

Mass Voter Registration; the Election before the Election?



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A Weekly Report on Kenya's Electoral System and its Preparedness for 2017 elections.



International Policy Group

What is Ground Zero

Ground Zero is an IPG Program under the Community Based Organizations (CBO) Caucus on Politics and Elections. IPG has brought together CBOs from around Kenya that focus on community civic engagement. Kenya faces a crucial general election in August 2017. The competitive nature of the election both at the national and local level and the contest around the electoral system necessitate diligence and action. The caucus works at monitoring the politics and electoral systems right from the local to the national level. Weekly and monthly reports are published that urge necessary action by specific actors required to consolidate the electoral process and to ensure the election and its outcomes is peaceful, free and fair.

Ground Zero

Mass Voter Registration: the Election before the Election?

©International Policy Group
P. O. Box 14670 00400 Nairobi
0722217602
media@ipgjustice.org
www.policy-group.org



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EXECUTIVE SUMMARY

The characterization of the Mass Voter Registration (MVR) process as the Election before the Election is regrettable and endangers an already fragile electoral system. The mass voter registration phase two commenced on 16th January, 2017 countrywide. The purpose of the process being conducted by the Independent Electoral and Boundaries Commission (IEBC) is to register six million new voters adding to the existing 15.9 million voters. This has however been shadowed by the unfortunate race for the most voters on the register by the competing political formations that are keen to claim victory at the end of the process through demonstration of a “tyranny of numbers” in the voters register.

This process is the precursor to the 8th August 2017 General Elections. The outcomes of this process will have implications on the credibility of the IEBC, strategic planning of all political parties and the penultimate August General Elections. Therefore, it is no surprise although regrettable that the IEBC CEO raised the clarion call by declaring that electoral victory will be clenched at the mass voter registration. Pursuant to this, the Orange Democratic Movement (ODM) leader Raila Odinga, marshaled his lieutenants to ensure that people register in earnest because this, he said, was the only of ensuring victory.

Resultantly, political parties through their leaders have adopted varied strategies in ensuring that people register in large volumes some which are patently unlawful. For example, in Nyeri, local MP Esther Murugi urged women to deny their husbands conjugal rights unless they showed proof of registration. While in Vihiga County, the Governor Moses Akaranga said that residents who do not have voter cards will not be served at the offices of the county government. In other parts of the countries, owners of establishments have been told to deny their patrons services unless they adduce proof of being a registered voter. These emerging patterns of the use of undue influence and the use of force in registration of voters already points to a violation of one’s freedom of choice and a subsequent tacit condoning of voter intimidation that set a dangerous precedent come the August 2017 General Elections.

Beyond this, the IEBC has already had to contend with the limitations of the use of technology in certain aspects of the electoral process through the time based criterion for the geographical distribution of BVR kits. This is being occasioned by the limited availability of BVR kits. As a result, this brings the whole process vis-à-vis the principle of universality required of electoral systems into sharp focus. Already, the limited technology capacity in the registration process has exposed the frailties’ of technology and its inadvertent role in disenfranchising potential voters before the first ballot is cast.

The IEBC idea of limiting the process of transfer of polling centers to the IEBC constituency offices instead of registration centers is also a huge abrogation of people’s right to vote since

it limits this right through a restrictive administrative process. This restriction is unfair as it flies against the reasonable access that is required for a potential voter to exercise their right to move their vote to a place of their best convenience. It also makes it virtually impossible to transfer polling centers as it comes at a great cost to the voter.

Additionally, the lack of a comprehensive and official monitoring system with independent observers to oversee the mass voter registration is peculiar and exposes the whole process to existential risks of voter intimidation, registry manipulation and voter importation. The lack of the aforementioned system to create accountability and legitimize the capacity of the IEBC to undertake the upcoming General Elections leaves a loophole for political parties to politicize both before and after the August elections.

This is only compounded by the fact that there is no electoral commission in place to buttress the on-going mass voter registration. The incoming commission that is expected to handle the upcoming fragile elections has been the subject of fractious vetting process imbued with grandstanding. As a result, they face a credibility crisis in the public space even before they assume office.

