

115TH CONGRESS  
1ST SESSION

# S. RES. 228

Calling for a credible, peaceful, free, and fair presidential election in Kenya  
in August 2017.

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IN THE SENATE OF THE UNITED STATES

JULY 20, 2017

Mr. CARDIN (for himself, Mr. COONS, Mr. BOOKER, and Mr. MERKLEY) submitted the following resolution; which was referred to the Committee on Foreign Relations

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## RESOLUTION

Calling for a credible, peaceful, free, and fair presidential  
election in Kenya 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 has general elections 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 in Kenya, effectively paralyzing the country and the wider region for more than two months before the creation of a power-sharing government;

Whereas the people of Kenya 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 continued democratic progress in Kenya and to ensuring the transparency in electoral preparations that is vital for the success of the August 8, 2017, elections;

Whereas, despite having a permissible 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 in Kenya, 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 in Kenya 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 Senate—

2               (1) calls upon the Government of Kenya and  
3       opposition parties in Kenya—

4               (A) to hold credible, peaceful, free, and  
5       fair presidential elections in August 2017 in  
6       order to advance democratic consolidation in

1 Kenya and promote stability in the broader re-  
2 gion; and

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

7 (2) calls upon Kenyan citizens to fully and  
8 peacefully participate in the general elections and  
9 seek to resolve any disputes over results through the  
10 legal system;

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

15 (4) encourages political parties, civil society,  
16 and the media in Kenya to act responsibly with their  
17 parallel vote tabulations so as not to usurp the role  
18 of the electoral commission as the official source for  
19 declaring official election results;

20 (5) encourages civil society organizations in  
21 Kenya to continue providing critical early warning  
22 and response measures to mitigate election-related  
23 violence and further strengthen democratic proc-  
24 esses;

1           (6) commends the key role the faith-based com-  
2           munity has played in ensuring a peaceful pre- and  
3           post-election environment through periodically con-  
4           vening the Multi-Sectoral Forum to deliberate on  
5           matters of governance, election management, and  
6           looming insecurity;

7           (7) supports efforts by the Department of State  
8           and the United States Agency for International De-  
9           velopment (USAID), including the Bureau of Con-  
10          flict and Stabilization Operations, the Bureau of De-  
11          mocracy, Human Rights, and Labor, and the Bu-  
12          reau of African Affairs, to assist election-related  
13          preparations in Kenya, including programs focused  
14          on conflict mitigation;

15          (8) strongly encourages the President to ap-  
16          point an Assistant Secretary of State for African Af-  
17          fairs in order to bolster diplomatic engagement with  
18          the Government of Kenya, the opposition, and the  
19          donor community, which has historically been critical  
20          during Kenya's elections; and

21          (9) calls upon the United States Government  
22          and other international partners, especially election-  
23          focused nongovernmental organizations, to continue  
24          to support Kenya's efforts to address the remaining  
25          electoral preparation challenges and identify gaps in

- 1        which additional resources or diplomatic engagement
- 2        could make important contributions to the conduct
- 3        of the elections.

