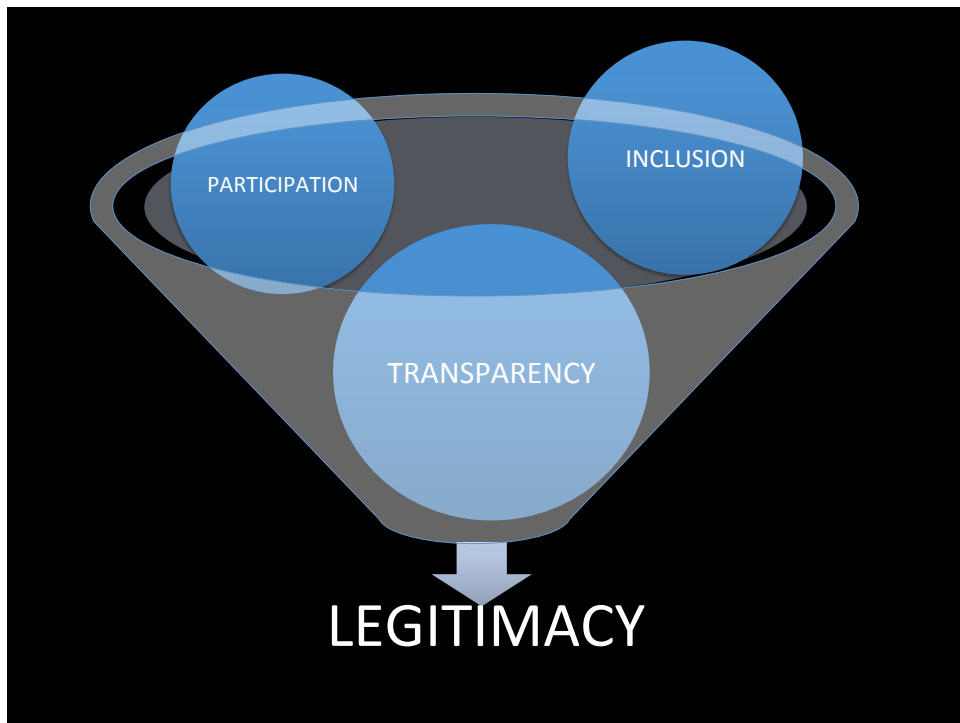
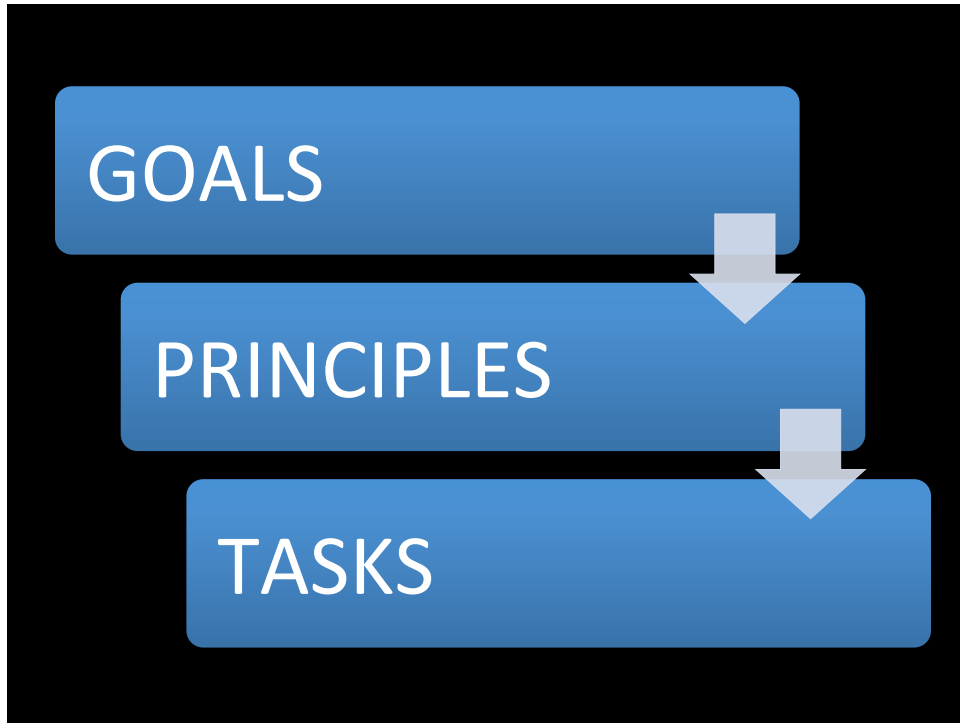


