

AFRICAN UNION

الاتحاد الأفريقي



UNION AFRICAINE

UNIÃO AFRICANA

PANEL OF EMINENT AFRICAN PERSONALITIES

REMARKS BY H.E. KOFI ANNAN ON CONCLUSION OF THE VISIT TO KENYA BY THE
AU PANEL OF EMINENT AFRICAN PERSONALITIES
Tuesday 8th December 2009
CHECK AGAINST DELIVERY

Over the last two days, my fellow Panel member Graça Machel and I have held a series of meetings with individuals and organisations involved in Kenya's reform process. It has been a busy and fruitful visit.

Meetings have been held with the President and the Prime Minister; the Speaker of the National Assembly; the Chairman of the Parliamentary Select Committee on the Review of the Constitution; the Parliamentary Caucus on Reforms; and a number of other MPs and Ministers.

We also met the Dialogue Team; the Committee of Experts on the Constitution; the Truth, Justice and Reconciliation Commission; the National Cohesion and Integration Commission; and the Chairpersons of the Interim Independent Electoral Commission and the Interim Independent Boundaries Review Commission.

We also held meetings with representatives from religious and women's groups, business, trade unions and civil society, and representatives of Kenya's development partners.

Graça and I came to Kenya to listen and to learn about developments since my last visit in early October.

We are encouraged by some clear signs of progress since then.

- The Committee of Experts has published and disseminated the Harmonized Draft Constitution and is now receiving comments from the public. We encourage all Kenyans to engage in the urgent review of this important document. Kenya needs a constitution that is workable and effective, and that can stand the test of time.
- The adoption by the National Assembly of the Sessional Paper on Land Reform is a major achievement. We note that land reform is a critical part of the reform agenda. We hope that once the bill is passed, its full implementation will be expedited.
- President Kibaki and Prime Minister Odinga have received the final report of the National Task Force on Police Reforms, which contains far-reaching recommendations. We have been advised that the Government is taking action on these recommendations. We urge them to transform the Kenya Police Force into a highly professional service that will protect and serve all Kenyans fairly.
- Last month, the Coalition Government, led by the two Principals, held an important retreat in Mombasa to promote coherence and mutual trust within the Government. At this meeting, Cabinet Ministers and Assistant Ministers resolved – and I quote - to “personally and collectively expedite and facilitate the reform programme of the Government, including the new constitution, the boundary review, the national

healing and reconciliation process, and Agenda Four". We urge Kenya's political leaders to show unity of purpose to achieve the objectives of the National Accord - to deliver sustainable peace, stability and justice through the rule of law and respect for human rights.

- Last month, the President and the Prime Minister met with the Prosecutor of the International Criminal Court, Luis Moreno-Ocampo. Following this meeting, the two Principals confirmed that the Government will cooperate with the ICC. The Panel welcomes this assurance from the Principals.

We believe these developments reflect fresh momentum in the reform process. The progress that we are seeing is an encouraging indication of what Kenya can achieve. But this progress is not yet irreversible. Much more still needs to be done. In some areas the reforms are moving too slowly. We urge greater speed of action, particularly as the time for reform is shrinking. In our judgment, it will close as early as late 2010 when the next round of electioneering begins in earnest.

- We are deeply concerned by the increasing ethnic divisions and lack of cohesion within the Government and across Kenyan Society. These will further undermine efforts to promote national healing and reconciliation.
- We are also concerned that the Government is yet to take the necessary and effective action to establish a local judicial mechanism to bring the perpetrators of post-election violence to justice.
- We are gravely concerned by the reports of targeted killings and a continuing culture of impunity. Kenya needs a robust witness protection system that can command the confidence of Kenyans. We hope there will also be rapid progress on the critical issue of judicial reform.
- The current economic situation is particularly challenging. Environmental degradation, food insecurity and youth employment can all contribute to a tense and destabilizing environment.

This is an important time in Kenya's history, one in which all Kenyans must take a clear stand and play their part.

Reforms must be deep-rooted, not superficial, in order to build the firm foundations on which Kenya's continued stability and prosperity depend.

We urge Kenyans to work together - with determination, sobriety and resolve - so that the crisis experienced last year will never reoccur.

All Kenyans – politicians, religious and business leaders, members of civil society and the media, and the *wananchi* – must think of themselves as Kenyans first and pull together to ensure that the essential reforms are achieved and sustained.

You can count on the full support of the Panel and the international community in doing this. Thank you.

ENDS

