



Human Rights Policy

1. Introduction

InnovateSphere Africa is cognizant of the fact that rights are inherent to all human beings, regardless of race, sex, nationality, ethnicity, language, religion, or any other status. The Kenyan government has enacted laws and policies to ensure the implementation of human rights. These include the Protection Against Torture Act, the Prevention of Terrorism Act, the Sexual Offenses Act, and the Children's Act. These laws aim to combat various human rights abuses such as torture, terrorism, sexual offenses, and child exploitation. Everyone is entitled to these rights, without discrimination. ISA is committed to providing an environment free of discrimination and harassment, where all individuals are treated with respect and dignity, can contribute fully, and have equal opportunities. This is in line with the Kenyan context, particularly the youth population, within which civic engagement, accountability, and peacebuilding, and government responsiveness to youth concerns is encouraged. Kenya upholds human rights to foster an inclusive and empowered youth population that actively contributes to a just and equitable society. ISA aims at spearheading youth engagement in national governance and national development.

2. Statement of Purpose

The purpose of this document is to establish and promote human rights policies within ISA. These policies serve as a guide for all members, staff, volunteers, and beneficiaries of the organization to ensure that human rights are respected, protected, and fulfilled in all aspects of our work. This document is aimed:

- i. To identify the types of behavior prohibited by this policy.
- ii. To provide procedures to follow when complaints of discrimination or harassment made by partners or ISA members.
- iii. To ensure that all partners and employees of ISA are aware that harassment and discrimination are unacceptable practices incompatible with our organization's standards, and a violation of the law
- iv. To ensure that all partners and employees of ISA recognize that under the Rules of Professional Conduct (section 6.3.1-1), a licensee has a special responsibility to respect the requirements of human rights laws in Kenya - Bill of Rights, UN Code of Human rights under the UDHR and as well as the AU - African Charter on Human and People's Rights.

3. Prohibited Conduct

ISA upholds and supports the right to equal treatment without discrimination or harassment. Discrimination and harassment are prohibited by sections 5(1) and 5(2) of the Human Rights Code ("the Code"). This Policy prohibits discrimination or harassment on the basis of the following grounds, and any combination of these grounds:

- i. Age Creed (includes religion)
- ii. Sex (including pregnancy and breastfeeding) *
- iii. Gender Identity and Gender Expression - Sexual Orientation*
- iv. Family status (such as a parent-child relationship)
- v. Marital status (including the status of being married, single, widowed, divorced, separated, or living in a conjugal relationship outside of marriage, whether in a same sex or opposite sex relationship)
- vi. Disability (including mental, physical, developmental or learning disabilities)
- vii. Race
- viii. Ancestry
- ix. Place of origin
- x. Color
- xi. Record of offences (criminal conviction for a provincial offence, or for an offence for which a pardon has been received) (applies to employment only)
- xii. Association or relationship with a person identified by one of the above grounds
- xiii. Perception that one of the above grounds applies.

Any individual at ISA found to have engaged in conduct constituting Code-based discrimination and/or harassment may be subject to disciplinary action within the discretion of the tribunal, up to and including termination.

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4.1 Definitions

4.1.1 Discrimination:

Refers to any form of unequal treatment based on a Code ground, whether imposing extra burdens or denying benefits. It may be intentional or unintentional. It may involve direct actions that are discriminatory to their face, or it may involve rules, practices or procedures that appear neutral, but have the effect of disadvantaging certain groups of people.

Discrimination may take in obvious forms, or it may occur in subtle ways. That notwithstanding, in the event that discrimination is a factor affecting a decision or action, it is considered a violation of this policy.

4.2.2 Harassment:

Section 10(1) of the Human Rights Code defines “harassment” as: engaging in a course of vexatious comment or conduct that is known, or ought reasonably to be known, to be unwelcome. It is directed at a person who identifies with the Code grounds listed above. It can involve words or actions that are known or should be known to be offensive, embarrassing, humiliating, demeaning, or unwelcome. According to this definition of harassment, more than one event, or a “course of vexatious comment or conduct” must take place for there to be a violation of the Code. However, one incident could be significant or substantial enough to be interpreted as harassment. In fact, Rule 6.3-0 of the Rules of Professional Conduct explicitly state that “sexual harassment is one incident or a series of incidents involving unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature.”

4.2.3 Equality

Equality is a fundamental principle embedded in international human rights codes. The Universal Declaration of Human Rights states that all individuals are born free and equal in dignity and rights. The International Covenant on Civil and Political Rights emphasizes equal protection under the law without any discrimination. ISA is committed to ensuring that all individuals have equal rights, opportunities and access to resources without any favorable means. All individuals are to be treated with dignity, have equal rights, regardless of their characteristics or circumstances. _

5. Fundamentals Principles

5.1 Respect for the Inherent Dignity

We affirm the intrinsic worth and equal value of every person, recognizing their fundamental rights and dignity.

