



Independent Electoral and Boundaries Commission

PRESS RELEASE

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SUBJECT: MISREPRESENTATION BY MEDIA ON ELECTIONS LAWS (AMENDMENT) BILL, 2026

Nairobi, Kenya: 30th July 2026

The Commission's attention has been drawn to media reports to the effect that the Election Laws (Amendment) Bill, 2026 seeks to scrap live streaming of poll results, ban live broadcast of poll results and return the voting system to manual voter identification and transmission of poll results akin to what was used in the 2007 General Election.

The Commission wishes to state as follows:

1. The media reports are erroneous and a misrepresentation of the Bill as tabled before Parliament.
2. The Bill does not in any way propose amendment to Section 44 of the Elections Act that provides for the deployment of an Integrated Elections Management System for voter registration, voter identification and results transmission. Instead, it proposes a complementary mechanism for result transmission to address instances where transmission of results is not possible owing to lack of 3G network which is the minimum standard required for transmission of result Forms.
3. The Bill seeks to align the law with the Supreme Court's decision in the Presidential Election Petition No. 1 of 2017, which affirmed that the election result in the one recorded in the statutory Results Declaration Form (34A Series), the primary and final record of the results at the polling station. Accordingly, the Commission is required to verify the results by comparing the original physical form 34A with the electronically transmitted image of the same form from the polling station.
4. As a result, the Bill proposes that the Commission will inter alia electronically transmit the image of the statutory

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election result declaration form filled by the Presiding Officer (PO) and witnessed by Political Parties and Candidates' Agents present at the polling station. The Commission will ensure that all stakeholders access the result forms in the online public portal as provided for under section 39 (1C)(c) of the Elections Act.

5. In addition, the POs at the polling stations shall submit the statutory result declaration forms to the respective Returning Officers (ROs) at the Constituency Tallying Centers. The ROs will collate the results and prepare form 34B, after which both the Original form 34As and 34B shall be submitted to the National Returning Officer for the presidential election at the National tallying Centre for tallying, verification of the election results and declaration by the Chairperson.
6. The counting and prompt announcement of results by the presiding officers at the polling stations will be done in an open, transparent manner and in full glare of the media, agents and election observers.
7. The bill seeks to delete provisions of the Elections Act which were declared unconstitutional by the **High Court in Katiba Institute & 3 others v Attorney General & 2 others (Constitutional Petition 548 of 2017) [2018] KEHC 7560 (KLR) (Constitutional and Human Rights) (6 April 2018) (Judgment)** where the Court invalidated the provisions of Sections 39 (1C) (a), 39(1D), 39(1E), 39(1F) and 39 (1G). In the same decision, the Court declared the amendment to section 83 invalid, thereby reinstating the previous legal standard for the determination of election petitions.
8. The Bill therefore seeks to align the Act with the Court's decision and provide a clear and constitutionally compliant statutory framework.
9. The effect of the Court Declarations is that key provisions governing the result management process and the statutory framework for determining election petitions were invalidated, creating legislative gaps. The Bill therefore seeks to address these gaps to ensure legal certainty, facilitate the effective conduct of elections and provide a clear framework for the resolution of electoral disputes.



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The IEBC remains committed to preserving the integrity, credibility and transparency of the electoral process and ensuring that every election faithfully reflects the sovereign will of the people.

ERASTUS EDUNG ETHEKON, HSC
CHAIRPERSON, INDEPENDENT ELECTORAL AND BOUNDARIES COMMISSION (IEBC)