



FINAL REPORT

COMPLEMENTARITY IN PRACTICE

Capacity Building for the Establishment of the International and Organised Crimes Division (IOCD) of the Kenyan High Court

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COMPLEMENTARITY IN PRACTICE: CAPACITY BUILDING FOR THE ESTABLISHMENT OF THE INTERNATIONAL AND ORGANISED CRIMES DIVISION (IOCD) OF THE KENYAN HIGH COURT

December 2015 | Berlin, Germany

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Wayamo Director Bettina Ambach and Kenya's Chief Justice Willy Mutunga.

COLLABORATION WITH JUDICIARY AND PLANNING PROCESS:

In May 2012, the Judicial Service Commission (JSC) of the Kenyan Judiciary began to deliberate on the possibility of operationalising the 2008 International Crimes Act. As a consequence, a committee was set up to look into modalities of establishing an international crimes division in the High Court.

Six months later, in October 2012,

the Committee of the Judicial Service Commission on the establishment of an International Crimes Division in The High Court of Kenya published the first detailed report, which became the basis for all further discussion on the establishment of the new division.

At a joint Wayamo & Institute for Peace and War Reporting conference in November 2012, Kenya's Chief Justice Dr. Willy Mutunga announced the intention

to establish the International Crimes Division (ICD) in the near future (the name was subsequently changed to the „International and Organised Crimes Division,” IOCD). It was clear that capacity-building measures had to be organised for the relevant actors, and legal discussions and possible amendments had to be initiated before the actual establishment of the new division.

It is envisaged that the IOCD will have jurisdiction over international crimes as defined by the Rome

Statute and the International Crimes Act, including war crimes, crimes against humanity and genocide, as well as over transnational crimes, such as organised crime, wildlife crime, piracy, terrorism, cyber crime, human trafficking, money-laundering and counterfeiting.

The first step taken by the Judiciary was the creation of a strategic Planning Committee in May 2013 for the establishment of the ICD. This strategic committee held six meetings between May 2013 and May 2014.

The following main legal questions were discussed, with Wayamo providing legal opinions and papers on the issues raised:

1. How to guarantee the independence of the special prosecutor, the investigators and the judges?
2. Should the IOCD be a tribunal created by parliamentary statute or a division created by administrative powers of the Chief Justice?
3. The retroactivity of Kenya's 2008

International Crimes Act (ICA) to post-election violence.

4. Which laws need to be changed in order to prosecute transnational crimes in addition to those crimes prosecuted under the ICA, with the transition of the ICD into the IOCD?

prosecution at the IOCD?

7. IOCD rules and procedures.

In November 2014, an Inter-agency Committee was created. This constituted a broader planning mechanism with representatives from the judiciary, the Office of

„Congratulations on pulling together a remarkable symposium in April 2015. My colleagues at the Judicial Service Commission were full of praise for you. Commissioner Florence Mwangangi said that you have carved yourself a niche in the IOCD. The Chief Justice was also very pleased with the outcome. Bravo!“

**– Rev. Sam Kobia, Chair of the IOCD-Committee
May 2015**

5. What should be the „sifting mechanism“ for determining when cases go to the first level, the Magistrates' Courts, or directly to the IOCD in the High Court?

Director of Public Prosecutions (DPP), the Kenya Police Criminal Investigation Department (CID) and others.

6. What evidentiary standards are required with the different stages of



Wayamo Director in discussion with IOCD stakeholders in February 2013.



Wayamo symposium with all International and Organised Crimes Division stake-holders in April 2015 in Nairobi.

ACTIVITIES & ACHIEVEMENTS WITH THE TWO MAIN STAKEHOLDERS: THE CID AND DPP*

CHALLENGES

1. Holding initial training events with all three key stakeholders in attendance at the same time (judges, prosecutors and investigators) was not possible. The judiciary underwent a reform process to determine the nomination policy for training sessions which also affected the decisions on who would attend training courses held by Wayamo.
2. In the wake of the post-election violence (PEV) of 2007/2008, the initial idea was to create a special

tribunal similar to those established elsewhere (for example, the Special Court for Sierra Leone). The independence of the court organs from the existing investigation, prosecution and judiciary branches would have been guaranteed more easily.

The idea of a special tribunal was then amended in favour of a special division of the High Court of Kenya.

3. How to create a self-contained and fully-staffed IOCD that was physically separate from but which would report to the DPP and CID. How to create a liaison mechanism among the different 'arms' of the IOCD.
4. The debate in Kenya about withdrawing from the Rome Statute

and repealing the International Crimes Act, which would have removed the most important tool for the domestic prosecution of international crimes, was not helpful. Fortunately, this did not occur.

