

Shava, Margaret Wambui Ngugi (Kenya)

[original: English]

Statement of qualifications

Bio data summary

<i>Education</i>	MA (Democratic Studies); LLB (Hons); Dip Law (KSL); Certified Public Secretary; Certified Mediator
<i>Experience</i>	27 years
<i>Nationality</i>	Kenyan
<i>Languages</i>	English, Kiswahili, French, local languages

Membership of professional societies

- Law Society of Kenya
- Certified Public Secretaries (Kenya)
- Mediation Institute of East Africa

Key experience

- Advocate of the High Court of Kenya of 27 years standing
- An experienced, high-level manager having worked in Legal practice, private sector, the United Nations, International NGO and Government sectors.
- Significant financial and budgetary responsibility with fundraising and programme management skills.
- Board Level responsibility for Budget, Finance and Administration, Audit, Risk and Governance.

Key skills and competencies

- Management
- Corporate and Commercial Law
- Strategic Planning
- Budgetary and Financial planning and oversight
- Refugee and Humanitarian Law
- Transitional Justice
- Corporate Governance
- Mediation
- Communication

Key capabilities and achievements

2017 Appointment to the Board of Total Kenya PLC, an international oil marketing company, appointed to Board committees including:

- Risk and Governance (Chair)
- Audit (Member)
- Nominations (Member and Secretary).

2015 Presidential appointment as a member of the Tribunal to investigate the conduct of suspended Chair and Vice Chair of the Ethics and Anti-Corruption Commission.

2009 Presidential appointment as a Commissioner of the Truth Justice and Reconciliation Commission of Kenya. Status equivalent to High Court Judge. Oversight of a budget of US \$12.5 million with a staff component of 150 persons. Editing and publication of Kenya's Truth Justice and Reconciliation Commission Report in 6 volumes

2003 Senior Regional Programme Manager for the Great Lakes programme of International Alert. Organisational strategic lead in national programme development. Personal budgetary responsibility for over 250,000 Pounds Sterling. Inception of the Regional Analysts Network in Rwanda, Burundi and DRC and production of inaugural report.

Career background

Over 27 years working experience in Law, Management, Legal Consultancy, Peace Building and Transitional Justice, holding Public Office, working in various economic sectors, as well as in the United Nations Organisation and national and international NGOs.

Qualified as an Advocate of the High Court of Kenya after serving pupillage with a pioneering Kenyan law firm. Solid Corporate experience in a blue chip Kenyan company, assisting the Company Secretary and deputising in her absence in certain duties. Practiced Conveyancing and Commercial Law with a leading Nairobi law firm, achieving good partnership prospects before taking a two year sabbatical in the USA. Augmented modern Corporate and Human Resource Management skills with a prominent Management Consultancy firm in Nairobi before launching into independent consultancy.

Sharpened training, research, writing and advocacy skills and competencies while consulting for various Human Rights NGOs. Facilitated Civic Education workshops for the Institute for Education in Democracy. Wrote concept papers for Education Centre for Women in Democracy amongst others. Election observer for FIDA-Kenya, a women's NGO with UN observer status, in the 1997 Kenya General Elections. Past Chairperson of Young Career Women (Kenya), affiliated to the International Federation of Business and Professional Women; spearheaded strategic planning for self-sustainability of the organisation's programmes and expanded existing programme for the education of deserving girls from poor families. Participant in local and international conferences and workshops. Keynote speaker at Catholic University of East Africa for International Women's Day in 2001. Alumnus of African Women's Leadership Institute, honing skills and knowledge in such areas as Feminism, personal empowerment, strategic planning and project management. Chairperson of Women in Law and Development in Africa (Kenya) chapter of this pan-African women's organisation. In this capacity, provided organisational leadership for critical support to the development, and successful lobbying process for the Sexual Offences Act, a ground breaking piece of legislative reform in Kenya. Member of the Attorney-General's Task Force on the implementation of the Sexual Offences Act.

As a Joint Secretary appointed by the High Court of Kenya, successfully discharged duty to bring about and oversee elections of the National Council of Women of Kenya, the umbrella organisation for women's NGOs in Kenya, by using mediating skills to break deadlock then subsisting between differing factions.

