



The Ballot

A Newsletter of the Independent Electoral and Boundaries Commission (IEBC)

ISSUE NO. 11



2022 In The Horizon

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Inside This Issue





A warm welcome to our 11th issue of the Ballot newsletter.

This edition comes at a time when the electoral cycle is spinning through the intermediary phases, slowly but surely towards culmination to 2022, which is the next big event of the electoral cycle.

Since our last edition, the Commission has achieved great milestones such as successfully hosting the Annual Voter Education (AVEW) event. AVEW, as it is popularly known within the Commission, received a boost from the dynamic creativity and innovation of most of the field staff who devised extremely beautiful, catchy, and memorable launches that went a long way in leaving an impressionable mark in the history of the annual event. We can never thank our staff enough for their ingenuity and commitment to the activity.

We can only hope that the best is yet to come in the future!

The Commission has also revised its 2015-2020 Strategic Plan, to cover the five-year period 2020-2024, which outlines the Commission's strategic focus in the period under review. It will guide the Commission in its delivery of the 2022 General Election and the Boundary delimitation exercise that is set to be completed by the year 2024.

This is the first edition of ballot since the grafting of the Communications department to the larger Directorate of Voter Education and Partnerships. Previously, the department was autonomously reporting directly to the DCS-Support services and with a dotted line to the Chairman. The new structure is however a strategic step towards harmonizing the 'Public Outreach and Public Relations' arm of the Commission since the departments of Voter education, partnerships and communications are complimentary.

Finally, as you read this edition of the ballot newsletter, I wish to draw your attention to the collective responsibility bestowed upon us, the staff of the Commission, in enhancing the overall corporate image to restore public confidence. The Commission has a verified twitter account@iebckeny and an active Facebook page (facebook.com/iebckeny) that continues to lead the Commission's social media outreach strategy. Our Twitter and Facebook pages have a combined following of over seven hundred thousand people (700,000), of whom a significant number is a youthful audience who have been keen and eager to participate

in our conversations. We must remain committed and passionate to increase knowledge and understanding of electoral information through the social media platforms by continuously engaging with our online audience.

I urge all of us to support the Commission by following our social **media** accounts and **contribute towards** ongoing discussions with the aim of providing clarity, facts and demystifying prejudices and misconceptions of who we 'IEBC' are. To this end, I wish to sincerely thank some of our staff who are keyboard warriors and have continued to put up a spirited fight to defend the Commission against perennial online attacks.

If we commit to religiously engage with our online audience and clarify misinformation about IEBC, then the snowball effect will go a long way in pacifying our public to create a soft-landing for the delivery of our mandate.

Please feel free to share your feedback on the issue to tmutemi@iebc.or.ke or info@iebc.or.ke

Enjoy the reading.

Tabitha Mutemi

Manager, Communications and Corporate Affairs

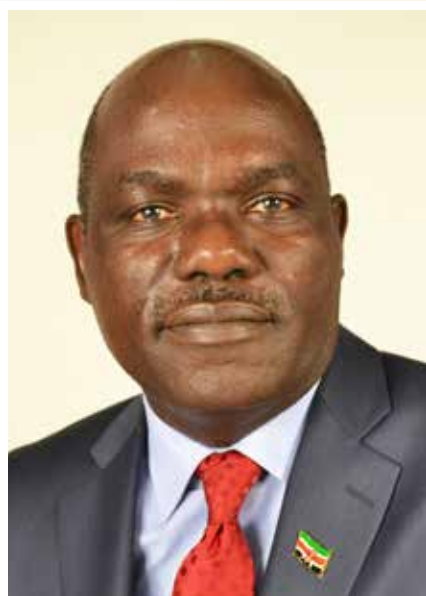
EDITOR- The Ballot



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Chairman's Foreword

By Wafula Chebukati
IEBC Chairman



Once again I am honored to flag off this 11th Newsletter publication of the Commission-‘The Ballot’. The newsletter offers a platform and an opportunity for the Commission to tell its story. Often the Commission makes the country’s news but hardly are the stories ever told by us. This edition comes at a time when the country is grappling with the effects of the COVID-19 pandemic that has not only changed the way things are done but also affected many lives and sources of

livelihood. We hope that our resilience as a country will keep us strong and in the end, we shall overcome.

This year marks three years since the current Commission took over the reigns-leadership at the Independent Electoral and Boundaries Commission-IEBC. In that duration, we have drawn lessons and experiences on various aspects of election management that are captured in the Post-Election Evaluation (PEE) report for the 8th August 2017 General Election and the “26th October 2017, Fresh Presidential Election (FPE).

The lessons learnt from our past activities have also greatly informed the revision of our five- year strategic plan that runs from 2020-2024.

As we continue to undertake planned Commission programs and preparing for the 2022 General Election, we recognize the centrality of our stakeholders in our success. Contemporaneously, we must jealously safeguard the independence of the Commission and ensure that IEBC only gets better and better.

The Commission is cognizant of the fact that the Kenyan people have very

high expectations of each and every one of us at the Commission both individually and collectively as an organization.

We assure the Nation that our fidelity to the Constitution and adherence to the rule of law remains our only navigation instrument towards achieving great mileage in democratic growth. Credible election management is the catapult for any country’s stability and socio-economic growth. As the Commission Chairman, I remain committed not only to lead with professionalism, but also with unwavering dedication, diligence, and commitment to the Commission and my Country Kenya.

I hope that reading this edition will provoke more ideas worth sharing and discussing as we partner to move our great country towards the apex of democratic maturity. As you cast into reading the edition, I wish you an enjoyable reading

God bless Kenya! God bless IEBC!

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Word from the Ag. Commission Secretary/CEO

By Marjan Hussein Marjan
Ag.CEO/Commission Secretary



Ladies and gentlemen, I wish to warmly welcome all of you to this 11th edition of our corporate newsletter, 'The ballot'.

As a Commission, we have experienced our ups and downs, twists and turns but it has been a worthwhile learning experience for all of us.

We all know that failing to plan is planning to fail. In striving for excellence, the Commission has been poring over the challenges experienced in the last election in the past few months and drawing up strategies to ensure the next General Election is anchored on credibility and transparency with the aim of Steering our motherland-Kenya towards a stronger democracy.

We want to assure the country that the management of the next election is in good hands.

As captured in our mission, vision and aspirations, the Commission is committed to:

1. Conducting effective, efficient and credible elections;

2. Nurturing a respected corporate brand in the provision of electoral services

3. Continuously improve and sustain public confidence in the electoral Process

Lets us, therefore, approach the election phase with a sense of optimism.

Well, Going into the 2022 General Election and beyond, the Commission's actions are guided by a results-oriented approach that incorporates Inclusivity, Transparency and Collaboration with all our stakeholders.

The Commission has a professional and experienced workforce devoted to working tirelessly to deliver a free, fair and credible election in 2022. The staff and Commission at large require support and are counting on you (members of public, politicians, and all stakeholders) in order to deliver incredible results.

Currently, we are swimming against the tide amidst the **COVID-19** pandemic that has hit the whole world and immensely affected and eaten into our timelines. However, the Commission

has put in place guidelines that are meant to pilot the Commission's operations in such turbulent and unpredictable environment. The guidelines highlight on various safety measures to be employed to ensure successful execution of the Commissions programmes and activities.

Due to the pandemic, the Commission is heavily disadvantaged as most of its activities, such as training, queuing, identification and result tallying are heavily based on crowds and groups of either staff, observers, media and the voters. In this regard, the Commission is in touch with the Ministry of Health and the relevant authorities to come up with workable and safety protocols to allow for continuity in the planning and execution of electoral activities.

Lastly, I wish to thank our staff and stakeholders for their continued dedication, commitment and reliance even as the Commission navigates the ship towards and beyond 2022.

Wish you a happy reading as you deep -dive into the edition.

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Word from Director Voter Education, Partnership and Communication - Perspective of the new communication outfit

By Immaculate Kassait (MBS)
Director Voter Education,
partnerships and Communications



I am indeed delighted to welcome you to the 11th edition of the ballot newsletter, the first one under my stewardship as the team leader in the Directorate of Voter Education, Partnerships and Communication (DVEP&C), which is a new outfit as part of the Commission's continued restructuring to enhance efficiency in service delivery to the Kenyan people.

I came from an electoral operations docket and joined the outreach docket which ideally is the face and look of the Commission. I am happy to sign off this edition which hopefully will ignite a good and informative readership for our stakeholders.

The ballot newsletter is the official newsletter of the Commission which not only shares the plan and programmes of the Commission but also compliments other communication channels adopted by the Commission to ensure seamless internal and external communication

between IEBC and stakeholders.

