

# Kenya General Election

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Presented by:

OMER JAMA FARAH (Election Observer)

## KENYA GENERAL ELECTION Success and Challenges



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### **Political Parties Delegation**

- Somaliland international election observers to the 27th December 2007 elections included the political parties' delegates Omer Jama Farah (UDUB), Abdullahi Said Ismael (UCID) and Hussein Ahmed Aideed (Kulmiye).



- Our team was among other delegates sponsored by International Republican Institute (IRI).
- The purpose of the mission was to learn the process of the Kenyan General elections, Presidential, parliamentary and local elections which were held simultaneously in Kenya.

### **Importance to Kenyan**

- The election was very important for the democratic process in Kenya, and people of Kenya were determined to elect their leader and their representatives.
- We were deployed to North Eastern Province, Garisa District, where we observed the electoral process in Dujis, Lagdhera and Fafi constituencies.

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- Our team leader was Husna Hassan from IRI and other members were Ambassador Lange Schermerhorn, former U.S. Ambassador to Djibouti, Linda Nnassaka from IRI Uganda and the three members from Somaliland delegates.

### **North Eastern Province**

- We arrived at Garissa District and met with Deputy Returning Officer from the Electoral Commission of Kenya (ECK) whose responsibility was to facilitate the election process and ensure that the electoral process was free and fair.
- He also collected election materials from ECK including ballot papers which had candidate names and political parties' symbols, the polling register and list of polling stations, indicating the number of streams and number of registered voters.
- He was very busy, dispatching electoral materials to all polling stations in the district of Garissa; he was active and well versed to the process.

### **Visit Party Office**

- Afternoon, we visited the head quarter of ODM office in Dujis and met the parliamentary candidate Aden Barre Du'ale who was very confident and showed concern of the ruling party (PNU) misusing public resources and media.
- He also indicated that senior officials from Kikuyu tribe had been transferred to Garissa district to ensure that the process of voting was in favor of Kibaki re-election.

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### **Election Day**

- Hundreds of voters arrived as early as before 5.00am and they waited patiently in the long queues to have the chance to cast their votes. The polling stations were meant to be opened from 6:00 am and closed at 5:00 pm

### **Voting Process**

- The process was peaceful, open, transparent and political party agents, domestic observers and international observers had the opportunity to witness the opening of the polling stations, voting, closing and tallying processes.

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## **Polling Staff**



- Each polling station, (stream) there were Presiding Officer, Deputy Presiding Officer and 5 clerks at work

## **Presiding Officer**

- Supervisory role and responsible for the overall voting process in the polling station.

## **Deputy Presiding Officer**

- Assistant supervisor

## **First Clerk**

- Checks finger of the voter for indelible ink to find if the voter has voted elsewhere.
- Checks the national Identity (ID) to make sure the elector is native and voting card and matches with the name and number.
- Checks the voter's card to ensure the voter has not voted elsewhere.

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## **Second Clerk**

- Checks the voter's register name and number
- Calls out the name of the elector and whether the voter need voter assistance
- Cancels the name of the voter from the register.

## **Third Clerk**

- Stamp the back of the ballot paper with the Electoral Commission Kenya stamp.
- Hand over the ballot paper to the voter and directs him/her to the booth to mark ballot paper and puts the ballot into the box.

## **Fourth Clerk**

- Dips the voter small finger on the left hand into indelible ink.

## **Fifth Clerk**

- Stamps the voter's card with the ECK seal. And give it to the voter

## **Police Officers**

- In each polling centre there were 3 police officers to ensure that peace and stability was maintained.
- They also assisted the maintaining order within the polling station and incase of people who tried to stall the process, the Presiding Officer advised them to remove them from the polling centre.



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- Protecting the ballot boxes
- Escort the ballot boxes to the tallying centre.
- They did not interfere with the process unless advised to do so.



### **Counting Process**

- After completion of voting, the three ballot boxes are sealed with special numbered seals. Only ECK staffs, party agents, observers and police officers are permitted to witness the counting process. Presiding Officer and his staff take a short break and reorganize the centre for counting.
- Started with either with Local or Parliamentary as presidential was counted last. In reopening the ballot box, the ballot papers were sorted out as per candidate and each ballot paper was displayed to the party agents to confirm or dispute.

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- The presiding officer arranged ballot papers for each candidate into bundles of fifties and announces immediately the results of the voting at that polling station.
- They all signed the forms, and sealed the boxes and forwarded to the tallying center where the returning officer and his deputy was to verify the preliminary results.
- Lastly, tallying results are forward to the head quarter of ECK to publicly declare the results of all votes casted throughout the country.

### **Observation**

- Some of the polling stations opened late, but the process was open and transparent, and party agents were present in the polling stations as well as local observers and international observers
- Voters were not allowed to caste their votes anywhere in their constituencies, they had to vote where they were registered and their names were available on the voter register.
- The list of the voters names were in alphabetical order and were subdivided into the different polling stream within the polling stations. Some voters got confused to find their names in one stream, but later they found in other streams.
- If the room/ stream were large enough and had two doors, more streams were placed in the same room.

