**35th SESSION OF THE UPR WORKING GROUP**

**REVIEW OF KENYA**

**Statement of Croatia**

Madam President,

Croatia welcomes the delegation of Kenya and thanks them for the presentation of their UPR report.

Croatia would like to commend the Government for the steps taken relating to **transitional justice** as Kenya established the Restorative Justice Fund in 2015 to support the reparative justice process in response to the post 2007-2009 election violence.

This is particularly worrying taking into account the fact that sexual violence has been a recurrent feature of elections in Kenya since the 1990s. Sexual and gender-based violence in general remains endemic and widespread. It is concerning that around 45 per cent of women and men aged 15-49 have experienced sexual and gender-based violence even outside election periods. Despite a progressive new Constitution and strengthened institutional and legal frameworks, sexual violence was again prevalent during the last general elections in 2017.

We welcome that the Government cooperated with the OHCHR in conducting the comprehensive study on effective prevention of and response to electoral-related sexual violence (ERSV) in Kenya.

Madam President,

Allow us to address Kenya with two **recommendations**:

1. **Acknowledge the violations of the rights of survivors of electoral-related sexual violence and start a process of consultations with survivors and civil society, to inform the design and implementation of reparations measures and programmes.**
2. **Adopt the necessary legal framework to guide the operationalization of the Restorative Justice Fund.**

Croatia would like to compliment the Government of Kenya for the progress achieved and wish them a successful review session. I Thank you.