Strengthening Electoral Processes in Kenya (SEPK)
Project Number: 00093173
2017 Annual Report

Project Summary	Country: Kenya Project Duration: 2015 – 2018 Project Budget for 2017: US$ 10,990,240	
	Donor	**2017 Available Funds US$**
	European Union	**3,868,639**
	USAID	**1,761,148**
	DFID	**1,999,549**
	Ireland	**106,157**
	Others (Canada, Slovak, Finland, Denmark)	**6,568**
	Germany	**118,170**
	Italy	**1,094,148**
	UNDP	**19,957**
	Percentage expenditure as at December 31, 2017	**80%**
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Implementing party:	United Nations Development Programme (UNDP) in partnership with the United Nations Entity for Gender Equality and the Empowerment of Women (UN Women) and the Office of the High Commission on Human Rights (OHCHR).	
Collaborating partners:	Independent Electoral and Boundaries Commission (IEBC); Kenya National Commission on Human Rights (KNCHR); National Council of Churches of Kenya (NCCK) - Election Observation Group (ELOG); Office of the Registrar of Political Parties (ORPP); Political Parties Dispute Tribunal (PPDT); The Judiciary - Judiciary Committee on Elections (JCE); and the National Police Service (NPS).	

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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
CMD	Centre for Multiparty Democracy
CPD	Country Programme Document
CORD	Coalition for Reforms and Democracy
CREAW	Centre for Rights Education and Awareness
CRAWN	Community Advocacy and Awareness Network
CSO	Civil Society Organization
CTA	Chief Technical Advisor
DaO	Delivering as One
DAI	Development Alternatives Inc
DGE	Donor Group on Elections
ECA	Electoral Cycle Approach
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
IRCK	Inter-Religious Council of Kenya

JCE	Judiciary Committee on Elections
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
NSC	National Steering Committee on Peace Building and Conflict Management
NPS	National Police Service
OHCHR	Office of the High Commissioner for Human Rights
ORPP	Office of the Registrar of Political Parties
PMU	Project Management Unit
PP	Political Party
PPDT	Political Parties' Dispute Tribunal
PPLC	Political Parties' Liaison Committee
ProDoc	Project Document
PSC	Project Steering Committee
PVT	Parallel Vote Tabulation
PWDs	Persons with Disabilities
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
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

Executive Summary

The Strengthening Electoral Processes in Kenya (SEPK) Project is a multi-donor Basket Fund that aims at developing and strengthening electoral institutions, systems and processes in Kenya to promote transparent, credible and peaceful elections in 2017 and beyond. The Project adopted an electoral cycle approach in its effort to achieve four (4) major 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.*

This report presents the progress that has made and results achieved by SEPK during 2017.

Key Project Achievements

Output 1.1: Legal Framework for coordination of electoral processes strengthened

Regulations on the qualifications and requirements for nomination of candidates for the 2017 general election: Working with national stakeholders to encourage dialogue to enhance inclusive participation in elections for women, youth and PWDs, the project's efforts saw several political parties including Jubilee, KANU and ODM reducing party nomination fees for women, youth and people with disabilities, thus enabling more historically disadvantaged groups to participate in the 2017 general election as candidates. Earlier on, the IEBC had established similar measures, i.e. subsidized nomination fees—half of the full nomination fee—for female candidates.

Regulations on preparation and submission of party lists: SEPK supported IEBC to publish regulations for generation and submission of party nomination lists as required by the law. SEPK also supported sensitization of party leaders on the technical and procedural requirements for drawing up of party lists. As a result of this support, all parties complied with the timelines provided for submission of the party lists. However, only 10% of the lists submitted to IEBC complied with the law.

Sensitization of internal and external legal teams: SEPK supported the IEBC to train the Commission's internal and external lawyers as well as the membership of the Law Society of Kenya to handle disputes arising from the 2017 electoral cycle including party primaries, party nomination lists, and the general election itself.

Implementation of the Two-Third Gender Rule: The Project tracked and documented efforts made towards the realization of the constitutional requirement of the constitutional rule that says that not more than two thirds of all elective positions should be held by persons of the same gender. SEPK assisted the National Gender and Equality Commission (NGEC) to convene strategy sessions with stakeholders to inform advocacy on the Two-Third Principle.

Output 1.2: Strengthened institutional capacity and professionalism of Independent Electoral and Boundaries Commission (IEBC)

Tracking of and reporting on implementation of the Election Operations Plan (EOP): SEPK provided technical support to the IEBC to establish and maintain a system for tracking and reporting on implementation of the EOP and the timelines for FPE. The system provided ready data for the Chairperson's weekly media briefs on preparedness for the 2017 elections.

Timely receipt, storage and dispatch of strategic and non-strategic electoral materials: The project supported IEBC to develop and implement a comprehensive warehousing and logistics plan. This enabled the IEBC to dispatch election materials to all 40,000 plus polling stations across the country in a timely and effective manner during the 08 August 2017 general election.

On-boarding of new IEBC Chairman and Commissioners: SEPK provided technical assistance and financial support for the successful induction and onboarding of the new Commissioners at the time they took office in January 2017. Such support entailed knowledge and experience sharing between the new Commissioners and their counterparts from Ghana, Namibia, South Africa and Nigeria; also training on election administration through BRIDGE[1], and training on corporate governance and IEBC laws and systems. Through the induction, mentoring and training initiatives, SEPK contributed to a seamless transition between the old and the new Commission; and contributed to preparation for the 2017 general election.

IEBC Strategic Communications improved: Through SEPK support, IEBC implemented a comprehensive crisis communications strategy and this commenced with capacity building of the Commissioners and Senior Management on Crisis Communication; through this intervention, there was more systematized communication from the IEBC relating to electoral preparedness in the run up to the elections. This increased the public confidence in the commission from 34% in July 2016 to 72% in June 2017.

1.2.2 Strengthened institutional capacity and professionalism of Office of the Registrar of Political Parties (ORPP)

Enhanced internal structures and democracy in political parties: The Project contributed to improved capacity of the Office Registrar of Political Parties (ORPP) to engage with and train political parties on party and election laws and regulations ahead of the 2017 general election. In this context, 3,604 male and 4,481 female party officials from 67 political parties received training specifically on matters such internal party administration. These capacity building initiatives which were led by the ORPP with SEPK support enabled 63 political parties to complete their constitutions as required by the Political Parties Act; updated their party membership lists; and develop their nomination rules. The Project assisted the ORPP to develop a *Political Parties Leadership Source Book* to guide political parties on mainstreaming of gender and social inclusion in management of political party affairs. This was disseminated to 94 County Election Coordinators and Monitors across all the counties. Training of political party officials relied on the Source Book as the main resource.

Output 2.1 – More Informed Voters

SEPK supported IEBC to reach over 18,912,631 people through targeted voter education initiatives. As a result of these initiatives (i) additional 3,782,089 first-time voters (FTVs) were added to Principal Voter Register (PVR); (ii) 6,893,861 (or 35% of registered) entries were verified using KIEMS kits; (iii) early-warning indicators were identified to inform security preparedness, peace messaging and conflict mitigation strategies before, during and after the 2017 elections; and (iv) voter turnout in the general election increased significantly from 12,330,028 votes (86%) in 2013 General Election to 14,946,948 votes (77%) in 2017. Proportion of spoilt votes was 3.08% in 2017 compared to 2.5% in 2013. Continued sensitization of community members, dialogue with community elders and women leaders was employed as a strategy to spread understanding of the value of women in leadership. This was done through UN Women civil society partners.

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[1] BRIDGE (Building Resources in Democracy, Governance and Elections) is a modular professional development programme with a particular focus on electoral processes. It is based on adult-learning and participatory methodology and is designed to promote internationally accepted principles of democracy and good electoral practice. It represents a unique initiative of five leading organisations in the democracy and governance field: namely the Australian Electoral Commission (AEC), International IDEA, International Foundation for Electoral Systems (IFES), United Nations Development Programme (UNDP) and the United Nations Electoral Assistance Division (UNEAD).

Output 2.2 – Increased participation of women in the electoral process

Increased participation of women in the electoral process: The Project contributed to improved capacity of 16 Non-State Actors (NSAs) and the National Gender and Equality Commission, civil society partners GROOTS

Kenya, CRAWN Trust, Youth Agenda, YIKE and ACORD to mount elaborate advocacy campaigns to encourage women, youth and PWDs to register as voters during the early 2017 Mass Voter Registration (MVR). Further project interventions during the year saw a significant increase in the number of women candidates and elected to public office following the 2017 general election. Such interventions focused on community awareness on the value of women's leadership; engagement with community based leadership to seek support for women leaders;

1: *Women delegates follow proceed at the National Elections Conference. Photo: Joyous Begisen/UNDP*

profiling of women candidates using diverse media platforms; training of agents of women candidates and direct support to women candidates to raise their visibility. The August 8 general election led to the historical win of 3 women Governors (6.38%); 3 women Senators (6.38%); 23 women Members of the National Assembly (7.93%); and 96 women Members of County Assemblies (6.76%). This was a remarkable improvement from 2013 general election in which no woman was elected as governors or senator; 16 women were elected as MPs (5.52%) and 85 as MCAs (5.66%). The proportion of women elected in 2017 increased significantly from 5.63% (2013) to the current 11.40%.

Output 2.3 – Increased participation of youth, PWDs and other marginalized groups:

Increased registration as voters of youth, PWDs and other marginalized groups: Through various voter education and mobilization strategies, SEPK supported IEBC to increase the proportion of youth and PWDs registered as voters from 45% and 0.75% to 51% and 0.88% respectively. Youth mobilization strategies, through civil society partners contributed to increased tolerance of opposing voices among youth. Strategies helped demystify the stereotypes on women participation in political leadership.

Output 2.4 – More objective, balanced and gender sensitive reporting on electoral issues and processes

Enhanced capacity of the media to undertake balanced, gender responsive and conflict coverage of and reporting on elections: SEPK support to Media Council of Kenya (MCK) led to the successful development of the 2017 *Guidelines for Media Coverage and Reporting of Elections*. The guidelines covered issues such as conflict and gender sensitive reporting and were used to enhance the capacity of 670 journalists from all the 47 counties, 60 TV stations, 150 radio stations. About 2,900 journalists were accredited using these guidelines. This SEPK support engendered renewed commitment across various media houses to promote

balanced, gender responsive and conflict sensitive coverage of and reporting during the general election and the FPE.

Balanced coverage of electioneering and voting processes: SEKP contributed to MCK's monitoring of trends in media reporting of Kenya's 2017 elections, including monitoring of gender responsive and conflict sensitive reporting. Media coverage of elections is still skewed towards larger parties, more powerful politicians and male politicians. Coverage was largely of male electoral contestants with 85% of news reports focused on male electoral contestants. Only 13% of reports featured women electoral contestants while gender considerations did not apply for 2% of the reports.

Output 3.1 – Improved voter registration

Improved Voter Registration: Through SEPK technical and material support including voter education to the IEBC (under Outcome 2), an additional 3,782,089 first-time voters (FTVs) were added to the Principal Voter Register: this represented 95% of the lower target of 4,000,000 and 65% of the upper target of 6,000,000 as established by the IEBC for this cycle of registration campaign. About 1,500 Kenyans in the diaspora and 1,000 prisoners were also registered.

Output 3.2 – Strengthened electoral operations and logistics

Strengthened Election Operations Planning: SEPK supported IEBC to convene more than 870 IEBC officers from headquarters and field offices to undertake an operational planning exercise for the 2017 general election. SEPK recruited local and international IT experts to support the IEBC ICT plan rollout during the general election and the FPE. The aim was to facilitate improved capacity, on the part of the IEBC, to respond to the shortcomings identified by the Supreme Court regarding effective transmission of election results.

Output 3.3 – Election security and risk management with specific focus on women, youth, PWDs and other special interest groups

Enhanced capacity of IEBC to anticipate and manage electoral risks: SEPK contributed to improved IEBC capacity to assess and mitigate institutional and election-related risks: this support enabled the IEBC to develop a risk framework and train 43 male and 37 female field staff in electoral risk management.

Strengthened Security Arrangements during polling, counting, collation and declaration of results: SEPK helped to improve election security before, during and after the general election through extensive support to the IEBC and the NPS. Key interventions included: development and dissemination of 181,000 copies of the training manual on electoral security, security guide role card, handbook on electoral security and pocket-size book on *Violence Against Women in Elections* (VAWiE). The materials were used to train 60 national master trainers, 383 county trainers and 1,600 constituency trainers and 175,000 security officials deployed on election day. As a result, many election observers commended the IEBC and NPS on the Election Day proceedings during which no major security-related incidents were reported. However, post-election day incidents were reported including deaths in some parts of the country; similar reports were also noted during the FPE when election did not take place in 24 constituencies especially in the Opposition NASA strongholds.