5. With time, the prospects of the 2007/2008 PEV being investigated and prosecuted by the IOCD diminished. As a result, Wayamo and the majority of participants at a stakeholders meeting in February 2014 insisted on at least having IOCD jurisdiction cover post-election violence crimes in general.

6. By and large, civil society decided to abandon the IOCD process because their members' priority was to deal with the PEV. They were discouraged by the remote probability of this ever occurring. It

* Kindly see the appendix entitled, „Summary of IOCD activities.“



ICTY Chief Prosecutor Serge Brammertz and Justice Isaac Lenaola at Feb. 2015 workshop on investigating/prosecuting Crimes Against Humanity.

remains to be seen whether they will rejoin the process once the necessity of dealing with transnational organised crime will become more obvious.

MILESTONES

May 2014

On 2 May 2014, CID Director Ndegwa Muhoro announced the creation of an international crimes unit within the CID.

August 2014

On opening a Wayamo event on investigator training, CID Director Ndegwa Muhoro personally announced that the investigators whom he had sent to investigate a current case as an offence under the International Crimes Act, had been handpicked from those who had attended Wayamo training courses.

August/September 2014

A group of investigators were trained on the spot in Mombasa.

October 2014

A colloquium on international and transnational crimes was held in Pretoria, South Africa. The meetings dealt with the pitfalls for national investigation and prosecution authorities who were in the process of establishing international crime divisions. Special attention was paid to the case of Kenya.

Remarkable support was received from the German Embassy in Pretoria, which organised a high-level reception with the Chief Justice of South Africa and the Kenyan Ambassador.

February 2015

The German Foreign Minister, Mr. Frank-Walter Steinmeier, visited Kenya. The Chief Justice of Kenya, in conversation with the Foreign Minister, again confirmed the good work done by Wayamo and

informed the Foreign Minister that he hoped the capacity-building project would continue.

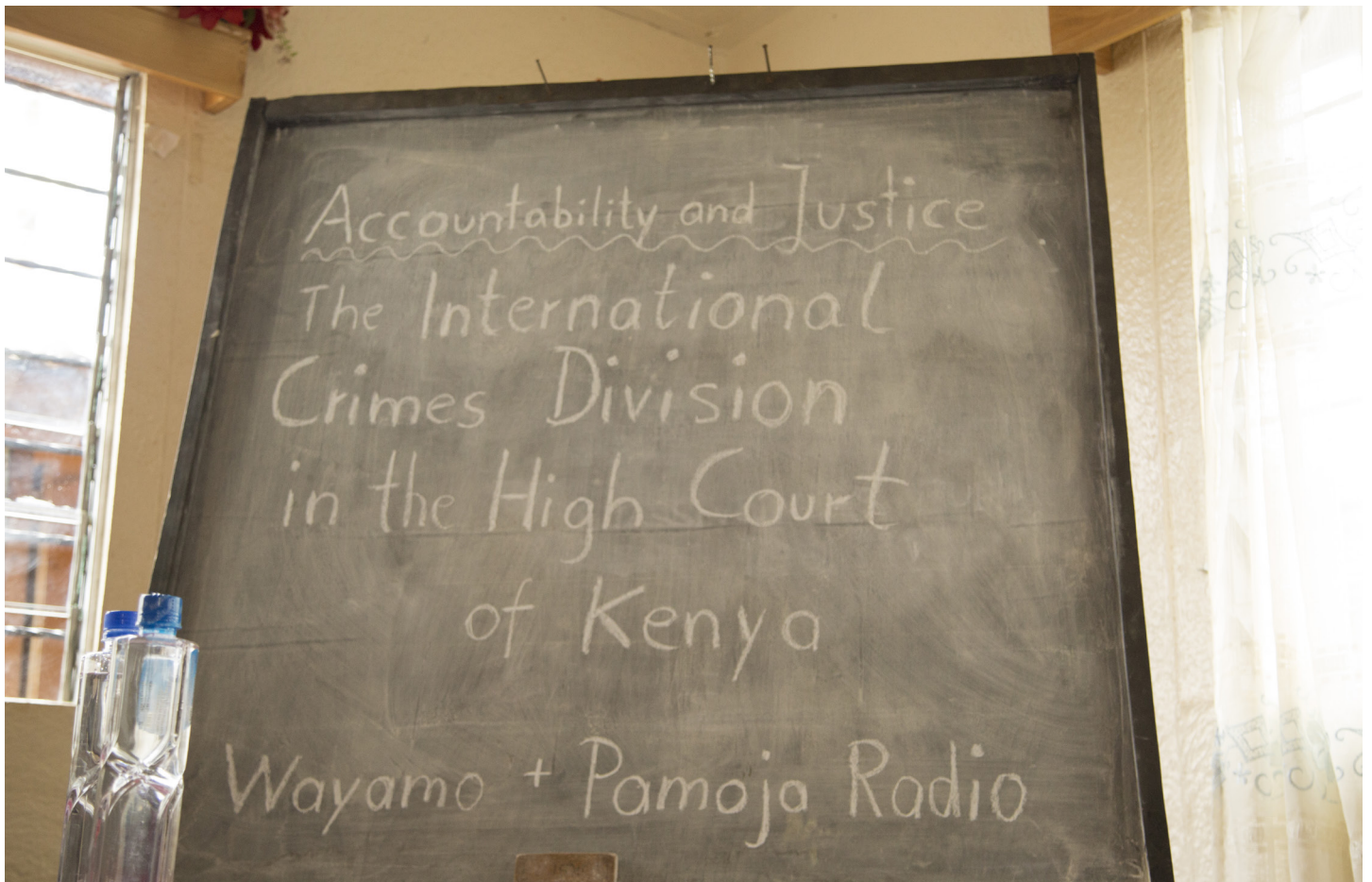
The Foreign Minister acknowledged the work that Wayamo had done in strengthening the Kenyan judicial system to deal with international and transnational crimes.

