

An Assessment of The Level of Awareness About Children's Rights Among Children in Eldoret Municipality, Kenya

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Abstract

Whereas Kenya has ratified and domesticated the Convention on the Rights of the Child both locally and globally, the extent to which both the adult Kenyan citizens and children are aware about children's rights is not known. The authors sought to determine the level of awareness about children's rights among children in Kenya. The study was conducted in Eldoret Municipality. It used the survey method. The target population was children aged between 10-18 years in primary schools in Eldoret Municipality. The respondents were selected through stratified and simple random sampling techniques. In addition, key informants from organizations dealing with the children were purposively sampled. Data were collected using questionnaires, semi-structured interviews and document analysis after which they were analysed using descriptive statistical methods. It was revealed that children are not sufficiently aware about their rights. Based on the findings from the study, it was recommended that, to enhance awareness of children's rights among children, the media like TV and Radio should raise awareness of societal concerns in a balanced way so that pertinent aspects like children's rights are not left unaddressed. Access by children to programmes which address issues relevant to children should be enhanced. The study is significant since it has generated empirical information on ways through which children can be involved in awareness campaigns on their rights and adds to the existing knowledge on Children's rights. Furthermore, the study lays foundation for future research on how communication media can be utilized to highlight issues of importance to child development and promotion of awareness of these rights among children. It also contributes to scholarship by providing a reference point to research that assesses the level of realization of rights of all persons across the globe.

Keywords: level, awareness, children's rights, children, communication media, access Kenya

INTRODUCTION

History and Development of Children's Rights in Kenya

Human Rights date back to the aftermath of the Second World War in 1948 when the nations of the world ratified the Universal Declaration of Human Rights (UDHR) (Steiner, 2000). This declaration provides that all human beings, irrespective of their age, sex, tribe, country of birth, or social economic status are entitled to respect and enjoyment of human rights by virtue of the fact they are born human (LRF, 2002). The Declaration on the Rights of the Child (1959) was the first major international instrument exclusively devoted to the children's rights. It introduced the principle of the best interests of the child to guide all those who would be involved in making decisions that would ultimately affect the children. It led to the adoption of Geneva Declaration on Rights of the Child (GDRC) which was effective at the international level until it was replaced by the UNCRC (1990) which, according to Mahkonnen (2002), was the first human rights instrument to portray children as possessors of clearly defined and exclusive rights.

In Kenya, significant milestone in the promotion of the rights of the child was the enactment of Children's Act by Kenya's Parliament in 2002. Concerted efforts towards domestication of the UNCRC (1990) were made when the government directed the Law Reform Commission (1984) to look into children's issues and ways of implementing the convention (Nwanko & Okwemba, 2002). The bill was enacted into law in 2002 and it provides for the legal instruments to use in development of policies as well as legal framework for education and promotion of children's rights (ibid.). It recognizes that children have a right to education, parental care, religious education, healthcare, and protection from abuse, protection from harmful cultural practices, protection from sexual exploitation and drugs (RoK, 2001).

Children's rights can be categorized into: life and survival rights, protection rights, development rights and participation rights. These are the rights provided for in the UNCRC and ACRWC and the Children's Act (RoK, 2001). The four main categories of children's rights are indicated in the Figure 1.

Millennium Development Goals (MDGs) and Children's Rights

MDGs are a tool through which people can hold governments and policy makers to account regarding the eradication of poverty. Analysts on the progress of MDGs argue that whatever happens post 2015 must include education, creation of rights awareness and targets to all people. Access to free education,

health and protection by all is one such key target enshrined in the rights of the child. It was for this reason that the study undertook to determine whether children were aware about children's rights since child rights and contemporary global development agenda are inseparable (Commonwealth Secretariat, 2006).

