

**KENYA NATIONAL DIALOGUE AND RECONCILIATION:
BUILDING A PROGRESSIVE KENYA**

Nairobi, 5-6 December, 2011

Annotated Agenda

The event:

- The conference is being convened on 5th and 6th December 2011 by the Kofi Annan Foundation and the African Union Panel of Eminent African Personalities, at the Crowne Plaza Hotel in Nairobi.

Overview:

- This will be a ‘forward-looking’ international conference. The past two conferences were essentially a stocktaking of ‘where we had come from’ and the challenges facing implementation of the reform agenda agreed to during the KNDR mediation phase.
- During this third meeting, discussions in the Panels will focus essentially on how to build conditions for long-term sustained progress. The promulgation of the Constitution on 27 August 2010 gave great impetus to the political and socio-economic development of the country. Preparations for the next General Election are being made in earnest. The country is undergoing a process of change to develop institutions for a progressive Kenya. Now is the time to invest national energies in sustaining the gains and laying the foundation for more enduring institutions.
- Speakers and participants will help identify what is required to sustain progress and move the country towards a peaceful, secure and prosperous future.
- The conference is open to the press. This and the use of the social media should provide the public an opportunity to follow and take part in the discussions of the meeting.

Registration

Venue: Crowne Plaza Hotel, Nairobi

Saturday, 3 December 2011	10:00 – 18:00	Crowne Plaza Lobby
Sunday, 4 December 2011	9:00 – 21:00	Crowne Plaza Lobby
Monday, 5 December 2011	8:00 – 8:45	Crowne Plaza Marquee

Monday, 5 December 2011

9:30 – 10:30

Opening Session

Venue: Plenary Hall

Welcoming Remarks

Kofi Annan, Chair of the African Union Panel of Eminent African Personalities
Raila Odinga, Prime Minister of the Republic of Kenya
Mwai Kibaki, President and Commander-in-Chief of the Republic of Kenya (tbc)

10:45 – 13:00

Panel One

Living by Our Constitution

Venue: Plenary Hall

- It is widely recognised that constitutions can be reduced to mere print on paper if not implemented in letter and spirit. The Constitution of Kenya has identified clear values and principles of governance to guide its implementation. It is important that the spirit of these values and principles is reflected in all efforts to fully implement the Constitution. Implementation goes beyond government action; it also includes the participation of all Kenyans in the process; the degree to which they take ownership of the Constitution and live up to the values contained therein.
- The Panel will assess what needs to be done to advance the implementation process, to uphold the spirit of the Constitution, and ensure that ‘we are living by our Constitution’. They will discuss what ought to be done to ensure everyone abides by the principles and values of this document which was endorsed by a majority of Kenyans in a national referendum.
- The Moderators of the Panels will manage the discussion by the speakers and interventions from the floor to identify conditions that should be put in place to “ring fence” the Constitution from attempts to erode its significance, and promote and protect its spirit and purpose.

Keynote Speaker

Willy Mutunga, Chief Justice of the Supreme Court of the Republic of Kenya

Moderator

Chaloka Beyani, UN Special Rapporteur on the Human Rights of Internally Displaced Persons, and Member of the former Committee of Experts on Constitutional Review

Panellists

- George Saitoti, Minister for Provincial Administration and Internal Security of the Republic of Kenya
- Martha Karua, Gichugu Member of Parliament
- Githu Muigai, Attorney General of the Republic of Kenya
- Charles Nyachae, Chairperson of the Commission for the Implementation of the Constitution (CIC)
- Yash Pal Ghai, Constitutional Scholar
- Njeri Kabeberi, Executive Director of the Centre for Multi-Party Democracy
- Atsango Chesoni, Executive Director of the Kenya Human Rights Commission

Q & A

Commentators

- Richard Etemesi, Chief Executive Officer, Standard Chartered Bank
- Kiprono Kittony, Vice-Chairperson of the Media Owners Association

Moderator wraps up session

Panel Ends

Keynote Speaker

Kalonzo Musyoka, Vice-President of the Republic of Kenya

13:00 – 14:30

Lunch

Venue: Crowne Plaza Marquee

14:45 – 17:35

Panel Two**One Kenya, One People**

Venue: Plenary Hall

- Promoting national reconciliation is a difficult and long term challenge. This is particularly true in societies with deep social cleavages. Ethnic differences around which the post-election violence in 2007/2008 revolved need to be overcome through the objective of creating “one Kenya, one people”. The Panel will examine different views and perspectives on how best to achieve and sustain this vision of a united Kenya.
- The Panel is structured as a dialogue between generations. They will exchange views on what they consider needs to be done to build a cohesive and united Kenya.
- The Moderator will steer the discussion to ensure that speakers identify the main flag-posts and actions necessary to achieve ‘one Kenya, one people’.

