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KENYA NATIONAL ASSEMBLY

TENTH PARLIAMENT – FOURTH SESSION (2010)

THE DEPARTMENTAL COMMITTEE

ON

ENERGY, COMMUNICATIONS AND INFORMATION

REPORT ON
INTERIM INDEPENDENT ELECTORAL COMMISSION (IIEC) OF KENYA'S STUDY
TOUR OF THE STATE OF NEBRASKA, USA, ON BEST PRACTICES IN ELECTION
MANAGEMENT

Clerk's Chambers
Parliament Buildings
NAIROBI

July, 2010

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1. 0 PREFACE

Mr. Speaker, Sir,

1. The Committee on Energy, Communications and Information was constituted on June 17th 2009 and its membership is as follows:-

- | | |
|--|----------------------|
| 1. The Hon. (Eng.) James Rege, M.P. | Chairman |
| 2. The Hon. Maina Kamau, M.P | Vice Chairman |
| 3. The Hon. Danson Mwazo Mwakulegwa, M.P | |
| 4. The Hon. Mohamed Hussein Ali, M.P | |
| 5. The Hon. (Eng.) Nicholas Gumbo, M.P | |
| 6. The Hon. Edwin O. Yinda, M.P | |
| 7. The Hon. Emilio Kathuri, M.P | |
| 8. The Hon. Ekwee Ethuro ,M.P | |
| 9. The Hon. (Prof.) Phillip Kaloki, M.P | |
| 10. The Hon. Cyprian Omolo, M.P | |

Mandate of the Committee

2. The Committee is mandated to consider:-

- Development, production, maintenance and regulation of Energy.
- Communication.
- Information.
- Broadcasting, and
- Information Communications Technology (ICT) development.

3. The Committee executes its mandate in accordance with the provisions of Standing Order 198 (3), which is -

- a) to investigate, inquire into, and report on all matters relating to the mandate, management, activities, administration, operations and estimates of the assigned Ministries and Departments;
- b) to Study the programme and policy objectives on Ministries and Departments and the effectiveness of the implementation;
- c) to Study and review all legislation referred to it;
- d) to study, assess and analyze the relative success of the Ministries and departments as measured by the results obtained as compared with their stated objectives;

- e) to investigate and enquire into all matters relating to the assigned Ministries and departments as they may deem necessary, and as may be referred to them by the House or a Minister; and
 - f) To make reports and recommendations to the House as often as possible, including recommendation of proposed legislation.
4. Further, Standing Order No. 152 provide that:-
- (1) Upon being laid before the National Assembly, the Annual Estimates shall stand committed to the respective Departmental Committees according to their mandates.
 - (2) Each Departmental Committee shall consider, discuss and review the Estimates committed to it under this standing order and submit its report thereon to the House within twenty one days after they were first laid before the House.

Ministries assigned

5. In executing its oversight mandate the Committee oversees the following Ministries:-
- i) Ministry of Energy
 - ii) Ministry of Information and Communications.

2.0 EXECUTIVE SUMMARY.

6. The ensuing report enumerates the findings of a recent study tour to the State of Nebraska by members of the Interim Independent Electoral Commission, the Departmental Committee on Energy, Communication and Information and representatives from Kenyan civil society. The purpose of the tour was to educate members of the IIEC and the National Assembly, on best practices in the use of Information and Communication Technologies to infuse integrity and improve our county's election management.
7. Chapter 3 of the report provides the background behind the push for electoral reform in light of the 2007 General Elections, which constituted a missed opportunity for democratic consolidation. Further, the chapter highlights the recommendations of the Kriegler Report which impugned the management and supervision of the last election

by the Electoral Commission of Kenya; eventually precipitating that body's disbandment through a constitutional amendment by this House.