Children's rights

The most important children's rights based on the UN Convention on the Rights of the Child

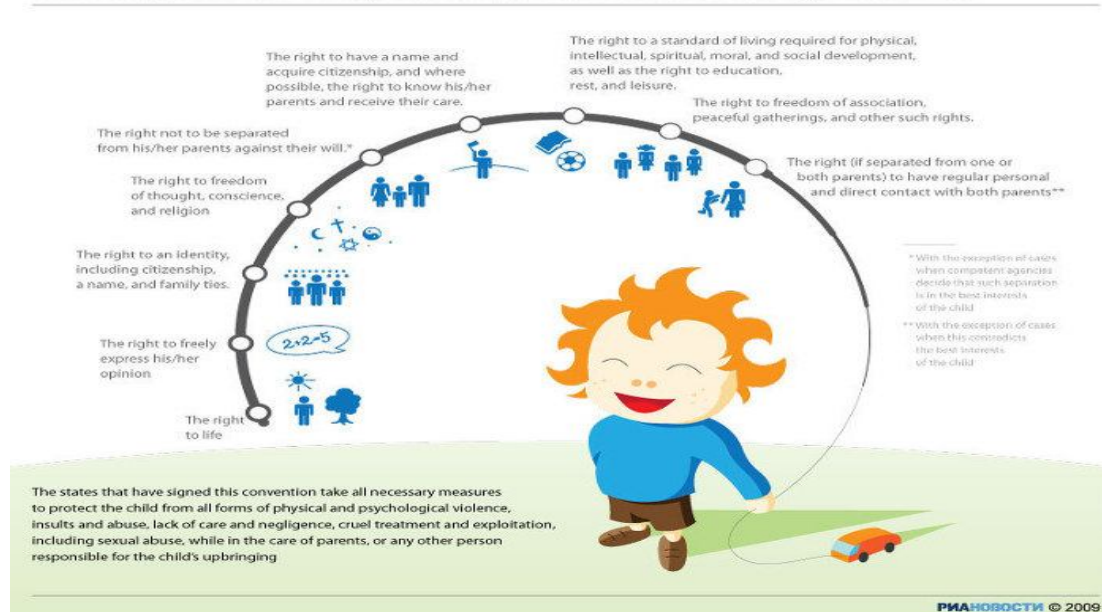


Figure 1: Children's Rights based on the UN Convention on the Rights of the Child

Source: *Voices from Russia* <http://word.press.com>

Human rights offer a useful guiding framework in terms of the methodology by which MDG targets can be pursued and achieved. Synergies between MDGs and human rights should not be seen in isolation. Studies reveal that states have committed themselves to respecting and upholding the universal declaration of human rights through the Millennium Declaration (UNHCHR, 2006). However, trends on realization of children's rights indicate that the process is moving at a slow pace.

Studies indicate that the targets set by the countries of the world are yet to be achieved. UNICEF (2005) argues that these goals look dauntingly distant. Millennium Development Status Report revealed that in Kenya, schools were overcrowded due to poverty levels and dense population, inadequate and poor infrastructure in most schools leading to low quality of education and thus affecting the realization of the rights of the child to education (UNDP, 2005). Human Rights Watch (2010) argues that children's right to education entails not only the presence of the schools and teachers, but also an environment that allows them to learn in safety. Challenges have ensued in Kenya due to free primary education which

has led to increased enrolment rates leading to few desks, lack of stationeries and crowded classrooms (UNICEF, 2009).

The UNCRC spells out the basic rights that children should enjoy: the right to survival; to develop to the fullest; to protection from harmful influences; protection from abuse and exploitation, and to participate fully in the family, cultural and social life. It is further noted that with the global endorsement of the MDGs, child rights must come to the forefront of the long term social and economic development thinking (Hallet, as cited in Ireland & Allison, 2009).

Studies indicate that Human rights guide programming in all sectors like health, education, provision of food and protection of children which includes achieving of MDGs. In the same way, human rights are interdependent and interrelated since realization of one right often depends wholly or in part upon realization of other rights. For example, the realization of the right to health depends on realization of the right to education and information (UNICEF, 2009). Good governance means good policies and hence proper provision of services which

promote the rights of children. Overall, the MDGs are quite interlinked with the rights of children and are benchmark to which realization of children's rights can be measured.

Significant Rights of Children

The convention on children's rights and other legal instruments spell out the rights that children are entitled to but the study focused on the main categories and themes under which these rights fall. These rights constitute the significant children's rights. According to Alliance for Children's Rights (2006), the UNCRC classifies the rights of children under substantive articles which set out the rights of all children and the obligations of governments (Part 1 Article 1-41). Each substantive article details different types of rights as follows:

Survival rights: include the child's right to life and the needs that are most basic to existence, such as nutrition, shelter, an adequate living standard, and access to medical services (CRC articles 16, 18, 23-27 and 39).

