

MULTI SECTORAL FORUM II

Securing Elections 2017

COMMUNIQUE

Preamble

More than 600 delegates gathered on 22nd and 23rd March 2017 here at *Christian Students' Leadership Center (Ufungamano House)* for the Second Multi Sectoral Forum (MSF II) under the theme “**Securing Elections 2017**”. The meeting commenced with a reflection on the message of Bible which in Luke 11:9 says “*Ask and it will be given to you, seek and you will find, knock and the door will be opened for you*”.

The Multi Sectoral Forum (MSF) is a distinguished assembly of the leadership of different sectors of Kenya, convened by religious leaders, to deliberate on matters concerning governance, elections management and the country's preparedness for the August 2017 General Elections.

1. Towards Elections 2017

The Constitution of Kenya 2010 declares that “*The Republic of Kenya shall be a multi-party democratic State*” that has an electoral system that features free and fair elections which are transparent, conducted by an independent body, and are free from violence, intimidation, improper influence or corruption.

Despite this provision and the nationwide acknowledgement that the 12th General Elections will be held in August 2017, the journey towards the same has been challenged by hindrances arising from logistical, legal and political factors. This has called to question the readiness for the country to hold peaceful, free, fair and credible polls. This was a great concern for the Multi Sectoral Forum II.

2. Threats to Elections 2017

The Multi Sectoral Forum took time to consult with different stakeholders who have a role to play in the elections to establish their readiness for the same. From the discussions with them and subsequent appraisal of the prevailing conditions, the MSF

identified a number of threats that if not handled well could derail the Elections 2017. These threats are:

a) Contested Voter Register

The core of fair elections is the ability to have a complete, verifiable and acceptable register of voters. Building from the previous elections, the integrity of the Register of Voters has been called to question, and there has been identified a need for it to be audited and cleaned up before the next elections. However, this has not been done, which raises the risk of going to August with a disputed register, which would spell doom for the elections.

b) Political Party Nominations

This MSF recognizes that as provided for in the Constitution, political participation is primarily through political parties. As such, the quality of democracy within the political parties is a mirror image of democracy in the country. This MSF is therefore deeply concerned regarding the prevailing indications that the political party nominations may turn out to be violent and not democratically representative. The possibility of carrying over such injustices to the General Elections will be very high, and could result in outbreak of pre and post election violence.

c) Loss of Confidence in Elections Related Institutions

The Constitution of Kenya 2010 provides that the Sovereign power of the people is exercised to State Organs. However, it is of crucial importance that the people have confidence in those institutions to carry out their mandates in such a way as to fulfil the expectations of the Constitution. This MSF takes note that public confidence in the elections related institutions that include the Independent Electoral and Boundaries Commission, the Judiciary, the Legislature and National Police Service is low. This low level of trust holds the potential to inspire politicians competing for power to reject entire electoral process regardless of the quality of the work done by the institutions.

d) Failure of Technology

The Electoral laws require that electronic technology be used for voter registration, voter identification, and results transmission. This MSF notes that with only 137 days to the General Elections, the Electronic Voter Identification Devices and the Results

Transmission systems have not been procured. The time limitation means that there might not be adequate time for deployment of the systems and adequate training of the staff to operate them. Are we setting ourselves up for a widespread technological failure as happened in 2013 which could lead to a breach of the law?

e) Litigation Hindrances to Timelines

The Electoral Laws have set specific timelines for milestones that must be achieved in the journey to the elections. However, a myriad of court cases has hindered some of these milestones being achieved. If the past trend continues, there is a very great risk that the country will not be in a position to hold elections on the stipulated date.

f) Pre and Post Election Violence

This Multi Sectoral Forum notes that the prevailing state of insecurity and lack of cohesion across the country is the single most strongest threat to peaceful, free, fair and credible elections in August 2017. So bad is the situation in the country that Kenyans generally expect violence and injustice from the security agencies rather than protection. They are therefore ready to believe anyone who claims that security agencies are being used to perpetuate undemocratic practices.