Broad experience with UNHCR both in Kenya and abroad. Has worked for UNHCR in the capacities of Legal Screener for Refugee Status Determination, Senior Protection Assistant, and as a trainer and facilitator for workshops on Sexual and Gender-based Violence and International Refugee Law. Completed two tours with UNHCR in Sudan as an international consultant for UNHCR; selected by UNHCR HQ in Geneva as Team Leader in Gedaref for the Refugee Status Determination exercise for Ethiopian and later for Eritrean refugees, pursuant to the application of the "ceased circumstances" cessation clause. Work cited for best practices and high standards.

Achieved leading score for MA Dissertation on Ethnicity and Democracy in Kenya.

Joined International Alert, a medium sized peace building NGO based in London, UK, but working worldwide. In charge of the regional programme in the Great Lakes Region of Africa. Facilitated the transition of the AMANI Forum – the Great Lakes Parliamentary Forum on Peace – from a programme of Alert into a fully-fledged regional organisation covering Rwanda, Burundi, Kenya, Uganda, Tanzania, Zambia and the DRC. Set up and co-ordinated the Regional Analysts Network – RAN. Launched RAN's inaugural research work, carried out in Rwanda, Burundi and Eastern DRC, on the impact upon conflict of Myths, Rumours, Stereotypes and Prejudice. Took the organisational lead on developing a strategy for Alert programming in Kenya. Budget holder of over £Stg 250,000 per annum.

Successfully applied for the publicly advertised position of Commissioner with the Truth, Justice and Reconciliation Commission established in Kenya pursuant to Agenda Four of the peace accord signed in February 2008 subsequent to Kenya's period of Post-Election Violence. After passing both the interview and a rigorous vetting process, was sworn in by the Honourable the Chief Justice of the Republic of Kenya on 03 August 2009.

After successfully concluding and winding up operations at the Truth Justice and Reconciliation Commission in August 2013, engaged in Legal consultancies, including on Women's participation and leadership in the Colombian peace process.

In January 2015 opened a Law practice with a selective yet broad based clientele nationally and internationally.

Education

The University of Leeds, UK, M A Democratic Studies, fully sponsored by a Ford Foundation fellowship. The University of Buckingham, UK, Bachelor of Laws, Honours Degree assisted by a Chevening Scholarship from the British Council. Advocate of the High Court of Kenya. Certified Public Secretary (Kenya). Certificate in Oil & Gas from the Strathmore University Extractives Industry Centre, Strathmore Law School. Certificate in Competition Law from the Kenya School of Law. Certified Mediator.

Experience

Board memberships

- TOTAL Kenya PLC – Board Member; Chair of the Risk and Governance Committee; Member of the Audit Committee; Member of the Nominations Committee
- Jockey Club of Kenya – Board Member
- Family Businesses
- Church advisory committee- Legal and Financial focus

January 2015 – present

Law Firm Proprietor

Founding partner, Ngugi Shava & Associates, Advocates, a practice focussed on corporate and commercial matters. Specialising in Commercial and Conveyancing Law, with expertise in the Mining, Extractives, Oil and Gas sector; Competition Law; and Estate planning. Legal advisor in equine, aeronautical and environmental matters.

September 2013 – present

Independent Consultant and Expert

Member of the Committee on Budget and Finance at the International Criminal Court at The Hague.

Chair of the Audit Committee of the International Criminal Court at The Hague. Duties focus on providing expert advice on budget in the range of 145 million Euros, to the Assembly of States Parties.

Member of the Group of Experts engaged in February 2017 by UN Women, Colombia, to advise on the implementation of the Integrated Transitional Justice System, with a focus on Women and minorities. Participated in high level meetings and produced recommendations impacting upon the process.

Member of the Danish Refugee Council

Appointed by the Secretary-General of the Commonwealth to the Eminent Persons Observer Group for the 2015 Elections in the United Republic of Tanzania.

Appointed by His Excellency the President as a member of the Tribunal to investigate the suspended chairperson and the suspended vice chairperson of the Kenya Ethics and Anti-Corruption Commission.

