



PROMOTING PARTICIPATION AND INCLUSION OF SPECIAL INTEREST GROUPS IN THE 2022 ELECTORAL PROCESSES

Monitoring Report of the 2021 Phase One of the Enhanced Mass Voter Registration

Key Results, Emerging Issues, Gaps, Good Practices, and Recommendations





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FOREWORD

In Kenya like in many other countries, voters are registered to be eligible to participate in an election. Voter registration helps to empower all eligible voters to participate and contribute to the electoral process. To ensure validity, credibility and fairness of electoral processes, voter registration procedures should be inclusive and transparent. Special Interest Groups (SIGs) are likely to be disfranchised in the electoral process if deliberate actions are not taken to ensure their participation and inclusion.

The National Gender and Equality Commission Act No. 15 of 2011 mandates the Commission to among other functions, monitor, facilitate and advise on the integration of the principles of equality and freedom from discrimination in all national and county policies, laws, and administrative regulations in all public and private institutions; and to co-ordinate and facilitate mainstreaming of issues of gender, persons with disability and other marginalized groups in national development and to advise the Government on all aspects thereof. In line with these functions, the Commission monitored Phase 1 of the enhanced national voter registration exercise. The main objective of the monitoring activity was to establish the extent of the integration of the principles of equality and inclusion in the registration processes.

The monitoring exercise generated data to inform The National Gender and Equality Commission (NGEC) and its stakeholders the extent to which the SIGs including women, youth, persons with disabilities (PWDs), older members of society, and minority and marginalized persons participated and were included in this critical process.

Although the mass voter registration exercise was scheduled for 30 days between October 4, 2021, and November 2, 2021, the monitoring activity, was due to financial constraints, limited to five days (October 29, to November 2, 2021).

This report provides a summary of the key observations made, good practices, gaps and emerging issues. The report also provides recommendations to various agencies for consideration when designing and managing future voter registration exercises. More specifically, the contents of this report are useful to all key actors involved in the electoral management in Kenya including the Independent Election and Boundaries Commission (IEBC), Parliament and Ministry of Interior and National Coordination. The observations documented in this report are also useful to special interest groups in their preparation to participate in future voter registration exercises.




Dr. Joyce M. Mutinda, **PhD, EBS.**
CHAIRPERSON

ACKNOWLEDGEMENT

The National Gender and Equality Commission (NGEC) wishes to acknowledge the support we received from IEBC during the planning and implementation of the monitoring of the voter registration exercise. The Commission monitors were able without difficulties to identify the locations of the voter registration centres, speak to the registration clerks and supervisors, and observe mobile voter registration spaces. The Commission appreciates the cooperation it received from all the election officials throughout the exercise.

The Commission sincerely appreciates the strategic leadership provided by the Chairperson and Commissioners during the conceptualization of the monitoring protocol, data collection tools, and during the entire monitoring exercise. Special appreciation also goes to the NGEC Secretariat for their dedication during the process. The monitors travelled long distances in a rather short time, to make observations across counties, sub-counties and constituencies. In particular, the Commission wishes to thank the Committee that coordinated the monitoring exercise under the leadership of the Director Programs and Research and the Assistant Director Programs, Paul Kuria and Winfred Wambua respectively. Other members were Fredrick Lumiti as the technical lead, John Munene as Information Communication Technology (ICT) expert, Josephine Kagucia, George Wanyonyi, Carolyn Munyua, Tabitha Nyambura and George Kimani.

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Betty Sungura-Nyabuto, **MBS**
COMMISSION SECRETARY/CEO



ABBREVIATIONS

BVR	Biometrics Voter Registration
CEDAW	Convention on the Elimination of all Forms of Discrimination Against Women
CVR	Continuous Voter Registration
ECVR	Enhance Continuous Voter Registration
IEBC	Independent Electoral and Boundaries Commission
NGEC	National Gender and Equality Commission
PASW	PASW Statistics 18 (formerly SPSS Statistics)
PWD	Person with Disabilities
SIG	Special Interest Groups
ICCPR	International Covenant on Civil and Political Rights
ICERD	International Convention on the Elimination of All Forms of Racial Discrimination
UNCRPD	United Nations Convention on the Rights of Persons with Disabilities
UDHR	Universal Declaration on Human Rights
VR	Voter Registration
VRC	Voter Registration Centres

1.0 INTRODUCTION

The National Gender and Equality Commission (NGEC) is a Constitutional Commission established by the National Gender and Equality Commission Act. No.15 of 2011 under Article 59 (4) & (5) of The Constitution of Kenya, 2010. The Commission's mandate is to promote gender equality and freedom from discrimination for all people in Kenya with a focus on special interest groups, which include: women, children, youth, Persons with Disabilities (PWDs), older members of society, minorities and marginalized groups.

Special Interest Groups (SIGs) are often excluded from meaningful and full engagement and participation in the electoral process including registration as voters due to inherent structural factors such as unfavourable legal framework, lack of timely information on requirements for registration, inadequate resources to seek registration especially if they had travelled and wish to transfer their votes to other voting centres, low media coverage and less social mobilization targeting specifically the vulnerable groups, the complexity of the dispute resolution processes especially when they feel aggrieved or discriminated, and their presentation to register as voters late into the electoral processes. The SIGs are not well informed on their roles and obligations in the electoral processes including voter registration, verification, and registration to join political parties

Some of the functions of the NGEC as provided for in Section 8 of the National Gender and Equality Commission Act of 2011 is to monitor, facilitate and advise on the integration of the principles of equality and freedom from discrimination in all national and county policies, laws, and administrative regulations in all public and private institutions; and co-ordinate and facilitate mainstreaming of issues of gender, persons with disability and other marginalized groups in national development and to advise the Government on all aspects thereof. These functions are well situated in activities on elections particularly the mandatory components that precede casting of votes such as continual voter education, voter registration, verification of voter registers, registration to join political parties and rights of political party members, nomination and presentation of aspirants and candidates, as well as securing party agents.