Enhanced Observation and Monitoring of Electoral Process: Through SEPK support, Elections Long-term Observation Group (ELOG) successfully deployed 290 long term observers, 7,130 short term observers, 93 special interest group observers and 1,700 Parallel Vote Tabulation (PVT) monitors during the 2017 general election. These teams of observers provided a credible source of information for assessing electoral environment ahead of the elections; they provided credible information which ELOG employed to engage duty bearers over issues affected the 2017 electoral process.

Respect for and promotion of Human Rights during electioneering and 2017 elections: SEPK interventions saw deployment of 219 monitors in all the 47 counties by Kenya National Commission on Human Rights (KNCHR),

whose role enabled extensive monitoring of the entire electoral process. KNCHR monitored and documented over 4,200 cases of electoral malpractices. Based on these findings, KNCHR issued four memorandums to the IEBC, the National Assembly and the Senate and recommended key electoral legislative reforms; and five evidence-based advisories which were disseminated to relevant duty bearers and stakeholders. KNCHR also prepared and shared with the public detailed reports, including "*The Fallacious Vote*" following political party primaries in April 2017; "*Preliminary Findings of the 26th October Fresh Presidential Elections in Kenya*" after the FPE, "*Mirage at Dusk: A Human Rights Account of the 2017 General Election – Monday, 10th October 2017*" and "*Still a Mirage: A Human Rights Account of the Fresh Presidential Poll for the Period September and November 2017 - December 20, 2017*"**,** providing a detailed account of human rights abuses identified during and after the FPE.

Respect for and promotion of women's participation in promoting peace in the electoral process and the 2017 elections: The Project supported sensitization of women and youth in Kisumu and Nairobi on matters of peace and security resulted in the establishment of youth cohesion champions. Youth engagement in informal settlements contributed to women's participation in political leadership in a secure environment. To mitigate violence against women in elections (VAWiE), the project supported County Governments to develop contingency plans and sensitize communities, in general, and Gender-based Violence (GBV) networks on evidence gathering. Project partners including GVRC, CREAW and FIDA Kenya further undertook Mapping of Referral Data Base Health Care Providers and the orientation of service providers on rapid response. These partners provided legal support and counselling to women survivors of electoral violence; they also facilitated the setting up of Peace Committees in Kisumu to collaborate with the police rapid response to VAWiE incidents. Through civil society partners, 4,000 women, youth and PWDs engagement in peace marches in Nairobi, Kisumu, Nakuru, Uasin Gishu and Mombasa and various peace messages were disseminated during these occasions.

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

Intra-party dispute resolution strengthened: SEPK supported the Political Parties Dispute Tribunal (PPDT) to publish 2,000 copies of the Political Parties' Internal Dispute Resolution (IDR) Model Rules and Frequently Asked Questions (FAQs) on PPDT. The Model Rules were adapted and applied by 63 political parties in dealing with disputes arising out of the primaries.

Capacity of judicial officials in adjudication of electoral cases enhanced: SEPK supported the International Women Judges' Colloquium and the Annual Magistrates' Colloquium held in Nairobi in June 2017. These interventions enhanced the visibility of inclusion and Violence Against Women in Elections (VAWiE). They also enhanced the capacity of magistrates in handling petitions arising from election of Members of County Assemblies (MCAs).

Timely resolution of disputes arising from party primaries: The Project supported PPDT in its outreach activities, specifically with the media and its liaison with the Law Society of Kenya. SEPK supported capacity building of the Nairobi Branch of the Law Society of Kenya to increase their knowledge of the 2017 electoral amendment laws and on aspects of VAWiE. These interventions led to remarkable improvement in the institutional capacity of the PPDT to resolved in a time-effective manner the plethora of election-related disputes submitted by political parties and candidates to the PPDT during the 2017 general election.

Enhanced gender sensitivity in resolution of electoral disputes: The Project successfully provided training and sensitization of 106 lawyers from the Nairobi Bar Association (NBA) on electoral dispute resolution. UN Women rendered technical assistance to Judiciary Training Institute (JTI) through the sensitization of judicial officers on VAWiE.

Expeditious resolution of petitions arising from the 2017 elections: During the reporting period, SEPK successfully trained 145 magistrates who were appointed to handle election petitions during the general election. This training was done in collaboration with the JTI and Judiciary Committee on Elections (JCE). This intervention enhanced the level of preparedness of the SCOK in hearing and disposing of the election petitions.

Output 4.2 – Strengthened enforcement of electoral laws and regulations:
Through NGEC, the Project monitored the extent to which principles of equality and inclusion set out in the constitution, electoral laws, policies, rules and regulations were upheld to ensure participation and inclusion of special interest groups in the entire electoral process.

Implementation Challenges and Recommendations
During the reporting period, the project experienced challenges including:
i) The late appointment of the new Commission (i.e. six months before the general election) affected the time available to prepare for the 8 August 2017 general election. Litigations about procurement and organizational development challenges within the IEBC also militated against IEBC preparedness. This situation affected the IEBC stakeholder engagement including political parties, candidates and civil society; and, the to conduct of effective voter education and communicate effectively with the media.
iii) Despite SEPK capacity support to MCK, the latter did not demonstrate adequate capacity to go beyond media training and fulfil its role as a media regulator and this left many media houses to fall prey to political manipulation and fall short of ethical and non-partisan conduct during the FPE.
 iv) Some of the CSO partners who were contracted by the SEPK through UN Women via competitive process started to experience challenges which rendered them unable to fulfill their contractual obligations with the project and this led to cancelation of at least one partnership agreement.
v) Although SEPK supported the ORPP, such support did not adequately address concerns about political parties' internal democracy and management capacity including their capacity to conduct primary elections and to draw up party nomination lists in a transparent and credible manner. The 2017 party primaries and nomination lists were considered shambolic by many analysts and this cast serious aspersion on the credibility of the entire 2017 general election.

One way to ensure the IEBC is prepared for any election is to ensure the timely appointment of Commissioners. Noting that this issue of appointment of Commissioners is beyond the mandate of this project, it is important to note that the *Kriegler Commission* report of 2008 recommended that Commissioners should come on board at least two years before the next general election to ensure adequate induction and familiarization with their work; and, early engagement with key electoral stakeholders to address any concerns regarding preparations for the next election including procurement of technology. Future election support should be broad-based to provide for the strengthening of the mandate of key democratic institutions such as MCK, civil society, media and political parties.

Project Finances
The project is implementing an annual work plan (AWP) for 2017 with a total budget of US$ 7,233,000. The AWP was revised in September 2017 to accommodate priorities for the Fresh Presidential Election (FPE); the revised budget was US$ 9,034,185. By December 31, 2017, the project had spent US$ 8,788,975, making the delivery stand at 80% against the 2017 AWP.

Project Background

The *Strengthening Electoral Processes in Kenya* (SEPK) project is a multi-donor Basket Fund that aims to develop and strengthen electoral management institutions, systems and processes in Kenya with the objective that the general election in 2017 will be transparent, credible and peaceful. The project contributes to the Political Pillar of Kenya Vision 2030 which seeks to engender a democratic political system that is issue based, people centered, results oriented and accountable to the public; and Strategic Result Area 1.2 of the United Nations Development Assistance Framework (UNDAF) 2014-18 which seeks a democratic culture that is open, participatory, effective, inclusive, credible and transparent for Kenya by 2030. The project is anchored on UNDP Kenya Country Programme Document (CPD) which targets to provide support towards making Kenyan elections credible and peaceful.

The CPD seeks to achieve this by building institutional, financial and technical capacity of the IEBC and other electoral stakeholders to ensure equitable representation, free, fair, credible, transparent and peaceful elections. Under the CPD framework, SEPK adopts an Electoral Cycle Approach (ECA) in its bid to achieve four (4) major 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.*

Context

The year started with the Chairperson and six new Commissioners assuming office. With the swearing in of the new Commission, public confidence in the IEBC increased from 25% to 38%[2] thus engendering a conducive atmosphere for the preparation for the general election seven months later, on 08 August 2017.

The first quarter of the year was marked by a lot of political intrigues: Kenya Africa National Union (KANU) party declared its support for President Uhuru Kenya and his deputy who would stand as the Jubilee Party presidential candidate and running mate, respectively; the newly-formed opposition alliance, National Super Alliance (NASA), also picked former Prime Minister Raila Odinga as their presidential flagbearer; The High Court cancelled ballot paper printing tender which was awarded to Al Ghurair, a Dubai-based company[3]; the High Court dismissed a case filed by the Coalition for Reforms and Democracy (CORD) opposing the appointment of KPMG to conduct the independent audit of the Principal Voter Register ahead of the 2017 General Elections; the High Court directed Parliament to enact legislation providing a framework for implementation of the Two-Third Gender Principle within 60 days[4]; and the Supreme Court held that results declared at the polling station and tallied at the constituency tallying center were final and conclusive.[5] Whereas these cases gave courts the opportunity to elaborate the electoral legal framework, the litigation

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[2] Ipsos Synovate Poll conducted in January 2017.
[3] *NASA & 2 others v IEBC & 3 others*, JR No 378 of 2017
[4] Following a petition filed by two civil society organizations: CRAWN Trust and Centre for Rights Education and Awareness (CREAW).
[5] *Independent and Electoral Boundaries Commission v Maina Kiai* Court of Appeal Civil No. 105 of 2017

unfortunately contributed to legal uncertainty in preparations of the elections and delayed the IEBC preparations for the general election.

Political parties conducted their primaries during the first half of the year. Most of the primary elections especially those of the major political parties were marred by irregularities; this was partly because of poor logistical planning and non-adherence by political parties to their own rules and regulations in the conduct of the primaries[6]. Violence erupted in the primaries of most of the main political parties: affected counties included Nairobi, Kirinyaga and Nakuru[7]. In total, some 15,082 candidates offered themselves for various positions: 19 for President, 246 for Governor, 349 for Senator, 330 for Women Representative in the National Assembly, 2,078 for Members of the National Assembly and 12,060 for Members of County Assembly. Out of these, 3,752 (24.88%) were independent candidates. This unprecedented high number of independent candidates signaled a growing interest in various elective positions especially gubernatorial and county legislative positions. It also signified growing disgruntlement of most candidates by the way political parties conduct their primary elections; most independent candidates were those who felt victimized in the party primaries.

Official campaign opened on 28 May 2017 with the presidential candidates submitting their nomination papers to the IEBC. Key campaign issues included government performance, allegations of corruption and misappropriation of public resources, food security because of the drought at the time; health, and education. The Campaign Financing Act which seeks to regulate and track the use of resources for campaign purposes, was suspended by the National Assembly and deferred to 2022. During the year, Parliament also amended the Elections Act to allow the Government to advertise its key achievements within the campaign period. Later in the year, the High Court stopped the Government from making any advertisements on its achievements in the last four years during the election period through any form of media, saying that it involved unlawful use of public resources; this period also saw 63 parties signing the Electoral Code of Conduct which regulate the behavior of political parties during elections[8].

IEBC, in collaboration with Civil Society Coalition *Kura Yangu Sauti Yangu,* UNDP, UN Women and other electoral stakeholders convened the National Elections Conference (NEC) where the state of electoral preparedness was the subject of debate and scrutiny. During the same time, the Judiciary, through the Judiciary Committee on Elections (JCE), announced its readiness to handle the 2017 elections petitions and further promulgated regulations to that effect. Also, the National Police Service (NPS), in conjunction with the IEBC, launched the Electoral Security Arrangements Programme (ESAP) which aimed at ensuring security preparedness for the 2017 general election.

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[6] The irregularities included: incomplete registers, bribery, use of violence, intimidation, ballot stuffing and targeted attacks on marginalized groups (including women) among others.

[7] Given previous experiences with Kenyan politics, many analysts argue that winning nomination in one party's stronghold almost guarantees a candidate success in the General Election.

[8] The code binds the Government and every political party, leader, office bearer, agent and member of a political party or a person who supports a political party, and every candidate nominated under the electoral laws for any election. The code of conduct seeks to promote conditions conducive to the conduct of free and fair elections and a climate of tolerance in which political activity may take place without fear, coercion, intimidation or reprisals.

Despite the said preparations for the 2017 general election, the country continued to face various security threats which impacted on the campaign and the general election as a whole: banditry attacks due to land and grazing-related conflicts in counties such as Baringo and Laikipia and terrorist attacks in the North Eastern and Coastal counties. Delays in commencement of IEBC's massive voter education campaigns also appeared to undermine the state of preparedness. Public confidence in IEBC increased from 38%[9] in December 2016 to 66.2%[10] in April 2017 pointing to the success of some of the efforts alluded hereto.

