



PRESENTATION BY MR. ERASTUS EDUNG ETHEKON, HSC

**THE CHAIRPERSON OF THE INDEPENDENT ELECTORAL AND
BOUNDARIES COMMISSION (IEBC)**

**ON ELECTION MANAGEMENT AND PREPAREDNESS FOR THE
2027 GENERAL ELECTION**

Dates: 27TH JANUARY, 2026

LAKE NAIVASHA RESORT, NAIVASHA

The Speaker of the National Assembly, the Rt. Hon. (Dr.) Moses F.M. Wetangula, SC,
EGH, MP

The Deputy Speaker of the National Assembly,

The Majority leader and the leadership of the house present

Distinguished Members of Parliament,

Distinguished Guests present

Ladies and gentlemen, good afternoon. Happy New Year!

Preliminary Remarks

1. Dear Honourable members, It gives me great pleasure to stand before you today and present on IEBC Election Management and Preparedness for the 2027 General Election. Cognizant of the importance of this call and the strategic position of Parliament to our core mandate, I am accompanied by fellow members of the Commission and Senior management Staff.

2. We appreciate the continued engagement and support of the National Assembly in advancing Kenya’s democratic governance. We recognize Parliament’s central role not only in appropriation and oversight, but also as a strategic partner in safeguarding electoral integrity, political stability, and public confidence in democratic institutions. We believe that our engagement today will result in better understanding of the Commission’s work and strengthened institutional collaboration.
3. Honourable Members, I was invited to render a presentation on three key areas, all related to our preparations for the 2027 General Election: The three areas are:
 - a. *Legislative and Regulatory Requirements necessary for the conduct of the next general elections,*
 - b. *The Budgetary/Financial support required by the Commission*
 - c. *Stakeholder support*
 - d. *Further, we note that this House may also need to get a brief update on Election Operations in stake and the boundary delimitation exercise.*

A. LEGISLATIVE AND REGULATORY REQUIREMENTS

i. Background

4. Elections are central to democracy, protecting citizens’ rights to vote or contest for office. Their credibility depends on being free and fair, as flawed elections can lead to instability and violence.
5. In Kenya, the Independent Electoral and Boundaries Commission (**IEBC**) is constitutionally mandated to oversee elections and referenda, guided by several laws including the Elections Act, 2011 and the Election Offences Act. However, successful elections require collaboration among multiple stakeholders beyond the IEBC.
6. Following the 2017 General Election, the IEBC initiated a series of reform efforts aimed at strengthening Kenya’s electoral framework by addressing identified gaps,

ambiguities, and inconsistencies in the existing legal regime. While several draft legislative proposals were developed as part of this process, **none were enacted by Parliament prior to the 2022 General Election.**

7. In lieu of legislative amendments, the Commission consolidated its reform proposals and legal analyses into a comprehensive Election Law Report, which was formally submitted to Parliament and made publicly available. The report remains a critical reference point for understanding the legal and operational challenges encountered in election management. It also provides a clear and structured roadmap for future electoral law reforms, underscoring the IEBC’s commitment to transparency, institutional learning and continuous improvement in electoral governance.

ii. Status on the Electoral Legal Reform

8. Following the launch of its 2022 Post-election Evaluation report, the Commission commenced electoral legal reform through various stakeholder engagements. The initiative sought to identify what worked, what did not work well and generate proposals for legal review.

9. In 2023, the Commission established a Technical Working Group (TWG) to draft Bills, propose regulatory amendments, and prepare formal submissions on election-related legal reforms. These outputs were presented to the National Dialogue Committee (NADCO), after which the Secretariat submitted the Draft Bills and Amendment Regulations to Parliament. Some of the proposals that the IEBC has made include;

S/ No.	Statute	Areas identified for Review
1.	Elections Act	<ul style="list-style-type: none"> Review of the definition of nominations and registration of candidates for election. Definition of a <i>Forensic Image</i> so as to provide clarity during the scrutiny of election technology.

