



International Commission of Jurists



Concept Paper

Side Event: 15th Session of the UN Human Rights Council

Focus: Human Rights in Kenya and Zimbabwe: *Governments of National Unity and Transitional Processes*

Date: Wednesday, 29 September, 2010

Time: 1100hrs-1300hrs

Venue: Room XXVII, Palais des Nations

The International Commission of Jurists (ICJ) in partnership with the Zimbabwe Advocacy Office (ZAO) is inviting government representatives, civil society and human rights experts to a dialogue on the growing phenomenon of multi-party transitional governments, election-related violence and the protection of human rights in Africa. The dialogue, focusing on the cases of Kenya and Zimbabwe will take place during the 15th Session of the UN Human Rights Council in Geneva.

(a) Background

Kenya and Zimbabwe are two of Africa's major economic and political powers, particularly the former in the East Africa region and the latter in Southern Africa. In 2007 and 2008 both countries were rocked by hotly disputed elections and widespread violence that only ended with regionally facilitated negotiations and formation of 'governments of national unity' which brought together the feuding political parties. In Kenya President Mwai Kibaki and now Prime Minister Raila Odinga signed an agreement that brought to an end street violence and set up a transitional government which committed itself to constitutional reforms and other long-term democratic reforms. Similarly in Zimbabwe, President Robert Mugabe and now Prime Minister Morgan Tsvangirai put aside a decade of animosity and formed a coalition transitional government that promised economic stabilization and democratic transformation.

Now two years after the launch of these governance experiments in Kenya and Zimbabwe it is apt to analyse whether beyond halting election violence, Governments of National Unity/ or Multi-Party Transitional Governments have made significant progress in the protection of human rights and facilitating transitional justice. This is even more important given that since the Kenya and Zimbabwe coalitions, African regional organizations have attempted to use the same method to quell political instability and violence in Madagascar and Guinea.

(b) Methodology

Realising that African governments and civil society organizations have often 'spoken past each other' and not engaged in direct dialogue at the UN Human Rights Council, ICJ and ZAO plan to invite the Permanent Missions of Kenya and Zimbabwe at the UN to join civil society representatives from the respective countries on the panel. Government representatives will be asked to give a short presentation in response to the question whilst CSO representatives will give their own perspectives. Thereafter the discussion will be opened to the floor for broader dialogue.

(c) Expected Outcomes

- Stronger platform and links for dialogue between African governments and civil society at the Human Rights Council.
- Draft paper on Multi-Party Transitional Governments and Protection of Human Rights in Africa.
- Increased interest within the UN Human Rights Council and relevant UN agencies in monitoring human rights protection during transitional processes.

(d) About the Organisers

International Commission of Jurists

The International Commission of Jurists is dedicated to the primacy, coherence and implementation of international law and principles that advance human rights.

ICJ's Africa Regional Programme aims to strengthen legal protection of human rights in Africa through rule of law crises response; evidence-based advocacy; the construction of networks of judges and lawyers; training and capacity building; standard setting and standard compliance interventions; and the provision of technical assistance to governments and civil society entities.

Contact

Martin Okumu Masiga

Email: martin.okumu-masiga@icj.org

Zimbabwe Advocacy Office

The ZAO is a Geneva-based international advocacy hub for Zimbabwe supporting the advocacy work of Zimbabwean civil society and church organizations at the United Nations. Since 2008, ZAO has been hosted by the World Student Christian Federation at Geneva's Ecumenical Centre.

Contact

Marlon Zakeyo

Email: wscf.zimadvocacy@gmail.com