



KENYA NATIONAL COMMISSION ON HUMAN RIGHTS



MAINSTREAMING A HUMAN RIGHTS-BASED APPROACH FOR BUSINESSES IN KENYA

CURRICULUM



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CURRICULUM

PREFACE

The Kenya National Commission on Human Rights is classified as an A status National Human Rights Institution (NHRI) by the accreditation committee of the Global Alliance for National Human Rights Institutions (GANHRI) as it meets the criteria set by the Paris Principles on the establishment of National Human Rights Institutions. From engaging the citizenry, to monitoring the government duty to protect human rights in Kenya, KNCHR seizes all opportunity to ensure Kenya becomes a human rights compliant state. The Commission's goal is to entrench human rights and fundamental freedoms in governance in order to uphold the dignity, freedom, and equality of all individuals.

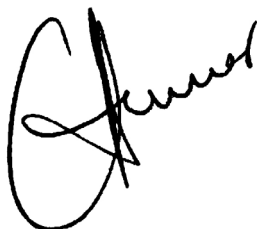
This curriculum on business and human rights has been necessitated by the need to continuously enhance knowledge and information sharing on business and human rights as the country continues to grow into an international and regional business hub. In recent years Kenya has seen significant increase in foreign investment and remarkable growth in the domestic private sector. While these trends may support economic and social development, they may have adverse human rights impacts such as community displacements, child labour, environmental degradation and deplorable working conditions.

Kenya has developed and adopted a National Action Plan (NAP) on Business and Human Rights to domesticate the UN Guiding Principles on Business and Human Rights (UNGPs). The NAP reflects the Government's commitment to its duty to protect human rights against abuses by businesses.

Focusing on five thematic issues namely: land and natural resources; labour rights; revenue transparency; environmental protection; and access to remedy, the NAP outlines concrete commitments by the Government to address adverse business-related human rights impacts. As a policy document, NAP does not create new human rights obligations but reinforces provisions under the Constitution and international human rights law.

The integration of a Human Rights-Based Approach (HRBA) into business operations also aligns with the Constitution, Kenya's Vision 2030, AU Agenda 2063, the Sustainable Development Goals (SDGs) among other key laws and policies.

The adoption and implementation of this curriculum will promote responsible and sustainable businesses that are compliant with human rights principles and standards.



Ms. Claris Ogangah
Chairperson
Kenya National Commission on
Human Rights

FOREWORD

The Universal Declaration of Human Rights drafted in 1948 presents an ambitious vision for a world in which all human beings live in dignity and freedom. Further, the United Nations Guiding Principles on Business and Human Rights (UNGPs), launched in 2011, offer guidelines for companies to prevent, address and remedy human rights violations committed in business operations.

Yet despite important progress, there is still a long way to go before respect for human rights is truly universal. Businesses in every sector today are confronted with a variety of human rights issues that are intertwined with their core business objectives. These challenges can be pressing and complex for firms operating in a global economy where the cost of unmanaged human rights risks is high.

Whether it's tackling labour practices in manufacturing or agriculture, security in extractive sectors, decent work, non-discrimination or equal pay, businesses must build expertise to conduct effective human rights due diligence and institute appropriate response mechanisms to deal with identified challenges.

The *Curriculum on Business and Human Rights*, presents a timely and practical resource that strengthens the private sector's role in advancing respect for human rights and responsible business conduct in Kenya and across Africa. The curriculum provides a structured framework to help businesses, supply chains and other relevant entities to operationalize the UN Guiding Principles on Business and Human Rights, equipping them with tools to identify, prevent, and address human rights risks while fostering a culture of integrity, inclusion, and accountability.

Anchored within Kenya's National Action Plan on Business and Human Rights (NAP), developed through multi-stakeholder collaboration led by the Kenya National Commission on Human Rights and the Government of Kenya, the development of this curriculum exemplifies how collective action can drive national and global progress. Through our partnership in implementing the NAP, the Global Compact Network Kenya continues to support businesses in aligning policies and practices with national and global standards, reinforcing coherence between public and private accountability systems.

Through programmes such as the Business and Human Rights Accelerator and the Social Sustainability Impact Programme, we empower companies to embed human rights due diligence across their operations and value chains, proving that respect for human rights is not only a moral imperative but also a driver of resilience, innovation, and long-term business value.