IEBC experienced internal challenges which threatened to undermine the high public confidence: in April, there was a row between the Commissioners and the Secretariat over transfer of returning officers ahead of the elections[11]; in May, the Commission suspended its ICT Director over claims of sabotage[12]; in June, the Commission suspended the procurement director over accusations of interfering with ballots paper tender[13]; in late July IEBC's credibility to handle elections was dealt a severe blow, when its IT manager Mr. Chris Msando, was abducted and murdered. The death, coming a few days before the general elections, fueled claims by the main opposition coalition that IEBC could not hold credible elections. Even though the IEBC addressed some of these issues using its internal mechanisms, the same presented a challenge on state of preparedness of the Commission ahead of the elections.

The general election was held on 08 August 2017. Out of the 19 million registered voters, 77% turned out to vote six elective positions: President, Governor, Senator, Member of National Assembly, Women Representative and Member of County Assemblies. The incumbent President Uhuru Kenyatta was declared the winner of the Presidential election with 8,217,251 votes (54.17%) votes with Raila Odinga (ODM/NASA) coming second with 6,816,979 votes (44.94%). NASA rejected the presidential election outcome. This led to sporadic violent protests in Nairobi (Mathare and Kibera) and the counties of Siaya, Migori, Kisumu and Homabay. An estimated 37 deaths, 6 cases of sexual and gender based violence including rape[14] and 177 injuries[15] were reported, countrywide. The situation returned to relative calm after the NASA leader challenged the presidential election results in the Supreme Court. The Supreme Court on 1 September 2017 nullified the August 8, 2017 presidential election by a majority decision of four against two. The SCOK ruled that the elections did not meet the test of simplicity, accuracy, and verifiability as required by the Constitution. The SCOK found that the August 8 presidential election was not held in accordance with the Constitution and existing electoral laws. It ordered the IEBC to conduct fresh elections in strict compliance with the Constitution and the law within sixty days.

The nullification of the presidential election elicited mixed reactions from both sides of the political divide. On the one hand, Jubilee Party was unhappy with the verdict stating that the judges who issued the majority decision disregarded the will of Kenyans. The emerging conversations in this respect demonstrated an

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[9] Opinion poll released by Ipsos Synovate in December 2016

[10] Opinion poll released by Infotrack Harris in April 2017

[11] See http://www.nation.co.ke/news/Dispute-over-transfers-threaten-to-split-IEBC/1056-3908526-56oaw0/index.html last accessed on 12th August 2017

[12] https://www.standardmedia.co.ke/article/2001241233/iebc-director-for-ict-james-muhati-sent-on-compulsory-leave-over-claims-of-sabotage last accessed on 12th August 2017

[13] See http://www.the-star.co.ke/news/2017/06/07/iebc-fires-procurement-director-over-ballot-tender_c1575518 last accessed on 12th August 2017

[14] Source: Kenya National Commission on Human Rights

[15] Source: Kenya Red Cross

increasing tension between the Executive and the Judiciary. On the other hand, NASA lauded the judgement and called for radical reform of the IEBC before the Fresh Presidential Election (FPE) could be conducted. NASA submitted a list of nine demands items termed as "irreducible minimums" before it could participate in the FPE. NASA called for the removal of certain IEBC officials whom they associated with some of the problems noted by the SCOK. NASA also insisted that Dubai based printer, *Al Ghurair*, should be barred from printing ballot papers and statutory forms while French technology company OT Morpho/Safran should not supply election technologies including the KIEMS kits.

In mid-September, NASA called for weekly protests under the banner of *"no reform no election"* until all the irreducible minimums were met. A bill sponsored by the Jubilee Coalition seeking to amend electoral laws was quickly enacted in both houses of Parliament. NASA-affiliated MPs stayed away from these parliamentary proceedings arguing they were ill-conceived and aimed at "changing the rules of the game midway to rig the election"[16].

IEBC went ahead and set October 26, 2017 as the date for the FPE. IEBC relied on a decision made by the Supreme Court in 2013 to declare that only Messrs. Odinga (NASA) and Kenyatta (Jubilee Party) would participate in the FPE. The Thirdway Alliance presidential candidate, Dr. Ekuru Aukot, who had been enjoined in the NASA petition later successfully challenged the decision in court seeking to be included as a candidate in the FPE. Based on the High Court decision on the matter, IEBC gazetted all the eight candidates who had participated in the annulled presidential polls to re-enter the fresh race. Ultimately, the changes called for by NASA were not implemented, leading to NASA's boycott of the October 2017 FPE.

The FPE saw a depressed voter turnout of 38.8%. This was occasioned by the withdrawal of the National Super Alliance candidate Rt. Hon. Raila Odinga from the repeat polls citing IEBC's non-compliance with NASA's irreducible minimum electoral reforms[17] to guarantee the credibility of the FPE. Following Mr. Odinga's withdrawal from the race, NASA called for mass protests demanding for electoral reform and justice. The counties of Kisumu, Migori, Siaya, Mombasa, Nairobi and Homabay saw immense tension and, in some instances, clashes between NASA supporters and the police on voting day. These caused the IEBC to delay and subsequently cancel voting in at least 25 constituencies in Siaya, Homabay, Kisumu and Migori counties. Kenya's incumbent President, H.E. Uhuru Kenyatta won the FPE with 7,483,895 (98.2%) out of the 7,616,217 votes cast.

The outcome of the FPE was challenged in the SCOK by private citizens because of the IEBC's failure to, among other things, conduct fresh nomination of presidential candidates, widespread violence and cancellation of polls in the constituencies, doubts over the actual voter turnout and allegations of use of state resources in the presidential campaigns[18]. SCOK dismissed the petitions and upheld the election of

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[16]https://www.nation.co.ke/news/Jubilee-marches-on-with-election-law-change-after-Nasa-boycott/1056-4116262-fxwxd6/index.html

[17] See https://www.iebc.or.ke/uploads/resources/qWgsGfYCKO.pdf (last accessed on 28/02/18). Among the key demands by NASA include; dismissal of IEBC Staff and Commissioners said to have complicit in the irregularities pointed out the supreme Court; replacement of Saphran Morpho and overhauling of ICT infrastructure; recruitment of fresh returning officers.

18 Njonjo Mue & Anor v The Chairperson of IEBC & 3 Others, Petition No.4 of 2017 (consolidated)

Uhuru Kenyatta to serve a second term of office. The President-elect and Deputy President-elect were both sworn in on the 28th November 2017.

The post-FPE saw increased polarization and strife in the country especially following NASA's decision to reject the election of President Kenyatta and calls to form a "parallel government" led by Rt Hon. Odinga as the "people's president". NASA formed the National Resistance Movement (NRM) to press through key reform agendas including electoral justice. NRM pushed for the establishment of "a people's assembly[19]" compromising of NASA elected leaders at national and county levels and representatives of civil society and community organizations. NASA through NRM mobilized more than 19 county assemblies to pass laws establishing the people's assemblies. NASA called on its supporters to boycott products and services from companies it considered sympathetic to the Jubilee Government and launched nationwide civil disobedience to force the Jubilee Government to the negotiation table. These developments heightened political tensions and led to widespread protests which were met with strong force from government leading to scores of injuries and deaths.

Beyond the contested presidential results, the 8 August 2017 general elections resulted in several key gains. There was a notable improvement in performance of women candidates from the 2013 elections. The 2017 elections led to the historical win of 3 women governors, three women senators, 23 women Members of the National Assembly (MNA) and 96 women Members of County Assemblies (MCAs compared to 2013 when there were no women governors or senators, 16 were MNAs and 85 women MCAs. Elected women MPs increased from 16 in 2013 to 23 in 2017; 16 out of 23 elected women MPs were newly elected giving rise to a new crop of women into political leadership. At the county level, 98 women out of 1450 were elected to County Assemblies. The Northern Frontier region, and the pastoralist communities of the Maasai and Samburu made history by electing 1 senator and 5 women MPs. North Eastern Kenya, for the first time, elected one female MP. However, the constitutional principle that no more than two-thirds of all members of elective bodies shall be of the same gender was not realized, despite an Order issued by the High Court, directing enactment of the law before the August 8 elections. The 12th Parliament is at 21% women representation and thus does not meet the gender threshold required by the Constitution.

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[19] The immediate priorities of the people's assembly were to foster electoral reform and achieve electoral justice through fresh presidential polls to be held in August 2018.

1. Progress towards development results

UNDAF Outcome 1: By 2017 Kenya has a democracy in which human rights & gender equality are respected; elected officials are responsive & accountable; citizens & civil society are empowered, responsible & politically/socially engaged; equitable representation is achieved through affirmative action; & the electoral processes are free, fair, transparent & peaceful.

Project Outcome 1: Legal and institutional framework for free, fair, credible, transparent and peaceful 2017 General Elections established

UNDAF output targets	Project output targets	Summary achievement in 2017 FY	Status
2017 Elections are credible and peaceful	8 regulations, policies and procedures to support political party primaries and 2017 General Election published	IEBC – Qualifications and requirements for nomination of candidates; Political party nomination rules produced and filed with IEBC; Regulations for preparation and submission of political party lists; Gender and social inclusion policy implemented ORPP – Political Party Nomination Rules and Guidelines; Popular versions of Political Parties Act produced in English and Swahili	Achieved
	Smooth onboarding of new IEBC commissioners	IEBC Chairperson and Commissioners trained on BRIDGE, strategic communications, etiquette, media relations and electoral systems	Achieved
	Legal capacity of IEBC to handle petitions and deal with disputes arising from party primaries and party list enhanced	IEBC external lawyers sensitized on the electoral legal framework and handling of petitions; 2 UNVs embedded at IEBC legal directorate to provide legal drafting and research technical assistance	Achieved
	Public confidence in IEBC enhanced through improved public image and public engagement	IEBC Crisis Communications and Public Engagement Strategy implemented; Media owners and the donor community engaged on the work of the Commission; Digital media strategy for the 2017 GE finalized; One-on-one training for commissioners on media appearance undertaken; Targeted messaging for various audiences, including university students, produced and disseminated.	Achieved
	Timely receipt, storage and dispatch of strategic and non-strategic electoral materials	Logistics and warehousing plan for the 2017 General Elections implemented; Jubilee Party and NASA Coalition	Achieved

	provided with ballot boxes from the IEBC central warehouse; All strategic and non-strategic electoral materials received, stored and dispatched in a timely manner to all polling stations during the 2017 General Elections and to 266 constituencies during FPE	
Enhanced accuracy, credibility and utility of the voter register	789 officials (434 male and 355 female) trained in pre-election logistics and elections operations.	Partially achieved

Overall Status	**Achieved**

Output 1.1: Legal Framework for coordination of electoral processes strengthened

SEPK provided technical and financial support to IEBC and ORPP to publish 8 regulations, policies and procedures for enhancing conduct of party primaries and credibility of the 2017 general election. These included qualifications and requirements for nominations; political party nominations rules; regulations for preparation and submission of party lists; gender and social inclusion policy; political party nomination rules and guidelines and popular versions of political party's act 2011.

Regulations on the qualifications and requirements for nomination of candidates for the 2017 General Elections: In the qualifications and requirements for nomination of candidates for the 2017 general election, the nomination fees for women, youth and peoples with disabilities was halved. This was a welcome affirmative action initiative, which expanded the space for youth, women and PWDs to participate in the electoral process. The project supported IEBC and ORPP to sensitize political parties on political party nomination rules and provided technical backstopping to political parties in the development of their rules. Thus, all the 67 registered political parties developed and filed their nomination rules with the IEBC.

Regulations on preparation and submission of party lists: SEPK supported IEBC to publish regulations for generation and submission of party nomination lists as required by Article 90 of the Constitution[20]. The regulations provided guidance to political parties in preparation of party lists and allocation of special seats for the National Assembly, the Senate and the County Assemblies. SEPK supported IEBC to sensitize the leadership of political parties on application of the party nomination regulations, thus providing guidance on the technical details. All parties complied with the timelines provided for submission of the party lists. However, only 10% of the lists submitted to IEBC complied with the law.[21] Most parties disregarded requirements for nomination of marginalized groups (youth and PWDs). Despite sensitization of political parties, such low level of compliance points to an entrenched culture of impunity within political parties. There is need for sustained engagement with political parties to foster respect of law and fidelity to the

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[20] The minimum requirements for development and submission of party lists are provided for in Article 10, Article 81 and Article 90 of the Constitution, sections 34-37 of the Elections Act, 2011 as amended by The Elections (Amendment) (No. 2) Act, 2012, The Election Laws (Amendment) Act, 2016 and The Election Laws (Amendment) Act, 2017, Regulations 54-56 of The Election (General) Regulations, 2012 as amended by The Election (General) (Amendment) Regulations 2017 and The Elections (Party Primaries and Party Lists) Regulations, 2017.
[21] Source: IEBC legal officer

principles underlining the idea of party lists. As a result, some 300 disputes arose on the code of conduct and party lists. These disputes were adjudicated by IEBC Tribunal[22].