It is against this background and in line with its mandate that the Commission has since its establishment in 2011 monitored the involvement and participation of the special interest groups in the electoral processes including 2013, 2017, and currently the 2022 general elections. Upon the commencement of the voter registration exercise by IEBC in October 2021, the Commission designed a monitoring activity to establish the extent of integration of the principles of equality and inclusion in the registration process.

1.1 Voter Registration

Voter registration is defined as the process of recording the personal information of eligible citizens in the voters' register for the purpose of voting in an election. It is the initial process in an electoral process. Voter registration helps to enfranchise all eligible voters and contributes to a country's ability to realize the principle of "one person, one vote, one value"¹. According to United Nations standards, people should not be denied registration as voters based on such factors as race, sex, language, physical ability or religion. To ensure validity, credibility and fairness of electoral processes, voter registration procedures should be inclusive and transparent. It is the responsibility of electoral authorities to ensure that the voter register is inclusive, accurate and comprehensive and that its processes are transparent to all stakeholders.

¹ International Foundation for Electoral Systems (IFES)

In Kenya, the Independent Electoral and Boundaries Commission (IEBC), which has a Constitutional mandate to conduct and supervise elections and referenda, is responsible for the registration of voters and regular maintenance of the register of voters.

The voter registration process is provided by various legal frameworks. Further, the legislations have provisions that promote the representation, participation and inclusion of SIGS in the elections either as voters, aspirants, candidates, managers, supporters or election observers. The Constitution of Kenya (COK), 2010 affirms the rights of all eligible Kenyan citizens to be registered as voters and to vote during elections and referenda. Article 81 of the COK, 2010 provides for the general principles for the electoral system which include: freedom of citizens to exercise their political rights; fair representation of persons with disabilities; universal suffrage based on the aspiration for fair representation and equality of vote; and free and fair election.

Article 83 (1-3), provides for the requirement for registration for a voter and requires that *‘administrative arrangements for the registration of voters and conduct of elections be designed to facilitate, and shall not deny, an eligible citizen the right to vote or stand for election’*. Article 38 guarantees citizens the right to make political choices including the right to free and fair elections based on universal suffrage and the freedom of expression. Every Kenyan has the right, without unreasonable restrictions to be registered as a voter; and to vote by secret ballot.

Article 27 provides for equality and freedom from discrimination. The Constitution further mandates the State to take legislative and other measures to implement the principle that not more than two-thirds of the members of elective or appointive bodies shall be of the same gender; to progressively ensure that at least five (5) per cent of members of elective and appointive public bodies are PWDs and to take steps, including affirmative action, to ensure that youth have opportunities to be associated with, be represented and participate in the political sphere. Article 56, requires the State to put in place affirmative action programmes designed to ensure that minorities and marginalised groups participate and are represented in governance and other spheres of life.

The constitutional right to be registered as a voter is also recognized in the Elections Act, 2011 (revised 2019) which provides that – ‘any citizen of Kenya who has attained the age of eighteen years as evidenced by either a national identity card or a Kenyan passport and whose name is not in the register of voters shall be registered as a voter upon application in the prescribed manner to the IEBC. This right to be registered as a voter also extends to a person who has registered for an identification card and has an acknowledgement of the registration certificate as proof of such registration. The Elections Act 2011 and the Elections (Registration of Voters) Regulations 2012 provides the registration particulars that will be contained in the register of voters to assist in the management of elections and address the needs of the electorate. They include the date of birth, sex and disability (if any) of the voter.

Other statutes that expressly promote the right to be registered as a voter include *The Political Parties Act, 2011* and *The Independent Electoral and Boundaries Commission Act, 2011*.



The Constitution of Kenya (COK), 2010 affirms the rights of all eligible Kenyan citizens to be registered as voters and to vote during elections and referenda.

In addition, Kenya has ratified several international and regional instruments which impact the electoral process and require the inclusion and participation of all persons. They include The Universal Declaration on Human Rights (UDHR); International Covenant on Civil and Political Rights (ICCPR), United Nations Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), United Nations Convention on the Rights of Persons with Disabilities (UNCRPD), International Convention on the Elimination of All Forms of Racial Discrimination (ICERD), Sustainable Development Goals specifically goal number 5 and 10. At the regional level, some of the commitments Kenya is a signatory to include the Protocol to the African Charter on Human and People's Rights on the Rights of Women in Africa, the (Maputo Protocol); The African Charter on Human and People's Rights; African Youth Charter. Though Kenya has signed on the African Charter on Democracy, Elections and Governance (2007) that seeks among others Promote best practices in the management of elections for purposes of political stability and good governance., it has not ratified the Charter.

1.2 The Enhanced Voter Registration Exercise

The General Elections in Kenya are scheduled to take place in August 2022. In preparation for the elections, the IEBC conducted Phase 1 of an Enhanced Continuous Voter Registration (ECVR) exercise. The ECVR exercise was launched on October 4, 2021, and took place in the 27,241 gazetted registration centres countrywide that include the 52 Huduma centres, in all the one thousand four hundred and fifty (1450) County Assembly Wards except Kiagu Ward in Central Imenti and Nguu/Masumba Ward in Kibwezi West that had their by-election on October 14, 2021; and Mahoo Ward in Taveta constituency that was scheduled to have a by-election on December 16, 2021². The Exercise ran continuously for a period of thirty (30) days and ended on November 2, 2021. The exercise included new registration, transfers of voters registered from one polling centre to another, and a change of particulars by a voter. The authority to transfer polling centres and change of particulars was limited to the constituency levels voter registration centres only.

During the launch of Phase 1 of the voter registration, the IEBC had anticipated also conducting mass voter registration for the diaspora in December 2021. IEBC stated that it would include six more countries in its diaspora list among them South Sudan, the United States of America (USA), the United Kingdom, Canada, Qatar and the United Arab Emirates because the countries had met the minimum requirement of 3,000 voters required by law. Other countries that benefited from this program in 2017 included Uganda, Tanzania, Rwanda, Burundi and South Africa which also participated in the 2017 General Elections³. IEBC had not planned to conduct any other mass voter registration before the 2022 elections due to financial constraints.

