



## INDEPENDENT ELECTORAL AND BOUNDARIES COMMISSION

### **CHAIRPERSON'S OPENING REMARKS AT THE NATIONAL POST**

### **ELECTION EVALUATION WORKSHOP HELD ON THE 12<sup>TH</sup>-16<sup>TH</sup>**

### **MAY 2014 AT KASKAZI BEACH HOTEL IN MOMBASA**

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#### **Observe protocol**

Allow me to start with a quote from one of John Lydgate famous quote of the Oscars where he's quoted saying that:

***“You can please some of the people all of the time, you can please all of the people some of the time, but you can't please all of the people all of the time.”***

***“Today I dare say in a Democratic election you would be lucky if you please anybody at all”***

**Ladies and Gentlemen** I take this earliest opportunity to thank you all in a special way for your undivided dedication and commitment thus far to the work of the Commission and more so during the general election period. Managing the March 4, General Election was both a test and a triumph. We conducted six elections in one day, under the new constitutional dispensation for the first time. This would stretch us to the limits- in terms of logistics, personnel, resources and technological systems. Preparing for such a congested electoral calendar was a race against time with our greatest set back being last minute changes to the election laws by Parliament and the little time to test the technologies we were introducing. We were however determined and we delivered a credible, free and fair election.

It was indeed a huge election but all of you worked very hard to make it a success. The spirit of team work and selflessness was demonstrated at every stage of the process. As a result we have won the admiration of many of our neighbors and even states across the globe. We have frequently hosted visiting election administrators from Uganda, Tanzania, South Sudan, Nigeria

and other countries who come to learn more on the logistics and administration of elections.

Despite the tremendous efforts and successes, there is much to accomplish before we can truly say we have realized our mandate and aspirations. Firstly, there is a big perception problem we must overcome. You all know that the challenges we had with technology, however unfortunate, did not compromise the outcome of the results. The EVIDs may not have worked properly so as to make it possible to identify voters electronically at the entry to a polling stations but the crucial concern is whether or not we had a remedial measures to ensure that voters were indeed identified and that they did not vote more than once. The electronic results transmission system is a mechanism as declared and signed by agents in the statutory forms 35 & 36 and to be relayed faster to the national tallying centre. If this did not happen as anticipated, the big question again is did we then finally declare the SAME results, hard copy or otherwise. The Economist probably described our predicament better. The international magazine said “it was a cog up, not a conspiracy”. But people read malice even on

technical hitches we ourselves were at pains to make them work perfectly.

Candidly reflecting on what happened, it would have been reckless for us to introduce new technologies without contingency measures. Like in any other enterprise, technology in elections serves to fasten processes and to enhance security. They do not introduce new functions. When a calculator fails to fasten a mathematical function, does it mean the end to maths? No, it only means the answer may take a little bit longer to be known. In our case, even if the RTS worked 100%, by law we were still going to declare the results based on the hard copy statutory forms. It was therefore a fallacy to say that IEBC reverted to manual systems.

But all said and done, we must be awake to the fact that society is increasingly inclined to perception rather than reality. It is what people think we did that carries the day not what we actually did. For example, wild allegations have been doing rounds that we shared electoral information with TNA through shared servers with the business outsourcing firm, Kencall Ltd. The truth is that we only contracted them to train temporary

staff for our call centre. If a political party was procuring services from the same firm, would that compromise our work? We engaged Kencall on public voice services. They trained our staff on etiquette and how to respond to voters who would call on Election Day. People and organizations seek services from the same supplier but often not even the same kind of services. We all share banks irrespective of our political parties or do you wish to tell me political parties use same banks? Do they operate the same accounts? Does that compromise any of them? But they all seek services from the bank.

We could belabor these concepts and thoughts forever but communication experts remind me that what is *heard* is the essence of the message not what is *said*. Maybe we need to improve the way to communicate our messages and work hard to correct these misconceptions. It may not be easy to change the thinking of those who did not do well in the elections but it is our hope that time and our articulation of issues will vindicate us. I urge you all to take time to educate the voters especially on technology. If we don't, someone will sure enough give them a wrong interpretation of issues.

**Fellow colleagues,** it is over one year, one month, few days this month since the complex six elections a day March 4<sup>th</sup> 2013 general elections. We had a mandate to fulfil under the Constitution and we did. We put our best foot forward despite the challenges. As referees we bore the blunt of the loser who went to court to contest our processes. A total of 188 petitions were filed, 163 of those petitions were dismissed, 25 allowed and even for those which were upheld, the subsequent by-elections returned results that were largely similar to the initial voting. This shows that we largely facilitated for the wish of the people. That we were the ones announcing the outcomes does not mean we determined the outcome. Our process was replicable and credible. The wish of the people always prevailed. You will all agree with me the challenges faced and lessons learned during this period were and still are invaluable. We are left with an even greater task of interrogating these lessons in an effort to regain the high level of public confidence we once enjoyed. Everyone agrees that the by-elections have been flawless. Some people agree with us that hitches we had in March 2013 were as a result of being overwhelmed. That may

be the truth but being overwhelmed is not good enough in elections. Election is not an excusable enterprise. An election does not appreciate human limitations; it is a pure clockwork indulgence. So we must up our game.

Today **ladies and gentlemen**; the Post-election evaluation process is an important part of the election process. It allows us to interrogate what worked as planned, what did not work, where were the gaps, what could we have done better and what are the lessons learned in readiness for future. They say your best teacher is as good as your last mistake. We are not perfect but we can learn from our past experiences. That is why we are here today. We are here to make progress, not to complain and blame each other. We are here to synergize and to build. We are here to better the future of this county.

In addition I would like to encourage that all staff of the electoral body embrace such Continuous Professional Development networks available online and the social media pages and learn from other jurisdictions and enhance your career.

I do not want to pre-empt the discussions or to give it some directions. I urge you to articulately share your experiences and come up with resolutions that will henceforth inform our actions. I wish to emphasize the importance of being open in our discussion for the next few days we will be here, that is why it's an in-house undertaking, saying it as it was will be of great importance. While respect is maintained, I will remind us how important it is to avoid our discussions through the lens of ranks within the Commissions, valuable lessons can be derived from any of us especially where the elections are conducted at the constituency. We have implemented a number of reforms but know it is time to transform. You have the support of the Commissioners and my support. I wish us all the most fruitful deliberations.

**GOD BLESS YOU AND THANK YOU**