



## PRESS STATEMENT

DATE: 4<sup>th</sup> July 2016

### FOR IMMEDIATE RELEASE

On the 22<sup>nd</sup> day of June 2017, the Commission heard and determined a complaint lodged by one Erick Onyango against Augustine Netto Adhola; the latter being an independent Candidate, for the elective office of Member of National Assembly – Rarieda Constituency, and made the following orders;

1. That Netto Adhola desists henceforth from branding his campaign material with ODM colours and further desists from branding his campaign material and regalia with images of the ODM party leader and officials.
2. That Netto Adhola should remove all posters and campaign materials bearing ODM colours and images of the ODM party officials.
3. That Netto Adhola pays a fine of Kshs. 250,000 within forty eight (48) hours.

The Committee warned that should Netto Adhola fail to comply with any of the Orders issued, he shall be disqualified from participating in the General Elections of 8<sup>th</sup> August, 2017.

The Electoral Code of Conduct Enforcement Committee notes that the said Netto Adhola failed, neglected and ignored to obey any of the Orders or at all. The timeframe for compliance having lapsed on 24<sup>th</sup> June, 2017.

We are aware that the Candidate filed Election Petition Appeal No. 124 of 2017 and an Application for Stay of execution seeking inter alia a stay of the decision and/or judgment of the Committee and an extension of time for compliance with the judgment. On 30<sup>th</sup> June, 2017 the High Court of Kenya sitting in Nairobi dismissed the said Application and affirmed the decision/judgment of the Commission.

The Electoral Code of Conduct Enforcement Committee is a statutory committee of the Independent Electoral and Boundaries Commission. Its decisions/judgments must be obeyed without excuse. It is an affront on the Rule of Law to condone disregard of the decision of the Committee.

In the premises, the Commission has enforced the decision of the Committee of the 22<sup>nd</sup> of June, 2017, and hereby directs that Augustine Netto Adhola is disqualified, from contesting in the upcoming General elections, 2017 as a candidate for the elective seat of Member of National Assembly for Rarieda Constituency.

Separately, the Commission is seized of complaints on reported acts of violence and violation of the electoral code of conduct in certain parts of the Country, including but not limited to Migori, Meru and Siaya Counties. We will be hearing the complaints in due course.

The Commission will continue to strictly enforce the Electoral Code of Conduct, across the Country: and we demand adherence of all political players. We remain committed to delivering free, fair and credible elections devoid of violence or intimidation.

W. W. Chebukati

**CHAIRMAN**