This position was however contested by many Kenyans and by the time the Phase 1 voter registration was about to be concluded, the High Court in Eldoret ordered the electoral agency to extend its new-voter registration drive for one week, following a petition filed by a voter, who argued that ending the listing on November 2, 2021, could lock out many eligible voters from participating in the 2022 General Election. On their part, IEBC contested the order on account that they had not been adequately funded to conduct enhanced voter registration beyond the gazetted period (of 30 days).

The requirement for one to be registered as a voter is that he/she MUST be a Kenyan citizen of majority age and with a national identification card or valid passport. The individual must present themselves physically to a registration officer as the registration process involves capturing biometric features and personally identifiable details of the applicant⁴.

² Independent Electoral and Boundaries Commission

³ Standard Newspaper, 22nd September 2021

⁴ IEBC statement, 4th October 2021

IEBC is required by law to put in place necessary administrative arrangements for the registration of voters to facilitate and ensure all eligible citizens are not denied the right to register, vote or contest in an election.

1.3 Objectives of the monitoring activity

The objectives of the monitoring exercise were:

1. To observe the participation of SIGs in the enhanced voter registration activity
2. To monitor and document the extent of integration of principles of equality and inclusion of SIGs in the enhanced voter registration
3. To document lessons learned and good practices for consideration when designing and managing future voter registration exercises in Kenya

2.0 METHODOLOGY

The voter registration observation and monitoring involved the obtrusive and non-obtrusive observations, monitoring the voter registration process through the use of a standard tool, and where applicable participating in very brief conversations with SIGs, the general public about the voter registration activity, and with voter registration officials, county commissioners and other administrators, and coordinators about their experiences and challenges faced. The activity was concentrated at the constituency headquarters designated voter registration centres, and at the registration centres at the ward level.

The activity utilized standardized tools to gather and document information to allow objectivity across all monitors when making an observation. The tools specified the minimum aspects and components to be observed and allows comparability of findings from different observation sites. The tools also allowed standard reporting across the monitors.

The Commission supplemented the primary data with a literature review, particularly about voter registration and the different provisions in the law in respect to the participation and inclusion of special interest groups in the electoral process. The exercise was conducted by 58 NGECE technical officers who were led by the Chairperson and the Commissioners. The monitoring exercise was conducted for five days from October 29 to November 2, 2021. Before setting out for the fieldwork, the monitors were trained on fundamental issues of voter registration, monitoring methodology and reporting.

The monitoring exercise gathered data largely on the following parameters:

1. Profile of registration personnel deployed by IEBC;
2. Accessibility of the voter registration centres;
3. Provision of facilitative services to PWDS and other special interest groups during delivery of the voter registration service;
4. Publicity and awareness creation on voter registration and
5. Challenges and experiences with voter registration as reported by clerks, coordinators, administrators, SIGs, and the general public.

2.1 Scope and Limitation

The Commission intended to conduct the monitoring activity in all 47 counties. Also, the Commission intended to make longitudinal observations and monitoring that required the monitors to be in the field longer and spend more time in a single centre. This would allow the monitor to make multiple observations in a single station and thus cover a wide range of groups of voters seeking the services, collect detailed information about the experiences of the voter registration officials, and show patterns over time on participation and inclusion of SIGs in the activity.



The exercise was conducted by 58 NGECE technical officers who were led by the Chairperson and the Commissioners.

For the national coverage, NGEC required a larger contingent of monitors covered by a robust set of logistics and resources. Due to limited resources, the Commission reduced coverage and intensity of monitoring activity. The observation made involved recording only what is observable at the time the monitor was present at the site. Each monitor spent 4 days in the field and they moved between voter registration centres, which meant they could not report on all incidents that may have occurred before and after their presence.

2.2 Size of the Observation Group

NGEC voter registration monitoring group comprised of the Chairperson and 2 Commissioners and 58 technical officers, drawn from the headquarters and regional offices. The monitoring team received overall guidance from the Commissioners and the Commission Secretary who acted as leaders for clustered counties.

2.3 Data Analysis

NGEC developed a simple data entry program for processing all closed-ended data. Narratives were processed through a word processor and subjected to theme content analysis. Data were directly entered into the processing program right from the field and transmitted through an interface. A data cleaning program was also created. Numerical data were then analysed using PAWS 18 and presented in form of tables, charts and descriptions.