February 2015

Working meetings were held with the Director of Public Prosecutions Keriako Tobiko and the Director of Criminal Investigations Ndegwa Muhoro to discuss the already existing international crimes unit in the DPP and the crime unit in its founding stages at the CID. It was discussed how these two units could be incorporated into the overall structure of the IOCD once it was launched by the Inter-Agency Committee.

April 2015

A two-day, high-level symposium at Riara University in Nairobi was



Wayamo at an IOCD outreach event in Nairobi's Kibera slum in February 2014.

held with support from all the IOCD stake-holders, namely, the Chief Justice, DPP, CID Director, Attorney General, the German Ambassador, and the IOCD Planning Committee Chair.

IMPACT

1. Capacity-building measures and training

Through its consistent capacity-building measures, and high-level training courses in particular, Wayamo has become a driving force in the IOCD establishment process. Approximately 150 investigators and prosecutors have been trained at Wayamo workshops, which have brought together teams of international, regional, and Kenyan experts to impart and share their hands-on knowledge and experience. These included legal, judicial and security sector practitioners, academics, and private sector experts.

In so doing, Wayamo has not only trained investigators and prosecutors, but also enhanced

their comprehension of the workings and potential application of the International Crimes Act in Kenya.

2. Creation of joint investigation teams

During the various training sessions, it became increasingly clear that effective international investigations call for close collaboration between investigators and prosecutors.

Networks of investigators and prosecutors were established and fostered, and Kenyan investigators and prosecutors reached a significant milestone when they formed a joint investigation team in the case of the Mpeketoni terrorist attack on the Indian Ocean coast in 2014. Indeed, Wayamo was consistently told by participants that without the meetings, training sessions, and workshops, this would



Chief Justice Willy Mutunga is interviewed after announcing the launch of the IOCD in November 2012.

never have taken place.

3. Media and community work

Through its organisation and sponsorship of community town-hall meetings across the country and appearances on numerous radio programmes and shows, Wayamo has been able to disseminate

been consulted and given a voice through the forums and town-hall meetings which Wayamo arranged in low-income neighbourhoods and communities in Nairobi, Nakuru, Kisumu and Mombasa.

Wayamo also held a number of public outreach events with several

Wayamo thus helped to ensure a continuous dialogue with civil society groups and local communities, facilitated responsible media coverage, and supported the media in providing accurate, yet understandable, information to the public on complex legal and political matters pertaining to the IOCD.

„Over the last two years, the Wayamo Foundation has held twelve training workshops for Kenyan investigators and prosecutors; ten in Kenya, one in Nuremberg, Germany, and one in Pretoria, South Africa. The Foundation has trained about 150 people, most of whom have attended several, if not all, of the workshops.“

**– Andreas Peschke, German Ambassador to Kenya
April 2015**

knowledge and understanding of the IOCD to a broad cross-section of Kenyan society.

Kenyan civil society groups have

universities in and around Nairobi and Mombasa, where students were given the opportunity to learn about and engage with the IOCD establishment process.

