



REMARKS DELIVERED BY
MR. WANYONYI WAFULA CHEBUKATI, CHAIRMAN
INDEPENDENT ELECTORAL AND BOUNDARIES COMMISSION
DURING
THE DEVELOPMENT PARTNERS' POST ELECTION EVALUATION
FORUM
AT THE SAROVA PANAFRIC, NAIROBI

DATE: SEPTEMBER 12TH TO 13TH 2018

THEME:
MOVING KENYA TOWARDS A STRONGER DEMOCRACY

Mr Justice Msagha Mbogholi, Chair Judiciary Committee on Elections
Hon William Cheptumo, Chairperson Justice Legal Affairs Committee
Cmmr Boya Molu, IEBC
Marjan H. Marjan Ag CS/CEO-IEBC
Representatives of Government Agencies,
Members of the media,
Civil Society,
Faith based organization,
Invited Guests,
Representatives of Special Interest Groups
Ladies and Gentlemen,

I welcome you all to this forum.

On behalf of the Commissioners and the entire IEBC, I sincerely thank you for the support you have accorded to us as a Commission and to the ongoing Post-Election Evaluation exercise that is now nearing its culmination. We have undertaken activities building up to this stakeholder engagement, in the various counties and county-clusters, through our county and constituency offices, and we appreciate that you have remained engaged.

I acknowledge the support of our development partners in organizing today's forum. I would be remiss if I did not acknowledge the diligent work from the team at the Commission, in preparing for this forum and indeed the preliminary Post-Election Evaluation (PEE) exercise across the country.

Ladies and Gentlemen, the 2017 the preparation and conduct of the 2017 elections, was no mean task. Those of you who went through the electoral processes can confirm – the electoral contest was fierce and even characterized by brinkmanship at some point, and it did call for very careful handling on our part as the arbiters.

You will recall that in the lead-up to the elections, a new team of Commissioners assumed office under my leadership on the 20th of January, 2017 with a general election a little over 6 months to come. An ideal situation would have been to accord the new commissioners a lot more time to enable them better oversight the preparations for the elections, this notwithstanding, with the support of the secretariat and indeed our stakeholders gathered most of who are gathered here today the Commission delivered arguably the most free, fair and credible elections in our country's recent history.

Yesterday the Commission engaged our development partners who have similarly stood with the Commission, and equally received their input. We however set-aside two concurrent days – *today and tomorrow* - to engage with you, and we trust that from your input we should be able to enrich the PEE output, which we anticipate will facilitate the meaningful reform and transformation measures at the Commission.

In my remarks as Chairman, I must unequivocally state that the Commission recognizes the sacrosanct mandate bestowed upon, in facilitating the election of leadership for our Country. It is not a responsibility we take lightly or causally. I assure you that we are committed to taking difficult decisions, and bravely face the challenges coming away to ensure the country secures a credible, accountable, competent and transparent electoral management body.

It is against this background, Ladies and Gentlemen, that we undertake this PEE exercise, under the theme “MOVING KENYA TOWARDS A STRONGER DEMOCRACY.” The Commission is keen to receive your recommendations on how to better manage the country’s electoral process. Article 10, of the Constitution as read with the entirety of Chapter 7 of the Constitution enjoins us as a Commission to ensure meaningful public participation in all the Commission’s activities.

We are currently undertaking a very important phase of the ongoing PEE. We have scheduled a number of engagements with the Commission’s stakeholders in reviewing the 2017 elections. The Commission recognizes the centrality of a meaningful engagement with all our stakeholders, towards the successful realization of our mandate.

The successful conclusion of any electoral cycle can only be deemed to have been attained, upon the successful conduct of a comprehensive post-election evaluation. It is at this phase of the Electoral Cycle, that we take the opportunity to candidly critique the roles played by the various players and stakeholders, applaud the successes and build on what was done well.

Contemporaneously, we will highlight for reform, what could have been done differently or better, as we aim to enhance subsequent electoral activities from the lessons learnt.

For this reason ladies and gentlemen, we are most glad to engage with you, our much esteemed stakeholders in this evaluation exercise; and we look forward to your input. Indeed some of you were part of observer missions that have submitted reports which will also complement the Commission's PEE output.

We hope to answer the following questions:

- a) How best did we play our individual roles in preparation for the 2017 General and Fresh Presidential Elections?
- b) How best did we contribute to the strengthening of Democracy in Kenya?
- c) Did you as the constituency of stakeholders, face challenges that could have interfered with your performance?
- d) What can we do to improve on strengthening Democracy in future elections?

As we look forward to informed discussions allow me to share with you some facts on the 2013 election as against the 2017 general elections: under the following thematic heads, contain useful data on the last polls which informs the current PEE and certainly the preparation for the 2022 elections.

1. Registration of Voters

- a) All registered voters were successfully registered using Biometric Voter Registration Kits.
- b) According to the 2009 population census reports, the number of projected eligible voting population was **21.8 million**, which was projected to increase to **25.7 million** by 2017.
- c) IEBC targeted to register **22.4 million** voters in time for the 2017 General Elections (this being 87% of the voting population) up from **14.4 million** as at March 2013.
- d) During the Commission's two Mass Voter Registration [MVR] drives, we registered an additional **1,572,846** new voters in the first MVR and a further **3,649,796** at the close of the second MVR.
- e) At the completion of the voter registration exercise, a total of **19,611,423** eligible voters were registered to participate in the 2017 General Election up from **14,388,781**.
- f) An additional 5 million voters were registered within the Country, while the **2,637** additional Diaspora voters were registered.
- g) The Commission subsequently successfully undertook verification of the **19,611,423** registered voters.