The newsletter captures events and programs the Commission has undertaken and plan to undertake even as the electoral cycle moves from phase to phase in its non-stop rotation.

Since the last General Election, the Commission has undertaken various activities that have by and large continued to educate our voters and increase awareness of electoral processes.

One key activity worth highlighting is the Annual Voter Education Week (AVEW) that was held in the month of June 2019. The country-wide event saw a lot of creativity by our staff in improvising innovative strategies to ensure maximum reach to our stakeholders albeit with very little resources.

The National launch of the AVEW which was spearheaded by Nairobi county office and the Headquarter team was in form of a refreshing five kilometer walk from anniversary towers to the historic Uhuru Park where the actual launch was held. I take this opportunity to thank the team that hatched the unique idea as the walk not only rejuvenated the participants but also showcased our brand to the members of the public in a unique way.

Moving forward, All the other 46 counties replicated but customized their launches which did not disappoint.

From my desk all I can say is well done.

To this end I wish to thank the Commission for facilitating and approving the activity amidst struggles with limited resource allocation.

I also wish to thank all the staff and stakeholders in their different capacities for going out of the way to ensure the AVEW was like none other, we pray and hope that future programs can only get better.

Without further ado I wish to invite readership to this newsletter and hope that the readers will share their feedback for future improvements.

Thank you, dive into the pages!



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Chebukati takes the Mantle at the General Assembly of African Electoral Authorities (AAEA)

By Edgar Aswani



IIBC Chairman Wafula Chebukati is the new President of the General Assembly of AAEA taking over

from Professor Kalisa Mbanda, the chairperson of the National Electoral Commission of Rwanda.

Mr Chebukati was inaugurated in a colourful ceremony held in Nairobi during the 6th Annual Continental Forum of Election Management Bodies (EMBs) General Assembly in November 2019.

AAEA is a regional network of election Management bodies dedicated to the professionalization of election administration through information exchange and regional networking. The Forum is part of AUC-DPA's mandate to advance democratic and participatory governance in Africa and was convened under the overall theme "Enhancing Participation of Internally Displaced Persons (IDPs) and Refugees in Elections in Africa: Towards More Inclusive Electoral Processes."

The 6th Annual Continental Forum of EMBs was preceded by a General Assembly of the AAEA on 27 November 2019. The General Assembly of the AAEA together with the EMBs Forum explored trends, policy directives and practical measures for promoting meaningful participation of Internally Displaced Persons (IDPs) and Refugees in electoral processes.

The focus of the 6th Annual Continental EMBs Forum resonated with the AU 2019 theme of: "The Year of Refugees, Returnees and Internally IDPs and Refugees: Towards Durable Solutions to Forced Displacement in Africa" that was declared at the 32nd Ordinary Session of the Assembly of Heads of State and Government of the African Union. The overarching objective of this year's theme for the African Union, also known as Project 2019, is to promote measures aimed at addressing root causes and achieving sustainable solutions to forced displacement in Africa.

According to the United Nations, about 21.5 million Africans - almost a third of the global estimate - are forcibly displaced, including 6.3 million refugees and asylum seekers, 712, 000 stateless persons, and 14.5 million IDPs. African countries constitute seven out of ten of the world's most neglected displacement crisis. In the last two years alone, the continent has recorded over five million new and increasingly protracted cases of displacements. It is in recognition of the urgency of the displacement crisis in Africa, perhaps more than anything else, the vicious cycle of continuing instability and deepening the misery of IDPs and Refugees on the continent, that this year's thematic focus gains particular relevance as a compass for concerted efforts towards a peaceful, democratic, secure and developed Africa.

Hidden in the IDP and refugee crisis in Africa is the frequently unengaged and under-evaluated crisis of political disenfranchisement. Roughly 65% of the IDPs and Refugees in Africa are also eligible voters and potential candidates.

This imposes new layers of complexity to the conduct of inclusive elections, which if not carefully managed, might further exacerbate the political disenfranchisement, exclusion, and marginalization of an already aggrieved cohort of people. It also yields enormous and profound implications for democracy and political rights.

The event was officially closed by Hon. Justin B. N. Muturi, E.G.H, M.P Speaker of the National Assembly who in his speech urged that conditions must be established which will allow IDPs to return voluntarily in safety and with dignity, to their homes or places of habitual residence, or to resettle voluntarily in another part of the country.

IIBC Chairman, Wafula Chebukati in his remarks to the Assembly, urged EMBs to share experiences and strive to achieve inclusivity of displaced populations in elections and adopt recommendations aimed at enhancing the participation of refugees & IDPs in the electoral process. He added that "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."

The EMBs Forum and General Assembly of the AAEA resolved to implement more responsive and effective election management that promotes inclusive electoral participation of IDPs and refugees in Africa.

Congratulations Chairman!!

Annual Voter Education Week (AVEW)

The Commission launched the Annual Voter Education Week (AVEW) across all the 47 Counties and 290 constituencies countrywide on Monday, 10th June 2019. The week-long event commenced on 10th June and will end on 16th June 2019. The event will provide the Commission with an opportunity to listen and address concerns from the members of the public on all electoral gadgets, tools, policies, activities, processes and procedures.

The National Launch of AVEW commenced with a walk dubbed: “Walk for Peaceful Election”. IEBC staff and stakeholders participated and distributed voter education materials along the route to Uhuru Park

Grounds. The walk was flagged off by IEBC Chairman Wafula Chebukati, Commissioners Prof. Abdi Guliye and Boya Molu and Ag.CS/CEO Marjan H. Marjan at Anniversary Towers. The Walk terminated at Uhuru Park Grounds where the IEBC Chairman delivered his keynote address and officially launch AVEW.

During his address, The IEBC Chairman urged the entire nation to fully participate in all the planned AVEW activities, encouraging them to, “Karibu tujadiliane” with IEBC Staff across the 47 Counties and 290 constituencies.

At the County Level, County Elections Managers (CEMs) customized their launches to appeal to the local

people and fit the environment in their respective Counties. They undertook various activities including tree planting, Barazas, community gatherings, town hall meetings, school visits, face to face conversations while undertaking voter registration among others.

IEBC staff and stakeholders participated and distributed voter education materials along the route to Uhuru Park Grounds.





AVEW, Outreach with a Touch of Class

By Edgar Aswani



A five-kilometre walk from the Anniversary towers through the central Business District and terminating

at the Uhuru park garden looked like the cover of the AVEW book but the inside pages contains more than meets the eye. Perhaps it's not just a book it's a PhD thesis for that matter.

The day started with light showers which reminded me that we had not warned those participating in the walk of the imminent downpour and we also did not have Corporate branded umbrellas to share that chilly morning, I guess most ladies had been at the saloon over the weekend and so the

rain was just going to do too much damage apart from dampening the already high spirits.

Some last-minute intervention had landed us the Administration police band led by one beautiful lady called Fridah, she was brighter than their colourful costume, that's a story for another day though.

So in the confusion of the light showers and the wait and see attitude I signalled the bandleader to test their instruments and the violins and drums drew everyone's attention, the crowds surged in adoration as the tunes deleted raindrops from our faces and the gloom was transformed into beautiful smiles... as a sign and a hope for better things yet to come.

As the band was pumping melodies in the air we also sought the services of one gentleman who to me was the hero

of the AVEW launch. I don't know his name but I guess he must have been part of the Handicap International team that had graciously heed our invitation and arrived in numbers

The gentleman has one of his limbs amputated so he falls in one of our biggest target groups commonly referred to as PWD. For the sake of storytelling let's call him Tosh, he volunteered to lead the team in warming up before the walk. Suddenly, I see people warming up and stretching before many activities and I think I will start warming up before my dinner (hint am a Luhya) so eating is a major activity. Back to Tosh, he stepped in front and asked the guys to follow his routine, all I can tell you is that we were sweating in the rain and Tosh didn't even break a sweat.

Minutes later the chairman arrived in a smiley mood,(he had beautiful sneakers too) he must have also jogged in the lift on his way downstairs coz boy?.. he was quiet in the mood. He was accompanied by Commissioners Boya Molu and Prof Abdi Guliye alongside acting CEO Marjan Hussein Marjan. The team joined the warm-up and from the facial expression of the jubilant participants, I summarized the warm-up in my head that **Disability is Double Ability, not just Ability.**

It was time to start the march, as usual, the band opened with their melodious form of the National Anthem and the chairman flagged off the walk, in most events when you flag off an event you stand to cheer them on but in this case the chairman flagged it off, declared it open and led from the front (I will tell you later that he finished the race and there was no need for glucose).

