



**INDUCTION RETREAT FOR COMMISSIONERS OF THE KENYA NATIONAL
COMMISSION ON HUMAN RIGHTS**

GETAWAY RESORT, LUKENYA, 5-9 MAY 2014-05-05

Dear Mr. Njee Muturi, Solicitor General,

Dear Ms. Nardos Bekele-Thomas, UN Resident Coordinator,

**Dear Hon. Amos Wako, Chair of the Senate Committee on Justice and Legal
Affairs,**

**Dear Hon. Chepkonga, Chair of the Committee on Justice and Legal Affairs at
the National Assembly**

**Dear Mr. Charles Nyachae, Chairperson of the Forum, Constitutional
Commissions and Independent Offices**

Dear Ms. Kagwiria Mbogori, Chairperson of the KNCHR

Dear Former Commissioners of the KNCHR

Dear Commissioners of the KNCHR

**Dear Members and representatives of the Civil Society organisations in
Kenya,**

Ladies and Gentlemen,

Distinguished guests

It is a great honour and pleasure for me that I join you here to represent the Network of African National Human Rights Institutions (NANHRI) at this

opening ceremony of the induction retreat for Commissioners of the Kenya National Commission on Human Rights.

It was with great pleasure that we learnt of the appointment of the new commissioners of the Kenya National Commission on Human Rights.

Allow me to first of all congratulate the new commissioners of the KNCHR. Madam Kagwiria Mbogori, Mr George Morara, Madam Jedidiah Wakonyo, Madam Suzan Chivusia congratulations and most welcome to the family of national human rights institutions.

As you may be aware, the Network of African National Human Rights Institutions as an umbrella NHRI body which coordinates the work of NHRI has the mission to support, through sub-regional, regional and international cooperation, the establishment, strengthening and development of NHRIs in Africa in order to enable them to more effectively undertake their mandate of human rights promotion, protection and advocacy.

Central to this mandate is the role of NANHRI in advocating for NHRIs to comply with the Paris Principles. That is why the recent appointment of Commissioners at the Kenya National Commission on Human Rights has been received with excitement and a sigh of relief by various stakeholders and partners, including the Network of African NHRIs and the entire human rights fraternity. This is because the appointment process had been long overdue.

Ladies and Gentlemen

We really recognise and appreciate the central role played by NHRIs in pushing forward the human rights discourse, the rule of law and the development of democracy in their respective countries. This however can only be achieved if

the NHRIs are in themselves established in compliance with international standards which are the Paris Principles.

This is why we must work towards strengthening democratic institutions as they are key to accountability, justice and social development especially in countries affected by conflict or in transition after conflict like Kenya.

These internationally agreed Paris Principles define, the independence, mandate, composition, status and functions of NHRIs. The Principles are broadly accepted as the test of an institution's legitimacy and credibility.

Few months ago we celebrated the 20th Anniversary of the Paris Principles which also coincided with the 20th Anniversary of the Vienna Declaration and Plan of Action of 1993. It reaffirmed the role played by NHRIs, in particular in their advisory capacity to the competent authorities, their role in remedying human rights violations, in dissemination of human rights information, and human rights education.

What we should never forget is the fact that these two decades provided a unique opportunity to reflect on the mandate of NHRIs and to ensure that these NHRIs maintain their credibility and effectiveness.

Ladies and Gentlemen

Despite all this, NHRIs in Africa, especially those who have tried to maintain their independence and work towards the betterment of the people, continue to face challenges as their governments interfere with their work.

Some are being weakened by their own government which established them by creating other parallel institutions with the same mandate.

Creating a national human rights commission is a commendable initiative but states should go beyond that and provide a strong legal framework and an adequate budget to enable them to fulfil their mandate.

The Paris Principles indicate that NHRIs should have an adequate infrastructure and funding and be able to manage them independently. However many NHRIs are still limited in the performance of their functions due to lack of sufficient funding and capacity.

This in turn impacts on the capacity of NHRIs to effectively perform their duties and engage substantively with international and regional human rights systems.

The credibility and legitimacy of an NHRI depends not only on its constitutive framework but also on its independence from the Government. However, as indicated in the report of the Special Rapporteur on the situation of human rights defenders, some NHRIs members and staff face threats in response to carrying out their mandate from the state.

In some circumstances human rights are perceived as a threat to political sovereignty but we can attain real sovereignty only if we work for the real source of sovereignty who are the citizens that we must serve.

Ladies and Gentlemen

It is against this backdrop therefore that the Network of African NHRIs in collaboration with the Office of the High Commissioner for human right thought it would be timely to support the KNCHR in carrying out this induction retreat for the newly appointed commissioners with a view to assisting them in better understanding their roles and what are the expectations of stakeholders including the government and the public in general towards them.

It is also worth noting that this retreat is destined not only for commissioners of the KNCHR but also for other stakeholders who interact with the Commission and who share the common objectives. This is because we do believe that collaboration and a harmonious working relationship between the Commissioners and other stakeholders including the government, is a key factor in ensuring smooth operations and enable the commission to fulfil its mandate. It is our hope therefore that through the various informative sessions and discussions during the sessions, you shall all be able to acquire knowledge and skills that will assist you to understand each other's mandate and be able to complement each other in a well and seamless coordinated manner.

Ladies and Gentlemen,

Dear colleagues,

Allow me to now express my sincere gratitude to the former commissioners of the KNCHR who responded to the invitation to come and share their experiences and challenges they faced during their tenure. As we all know they managed to take the Commission to the level where all of us we were satisfied and we really hope that the new commissioners will also, despite challenges and environment which might not be very conducive to their work, bring the commission to the next level.

Dear Commissioners

We are talking from experience as we know that human rights are not without Challenges which could be internal or external. We have witnessed this in the past and we are confident that your wisdom, experience, skills and leadership capabilities in a wide range of fields will prevent these from happening again.

My gratitude is equally addressed to the Chairpersons and commissioners of other constitutional commissions as their presence here is a clear expression of solidarity and support to the Kenya National Commission on Human Rights.

Ladies and gentlemen,

I would also wish to express my heartfelt gratitude to our friend Mr Aliro Omara, former commissioner of the Uganda Human Rights Commission and Director of the Center for Human Rights of Uganda who accepted to come all the way from Kampala to support the Network and willingness to pass down his experience and knowledge to other NHRIs. Welcome Mr Aliro.

As for us the Network of African National Human Rights Institutions we stand ready to support as much as we can.

On this note, I wish you fruitful deliberation and thank you for your kind attention

GILBERT SEBIHOGO

Executive Director, Network of African National Human Rights Institutions