



# Resumé of

## Dr. Kithure Kindiki

**AS AT APRIL 2006**

### **Summary of Qualifications and Experience**

*Dr. Kithure Kindiki is currently Head of the Department of Public Law, and Senior Lecturer of International Law, School of Law, University of Nairobi.*

*He holds a Ph.D degree in international law from the University of Pretoria, and has seven (7) years of University teaching at both undergraduate and post-graduate levels. He has published many articles in peer-reviewed journals and has acted as a consultant for the United Nations High Commissioner for Refugees (UNHCR), the United Nations Development Program (UNDP) and other international and national organizations. He is a member of the Academic Council on the United Nations System (ACUNS), the International Association on the Study of Forced Migration (IASFM), the Law Society of Kenya (LSK) and the International Commission of Jurists (Kenya Chapter) (ICJ-K).*

## **A: PERSONAL DETAILS**

**Names:** Dr. Kithure Kindiki

**Nationality:** Kenyan

**Age:** 33 Years

**Marital Status:** Married

**Languages:** Fluent in **English** (written and spoken); basic knowledge of **French**

**Current Position:** Head, Department of Public Law & Senior Lecturer of International Law, School of Law, University of Nairobi, Kenya.

**Contact Address:** Department of Public Law  
School of Law, University of Nairobi  
PO Box 30197- 00100 Nairobi, Kenya

Tel: +254 (0)20 340856/8/9 (Off); +254 20 810 466 (H); Fax: +254  
20 374 1769; Cell: +254 0723 149 196

Email: [kkindiki@yahoo.co.uk](mailto:kkindiki@yahoo.co.uk)

## **B: EDUCATION**

2002: **Ph.D** in International Law, University of Pretoria, South Africa.

2000: **Master of Laws (LLM)** in International Human Rights Law and Democracy  
University of Pretoria, South Africa.

1998: **Bachelor of Laws (LLB)**, Moi University, Kenya.

## **C: EMPLOYMENT HISTORY**

January 2006- to date: **Head, Department of Public Law & Senior Lecturer** of  
International Law, University of Nairobi.

2004- 2005: **Lecturer** of Law, University of Nairobi.

1999-2003:**Lecturer** of Law, Moi University, Kenya. Teaching Undergraduate Law students the following courses: Public International Law, Human Rights Law, International Humanitarian Law, International Dispute Resolution. In this position, was able to conduct teaching and research especially in the areas of public international law and human rights law. Some of the research findings have been published in refereed journals.

2000 (October) to 2001 (March): **Resettlement Consultant**, Legal Unit/ Division of International Protection, UNHCR, Branch Office for South Africa, Pretoria. The functions of this post required me to carry out legal protection work on behalf of refugees and asylum seekers in South Africa. I was involved in refugee status determination, advising refugees and asylum seekers on their rights under national and international law and recommending durable solutions for them on a case-by-case basis.

## **D: RESEARCH ACTIVITIES, PARTICIPATION IN INTERNATIONAL LEARNED CONFERENCES AND CONTRIBUTION TO UNIVERSITY AND PUBLIC LIFE**

### **PUBLICATIONS**

#### **Books/monographs**

*The Anatomy of Bomas: Selected Analyses of the 2004 Draft Constitution of Kenya* Nairobi: Claripress, (2005) [with Osogo Ambani (eds)] ISBN NO.: 9996-915-80-X.

*Humanitarian intervention and State Sovereignty in Africa: The Changing Paradigms in International Law* Eldoret: Moi University Press (2003) ISSN: 1727-1746.

#### **Book Chapters**

“Broadening the Horizons: the Draft Constitution of Kenya and the Protection of Socio-economic Rights” in *The Anatomy of Bomas: Selected Analyses of the 2004 Draft Constitution of Kenya* Nairobi: Claripress [with Osogo Ambani (eds)]

#### **Articles in academic journals**

“The African Peace and Security Council and the Charter of the United Nations” in Volume 1 Number 1 (2005), *The Law Society of Kenya Journal* p. 77.

“Europe and the Reconstruction of Somalia” in Volume 23 (2005) *Forced Migration Review* p. 37.

“Ten Years on: The International Criminal Tribunal for Rwanda’s Contributions to International Criminal Law” in Volume 31-34 (2004) *Eastern Africa Law Review* pp. 76-100.

“Towards Constitutional Protection of Socio-economic Rights in Kenya: Any Lessons From the South African Experience?” in Volume 14 (2004) *Lesotho Law Journal* pp. 51-75.

“Universal Jurisdiction for International Crimes, the Public Good and the Changing Face of State Sovereignty” in Volume 2 (2004) *University of Nairobi Law Journal* pp.116 – 140.

“Kenya” in Christof Heyns (ed) in Volume 2 (2004) *Human Rights Law in Africa* Kluwer: The Hague 1178 –1202 (With Kivutha Kibwana).