Development Rights: include the right to education, play, leisure, cultural activities, and access to information, and freedom of thought, conscience and religion (CRC article 17, 28, 29, and 31).

Protection Rights: ensure that children are safeguarded against all forms of abuse, neglect and exploitation, including special care for refugee children; safeguards for children in the criminal justice system; protection for children in employment; protection and rehabilitation for children who have suffered exploitation or abuse of any kind (CRC articles 11, 16, 19-22, 32-34, 37-38).

Participation Rights: encompass children's freedom to express opinions, to have a say in matters affecting their own lives, to join associations and to assemble peacefully. As their abilities develop, children are to have increasing opportunities to participate in the activities of their society, in preparation for responsible adulthood (CRC articles 12,13,14,15 and 17).

These rights are qualified by a basic principle in CRC stating that "in all actions concerning children whether undertaken by public or private social welfare institutions the best interest of the child shall be a primary consideration (CRC, Article 3; Mahkonen, 2002). In regard to the core concern of this paper, children in Kenya and more specifically in Eldoret, are entitled to the rights as stated under the substantive provisions but the way information about these rights are communicated affects their understanding and knowledge by children. It is expected that protection, survival, development and participation rights should be known by children if at all they are enjoying these rights. That is, if the government implements policies targeted towards the achievement of these rights and if information on the progress made is disseminated through channels that

reach the children. For instance, if the Ministry of Gender, Children's Affairs and Social Development shares flagship programmes for children in discharging their mandate of promoting children's rights through the media.

Implementation of Children's Rights in Kenya

Kenya's formal child protective system has been developing since independence. Legislations addressing children's issues include the children's and Young Person's Act, the Guardianship of Infants Act, and the Adoption Act. These statutes remained in legal force until March 2002, when the new Children's Act of 2001 came into force. Even though legal provisions adhering to the best interests of the child were considered by the enactment of Children's Act, the implementation of this fundamental principle is still a challenge (Palmqvist, 2006). Kenya's Constitution (ROK, 2010), mentions protection rights of the child in Chapter Four of the Bill of Rights, although there is no legislation to ensure implementation.

It was in view of this gap that the study, on which this paper is based, set out to assess the use communication media in promoting awareness about children's rights with a view to recommending utilization of media in enlisting support from relevant stakeholders working with and for the good of the child.

The Need for Children's Rights Awareness

When children are helped to be knowledgeable and self aware about their rights, they grow up in the society with the ability to protect and respect their rights and those of others. Knowledge of child rights is critical in the overall development all children. The use of communication media is critical in the achievement of this awareness among children. Kumar (2006) notes that creating of awareness about the Convention, its application and monitoring is a necessity which calls for a joint effort of all the parties concerned with children. He argues that Communication media can be a powerful tool for advocacy and awareness creation provided it is used in a planned manner. However, he points out the use of the media is limited for the child rights (ibid.).

Research has further revealed that the rights of children are still generally low on the agendas of many countries such as India. The findings of a study of implementation of child rights in India have revealed that the percentage of children who access their rights is negligible and a high majority of children is not even aware of their fundamental rights due to lack of education. Similarly, amongst adults only 10% were aware of child rights while 15% gave this subject a thought (Maheshwar, 1994). The findings of this study could be applied in Kenya by initiating media-driven education programmes geared

towards the promotion of these rights among children and adults.

Similarly, in a study to assess the role of Television on knowledge of child rights in Nigeria, Omoera (2004) found out that limited awareness of children's rights is manifest among pupils in Nigerian schools. The implication is that inadequate efforts, if any, have been made by relevant government agencies to fulfil its obligations of raising awareness among children about their rights as required by the UNCRC.

Our study in Eldoret Municipality sought to investigate awareness levels of content on child rights and the role of the sources of information on child rights, with the aim of recommending utilization of systematic training and sensitization of the stakeholders or professionals working with children as strategies for awareness creation. The same scenario can be averted in Kenya, if knowledge on children's rights is promoted through reinforcement of adequate and systematic training and sensitization of professional groups working with and for the children. Other ways through which education on children's rights can be fostered include the use of radio lessons, clubs at school, church meetings and public forums commonly known in Kiswahili as *barazaas* to target parents and children.