8. Chapter 4 represents the core of the report illustrating how the State of Nebraska manages its complex electoral system. Notwithstanding the very different legal jurisdictions between Kenya and the United States of America, Nebraska's election management offers numerous lessons on best practices, some of which can be replicated in Kenya with minimal modifications to our electoral law. The chapter highlights the very stringent measures deployed by the Election Commissioners in Nebraska before a provisional result is declared official. The key lesson learnt is that for Kenyan citizens to accept future elections results, it is imperative that the election management be beyond reproach.
9. Chapter 5 is a summary of the key recommendations by our Committee towards improving the integrity of Kenya's election management. We have proposed immediate and longer term measures which in our view, would help to improve the transparency of Kenya's election management. Among the key recommendations the Committee has made are the automation of the various polling day forms for tabulation and transmission of results i.e. form 16A for presidential and parliamentary results; form 16 which captures the figures for presidential candidates; form 17A which captures the figures for parliamentary candidates and forms 8 & 9 which capture the results for the civic election. In addition, we have strongly recommended that the IIEC triple checks all results through transmission by way of telephone, GPRS [General Packets Radio Service] and physical transmission of the polling day forms; only declaring a result official once all three modes of transmission are in agreement.
10. In conclusion, chapter 6 calls on the Government of the Republic of Kenya to take its duties in meeting the obligations of the IIEC seriously. In the Committee's view, requests from the IIEC for financial support and /or bilateral assistance from third party donors should be acted upon promptly so that the IIEC can accomplish the onerous mandate which this House has bestowed upon it.

Mr. Speaker Sir,

11. On behalf of the Departmental Committee on Energy, Communication and Information and pursuant to the provisions of Standing Order No. 162, it is my pleasure and duty to present to the House, the Committee's Report on the Interim Independent Electoral Commission's (IIEC) study tour of the State of Nebraska on best practices of Election Management: February 15th- 20th 2010.

Thank You.

Signed

Chairman
Hon. (Eng.) James Rege, MP

Date:

3.0 BACKGROUND

12. The aftermath of the disputed 2007 Presidential elections in Kenya precipitated Kenya's most serious political crisis to date. While violence as a means to obtain political power has been a feature of Kenyan elections since 1992, the scope and intensity of the most recent outburst was something few had anticipated. Obviously, if the election management process, especially the tallying and transmission of votes had not been marred by allegations of fraud, the country could have perhaps avoided the 2007 post election episode which left behind bereaved, hungry and homeless people, forced from their homes in ill conceived attempts at ethnic cleansing and tribal balkanization in Kenya.

13. The Kenyan National Dialogue and Reconciliation Agreement in 2008 established the Independent Review Commission [IREC] on the General Elections held in Kenya in 2007 (the Kriegler Commission). The Commission conducted its inquiry by visiting many parts of the country, interviewing citizens with pertinent information and collecting information from many other people who had relevant information on what went wrong with the 2007 General Elections¹. The Commission recommended among other things "review of the Electoral Commission's administrative procedures with a view to introducing as much certainty as possible in key operational areas so as to ensure uniformity of performance throughout the electoral process from polling station level up to the various teams at the national tallying center"². In addition, concerning counting, tallying and announcement of results, IREC recommended

- Integration of the various descriptions of the entire counting and tallying procedure into one document only which will then be the principal description and must be adhered to
- Without delay, development of an integrated and secure tallying and data transmission system
- Access of the media to this new system

¹ Kenya National Dialogue and Reconciliation Committee, Agreement on the Establishment of the Independent Review Commission on the General Elections held in Kenya in 2007, March 4, 2008, available at www.dialoguekenya.org

² See page 154 of IREC's Report under recommendations concerning the ECK's operational procedures

- Provision of ample time for verifying provisional results so that they are only declared final and /or official when there is no risk that errors can still be found or non-frivolous objections raised

14. IREC found that the 2007 election was characterized by grossly defective data collation, transmission and tallying and ultimately, that the electoral process in 2007 failed for lack of adequate planning, staff-selection, training, public relations and dispute resolution. These were the factors which gravely impaired the process and credibility of the 2007 elections and as such, the results were irretrievably polluted making it irrelevant whether or not there was actual rigging at the national tallying center³. From the foregoing, IREC recommended radical reform of the ECK and creation of “new electoral management body (EMB) with a new name, image and ethos committed to administrative excellence in the service of electoral integrity”

15. From the foregoing, on December 15th 2008, 169 MPs in this House overwhelmingly passed the Constitution of Kenya (Amendment) Bill 2008 effectively disbanding the Electoral Commission of Kenya and replacing it with a 9 member Interim Independent Electoral Commission. It is pertinent to note that no MP present in Parliament voted against the Bill. The establishment of Interim Independent Electoral Commission (IIEC) was therefore the result of consensus reached by Parliament in the face of unaccountable management of elections by its predecessor. Its mandate includes:

- **Reform the electoral process and the management of elections in order to institutionalize free and fair elections**
- **Establishment of an efficient and effective secretariat**
- **Promotion of free and fair elections**
- **Fresh registration of voters and the creation of a new voters’ register**
- **Development of a modern system for collection, collation, transmission, and tallying of electoral data**
- **Conducting of a referendum for the new constitution**