Lastly, the specter of electoral violence has been insidious. There have been allegations of political entities amassing and arming groups with weapons in various parts of the country a casing point of this being in the Coast province. Additionally, political aspirant's remarks over the past one year have been politically incorrect and borderline in their dalliance with inter-ethnic violence. The country is on a hair-trigger even as the mass voter registration continues and the penultimate August elections approach. Therefore, there is an imperative need for the IEBC to clamp down on electoral malpractice and violence incitement without favor or fear thereby ensuring the rule of law.

Recommendations

- The IEBC and political class should desist from characterizing the Mass voter Registration process in the light of an Election before an Election. It compromises the credibility of an already fragile electoral process in the possibility of a false claim of victory after the process. Victors will be determined at the ballot.
- Political parties, politicians and other actors in the registration process should stop the voter intimidation through the use of undue influence and force to have people register as voters. The use of registration as an access to basic services is unlawful.
- The IEBC must device better criteria for the distribution of registration kits. The geographical and time based criteria in place at the moment disenfranchises people in both place and time

and fails the universality principle required of elections since it will deny some people the right to vote.

- The IEBC must open the process of transfer of voters to every registration centre as opposed to the limitation of the service to the constituency office. This limitation will disenfranchise a lot of people who would like to make this change and cannot access the constituency office unless at a cost to them.
- Civil Society should take a keen interest in monitoring the registration process in a fair and non partisan manner to offer the country objective analysis of the process as it is now wholly under the ambit of political manouvre.
- The security services should move in to deescalate the tensions at the coast that are already creating a polarized atmosphere that will adversely affect the electoral process come August 2017.

LIST OF ACRONYMS

BVR	Biometric Voter Registration
CA	Communication Authority of Kenya
ICC	International Criminal Court
IEBC	Independent Electoral and boundaries Commission
MVR	Mass Voter registration
NCIC	National Cohesion and Integration Commission
ODM	Orange Democratic Movement
TUCK	Trade Unions Congress of Kenya
WDM	Wiper Democratic Movement

1. INTRODUCTION

The IEBC CEO Ezra Chiloba while appearing on Citizen TV on Sunday 15th January said that elections are won at the voter registration phase. Raila Odinga was of the same view, a view generally accepted across the board. It is a political view rather than an adroit electoral processes view since elections are only won at the ballot. Many things can change between registration and elections. The effect of this has been to create a false sense of permanence in the current political alignments and to raise the stakes during registration such that voter registration is gaining a false premium. Voter registration is already being used to manipulate and intimidate voters through the restriction of access to certain services and public goods in clear contravention of laws and limiting the enjoyment of certain human rights.

The IEBC seeks to register 6 million new voters in the exercise that kicked off on 16th January 2017. The target is to be met by the end of the second phase of the Mass Voter Registration (MVR). IEBC CEO, Ezra Chiloba, said that the listing is targeting between four and six million voters who are among the nine million Kenyans who hold Identity cards but are not registered according to the National Registration Bureau.

The CEO also said that the MVR (2) would be the last phase of registration before the General Elections. Mr. Chiloba added that the commission has 16 million voters currently and the figure is 6 million voters below the commission's projections in its strategic plan launched in July 2015. The CEO also said that the registration schedule of various centers is available at the commissions exercise. 7793 BVR kits will be deployed based on the County Assembly ward size. One kit will be used at one registration center at a time. The kit movement schedule will be made available in the wards according to the CEO. He also said that 2900 voter educators have been deployed in the County Assembly wards. The larger a geographical area is, the more the kits.

Registration centers and registration officials were gazetted by 13th January 2017 according to the commission. More so, about 300 registration centers will be amended in terms of names and/or location. Enhanced voter education and outreach programmes, including media campaigns, were expected to commence on 12th January 2017.

IEBC CEO, Ezra Chiloba, said that the IEBC will use 7793 BVR kits up from 5776 kits that were used in the previous mass registrations exercises. Chiloba was speaking at a consultative meeting with Media practitioners at Safari Club, Nairobi on 10th January 2017.

II. MASS VOTER REGISTRATION PHASE TWO

This distribution of kits by the IEBC already exposes the limitation of technology in electoral systems that are not completely well thought through as is the case in Kenya. The provision of kits at registration centers is determined by both space and time; geographical area and number of days in the registration period. Due to the limited kits available, not all centers will be provided with kits full time meaning some people will be disenfranchised.

The provision to some centers early during the registration period and to others towards the end inevitably favours those that will receive the kits towards the end because of the public's last minute nature as observed over previous registration processes. It means a lot of people will have to travel far out of their nearest centers to register or will likely not register at all. The process fails the universality principle required of electoral systems and processes.

