



The United Nations and Kenya

BRIEFING NOTE

7 February 2008

“The people and leaders of Kenya, particularly political leaders, have the duty, and the responsibility, to wake up and reverse this tragic path before it escalates into the horrors of mass killings and devastation we have witnessed in recent history,” Secretary-General Ban Ki-moon, Nairobi, 1 February.

“The United Nations stands ready to provide all necessary assistance. Kenya can remain stable and prosperous — a model to all Africa. We must all do our utmost to ensure that it does so,” Secretary-General Ban Ki-moon, Addis Ababa, 31 January.

HIGHLIGHTS

- ◆ Disputed election results announced on 30 December in Kenya lead to a wave of violence in the Rift Valley and other flash points in the country with over 1,000 persons killed and 300,000 displaced and an economic crisis felt throughout the Great Lakes region;
- ◆ Secretary-General calls on the political leadership of Kenya to urgently find an acceptable solution through dialogue;
- ◆ Secretary-General calls on all parties to ensure the secure and unhindered delivery of humanitarian assistance
- ◆ Security Council deplores the continuing violence;
- ◆ Under-Secretary-General for Political Affairs B. Lynn Pascoe concerned over increase of violence along ethnic lines;
- ◆ The High Commissioner for Human Rights Louise Arbour says there must be no impunity for those responsible;
- ◆ UNICEF concerned over increase in sexual violence;
- ◆ Special Adviser to the Secretary-General on the Prevention of Genocide Francis Deng says political and community leaders may be held accountable for violations of international law;
- ◆ Under-Secretary-General for Humanitarian Affairs John Holmes arrived in Kenya on 8 February to assess the humanitarian situation, meet with government officials, members of the opposition and to travel to the Rift Valley and to IDP camps near Nairobi to speak to those most affected by the violence.

BACKGROUND

Presidential elections on 27 December 2007 in Kenya pitted incumbent President Mwai Kibaki against opposition candidate Raila Odinga of the Orange Democratic Movement (ODM). President Kibaki was quick to declare victory and was immediately sworn-in for a second term. The opposition condemned this as a fraud. Violent demonstrations broke out and spread, with violence particularly high in western Kenya and the Rift Valley.

One month later the elections remain disputed, more than 1,000 persons have lost their lives in violence that has forced 300,000 to flee their homes (including 100,000 under the age of five)

and 500,000 from all walks of life have been affected. The displaced populations lack food, water, fuel and access to health care.

While the violence was triggered by a political event, there is concern that the crisis in Kenya has taken on an ethnic dimension threatening to escalate into a cycle of violence and retribution that either side may find difficult to contain. The violence has pitted the traditionally dominant Kikuyu ethnic group against other groups, including Luo and Kalenjin. Displaced persons are often moving to areas where their ethnic group is in the majority.

Following the outbreak of violence, Secretary-General Ban Ki-moon was quick to express his concern over the situation and to back international mediation efforts; while the United Nations system was equally quick to respond to the growing humanitarian crisis.

Secretary-General Ban and the Security Council have both expressed their full support for former United Nations Secretary-General Kofi Annan, who is leading the mediation effort in Kenya as part of the African Union (AU) Panel of Eminent Personalities.

UNITED NATIONS RESPONSE

Political

The Secretary-General acted quickly to promote an urgent political settlement. He called on President Kibaki and opposition leader Mr. Odinga and regional actors to find a way out of this crisis. The Secretary-General's concern was highlighted by his visit to Kenya on 1 February, where he met with Kofi Annan and opposition leader Raila Odinga. One day earlier, on the sidelines of the African Union summit in Addis Ababa, the Secretary-General met with President Kibaki. Mr. Ban has both publicly and privately repeatedly called on the political leadership of Kenya to find – urgently – an acceptable solution through dialogue so that the country can return to its peaceful and democratic path. He has pressed all sides to end the violence, categorically demanding that the killings stop, human rights violations be investigated and those responsible for crimes be held accountable for their actions.

The Secretary-General and the Department of Political Affairs have been closely supporting the efforts by regional and international actors to help the Kenyans arrive at a lasting solution, in particular, those by Mr. Ban's predecessor, Kofi Annan, who is leading the mediation effort in Kenya as part of the African Union (AU) Panel of Eminent Personalities. The UN Secretariat has provided Mr. Annan with several staff members to assist him with analysis, policy advice and general staff support.

Under-Secretary-General for Political Affairs B. Lynne Pascoe briefed the Security Council on the 30th of January on the situation in Kenya. Following the briefing, the President of the Security Council issued a press statement that "called on Kenya's leaders to do all what is in their power to bring the violence to an end and to restore calm."

On the 6th of February, the Security Council issued a presidential statement on the Situation in Kenya. The full text of S/PRST/2008/4 reads as follows:

"The Council welcomes the announcement of progress in the negotiations, overseen by Kofi Annan, between Mwai Kibaki and Raila Odinga on 1 February including the adoption of

an agenda and timetable for action to end the crisis in Kenya following the disputed 27 December elections. The Council welcomes the African Union communiqué, commends the efforts of the AU, President Kufuor of Ghana and United Nations Secretary-General Ban Ki-Moon, and emphasizes its full support for the Panel of Eminent African Personalities, led by Kofi Annan, in assisting the parties in finding a political solution. The Council deplores the widespread violence following the elections, which has resulted in extensive loss of life and serious humanitarian consequences.