We walked and walked some more; I could repeat that as many times until we got to Uhuru Park where the official launch was happening. However, the launch was just the curtain-raiser of a week that promised and delivered a great return on investment for the Commission. IEBC was all over the lips of the citizenry, our twitter handle was awash with beautiful messages and



photos of activities happening across the country. The Commission has a devolved structure that goes to counties and Constituency with established office structures to ensure service delivery to all Kenyans.

Each County developed its own launch strategies, rumor has it that bwana Nyonje who is the CEM for UG(I am not talking about diaspora , its Uasin Gishu,)organized a relay and believe you me, don't judge a book by its cover, Nyonje can run and he ran, remember that county belongs to marathoners but mzee nyonje matched the prowess. I am talking about teamwork and team building inside AVEW. I also discovered some great talents that I must leak in the middle of the story hoping I won't be

discovered. During the walk Director Immaculate became the default Mc and she walked with a "kin'gero"(handheld loudspeaker) announcing about the AVEW and asking the curious crowds to assemble at Uhuru park for the grand unveiling. (In case you need an MC for your private functions.....)

Then there was a team of determined Headquarters and Nairobi County staff who religiously carried the 'demo' placards that carried the message of the day. Finally the headlamps of the walk , Madam Tabitha Mutemi and Jane Gitonga were ahead of the pack during the walk and you know when a partner meets the image what you get... the duo burst some entertaining Dance moves and this initiative even attracted more crowds to join the procession.

This story must end, but before it does I wish to extend a thank you message to all who planned, executed and facilitated the successful launch of the 2019 version of AVEW, I promise that the next one will be even bigger, something like- **East african countries beg to participate in 2020-AVEW.**



Shared Minds: Unlocking The Power of Partnerships In Election Management

By Steve Mbwika



There is no better approach to solving challenges than the famous saying “two heads are better than one.”

Whether creating internal partnerships between colleagues or departments, to larger partnerships between the electoral management body and development partners, harnessing the strengths and abilities of others from different corners of the elections ecosystem is one of the most strategic ways for election management bodies to scale their innovation and solve complex challenges.

Partnership is more than collaboration on ad hoc projects. It is about moving beyond responsibility for independent results to a relationship that involves co-creation, shared responsibilities, inter dependency and organizational transformation. True partnership is about identifying shared value and leveraging the combined strengths of each partner to achieve a level of impact that could not be accomplished independently.

Effective engagement with partners depends on good understanding of their interests, capacities and concerns. It is against this understanding that the Commission has been mapping out partners with respect to their relative power and interests in its work.

Moving from transactional to transformational

Delivering on the ambitious vision of strengthening democracy in Kenya requires strategic partnerships that

define success more broadly than financial returns and programmatic outcomes.

To achieve this, the Commission, guided by its Partnerships and Stakeholder Engagement Policy, works with partners at two fronts: At National and grassroots levels. At National level the Commission works with key partners including Electoral Assistance Providers (ETAPs), Development partners, government ministries, departments and Agencies (MDAs), International and domestic observer missions, non-state actors, media, political parties among others. At the grassroots, the Commission enjoys partnerships with variety of organizations including civil society groups (CSOs), Community Based Organizations (CBOs) and Faith Based Organizations (FBOs)

In its recent engagement with partners, the Commission has been able to achieve the following:

1. Conduct of the 2019 Annual Voter Education Week

A voter education week (AVEW) is an annual event whose main goal is to offer an opportunity to voters and the larger public to interact with the Independent Electoral and Boundaries Commission staff across the country

for a premier face to face customer-service experience. This AVEW week was successful in part due to the shared responsibility and accountability between the Commission and its partners. The Commission received support from Uraia Trust in the production of AVEW IEC materials, got conference halls for stakeholder forums and free airtime on Radio Waumini from Catholic Justice and Peace Commission as well as conference halls from County Council of Governors. The Youth Coordination Committee played a central role in mobilizing the youth to attend the stakeholder forums.

2. Peaceful conduct of By-Elections.

The enormity of conducting an election requires the Commission to work with various stakeholders whose interests may be positively or negatively affected by the Commission's work. In this regard, the Commission adopted a participatory approach that emphasized on a shared vision, shared power and consensus decision-making with partners in the conduct of the 2019 by-elections. History has demonstrated that in by-elections, the voter turnout is usually very low due to voter fatigue but with efforts from both partners and the Commission, there is a relatively improved trend in the percentage of



voters who are turning out to vote during by-elections. An indicator that citizens are increasingly taking action to exercise their voting rights and responsibilities.

3. Development of regulatory frameworks and policies

The Commission has enjoyed tremendous support from development partners in developing policies that guide its operations for effective

management of elections. Through support from UNDP and UN Women, the Commission has finalized the development of the Gender and Social Inclusion Policy (GSIP) which will guide the Commission in mainstreaming the Special Interest Groups (SIGs) in all its electoral processes as envisioned by the Constitution of Kenya.

4. Staff Capacity Building

The soon to be signed MOU with AMNET CyberDefense Netron

Limited seeks among others, to support in advancing high level capabilities on digital communication and social media analytics and Artificial Intelligence trainings both locally and abroad.

International IDEA has also been playing an instrumental role in conducting electoral risk management trainings to relevant commission's staff that are drawn from the field and different directorates and appointed as risk champions.

Electoral Technology. Is It Time For Blockchain?

By Charles Maina



A blockchain is in its simplest definition, a digital chain of blocks. In this chain, Block D depends on Block C which depends on Block B which depends on Block

A. The blocks in the chain are arranged in a chronological manner and digitally time-stamped, with each succeeding block having a unique reliance and dependence on the preceding block in the chain. This is achieved through cryptographic hashing. Cryptographic hashing uses encryption and hashing algorithms to prevent "man in the middle attack" i.e. prevent information from being changed while it is being transmitted from one point to the other". Except for the starting block, i.e. block A, also called the Genesis Block, each succeeding block has the hash of the previous block. Think of a blockchain as the alphabet. Without letter Y, the alphabet is incomplete, as is any alteration in their arrangement. If anyone wants to alter block C, he/she has to alter all the other blocks from Block A to Block Z. In reality, the chain may consist of hundreds of thousands of blocks.

Distributed Ledger

Each block in the chain contains information about transactions, akin to a ledger. Each block is available to all the users in the blockchain network hence very transparent. This distribution of the ledger into all the blocks in the chain removes centralized (server) control and places control onto each block. Hence any alteration in the chain would require the connivance of more than half of all users along the chain. Therefore the information in the blocks is immutable which increases the level of trust.

Blockchain is the technology behind the Bitcoin digital currency revolution. It has been around since Satoshi Nakamoto published the *Whitepaper* in 2008.

Results Transmission

There are many Electoral Management Bodies across the globe looking to harness the advantages of Blockchain technology in their operations. On 7th March 2018, Sierra Leone held its presidential election using Blockchain provided by a Swiss company, *Agora Blockchain* did a parallel results transmission using blockchain technology. As to whether this technology is the panacea to credible, transparent, free and fair elections, only time will tell.

CEC Mathioya, Murang' a County
An alumnus of Oxford Blockchain
Strategy Program,
Saeed Business School,
The University of Oxford, (UK)



Gender: The Social Science that Demystify Women Leadership

By Jane Gitonga



The video frame of George Floyd, that circulated on social media, handcuffed on his stomach as a Minneapolis police officer presses his knee into his neck, sent chills down the spines of many. As his life ebbed out he cried out “Momma!”, the 46 year Floyd called out again, “Momma! I’m through,” the dying man said.

All women would recognize and identify with these words. A call to one’s mother is usually a sacred prayer for help, protection and deliverance. It is recorded that Floyd’s mother died two years ago, but even then, the soul of Floyd remembered source of his life to his mother.

It is this sanctity of the place of a woman in society that begins our understanding of the science of gender. Gender basically sheds light to the fact that women are significant but more importantly it helps us to recognize that every woman has a sacred charge; a God given power that whoever meddles with it, receives the wrath of the cosmos.

This sanctity has been recorded in civil war reports where soldiers reportedly called out for their mothers in their last breath. It is also reported by hospice doctors and nurses where many call out the name ‘mama’ in the middle of pain and anguish.

So, if the place of a woman is this important, why does the word gender generate so much misunderstanding in the corporate world?

First, a lie has been peddled for a long time in the society justifying why women should not lead and cannot be leaders. For instance, in our African tradition, no woman made it to the Council of Elders or to helm of leadership on the account of this lie. In the academia too, tracing back to the fathers of politics such as Plato and Aristotle, they justified why women should not be and could not be leaders (see text). They developed theories about the nature of politics and leadership and their views on why women should not, and must not lead because they have no capacity to lead and because they were never meant to

lead. They actually posit that God did not give them that which they do not need i.e. capacity to lead. Really?