Mr. Chiloba dispelled fears that Jubilee strongholds had been allocated more kits than Opposition areas. He also added that over 15,000 personnel: 290 registration officers, 290 assistant registration officers, 1775 voter registration assistants, 580 ICT support assistants and 15,286 clerks will register voters. IEBC has also deployed two ICT support assistants per constituency to deal with any technological hitches.

The commission promised to share updates on the registration each week. One is also allowed to register anywhere in the constituency they will vote. A kit is expected to be in a registration center for a minimum of 10 days while it will take a maximum of 30 days in a registration center. The CEO urged Kenyans to be part of the exercise by spreading the word on voter registration.

1. Challenges in Registration Process

On 10th January 2017, the IEBC met members from various political parties in discussing the Ways of conducting the voter registration campaign. "The key issues addressed by the meeting include distribution of Biometric Voter Registration kits, voter education and election timelines. IEBC informed participants that registered voters who wish to transfer their polling station will now make such applications from IEBC constituency offices," said the commissions' communication manager Andrew Limo. Mr. Limo said that the decision was reached at after 700,000 registered voters applied for polling stations transfers in the previous mass voter registration conducted in February and March of last year. (2016) .

The IEBC idea of limiting the process of transfer of polling centers to the IEBC constituency offices instead of registration centers is a huge abrogation of people's right to vote since it limits this right through a restrictive administrative process. This restriction is unfair as it flies against the reasonable access that is required for a potential voter to exercise their right to move their

vote to a place of their best convenience. It also makes it virtually impossible to transfer polling centers as it comes at a great cost to the voter. The last Mass Registration Process had a request of 700,000 transfers. The current process could very well have the same number if not more and will therefore potentially deny over a million people easy access to a polling centre thereby limiting turnout at the general election.

IEBC is likely to also face many challenges in the registration exercise because a number of equipment is faulty. 8,000 biometric voter registration (BVR) kits are faulty as revealed by the commission's CEO. The commission has said that lack of adequate personnel and inadequate BVR kits will interfere with the exercise. The commission has noted that the movement schedules for the BVR kits will be shared so that all eligible voters will get a chance to register.

2. Importation of voters

With the last mass voter registration exercise that begun on 16th January 2017, the IEBC officials are keenly watching areas notorious for voter importation. Importation of voters can tilt the balance in the August elections especially at the local level. Among the areas identified by the IEBC where the practice will be pronounced are Murang'a, Kiambu, Meru, Kajiado, Narok, Bomet, Nairobi, Busia, Bungoma, Siaya, Machakos and Kakamega counties.

IEBC also has concerns that some of the politicians in Isiolo and Marsabit counties could be planning to move voters. On 14th January 2017, IEBC CEO warned Kenyans of politicians who were out to misuse them for their selfish motives .

iii. OTHER IEBC ACTIVITIES

1. Resignation of Public Officers

The IEBC has called for resignation of public officers who wish to participate in the August 2017 elections. In a notice in the dailies dated 12th January 2017, IEBC has said that the public officers should resign from their positions on or before 7th February 2017. This is with the exception of the President, Deputy President, Members of Parliament, County Governors, Deputy County Governors and Members of the County Assembly.

This is in accordance with the provisions of Section 43 (5) of the Elections Act. It provides that: “(5) A public officer who intends to contest an election under this Act shall resign from public office at least six months before the date of the election”.

The notice also prohibits Public Officers and State Officers on use of public resources for campaigns. Section 15 of the Election Offences ACT, 2016 and Section 23 of the Leadership and Integrity Act prohibits participation by such officers in politics by participating in the activities of any political party or candidate for elections or acting as an agent of a political party or a candidate in the election; or publicly indicating support for or opposition against any party, side or candidate participating in an election.

The candidates who contravene the rules face the risk of being barred from contesting in the elections. “Candidates who knowingly aid in the contravention of this shall not be eligible to contest in the election,” warns the IEBC .

2. Building Legitimacy for the Electoral Process

IEBC CEO has said that the country is set for failure if politicians fail to rally legitimacy for the fragile electoral process. He blamed politicians for the current mistrust of the Kenyan electoral process. Mr.Chiloba was addressing graduates of the Presidential Digital Talent Programme at the Kenya School of Government on 14th January 2017 when he made the remarks.