³ See page x of IREC’s Report “Executive Summary”

- **Facilitation of the observation, monitoring and evaluation of elections and referenda**
- **Promotion of voter education and culture of democracy, and**
- **Settlement of minor electoral disputes during an election as may be provided by law**

16. Hence, the Parliamentary Commission on Energy and Communications in conjunction with the Ministry of Foreign Affairs and the Kenyan Embassy to the United States in Washington DC, organized and coordinated a study tour to the State of Nebraska in the United States of America between 15th and 20th February 2010. The Kenyan delegation was comprised of officials from the Interim Independent Electoral Commission (IIEC), the National Assembly and representatives of Kenyan civil society. The purpose of the study was to offer the IIEC a demonstration and theory of best practices of cutting edge technology deployed in implementing electronic voting systems worldwide following the bungled 2007 General Election in Kenya.

17. On 17th February 2010, Hon Eng James Rege (MP) and Chairman of the Parliamentary Committee on Energy and Communications, Mr. Ahmed Isaak Hassan Chairman of the Interim Independent Electoral Commission (IIEC) accompanied by two Commissioners and the Chief Electoral Officer and Ambassador Peter Rateng Ogego, Ambassador of Kenya to the United States of America, led a Kenyan delegation to Lincoln City which was received by, Honourable John A. Gale, Secretary of State, State of Nebraska, USA

18. The Kenyan delegation was provided with an overview of the election management process in the State of Nebraska by the State's Election Officials including Nate Dobbs, State of Nebraska Elections Specialist, David J. Shively, Election Commissioner Lancaster County, Nebraska, L. Neal Erickson Nebraska Deputy Secretary of State for Elections, Joshua C. Daws, Chief Technology Officer Nebraska Secretary of State's Office and Becky A. Richter an Elections Specialist in the Nebraska Secretary of State's Office.

19. The delegation learnt that this team is responsible for overseeing elections in 93 local jurisdictions (Counties) involving a large number of elected offices compared to other states through a complex ballot rotation system. Further, the Election management in the State of Nebraska is divided into the following broad areas:

- a) Voter Registration
- b) Vote Tabulation
- c) Reporting

20. All three areas are inter-related and subject to internal factors i.e. Federal, State and local regulation while external factors include the public, media and political parties. The main purpose of Nebraska's voters' registration is allow for proper ballot distribution to all registered voters on Election Day so that when a person comes to vote, they are assigned a list of districts or political sub-divisions that they are eligible to vote for on Election Day. The list of assigned districts is derived from the voter's place of residence in their County jurisdiction

21. The Nebraska Voter Registration has 31 servers spread out over 2 physical sites either running Windows 2003 Server or Red Hat Linux. The first site is the Production Facility while the second is a Disaster Recovery/ Fall over site. We were informed that all Nebraska Counties use the Voter Registration System for their day to day operations. The contracted service provider has an access control list for physical access to Production and Disaster Recovery sites where the voter registration System hardware is located. The physical access controls are tested by the Secretary of State on a periodic basis as are the physical inspection of hardware including serial numbers for audit purposes according to State law

22. Ballot Layout: The order of races on the ballot is outlined in Nebraska State Law i.e. Federal races are listed first, followed by State races and then local races. Nebraska law requires that candidate's names be rotated in each race except for partisan races. The ballot design, layout and vote tabulation coding are done by the contracted service provider with oversight by the Election Commissioner and staff. Ballots are proofed by various members of the Election Commissioner's staff before they are printed to ensure

the spelling of the candidates' names is correct and that all races are listed on the appropriate ballots for each precinct.

23. Ballot Security: A ballot count is done to ensure the number of ballots issued to each precinct is known that this number is verified by poll workers in each precinct prior to the opening of the polls on election morning. At the close of the polls, voted ballots are counted and transferred to a ballot transport box and sealed. The seals are signed by two poll workers of different political parties and returned to the election office to be tabulated. After the election, voted ballots are boxed, sealed and securely stored for 22 months before they can be destroyed.

24. Vote Tabulation: Election Officials (Election Commissioner who is a Democrat and the Chief Deputy Election Commissioner a Republican) together with the service provider each conduct an independent test of the vote tabulation system for each election. There is in place a Central Count Optical Scan where two individuals from different political parties operate each central count tabulation machine of election night. Political parties are each allowed one observer to observe the vote tabulation process. If candidates are interested, they are allowed to observe as well.