Development gender and social inclusion policy: The Project supported IEBC to develop a Gender and Inclusion Policy. The policy provides guidance to the IEBC on how to ensure that its structures and processes consider vulnerabilities of women, youth, persons with disability and marginalized communities to increase their participation in the electoral process. It provides guidance on strategies to strengthen the internal capacities of the EMB and its interaction with stakeholders towards a socially inclusive and gender responsive electoral process. This policy will enhance IEBC's commitment to social inclusion in the electoral process by expanding spaces and addressing barriers related to the participation of special interest groups in electoral processes. The draft gender policy is expected to be presented to the IEBC national country structures and other electoral stakeholders for validation before its adoption by the Commission in early 2018.

Sensitization of internal and external legal teams: During the year, SEPK supported the sensitization of the IEBC's external and internal lawyers[23]. The capacity building sessions sought to identify possible areas of post-election disputes, build scenarios on preparedness for election disputes and develop election petition defense strategies. Further, the Commission used these project-sponsored forums to sensitize its internal and external lawyers on the new electoral laws and elections technology to equip them for electoral dispute resolution in the context of the general election., i.e. party primaries disputes and post-election petitions.

Implementation of the Two-Third Gender Principle: SEPK tracked and documented efforts made towards the realization of the Constitutional Two-Third Gender Principle, which says that not more than two thirds of all elective positions shall be held by persons of the same gender[24]. Despite various advocacy efforts by civil society organizations, women's movement and National Gender Equality Commission (NGEC), Parliament went on recess before the legislation for operationalizing the 2/3rds gender principle was enacted. SEPK documented efforts made in realization of the gender principle to support advocacy efforts. It remains to be seen whether the Cabinet formed after the 2017 general election will live up to the High Court directive that the next cabinet must comply with the Two-Third Gender Principle. Without this law in place, it now falls upon the electorate to elect minimum one-third of women in the 2017 election. This is highly unlikely. SEPK partners such as CRAWN Trust and GROOTS have publicly stated that they will go back to court if the elections outcome did not meet the constitutional threshold. A declaration by the courts that Parliament is not constitutionally constituted may throw the country into a constitutional crisis. A detailed analysis of the progress made in implementation of this principle is provided in Annex 4.

Legislative drafting and legal research capacity of IEBC strengthened: SEPK contributed to improved IEBC capacity on legal research and drafting laws and regulations through the services of two UN Volunteers

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[22] The IEBC Tribunal is established as a sequel to Section 74 of the Elections Act to settle electoral disputes, including disputes arising from nominations but excluding petitions and disputes subsequent to the declaration of election results.

[23] Following the 2013 General Elections, the courts, in accordance with the constitutional and statutory timelines, concluded all petitions within six months. 188 petitions were filed. 24 of these were allowed, 115 were dismissed, 32 were struck out and 17 were withdrawn by the Petitioners. Experience in handling of the 2013 petitions served as a baseline for lesson learning in preparation for petitions expected to arise from the 2017 general elections.

[24] Article 81(b) prescribes one of the principles with which the electoral system in Kenya must comply: Not more than two thirds of the members of elective bodies shall be of the same gender. This requirement is commonly referred to as the two-thirds principle.

(UNVs) who were embedded in the IEBC Legal Directorate during 2017. The UNVs were also instrumental in providing support to the IEBC in providing technical guidance to political parties in drawing up the party lists, resolution of disputes arising out of political party primaries and enforcement of the Electoral Code of Conduct. Through this support, IEBC handled 300 disputes on party lists and electoral code of conduct.

Output 1.2: Strengthened institutional capacity and professionalism of Independent Electoral and Boundaries Commission (IEBC)
Tracking of and reporting on implementation of the Elections Operations: SEPK improved the IEBC capacity to track and report on implementation of the Elections Operation Plan (EOP) and the timelines for FPE. The system provided a real-time update on the status of each activity in the EOP. Through the system, IEBC Commissioners and Senior Management rapidly discerned activities which have been completed, on track or those pending. This real-time implementation data enabled reporting on the EOP and spurred discussion among Commissioners and senior staff on why some activities were delayed. Through this engagement, the Commission identified pending activities on which it has control and those on which it did not have any control. This enhanced the ability of the IEBC to effectively plan for the 2017 general election and FPE. The system also provided ready data for the Chairperson's weekly media briefs on preparedness for 2017 elections.

Timely receipt, storage and dispatch of strategic and non-strategic electoral materials: Through Warehousing and Logistics Expert embedded in the Commission, SEPK supported the IEBC to develop and implement a comprehensive warehousing and logistics plan for the 2017 general election. This SEPK intervention enabled the IEBC to put in place an integrated logistics and warehousing system in all the 47 county-based electoral warehouses: the system was used to evaluate and dispose obsolete items from the Principal Electoral Warehouse in Nairobi and the county warehouses. The system enabled the IEBC to receive and dispatch strategic and non-strategic electoral materials and supplies ahead of the general election. SEPK support further enabled the IEBC to support Jubilee Party and NASA coalition primaries with ballot boxes and related election equipment. The SEPK supported enabled the IEBC to significantly reduce the turnaround time for receiving, storage and dispatch of election materials; consequently, the IEBC managed to dispatch in a timely manner all electoral materials for the 2017 elections to all counties ahead of the 08 August polls. Dispatch of materials to polling stations was also efficient save for the FPE during which materials could not reach 24 constituencies in opposition strongholds due to political unrest and weather factors.

On-boarding of new IEBC Chairman and Commissioners: SEPK provided technical assistance and financial support during induction and onboarding of the new Commissioners. UNDP supported the initial induction workshop for the new Commissioners which sought to engender knowledge and experience sharing between the new Commissioners and their counterparts from EMBs in Ghana, Namibia, South Africa and Nigeria. The Commissioners were also trained using BRIDGE (i.e. Building Resources for Democracy and Government)[25].

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[25] BRIDGE (Building Resources in Democracy, Governance and Elections) is a modular professional development programme with a particular focus on electoral processes. It is based on adult-learning and participatory methodology and is designed to promote internationally accepted principles of democracy and good electoral practice. It represents a unique initiative of five leading organisations in the democracy and governance field: namely the Australian Electoral Commission (AEC), International IDEA,

During the induction, the Chairman and six Commissioners were sensitized to understand the mandate and responsibilities of the IEBC as provided for in the Constitution and relevant Electoral Laws; oriented on the Kenyan public sector governance architecture, specifically the relationship between the Commission and other state actors and agencies; trained on Collaborative Leadership in an effort to improve the Commissions' capacity to effectively engage with various electoral stakeholders as conflict mitigation strategy; and appraised on the experiences of other electoral management bodies from the Global South. Following the induction workshop, the SEPK Chief Technical Advisor continued to provide one-on-one mentoring for the commissioners and organized tailored media engagement and etiquette trainings. Given that the Chairman and commissioners had less than six months to organize, conduct and coordinate the 2017 General Elections, the induction significantly enhanced their capacity in using the electoral legal framework as the plumb line for decision-making; effective stakeholder engagement; robust communication and public engagement; corporate governance and electoral operations. Through these induction, mentoring and training initiatives, SEPK contributed to a seamless transition between the old and the new commission; and ensured that there was no lacuna in the preparation for the 2017 General Elections.

IEBC Strategic Communications improved: the Project contributed to improved capacity of the IEBC to engage in strategic communications through the services of a consultant/advisor who was embedded in the IEBC. The advisor supported the finalization and implementation of a comprehensive IEBC crisis communications strategy. The Commission, through the strategy, engaged various stakeholders including donor community and media owners on the Commission's preparedness for the general election. The Project further supported the IEBC to develop a digital (social) media strategy for 2017 general election and trained IEBC Commissioners and Senior Managers in media engagement. The Project helped the IEBC to develop targeted messaging for various audiences including youth and university students. Through SEPK support, the Commission launched the "*We are Listening*" campaign to engage Kenyans on Twitter and Facebook. The Project support significantly enhanced the IEBC's capacity to engage in systematic and structured communications using various media platforms to convey messages on its preparedness for the general election and effectively respond to crises situations. Public confidence in the IEBC rose from 34% in July 2016[26] to 72% in June 2016[27].

Enhanced accuracy, credibility and utility of the voter register: The Project supported IEBC to enhance the credibility and utility of the Principal Voter Register (PVR) through verification. SEPK provided technical support for the training of 434 male and 355 female field officials in seven clusters. The trainings involved exposing the officials to the KIEMs kits, sensitization on the voting process under the new electoral laws and the role of field officials in ensuring free, fair, credible and transparent voting, counting, collation and release of results. These trainings equipped field staff with the skills they required to effectively coordinate the voter register verification exercise which took place in May – June 2017. The trained staff organized cascade trainings to impart their knowledge on the use of the KIEMs kits to over 5,500 clerks undertaking the mass

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International Foundation for Electoral Systems (IFES), United Nations Development Programme (UNDP) and the United Nations Electoral Assistance Division (UNEAD).

26 Source: Ipsos Synovate poll conducted in June 2016. Retrieved from https://www.nation.co.ke/news/politics/Kenyans-have-no-confidence-in-IEBC/1064-3291646-gdqcnwz/index.html on March 19, 2018.

27 Source: Ready or Not? An assessment of Kenya's preparedness for the August General Election retrieved from https://africog.org/wp-content/uploads/2017/05/Ready-Or-Not_An-Assessment-of-Kenya%E2%80%99s-Preparedness-for-General-Elections-on-8-August-2017.pdf on March 19, 2018.

voter verification exercise. Approximately 11,000 KIEMs kits were deployed in different wards, prisons and diaspora voting centers to facilitate biometric verification of voters. As a further measure to increase the accuracy and utility of the voter register, SEPK provided technical backstopping to IEBC to undertake a comprehensive audit of the PVR. The audit, which was undertaken by KPMG, found out that out of 19,646,573 entries in the PVR, (i) there were over 67,735 invalid entries in the voter register; (ii) the details of 171,476 entries did not match with the records at the National Registration Bureau database or immigration database; (iii) there were 264,242 duplicate entries; (iv) 92,277 entries still held in the register belong to deceased persons; (v) over 2.8 million entries had errors in names, gender and dates of birth; and (vi) 98.73% of the entries were correctly captured with required biometrics[28].

Strengthened institutional capacity and professionalism of Office of the Registrar of Political Parties (ORPP)

Enhanced internal structures and democracy in political parties: Through the ORPP, the Project increased the capacity of 67 registered political parties to implement election and party laws to improve internal party democracy and administrative capacity. This intervention saw capacity building and training of a total of 3,604 male and 4,481 female party officials including chairpersons, secretaries, treasurers, women representatives, youth representatives and PWD representatives of political parties from all the 47 counties in especially party nomination rules using the Nomination Guidelines and Political Party Leadership Source Book developed under SEPK in 2016. This training aided parties to have completed party constitutions as required for in the 2011 Political Parties Act; to update their party membership lists; and develop their nomination rules. This support resulted in most party constitutions and nomination rules becoming compliant with the gender and inclusion requirements of the 2010 Constitution of Kenya, the Political Parties Act as amended and the Guidelines for Development of Political Party Nomination Rules. The Project monitored the party primaries and noted the primaries were generally poorly organized and did not adhere to the law; also, logistical difficulties were experienced leading to postponement of primaries by some parties. In some cases, there were accusations of rigging and there were also incident of violence and intimidation which mainly affected women and PWDs. Incidents of voter bribery and ballot stuffing were also noted. Despite having strong internal democracy structures and detailed guidelines on nominations, political parties still lack the goodwill to foster internal democracy and conduct meaningful nominations.

More effective regulation and monitoring of political party activity and systems: Through SEPK support, the ORPP successfully developed popular versions of the Political Parties Act as amended; the versions were developed in both English and Swahili. The publication sought to sensitize political parties and other stakeholders to foster sustainable internal party democracy. The Project further supported the ORPP to publish political party nomination rules and guidelines. These guidelines provided guidance to the 63 parties which participated in the primaries. The Project further supported ORPP to recruit and train 420 monitors based in its regional offices. These monitors were used to monitor political party primaries, electioneering period, conduct of the General Elections and coordination of the FPE. ORPP identified issues pertinent to strengthening its role of regulating political party activity and fostering internal democracy within political parties.

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[28] Source: KPMG report on Audit of the Voter Register released on June 9, 2017.

Challenges to the implementation of activities under Outcome 1
Some of the key challenges encountered in the realization of this outcome include:

1. **Unwillingness by political parties to comply with electoral laws**: as explained elsewhere, only 10% of the party lists submitted by political parties to the IEBC had complied with the law. This exposes parties to unwarranted litigation and thus needlessly consuming IEBC time and resources. Political parties also exhibited unwillingness to comply with the law on party primaries leading to the rather chaotic conduct of the same. More focus promoting adherence of parties to electoral law is required

2. **Procurement obstacles:** Although the IEBC had sought to procure a firm to support its strategic communications, this did not happen because of litigation over the procurement process[29], the firm had not been contracted in the months leading to the August 2017 elections. This put considerable strain on the IEBC's communications department and the Advisor (procured by UNDP) owing to the increasing number and frequency of media crises that emerged ahead of the elections.