Kenya's National Plan observes that more than 14 million people live below the poverty line and half of them constitute children. Trends in Education indicate that 10.6 Million children do not complete basic education, 18% do not join schools and only 26 % complete basic education and proceed to secondary schools (Andambi, 2001). Hence, our central concern was to assess whether children were aware about their rights in order to shed light on how the CRC can be publicized through communication media. Similarly, many uncoordinated attempts at educating the public on legal matters have been undertaken in the media. For instance, Oxfam and Public Law Institute have carried out legal aid clinics (Kibwana, 1990). This indicates that much as an effort has been made to sensitise people on law and human rights, the children and their rights do not feature. It is therefore imperative that children in Eldoret town, Kenya, are educated about their rights since they constitute a significant part of the population and knowledge about their rights would help them to respect and uphold the rights of others when they become adults. In view of the limited awareness about children's rights in different countries as revealed by studies discussed above, it is of great necessity that more awareness raising methods about children's rights are identified and utilised. The state of most children in Kenya remains critical because issues on children have been relegated to the periphery yet they are a significant group in, and the basis of continuity and

future development of the society. This is reflected by the fact that children's issues not feature prominently in contemporary national and global discourses.

Although Kenya has ratified and domesticated the United Nations Convention on Children's Rights, there are many media reports about sexual abuse and exploitation of children in form of reports in the Newspaper, Television and cases reported to Non-Governmental Organizations (NGOs). The extent to which children living in different circumstances are aware of their rights is yet to be known. Similarly, it is not clear to what extent Kenyans know about children's rights; yet it is extremely important that adults - especially parents, teachers, health workers and the general public who handle and interact with children - know about children's rights. Overall, without awareness about children's rights by children, successful implementation of relevant provisions internationally agreed on for the safety of children may not be possible. Hence the study sought to explore the issue of children's rights in Kenya, especially in terms of the level at which children are aware of the rights they are entitled to.

STATEMENT OF THE PROBLEM

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LIMITATIONS OF THE STUDY

Firstly, negotiating of access to the schools was a limitation since some school principals said that

administering of the instruments would interfere with learning activities. This was overcome by explaining to the teachers and school administrators that the questionnaire was short and that the children could fill them up with ease since the study had only targeted standard seven and eight pupils. Arrangements were made between the researcher and the teachers to have the selected pupils fill in the questionnaires during games time. Secondly, the study did not involve all children in all schools in the country, but children in Eldoret Municipality were chosen. This limitation was overcome by use of sampling techniques to ensure that findings were representative and generalisable. The findings can therefore be useful for exemplification. The third limitation was on secondary data. There was limited literature on children's rights in Kenyan context. Limited research on awareness about children's rights in Kenya had been carried out by previous researchers. This was overcome by looking at literature on children's rights in other countries such as Nigeria, India, Europe, and Canada among others with a view to recommending how the same can be applied here in Kenya.

MATERIALS AND METHODS

The study was conducted in primary schools in the five educational zones within the Eldoret Municipality, Kenya. The zones are Kapyemit, Kibulgeny, Kapsoiya, Chepkoilel and Pioneer. Eldoret is the headquarters of Uasin Gishu County - which is one of the forty-seven counties in Kenya - located in Rift Valley Province. Eldoret town was chosen because it is the main urban centre in the North Rift region and, although it is an urban area, its population comprises children of diverse backgrounds in terms of language of communication, parental level of education, culture, poverty levels and religious affiliations. This creates a possibility of different levels of access to communication media hence, perhaps, different levels of awareness and challenges in communicating children's rights.

The survey method was used in the study. It involved children in primary schools in the Municipality, selected communication media types, awareness levels about children's rights, selected media content on children's rights. Hence the survey method enabled the authors to capture relevant and varied data on the issue of children's rights awareness, role of communication media in promoting awareness of children's rights and challenges in communicating about children's rights so as to enhance generalisability of the study findings.

In addition, the target population was the children in primary schools in Eldoret Municipality estimated at a total of 11,797 as per records at the Municipal Education office. The total number of primary schools in the Municipality was 112 some of which

are boarding and day schools, private and public. The authors sampled 50 schools for the study. The study targeted pupils in classes 7 and 8 which constituted a total of 1500 pupils in the municipality out of which 450 pupils were sampled. The sample of 450 pupils was 45% of the target population. To obtain a school from each Zone, simple random sampling was applied. Key informants from the Children's Department and Save the Child were selected using purposive sampling.

