



IIJD Call for Action *January 2008*

Stop Kenyan Crisis Before it's too Late

Up to 1000 people have been killed in Kenya and almost 250,000 made refugees following violence over last month's disputed presidential election, in which incumbent Mwai Kibaki was declared the winner by Kenya's Electoral Commission. Opposition candidate Raila Odinga, who was widely expected to win, claims electoral fraud cheated him of victory. Both sides have been accused of vote rigging. Kenya's electoral commission chairman, Samuel Kivuitu, has been quoted as doubting Kibaki's win, claiming that he was under pressure from the ruling party to declare him the winner.

The presidential poll was described by international observers as falling seriously below international standards, and a recent exit poll carried out by the International Republican Institute (IRI) a U.S. government-backed foundation indicates that Kenyan President Mwai Kibaki suffered a resounding defeat in last month's disputed presidential election. A country known for its reliable democracy and impressive economic growth should not be allowed to find itself blighted by such corruption.

Post-election violence has been fanned by ethnic tensions that have plagued Kenya since its independence in 1963. Mr. Kibaki has the backing of the Kikuyus, the largest ethnic group in Kenya, while Mr. Odinga has rallied the support of the Luos and Kalenjins and has established a base across other ethnic communities. Both sides have accused each other of ethnic cleansing following the announcement of the results. Impartial mediators are needed immediately to ease these tensions. We must not allow history to repeat itself again with a descent into civil war.

Mr. Kibaki, who wants direct talks with opposition leader Mr. Odinga has offered to form "*a government of national unity that would not only unite Kenyans but would also help in the healing and reconciliation process*" while remaining in power as President of Kenya. Mr Kibaki's coalition government has been greeted with skepticism by the opposition who say he rigged elections to stay in power illegally. Kenya's democratic opposition leader Raila Odinga has called for an end to violence but has rejected Kibaki's calls for a coalition government, holding firm in his stance that Kibaki should step down. Mr. Odinga has agreed to only participate in talks with his rival under the presence of international mediators.

Such talks were attempted by Ghanaian President and African Union Chairman John Kufuor; Undersecretary of State for African Affairs Jendayi Frazer; Nobel Peace Laureate Archbishop Desmond Tutu and President of Tanzania Jakaya Kikwete. They have all failed to get President Mwai Kibaki and his rival to even meet, although both sides had agreed to work together with a panel African leaders under the leadership of Mr. Kofi Annan, the former United Nations Secretary General. Kufuor's failure highlights the necessity for the African Union to strengthen its role as "crisis fixer" on the continent.

Much to the dismay of the opposition, Mr. Kibaki, who rushed to be sworn in after forcing the President of the electoral commission to proclaim him winner of the elections, did not waste any time in appointing his new cabinet members who were sworn in the very day the AU Chairman



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John Kufuor left Nairobi. Moving ahead with the new government was widely judged as “inappropriate” in Kenya’s time of acute political, economical and social chaos. Responding to the lack of cooperation on Kibaki’s part, Raila Odinga and the Orange Democratic Movement announced on Friday 11th that three days of extensive protesting would take place this week, with protests planned in 25 towns across the country.

As an organization that is committed to providing justice and innovative development solutions for long-lasting positive change, we at the International Institute for Justice and development recognize that the repressive political environment, poor management, lack of transparency and accountability and the systemic barriers to securing civil and political rights imposed by government institutions paralyze the ingenuity of the people of Africa and precipitate the decline of the continent into poverty and developmental crisis. The International Community must not allow a once prosperous country to descend into disaster.

We at the IIJD are horrified by the bloodshed in what has been viewed as one of Africa’s most stable democracies and flourishing economies. The crisis is likely to have an enormous negative impact on the Kenyan economy. Tourism, which ranks as one of the top five foreign currency earners in the country, has already suffered losses of up to \$1 billion. More than 5000 tourists have cancelled their trips last week alone. Economists have made careful estimates that the crisis could as much as half the economic growth rate for the upcoming year, although the projected growth rate for this year had been at 7-8 percent – one of the most promising on the continent.

The IIJD strongly sides with the democratic process in Kenya, advocating for the Kenyan people who will continue to suffer increasingly from the on-going political crisis. We strongly condemn any political interference in the electoral process; therefore, the underlying causes of the crisis need to be determined through an investigation by an independent and impartial party. President Kibaki must accept responsibility for the killings. The IIJD calls on the international community to refuse to reward dictators and those who violate the democratic process worldwide. By accepting Mr. Kibaki’s hold on power, even in the case of a coalition government, we are encouraging future African leaders to follow a corrupt and undemocratic path to power. Mr. Kibaki’s resignation should be strongly advocated by the international community and particularly by other African leaders and any mediation talks should be accompanied by international, third party observers, as per Mr. Odinga’s request.

The downward turn of the current political, social, and economical systems in Kenya can and must be reversed as soon as possible. A provisory government should be put in place for a limited period while presidential elections are reorganized in a fair and transparent manner, with no member of the transitional government taking part in the elections. The International community should help reorganize the presidential election now instead of later having to count the heavy cost of corruption and civil war in Kenya.

Thank you for your attention to this most urgent issue.

IIJD Communication