

2KEN014/235 – Strengthening Electoral Processes in Kenya
2018 Annual Progress Report



Empowered lives.
Resilient nations.



Persons with Disability supported to vote the October 2017 Fresh Presidential Elections

Project Summary	Country:	Kenya	
	Project Duration:	2015 – 2019	
	Budget and Donors:	Budget and Donors:	US\$ 23,713,800
		DfID	= US\$ 5,768,584
		USAID	= US\$ 3,800,000
		EU	= US\$ 5,700,000
		Italy	= US\$ 1,017,000
		Ireland	= US\$ 107,000
		Germany	= US\$ 107,000
	Annual Budget for 2018:	US\$ 2,535,800	
Budget for Jan '18 – Jun '19	US\$ 3,090,150		
Cumulative expenditure	US\$ 2,146,060		
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Collaborating Partners:

Independent Electoral and Boundaries Commission; The Judiciary - Judiciary Committee on Elections; Office of the Registrar of Political Parties; Political Parties Dispute Tribunal; Media Council of Kenya; Law Society of Kenya; Election Observation Group; Kenya National Commission on Human Rights



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Acronyms

ACORD	Agency for Cooperation and Research in Development
AVEW	Annual Voter Education Week
AWCFS	African Woman and Child Feature Service
AWP	Annual Work Plan
BRIDGE	Building Resources in Democracy, Governance and Elections
BVR	Biometric Voter Registration
CIFA	Community Initiative Facilitation and Assistance
CIOC	Constitution Implementation Oversight Committee
CMD	Centre for Multiparty Democracy Kenya
CREAW	Centre for Rights Education and Awareness
CRAWN	Community Advocacy and Awareness Network
CSO	Civil Society Organization
CTA	Chief Technical Advisor
CPD	Country Programme Document
DaO	Delivering as One
DAI	Development Alternatives Inc
DGE	Donor Group on Elections
EDR	Electoral Dispute Resolution
EISA	Electoral Institute for Sustainable Democracy in Africa
ELOG	Election Observer Group
EOP	Election Operations Plan
ESAP	Electoral Security Arrangement Programme
ETAP	Elections Technical Assistance Provider
EU	European Union
FBO	Faith-based Organization
FIDA-Kenya	Federation of Women Lawyers (Kenya)
FPE	Fresh Presidential Election
GEWE	Gender Equality and Women Empowerment
GBV	Gender-based Violence
GROOTS	Grassroots Organizations Operating Together in Sisterhood
ICC	International Criminal Court
ICT	Information Communications Technology
IEBC	Independent Electoral and Boundaries Commission
IEC	Information, Education and Communication
IFES	International Federation of Electoral Systems
IIEC	Interim Independent Electoral Commission
IP	Implementing Partner
IPOA	Independent Policing Oversight Authority
IRCK	Inter-Religious Council of Kenya
JCE	Judiciary Committee on Elections
JLAC	Justice and Legal Affairs Committee
JPSC	Joint Parliamentary Select Committee

JTI	Judiciary Training Institute
KEAP	Kenya Electoral Assistance Programme
KEWOPA	Kenya Women Parliamentary Association
KCO	Kenya Country Office
KICD	Kenya Institute of Curriculum Development
KIEMS	Kenyan Integrated Election Management System
KISM	Kenya Institute of Supplies Management
KNCHR	Kenya National Commission on Human Rights
KSL	Kenya School of Law
LSK	Law Society of Kenya
MVR	Mass Voter Registration
M&E	Monitoring and Evaluation
MCK	Media Council of Kenya
MoU	Memorandum of Understanding
NASA	National Super Alliance
NBA	Nairobi Bar Association
NCIC	National Cohesion and Integration Commission
NDI	National Democratic Institute
NGEC	National Gender and Equality Commission
NSA	Non-State Actor
NPS	National Police Service
NSC	National Steering Committee on Peace Building and Conflict Management
OHCHR	Office of the High Commissioner for Human Rights
ORPP	Office of the Registrar of Political Parties
PVT	Parallel Vote Tabulation
PWDs	Persons with Disabilities
PMU	Project Management Unit
PP	Political Party
PPLC	Political Parties' Liaison Committee
PPDT	Political Parties' Dispute Tribunal
ProDoc	Project Document
PSC	Project Steering Committee
PWDs	People with Disabilities
RRF	Results and Resource Framework
SCOK	Supreme Court of Kenya
SEPK	Strengthening Electoral Processes in Kenya
SERP	Support to Electoral Reform and Processes
SSV	Survivors of Sexual Violence
ToT	Training of Trainers
TWG	Technical Working Group
UNDAF	United Nations Development Assistance Framework
UNDP	United Nations Development Programme
UNODC	United Nations Office on Drugs and Crime
UNV	United Nations Volunteer
UN Women	United Nations Entity for Gender Equality and the Empowerment of Women

VAWiE	Violence Against Women in Elections
VRAs	Voter Registration Assistants
WSR	Women Situation Room
YAA	Youth Agenda

1. Executive Summary

Project background

The Strengthening Electoral Processes in Kenya (SEPK) Project seeks to contribute to Kenya's effort to develop sustainable electoral institutions that can deliver a free, fair, just, transparent and credible general election in 2017 through the following four outcomes:

- (i) Strengthened institutional and legal framework for the conduct and management of free, fair, just, transparent and credible elections;
- (ii) Strengthened participation of voters, parties and candidates in the electoral process with emphasis on women, youth, persons with disabilities and marginalized groups;
- (iii) Delivery of more efficient, transparent and peaceful elections; and
- (iv) Strengthened electoral justice and increased compliance with the electoral legal framework.

The project contributes to Outcome 1, Output 1.3 of the United Nations Development Assistance Framework (UNDAF, 2018-22). The UNDP Kenya Country Programme Document (CPD) 2018-2022 was approved by the Executive Board in June 2018. Effective July 2018, the SEPK project contributes to CPD Outcome 2: By 2022, people in Kenya live in a secure, peaceful, inclusive and cohesive society.

The project is implemented by UNDP in collaboration with United Nations Entity for Gender Equality and the Empowerment of Women (UN Women) and the Office of the United Nations High Commissioner on Human Rights (OHCHR) under the United Nations approach of *Delivering as One* (DaO) and in line with the UN principles for electoral assistance.

This report covers the period January – December 2018.

Programmatic Results

Through electoral support to the Independent Electoral and Boundaries Commission (IEBC), Kenya's Electoral Management Body (EMB), and other electoral stakeholders, the project contributed to increasing registration of registered voters from 14,352,533 in 2013 to 19,611,423 in 2017. 47% of these registered voters for the 2017 elections were women while 51% were youth aged 18 – 35 years. The project also supported capacity strengthening of key electoral institutions to support candidature of and election of women to both national and county legislatures. As a result, 21% of elected members of National Assembly were women compared to 5.52% in 2013 while 6.76% of elected county legislatures were women compared to 5.66% in 2013. This result is further buttressed by the unprecedented election of 3 women governors and 3 women senators. The highly patriarchal pastoralist Maasai and Samburu communities made history by electing one woman senator and five women Members of National Assembly, while North Eastern Kenya, for the first time, voted in one woman MP. Kenya improved in the Global Peace Index ranking from position 125 out of 163 states with a score of 2.336 in 2017 to position 123 out of 163 states with a score of 2.354 in 2018.

Post-Election Evaluation: The project supported IEBC to commission the Post-Election Evaluation (PEE) exercise through methodology workshop, 6 county cluster consultations, FGDs and KIIs in 30 constituencies in 15 counties, development partners' roundtable, consultation meeting with 63 political parties and the Political Parties Liaison Committee (PPLC) and a National Stakeholders Workshop. IEBC also engaged 95 government and non-government stakeholders including the National Assembly, Senate, ORPP, PPLC, 21 development partners, 65 political parties and several CSOs in the post-election evaluation exercise. The findings of the PEE will inform the IEBC Strategic Plan 2019-23 and the 2022 Elections Operations Plan.

Strengthened engagement of political parties: The project supported finalization, launch and dissemination of popular versions of Political Parties Act 2011. The popular versions were produced in English and Swahili and disseminated to 67 political parties in 47 counties. The popular versions were used to build the capacity of political parties in a bid to strengthen their internal democracy structures and promote social inclusion and gender equality in political parties. This output was partially achieved due to limited engagement with the National Assembly which moved on from electoral to other issues.

Gender Equality and women empowerment in the electoral process promoted through CSOs: The project supported post-election learning activities on gender and social inclusion through engagement of Special Interest Groups (SIGs) and Civil Society Organizations in post-election dialogue. Through UN Women, SEPK provided technical and financial support to AWCFS, GROOTS Kenya, CIFA, Eco Network Africa, KEWOPA, CAF, SOCATT, ORPP, CoG and the State Department of Gender Affairs (SDGA) to promote Gender equality and women empowerment in their respective spaces.

