

# EUROPEAN PARLIAMENT

2004



2009

---

*Session document*

14.1.2008

B6-0025/2008

## MOTION FOR A RESOLUTION

to wind up the debate on statements by the Council and Commission

pursuant to Rule 103(2) of the Rules of Procedure

by Ryszard Czarnecki, Adam Bielan, Cristiana Muscardini, Hanna Foltyn-Kubicka, Ewa Tomaszewska, Konrad Szymański, Mieczysław Edmund Janowski, Marcin Libicki and Gintaras Didžiokas

on behalf of the UEN Group

on the situation in Kenya

**European Parliament resolution on the situation in Kenya**

*The European Parliament,*

- having regard to the Partnership Agreement between the members of the African, Caribbean and Pacific Group of States of the one part, and the European Community and its Member States, of the other part, signed in Cotonou on 23 June 2000 (the ‘Cotonou Agreement’), and amended in Luxembourg on 25 June 2005, in particular Articles 8 and 9 thereof,
  - having regard to the African Charter on Human and Peoples' Rights guidelines on the conduct of democratic elections,
  - having regard to the 'Declaration of Principles for International Election Observation' and the 'Code of Conduct for International Election Observers', commemorated at the United Nations on 27 October 2005,
  - having regard to the Preliminary Statement of the European Union Election Observation Mission (EUEOM) in Kenya of 1 January 2008,
  - having regard to the EU Presidency Declaration of 8 January 2008 on behalf of the European union concerning presidential elections in Kenya,
  - having regard to Rule 103(2) of its Rules of Procedure,
- A. whereas the 2007 presidential elections in Kenya were not in essence consistent with basic international and regional standards for democratic elections and were marked by a lack of transparency in the processing and tallying of presidential results,
- B. whereas, despite the generally good administrative organisation of the election process prior to tabulation, doubts about the credibility of the presidential election results are hampering Kenya's democratic progress,
- C. whereas the elections saw significant levels of ethnically based violence, including the deaths of a number of citizens, and led the country to a serious ethno-political crisis,
- D. whereas the campaign was conducted in a fairly open and free environment, in which the freedoms of expression, assembly and association were generally respected; whereas, however, the campaign atmosphere was also marked by a strong ethno-political polarisation between the two main candidates; whereas a large number of deaths have also occurred during the campaigning period and following the announcement of the results,
- E. whereas EUEOM observers were not given similar access to tallying stations and concluded that the lack of transparency and adequate security procedures severely undermined the credibility of the presidential election results,

- F. whereas the post-election violence in Kenya has led to the deaths of 500 persons and has, according to the United Nations, affected some 500 000 people, of whom 250 000 are displaced; whereas, according to the UNHCR's estimation, 3 300 Kenyans have sought refuge in Uganda and, according to initial assessments, the areas most affected are in the west of the country, in the Rift Valley,
- G. whereas the post-election turmoil disrupted trade on the currency and stock markets, and forced the sales of tea and coffee auctions to be postponed; whereas Finance Minister Amos Kimunyu estimates that the country's political crisis will cost the Kenyan economy USD1 billion,
- H. whereas the continuing unrest in Kenya is having a negative impact on regional economies and has triggered a humanitarian crisis as well as an economic crisis in parts of the Great Lakes Region, and whereas the shortage of fuel experienced in Uganda, Rwanda and Burundi has affected economic and social activities in the region,
1. Condemns the recent acts of violence and is profoundly preoccupied by reports of incitement to racial hatred and the growing frictions between the different ethnic groups in Kenya;
  2. Remains deeply concerned by the continuing deterioration of post-election security, the humanitarian situation and the potential health emergency in makeshift camps in schools, hospitals and churches;
  3. Is deeply preoccupied by the reports from Catholic missionaries about a general shortage of food, water and fuel and by all the other reports about mass-scale cases of fire set to buildings and vehicles and the plundering of shops;
  4. Condemns the increasing number of rape cases that have been occurring following the post-election violence;
  5. Regrets that, despite the broadly successful parliamentary elections, the results of the presidential elections seem not to be credible, owing to widespread reports of electoral irregularities;
  6. Supports the current president of the African Union, John Kufuor, in his efforts to bring reconciliation and, given the high risk of a radicalisation of the ethnic conflict, calls for a solution aimed at fairness and a balance of responsibilities;
  7. Deplores that the incumbent President Mwai Kibaki rejected the offer of President John Kufuor's mediation and appointed members of his cabinet without any prior consultation; stresses that, in order to prevent the radicalisation of the ethnic conflict, members of the opposition should be also represented in a national unity cabinet;
  8. Calls on the leadership of political parties to restore the dialogue and to do their utmost to reach a political and constitutional settlement designed to stabilise the country;
  9. Urges both sides to engage, as a matter of urgency, in remedial action through negotiations, with the involvement of an international mediator;

10. Calls on the leadership of political parties to take responsibility for preventing further violence in the country, to demonstrate a commitment to the rule of law and to ensure respect for human rights;
11. Expresses its concern at the fact that the post-election violence will threaten East Africa's largest economy and will impact negatively on tourism and regional trade;
12. Urges the Commission to provide immediate assistance to the Kenyan people and the missionaries who are working in extremely different conditions there;
13. Calls on the Commission and its Member States to immediately respond to the humanitarian needs of Kenyans displaced from their homes by the recent acts of violence;
14. Calls on the international community and, in particular, the Commission to play a leading mediation role in the dispute, in order to reach a peaceful settlement and to avoid the risks of a civil war and a repetition of tragic events such as those which occurred in Rwanda and Burundi in the 1990s;
15. Instructs its President to forward this resolution to the Council, the Commission, the governments of the Member States, the Government of Kenya, the Co-Presidents of the ACP-EU Joint Parliamentary Assembly, and the Chairmen of the Commission and Executive Council of the African Union.