4. Intellectual development

By bringing together a diverse group of scholars and practitioners, as well as through its training courses, conferences, symposiums, colloquiums, town-hall meetings, and workshops, Wayamo has identified important trends in the investigation and prosecution of international and organised crimes, including:

- The increasingly domestic nature of such investigations and prosecutions
- The role of the International Criminal Court in catalysing domestic actions
- The intersection of transnational and international crimes.



Wayamo Director Bettina Ambach, German Ambassador to Kenya Andreas Peschke, Attorney General of Kenya Githu Muigai and Chief Justice of Kenya Willy Mutunga in April 2015.

WAY FORWARD

The functioning and success of any international crimes division will depend on the existence of sufficient political will.

This is of even greater importance, given that the nature of international and organised crimes often implicates senior political figures.

To ensure that the political will in Kenya remains present while the IOCD develops and brings forward its first cases, both international and domestic actors need to remain engaged in the project, communicate the necessity of fighting impunity, and remind the government of its promise to bring perpetrators of international and

organised crimes in the country to justice.

Throughout the project, it has become clear that the future of prosecuting international crimes will increasingly lie at a national, and perhaps even regional level. Hence, it will be imperative for projects, such as that led by the Wayamo Foundation, to help build capacity, train lawyers, spread knowledge and pool expertise.

APPENDIX I:

SUMMARY OF ACTIVITIES OF THE “COMPLEMENTARITY IN PRACTICE – CAPACITY BUILDING FOR THE ESTABLISHMENT OF THE INTERNATIONAL AND ORGANISED CRIMES DIVISION OF THE KENYAN HIGH COURT” PROJECT COMPLETED BETWEEN MAY 2013 TO MAY 2015

I. CONSULTING AND COORDINATING ACTIVITIES

Meetings of the “Strategic Committee on the establishment of the International Crimes Division in the High Court of Kenya”:

17 May 2013

Intercontinental Hotel, Nairobi

14 September 2013

Windsor Hotel, Nairobi

11 – 18 November 2013

Preparatory meetings in Nairobi for stakeholders meeting in Naivasha in February 2014

5 December 2013

ICD Strategic Group Retreat at Panari Hotel, Nairobi

4 – 7 February 2014

ICD Strategic Committee Retreat the Sawela Lodge, Naivasha (on 25 February 2014 Wayamo completes a draft road map for the establishment of the ICD and sends it to the ICD planning committee under **Rev. Sam Kobia**)

11 April 2014

Meeting in Chief Justice **Dr. Willy Mutunga’s** Boardroom, Supreme Court Building, Nairobi

Additionally, Wayamo held Nairobi meetings with **Rev. Sam Kobia**, Chair of the IOCD Committee in **July, August, October and December 2014**, as well as **January, February and March 2015**.



Workshop on Investigation and Prosecution of Crimes against Humanity under the International Crimes Act.

II. CAPACITY BUILDING ACTIVITIES

4 – 8 November 2013

Nuremberg, Germany

International Criminal Investigations Training I

Topics: International Humanitarian Law, Modes of Liability, Investigation Management and Planning, Witness Protection, Prosecutorial Strategies, and Sexual Violence under International Law.

Participants: Six senior prosecutors and police investigators from Kenya.

Resource persons:

• **John Michael Dixon**

Consultant to the Institute for International Criminal Investigations (IICI)

• **Joseph Powderly**

Assistant Professor of Public International Law, Grotius Centre for International Legal Studies, Leiden University, The Netherlands

• **Robert Grinstead**

Technical Advisor Investigations, Independent Policing Oversight Authority (IPOA), Nairobi, Kenya

• **Gerhard Van Rooyen**

Adviser, Law Enforcement & Witness Protection, UNODC Regional Office for East Africa, Nairobi, Kenya

• **Alex Whiting**

Professor, Harvard Law School

• **Michelle Jarvis**

Senior Legal Adviser to the Prosecutor, International Criminal Tribunal for the former Yugoslavia (ICTY)

10 – 14 February 2014

Nairobi, Kenya

International Criminal Investigations Training II

Topics: International Criminal Law, Witness Protection, Sexual/Gender Violence, Investigation Management, ICTY History, Victim advocacy, Terrorism.