Lesson learning on the role of the media in 2017 elections: During the reporting period, the project, supported post-election reflection of the role of the media in the 2017 election for key media stakeholders. The reflection exercise established that journalists and news anchors were not adequately briefed on conducting interviews from a gender perspective, journalists were mismatched with their interviewees, news anchors, producers and media houses lacked skills on gender, while media houses did not have gender policies or capacity building on gender mainstreaming.

IEBC Risk Management Framework finalized and disseminated to national and county commission staff: The project supported IEBC to finalize its risk management framework and risk profile. The risk management framework and risk profile will enable the Commission to identify risks and put in place measures to mitigate them; will identify the responsibilities of the departmental heads as risk owners; identify and mentor risk champions; and equip the risk champions to identify and mitigate risks as they emerge.

Duty-bearers engaged in implementation of Electoral Gender Based Violence (EGBV) report: SEPK supported KNCHR to document and share with the President, Parliament and the public a compendium titled "Silhouettes of Brutality – An Account of Sexual Violence during and after the 2017 General Election" that detailed incidences of electoral gender-based violence cases recorded during the 2017 elections. The engagement with KNCHR further resulted into: (i) Strengthened

capacity of survivors towards prevention, protection and response to sexual violence; (ii) Assessed the needs of survivors towards realizing reparation, comprehensive care, support and access to justice; (iii) Established tax justice system towards prevention, protection and response to sexual violence; and (iv) Sexual violence survivors' resilience enhanced and their rights advanced.

Knowledge and capacity of women judges to adjudicate EGBV enhanced: Through Kenya Women Judges Association (KWJA), the project trained 44 women Judges and Magistrates on the role of judges and magistrates in protecting the rights of women in general elections. The judges called for a review of the Electoral Offences Act to specifically address cases of electoral gender-based violence, the need to develop capacity of KWJA on leadership, gender and related international instruments, and enhance capacity of lawyers to undertake litigation of EGBV cases.

Election observers' reflection and lesson learning: Key duty bearers including the National Assembly Constitution Implementation Oversight Committee (CIOC), Committee on Delegated Legislation, Justice and Legal Affairs Committee (JLAC), IEBC, ORPP, CSOs among others agreed on implementation timelines for each of the recommendations in the synthesized observer reports. A framework for follow through, led by ELOG Secretariat, was established to periodically report on the recommendations of the findings.

Constraints and Opportunities

The finalization and approval of the SEPK 2018 AWP was delayed owing to a protracted stakeholder consultation. This severely limited the start of implementation of activities. Development of a new year's workplan should start in good time to allow adequate consultation of key project stakeholders. The AWP should be completed and approved by the PSC before the end of the year to avoid delay in implementation once the new year starts.

The leadership conundrum at IEBC continued to undermine implementation of programmed activities. However, in August 2018, the High Court confirmed that the IEBC was legally constituted and that the reduced number of Commissioners did not adversely affect the operation of the Commission. This restored the confidence in the Commission.

With the end of the 2017 elections, government stakeholders, especially Parliament and the National Executive shifted their focus away from election related matters. Exchequer funding to IEBC was significantly reduced to cater only for essential running costs. For adequate preparation and management of the 2022 elections, there is need to adopt the electoral cycle approach in support to IEBC. This will ensure that the commission undertakes preparatory activities in between electoral events like voter/civic engagement, voter registration and review of the electoral legal framework.

2019 Work Plan

The project implementation period was extended from 31 December 2018 to 31 June 2019 to facilitate finalization of activities which were not completed in 2018. These include:

- i Finalization of the IEBC post-election evaluation (PEE), SEPK End-Term Evaluation, evaluation of Electoral Security Arrangement Programme and evaluation of media engagement in the 2017 election.

- ii The Project Steering Committee approved inclusion of support to IEBC restructuring in the revised 2018/19 workplan. The project will prioritize this activity before its closure.
- iii Conceptual design and development of the **Consolidating Democratic Dividends for Sustainable Transformation in Kenya** Project Document to ensure UNDP sustainable engagement on democratic governance issues between electoral events. The proposed SEPK-successor project will focus on access to justice, rule of law, civic engagement and laying the foundation for electoral cycle support to 2022 elections.

The project team will undertake operational and financial closure activities towards operational and financial closure of the project by June 2019.

Financial Delivery

The project implemented an annual work plan (AWP) for 2018 with a budget of **US\$ 2,575,800**. During 2018 financial year, the project expenditure stood at **US\$ 2,146,060**. The delivery against the 2018 AWP was **83.32%**. This was **69.45%** of the total revised 2018-19 budget of **US\$ 3,090,150**.

2. Political Environment

The year 2018 marked the post-election phase of the project. The year started with a tense political environment with the “inauguration’ of the leader of the main opposition coalition Rt. Hon. Raila Odinga as the “People’s President” on January 30, 2018 in a symbolic ceremony after the main opposition coalition boycotted the fresh presidential election (FPE) of 26th October 2017. The “swearing in” was followed by the set-up of “parallel government structures” by the opposition which continued to mobilize its supporters to stage mass protests and economic boycotts in defiance of the Jubilee administration. There were incidents of shrinking democratic space witnessed by a crackdown on independent media houses and incidents of human rights violations orchestrated by the security and the immigration agencies. The swearing in of Kalonzo Musyoka as HE Odinga’s “deputy” was also put off indefinitely.

In March 2018, President Uhuru Kenyatta and HE Raila Odinga agreed to unite the country and foster national cohesion, reform and development after the hotly contested 2017 elections through their Building Bridges to Unity Initiative (BBI). HE President Uhuru Kenyatta and HE Raila Odinga unveiled a 14-member team to oversee the roll-out of the eight-point agenda to address deep-seated governance and democracy issues including ethnic antagonism and competition, lack of national ethos, inclusivity, devolution, safety and security and corruption to move the country towards national healing and reconciliation. The 14-member team outlined policy, administrative reform proposals and implementation modalities for each identified challenge area; and conducted consultations with citizens, faith-based organizations, cultural leaders, the private sector and experts at both the county and national levels. The BBI team is expected to release its report before June 2019.

In April 2018, three IEBC Commissioners Consolata Maina, Paul Kurgat and Margret Mwachanya resigned from the Commission citing lack of confidence in leadership of the IEBC Chairperson, Wafula Chebukati. This reduced the size of the Commission to three following the resignation of Commissioner Roselyn Akombe in October 2017. During the year, the Commission discharged its Chief Executive Officer of his duties to pave way for an internal audit on unspecified ‘procurement issues’ related to the 2017 elections. These developments occasioned a leadership conundrum at the Commission, with some quarters arguing that the Commission was not properly constituted to undertake its mandate. In response to these changes, the project reviewed and reprioritized some activities in its Annual Work Plan 2018. This resulted in deferment of some activities including commencement of the post-election evaluation, finalization of IEBC internal policies and capacity building of IEBC staff through BRIDGE training. This decision did not affect the project engagement with other partners. In August 2018, the High Court ruled that IEBC was properly constituted despite the resignation of the three commissioners. The High Court judgement paved the way for IEBC to prepare for and manage the Baringo and Migori Senatorial by-elections. The judgement also emboldened the commission to re-engage with various stakeholders on ongoing and new electoral issues.

The project adopted the Electoral Cycle Approach (ECA) to focus its interventions to post-election evaluation and lesson-learning, institutional strengthening including policy reviews, staff training

and long-term institutional and legal reform with an outlook to 2022 Electoral Cycle. SEPK priorities for 2018 included terminal evaluation and related audit, and development of a broader deepening democracy programme seeking to strengthen access to justice, security, citizen engagement, stakeholder engagement and electoral institutions ahead of 2022 elections. The programme will be modelled around the newly approved Kenya UNDAF 2018-2022 and the UNDP-Kenya CPD 2018-22.

In October 2018, the project management unit approached the Project Steering Committee with a proposal to (i) revise the AWP to include support to IEBC restructuring, and (ii) to extend the period of project implementation to June 2019. The extension was also to give time for completion of activities whose implementation was delayed due to the leadership conundrum at IEBC following the resignation of 3 commissioners. Based on this guidance, the project reviewed its workplan to include the period ending June 2019.

3. Progress towards Development Results

The *Strengthening Electoral Processes in Kenya (SEPK)* Project contributes to Kenya's effort to develop sustainable electoral institutions to deliver a free, fair, just, transparent and credible general election in 2017 through the following four outcomes:

- (i) Strengthened institutional and legal framework for the conduct and management of free, fair, just, transparent and credible elections;
- (ii) Strengthened participation of voters, parties and candidates in the electoral process with emphasis on women, youth, persons with disabilities and marginalized groups;
- (iii) Delivery of more efficient, transparent and peaceful elections; and
- (iv) Strengthened electoral justice and increased compliance with the electoral legal framework.