5.2 Equality and Non-discrimination

We are committed to treating all individuals with fairness, respect and dignity, irrespective of their race, ethnicity, gender, age, disability, or any other characteristic protected by law.

5.3 Right to Life, Liberty and Security of Person

We recognize and support the right to all individuals to live a life free from violence, and threats to their security.

5.4 Freedom of Conscience and Expressions

We promote and protect the rights of individuals to express their thoughts, beliefs(religion) and associations freely, while respecting the rights and dignity of others.

5.5 Right to education, Health and Social Security

We advocate for equal access to qualified education, healthcare services, and social security for all., especially the marginalized and vulnerable groups.

This policy:

- applies at every level of ISA, and extends to all partners, employees (including full-time, part-time, temporary, probationary, casual and contract staff) and students
- applies to every aspect of the employment relationship, including recruitment, selection, promotion, transfers, training, salaries, benefits, discipline and performance appraisals
- applies to the physical offices of ISA and it extends outside of the offices of ISA (such as off-site client meetings, business travel, firm-sanctioned social events and to electronic communications).

6. Policy Statements

6.1 Non -Discrimination and Equal Opportunity

ISA is committed to creating inclusivity and diversity by upholding the rights of all individuals. We prohibit any form of discrimination based on race, ethnicity, gender, age, disability, or any other characteristic protected by law. We provide equal opportunities for all individuals to participate, contribute and benefit from our programs, services and activities.

6.2 Gender Equality

ISA promotes gender equality and seeks to empower young women and men to participate equally in all aspects of our work. We are committed to eliminating gender-based discrimination, stereotypes and barriers. We strive to ensure that our programs and initiatives address the specific needs and challenges faced by girls, boys, women and men.

6.3 Freedom Expression

ISA promotes the right to express thoughts, opinions and ideas freely without fear of censorship or reprisal, while also respecting the rights and dignity of others.

6.4 Right to Education

ISA acknowledges that every individual, regardless of their background, has a right to quality education, including marginalized groups, without any discrimination or barriers.

6.5 Privacy and Data Protection

ISA serves the right to the privacy and protection of personal data concerning its members. This is in line with the relevant data protection laws and regulations.

7. Implementation and Responsibilities

7.1 Implementation

ISA Organization shall take the following steps to implement the human rights policies:

- i. Develop clear guidelines and procedures for integrating human rights principles into all aspects of the organization's activities, programs, and decision-making processes.
- ii. Establish mechanisms to ensure the consistent application of human rights principles throughout the organization.
- iii. Provide comprehensive training and capacity-building initiatives on human rights, equality, and non-discrimination for all staff, volunteers, and members.

7.2 Responsibilities

The responsibilities of various stakeholders within ISA are as follows:

Management Responsibilities:

- i. Clearly communicate the organization's commitment to human rights and ensure that it is reflected in the organization's mission, values, and strategic plans.
- ii. Allocate sufficient resources, including financial, human, and technical, to support the effective implementation of human rights policies.
- iii. Establish a designated Human Rights Officer or committee responsible for overseeing the implementation of human rights principles and policies.
- iv. Regularly review and assess the organization's compliance with human rights policies and recommend necessary improvements.
- v. Foster a culture of accountability, where any concerns or violations related to human rights are promptly addressed and appropriate actions are taken.

Staff Responsibilities:

- i. Understand and adhere to the human rights policies and principles in all aspects of their work.
- ii. Treat all individuals with dignity, respect, and fairness, irrespective of their race, ethnicity, gender, age, disability, or any other characteristic protected by law.
- iii. Promote and advocate for equality, non-discrimination, and the right to life, liberty, and security of person.
- iv. Respect and uphold freedom of expression and association, while also recognizing the rights and dignity of others.
- v. Continuously update their knowledge and skills through training and professional development opportunities related to human rights.

Volunteers and External Partners Responsibilities:

- Understand and comply with the human rights policies and principles while engaging on behalf of [Your Youth Organization's Name].
- Follow the organization's code of conduct and adhere to the established human rights protocols.
- Report any concerns or violations related to human rights to the designated Human Rights Officer or relevant authority as per the reporting guidelines.
- Promote and support the principles of human rights, treating all individuals with respect and dignity.

7.3 Training and Capacity-building

ISA shall implement the following training and capacity-building initiatives:

- Develop a comprehensive training program on human rights, equality, and non-discrimination.
- Provide regular training sessions and workshops to enhance the understanding and application of human rights principles among staff, volunteers, and members.
- Foster a culture of respect, empathy, and inclusivity through awareness campaigns, seminars, and interactive sessions on human rights issues.