3. **Delayed requests for facilitation by partners:** The ORPP submitted, albeit very late, a request for support on media training for political party agents. Due to time constraints, this request could not be fulfilled.

4. **Uncertainties in the media environment:** The fluid media context and unregulated social media space created a condition for emergence of risks (e.g. propagation of fake news and propaganda), which IEBC sometimes struggled to effectively respond to using conventional practice and media tools.

UNDAF Outcome 1.2.: By 2017 Kenya has a democracy in which human rights & gender equality are respected; elected officials are responsive & accountable; citizens & civil society are empowered, responsible & politically/socially engaged; equitable representation is achieved through affirmative action; & the electoral processes are free, fair, transparent & peaceful.

Project Outcome 2: Strengthened participation of voters, parties and candidates in the electoral process with emphasis on women, youth and disabled

CPD output targets	Project output targets	Summary achievement for 2017 FY	Status
Kenyan citizens and civil society meaningfully engage in democratic process and are empowered to be politically and socially engaged and to demand	15,000,000 Kenyans reached by various voter education initiatives	18,912,631 members of the public reached through voter education channels including TV, 8 community radio channels covering 8 counties[30]; Maendeleo Policy Forum; National Elections Conference and Newspapers	Achieved
	49% of total registered voters are women	47% of total registered voters are women;	Not achieved

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[29] *R v The Procurement Administrative Review Board & 2 others ex parte Transcend Media Group Ltd*, JR No.468 of 2017

[30] The community radios operate in informal settlements and remote areas in 20 counties: Korogocho, Mukuru, Kibera, Riruta Satelite in Nairobi City County; Ngong and Kajiado Town in Kajiado County; Maralal in Samburu County; Rongo in Migori County; Mfangano in Homa Bay County; Kakuma in Turkana County; Kangema in Muranga County; Kibwezi in Makueni County; Isiolo Town in Isiolo County; Kinamba in Laikipia County; Luanda in Vihiga County; Voi in Taita Taveta Coutny; Busia town in, Busia County; Kwale Town in Kwale County; Meru County; Nyeri Town in Nyeri County; Wajir Town in Wajir County and Suswa in Narok County

responsible and accountable governance from elected officials	18% of candidates nominated for the 2017 General Elections are women	9.72% of the nominated candidates are women	Not achieved
	10% of all elected governors, senators and members of county assemblies are women	6.38% of governors and senators are women; 6.76% of elected MCAs are women	Not achieved.
	15% of elected members of the National Assembly are women	20.77% of MNAs are female	Achieved
	33.3% of elective positions held by women Elections are women	11.40% of all elective positions held by women	Not achieved
	1,890 male and 1,710 female youth reached through live recording of Churchill Live show	2,246 male and 1,992 female youth reached through live recording of Churchill Live	Achieved
	250 males and 250 female PWDs mobilized for MVR II	210 males and 328 female PWDs mobilized for MVR II through regional PWD forums	Achieved
	28.05% and 26.95% of registered voters are male and female youth respectively	27.03% and 23.97% of registered voters are male and female youth respectively	
	77.5% of PWDs registered as voters	14.96% of total number of PWDs are registered as voters	Not achieved
	Enhanced balanced, gender-responsive, conflict-sensitive coverage of electioneering and polling processes	17 media houses trained on elections; 250 media houses including 60 TV stations and 150 radio stations sensitized using the guidelines for media coverage of elections; 2,900 journalists accredited by MCK using the guidelines; 4 institutions including Nation Media Group, Royal Media Services, USAID and Danish Embassy adopt the guidelines to train 200, 90, 90 and 40 journalists respectively	Achieved
	Presidential candidates and political parties accorded equal coverage by main media houses	Uhuru Kenyatta = 44%; Raila Odinga = 40%; Other candidates = 16%; Jubilee = 36%; NASA = 25%; ODM = 9%; Wiper = 8%; Alliance for Real Change = 3%; United Democratic Party = 1%; Thirdway Alliance = 2%; Chama cha Mwangaza = 0.2%; Independent = 16%	Not achieved
Overall Status			**Partially Achieved**

Output 2.1 – More Informed Voters

More informed voters: SEPK project provided support to the IEBC to undertake various voter education initiatives. During the year under review, SEPK supported IEBC annual voter education week (AVEW). The AVEW coincided with the beginning of the Second Mass Vote Registration (MVRII) and provided an opportunity for IEBC to rally non-registered Kenyans to turn out and register. Through the AVEW, an estimated 2,500,000 Kenyans were reached through road shows and mass media channels. The Project supported IEBC to educate members of the public on MVR II, voter register verification, national elections conference, preparations towards August 8 general elections and October 26 FPE through television,

community radios and community meetings. Over 18,912,631 people were reached through these voter education initiatives. Television and radio had the greatest reach with 13,804,024. Community radios reached 5,320,000 people in informal settlements and hard to reach areas in eight counties. Social media reached 2,612,196 while IEBC website registered 14,940 people. IEBC organized the Maendeleo Policy Forum. The forum brought together more than 100 electoral experts to discuss Kenya's preparedness and overall strategy to insulate the 2017 General Election against the threat of violent extremism and cybercrime.

2*: Members of the public confirm their registration details during the voter register verification process. Photo Joyous Begisen/UNDP*

Because of these voter education initiatives:

i) An additional 3,782,089 first-time voters (FTVs) were added to PVR. This represented 95% of the lower target of 4,000,000 and 65% of the upper target of 6,000,000 as established by the IEBC for this cycle of registration campaign. About 1,500 Kenyans in the diaspora and 1,000 prisoners were also registered as voters. This brought the total number of registered voters to 19,611,423. Women and youth respectively made up 47% and 51% of the registered voters.

ii) 6,893,861 (or 35% of registered) entries were verified using the KIEMS kits during the voter register verification process which was conducted in May-June 2017. The impressive turn out helped the IEBC to correct and certify the register[31], thereby increasing its accuracy, credibility and utility.

iii) More than 500 delegates and 1,000 members of the public participated in the National Elections Conference in June 2017. The Conference was organized by IEBC in collaboration with UNDP, UN Women, Civil Society Organizations under *Kura Yangu Sauti Yangu*[32] and other Electoral Technical Assistance Providers. The conference sought to (i) critically evaluate the state of preparedness among Kenya's key electoral stakeholders to support and conduct the 2017 general elections; (ii) to synergize the efforts and of roles of stakeholders in ensuring credible and peaceful 2017 General Elections; and (iii) to rally Kenyans and key stakeholders to commit to credible and peaceful 2017 General Elections. During the conference, stakeholders resolved to build public trust and confidence in the electoral process; update the public on the status of voters' register audit by KPMG; ensure the Security and Integrity of electoral technology; advance Dispute Resolution Mechanisms in collaboration with key stakeholders, religious institutions, and Dispute Tribunals. Detailed conference resolutions are given in Annex 2 of this report.

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[31] Section 6A of the Elections Act, 2011 require that register inspection, correction and certification be completed not later than 60 days before the date of a general election. The certified register must be published in the Kenya Gazette and posted online for access by political parties and members of the public.

[32] Kura Yangu Sauti Yangu (Swahili for My Vote My Voice) is a coalition of like-minded civil society organizations, who have come together to proactively support Kenya's preparations for the 2017 elections with a view to ensuring that the country minimizes the risks related to dysfunctional electoral competition which the country has experienced in the recent elections.

iv)   Experts working under the Maendeleo Policy Forum[33] identified early-warning indicators and undertook analysis of risk to Kenya's stability before, during and after the 2017 elections. These analyses informed security preparedness, peace messaging and conflict mitigation strategies before, during and after the 2017 elections.

v)   The total number of votes cast for presidential candidates during the August General Elections increased significantly from 12,330,028 votes (86%) in 2013 General Election to 14,946,948 votes (77%) in 2017. Proportion of spoilt votes was 3.08%[34] in 2017 compared to 2.5% in 2013[35].

Working through its partners FIDA, Youth Agenda and CRAWN Trust, the Project undertook initiatives aimed at creating awareness on women's leadership potential and promoting women's involvement in promotion of peace and security.[36] These initiatives sought to integrate gender in UWIANO Peace Platform and Elections Observation Group (ELOG); undertake advocacy towards enhancing women's security in electioneering and promoting peaceful elections; capacity building of peace--platforms, women leaders and youth organizations on United Nations Security Council Resolution (UNSCR) 1325; enhancing women security including popularizing the Women's Charter through the 1000 Women's March in 5 counties and production of IEC materials with interactive peace messaging; engaging youth in selected hotspots as active agents of peace through forums on election violence related interventions (Base Hangouts and Peace Torch); engaging media personalities, including editors, journalists, radio presenters and social media influencers on gender-responsive and conflict sensitive reporting; use of social media as a platform for raise awareness on electoral gender-based violence; and providing legal assistance, advice, information and court support services (including chain of evidence custody) to Violence Against Women in Elections (VAWiE) survivors. Through these initiatives, the Women, Peace and Security (WSP) programme reached directly 12,009 members of the public.

Output 2.2 – Increased participation of women in the electoral process
Increased participation of women in the electoral process: After MVR II, the number of women registered as voters reduced marginally from 49% in 2013 to 47%. SEPK provided technical and financial support to 16 Non-State Actors (NSAs) spread all over the country to promote women participation in elections. Some of the initiatives implemented by these NSAs are highlighted below:

▪   Through the partnership with CRAWN TRUST, the Project helped to sensitize over 4,000 women from all over the country on the importance of women in political leadership during the National Convention held in March 2017 in Nairobi. The National Convention resulted into formation of women political capital to support to the women political agenda. A follow up regional meeting in Kirinyaga County reached at least 2,400 people directly to drum up support for women aspirants in the region.

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[33] Maendeleo Policy Forum was a platform for diverse stakeholders to deliberate on issues of election preparedness, security safeguards, judicial interventions, media impartiality and youth engagement, with a view to generating policy recommendations to enhance the credibility of the 2017 Kenyan general elections. the forum was organized by IEBC and co-hosted by UNDP, United Nations Educational, Scientific and Cultural Organization and Africa Policy Institute.

[34] Going by the margin between the winning and the runners-up candidates, this proportion is not material enough to upset the results even if all the spoilt votes were to be attributed to the runners-up. Internationally acceptable range of spoilt votes for a well-managed election is 2% - 4% (http://aceproject.org/electoral-advice/archive/questions/replies/864793780)

[35] Source: IEBC

[36] The intervention was later recharacterized as the Women Peace and Security Programme

- Through partnership with State Department of Gender-SDGA, SEPK sensitized over 800 women including aspirants on the importance of supporting women in elections in Taita Taveta, Kwale, Mombasa, Bungoma, Kakamega, Kisumu, Turkana and Nyeri counties.
- Working with Africa Woman and Child Feature Services (AWCFS), the Project produced and published over 50 women profile articles on issues affecting women candidates in the Nation Newspapers with a readership of 3 million readers daily; supported profiling of women aspirants through social media and other platforms including AWCFS (Online Edition) to reach out to an audience of more than 5 million users each month. The women leaders' agendas were aired on radio and television with a total listenership of over 7 million people. The profiles for the women aspirants were sent to over 2500 people on social media platforms. The number of people who downloaded the profiles in the past three months were over 400 people while the number of Hits that were recorded were over 50,000.
- The publication of 23 stories and 5 special reports in the Nation Newspaper and the Kenyan Women[37] increased the visibility of women leaders and the attention to issues hindering them in political leadership. The Kenyan Woman was accessed by 3,943 people, with 7,573 hits[38] during the period July to September 2017.
- SEKP supported women aspirants to register in large numbers and participate both as voters and as candidates. This was done through implementing partners all of whom had a role in supporting women leadership in the country. Through Partners such as GROOTS Kenya, CRAWN Trust, Youth Agenda, YIKE and ACORD, UN Women engaged and supported the mass voter registration exercises including continuous registration of voters with special emphasis to women, youth and PWDs.
- SEPK supported four NSAs in Northern part of the country, i.e. WOKIKE (Garissa); Echami a Ito (Turkana); CIFA (Marsabit) and ALDEF (Wajir) to engaged community leaders to support women leadership including women inclusion in leadership structures such as the Councils of Elders.
- SEPK supported the training of women political party leaders in all 47 counties. In each training, there was an average of five women aspirants running for various political seats from Governor, Senators, MPs, Women Representative to MCAs. Majority of those who attended the training were vying for MCA seats with a huge number of them being incumbent nominated MCAs. The distribution per region /county of political parties was as follows: Embu 5, Isiolo 3, Kisumu 3, Kakamega 2, Bomet 2, Kisii 3, Mombasa 3, Malindi 2, Garissa 2, Machakos 2, Nyeri 3, Nairobi 5, Eldoret 12, Kitale 9 and Nakuru 13.
- The Project supported the ORPP to develop Inclusivity Source Book for Strengthening Political Parties' Leadership. The book addresses various compliance topics including the constitution and other relevant laws; ethics and integrity; transparency and accountability; campaign management; party mergers and acquisitions; human resource and administration; media engagement; conflict management and the management of post-election outcomes.
- SEPK supported the development and dissemination of Information Education and Communication (IEC) materials including T-shirts, banners, posters with individualized messaging for branding for women candidates vying for gubernatorial seats, senate and Member of Parliament from single constituency. This raised their profile and visibility among the electorate and further contained key messaging the women candidates wanted to communicate.

