



Kenya National Commission on Human Rights

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PRESS STATEMENT

It is evident that the aspirations of Kenyans in voting for the constitution are being frustrated. Kenya National Commission on Human Rights is concerned by the level of commitment by the government to its obligation towards protection, promotion and fulfillment of economic and social rights. Article 43 of Constitution of Kenya recognizes the right of every Kenyan to enjoy this category of rights; these include the right to education, the right to be free from hunger, right to food of acceptable quality and the right to social security

The ongoing stalemate with regard to the teachers' strike which has paralyzed learning in all public schools is an indication of the government's abdication of its obligation to Kenyan children to assure them of high quality education. Successive governments have failed to prioritize this matter thereby compromising the quality of education in the country. Over the years the only language the government has responded is the strikes by the teachers, which elicits knee jerk reactions aimed at pacifying the teachers. Regrettably though, teachers remain among the most poorly remunerated professionals in this country therefore undermining their right to a decent livelihood. For example a Primary school teacher with P1 qualifications earns a gross of Kshs 22000(salary 17000, house allowance 3000, commuter allowance 1000 and medical allowance 1000)

KNCHR recognizes education as a core human right as it enables the enjoyment of other rights. As an empowerment right, education is the primary vehicle by which citizens especially those from poor and marginalized areas lift themselves out of poverty and obtain the means to participate fully in their communities and sustaining their human dignity. In fact the surest way of frustrating any government development agenda is to undermine its education sector. In its economic blueprint (Vision 2030), the government recognizes that education is central to the realization of its development goals. In its Medium Terms Plans I and II it identified priorities whose implementation would support the realization of the all the three social, economic and political pillars of Vision 2030. It is a matter of concern that as nation we have not yet attained the minimum core elements of the right to education which includes availability, accessibility, acceptability and adaptability. To date a large number of Kenyan children walk long distances to schools, too many schools lack basic infrastructure such as classrooms, desks, writing materials and textbooks. The teacher student ratio (Ratio of 1:40) does not comply with the international standards especially after the introduction of free primary education which resulted in the increase in the number of children enrolled in schools. It is a matter of concern that the government allocation per child is a paltry Kshs. 1020 per year. Whereas the Basic Education Act provides that Basic Education includes Early



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Childhood education there has not been sufficient budgetary allocation for the realization of this right. Alongside these the importance of well qualified and remunerated teachers cannot be overemphasised.

There is a real risk that the government shall not achieve its goals and commitments made under Education for All (EFA) and the Millennium Development Goals. It is therefore disturbing that instead of addressing these structural challenges, the government is hell bent on rolling out a project with colossal financial implications without having due regard to national values and principles spelt out in Article 10(2)(c) of the Constitution that require good governance, integrity, transparency and accountability be adhered to in decision making.

In the past we have lost billions of shillings through ventures such as this one that are shrouded in secrecy and lack of public participation and ownership. Infrastructural investments that would form the basis of this venture are yet to be defined and laid down. The country is still reeling from the shock of mega scams such as Goldenberg, Anglo leasing and even lately the procurement of BVR Kits for the 2013 elections.

It is not clear the basis upon which as a country we are unable to consider computer labs as the method through which we digitalise learning in our primary institutions. Even in developed countries computers are introduced after the fundamental issues have been addressed. If we choose to, there are valuable lessons to be learnt from the challenges of other countries that have made similar attempts.

It is clear that the government is determined to implement this project and is ignoring critical voices of counsel. In the circumstances we are obliged to put the accounting officers on notice that we shall be pursuing them for personal accountability for all eventualities under the project.

Even as the government recalls the teachers to the negotiating table we support the teachers demand for payment of their June Salaries which have been unlawfully withheld. It is our position that the withholding of these salaries is intended to intimidate teachers which violates their rights as provided for under Article 41(2) (c) (d) of the Constitution.

Commissioner Ann M. Ngugi,

Signed..... Dated.....