We commend the Kenya National Commission on Human Rights and all partners for their leadership and collaboration in developing this curriculum. Together, we are building a future where business success and human dignity advance hand in hand.



Ms. Judy Njino

Executive Director

Global Compact Network Kenya

ACKNOWLEDGMENT

This curriculum has been a long journey of consultations and engagements by staff of the Kenya National Commission on Human Rights. In response to the KNCHR motto of human rights for all at all times, the teams sought to influence business practice in Kenya through the publishing of this curriculum that will offer insights and knowledge into the nexus between business and human rights. This curriculum will be a great agent of change for the business arena in Kenya, a win for both business and the stakeholders they serve.

We acknowledge James Mwenda - Assistant Director and Christina Arrumm - Senior Human Rights Officer, ECOSOC Division for the leadership in programming of business and human rights at KNCHR.

We thank various members of staff at KNCHR from different departments whose expertise went a long way in drafting the content of this curriculum. We acknowledge Bildad Mulanda, Hassan Abdi Omar, Veronica Mwangi, Brian Kituyi, Clement Kemboi, Lynette Manga, Noreen Wewa, Ruth Mwangangi, and Kathambi Gichunge. Additionally, we acknowledge the team that reviewed the document comprising of Patrick Bonyonte, Bildad Mulanda, Hassan Abdi Omar, Dr. Amos Wanyoike, Lynesther Mureu, Stephen Otieno and Jude Boy.

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Special thanks to the CEO and Commission Secretary- Dr. Benard Mogesa, (PhD) and the Director, Research, Advocacy and Outreach Directorate - Ms. Anne Marie Okutoyi for the strategic guidance and leadership which has been key to the success of this project. Finally, special thanks to Commissioner, Dr. Dennis Wamalwa (PhD) for the leadership at the policy level, which has provided important guidance and support.

We express gratitude to the Royal Norwegian Embassy for the continued support in the Commission's work on business and human rights and specifically in the development of this Curriculum.

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ACRONYMS & ABBREVIATIONS

BHR	Business and Human Rights
CoK	Constitution of Kenya
HRBA	Human Rights Based-Approach
KNCHR	Kenya National Commission on Human Rights
NAP	National Action Plan on Business and Human Rights
NHRI	National Human Rights Institution
OECD	Organization for Economic Cooperation and Development
SDGs	Sustainable Development Goals
UDHR	Universal Declaration of Human Rights
UNGPs	United Nations Guiding Principles on Business and Human Rights



1. Background and Rationale

Kenya's economic development aspirations, as set out in Vision 2030, and its commitment to the Sustainable Development Goals has seen rapid growth in foreign investment and the domestic private sector. However, this growth has also led to adverse impacts on human rights and environment by businesses. Adverse impacts include community displacements, child labour, environmental degradation, and poor working conditions. These human rights risks not only undermine Kenya's international commitments but also threaten the sustainability of businesses, underscoring the urgent need for businesses to integrate a Human Rights-Based Approach (HRBA) into their operations.

The Government of Kenya, through the Office of the Attorney General and State Department of Justice and the Kenya National Commission on Human Rights developed a National Action Plan on Business and Human Rights (NAP), which domesticates the United Nations Guiding Principles on Business and Human Rights (UNGPs). Despite the adoption of the NAP, a gap persists in the capacity of businesses to link their operations with their human rights impacts. This awareness gap limits the capacity of business enterprises and their value chains to identify, prevent, and remedy human rights harms.

To address this gap, this training curriculum is designed to build the capacity of business enterprises and their business relationships with the knowledge and tools to align corporate practices with human rights principles and standards. By equipping stakeholders with the skills to identify, prevent, mitigate and address human rights abuses, this programme promotes both local and global expectations for responsible business conduct, fostering an environment where economic progress, protection and respect for human rights in business are mutually reinforcing.



2. Target Group

The programme targets business enterprises and their business relationships (business partners, entities in its value chain, and any other non-State or State entity directly linked to its business operations, products or services).



3. Programme Duration

This programme is designed to run for five (5) days, segmented into 3 sessions per day, with cumulative learning time of 6 hours per day.



4. Programme Goal and Objectives



Goal

To mainstream a Human Rights Based Approach in business practice in Kenya.



Programme aim

To equip participants with the knowledge, skills, and values necessary to incorporate human rights principles and standards into business policies, operations and decision-making processes, thereby fostering responsible, ethical and sustainable business practices.