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[37] This is an online newspaper showcasing women leadership potential in the political arena and women empowerment during the electioneering period.
[38] Source: Google Analytics

- The Project contributed to capacity building of the agents of women candidates for the post of Governor, Senator and MPs to secure integrity and accountability in the process. The agents monitored the elections process to note irregularities that could disadvantage women candidates. In total around 5,000 agents for women candidates were trained by UN Women implementing partners. This enriched their skills in electoral cycle approach coordination mechanisms of the election agents, monitoring and collection of information and communications. Training participants reported feeling equipped with new ideas and skills on monitoring and collection of information on the Election Day, improved knowledge on the legal framework governing elections of 2017 and how to effectively communicate and coordinate support to women candidates.

These initiatives led to a significant increase in the number of women candidates and elected leaders during the 2017 elections. The number of women candidates was remarkably high at 1,358 (Governor = 9; Senator = 20; Member of National Assembly = 131; Member of County Assembly = 900). Despite the high absolute numbers, the proportion of women candidates decreased from 11% in 2013 to 9.5% in 2017. The August 8 General Election led to the historical win of 3 women governors (6.38%), 3 women senators (6.38%), 23 women members of the National Assembly (7.93%) and 96 women Members of County Assemblies (6.76%). This was a remarkable improvement from 2013 general Elections in which no women were elected as governors or senators, 16 women were elected as members of national assembly (5.52%) and 85 as members of county assemblies (5.66%). The proportion of women elected increased from 5.63% in 2013 to 11.40% in 2017. However, the number of women elected still fell short of the requirement that no more than two-thirds of members of elective bodies shall be of the same gender[39].

Output 2.3 – Increased participation of youth, PWDs and other marginalized groups:
Increased registration as voters of youth, PWDs and other marginalized groups: SEPK provided technical and financial support to IEBC to undertake initiatives to encourage youth and people with disabilities to register as voters. The Commission mounted a special edition of Churchill Live on MVR II in which 4,238 young people, 47% of whom were female participated. The live show also reached 288,695 young people on social media. The show was aired on NTV with an approximate reach of 2,188,000 people. The project supported the IEBC and United Disabled Persons of Kenya (UDPK)[40] to mobilize 538 PWDs, 61% of whom were female, through five regional PWD forums. Owing to these efforts, the proportion of youth registered as voters increased from 46% in 2013 to 51% in 2017 while that of PWDs increased from 0.75% to 0.88%.

Other initiatives aimed at enhancing participation of youth, PWDs and other marginalized groups in elections included:
- UN Women supported the capacity building of PWDs on election issues that enabled the trainees to advocate for persons with disabilities to be given priority during polling.
- UN Women civil society partners Youth Agenda, Africa Youth Trust and Youth Initiative Kenya came up with innovative ways of bringing youth and marginalized to the mainstream of Kenya's electoral

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[39] Articles 27(8) and 81(b) of the Constitution of Kenya 2010
[40] United Disabled People of Kenya (UDPK) is a federation of organizations for persons with disabilities in Kenya. Its mandate is to advocate for the rights of Persons with Disabilities (PWDs) in all spheres of life. It is committed to ensure Persons with Disabilities share an equal platform and enjoy their rights across all sectors of development.

politics. The youth mobilization strategies that included Base hangouts, Media campaign #chaguamani, Community radio programmes, use of hike bikes with placards and social media contributed largely to increasing participation of youth in the electoral process. The community in Kirinyaga changed the perception of certain tagged sections in the county as "violence-prone" by youths to peace due the peace efforts in the county.
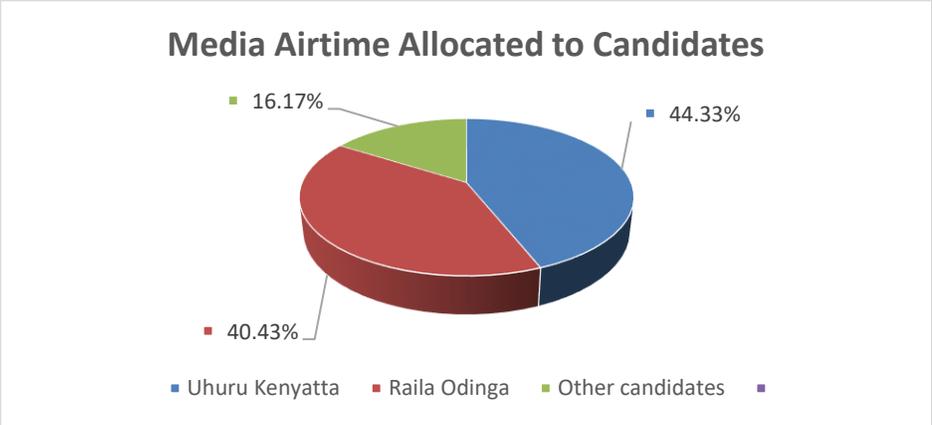
- The Youth Trust (AYT), Youth Agenda (YAA), and Youth Initiatives Kenya (YIKE) focused on high retention strategy for incumbents; enhanced access to evidence based information on young women participation in the 2017 electoral process through; evidence gathering & dissemination of information on young women participation and engagement in 2017 electoral process; creating platforms for young people through 'Youth Action Group for Gender Equality (YAGGE)' in each of the Counties for women candidates to share their manifestos with youth; and social media messaging and promotional videos to create a movement of youth support for women leadership. The strategies demystified the stereotypes on women political leadership. A case in point is in Machakos county where youths had vowed to give their vote to a man for governorship and not a woman (Hon. Wavinya Ndeti) who came second in elections. In addition, the community in Kirinyaga changed the perception of certain tagged sections in the county as "violence-prone" by youths to peace due the peace efforts in the county.

Output 2.4 – More objective, balanced and gender sensitive reporting on electoral issues and processes
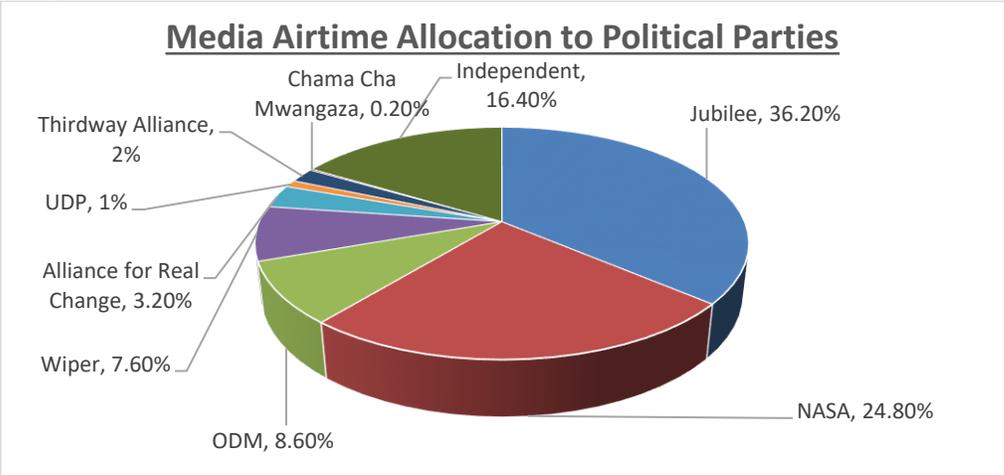
Enhanced capacity of the media to undertake balanced, gender responsive and conflict coverage of and reporting on elections: SEPK support to Media Council of Kenya (MCK) was aimed at ensuring media coverage of the electoral process is balanced, objective, accurate, gender responsive and conflict sensitive. SEPK supported the first phase of capacity building of MCK which focused on development of *Guidelines for Media Coverage and Reporting of Elections*, training of media houses, parliamentary and political journalists on electoral reporting, and dissemination of the guidelines. The project's technical assistance contributed to the second phase of capacity building of media editors, sub editors, reporters, photojournalists and illustrators. The Guidelines with content on gender sensitive reporting as contributed by UN Women served as the training tool. The Elections Coverage Guidelines revised and published by the Media Council of Kenya (MCK) with technical and financial support from SEPK were used to enhance the capacity of 250 media editors, sub-editors, station managers, bureau chiefs, parliamentary and political reporters and journalists from all the 47 counties of Kenya. Sixty TV stations, 150 radio stations and 2,900 journalists were accredited using the guidelines. The National Media Group, Royal Media Services, United States Agency for International Development and the Danish Embassy in Kenya adopted the guidelines for training of 200, 90, 90 and 40 journalists respectively. The guidelines, targeted advocacy and sensitization of media houses, and training of journalists, renewed the commitment and increased the interest of media houses in balanced, gender responsive and conflict sensitive coverage of and reporting on elections.

Balanced coverage of electioneering and voting processes: The Project contributed to MCK's monitoring of trends in media reporting of Kenya's 2017 elections, including monitoring of gender responsive and conflict sensitive reporting. While there was an increase in the number of women participating in Kenya's politics, there was significant gender imbalance in media coverage. Greater coverage was devoted to male electoral contestants as compared to women, with 85% of the news reports focusing on male electoral contestants. Only 13% of the news reports featured women electoral contestants. For the remaining 2%, gender did not

apply[41]. Media houses attempted but were still far from reaching a balanced coverage of candidates and political parties. The incumbent president Uhuru Kenyatta enjoyed the most airtime, followed by Raila Odinga. Together, these two presidential candidates enjoyed more than 84% of the total airtime. The distribution of airtime allocated to candidates is depicted below:

Media Airtime Allocated to Candidates

While Jubilee Party was allocated more airtime than any other party, NASA and its affiliates enjoyed more total airtime than Jubilee. Independent candidates also got considerable coverage as fringe parties were pushed to the periphery of media coverage and reporting. The pie-chart below shows distribution of coverage by party[42]:

Media Airtime Allocation to Political Parties

This demonstrates that media coverage of elections is still skewed towards larger parties or politicians perceived to be more powerful. This provides an opportunity for this and subsequent projects to work on building impartiality, objectivity, gender responsiveness and conflict sensitivity of media coverage and reporting.

UNDAF Outcome 1.2.: By 2017 Kenya has a democracy in which human rights & gender equality are respected; elected officials are responsive & accountable; citizens & civil society are empowered,

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[41] Source: MCK media monitoring reports
[42] This has reference to both positive and negative media coverage of all political parties.

responsible & politically/socially engaged; equitable representation is achieved through affirmative action; & the electoral processes are free, fair, transparent & peaceful.

Project Outcome 3: Election security and risk management strengthened with specific focus on women, youth, PWDs and other special interest groups

UNDAF output targets	Project output targets	Summary achievement 2017 FY	Status
Kenyan citizens and civil society meaningfully engage in democratic process and are empowered to be politically and socially engaged and to demand responsible and accountable governance from elected officials	19,850,837 registered voters, 49%[43] female	19,611,423 voters registered, 47% women and 51% youth	Partially achieved
	597 officials engaged in Electoral Operations Planning	870 officials engaged in pre-election planning seminar	Achieved
	ICT capacity for August 2017 GE strengthened	Call Centre network infrastructure established; 2017 Command Center / Support Model developed; Revised High-Level Project Update Dashboard put in place; Detailed Risk Assessment of the ICT solutions and infrastructure across all the Election areas completed.	Achieved
	80 staff trained in electoral risk identification and electoral climate/ political analysis	43 male and 37 female regional staff trained to be risk champions and to develop risk profiles for each of the regions	Achieved
	180,000 copies each of ESAP and VAWiE materials finalized, printed and disseminated	180,000 copies each of training manual on electoral security, security guide role card, handbook on elections security and police pocket book on EGBV printed and launched	Achieved
	2,000 officers trained on ESAP	1,730 including 60 Master trainers and 1,670 regional ToTs developed.	Partially achieved
	180,000 security officers trained on electoral security arrangement programme and electoral gender-based violence/ VAWiE	175,000 security officials trained on ESAP and VAWIE	Achieved
	6,000 domestic observers deployed to monitor the 2017 GE	290 LTOs deployed to 290 Constituency and 94 Special Interest Group Observers recruited and deployed; recruitment of 7,500 General Elections Observers undertaken.	Achieved
	80 human rights monitors deployed to observe and report on human rights violations	84 human rights monitors recruited, trained and deployed in 24 counties to observe respect for	Achieved

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[43] This target was based on the proportion of registered voters who were women during the 2013 electoral cycle.

	human rights during and after the political party primaries	
Overall Status		**Achieved**

Output 3.1 – Improved voter registration

Improved Voter Registration: SEPK supported the IEBC (under Outcome 2) to register additional 3,782,089 first-time voters (FTVs). This represented 95% of the lower target of 4,000,000 and 65% of the upper target of 6,000,000 as established by the IEBC for this cycle of registration campaign. About 1,500 Kenyans in the diaspora and 1,000 prisoners were also registered. The Project further supported the IEBC to train 10,000 clerks to facilitate the national biometric verification of voters. The exercise was concluded smoothly in over 10,000 polling centers, 138 prisons and 12 diaspora centers in Tanzania, Uganda, Rwanda, Burundi and South Africa.[44] A total of 6,893,861 (or 35% of registered voters) voters were verified using KIEMS kits.[45] This process continued along with the audit of the voters register by the KPMG, which was concluded after release of the report on the same on 9th June 2017. These activities paved way for the certification of the Register of Voters on 27th June 2017, vide Kenya Gazette Vol 84 dated 27th June 2017.

