

Kenya's National Elections: Violence Renewed or Crisis Prevented?

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Executive Summary

In 2012, Kenya plans to hold national elections. These general polls will be the first since December of 2007, when the country's disputed presidential race provoked a deadly crisis that threatened to erupt into civil war. Ultimately, more than 1,000 people were killed and an estimated 500,000 displaced.

Many Kenyans have since worked tirelessly toward breaking their country's cycle of electoral violence, and the upcoming polls will mark a critical moment in the attempt to prevent crisis renewed. As the elections approach, the U.S. government should proactively take part in the effort to help prevent deadly conflict and support long-term peace—not only because of Kenya's longstanding economic and political partnership with the United States, but because of the crucial role Kenya plays in its wider region.

While much has been achieved in Kenya since 2007, many of the grievances most responsible for past electoral violence continue to plague its citizens. Tensions around issues including inequality, ethnic division, lack of land reform, corruption and high rates of youth unemployment remain. Though Kenyans peacefully approved a new constitution in 2010 that contains many much-needed reforms, political resistance to changes in the status quo continues. The government has also been slow to hold perpetrators of the 2007 post-election violence accountable, causing Kenyans to question the government's commitment to ending impunity and leading to an external investigation of the crimes by the International Criminal Court.

At the same time, Kenya's relatively robust institutions and infrastructure provide much of the foundation necessary for long-term stability. Moreover, its past demonstrates that action to avert violence can be



Kenyans celebrate the 2011 International Day of Peace

source: David Zarembka/AGLI

effective. Even in the midst of the growing conflict in late 2007, Kenyan civil society, regional African groups and the broader international community were able to respond with humanitarian assistance, citizen advocacy and rapid diplomacy. The efforts led to a peace agreement that both put an end to the immediate violence and called for commitment to long-term reform, demonstrating how the tools of diplomacy, civil society mobilization and international cooperation can be used to halt atrocities and restore peace.

Once again, the United States and greater international community have a significant stake in helping to ensure a peaceful outcome to the Kenyan election. Kenya has long-served as the anchor of U.S. policy in the region, and its strong economy, vibrant civil society and meaningful contributions to regional organizations and peacekeeping efforts make the country critical to East African and global stability.

Though Kenyans themselves will take the most important steps toward lasting peace, the Obama administration and Congress can and should join them in supporting the prevention of deadly conflict. By investing in grassroots peacebuilding and civic

education, coordinating preventive diplomatic efforts, encouraging greater accountability from the Kenyan government and preparing to respond rapidly to any violence that might occur, the United States can make concrete contributions toward preventing another crisis—well before the election begins.

Key Recommendations for the U.S. Government

- **Develop and implement an interagency prevention strategy focused on Kenya well in advance of the 2012 elections.** Utilize the new Atrocities Prevention Board at the National Security Council to create a coherent, prevention-focused strategy that emphasizes early, sustained diplomatic engagement and support for local preventive efforts. Invest in the U.S. civilian capacity necessary for effective prevention and response to potential violence (including tools like the Complex Crises Fund and Civilian Response Corps).
- **Coordinate preventive diplomatic efforts with key Kenyan and international partners, including the African Union and United Nations.** Support others' leadership and contribute U.S. assets where most useful.
- **Direct U.S. diplomatic engagement toward pressing Kenya's leaders to implement the constitution and to advance government accountability at both national and local levels.** Support the International Criminal Court investigations, as well as Kenyan judicial and criminal justice reform. Urge greater demonstration of commitment to volatile issues, including land reform, corruption and the resettlement of those internally displaced.
- **Increase funding for U.S. assistance focused on conflict prevention and management, as well as funding for aid that addresses root causes of conflict and supports stability in the long-term.** Provide more resources for initiatives related to civic education, community peacebuilding, civil society, fair elections and youth economic empowerment, particularly in volatile areas.
- **Ensure that U.S. assistance does not inadvertently enable further human rights violations.** Undertake a full review of U.S. security assistance to Kenya that is informed by a conflict assessment and a thorough examination of the current state of Kenya's security

forces. Proactively monitor units receiving U.S. assistance and halt all lethal aid.