25. Poll workers: There is a Precinct Election Board which under State law requires 5 poll workers per precinct. The poll workers include a Precinct Inspector (supervisor), two clerks of different political parties and two judges of different political parties. They are supplemented by District Inspectors who visit each precinct in their assigned area to observe or review procedures and to answer questions of the precinct poll workers. It is the duty of the District Inspector to report any issues or concerns to the Election Commissioner.

26. Polling Locations: A precinct constitutes of a geographical area which contains anywhere between 800-1200 registered voters. A polling location is the facility where the voter will go to vote. The types of facilities used are normally schools, churches, government-owned facilities and businesses. US Federal Law requires that all polling locations must be accessible to any voter with a disability. This includes a means by which the disabled voter may cast his or her ballot in private and unassisted.

27. Elections Results and Reporting: No results are released until after 8.00 pm when all polling places across the State have closed. Counties report via electronic transmissions all the results for state office races and small counties are usually finished by 8.30 pm while in large counties, counting might not be completed until after midnight. The Secretary of State's Office then electronically compiles and releases the unofficial results via a Website to the public and the media. At least two members of the public from both of the major political parties are appointed to assist Election Officials in canvassing the results after the election in a process that is open to the public and the media. They review all precinct sign-in books as well as results to insure that no conflicts exist when comparing the numbers of voters and the votes cast. After this process, the winners are certified through preparation of abstracts of State races for the Secretary of State. The final act involves entry of the Voter History in the Voter Registration System for each person that voted in the election.

28. The role of the Secretary of State: Within 20 days after election, all counties must send out certified official results / abstracts of state races. The Secretary of State then conducts quality control check involving the number of registered voters, number of persons voting, total votes cast in each race and the total number of votes received by each candidate. For instance, the abstracts from the 2008 Election were compiled into a 68 page book containing results for all races for all candidates which was accomplished within 4 weeks of the date of the election. The Secretary of State is required to prepare certificates of election for each candidate as determined by the Board of Canvassers and then present results for executive office races and Public Service Commissioner to the Legislature when it next convenes.

29. Board of State Canvassers: The Canvass Book is presented to Nebraska's constitutional Officers (Governor, Secretary of State, Attorney General, Auditor of the Public Accounts and State Treasurer) who serve as the Board of State Canvassers at a public meeting where the media, candidates and observers are in attendance. They examine and review all the results and if necessary, order recounts as determined by State Statutes. They then certify the winners based on the Canvass Book.

5.0 CONCLUSION AND RECOMMENDATIONS

30. The foregoing issues underscore that inaction in completely overhauling the electoral management system which let Kenya down in 2007 would constitute a profound moral failure risking disintegration of the country as we know it today should future elections fail the test of credibility. The Committee has therefore identified immediate and longer term measures which need to be put in place by the IIEC in the course of the next election cycle and not later than the 2012.
31. The Government of Kenya has a responsibility to ensure that the IIEC is able to meet its obligations given to it by Parliament in relation to the management of elections in Kenya to avoid the sort of crisis that this country witnessed in 2008. Political expediency citing lack of funds should not excuse the Government's obligations. While we understand the many competing interests for funding that Treasury is seized of, the Government should in the alternative, seek bilateral support from third party donors on behalf of the IIEC so that its operations are not hampered. We implore the Government of the Republic of Kenya to therefore show the requisite political will that it can facilitate the creation of a credible election management body (EMB) to undertake future referenda and elections in Kenya which is a matter of national security.
32. We are concerned that more than one year since the defunct ECK was disbanded and the IIEC established, the IIEC is yet to be fully capacitated to undertake its reform mandate. The Cabinet as well as Parliament adopted the report of the Independent Review Commission [IREC] on the General Elections held in Kenya in 2007 and the Government must therefore do all in its power to facilitate the smooth operations of the IIEC. Failure to seriously consider requests from the IIEC points to lack of political will to undertake the critical reforms identified by the Kriegler Commission. In a nutshell, Government must be at the forefront of seeking to improve the overall integrity of Kenya's electoral system through responding to requests for financial disbursement from IIEC promptly.