SEPK contributes to Outcome 1: “By 2022, people in Kenya enjoy improved governance, access to justice, respect for the rule of law, human rights and gender equality” of the Political Pillar of the United Nations Development Assistance Framework (UNDAF 2018 – 22) for Kenya. This pillar is aligned to the political pillar of the Third Medium Term Plan 2018-22 (MTPIII)¹ which seeks a democratic political system that is issue-based, people-centered, results-oriented and accountable to the public. SEPK project contributes to Outcome 2: “By 2022, people in Kenya live in a secure, peaceful, inclusive and cohesive society” of the UNDP Kenya Country Programme Document (CPD). SEPK directly contributes to Output 2.4 of the CPD 2018-22 which, based on lessons learned from 2017 elections, seeks to equip electoral management bodies with technical and financial capacities to deliver peaceful and democratic elections.

The project is implemented by UNDP in collaboration with UN Women and OHCHR under the United Nations principle of *Delivering as One* (DaO) and in line with the UN principles for electoral assistance.

¹ MTPIII is Kenya's development plan for the period 2018-22. It is derived from Kenya Vision 2030 which seeks to make Kenya a middle-income country with a high quality of life for all its citizens by the year 2030.

3.1 Contribution to longer term results

Country Programme Document (CPD) Outcome 2: By 2022, people in Kenya live in a secure, peaceful, inclusive and cohesive society

CPD outcome target	Summary achievement to date	Status
2.a. Global Peace Index (Kenya); 120 out of 163	123 ² out of 163	On track
Overall		On track

CPD Output 2.4: Electoral Management bodies have technical and financial capacities to deliver peaceful and democratic elections.

CPD output targets	Summary achievement to date	Status
21,000,000 (50% women and 51% youth) of registered voters by sex and age group	19,611,423 ³ (47% women and 51% youth)	On track
30% Parliamentary and 10% County Assembly seats held by women	Parliament: 21%, County assemblies: 6.76%) ⁴	On track
Overall status		On track

Through electoral support to the Independent Electoral and Boundaries Commission (IEBC), Kenya's Electoral Management Body (EMB), and other electoral stakeholders, the project contributed to increasing registration of registered voters from 14,352,533 in 2013 to 19,611,423 in 2017. 47% of these registered voters were women while 51% were youth aged 18 – 35 years. The project also supported capacity strengthening of key electoral institutions to support candidature of and election of women to both national and county legislatures. As a result, 21% of elected members of National Assembly were women compared to 5.52% in 2013 while 6.76% of elected county legislatures were women compared to 5.66% in 2013. This result is further buttressed by the unprecedented election of 3 women governors and 3 women senators. Kenya improved in the Global Peace Index ranking from position 125 out of 163 states with a score of 2.336 in 2017 to position 123 out of 163 states with a score of 2.354 in 2018.

3.2 Progress towards project outputs

Project Outcome 1: Strengthened legal and institutional framework for coordination of elections

Project output targets	Summary achievement	Status
1 election legislation reviewed and enacted	No legislations reviewed or amended.	Not achieved
2 legal reform emanating from the 2017 elections, political dialogue	Popular versions of the Political Parties Act 2011 produced and disseminated in English and Swahili	Achieved

² Source: <https://countryeconomy.com/demography/global-peace-index/kenya> retrieved on February 19, 2019.

³ Source : <https://www.iebc.or.ke/registration/?stats>

⁴ Source: <https://www.iebc.or.ke/registration/?stats> retrieved on February 19, 2019.

processes and election petitions implemented		
4 IEBC policies, procedures and systems finalized	2 frameworks completed – IEBC Risk and Human resources policy and manual.	Not achieved
700 officials trained on electoral risk management and Post-Election Evaluation	40 female and 21 male officials and senior management at the headquarters and 434 male and 347 female officials from the counties trained on risk management.	Achieved
2 ORPP policies, procedures and systems finalized	2 popular versions of Political Parties Act produced and disseminated in English and Swahili	Achieved
4 institutions supported to develop/review strategic plans	0 institutions supported to develop/review their strategic plans	Not achieved
IEBC risk management framework disseminated to headquarters and county staff of the commission	Risk framework finalized, and commissioners and senior staff trained on rolling out the framework	Achieved
3 stakeholder groups engaged in post-election electoral reform	Political parties, Judiciary, Parliament, ORPP, IEBC, PPLC, and CSOs engaged on political parties’ regulation, two-thirds gender rule and lessons learning from the 2017 election.	Achieved

Output 1.1: Legal framework for coordination of electoral processes strengthened

The project targeted review and enactment of one legislation on the two-thirds gender principle and review of two legislations emanating from the 2017 elections. The engagement of the National Assembly to commence electoral legal reform did not material since the National Assembly and other electoral stakeholders did not prioritize electoral issues after the completion of the 2017 Presidential Election.

The project supported mobilization, re-introduction and debate of the two-thirds gender bill in Parliament. The mobilization and push towards enactment of the bill was improved with 70 KEWOPA members engaging top leaders including the President, the Deputy President, the Opposition Leader, and the National Assembly Leader on the bill. The media increased its reporting on the bill with engagement of the male leaders, including the President, the Deputy President, Opposition Leader, and the Leader of Majority in the National Assembly. This was partly because of the project support to the National Gender and Equality Commission (NGEC) to sensitize 85 media editors and journalists on the bill. The bill was presented, for the third time, for voting in November 28 but voting deferred on the same ground that there was lack of requisite quorum. The mobilization and efforts by women legislators and other stakeholders were encouraging. The lobbying for the passage of not more than two thirds gender bill by Kenya Women Parliamentary Association (KEWOPA) included raising awareness on the importance of enacting the Constitution (Amendment) Bill No 4 of 2018. The interview featured two KEWOPA members and a gender

expert. Male MPs were also recruited as Champions for women’s right to influence other male MPs to support the Bill. The law requires that two thirds of the Members of Parliament must be present so that voting for the bill can be effected. The two thirds gender Bill is a key requirement to Kenya’s implementation of the provision in the 2010 Constitution providing for ‘not more than two thirds’ representation by either gender.

Output 1.2: Institutional framework for coordination of electoral processes strengthened

Under this output, the project targeted to support development/review of strategic plans for IEBC, PPDT, JTI and MCK; finalization of IEBC risk framework and training of 700 officials on the framework, finalization of the IEBC post-election evaluation exercise and finalization of gender and social inclusion policy, social media, voter education and stakeholder engagement and partnerships policies which had remained in draft form since 2017.

The IEBC risk framework was completed, and 434 male and 347 female officials sensitized on it. The framework was disseminated to all the 47 county offices. This framework will enhance the capacity of IEBC effectively respond to its environment by identify and mitigating risks relevant to its operations.

The project supported IEBC to commission the Post-Election Evaluation (PEE) exercise through methodology workshop, 6 county cluster consultations, FGDs and KIIs in 30 constituencies in 15 counties, development partners’ roundtable, consultation meeting with 63 political parties and the Political Parties Liaison Committee (PPLC) and a National Stakeholders Workshop. The project also supported report review and validation workshops. The findings of the PEE will inform planning for the 2022 electoral cycle. Through this support, IEBC engaged 95 government and non-government stakeholders including the National Assembly, Senate, ORPP, PPLC, 21 development partners, 65 political parties and several CSOs in the post-election evaluation exercise.

Some of the issues arising from these engagements are summarized in the table below:

Thematic Area	Domain	Key Issues/Recommendations
Legal Framework and Political Parties Liaison	Electoral laws and managing elections	<ul style="list-style-type: none"> Amendments of electoral laws should be done at least 12 months before general elections. Commissioners should be composed of lawyers especially the Chairman and the Vice Chairperson. Enforcement of laws on integrity should be strengthened.
	Regulation of Political parties and Candidates	<ul style="list-style-type: none"> IEBC should work closely with ORPP and JLAC to regulate political party activity throughout the electoral cycle.
	Dispute resolution Mechanism	<ul style="list-style-type: none"> Dispute resolution timelines by IEBC should be revised especially disputes from political parties’ nominations.