Gender appreciation is thus a concept that tries to undo this argument that sadly has been peddled for years. It is a science that helps society at large to not only appreciate the deficiency of the lie but it also calls on women to critique some of these assumptions. Actually, what has lacked over the years is a woman’s visibility and documentation of her leadership. Evidently too is the fact that women lead differently from men. Many scholars have now begun to appreciate that a woman’s desire to lead is not driven by money or fame but impact and delivery of service in the best way possible.

One of the most visible models of women’s leadership is demonstrated in ‘chamas’ or women groups. Women take up leadership on a pro-bono basis. They offer their leadership free for that is not a job but a service. I invite you to think of the many women leaders of groups in your village or neighborhood, they are not paid but they gladly serve as treasurers, in weddings, funerals, parties, harambees etc.. They perform their duties diligently. Women are gifted in the leadership of service as they demonstrate empathetic traits. A trait that is considered as a weakness in today’s world.

Given this misrepresentation of facts, it is therefore important that a woman’s life either corporately or in society is taken in totality. Gender appreciates these invisible leadership traits and if harnessed in the corporate world can bring transformation in organisations.

Let me drive this home. On May 13 th the Daily Nation reported the story of a phenomenal woman Peninah Kitsao, a widow from Kisauni in Mombasa

County who following the breakout of Covid 19 had been forced to boil stones in the name of cooking to make her hungry children think a meal is being prepared, as she had nothing to feed them on. Sadly, her leadership in this regard was never picked or celebrated. Gender science picks this up and brings it to the fore.

That in the absence of food, Peninah invoked a coping strategy where she convinced her children that food was cooking and inadvertently lulled them to sleep, with the hope of a better tomorrow.

This case of Peninah brings an awareness that women are a vital human resource that can change the quality of organisations and society for the better. At the individual level, a career woman carries this expertise, competence, good interpersonal skills, authority, commitment and the ability to deal with stress effectively if they are given the chance. Joanna and Lirein (2011) concurs with this position. They further offer the solution that a woman must convince herself that the soft skills she possesses is not a weakness. It has been branded that way to isolate her from leadership that for a long time has been a male's world.

In conclusion, gender is the process of recognizing the key competences of women at the organizational and community level. It is knowledge that portrays how women have made their way in a world in which they were told they were lesser than the dominant group. Many of us can relate to this, whether it is in terms of age, intelligence, education, or religious faith. Lastly, gender science champions the idea that women should be recognized as nurturers, trail blazers, mentors and advocates for injustices in the world. May all women who aspire to lead never to lose hope despite trying circumstances.

IEBC Gender and Social Inclusion Policy Developed



The Commission is at an advanced stage of developing a gender and social inclusion policy.

The policy development process employed a methodological approach that ensured consultations and participation of key stakeholder groups and institutions.

The approach was largely qualitative seeking to identify areas of policy and using perspectives from the key stakeholder groups through the engagement of Key Informant

Interviews and Focus Group Discussions. Policy statements and proposals were drafted by employing the identified policy areas as themes. Key Informant Interviews were held with relevant stakeholders with a keen interest to track and discuss new issues that may have emerged during the 2017 electoral cycle.

After this data gathering and compilation process, the Commission through the Directorate of Voter Education, partnerships and Communications (DVEP&C) held

consultative meeting with County Elections Managers (CEMs) and election stakeholders on 28th May 2019 and 30th May 2019 respectively to deliberate and discuss the policy. The objective of the meetings was to review the draft policy and to give technical input towards strengthening the content and language of the policy.

The gender and social inclusion policy once complete will go a long way in addressing the aspect of gender and inclusion in the Commission activities.

IEBC Conducts LSK Elections



IEBC Presides Over LSK Elections

The IEBC is mandated by the Constitution to conduct and supervise referenda and election to any elective body or office. These elections often include those conducted by various organizations and societies. The Commission usually conducts these elections at the behest of these organizations in its efforts to bolster partnerships and stakeholder engagements and, to an extent, voter education. Conducting these external elections usually also fall under the Commission's Corporate Social Responsibility (CSR)

It is for these reasons that on 27th February, 2020 IEBC conducted the Law Society of Kenya (LSK) polls. The polls had seven (7) elective positions and 10,759 registered voters spread

across thirty six (36) polling stations countrywide.

The Returning Officer for the election was, Dr. John Mele (CEM Nairobi County) who worked with a team that was spread across the 36 different court premises that made up polling stations.

Additionally the Commission also conducts other elections especially for schools as they elect their student councils. However for the school elections the cost is usually bare

minimum or not applicable depending on the logistical requirements since it's the Commission's way of nurturing democratic tenets in schools as well as giving its services back to society as Social Corporate investment.

The school that wants such services always approaches the relevant IEBC Constituency office to agree on the dates, the format and the logistical plan to ensure smooth, free and credible elections.





Pictorials



Pictorials





Pictorials



Pictorials



IEBC Sponsors the Nairobi Royal Ladies Open 2019 Tournament



By Faith Wanjiku



The third pillar of the IEBC Strategic Plan 2015-2020 seeks to enhance public trust and participation in the electoral process.

This is reiterated by the Commission's Gender and Social Inclusion Policy that is aimed at improving the political participation of women and other Article 100 groups. Further, the Commission aims to build bridges and networks with the community and other stakeholders as per the CSR policy.

It is against this backdrop that the Commission heeded to the request by the Royal Nairobi Golf Club to sponsor the Royal Ladies Open Tournament 2019.

The Royal Ladies Open Tournament is an annual event that brings together female golfers from around the country to play golf as part of the women empowerment program. In 2019 the tournament brought together 130 female golfers, 210 caddies and over 20 guests. The tournament took place on 6th July, 2019.

The Commission, through the Nairobi County Office and the Directorate of Voter Education, Partnerships and Communications (DVEP&C), conducted voter education to the attendees highlighting the mandate of the Commission, its programs and activities. The team also provided a KIEMS kit for those in attendance to check their registration details.

The event was attended by Commissioner Prof. Abdi Guliye, Commissioner Molu Boya, Ag. CS/CEO, Marjan H. Marjan, Director

VEP&C Immaculate Kassait, MBS, Manager CCA, Tabitha Mutemi and other members of the secretariat drawn from the headquarters and Nairobi IEBC County Office.



Our Fiscal Policy and Planning has Greatly Improved, Will Get Better

By Edgar Aswani



When most of us joined the Commission especially before the 2013 General Election, we could present a financial requisition to the

budget team and most of the time the comment was ‘ it is not covered in the work plan’.

This was so common that there was a joke that if you tendered your resignation, it would come back with the comment ‘ this is not covered in the work plan’. Please don’t try this now as it will definitely be in the work plan.

Through the years the finance team has slowly but surely revolutionized the budget-making process, and also improved the accounting system in the Commission which leaves an almost seamless structure of the operation. Believe me, it is easier now to trace your memo and the progress than it was in the past. You can almost be sure you will get feedback (which includes acceptance or rejection) within a short period. So what has changed? One may ask. I am not a finance person neither am I an expert in the area, but I will from a layman’s point of view try to take stock of the *evolution of the work plan*.

In late October 2019, a team comprising of County Election managers, Regional Accountants, managers directors, Commissioners and Chairman assembled in Mombasa for the annual Mid Term Expenditure Framework commonly referred to as MTEF. I have attended a number of these MTEF workshops, but this one stood out, for some reason. Prior to the actual workshop, a small team was constituted comprising of finance

and representatives from different Directorates, the assignment was to start compiling directorate and fieldwork plans and also to generate a proposed formula to be used to share the scarce resources that the Commission receives from the National Treasury.

The team started by agreeing on the ratio of sharing the resources available and then embarked on generating a formula which put into considerations various elements that would determine the distribution of the resources both at the headquarters and the field. The formula was quickly approved through the Commission’s top management and even ratified by the treasury.

Fast forward to Mombasa the date is 23rd September 2019, the Microphone is in the budget manager’s hand who was the program facilitator as well. He flashes through his PowerPoint slides and reaches a formula that has weird characters and looks like he picked it from the advanced *mathematic* book. Akoyo pauses and draws the attention of the participants who gradually start murmuring in low tones, exactly what used to happen in typical maths classes.

Akoyo delves and waves meticulously through the entire formula sending the room in awe, anxiety and some sense

of confusion. By the time plenary was opened for discussion, there were 17 hands it totals all wanting to comment on the issue but after back and forth deliberation it started downing that the formula could be adopted albeit with some minor alterations.