2.4 Report

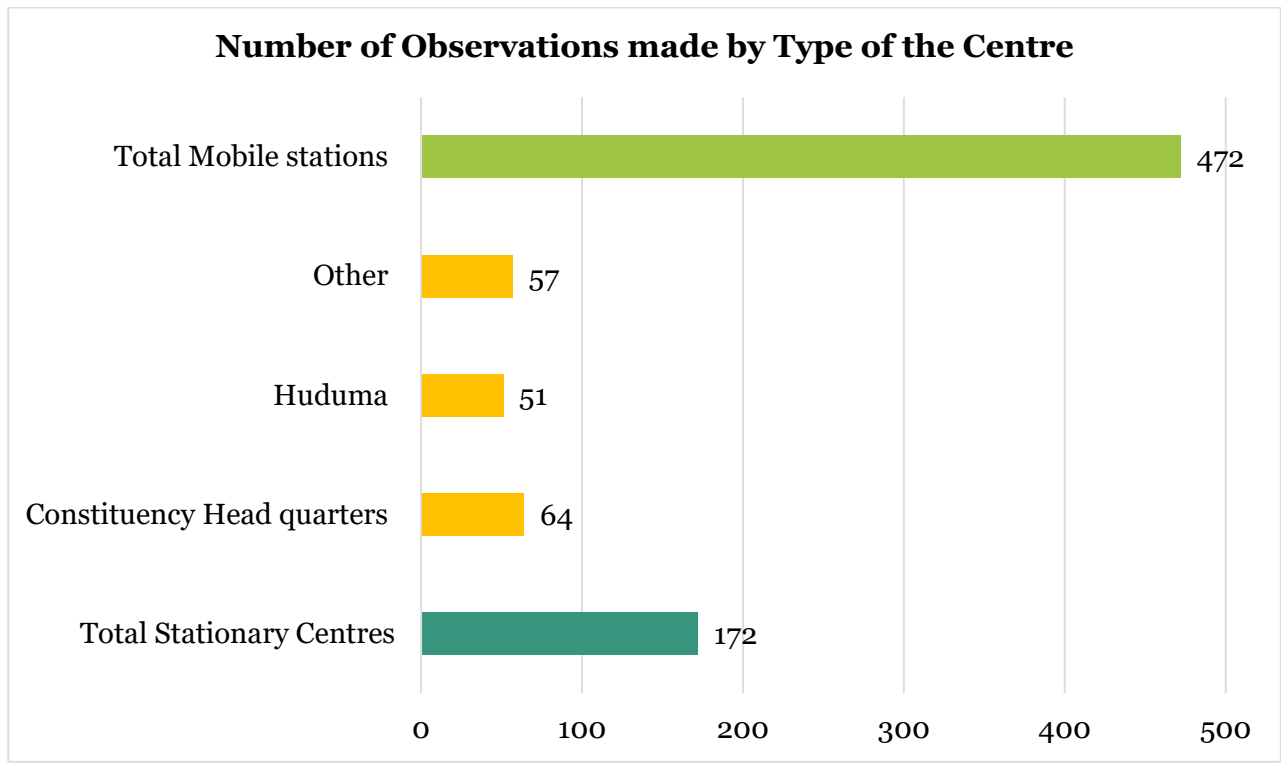
This report is presented in 4 parts: Part 1 provides an introduction to the intervention; Part 2 describes the design and methods applied and the coverage of the observations; Part 3 presents the key results, emerging issues, gaps and good practices while Part 4 presents the recommendations.

2.5 Coverage

The Commission monitored voter registration in 31 counties representing 65.9% county coverage. In total, 644 observations were made across various registration centres spread across the 361 wards which included designated stationery centres, constituency headquarter registration centres, Huduma Centres⁵, and mobile stations. Mobile centres recorded the highest observations (472) representing 73.3% of all observations. About one-quarter of the observations (172) were made in the stationary centres. Of these, about one-third of the observations were made at the Constituency voter registration Centres based, while another 30 per cent of the observation were made at Huduma centre based voter registration centres shown in Figure 1 1.

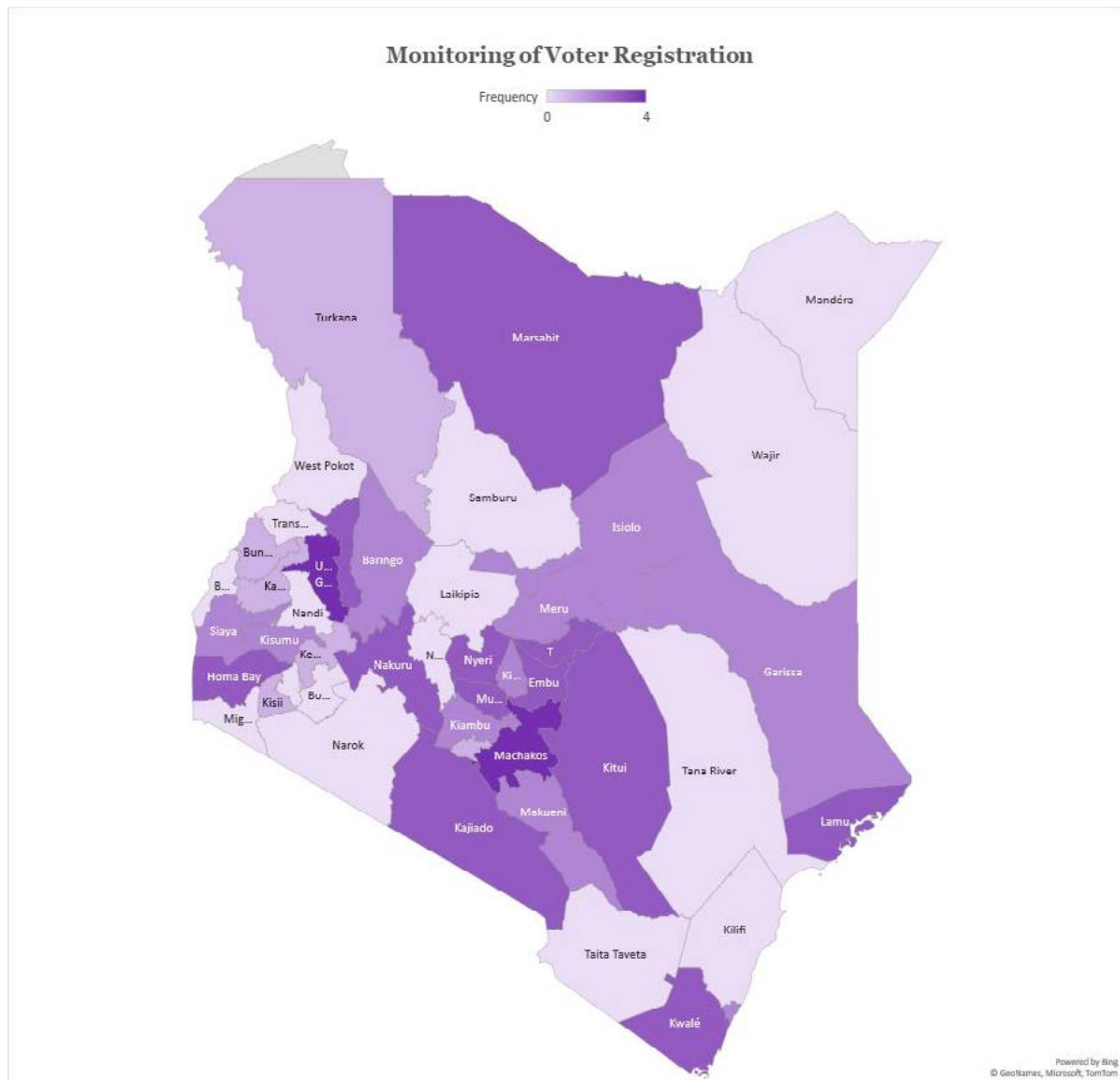
⁵ The centres were established to cater for those away from their preferred polling stations.