Programme objectives

Specifically, the programme will enable participants to:

- (a) Explain the link between Business practice and human rights;
- (b) Describe the international, regional and national legal and policy frameworks of business and human rights;
- (c) Examine the United Nations Guiding principles on business and human rights;
- (d) Analyse the emerging trends in businesses and their effect on human rights; and
- (e) Apply the human rights checklist in monitoring compliance by businesses.



5. Programme Structure and Duration

The programme has the following modules

Module	Module title	Duration (Hours)
1	Introduction to Business and Human Rights	2
2	Legal and Policy frameworks for Business and Human Rights	4
3	The United Nations Guiding Principles on Business and Human Rights	6
4	Emerging Trends in Business and Human Rights	4
5	Indicators for Assessing Human Rights Compliance by Businesses	4



6. **Module 1: Introduction to Business and Human Rights**



Module description

This module introduces participants to human rights, its nexus with businesses and the role of KNCHR in promoting human rights in business. The module further examines misconceptions about business and human rights.



Key focus

To provide participants with a foundational understanding of human rights including the meaning, characteristics and the linkage to/with business.



Module objectives

By the end of this module, a participant should be able to:

- (a) Explain key concepts in human rights;
- (b) Describe developments in business and human rights;
- (c) Discuss the nexus between business and human rights;
- (d) Examine misconceptions about business and human rights; and
- (e) Analyse the role played by Kenya National Commission on Human Rights in promoting human rights in business.



Module sessions

By the end of this module, the sessions will enable participants to explain:

- (a) Key concepts in human rights.
- (b) Historical evolution of human rights in business.
- (c) Nexus between businesses and human rights.
- (d) Misconceptions about business and human rights.
- (e) The role of Kenya National Commission on Human Rights in promoting human rights in business.



7. **Module 2: Legal and Policy Frameworks Governing Business and Human Rights**



Module description

This module exposes participants to international, regional and national legal and policy frameworks on business and human rights. The module further examines the National Action Plan on Business and Human Rights.



Key focus

To equip participants with an understanding of the international, regional and national legal and policy frameworks that govern the intersection of business operations and human rights.



Objectives

By the end of this module, a participant should be able to:

- (a) Describe international, regional, national and county legal frameworks governing business and human rights;
- (b) Examine the National Action Plan and its contribution to business and human rights in Kenya.



Module sessions

By the end of this module, the sessions will enable participants to.....:

- (a) International, regional and national frameworks on Business and Human Rights.
- (b) The National Action Plan on Business and Human Rights.



8. **Module 3: The United Nations Guiding Principles on Business and Human Rights**



Module description

The module focuses on the principles that operationalize the United Nations 'protect, respect and remedy' framework. It explains what steps the state should take to ensure protection against human rights abuses by businesses. It further expounds on measures that businesses should put in place to ensure they exercise the responsibility to respect human rights and that in the event that there are human rights infringements/abuses by businesses, access to effective remedy is accorded to such victims.



Key focus

To equip participants with a clear understanding of the UN Guiding Principles on Business and Human Rights; - the State duty to protect, the corporate responsibility to respect human rights, and the need for access to effective remedies.



Objectives

By the end of this module, a participant should be able to:

- (a) Explain the three UNGP pillars on business and human rights;
- (b) Discuss the State duty to protect human rights;
- (c) Demonstrate the corporate responsibility to respect human rights; and
- (d) Examine access to remedy for human rights abuses by business.



Module sessions

- (a) Introduction to the United Nations Guiding Principles on Business and Human Rights.
- (b) State duty to protect human rights.
- (c) Corporate responsibility to respect human rights.
- (d) Access to remedy.



9. **Module 4: Emerging Trends in Business and Human Rights**



Module description

This module exposes participants to emerging trends, policy advocacy strategies and best practices in business and human rights.



Key focus

To enhance participants' awareness and understanding of current and emerging trends, challenges, and opportunities in the field of business and human rights.



Objectives

By the end of this module, a participant should be able to:

- (a) Discuss the emerging trends in businesses and their effect on human rights;
- (b) Examine advocacy strategies in human rights compliance; and
- (c) Explore best practices for sustainable human rights integration for businesses in Kenya.