Participants: Eleven prosecutors from the Office of the Director of Public Prosecutions (DPP) and eight investigators from the Office of Criminal Investigations (CID)

Resource persons:

- **Alex Whiting**

Professor, Harvard Law School

- **Akingbolahan Adeniran**

Former ICC investigator and trial lawyer from Nigeria

- **Serge Brammertz**

Prosecutor, International Criminal Tribunal for the former Yugoslavia (ICTY)

- **Wilfred Nderitu**

Legal Representative of Victims at the International Criminal Court

- **Patricia Viseur Sellers**

International criminal lawyer, Visiting Fellow Oxford University, Former Legal Advisor for Gender to the ICTY/ICTR

- **Otilia Maunganidze**

Researcher in the Transnational Threats and International Crime Division at the Institute for Security Studies, Pretoria, South Africa

- **Gerhard Van Rooyen**

Adviser, Law Enforcement & Witness Protection, UNODC Regional Office for East Africa, Nairobi, Kenya

28 – 29 April 2014

Nairobi, Kenya

Forensic Evidence and Crime Scene Training I

Topics: Disaster Victim Identification, body recovery-processes, forensic anthropology, information and evidence which can be gathered from human remains, chain of custody, identification of evidence types, scene examination and evidence handling.

Participants: Sixteen investigators from the Office of Criminal Investigations (CID) and eight prosecutors from the Office of the Director of Public Prosecutions

Resource persons:

- **Dr. Lucina Hackman**

Accredited Forensic Anthropologist, Lecturer in Human Identification, Centre for Anatomy and Human Identification, University of Dundee

- **Grant Thomson, Dip.CSE, PgCert, MSc.**

Forensic & Biometric Consultant for Torchlight Solutions

2 May 2014

Nairobi, Kenya

Informal Discussions on the International and Organized Crimes Division of Kenya's High Court and its Ramifications for Police/Investigations and Prosecution

Topics: Establishing International and Transnational Crimes Units within the Police/CID, the DPP and the Judiciary, prosecution-led investigations, developing liaison mechanisms between these units and cooperation between internationally- and nationally-appointed investigators and prosecutors.

Participants: Criminal Investigations Director **Ndegwa Muhoro**, high-level representatives from the DPP, the Police/CID, UNODC and Prosecutor **Serge Brammertz** from the International Criminal Tribunal for the Former Yugoslavia.

Speakers:

• **Bettina Ambach**

Director, Wayamo Foundation

• **Ndegwa Muhoro**

Director, Criminal Investigation Department CID, Nairobi

• **Serge Brammertz**

Prosecutor, International Criminal Tribunal for the former Yugoslavia (ICTY)

• **Gerhard Van Rooyen**

Adviser, Law Enforcement & Witness Protection, UNODC Regional Office for East Africa, Nairobi, Kenya

• **Kioko Kamula**

Senior Assistant Director of Public Prosecutions, DPP, Nairobi

30 June – 2 July 2014

Nairobi, Kenya

Workshop on Transnational Crimes

Topics: Transnational organized crime threat assessment for Kenya and Eastern Africa, public international law, how States exercise jurisdiction over transnational crimes, relevant treaties and customary international law, different crimes covered by Transnational Criminal Law, Police cooperation, extradition and mutual legal assistance, protection of human rights in Transnational Criminal Law.

Participants: First workshop: Ten court reporters and ten Law School Students. Second workshop twenty-two officers from DPP, two officers from CID.

Resource persons:

• **Robert J. Currie**

Associate Professor of Law, Dalhousie University, Canada

• **Reiko Fujibayashi**

United Nations Office on Drugs and Crime (UNODC)

22 – 23 August 2014

Nairobi, Kenya

Establishing Investigative Units for Serious Crimes

Topics: Why a special investigative unit for Kenya, Experiences of **Frank Dutton** investigating in an hostile environment, how to select and recruit staff for these investigative units, the multi-disciplinary approach, Investigating and prosecuting under the International Crimes Act, Human Rights and investigations.

Participants: Eleven CID officers, nine DPP officers.

Resource Persons:

• Frank Dutton

South African Police Officer

• Howard Varney

Senior Programme Adviser, International Centre for Transitional Justice

4 October 2014

Naivasha, Kenya

Strengthening Investigation and Prosecution against Wildlife Trafficking

Topics: Involvement of transnational organised crime syndicates in the illegal trade in elephant ivory and rhinoceros horn, the “top-down” and “bottom-up” approaches to investigation, Working up the chain of command, Chain of custody, Collaboration with neighbouring countries, Case studies from Kenya

Participants: Twenty four participants including representatives from Directorate for Public Prosecutions (DPP), Criminal Investigation Department (CID), Kenya Wildlife Services (KWS), Kenya Revenue Authority (KRA), Immigration Department, Asset Recovery Agency under the Office of the Attorney General and Kenya Airports Authority.