Thematic Area	Domain	Key Issues/Recommendations
Voter registration conduct of elections and use of technology	Voter Registration and Register of voters	<ul style="list-style-type: none"> Registration of voters should be continuous and be synchronized with the register of persons.
	Conduct of Elections	<ul style="list-style-type: none"> Stagger the elections into two: Executive election and Legislative election. IEBC should not participate in party nominations. Laws and regulations aimed at curbing violence against women should be strictly enforced especially during political party primaries. Temporary electoral staff should be trained properly for more than 6 days so that they are well versed with electoral processes.
	Use of Technology	<ul style="list-style-type: none"> Use of technology improved in identification and transmission of results.
Voter Education, Communication and Stakeholder engagement	Effectiveness and adequacy of voter education	<ul style="list-style-type: none"> Civic education should be continuous throughout the electoral cycle. IEBC to work with other stakeholders, especially CSOs, on the ground e.g. URAIA to enhance the reach of civic/voter education. Accredited voter education providers should be capacitated to undertake civic/voter education. These efforts should be enhanced as the general election nears.
	Stakeholders engagement	<ul style="list-style-type: none"> IEBC should work with all stakeholders in voter education, civic engagement and partnerships
	Media and Communication	<ul style="list-style-type: none"> Improve the media and communication strategy to includes use of social media platforms.
Electoral Support	Resource Mobilization	<ul style="list-style-type: none"> Election cycle is continuous, and IEBC should engage the government and other development partners to avail finances early enough.
	Risk Management in elections and Electoral security	<ul style="list-style-type: none"> Commission to implement a robust risk management system covering the whole electoral cycle. Commission should work with all security agencies to provide security.
	Logistical support in distribution of materials	<ul style="list-style-type: none"> Re-use of electoral materials to cut cost of election.
	Planning, Monitoring and Evaluation	<ul style="list-style-type: none"> The commission should put in place archiving and knowledge management department to track learning and best practices.

The project supported finalization, launch and dissemination of popular versions of Political Parties Act 2011. The popular versions were produced in English and Swahili and disseminated to 67

political parties in 47 counties. The popular versions were used to build the capacity of political parties in a bid to strengthen their internal democracy structures and promote social inclusion and gender equality in political parties. This output was partially achieved due to limited engagement with the National Assembly which shifted focus from electoral to other issues and since the BBI is expected to take on board broader electoral reform issues, including electoral legal reform

Support to strategic planning processes of IEBC, MCK, PPDT and JTI, though planned for, did not progress to an advanced stage owing to internal procurement processes. The projection is that the bulk of assistance to this process will fall within the first few months of implementation in 2019. This led some partners like MCK to seek alternative sources of funding to finalize and launch their strategic plans.

Project Outcome 2: Strengthened public participation in the electoral process with a special focus of women, youth and persons with disability		
Project output targets	Summary achievement	Status
99 stakeholders engaged in post-election electoral evaluation to identify issues for reform from the 2017 elections	91 partners, including 21 development partners; 65 political parties; 5 stakeholder groups (national assembly, judiciary, national executive, local CSOs and international CSOs), engaged in the post-election evaluation process.	Partly achieved
Overall Status		Partly achieved

Output 2.1: Increased participation of youth, PWDs and women voters

Under this output, the project targeted working with CSOs to promote Gender Equality and Women Empowerment (GEWE) and support to Media Council of Kenya to undertake an evaluation of the performance of media houses during the 2017 elections.

Gender Equality and women empowerment (GEWE) promoted through CSOs: This output focused on post-election evaluation and learning activities on gender and social inclusion supporting engagement of Special Interest Groups (SIGs) and Civil Society Organizations in post-election dialogue. Through UN Women, SEPK provided technical and financial support to AWCFS, GROOTS Kenya, CIFA, Eco Network Africa, KEWOPA, CAF, SOCATT, ORPP, CoG and the State Department of Gender Affairs (SDGA) to promote Gender equality and women empowerment in their respective spaces.

Some of the key accomplishments include the following:

Partner Name	Key accomplishments
KEWOPA	<ul style="list-style-type: none"> KEWOPA reached out to 140 mentees who comprised of aspiring women leaders in 5 counties. The 140 mentees have formed county level networks to enhance their communication and support to each other including information sharing.

Partner Name	Key accomplishments
	<ul style="list-style-type: none"> • Their capacities on community engagement, personal branding and media engagement was strengthened as they got an opportunity to share experiences with sitting women political leaders. 10 mentors from the 5 counties had the opportunity to meet and network with aspiring women leaders in their counties as the first step towards their mentoring of the next generation of women leaders. • All the mentees developed detailed action plans outlining specific actions they would take. KEWOPA is currently finalizing a database of the mentees for networking and information sharing. During the same period, KEWOPA was supported to finalize the mentorship curriculum that was developed in collaboration with CPST.
GROOTS Kenya	<ul style="list-style-type: none"> • GROOTS Kenya continued to support community forums and networks in support for women leadership. During the reporting period, 12 joint forums targeting 3,500 community members were carried out in Kiambu, Busia, Kitui, Nakuru and Laikipia targeting 15 women political leaders. During the same reporting period, 4 county Men, 4Women forums were carried out in the counties of Kitui, Laikipia, Nakuru and Busia. • The forums brought together approximately 1,000 male opinion leaders/Elders’ representatives from: Kikuyu; Kalenjin; Kamba; Maasai and Teso. Religious leaders, both Islamic and Christian, Administration, women leaders, and Men for Women champions from all the five counties were also represented. This solidifies grassroot support for women in political leadership and build movement capacity (men and women) to engage at grassroots to champion the need to support women leadership.
CIFA (Marsabit)	<ul style="list-style-type: none"> • CIFA continued to enhance capacities of women leaders in Marsabit County including the elected ones. During the reporting period, 30 women political leaders were trained on leadership skills and how to claim their space at community level. It was through the training that the women leaders formed a forum and began to follow up county development using a gender lens. They identified key priority areas that y affected the women of Marsabit and submitted a memorandum to the county Governor to ensure that the prioritized areas are funded. This saw the county government’s shift into addressing women issues separately in planning, budgeting and implementation. This created a platform that allowed for exchange of views on priority issues affecting women in the county to start conversations that lead to gender sensitive policy reforms. Public participation in Pastoral Communities has not been inclusive especially to women’s views. Today, the County Government of Marsabit is funding the projects prioritized by this women forum. • Some of the priority issues that the women discussed and submitted for action were: - <ul style="list-style-type: none"> ▪ Insufficient water in the community eating into women’s time;

Partner Name	Key accomplishments
	<ul style="list-style-type: none"> ▪ Illiteracy levels in the county especially on the part of women and girls affecting their participation in decision making tables; ▪ Constant insecurity and conflicts between communities that greatly affect women and girls negatively; ▪ Food insecurity; ▪ Negative cultural practice e.g. FGM and Child marriage; ▪ Poor infrastructure including Schools, Roads and Hospitals; ▪ Low County budget allocation to women priorities. <ul style="list-style-type: none"> • CIFA continued to strengthen the engagement between community gatekeeper and women leaders. CIFA rallied behind inclusion of women in the various Councils of Elders across Marsabit County, endorsed by the Governor and county leadership as well as the council members. To achieve this, 90 men from Saku 30; Moyale 30; and Laisamis 30 had their capacity enhanced on the importance of being open to changes, gender and inclusivity in decision making. The outcome of these events was inclusion of women as members of Council of elders, for the first time in history of Marsabit County. This has led to increased visibility of women as leaders including attitude change from gatekeepers and the community as well. • A total of 405 persons (240 women and 165 men) were reached by CIFA to support and promote women leadership. In collaboration with AWCFS, CIFA was also able to profile 15 women leaders in the county, e.g. in radio shows in local language. This was achieved through meetings, trainings, community dialogues and consultation forums in the county. The result was the increased support and attitude change to women leadership and political participation.
AWCFS	<ul style="list-style-type: none"> • AWCFS supported development of a Gender Policy for community radio station <i>Mbaitu FM</i> that is currently being applied to guide discussions and operations of the media house through a gender lens. This included training of 6 senior staff of <i>Mbaitu FM</i> on gender mainstreaming in media. • AWCFS trained 13 Personal Assistants and Communication focal point persons for Women Governors – Kirinyaga, Kitui and Bomet - and one senator for Nakuru on strategic communication and messaging including monitoring to enhance their capacity to effectively support the women governors on media. Monitoring tools were shared with the participants of 11 radio programmes where men also discussed the importance of women leadership. These reached a total of 12 Counties (Kitui, Bomet, Nakuru, Machakos, Mwingi, Uasin Gishu, Makueni, Nandi, Baringo, Taita Taveta, Kericho, and Trans Nzoia). AWCFS also trained 8 members of CIFA on media and profiling, a skill that they used to profile 15 women political leaders in the county.
CAF	<ul style="list-style-type: none"> • CAF, through support from UN Women, developed and launched a curriculum on leadership for women in County Assemblies building on Kenya School of Government (KSG) transformative leadership curriculum.

