



Konrad
Adenauer
Stiftung

SYMPOSIUM ON THE RULE OF LAW IN AFRICA

TEN YEARS OF KAS' RULE OF LAW PROGRAM FOR SUB-SAHARAN AFRICA: RESULTS, CHALLENGES AND PROSPECTS

AT STRATHMORE UNIVERSITY, NAIROBI – KENYA

NOVEMBER 15TH AND 16TH 2016

PROGRAM

14 November 2016

Arrival of International Delegates

15 November 2016

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| 08:30 – 09:00 | Registration |
| 09:00 – 09:15 | Welcoming Remarks by Dr. Arne Wulff , Director, Rule of Law Program for Sub-Saharan Africa |
| 09:15 – 09:45 | Review of the Rule of Law Program ten years on by Mr. Peter Wendoh , Project Advisor, Rule of Law Program for Sub-Saharan Africa |
| 09:45 – 10:15 | Keynote Address by Hon. Justice David Maraga , Chief Justice and President of the Supreme Court of the Republic of Kenya |
| 10:15 – 10:45 | Brief Q & A |
| 10:45 – 11:15 | Group Photo and Health Break |

11:15 – 13:15

Session One: General trends in the last decade

Moderator: Prof. Kwame Fimpong

Panelists: Mr. Wilfred Nderitu, *International Criminal Law Expert (Represented victims in the Kenyan case at the ICC)*

The concept of the Rule of Law from an African perspective: Challenges and prospects with particular reference to prosecuting people in power

Jeanne-Mari Retief, *International Criminal Law Expert & Legal project Facilitator – Calibrics, South Africa*

Prosecuting international crimes in Africa with particular emphasis on the Sexual and Gender-Based Violence Crimes

Ms. Emilia Siwingwa, *Lawyer & Ag. Africa Director, Protimos - South Africa*

ICC and Africa – unresolved issues!

Plenary Discussions

13:15 – 14:15

Lunch Break

14:15 – 15:45

Session Two: Independence of the Judiciary and Access to Justice in Africa

Moderator: Dr. Ken Nyaundi

Panelists: Prof. Frans Viljoen, *Director, Centre for Human Rights, University of Pretoria*

The African Court on Human and People's Rights: Current status, challenges and future prospects in light of the Malabo Protocol

Ms Makanatsa Makonese, *Executive Director, SADC Lawyers' Association*

Is the SADC-Tribunal restorable?

Plenary Discussions

15:45 – 17:15 **Session Three: Constitution-making and constitutionalism in Africa**

Moderator: Mr. Mambulasa Mandala

Panelists: Prof. Charles Manga Fombad, *Professor of Law, Institute for International and Comparative Law in Africa, University of Pretoria*
The implementation of modern African Constitutions: Challenges and Prospects

Dr. Luis Franceschi, *Dean, Strathmore Law School*
The Constitution of Kenya, 2010 – New hope or false dawn?

Plenary Discussions

17:15 – 17:45 **Health Break**

16 November 2016

09:00 – 10:30 **Session Four: Regional Integration**

Moderator: Prof. Amb. David Kikaya

Panelists: Hon. Eddie Cross, *MP, National Assembly – Republic of Zimbabwe*
The future of SADC

Justice Dr. Emmanuel Ugirashebuja, *Judge President, East African Court of Justice*
The Role and importance of regional courts in building strong, stable and sustainable regional blocs

Plenary Discussions

10:30 – 11:00 **Health Break**

11:00 – 13:00 **Session Five: Human Rights and Democracy**

Moderator: Ms Anne Abeja

Panelists: **Mr. Henry Maina**, *Executive Director, Article 19 - Eastern Africa Regional Office*
The Civil Society as a key pillar to change: Assessment of the civic space - Is Africa progressing or retrogressing

Ms Elsy Sainna, *Deputy Executive Director, Kenyan Section of the International Commission of Jurists*
Women's participation in political processes in Africa

Hon. Isaac Mwaura, *MP, National Assembly - Republic of Kenya*
Advancing human rights of the marginalized and minority groups in Africa with specific reference to the people living with disabilities

Plenary Discussions

13:00 - 14:00 Lunch Break

14:00 - 16:30 Session Six: New Frontiers

Moderator: **Mr. Tousy Namiseb**

Panelists: **Ms Gail Washkansky**, *Operations Officer, Institute for Accountability in Southern Africa (IFAISA)*
Why Corruption is destroying Africa's Future

Prof. Hartmut Hamann, *Practising Attorney & Professor of Law, Freie University of Berlin, Germany*
The future defenders and implementers of the Rule of Law: preconditions, challenges, perspectives

Prof. Rev. Aidan Msafiri, *Climate Change Ambassador for Tanzania*
Climate change and the law: challenges and prospects

Plenary Discussions

16:30 - 17:00 Health Break

Cocktail Reception

- 17:30 – 18:00 Registration for the Cocktail Reception
- 18:00 – 18:30 Charting the way forward for the Rule of Law Program in Africa by **Dr. Arne Wulff**, Director, Rule of Law Program for Sub-Saharan Africa
- 18:30 – 18:45 Remarks by **H.E. Mr. Michael Derus**, German Deputy Ambassador to Kenya
- 18:45 – 19:15 Keynote Address by **Prof. Githu Muigai**, Attorney General, Republic of Kenya

19:15 **Food and drinks are served**

21:00 **Departure at own leisure**

17 November 2016

Departure of International Delegates