Resource persons/speakers:

• Sal Amato

Senior Consultant, Environmental and Wildlife Crimes, Interpol, New York

• Christian Dietrich

Criminal Intelligence Officer, Environmental Security Sub-Directorate (ENS), Interpol, New York

• Javier Montaña

Regional Coordinator Container Control Programme and Regional Coordinator Wildlife and Forest Crime Programme, United Nations Office on Drugs and Crime (UNODC)

8 – 10 October 2014

Pretoria, South Africa

Colloquium on International and Transnational Crimes

Topics: Uneasy Triangular Relationship between the AU, the ICC and the UN Security Council; Introduction to Transnational Criminal Law; How “Domestic” is the Future of International Criminal Law?; International Core Crimes and Modes of Liability; Challenges of proving international core crimes and their overlap with transnational crimes; Investigating in Hostile Environments; The multi-disciplinary investigation team; Complex Investigations; Moving from national to international investigations and the importance of international police cooperation; Collaboration and coordination of justice sector agencies; Witness protection; Lessons Learned from Uganda’s International Crimes Division; Key Challenges from Investigations and Prosecutions at the International Criminal Tribunal for Rwanda with a Focus on National Prosecution.

Participants: Twenty participants including international criminal law experts from ICC, ICTR, Interpol, Commonwealth, Academia, investigators and prosecutors from Kenya.

Speakers:

• **Dire Tladi**

Professor of International Law, University of Pretoria; Special Adviser to the Minister of International Relations and Cooperation of RSA; Member of the UN International Law Commission

• **Allan Ngari**

Researcher, Transnational Threats and International Crime, Institute for Security Studies

• **Chris Gevers**

Lecturer (human rights and international law) at the School of Law, University of KwaZulu-Natal, South Africa

• **Alex Whiting**

Professor, Harvard Law School

• **Frank Dutton**

South African detective/investigator, former Director of Special Investigations with over 40 years of international experience in serious crime prevention.

• **Nicolas Sebire**

Specialized Officer, Office of the Special Representative of INTERPOL to the United Nations New York

• **Shirani de Fontgalland**

International law and justice expert, prosecutor, London (until end of August 2014; Head of Criminal Law Section, Commonwealth Secretariat, London)

• **Gerhard van Rooyen**

Witness protection expert, ICC

• **Joan Kagezi**

Head of the Prosecution Division of the International Crimes Division of Uganda

• **Murtaza Jaffer**

Special Assistant to the Prosecutor, International Criminal Tribunal for Rwanda, Arusha, Tanzania

20 – 22 November 2014

Nairobi, Kenya

Investigation and Prosecution of Crimes against Humanity under the International Crimes Act I*Topics:*

Elements of Crimes against Humanity; Contextual and Crime-Base Elements, Analysis and Investigation Phase; Modes of Liability under the International Crimes Act; Individual Criminal Responsibility and Superior or Command Responsibility; Planning an Investigation in a joint team; Linkage Evidence; Basic Evidential Issues at Trial; the Statement-Taking Process

Participants: Twelve officers from DPP, Twelve officers from CID

Resource Persons:

- **Akingbolahan Adeniran**

Senior Special Assistant to the Governor of Lagos State on Legal Matters, Attorney General's Chambers, Lagos State Ministry of Justice, Nigeria

- **Adejoké Babington-Ashaye**

Counsel, World Bank Administrative Tribunal, Washington, USA (former International Criminal Court investigator)

- **Aimée Comrie**

Adviser to the Special Representative and Co-ordinator for Combating Trafficking in Human Beings, Organization for Security and Co-operation in Europe (OSCE), Vienna, Austria

16 – 17 February 2015

Nairobi, Kenya

Strengthening Investigation and Prosecution of Cyber Crimes

Topics: National legal framework in terms of prosecutions and applicable procedures; Cyber crime legislation in Kenya; Enforcement measures to fight cyber crime and its challenges; INTERPOL Global Complex for Innovation (IGCI) and its fight against cyber crime; Ethical hackers, penetration and Cyber Security

Participants: Thirteen officers from DPP, Thirteen officers from CID

Resource Persons:

- **Nicholas Mufuku**

Acting Deputy Director of Public Prosecutions, Office of the Director of Public Prosecutions (ODPP), Nairobi

- **Tumaini Wafula**

Senior Principal Prosecution Counsel, Office of the Director of Public Prosecutions (ODPP), Nairobi Inspector