Away from formulas and sharing of the charcoal baked cake, I strongly believe that the Commission has improved its budget-making process, for once the drafts come from field officers and directorate and are presented and participants allowed to input by either proposing amendments or adopting proposals. By the time the Directors, managers and County Election managers left the coastal city of Mombasa, they had a clue on what their budgets would be. After the budgets are made and escalated for sector deliberations, and upwards to National assembly, there is considerable participation by the budget owners.

Finally, it is also important to state here, at the expense of being stoned, that it is not Finance that **nyongas** the budget, resources are generally scarce and the Government is trying to meet the many needs of its ministries, departments and also fund the big 4 agenda. The limited resources availed to the Commission must further be shared with prudence giving priority to the most demanding activities especially those that are indirectly linked to the mandate of the Commission. The keyword is a priority.



Role of ORPP in enhancing democratic growth in Kenya



By Nandwa Hope



Political parties are vehicles for democratic governance and a mirror of positive impact within the society.

The role of political parties in enhancing democratic governance though crucial is a complex matter that needs intervention by both state and non-state institutions to work together towards a common purpose.

Democratic governance entails people effectively participating in public affairs while supported by clear education programs to make informed choices.

In Kenya, after the promulgation of the Constitution in 2010, Parliament passed other laws to ensure democratic governance was upheld. Key among them was the Political Parties Act 2012, with its latest amendment in 2016, which spells out clear guidelines on how political parties should be governed. However, despite the roles being clearly spelt out, there are still clear indicators that a lot needs to be done, by identifying the basic drivers that would enhance better structure for the parties while at the same time building the conducive environment within them for these objectives to be met.

An imperative to democratic governance is the inclusion of the party members and supporters in party nominations and selection of party candidates in order to engender fairness and collective ownership of the party institutions. The existing structures

and frameworks of political parties and factors that promote the role of political parties in enhancing democratic governance supplement each other at best if they are allowed to operate in an environment of freedom, respect of human rights and effective resourcing both in terms of human and financial resources.

Existence of the legal framework of various institutions of democratic governance such as Office of the Registrar of political parties (ORPP), IEBC, PPDT and the Judiciary is a step in the right direction, it is incumbent upon the powers that be, elected leaders and the public to engage in a productive dialogue on how to resource, strengthen engagement among the institutions and allow them to operate without uncalled for interference.

These institutions work in tandem to complete the critical role of party discipline and dispute resolution mechanism as a way of enhancing democratic governance; a basic ingredient that is imperative for the orderly conduct of party affairs. Section 34 of the Political Party Act stipulates the functions of the registrar of political parties as; to register, regulate, monitor, investigate and supervise political parties, ensuring the publication of audited annual accounts, verifying and making publicly available the list of members, maintaining a register of political parties and their symbols and ensuring that no person is a member of more than one party.

Despite the myriad challenges faced by Political Parties, ORPP plays a role in ensuring the democratic space of the country is enhanced through ensuring all political parties comply with the stipulated laws from their inception. Funding of the parties has been a big concern especially after the

2017 General election which left only two political parties Jubilee and ODM issued with the Political Parties Fund (PPF). This means that the other sixty-six (66) are not funded. ORPP in its submissions to the Building Bridges Initiative proposed amendment of the Political Parties Act by reviewing the formula and criteria for funding the registered political parties this will be achieved by lowering the thresholds in the qualification for funding.

Several legal and institutional steps have been taken in the last decades to enhance inclusion. For instance, it is a requirement under the Political Party Act 2011 for a political party to be fully registered its governing body reflects gender, youth People with disabilities (PWDs) balance and representation from special interest groups. In addition, the office proposed the need to define the role of political parties in law as envisaged under Article 92 of the Constitution with the expectation of political parties developing their own internal strategies that shall enhance the political goodwill currently missing hence increase the number of Special Interest Groups nominated for elective positions.

It should be noted that gender non-responsiveness is affected more by social and cultural attitudes than the legal. ORPP resolved to develop and implement targeted programs that will change society's view of women in terms of leadership and responsibilities. Suggestions given were such that the Registrar of Political Parties and IEBC be funded to spearhead such programs. In addition, the ORPP will map, train and empower women, youth (PWDs) who participated in the last general elections but failed.

Political Party primaries have always been shambolic and to counter this in



subsequent elections, ORPP is in the process of developing clear guidelines of conducting party primaries that can allow and develop voluntary political quotas within political parties rather than legislation through electoral laws and the constitution.

ORPP proposed the need to establish a Democracy Training Institute to train political parties on democracy, politics, leadership and governance issues. The Institute should be established to train political parties' aspirants, governing bodies of political parties, and persons working in the political process. This was prompted by the fact that 70 per cent of elected leaders are usually one term leaders of their respective electoral areas means that continuous entry training is critical.

Further, Sec (38) of the Political Parties Act 2011, establishes Political Parties Liaison Committee (PPLC) at the National and County Level whose membership is open to all fully registered political parties whose principal function is to provide a

platform for dialogue between the Registrar, Electoral Commission and political parties. The Office of the Registrar has sustained the structured-dialogue between political parties and the Electoral Commission on issues relating to the electoral process in Kenya through various workshops.

Political party Primaries play an integral part in the elections system. However, there is duplicity and overlapping of roles and functions between ORPP, IEBC and other institutions. This overlap in roles has led to no proper regulation in the management of elections process especially in the regulation of party primaries. Art. 88 (4) of the Constitution states IEBC is 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. On the other hand, the Political Parties Act provides that the Registrar is to regulate and supervise political parties and their activities to ensure compliance with the Act. This

means ORPP has the express mandate to supervise and regulate political parties including how they conduct the party primaries.

ORPP in its submissions at the BBI recommended that a legal framework be developed to entrench negotiated democracy as a form or a system of the election process. This will enhance the inclusion of the marginalized groups within counties and ensure peaceful co-existence. Through this many Kenyans shall understand the meaning of negotiated democracy.

In addition, ORPP and IEBC should develop a framework /policy document between the two institutions on how to conduct and supervise political parties' primaries which is a key component of the electoral process. This recommendation is informed by the last General Elections monitoring and evaluation reports which suggest that divisive elections get its basis on the conduct of political party primaries

Ends...../////

IEBC Conducts Wajir West MNA 2019 By-election



Julius Mawathe of Wiper Democratic Party emerged victorious with 21, 628 votes to win the Embakasi South MNA seat, after beating his closest challenger Mohamed Sumra of ODM party who garnered 7,988 votes out of the 30,750 valid votes cast. The turnout was 20.46%. Embakasi South Constituency has 5 wards, 221 polling stations and 150,314 registered voters.

Ochieng David Ouma of MDG party emerged victorious with 18,730 votes to win the Ugenya MNA seat, after beating his closest challenger Karani Odhiambo of ODM party who garnered 14, 567 votes out of the 33,402 valid votes cast. The rejected votes were 534 while the turnout was 57.99%. Ugenya Constituency has 4 wards, 112 polling stations and 57,603 registered voters.

Kurgat Priscila Jepkoech of Jubilee party emerged the winner of Lelan County Assembly Ward by-election with a total of 3,170 votes against her closest challenger Kemboi Timothy Kipchirchir who garnered 1,003 votes. The valid votes cast were 5,185 with a turnout of 61.98%. Lelan Ward is located in Marakwet West Constituency, Elgeyo Marakwet County and has a total of 8,366 registered voters distributed across 29 polling stations.

Lelan CAW, Embakasi South and Ugenya MNA by-elections Statutory Forms can be downloaded at <https://forms.iebc.or.ke/>

The eBulletin team wishes to congratulate the Commission and all Staff who were involved in the planning, management and conduct of the three by-elections. We hope that the valuable lessons learnt will continue informing continuous improvement in the conduct of elections.

The Commission conducted Wajir West Constituency by-election on 25th April, 2019. The by-election was occasioned by a successful election petition in the constituency that saw the incumbent MP Ahmed Kolosh lose his seat following a decision by the Supreme Court on 18th January, 2019 that nullified his win citing irregularities at Qara polling station. The court noted that the number of votes cast at that polling station exceeded that of registered voters.

The constituency is one of six constituencies in Wajir County, it has five County Assembly Wards and covers an area of approximately 9,764.3 square kilometers with 27,544 registered voters and 75 polling stations.

The Commission adequately prepared for the by-election by ensuring proper training of election officials, early dispatch of election materials and briefing of relevant stakeholder prior to and during the exercise, to ensure the election were free, fair and credible.

The Commission cleared five Candidates to contest in the by-election, Mohamed Ahmed Kolosh of Jubilee

party emerged victorious with 11,053 votes against his closest challenger Ibrahim Mohamud Abdirahaman, who garnered 6,532 votes. The valid votes cast were 17,608 with a turnout of 63.927%.