Partner Name	Key accomplishments
	CAF trained 457 women MCAs from 42 County Assemblies on leadership skills. At the same time, CAF carried out a Gender Audit/ Gender Rapid Assessment in 12 County Assemblies. Analysis of the data is ongoing. Development of a CAF gender policy is also in progress.
SOCATT	<ul style="list-style-type: none"> SOCATT in partnership with UN women launched and rolled out the gender mainstreaming training curriculum for the county Assemblies technical staff to strengthen legislative framework in the counties. A total of 141 County Assembly technical staff (73 being male and 68 female) were trained. A total of 22 County Assembly Clerks (18 m/4 f) attended the gender sensitization program. 30 Gender champions were identified and appointed from amongst the County Assembly staff trained on how to support women MCAs in delivering their mandates as well as support the County Assembly in adhering to gender mainstreaming principles and requirements. County assembly staff has started to implement the skills and knowledge including use of gender sensitive language among others. This was noted during monitoring visits conducted during the reporting period.
ORPP	<ul style="list-style-type: none"> ORPP was supported by UN Women to draft 3 inclusive regulations to operationalize Political Parties Act 2011 and to strengthen the mandate of ORPP to regulate the political parties. The 3 regulation include; regulation on Registration, regulation on Funding, and regulation on Parties Liaison Committee. The regulations were reviewed and approved by the Parliamentary Committee on Delegated Legislation. The regulations are undergoing gazette process.
NGEC	<ul style="list-style-type: none"> NGEC was supported to enhance capacity of 31 senior staff members on budget making process, resource mobilization and grant management to enhance capacity of the staff in resource mobilization and monitoring budget inclusion in national and county assemblies.
SDGA	<ul style="list-style-type: none"> SDGA in partnership with ENA was supported to finalize the standard national training curriculum for women aspirants and candidates in political leaders. The curriculum will be applied by the various players to train women aspirants in preparation for 2022 elections.
KENWOG	<ul style="list-style-type: none"> KENWOG on the other hand was supported to continue facilitating mentorship Programme for young women where 11 mentees were attached to women Governors and Deputy women Governors for learning.

Lesson learning on the role of the media in 2017 elections: During the reporting period, the project, through UN Women, supported post-election reflection of the role of the media in the 2017 election for 51 (17 Females and 34 males) Editors, Media Owners, Journalists, Correspondents, Freelancers, Academia, UNESCO, KNCHR, AMWIK, Veteran Journalists and News Anchors, among others. During the reflection exercise, the stakeholders looked back to 2017 and analysed the extent to which media houses upheld objectivity, balance, gender responsiveness and conflict sensitivity in covering and reporting on electoral issues and processes. Stakeholders noted that

journalists and news anchors were not adequately briefed for the interviews they conducted from a gender perspective while others were mismatched with their interviewees without being provided with adequate information on how to adequately treat women as news sources and subjects. The news anchors, producers and media houses lacked skills on gender as there were no gender policies or background training or capacity building on gender mainstreaming.

The project targeted to support stakeholder engagement, especially of youth, women, PWDs and other SIGs, in the boundaries' delimitation exercise. However, this was not undertaken as IEBC did not complete or roll out its Boundaries Operations Plan during the year.

Project Outcome 3: Efficient electoral operations and enhanced electoral security		
Project output targets	Summary achievement	Status
2 human rights and EGBV reports developed and shared with duty bearers	1 human rights and 1 EGBV report developed and disseminated to duty bearers.	Achieved
Overall Status		Achieved

Under this outcome, the project targeted electoral security, electoral risk management, and human rights monitoring.

Output 3.4: Election security and risk management with specific focus on women, youth, persons with disability and other special interest groups

IEBC Risk Management Framework finalized and disseminated to national and county commission staff: The project supported IEBC to finalize its risk management⁵ framework and risk profile. The development of the risk management framework and risk profile had been commenced in 2016 but was deferred to give commissioners and staff time to prepare for and manage the 2017 General Election. The risk management exercise also responded to the Treasury Circular number 3 of 2009⁶, which recognizes the importance of Risk Management in complying with section 165 (i) of the Public Financial Management Act⁷.

Moving forward into the 2022 electoral cycle, the risk management framework and risk profile will enable the Commission to:

- i Identify risks and institute mitigation measures; identify the responsibilities of the departmental heads as risk owners; identify and mentor risk champions; and equip the risk champions to identify and mitigate risks as they emerge.

⁵ The IEBC strategic plan, 2015-2020 identified robust risk management as one of the key actions for improving the electoral process and restoring public confidence and trust in the conduct of elections in Kenya.

⁶ The Circular underscores risk management framework as a key enabler of management to comprehensively and holistically focus on all the risks which could impact on achievement of strategic objectives and service delivery. This enhances accountability of commissioners and management to public sector stakeholders.

⁷ The PFM Act emphasizes the need for effective corporate governance framework and an accountable financial and risk management system in the management of the Commission activities.

- ii Undertake activities with the knowledge that measures are in place to maximize the benefits and minimize the negative effect of uncertainties on organizational objectives.

Human Rights and Electoral Gender Based Violations monitored, documented and reparations committed to by relevant duty bearers: The Project supported Kenya National Commission on Human Rights (KNCHR) to monitor all stages of the electoral cycle and undertake remedial actions and interventions geared towards safeguarding human rights in the 2017 General Election and beyond. KNCHR undertook a comprehensive investigation on the SGBV cases in the electoral process and compiled a report **Silhouettes of Brutality – An Account of Sexual Violence during and after the 2017 General Election**⁸. The report profiled the magnitude, trends and patterns of sexual violence before, during and after the 2017 General Election with the aim of influencing accountability and reforms. The Commission further endeavored to secure all the evidence collected through its entire election monitoring project with a view to enhancing accountability prospects. The Commission undertook the following interventions:

- a. **Archiving in a digital portal of all witness statements and evidence collected during 2017 Elections:** The Commission analyzed all evidence collected over the entire election period and converted the same into a digital format for storage in a secure portal. The portal has the capability of analyzing and presenting the data into disaggregated categories. The Commission has digitalized 742 witness statements on various forms of human rights violations. It is envisaged that securing this evidence will be crucial for actors intending to pursue accountability. The Commission by virtue of its mandate is already engaged in a public interest litigation on extra judicial killings and the findings and evidence collected in the election monitoring project are playing a pivotal role in the case.
- b. **Documentation and publication of SGBV report:** In the period under review the Commission conducted field missions to eight counties to record witness statements from the 2017 electoral related sexual violence. The counties namely Kisumu, Homabay, Siaya, Migori, Bungoma, Kakamega, Vihiga and Bungoma and with the inclusion of Nairobi were identified from the KNCHR Election System as worst hit in terms of human rights violations. The commission also provided psychosocial support to 155 survivors and medical intervention to 55 cases. Because of these investigation missions, KNCHR recorded 201 cases and the same has been captured in its fourth series of election reports that specifically focuses on sexual violence as a weapon of electoral conflict. This report provides a human rights account of electoral related sexual violence, analyses the States obligations of the national, regional and international human rights instruments and thereafter a disaggregated analysis of the violations. The report provided key recommendations to 21 key state and non-state duty-bearers actors on prevention, response and protection mechanisms as pertains to electoral related sexual violence.
- c. **Dissemination of the Human Rights report:** Following the publication of the three election reports⁹, the Commission embarked on a dissemination exercise of its findings in eight counties¹⁰ targeted at the duty bearers to forge commitments for implementation of the

⁸ This compendium documents the accounts and testimonies of the survivors of sexual violence before, during and after 2017 General Election who chose to speak about their ordeals in strict confidentiality to the Commission.

⁹ *Fallacious Vote, the Mirage at Dusk and Still Mirage at Dusk*

¹⁰ Kisumu, Homabay, Siaya, Migori, Bungoma, Kakamega, Vihiga and Bungoma

recommendations, the dissemination exercise also aimed at enhancing awareness of rights holders. As a result, the Commission reached 120 key stakeholders drawn from national and county governments, Civil Society Organizations, human rights defenders and members of the public.

- d. **Debriefing of its elections Hub team:** The Commission recognizes the importance of debriefing its technical hub team to deal with the potential harm and distress resulting from the prolonged electioneering period and the continuous monitoring and synthesizing of sometimes very traumatic content that has taken a toll on the staff involved. As such the Commission engaged a professional Counsellor who held both group and individual sessions with the hub team in August 2018 with successful results.

Duty-bearers engaged in finding mechanisms for implementation of EGBV report: with support of the project, Kenya National Commission on Human Rights (KNCHR) finalized its report on electoral gender-based violence (EGBV). KNCHR committed to working with relevant partners to pursue reparations for survivors of human rights violations including Survivors of Sexual Violence (SSV) of 2007/08 PEV. Similarly, OHCHR affirmed its continued support on quest for accountability for sexual violence and to secure reparations for SSV.

