### Appendix: Chart of International Instruments

|--------------------------|------------------------------|--------------------------------------------------|
| **Constitution of Kenya** | Article 31:  
- Every person has the right to privacy, which includes the right not to have—  
  - (a) their person, home or property searched;  
  - (b) their possessions seized;  
  - (c) information relating to their family or private affairs  
  - unnecessarily required or revealed; or  
  - (d) the privacy of their communications infringed. | Article 27:  
- (1) Every person is equal before the law and has the right to equal protection and equal benefit of the law.  
- (2) Equality includes the full and equal enjoyment of all rights and fundamental freedoms.  
- (3) Women and men have the right to equal treatment, including the right to equal opportunities in political, economic, cultural and social spheres.  
- (4) The State shall not discriminate directly or indirectly against any person on any ground, including race, sex, pregnancy, marital status, health status, ethnic or social origin, colour, age, disability, religion, conscience, belief, culture, dress, language or birth. |
| **African Charter on Human and People’s Rights** | Article 6:  
- Every individual shall have the right to liberty and to security of his person. No one may be deprived of his freedom except for reasons and conditions previously laid down by law. In particular, no one may be arbitrarily arrested or detained. | Article 3:  
- 1. Every individual shall be equal before the law;  
- 2. Every individual shall be entitled to equal protection of the law.  
| Potential Challenge to Decriminalization: Article 18 | 2. The State shall have the duty to assist the family which is the custodian of morals and traditional values recognized by the community. | Article 19:  
- All people shall be equal; they shall enjoy the same respect and shall have the same rights. Nothing shall justify the domination of a people by another. |
| European Convention for the Protection of Human Rights and Fundamental Freedoms | Article 8: Right to respect for private and family life  
- 1. Everyone has the right to respect for his private and family life, his home and his correspondence.  
- 2. There shall be no interference by a public authority with the exercise of this right except such as is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others. | Preamble:  
- Having regard to the fundamental principle according to which all persons are equal before the law and are entitled to the equal protection of the law.  

| Article 1: General Prohibition of Discrimination  
- 1. The enjoyment of any right set forth by law shall be secured without dis-crimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.  
- 2. No one shall be discriminated against by any public authority on any ground such as those mentioned in paragraph 1. |  |

| American Convention on Human Rights | Article 11: Right to Privacy  
- 1. Everyone has the right to have his honor respected and his dignity recognized.  
- 2. No one may be the object of arbitrary or abusive interference with his private life, his family, his home, or his correspondence, or of unlawful attacks on his honor or reputation.  
- 3. Everyone has the right to the protection of the law against such interference or attacks. | Article 24: Right to Equal Protection  
- All persons are equal before the law. Consequently, they are entitled, without discrimination, to equal protection of the law.  

| Article 1. Obligation to Respect Rights  
- 1. The States Parties to this Convention undertake to respect the rights and freedoms recognized herein and to ensure to all persons subject to their jurisdiction the free and full exercise of those rights and freedoms, without any discrimination for reasons of race, color, sex, language, religion, political or other opinion, national or social origin, economic status, birth, or any other social condition.  
- 2. For the purposes of this Convention, "person" means every human being. |  |

| International Covenant on Civil and Political Rights | Article 17  
- 1. No one shall be subjected to arbitrary or unlawful interference with his privacy, family, home or correspondence, nor to unlawful attacks on his honour and reputation.  
- 2. Everyone has the right to the protection of the law against such interference or attacks. | Article 26  
- All persons are equal before the law and are entitled without any discrimination to the equal protection of the law. In this respect, the law shall prohibit any discrimination and guarantee to all persons equal and effective protection against discrimination on any ground such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. |  |
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<tr>
<th><strong>Universal Declaration of Human Rights</strong></th>
<th>Article 1</th>
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<td>• All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.</td>
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<td>Article 12</td>
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<td>• No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honour and reputation. Everyone has the right to the protection of the law against such interference or attacks.</td>
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<th>Article 7</th>
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<td>• All are equal before the law and are entitled without any discrimination to equal protection of the law. All are entitled to equal protection against any discrimination in violation of this Declaration and against any incitement to such discrimination.</td>
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