

Children rights are now being taken over by various international and national organizations and major UN agencies have adopted policies and programmes on children rights and child development. The 1989 UN Convention on the Rights of the Child marked a welcome break from the past history of rhetoric by the international community regarding the recognition and enforcement of children rights. The Convention has been ratified by all the member states of the UN. Kenya ratified it on 30<sup>th</sup> July 1990.

This article discusses the legal framework of children rights in Kenya with particular focus on the UN Convention, the African Charter on the Rights and Welfare of the Child, and Kenya's Children Act of 2001. The article argues that Kenya's Children Act, which sought to domesticate the state's obligations towards the child as provided in the UN Convention and the African Charter, is largely flawed and leaves several gaps that raise issues concerning the State's commitment to discharge its international law obligations towards the child. The enforcement of the Act by judicial institutions as well as administrative structures raises issues as to whether Kenya has fully discharged its obligations under international law.