

## TWO YEARS ON; WHERE ARE WE?

Remarks of Rt. Hon. Raila Odinga, Prime Minister of the Republic of Kenya at the Kenya National Dialogue and Reconciliation Panel; Nairobi; December 2<sup>nd</sup>, 2010

Your Excellency Dr Kofi Annan;

Your Excellency Jean Ping;

Distinguished panelists;

To answer the question of our topic without hesitation: we are patched on the cusp of history; ready to take off. The more critical question is whether we will crash after takeoff or ascend the clouds of historical dithering, uncertainty, and confusion into prosperity. To that, I can answer unequivocally that this time, the environment is right for splendor and Kenya has to take off into stability and prosperity. Why do I say so?

When we signed the National Accord on February 28<sup>th</sup>, 2008, Kenya was engulfed in smoke and gunpowder. More than 1,500 innocent civilians lay dead and about 600,000 had no homes in their own country. The economy ground to a standstill. We were making headlines in all the major world cities for all the wrong reasons. CNN, BBC, Al Jazeera, Sky News and all major networks opened their morning stories and closed them in the evening with a crumbling Kenya. For about three months, we dishonorably removed Somalia, the Middle East, Iraq and Afghanistan from the headlines. We were tittering at the brink of total collapse. Many commentators saw Kenya as knocking furiously to be admitted into the League of Failed States.

Luckily, we pulled back. Not alone or by our own efforts; but with the assistance of our international partners under the leadership of the African Union, the Eminent African Personalities and, unquestionably, Dr. Kofi Annan. Having viewed the precipice and seen total darkness, we recoiled and regained sanity. By signing the accord, we committed ourselves, both as leaders and citizens, to do the following; not listed in order of priority:

- 1) Stop the violence and the unnecessary loss of innocent lives;
- 2) Bring back peace and stability to the country;
- 3) Start a process of national healing and reconciliation;
- 4) Resettle the internally displaced persons;
- 5) Examine the conduct of the 2007 elections and offer solutions to longstanding conditions that resulted in the 2007 election mishap;
- 6) Examine the violence that followed the disputed presidential elections and offer solutions;
- 7) Establish a truth, justice and reconciliation commission to address longstanding historical injustices, human rights abuses and inequities;
- 8) Initiate land reform process;
- 9) Reform the key institutions of governance in Kenya such as the police, the civil service, the judiciary, the intelligence service, the military and provincial administration;
- 10) Reform the electoral system and;
- 11) Complete the constitutional review process and give Kenyans a new constitution.

Now, to return to the question, where are we two years on?

Distinguished guests, fellow citizens, ladies and gentlemen; I believe that I would not be wrong to say that looking critically at the list, we have not done very poorly.

The violence, wanton destruction and bloodletting that engulfed us in 2007/8 are gone. Although there is a tiny number of IDPs yet to be resettled, the overwhelming number of them now has shelter, food and security. Yes, there are isolated reports of some new threats and sporadic fear; but the majority of the people have security. And let me say here clearly that the government is fully committed to ensuring that 2007/8 is permanently a thing of the past that will only remain in our records and memory as a permanent reminder to all of us never to take peace and stability for granted.

Within one year of signing the Accord, both the Kriegler and Waki Commissions concluded their work and delivered detailed reports and far-reaching recommendations. In the wake of both reports, the electoral, judicial and police reforms are in full swing. Based on the recent by-elections that the Interim Independent Electoral Commission have conducted, Kenyans are quickly regaining their confidence in the democratic process of peaceful, free, fair and transparent elections as the only means of changing leadership. We intend to carry this success right into 2012 and beyond.

Although the TJRC process is experiencing challenges, there is palpable commitment from the government and the people to see the process succeed. In addition, we passed a new land policy, which is also entrenched in the new constitution. The National Cohesion and Reconciliation Commission is robustly trying to create institutional mechanisms for ensuring that we hold together as a nation.

One of the most important institutional reforms recommended under the agenda four process is judicial reform. As of now, an independent Judicial Service Commission is being constituted. After that, we shall constitute the Supreme Court before commencing the vetting of judges and magistrates. The vetting process should be completed within one year.

The taskforce on police reform is winding up its work as we speak. I expect elaborate recommendations that will see the total overhaul of that institution and the formation of a professional, civilian-led police service, complete with an independent civilian police oversight board.

The reform of Parliament is more or less complete. If there is one institution that has been completely transformed in the past three years; it is Parliament. Never again shall Parliament be used to rubber stamp the decisions of the Executive. In the past, that has been the case. And whenever it has happened, the nation paid a great price. Apart from its independence and robust debates, almost all parliamentary sessions are now relayed live to the people. Through this, democracy has been given a lifeline in Kenya.

We are, however, a bit late in the reform of the civil service. Although we have introduced performance contracting, some of the reforms envisaged in the new constitution are yet to be implemented. I anticipate that once the Commission on the

Implementation of the Constitution is in place, enabling legislation required to facilitate this important reform initiative will be prepared and passed in Parliament.

The government has been active in attempts at reducing poverty, inequality and unemployment, particularly unemployment among the youth. Innovative programs such as Kazi Kwa Vijana (Jobs for Youths) and the Youth Enterprise Program have seen tens of thousands of youth find gainful employment.

Ultimately, the anchor of all the agenda four reforms is the new democratic constitution, which Kenyans enacted in August 2010. About 68 per cent of Kenyans voted to say "Yes" to a new constitution. And on August 27<sup>th</sup>, we formally and publicly proclaimed the new constitution. This represents the beginning of a new dawn. A new dispensation is now in operation in Kenya.

Chapter six of the new Constitution spells out in clear detail leadership and integrity requirements of national leaders and state officers. The implementation of this chapter, in particular, will significantly enhance transparency and accountability in our national affairs. It will also assist us in the fight against corruption, human rights abuses, abuse of power and other excesses.

But with all these achievements come responsibility. Now the hard part of implementation is on. Of course, we will face challenges. That's part of life. However, I can assure you, fellow citizens and distinguished visitors that as leaders, we are doing everything possible to have the constitution fully and quickly implemented. However, we cannot succeed without the continued unwavering support from the people and our friends. Inevitably, there will be bumps and rocky patches. But as long as we keep focus, I am sure that we will succeed.

At this juncture, it might be instructive for me to borrow a lesson from the former British Prime Minister, Tony Blair, who in his new book, A Journey, states:

"The first rule in politics is that there are no rules, at least not in the sense of inevitable defeats or inevitable victories. If you have the right policy and the right strategy, you always have a chance of winning. Without them, you can lose no matter how certain the victory seems."

Those are words from a certified veteran of many battles. I believe that we have the best policy and strategy in our new Constitution. The new Constitution encapsulates our national vision; captures our aspirations; and makes concrete our national strategies. Implemented well, we cannot fail. I can therefore say with confidence that I see in the horizon a transformation of Kenya from a nation ravaged by tribal tensions to a united one in which citizens enjoy plenty in harmony. Because we have been so divided and so suspicious of one another, some may be tempted to regard my hopes as the dreams of a visionary which exist in his fertile imagination. I disagree. It is my position that other things being equal, dreams of a kind can come true. It was the dream of the founders of America that created it as a world's model republican state. Nothing happens unless first a dream. I am certain that we will climb the remaining hills, together, to the Promised Land.