CHILDREN PROTECTION RIGHTS POLICY

1. Introduction

InnovateSphere Africa is committed to upholding and promoting children's rights. Children's rights are fundamentally outlined and protected within the Kenyan Constitution. Consequently, ISA as an organization is devoted to safeguarding the well-being of children. The 2010 Constitution of Kenya (Article 53) recognizes the right of all children to be protected from abuse, neglect, harmful cultural practices, all forms of violence, inhumane treatment and punishment, and hazardous or exploitative labor.

2. Purpose of this Policy

The purpose of this document is to establish and promote children's rights policies within the ISA. These policies serve as a framework to ensure that the organization actively protects the rights and well-being of children involved in its activities and programs.

3. Definitions

Child- is any person under the age of 18, as defined by the UN Convention on the Rights of the Child (UNCRC).
Best Interest of the Child: The primary consideration that must be given to the well-being and protection of the child in all decisions and actions concerning them

4. Fundamental Principles:

- The best interest of the child as a primary consideration
- Non-discrimination and equal opportunities for all children.
- Right to life, survival and development
- Protection from violence, exploitation and abuse.
- Right to education, health and social services.

5. Policy Statements

These children's rights policies apply to all activities, programs and interactions involving Children within ISA. They are applicable to all staff, volunteers, members and stakeholders involved in working with children. The child's best interests are of paramount importance in every matter concerning the child.

5.1 Children Protection and Safety

We are dedicated to providing a safe and secure environment for children, free from any form of abuse, exploitation, or neglect. We will take all necessary measures to prevent and respond to incidents of abuse, including establishing and enforcing appropriate policies, procedures, and codes of conduct.

5.2 Participation and Voice of Children

ISA is committed to promoting the participation and voice of children in decision-making processes that affect their lives. The views, opinions and perspectives of children are to be considered in the planning, implementation and evaluation of our programs.

5.3 Non-Discrimination and Inclusion

We are committed to ensuring that all children, irrespective of their race, color, sex, religion, national origin, disability, or any other status, are treated with dignity and respect. We will not discriminate against any child and will actively work to eliminate any discriminatory practices or barriers that may hinder their full participation and enjoyment of their rights.

5.4 Education and Development

We are committed to promoting awareness and understanding of children's rights among our staff, stakeholders, and the broader community. We will provide training and resources to our employees to ensure they are knowledgeable about child protection issues and equipped to identify and respond to potential risks or concerns.

5.5 Health and Well-being

ISA aims to prioritize promoting education and awareness about children's health and well-being by educating parents, caregivers, and communities about child development, nutrition and safe living conditions and its environs.

ISA also aims to ensure that children receive essential medical care, including immunizations, preventive screenings, and treatment for illnesses and injuries without any discrimination to access quality healthcare services.

5.6 Privacy and Confidentiality

We recognize the importance of protecting the privacy and confidentiality of children. Any personal information or data collected from children will be handled in accordance with applicable laws and regulations. We will obtain appropriate consent from parents or legal guardians before collecting or using any personal information of children.

5.6.1 Implementation

The policies outlined are binding on all members, volunteers, staff, and partners associated with ISA. We will hold ourselves accountable for upholding the principles outlined in this policy, ensuring that the participation and voice of children are respected, valued and integrated into our organizational processes and decision-making.

5.6.2 Responsibilities

Development and implementation of a comprehensive legal framework that protects the rights of children. This involves enacting laws and regulations that address various aspects of child protection, such as child labor, child abuse, child marriage, child trafficking, and child exploitation.

Promote awareness about children's rights and the importance of child protection. This includes conducting public awareness campaigns, providing information and education to parents, caregivers, and the general public, and advocating for the prevention of child rights violations.

5.6.3 Training and Capacity-building

ISA will advocate for and provide the necessary support and resources to empower children to effectively participate in broader society. We will provide training, resources, and guidance to empower children to understand their rights, develop their communication and leadership skills, and actively engage them.

5.7 Monitoring and Evaluation

We will regularly monitor and evaluate the effectiveness of our child protection policies and programs. We will strive for continuous improvement, learning from our experiences and the feedback of children, families, and other stakeholders. This is with the aim of ensuring the meaningful participation and voice of children remain at the core of our organization.

Establishing effective reporting mechanisms is essential to identify cases of child abuse, neglect, or exploitation. Child protection policies should ensure that individuals, including professionals working with children, are aware of their obligation to report any concerns. It is also important to have proper response mechanisms in place, such as child helplines, child protection units, or social services, to address reported cases promptly.

5.8 Compliance and Review

Compliance with children protection rights begins with a robust legal framework. Countries typically have laws, regulations, and policies in place to protect the rights of children. These frameworks are often based on international conventions such as the United Nations Convention on the Rights of the Child (UNCRC). All members, volunteers, staff and partners are accountable for upholding these policies, and we will continuously review and revise it to reflect evolving best practices and the changing needs of children.