



Department of Justice, Peace and Human Development Office of International Justice and Peace

Background on Kenya June 2009

We the Catholic Bishops state that the political leadership, especially His Excellency the President and the Right Honourable Prime Minister and their advisors, are capable of showing the necessary leadership to bring about a renaissance in our country. They must act together now. We say 'in the name of God and the Risen Christ get on with it now – the alternative is too dreadful to contemplate.

--Kenya Episcopal Conference, April 24, 2009

BACKGROUND

When the results of the December 27, 2007 Presidential elections were announced giving incumbent President Mwai Kibaki the victory, violence broke out in Kenya. The unrest was widespread, killing over 1,000 people and displacing about 300,000 people to various makeshift camps in and outside of Kenya. The economy of Kenya, a vibrant engine of growth in the region, remains crippled with huge losses registered in the tourist industry and in the export of agricultural commodities like flowers, coffee, and tea.

After a number of mediation attempts by international actors failed, Kofi Annan, former UN Secretary General, and a team of mediators succeeded in mapping out a series of political compromises and policy changes that resulted in the signing of the National Accord and the passage of an act of Parliament that put the accord into law on March 19, 2008. President Kibaki retained the Presidency and Raila Odinga was appointed to the new position of Prime Minister with strong executive powers. The two leaders also agreed to a comprehensive list of political reforms that included a revised constitution that would reduce the power vested in the President and distribute more decision making power to the prime minister, the legislative branch and to local provincial governments. The Accord called for reform of the judiciary branch to give it more independence from executive influence. The Accord also mandated a more independent electoral commission and land reform to resolve issues that have divided Kenyan society and aggravated ethnic divisions since independence. Finally, the Accord created a Truth and Reconciliation Commission and a Commission of Inquiry to address the post-election violence, other injustices since independence and the end of impunity.

These two commissions will have to address the divisive issue of punishment for the most egregious criminal acts of violence and a more restorative form of justice for others who might have been manipulated into criminal acts. The Kenyan government must also re-establish the rule of law and stability in order to assure investors and businessmen that it is now safe to re-invest in key industries such as tourism and agriculture for export.

Today most Kenyans and observers believe that the Kenyan Government has made little progress in its reform agenda. Militia groups that have caused ethnic-based violence in the past are spreading and growing stronger in the rural areas of Kenya. Although many internally displaced persons have returned to their homes, thousands remain in tents, or encampments. Political leaders are deadlocked in power struggles that reached a new level when Prime Minister Odinga called for new elections well before the scheduled 2012 elections. In late March Kofi Anan called a meeting in Geneva of Kenya's political leaders to emphasize the need for immediate political reform to avoid future violence. The

newly appointed U.S. Assistant Secretary of State for Africa, Johnny Carson, made a trip to Kenya to communicate the same message. Drought, the food price crisis and the worldwide economic crisis have increased poverty in Kenya to a level of about 60%.

The Catholic Church in Kenya was active early on as a voice of calm and as a source of protection and relief. Within two weeks after the 2007 election, the Kenya Episcopal Conference (KEC) addressed two letters to the people of Kenya, “My Peace I Give You” and “Call for Prayer for the Success of Dialogue.” The Bishops called for a halt to all violence and for immediate mediation talks between the two political leaders to negotiate an agreement in good faith that would bring peace and reconciliation to the country and lead to land reform to redress past injustices. The Church’s Easter 2009 letter raised concerns regarding three issues: the rise of more militia groups, the people’s lack of confidence in their political leaders resulting from corruption and political gridlock, and the increase in poverty due to the drought. They called on the Kenyan Government to end corruption and impunity and to implement constitutional reforms.

USCCB POSITION

Immediately after receiving the Kenyan bishops’ first letter, Bishop Thomas Wenski, Chairman of the USCCB International Committee, sent a letter of support to the KEC. Bishop Wenski also wrote to then Secretary of State Condoleezza Rice echoing the insights of the Bishops of Kenya. Bishop Ricard visited Kenya in August 2008 to express solidarity and support to the Church and people of Kenya and will visit again in June 2009.

Catholic Relief Services, which has maintained a program in Kenya for decades, is actively supporting the Church in Kenya with relief supplies and funding to aid the victims of the violence. CRS is one of the leading providers of assistance in this crisis. Other international Caritas partners have also offered aid. CRS also is providing particular support to the KEC in peace and reconciliation efforts.

ACTION REQUESTED

The United States Conference of Catholic Bishops is working with the U.S. government to encourage a just and sustainable peace in Kenya, to help the Kenyan government and civil society leaders to redress long standing grievances, and to promote reconciliation among the people of Kenya. More specifically, the USCCB recommends that the U.S. government:

- use its influence with Kenyan political leaders to encourage them to respect their agreements and to work to protect the life and human dignity of all Kenyans;
- work with the African Union, the European Union and others to assist the Kenyan Government to address the difficult issues of corruption, land reform and decentralization of power;
- assist the Kenyan government to implement the Truth and Reconciliation Commission, to conduct constitutional reform and to rebuild the judicial system in order to provide equal justice for all, especially to the victims of the worst forms of violence after the election;
- support efforts to implement comprehensive reform of the electoral commission in order to ensure free and fair elections in the future; and
- continue humanitarian assistance and long term financial assistance to Kenyan civil society and religious leaders to help them rebuild peace among the people of Kenya.

For more information: Contact Stephen R. Hilbert, Office of International Justice and Peace, USCCB, 202-541-3149 (phone), 541-3339 (fax), Shilbert@usccb.org. See related USCCB documents at this website: <http://www.usccb.org/sdwp/international/callafrica/knyftpg.shtml>.