



The Humanitarian and Political Crisis in Kenya

Testimony

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The UUSC Emergency Assessment Mission to Kenya

The Unitarian Universalist Service Committee (UUSC), a human rights and social justice organization based in Cambridge, Massachusetts, sent an emergency assessment mission to Kenya January 20-25 to learn firsthand the extent and causes of the political and humanitarian crisis that has engulfed the country in the aftermath of the flawed presidential election in late December.

My name is Charlie Clements. I am President and CEO of UUSC and a public health physician. The other two members of the mission were Dr. Atema Eclai, UUSC's Program Director and a native Kenyan and the Rev. Rosemary Bray McNatt, a UU minister and co-founder of the UU Trauma Response Ministry. We met with UUSC's NGO partners, humanitarian organizations, religious leaders, leaders of civil society organizations, and community leaders to assess the impact of the crisis on the lives and livelihoods of ordinary Kenyans and to analyze what steps are needed to achieve a durable and peaceful settlement consistent with democratic principles.

UUSC condemns the mounting violence precipitated by the electoral crisis in Kenya, and we are deeply concerned about the growing humanitarian and political crisis that has affected many of Kenya's most vulnerable citizens. We unequivocally support the right of Kenyans to free and fair elections.

Politics and poverty at the root

UUSC understands that, far from being driven only by ethnic rivalries, as the media have been reporting, the post-election violence is rooted in deep economic injustice, a skewed distribution of political power, political manipulation of ethnic identities, and the persistent failure by government to respect civil liberties and democratic processes. Long-simmering frustrations caused by economic and political problems have finally reached the boiling point in Kenya.

The benefits of Kenya's rapid economic growth have largely been concentrated among a small elite. An incredible 60 percent of Nairobi residents live in slum areas, and more than half of the people in Kenya live on less than \$2 per day. The daily reality of many

Kenya is shaped by the hardship of inequality and the indignity of poverty, which all too often lead to frustration and hopelessness.

Many hopes had been built up around this election. Late last December, on the eve of elections, ordinary Kenyans believed that their vote must count and be counted. Hard-fought gains won by civic struggles in the 1990s had lifted public hopes, and one observer told us that “this was the best electoral process since independence (1963), whether in terms of registration, campaigns, mobilization of voters, pre-election violence, voter education, or turnout.” Across the country, voters tolerated long lines at voting stations because they were both excited and confident; they were committed to exercising their right and responsibility to vote. Election participation has been estimated at 68 to 74 percent in all ‘constituencies.’

But collective expectations for a transparent, democratic process were smashed when, despite widespread reports of fraud committed at many polling stations, Mwai Kibaki, declared himself the winner and was secretly sworn in as president. Even while a storm of protest was building in Kenya and internationally, Kibaki appointed his new cabinet, disdainful to the will of the people and to the mediators then en route to Kenya. As we have seen, frustrations from justice long denied can easily escalate into violence. These dynamics, the true cause of the widespread unrest gripping Kenya, have created a severe humanitarian crisis, with grave ramifications for the entire region.

Again and again, Kenyans told our delegation that this crisis is not primarily about ethnicity. It’s about fraud. It’s about decades of politicians “feeding at the public trough.” It’s about illegally armed militias who were intentionally set loose to incite violence. At the same time, we were told that, if navigated successfully, this crisis could open an opportunity “to finally resolve the largely ignored issues of ethnicity” that have afflicted the nation since its independence.

An unstable situation

Across Kenya, entire neighborhoods and villages have been burned to the ground. Violence triggered by the flawed election has killed more than Kenyans and estimates of displaced people are as high as 600,000 people. Unrest continues in various parts of the country.

There are serious shortages of fuel, water, food, and other commodities and humanitarian aid agencies have had difficulty assessing the extent of the damage and the number of people affected because of irregular transportation and insecurity.

Since the elections, Kenyans have been ignored in their call for new elections and have been denied the right to protest openly. Instead of heeding the requirements of

transparency or rule of law, the government has ordered the police and the military to repress public demonstrations with 'shoot to kill' orders.

Security is a widespread concern. We had many first-hand reports of police standing by as rioters burned houses and stores or 'cleansed' neighborhoods of certain ethnicities.

