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OP-ED CONTRIBUTORS

A Deal We Can Live With

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UNTIL December, Kenya was the most stable nation in East Africa. It has long been a willing partner in the Bush administration's war on terrorism. Yet the United States has mostly stood by as our country has descended into chaos.

More than 800 people have been killed and at least 250,000 driven from their homes since rigged presidential elections on Dec. 27. Two opposition members of Parliament have been gunned down, and human rights defenders have received death threats.

Thankfully, for the first time since the election, there is a glimmer of hope. On Friday, Kofi Annan, who has led an African Union mediation effort, announced that President Mwai Kibaki and his opponent in the presidential election, Raila Odinga, have agreed to negotiate a power-sharing agreement. Levels of tension in the country have already abated.

But Kenya will not be able to take the crucial steps to stability alone. We need sustained international pressure for as long as it takes to get the country back on track. Washington must refrain from simplistic characterizations of the violence as a matter of ethnic cleansing or tribal conflict, when in fact the roots of the problem are political.

To play an effective role, the United States must maintain consistent and strong pressure to ensure that Kenya's leaders treat the mediation with utmost seriousness. Kenyans welcome American leadership on Kenya at the United Nations Security Council. The recent decision to bar hard-line politicians and their families from entering the United States is another step in the right direction. It appears to have been a decisive factor in prompting the parties to finally sit at the table.

Washington should continue to work in concert with other strong voices, like the European Union, to push for the restoration of democracy in Kenya. Additionally, the personal assets of the hard-liners and the leaders of the violence should be traced and frozen.

Congress should call for the International Republican Institute, an elections-monitoring organization that conducted an exit poll on the presidential vote, to release its findings. Suspicions that the institute has suppressed its results not because they were flawed but because they showed that Mr. Odinga won have fueled mistrust.

Finally, the United States can use another pressure point. It must freeze the millions of dollars of military assistance Kenya receives each year, pending a successful outcome to the negotiations. Some of the security forces benefiting from this aid and equipment have been killing Kenyan civilians with impunity. The United States must not be an accessory to their brutality.

The Annan agreement presents an opportunity for Kenya to step back from the brink of disaster. Kenya can now fix the “winner take all” political system that prompted the recent election rigging, and end the impunity for human rights violations that has dogged our country since independence.

The Annan mediation effort must push the parties to agree to a one- to two-year transitional government, with both sides exercising equal powers. This government’s chief tasks, besides keeping the country running, must be to carry out badly needed constitutional reforms around presidential powers, and to create the conditions for new free and fair elections.

Restructuring the electoral commission, the police and the judiciary is also critical. The perpetrators of the election fraud and the violence must be prosecuted to restore Kenyans’ faith in the power of the vote. Only then can new presidential elections be held.

The current calm must not be mistaken for peace. A critical opportunity will be lost if the mediation effort results only in political horse-trading between Mr. Kibaki and Mr. Odinga. Without these critical reforms, the gains made in the last few days will secure only a short-lived truce.

Above all, the United States and the world must ensure that the Kenyan people's vote is respected. If we cannot uphold our democratic choice, the future of Kenya will be lost.

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