He was making a presentation on ‘National Elections Case Study’. Mr.Chiloba said majority of the politicians were scared of systems which will give credible election results. He was also in defense of the election law passed by Parliament. He said that the law does not advocate for a manual system like most Kenyans believe. “The law doesn’t say we go manual. The term manual is political and journalistic. But we are thinking of a procedure that will ensure your vote matters,” Chiloba said.

iv. IEBC NOMINEES FOR CHAIRMAN & COMMISSIONERS

It is clear from the President's appointed nominees for chairman and commissioners to the IEBC that they understand the fragility of the electoral process. Commentators have come about to disparage the appointees as the best of the worst meaning the new commissioners will come into office facing a credibility deficit. The fact that none of them has had a public profile with credible notoriety means that they will be viewed from a distance while being required to prove themselves to the public. The new commissioners face an ambivalent public where they will require putting their best forward to win public trust in the short time before the August elections.

The vetting of nominees to the electoral commission positions began on 10th January 2017. The first to face the National Assembly's Justice and Legal Affairs Committee was Wafula Chebukati. During the process, Wafula promised to clean up the agency to ensure credibility in future elections. He also said that he would seek to end the violence which normally follows elections by ensuring that every vote will count.

Mr. Boya Molu, Ms. Consolata NkathaBucha and Dr. Roselyne Kwamboka were also vetted on 10th January 2017. Dr. Roselyne impressed the MPs with her wide experience in electoral matters on the continent and beyond. Mr. Molu said he would bring his human resource skills to the commission. Ms. Nkatha said she would rebuild trust in IEBC by ensuring free and credible elections.

On 11th January 2017, Dr. Paul Kurgat, Ms. Margaret Wanjala and Prof Abdi Guliye appeared before the commission. Dr. Kurgat told the committee that the politicians who preach violence should be banned from contesting for two terms. He also said that measures should be put in place to address issues which trigger election violence such as unfair distribution of resources, issuance of title deeds and boundary rows. Ms. Wanjala emphasized on the need of voter education in boosting areas that have recorded low turnout. Prof Guliye said that he supported a fully electronic electoral process. He also added that a backup should be the last consideration. Guliye also suggested a continuous voter registration exercise.

The new electoral commission is expected to assume office from this week and take over the voter registration exercise. The National Assembly Justice and Legal Affairs Committee met on 13th January 2017 to compile a report after the conclusion of the vetting exercise. On 17th January 2017, the committee will table the report during a special sitting by the National Assembly .

V. OBSTRUCTION OF ELECTORAL LAWS

In keeping with the strategy of the electoral process as the ultimate battleground in the coming election, the fragile process continues to face obstruction, interference and sabotage.

On 8th Jan 2017, Senator MutulaKilonzoJr said that the Opposition would take the poll laws to court. The opposition leaders had been putting pressure on the president not to assent the bill. Mr. Mutula referred to the contested amendments as recipe for chaos before and after the General Elections. The Cord legislators accused their Jubilee counterparts for making use of their numbers in parliament when passing legislations which limit Senate powers. According to Senator MutulaKilonzoJr, the Election Laws (Amendment) Bill that passed without any amendments will reduce the powers of the senators significantly.

Mr. Mutula was speaking at Nduu Primary School in Makueni County where he expressed his sentiments regarding the Election Laws (Amendment). Mr. Mutula also said that they missed the opportunity and that it was a special Bill under the Constitution. He criticized the Jubilee senators for passing the Bill. He said that the Jubilee legislators were blinded by Party politics in the voting process. He also added that he hoped the court would reverse the laws because if the country goes to elections with the amendments the country is likely to experience violence. On 9th January 2017, President Uhuru Kenyatta signed the amendments to the electoral laws. The amendments allow the electoral commission to have a complimentary mechanism in case there is a failure of the electronic system of voter identification and transmission of results. The Opposition leader Raila Odinga has described that as a move to allow dead voters to cast votes. Cord legislators have also accused Jubilee terming the move as a preparation for rigging the August 2017 General Elections. On the other hand, the Jubilee legislators claimed that it was wise to have a backup since the electronic system is prone to failures .

The opposition leaders had threatened to start mass action if the election laws were signed. The leaders argued that it was the responsibility of the Joint select parliamentary committee to make any changes (if need be) since it is the committee that came up with the laws. However, the Jubilee legislators said the committee was no longer in existence.