Module sessions

- (a) Emerging trends and crosscutting issues in business and human rights;
- (b) Advocacy strategies for businesses towards human rights compliance; and
- (c) Good practices for sustainable human rights integration in businesses.



10. Module 5: Indicators for Assessing Human Rights Compliance By Businesses



Module description

This module introduces trainees to key indicators that businesses can adopt to measure compliance with human rights principles.



Key focus

To equip participants with the knowledge and tools necessary to identify, develop, and apply appropriate indicators for measuring and assessing human rights compliance within business enterprises.



Objectives

By the end of this module, a participant should be able to:

- (a) Describe human rights monitoring/assessment tools;
- (b) Analyse the benefits of measuring compliance by businesses on human rights; and
- (c) Implement human rights checklist in monitoring compliance in businesses.



Module sessions

- (a) Human rights monitoring and assessment tools.
- (b) Human Rights indicators for measuring compliance.



11. Module 6: Training Methodology and Learning Resources



Mode of study

The programme explores in person training and where possible virtual training can be used.



Modes of delivery

The following are some of the modes of delivery that can be used by the facilitator:

- (a) Case studies and case laws;
- (b) Demonstrations;
- (c) Experiential learning;
- (d) Group discussions and presentations on case studies;
- (e) Learning by doing;
- (f) Lecture based training/instructor led-training;
- (g) Problem based learning (PBL);
- (h) Question and answer;
- (i) Role plays; and
- (j) Videos and still images.



Suggested learning resources and equipment

May include the following:

- (a) The projector/flipchart;
- (b) Participants;
- (c) Case studies;
- (d) The UNGPs;
- (e) The NAP;
- (f) The CoK;
- (g) The internet;
- (h) Use of technical resource persons;
- (i) HRBA for businesses checklist; and
- (j) UNGPs checklist for businesses.



12. Programme Evaluation

The program will be evaluated at various levels as follows:

- (a) Pre-training assessment will be conducted to establish participants' competency levels at the beginning of the training.
- (b) Continuous competency-based assessment will be conducted at individual or group level during the learning process.
- (c) Post-training assessment will be conducted at the end of the program to establish extent of improvement in participants' competency levels.
- (d) Development of action plans by participants at the end of the training.
- (e) End-of-programme evaluation shall be done to provide feedback to improve course content and delivery method.



13. Award of Certificates

A certificate of merit will be awarded to candidates upon successful fulfilment of all program requirements.



14. Additional Notes

The language of instruction is English, Kiswahili, sign language and any other appropriate medium of communication.

15. Appendices

Appendix 1: Timetable



TRAINING ON MAINSTREAMING HUMAN RIGHTS-BASED APPROACH FOR BUSINESSES IN KENYA

(Participants' copy time table) _____

Dates: TBD

Date	Day	Time	Topic	Facilitator	
	Day 1	08:30	10:30	Arrival, Introduction, Training Programme Briefing, Setting Objectives, Levelling of Expectations and Official Opening	
		10:30	11:00	HEALTH BREAK	
		11:00	12:30	Module One: Introduction to Human Rights	
		12.30	1300	Plenary	
		13:00	14:00	HEALTH BREAK	
		14:00	16:00	Module Two: Legal and policy frameworks in Business and Human Right	
	Day 2	08:30	08:45	Recap	
		08:45	10:30	Module Two: Legal and policy frameworks in Business and Human Right Cont'd	
		10:30	11:00	HEALTH BREAK	
		11:00	13:00	Module Three: The United Nations Guiding Principles on Business and Human Rights	
		13:00	14:00	HEALTH BREAK	
		14:00	16:00	Module Three: The United Nations Guiding Principles on Business and Human Rights Cont'd	

Date	Day	Time		Topic	Facilitator
	Day 3	08:30	08:45	Recap	
		08:45	10:30	Module Three: The United Nations Guiding Principles on Business and Human Rights <i>Cont'd</i>	
		10:30	11:00	HEALTH BREAK	
		11:00	13:00	Module Four: Emerging trends in business and human rights	
		13:00	14:00	HEALTH BREAK	
		14:00	16:00	Module Four: Emerging trends in business and human rights <i>Cont'd</i>	
	Day 4	08:30	08:45	Recap	
		08:45	10:30	Module Five: Indicators for measuring human rights compliance by businesses <i>Cont'd</i>	
		10:30	11:00	HEALTH BREAK	
		11:00	13:00	Module Five: Indicators for measuring human rights compliance by businesses	
		13:00	14:00	HEALTH BREAK	
		14:00	16:00	Generating action plans and role assignments	
	Day 5	08:30	08:45	Recap	
		08:45	10:30	Presentation of group/individual action plans	
		10:30	11:00	HEALTH BREAK	
		11:00	13:00	Training evaluation, Debriefing, Awarding of Certificates, Way forward and Closure	
		13:00	14:00	HEALTH BREAK	
<i>End of Programme</i>					