		<ul style="list-style-type: none"> • Timelines- Review of timelines for Inspection of the Register of Voters, Verification of biometric data, nominations, candidate registration and other activities. • Implementation of the not more than two thirds gender principle- Requiring all political parties to ensure that the names of the party candidates submitted to the Commission under this section in a general election for parliamentary elections comply with the principle that not more than two-thirds of the candidates shall be of the same gender. • Review of independent candidate symbols to be ring-fenced within a county. • Review of the Result path and declaration of results pursuant to the decision of the Supreme Court in Supreme Court in Presidential Election Petition E005, E001, E002, E003, E004, E007 & E008 of 2022 (consolidated). • Provision for the process of Scrutiny of election technology. • Recall- Exporting the provision of Section 27, 28 and 29 of the County Government Act on recall with the necessary modifications to the provisions to Part IV of the Elections Act on a Member of Parliament) • Dispute Resolution- providing timelines for party lists, expanding the timelines for disputes arising from registration of candidates and providing timelines for determination of pre-election disputes before a General election. • Election Petitions- That appeals from the Magistrate Courts shall lie at the High Court and Appeals from the High Court decision shall lie at the Court of Appeal.
2.	IEBC Act	<ul style="list-style-type: none"> • Deletion of spent provisions • Review of the Quorum for the Commission • Decision making of the Commission

3.	Election Offences Act	<ul style="list-style-type: none"> Following the decision of the Supreme Court in Petition No 23. (E026) Of 2022 Hon. Sabina Wanjiru Chege V IEBC that affirmed the mandate of the Commission’s Code of Conduct Enforcement Committee, the offence of breach of the electoral conduct under Section 20 of the Elections Offences Act be repealed as the same is the Commission’s mandate and not ODPP’s.
4.	County Governments Act	<ul style="list-style-type: none"> That Section 26(1) (2) and (3) be deleted as they are unconstitutional. This was affirmed in the case of <i>Attorney-General & 2 others v Ndi & 79 others; Dixon & 7 others (Amicus Curiae) (Petition 12, 11 & 13 of 2021 (Consolidated)) [2022] KESC 8 (KLR) (31 March 2022) (Judgment)</i>
5.	Election Campaign Financing Act	<ul style="list-style-type: none"> The amendments provide inter alia for the following <i>inter alia</i>; Deletes obsolete provisions under the Act. Deletes provisions establishing party expenditure committees, independent candidate independent committees and referendum expenditure committees. Deletes and replaces section 11 of the Act to restrict contributions and donations to election campaigns and clarifies permissible donors. Amends section 19 and provides for campaign activities upon which expenditure may be incurred. Amends section 14 to prohibit donations for election campaigns directly from foreign governments.
6.	Referendum Bill.	<ul style="list-style-type: none"> To provide for the process of conducting a referendum or referenda.
7.	Review of Statutory Instruments	<ul style="list-style-type: none"> Draft Election (Voter Registration) (Amendment) Regulations; Draft Election (General) Regulations) (Amendment) Regulations; Draft Election (Voter Education) (Amendment) Regulations; Draft Elections (Party Primaries and Party Lists) Amendment Regulations; Draft Elections (Technology) (Amendment) Regulations; Draft Election Campaign Financing Regulations.

10. The Commission stresses that, in line with international best practice, election laws should be enacted at least one year before a General Election, as late enactments hinder preparedness.

11. Looking ahead to the 2027 General Election, the Commission seeks collaboration with institutions to strengthen election management and will soon convene joint stakeholder engagements with Parliament, political parties, and other actors to discuss election preparedness.

iii. Legal Challenges in Preparation for the General Election

12. In the last few months, the Commission has been faced with certain challenges that have affected election legal operations these include;

a) **Conflicting legal timelines:**

Gaps and inconsistencies between electoral laws and court decisions have created uncertainty in election processes, necessitating legislative harmonization.

b) **Outstanding legal fees:**

The Commission has unpaid, audited legal fees exceeding **KES 3.8 billion** (from 2013 to date), constraining its ability to engage external counsel for election petitions and disputes.

c) **Limited legal capacity:**

With over 100 election-related disputes per election cycle and only four in-house counsel, the Commission lacks sufficient capacity to defend cases adequately.

d) **Constraints in representation by the Attorney-General:**

The Attorney-General has, in some cases, taken positions divergent from the Commission, limiting effective legal representation.

e) **Inadequate funding for legal reforms:**

Insufficient budgetary allocation has delayed post-election legal reforms, contrary to recommendations that reforms be completed at least two years before elections.