- **Jackson Cheboi**

Deputy In Charge, Cyber Crime Unit, Directorate of Criminal Investigations (DCI), Nairobi

- **Douglas Gichuki**

Lecturer, Strathmore University Law School

- **Abdulkarim Chukkol**

Head, Advance Fee Fraud and Cyber Crimes Section, Economic and Financial Crimes Commission, Lagos, Nigeria

- **Oscar Sakindi**

Co-ordinator Regional Bureau, Digital Crime Officer, INTERPOL Global Complex for Innovation, Singapore

- **Ibrahim Gathungu**

Manager, Risk Assurance Department, PWC, Nairobi, Kenya

- **Tyrus Kamau**

Head of Information Security & Risk, Airtel Money, Nairobi, Kenya

19 – 20 February 2015

Nairobi, Kenya

Investigation and Prosecution of Crimes against Humanity under the International Crimes Act II

Topics: Contextual elements, Crime-base elements, Modes of liability; Combating human trafficking and modern-day slavery; Joint investigation teams; The role of prosecutors, analysts and investigators; Evidence (general & linkage); Witness interviews and statement taking; Drafting a charge sheet on crimes against humanity

Participants: Thirteen officers from DPP, thirteen officers from CID

Resource Persons:

- **Serge Brammertz**

Chief Prosecutor, International Criminal Tribunal for the former Yugoslavia (ICTY), The Hague

- **Justice Isaac Lenaola**

Judge at Kenya's High Court, Judge of the Residual Special Court for Sierra Leone

- **Akingbolahan Adeniran**

Senior Special Assistant to the Governor of Lagos State on Legal Matters, Attorney General's Chambers, Lagos State Ministry of Justice, Nigeria

- **Adejoké Babington-Ashaye**

Counsel, World Bank Administrative Tribunal, Washington, USA (former International Criminal Court investigator)

- **Aimée Comrie**

Adviser to the Special Representative and Co ordinator for Combating Trafficking in Human Beings, Organization for Security and Co-operation in Europe (OSCE), Vienna, Austria

26 – 27 March 2015

Nairobi, Kenya

Two-day In-House Training for Investigators at Kenya Police Criminal Investigation Department: Establishing an International and Transnational Crimes Unit in the CID

Resource persons:

- **William Wiley**

Director, Commission for International Justice and Accountability (CIJA)

- **Ewan Brown**

Senior Consultant, Commission for International Justice and Accountability (CIJA)



April 2015 workshop on the compendium of best practices in investigation and prosecution of international crimes.

27 April 2015

Nairobi, Kenya

Workshop on the compendium of best practices in investigation and prosecution of international crimes and its local application

Speakers:

• **Serge Brammertz**

Prosecutor, International Criminal Tribunal for the former Yugoslavia

• **Robert Petit**

Counsel and Team Leader, War Crimes and Crimes Against Humanity Section of the Canadian Department of Justice

• **Jean Bosco Mutangana**

Head, International Crimes Unit, National Public Prosecution Authority, Rwanda

• **Lilian Obuo**

Head, International Crimes Division, Office of the Director of Public Prosecutions, Kenya

• **Jemima Njeri**

Senior Researcher, Transnational Threats and International Crime Division, Institute for Security Studies, Pretoria, South Africa

• **Hassan Bubacar Jallow**

Prosecutor, International Criminal Tribunal for Rwanda and International Residual Mechanism for Criminal Tribunals

• **Stella Ndirangu**

Kenya Section of the international Commission of Jurists

• **Cristina Ribeiro**

Investigation co-ordinator, Office of the Prosecutor, International Criminal Court

• **Simo Väättäinen**

Former Chief of the Victim and Witness Protection Unit, ICC



February 2014 community forum in Korogocho slum in Nairobi.

III. OUTREACH/CIVIL SOCIETY/MEDIA ACTIVITIES

16 – 27 May 2013

Nairobi, Kenya

Meetings with ICD-stakeholders from the Government, the Judiciary, the Office of the Director for Public Prosecutions, the Attorney General, UNODC, several universities in Nairobi, and a large group of representatives from Kenyan civil society

31 August – 16 September 2013

Nairobi, Kenya

Continuation of ICD-stakeholders meeting

12 November 2013

Nairobi, Kenya

First meeting with group of twelve Kenyan journalists who will be trained to report objectively and responsibly on ICD-issues

12 – 18 November 2013

Nairobi, Kenya

Meetings to prepare for ICD-stakeholders retreat in Naivasha

6 December 2013

Nairobi, Kenya

Training for a group of twelve journalists representing all media houses: The establishment of the International Crimes Division in the High Court of Kenya, its jurisdiction and its justification

10 December 2013

Nairobi, Kenya

Strathmore University debate: The establishment of an International Crimes Division in the High Court of Kenya

3 February 2014

Nairobi, Kenya

Riara University debate with special guest **Brenda Hollis**: Interaction between International Courts and domestic international crime divisions

12 February 2014

Nairobi, Kenya

Strathmore University debate: International Trials Under Scrutiny – Are prosecutions the key to accountability for mass crimes in Africa?

