

# **OPENING STATEMENT BY H.E. KOFI ANNAN**

## **PRESS CONFERENCE**

**Serena Nairobi Hotel, 15 February 2008**

**[Check Against Delivery]**

Good afternoon, Ladies and Gentlemen.

We have just returned from 48 hours of intense and fruitful negotiations at a secret location outside of Nairobi, which all of you now know was the Kilaguni Lodge in the Tsavo West Game Reserve.

I want to thank you for letting us work there in peace, even after you discovered where we were.

The parties worked well together during their two days at Kilaguni– often in mixed groups and by themselves – showing their strong commitment to peace and reconciliation in Kenya.

They reached agreement on a range of issues, and narrowed considerably the options for a governance structure.

Some of the points of agreement are:

--The creation of an Independent Review Committee.

--This Committee would be mandated to investigate all aspects of the 2007 Presidential Election and make findings and recommendations to improve the electoral process.

--The Committee will be a non-judicial body made up of Kenyan and non-Kenyan recognized electoral experts of the highest professional standing and personal integrity.

--The Committee will submit its report within 3-6 months and it should be published within 14 days of submission. It should start its work not later than 15 March 2008.

--The findings of the Independent Review Committee must be factored into the comprehensive electoral reforms that are envisaged.

Through the discussion, it became apparent that there is no viable way, either by re-count, re-tally or any other measure, to determine the outcome of the 2007 election in a way that would be expeditious and that would not further divide Kenyan society..

However, the facts have to come out and Kenyans have to know what happened. We agreed that the system must be reformed so that such a crisis never happens again.

The Independent Review Committee will allow for this to take place in an environment of tranquility and transparency, thus contributing to further healing and reconciliation of the country.

We did consider the options of a re-count or re-tally and concluded that:

--A delay of the several months needed for a recount could significantly increase existing tensions and delay resolution of the current crisis, and we recognize that the result of a re-count might not further Kenyan unity.

--A re-tally could not determine the correct result in stations or constituencies where problems or irregularities were identified.

On the need for a political settlement to resolve the current crisis, we agreed on the following:

--Recognizing that there is a serious crisis in the country we concluded that a political settlement is a necessary and effective way to promote national reconciliation and unity.

--We also agree that such a political settlement must be one that reconciles and heals the nation and reflects the best interests of all Kenyans. A political settlement is necessary to manage and implement expeditiously a broad reform agenda and other mechanisms that will address the root causes of the crisis and deepen and broaden Kenyan democratic foundations.

Such reforms and mechanisms will comprise, but are not limited to, the following:

- Comprehensive Constitutional reforms;
- Comprehensive electoral reform – including of the electoral laws, the electoral commission and dispute resolution mechanisms;
- A truth, justice and reconciliation commission;
- Identification and prosecution of perpetrators of violence;
- Respect for human rights;
- Parliamentary reform;
- Police reform;
- Legal and Judicial reforms;
- Commitment to a shared national agenda in Parliament for these reforms;
- Other legislative, structural, political and economic reforms as needed.

On the issue of governance arrangements, the parties discussed the matter intensively and have developed a number of options, on which they have agreed to consult their principals and leadership and come back to continue negotiations on Monday, with the hope that a final conclusion will be reached shortly after that.

This is the only outstanding issue on Agenda Item 3—How to Resolve the Political crisis. In summary, we have defined the reform agenda for a new government and are now discussing the “how” and the mechanisms required for implementation.

While we are making considerable progress on Agenda Item 3, we have also agreed that settlement of the issues in Agenda Item 4—Long-Term Issues and Solutions—are fundamental to a viable long-term solution of the crisis.

The implementation of the following reforms should commence urgently in concert with reforms of Agenda Item 3.

- Consolidating national cohesion and unity;
- Land reform;
- Tackling poverty and inequity, as well as combating regional development imbalances, particularly promoting equal access to opportunity;
- Tackling unemployment, particularly among the youth;
- Reform of the Public Service;
- Strengthening of anti-corruption laws and public accountability mechanisms;
- Reform of Public Finance and Revenue Management Systems and Institutions;
- Addressing issues of accountability and transparency.

**The parties agreed that this settlement is not about the sharing of political positions but about addressing the fundamental root causes of recurrent conflict.** Therefore, the parties have reaffirmed their commitment to address the issues within Agenda Item 4 quickly and comprehensively.

Milestones and benchmarks for the implementation of the reform agenda will be defined in our continuing discussions.

I know that many of you have been eager to write the headline, “We have a deal” on all the political issues. But I again advise patience. The issues are complex; reaching compromise is difficult. But let me assure you that there is real momentum. We are at the water’s edge and the last difficult and frightening step will be taken. I am confident that, in the interests of Kenya and its people, the parties will show the wisdom, flexibility and foresight to conclude an agreement.

Let me now say a word about my own involvement in this process. [ad lib]

I will now take your questions.

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