As reported to us by the Kenya National Alliance of Street Vendors and Informal Traders (KENASVIT), one of our partner agencies in Kenya, the security situation has produced strikingly similar patterns of effects on their lives and livelihoods: some members of the alliance have been displaced from their homes, many have been displaced from their trading sites, some suffered ethnically-focused abuse, a few lost their lives, many were injured or raped, and virtually all lost property due to robbery or arson. Many vendors are operating on drastically reduced incomes due to: shortened working hours, loss of business capital and stock, low customer turnout due to fear and insecurity, heavy military and police presence that also dampens customer turnout, the high cost of merchandise due to the destruction of established businesses, difficulty using public transportation to collect wares, and difficulty getting access to bank accounts.

We also met with religious leaders – Muslim, Catholic, and Protestant – who acknowledged that while strong voices from each faith have spoken out, they have eroded their own moral authority because they have failed to speak as one and have been seen as partisan.

The NGOs told our delegation that the violence to date could be viewed as a beginning that could escalate out of control. We were told any lull in the violence should not be confused with calm, because it "gives people time to prepare, to gather their energy, to become more organized...to be more angry." One NGO leader warned, "As more and more people find themselves without food because of scarcity and skyrocketing prices, without money because they are unemployed and have exhausted their meager savings, and without hope because our political leaders are in gridlock, the poor will turn on the middle class and this could become class warfare."

Why the United States must act

Because Mr. Kibaki controls the courts, the police, and other institutions and has prohibited citizens from organizing and assembling, Kenyans need the support of impartial outside parties to achieve electoral truth and justice. We were told by Kenyans that outside assistance is critical, because under the current constraints, their institutions are not capable of resolving this peacefully.

There is growing anger in Kenya about what the United States is *not* doing. The United States was one of the first nations to congratulate Mr. Kibaki. Although the US has

since back-pedaled, in contrast the British government and European Union quickly declared that the election was flawed and have been pressuring Mr. Kibaki to accept mediation. The message being received by Kenyans is that the United States does not want to risk the alienation of Kibaki...or as Kenyans are saying, "the United States seems to be interested in peace, but not justice."

As our delegation ended one session and asked for closing remarks, someone said with great hope, "I think Bush can do something for us. If they [the Americans] could have gone at the speed of the British, Kibaki would be gone by now." He was referring to strong statements by the British ambassador, who stated publicly that a grave injustice had been done to both the Kenyan people and the Kenyan democracy. He said it must be put right, and threatened that the failure to do so would put millions of dollars in British aid to Kenya at risk.

Kenyan stability is not only crucial for Kenyans, but for the entire Horn of Africa region, for which the country serves as the gateway for international trade. It also serves as the regional transportation and communications hub, for both commerce and the flow of relief. The United Nations warehouses supplies in Nairobi for local and regional distribution. If problems persist, regional humanitarian work in Uganda, South Sudan, and the Congo will be affected.

Kenya has also played a strategic role in the United States' global security efforts, and it is clearly in the interests of the U.S. government to ensure that peace with justice is achieved.



Recommendations to Address
the Humanitarian and Political Crisis in Kenya

UUSC calls on the United States Government to:

- Deny official recognition of the Kibaki government.
- Hold off on recognizing *any* Kenyan government until the people of Kenya are given the chance to vote in a truly fair, transparent, and legitimate election.
- Issue unequivocal statements calling for investigation of the recent election
- Join with the United Kingdom and European Union in urging all parties to the conflict to end the cycle of violence and agree unconditionally to accept mediation being offered by Kofi Annan, Graca Machel, and Benjamin Mkapa.
- Urge full support for Kofi Annan's call for a Truth and Reconciliation Commission to address human rights abuses including gender-based violence.
- Explore sanctions and other effective means of pressing Kibaki that do not involve cutting off aid to NGOs such as the Kenyan Red Cross, while suspending any direct aid to the government of Kenya.
- .Commit to development aid and support to help the Kenyan people recover and rebuild from the post-election violence, if the government abides by the terms of the mediation.
- Call for constitutional reforms that will increase transparency, accountability and put in place the governance systems that can represent the democratic desires of the Kenyan people.