



JOINT CIVIL SOCIETY STATEMENT ON THE ONGOING POLITICAL PARTY PRIMARIES AND OTHER PREVALENT ISSUES AHEAD OF THE 2022 GENERAL ELECTIONS

FOR IMMEDIATE PRESS RELEASE

Sunday, 10th April 2022, Nairobi

As the 9th August 2022 general elections draws near, the rise in political temperatures witnessed across the country continue to drive jitters among Kenyans. In the past few months, pockets of political violence have been reported in some parts of the country.

Further, the country has witnessed swirling political alliances taking place, however the fluidity of these political identities, combined with the familiarity of the personalities involved, looks to be breeding some cynicism among the electorates. The alliance building is unfortunately balkanizing and zoning the country instead of promoting a democratic united Kenya.

As members of civil societies, we hold that an electoral process that takes a wrong turn could potentially threaten the country's aspirations of having peaceful, free, fair, and credible elections. We, therefore, wish to address the following arising issues;

1. PARTY PRIMARIES AND OTHER OBTAINING ELECTORAL ISSUES

Political party primaries are the foundation upon which a credible election is held and as such, political parties are required by law to conduct their nominations and submit a list of successful candidates who will contest in the main election to the IEBC. To this end, many parties are already in the process of conducting their primaries.

Over the years, party nominations have been a do-or-die affair for some areas characterized as party strongholds. In regions with party strongholds, nominations are in many ways the end of elections with the party ticket holders assured of political seats. This year's nominations will no doubt be any different. The stakes are high in such areas and all the hopefuls are leaving nothing to chance in their bid to win their respective parties' tickets.

With tensions across the political landscape already high because of the ongoing political party primaries, we urge political parties to ensure that they conduct their nominations in a peaceful,

free, and democratic manner. We call upon parties to adhere to the rule of law and their nomination rules so as to give legitimacy to the outcome of this process. We appeal to political parties to provide civic and voter education to their members to enable them make informed choices during the party primaries.

We also call upon parties to ensure they use their official Party Registers during the nominations in line with the Political Parties Act and the direction recently issued by the courts. Parties should also ensure that Special Interest Group (Women, Youth, People Living with Disabilities) are included in the exercise. We also expect that all disputes arising from the party primaries will be resolved in a proper and timely manner and ensure the rules of natural justice are adhered to. We believe that all parties have put in place appropriate Internal Dispute Resolution Mechanisms (IDRMs) to deal with any arising disputes. Should the IDRMs fail, parties also have other avenues of redress including the Political Parties Dispute Tribunal (PPDT) and subsequently the High Court.

We also call upon the political party members participating in the primaries to ensure that it will not just be a winnowing process to separate the chuff from grain, rather a rigorous process to filter out individuals with questions on their integrity from contesting for office. We urge political parties, who act as the first gatekeepers in the electoral process, to lock out persons implicated in corruption scandals and abuse of office from contesting for public office under the party's ticket. Political parties also have a duty to defend the Constitution of Kenya 2010 and national values and principles of governance provided in Article 10 including Chapter 6 on Leadership and Integrity. Furthermore, such individuals taint the image of the party.

2. POLITICAL INTOLERANCE AND VIOLENCE

We acknowledge the launch of the Election Security Arrangement Project (ESAP). We believe that a peaceful election environment is a necessary condition for the realization of credible, peaceful, free and fair election. To this end, we urge the Commission to hasten the process of training the security officers focusing not only on the election day but also in the period building up to the election's day.

We are also perturbed by the pockets of violence popping up in different parts of the country. Just recently, the Azimio presidential candidate's chopper was stoned in Soy Constituency, Uasin Gishu County. The local media has also been rife with incidents of assault on political aspirants. An ODM aspirant for Bombamba Ward was hacked to death last weekend, after arriving in Kisii for the party primaries. Our attention has also been drawn to reports of a UDA politician from Mvita, Mombasa county who was shot and injured last week in Tudor. This comes under the backdrop of the unresolved deaths of two individuals as a result of politically instigated violence between two political rivals in Kenol, Muranga county.

We believe that these incidents are a recipe for a chaotic election. Political violence should not be tolerated in a democracy where the citizens are expected to exercise their right to choose leaders without fear or intimidation. Citizens have the power provided in Article 1 of the Constitution to exercise their sovereignty through democratic elections.

We urge the law enforcement agencies not to relent in their quest to ensure that the August 9 General Election is peaceful. The police should quickly investigate all cases of violence and bring the culpable to book. We call on politicians and their supporters to exercise restraint and allow those with different political ideologies to hold their meetings/rallies without disruption.

3. MISUSE OF STATE RESOURCES

As political activities around the country intensify, we note with concern the continued misuse of state resources by state officials during campaigns. Such unjustified use of state resources are electoral malpractices that corrupt the electoral process, and undermines the aspirations of Kenyans as espoused in Chapter 6 of the Constitution of Kenya, 2010; the Leadership and Integrity Act, 2012; and the Public Officer Ethics Act, 2011; provisions that respectively call for public integrity, prohibits the wrongful or unlawful influence by state officers in the acquisition of property, and calls for state officers not to misuse state resources entrusted to them.

It is a blatant, unacceptable affront to the basic principles of democracy and governance, and they must be put to an end forthwith. We call upon the Electoral oversight institutions to enlist citizens' involvement in monitoring, intervening and reporting the use of public resources in the upcoming elections.

4. ELECTORAL DISINFORMATION AND MISINFORMATION

Cases of electoral disinformation and misinformation have been wide spread through digital media: We are concerned that Social Media influencers have become guns for hire who churn out disinformation and hate speech, and are now aligned with politicians. With voters lacking awareness and knowledge to detect disinformation when making their voting choices during elections, this will compromise the quality of our electoral processes. We are aware that the Constitution Commissions have limited capacity and unable to discharge their constitutional mandate, especially in implementation of laws and regulations on misinformation and disinformation and digital engagements with politicians.

We call upon Journalists not to be compromised and manipulated during elections because of low capacity to fact-check, verify fake news and practice independence from politicians. We also appeal to the Civil Society leadership to coordinate and monitor misinformation and disinformation and hold institutions of governance accountable. We call upon the National Cohesion and Integration Commission (NCIC) and technology Companies to collaborate and deal with tribal nuances that precipitate violence during electioneering period.

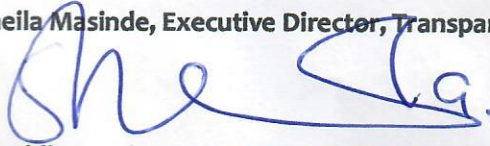
Conclusion

As one of the leading democracies in the region, it is incumbent upon Kenyans and the relevant institutions to protect and promote the right of every Kenyan to credible, peaceful, free and fair elections. As members of civil society organizations gathered here, we wish to inform members of the public and election management institutions that we are keenly monitoring and observing these processes and will be issuing periodic reports to the public.

Signed by

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