



## IPI MEETING BRIEF

### The Presidential Election in Kenya: Results and Implications

Two weeks after the presidential, parliamentary, and local government elections in Kenya on March 4, 2013, the verdict warrants cautious optimism. While a challenge to the results is still underway in the Supreme Court and an International Criminal Court indictment of the president-elect remains extant, the overall lack of violence was a success for the electoral, judicial, and policing reforms introduced since the widespread violence that accompanied the 2007 elections. This was the key message from a policy forum held at the International Peace Institute on March 18<sup>th</sup>. The results and implications of the elections were discussed by Dr. Ozonnia Ojielo of the United Nations Development Programme, Mr. E.J. Hogendoorn of the International Crisis Group, and Mr. Peter Gastrow of the International Peace Institute.

The speakers considered the reasons for a largely peaceful outcome, the process of devolution in Kenya, and the impact of the International Criminal Court's (ICC) indictment of Uhuru Kenyatta on the campaign and now that he is president-elect. All speakers emphasized that the casting of votes was only the first phase in a successful transfer of power and that there were still challenges to stability to be faced—namely, the Supreme Court decision and President Kenyatta's case at the ICC.

Kenya is not out of the woods yet. The following insights emerged from the discussion:

The period since 2007 has been used to design and implement key reforms. Many of the triggers of violence in 2007 were not present in 2013. Policing and judicial reforms created a new environment and built confidence, and a huge amount of resources were dedicated to building the capacity of institutions such as the Independent Electoral and Boundaries Commission and the Supreme Court.

1. Despite external support, the majority of the reforms were driven by Kenyans themselves.
2. While voting was calm, this is only the start of a reconciliation process. The Supreme Court decision on Raila Odinga's appeal of the election results could yet bring further disputes and violence. However it decides, one side or the other will be dissatisfied.
3. Kenya faces an ongoing challenge in the implementation of the 2010 constitution, which devolved power away from the center. This brings logistical, capacity, and budgetary challenges, as well as power tensions, which could undermine the reforms and impact Kenya's macroeconomic and strategic position in the region.
4. The ICC indictments have been contradictory for Kenyans. In general they believed that those responsible for the violence in 2007 should be held to account before the ICC, yet the majority voted for a candidate indicted by The Hague.
5. Western government opinions voiced before the election and after Uhuru Kenyatta's victory were interpreted as condescending and judgmental by Kenyans. This enabled Kenyatta to make the indictment an issue of self-determination in the campaign. Had the West taken the view of "innocent until proven guilty," it could have kept communication channels open with this strategic and increasingly stable power in East Africa.
6. Overall, the election went relatively smoothly, notwithstanding various logistical problems. Nonetheless, Kenya's future remains tenuous as underlying political, economic, and ethnic tensions persist.

– Fiona Blyth