



## PRESS STATEMENT

FOR IMMEDIATE RELEASE;

**Nairobi, Kenya: October 23, 2020**

**SUBJECT: COMMISSION'S OBSERVATION ON THE BBI REPORT**

The Independent Electoral and Boundaries Commission (The Commission) makes reference to the contents of the Report of the Steering Committee on the implementation of the Building Bridges to a united Kenya Task Force (the Report) dated October, 2020, and notes that it has been singled out as the only Independent Commission and indeed entity whose establishment is sought to be removed by way of the proposed changes in the Report under Divisive Elections thematic area (see pages 112 to 113 of the report 'Changes to the Independent Electoral and Boundaries Commission'). Additionally, the Report claws back on the gains made over the years on electoral management in Kenya.

This targeted onslaught against the Commission is not new as it has been occurring after every general election since 1992. The sustained campaigns weaken and interfere with the independence of the Commission which is guaranteed under Article 88 as read together with Article 248 and 249 of the Constitution of Kenya 2010. The source of the current attacks on the Commission is founded on the outcome of one Supreme Court Presidential Petition No. 1 of 2017 and disregards all the other petitions where about 95% of the 301 election petitions were dismissed and the election results declared by IEBC upheld by the various courts, including the consolidated Supreme Court Presidential Petition No. 2 & 4 of 2017. This consistent criminality allegations and attacks against the Commission are unfortunate and ill-founded.

The Commission wishes to inform the general public that both the Supreme Court of Kenya (Raila Amolo Odinga & Another v IEBC & 2 Others 2017 at paragraph 386) and the High Court of Kenya (Brian Asin & 2 Others v Wafula W. Chebukati and 9 Others 2017 at paragraphs 42 and 43) absolved and vindicated the Commission in respect to allegations of criminal culpability. Therefore, the criminality and unsuitability to hold office narrative driven by certain members of the political class is meant to incite the members of the public with the intention of mob-lynching the Commission and its staff, and also to create justification for the 'clean-slate' recommendation in the BBI Report.

From the foregoing, the Commission advises Kenyans to engage in honest discourse on the recommendations of the Report, specifically as it relates to the Independent Electoral and Boundaries Commission.

A handwritten signature in black ink, appearing to read 'W.W. Chebukati', written in a cursive style.

**W.W. Chebukati**

**Chairman, Independent Electoral and Boundaries Commission**