17 February 2014

Mombasa, Kenya

University debate in Mombasa and interactive one-hour radio programme on ICD

18 February 2014

Nairobi, Kenya

Community forum in Korogocho slum and one-hour radio programme at community radio station Koch FM

19 February 2014

Nairobi, Kenya

Community forum in Kibera slum and one-hour radio programme at community radio station Pamoja FM

5 May 2014

Nairobi, Kenya

Radio debate at Ghetto FM

5 May 2014

Nairobi, Kenya

University of Nairobi panel debate: Supporting Complementarity through Domestic Justice: The International Crimes Division (ICD) in the High Court of Kenya

6 May 2014

Nairobi, Kenya

Community meeting in Mathare slum

8 – 10 May 2014

Naivasha Media and Law Workshop for twenty court reporters and four Kenyan law students: International Criminal Law and its domestic implementation

21 August 2014

Nairobi, Kenya

Panel Debate with civil society members: Strengthening Complementarity – Establishing the International and Organised Crimes Division (IOCD) in the High Court of Kenya

22 August 2014

Nakuru, Kenya

Radio debate at Radio Egerton station

25 August 2014

Nairobi, Kenya

Radio debate at Waumini Radio station

25 August 2014

Nairobi, Kenya

Academic debate between Catholic University for Eastern Africa and African Nazarene University



May 2014 University of Nairobi panel debate on supporting complementarity through domestic justice.

26 August 2014

Nairobi, Kenya

Community forum in Mathare slum/Nairobi: Delivering justice to the people – Establishing the International and Organised Crime Division (IOCD) in the High Court of Kenya

1 – 2 October 2014

Kisumu, Kenya

Interactive radio show on the IOCD and community forum: Delivering Justice to the People – Establishing the International and Organised Crime Division (IOCD) in the High Court of Kenya

24 November 2014

Nairobi, Kenya

Panel discussion at Strathmore University: How “Domestic” is the future of International Criminal Law? International and Organised Crimes Divisions in Africa and the Balkans

25 November 2014

Mombasa, Kenya

Interactive radio show on the IOCD and community forum: Delivering Justice to the People – Establishing the International and Organised Crime Division (IOCD) in the High Court of Kenya

18 February 2015

Nakuru, Kenya

Community forum: Strengthening Complementarity – Establishing the International and Organised Crimes Division (IOCD) in the High Court of Kenya

19 February 2015

Kisumu, Kenya

Community forum: Strengthening Complementarity – Establishing the International and Organised Crimes Division (IOCD) in the High Court of Kenya



28 – 29 April 2015

Nairobi, Kenya

International Symposium at Riara University:

Ending Impunity Together. Domestic and International Prosecution of International and Transnational Organised Crimes

Speakers:

- **Philipp Ambach**

Special Assistant of the President, ICC

- **Adejoké Babington-Ashaye**

Counsel, World Bank Administrative Tribunal, Washington

- **Serge Brammertz**

Prosecutor, International Criminal Tribunal for the former Yugoslavia (ICTY)

- **Don Deya**

CEO Pan African Lawyers Union, Arusha, Tanzania

- **Jolene Harvey**

Deputy Director & Senior Counsel, War Crimes and Crimes Against Humanity Section of the Canadian Department of Justice

- **Kevin Jon Heller**

Professor of Criminal Law, SOAS, University of London

- **Hassan Bubacar Jallow**

Prosecutor, International Criminal Tribunal for Rwanda and International Residual Mechanism for Criminal Tribunals, Arusha, Tanzania

- **Sylvia W. Kang'ara**

Dean & Associate Professor of Law Riara Law School

- **George Kegoro**

Executive Director, International Commission of Jurists Kenya

- **Mark Kersten**

London School of Economics

• **Eric Kibet**

Lecturer, Riara University Law School

• **Sam Kobia**

Presidential Senior Advisor on Cohesion, Peace and Conflict Resolution, Chair of the IOCD Committee

• **Athaliah Molokomme**

Attorney General of Botswana

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