“The Council expresses its deep concern that, despite the commitments made on 1 February, civilians continue to be killed, subjected to sexual and gender-based violence and displaced from their homes. The Council emphasizes that the only solution to the crisis lies through dialogue, negotiation and compromise and strongly urges Kenya’s political leaders to foster reconciliation and to elaborate and implement the actions agreed to on 1 February without delay, including by meeting their responsibility to engage fully in finding a sustainable political solution and taking action to immediately end violence, including ethnically-motivated attacks, dismantle armed gangs, improve the humanitarian situation and restore human rights. Recalling the need to avoid impunity, the Council calls for those responsible for violence to be brought to justice. It expresses its concern at the political, security and economic impact of the crisis in Kenya on the wider region.

“The Council expresses its strong concern at the continuing dire humanitarian situation in Kenya and calls for the protection of refugees and internally displaced persons. The Council further expresses its concern at the safety of humanitarian workers and United Nations’ personnel and calls on all parties to facilitate their work and ensure their safety. The Council welcomes the decisions, following consultations with the Government of Kenya, of the High Commissioner for Human Rights and the Special Adviser for the Prevention of Genocide of the Secretary-General to dispatch missions to Kenya. It calls on Kenya’s political leaders to facilitate the work of these missions and looks forward to being informed by the Secretary-General of their findings.

“The Council further requests the Secretary-General to report on how the United Nations can further support the mediation efforts in Kenya and on, as necessary, the impact of the crisis on the wider subregion and United Nations operations in the subregion.”

Humanitarian

The UN humanitarian agencies responded promptly to the humanitarian crisis caused by the outbreak of violence and resulting displacement of persons. From the outset, the Kenyan Red Cross (KRC) has spearheaded the response, delivering food, supplies and emergency medical assistance to the most affected areas. United Nations agencies together with their humanitarian partners have been active from the early days of the emergency to support KRC and the Kenyan Government to provide assistance in all areas of humanitarian relief. In early January, the Emergency Relief Coordinator approved \$7 million from the Central Emergency Response Fund to jump-start relief operations and address immediate needs. This was followed by the launch of a more comprehensive humanitarian appeal requesting another \$35 million for humanitarian operations during the next six months.

UN and non-UN humanitarian partners continue to conduct joint assessment visits to areas of concern -- including IDP camps -- as well as meet regularly in Nairobi to further discuss response strategies in the face of the deteriorating security.

The delivery of critical food and non-food items has been hampered by insecurity and restrictions of movement. Nonetheless, the UN has been able to provide assistance in the following ways:

- ◆ The World Food Programme (WFP) has provided more than 3,600 metric tons of food to hundreds of thousands of internally displaced persons and other vulnerable people together with the Kenyan Red Cross and the Government.
- ◆ In addition to nutritional supplies, UNICEF has provided critical non-food items such mobile toilets, chlorine tablets, buckets, jerry-cans and soap.
- ◆ The United Nations High Commissioner for Refugees (UNHCR) has provided tents and family kits and is working with the Kenya Red Cross to assist with camp coordination, management and IDP registration.
- ◆ The World Health Organization (WHO) is providing technical support to the Kenyan Ministry of Health as it draws up its action plan to address the most common diseases; such as respiratory tract infections, watery diarrhea, malaria, skin infections, and eye conditions as well as non-communicable diseases including physical and psychological trauma, malnutrition, diabetes and hypertension.

In addition, UN humanitarian agencies are assisting approximately 12,000 refugees that fled across the border into Uganda.

Human Rights

On the 21st of January, the High Commissioner for Human Rights Louise Arbour expressed her deep concern over the deterioration of the situation in Kenya, denouncing the numerous inter-ethnic killings, and condemning the use of live ammunition by Kenyan police in responding to protests. The High Commissioner called for an impartial investigation into serious allegations of human rights abuses and noted that there must be no impunity for those responsible. She has dispatched an OHCHR fact-finding mission to clarify what has taken place in the post-electoral period and draw attention to underlying human rights issues that have led to the current crisis. The mission arrived in Kenya on 6 February and will stay for three weeks.

UNICEF also reports increasing cases of sexual violence.

Prevention of Genocide

On the 28th of January, the United Nations Special Adviser on the Prevention of Genocide, Francis Deng, called for an immediate halt to the destructive cycle of attacks and revenge attacks in Kenya and announced plans to dispatch a staff member there to examine the situation. Mr. Deng noted that political and community leaders may be held accountable for violations of international law committed at their instigation and urged them to meet their responsibility to protect the civilian population and prevent violence.

Staff

Kenya is host country to a UN Headquarters (UNON) and several agencies with more than 1,000 international staff and 3,000 national staff, plus their dependents.

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