Appendix 2: Pre Training Assessment Form



PRE-TRAINING NEEDS ASSESSMENT FORM



Training Title: Mainstreaming human rights-based approach for businesses in Kenya

Date:

Participant's Name: (optional)

Organization/company/ business/ Type of business:

Position/role:

Contact: (optional)

Disclaimer on data usage

Data collected is only intended to help customize the training programme to meet participants' expectation and shall not be used for any other purposes without your consent.

Section A: Demographic information

Sex

Male Female Intersex

Age (years)

a. 19-35 b. 36-50 c. 51-60 d. 61+

Level of education

a. No formal education b. Primary
c. Secondary d. Tertiary (College/university)

Do you have a disability (Yes or No)

If Yes, please indicate the support you would require

Section B: Background information

1. How long have you worked in the organization?.....
2. a) Have you previously attended any training on Business and Human Rights? (Yes, No)
 - b) If Yes, list any two trainings attended
3. How familiar are you with the following topics? (Please tick appropriately)

Topic	Not familiar	Somewhat familiar	Familiar	Very familiar
The nexus between human rights and business				
The legal frameworks undergirding Businesses				
UN Guiding Principles on Business and Human Rights				
Human rights due diligence for businesses				
Indicators for measuring human rights compliance by businesses				

Section C: Training expectations and learning preferences

4. What are your key reasons for attending this training?
5. Will you require any special assistance during the training?
6. What challenges do you face in your work related to business and human rights?

Section D: Additional Comment

7. Is there anything you would suggest to support in preparation of this training?

Thank you for completing this assessment. Your responses will help us tailor the training to better meet your needs!

Appendix 3: Post Training Assessment Form



TRAINING ON MAINSTREAMING HUMAN RIGHTS-BASED APPROACH FOR BUSINESSES IN KENYA

Post-Training Assessment Form

Training Title: Business and Human Rights

Date:

Participant Name (Optional):

Section A: Training effectiveness

1. How would you rate your overall experience in the training?

- Excellent
- Good
- Fair
- Poor
- Very poor

2. How relevant was the training content to your work or interests?

- Very Relevant
- Relevant
- Not Relevant

3. Did the training meet your expectations?

- Exceeded expectations
- Met expectations
- Partially met expectations
- Did not meet expectations

Section B: Knowledge and skills gained

4. State one key concept you learnt from this training?
-
5. How confident are you in applying what you learnt?
- Yes, very confident
- Somewhat confident
- Not sure
- Not confident

Section C: Training Delivery

6. Please rate the following aspects of the training programme:

(5 = Excellent 4 = Very good 3 = Satisfactory 2 = Poor 1 = Very poor)

Aspects of the Programme	5	4	3	2	1
Course organization and co-ordination					
Content of training					
Relevance of training to your daily work					
Quality of training facilitation					
Appropriateness of duration of the programme (length of course)					
Appropriateness of training venue					
Knowledge of the facilitators on the subject					
Inclusivity (Persons with Disability, gender etc.)					

7. Which areas of the training need improvement?

Section D: Future Training Needs

8. What additional topics would you like to see covered in future training sessions?
-
9. Any other comments or suggestions?
-

Thank you for your feedback! Your responses will help us improve future training sessions.

Appendix 4: Action Planning Template



Action Plan Template

MAINSTREAMING HUMAN RIGHTS-BASED APPROACH FOR BUSINESSES IN KENYA

You have successfully come to the end of the training. Please indicate the key learning points and the action you intend to take to improve performance in your area of work.

Please indicate the key learning points and the action you intend to take to improve performance in your area of work.

Module/ Topic	Key Learning Points	Action Points (Activity)	Responsibility (Who)	Deadline/ Duration (When)	Resources required (What is needed for the task)	Expected Results, Indicators and Targets

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