Figure 1.1



The observation varied by frequency and intensity as shown in Figure 1.2, with Machakos, Uasin Gishu, Embu, Kajiado, Kwale and Lamu recording a higher number of observations. On average, a registration centre was monitored for 1 hr 49 minutes. Most monitors spent about an hour making observations at the site.

Figure 1.2: Frequency and Intensity of the Monitoring Activity by Wards



Key

4= 70% and above of Ward coverage
 2= 20 – 39% Ward Coverage
 0=None. No monitoring was undertaken

3= 40 – 69% Ward Coverage
 1=1 – 19% Ward Coverage

3.0 KEY RESULTS

3.1 Profile and Distribution of IEBC Work Force

In most of the registration centres, 86% were being managed by two clerks, 5.5% were managed by one clerk while 8.3% of the centres were managed by three or more clerks. In total, the monitoring activity observed 1,092 clerks out of which 51% were males (n=562), and 48% were females (n=530). Out of all personnel monitored, 8 clerks were persons with disabilities representing 0.7% of the monitored workforce. Of the PWDs clerks, 73.3% had physical disabilities, 13.3% had hearing impairments, and 6.7% had visual impairments. A majority of clerks (75%) were aged below 35 years (75%).

3.2 Accessibility of Voter Registration Centres

The monitoring activity sought to ascertain the accessibility and accommodativeness of the registration centres and processes to SIGs especially PWDs, older members of society, among other vulnerable groups. The Commission found that of the centres observed, a majority (91.9%) were reasonably accessible to special interest groups.

Of all VRC located at the Huduma centres, 92.2% of them were accessible to SIGs. Of all mobile-based VRC, 92.8% were accessible. Of the VRC located at the constituency or ward headquarters, 81.3% were accessible. Nearly one fifth (19%) of the centres located at the constituency or ward headquarters were less accessible to SIGs. Of these, 8.1% (less than 10 per cent) of the sites were inaccessible mainly because they lacked ramps for use by PWDs, were either located on upper floors of buildings and with no lifts, were located on a sloppy space or in unfinished buildings with rough incomplete surfaces. Some centres had narrow entrances and in some few centres, they were accessible through an alternate gate which was smaller compared to the main gates.

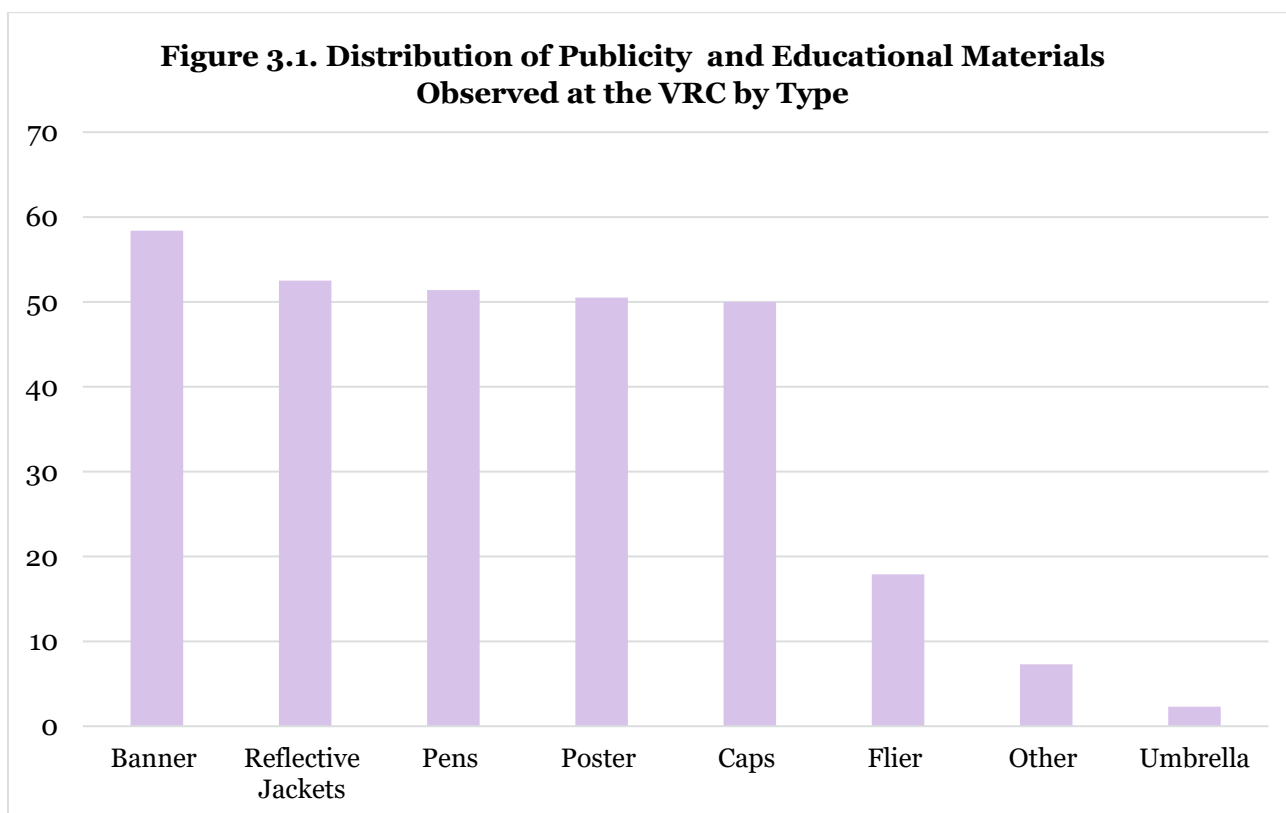
About 71% of the observed centres offered facilitative services to SIGs with nearly one third (29%) lacking facilitative services. The main facilitative services offered to SIGs were the use of local language that was offered in 60% of the centres monitored, priority attendance 55%, use of sign language (5%), and offering at-home registration for the persons who are old and sick (45%). Over one third (37%) of the centres monitored allocated a chair/comfortable waiting bay, for use by vulnerable groups as they received or waited to receive the registration service.