Cord senators criticized the President on signing the electoral laws. They accused him of forgetting his role as a national symbol as he engaged in partisan politics. The Opposition leaders claimed that some of their leaders are outside Parliament and they should have been consulted. Addressing a news conference at Nairobi on 10th January 2017, they accused the president of intolerance to divergent views. "The president should have paused to listen to the divergent views with an aim of striking a compromise where everybody emerges a winner," said Senator MutulaKilonzo Jr.

Senate Minority Leader Moses Wetang'ula also noted that the recommendations given by the governors, religious leaders, civil society, and the business community were ignored. The main concern of the Opposition on the amendments made is the provision which introduces a complementary system for identification of voters and results transmission in the event the electronic system fails.

Nevertheless, Senate Majority Leader Kithure Kindiki said that Cord must learn to accept the decisions that are arrived at through institutions of democracy. "Our friends in the Opposition must stop threatening Kenyans with violence every time they do not get their way," he said. Bishop Abraham Macharia, the secretary-general of the Akorino religious group praised the president for assenting to the bill as he said the law would assure credibility of the elections since no machine is fully effective. He also urged politicians to refrain from creating ethnic tensions through the electoral laws.

vi. JUDICIARY'S PREPARATION ON THE ELECTIONS

Even as the Judiciary prepares itself to listen to petitions that will arise out of the August elections, there is fear that certain sections of the political class will not subject themselves to the court process should they have grievances and will most probably call for mass action.

The Kenyan Judiciary is preparing to play its role in resolving any petitions and disputes which may arise from the August 2017 General Election. On 13th January 2017, Chief Justice David Maraga reiterated the commitment of the Judiciary to diligently and expeditiously deal with electoral disputes in a move of safeguarding the country's electoral process. The CJ was speaking when he chaired his first full sitting of the Judicial Service Commission (JSC) this year.

The Chief Justice further requested Kenyans to promote and respect the Judiciary's independence in resolving disputes. He also added that the Judiciary is the custodian of the law and hence it is bound in guiding the country towards a peaceful, orderly and credible elections .

More so the JSC Secretary and Chief Registrar of the Judiciary, Anne Amadi, expressed outrage over the public lynching of judges or magistrates for their decisions. This was in reference to the National Assembly Majority Leader Aden Duale's remarks on Judge Odunga over a court matter he handled in December 2016. The Judiciary Service Commission also discussed instances of disobedience to courts and warned against irresponsible exercise of power since it may undermine the public confidence.

vii. COMMUNICATION AUTHORITY OF KENYA (CA) PLAN ON THE ELECTIONS

Since S.K Macharia appeared before Senate and said he would set up a parallel tallying centre to that of the IEBC, the media and its role in the August elections has come into focus.

Communication Authority of Kenya (CA) has made it clear that it will monitor airwaves in Kenya in connection to the August elections. CA will be monitoring the media to ensure reporting is fair and balanced during the campaign and election period. "As the country approaches the general election in 2017, the Communications Authority of Kenya wishes to remind broadcasters of the regulatory provisions governing the responsible use of broadcasting platforms," NgeneGituku the CA chairman said.

He also said that they expected the media to be above board. He urged Media owners and journalists who have a political stand to de-link from the operations of the media house. Despite the constitutional right to freedom of expression, the CA cited exceptions which outlaw spreading propaganda for war, inciting violence and spread of hate speech.

Francis Wangusi, the Director General of CA, said that CA will set the time and the manner in which broadcasters will air political news and programmes, in accordance with the Kenya Information and Communications (Broadcasting) Regulations, 2009. The regulations provide a guideline for the polling period which covers when national general elections are held, election campaigns, the post-election and referendum periods. "It is clear from the Code that radio and television broadcasters have an obligation to serve the public interest at all times. This includes provision of equitable coverage and opportunities to registered political parties participating in an election," Wangusi said.

He also warned of revocation of broadcast licenses and broadcast frequencies for those who violate the guidelines. "This is not only a legal requirement but also the public responsibility of the media to uphold the democratic principles of our nation, particularly during the election period," Wangusi said.