Request to Honourable Members

The Commission respectfully appeals to the National Assembly to:

- i. Adequately fund and expedite consideration of pending electoral legislation that are required to support timely legal reforms and strengthen electoral governance.
- ii. Consider and enact the Election Campaign Financing Law and give the Commission the opportunity to implement the law.

B. THE BUDGETARY/FINANCIAL SUPPORT REQUIRED BY THE COMMISSION

13. In line with its constitutional mandate, the Commission has initiated early preparations for the 2027 General Election. These activities are being implemented in sequential stages, each building upon the other, underscoring the complexity and sensitivity of managing a nationwide election within a dynamic legal, political, and security environment.

i. General Election Budget

14. The Commission prepared budget estimates amounting to **Kshs. 63 billion** for the full electoral cycle following comprehensive technical and operational assessments. These assessments took into account:

- a. Projected voter population growth,
- b. The required expansion and maintenance of electoral infrastructure, technology and systems requirements,
- c. Election security needs,
- d. Statutory and constitutional inclusion obligations,
- e. Lessons drawn from previous electoral cycles and post-election evaluations,
- f. Relevant comparative and best-practice benchmarks.

Table 1: 2027 GENERAL ELECTION BUDGET

Description	2025/26 (In million)	2026/27 (In million)	2027/2028 (In million)	Total (In million)
GE Resource requirement	4,731.57	34,998.82	24,221.11	63,951.50
Resource Allocation (NT)	4,731.57	20,721.00	15,556.00	41,008.94
GE Shortfall	-	14,277.82	8,665.11	22,942.94

15. Following consultations with the National Treasury, the Commission was allocated **Kshs 41 billion**, leaving a funding shortfall of **Kshs 22.9 billion**. While the Commission recognizes the broader fiscal constraints facing the Government, this gap significantly limits preparations at a critical stage and may affect compliance with constitutional timelines and standards.

ii. Implications of the Funding Gap

16. The legitimacy of elections depends on the entire electoral process, not just polling day. This includes legal preparedness, voter education, stakeholder engagement, security coordination, and post-election accountability. The current funding gap limits the Commission’s ability to implement these interlinked activities effectively.

17. The funding gap constrains the Commission’s ability to implement key electoral safeguards, including:

- i. Voter education and civic awareness, particularly for Special Interest Groups;
- ii. Legal and regulatory reforms;
- iii. Strategic communication and countering misinformation;
- iv. Stakeholder engagement and dispute prevention;
- v. Election security preparedness;
- vi. Staff training, welfare, and logistics;
- vii. Procurement of election materials and settlement of legal bills.

18. Collectively, these constraints elevate operational, reputational, and security risks and undermine the constitutional principles under Articles 10 and 81.

iii. Pending Bills

19. The Commission has verified pending bills amounting to **Kshs. 4.987 billion** from previous elections. All requisite documentation has been submitted to the Pending Bills Verification Committee, and the Commission awaits guidance on settlement.

20. These pending obligations have resulted in supplier reluctance, increased procurement costs, erosion of institutional credibility, reduced operational flexibility and financial independence as espoused under Article 249(3).

21. The Commission appeals to Parliament to facilitate expeditious settlement of verified pending bills and to support progressive closure of the 2027 funding gap.

22. Honourable Members, you may note that the enumerated challenges arising from the pending bills are consequential to the optimal delivery of our mandate. Adequate, timely, and predictable funding for the Commission should, therefore, be viewed not merely as expenditure, but as a strategic investment in national stability and democratic continuity.

iv. Request to Honourable Members

23. The Commission respectfully appeals to the National Assembly to:

- Support efforts to progressively address the **Kshs 22.9 billion** funding gap for the 2027 General Elections;
- Facilitate the expeditious settlement of verified pending bills to restore fiscal sustainability; and
- Continue strengthening collaborative engagement with the Commission to ensure that the 2027 General Election are conducted in a manner that is credible, inclusive, peaceful, and constitutionally compliant.