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- Literacy level is very low in the Garissa District and most of the voters needed voter assistance and presiding officer called loudly to ascertain who you were voting for in the municipal, parliamentary and presidential elections and this could damage the secrecy of the voting process.
- The booths were not properly fixed and were not secretive when the voter was marking the ballot paper and this also damaged the secrecy of the voting.

### **IRI Press Release**

- IRI released its preliminary findings which congratulated the people of Kenya for turning out in large number and voting peacefully.
- IRI emphasized that the process of tallying and accepting of the results were also crucial.

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### **Media Coverage**

- We watched the Election results announced by ECK, and we were monitoring the voting tallies through the KTN, NTV and KBC. The Election Commission Kenya were briefing the press from their press centre at the Kenya International Conference Centre (KICC).
- In the beginning, the opposition presidential candidate Rail Odinga of ODM was far ahead than his incumbent President Kibaki. On 29/12/07 Samuel Kivuitu the Chairman of ECK suspended the briefing of the press and accused some of the returning officers of delaying to send results to the center and switched off their phones. Those constituencies were mainly from Central Province and stronghold for Kibaki.
- This is the where suspicion started for vote rigging, alteration and irregularities may happen.
- On 30/12/07 ECK chairman, Kivuitu come back to KICC to declare the results and started to call some constituencies results, I do remember Molo, and the Opposition supporters for Mr Raila Odinga started shouting that there was, discrepancies and alteration were done on the tallying papers
- The ECK chairman wouldn't be able to declare the results at that moment in KICC, he went back to his office and later declared the results on Kenya Broadcasting Corporation (KBC), the government owned media. Kibaki was declared the winner and Kivuitu was taken by antiriot police and the police commissioner and scouted to state house where he handed over to Kibaki the certificate of the election Winner.
- The judge was ready and he in turn quickly sworn Kibaki into office for a second term, this small ceremony lacked the presence of any dignitaries to witness the oath and inauguration of the president.

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- Vote counting and declaration of results are very important process of the election.
- The voting was peaceful and free of fraud but later the vote-counting process lacked credibility and it has been reported that alteration of tallying papers, vote rigging and irregularities in some constituencies, and votes exceeded than the voters who are registered in some polling stations
- The opposition presidential candidate Orange Democratic Movement, Raila Odinga has rejected the results, he claimed the lack of transparency of the vote counting, and called his supporters to protest the presidential results and tension escalated.
- Ethnic killing, looting, property destruction started. Many peace mediators attempted to resolve the election crisis and none of them succeeded.
- Kibaki believes he has the legitimate power since ECK declared him the winner of the election and Supreme Court judge sworn him.
- While Raila Odinga of ODM believes the people of Kenya had elected him.

### **Conclusion**

- Kenya elections are tribal based elections and people of Kenya are always expected corruption results and election loser does not accept the results. The election results were not fair and below the international standard. It would have been nice if the elections to be called again and Government of National Unity to be formed and both sides agreed in common position to avoid more bloodshed and human catastrophes in Kenya.

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### **Recommendations**



### **Somalilanders**

- In order to hold free and fair elections, the political parties have to work together to ensure that the peace and stability of Somaliland is maintained.
- The electoral process should be transparent and open.
- It's your responsibility to elect good responsible leaders during the voting day, vote wisely.

### **UDUB**

- To facilitate the NEC to hold free and fair election
- Not to misuse the public resources and media

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- Refrain from using public property in the election campaign for its own use
- To build the confidence and trust among political parties
- In case of conflict, to be statesmen and consider the sensitivity of issue and overall impact on Somalilanders.
- To respect the other political leaders
- Respect the mandate of the NEC and not interfere with the electoral process.  
(Refrain from putting pressure on the NEC on any level for its own benefit)

### **Opposition Parties**

- Be responsible enough during the campaign and election processes.
- Do not accuse UDUB of anything unless they have enough evidence.
- Not to instigate the public to violence.
- To refrain from deformation of the ruling party candidate
- To accept the results of the election

### **NEC**

- Observe transparency in all aspects of the electoral process
- Cooperate well with all the stakeholders
- Respect the election laws and Code of Conduct set for the political parties
- Build confidence in the Somalilanders to trust them to hold free and fair election
- To be impartial irrespective of the group that nominated them to be commissioners.
- Ensure that the election staff are impartial.
- Be careful on the whole process of election and what you say publicly or individually.

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- Create conducive atmosphere to the electoral process
- Establish a good procedure to resolve any arising electoral disputes and/or conflicts
- Establish good code of conduct among the stakeholders
- Ensure that effective voter registration process is carried out
- Has to keep in mind that, being the adjudicators of the elections, any success or failure in the process shall be attributed to them.

### **The Media**

- Be sensitive to the whole issue of election and if need be, please reconfirm your story before releasing it for the sake of Somaliland.
- Be neutral and give equal coverage to all political parties
- Give constructive analysis
- Build trust and confidence in the Somaliland electoral process
- Carry out community awareness on the electoral process
- Observe the ethics regarding electoral process reporting



THANK YOU