More specifically PWDs were offered facilitative services to ensure SIGs were registered as voters. These services included:

- Mobile voter registration centres delivered services to the nearest location including homes where these groups are found;
- Offering seats to PWDs to wait in comfort as they got served;
- Priority attendance to PWDs, Older members of Society and Pregnant women;
- In a few cases, sign language services were offered and where such was not available, the clerks communicated to PWDs through writing. This was observed in some centres located at Tharaka Nithi, Uasin, Gishu and Kisumu Counties. In some cases, observers found that clerks made deliberate efforts to communicate directly to PWDs instead of passing the information to aides and caregivers. Such efforts ensured that PWDs obtained full registration information; and
- Where ramps were missing, it was observed that in a few cases clerks offered improvised ramps.

3.2 Voter Registration Promotional, Educational and Publicity Materials

A majority of voter registration centres (94.1%) had voter registration promotional, educational and publicity materials. Of the 95.5% of the voter registration centres monitored, each had at least one form of IEC and publicity materials informing voters about the exercise such as the location of the centre, services offered, mandatory requirements to be registers, among others. A banner was the most commonly observed form of IEC materials (58.4%), followed by reflective jackets/t-shirts (52.5%), pens (51.4%), posters (50.5%), head caps (50%). Most centres had a combination of the materials as shown in Figure 3.1.



In 41.3% of the centres monitored, one to two voter educational materials of either form were noted, while three to five voter educational materials were noted in 35.4% of the centred monitored. Six or more types of voter educational materials were noted in about 18.8% of the centres observed.

3.3 Emerging Issues

1. Voter apathy especially among youth. It was observed that many people particularly youth who were eligible as new voters had not registered to vote. Many administrators and registration clerk’s that monitors spoke to hypothesized that youth were not well informed of the key benefits of registering as voters, and value for elections. Some of the election officials reported the youths were reluctant to register due to disillusionment and lack of confidence in political leadership with some having a notion that election results are already known. In addition, some youth reasoned there is still more time to register as voters and that the exercise will be conducted once again before the August 2022 election.

2. Low civic awareness among the Special Interest Groups (SIGs). The monitors learned that most of the youth and other SIGs were not aware of their civil and political rights and responsibilities and do not feel they have any role to play in the electoral process. Many opine that voting does not directly benefit them in any way but gives politicians jobs, who often fail to fulfil the agreed manifestos and promises. In some counties, constituencies and wards, the politicians mounted voter registration educational programs carried to citizens through roadshows, billboards, radio talk shows, and social media messages. In Kiambu for example, a powerful roadshow encouraging people to register as voters and highlighting the importance of voter registration was observed in the last week of the voter registration exercise.
3. Voter registration was not seen as a priority: From conversations with voter registration officials, clerks and community members, it was observed that there were other competing priorities, especially amid difficult economic times marred by grave consequences from COVID-19, drought⁶ and locust invasions. Some SIGs therefore would better spend their time pursuing a casual job or attending to their household chores instead of taking time to register as voters. In one of the centres in Makueni Constituency, the clerks had to spend hours convincing an elderly woman to register. She had reasoned that registration processes were not linked to food aid. In Garissa County, it was noted that the pastoralists had moved to other parts of the county and some had moved to the neighbouring countries with their animals due to the hard-hitting drought, and therefore it was difficult to readily get them for the registration within their home areas. In some counties like Kakamega, the exercise coincided with political rallies, especially gubernatorial political meetings which may have diverted youth to such meetings instead of registration.
4. There were complaints of interference of the voter registration by the politicians with some of them being accused of encouraging voters to change or transfer their polling stations. These observations were similarly documented and raised by IEBC in 2006⁷.
5. Lack of national Identity Cards (IDs) hindered the majority of the youths from registering. Many youths informed monitors that they had not commenced the processes of obtaining the IDs even though they had attained the age of majority. For youth who had been issued with ID waiting notifications, they lamented that they were not informed that one can still register as a voter using such notifications and therefore they preferred to wait until they are issued with the ID to determine if they shall register as voters or not.
6. Mobile registration centres were reported to be unreliable, especially where the schedule of locations of such centres was not provided. This is because people could not know at which points and dates they would get the services and were likely to miss services even when such was readily available. The mobile registration centres were also not provided with desks and chairs and thus relied on goodwill from the community. This was a challenge and some clerks were forced to hire chairs in some areas due to movement from one place to another. It is important to note that IEBC had reported that at most they had deployed only three Biometric Voter Registration (BVR) to each of the 1,450 wards spread across the country.
7. Some of the voter registration kits were periodically malfunctioning marked by freezing processors, slow processing of inputs. Although clerks would often successfully troubleshoot and restore the operations, the occasional delays caused inconvenience to clients and the clerks.
8. In some areas, like Garissa, Fafi Constituency, insecurity affected voter registration turnout and clerks had to move without any identification materials like badges, caps and reflector jackets for fear of being targeted.

⁶H.E President declared on 8th September 2021, drought affecting parts of the country a national disaster

⁷Daily Nation, Wednesday, February 24, 2016(updated on June 28, 2020), 'IEBC alarmed by huge voter transfers'

9. Uncertainty of the end date for the voter registration exercise. A High Court order was issued to extend the voter registration by one week coupled with the contestation by IEBC to extend the exercise due to lack of financial resources, creating uncertainty among the registration clerks and the communities. The delayed announcement of the definite action (extension or lack of extension), directly affects communities' abilities to decide on the right to register as a voter and to a large extent limits the ability to exercise such a right.