Keynote speaker

Graça Machel, Member of the African Union Panel of Eminent African Personalities

Moderator

Mary Onyango, Vice-Chair of the National Cohesion and Integration Commission (NCIC)

Panellists

- Lawi Imathiu, Retired Bishop of the Methodist Church of Kenya
- Willis Opiyo Otondi, Chairman of the Luo Council of Elders
- Major John Seii, Chairman of the Kalenjin Council of Elders
- Maimuna Mwidau, Chairperson of the League of Muslim Women of Kenya
- Hussein Khalid, Executive Director of the Muslims for Human Rights
- Joseph Kithyaka, National Coordinator of the Ukambani Progressive Forum
- Caren Wakoli, Youth Representative of the African Peer Review Mechanism (APRM) National Governing Council (NGC)
- Ngunjiri Wambugu, Executive Director of the Change Associates Trust

Q & A

Commentators

- Tecla Namachanja Wanjala, Acting Chairperson of the Truth Justice and Reconciliation Commission
- Amos Sawyer, Member of the Panel of Eminent Persons of the African Peer Review Mechanism

Moderator wraps up session

Panel Ends

18:00 – 19:30

Reception

Venue: Crowne Plaza Marquee

Hosted by Kofi Annan. By Invitation Only

Tuesday, 6 December 2011

9:30 – 12:00

Panel Three

Ensuring the Integrity of the Electoral Process

Venue: Plenary Hall

- The posturing for the 2012 elections in Kenya has begun in earnest. There are new laws and institutions to manage the electoral process. Several institutions will play an important role in the elections: an election management body, security, voter registration and civic education, election observation groups, development partners, and many others. These institutions/bodies will need to harmonize their efforts with each other because gains in one institution will help to stimulate gains in others. Similarly, flaws or weaknesses in any single domain could impact negatively on others.
- The next General Election will also comprise an unprecedented number of elections at the national and county levels, thereby requiring greater efforts at civic/voter education.
- The Panel will discuss the requirements needed to protect the integrity of the electoral process. They will identify priorities and arrangements needed to ensure that the elections are genuinely democratic, free, transparent and fair. They will discuss measures to ensure a level-playing field for all actors is put in place, and identify appropriate responses to manage electoral disputes and prevent the occurrence of conflict.
- The Moderator will manage the discussion to help identify useful lessons from ‘*international best practice*’, and reflect on the implementation of the IREC recommendations.

Keynote Speaker

Johann Kriegler, Chairperson of the former Independent Review Commission (IREC)

Moderator

John Githongo, Chief Executive Officer of the Inuka Kenya Trust

Panellists

- Isaack Ahmed Hassan, Chairperson of the Independent Electoral and Boundaries Commission (IEBC)
- Kennedy Masime, Chairman of the Kenya Election Observation Group Steering Committee (ELOG)
- Macharia Gaitho, Chair of the Kenya Editors' Guild
- Kwadwo Afari-Gyan, Chairman of the Electoral Commission of Ghana
- Craig Jenness, Director of the Electoral Assistance Division, Department of Political Affairs, United Nations

Q & A**Commentators**

- Felix Odhiambo Owuor, Country Director of the Electoral Institute for the Sustainability of Democracy in Africa

Moderator wraps up session

Panel Ends

12:15 – 13:30

Lunch

Venue: Crowne Plaza Marquee

13:45–16:20

Panel Four**Developing Enduring Institutions**

Venue: Plenary Hall

- The panel will synthesise the spirit of a 'new Kenya'. The Speakers will help identify how to build and strengthen democratic governance, build effective and accountable institutions to ensure a progressive and stable Kenya.
- The speakers will also discuss how to reinforce the gains made and how to develop a 'bulwark of liberty' around the Constitution, a new judiciary and other institutions. How to develop a democratic executive, a responsive police service, parliament, judiciary and other institutions will be discussed.
- The Moderator will guide the discussion with the aim of identifying the respective roles and responsibilities of the media, the private sector, religious leaders, civil society and the international community in strengthening this bulwark of liberty.

Keynote speaker

Kenneth Marende, Speaker of the Kenya National Assembly

Moderator

Julius Kipng'etich, Director of the Kenya Wildlife Service

Panellists

- James Orengo, Minister for Lands of the Republic of Kenya
- Francis Kimemia, Permanent Secretary, Ministry of Internal Security of the Republic of Kenya
- Gichira Kibara, Acting Permanent Secretary of the Ministry of Justice, National Cohesion and Constitutional Affairs of the Republic of Kenya
- Vimal Shah, Vice - Chairman of the Kenya Private Sector Alliance (KEPSA)
- Eliud Wabukala, Anglican Archbishop of Kenya
- Binaifer Nowrojee, Executive Director of the Open Society Institute for East Africa

Q & A**Commentators**

- Abdulgafur El Busaidy, Chairperson of the Supreme Council of Kenya Muslims (SUPKEM)
- Olusegun Obasanjo, Former President of Nigeria

Moderator wraps up session

Panel Ends

Closing Session

Venue: Plenary Hall

16:20 – 16:40

Closing Remarks by Benjamin Mkapa, Member of the African Union Panel of Eminent African Personalities

16:40 **Conference Ends**

- **Plenary Hall to be cleared and set up for press conference**
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17:00 – 17:30/17:45

Press Conference

Venue: Plenary Hall

Kofi Annan, Chair of the African Union Panel of Eminent African Personalities
