



**THE EAST AFRICAN COMMUNITY ELECTION OBSERVER MISSION
TO THE 9TH AUGUST 2022 GENERAL ELECTIONS IN THE
REPUBLIC OF KENYA**

PRELIMINARY REPORT OF THE OBSERVATION MISSION

**Excellencies Heads of International Election Observation Missions,
EAC Ambassadors and High Commissioners,
EAC Observers,
Invited Guests,
International Observers,
Members of the Press,
Ladies and Gentlemen,**

Upon the invitation of the Independent Electoral and Boundaries Commission (IEBC) of the Republic of Kenya, the Secretary General of the East African Community Hon. Peter Mathuki constituted the East African Community Election Observation Mission to the 2022 Kenya General Election.

Let me hasten to say that Election observation is one of the fundamental principles of promoting good governance and democracy in the Community as per EAC Principles for Election Observation and Valuation of 2012.

This EAC Election Observation Mission comprises 43 East Africans under the leadership of H.E. Dr. Jakaya Mrisho Kikwete, former President of the United Republic of Tanzania. Hon. Ambassador Fatuma Ntangiza, Chairperson of the Regional Affairs and Conflict Resolution Committee of the East African Legislative Assembly, was appointed Deputy leader of the Mission.

The members of the Mission were drawn from the East African Legislative Assembly, National Assemblies, Government Ministries, Electoral Management Bodies, National Youth Councils, National Human Rights Institutions, Civil Society Organisations and EAC Youth Ambassadors. In constituting the mission, the Secretary General is guided by the principle that no national of the country holding the election will be a member of that Mission. It follows therefore that our brothers and sisters of Kenya are not members of this mission.

Ladies and Gentlemen,

The deployment of this Mission was preceded by an AU, EAC and COMESA Joint High-Level Pre-Election Consultative Mission from 14th to 21st May, 2022. Later, from 25th June to 25th July, 2022, a Joint Political Assessment Mission with members from the AU, EAC, COMESA and IGAD conducted an assessment of conflict prevention and mitigation of risk factors to be taken into account during this year's elections in Kenya.

Members of the East African Election Observation Mission were deployed in 16 Teams in 27 Counties in the following administrative regions: Nairobi region, Central region, Nyanza region, Eastern region, Western region, Rift Valley and Coastal region. On polling day, they were able to observe elections in 218 polling stations.

Before deployment, the Mission undertook consultations with stakeholders including, the Chairman of the IEBC, Mr Wafula Chebukati and IEBC



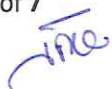
Commissioners, the Chief Justice, Her Ladyship Justice Martha Koome, the Cabinet Secretary for Interior Hon. Dr. Fred Matiangi, and with regard to the Presidential candidates. We met in person with H.E. William Ruto, the Deputy President, Rt. Hon. Raila Odinga, former Prime Minister and Reverend David Waihiga. I spoke by phone to Professor George Wajackoyah. He was in his village, but we agreed to meet when he returns to Nairobi after voting.

The other stakeholders we interacted with include the National Police Service of Kenya, Ambassadors of the East African Community countries to Kenya, Commissioners of the Kenya National Human Rights Commission, Commissioners of the National Cohesion and Integration Commission, political parties, the Election Observation Group (ELOG), civil society organisations, faith-based organisations and the media. We also had consultations with the other regional and international observers.

I also attended a special event for observers organized by Kenya's Foreign Secretary Ambassador Raychelle Omamo; the Secretary for ICT Hon. Joseph Mucheru; the Inspector General of Police, Hilary Nzioki Mutyambai, MGH, nsc (AU); and Permanent Secretaries from several ministries. They spoke about the Kenya government's preparedness to ensure successful free and fair elections.

Ladies and Gentlemen,

I am here to present the Preliminary Report of the East African Community Election Observation Mission. The report is based on the consultations we had with the various stakeholders and the findings of the EAC observers we deployed to the counties. We observed key pre-election and election day activities including election campaigns, delivery of polling materials, preparation of polling stations, voting processes and results management at



polling stations. The comprehensive report will be completed shortly and delivered to the IEBC and relevant Kenyan authorities.