- **Provide funding to support the disarmament of local militias and increase efforts to help reduce arms trafficking in the greater region.** Continue to facilitate the destruction of small arms and light weapons.

The Politics behind Kenya's Electoral Violence

Despite Kenya's economic strength, leadership and relative stability within its region, the disputed election was only the latest catalyst in a long history of unaddressed grievances. While the extent and speed of the 2007–2008 crisis were uniquely devastating, the deadly conflict perpetuated a pattern of violence that has repeatedly marred Kenya's national elections. Issues including widespread impunity, high rates of youth unemployment and lack of land reform have consistently plagued Kenya's citizens.¹ Years of ethnic favoritism have led to striking inequality among Kenya's tribal groups.² Moreover, decades of corruption have left citizens frustrated with unfulfilled promises and disillusioned by the political process.

Following a history of dictatorship and largely one-party rule, the 2002 election of Kenya's third and current president, Mwai Kibaki, was initially hailed as a sign of true change. By the time Kibaki's term neared its end in late 2007, however, many Kenyans felt that little had been done to heal the ailments of the past. Another party's candidate, Raila Odinga, gained wide support as a challenger to Kibaki's re-election campaign. The



A camp for Kenya's internally displaced
source: Machoocher Deghati/IRIN

two contenders were from different ethnic groups, and, as the polls approached, both of their political parties engaged in divisive tribal rhetoric in an attempt to procure votes.

Despite a closely contested election and uncertainty over the final results, Kenya's Electoral Commission hastily declared Kibaki the winner on December 30, 2007.³ Public dispute over the decision quickly devolved into a devastating maelstrom of attacks and retaliations.⁴ Armed militias led massacres; communities divided and killed along tribal lines; and sexual violence was widespread. More than 1,000 people were killed and hundreds of thousands displaced.⁵

Though some of the violence was spontaneous, evidence has since pointed to pre-meditated planning by politicians at both local and national levels. Moreover, Kenya's police forces have been widely implicated in the abuses—including firing on unarmed civilian demonstrators—and some sources find that they were responsible for almost forty percent of deaths.⁶

The United States reacted quickly to the crisis, but its initial actions only added to the political turmoil. After supporting Kibaki's supposed triumph despite widespread allegations of fraud, the U.S. government only later shifted its position to acknowledge the lack of credibility in the election's outcomes.

Despite these missteps, the United States soon became a critical member of the multilateral effort toward a peace agreement. The Bush administration supported the African-led team sent to mediate the conflict, and then-Secretary of State Condoleezza Rice pressed the two candidates to reach a negotiated settlement.

A Success Story in Halting Mass Atrocities

Rapid diplomacy and organized advocacy from Kenyan civil society and the international community helped to prevent the crisis from escalating into full-fledged civil war. While regional and global actors sought to engage the leaders involved in the crisis, Kenyan civil society groups worked to end the immediate violence. Non-governmental organizations in Kenya took the lead in the effort to restore stability, providing humanitarian



Odinga, Kibaki and Annan
source: Boniface Mwangi/IRIN

assistance to those internally displaced and demanding action from their policymakers to halt the violence.⁷

The African Union peace team, led by former United Nations Secretary General Kofi Annan, soon began a series of negotiations between Kibaki and Odinga. After more than forty days of mediation, the two reached a power-sharing agreement through which Kibaki assumed the presidency and Odinga filled the newly created position of Prime Minister.⁸ Additional agreements reached during the mediation process called for measures to address immediate violence; undertake a long-term reform agenda, including changes to the constitution; and establish a Truth, Justice and Reconciliation Commission.

A New Constitution— A Step toward Peaceful Reform

While the peace agreement was successful in putting an end to the immediate violence, it was by no means a long-term solution to the deep-seated tensions behind the crisis. Moreover, many Kenyans expressed concerns about the implications of setting a power-sharing precedent rather than one of fair elections.⁹ As stipulated by the mediation process, the country therefore worked to institutionalize the changes its people most wished to see. A step toward success came with a constitutional referendum in August of 2010.