“A Preliminary Comment on the Independence of the Kenya National Commission on Human Rights” in Volume 2 Number 2 (2004) *East African Journal of Human Rights and Democracy* p. 120 – 127.

“The Increasing Role of African Intergovernmental Organisations in Issues of Regional Peace, Security and the Protection of Human Rights: Legal Aspects” in Volume 35 (2003) *Zambia Law Journal* pp.74 –103.

“The Normative and Institutional Framework of the African Union Relating to the Protection of Human Rights and the Maintenance of International Peace and Security: A Critical Appraisal” in Volume 3 Number 1 (2003) *African Human Rights Law Journal* pp. 97 – 117.

“The General Principles of the Law of International Watercourses” in Volume 1(2002) *East African Journal of International and Comparative Law* pp. 115 – 127.

“International Humanitarian Law in Kenya: A Country Report” (2001) 4 *Yearbook of International Humanitarian Law* The Hague: TMC Asser Press p.573-574.

“Prosecuting the Perpetrators of the 1994 Genocide in Rwanda: Its Basis in International Law and Implications for the Protection of Human Rights in Africa” in Volume 1 Number 1(2001) *African Human Rights Law Journal* pp. 63- 76.

“Gross Violations of Human Rights: Whither Humanitarian Intervention?” in (2001) *Conflict Trends* pp. 26-31.

“Humanitarian Intervention: Its Legality and Applicability to Internal Armed Conflicts in Africa” in Volume 7 Number 1 (2001) *East African Journal of Peace and Human Rights* pp.16-54.

“The Contribution of the International Criminal Tribunal for Rwanda to the Development of International Humanitarian Law” in Volume 33 (2001) *Zambia Law Journal* pp. 34-50.

### **Forthcoming Publications in 2005/6**

The following three (3) publications have been submitted for publication in 2006:

“An Appraisal of the Constitution of Kenya” (Forthcoming in) (2006) *Encyclopaedia of World Constitutions* Washington: American Law Institute

“The Proposed Merger of the African Court of Justice and the African Court on Human and Peoples’ Rights: Legal Difficulties and Merits” (Forthcoming in) (2006) *African Journal of International and Comparative Law*

“Water and Food Security in the Nile Basin: Perspectives of Governments and NGOs from Downstream Countries” (Book Chapter) (Forthcoming in 2006) (With Patricia Kameri-Mbote).

## **ORGANISATIONS FOR WHICH I HAVE ACTED AS CONSULTANT/ SPECIALIST**

I have been a consultant for the following organizations, as a legal officer/expert or conducting research, training, monitoring and evaluation services:

### **1. The United Nations High Commissioner for Refugees (UNHCR).**

June – September 2004 *3 months as Lead Consultant for **developing Kenya's Legal and Policy Framework for Refugees***

### **2. The United Nations Development Programme (UNDP)**

UNDP advisor/expert to the Ministry of Justice and Constitutional Affairs of the republic of Kenya on **Development of a human rights policy framework** – the National Action Plan for Human Rights: a two year process still ongoing (2005- 2007)

### **3. The Centre for Multi-Party Democracy (CMD).**

October 2005: Consultancy involved recommending **the appropriate constitutional framework for furthering multiparty democracy.**

### **4. The Kenya National Commission for Human Rights (KNCHR).**

As been a consultant since 2003 to date offering services as a **human rights trainer, workshop presenter**, consultant on the preparation of Kenya's country reports under the various United Nations and African Union human rights treaties. I have also undertaken a study on **the human rights approach to education.**

### **5. African Union of the Blind (AUB)**

On various dates in 2005 and 2006: Consultant on the legal and policy frameworks regarding persons with disability in Kenya.

### **6. Centre for Law and Research International (CLARION).**

2003 to date: Associate researcher for Clarion on issues of governance, democracy, constitutionalism the rule of law and human rights.

### **7. The International Commission of Jurists – Kenya Section (ICJ –K).**

Associate researcher for ICJ (K) on issues of governance, democracy, constitutionalism the rule of law and human rights.

### **8. Ministry of Justice and Constitutional Affairs, Government of Kenya.**

For the last two years, I have acted as an advisor to the Ministry in the development of a National Human Rights Action Plan.

## 9. The International Organization for Migration (IOM).

For 3 months (October 2005 and January 2006 – Was the Lead IOM Consultant for **legislation and Policy – helped to draft the proposed anti-trafficking in persons Bill, 2006.**

10. Kituo Cha Katiba (Kampala).

Research Associate

11. Director of Public Prosecutions (DPP), Republic of Kenya.

March 2006: Consultant on **Training Needs Assessment** for the Directorate of Public Prosecution.

12. Federation of Women Lawyers (Kenya) (FIDA Kenya).

Researcher on gender issues on various occasions.

