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## **“Kenya's 2013 Elections: An Effective Assistance Model?”**

*Excerpts of Remarks of Chairman Chris Smith (NJ-04)  
House Subcommittee on Africa, Global Health, Global Human Rights  
and International Organizations  
April 16, 2013  
2172 Rayburn Building*

Good afternoon. Today's hearing will examine U.S. actions to support the March 2013 elections in Kenya, a critically important African ally. The United States has devoted more than \$35 million since 2010 alone to prepare for and manage this year's election process.

After the massive violence following the closely contested December 2007 election, many precautions were taken to prevent a similar occurrence in 2013, and election-day and post-election violence have been greatly reduced. However, an effort to use new technology did not work as well as hoped. There were questions about the effectiveness of this election, which had promised to be a technological advancement. Given future important African elections, this hearing will look at what a responsible U.S. policy toward African elections should look like in an era of constrained development aid budgets.

The tragic election day deaths of 19 people, although attributed mostly to Islamic separatist elements and not to specifically election-related causes, cannot be overlooked and the perpetrators must be held to account. It is unacceptable that in the violence that followed the 2007 elections, an estimated 1,200 Kenyans were killed, and approximately 600,000 were displaced, according to media reports. Yet no one has thus far been held accountable.

Kenya this year conducted its first election under the 2010 constitution. In addition to voting for a president and members of the National Assembly, Kenyans selected members of the new Senate, as well as governors and local Assembly representatives in the 47 newly-created counties, each with a designated women's representative. More technology was brought into polling places to better ensure accuracy of voting and vote tabulation. Unfortunately, reported malfunctions of the equipment in some polling stations and at the national level, where a server broke down, for awhile stoked fears of vote rigging. If the court process had not been handled well as it was, we might now be looking at another wave of post-election violence.

Uhuru Kenyatta was elected President with 6,173,433 votes to 5,340,546 votes for Raila Odinga, and this was certified by the Kenyan Supreme Court. Nevertheless, violence was still a possibility until Odinga– gave a magnanimous concession speech following the court ruling.

The amount of U.S support for the Kenya election was extraordinary. American and Kenyan civil society organizations were enabled to conduct civic education, including radio and television messages and programs aimed at youth to encourage participation in the election process and discourage violence. Youth organizations were created nationwide to give young people an enduring voice in their country's political system. Several innovative approaches were created, including a comic book called Shujazz with young characters involved in commenting on the Kenyan political scene.

The three organizations presenting testimony today all played major roles in creative preparations for the 2013 Kenyan election. The International Republican Institute printed nearly 1.2 million sample ballots and 400,000 election posters for the IEBC and also distributed 800,000 Shujazz posters. The National Democratic Institute conducted an important poll on voter attitudes heading into the election, covering such issues as whether the country was headed in the right direction, whether their lives would improve during the next five years, whether the election posed a security threat to them and their community and whether they felt others were being encouraged to do harm to their ethnic group because of the elections.

The International Foundation for Electoral Systems advised Kenya's electoral commission on the process to conduct an election where there were 1,882 different configurations of the ballot, depending on the local races being run. The cell phones necessary for reporting of vote totals from polling stations were so late in being procured that IFES went ahead and purchased 1,200 to send into the field in time for election day.

Despite the extraordinary efforts by NGOs in preparing for the Kenyan election, we must be selective in what lessons we take from this experience. We will not be able to devote such resources to what will be several important elections yet to be held in 2013.

The U.S. Government has pressed both the governments of Mali and Madagascar to hold elections at the earliest possible date in order to normalize relations after coups replaced elected leaders. Zimbabwe, which recently held a constitutional referendum, is scheduled to hold presidential and legislative elections that many in that country hope will break the long cycle of repression of the political opposition.

Ethiopia's next election will replace the late Prime Minister Meles Zenawi and also will determine whether the political opposition will have more space to operate than in previous elections. Guinea's election also is being conducted in an atmosphere of uncertainty for the political opposition. These elections are important to U.S. foreign policy as was the election in Kenya. So how do we ensure that they are successful and represent the will of the voters if we can't devote the resources we did in Kenya? This is the question we put to today's witnesses, whose organizations have broad experience with African elections and have a unique viewpoint that we hope will allow Congress and the Administration to agree on funding for a policy that is fiscally sound while being politically effective. This hearing comes at a critical time since Congress is currently considering our foreign affairs budget.