5.1 Immediate measures required to enhance the integrity of Kenya's Election Management

33. We wish to point out the IIEC's own acknowledgement that for the moment, the new voter registration exercise is using outdated methods because the Law has given them an impossible task akin to repairing a tyre puncture when a vehicle is still moving; (by law, IIEC must conduct the referendum later this year and/ or undertake by elections whenever parliamentary seats fall vacant, and they therefore cannot ask the appointing authority to wait). The Committee however has overall concerns that the ongoing registration spells out little in terms of solving the problems appurtenant to the old voters' register. Instead, the exercise which kicked off with much fanfare on 22nd March 2010 appears to be more about collecting data and issuing a new card, than having an overall sound data base on which to run future elections on as recommended by Judge Kriegler. The Committee is therefore concerned that printing new cards based on outdated registration technology and updating it through addition and subtraction could potentially lead to the same sort of manipulation of data uncovered by the Kriegler Commission in relation to the 2007 elections⁴. From the foregoing, it is our recommendation that the ongoing voter registration exercise be enhanced to ensure that:

- It is configurable to future upgrades in line with the changing face of new technologies which are dynamic in nature and which have at times caught us by surprise.
- It is able to detect fraud through adequate controls and safeguards
- Has the ability to undertake duplicate voter match identification
- Has the ability for cross data base match criteria with data held by other Government agencies e.g. agency validation with the Department of Births

⁴ Put starkly, you can't do things in the same way and expect different results. The overall concern by the Committee is that if the IIEC uses the same system that failed us in 2007, future elections could still be riddled with fraud once the cards are printed. Thus, the recommendation that the new register be configurable to new technologies on the market is all about Election day and having a solid voter registration data base to run the referendum and future elections on. Additionally, the Committee has reservations that the IIEC is more pre-occupied about issuing individual cards and nothing much to regulate voting day which is where you find the real issues. By way of analogy, this would be like asking for a car with specifications only on the colour of paint wanted and what type or Radio/CD to include; what is missing is the interior and making sure the car has four wheels and an engine. That is why the Committee feels that issues of electoral integrity must be premised on a very sound voters' register, lest the same issues that bedeviled the 2007 Election come back to haunt us in a very short while.

and Deaths, Passport control, Registrar of Motor Vehicle Licenses etc. Such interface would result in a much cleaner register determining those eligible to vote and eliminating voter fraud, double voting or even deceased voters voting by proxy

- Can provide for expeditions removal of deceased voters
- Offers the possibility for remote voter registration
- Batch update processing is possible

34. That the IIEC be facilitated to develop a modern system for collection, collation, transmission and tallying of electoral data. We recommend that such a system be amenable to audit processes, thus integrating the whole of the election management cycle through process controls and provision of measures for fraud detection.

35. We commend the IIEC for commencing the mapping of all 27,000 polling stations and 210 tallying centers countrywide, and obtaining the GPS [Global Positioning System] coordinates of each and / or a report on the GSM [Global System for Mobile Communications] signal strength at each location. From this ongoing audit, we recommend that where there is no GSM signal, the IIEC be facilitated by Treasury to have fibre optic capability terminated from the national fibre optic backbone. This will facilitate the future deployment of wireless modems even as soon as the forthcoming constitutional referendum to transmit results to a central site thus reducing reporting of results from post midnight to theoretically reporting within just a few hours after polls close. It is our firm belief that it is possible for all results to be in within a matter of hours and not days as the case previously.

36. That IIEC posts the results (both provisional and official) of referenda and elections on a central website and the media and observers be granted access to a live feed instead of having to rely on their own sources.

37. Tabulation and transmission of results. We strongly recommend the automation of the polling day forms by the IIEC. The two forms 16 A (one for the presidential and one for the parliamentary election) and Form 8 for the civic election and by extension, form 16 which captures the figures for presidential candidates, the last page of form 17A for parliamentary candidates and the last page of form 9 for civic candidates be automated

through use of appropriate technology available in the market. Treasury should move with speed to secure the resources needed through disbursement of funds or sourcing for bilateral assistance from countries with the appropriate technology and knowhow.

38. In order to make the process of counting and tallying as scientific as possible, we recommend that the IIEC triple checks⁵ all results (both of referenda and elections) through;

- Presiding officers from the polling stations phoning in results to Returning Officers at the constituency level and in the same way, Returning Officers phoning in results to headquarters in Nairobi thus establishing a trail
- GPRS transmission with data encryption from polling station simultaneously to constituency headquarters and the national tallying center for comparison
- Physical tally of the various polling day forms for both referenda and elections.