3. Elections 2017 Scenarios

Having considered the prevailing conditions and the possible threats to the Elections 2017, the MSF has identified four scenarios that could emerge and the implications of each:

No	Scenario	Indicators of the Scenario	Factors Leading to	Required Interventions
1	Good Elections, Peace Prevails	<ul style="list-style-type: none"> • Readiness by the IEBC and other institutions • Timelines met • Positive anticipation of the elections by the people 	<ul style="list-style-type: none"> • Adequate preparations by IEBC and other institutions • Expression of confidence in the institutions by the populace and the leaders • Effective and efficient management of elections and related processes • Acceptance of the elections results by all actors 	<ul style="list-style-type: none"> • Engagement of all stakeholders in the various processes
2	Good Elections, Violence Breaks out	<ul style="list-style-type: none"> • Readiness by the IEBC and other institutions • Low confidence in the institutions among the people • Failure to address disputes through stipulated channels leading to quasi judicial processes 	<ul style="list-style-type: none"> • Failure by IEBC and other institutions to cultivate public confidence • Rejection of election results and processes • Hate speech and ethnic mobilisation • Calls for violence by political actors 	<ul style="list-style-type: none"> • Cultivation of public confidence in institutions • Curtailing of hate speech and ethnic mobilisation • Speedy resolution of pre election violence and insecurity
3	Bad Elections, Peace Prevails	<ul style="list-style-type: none"> • Inability to meet elections timelines • Poor administrative performance by the IEBC staff 	<ul style="list-style-type: none"> • Poor preparations by the IEBC and other institutions • Lack of confidence in the IEBC and other institutions • Sabotage of the electoral processes 	<ul style="list-style-type: none"> • Engagement of stakeholders in the preparations for the elections • Determination by different arms of government not to

No	Scenario	Indicators of the Scenario	Factors Leading to	Required Interventions
		<ul style="list-style-type: none"> • Undemocratic practices / processes within political parties 	<ul style="list-style-type: none"> • Poor coordination between elections related institutions and actors • Apathy and a sense of helplessness • Over securitization of the electoral process where protests are violently crushed 	<p>make decisions or policies that would hinder the preparations for the elections</p> <ul style="list-style-type: none"> • Reduction of securitization of the electoral process • Non interference in the electoral process by security agencies
4	Bad Elections, Violence Breaks out	<ul style="list-style-type: none"> • Inability to meet elections timelines • Poor administrative performance by the IEBC staff • Undemocratic practices / processes within political parties • Ethnic mobilisation and hate speech • Failure by institutions to execute their mandates to enforce the laws and policies 	<ul style="list-style-type: none"> • Poor preparations by the IEBC and other institutions • Lack of confidence in the IEBC and other institutions • Sabotage of the electoral processes • Poor coordination between elections related institutions and actors • Apathy and a sense of helplessness • Over securitization of the electoral process • Mobilization of citizens to engage in violence 	<ul style="list-style-type: none"> • Engagement of stakeholders in the preparations for the elections • Determination by different arms of government not to make decisions or policies that would hinder the preparations for the elections • Reduction of securitization of the electoral process • Non interference in the electoral process by security agencies

4. Securing Elections 2017

It is very unfortunate that the country seems to be heading towards Scenarios 3 or 4 in the coming elections. This must not be allowed to continue. Every Kenyan has a responsibility to ensure that while we must affirm a robust democratic competition, the country must not be allowed to slide further in the direction of violence. Towards this, we recommend the following actions to be undertaken:

a) Message to the President

We urge His Excellency the President to take charge of the security situation in the country to ensure that all Kenyans are safe. There must also be deliberate effort to build confidence in the citizens regarding the commitment of security agencies to treat all Kenyans equally.

b) Message to IEBC

We urge the IEBC to open channels of engagement with the different stakeholders so as to keep them informed on the preparations being made. It is this engagement that will cultivate and build confidence of the public in the work of the institution. But beyond the public confidence, all steps necessary must be taken to ensure timely recruitment and training of staff so that they are ready to efficiently manage the elections.

