23.2 per cent vs. 8.7 per cent) and less likely to be employed in the agricultural sector (76.5 per cent vs. 87.2 per cent).

DISTRIBUTION OF WORKING CHILDREN BY INDUSTRY AND AGE GROUP

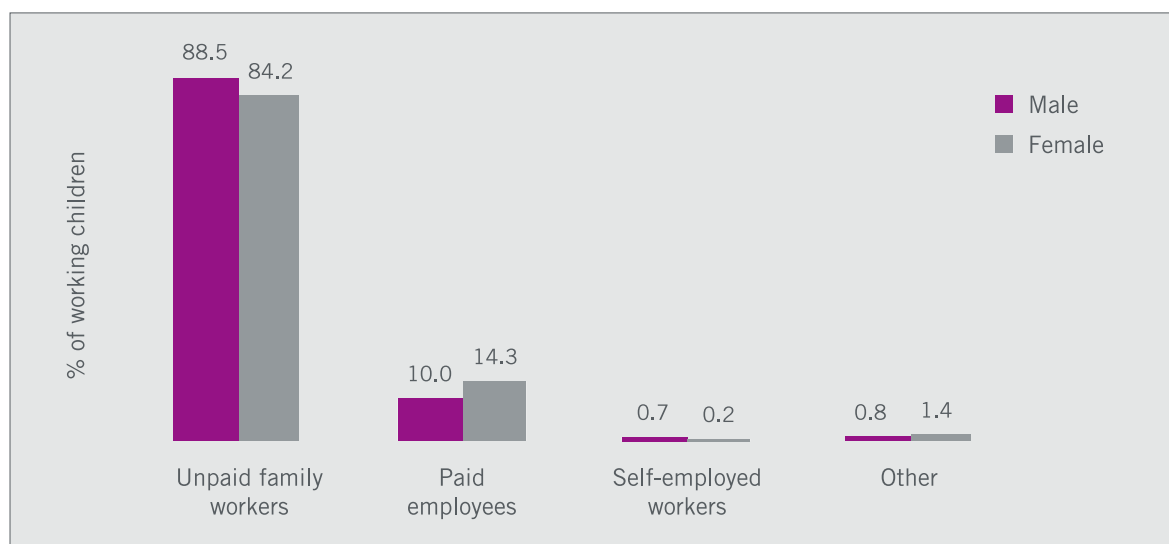


DISTRIBUTION OF WORKING CHILDREN BY INDUSTRY AND SEX



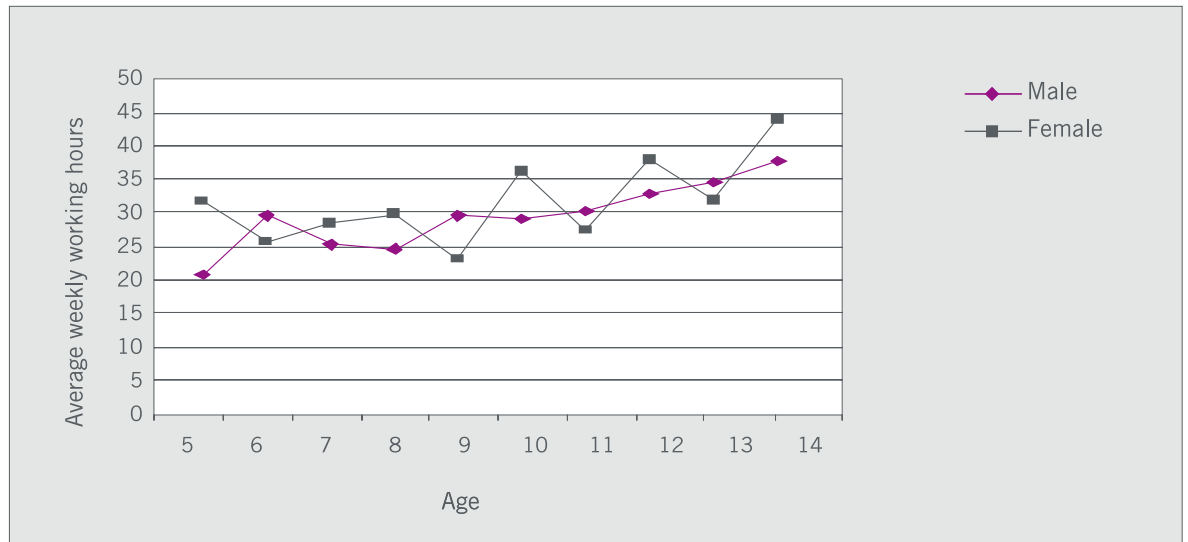
Most working children 5-14 years of age are employed as unpaid family workers (88.5 per cent in the case of boys and 84.2 per cent in the case of girls). Girls are more likely to work as paid employees than boys (14.3 per cent vs. 10.0 per cent), while fewer working girls (0.2 per cent) than boys (0.7 per cent) are self-employed.

DISTRIBUTION OF WORKING CHILDREN AGED 5-14 BY MODALITY OF EMPLOYMENT AND SEX



On average, girls tend to work more hours per week than boys (35.5 hours per week in the case of girls vs. 31.9 hours per week in the case of boys).