Not surprisingly, the process was fraught with controversy.¹⁰ Following a bombing at an anti-constitution rally and the arrest of three politicians charged with hate speech, tension remained high as Kenyans headed to the polls.

Efforts to prevent violence were again made both nationally and internationally. One civil society group, PeaceNet-Kenya, collaborated with Kenyan government agencies and the United Nations Development Programme to launch an initiative through which citizens could report violent incidents via text message. The U.S. embassy organized monitoring teams at polls throughout tense areas, and, using flexible funding from the newly appropriated Complex Crises Fund, USAID's Office of Transition Initiatives began implementing programs that encouraged youth to participate peacefully in the voting process.

Investing in prevention proved worthwhile. The referendum not only passed a constitution containing significant reforms—including measures to end impunity, lessen unilateral executive power and improve minority rights—but also demonstrated that practical efforts to avert violence can be effective. Moreover, preventive action proved cost-efficient. While the 2007–2008 conflict cost the Kenyan economy nearly \$3.6 billion, the cost of United Nations prevention initiatives implemented around the referendum was just \$5 million.¹¹

International Criminal Court Indictments: One Attempt at Accountability

In the wake of the 2007–2008 crisis, many both in and outside Kenya felt that accountability for the violence committed would be essential to preventing future atrocities. Initially, many also felt that justice should be upheld through tribunals or trials based in Kenya. When efforts toward this were defeated in the Kenyan Parliament, however, doubts arose as to the government's commitment to accountability.

In November of 2009, the International Criminal Court's prosecutor began pursuing his own investigation. Since then, the ICC—which is an independent and international organization committed to ending impunity for perpetrators of the world's worst crimes¹²—has indicted six people, including high level politicians associated with both Kibaki and Odinga's political parties, the former head of Kenya's police and the head of operations at a Kenyan radio station.¹³

Quaker Collaboration to Help Prevent Deadly Conflict

Kenyan Quakers are actively leading efforts to build peace in their communities. One group formed in response to the 2007–2008 election crisis is the Friends Church Peace Team, or FCPT. Since 2008, FCPT has provided Alternatives to Violence workshops for 1,500 Kenyan youths and established an Interfaith Peace Task Force in one of Kenya's most volatile regions. Friends' organizations have also held Turning the Tide trainings, which focus on utilizing non-violent tools for social change.

FCNL is collaborating with FCPT and other Quaker organizations to help prevent deadly conflict in Kenya. Through sharing information and developing strategies with groups involved—including the African Great Lakes Initiative, the Quaker United Nations Office and Quaker Peace and Social Witness—FCNL works to connect Friends who advocate on the Hill and elsewhere with those who work to build peace in Kenyan communities.



FCPT Coordinator visits FCNL
source: Jessica Halperin/FCNL

The legal process has faced significant challenges, particularly from those in the Kenyan government who argue that trials should be held within the country's borders. Many imply that the ICC and domestic

approaches are mutually exclusive; ideally, though, Kenya-based initiatives (such as local tribunals or the standard court system) would serve as an essential complement to the ICC, particularly in addressing the many perpetrators not among the six suspects indicted.¹⁴

The United States has supported the ICC proceedings in light of the absence of Kenyan government action, but this position has been viewed as hypocritical given that the U.S. is not fully a party to the court itself. Still, the U.S. is not alone in citing these efforts as one of the only vehicles of accountability to make headway in Kenya thus far.¹⁵ According to polls, the investigation remains widely approved by the Kenyan public, and many feel that successful ICC trials are essential to preventing renewed violence.¹⁶

Potential for Violence Renewed

Kenya's constitutional referendum was a triumph for reform, and it proved that a non-violent poll is possible. Still, many feel that it was far less contentious for the Kenyan public than national elections have been and will be.