In line with its mandate as the human rights watchdog, KNCHR, with support of the SEPK Project, undertook a country wide fact-finding mission towards documentation of cases of sexual violence perpetrated during the 2007/08 post violence election (PEV). KNCHR documented its findings into a compendium¹¹ which will be shared with Parliament and the President and will be used to inform subsequent efforts for access to justice for survivors of electoral gender-based violence during 2017 elections and seek accountability for EGBV.

The project supported capacity building for survivors of electoral sexual violence from the 2017 elections. Kenya's general elections held on August 8, 2017, were marred by violence and serious human rights abuses, especially in opposition strongholds in Nairobi, Nyanza, western Kenya, and the Coast¹². The violence documented included patterns of police use of excessive force against protestors, killings, beatings and maiming of individuals, looting and destruction of property. There were also attacks on civil society organizations and human rights defenders, journalists, judicial officials and suppression of freedom of expression.

This engagement resulted into:

- a) Strengthened capacity of survivors towards prevention, protection and response to sexual violence;
- b) Assessed the needs of survivors towards realizing reparation, comprehensive care, support and access to justice;
- c) Established tax justice system towards prevention, protection and response to sexual violence;
- d) Sexual violence survivors' resilience enhanced and their rights advanced.

¹¹ Silhouettes of Brutality

¹² According to Human Rights Watch report based on the interviews they conducted between 25th September and 24 November 2017

Project Outcome 4: Strengthened electoral justice and timely electoral dispute resolution		
Project output targets	Summary achievement	Status
40 women judges trained on protecting the rights of women in Elections	44 members of KWJA judges and magistrates trained	Achieved
Enhanced preparation of the Judiciary to handle petitions arising from 2017 elections	Colloquium for LSK supported to review the Supreme Court ruling on 2017 presidential election and draw lessons for handling the 2017 petitions	Achieved
Overall Status		Achieved

Output 4.1 Increased capacity for just and timely electoral dispute resolution that protects all and especially women

SEPK Project Support to KWJA Annual Conference: The project supported Kenya Women Judges Association (KWJA) to convene a conference themed **‘Role of Judges and Magistrates in Protecting the Rights of Women in General Elections’** which targeted women judges and magistrates. This activity sought to enhance knowledge and capacity of KWJA members on emerging gender concerns in the electoral process. It reviewed the extent to which sexual and gender-based violence served as an impediment to women’s participation in Kenya’s electoral cycle. 44 women Judges and Magistrates were trained on the role of judges and magistrates in protecting the rights of women in general elections. SEPK partners were invited as resource persons, and highlighted findings on the barrier placed by electoral gender-based violence. KWJA members shared observations made in adjudication of election petitions.

Among recommendations are a call to review the Electoral Offences Act to ensure that it provides specifically for cases of electoral gender-based violence, the need to develop capacity of KWJA on leadership, gender and related international instruments, and enhance capacity of lawyers to undertake litigation of EGBV cases. Also noted was the knowledge gap by women candidates as to EDR process and the platforms available at different stages of the electoral process.

Election observers’ reflection and lesson learning: the project supported the Elections’ Observation Group (ELOG) to convene various CSO observers and stakeholders to debrief on their experiences during the 2017 General Election and Fresh Presidential Election. The National Observer Symposium sought to:

- i. Consolidate the findings that would inform enhance future electoral processes based on the observer’s experiences, successes, challenges and lesson learnt.
- ii. Adopt, advocate and implement framework based on the thematic approach to promote a clear road map for the implementation process of the recommendation i.e. identify timelines activities, key players, stakeholder and relevant duty bearers to implement the recommendations.

The symposium resulted in development of a publication entitled **“Points Taken – A CSO Proposal for Setting the Electoral Reform Agenda in Kenya”**. Key duty bearers including the National

Assembly Constitution Implementation Committee, Committee on Delegated Legislation, Justice and Legal Affairs Committee of the National Assembly, IEBC, ORPP, CSOs amongst others agreed on implementation timelines for each of the recommendations in the synthesized observer reports. A framework for follow through, led by ELOG Secretariat, was established to periodically report on the recommendations of the findings.

Enhanced preparation of the Judiciary to handle petitions arising from 2017 elections: The project supported the Law Society of Kenya (LSK) to convene a colloquium to review the Supreme Court of Kenya (SCOK) ruling on 2017 presidential election and the fresh presidential elections. Pronouncements in the decision brought to the fore fundamental legal, technical and administrative issues that provided immediate lessons for magistracy, High Court and Court of Appeals to adjudicate electoral petitions presented before them. It also called for short-term and long-term reform actions by the Independent Electoral and Boundaries Commission (IEBC) and other electoral stakeholders. The colloquium aimed at identifying these through a technical analysis of the SCOK judgements and draw lessons for electoral management and handling of election petitions. The colloquium brought together actors in electoral justice and electoral dispute resolution including judges and lawyers. The colloquium was addressed by Justice Johann Kriegler, a retired South African judge. This colloquium enhanced the preparedness of the judiciary to handle the 380 electoral petitions filed following the 2017 General Elections.

Project Outcome 5: Strengthened framework for project management and development partner coordination		
Project output targets	Summary achievement	Status
3 donor meetings on coordination of SEPK held	3 PSC and PDG meetings held	Achieved
4 SEPK technical and financial reports produced and disseminated to relevant stakeholders	3 quarterly finalized and shared with donors; 12 monthly reports to JTF finalized	Achieved
Overall Status		Achieved

Improved donor coordination and liaison: Three project donor group (PDG) and project steering committee (PSC) meetings were held during the year. the PDGs and PSCs considered the plan for completion of project activities and its closure. The March 2018 PSC approved the SEPK 2018 AWP. The June 2018 PSC considered the implications of the resignation of the three commissioners on the commission operations. The PSC approved the delay of the Post-Election Evaluation until there was a firm position on the legality of the Commission and resolution of the quorum hitch which followed the resignation of the three commissioners. The November 2018 PSC approved an extension of the project period from December 2018 to June 2019 and approved an amendment of the 2018 AWP to cover the period for project extension.

Enhanced visibility of SEPK and its partners: A photo exhibition at the United Nations General Assembly featured UNDP support to 2017 elections. During the exhibition, Kenya continued to highlight the project’s input into getting first time voters to register as voters.

Development of SEPK Successor Project commenced: The SEPK Project Team commenced design of a proposed successor project that seeks to consolidate the gains of the UN’s democratic governance support to Kenya. The proposed project ‘Consolidating Democratic Dividends for Sustainable Transformation in Kenya’ will complement government efforts at strengthening democracy and good governance. The proposed project will seek to address key issues undermining national cohesion and social well-being, while laying foundations for support to the 2022 elections. The project will be right-based and aligned to national and international development priorities.

4. Targeting, Sustainability of Results, Strengthening National Capacities and South-South and Triangular Cooperation

4.1. Targeting

Target groups	Needs addressed	Evidence
All voters	Enhanced participation in political processes, especially	<ul style="list-style-type: none"> Key recommendations to the key actors including IEBC, political parties, national police service ODPP, Judiciary and the media to ensure rights are upheld.
Special interest groups (voters- women, persons with disability, elderly, children)	That political activities, campaigns and elections are carried in an all-inclusive manner that does not discriminate and that the venues are accessible to all.	<ul style="list-style-type: none"> Political parties' capacity enhanced to improve inclusivity and to strengthen internal democracy structures responsive to the needs of SIGs.
Political parties	Compliance with Political Parties Act; gender and social inclusion in response to Article 100 of the Constitution	<ul style="list-style-type: none"> Roll out of the popular version of the Political Parties Act in English and Swahili Finalized post-election evaluation report with input of political parties. Regulations on the political parties' act developed.
State and non-state Actors	The necessary information on the trends and patterns of the 2017 Electoral related human rights violations were shared for the necessary action.	<ul style="list-style-type: none"> 120 persons drawn from both state and non-state actors participated in the dissemination forums. Commitment to implementation of key observer recommendations. Various state and non-state actors engaged in a National Post-Election Evaluation Stakeholders Forum.
Judiciary, IPOA, Office of the Attorney General, National Police Service	These actors have been availed the necessary evidence emanating from the Commission's election findings on extra judicial killings.	<ul style="list-style-type: none"> The Commission filed its election monitoring reports as evidence to support cases of extra judicial killings.
Families and victims of human rights violations	KNCHR continues follow up with the families and survivors of the human rights violations and	<ul style="list-style-type: none"> Psychosocial reports of 155 survivors of electoral sexual violence. KNCHR continues to represent baby Pendo's¹³ family in the ongoing court

¹³ The killing of Baby Samantha Pendo became the image of police brutality in the August 2017 post-election chaos.

	continues to facilitate the necessary remedial action	inquest into the killing.
Development partners	To collect their views on how the 2017 General Election and FPE were organized and how to improve for the 2022 electoral cycle.	Inputs included in the final post-election evaluation report and evaluation of donor support to 2017 elections.