CA will also monitor social media sites to ensure that they are safe. The Director General said that the authority has invested 600 million Kenya shillings in a social media monitoring system. He also said that the authority was on the look-out for Kenyans in the diaspora spreading hate speech through social media .

viii. GOVERNMENT & CIVIL SOCIETY GROUPS

Some Civil Society groups are currently entangled in a regulatory process with the state through the NGOs Registration & Coordination Bureau headed by CEO Fazul Mohammed. The government has made claims of foreign interference in the elections mainly through civil society organizations.

During his Jamuhuri Day speech, President Uhuru Kenyatta called out foreign funded activities meant to influence the outcome of the electoral process. Shortly after, there was a regulatory audit on the International Foundation for Electoral Systems (IFES) and the Kenya Human Rights Commission (KHRC).

According to George Kegoro, Executive Director of KHRC the audit is a manifestation of rising intolerance between the two and can be viewed as evidence of fear on the part of the political establishment. He also argues that the conflict signals that whatever the outcome of the election, Jubilee does not intend to give up power any time soon .

On an article on the Sunday Nation Newspaper, Prof Karuti Kanyinga says that NGOs and other civil society groups advocate for specific policies and hence this brings them to a conflict with the government. "They conflict with the government because of doing what the government ought to do; and doing what the government may not want them to do," Prof Karuti said .

A new regulatory dispensation under CEO Fazul Mohamed has rattled the civil society space that has before now enjoyed space unfettered by regulatory control.

ix. POLITICAL PARTY ELECTION ACTIVITIES

The race for party tickets under a new laws that bar party hopping after the close of party nominations is creating tension, uncertainty and fear that the party nominations process will likely turn violent under the stiff competition expected. The race to recruit as many people as possible into the voters register also took center stage as all major parties organized themselves around the process.

1. Party Nominations

Senator Mutula Kilonzo Jr said that the Wiper Party will hold free and fair party nominations. While speaking at Nduu Primary School in Makueni County on 8th January 2017, he said that the Party tickets would go to popular candidates and none of them would be issued in the streets and market places.

The senator was referring to previous allegations that there was planned preference during the party nominations that were raised by Mr. Joshua Kimilu, an aspirant for Kaiti parliamentary seat. Mr. Kimilu had expressed concerns that some of his rivals had begun bragging that they had the Wiper Party ticket before the preliminaries were even conducted. Nevertheless, Mr. Mutula urged the candidates that wished to get the Wiper Party tickets to popularize themselves before the party nominations are conducted.

A number of political parties are facing a crisis in the development of clean registers that will be used in the party nominations. The ODM and Jubilee parties have started fresh digital registration of their members. President Uhuru Kenyatta unveiled smart card registration for Jubilee on 13th January 2017.

On 8th January 2017, the IEBC made it clear that only members of political parties would be allowed to participate in the party primaries in the accordance with the law. The IEBC CEO, Ezra Chiloba, said that they expected political parties to come up with clean registers that can be verifiable and reliable to be used in clearing their members to participate in the party nominations. Mr. Chiloba also added that it was the mandate of the Registrar of Political Parties to ensure that parties had authentic registers that could stand any tests.

Senator Kiraitu Murungi noted that it was significant for all political parties to register their members as it would help nurture democracy and save them from infiltration where people who did not belong to certain parties gatecrash into their nominations. More so, John Mbadi, the ODM chairman admitted that the exercise is facing a number of challenges and he also noted that most of the unregistered party members may not be reached.

The Registrar of Political parties, Ms. Lucy Ndung'u said that several Kenyans are not registered as political party members and they would face difficulties exercising their rights in choosing leaders even at the nomination level .

2. Voter Registration or Voter Intimidation?

Voter registration has become the main political party and politicians' activity across the country for the time being. Some of the means being used are outrightly illegal and coercive and fall within Sec 10 & 11 of the Election Offences Act 2016 for the offenses of Undue Influence and The use of Force during elections. The heightened use of the voters' registration acknowledgement card as a qualifier of access to services is not only illegal but limits the exercise of rights guaranteed in the constitution. It is classic voter intimidation and needs to come to a stop as it may well push certain people to completely shun the process.

Political leaders and stakeholders have come up with various mechanisms of pushing Kenyans to register. In Vihiga County, the governor Moses Akaranga said that residents who did not have voter cards will not be served at the offices of the county government. "I have directed my officers to first check your registration status before attending to you," said the governor.

In Murang'a County, residents will not be allowed to enjoy alcoholic drinks without a voter's card. The chairman of the business owners' association, James Waweru, said that they wanted to be active in the process of voter registration. "Just like you cannot drive without a driving license, then you cannot drink without a voter's card, hakunastarehebilakura (no entertainment without a voter's card)" Waweru said.

