



OPENING REMARKS BY THE CHAIRMAN OF THE INDEPENDENT ELECTORAL AND BOUNDARIES COMMISSION (IEBC) DURING THE 6<sup>TH</sup> ANNUAL CONTINENTAL FORUM OF ELECTION MANAGEMENT BODIES HELD ON THE 28<sup>TH</sup> AND 29<sup>TH</sup> OF NOVEMBER 2019 AT CROWNE PLAZA HOTEL, NAIROBI KENYA

The Chief Guest, Justice (Rtd) Paul Kihara Kariuki, Attorney General of the Republic of Kenya,

Chairpersons and Commissioners of the Election Management Bodies in Africa

Distinguished Guests

Ladies and Gentlemen

Good Morning!

I am pleased to address you on this momentous occasion that is the 6<sup>th</sup> Annual Continental Forum of Election Management Bodies organized under the auspices of The Association of African Election Authorities (AAEA). It is my sincere hope that so far you are enjoying your stay in this beautiful capital Nairobi,

As the Independent Electoral and Boundaries Commission, we are honoured to host this meeting that brings together Chairpersons of

various EMBs across the continent, representatives of the African Union, stakeholders and partners in the electoral process.

The Commission is established as Independent Constitutional body pursuant to Article 88 of the Constitution of Kenya and is principally responsible for conducting or supervising referenda and elections to any elective body or office established by the Constitution, and any other elections as prescribed by an Act of Parliament. The Commission is thus autonomous and subject only to the Constitution.

The Association of African Election Authorities (AAEA) is an organization comprising EMBs from 40 countries across Africa with the primary objective of promoting democratic, credible and peaceful elections in the Continent. This is to be achieved through providing peer electoral assistance, advisory and support to the various member states of the Association.

It is towards achieving this objective that the AAEA General Assembly and Executive Committee together with the African Union deemed it fit to hold this forum under the theme *“Enhancing the participation of internally displaced persons and refugees in Elections: towards more inclusive electoral processes in Africa.”*

The issue of participation of Refugees and IDPs in the electoral process is a conversation we must have in order to avert the disenfranchisement of this section of humanity. According to the UNHCR June 2018, Global Trends about 6.3M and 14.5 M Africans are refugees and IDPs respectively. The International Organisation for Migration (IOM) estimates that Kenya has a population of 216,000 displaced persons out

of which 138,000 are in refugee camps on short term basis. The causes of displacement are varied including forceful evictions, natural calamities and violent conflict.

Our legal framework as a country recognizes international instruments, including those that uphold and protect the rights of displaced persons, as sources of our domestic laws. This provides a basis for protection and advancement of the political rights of refugees and IDPs as part of internationally recognized rights and practice.

In a bid to protect the political rights of IDPs, Reg. 90 Of the Elections (General) Regulations of 2012 provides:

*(1) The Commission may make provision for the voting, by election officials, observers, patients admitted in hospital, older members of the society, members of the defence and security forces on duty, prisoners and nomadic pastoralists and other persons who by reason of any special need, including disability, are unable to access a polling station.*

*(2) The Commission may, from time, to time publish notices on the manner and procedure of the conduct of special voting and such notice shall be read as if part of these Regulations.*

The foregoing provisions of the law afford the Commission latitude to set up mobile registration centres and polling stations for the registration of voters and voting respectively.

Furthermore, our electoral laws provide for registration, as voters, of all Kenya Citizens living outside the country. Towards this end, the Commission made an effort to register Kenyans residing in the East African

Region and South Africa. This equally availed opportunity to any Kenyan displaced outside the country but living within the neighboring countries to be registered as voters.

The challenges that may be encountered in the course enabling participation of displaced population in elections include the logistical, administrative and resource shortcomings associated with conducting voter education, voter registration and voting for this category of voters. However, this challenges should not derail us from protecting the political rights of Refugees and IDPs.

It is my hope and expectation that as EMBs, partners and stakeholders we shall: share experiences on the theme at hand; have a comparative study of EMBs that have strived to achieve inclusivity of displaced populations in elections: and adopt recommendations aimed at enhancing the participation of refugees and IDPs in the electoral process.

In conclusion I wish to convey our gratitude to the AU for sponsoring this forum and the AAEA for choosing Kenya as a host. I wish you a pleasant stay and a productive engagement.

**Wafula Chebukati**  
**Chairman, IEBC**