4.2. Sustainability of Results

Results achieved	Sustainability
IEBC capacitated to undertake robust risk management during the post-election period	This will help the commission to identify, respond to and mitigate risks as it embarks on the 2022 electoral cycle. This will improve its accountability to partners and enhance public confidence in the electoral process.
Engagement with political parties strengthened	Enabling environment for building internal party democracy; improving inclusion in political parties and strengthening political party regulation will deepen democratic engagement in political parties as the main political vehicles in Kenya.
SGBV experts from KNCHR, UN Women, KEWOPA and KWJA trained	This pool of SGBV experts will coordinate all the internal interventions on SGBV, including investigations, monitoring and documentation of SGBV, and train other stakeholders, especially in the grassroots, on SGBV. This will continue interventions on SGBV beyond the project and in the 2022 election cycle.
ELOG capacitated to observe 2017 elections and undertake post-election activities	The findings of elections observation will inform electoral reform initiatives focusing on 2022 electoral cycle. The role of election observation as a means of enhancing public confidence in electoral processes has been enhanced.
Consolidating Democratic Dividends for Sustainable Transformation in Kenya programme	The new broader deepening democracy programme is under development based on the lessons learnt from the implementation of SEPK. The proposed project will seek to address key issues undermining national cohesion and social well-being, while laying foundations for electoral cycle support to 2022 elections.

4.3. Strengthening National Capacities

Results achieved	Institution	National capacity strengthened
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Increased public confidence in IEBC to coordinate and manage 2017 General Elections	IEBC	Management and coordination of elections; Stakeholder and citizen engagement; Electoral dispute resolution; Voter education; Management of ICT for elections
Improved information sharing and coordination between political parties	ORPP	Regulation and coordination of political parties; Political party engagement; Development of intra party democracy and public engagement capacity
Preliminary reports with key recommendations produced	National Police Service, Office of the Director of Public Prosecutions, IPOA	These organizations that play a key role in the prevention and protection of SGBV have been furnished with the necessary recommendations on how human rights can be enhanced in the electioneering period. The findings of the final publication on SGBV shall push for the necessary reforms.
Enhanced capacity in human rights monitoring of elections	Kenya National Commission on Human Rights	Through this project the KNCHR has enhanced its organizational capacity, skills and improved its systems to ensure that it effectively monitors elections.

4.4. South-South Cooperation

During the reporting period, the project benefitted from knowledge and experience from Sierra Leone Country office. A Project Management Specialist (PMS) from Sierra Leone County Office was brought on detail assignment to support project management of SEPK. The PMS worked closely with the Chief Technical Advisor (CTA – Elections) and Team Leader in the Governance, Peace and Security Unit and provided high quality guidance to project planning and implementation. Support was accorded to the Finance Officer and contributed to the efficient management of the project’s financial resources, including budget and budget revisions as well as expenditure tracking and reporting.

Working together with Gender Specialist, M&E Specialist and other PMU colleagues, the PMS coordinated several meetings with the Independent Electoral and Boundaries Commission, the donor group on elections and the SEPK inter-agency, for effective delivery of the project’s annual outputs. The PMS also led the SEPK team in delivering quarterly and annual outputs and milestones.

The PMS employed his knowledge and experience from the Sierra Leone Country Office to ensure that pre-audit preparations in relation to the SEPK project DIM audit were finalized and contributed to the entire audit process by engaging with the auditors to provide further information where necessary.

The PMS guided the PMU team to develop an initial concept note on a broader deepening democracy concept note in line with UNDP programming principles. The concept note was approved to give way to a more comprehensive project document. Support was also accorded to the IEBC and PMU to kick-start the post-election evaluation exercise. Support was also accorded to the Kenya Country Office and the PMU to engage with HQ legal office to address issues relating to lease of office space for the PMU at Anniversary Towers and further managed the process of the PMU vacating the office premises of Anniversary Towers as part of activities towards project closure.

5. Partnerships

In the implementation of the SEPK project, UNDP and UN Women worked in collaboration with OHCHR, UNESCO, UNON, UNIC and other UN agencies on several electoral components relevant to the period for Kenya. This strengthened the principle of Delivering as One (DaO). Similarly, the EMB capacity building project worked closely with the CSO and peace and security interventions (UWIANO platform for peace and Amkeni Wakenya peace grants) of UNDP to deliver an integrated contribution to assessing, mitigating and preventing adverse effects of conflicts related to elections, through deployment of conflict early warning and early response systems.

The table below summarizes the key partnerships and the purpose.

Partner	Purpose
IEBC	The project engaged with IEBC mainly in the planning of the Fresh Presidential Elections.
Ministry of Public Service Youth and Gender Affairs (State Department of Gender Affairs)	The project continued consultation with the State Department of Gender to promote participation of women in the electoral process.
Judiciary	The project partnered with the Kenya Women Judges Association (KWJA) in deliberating access to justice by women candidates in elections. Support was also rendered through the Judiciary Training Institute and the Law Society of Kenya in understanding the impact of the Supreme Court judgement on the ongoing elections petitions.
Coordination other election technical assistance providers	The project worked with Kenya Electoral Assistance Project (KEAP) to coordinate support to IEBC and reduce duplication of efforts. Notably, while KEAP developed voter education content, SEPK supported their dissemination through various media channels.
Election Donor Group (EDG)	The project continued to attend the EDG meetings and provided briefs on voter education, and women participation in elections especially on preparation for the Fresh Presidential Elections and evaluation of the effectiveness of voter education strategies.

Partner	Purpose
Gender Donor Group (GDG)	The project continued to attend the GDG meetings and provided briefs on women participation in elections especially on voter register and in party primaries.
UN agencies	The project continued its engagement with other UN agencies in implementing SEPK, mainly UNDP and OHCHR.
Office of the Registrar of Political Parties	Strengthening and regulation of political parties
Kenya National Commission on Human Rights	Monitoring elections from a human rights perspective.
National Gender and Equality Commission	Monitoring gender and inclusion components of elections.

6. Monitoring and Evaluation

M&E activity	Key outcomes/ observation	Recommendation	Action taken
Survey	Assessment of effectiveness of voter education initiatives	Include other voter education providers to enrich the survey.	Review of the initial draft report and sharing comments with the consultant. Review of the initial draft report and sharing comments with the consultant.
Evaluation	Preparation for and commencement of the post-election evaluation	PEE should solicit the participation of as wide a cross-section of stakeholders as possible	Engagement of key stakeholders including the National Executive, National Assembly, Political Parties and Civil Society Organizations completed.
Review of monitors' reports by the Elections Hub	The Elections management system was effective in alerting the KNCHR hub of any unresponsive monitors and flag the ones performing remarkably well. There were cases of unresponsive monitors as detected by the system		Deployment of staff to supplement the monitors helped in addressing this challenge

	which culminated to the termination of eleven.		
Monitoring visit	To ensure that county cluster consultations on the PEE are conducted in accordance with the concept note for PEE	The county cluster consultation meetings did not have the participation of any other stakeholders save for IEBC county and constituency staff	Recommend that FGDs and KIIs be expanded to include stakeholders not included in the county cluster meetings

7. Knowledge Management

The following knowledge materials were produced and disseminated during the year.

Title, author, date	Link	Evidence
Gender Analysis of the 2017 General Elections; FIDA Kenya; February 2018	https://www.ndi.org/sites/default/files/Gender%20Analysis%20of%202017%20GeneralElections%20FINAL%20High%20Res%20for%20Printer%20-%20NEW%20COVER_small.pdf	The analysis assesses the effectiveness of various efforts to ensure gender and social inclusion undertaken by various institutions, including towards compliance with the two-thirds gender principle. It proposes strategies for strengthening social inclusion towards 2022 elections
Silhouettes of Brutality; KNCHR; August 2018	https://www.knchr.org/Portals/o/KNCHR_Silhouettes_of_Brutality.pdf	This report is a documentation of the aftermath effects of disputed poll results specifically on sexual violence during the 2017 Election cycle. It records the cases, number of survivors and areas where the sexual violence occurred. It gives account of events and testimonies of the survivors who chose to speak about their ordeals in strict confidentiality to the Commission.
Still A Mirage At Dusk: A Human Rights Account Of The 2017 Fresh Presidential Elections	https://www.knchr.org/Portals/o/CivilAndPoliticalReports/Still-a-Mirage-at-Dusk.pdf?ver=2018-05-23-123451-723	This report gives an account of 26th October 2017 fresh presidential election from a human rights lens. The report is a culmination of relentless efforts put by the commission to establish whether environment and processes of the Kenya's Fresh Presidential elections 2017 adhered to both local and international human rights standards.
Points Taken – A CSO Proposal for Setting Electoral Reform Agenda in Kenya; ELOG; August 2018	https://elog.or.ke/index.php/resource-centre/item/44-points-taken-a-csos-proposal-for-setting-the-electoral-reform-agenda-in-kenya	This report captures the proceedings of the “National Election Observation Symposium” held on 22nd to 23rd March 2018 in Nairobi. The forum was organized around the following thematic areas: Elections administration and management, Elections and Human Rights, Elections and legal Framework,

