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# H.CON.RES. 283 – CALLING FOR A PEACEFUL RESOLUTION TO THE CURRENT ELECTORAL CRISIS IN KENYA

## FLOOR SITUATION

H.Con.Res. 283 is being considered on the House floor under suspension of the rules and will require a two-thirds majority vote for passage. This legislation was introduced by Representative Donald Payne (D-NJ) on January 23, 2008. The resolution was referred to the House Committee on Foreign Affairs on January 23, 2008, but was never considered.

H.Con.Res. 283 is expected to be considered on the House floor on February 6, 2008.

### SUMMARY

H.Con.Res. 283 resolves that the Congress:

- Commends the Kenyan people for their commitment to democracy and respect for the democratic process as evidenced by the high voter turnout and peaceful voting on election day;
- Strongly condemns the ongoing violence in Kenya and urges all parties concerned to immediately end use of violence as a means to achieve their political objectives;
- Calls for a peaceful, negotiated settlement of the conflict in Kenya;
- Calls on the two leading presidential candidates to accept offers of external and internal assistance to help find a solution to the current crisis which has the support of the people of Kenya;
- Calls on Kenyan security forces to refrain from use of excessive force and respect the human rights of Kenyan citizens;
- Calls for those who are found guilty of committing human rights violations to be held accountable for their actions;
- Calls for an immediate end to the restrictions on the media, and on the rights of peaceful assembly and association;
- Condemns threats to civil society groups, journalists, religious leaders, and human rights activists, who are making every effort towards a peaceful, just, and equitable political solution to the current electoral crisis;
- Calls on the international community, United Nations aid organizations, and all neighboring countries to provide assistance to those affected by violence and encourages them to use all the diplomatic means at their disposal to persuade relevant political actors to commit to a peaceful resolution to the current crisis; and
- Urges the President of the United States to--
  - Support diplomatic efforts to facilitate a dialogue between leaders of the Party of National Unity, the Orange Democratic Movement, and other relevant actors;



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- Consider the imposition of targeted sanctions, including a travel ban and asset freeze, on ٠ leaders in the Party of National Unity, the Orange Democratic Movement, and other relevant actors who refuse to engage in meaningful dialogue to end the current crisis; and
- Conduct a review of current U.S. aid to Kenya for the purposes of restricting all nonhumanitarian assistance to Kenya unless the parties are able to establish a peaceful political resolution to the current crisis which is credible to the Kenyan people.

## BACKGROUND

In 1992, Kenya held its first multi-party election in almost 26 years. Kenyans voted in record numbers, and narrowly elected Daniel arap Moi of the Kenya African National Union (KANU) party to the Presidency, and elected candidates from the KANU into a majority of the 210 seats in parliament. President Moi would win re-election in 1997, winning 40 percent of the vote over his nearest opposition candidate's 31 percent.

The National Rainbow Coalition (NARC) defeated the KANU at the polls in the 2002 elections, winning both the majority in the parliament and the presidency, with Mwai Kibaki defeating Uhuru Kenyatta.

On December 27, 2007, Kenyan citizens went to the polls to vote in the presidential and parliamentary elections. A December 29 tally of the votes cast reported opposition presidential candidate Raila Odinga to be over 300,000 votes ahead of the incumbent President Kibaki, with 90 percent of the precincts reporting. On December 30, the Government of Kenya imposed a ban on live media, announced a blanket ban on public assembly, and authorized the police to use lethal force. That same day, the head of the Electoral Commission of Kenya declared that President Kibaki won the presidential election by 197,000 votes. President Kibaki was sworn into office within an hour of the announcement amidst national and international concern as to the legitimacy of the election results.

Since the 2007 elections, members of the African and international community have called for investigations and audits of the election results. More than 700 people have died and an estimated 250,000 people have been displaced as a result of the violence that has followed the 2007 elections.

## STAFF CONTACT

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