C. STAKEHOLDER SUPPORT AND ENGAGEMENT

24. The IEBC underscores that stakeholder engagement is vital throughout the electoral cycle. These interactions help the Commission access expertise and resources, gather feedback, improve transparency, and address public concerns on key processes such as boundary delimitation, referenda, voter registration, voting, results management, electoral laws, and technology use. They also provide opportunities to share reports, clarify issues in public debate, and foster collaboration.
25. In the post-election period, the Commission is particularly focused on outreach, sensitization, and education. Key themes include;
- a) promoting informed, inclusive, and ethical citizen participation;
 - b) safeguarding the political rights of marginalized groups as espoused under Article 100 of the Constitution (such as internally displaced persons and refugees);
 - c) encouraging value-based and people-centered politics; and
 - d) fostering national unity and peaceful coexistence after elections.
26. One of the key objective of the Commission's Strategic Plan is to enhance public trust and participation in electoral processes. This requires meeting stakeholder expectations, encouraging involvement, and fostering confidence through collaboration, awareness, and openness. Past post-election evaluations have shown that structured stakeholder consultation is vital for securing buy-in, trust, and support.
27. The Proposed Strategic Plan 2024–2029 builds on these lessons by prioritizing strategies to strengthen trust and participation. It provides a framework for reviewing the experiences of voters, candidates, officials, and political parties, with the aim of highlighting activities undertaken, challenges faced, and remedial actions, thereby ensuring continuous improvement in electoral governance.

Ladies and Gentlemen,

28. As a cardinal rule, thriving institutions must pause to reflect, taking stock of their milestones while evaluating successes, setbacks, and false starts. From its post-election evaluations, the Commission has learned that structured stakeholder consultation and engagement are indispensable in enhancing buy-in, trust, and support.

29. For an Election Management Body, sustained stakeholder engagement throughout the electoral cycle cannot be gainsaid. In recognition of this, the Proposed Strategic Plan 2024–2029 sets out clear strategies aimed at strengthening public trust and enhancing participation in the electoral process. By examining the experiences of voters, candidates, election officials, and political parties, the Commission seeks to document key activities undertaken, challenges encountered, and remedial actions proposed, all directed towards reinforcing electoral governance and integrity.

Honorable Members,

30. The Commission, in preparation for the 2027 General Election, has embarked on institutional renewal aimed at improving service delivery, strengthening reforms, and rebuilding public trust. Key measures already implemented include greater transparency in procurement, publication of vendor details, organizational restructuring, and staff suitability assessments.

31. Additionally, stakeholder engagement in the digital space has become essential. Embracing digital transformation in election management enhances efficiency, speed of service delivery, accessibility, data storage and retrieval, and overall public satisfaction.

i. Stakeholder engagement for voter Education Support

32. The Commission emphasizes the need for partners and stakeholders, especially those in digital spaces, to help counter misinformation, disinformation, AI misuse, and propaganda during election periods. Such efforts are vital for rebuilding public trust, fostering cultural appreciation, and promoting national unity ahead of the 2027 General Election.

33. To support this, the Commission has mapped stakeholders by expertise, prioritizing voter education for out-of-school youth whose low participation stems from economic hardship, unemployment, unmet expectations, and social media misuse. Sustained voter education and structured engagement are seen as critical to preventing apathy and restoring confidence in the electoral process.
34. However, funding constraints have hindered voter education initiatives. The Commission therefore calls on Parliament to allocate additional resources to support continuous voter education, stakeholder engagement, and communication throughout the electoral cycle.
35. This aligns with Article 21 of the Universal Declaration of Human Rights, which affirms citizens' right to participate in governance, and with Article 88(4)(g) of the Constitution of Kenya, 2010, which mandates the IEBC to provide voter education. The Elections Act 2011 and IEBC Act 2011 further require mechanisms, curricula, and stakeholder consultation to ensure public participation.
36. Recognizing the importance of equipping voters with knowledge, skills, and attitudes to make informed choices, the Commission accredits voter education providers and community-based organizations. To deliver robust voter education, financial support is needed for mass-media campaigns, digitization of materials, use of social media platforms (TikTok, Twitter, Facebook, WhatsApp, Instagram), transcription into braille, provision of sign language interpreters, and countering misinformation and propaganda.

