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STATEMENT OF THE NDI INTERNATIONAL DELEGATION TO THE REPUBLIC OF KENYA

Nairobi, Kenya
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This statement reflects the preliminary findings of a five-member international delegation sponsored by the National Democratic Institute for International Affairs (NDI). This delegation, comprising representatives from Barbados, Canada, Zambia and the United States, came to Kenya in response to invitations from a range of Kenyan leaders. The delegation met with officials of the Government of Kenya, and political and civic leaders in its effort to assess the state of the country's transition to multiparty democracy. NDI will publish a more comprehensive report of its visit shortly.

NDI is a political development institute that conducts nonpartisan programs to foster democracy in nations around the world. This mission to Kenya builds upon NDI's programs in countries throughout Africa, including Botswana, Ethiopia, Liberia, Namibia, Senegal, South Africa and Zambia.

The delegation offers its strong support for the historic initiative of President Daniel T. arap Moi in recommending the constitutional change creating a multiparty system in Kenya. This courageous decision has done much to reinforce Kenya's traditional position of leadership in Africa, a position that has been sustained during the tenure of the President.

We also note that the constitutional amendment, adopted on December 11, 1991, is less than two months old. It would be unfair to expect that this change could have produced an institutional transformation in such a short period of time. The transition to a multiparty democracy has just begun.

The delegation observed many positive developments: political parties have emerged to compete in the forthcoming elections; nonpartisan civic organizations have begun to address the need for civic education; government agencies are contemplating operational changes to adjust to the new circumstances; and Kenyans across the spectrum seem invigorated by the new political freedoms they enjoy. In that the advent of a multiparty system came as a surprise to most political actors, these developments are encouraging.

Yet, the delegation is concerned that the political environment remains tense and polarized. There seems to be little if any dialogue among the opposing political parties, and between the parties and the government. Harsh, seemingly unyielding statements by all sides contributes daily to division in the country. This has slowed the pace of change and, if it continues, the reconciliation that the December 11 action was meant to produce could be lost along with the historic opportunity presented.

The situation requires acts of good faith, particularly on the part of the government, which carries the heaviest burden for implementing President Moi's initiative. Consultations should be held urgently to resolve fundamental disputes over the election framework. These disputes should be discussed face to face,

rather than being aired in newspaper attacks. A new democratic spirit must emerge that supports compromise and condemns absolutism, for democracy is not a game of winner-take-all, rather it is the business of give-and-take. Our impression is that the people are waiting first for a signal from the President himself that the new era he announced in December has in fact begun in earnest.

The transitional agenda should be delayed no further, for it is a long one. If a national election is to have real meaning and produce the legitimacy that flows from the people's expressed will, the individual citizens and institutions of the nation must be fully engaged in the process. A voter education program should be undertaken to expose citizens to their new rights, to erase any lingering apathy or cynicism about the voting process, and to encourage registration and participation. Political parties should promote democracy by organizing themselves democratically and by participating in open debate that presents clear choices to the people. A particular need exists to include women more actively in the higher councils of party organizations. Young people should also be encouraged to actively engage in the political process. The media has a vital role in informing the electorate throughout the process in a truly nonpartisan manner, and in providing all parties with equal access. Some of this activity has already begun, as we have noted, but with a tentativeness born out of doubt that the transition is in fact going to go forward.

It is urgent that consultations begin to determine the rules that will govern the electoral process. We note that a solid framework already exists but that modifications to accommodate the new multiparty context are needed. The Electoral Commission will have to gain the confidence of the electorate by conducting the election process in an independent and transparent manner. Steps that can be taken to create the necessary confidence level range from the creation of an entirely new election commission selected with the participation of opposition forces, to consultations with the existing commission leading to procedures that will build trust. The delegation understands that any changes in the status quo must occur in a constitutional manner, but urges an expeditious resolution of the matter that will inspire confidence in the system. No election commission can perform its function unless it is fully independent of political influence, is open and transparent in performing its duties, and is staffed adequately for the huge task that it must undertake.

Another urgent challenge is the registration of eligible voters. The delegation heard many complaints about difficulties young people are having in receiving their national identification card, a document needed for voter registration. We heard that as many as 3 to 5 million potential voters do not yet have these cards because of administrative obstacles and delays. Disenfranchisement on this scale, whether intentional or not, would be a serious matter.

The government and people of Kenya have taken the critical first steps along the road to multiparty democracy. This international delegation congratulates them for this historic constitutional change, one that can unleash the creative and productive forces that result from the full participation of all citizens in the governance process. The Kenyan people have their fate in their own hands and it is they who will determine the success or failure of this democratic experiment. We in the international community, however, must play a role as well, refusing to interfere but insisting that the Kenyan people receive the support they need to meet this challenge. We hope that this delegation's presence in Kenya will begin to provide the people of this great nation with the optimism they require to ensure the success of their transition to multiparty democracy.