

# HAKI NA USALAMA

## JUSTICE AND SECURITY FORUM

### **SPEECH BY MAJA DARUWALA, CHRI DIRECTOR**

Good morning dear participants, it is my pleasure to be here and address all of you on this auspicious morning.

We came here today to start a conversation about the police and policing. It is not the usual “naming and shaming”. Nor is it a shouting match with accusations about what’s wrong and what needs fixing thrown around. This is a Forum, a space where a wide and diverse range of stakeholders – CSOs, funders, the police and other governmental agencies – come together, communicate, share ideas, work together and jointly contribute to the conversation about how we can make policing better.

To have such a space, where shared values can be forged and moulded, is a must as our experience in East Africa and elsewhere suggests. Let me talk a little more about our experience in coalition building in Kenya.

Security sector reform advocacy in Kenya began before the most recent Kenya constitutional reform process, with actors coming together to lobby for change after the post-election violence of 2007/8. During this period, some leading actors in the police reform and security sector in Kenya decided to come together to form a coalition which later developed into a forum called The Usalama Reforms Forum.

Formed in 2008, Usalama grew from four members to a strong forum of fourteen international, regional and national organisations. It began as a working group on security reform issues, focusing mainly on police reform that progressed into a forum with funding, a structure and a neutral organisation as the secretariat.

What have been the successes so far?

Let’s begin with **Starting the debate**

Although there has been debate about police reform for long time in Kenya, given the extensive range of human rights violations and the police implications in criminal activity,

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Usalama managed to make the reform a civil society issue, as opposed to a purely political or human rights centric issue.

Then, it is **Access**

The fact that Usalama is a coalition of key civil society groups that works in the security sector, with a range of technical expertise, meant that they were consulted on key issues by the various police reform taskforces (the National Task Force on Police Reform and the subsequent Police Reform Implementation Committee) and the constitutional committee. After the constitution was accepted, the Constitutional Implementation Committee (CIC) also conferred with Usalama. This meant that the members of the coalition had a way to get to the table to express their views to these critical bodies. Without being part of the coalition, many individual organisations may not have been able to put forward their views to these commissions and committees.

It is followed by **Requests for assistance**

Due to the range of skills possessed by the coalition, as discussed above, the Government and other task forces requested technical assistance from Usalama members. The members could offer knowledge and expertise to the different taskforces, and the government drafters, giving Usalama greater ability to influence the product, be that a report or draft legislation

Then, it is **Input in the Constitution**

Usalama advocated for reform for the security sector to be included in the Constitution, with many suggestions put forward by Usalama being included in the final constitution. This occurred both through input directly to the Constitutional committee - Usalama submitted a signed memorandum from the partner organisations which outlined the recommendations for the constitution, and through input in other consultations, such as the Ransley Commission, whose report also influential in the constitutional provisions regarding the police and security.

I should also mention **Start of partnerships**

Along with successful advocacy of key parts of the constitution, the process provided the opportunity for Usalama to form a strong relationship with the Commission on the Implementation

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of the Constitution. This meant further input and consultation on legislation was required to implement the constitutional changes to the security sector.

And finally, it is **Input in other key documents and activities after the Constitutional review**

As indicated above, Usalama was granted access to many consultations and discussions that otherwise, as individual groups, Usalama members may not have been invited to. This led to putting forward technical expertise and suggestions, leading to actual input in the various reports and draft legislation.

After the Constitution was passed, Usalama made key submissions in both writing and directly to commissions and parliamentary committees, on the new legislation required to implement the police reform constitutional changes: new National Police Service Act, National Police Service Commission Act and Independent Policing Oversight Act. Usalama has also made submissions and advocated on content of the National Coroners Bill and the Private Security Regulation Bill, currently still awaiting discussion and approval by Parliament.

Usalama has been successful in advocating for security sector reform in Kenya, but what exactly made it a success?

First, it is **Collective energy and power**

An individual organisation that may not necessarily have had enough individual resources to be able to effectively advocate for change could, through combining resources, energy and technical expertise with other like-minded organisations via a coalition with increased power to make considerable change.

Secondly, it is what we call **One issue, one voice, greater impact**

A coalition of key actors in the Kenyan security sector resulted in a common position on critical security issues. This was important to insure that the various civil society organisations did not provide competing opinions on the same issue, confusing the government or consultation panel. Numerous opinions on the one area may result in the committee just disregarding the individual voices. Cohesion adds strength to the argument. Thus, if all key organisations are saying

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the same thing, it is difficult to ignore. Prior to the establishment of Usalama, there were many 'smaller' voices trying to advocate around the same issue, but not being heard as well.

### Thirdly, coalition brings together a **Range of skills and viewpoints**

The different members of Usalama brought with them different skill sets. The coalition was made up of a range of groups, some that focus on legislative advocacy, drafting, research and report writing; others that focussed on implementing projects to affect change; some that brought with them an international, broad view point; and yet others that brought a local, community vantage point.

The various skill sets and perspectives added to the strength of Usalama as a coalition because it could call on the different members to assist, depending on their strengths. In other words, Usalama, as one organisation, had a very broad range of abilities.

To reiterate, the combined work, skills, connections, efforts, and resources of the various members of the forum made the forum more effective than if the individual organisations had continued to operate separately.

### And finally, it is forging **New relationships**

A stakeholder that joins a coalition may find that they do not know enough about, other stakeholders in the coalition. In this situation, the coalition provides an opportunity for its members to develop better relationships, which may lead to future partnerships. Furthermore, individual stakeholders may meet the partners of other members of the coalition, thereby increasing their network and opportunities for new work.

### **Haki na Usalama – a coalition for change?**

The forum we are starting here today has all the elements of success I mentioned above. But I also believe it is an improvement compared to Kenya's Usalama forum. Haki na Usalama has even more potential since it brings together not only civil society members, but a diversity of interest groups. It is more about conversation than lobbying, it is more about building bridges than amplifying the divides, it is more about collective effort of all relevant stakeholders than one interest group's.

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So let us work together to make criminal justice system a little bit more just. Thank you.