ii. Stakeholder Engagement strategies

37. The Commission recognizes that the success of elections is not achieved in isolation, but through structured stakeholder engagement. To this end, we have adopted a broad range of strategies to ensure inclusivity, transparency, and collaboration across the electoral cycle.
38. We shall convene County Cluster Forums, where staff from different counties will exchange ideas to improve processes and strategies. At the national level, we shall in

consultation with various Ministries and Departments hold Round Table Meetings, with development partners attended by the various Embassies, High Commissions, and Donor groups. These engagements are organized under three broad categories: The Donor Coordination Group, Electoral Technical Assistance Providers, and sector/thematic groups comprising NGOs, CSOs, multilateral agencies, and foundations.

39. We shall also host stakeholder meetings at national and local levels, bringing together civil society, constitutional Commissions, the Judiciary, state agencies, security agencies, media, and observer groups to provide feedback on critical electoral issues. In addition, we shall engage political parties and independent candidates through the Political Parties Liaison Committee and the Office of the Registrar of Political Parties to ensure compliance with nomination and registration laws.

40. On electoral law reform, we collaborate closely with parliamentary committees, CSOs, FBOs, the Judiciary, and professional bodies such as the Law Society of Kenya. In the area of technology, we partner with the Communications Authority of Kenya, mobile service providers, and the Kenya Bureau of Standards to guarantee secure and compliant systems.

41. For voter registration, we shall organize forums at national, county, and constituency levels to mobilize eligible voters, working with agencies such as the Registrar of Births and Deaths, the Ministry of Education, and county assemblies. We shall also collaborate with state agencies like the Ethics and Anti-Corruption Commission and the Kenya Police Service to ensure integrity in candidate nominations.

42. During the campaign and election period, which is often highly emotive, we usually consult widely with the National Police Service, Ministry of Interior, media, civil society, and both local and international observers to safeguard security, logistics, and access to information.

43. Importantly, we have established youth, women, and PWD committees to promote inclusive electoral processes, ensuring that marginalized groups are fully engaged. Finally, we accredit local and international observer organizations whose reports provide valuable insights for continuous improvement.

44. From the aforementioned, the cooperation between the Commission, Stakeholders and Development Partners accrues dividends for both the implementing and financing entities.

45. The gains are: responsiveness in addressing budgetary shortfalls, mutuality in co-sponsoring activities such as voter education and gender mainstreaming, transparency and accountability through open reporting, and adherence to the rule of law by formalizing partnerships through Memoranda of Understanding.

46. Yet, we remain mindful of the high cost of elections. To address this, the Commission is exploring innovative measures, including the re-use of electoral materials and technologies, to ensure efficiency and sustainability.

47. Ladies and Gentlemen, stakeholder engagement is not just a process, it is the lifeblood of credible elections. Together, through collaboration and shared responsibility, we can deliver elections that inspire trust, uphold democracy, and strengthen our nation.

Request to the Honourable Members.

The Commission needs adequate and timely funding to support;

- i. Involvement of all categories of stakeholders and partners from state and non-state actors;
- ii. Continuous and structured Stakeholder engagements at the National, County, and Constituency level;
- iii. Continuous accreditation of voter education providers. Observers and media to observe and report on electoral programs and activities;

- iv. Expeditious stemming of misinformation, disinformation, fake news and propaganda;
- v. Leveraging new media and technologies;
- vi. Use of electronic, print and social media platforms, with emphasis on national and Local TV radio stations; and
- vii. Digitization of voter information materials for increased access.

E. ELECTION OPERATIONS AND RELATED ACTIVITIES

48. The General Election is the Republic's most extensive democratic exercise, whose success depends not only on polling day but on years of preparation, institutional learning, and coordinated action among government, stakeholders, and the public.

