



KURA YANGU, SAUTI YANGU STATEMENT ON THE JOINT PARLIAMENTARY SELECT COMMITTEE TO RESOLVE THE IEBC CRISIS

Kura Yangu, Sauti Yangu is a citizen movement spearheaded by a number of like-minded civil society organizations (Kenya Human Rights Commission, Independent Medico-Legal Unit, Constitution and Reforms Education Consortium, Inform Action, the Africa Centre for Open Governance, the Civil Society Organization Reference Group, Inuka Trust, Katiba Institute, and the Kenyan Section for International Commission of Jurists) who have come together to proactively support Kenya's preparations for the 2017 elections with a view to ensuring that the country minimizes the risks related to dysfunctional electoral systems and practices which the country has experienced in the recent past.

Through *Kura Yangu, Sauti Yangu* a number of citizens and stakeholders concerned that the forthcoming elections should be the occasion for strengthening national cohesion and integration as well as deepening electoral integrity and accountability, have been working towards political dialogue with a view of establishing sufficient common ground to inform preparations for the 2017 elections and beyond. *Kura Yangu, Sauti Yangu* believes that political consensus on the elections will increase public confidence and ultimately make both the process and results more credible and legitimate, and therefore contribute to the overall state of political certainty and stability of the country. **To this end, we have identified and engaged with the different stakeholders on the six key electoral issues captured below for political conversations and designed and launched a national electoral dialogue framework.**

As *Kura Yangu, Sauti Yangu*, we **cautiously welcome** the President's proposal to form a joint parliamentary select committee by both the Coalition for Reforms and Democracy (CORD) and Jubilee as part of a dialogue process to resolve the IEBC impasse. However, we will like to point out that the proposed dialogue process will not yield the desired democratic threshold of a free, fair, peaceful, credible, transparent and accountable electoral process and outcome due to the following reasons:

1. **Lack of stakeholder Inclusion:** By having a parliamentary select committee that consists of members from only CORD and Jubilee Coalition, the process locks out other key non-

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parliamentary stakeholders such as the civil society organizations, faith based organizations, the private sector, media, the Governors, trade unions and other political parties who are neither in CORD or Jubilee. ***Kura Yangu, Sauti Yangu*** therefore ***recommends that a hybrid model consisting of all the aforementioned stakeholders be formed.*** In terms of representation, we wish to suggest as follows: CORD and Jubilee each to be allocated 4 slots and the rest of other key stakeholders to be allocated one slot each. ***Furthermore, we call for an independent convener/s composed of at least three distinguished, respected, non-partisan and amiable individuals.***

2. ***Narrow Agenda:*** The agenda that has been proposed is very limited based on the premise that the IEBC's Commissioners is the only issue. While IEBC issues remain a foremost concern, this rare opportunity for dialogue affords us the opportunity to address other concerns that stand in the way of the above mentioned objective. ***Kura Yangu, Sauti Yangu therefore recommends that the Agenda is broadened to include the following five issues:***

- **The credibility of the electoral governance process:** There is a need for dialogue around what constitutes a voter register in Kenya, sufficient clarity on valid votes vs. votes cast, the use of technologies in elections, the management of the registration process, and the tallying of presidential results.
- **Security in electoral governance:** There is a need for dialogue around measures that the government can put in place to ensure that the 2017 electoral process is peaceful.
- **Discrimination in electoral governance:** There is a need for dialogue around the implementation of the 2/3 gender rule and the political participation of other special interest groups.
- **Dispute resolution in electoral governance:** There is a need for a collective reflection on how to manage the internal challenges facing the Judiciary and, in particular the Supreme Court.
- **Coordination among public agencies working on elections:** Public agencies working on elections need to find ways of working together, rather than in silos, and also need to demonstrate their capacity to work together, as a confidence building measure.

In this regard, we propose that the dialogue process based on the expanded agenda items be undertaken and concluded in three months. The IEBC issue should be prioritized and concluded

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in the first month of the dialogue and the remaining 5 agenda issues concluded in the remaining 2 months.

Finally, we want to reiterate that a national dialogue is critical towards a free, fair, peaceful, credible, transparent and accountable 2017 electoral process. We therefore call upon all stakeholders to appreciate the gravity of the situation and embrace meaningful and inclusive dialogue that can restore the peoples' aspiration and covenant for a constitutional democracy.

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