



Your Ref: TBA

Our Ref: C/KELIN/15

Date: 9 June, 2016

The Clerk, Senate,  
Parliament Buildings,  
P.O Box 41842 - 00100,  
Nairobi, Kenya  
Email: [csenate@parliament.go.ke](mailto:csenate@parliament.go.ke)

Dear Sir,

**RE: SUBMISSION OF MEMORANDA ON THE HEALTH BILL 2015.**

We refer to the above captioned matter and write to you as organisations working in various sectors of the right to health in Kenya. We also write in the interest of millions of Kenyans who will adversely be affected by the contents of the health bill as currently drafted.

In line with the call for receipt of memoranda on the Health Bill and provisions of Article 10, and pursuant to the constitutional right of public participation in bill making processes under Article 118 of the Constitution of Kenya 2010, please find attached herewith a matrix that captures our joint recommendations on the provision of the

Health Bill 2015. We have been consistently involved in the process of development and review of the various versions of the Health Bill commencing from the processes undertaken by the Constitution Implementation Commission (CIC) (now defunct), to the submission of memoranda to the clerk of the National Assembly and thereafter the public hearings conducted on 15 July, 2015. We have at various stages submitted our inputs but very few have been incorporated, hence the voluminous nature of the proposed amendments.

The recommendations herein are made in a context that takes into account the provisions of Articles 2(6), 43(1) (a) 43(2), 46 and 53(1) (c) of the Constitution as they relate to the right to health. These recommendations also take into account the provision of all the relevant international and regional instruments that Kenya has ratified. We firmly believe that the Health Bill 2015 is a fundamental bill that will provide for the legal and policy framework to actualize the provisions of the Constitution as they relate to the right to health. The Bill will provide the much needed foundation for the effective governance of the health sector at all levels and the development of other health related laws. We are happy to be part of this process in so far as the recommendations in our submissions are concerned and we avail ourselves to any opportunity to make oral submissions and have further detailed discussions in this regard so as to reach an outcome that is beneficial for the enjoyment of the right to health for all.

We look forward to your favorable response and are confident of your commitment towards the full implementation of the Constitution and the enjoyment of the right to the highest attainable standard of health, including reproductive health by all, as envisioned by the Constitution of Kenya.

Signed by the following organisations:

1. Kenya Legal and Ethical Issues Network on HIV&AIDS (KELIN);
2. Dandelion Kenya;
3. Ipas Africa Alliance;
4. Reachout Centre Trust;
5. Trust for Indigenous Culture and Health; (TICAH)
6. Teens Watch Centre; (TWC)
7. Kenya Treatment Access Movement; (KETAM)
8. Family Health Options Kenya; (FHOK)
9. Kenya Hospices and Palliative Care Association; (KEHPCA)
10. Amref Health Africa;
11. Bloodlink Foundation;
12. Kenya Alliance for Rural Empowerment; (KARE)
13. International Treatment Preparedness Campaign; (ITPC –Eastern Africa)
14. Operation Hope;

15. Women Fighting AIDS In Kenya (WOFAK);
16. Health Rights Advocacy Forum (HERAF);
17. The National Empowerment Network of People living with HIV& AIDS in Kenya (NEPHAK);
18. Gay And Lesbian Coalition of Kenya; (GALCK)
19. United Disabled Persons of Kenya; (UDPK)
20. African Gender and Media Initiative; (GEM)
21. Bar Hostess Empowerment and Support Programme; (BHESP)
22. AIDS HealthCare Foundation – Kenya; (AHF-Kenya)
23. Society for International Development; – (SID)
24. Reproductive Health and Rights Alliance; (RHRA)
25. Stop TB Partnership- Kenya;
26. Young Women’s Leadership Institute.

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Cc: The Chairperson Senate Health Committee  
The Chairperson Council of Governors