Though Kenya's new constitution provides a legal framework for addressing inequality and ending impunity, the process of actually implementing the changes it contains has and will continue to be arduous. While due dates for implementation have been met thus far, the presence of "old guard" politicians benefitting from the status quo slows the progress—and might even lead to a change in the election date. An amendment that would delay the poll (and therefore allow current members of Parliament to retain their positions longer) has already been proposed, and some feel the election might not occur until 2013.¹⁷

Political reluctance has also delayed accountability for perpetrators of past electoral violence. While the ICC provides an important means of addressing impunity, many question whether trials for six high-profile public figures would act as a deterrent at more local levels. One domestic approach with a wider breadth is the Truth, Justice and Reconciliation Commission, which was established after the 2007–2008 violence and mandated



The availability of illegal firearms has increased since 2007

source: Gwen Dabourthoumieu/IRIN

to investigate all human rights abuses in Kenya since its independence. Unfortunately, the TJRC did not begin its hearings until nearly three years after it was created, and Kenyans fear that concrete steps toward accountability will not follow its belated start.¹⁸ Though reform is also underway in Kenya's judicial system, only a few prosecutions of lower level perpetrators have occurred (and many have been poorly run).¹⁹

Moreover, a number of the social and institutional conditions that motivated deadly conflict following the 2007 elections continue to pose a threat. High rates of youth unemployment persist and, given that disempowered youth vulnerable to manipulation participated in much of the post-election violence, this remains a dire concern.²⁰ Land reforms meant to correct past ethnic favoritism remain unimplemented, and tribal rhetoric continues in many of Kenya's volatile areas. Security sector reform also lags, and the Kenyan police force was recently named the third most corrupt organization in East Africa.²¹

Additional grievances could further exacerbate a tense electoral atmosphere. Internally displaced people from previous conflicts, including the violence in 2007–2008, are still in need of support and reintegration.²² Frustration over economic concerns and rising food and fuel prices has grown, as have resource-related skirmishes along borders and an already overwhelming flow of refugees from Somalia.²³

The extent of arms trafficking in the greater region and the growth of Kenya’s independent militias further fuel instability. One report finds that tribal militias have begun an “arms race” in anticipation of 2012.²⁴ Given that firearms were rare outside of police forces during the 2007–2008 crisis, the consequences of wider availability among local criminal gangs in 2012 could be devastating.

Perhaps most critical is the risk of further political disillusionment within the Kenyan public. Expectations for reform were high after the referendum, and the widespread civic education necessary to communicate the new constitution’s vast changes—as well as the reality that full reform will take far longer than a few years—is still lacking.²⁵ Moreover, concern is not limited to the presidential race alone; given past tension and the new political districts, or counties, created by the constitution’s devolution of executive power, the potential for contentious local elections is equally strong.

Recommendations for U.S. Policy

The Obama administration has highlighted Kenya as an important partner in East Africa, and the United States has consistently supported constitutional implementation and the ICC investigation.²⁶ In addition to initiatives financed by the Complex Crisis Fund, U.S. foreign assistance to Kenya includes support for programs ranging from rule of law and human rights to disaster readiness.²⁷

Still, concerns about insecurity in the East African region—particularly in Somalia—lead to an emphasis on counterterrorism initiatives over conflict prevention and peacebuilding. The U.S. provided Kenya with at least \$35 million in counterterrorism-focused funding in 2010, including almost \$4 million in foreign military financing and training; meanwhile, the bilateral account for stabilization operations received just \$3 million.²⁸ Given the importance of long-term stability and the clear potential for renewed crisis in Kenya, the U.S. should shift its resources from short-term counterterrorism initiatives to those that will help to promote sustainable peace. Moreover, the U.S. and the

international community share a commitment under the “responsibility to protect” doctrine to help prevent violence *before* it occurs—not after it erupts.

Though lasting peace will only be achieved through the continued dedication of Kenyans themselves, the policies of the U.S. and the international community directly affect their efforts. Recognizing the international impact that mass atrocities have and the role that cooperation may play in preventing them, there is much that Kenya’s partners can do to pursue policies as supportive of and conducive to a peaceful election as possible.