Key Electoral Activities

a. Registration of Voters

- The Commission has adopted a cycle-based approach to election preparedness informed by lessons from the 2022 General Election and subsequent by-elections.
- Continuous Voter Registration commenced on 29th September 2025. Enhanced ward-based registration will begin on 29th March 2026, with the objective of expanding the voter register from 22.1 million to approximately 27.4 million voters.

b. Operational Readiness and By-Elections

- The Commission is finalizing the Election Operations Plan (2025–2027), standardizing election materials, strengthening logistics systems, and implementing a multi-year procurement plan.
- By-elections conducted in November 2025 and scheduled for February 2026 continue to serve as testing platforms for systems, logistics, and stakeholder coordination.

c. Diaspora Elections and Electoral Reforms

- Diaspora participation has progressively expanded since 2013. Diaspora registration for the 2027 General Election is planned for January 2027, subject to budgetary availability.
- The Commission is also introducing pre-registration reforms to enhance efficiency, reduce congestion at registration centres, and strengthen the integrity of the Register of Voters.

b. Logistical and Operational Readiness

- Beyond the Register of Voters, the successful delivery of elections rests heavily on logistical and operational readiness. Elections demand the coordinated movement of sensitive materials, personnel, and technology across the entire country within strict timelines. To this end;
 - i. The Commission is finalizing a comprehensive Election Operations Plan for the 2025–2027 cycle, serving as the blueprint for planning, coordination, and execution of all electoral activities.
 - ii. Parallel to this, the Commission has reviewed and standardized election materials and equipment specifications to reflect operational realities, technological advancements and lessons from past electoral cycles.
 - iii. Parallel to this, the Commission has reviewed and standardized election materials and equipment specifications have been reviewed and standardized to reflect operational realities, technological advancements, and lessons learned from past cycles.
 - iv. A Multi-year procurement plan, aligned with the Medium-Term Expenditure Framework, has been developed to ensure timely acquisition of materials, cost efficiency, and value for money. Operational readiness is already being translated into concrete actions, including the identification and preparation of tallying centres - particularly the National Tallying Centre, auditing and emptying of ballot boxes, clearing and stock-taking of warehouses,

strengthening inventory and asset-tracking systems, and early planning for the requisition, routing, and dispatch of materials.

- v. These measures are critical to risk mitigation and ensure that the Commission enters the election period with a clean, accountable, and well-controlled logistics environment, ready to deliver a credible and transparent electoral process.

c. Conduct of by-elections

- The Commission's preparedness for the 2027 General Election continues to be reinforced through the conduct of by-elections, which serve as critical learning and testing platforms. In this regard:
- The Commission successfully conducted **twenty-seven (27) by-elections in November 2025**, covering Senate, Constituency and County Assembly Ward seats,
- The Commission is in the process of delivering **four (4) additional by-elections scheduled for February 2026**.
- These by-elections provide real-time opportunities to test electoral systems, logistics frameworks, staff deployment models, technology, and stakeholder coordination mechanisms under actual electoral conditions.
- The lessons and insights arising from both the November 2025 and February 2026 by-elections are being systematically documented, analyzed and integrated into the Commission's Election Operations Plan and broader preparedness framework. This continuous learning approach ensures that each electoral exercise strengthens institutional capacity and contributes directly to the delivery of a more efficient, credible and well-managed **2027 General Election**.

d. Training and Capacity Building efforts

- Equally important is the capacity and professionalism of election officials, who are the face of the electoral process to the public. The Commission has made sustained investment in training and capacity building.
- This includes the development of a standardized national training curriculum, review of election manuals to reflect changes in law and technology, digitization of training delivery and assessments, and the introduction of certification and accountability mechanisms for election officials. These measures are intended to promote consistency, competence and integrity in election administration across all levels.

e. Diaspora elections

The Commission has progressively expanded the participation of Kenyan citizens living outside the country in electoral processes in line with constitutional provisions and the principle of progressive realization. In the last three election cycles the Commission has ensured that in:

- **2013:** Kenyan citizens in the East African region (Uganda, Tanzania, Rwanda, Burundi) participated in the General Election.
- **2017:** Diaspora voter registration extended to South Africa and
- **2022:** Presidential elections successfully conducted in twelve countries, including East Africa, South Africa, the UAE, Qatar, Germany, the USA, the UK, and Canada.

This demonstrates steady growth in diaspora inclusion, reflecting the Commission's commitment to broadening political rights for Kenyans abroad.

- As part of preparations for the 2027 General Election, the Commission is reviewing its Strategic Plan, Election Operations Plan, and Diaspora Implementation Plan to establish a phased roadmap for expanding diaspora participation. This process will involve structured engagement with Parliament, government agencies, political

parties, civil society, development partners, and diaspora representatives to ensure the expansion is legally sound, operationally feasible, adequately resourced, and confidence-building.