IEBC Conducts Lelan CAW, Embakasi South and Ugenya MNA

The Commission successfully conducted three by-elections in Lelan CAW, Embakasi South and Ugenya MNA on Friday, April 5th, 2019. The by-elections were occasioned by death of Hon. Tanui Vincent on November 10th, 2018 in Lelan Ward and successful petition in Embakasi South and Ugenya Constituency.

The Commission adequately prepared for the by-elections by ensuring proper training of election officials, early dispatch of election materials and briefing of relevant stakeholder prior to and during the exercise, to ensure the election were free, fair and credible. The campaigns period ended on Tuesday, April 2nd, 2019 being 48 hours to the by election as required by law.

Of the 15 candidates cleared to run in the Embakasi South Constituency,

Kenya's Democracy Drivers and Enablers;

A Context of Stakeholder Engagement in the Management of Elections

By Steve Mbwika



The General elections held on 8th August 2017 were the 6th elections since the multiparty democracy in Kenya in 1991

and the second to be held after the promulgation of the 2010 Constitution of Kenya.

Kenyans set themselves a very ambitious and progressive Constitution that places human rights and democracy at the core of its spirit. As such, "Rule by the people" has more often than not been viewed as the underlying and founding principle of Kenya's democracy. This is exercised by the people of Kenya through elections which are conducted after every five years and are intended to provide a non-violent mechanism to deal with competing political interests and ideologies.

It is worth noting that, Elections in Kenya are the second most single participated public process in Kenya after Census. More than 19.6million Kenyans are registered as voters and with 78% of them turning out to vote during the August 8th 2017 Elections. The By-Elections that have been held since the 2017 GE have also registered relatively high voter turnout with some by- elections showing high levels of competition from candidates. The Kibra MNA by-election in 2019 is



perhaps the most competitive and closely contested by-election that Kenya has witnessed in recent times witnessing high political temperatures that are usually a preserve for general elections.

Generally, the planning and conduct of elections is a highly complex and demanding task with a number of political and practical issues that must be amicably addressed. The election management process involves setting and beating deadlines, and ensuring credibility of the entire exercise. The process is often governed by laws and rules that are both commonly understood and universally accepted.

In this regard, stakeholder engagement plays a pivotal role in empowering citizens and voters to make informed choices and shape perceptions. To ensure free, fair, credible and transparent elections, public participation must be seen as the thread that knits the disjointed patches of the Kenya's growing democracy. Placing the citizens at the center of the decision-making process requires an active and meaningful engagement with them. The hallmark of citizen engagement is to have empowered citizenry who can make informed choices and hold

leaders and institutions to account.

With the above understanding, the Independent Electoral and Boundaries Commission has adopted a multi-pronged approach in stakeholder engagement in a bid to reach stakeholders from urban and rural areas and tap in on their views regarding critical decision-making processes of the Commission as well as mobilize them to participate in the elections.

Some of the strategies that the Commission deploys to ensure an informed citizenry are explained here under:

Use of the Media

The mass media, in general, has proved to be a powerful conveyer of messages. In particular, Radio has been one of the most preferred methods used in voter education due to its extensive nationwide reach and listeners' loyalty to particular shows. The voter education and stakeholder engagement programmes are executed through radio spots, presenter mentions and live talk shows.

Television represents the second major medium for dissemination of electoral information. However, though

very expensive, it has always proven to be very effective during key electoral processes.

Newspapers and other forms of print media are heavily relied upon in providing information in a detailed manner as opposed to other forms. Newspapers are widely used in mobilizing potential voters to participate not only in the registration process but also in the general elections. The approaches adopted included articles and advertisements to support the broadcast media plan on important topics.

Documentaries on the voter registration and voting procedure are produced and run through the mobile cinemas in various parts of the country, especially in the violence-prone and remote areas where radio and TV networks are not well established.

Although social media is widely used by the youth, other older generations also have got access to the platform and are able to use it as well. Facebook and twitter have increasingly been accepted as a mode of communication both at individual and organizational levels. A lot of discussions ensue in all the IEBC social media platforms creating series of dialogue and interaction sessions where people post their comments, questions and criticisms of the process; and this has been made better by constant clarifications from responsible IEBC communication staff.

Stakeholder Engagement Forums:

Multi-Sectorial County, Constituency and Ward Stakeholders forums are another key strategy. Preparatory meetings involving the key players in electoral activities at the County, Constituency and Ward levels such as the security officers, government departments, Faith-Based Organizations, civil

society groups, youth groups and other interest groups are held on quarterly basis to explain the election and registration approaches and to map out areas of cooperation between the IEBC and the stakeholders. This engagement forums are scaled up during key electoral processes like Mass voter registration and mass voter verification. Their input is sought and where practical, the suggestions incorporated during the implementation of the decisions made.

Establishment of thematic Coordinating Committees

The effective management of stakeholder requires the understanding of their unique interests in the electoral process. To this end, the Commission has established standing thematic committees including the Youth Coordinating Committee, The Chama women in elections and Caucus of Persons with Disabilities. The Committees are aimed at communicating with these stakeholders and seeking their buy in on different electoral processes as well as managing their expectations and concerns for the purpose of meeting their needs and addressing issues.

Conduct of stakeholder mapping.

Stakeholder mapping is a key undertaking by the Commission as it enables it to identify the key stakeholders in each area, as well as the types of input they require, what kind of communication they might need. The mapped stakeholders are classified into different thematic groups which include, state and non-state actors, political parties, Special Interest groups among others. This then informs the Commissions strategies in its engagement with them.

Training of Special Interest Groups Candidates

In a bid to promote a level playing ground between candidates from the special interest groups and the veterans, the Commission conducts capacity building across the countries to nominated candidates who are youth, women and persons with disabilities. The training forums also serve as avenues to interact with candidates and empower them on the electoral processes and procedures and the need for carrying out peaceful campaigns and elections.

Use of IEC Material

At each key electoral stage; voter registration, verification of the register of voters, posters and fliers are developed appealing to various stakeholders to register as voters and verify their registration status. With regard to the General Elections, the IEC materials produced show how to mark a ballot paper, the voting procedure, electoral offences and sample ballot papers. Countless stickers are produced for all the key electoral exercises. The stickers contain a message urging the people to come out and register as voters, verify their registration status and come out to vote and are normally distributed to all parts of the country.

Engagement of Voter Educators

To strengthen other voter education and stakeholder engagement strategies, two voter educators are engaged per County Assembly Ward, One at the Constituency level and another at the County level. They play a critical role in raising awareness of the citizens on various aspects of democracy and the electoral process. The voter educators target schools, churches, mosques, health centers, market centers, community centers, farms, coffee shops, cyber cafes and other opportunistic gatherings.



Punguza Mizigo was A precursor to Future Referenda Drives

By Daniel Mathenge



On February 28, 2019, IEBC received the Punguza Mizigo Draft Referendum Bill from the Thirdway Alliance Party

leader Dr Ekuru Aukot at Anniversary Towers.

The Draft Bill proposed amendments to the Constitution of Kenya 2010 under the popular initiative as envisioned in Article 257 of the Constitution of Kenya 2010.

The bill proposed to amend the Constitution of Kenya 2010 with the aim of reducing the cost of running Parliament from the current KES 36.8 billion to KES 5 billion per year by reducing the number of Members of Parliament from the current 416 to 147, introduce a one 7-year term presidency, increase counties revenue share to 35% from the current 15%, among others amendments.

The Bill was received by the Commission and a team constituted to come up with a clear roadmap of handling the verification exercise which was open to local observers, media and agents appointed by the party. In less than a month the team had scanned through the documents received and following agreed guidelines presented a report which returned positive results for the frontiers of the bill as it had met the minimum threshold required to advance to the next stage. The bill was sent to all the forty seven county assemblies and they were expected to debate and either support or reject the bill.

At the County assembly, the bill did not meet the minimum threshold and therefore it met an early death. The Commission on its part learnt so much from the experience including the need for having observers and agents during such exercises to ensure transparency and credibility of the process.

In the event of similar or any other referendum drives, the Commission will be better placed to expeditiously and accurately handle the task.



How Undemocratic Political Parties Hurt Economic Growth

By Irungu Nyakera



Kenya has 68 fully registered political parties. They range in actual registered membership, national influence and regional following in their strongholds.

Their shared common denominator is regional and tribal profiles. This, in essence, makes crafting of unstable ethnic coalitions at the national level to enhance national appeal and electoral fortunes, inevitable.

