



CHAIRMAN'S MESSAGE OF CONDOLENCE ON THE DEMISE OF MR. DANIEL MBOLU MUSYOKA, A SENIOR ELECTION OFFICER AND CONSTITUENCY RETURNING OFFICER OF THE IEBC WHICH OCCURRED AROUND 15TH AUGUST 2022.

1. We are gathered here today to bid farewell to Daniel Mbolu Musyoka, our Senior Election Officer and a Constituency Returning Officer who was found murdered on 15th August 2022 – just six days after the 2022 General Elections. Musyoka, as we fondly knew him, had successfully conducted elections in Embakasi East, a station that he had served from April 2022.
2. Before this last tour of duty, Mr. Musyoka had served at the IEBC for 10 years having been first appointed as CEC for Kilome Constituency in 2010. He was later transferred to North Horr in 2013, Machakos Town in 2015 and Kajiado South in 2017.
3. The IEBC family mourns a distinguished, capable and competent officer. Musyoka was a very effective and professional Election official, an amiable Gentleman, a family man and, notably, an outstanding Patriot who has paid the ultimate price in the course of executing a key National duty. The IEBC and the country have lost a huge resource in a man who had become a highly dependable Electoral Manager.
4. In the first half of the last century, Ernest Hemingway wrote a novel titled: '**For Whom the Bell Tolls**'. It is a sad tragedy that in this country the answer to this question seems to be that the bell tolls for the Election Officer of the IEBC every five years. I ask and wonder: why must an Election Officer be murdered at every General Election? Whose gods do we anger by performing our sacred Constitutional duty? Which earthly deities do our good deeds and duties so grievously offend?

5. Five years ago, we lost our ICT Manager, Chris Msando. A week ago, we lost our Returning Officer, Daniel Mbolu Musyoka, who now lays before us and the Nation. Their only crime, is that they served this nation diligently and honestly from their work stations at the IEBC. Is Kenya's political rivalry and brinkmanship worth the life of Good men like Musyoka and Msando before him?
6. My fellow countrymen and women, we cannot continue like this. We cannot make working for the IEBC a death sentence – a place where honest professionals will shun. Our job is to prepare a Register of voters and not to prepare a register of our murdered staff members. Our job is to prepare for polls and not to be prepared to be pall bearers of our Murdered staff.
7. It defies logic that with the sophistry and technological capabilities that the criminal investigation agencies possess, they have not been able to resolve these mysterious murders of our staff. It is time that these agencies lived to their true constitutional, statutory and operational calling and conclude investigations to these troubling and tragic murders. For as long as these murders remain unresolved, they will not only create an environment and culture of intimidation but will embolden the impunity of the perpetrators of these heinous acts.
8. Serving in IEBC, such a vital institution in our constitutional order and democratic framework, should not be an inherently hazardous occupation. If the staff and the independence of Kenya's Institutions and Commissions are not vehemently protected; the institutions will decreasingly attract honest and talented men and women of integrity which will have disastrous consequences for our democracy. My fellow country men and women, if we do not stop the bell from tolling for IEBC, the bell shall surely toll for all our independent institutions and the country at large.
9. Kenya is not a failed state and we must refuse to believe that ours is a country where the rule of law can be suspended at will during the Election period. In the interest of justice and for the sake of the families of our slain staff as well as our own institutional interest

as IEBC, we demand a comprehensive statement of the state of investigation of these murders.

10. The abduction and execution of IEBC officers such as Musyoka whom we mourn today, fits in an unfortunate pattern of harassment and intimidation of IEBC staff. In this General election, the abuse of IEBC staff reached an unimaginable scale. In an incident never witnessed before, Commissioners Guliye, Commissioner Molu, CEO Marjan and I were physically assaulted and injured at the National Tallying centre at Bomas of Kenya. These shameless attacks amounting to election offences were perpetrated by, among others, persons regarded as National Leaders in full view of the whole Nation and the world at large. To date no one has been arrested for crimes committed against senior constitutional office holders on National television. Further, to date, I am yet to hear of any human rights groups or defenders condemn the heinous acts that occurred on the Bomas stage on 15th August 2022. If the leadership of IEBC can be attacked in public where there was heavy security presence, one cannot begin to imagine the peril that IEBC staff suffer in the tucked away corners of the country.

11. I call upon the Inspector General of Police, the Director of Criminal Investigations and the Director of Public Prosecutions to move with speed to investigate, arrest and charge the perpetrators of these election offences which were geared towards subverting the will of the Kenyan people.

12. IEBC staff have suffered physical body attacks, threats to their persons and families, intimidation and unlawful arrests that can only be termed as abductions. In Eldas Constituency, a Presiding Officer Mr. Mohamed Kanyare was shot by assailants leading to the amputation of his leg. Mr. Kanyare is still hospitalized, and we wish him a quick recovery even as we take solace in the fact that his life was spared.

13. It must not be lost to the Nation the litany of woes that some Members of the IEBC and staff have had to suffer in the course of their duties: we have been subjected to extremely negative ethnic profiling; irascible and unrelenting cyber bullying in the social media, including the creation of phantom and fake social media accounts of Returning officers.

We have suffered incessant verbal abuse and harassment from some politicians and their henchmen. We have faced planned attacks and sieges at polling stations and tallying centers. Lives and limbs have been lost.

14. My fellow country men and women, this scorched-earth mentality to electoral processes, that is perpetrated by leaders does not sit with our claim to sound democratic practice and order. It gravely offends common human decency. It deeply undermines our sense of humanity and self-respect. It is wrong. It is shameful. It must stop. Elections are not and should not be war; they are merely a democratic device for choosing our leaders.

15. I wish to most sincerely thank from the bottom of my heart the brave Members and Staff of the Commission who gallantly defended Democracy in the face of adversity. Men and Women who chose to still march on for liberty when turning back was a more comfortable and safer option. Those who stood up for virtue even as they were tempted by corrupt individuals masquerading as Leaders. I salute the Commissioners and staff who exhibited an uncommon valor when our ideals as a Commission were put to the test. For the sake of our country, we must continue to hold the line, for this is the true price of freedom and liberty and if anyone thinks that the IEBC will cut and run, they are mistaken. We are acutely aware of our constitutional mandates and the oaths of office that we have subscribed to and pledged to discharge to the best of our abilities.

16. To the family of Daniel, Mrs Tabitha Mbolu, the young children Prudence and Isaac, parents Mr and Mrs Musyoka Nzuki and the entire family, on behalf of my family and I and the entire IEBC family - there are no words that can diminish the loss that you feel but please receive my deepest condolences and those of the Commission and take comfort that Musyoka died defending its ideals of Independence and Impartiality while serving his country to the best of his abilities. Indeed, your husband, your father, your son and your brother died a HERO. Be assured that his enduring legacy is safe; his service deeply appreciated; and forever recognized by the Commission. The world may take little note, but to us Musyoka is one of the unsung heroes of our times where honesty and integrity is not a common virtue.

17. Yes, the Bell may have tolled for Musyoka and Msando before him. Unless the Inspector General of Police, Director of Criminal Investigations and Director for Public Prosecution put an end to these crimes at every general election through immediate and conclusive action, the bell shall surely toll for this country, its democracy, its Constitution, and its people.

18. May the soul of Daniel Mbolu Musyoka rest in eternal peace.


W.W. CHEBUKATI
CHAIRMAN

26/8/22