Planning for the Peaceful Prevention of Deadly Conflict

The United States should make the prevention of deadly conflict its priority in Kenya—rather than counterterrorism—and establish a coherent and interagency strategy well before the 2012 elections.

- **Funding:** The U.S. should increase investment in assistance to Kenya that supports conflict prevention and management initiatives. It should further increase funding for efforts that will build peace in the long-term (particularly in the key areas outlined in subsequent recommendations).
- **Monitoring and Planning:** The U.S. should actively monitor the potential for violence in Kenya and consider conducting an Interagency Conflict Assessment or Electoral Security Framework. It should exercise caution in responding to any disputes that arise before, during or after the election, and it should prepare a coherent interagency strategy for prevention and response to potential crisis that emphasizes early, sustained diplomatic engagement and support for local preventive efforts. Moreover, the new Atrocities Prevention Board established by President Obama’s Presidential Study Directive on Mass Atrocities should focus on Kenya as a specific case for interagency early warning, prevention programming and contingency response planning.
- **Briefing:** Africa subcommittees within Congress should receive regular briefings on Kenya as the 2012 elections approach, including specific updates on risks of violence and preventive efforts.

The United States should coordinate preventive diplomacy with key international partners, including the African Union and United Nations. Given the success of international cooperation in the past, cogent and coordinated preventive diplomacy could serve as both a deterrent and a tool of mitigation when it comes to potential violence. The U.S. should increase engagement with actors who were instrumental in mediating the peace agreement in 2008, including the African Union Panel of Eminent African Personalities and members of Kenyan civil society. It should support others' leadership in these preventive initiatives and contribute U.S. assets when most useful.

The United States should develop its civilian capacity to prevent and to respond to potential deadly conflict in Kenya, including the use of tools such as:

- **The Complex Crises Fund:** The Complex Crises Fund, which provides flexible funding for civilian response to unforeseen crises, was used successfully in Kenya before and after the 2010 constitutional referendum. The CCF funded grassroots peacebuilding workshops led by Kenyan experts and hate speech monitoring projects for community radio. USAID should continue to consider use of the CCF to respond to any sudden flashpoints or gaps in prevention programming around the 2012 elections.
- **The Civilian Response Corps:** The Civilian Response Corps is another tool used successfully in past examples of potential conflict, having been a part of projects in South Sudan that contributed to its peaceful referendum in January of 2011. Though the countries differ vastly, the CRC might still be used to support Kenyan efforts toward strengthening local level diplomacy and preventing violent conflict; for example, a limited deployment of the CRC could focus specifically on building preventive capacity within Kenyan civil society and government.²⁹ As the elections approach, U.S. Ambassador Scott Gration should consider the potential role of the CRC and, if deemed useful, request that the CRC be deployed.

Peacebuilding Funding Is in Danger

In the 112th Congress, the House has made two attempts to eliminate funding for the CCF. Likewise, reductions to the CRC made by both the House and Senate State and Foreign Operations Appropriations Subcommittees reflected a \$57 million decrease from the administration's FY 2012 request. Cuts as deep as these severely hinder the CCF and CRC's ability to respond to potential violent crisis in Kenya and elsewhere; according to some State Department sources, unprogrammed funds were initially too scarce during the 2007–2008 crisis even to assist with airfare for the African Union mediation team. Congress should ensure no less than \$40 million for the CCF and no less than \$35 million for the Conflict Stabilization Operations account (which funds the CRC) in FY2012.