Output 3.2 – Strengthened electoral operations and logistics

3: IEBC Officials confirming presidential election results before they are declared

Strengthened Elections Operations Planning: UNDP supported the IEBC to convene more than 870 officers from headquarters and field offices to undertake an operational planning exercise for the 2017 general election. During the exercise, the team reviewed the voting process, progress in the acquisition of key equipment and supplies, progress in the procurement, deployment and testing of KIEMS, and the recruitment of temporary staff to support election. The field staff identified the major challenges which may undermine the successful management and coordination of the general election. SEPK provided technical assistance to the Commission in relation to the ICT plan rollout including: setting up of the national election call centre and the command centre; review of the election technology infrastructure and assessment of ICT-related risks across all the election areas; and training of ICT staff.

Output 3.3 – Election security and risk management with specific focus on women, youth, PWDs and other special interest groups

Enhanced capacity of IEBC to anticipate and manage electoral risks: SEPK has been supporting the IEBC to put in place a robust risk identification and management framework. The framework was completed and used to train 43 male and 37 female field staff in electoral risk mapping and development of risk profiles. The trainers have developed regional risk profiles for IEBC. This is expected to enhance the Commission's capacity to anticipate and manage electoral risks. However, the sensitization of the Commissioners on the risk

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[44] See UNDP, "*Strengthening electoral processes in Kenya: Kenya elections update*" No.20 Week 14-20 May 2017
[45] See IEBC Press Statement released on 6th June 2017 and available at https://www.iebc.or.ke/uploads/resources/E9aCwKB0rO.pdf

framework was deferred due to congested work schedules of the commission. It would have been desirable to have this activity early in the year but the delays in recruitment and onboarding of Commissioners made this virtually impossible. Senior officers who took part in the development of the framework are however expected to regularly apprise Commissioners on the risk profiles and mitigation strategies as part of their routine briefings.

Strengthened Security Arrangements during polling, counting, collation and declaration of results: UNDP supported IEBC to develop, print and launch Electoral Security Arrangement Programme (ESAP) materials. 181,000 copies each of the training manual on electoral security, security guide role card and handbook on electoral security were produced and disseminated to all security officials providing election day security on August 8 and October 26, 2018. The materials were used to train 60 national master trainers, 383 county trainers and 1,600 constituency trainers who ultimately trained 180,000 security officials deployed on election day. The security officials were drawn from the Kenya Police Service, Administration Police Service, National Youth Service, Kenya Forest Service, Kenya Wildlife Service and Kenya Prison Service. SEPK supported the development of an VAWiE training curriculum and manual for National Police Service, Ministry of Health, Government Chemist, Chief Government Pathologist, Government health facilities, Office of Director of Prosecutions and Judiciary to ensure VAWiE survivors access timely help. The manual was simplified into a pocket friendly size and disseminated through the Election Security Assistance Programme (ESAP). The VAWiE manual was used in 5 clusters county level trainings for VAWiE response teams to strengthen County and Community Gender Based Violence (GBV) Networks on prevention, rapid response and referral mechanisms (Medical & Psychosocial Support) for VAWiE.

SEPK supported training of 175,000 security officials[46] across the country. The security officials were deployed in all polling stations and tallying centres to provide necessary security to electoral officials and electoral materials. The same publication was also distributed to CSO partners in the Gender-Based Violence (GBV) working group for dissemination to state and non-state actors engaged in prevention and response to GBV across the country. The active involvement of UN Women in the national GBV coordination group and the GBV network which is coordinated by NGEC presented useful impetus towards the project efforts to engender broad-based dialogue and dissemination of GBV materials among a wider audience. UN Women supported further efforts covering the wider security and peace sector, including the development of messaging on cohesion and peace to prevent violence against women in elections. Related initiatives included peace marches in Nairobi, Kisumu, Nakuru, Mombasa and Usain Gishu counties; these drew massive support from women, youth and PWDs. As a result, election day security was perfectly managed with few incidences. However, public order management, police reaction to sporadic demonstrations and use of firearms during unrest need to be revisited.

Enhanced Observation and Monitoring of Electoral Process: SEPK sought to strengthen domestic observation through support for the Elections Long-term Observation Group (ELOG)[47]. During the period leading to party

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[46] The security agencies were drawn from the Kenya Police Service, Administration Police Service, National Youth Service, Kenya forest Service, Kenya Wildlife Service and Kenya Prison Service.

[47] ELOG is a long-term, permanent and national forum or network which comprises of CSOs, including FBOs, with the mandate of strengthening democracy in Kenya and the African Region through promoting transparent and accountable electoral processes that include public participation. ELOG undertakes impartial, integral and inclusive observation and monitoring of electoral process. Its findings are captured in objective and independent reports which are used to inform strengthening of electoral processes.

primaries, the project supported ELOG to deploy 290 Long Term Observers to provide continuously updates on the electoral environment from every constituency in the country on various vital matters such as voter education, conduct of campaigns, and early warnings to circumvent incidences of violence among others. Voter education by IEBC, and other stakeholders in the country improved considerably in the last few weeks before the Election Day (E-Day). ELOG also deployed 93 Special Interest Group Observers deployed from May continue to track the participation of Persons with Disabilities, Women and Youth; and 21 Media Monitors continue to track Hate Speech in Print and Electronic media. ELOG observers found out that the electorate and politicians alike do not adhere to the laws pertaining to bribery, violence, and personation in the electoral environment. In response to this, SEPK supported ELOG to produce popular versions of the Electoral Offences Act to educate the public on the same. The project also supported ELOG to deploy 1,000 Parallel Vote Tabulation (PVT) observers to observe the presidential elections; 700 to observe the gubernatorial elections in three counties on the E-Day. And 6,000 general observers with a presence in each of the 1450 wards in the country. With the additional capacity, ELOG released 7 periodic reports, held 4 media briefings and launched a newsletter – *Darubini ya Uchaguzi*[48]. Through these interventions, ELOG continues to provide a credible source of information for assessing electoral environment ahead of the elections. ELOG also continues to engage duty bearers over issues that arise from observation processes.

Respect for and promotion of Human Rights during electioneering and 2017 elections: SEPK provided support to Kenya National Commission on Human Rights (KNCHR) to cumulatively recruit, train and deploy 219 monitors deployed in all the 47 counties. Specifically, the Commission monitored 11,946 polling stations in 232 constituencies in locations where elections took place. KNCHR received and validated more than 4,200 field reports over the electioneering period from the deployed monitors. Out of these reports, the Commission developed and issued 4 memorandums on key electoral legislative reforms to the IEBC, the National Assembly and the Senate; issued 5 evidence-based advisories with recommendations to key actors; held 3 high level dialogues with critical stakeholders including the IEBC, Cabinet Secretary in charge of the Ministry of Interior and Coordination of National Government and the Inspector General (IG) of the National Police Service; disseminated 15 media advisories with key recommendations on the status of human rights; carried out 25 investigations and rapid response missions to ascertain human rights violations; engaged in one public interest litigation at the Supreme Court on the integrity standards of chapter 6; developed and disseminated an educational video on peaceful assembly to an audience of more than 15 million Kenyans; and held consultative dialogued with 450 senior officers on use of force and firearms. Some of the reports developed by the commission and shared with key duty bearers for action include "**The Fallacious Vote**"[49] following political party primaries in April 2017; "***Preliminary Findings of the 26th October Fresh Presidential Elections in Kenya***"[50] after the FPE, ***"Mirage at Dusk: A Human Rights Account of the 2017 General Election –***

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[48] Available at http://elog.or.ke/images/Darubini_Issue_No_2.pdf

[49] Fallacious Vote summarizes key findings and recommendations of the 2017 political party primaries monitoring which took place in April and May 2017. The information was gathered by 84 monitors from 33 Counties that the KNCHR had mapped out as potential hotspots based on security trends and information. Available at http://www.knchr.org/Portals/0/CivilAndPoliticalReports/2017_Party%20Nominations%20%20Report.pdf?ver=2017-08-24-112628-117

[50] Available at http://knchr.org/Portals/0/PressStatements/Preliminary%20Findings%20of%20the%2026th%20October%20Repeat%20Presidential%20Election%20in%20Kenya%203rd%20November%202017.pdf?ver=2017-11-03-133124-760

Monday, 10th October 2017"[51] and *"**Still a Mirage: A Human Rights Account of the Fresh Presidential Poll for the Period Sept and Nov 2017 - December 20, 2017"**[52]* providing a detailed account of human rights abuses identified during and after the FPE.

The Commission continued monitoring the aftermaths of the elections and specifically documented violations that occurred in the post-election period on the period from 26th October 2017 to 29th November 2017. SEPK provided support to the Commission to develop specific tools to document post-election scenarios and facilitate collection and collation of accurate and verifiable information from the field as well as documentation and reporting protocols for the same. The Commission deployed rapid response teams in the various affected areas. The teams collected information, statements and conducted interviews with the victims and witnesses. The documented cases of violations in Nairobi City County were in Kawangware, Kibra, Mathare, Embakasi, Starehe, Kamukunji and Ruaraka. In Kisumu County bereavements and injuries were reported in Carwash, Obunga, Mamboleo, Muhoroni and Seme areas. Other areas where casualties were reported included Apida, Migori town, Suna East and Suna West in Migori County, Sindo and Pala in Homabay County, Athi River in Machakos County and Bungoma town in Bungoma County. The Commission reported the rising incidence of Violence Against Women in Elections (VAWiE). It noted the emergence of Sexual and Gender Based Violence (SGBV), especially the use of rape as a weapon of subjugation in political contests. The KNCHR reported that it had either received or documented 86 cases of SGBV in Nairobi City County alone. Following the FPE, KNCHR produced and disseminated a report titled: *"**Still a Mirage: A Human Rights Account of the Fresh Presidential Poll for the Period Sept and Nov 2017 - December 20, 2017".*** This publication provided key recommendations to over 20 actors on the key electoral reforms that need to be undertaken to ensure that the electoral process in Kenya respects and promotes human rights. The Senate committed to table the KNCHR election report and follow up with the National Assembly on undertaking the same.

> **UNDAF Outcome 1.2.:** By 2017 Kenya has a democracy in which human rights & gender equality are respected; elected officials are responsive & accountable; citizens & civil society are empowered, responsible & politically/socially engaged; equitable representation is achieved through affirmative action; & the electoral processes are free, fair, transparent & peaceful.

> **Project Outcome 4: Strengthened electoral justice and increased compliance with the electoral legal framework**

UNDAF output targets	Project output targets	Summary achievement in 2017 FY	Status
Kenyan citizens and civil society meaningfully engage in democratic process and are	2 EDR mechanisms capacity built	PPDT supported to develop political parties IDR model rules and PPDT frequently asked questions (1,000 copies each printed disseminated).	Achieved

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[51] Mirage at Dusk is an election-focused documentation by the Kenya National Commission on Human Rights (KNCHR) From a human rights lens, guided by the vision of monitoring the right to vote and be voted for. It is a culmination of more than one year of relentless effort to ensure the electoral environment adheres to both local and international human rights standards.

