



# Kenya National Commission on Human Rights

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## NHRIS AND THE UPR PROCESS:

### THE KENYAN EXPERIENCE.

### KNCHR PRESENTATION TO THE ICC 25 GENERAL MEETING.

19 TO 22 MARCH 2012-GENEVA,  
SWITZERLAND.

***BY :DR.SAMUEL K TOROREI***

***Ag.CHAIRPERSON KNCHR.***

## TAIKING POINTS

Kenya was reviewed at the eighth session of the UPR working group which was in May 2010. However, KNCHR's engagement with the process started in 2008 when the preparations for the review started and it continues to date as the Commission monitors the implementation of the State Commitments. Indeed the Commission recognises that engagement with UPR process has become an integral aspect of our work because through it, we were able to identify the key human rights issues which we have continued to work on to date.

The UPR process has also afforded the Commission an opportunity to create and maintain partnerships with the civil society which networks have also been valuable in all other aspects of our work. Indeed the work of the Commission and particularly its role in the UPR process remains one of our greatest success stories.

The Kenya National Commission on Human Rights was very involved and is still involved in the UPR process. Our involvement can be categorised as follows:

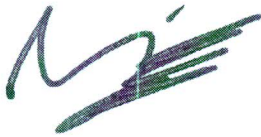
1. Preparatory stage
  - i. Ensuring participation of the civil society
  - ii. Preparation of report
  - iii. Engaging the Government
  - iv. Resourcing UPR activities
  - v. Advocacy and lobbying campaign
2. Participation in the review by the UPR Working Group
3. Follow up/implementation phase

### **Key Lessons Learnt**

- Engagement with the state: the basis of our interaction is based in law which mandates the Commission to advice government on its compliance with its international obligations relating to human rights.
- Ensure a broad-based stakeholder process: include groups dealing with diverse human rights issues and seek ways to bring in views from the grass roots. NHRI's can provide leadership in this regard but they need to ensure they do not dominate the process.
- Capacity building on UPR: the UPR mechanism is still fairly new and thus there is need to build the capacities of organizations around it.
- Prioritising issues for considerations: from the hundreds of human rights issues in need of redress, prioritise those that are key. Working within a coalition allows for synthesis of issues provided the coalition is well managed.
- Effective advocacy: it is not disloyal to lobby states to ask the right questions.
- Continue engaging with the state post the working group session: assisting the state in preparing responses can ensure the right commitments are made.

- Making statements before the HRC: ensures that even rejected issues remain part of the agenda.
- Implementation: the UPR work is an ongoing experience and not an even that happens in Geneva. Monitoring should continue throughout the UPR cycle.

*Asante Sana, Thank you*

A handwritten signature in blue ink, appearing to read 'S. Tororei', with several horizontal strokes underneath.

*Dr. Samuel K Tororei*

*15<sup>th</sup> March 2012*