### Selected learned conferences, symposia and short courses

In addition, I have attended the numerous academic conferences and learned meetings, including the following:

7-10 April 2005: Presented a paper on the “Lessons to be Learned from the European Regional Human Rights System” at the Conference *Towards an Effective Human Rights Court for Africa* Safari Park Hotel, Nairobi, **Kenya**.

29 January – 1<sup>st</sup> February 2005: Participated in the 2<sup>nd</sup> All- Africa Clinical Legal Education Colloquium, Rockview Hotel, Abuja, **Nigeria**.

9-13 January 2005: presented a paper “In Search of Canaan: Refugees, Durable Solutions and a New Constitution for Kenya” at the 9<sup>th</sup> Biennial Conference of the International Association for the Study of Forced Migration (IASFM), Sao Paulo, **Brazil**.

4-10 October 2004: Attended African Workshop on Clinical Legal Education in Africa, University of Natal, Durban, **South Africa**.

21 September 2004: Delivered a Paper “International Law and the Protection of Refugees in the 21<sup>st</sup> Century: Problems and Prospects” at the 4<sup>th</sup> East African School on Refugees and Humanitarian Affairs, Wagon Hotel, Eldoret, **Kenya**.

24–30 July 2004: Served as Lead Faculty, International Law Institute (Uganda Campus), Kampala, **Uganda**, teaching the Seminar “Human Rights and the Global Economy”.

28 April–7 June 2003: Moi University Representative at the National Constitutional Conference, Bomas of Kenya, Nairobi, **Kenya**. The Conference, which adjourned on 7

June to resume on 17 August 2003, has the mandate of writing a new constitution for the Republic of Kenya

26-29 November 2001: Presented a paper at the Conference on “ International Tribunals, the International Criminal Court and the Protection of Human Rights”, Netherlands Institute for Human Rights (SIM), University Of Utrecht, **The Netherlands**

6-14 November 2001: Attended the All Africa Course on International Humanitarian Law, University of Pretoria, **South Africa**

3-14 August 2001: Presented a paper “Humanitarian Intervention in Africa: Threat or Development of International Law?” at the 12<sup>th</sup> Annual Workshop of the Academic Council on the United Nations System (ACUNS), University of Namibia, Windhoek, **Namibia**

20-23 June 2001: Attended and Presented a Paper at the Conference on the Teaching of International Humanitarian Law in Kenyan Universities, Lake Bogoria Hotel, Baringo, **Kenya**

31 March- 10 April 2001: Visiting Researcher, The International Criminal Tribunal for Rwanda (ICTR), Arusha, **Tanzania**

19 February- 11 March 2001: Visiting Researcher, Institute for Human Rights, Abo Akademi University, Abo/ Turku, **Finland**. Attended an Advanced Course on “The International Protection of Human Rights”

11-15 October 2000: Workshop Chairman, Pretoria Spring Course on Human Rights, Hamanskraal, **South Africa**

7-9 August 2000: Attended and presented a paper at the 12<sup>th</sup> Annual Conference of the African Society of International and Comparative Law, Golden Tulip Hotel, Accra, **Ghana**

3-14 July 2000: Attended the Pretoria Winter School of Good Governance, University of Pretoria, **South Africa**

### **Contribution to University and public life**

May 2005: Appointed External Examiner for the Department of International Law, University of Dar es Salaam, Tanzania.

16-23 May 2005 – Acting Dean, Faculty of Law, University of Nairobi.

March/ April 2005: Acting Chairman, Department of Public Law, University of Nairobi.

February 2005: Appointed Editor –in – Chief, Journal of the Law Society of Kenya

November/December 2004: Acting Dean, Faculty of Law, University of Nairobi

June-July 2004: Acting Chairman, Department of Public Law, University of Nairobi

August/September 2003: Appointed by the University of Nairobi as External Examiner

August 2003: Appointed the Faculty of Law Representative to the Moi University Senate for a period of one year

April 2003: Appointed by the Vice Chancellor to represent Moi University at the National Constitutional Conference, Bomas of Kenya, Nairobi

### **Membership to Professional Associations and Societies**

I am a member of four professional organisations; namely, the Academic Council on the United Nations System (ACUNS), the International Association on the Study of Forced Migration (IASFM), the International Commission of Jurists (ICJ), and the Law Society of Kenya (LSK)

### **E: CAREER PROSPECTS**

I would like to build a career in teaching and research or in the practise of international diplomacy on behalf of the Third World.

### **F: REFEREES**

Mr. Okech-Owiti  
Dean, Faculty of Law  
University of Nairobi  
P.O. Box 30197 – 00100  
Nairobi, Kenya  
Tel 340 856/8/9  
Mobile: 0722 52 92 68.

Prof Christof Heyns  
Director, Centre for Human Rights  
University of Pretoria  
0002 Pretoria  
South Africa  
Tel: +27 12 420 4944; Fax: +27 12 362 5125

Prof. Patricia Kameri-Mbote  
Chair, Department of Private Law  
University of Nairobi  
Email: pkameri-mbote@ielrc.org