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**PRESS STATEMENT  
KENYA NATIONAL DIALOGUE AND RECONCILIATION**

Nairobi, 12 October 2011 – The Dialogue Team of the Kenya National Dialogue and Reconciliation (KNDR) held its tenth review meeting today on the status of implementation of the KNDR agreements. The meeting discussed the findings of a report prepared by South Consulting – the research firm designated by the Panel of Eminent African Personalities to undertake independent monitoring and evaluation of the implementation process. The report is available for download at [www.dialoguekenya.org](http://www.dialoguekenya.org). The focus of the report was progress in implementation of the Constitution; electoral reforms and preparedness for the next General Elections; and the legacy of post-election violence, especially the continuation of the ICC process in Kenya, and the problem of Internally Displaced Persons (IDPs).

The South report found that the process of implementation of the constitution was generally on track, with the critical legal and institutional framework for implementation in place. The South report noted, however, that there was a clear need to begin building the capacity, particularly of nascent institutions, and to develop clear and coherent policies to support their work.

According to the South report, about half of all Kenyans were happy with the progress in implementing the Constitution. The general view that the Constitution presented an opportunity for change in the style of managing public affairs had sustained confidence in the implementation process.

The report further noted that reforms in the judiciary were viewed as the biggest change the country had seen since the promulgation of the new constitution. The report found that both the transparent process through which judicial officers were appointed, and the high integrity standards demanded of applicants, were responsible for an increase in public confidence in the Judiciary. This satisfaction can only be sustained by the achievement of real results.

Regarding the legacy of post-election violence, public opinion showed that over half of the Kenyan people believed that the government lacked the will to investigate or prosecute suspected perpetrators of the post-election violence, according to the South report, and that at least 58% per cent believed the government was unable to conduct local investigations. Also, according to the report, public support for the ICC remained high, with up to 65% of Kenyans happy with the ICC and 64% who trust that the ICC can effectively protect witnesses. These findings suggest that public confidence in the government's ability to fight impunity, and to address the post-election violence, remains low; and that there are very high expectations for the ICC to deliver justice to the victims.

On electoral reforms and preparedness for elections, the South report noted that while new legislation was important, the institutional capacity of the body that would manage the elections was critical. The report stated that laws would mean little without the agency to enforce and impose sanctions on those who breach them, particularly in Kenya, where electoral violence, because of impunity, appeared to have transformed into a culture.

In that connection, the report cautioned that politicisation of the process of establishing the Independent Electoral and Boundaries Commission (IEBC) threatened to lay a foundation for future conflicts over decisions on election issues.

At today's meeting, the Dialogue Team took note of the findings and conclusions of the South report and reaffirmed the importance of comprehensive implementation of the KNDR Agreements.

The Dialogue Team agreed that the next meeting would be held on 17 January, 2012.