For data collection, the author used various methods (triangulation) which included interviews, survey questionnaires and document analysis as informed by the research objectives, scope of the study and their consistency with broad approach in which the study is located. The author analyzed two Kenyan local dailies: *The Daily Nation* and *The Standard* newspapers in order to determine how they covered children's rights and whether they had contributed to awareness about the rights by the children.

RESULTS

Awareness of Children's Rights

It was found out that 23% of the children among respondents were aware about children's rights while 77% were not aware about children's rights (Figure 2).

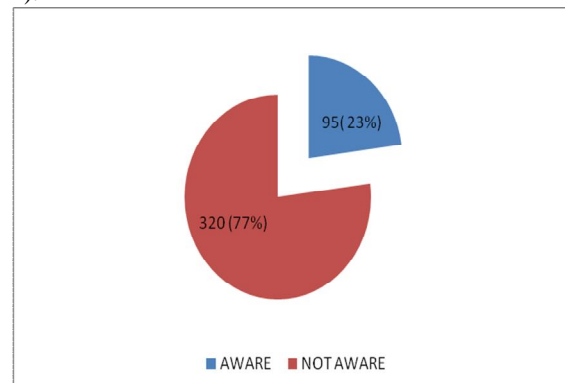


Figure 2: Levels of Awareness about Children's Rights

The findings in Figure 2 above indicate that there is limited awareness about children's rights among children in the research sample. This was attributed to low access of communication media among majority of the respondents. The number of children who were aware about their rights was very minimal meaning that they could have learnt about these rights through school books or had heard or read about the children's rights from any of the communication media chosen for the study. These respondents could have constituted few respondents who had accessed communication media and learnt about these rights. The specific areas of awareness were also analysed as explained in the following sections.

Awareness about Life and Survival Rights

As shown by the results in Table 1, analysis of responses on awareness of Life and Survival Rights among children indicated that only 23% of the respondents were aware of the right to Clothing Food and Shelter while the Right to Medical Care and the Right to Life displayed the highest level of unawareness as represented by 89%. The findings also show that 64% of the respondents were not sure of their awareness on the Right to Clothing Food and Shelter which is a pointer to low awareness of rights as children may not distinguish whether these are privileges or entitlements.

Awareness about Protection Rights

The analysis of responses on awareness of Protection Rights indicated that Protection from child labour and Protection from Abuse and Neglect displayed the highest level of unawareness which was represented by 89%. This was closely followed by Protection of children with Disability at 87% while the right to protection from sexual exploitation displayed the highest level of awareness among respondents as represented by 36%. This was attributed to the fact

when a child is sexually abused the media gives it much attention.

Awareness about Development Rights

The analysis of responses on awareness of Development Rights indicated that this category of rights displayed the highest unawareness levels among respondents. The Right to Education displayed the highest level of unawareness represented by 92% followed by the Right to Name and Identity which was represented by 378 (91%) while the Right to Parental Love and Care was represented by 90%.

Awareness about Participation Rights

Awareness of Participation Rights indicated that the Right to Freedom of Thought and Opinion displayed the highest level among the respondents as represented by 37% while the Right to Access Information displayed the highest level of unawareness represented by 67% followed by the Right to Association which was represented by 61%.

Table 1: Distribution of Respondents Awareness of Children’s Rights

GENERAL RIGHTS	SPECIFIC RIGHTS	Aware	Not Sure	Not Aware	Total
Life and Survival Rights	Right to medical Care	29(7%)	17(4%)	369(89%)	415(100%)
	Right to life	37(9%)	9(2%)	369(89%)	415(100%)
Protection Rights	Right to clothing food and shelter	95(23%)	267 (9%)	53 (13%)	415(100%)
	Protection from child labour	35(8%)	11 (3%)	369 (89%)	415(100%)
	Protection from sexual exploitation	151(36%)	4 (1%)	260 (62%)	415(100%)
	Protection from Abuse and Neglect	38(9%)	8 (2%)	369(89%)	415(100%)
Development Rights	Protection for children with Disability	38(9%)	16(4%)	361(87%)	415(100%)
	Right to Education	33(8%)	-	382(92%)	415(100%)
	Right to Name and Identity	33(8%)	4(1%)	378(91%)	415(100%)
Participation Rights	Right to parental love and Care	37(9%)	4(1%)	374(90%)	415(100%)
	Right to access information	77(19%)	60(14%)	278(67%)	415(100%)
	Right to Association	120(29%)	42(10%)	253(61%)	415(100%)
	Right to freedom of thought and opinion	155(37%)	21(5%)	239(58%)	415(100%)