Community Peacebuilding and Long-term Stability

The United States should increase funding for assistance to Kenya focused on addressing root causes of conflict and building long-term stability, including emphasis on:

- **Community peacebuilding:** Divisive ethnic rhetoric continues in many of the areas that have experienced past violence, and disputes over land and other resources remain common. Additional investment in the grassroots peacebuilding that could address these tensions—both before the elections and in the long-term—is essential.³⁰
- **Civic education:** Civic education is necessary to empower Kenyans politically, as well as to restore faith in and ensure understanding of political processes. Current levels are far from sufficient.³¹ Confusion around changes in the political system may threaten the credibility of voting and increase vulnerability to manipulation. A dearth of faith in political means could also lead to renewed investment in violent ones.³²
- **Fair elections:** The success of the polls themselves remains essential to maintaining peace. Increased funding should be provided for electoral assistance,



An inter-religious peace group, formed by FCPT

source: David Zarembka/AGLI

including that which supports impartial observation, technical capacity and accurate and secure reporting of results. Members of the media should also be engaged to promote elections coverage that does not encourage violence.

- **Youth economic empowerment:** Given that high rates of youth unemployment and subsequent vulnerability to coercion resulted in extensive youth violence in 2007 and 2008, investment in youth-related programming should be increased (particularly with regard to economic opportunities and sense of inclusion in the political process).³³
- **Additional efforts:** Both before the upcoming elections and beyond, development assistance should support an end to the inequity and injustice that lead to violent conflict. U.S. aid that enables communities to sustain and support their people and environments in the long-term, such as those focused on gender equality, economic empowerment, civil society, rule of law and natural resource management, should be increased. Current development assistance should also be informed by conflict dynamics and assessed for potential contributions to longstanding tensions (such as those which could occur between agricultural programs and land disputes).³⁴

The United States should increase funding for peacebuilding assistance focused on key and vulnerable populations, including emphasis on:

- **Areas that are historically volatile or newly vulnerable:** Given that one of the major indicators of conflict is a history of violence, it is particularly important to support efforts in the places most likely to erupt again.

Those that are newly vulnerable (including any areas made more divided by the constitution's political redistricting) should also be a priority.³⁵

- **Local partnerships and engagement of community leaders:** Programs should be guided by the expertise of those Kenyans already working to build peace in their communities, and increased financial support for Kenyan preventive efforts and peacebuilding organizations should be provided. Engagement with local leaders (including those who are faith-based) should also be a U.S. priority, as they often have the ability to encourage or discourage conflict within their communities.
- **Marginalized populations:** Programs that engage youth, women, minorities and others from frequently vulnerable or marginalized communities should receive increased funding. Additional resources should also be provided to address oft-neglected issues, such as that of differently-abled voters' access to polls or care for victims of sexual violence during conflict.^{36;37}

The United States should engage and offer support to members of the U.S. Kenyan diaspora as they work to build peace from abroad. In 2007 and 2008, members of the Kenyan diaspora provided tremendous support to calls for mediation and documentation of human rights abuses.³⁸ During the recent referendum, the Ushahidi monitoring platform, which was developed by Kenyan journalists and diaspora members in response to the election crisis in 2007, partnered with Kenyan civil society organizations and others to report violent incidents. Alternatively, diaspora members have also been known to participate in incitement of hate speech. Given the economic power of Kenyan remittances, contributions to political campaigns and the steady flow of information between diaspora members and their home communities, it is important to consider the diaspora's role in strengthening or undermining peace.³⁹ While some U.S. agencies have taken steps to collaborate with diaspora members, more could be done to actively consult and support those who are working to prevent violence in Kenya.

Accountability and Reform

The United States should continue to press the Kenyan government for constitutional implementation and urge greater demonstration of commitment to issues that are particularly volatile. Following the 2007–2008 election crisis, constitutional reform was seen as essential to preventing renewed violence. As the 2012 elections approach, the U.S. should press the Kenyan government to continue constitutional implementation, utilizing proactive political engagement and internationally coordinated diplomacy. Moreover, the U.S. should focus on encouraging greater demonstration of commitment to particularly volatile issues before the national elections, including corruption, land reform and the resettlement of those internally displaced.⁴⁰ While the related problems cannot be solved overnight, many in Kenya may feel heartened by mere steps forward. In the long-term, the U.S. should also encourage the Kenyan government to anticipate conflicts that may result from reform. Given new laws that will affect distribution of land, resources and political power, the U.S. should urge the Kenyan government to monitor and work to address related tension.