Additionally, the Coast Parliamentary Group wants the voter registration exercise to be conducted at weddings, funerals and palm wine drinking locations. Gunga Mwinga, the group's chairman said that the move would be beneficial to the IEBC as it will help capture more voters .

3. NASA Unveiled

The launch of NASA on a platform that claimed that the 2013 elections were rigged and the 2017 elections will similarly be rigged with devastating consequences was a clear demonstration of the use of the electoral process as the battleground on which they intend to win the August elections.

On 11th January 2017 Opposition leaders unveiled the much hyped National Super Alliance (NASA) at the Bomas of Kenya. They promised to stick together with the goal of unseating Jubilee from power in the forthcoming General elections. ODM's Raila Odinga, Wiper's Kalonzo Musyoka, Ford Kenya's Moses Wetang'ula and ANC'S Musalia Mudavadi. They signed a memorandum to seal the unity deal. Kanu Secretary General Nick Salat was also part of the memorandum.

During the meeting the leaders called for mass voter registration during the last phase of registration ahead of the elections in August. The Opposition also suspended the planned mass

protests to allow their supporters to register in large numbers as the voter registration exercise runs for one month. According to Raila, the meeting was not planned to call for the mass protests. "That remains on our radar but not in the next 30 day," said Raila .

"But we can only vote if we register. The last time the IEBC enlisted people before elections in 2013, it went all out to deny our people the chance to register by deploying fewer kits in perceived CORD areas than in Jubilee strongholds," said Mr. Raila. Raila said that with the beginning of the final registration exercise, Cord supporters must respond in a way that is commensurate with the stakes at hand.

Mr. Odinga said that they needed to execute four steps to successfully defeat Jubilee. Firstly, making sure that all eligible voters are registered second was getting their people to take keen interest in the compilation of the voter register, thirdly, making sure on the Election Day people will vote and lastly protecting the vote. He assured the people that they were up to task in protecting the vote. "I wish to urge all Opposition supporters to discard the fears that Jubilee will steal the August elections. Yes Jubilee will try to steal the elections. But we are also sending word to Jubilee again that the cost of stealing the election will be regrettable. Don't try it," Raila said.

Raila emphasized on voter registration in his speech where he noted that there are identity cards that need to be collected so that there people would register. He also said that there was need to monitor the exercise. "Where there are impediments to registration like the absence of kits and unnecessary registration kits and unnecessary registration requirements, these must be recorded and communicated in real time," he said.

On the nomination exercise, Raila pledged that everyone would be given a fair chance for all the positions. He said the exercise would be free, fair and transparent. In the meeting, Mr. Mudavadi and Mr. Wetang'ula declared that they were willing to work together as Western Kenya leaders. Mr. Kalonzo said he was willing to sacrifice his presidential ambition in warranting that the Opposition would capture power from Jubilee.

4. Jubilee Party Activities

Jubilee Party on its part launched a party members registration drive at the SafaricomKasarani stadium. The president launched a 5 million member recruitment drive. He asked the Jubilee Party aspirants to lead the recruitment and voter registration. President Kenyatta and DP Ruto emphasized on the need of voter registration in the exercise set to begin on 16th January 2017. They also asked their supporters to register as members of the Jubilee Party.

The president disbanded the 63 member campaign election team in a move to suppress claims of bias in the Jubilee Party nominations. They also emphasized that Jubilee's government survival is based on how the unregistered voters in their regions would respond to the Mass Voter Registration exercise.

The president also promised to reward areas that will register the highest number of voters in a move to get the maximum number of voters registered in the Jubilee strongholds. Uhuru asked the Jubilee Party aspirants to put aside their difference since that may cost the party. “Of what help will it be you if you fight each other so fiercely then you lose and even make all of us to lose?” said the president.

The President also cited that the Party nominations will be free, fair and transparent. “We promise free, fair and transparent nominations. The will of the Jubilee membership will determine who will hold what position.” “ ..We are members of a party called Jubilee and we are going out there to register members,” Uhuru said.

Before the President arrived, the DP made clear that the Party was disbanding the earlier formed Presidential Campaign team which had been unveiled at the Bomas of Kenya in November 2016. DP Ruto said that all aspirants were now part of the Presidential campaign team. “Every aspirant is to now join presidential campaigns team. And when they go out to ask for their votes, they are also asking for the President’s re-election,” said Ruto.