From the findings analyzed above, majority of children were not sufficiently aware about the rights of children in general. The findings also revealed that in terms of specific children’s rights, some rights were known while most of the rights were not known by the respondents. Under the right to life and survival rights, 89% were not aware while under protection rights, 89% were not aware of sexual violation, and 92% were not aware about the right to education and 37% displayed awareness about freedom of thought and opinion which is in the category of participation rights. This could be attributed to issues related to those rights which are frequently covered in the newspapers and Television such as violation of children’s rights and efforts made in implementing the convention on the rights of the child which are through provision of free primary education and medical care among others. Lack of

awareness could be attributed to the way the children are viewed by the adult members of the society who make decisions affecting children without their involvement which leaves them thinking that these are privileges yet they are the very rights entitled to every child.

The findings above are in sync with the interview findings which revealed that many children were not aware about their rights. On the question of the status of awareness about children’s rights among the children, the organizations said that many children were not aware about their rights. Save the Children’s Protection officer said:

Many children do not access proper Education, Health, Protection and Shelter. While there is free primary education in Kenya, there are significant costs that have

to be incurred in upkeep of school uniforms, supplies books and other miscellaneous fees.

From the support services in the programme areas related to children’s rights, the Programme Officer from Save the Child said:

Problems in the ground ranging from lack of proper shelter, access to medical care are indicative of lack of awareness of children’s rights.

Ways in which Children Develop Awareness on Children’s Rights

The author also sought to find out other ways through which respondents became aware about their rights.

Participation in Children’s Rights Events Such as Seminars and Conferences

As far as respondents’ participation in children’s rights events was concerned, Figure 3 indicates that, 29% respondents had attended seminars/conferences while 71% said they had not attended or participated in seminars/conferences on children’s rights.

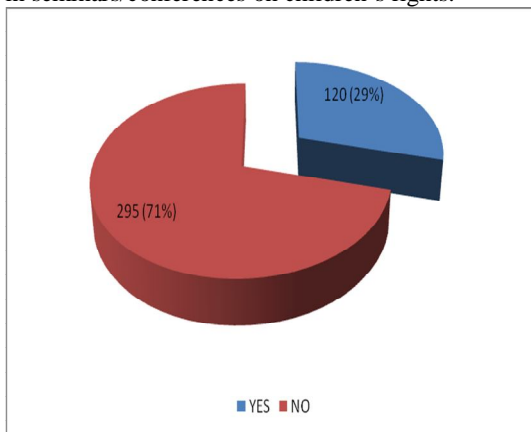


Figure 3: Participation on Children’s Rights Events

From the responses above, YES represented those who had participated in children’s rights events while NO represented those who had never participated. Findings were attributed to the fact that national efforts towards publicizing children’s rights had not been fully achieved and hence the need to utilize seminars and conferences as strategies towards raising awareness about children’s rights. The findings also reveal that children do not get opportunities to participate in these events because they have never been given a serious consideration by the media programmers and are also hindered by socio-economic challenges thus lacking access to these programmes.

Participation in Media Programmes on Children’s Rights

In order to assess respondents’ participation in media programmes as a way of developing awareness about

children’s rights, the respondents were asked to state whether they had participated in media programmes like TV, Radio and Newspaper Essays or not.