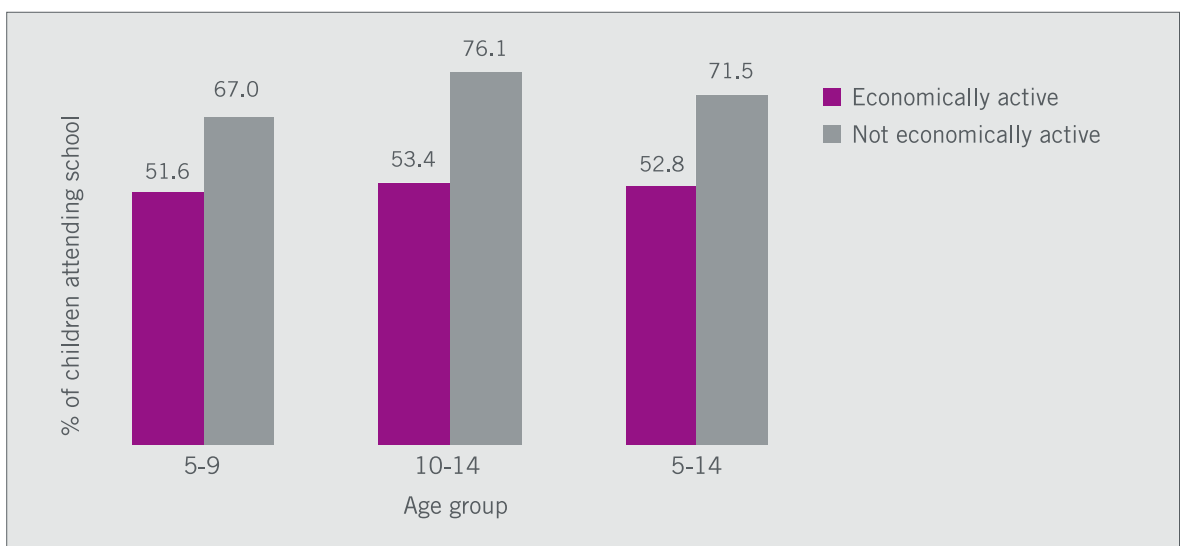
CHILDREN WORKING: AVERAGE WEEKLY HOURS BY AGE AND SEX



Child labour and children's education

Among children 5-14 years, economically active children are less likely to attend school than those who are not (52.8 per cent vs. 71.5 per cent). This holds for children in the 5-9 and 10-14 age groups, with 51.6 per cent of economically active children between 5-9 years attending school.

SCHOOL ATTENDANCE OF CHILDREN IN ECONOMIC ACTIVITY VERSUS CHILDREN NOT IN ECONOMIC ACTIVITY



Children's activity status and household income* level

Children coming from the poorest households are less likely to be engaged in the labour force without attending school than children in households with the highest levels of per capita expenditure (1.1 vs. 4.1 per cent). These findings are consistent among both boys (1.5 vs. 3.3 per cent) and girls (0.7 vs. 4.9 per cent). Only 65.9 per cent of children from the lowest-expenditure households attend school without participating in the labour force, as compared to 70.2 per cent in the richest households.

PERCENTAGE OF CHILDREN, BY PER CAPITA HOUSEHOLD EXPENDITURES QUINTILES**, SEX AND TYPE OF ACTIVITY

| Sex | Type of activity | Quintile 1 | Quintile 2 | Quintile 3 | Quintile 4 | Quintile 5 | Unspecified | Total |
|----------------|------------------|------------|------------|------------|------------|------------|-------------|-------|
| Male | Work only | 1.5 | 2.6 | 3.7 | 3.6 | 3.3 | 4.3 | 2.9 |
| | Study only | 65.2 | 68.0 | 66.9 | 64.6 | 69.3 | 59.4 | 66.8 |
| | Work and study | 1.2 | 1.8 | 4.4 | 6.2 | 3.9 | 0.0 | 3.5 |
| | Neither | 32.0 | 27.5 | 25.0 | 25.7 | 23.5 | 36.2 | 26.8 |
| Fe-male | Work only | 0.7 | 1.4 | 3.5 | 4.0 | 4.9 | 0.7 | 2.8 |
| | Study only | 66.6 | 67.5 | 64.4 | 67.7 | 71.2 | 85.0 | 67.6 |
| | Work and study | 0.7 | 2.6 | 4.1 | 4.8 | 3.4 | 0.0 | 3.0 |
| | Neither | 32.1 | 28.6 | 28.0 | 23.5 | 20.5 | 14.3 | 26.6 |
| Total | Work only | 1.1 | 2.0 | 3.6 | 3.8 | 4.1 | 2.1 | 2.9 |
| | Study only | 65.9 | 67.8 | 65.7 | 66.0 | 70.2 | 75.6 | 67.2 |
| | Work and study | 0.9 | 2.2 | 4.2 | 5.5 | 3.6 | 0.0 | 3.2 |
| | Neither | 32.1 | 28.0 | 26.5 | 24.7 | 22.1 | 22.3 | 26.7 |

Note: Totals may not add to 100.0 due to rounding.

* The household expenditure is used as a proxy for income.

** "Quintile 1" represents lowest expenditure category and "Quintile 5" the highest

III. Information on the worst forms of child labour

RATIFICATION OF SPECIFIC TREATIES

| Convention | Ratification | Entry into force |
|--|--------------|------------------|
| Optional Protocol to the CRC on the sale of children, child prostitution and child pornography | Not ratified | |
| Optional Protocol to the CRC on the involvement of children in armed conflict | 28-01-2002 | 28-02-2002 |
| United Nations Convention against Transnational Organized Crime (CTOC) | 16-06-2003 | 16-07-2004 |
| Human Trafficking Protocol, supplementing the CTOC | Not ratified | |
| Smuggling of Migrants Protocol, supplementing the CTOC | Not ratified | |
| The ILO Forced Labour Convention (No. 29) | 13-01-1964 | 13-01-1965 |

SIMPOC STUDIES

- The 1998/99 Child Labour Report, ILO-IPEC, 2002.

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