

AMENDMENT NO. _____ Calendar No. _____

Purpose: To provide a complete substitute.

IN THE SENATE OF THE UNITED STATES—113th Cong., 1st Sess.

(no.) _____

Standing with the people of Kenya following their national and local elections on March 4, 2013, and urging a peaceful and credible resolution of electoral disputes in the courts.

Referred to the Committee on _____ and
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by Mr. COONS

Viz:

- 1 Strike all after the resolving clause and insert the fol-
- 2 lowing: “That the Senate—
- 3 (1) congratulates the people of Kenya on their
- 4 commitment to peaceful elections, as demonstrated
- 5 on March 4, 2013;
- 6 (2) calls on Kenyans to come together to fully
- 7 implement political, institutional, and accountability
- 8 reforms envisioned in the Kenyan constitution;
- 9 (3) calls on the people of Kenya to continue
- 10 their efforts to end intimidation, impunity, and vio-
- 11 lence;

1 (4) notes that many of the underlying griev-
2 ances that have underpinned ethnic divisions and
3 fueled the 2007-2008 violence remain largely
4 unaddressed;

5 (5) affirms that accountability for the 2007-
6 2008 post-election violence is a critical element to
7 ensure Kenya's democracy, peace, and long-term sta-
8 bility;

9 (6) calls on the Government of Kenya to respect
10 commitments to seek justice for the victims of polit-
11 ical violence, including by honoring its obligations
12 under the Rome Statute to cooperate fully with the
13 International Criminal Court with regard to the
14 three cases that remain before the Court slated to
15 go to trial in 2013;

16 (7) calls on the Government of Kenya to ensure
17 the International Criminal Court witnesses are fully
18 protected and not subject to interference but af-
19 forded the protections they deserve to ensure justice
20 is served;

21 (8) recognizes that, while the Government of
22 Kenya has made important progress since the 2007
23 election, aspects of the Kenyan reform agenda speci-
24 fied in the National Accord and 2010 constitution

1 remain unfinished, particularly with regard to police
2 reform, devolution, land reform, and security;

3 (9) encourages the people and Government of
4 Kenya to support ongoing implementation of con-
5 stitutional reforms, rule of law, the establishment of
6 county level government and efforts to strengthen
7 governance, security, and judicial institutions that
8 respect the dignity and rights of all the people of
9 Kenya and ensure protection for judges;

10 (10) supports the devolution process in order to
11 enable constitutional reform to be fully implemented;

12 (11) encourages the Government of Kenya to
13 respect and protect the freedom of civil society orga-
14 nizations and activists which have historically led the
15 process of political reform in Kenya;

16 (12) expresses hope that newly elected members
17 of government will herald a new generation of re-
18 sponsible leadership in Kenya; and

19 (13) reaffirms that the people of the United
20 States will continue to stand with the people of
21 Kenya in support of democracy, partnership, and
22 peace.