Senate Majority Leader KithureKindiki explained why the Jubilee leaders backed the electoral laws amendments that called for a complimentary system in voter registration and transmission of results. “The launch of this smartcard shows that we believe in technology,” said the senator. National Assembly Majority Leader Aden Duale said that the party (Jubilee) had grown stronger and that they expected to win the elections in large numbers.

The meeting was concluded with the launch of Jubilee Party smartcard. The card has a unique bar code which will capture the details of the members with only those who have it allowed to vote during the nomination exercise. The barcode will be scanned during the nominations to establish the authenticity of membership and the card .

x. ELECTION/ CAMPAIGN VIOLENCE

There is growing anxiety in the coast region that the business and political rivalries present a great danger to the peace of the August elections. The spectre of certain groups arming themselves has become apparent and was the cause of the biggest rift at the coast this week.

1. Tension at the Coast

The growing tension between Mombasa Governor Ali Hassan Joho and the Coast regional Coordinator Nelson Marwa erupted again after the government ordered for the withdrawal of the security detail of the governor and his Kilifi counterpart Amason Kingi. Security officers drawn mainly from the General Service Unit (GSU) were ordered to report to their stations. After the withdrawal of the security, a memo was released from the police headquarters warning officers and vehicles against escorting and clearing roads for county government officials.

Nelson Marwa addressed Joho days later after the security withdrawal at a press conference. Marwa said that only drug dealers required more than one gun. “Go challenge me in ICC if you feel offended, we can’t have fools walking around with guns, if you are not a cocaine dealer why are you afraid, overprotecting yourself? Marwa posed.

“I’m not contesting against Joho, we cannot have two uniformed centers of power unless we are running a banana republic. There is nothing special with Joho, standard procedures must be followed and his bodyguards shall be reduced to five. All illicit guns must be surrendered. Why should one family be walking all over with guns? Why then not come together and call yourselves military barracks?” said Marwa. Marwa also told Joho to withdraw his traffic marshals from manning roads in Mombasa saying a legitimate government can’t be issued with threats.

ODM demanded reinstatement of the governors’ security saying that it was illegal and that it has become an annual event during the Jubilee regime. On 8th January 2017 the Council of Governors and the ODM party had said they would move to court so as to compel the government to reinstate the security detail of the governors.

State House spokesman Manoh Esipisu said that the withdrawal of the governors’ security was not political. He said it was part of a reorganization of security agencies in the coast region. Mr. Esipisu also said such a move was normal. During the Nasa meeting Governor Joho said that he did not require the Jubilee security detail and that he was better off without them.

On 13th January 2017, Joho spent around seven hours at the Coast police Provincial headquarters. Joho had gone to inquire the fate of a close friend who had been arrested earlier in the day after a raid of his house. Joho was accompanied by some local leaders. However, the Coast DCI said that the governor was not arrested .

2. Kalonzo Calls on the ICC

Wiper leader Kalonzo Musyoka threatened to write to the International Criminal Court in reference to the alleged remarks by Mr. Aden Duale. An audio that has since been denied has been circulating on social media that is said to be Duale's voice. Kalonzo said that if Duale was not taken to court Cord would write to ICCC notifying the prosecutor that if the atrocities occur in Garissa, Duale will have committed an offence under International law. Conversely, Mr. Duale has repudiated the allegations and he even recorded a statement with the police as he blamed his opponents for creating the audio. Mr. Kalonzo said that it is easy to match voices and authenticate them and hence Duale should not blame his political competitors.

The council of imams and preachers requested the IEBC to make investigations on the claims of the alleged voter importation to Dujis constituency, Sheikh Hassan Omar said that all those found culpable should face deregistration and be penalized for involvement in electoral malpractice. He also added that Duale would not bring forth such claims without enough evidence to support such claims .

xi. CONCLUSION

The electoral process is still fragile and requires all actors to move in and consolidate the process. The needless political characterization of the MVR as the election before the election does not augur well with the process of consolidating the electoral process. There is only six months left for this process. Kenyans must come out to demand that the electoral system is given the support it requires to conduct a credible election. This message must be Kenya's loudest call in the next few months until all politicians get behind the process as they prepare to vote on August 8th 2017.

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