

**SPEECH BY HIS EXCELLENCY HON. UHURU KENYATTA, C.G.H.,
PRESIDENT OF THE REPUBLIC OF KENYA AND COMMANDER IN
CHIEF OF THE KENYA DEFENCE FORCES, ON THE OCCASION OF
THE OFFICIAL OPENING OF THE 6TH ANNUAL CONTINENTAL
FORUM OF ELECTION MANAGEMENT BODIES (EMBS) ON 28TH
NOVEMBER 2019 AT CROWNE PLAZA HOTEL**

**DELIVERED THE ATTORNEY-GENERAL, HON. PAUL KIHARA
KARIUKI, CBS**

**Distinguished Guests, Honoured Delegates, Ladies and
Gentlemen;**

1. On behalf of the People of Kenya, it is my pleasure to welcome you all to our Nation. I am delighted to join you for this auspicious occasion of the 6th Annual Continental Forum of Election Management Bodies.

2. It is my humble privilege to stand-in for our Head of State and Government, who due to the exigencies of National Duty was unable to attend today's gathering. His Excellency the President send his warmest regards, best wishes and this Opening Address.

3. The Continental Forum of Election Management Bodies is an important platform for capacity building, deepening of knowledge, sharing of experiences and exchanging ideas in the arena of Elections Management. The Theme of this Year's Forum *-Enhancing Participation of Internally Displaced Persons and Refugees in Elections in Africa: Towards More Inclusive Electoral Processes* – is a bold and vibrant topic that

resonates deeply with the shared values and aspirations that unite all Africans.

Ladies and Gentlemen,

4. As Africa continues her journey towards a better future for all her Peoples, our Continent faces numerous challenges. Chief amongst these are the threats to the vibrancy and efficacy of our Democracies; particularly the threats of Conflict and Displacement of Persons. Far too many Africans today live their lives either as Internally Displaced Persons (IDPs) or Refugees in other countries. Our task as thought leaders and direct actors in Elections Management is to formulate and implement ways in which Internally Displaced Persons and Refugees can continue to exercise their fundamental and inalienable right to participate in Elections.

5. The participation of IDPs and Refugees in Elections is an area that must be approached with boldness, sensitivity, pragmatism and focus on the constant need to continually improve the socio-political climate in our Nations. This endeavour is by no means an easy one; with numerous political, social, financial, technical and logistical hurdles standing in its way. If improperly crafted and executed, the participation of IDPs and Refugees in Elections has the potential to exacerbate the tensions that have historically been prevalent during the election periods in most African Nations.

6. It is an inescapable fact that Elections in African Countries almost always have to contend with challenges to their legitimacy and the probity of their outcomes. We commonly hear accusations of vote-rigging and so-called 'Ghost Voters'; a phenomenon that could be made even more fraught by the mismanaged incorporation of IDPs and Refugees into the Elections processes.

7. These genuine and well-meaning concerns should be balanced with the basic imperative to give meaningful enfranchisement to IDPS and Refugees; so that they may be able to vie for electoral positions or cast their ballots whether in their constituency or origin or at their current location. Legal and Administrative safeguards against voter identity fraud should not be so onerous as to serve as an insurmountable barrier to the participation in elections by persons who may no longer possess their original identification documents or proof of residency.

8. Furthermore, this participation must be real and practical; and not merely an abstract token that cannot be exercised in reality. The IDPS and Refugees must participate in a manner that ensures their security and dignity, and does not burden them with laborious requirements in terms of registration, travel and verification.

9. It must always be borne in mind that Political Rights and Participation in Elections are not favours benevolently granted by the State at its pleasure. These are basic human rights that go to the core of the

legitimacy of our Democracies, the justification for Government and the Social Contract.

Ladies and Gentlemen,

10. At the 32nd Ordinary Session of the Assembly of Heads of State and Government of the African Union, African Countries were called to action in respect of the humanitarian crisis associated with IDPs and Refugees, under the African Union 2019 Theme of: *"The Year of Refugees, Returnees and Internally IDPs and Refugees: Towards Durable Solutions to Forced Displacement in Africa"*. In line with that AU 2019 Theme, Election Management Bodies (EMBs) across the Continent must focus their energies on ensuring the inclusion to the greatest extent possible of IDPs and Refugees within their jurisdictions.

11. A significant number of African Countries, Kenya included, are signatories to various international treaties that seek to address the plight of IDPs and Refugees. These international instruments include The Great Lakes Protocol on the Protection and Assistance to Internally Displaced Persons; the African Union Convention for the Protection and Assistance for IDPs in Africa; the African Charter on Democracy, Elections and Governance (ACDEG); and the 1969 OAU Convention Governing Specific Aspects of Refugee Problems in Africa.

12. While these treaties are commendable milestones in the Continent's progressive march towards protecting the political rights of displaced persons, the State Parties must ensure that those international commitments are given real municipal effect through domestic laws that enforce those commitments. The development of those domestic policies and laws should be undertaken well in advance of the Elections Period, so as to allow for consensus-building with regard to political sensitivities, the fostering of public participation and sensitization, and the putting into place the resources, systems and logistics necessary of effecting IDP and Refugee Election Participation.

13. This calls for measures that will ensure and display the integrity, transparency, credibility and accountability of the electoral process generally, and also specifically with regard to the participation by the IDPs and Refugees. Election Management Bodies must also ensure that IDPs and Refugees participate in an environment of security; with the possible option of absentee voting in instances where physical voting may prove to be unsafe for the participants.

14. The more the political rights of IDPs and Refugees are secured in law, the less the risk of exclusion and the greater the benefit for Democracy and credibility of Elections. As the practitioners in Elections Management, I challenge you to take up the mandate of driving the legislative agenda, formulating policy and building consensus with stakeholders towards ensuring the participation of IDPs and Refugees in the electoral process.

Ladies and Gentlemen,

15. As I conclude, I applaud the organisers of this Forum for seeking to enhance the participation of IDPs and Refugees in Elections in Africa. It is important for all to bear in mind that the very existence of this discussion is proof of how far Elections in Africa have come and the very many positive steps forward that have been made in Elections Management. It is my conviction that this Forum will produce many positive outcomes, including home-grown solutions relevant to the African experience and situation that can be customized to meet the unique needs and circumstances of each African Country.

16. In that regard, I wish you a pleasant stay in Kenya and a productive engagement in the course of this workshop and beyond.