The following are some of the observations of the EAC Election Observation Mission I would like to highlight today:

- i. The Mission observed that the campaigns were conducted in a calm and peaceful environment. Parties and candidates had the opportunity to campaign freely although there were reports of some challenges encountered by the parties and candidates, but they were isolated incidents. Those relating to security were dealt with by the national security agencies.
- ii. The Mission takes note of the important contribution made by several stakeholders like faith-based organisations, civil society organisations, private sector and the media which helped in promoting peace and harmony during the campaigns as well as before and on polling day.
- iii. The Mission noted that at various stages of the electoral process, there were problems associated with social media, particularly regarding disinformation, misinformation and hate speech. The Mission commends various stakeholders for their efforts to address these challenges. In this regard, the Mission commends the mainstream media for the important contribution they have made in addressing some of these challenges. We also commend the wonderful work they have done on voter education and coverage of the electoral process. We hope they will continue to do so after the election results are declared.
- iv. The Mission takes note of the remarkable improvements made by the IEBC in regard to transparency, preparations, and management of



the 2022 Kenya General elections. However, much more needs to be done for better outcomes in future. The Mission recommends also that in future, there should be better communication between the IEBC and the various stakeholders.

- v. On polling day, the Mission observed the following:
- (a) Generally, the situation was calm, peaceful, and orderly. Most polling stations opened on time, but there were a few which opened late for various reasons including late setting up of the station, late arrival of polling materials or polling officials. However, we were pleased to note that the time lost was compensated by late closure of polls in the concerned polling stations. It is recommended that; the IEBC should take corrective measures to ensure that these deficiencies do not recur in future elections.
 - (b) In the observed polling stations, security personnel were present and highly professional in the discharge of their duties and responsibilities. They did not interfere with electoral processes nor did they intimidate voters. The Mission commends the Kenya Police Service for a job very well done. **Please continue to do the good work everywhere and for every task you are assigned to do.**
 - (c) Polling officials displayed high levels of competence and professionalism. The Mission commends the IEBC for the selection and training of poll officials. We also commend the IEBC for involving young people and women in the management of the electoral processes.
 - (d) The Mission commends the IEBC on the successful use of technology in voter registration, voter identification and transmission



of results. It has improved efficiency, and increased transparency of the election process. However, there were instances of challenges in identification of voters using the KIEMS kit. We recommend that the problems relating to the KIEMS kit should be identified and the necessary correct measures be taken for better performance in future elections.

- (e) The Mission was pleased to observe that agents of political parties and candidates were present at polling stations and were not encumbered in performing their duties. However, it was a bit concerning that it was only the major political parties that were able to deploy agents. Also it was intriguing to note the presence of many agents of independent candidates.
- (f) In all the polling stations observed, agents of political parties and candidates signed the results declaration form, and they were given copies of the form. Overall, the Mission was pleased to note that the generally protocols and procedures for opening and closure of polling were observed.
- (g) With regard to the layout of the polling stations, it is the opinion of the EAC Observers that the party agents were placed too far from the polling official identifying the voters. For purposes of enhancing checks and balances, in future, the IEBC should consider placing party agents close to that official to ascertain the authenticity of the voters.
- (h) The mission noted with concern the complaints made by young people that political parties did not provide them adequate space and opportunity for them to participate as candidates in the elections. We consider this a serious matter which needs attention and action. In the same vein, we call upon the political actors and government to



ensure that the two-thirds gender rule is observed to the letter and spirit.

Ladies and Gentlemen,

Over and above all that I have mentioned above, the East African Community Election Observer Mission would like to appeal to all political actors and stakeholders including the great people of Kenya to continue to maintain peace after the results of the elections are declared. We implore all of you to embrace peaceful resolution of disputes that may arise from electoral processes. Fortunately, there is the opportunity to use the courts of law, so please make use of it.

Finally, Ladies and Gentlemen,

The EAC Election Observation Mission is satisfied that the way the 2022 Kenya General election was conducted on the polling day, the people of Kenya were given the opportunity to elect leaders of their choice, freely. We hope the subsequent processes will respect, uphold and reflect the will of the people of Kenya in the 2022 General Elections.

I thank you for your kind attention.

Issued at the Serena Hotel, Nairobi this 11th day of August, 2022



H.E. Dr. Jakaya Mrisho Kikwete

Former President of The United Republic of Tanzania

HEAD OF MISSION

EAC – ELECTION OBSERVATION MISSION