2. Participation

- In 2013, a total number of **12,776** candidates were registered by the Commission to contest for the **1,882** elective positions available nationally. The number of registered candidates increased to **14,523** in 2017.

- After registration for elections the Commission heard and determined 350 Dispute Resolution Committee [DRC] nomination complaints; which challenged our returning officers decision to either register or reject registration of certain candidates. Further the Commission also heard and determined 71 complaints on alleged violation of the electoral code of conduct and 23 party list disputes.
- Subsequent to the declaration of results of the 2017 general elections, there were a total of **303** election petitions lodged in Court; up from **187** petitions lodged in 2013 challenging the elections results for the various positions.
- Out of the 303 petitions, **278** were dismissed and only **25** were allowed.
- The Commission accredited **56,709** Domestic observers and **1,599** International Observers.
- The Commission employed over **350,000** temporary election poll officials and over **80,000** personnel were deployed to provide security at the polling and tallying centres.

3. The Cost Of Elections

- a) For the financial year **2016/2017** and **2017/2018**, which was the Election year, the Commission requested for **Kshs. 46.2 Billion** to conduct the 8th August, 2017 General Election and another **Kshs. 12 billion** to conduct the 26th October, 2017 Fresh Presidential Election.
- b) The Commission received a further pledge of **1.42 Billion** for Financial years 2016/2017 and 2017/2018 from Development Partners.
- c) Out of the total budget, **Ksh. 5.5 Billion** can be classified as Capital Investment on purchase of various technological gadgets and equipment.

d) On Election day, an estimated **90.7 million** ballot papers were cast for all the 6 elections nationwide.

The Country runs certainly the most expensive election in the region and arguably one of the most expensive globally. The Commission is focused on driving down the cost drivers and ensuring that the burden of overly expensive elections is managed.

POST EVALUATION

Ladies and Gentlemen it is already well over 12 months since the last General Election, and about 4 years to the next. Different stakeholders involved in the electoral process have conducted their own electoral evaluations. Some have shared their reports with the Commission, for which we appreciate. Others have also conducted various surveys especially on the Public perceptions of the IEBC and the Elections. We have noted from the results presented to us, that there are areas the Commission will have to work on in further improving on our processes and services offered to the public.

This forum therefore, gives us an opportunity to undertake candid discussions concerning on what we must address in enhancing the quality of electoral management for our Country.

I also observe that the Commission has received final reports from most of the accredited observer groups (both domestic, regional and international). The receipt of these reports preceded the commencement of our internal post-election evaluation using international IDEA tools of carrying out such an exercise. We will incorporate the input from the stakeholders in this forum into the final report, which will be subsequently published and circulated to all our stakeholders and partners. We will similarly upload the same onto the Commission's website for public consumption and easier access.

Ladies and gentlemen, the conclusion of the ongoing stakeholder consultative fora and subsequent finalization of the PEE exercise with the publication of the PEE Report will mark the culmination of the current electoral cycle and the roll-out of the next. The Commission is keen to actively embark on a series of reformative and transformative activities that are intended to improve the Commission's readiness and capacity to deliver, more transparent, credible and accountable elections.

Some of the identified priority areas include:

1. Need for an enabling legal framework/environment
 - a. Facilitative, responsive and timely enacted electoral laws
 - i. Ongoing legal (electoral) reform exercise
 - ii. Leverage on political goodwill from the building bridges initiative to secure enactments
2. Enhanced participation by our primary clients
 - a. Enriched civic and voter education
 - b. Extended registration of voters
 - c. Inclusive participation of PWDs, the vulnerable and marginalized
3. Streamlined, coordinated and synchronized organizational structure and team
 - a. Review of Commission's organizational structure and better align commission operations
 - b. Strengthening capacity of various functional units
4. Prudent financial management and accountability on resources allocated to the IEBC
 - a. Financial independence through operationalization of the IEBC Fund
 - b. Transparent and accountable procurement and expenditure processes
5. Enhance credibility, public confidence and trust in the Commission
 - a. Stronger devolved offices and consistent engagement with local communities
 - b. Vetting of commission staff with public participation
 - c. Better commission partnership and communication policies and strategies

- d. Review of commission processes and engage stakeholders in better equipping functional units to deliver on their roles
- 6. Synergy and cooperation with other players with integral roles in electoral management
 - a. Judiciary
 - b. Government and state agencies incl ODPP, EACC, National Police Service
 - c. Political Parties
 - d. Civil Society Groups

The Commission takes this opportunity to assure you of our commitment and dedication to a continued partnership for the strengthening of democratic institutions as we enhance our capacity to deliver on a certainly sacrosanct mandate of midwifing participatory democracy.

I thank you all and we look forward to an engaging session.

W.W. CHEBUKATI
IEBC-CHAIRMAN