	Elections and Civic engagement, Elections and Special interest groups (Women, Prisoners, PWDs, Youth and Diaspora), Elections and Media, Elections and security and Elections and Electoral Technology. The forum accorded various CSOs an opportunity to share their experiences in observing the 2017 electoral processes with a view to build a consensus on key recommendations for improving the electoral processes moving forward.
Darubini Ya Uchaguzi; ELOG; August 2018	https://elog.or.ke/index.php/resource-centre/item/40-darubini-issue-4-june-august-2018-is-out
	Darubini ya Uchaguzi is a quarterly magazine that provides comprehensive information on the Election Process from the onset of the Pre-Election Phase, the Election Day events, and the Post-Election Phase

8. Implementation Challenges and Lessons Learned

Challenges	Lessons learnt
The finalization and approval of the SEPK 2018 AWP delayed owing to a protracted process resulting from wide stakeholder consultations. This severely limited the start of implementation of activities. The shortened period for implementation to pave way for operational and financial closure of the project means that the period for implementation of activities will be further reduced by the delay in the approval of the AWP.	Development of a new year's workplan should start in good time to allow adequate consultation of key project stakeholders. The AWP should be completed and approved by the PSC before the end of the year to avoid delay in implementation once the new year starts.
The leadership conundrum at IEBC continued to undermine implementation of programmed activities. However, the High Court judgement that this did not affect the operation of the Commission restored the confidence in the Commission.	There is need for a legal or policy framework for ensuring continuity of the Commission in case one or more of the Commissioners leave office. This framework should include a clear process for replacement of commissioners.
Implementation of project activities was delayed owing to delay in the release of resources by a section of the development partners.	Smooth flow of DP funding may be affected by pockets of instability in the EMB – the leadership conundrum at the IEBC affected implementation of project activities and resulted in delay in funds disbursements.
Lukewarm engagement of implementing partners in electoral matters. With the closure of the 2017 elections, many government stakeholders, especially Parliament and the National Executive	For adequate preparation and management of the 2022 elections, there is need to adopt the electoral cycle approach in support to IEBC. This will ensure that the commission puts

Challenges	Lessons learnt
adopted a lukewarm approach towards matters elections. exchequer funding to IEBC was significantly reduced to cater only for essential running costs.	undertakes preparatory activities like voter/civic engagement, voter registration and review of the electoral legal framework.
Late facilitation of partner requests owing to inordinate delay in procurement. This resulted into partner apathy and frustration.	There is need to revamp the project procurement function so as to expedite requests.

9. Gender and Conflict Sensitivity

SEPK project continued to implement measures aimed at implementing the recommendations of studies undertaken by DFID on gender and conflict sensitivity. UN Women has taken a central role in design and implementation of key project components related to gender. UN Women also provides ongoing technical backstopping on gender-responsive implementation of the project.

Conflict sensitivity, electoral risk management and early warning mechanisms are elaborated under Outcome 4 in the SEPK 2016 AWP. The project is collaborating with Uwiano, UNDP Peace Building and Conflict Management Unit and other national government institutions in developing a strategy for early warning and early response (EWER), electoral gender-based violence and peace building initiatives, especially during this post-election period.

Some gender development results achieved during the quarter are given below:

Gender results	Evidence
SGBV parameters embedded in the KNCHR system for capturing these violations	201 witness statements from victims of SGBV recorded and uploaded in the system
A stand-alone publication on SGBV finalized and launched	Statistics captured highlight the trends and patterns of the 2017 Electoral related SGBV.
44 women judges, and magistrates trained on safeguarding gender equality and women empowerment during elections	Training report

10. Analysis of Risks

Type	Date Identified	Description	Progress	Proposed mitigation measures	Status
Organizational	08-Oct-2018	IEBC seeks to undertake restructuring of its secretariat to better align it with the functions of the commission.	The proposed restructuring may portend major changes in the secretariat, including the need to undertake massive capacity building of some directorates. SEPK to support this to i) Rebuild the trust in the project which was lost during the leadership conundrum at IEBC and ii) stay part of the wider conversation of supporting key initiatives at the commission.	Draw linkages with other initiatives including corporate governance training and review of human resource manuals.	On going
Political	08-Oct-2018	Calls for referendum may stretch IEBC capacity at a time when the	Commission is still dealing with capacity issues owing to the exit of 3 commissioners and the shaky nature of the office of the CEO.	Monitor the development of issues on the referendum. Work with other development partners to identify interventions to support.	On going
Operational	04-Sep-2018	Delay in implementation of activities ahead of the September 2018 operational closure.	The project donor group, sitting on October 24, gave an in-principle approval to extension of project period to June 2019.	UNDP to hold bilateral talks with the donors to formalize the extensions.	Closed
Political	03-Jun-2018	The Building Bridges Initiative (BBI) led by the President and former Prime Minister may lead to radical shift in the	Religious leaders, under the Dialogue Reference Group, have commenced a parallel dialogue process seeking to build lasting peace and foster electoral justice.	Monitor to see how this process builds into or influences the outcomes of the BBI.	On going

Type	Date Identified	Description	Progress	Proposed mitigation measures	Status
		programming agenda for elections.			
Operational	15-Jan-2018	Delay in implementation of activities due to late approval of the 2018 AWP	SEPK 2018 AWP was approved by PSC on March 8, 2018. With project implementation scheduled to end in September 2018, this means that the implementation period for activities will be shortened to allow time for operational and financial closure of the project.	The project team has divided the partners between them to facilitate effective oversight and allow easy follow up and reporting in the weekly catch-up meetings	Closed
Political	30-Mar-2018	Resignation of 3 IEBC commissioners may affect quorum and operation of the commission	The project deferred implementation of some activities awaiting a firmer direction on the legal composition of and quorum at the Commission.	Continue monitoring the situation to get a firm government position on the conundrum at IEBC. The High Court declaration that IEBC was legally constituted and vacancies in the commission do not affect its operations and quorum.	Closed

11. Financial Report

Interim Financial Statement 2018									
UNDP Project Number: 00093173									
To: UNDP, DFID, USAID, EU, GOVERNMENT OF IRELAND, GOVERNMENT OF ITALY & GOVERNMENT OF GERMANY									
Reporting Period: January - December 2018									
Contributions	UNDP	DFID	EU	USAID	IRELAND	ITALY	GERMANY	OTHERS (CANADA, SLOVAK, FINLAND, DENMARK)	Total
Opening Balance	-	39,664	91,391	106,405	17,810	(2,650.30)	1,410.38	181	254,210
Allocation UNDP TRAC 2018	5,122	-		-					5,122
Contributions from DFID	-	1,006,061		-					1,006,061
Contributions from USAID	-	-		550,000					550,000
Contributions from EU			1,334,851						1,334,851
Contributions from Government of Ireland									-
Contributions from Government of Italy									-
Contributions from Government of Germany									-
Funds transfer from SERP Project to SEPK Project									-
Total Contributions	5,122	1,045,725	1,426,242	656,405	17,810	-2,650	1,410	181	3,150,243
Expenditures									
Programme Expenditures									
Activity 1	967	7,417	271,679	96,092	111				376,266
Activity 2	191	14,541	65,616	177,546	(14,216)				243,677
Activity 3	124	212,129	245,502	89,954	12,471				560,181

Activity 4	58	-	23,366	371	11,723		1,300	38	36,855
Activity 5	3,782	594,761	239,504	87,082	6,372	1,179		85	932,766
Total Programme Costs	5,122	828,847	845,666	451,045	16,461	1,179	1,300	123	2,149,745
Indirect Support Costs (GMS)	-	66,284	59,210	36,012	1,318	94	104	10	163,033
Commitments and Undepreciated assets & Inventory	-	-52,799	-63,726	-44,639	-	-5,553	-	-	-166,717
Total Expenditures	5,122	842,333	841,151	442,417	17,780	-4,280	1,404	133	2,146,060
Balances as at 31st December 2018	0	203,392	585,091	213,987	30	1,629	6	48	1,004,184

Notes: Contribution amounts are inclusive of General Management Support Costs (GMS)

Disclaimer: All financial information provided is an extract of UNDP financial records and is provisional until a Certified Financial Statement has been issued by the UNDP Controller's Office

Catherine Masaka, Deputy Country Director (Operations)