



International Center for Policy and Conflict

Press Statement

May 5, 2009

Hasten Conclusion of Genuine Agreed Reform Agenda

International Center for Policy and Conflict (ICPC) and the civil society **Working Group on Transitional Justice (TJWG)** welcome the appointment of substantive Minister for Justice and Constitutional Affairs. But note that the Minister has a poor historical track record in supporting and agitating for real change which calls for setting up of strict vetting mechanisms on the people being appointed to hold crucial public offices and manage public affairs. Further, the success of the Minister in facilitating delivery of the agreed reform agenda would be dependent on President Kibaki and Prime Minister Odinga unlocking government paralysis, providing the necessary political will and the ability of the Minister to engage in constructive dialogue and consultations across the board in order to facilitate consensus, building confidence and trust amongst Kenyans.

The two Principals must demonstrate responsible leadership not only in supporting the Minister but more importantly in addressing the core issues of concern to Kenyans. President Mwai Kibaki and Prime Minister Raila Odinga are indefensibly unjustified to continue running a bloated wasteful cabinet in order to appease and assuage ethnocracy politics instead of using this unacceptable expenditure to foster the development and security of all Kenyans; and to improve the standard of living of the Kenyan people.

The Minister must lead the Kenya government in making a renewed and united effort to enact the Special Tribunal to try those responsible for last year's election violence as soon as possible. The coalition government has shown an appalling lack of leadership in making the case for a Special Tribunal for Kenya. This time round the Minister must ensure the public is well consulted and that Parliament gets the legislation right and marshal the necessary support inside and outside Parliament, and this must be done soonest.

It is our expectation that the Justice Minister would be bold enough and, without overlooking, oversee fast-tracking of the full implementation of the wide-ranging reforms in the Waki commission report recommendations specifically those touching on the police and the judiciary; that the Minister would facilitate a principled and structured constitutional negotiations in order to deliver the elusive new democratic constitution within the set timeline; that the Minister shall give serious focus on the deteriorating human rights situations in Kenya including extrajudicial killings and threats to human rights defenders; that the Minister would ensure the enactment of National Human Rights Policy expeditiously; that a truly effective and credible Truth Justice and Reconciliation process is put in place through thorough public participation; that the Minister would sustainably challenge and address corruption and impunity as he has been telling the Kenyan public without political rhetoric; and that the Minister would uphold the principle of affirmative action and gender sensitivity.

Signed by

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Executive Director