Through their chieftains, parties have branded themselves as bastions of ethnic nationalism and political battle formations to “secure development” from the centre to their strongholds. By development, they imply projects and public sector jobs for sons and daughters of the tribes. This ethnic nationalism and its worldview are so powerfully drilled that anyone perceived to oppose or differ is viewed to “betray the cause,” and branded a traitor. This version of parties devoid of national ideological and economic visions and aspirations has in effect alienated some would-be-leaders from active political participation.

Nevertheless, the Kenyan Constitution and democratic traditions still vest the business of political organisation for participation in elections and formation of the government on the institution of political parties. While some question the values and role of parties in a democracy like ours, political scholars still insist they are the most critical institutions in shaping the future of society. A case in point was the resolution of post-election violence

stalemate in 2008 where the impasse would finally be broken by putting political parties at the centre in the search for options as the intermediaries between the people and the state. Party Heritage

The institution of the political party formations is part of Kenya’s rich historical heritage. Different community leaders marshalled their clansmen to fight the colonial intrusion from their local perspective. Notable examples include Waiyaki wa Hinga, Mekatilili wa Menza, Koitalel Arap Samoei, legendary Paramount Chief Lenana, Harry Thuku, Muindi Mbingu, Dedan Kimathi, Jaramogi Odinga and Jomo Kenyatta, among others. The formations they led, inadvertently define the culture of political parties today.

In the 1961 General Election and subsequent independence in 1963, Kanu achieved the historic mission of leading Kenya to independence after defeating KADU, which comprised ethnic groups that perceived themselves as minorities. This KANU-KADU dichotomy in which majority tribes (by numbers) were perceived to have defeated their “minority” compatriots, gave birth to an “us versus them” political philosophy that tends to cast electoral winners and losers as ethnic

rivalry between tribes, than democratic contest of alternative visions for Kenya. This is the mother of our problems, including the phenomenon “that a ruling party must demonstrate hegemonic power in its strongholds” without any “*madoadoo*” (stains). This undemocratic and repugnant electoral imperative is unconstitutional.

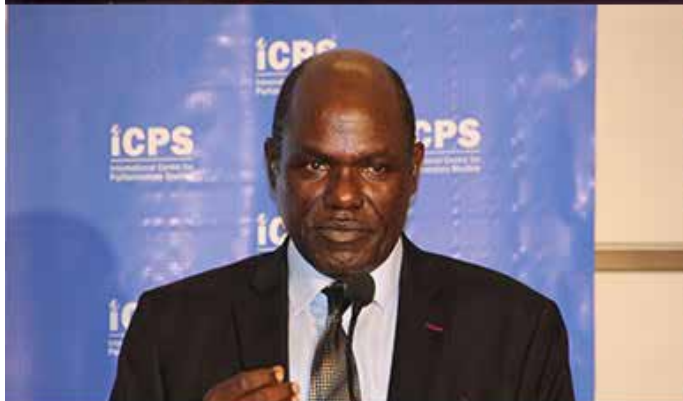
At the heart of the discussion, lies the rallying call that parties should be acknowledged, celebrated, detribalised, supported and institutionalised. A robust democracy is essential for furthering a country’s economic development goals. Urgent reforms in building accountable and democratic national institutions call for Parliament to pass legislation to allow for funding of parties to play their rightful role in entrenching democracy in Kenya.

To achieve this, there is a need for a fundamental shift, on the part of parties and electoral stakeholders. The leadership needs of Kenya for the 21st century must embrace a political paradigm shift that compels parties that aspire to form a government to attract, nurture best talents and ideas that can make a difference, not just pandering to ethnic nationalism.

The writer is the Democratic Party deputy leader and chairperson of the Political Parties Liaison Committee.



IEBC Chairman and the Late Chris Msando Awarded



The Right to Vote

By **Christpine Owiye**



The right to vote is a fundamental political right ingrained in the Bill of Rights and found in

Chapter four of the Constitution of Kenya, 2010.

It is a right birthed by Article 38(2) of the Constitution which quintessentially confers upon every citizen, the right to free, fair and regular elections based on universal suffrage and the free expression of the will of the electors.

In Kenya, the right to vote resides in the express right of every citizen to be registered as a voter. As it were, the fact of registration of a citizen as a Voter is the foundation of the expression of the singular will of a voter through the ballot.

Notably, the mandate of registering voters lies with the Independent Electoral and Boundaries Commission (IEBC) and is found in Article 88(4) (a) of Constitution. The Constitution requires a continuous process of registration of citizens as voters.

In terms of Article 38(2) (b) of the Constitution, It is mandatory that the right to vote in any election or referendum must be expressed by secret ballot.

It is noteworthy that indeed the right to be registered as a voter and to vote preceeds the right to be a candidate for any elective public and state office.

The right to vote is an integral footprint in Kenyas democratic state and just like other political rights, is part of the Country's framework for social,

economic, political and cultural policies.

Every state organ, governance institutions, stakeholders in elections and the general public is enjoined in recognising and protecting the right to vote. The net effect is preservation of the dignity of individuals in the promotion of social justice and the realization of the potential of all human beings.

This right is sacrosanct and belongs to each individual. It is not granted at the whims of the state. It is not a favour. Indeed the Constitution at Article 83 (3) requires that administrative arrangements for the registration of voters and the conduct of elections should be designed to facilitate and not to deny an eligible citizen the right to vote or stand for election. Out rightly, the law is averse to situations that hamstringing the exercise of the right to register as a voter and the right to vote.

The constitutional right to vote is not without statutory reinforcement. Section 3(1) of the Elections Act No 24 of 2011 posits that an adult Kenyan citizen should exercise the right to vote specified in Article 38(3) of the Constitution in accordance with the Elections Act. Section 3(2) of the said Act puts a precondition that in order for a citizen to exercise the right to vote, the citizen must be registered in the Register of voters. It may be necessary to mention that the Register of voters comprises

- a) a Poll register in respect of each and every polling station
- b) a ward register in respect of every ward
- c) a constituency register in respect of every Constituency.
- d) a County register in respect of every County

- e) a register of voters residing outside Kenya.

Prescribed Limitation

Just like other fundamental constitutional rights and freedom, the right to vote is subject to certain limitations as contemplated under the provisions of Article 24 of the Constitution.

The limitation must however be by law and only to the extent that the limitation is reasonable and justifiable in an open and democratic society based on human dignity, equality and freedom.

Whereas Article 83 of the Constitution espouses the qualifications for one to register as a voter and therefore to be eligible to exercise the right to vote at an election or referenda, the absence of any of the said qualifications renders a citizen disqualified and thus unable to exercise the right to vote. Thus a person who:-

- a) Is not an adult Kenyan Citizen
- b) Is declared to be of unsound mind
- c) Has been convicted of an election offence during the preceding five years; does not qualify to be a registered voter and hence not entitled to exercise the right to vote.

Section 10 of the Elections Act provides the parameters of eligibility to vote. A person whose name and biometric data are contained in a register of voters in a particular polling station and produces an Identification document is thus eligible to vote in that particular polling station. The Identification documents can be a National Identification Card (ID) or Passport.

It must however be reckoned that the Identification document that a registered voter must produce in order to vote must be the very Identification



to vote and therefore registration as a voter should be a mandatory legal prescription.

The right to vote is exercised in personum by secret ballot. However, in the event a person is unable to independently exercise the right, the voter may be assisted by a person of his own choice who is eighteen years and above and holds a National Identification Card or by the presiding officer incharge of the polling station where the voter is registered to vote.

Penal Intervention

In exercising the right to vote, caution must be exercised, failing in which a voter may be held culpable for certain election offences. These offenses are found in section 5 of the Election offences Act No 37 of 2016. For instance a person who votes more than once in an election or interferes with a voter in the casting of his vote in secret or pretends to be unable to read or write so as to be assisted in voting or pretends to be visually impaired or suffering from any other disability so as to be assisted in voting commits an election offence and is liable on conviction to a fine not exceeding one million shillings or to imprisonment for a term not exceeding Six (6) years or to both fine and imprisonment.

In the whole, the right to vote remains a fundamental right that should be enjoyed by all qualified Kenyan citizens and should only be limited within the parameters of the letter and tenor of the Constitution.

Chrispine Owiye-Advocate of the High Court and Electoral Law Practitioner

Member -Law Society of Kenya (LSK), International Commission of Jurists (ICJ), International Police Association(IPA).

document that he used at the time of registration as a voter.

Diaspora and Prisoners

Both Kenyan citizens residing outside Kenya (Diaspora) and prisoners incarcerated in Kenya have the right to vote.

