



OPENING REMARKS BY H.E. MR. KOFI A. ANNAN

‘The Kenya National Dialogue and Reconciliation: Building a Progressive Kenya’

Crowne Plaza Hotel, Nairobi, Kenya

5 December, 2011

*Strictly Embargoed for 09:30 AM EAT, 5 December 2011
Check against delivery*

The Right Honorable Prime Minister,
My fellow Panel members Benjamin Mkapa and Graça Machel,
Your Excellencies,
Ladies and Gentlemen,

1. It is my great pleasure to welcome you all this morning and to get our discussions underway.
2. My greetings also go out to those following the proceedings online or on TV and radio.
3. When we gathered together at this forum twelve months ago, it was in the afterglow of the referendum result which brought into existence Kenya's new Constitution.
4. The excitement of that historic development, and the expectation of the concrete benefits that would follow, reverberated throughout our discussions.
5. Hopes were high that this new constitutional dispensation provided the framework and impetus for completing the reform agenda that was initiated by the signing of the National Accord in 2008.
6. One year on, with the next general election on the horizon, the focus has shifted.
7. There is less interest in examining how much progress has been made since the post-election violence.
8. Instead, the discussion is dominated by what the future holds for Kenya and the Kenyan people.
9. It is, therefore, both timely and appropriate that this meeting aims to promote a national discussion around what is required to build and sustain a progressive Kenya.
10. There has been much progress since the promulgation of the Constitution, particularly in the passage of legislation and the establishment of institutions.
11. The deadlines outlined in the Fifth Schedule were met.
12. Critical constitutional commissions and public offices have been created.
13. A new Supreme Court has come into existence and its judges appointed through highly transparent mechanisms, ushering in a new era of public service accountability.
14. Of great significance is the fact that, overall, the Kenyan people are pleased with the progress made in implementation so far.
15. Let me take the opportunity once again, and in the presence of the Prime Minister, to praise the two Principals for their leadership in supporting the implementation process.
16. The long-term legacy of the Coalition Government will be assured if they continue to push for the full implementation of all reforms.
17. The tenth Parliament must also live up to the responsibility the people have entrusted to it. Parliament must press ahead with the reforms, constantly bearing in mind the spirit, the letter and the intent of the Constitution.

18. As essential as political leadership has been, public participation in, and ownership of, the constitutional implementation process is the only guarantee that the reforms will be sustained and will endure.
19. The Constitution belongs to the people. It vests all sovereign authority in the people. Its legitimacy is drawn from the people's overwhelming support for it.
20. These truths are of limited value, however, unless the wider public is informed of its rights and responsibilities under the Constitution.
21. This can only be achieved through comprehensive national civic education programmes.
22. I understand that steps are being taken by a range of actors, including the Government, to undertake grassroots activities to support these programmes.
23. Let me take this opportunity to urge all of you to accelerate the implementation of these efforts and to commit adequate resources to ensure they are successful.
24. Civic education is especially important in explaining the implications of complex issues, such as land reform and devolution.
25. Devolution will bring into existence a national and 47 county governments. It will also enable an equitable sharing of national revenue.
26. It means that Kenyans should have a greater say over the use of resources at the local level, and a greater chance to participate in decision-making that affects them directly.
27. But it is vital that the devolution process be managed properly. County government should not, and cannot, begin in a vacuum.
28. Planning must begin now to ensure that the legislative and administrative frameworks are in place to enable a seamless transition to the new governance arrangements.
29. Let me reiterate my appeal to the people of Kenya to take ownership of this process.
30. Your involvement is the true lifeblood of the Constitution. Genuine change will only be achieved if it comes from the grassroots.
31. It is especially important that groups that have been traditionally marginalized in society are now actively engaged in building a progressive Kenya.
32. By this, I mean women's groups, the disabled and the youth, whom the Bill of Rights addresses specifically.

Ladies and gentlemen,

33. The Constitution has created a new Kenya -- complete with new institutions and new values. There is a renewed sense of optimism and hope.
34. Nascent institutions have the potential and ability to revive public confidence in the way Kenyans are governed. But the burden on these institutions is to show that it is no longer "business as usual".
35. The direction taken by these bodies must be guided by the Constitution.

36. They must uphold and protect the fundamental rights and freedoms of all Kenyans.
37. The transformation of the judiciary is showing early signs of the positive impact that a clear break with the past can make on public confidence and perceptions.
38. An obvious hurdle to continued progress is the next general election, which seems to cast a long shadow over the year ahead.
39. I am encouraged that laws have been passed to improve the electoral process and that the Independent Electoral and Boundaries Commission has been properly constituted.
40. The Commission has a heavy responsibility. To successfully discharge that responsibility, its independence must be carefully guarded.
41. The discussion on elections must now shift to the state of preparedness. Kenya must ensure that in all aspects - technically, legally, politically and institutionally – the country is ready to carry out free, fair and credible elections.
42. These elections will be the most complex ever undertaken in Kenya. The integrity of the electoral process will help strengthen the democratic foundations of the country. Adequate investment in voter education is vital.
43. I am encouraged that the Government has already committed funds to the Commission. I am certain that the international community will continue to support your efforts.
44. Sustainable progress in the political and economic domains goes hand-in-hand.
45. It is vital that the Government and politicians recall that Kenya has traditionally suffered economic decline in and around an election year.
46. Already, a significant proportion of Kenyans are finding it difficult to meet their basic needs, due to increases in the cost-of-living and high unemployment.
47. The global financial crisis is an additional burden which threatens to put a brake on growth.
48. Aspiring politicians should therefore take heed that the usual way in which politics has been practised in Kenya will no longer be tolerated.
49. The threshold of integrity for the appointment of public officials, as set out in the Constitution, shall apply equally to all elected officials.
50. It is also vital that the military action in Somalia does not distract from, or lead to delays in, Kenya's domestic reforms.

Ladies and gentlemen,

51. While our focus is now on the future, we cannot forget the issues from the past that remain unaddressed.

52. On the issue of national healing and reconciliation, I am deeply concerned that, more than three years after the post-election violence, we have not made as much progress as is required.
53. The continued presence of IDPs in our midst constitutes an open wound which leaders must heal.
54. In this regard, the work of the Truth, Justice and Reconciliation Commission and the National Cohesion and Integration Commission, and their efforts to reinforce each others' work, is positive and must be supported.
55. I am also encouraged by new initiatives supported by a range of actors, including the private sector, to foster a sense of national identity and to promote cohesion and reconciliation.
56. Every Kenyan has a role to play in building a progressive Kenya.
57. Each of you must now commit to playing your role in securing the future that the Kenya National Dialogue and Reconciliation process envisaged.
58. Ending impunity, and achieving sustainable peace, stability and prosperity in Kenya, will only be secured through the rule of law and respect for human rights.
59. The parties that committed to that objective have symbolically passed the baton on to the people under the Constitution, and through the people, to those elected and appointed individuals in Government.
60. As we embark on two days of discussions on building a progressive Kenya, I wish to remind all of you that the stakes are high.
61. The statements you make, the questions you ask, are being heard across the country.
62. The people want these issues discussed. But more importantly, they want commitments and action.
63. Let us all work hard to meet the expectations of the Kenyan people.
64. Thank you.

END