The United States should continue to emphasize accountability at a national and local level through support of International Criminal Court indictments, as well as judicial and criminal justice reform.⁴¹ The U.S. should press Kenya to comply with the ICC trials, including through providing adequate witness protection (the lack thereof has been an oft-cited and dire issue throughout the investigation).⁴² Simultaneously, the U.S. should increase support for the judicial and criminal justice reforms that will improve local-level accountability, and it should encourage the Kenyan government to implement and raise awareness of these reforms before the general elections begin. It should also encourage the Kenyan government to ensure through just policing, monitoring and education that any investigations—from the ICC to domestic approaches—do not incite further atrocities. Moreover, all of these mechanisms must be accompanied by equal commitment to processes of reconciliation, providing space for Kenyan communities to heal.

Security⁴³

The United States should ensure that its security assistance does not inadvertently enable further human rights violations. It should undertake a comprehensive review of all security-related aid, and this review should be informed by a conflict assessment and a thorough examination of the current state of Kenya's security forces. Moreover, the U.S. should proactively monitor Kenyan units receiving security assistance and, in light of the Leahy Law—which prohibits security assistance to units committing human rights violations—halt aid in the event of further abuses. The U.S. should also notify the Kenyan government of the aid denied and take affirmative action to encourage investigations.

The United States should condition future non-lethal and civilian-led security assistance on demonstrated progress towards security sector reform and halt all lethal aid. Comprehensive security sector reform—from accountable police forces to effective court and judicial systems—continues to be a critical issue in Kenya. Steps taken by the Kenyan government thus far have been insufficient.⁴⁴ The U.S. should support local oversight of security forces and security sector reform, including civil society efforts to press for the changes necessary. Moreover, given the extent of arms trafficking in the region and the history of violations among Kenya's security forces, the U.S. should also halt all lethal aid and sales. In 2010, the U.S. authorized more than \$22 million in foreign military sales to Kenya, including almost \$5 million of ammunition and ordnance.⁴⁵

The United States should provide funding to support the disarmament of local militias and increase efforts to help reduce arms trafficking in the greater region. Wide availability of arms remains a significant destabilizing factor across the East African region. Armed militias still exist within Kenya, and militant groups and criminal gangs have participated in past electoral violence.⁴⁶ Efforts to disarm and demobilize these militias should serve as an immediate complement to long-term programs that address rule of law and build alternative paths for youth. U.S. support of efforts to destroy small arms and light weapons in Kenya should also increase as the elections approach.⁴⁷

Conclusion

Kenya offers a case in which efforts to prevent deadly conflict before it erupts are not only needed, but possible. By supporting peacebuilding initiatives, pressing for a government that responds with equity and justice to the needs of its communities and ensuring that means of response to potential violence are in place, the U.S. can make practical and meaningful contributions toward a peaceful Kenyan election.

Endnotes

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- 40 A number of expert interviewees confirmed corruption, land and IDP issues as priorities, including Dorina Bekoe (5 May 2011), Sarah Pray (21 April 2011), and Akwe Amosu (18 Oct. 2011). For a description of the role played by land-related tension in post-election violence, see: Commission of Inquiry, "Report."
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- 43 **The Friends Committee on National Legislation opposes all military (i.e. security assistance given to non-civilian units) and lethal (including training and weapons) aid.** Moreover, FCNL advocates that remaining civilian and non-lethal training be conducted accordingly by U.S. civilian entities, rather than the Department of Defense. Better monitoring of U.S. police assistance is needed globally, and human rights trainings must become a priority in all cases of security aid.
- 44 For more on security sector reform in Kenya, see: "Security Sector Reform and Transitional Justice in Kenya." *International Center for Transitional Justice*. Jan. 2010 <<http://ictj.org/sites/default/files/ICTJ-Kenya-Security-Reform-2010-English.pdf>>.
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This policy brief is part of FCNL's Peaceful Prevention of Deadly Conflict program which seeks to shift U.S. policy away from military reaction to global problems and toward effective prevention of violent conflict.



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