Regulation 37 of the Elections (Registration of voters) regulations, 2012 requires that a Kenyan citizen residing outside Kenya can only apply for registration as a voter through a valid Kenyan passport. However, Kenyan citizens residing in countries within East African community have enhanced latitude and may present either a Kenyan passport or a Kenyan National Identification card for purposes of registration as a voter and casting a vote. It is worth noting that the right to vote available to a Kenyan citizen residing outside Kenya is limited in so far as the voter can only participate in a presidential election or a referendum.

In terms of Regulation 39C of the Elections (Registration of voters) regulations, 2012, a prisoner becomes eligible to vote upon registration as a voter. However, just like Kenyan citizens residing outside Kenya, a prisoner may only vote in a presidential

election or referendum.

Withdrawal from the Register of voters

A rather controversial and interesting situation arose in the aftermath of the General election, 2017 in which a cross section of Kenyans who exhibited disquiet over the General election results demanded to be removed from the Register of voters and vowed never to vote again in their life-time. A question then arose as to whether upon registration as a voter; a person can by law withdraw from being in the Register of voters there by vitiating his right to vote.

It would appear that the law does not seem to expressly address this fact and a lacuna presents on the legal entitlement of a voter to withdraw from the Register of voters upon registration. Probably the only way a registered voter can vitiate his right to vote is by not presenting himself to cast his vote at a polling station on the polling day. There is a strong persuasion that may be time is nigh for a legal opportunity to avail to Kenyans who desire to 'walk out' of the Register of voters. This position is however opposed by proponents of patriotism who urge that it is the civic duty of every adult citizen to participate in national elections and

The Role of Customer Service for Corporate Goodwill

“Customer service shouldn’t just be a department, it should be the entire company.” Tony Hsieh

By Linda Mworira



Customer service is a management strategy that focuses on meeting the customers’ expectations by

identifying their needs and focusing on ways to meet those needs effectively and efficiently.

Therefore, the Commission’s ability to effectively execute its mission is linked to its ability to deliver an effective customer experience to citizens and all its stakeholders. A transforming customer experience entails a change in mindset and an organizational strategy that puts the customer at the centre. Excellent customer service will always leave a positive impression and enhance the Commission’s image.

Services offered by the Commission to its customers include; continuous voter

registration, inspection of the voters roll, voter education, accreditation of observers, clearance of nomination of candidates for election, polling, counting and announcing results at polling stations, the transmission of results from polling station to tallying centre, arbitration of disputes within political parties, procurement of goods and services, boundaries delimitation among others.

The main mandate of Customer service in an organization is to act as the link between the Commission and its customers to effectively and efficiently facilitate the delivery of these services by offering requisite information. The Commission’s customers are unique and therefore require customized care to satisfy their needs. Although they are all unique, there are common expectations like; communication, information, responsiveness, problem resolution, reliable and consistent service delivery.

The Commissions customers include;

- **Commission Employees**
- **Voters**
- **Political Parties**
- **Candidates**
- **Development Partners**
- **Non-Governmental Organizations**
- **Government Agencies**
- **Civil society Organizations**
- **Private Sector**
- **General public**
- **Suppliers**
- **Media**
- **National Assembly**
- **County Assembly**
- **Local authority**
- **Election Support Groups**
- **Faith-Based Organizations**
- **Regional Economic Blocks**

Public confidence in each step of an electoral process is critical to the integrity of the election. Citizens not only have a right to participate in elections but also have a right to know whether the electoral process is credible. Access to information about each phase of the election process is fundamental to creating and reinforcing public confidence in elections.

The Institute of Customer Service envisions an organization which delivers good customer service as “... honest, gives good value for money, has a high reputation, meets deadlines, has quality products and services, has easy to understand processes, responds to criticism, encourages complaints and handles them well, and demonstrates that it is passionate about customers.”



Customer Care Assistant

Does Voter Education Improve Voter Participation?

By Emmanuel B. Onyango



A more civically educated electorate enhances the quality of democracy in a country.

One potentially important example of a positive externalities of consistent and continuous voter education is enhanced political behaviour. One of the benefits of voter education is that a more informed electorate enhances the quality of democracy and widens the perspective to vote.

There is a strong and robust relationship between consistent voter education and voting outcome as voter education increases citizens' attention to public and electoral affairs as well as politics. More electorally aware citizens appear to have more information on voting matters which helps in solving the costs of voter registration, election disputes or voting procrastinations.

Milton Friedman (1962) argues that "A stable and democratic society is impossible without a minimum degree of literacy and knowledge on the part of most citizens and without widespread acceptance of some common set of values.

Why might voter education affect political behaviour? The benefit of voter education may accrue either through the enhanced quality of participation by a given subset of citizens, or through broader participation among the citizenry. The first channel is important if voter education equips citizens with the necessary information they need to be effective participants in a representative democracy. In this case, voter education increases

citizens' ability to reasonably profile and elect able leaders, understand the issues upon which they will vote, act as a check on the potential excesses of the government, and recognize corruption in leaders.

The second channel is important if voter education improves citizens' interest and knowledge of political issues, their involvement in the political process and, ultimately, the effectiveness of their political participation.

Effective, structured and continuous voter education can improve voter participation by:-

- Increasing voter registration and the probability of voting.
- Providing voters with better information on electoral processes, candidates and campaigns.
- increasing other measures of political participation, such as the probability of attending political or community meetings, working on community issues, and more in general, being politically active.

There are several theoretical models that suggest a link between education and civic participation. **Verba and Nie (1972)** argues that individuals with higher socio-economic status may have higher cognitive skills, benefit from the higher effectiveness of their participation, possess more knowledge about the issues, or be influenced by peer effects from other high socio-economic status individuals.

It is also possible that skills acquired from additional schooling may help an individual overcome the bureaucratic inconveniences and difficulties in registering to vote (**Wolfinger and Rosenstone (1980)**). **Feddersen and Pesendorfer (1996)** develop a positive model in which low-education voters prefer to abstain so that the votes of better-informed voters will carry more weight. In their model the non-voting of the low-educated is a result of their **relative** lack of education—providing more education to them will only increase voting if the education level of the rest of society stands still. This approach contrasts with the emphasis in Verba and Nie (1972) and Wolfinger and Rosenstone (1980) on **absolute** levels of education.

Voter education should empower the voters to legally feel responsible in actively participating in Voter registration and actual voting, soberly get involved in election campaigns, and discuss politics with others, associate with a political group, and work on community issues.

Voter education benefits a representative democracy both by increasing the quantity of citizens' involvement in the electoral process (increased probability of voting) as well as the quality of their involvement (increased information on candidates and political parties

The writer is the CEC, Butula Constituency in Busia County.







VISION

A credible electoral management body that meets the democratic aspirations of the people of Kenya

MISSION

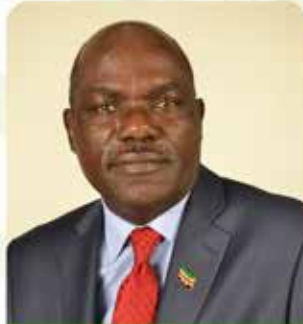
To conduct transparent, efficient, and impartial elections; and undertake boundary delimitation for equitable representation and sustainable democracy

CORE VALUES

- (i) **Respect for the rule of law** We conduct our businesses within the law.
- (ii) **Inclusivity** We respect gender, race, class and disability in the conduct of electoral activities.
- (iii) **Integrity** We conduct our affairs with utmost honesty.
- (iv) **Accountability** We endeavour to be responsible for our actions.
- (v) **Teamwork** We work collaboratively as colleagues to achieve Commission goals.
- (vi) **Innovativeness** We transform the electoral process by exceeding the expectations of Kenyans.



THE ELECTORAL CHAIRMEN OF KENYA SINCE INDEPENDENCE



WAFULA W. CHEBUKATI
I.E.B.C CHAIRMAN JANUARY 2017 TO DATE



AHMED ISSACK HASSAN, EBS
I.E.C/ I.E.B.C CHAIRMAN
2009 - NOVEMBER 2016



SAMUEL KIVUITU
E.C.K CHAIRMAN 1997 - 2007



FORMER CHIEF JUSTICE
MR. ZACCHAEUS CHESONI
E.C.K CHAIRMAN 1992 - 1997



JAMES NYAMWENYA, APPOINTED CHAIRMAN
ELECTORAL COMMISSION OF KENYA
ON 8TH AUGUST 1995



SENATOR TIMOTHY T. CHOKWE
PRESIDENT OF SENATE 1963 - 1967
ALSO SERVED AS CHAIRMAN E.C.K



SIR HUMPHREY SLADE, 1ST SPEAKER
OF KENYA INDEPENDENT PARLIAMENT
(HOUSE OF REPRESENTATIVES) 1963 - 1970
ALSO SERVED AS CHAIRMAN E.C.K

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