

115TH CONGRESS  
1ST SESSION

# H. RES. 449

Urging the Government of Kenya and Kenya's political parties to respect democratic principles and hold credible, peaceful, and transparent elections in August 2017.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 14, 2017

Mr. ENGEL (for himself, Mr. SMITH of New Jersey, and Ms. BASS) submitted the following resolution; which was referred to the Committee on Foreign Affairs

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## RESOLUTION

Urging the Government of Kenya and Kenya's political parties to respect democratic principles and hold credible, peaceful, and transparent elections in August 2017.

Whereas the United States has deep interests in Kenya's democratic stability and regional leadership, and a free and fair election in Kenya holds regional significance as an example for other African countries with elections scheduled in the near future;

Whereas Kenya's general elections are scheduled for August 8, 2017;

Whereas electoral violence in 2007 and 2008 resulted in the deaths of at least 1,300 people and the displacement of 600,000, effectively paralyzing the country and the wider

region for more than two months before the creation of a power-sharing government;

Whereas Kenyans adopted a new Constitution in 2010 that sought to devolve power to 47 counties and their elected governors and local representatives;

Whereas the public confidence in the electoral process is critical both to Kenya's continued democratic progress and to ensuring transparency in electoral preparations, and is vital for the success of the August 8 elections;

Whereas despite having a permissive legal environment, the Government of Kenya has taken actions to limit democratic space for civil society and media organizations, which could adversely affect their contributions to a credible, peaceful election and broader democratic consolidation;

Whereas there have been deeply concerning instances of hate speech by all sides, inciting supporters to ethnic violence as a means by which to gain electoral advantage, intimidate electoral rivals, or suppress voter turnout; and

Whereas the political parties, monitoring groups, and the media have the legal authority to record polling station results and tallies at the constituency and national levels in order to ensure that the process is perceived as honest and transparent: Now, therefore, be it

- 1       *Resolved*, That the House of Representatives—
- 2             (1) calls upon Kenya to—
- 3                 (A) hold credible, peaceful, free, and fair
- 4             Presidential elections in August 2017 in order
- 5             to advance Kenya's democratic consolidation
- 6             and promote stability in the broader region; and

1 (B) condemn in the strongest terms the  
2 use of hate speech and the incitement of vio-  
3 lence by political candidates, the media, or any  
4 Kenyan citizens;

5 (2) calls upon Kenyan citizens to peacefully  
6 participate in the general elections and seek to re-  
7 solve any disputes over results through the legal sys-  
8 tem;

9 (3) calls upon Kenyan political candidates at  
10 the national, county, and local levels to respect the  
11 Electoral Code of Conduct and the Political Party  
12 Code of Conduct;

13 (4) encourages political parties, civil society,  
14 and the media to act responsibly with their parallel  
15 vote tabulations so as not to usurp the role of the  
16 electoral commission as the official source for declar-  
17 ing official election results;

18 (5) encourages Kenyan civil society organiza-  
19 tions to continue providing critical early warning  
20 and response measures to mitigate election-related  
21 violence and further strengthen democratic proc-  
22 esses;

23 (6) commends the key role the faith-based com-  
24 munity has played in ensuring a peaceful pre- and  
25 post-election environment through periodically con-

1       vening the Multi-Sectoral Forum to deliberate on  
2       matters of governance, election management, and  
3       looming insecurity;

4               (7) supports efforts by the Department of  
5       State, including the Bureau of Conflict and Sta-  
6       bilization Operations, the Bureau of Democracy,  
7       Human Rights, and Labor, and the Bureau of Afri-  
8       can Affairs, and the United States Agency for Inter-  
9       national Development (USAID) to assist election-re-  
10      lated preparations in Kenya, including programs fo-  
11      cused on conflict mitigation;

12              (8) strongly encourages the Administration to  
13      appoint an Assistant Secretary of State for African  
14      Affairs in order to bolster diplomatic engagement  
15      across the African continent, including with the Gov-  
16      ernment of Kenya, Kenya's political parties, and the  
17      donor community, which has historically been critical  
18      during Kenya's elections; and

19              (9) calls upon the United States and Kenya's  
20      other international partners, especially election-fo-  
21      cused nongovernmental organizations, to continue to  
22      support Kenya's efforts to address the remaining  
23      electoral preparation challenges and identify gaps in  
24      which additional resources or diplomatic engagement

- 1 could make important contributions to the conduct
- 2 of the elections.