39. IIEC should therefore be facilitated by Government / Treasury to conduct the triple checking of results on a pilot basis during the upcoming by elections in South Mugirango and Matuga with a view to full implementation of triple checking results by 2012.

5.2 Long Term Measures to be put in place by the 2012 General Elections.

38 Full automation of polling day forms¹ to capture the total number of registered voters in each polling station; the valid votes cast, rejected votes and disputed ballots. The Automation of results will further be conducted through encryption of vital records to protect vital election information. The key features of a secure transmission include encryption, fraud prevention and detection of tampering. We recommend password protection down to the polling station level wherein all supervisor functions and other

⁵ Only when all three forms of transmission tally and when there are no discrepancies will a result be declared official.

6. The key benefits of automation of polling day forms (form 16, 16 A, 17 A, 8 & 9) would be:

- a) Real Time voter check-ins
- b) Authentication of Voter biometrics
- c) Capture of Voter signatures

special functions are password protected through an Admin Smart Card. This will serve to ensure physical security of all electoral data and tracing a chain of custody⁶.

39 Integration with Voter Registration System through a Central Server: We recommend the conversion of the current Voter Data (obtained through the ongoing voter registration) to create a master data base so as to avoid duplication and to allow testing and auditing prior to elections. This will facilitate post election auditing through reconciliation of votes cast to voters voting and posting this history back to the Kenya voter data base. It is our belief that such technology for running and operating a Central Server is available on the market and Treasury should avail the financial resources required by IIEC directly or through bilateral assistance towards installation of such systems which capture turnout in real time, disputed voting and the list of voters voting to mention but a few.

40 That the IIEC be facilitated with resources needed in the management of free and fair elections i.e.

- Transparency in the entire voting process
- Acquisition and deployment of secure, accurate and reliable technology fully proven and tested by Government standards department.
- Pre-election Logic and Accuracy Testing
- Post Election check and balance process
- Voter Education and Outreach programs
- Poll worker training and education.

⁶ For instance, if an electronic poll book was deployed by the IIEC, the following benefits would be realized:

- Elimination of costs associated with antiquated paper based systems i.e. paper roster printing cost
- Fraud reduction through reconciliation of polling station data more accurately
- Early discoveries of ballot count discrepancies
- Faster adjudication of disputed ballots
- Overcome deadlines through use of electronic poll book
- Improving voter confidence and re-directing voters to correct polling station (viewing map of voter's correct poll station and printing directions for voter)
- Prevention / reduction of fraud

41. That the IIEC be furnished with the resources and /or technical assistance required for efficient conduct and supervision of Elections and Referenda through

- Detection and elimination of voter fraud
- Improvement of voter confidence
- Vote tallying accuracy
- Reduction of vote waiting times (lines) through cutting edge technology available on the market
- Acquisition of poll station counters
- Acquisition of the most modern central counters at the constituency tallying centers
- Provision of voting aids for illiterate and disabled voters without requiring third party assistance

42. We commend the IIEC for moving towards implementation of electronic voting. It is our recommendation that this system should be fully configurable and have the capacity to achieve reduction of lines at the polling station. It is our considered view that taking into account Kenya's infrastructure, such system should be

- Battery Operated
- Able to encrypt and protect data
- Issue audit reports
- Transmit all ballot counts over secure lines to a central system
- Provide a secure accurate tally at the polling station
- Provide a secure accurate tally at the constituency tallying center and simultaneously transmit the data to the national tallying center with proven record in large polling station counting systems.

43. The Committee recommends that Treasury moves with speed to assist the IIEC implement the full range of recommendations enumerated herein through bilateral intervention in sourcing for a reputable service provider with extensive worldwide election management experience through decades of repetitions and refinement. Such a measure would have the added benefit of securing skills, technology and knowledge transfer to the IIEC while ensuring continuous product and process improvement. Our considered view is that the most appropriate service provider **MUST** be able to conceive, build and test from the ground and manage secure elections instead of supplying consumer products which require modifications.
44. The foregoing issues underscore that inaction in completely overhauling the electoral management system which let Kenya down in 2007 would constitute a profound moral failure risking disintegration of the country as we know it today should future elections fail the test of credibility. The Committee has therefore identified immediate and longer term measures which need to be put in place by the IIEC in the course of the next election cycle and not later than the 2012.
45. The Committee recommends that the House adopt its Report on the Interim Independent Electoral Commission's (IIEC) study tour of the State of Nebraska on best practices of election management.

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