3.4 Gaps

- a) **Low Publicity and awareness of the exercise:** It was noted that there was no adequate publicity on the voter registration process before the commencement of the exercise. The TV and Radio announcements were not adequate to reach all the citizens. The frequency and intensity of coverage of voter registration in these channels were minimal. In many of the centres, it was observed that there was no voter mobilization education program mounted before the voter registration exercise.

This meant many people were not aware of the exercise, while others did not know the requirement for new registration or transfers. For example, those members of the public who wished to change or transfer their polling centres were often dissatisfied when referred to the constituency voter registration centre for the service. This is mainly because constituency voter registration is generally located away from the community hence voter registration centres and the clients would incur social costs while the voters computed financial costs required to seek such a service from the constituency VRC. Some clients didn't have the necessary required documents for registration, for example, some came with photocopies of IDs instead of an original ID.

In most cases, the mobile registration centres schedule issued by IEBC was not strictly followed and yet not updated.

- b) In most cases, the mobile registration centres schedule issued by IEBC was not strictly followed and yet not updated. There were cases where the centres were moved to other areas based on request and demand. Such changes ought to have been communicated to the potential citizens. In addition, some of the BVR kits were locked and limited to details of the populations in a ward level meaning clients from other wards would not be served in a different ward using such a kit. This limited registration services. 'Open' BVR kits with unlimited access to population details were however available and located at learning institutions, Huduma centres and at the Constituency headquarters VRC.
- c) **Inadequate facilitation:** Clerks assigned to manage mobile voter registration centres reported that they lacked adequate facilitation for their movement and resources to support their work. The funds allocated for the airtime, movement from one village to another, and to drop and pick the BVR kits and accessories to the nearest administration stations or police posts were inadequate.

Most of the mobile registration centres were located in open spaces and therefore clerks were affected by harsh weather conditions especially rain, sun, wind and dust. Some of these centres also lacked supportive materials such as umbrellas to protect them from harsh weather. Additionally, some clerks experienced challenges with their devices. In some centres, it was observed that

the BVR kits and computers would freeze and inconvenience those who wanted to be registered. Such incidences were documented at Garissa Township Consistency, Iftin ward, Kajado Central. In some areas, clerks suffered from constant power blackouts, and backup batteries failed. These conditions and circumstances negatively affected the registration process.

- d) Lack of strict adherence to COVID-19 protocols. In some centres, it was observed that some of the citizens who came to register did not have masks on or wore them inappropriately. In most of the centres, there were no hand sanitisers or handwashing stations. In some cases, the clerks themselves forgot to wear their masks appropriately.
- e) Accessibility of registration centres Some centres were not accessible to members of the public due to their location. For example, in Garissa Training College, members of the public decried the lack of access to the centre. A few other centres were located near drinking pubs where members of the public were not comfortable e.g. a Centre in Kisumu Central Ward.
- f) Inadequate deployment of BVR kits. Although IEBC had stated about allocating about 128 BVR kits to vast counties, the monitoring team covering North and Eastern Counties received concern from the communities and administrators of inadequate deployment of BVR kits. This means that people had to travel for long distances locating to be served. Such incidences were reported in Marsabit, Garissa, Turkana and Isiolo Counties. The deployment of the BVR kits to learning institutions targeting the registration of youth in such institutions may have happened late in the registration processes. Nonetheless, some youth received the service. Some eligible youth likely missed registration due to the short time allowed to obtain the service.

3.5 Best Practices

- a) Provision of facilitative services and enabling environment for vulnerable groups in the society to participate in the voter registration exercise either as employees or clients. A majority of clerks were sensitive to the needs of PWDs, older members and vulnerable groups in the community and offered required facilitative services including priority attendance, use of local language, patience in serving them, taking the registration services to homes of the sick and PWDs among other services. This demonstrated commitment to mainstream issues of SIGs in the voter registration process.
- b) Recruitment and involvement of youth as clerks during the voter registration process is commendable. A majority of the clerks and officials recruited by IEBC for this activity were young (aged below 35), fairly distributed by gender, and were drawn from the counties and sub-counties they were serving. This demonstrates a commitment to serve youth and women and provide opportunities to them. The Commission notes that by participation in the VR process, the country created a database of experienced young men and women conversant with the electoral process in Kenya.
- c) There was an effort to include persons with disabilities as clerks and therefore systematically entrenching the principle of equality and inclusion in the voter registration process. The involvement of persons with disabilities demonstrated commitment to inclusion of PWDs in development. We however note that the numbers of PWD recruited as officials in the VR exercise was too small and below the gold standard threshold of 5% of the total workforce.

4.0 RECOMMENDATIONS

Based on the monitoring outcomes and observations made during the voter registration activity, the Commission proposes the following recommendations focused on specific ministries, departments and agencies, for consideration in future VR exercises.

1. The National Treasury

National Treasury with the support of the Parliament should provide adequate resources to all actors involved in the voter registration exercises including IEBC to support continuous voter registration and a targeted vote literacy program. The effort will enable IEBC to undertake timely, credible and continuous voter registration exercises.

2. Independent Electoral and Boundaries Commission (IEBC)

IEBC should:

- a. Continue to enhance access to registration and voting centres to PWDs, older members of society and other vulnerable members of society. The Commission should consider budgets for minimal adjustments and accommodations of the centres as appropriate to facilitate physical access to service centres.
- b. Review the facilitation package for the VR clerks and officials (financial, logistical, and administrative) to ensure such officers are adequately facilitated to expeditiously deliver VR services. The continued collaboration with the communities and local administration in the delivery of VR through mobile services is commendable and should be scaled up.
- c. Work with other stakeholders including development partners and civil society organizations to ensure adequate provision of civic and voter education. Such a program should be undertaken systematically and consistently. A specific program targeting youth and other SIGs should be considered. It is important to implore on the value of voting among youth
- d. As a matter of urgency, procure to replace the non-functional BVR kits and continue to apply new technologies in the registration of voters. This effort will ensure eligible persons are registered without delay
- e. Continue to advocate for enhanced budget allocation to meet the basic needs for voter registration. One round of EVR is certainly inadequate and financial resources are required to mount several phases of registration
- f. Explore the possibility of linking the National Registration of IDs to the voter registration process, to ensure all eligible Kenyans are registered.