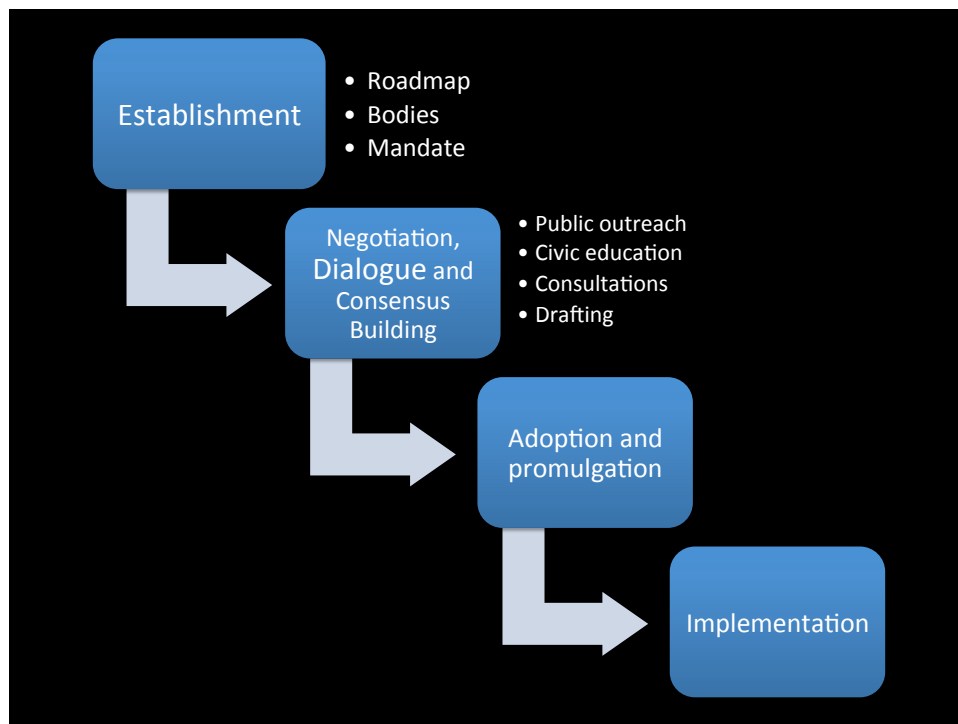
Constitutional Development & Reform

MINISTER FASIL NAHUM &
SUSAN STIGANT

Constitution Making Process

- Goals, Principles and Tasks
- Anticipating Challenges
- Constitution Making in the IGAD-led process





ANTICIPATING and MITIGATING CHALLENGES

- Time – efficiency versus legitimacy
- Difficult conversation
 - may be divisive and contentious
 - mitigate risks:
 - Inclusion, participation & transparency
 - Reframe issues
- Political commitment
 - Enshrine in agreement
 - Deadlock breaking mechanism
- Technical and procedural coherence

CONSIDERATIONS FOR IGAD-LED PROCESS

- Where is the constitution process? Where do you want to go? What changes are needed to the roadmap?
- What is the starting point?
 - Process
 - Substance
- What needs to be discussed, agreed and guaranteed through the IGAD-led mediation process?
 - Incorporate transitional arrangements
 - Amend roadmap
 - Principles (process or substance)

KENYA

NATIONAL DIALOGUE AND
RECONCILIATION AGREEMENT

CONSTITUTION OF KENYA
REVIEW ACT (2008)

COMMITTEE OF EXPERTS +
PARLIAMENT + REFERENDUM

SOUTH AFRICA

CODESA +MULTIPARTY
NEGOTATION PROCESS

INTERIM CONSTITUTION
(PRINCIPLES)

NATIONAL ASSEMBLY +
CONSTITUTIONAL COURT REVIEW