Various speaking and Research engagements. Facilitation of workshops, including for the Geneva-based Nansen Initiative on climate change and movement of persons

July 2009 –August 2013

Truth, Justice and Reconciliation Commission of Kenya – Commissioner

After Kenya's General Elections were held in December 2007, widespread violence broke out as the results of the Presidential election were contested. Subsequent events led Kenya to the most serious political challenge in its post-Independence history whereby the stability of the State and the viability of the Nation lay under threat. After a process of national dialogue, one of the institutions established to address the long term issues leading to the crisis was the Truth Justice and Reconciliation Commission.

After a competitive national process, 6 Kenyan Commissioners were appointed by H.E. the President of the Republic of Kenya on 22 July 2009 to lead the institution, together with the three international Commissioners appointed through the African Union's Panel of Eminent Persons. Commissioners enjoy a status of the level of High Court judges.

At the height of its operations, The Commission had a staff of approximately 150 persons and was allocated a budget of over 1 billion Kenya Shillings (approximately 12.5 million US Dollars)

Based in Nairobi but travelling frequently throughout the country, providing strategic leadership to the process. Duties included designing the process, recruitment of key staff, liaising with key government bodies and officials as well as international organisations, fundraising and conducting public Hearings, leading to the production of the Final Report. This was presented to HE the President of the Republic of Kenya on 22 May 2013 and thereafter widely disseminated through the Internet, inserts in public newspapers, and discussion fora, with printed copies being delivered to the Executive, the Legislature and the Judiciary. Member of the Committees on Finance and Administration; and Communications. Commissioner leading committees on Report Writing; and Research.

Key achievements included critical input and participation leading to the stabilisation of the Commission after a controversial start; providing leadership during public Hearings, including those focussing on Women and on Children, and those focussing on Refugees; representing the Commission through speaking in public *fora* with local and international audiences; key participant on interventions with Parliament, Ministry of Justice, and Ministry of Finance; the finalisation and production of the Report; and its dissemination. Principal organiser and key participant in Hearings for Kenyan Refugees in Kiriyaondongo settlement, Uganda.

June 2003 – July 2009

International Alert - Senior Programme Officer – Great Lakes

Founded 21 years ago by Martin Ennals, previously the Secretary General of Amnesty International, Alert is the pioneering INGO in this field. Presently based in Nairobi, Kenya, running programmes with a regional perspective throughout the countries of the Great Lakes Region of Africa. Providing an overview linking Alert's country programmes in the region with regional initiatives and perspectives. Partnering with high level policy makers such as parliamentarians and religious leaders, with independent researchers and analysts, and with women's research and advocacy organisations to influence peace throughout the region. Some key achievements include directing the transition of the Great Lakes Parliamentary Forum on Peace – the AMANI Forum – from a programme of Alert to a successful independent organisation. Actualising the birth of the Regional Analysts Network – RAN – and coordinating its inaugural research project on the impact on conflict of rumours, myths, prejudice and stereotypes. Coordinating an important research project in partnership with the East African sub-regional Support Initiative for the Advancement of Women – EASSI - on women's participation in political transitions. Founder core member of the Great Lakes Ecumenical Forum – GLEF – which brings together inter religious leaders to seek solutions to violent conflicts in the region at both community level and the highest political levels. Key participant in fundraising, including proposal writing and donor liaison, both within and outside the region. Lobbied for and attained observer status in the International Conference in the Great Lakes Region. Successful relationship building with various political and religious leaders to facilitate organisational objectives. Speaker at various regional meetings held by organisations including the Parliamentary Forum on Small Arms and Urgent Action Fund Africa

September 2002 – May 2003

United Nations High Commissioner for Refugees (UNHCR), Headquarters, Geneva (Consultant)

Team Leader, Refugee Status Determination (RSD) exercise for Eritrean refugees in Gedaref, NE Sudan, pursuant to the application of the ceased circumstances cessation clause. Co-ordinating and supervising teams in Wad Medani and Gedaref states comprising up to 60 UNHCR lawyers and their government counterparts, each assisted by Interpreters, Registrars and Drivers also under my direct supervision. Creating work plans to achieve the objective within the stipulated time frame, providing guidance on legal issues, liaising with government officials and the RSD co-ordinator in Khartoum, as well as with UNHCR HQ in Geneva; constant travel covering an area of approximately 40,000 km, to supervise teams in outlying refugee camps. Led the first team to successfully complete the exercise.