3. National Gender and Equality Commission

NGEC should:

- a. Facilitate Public education programmes targeting special interest groups on their rights and responsibilities, especially concerning the electoral process
- b. Conduct monitoring of other phases of voter registration and other election-related activities and issue independent reports on key areas of concerns, good practices and gaps for consideration by various actors

- c. Continue to advocate for increased participation of the SIGs in the voter registration processes and 2022 electoral processes either as agents/employees of the electoral agencies or as voters, aspirants, candidates, and observers
- d. Work with institutions with the greatest responsibility on election management to facilitate the integration of the principles of equality and inclusion in the electoral process

4. Civil Society Organisations and Community Organizations

CSOs and CBOs should:

- a. Provide voter and civic education programmes particularly targeting special interest groups.
- b. Offer direct support to IEBC and other actors involved in the voter registration with mobilization and identification of vulnerable groups who may require special attention during voter registration services

Annexes:

Annexes 1: Voter Registration Monitoring Tool

Confidential
NGEC/VROT1/2021

Form



The National Gender and Equality Commission

VOTER REGISTRATION MONITORING TOOL

**Monitoring gender equality and freedom from discrimination in the
2022 Kenya General Election**

National Gender and Equality Commission
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Nakuru Office Tamoh Plaza, 1st Floor, Kijabe Street P.O BOX 15263-401 Nakuru
Garissa Office Opposite Care International Offices, Garissa town;
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Isiolo office, Isiolo County Headquarters
monitoring@ngeckkenya.org

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Instructions to monitors: This form should only be used by NGENC authorized persons. Please fill in all information required. Each tool shall be used for a single observation made. Keep all checklists safe and observe confidentiality

	Variable	Office use only		Variable	Office use only
A 1	Name of the Monitor _____	[][][]	A 2	Staff Number	[][][]
A3	Name of the County _____	County Code [][][]	A4	Name of the Constituency _____	Code [][][]
A5	Name of the Ward _____	Code [][][][]	A6	Name of the registration centre	Code [][][][][][][] [][]
A7	Date of Monitoring _____	DD MM Y [][]/[][]/[][]	A8	Type of registration centre	1. Constituency HQ 2. Mobile 3. Huduma/facility based 4. Other,....

B		Voter Registration Centre
B1i	Registration clerks Describe clerk 1	Tick as appropriate <input type="checkbox"/> Male <input type="checkbox"/> Female <input type="checkbox"/> Youth <input type="checkbox"/> Older member of society <input type="checkbox"/> PWD → specify the type of disability
a	If PWD, in B1i specify	<input type="checkbox"/> Visual Impairment <input type="checkbox"/> Hearing Impairment <input type="checkbox"/> Physical Impairment <input type="checkbox"/> Other(Specify).....
ii	Registration clerks: Describe clerk 2	<input type="checkbox"/> Male <input type="checkbox"/> Female <input type="checkbox"/> Youth <input type="checkbox"/> Older member of society <input type="checkbox"/> PWD → specify the type of disability
b	If PWD, in B1ii specify	<input type="checkbox"/> Visual Impairment <input type="checkbox"/> Hearing Impairment <input type="checkbox"/> Physical Impairment <input type="checkbox"/> Other(Specify)_____
iii	Registration clerks: Describe clerk 3	<input type="checkbox"/> Male <input type="checkbox"/> Female <input type="checkbox"/> Youth <input type="checkbox"/> Older member of society <input type="checkbox"/> PWD → specify the type of disability

c	If PWD, in B1iii specify	<input type="checkbox"/> Visual Impairment <input type="checkbox"/> Hearing Impairment <input type="checkbox"/> Physical Impairment <input type="checkbox"/> Other(Specify) _____	
B2	How many registration clerks were conducting the registration exercise in a single site you made the observations	<input type="checkbox"/> Visual Impairment <input type="checkbox"/> Hearing Impairment <input type="checkbox"/> Physical Impairment <input type="checkbox"/> Other(Specify) _____	
B3	Were the registration centres easily accessible (To PWD, older members of society, mothers with small children, the sick etc)? If no describe _____ _____	Yes No	1 0
B4	Were there any special facilitative services targeting special interest groups (these include use of local language, sign language services where necessary, priority attendance,	Yes No	1 0 skip to C
B5	If Yes, please tick (Tick)	List type of service	
1.	Women <input type="checkbox"/>		
2.	Youth <input type="checkbox"/>		
3.	PWD <input type="checkbox"/>		
4.	Older members of society <input type="checkbox"/>		
B6	If persons with disability, specify category and service provided	List services provided	
		<input type="checkbox"/> Personal aid, <input type="checkbox"/> Sign language interpreter <input type="checkbox"/> Mobility aid <input type="checkbox"/> Crutches <input type="checkbox"/> Others _____	

C Voter registration information/educational/promotional materials			
C1	Did you observe the presence of voter registration promotional/educational materials at the site?	Yes No	1 0 Skip to C3
C2	What materials did you observe?	Fliers/booklets	<input type="checkbox"/>
		Posters	<input type="checkbox"/>
		Messages transmitted through TV/radio/social media	<input type="checkbox"/>
		Caps/t-shirts/jackets/pens	<input type="checkbox"/>
		Other _____	<input type="checkbox"/>

C3	What challenges or complaints did you note at this site in regards to the voter registration exercise? <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/>
C4	No. of Hours spend on this site [] []
C5	Other comments and observations

**PROMOTING PARTICIPATION AND
INCLUSION OF SPECIAL INTEREST
GROUPS IN THE 2022 ELECTORAL
PROCESSES**