- The Commission anticipates to commence diaspora registration and related activities in **January 2027**. While no budgetary allocation has been made for the current year, funding is provided for in the following year.

f. Pre-registration reforms

- As part of ongoing electoral reforms, the Commission plans to introduce a pre-registration system to improve the accuracy, efficiency, and overall quality of the Register of Voters. This system will allow eligible citizens to voluntarily submit voter information online ahead of scheduled registration exercises, thereby enhancing planning, reducing congestion at centres, shortening enrolment times, and minimizing data entry errors.
- Preparatory work is underway to establish data-sharing frameworks with population registration agencies, supported by secure system integrations for real-time validation. In parallel, the voter registration system is being upgraded to incorporate pre-registration workflows and integrate them with Continuous and Enhanced Voter Registration processes. The rollout, scheduled ahead of the Enhanced Continuous Voter Registration exercise, is expected to strengthen register integrity, operational efficiency, and the overall voter experience in readiness for the **2027 General Election**.

E. DELIMITATION OF CONSTITUENCIES AND WARDS

49. Honourable Members, Articles 88 and 89 of the Constitution of Kenya, 2010 vest the Independent Electoral and Boundaries Commission with the responsibility to review the names, number, and boundaries of electoral units. The Constitution requires such review to be undertaken at intervals of not less than eight and not more than twelve years, and to be completed at least twelve months before a General Election.

50. Delimitation is not merely a technical exercise. It is a constitutional obligation directed at safeguarding the equality of the vote. It underpins fair representation, representative democracy, and the legitimacy of Parliament and county assemblies

i. Why is this Matter Imperative for The Republic?

- The Commission notes that the last delimitation exercise was concluded in 2012. Since then, population growth and demographic shifts have resulted in significant disparities in voter strength across constituencies, raising the risk of voter dilution contrary to Article 81(d) of the Constitution.
- If unaddressed, these disparities directly affect:
 - a) Equity of representation in the National Assembly, Senate, and County Assemblies;
 - b) The equitable allocation of public resources and development; and
 - c) The overall legitimacy of electoral outcomes.
- Further, the Commission observes that, following the gazettelement of the last delimitation, the constitutional outer limit for a second review of electoral units under Article 89 lapsed on 6th March 2024.

ii. Legal and Constitutional underpinning

51. Honourable Members, we must take cognizant of the fact that the Commission experienced institutional constraints between January 2023 and July 2025 due to the absence of Commissioners, during which time it was legally precluded from undertaking delimitation, a substantive constitutional function that cannot be exercised by the Secretariat alone, as affirmed by the Attorney-General and the Supreme Court.

52. The Commission notes that recent court decisions invalidated census data for fourteen (14) constituencies in the counties of Garissa, Wajir, and Mandera. This development has affected the availability of reliable population data required for determining the population quota, which is a key element in ensuring fair and equitable representation.

53. The Commission emphasizes that electoral boundary delimitation is not a purely numerical or mechanical exercise. It requires a careful balancing of population data with social, geographic, and community realities to ensure meaningful representation. The Constitution, under Article 89, expressly allows for justified variation in population sizes to achieve fairness and inclusivity.

54. The Commission remains committed to upholding constitutional principles and will continue to engage relevant institutions and stakeholders to ensure that any future delimitation process is grounded in credible data and conducted in accordance with the law.

55. These challenges, coupled with the fast-approaching 2027 General Election, have placed the Commission in a precarious position. Notably, the Supreme Court, in its advisory opinion of September 2025, emphasized that while timelines are important, the deeper constitutional values of equality of the vote and fair representation must prevail.

iii. Guidance from the Attorney General and Supreme Court

56. As we are all aware, the Commission sought advisory from the Hon. Attorney General who advised that timelines cannot be extended administratively and Judicial interpretation was required. This led to IEBC seeking advisory from the Supreme Court. The Supreme Court reaffirmed IEBC's independence while emphasizing that delimitation implicates broader constitutional values, not just timelines. The Supreme Court recognized the urgency of addressing population growth and voter inequality. It underscored that fair representation remains a constitutional imperative.

iv. Commission's Policy Position

57. After careful reflection and deliberation, the Commission has resolved to invoke the doctrine of constitutional necessity and adopt a phased approach to electoral boundary

delimitation. This approach upholds the Constitution, safeguards the credibility of the 2027 General Election, and preserves the institutional integrity of the IEBC.