Further, we urge the IEBC to partner with faith and civil society organisations to undertake intensive civic and voter education in readiness for the elections. We caution that the conduct of the civic education should commence immediately to make up for lost time.

c) Message to the Judiciary

While we commend the Judiciary for the preparations made to resolve elections related disputes, we urge the Judges and Magistrates to support the electoral process in the speed and decisions taken to resolve the pre election and process disputes. It is important that the Judiciary does not in any way appear to be used to derail the August 2017 Elections.

d) Message to the Media

We urge the media to make a deliberate choice to block out individuals who engage in hate speech and incitement of communities. In addition, we call for balanced and equitable

access to the media especially for the poorer and vulnerable political aspirants. The media further needs to take up the mandate of disseminating civic education so that the entire populace is fully prepared for the elections.

e) Message to all Kenyans

We urge all Kenyans to always keep in mind that Kenya is the only country we have, and we must not allow ourselves or anyone else to destroy it. We therefore have a responsibility to elect leaders who have integrity and have a good vision for the country. It should be a resolve by every Kenyan that we corporately refuse to elect individuals who attempt to incite us to engage in violence against other communities or undermine our national values.

5. Our Commitment

On our part as the Multi Sectoral Forum, we have committed to undertake the following:

a) Establish Working Groups to Engage in the Electoral Process

The MSF, through its Dialogue Reference Group, will establish three key working groups to engage in the electoral process. These groups are:

One, Elections Technical Working Group, which will support the fast tracking of the resolution of technology related legal, policy and strategic gaps in the electoral process

Two, County Electoral Support Forums that will extend the engagement towards peaceful, credible, free and fair elections to the county level

Three, Mediation and Dialogue Working Group, which will undertake mediation to support dialogue between political and other actors to ensure sobriety and accountability prevail.

b) Advocate for and engage in Civic and Voter Education

The partners of this Multi Sectoral Forum have committed to use their own infrastructure and partner with other institutions to undertake nationwide civic and voter education. This crucial undertaking is to ensure that Kenyans are ready to have an informed engagement in the electoral process. We urge other non state actors and partners to support this venture.

c) Support deployment and coordination of elections observers

The partners of this Multi Sectoral Forum have committed to use our own infrastructure to the greatest extent possible to mobilise and deploy elections observers across the country. We recognize that credible local elections monitoring and observation is important for the process to be independently confirmed to be credible. We urge other non state actors and partners to invest heavily in this venture.

d) State of the Electoral Process Consultations

The Multi Sectoral Forum, through its Dialogue Reference Group, will endeavour to hold bi-weekly consultations to review the state of the electoral process and will regularly advise the nation of the concerns, insights and recommendations generated. We urge all our people on the ground to constantly provide feedback and reports on their observations so as to enable the DRG make informed decisions and recommendations.

6. Conclusion

This Multi Sectoral Forum commends all Kenyans for their commitment to peace and democratic processes. Let us all be constantly committed to the prayer we make through our National Anthem:

O God of all creation, bless this our land and nation

Justice be our shield and defender







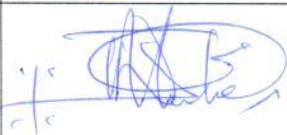
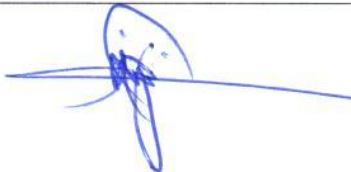
May we dwell in unity, peace and liberty

Plenty be found within our borders

Let us be committed to Secure Elections 2017 by embracing processes that will ensure the elections are peaceful, credible, free and fair.

May God bless Kenya always.

Signed on this 23rd day of March 2017 at Ufungamano House by:

Institution	Name	Signature
Evangelical Alliance of Kenya	REV. CONNIE W. KIVUTI	
Hindu Council of Kenya	Kamla Falanu Hek	
Kenya Conference of Catholic Bishops		
National Council of Churches of Kenya	Rev Canon Peter Karanja	
National Muslim Leaders Forum	Al-Hajj Hussien M. K. Muriage	
Organisation of African Instituted Churches	Rev. Fr. Joseph Mutie	
Seventh Day Adventist	Pr. Dr. ALFRED G. MARUNDU	
Supreme Council of Kenya Muslims	Abdalla Kamwara	