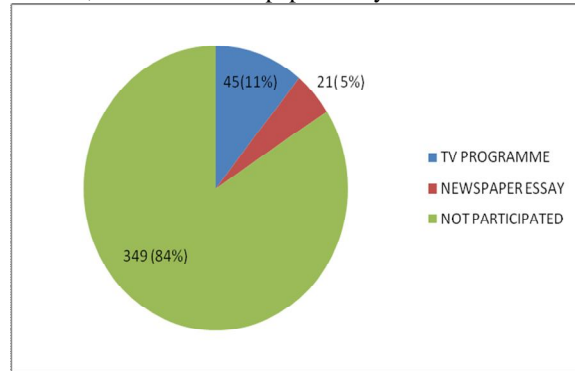


Figure 4: Participation in Media Programmes on Children’s Rights

The findings in Figure 4 above reveal that respondents who had participated in TV programmes were represented by 11%, followed by 21 5% respondents who had participated in Newspaper Essays while 84% said that they had participated in none of the media programmes. The findings indicate that participatory media approaches to children’s rights awareness had not been fully utilized to promote awareness of children’s rights.. The findings show that these opportunities are few and could be linked to lack of commitment to children’s issues by the institutions tasked with issues of children.

The above finding was complemented by the interviewee’s responses. On the question about media programmes about children’s rights, the children’s officer said:

As a Ministry, part of the media strategies that we use has been echoed in children’s messages to adults to view them positively.

The Programme Officer at Save the Child said:

We use the Television, Newspaper and Radio and our website to publicise the children’s rights so that whoever receives these messages can protect children by reporting abuse or advance the course of children by supporting them through donations, both materially and in kind.

The findings from document analysis revealed that news items on protection of children’s rights whose rights to protection had been violated were covered. Instances included a child whose hands had been set on fire for losing a pencil, while a majority aged between three and fourteen years had been defiled by adults including their guardians and parents. The findings were indicative that the awareness of

children's rights had not been realized going by the number of violations of these rights.

DISCUSSION

Findings revealed that the aspect that most children were aware about was the right to freedom of thought and opinion followed by the right to protection from sexual exploitation. The other rights that the respondents were aware about were the right to association and the right to clothing food and shelter as. These findings could be attributed to the fact that some rights are rarely covered by newspapers, Television, school books, the radio and other media like the posters, conferences and drama. The right to freedom of thought and opinion and protection from sexual abuse seems to attract highest awareness due to the fact that they constitute the rights of children which are mostly reported due their high rates of violation.

Among the rights that were not known by the respondents was the right to education, followed by the right to Name and Identity. The least awareness among respondents was on the rights to medical care, the right to protection from child labour and protection from abuse and neglect.

From the findings, low levels of awareness about children rights among respondents could perhaps be attributed to low coverage of children's rights by the communication media such as the newspapers, television and radios. The other reason for low awareness of children's rights was also attributed to lack of access to communication media by the respondents. The findings were also related to low membership in children's rights clubs and little participation in rights activities such as conferences, drama and media programmes on children's rights topics by the respondents.

These findings concur with those of Nwanko and Okwemba (2002), in a study carried out to assess the coverage of children's rights by Kenyan media, who found out that no tangible commitment has been made by the media houses on how to highlight children's issues. In the study findings, Nwanko and Okwemba (ibid.) cite that child's rights activists argue that children's rights issues are pushed to the periphery when it comes to the media coverage.

However, our study contributes vital knowledge on the fact that it is ironical that children's rights which are often violated are the ones known to children. Children remain vulnerable to abuse and cannot fight for their protection, let alone know ways of seeking redress and detecting when their rights are about to be violated. Therefore, the media should go beyond its role of reporting children's rights that are violated but to educate children and adults about their rights

and responsibilities as a way of campaigning for respect of the Child's rights.

CONCLUSIONS AND RECOMMENDATIONS

It is clear that there is limited awareness about children's rights among children in primary schools in Eldoret Municipality in Kenya. The main reason for this is that very limited effort has been made towards the raising of awareness about these rights as reflected by low membership in children's rights clubs, low participation in children's rights activities like seminars and conferences. Yet the question of awareness about child rights ought to have made remarkable progress given the time that the legal instruments were adopted and incorporated to the laws of the land by the country.

To remedy these situations, it is recommended that media houses and institutions of learning in communication studies should raise awareness about societal concerns in a balanced way so that some pertinent aspects such as children's rights are not left unaddressed. Most importantly, all partners such as parents, teachers (giving emphasis to children's rights topics like sciences and Mathematics), religious leaders, medical doctors among others need to step up campaigns to supplement existing communication media in promoting awareness about children's rights among children and adults. These campaigns can be in form of designing and using publicity materials such as posters, brochures, branded materials like T-shirts, caps, pens, calendars, umbrellas and scarves billboards among others.

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