58. Before the 2027 General Election, the Commission will focus on policy development, geo-data validation, capacity building, and stakeholder engagement, while avoiding disruptive boundary changes within twelve months of the election.

59. Following the 2027 General Election, the Commission will undertake a full delimitation exercise based on validated census data, nationwide public participation, gazettelement, and implementation. The estimated cost of the delimitation exercise is KShs. 8.49 billion.

60. This decision is informed by the sensitive nature of delimitation, preparatory work undertaken since 2019, time constraints, pending court cases, resource requirements, and the need for extensive public consultation. Conducting full delimitation alongside election preparations would overstretch institutional capacity and expose the process to legal and operational risks.

61. Accordingly, the Commission will pursue a phased delimitation anchored on population quota, sensitive to geography and community cohesion, supported by robust public participation and adherence to the rule of law.

v. What the phased Approach Entails

62. The IEBC has adopted a phased approach to electoral boundary delimitation, anchored on the doctrine of constitutional necessity, to safeguard the credibility of the 2027 General Election while ensuring a lawful, inclusive, and orderly delimitation process.

Before the 2027 General Election, IEBC will:

- i. Develop the necessary policy and legal frameworks;
- ii. Conduct geo-data collection and validation;
- iii. Strengthen capacity building and inter-agency coordination;

- iv. Undertake public outreach and stakeholder engagement; and
- v. Avoid any boundary changes that could disrupt election preparations.

Following the 2027 General Election, IEBC will:

- i. Conduct full delimitation using confirmed and legally validated census data;
- ii. Hold nationwide public hearings;
- iii. Undertake cartography, gazettelement, and implementation; and
- iv. Provide legal redress mechanisms and voter education.

vi. Methodological Precautions

63. The Commission will rely on official verifiable census data in determining the population quota. Further, the Commission will only use the constitutionally permitted variance for variation of electoral unit extents which notably are:

- i. Geographical features and urban centres;
- ii. Community of interest, historical, economic and cultural ties; and
- iii. Means of communication

vii. Notable Risks and How the Commission is Managing Them

- b) **Legal risk:** Anchoring decisions on constitutional provisions and court guidance
- c) **Election risk:** Pausing substantive delimitation before 2027
- d) **Data risk:** Proceeding only with legally validated census figures
- e) **Public confidence risk:** Continuous communication and transparency
- f) **Operational risk:** Strengthening GIS and inter-agency collaboration

viii. Budgetary Implications of Delimitation Exercise

64. The Commission has given due consideration on value for money and developed an itemized budget which is consolidated to **Kshs. 8.49 billion**, spread across multiple financial years.

65. This will cater for equitable representation, democratic stability, public & stakeholder engagement and Electoral justice.

ix. Requests for consideration by Parliament

We request the Honourable house to recognize the constitutional necessity of the phased approach and support IEBC in:

- i. Securing resources through the budgetary process;
- ii. Enacting proposed legal reforms on delimitation;
- iii. Oversighting the Commission to ensure transparency and accountability; and
- iv. Partnership with a view to safeguarding fair representation ahead of future elections

66. Honourable Members, Delimitation is not about political advantage, but about constitutional equity and the sovereign will of the people. IEBC remains committed to delivering a lawful, transparent, and people-centred delimitation process.

Conclusion

67. The Commission's preparations for the 2027 General Election are deliberate and firmly grounded in evidence and experience. The credibility of the process will depend on institutional readiness, effective interagency coordination, timely and sufficient resourcing, and sustained public confidence. The Commission remains resolute in the discharge of its constitutional mandate and looks to Parliament's continued partnership in upholding and protecting Kenya's democratic architecture.

Thank you.



ERASTUS EDUNG ETHEKON, HSC

CHAIRPERSON

INDEPENDENT ELECTORAL BOUNDARIES COMMISSION