1998, 1999, 2000, 2001

Various legal consultancies, including facilitating Sexual and Gender based Violence training workshops in UNHCR Kakuma and Dadaab refugee camps; conducting RSD and Resettlement work for UNHCR; rapporteuring and organising workshops for UNHCR; and facilitating workshops and conducting research for various NGOs such as FIDA-Kenya.

***September 2001 – August 2002**

(Study sabbatical in the UK – not in formal employment)

October 2000 – February 2001

UNHCR Consultant Legal Screener/ Protection Officer, Sudan

Pursuant to the application of the “ceased circumstances” cessation clause to all pre-1991 Ethiopian refugees, deployed to conduct RSD exercise in Sudan. Appointed team leader, Wad Medani and subsequently, team leader, Gedaref. After successful conclusion of this exercise, deployed to conduct RSD of Eritrean military combatants in Shagarab camp. Upon the opening of UNHCR Sub-Office Kassala after military skirmishes, prepared for RSD of pre 1991 Ethiopian refugees in Kassala area. In the New Year, briefed to take up the responsibilities of the Protection Officer, UNHCR Sub-Office Es Showak, in his absence on leave. Conducted RSD exercise in New Halfa and in Kassala. Assisted in concluding RSD exercise in Khartoum. Conducted training session for RSD team in Khartoum on Resettlement. Led one team in identifying and processing Resettlement cases.

Jun 1999 – Oct 2000

***UNHCR, Branch Office Nairobi , and UNHCR Regional Service Centre, Nairobi
(Senior Protection Assistant)***

Performed a wide variety of Legal tasks falling under the Department of International Protection of the UNHCR. Reporting to the Assistant Representative (Protection), carried out all aspects of the International Protection of refugee rights. Direct interviews of refugees, report writing and status determination. Interventions with government Executive and Judicial authorities. Liaising with UNHCR offices world-wide, with governments and diplomatic missions. Facilitating Durable Solutions for refugees, such as Local Integration, Resettlement and Voluntary Repatriation.

Jun 1998 – Dec 1998

UNHCR Branch Office Nairobi (Consultant Legal Screener, Deputy Co-ordinator)

Determining the status of asylum seekers according to international refugee law. Deputising in her absence for the Project Co-ordinator in Legal and Administrative matters.

Sept 1997 – Apr 1998

TACK International Management Consultants (Consultant)

Participated in Management Training assignments, set up the Executive Selection Unit

***Feb 1995 – Aug 1997**

(Resident in the United States; not in formal employment)

Feb 1994 –Feb 1995

Archer & Wilcock, Advocates (Advocate)

Deputised for Legal Consultant in Conveyancing of large urban housing estate. Worked closely with Senior Partner in Commercial and Probate matters. Represented Senior Partner on the Attorney-General's Task Force on Media.

Jul 1991 –Aug 1993

Credit Reference of Kenya Limited (Chief Legal Officer)

Key member of the team responsible for creating the first credit rating agency in Kenya. Headed the legal department, recruiting and supervising staff, administering a business unit.

Jan 1990 – Jun 1991

Kenya Breweries Limited (Assistant to Company Secretary)

Assisted the Group Company Secretary in Legal, Administrative, Human Resources and Company Secretarial duties

Apr 1988 – Dec1989

Waruhiu & Muite, Advocates (Pupil)

Learning legal practice in fulfillment of requirements under the Advocates Act

Affiliations

Law Society of Kenya

Member

Certified Public Secretaries of Kenya

Member

Mediation Training Institute of East Africa

Alumnus

ICGLR Levy Mwanawasa Regional Centre for Democracy and Good Governance

Fellow

Kenya Women in Mining Caucus

Member

WiLDAF - Kenya

(Women in Law and Development in Africa -a Pan African Women's organisation)

Past Chairperson

FIDA - Kenya

(Federation of Women Lawyers – Kenya)

Member

African Women's Leadership Institute

Alumnus

British Council

Member

Chevening Scholar

Ford Foundation

Past Fellow

Young Career Women

(Affiliate Member of International Federation of Business and Professional Women)
Past Chairperson

REFERENCES

1. Hon Justice Njoki S Ndungu
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