

REPUBLIC OF KENYA  
OFFICE OF THE ATTORNEY GENERAL & DEPARTMENT OF JUSTICE

KEY NOTE ADDRESS

BY

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AT

OFFICIAL LAUNCH OF THE NATIONAL POLICY AND ACTION PLAN ON  
HUMAN RIGHTS

INTERCONTINENTAL HOTEL, NAIROBI

4<sup>TH</sup> OCTOBER 2016

**Your Excellencies the Ambassadors,**

**Distinguished Guests,**

**Ladies and Gentlemen**

Today marks the culmination of years of effort towards the development of a National policy and action plan on human rights in Kenya.

My sincere appreciation goes to the Kenya National Commission on Human Rights (KNCHR), the main sponsors of this event; who in partnership with the Department of Justice spearheaded the development of the National Policy and Action Plan on Human Rights.

I also wish to thank all our partners, with a special mention to the Office of the High Commissioner for Human Rights, Nairobi the Office, and other Development partners, for having tirelessly walked with us when the journey was at its hardest.

The National Policy and Action Plan on Human Rights is a milestone towards entrenchment of human rights principles in a national policy framework. The policy provides the basis and framework for coherence and coordination in the respect, protection and promotion of human rights in the country. It is therefore intended to Implement Kenya's vision on human rights and set human rights goals and priorities within achievable time frames; clarify the responsibilities for the implementation of human rights, as anchored in the Bill of Rights in the Constitution, in view of the multiplicity of actors; and monitor and evaluate the performance of different implementers in the fulfilment of human rights.

**Distinguished Guests, Ladies and Gentlemen**

The Constitution recognizes the aspirations of all Kenyans for a government based on the essential values of human rights; equality, freedom, democracy, social justice and the rule of law. The Constitution is a social contract between the people and their leaders; the people who are holders

of the sovereign power -entrust that power to their leaders in the hope that there will be good governance and that they will have their needs and aspirations met. These needs are expressed in the bill of rights as the minimal expectations of the people. In meeting these needs the State has the duty to observe, respect, protect, promote and fulfill the rights and fundamental freedoms of the people. In the fulfilment of these obligations, the state is restrained from violating civil and political rights and obligated to create an enabling environment through facilitation and resource allocation for the realization of economic, social and rights.

As former UN secretary General, Kofi Annan once stated, the development debate has ignored the fact that poverty tends to be characterized not only by material insufficiency but also by denial of rights. What is needed is a rights based approach to development. Ensuring essential political, economic and social entitlements and human dignity for all people provides the rationale for this policy. It places obligations on Government Ministries, Departments and Agencies to adopt the human rights based approach to their work. The policy also articulates what needs to be done to mainstream the rights of special interest groups and marginalized communities in the development agenda.

### **Distinguished Guests, Ladies and Gentlemen**

As we officially launch the National Policy and Action plan on Human Rights, allow me to highlight the some of the measures that have already been taken towards implementing the provisions of the policy. These include:

- The passing of the Legal Aid Act which provides the legislative framework for establishing a National Legal Aid Service in Kenya thereby promoting the right to access to justice. The Office of the Attorney General and the Department of Justice has already gazetted the members of the Board to facilitate operationalisation of the Service.

- The establishment of the Victim Protection Board through the enactment of the Victim Protection Act, 2014, will enable the compensation of victims of offences in Kenya.
- The passing of the Access To Information Act
- The Conduct of continuous civic education widens knowledge and participation among citizens in public affairs in a meaningful manner.
- Most importantly, the Department of Justice and the KNCHR in partnership with the Office of the High Commissioner for Human Rights has trained a large number of public officers on the human rights based approach to programming and planning. This has greatly assisted in achieving sustainable progress and results in service delivery.

### **Distinguished Guests, Ladies and Gentlemen**

Considering that the actual implementation of the Action Plan has already begun in earnest, the next key step would be monitoring of the implementation. The Kenya National Commission on Human Rights, the National Gender and Equality Commission and the Commission on Administrative Justice are expected to carry out their mandates under their respective Acts to monitor and evaluate the implementation of this policy.

The Government holds a primary duty to implement the various actions clearly laid out in the action plan. It is however imperative that all stakeholders support government in its venture to guarantee the meaningful realization of rights for the Kenyan people.

Some key areas that we wish to request for support include:

- Capacity building for public officers to undertake their responsibility using the human rights based approach to programming and planning;

- Capacity building for other key players, including businesses who have profound effects on human rights ; and
- Support towards a meaningful dialogue on the death penalty.

Ladies and Gentlemen,

Recognizing that the County governments are a major stakeholder in the ensuring the realization of human rights in Kenya, the Department of Justice are working on a framework that will ensure better synergy between the two governments with respect to the policy implementation.

In conclusion, I would like to reaffirm the government's commitment to the full implementation of the National Policy and Action Plan on Human Rights. We do recognize that as a country we are experiencing challenges in the implementation of some of the areas. Challenges include terrorism, poverty and cultural perceptions that sometimes push certain segments of society to the back burner. We shall however, in collaboration with all of you continue strive to ensure that all human rights are enjoyed equally without discrimination.

Thank you.