

AFRICAN UNION

الاتحاد الأفريقي



UNION AFRICAINE

UNIÃO AFRICANA

PANEL OF EMINENT AFRICAN PERSONALITIES

**REMARKS BY H.E. KOFI ANNAN
ON CONCLUSION OF HIS VISIT TO KENYA, 4-7TH OCTOBER 2009**

Delivered at the Serena Hotel, Nairobi – 7th October 2009

Over the last three days I have held a series of meetings with Kenyans and others concerned for the future of this country.

My objective has been to get a better understanding of how the National Dialogue Agreements are being implemented some 18 months after the formation of the Coalition Government.

This Government was established to undertake a programme of fundamental reform to deliver sustainable peace, stability and justice through rule of law and respect for human rights.

That was the stated Goal of the Kenya National Dialogue and Reconciliation and it remains the benchmark by which this Government will be judged – by Kenyans and by Kenya's partners in Africa and the wider international community.

During this visit, I have had occasion to meet with a wide range of Kenyans.

I have met the President and the Prime Minister; the Vice President; the Speaker of Parliament; the Chairman of the Parliamentary Select Committee on the Constitutional Review; and a number of other MPs and Ministers.

I have also met with the members of the Dialogue Team; the Committee of Experts on the Constitution; the Truth, Justice and Reconciliation Commission; and the Chairpersons of the Interim Independent Electoral Commission; the Interim Independent Boundaries Review Commission; the National Cohesion and Integration Commission; and the Organising Committee for the National Elders.

I have had an opportunity to meet and engage with representatives of the donor community; the African diplomatic corps; media owners; the Secretary-General of the Kenya Red Cross; and a number of religious, business and civil society leaders.

I would like to take this opportunity to thank all of those who have taken the time to meet with me. Our discussions have been frank and informative.

I have listened closely. And I have heard the concerns and observations of Kenyans. Some common themes have emerged.

First, and foremost, allow me to underline that progress is being made.

The Committee of Experts is working on a comprehensive review of the Constitution. Its work is on track. The Committee will shortly be publishing the first draft of a new constitution after which the consultative process will continue. It is crucial that this be conducted in a constructive and harmonious manner.

The Interim Independent Electoral Commission and Interim Independent Boundaries Review Commission are working together productively. Their work is fundamental in helping to ensure that Kenya's next election is fair, transparent and peaceful.

Police reform has been initiated, as has land reform.

Other initiatives that have been introduced include efforts to address youth unemployment, and to promote greater national cohesion and ethnic harmony.

But the pace of reform must be accelerated.

Kenyans are concerned that the window of opportunity to deliver reform is rapidly closing.

Kenya is already at - or past - the halfway mark between the formation of the Coalition Government and the next electoral cycle. Kenya cannot afford a recurrence of the crisis and violence that engulfed it after the 2007 election. But that is a serious risk if tangible reform is not achieved.

In Kenya today, there is added pressure to achieve these reforms. Kenya is feeling the effect of the global economic downturn. Unemployment is rising. And Kenya is faced with a number of urgent humanitarian issues, including a serious drought and food shortages, and the fact that a significant number of Kenyans remain internally displaced.

There are very real concerns about increased criminality in parts of the country. All these factors make the need for reform even more urgent.

It is clear this is a moment of truth for Kenya's political leadership.

The President and the Prime Minister must lead the reform process.

My conversations with Kenyans during the last three days have underscored that there is a crisis of confidence in Kenya's political leadership. Only Kenya's politicians can solve that crisis. I urge them to listen to the voices of Kenyans.

Kenyans have entrusted power to their leaders. They rightly expect this power to be used to build a more stable and prosperous country.

They expect to see more unity of purpose, greater transparency, and more concrete action to end impunity and combat corruption.

It is time for these leaders to act in the true spirit of the coalition. There is need for greater coordination at the political and technical levels of the Government. This will make the Government's efforts more effective.

I would like to recognise the strengthened spirit of conciliation and collaboration that is being demonstrated by President Kibaki and Prime Minister Odinga. I sincerely hope that this new spirit will serve as a beacon for all politicians and Kenyans.

Demonstrating progress on reform is fundamental to restoring trust in Kenya's political system. I have heard persistent calls for the Government to be more proactive in its outreach and communication to highlight where progress has taken place. Where there are obstacles to reform, these also need to be revealed.

That is why the Panel will be disseminating more widely the reports of the South Consulting Group, which has been commissioned by the Panel to monitor and evaluate Kenya's reform process.

Kenyans, who are normally patient people, are beginning to doubt if their leaders can deliver. As a consequence, healing and reconciliation may suffer. Kenyans want their leaders to lead. But we should not leave reform to the leaders alone. I urge all Kenyans to consider the role they each can play in building their nation and ensuring that the goals of the Kenya National Dialogue and Reconciliation are realised.

It is crucial that civil society is able to contribute fully to the reform process. This cannot take place without the right protections of the democratic space. Freedoms of assembly, association, speech and information must be protected. I hope that the Freedom of Information Bill will soon be enacted.

On the important issue of impunity, I have heard the demands from Kenyans that their Government bring to justice those responsible for the post-election violence. I have always seen a three-tier approach. The Truth, Justice and Reconciliation Commission; a Special Tribunal as recommended by the Waki Commission or another effective local mechanism - this is absolutely essential - and then the International Criminal Court. It is not either the ICC or a local mechanism. It must be both. Kenyans have welcomed the involvement of the ICC. The Government has assured me that it will collaborate with the Court. I am grateful for the clarification provided by the President and the Prime Minister that the mandate of the Truth, Justice and Reconciliation Commission will not be amended to include the prosecution of the perpetrators of post-election violence. With this clarification, it is vital for Kenyans to start engaging and cooperating with the Commission. To do this, the Kenyan people will need clear reassurances that they can do so in safety and without fear of repercussion. I am therefore urging the Kenyan Government to strengthen measures for the protection of witnesses. I have asked the international community to support Kenya's reform programme. In this context, let me stress that there is significant goodwill from the international community towards Kenya. It is up to the Government to harness this support. In conclusion, I would like to say that this has been a very busy and fruitful three days. I leave Kenya with the feeling that there are the first signs of a new sense of urgency and seriousness around the reform programme. I hope this will be sustained over the coming weeks and months, for it is only through hard work, real commitment and political will that the major reforms can be achieved. Allow me to remind us all again of the purpose of the Coalition Government: to undertake a programme of fundamental reform to deliver sustainable peace, stability and justice. Let me assure you that the Panel of Eminent African Personalities will remain engaged and will continue to support Kenya. The other members of the Panel and I expect to be back here before the end of the year. Thank you.

[ENDS]