[52] Available at http://knchr.org/Portals/0/PressStatements/PRESS%20STATEMENT%20-%20STILL%20A%20MIRAGE%20-%20REPORT.pdf?ver=2017-12-20-104740-223

empowered to be politically and socially engaged and to demand responsible and accountable governance from elected officials	67 political parties adapt the IDR model rules	63 political parties applied IDR model rules in the resolution of disputes from their primaries	Partially achieved
	100% of cases handled by the IEBC tribunal	300 out of 300 cases presented to IEBC resolved	Achieved
	150 magistrates sensitized on the electoral process, Supreme Court ruling and key issues around resolution of petitions arising out of the August 2017 General Election	145 magistrates & 106 lawyers from the Nairobi Bar Association sensitized	Partially achieved
	Supreme Court of Kenya dispenses with presidential petition within the constitutional deadline	SCOK supported to hold a retreat to undertake preparations for handling the presidential petition. The preparedness of SCOK was thus enhanced	Achieved
Overall Status			**Achieved**

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

Intra-party dispute resolution strengthened: SEPK supported the Political Parties Dispute Tribunal (PPDT) to publish 2000 copies of the political parties' internal dispute resolution (IDR) model rules and frequently Asked Questions (FAQs) on PPDT. These materials were used to sensitize political parties on dispute resolution mechanisms and institutional framework. The FAQ's were disseminated to among others, female litigants who sought to understand the mandate of the PPDR following disputes arising from party primaries. The model rules were adapted and applied by 63 political parties in dealing with disputes arising out of their primaries.

Capacity of judicial officials in adjudication of electoral cases enhanced: SEPK sought to enhance the capacity of judicial officials in upholding electoral laws during adjudication of electoral cases brought to the courts in the current electoral cycle. Special focus was placed on EGBV as a possible ground for nullification of elections within a petition. Towards this end, SEPK made a financial contribution towards the preparations for International Women Judges Colloquium held on 16-20th May 2017 in Nairobi. This contribution catered for production of conference materials and publication of a compendium of papers presented at the conference. The President of Kenya graced the occasion and lend his personal support for enactment of the 2/3rd gender rule legislation and the 'HeforShe' Campaign. The SEPK's Gender Advisor made a presentation on EGBV as a possible ground for nullification of elections while the UN Women Country Director made a presentation on mobilizing positive masculinity for women's empowerment. The meeting received positive coverage in local media. In collaboration with the Judiciary Training Institute, SEPK also supported the convening of the Annual Magistrates Colloquium held in Nairobi in June 2017. SEPK contributed to the costs of resource persons who made presentations at the said Colloquium. Their presentations focused on the new electoral laws and procedures in adjudication of electoral petitions. Through this intervention, the capacity of magistrates in handling petitions arising from election of Members of County Assemblies (MCAs) was enhanced.

Timely resolution of disputes arising from party primaries: The project supported PPDT in its outreach activities, specifically with the media and with the Law Society of Kenya. These stakeholder initiatives sought

to enhance knowledge of the mandate of the PPDT among stakeholders. PPDT stakeholder engagements with the Law Society of Kenya further outlined matters of gender sensitivity in party dispute resolution. The project support to the Media Council of Kenya sought to enhance knowledge of electoral laws and jurisprudence among media actors. The project supported capacity building of members of the Nairobi Branch of the Law Society of Kenya to enhance knowledge of new electoral laws and procedures. The above interventions contributed to enhanced capacity of PPDT in handling electoral disputes within its mandate. A total of 501 cases arising out of political party primaries were presented to the PPDT. As per the PPDT's summary report of June 22, 2017, 40 disputes were filed by female aspirants out of the 305 presented to the Political Parties Dispute Tribunal (PPDT). The redress institutions especially PPDT and Judiciary demonstrated independence, firmness and respondent in a timely manner. An analysis of these rulings pointed towards the need to strengthen the capacity of PPDT, need to build knowledge of the PPDT and its mandate among political parties and the need to foster collaboration between political parties and PPDT. Within the reporting period, IEBC Dispute Resolution Committee received a total of 372 disputes arising from party lists and compliance with the code of conduct. These disputes were heard and disposed of ahead of the 20th June 2017 deadline. SEPK contributed to this process through the deployment of 2 UNVs who rendered research assistance support to the Committee.

Enhanced gender sensitivity in resolution of electoral disputes: The project supported MCK to enhance knowledge of electoral laws and jurisprudence among media actors. The project further supported the sensitization on electoral dispute resolution for 106 lawyers from the Nairobi Bar Association (NBA) which is a constituent chapter of the LSK. The Judicial Training Institute (JTI) facilitated the training, which focused on key issues and jurisprudence on election petitions including on VAWiE as a ground for nullification of elections. Through this training, the NBA felt that the capacity of the lawyers to engage effectively in EDR processes was enhanced.

Expeditious resolution of petitions arising from the 2017 elections: During the reporting period, the project supported the sensitization of 145 magistrates who were appointed to handle the 08 August election petitions. The training session provided the magistrates an opportunity to reflect on the implications of the Supreme Court ruling on other petitions. These petitions are supposed to be concluded within six months from the date of their filing. SEPK supported the Supreme Court to prepare for the anticipated presidential petition. The retreat brought together the SCOK judges, deputy registrars and researchers. This intervention enhanced the level of preparedness of the SCOK in hearing and disposing of the petition. By a 4-2 majority, SCOK ruled that presidential election was not held in accordance with the constitutional principles and legal requirements for free, fair and credible elections, and consequently annulled the August 8th presidential elections. It ordered IEBC to conduct fresh elections in strict compliance with the Constitution and the law within sixty days.

Output 4.2 – strengthened enforcement of electoral laws and regulations

Enhanced Monitoring of Electoral Process: As part of SEPK Project efforts towards increased participation of women and other special interest groups in the electoral process, support was rendered, through UN Women, to The National Gender and Equality Commission (NGEC). Technical and financial assistance contributed to capacity building, development of monitoring tools and deployment of 99 monitors to 47 counties. These 99 monitors assessed political activities ahead and during the August 8, General Elections. Findings from these monitors will inform NGEC's evaluation of the extent to which principles of equality and inclusion set out in electoral laws, policies, rules and regulations were upheld to ensure participation and

inclusion of special interest groups in the entire electoral process. A report of the findings from the monitoring will be completed in the next reporting period. NGEC's mandate is to promote gender equality and freedom from discrimination, in line with Article 27 of the Constitution. It has a special focus on special interest groups i.e. women, children, youth, older members of the society, persons with disabilities (PWDs), minorities and marginalized groups and communities in all spheres of life. With respect to the elections, NGEC pronounced itself on among others, the matter on submission of political parties' nomination lists to the Independent Electoral and Boundaries Commission (IEBC). NGEC, through UN Women's contribution, led in efforts to call for enactment of legislation to implement the 'not more than two thirds' gender principle and issued an advisory on the implications of failure to implement the same.

UNDAF Outcome 1.2.: By 2017 Kenya has a democracy in which human rights & gender equality are respected; elected officials are responsive & accountable; citizens & civil society are empowered, responsible & politically/socially engaged; equitable representation is achieved through affirmative action; & the electoral processes are free, fair, transparent & peaceful.

Project Outcome 5: Effective and functioning SEPK Project Management Unit (PMU) established

CPD output targets	Project output targets	Summary achievement in 2018 FY	Status
Kenyan citizens and civil society meaningfully engage in democratic process and are empowered to be politically and socially engaged and to demand responsible and accountable governance from elected officials	Key project meetings organized and facilitated	Project Steering Committee (PSC) meeting; 3 Elections Donor Group (EDG) meetings 1 Project Donor Group (PDG) meeting 3 joint UNDP-UN Women meetings	Ongoing
	Coordination between various ETAPs strengthened	SEPK participated in coordination meeting with USAID-funded Kenya Electoral Assistance Programme (KEAP) and IEBC	Ongoing
Overall Status			**Ongoing**

Efficient project management and oversight: During the year, the project organized and participated in four (4) Project Steering Committee (PSC) meetings; twelve (12) Donor Group on Elections (DGE) meetings; eight (8) Project Donor Group (PDG) meetings; and three (3) coordination meetings with UN Women, UN Office on Drugs and Crime (UNODC) and Office of the High Commissioner on Human Rights (OHCHR). These activities contributed to efficient management of SEPK, improved coordination with project stakeholders, reduced duplication of initiatives implemented through ETAPs, and information exchange between key actors in elections. SEPK participated in various coordination meetings with the IEBC and the USAID funded KEAP project. These engagements have improved project management, coordination of multiple initiatives by the two entities, efficiency in resource use as well as regular reflection on the changing electoral environment and opportunities for programmatic adjustments. However, there is still need for a much broader engagement of other technical service providers under the ETAP framework.

Donor coordination strengthened: During the year, the project organized and participated in (4) Project Steering Committee (PSC) meetings; twelve (12) Donor Group on Elections (DGE) meetings; and eight (8) Project Donor Group (PDG) meetings. These activities contributed to efficient management of SEPK,

improved coordination with project stakeholders, reduced duplication of initiatives implemented through ETAPs, and information exchange between key actors in elections.

M&E, knowledge management, communications and reporting: SEPK continued producing and disseminating to key stakeholders, weekly elections briefings as well as monthly updates. These reports tracked the key electoral process and kept stakeholders apprised of the unfolding developments. SEPK also produced the 2016 Annual Report which documented the achievements and lessons learnt in the previous year. To enhance the project's M&E capacity, SEPK commissioned a baseline survey in Quarter 1. A report of the survey was produced and validated in Quarter 2 before the impending dissemination.

2. Gender Development Results

The following is a summary of results achieved per outcome area:

Outcome	Results achieved
Outcome 1: Legal and Institutional Frameworks Strengthened	- Civil society led by CREAW and FIDA have filed court cases to compel the current national parliament to enact the 2/3rds law. - The political parties' regulations were passed which demanded for political parties to respect the 2/3rds gender principle. The ORPP applied the regulations to hold parties accountable during party primaries.
Outcome 2: Strengthened and more Informed Citizen Participation in the Electoral Process	- UN Women supported IEBC in rolling out the massive voter registration process, targeting women, especially in the hard to reach areas. Through MVR 1 and MVR 2, voter registration increased from 14 million to 19 million, with women forming 47% of the register. Despite the percentage of women dropping from 49% in 2013 to 47% in 2017, the absolute numbers increased. - UN Women assisted 16 CSOs and the NGEC to render direct support to 150 women candidates who vied for elective office as Governors, Senators and single constituency MPs. These 150 women candidates received direct support through profiling on mainstream and social media platforms; voter outreach through IEC material; party agents of women candidates received capacity building support to enhance their role in effective engagement to ascertain that the elections are transparent and accountable; women candidates were supported to convene town hall meetings for engagement with voters. - The electoral outcome saw increased numbers of elected women at all levels: 3 women Governors from 0 in 2013, 3 women Senators from 0 in 2013, 23 women MPs from 16 in 2013, and 98 women MCAS from 85 in 2013.
Outcome 3: More efficient, transparent and peaceful elections	- In collaboration with UNDP and IEBC, UN Women contributed to the development and dissemination of a pocket size book on VAWiE which was disseminated to approximately 180,000 security agents who underwent capacity building on elections security ahead of the general elections. The pocket size book on VAWiE was also disseminated to CSO partners in the GBV working group for dissemination to state and non-state actors engaged in prevention and response to GBV across the country. - Ahead of the August 8 elections, UN Women participated in activities within the national GBV coordination group and the GBV network coordinated by NGEC and did a mapping of GBV services country-wide. The directory is available as hardcopy and online www.gbvkenya.org

	▪ Continued to provide technical assistance to the National GBV working group and other platforms on emergency preparedness to respond to VAWiE. These interactions led to coordination of rapid response to VAWiE.
Outcome 4: Strengthened Electoral Justice	▪ UN Women provided gender mainstreaming support to the Judiciary Committee on Elections. ▪ Following the August 2017 elections, a total of 300 election petitions have been filed challenging the outcome of various electoral positions. Among these are petitions against 3 women elected as governors and seven women elected as single constituency members of parliament. UN Women through civil society partners FIDA Kenya, CMD, CRAWN Trust and GROOTS Kenya will monitor litigation and provide technical support to women leaders who face litigation challenge.

3. **Targeting and Sustainability of Results**

Target groups	Needs addressed	Evidence
All voters	Enhanced participation in political processes, especially	▪ Targeted messaging to enhance participation of all voters in the electoral process. ▪ 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 hat the venues are accessible to all.	▪ Media advisory with specific recommendations on the protection and inclusion of the vulnerable groups.

4. **2.2. Strengthening National Capacities**

Results achieved	Institution	National capacity strengthened
1) 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
2) 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
3) Enhanced capacity of the judiciary for timely and expeditious EDR	PPDT	Technical and financial support in stakeholder engagement and development of knowledge products

	JTI	Capacity building of magistrates and selected lawyers in Electoral dispute resolution;
4) Enhanced electoral security	National Police;	Establishment of Pool of Trainers of Trainers to cascade down ESAP content to 180,000 security officers involved in elections;

5. South-South Triangular Cooperation

The project used South-South Triangular Cooperation (SSTC) to boost its capacity and that of its partners during 2017 which was an election. The key SSTC initiatives are highlighted below:

Country	Type of cooperation
Malawi	Collaboration with Malawi Electoral Commission (MEC) in training of two (2) IEBC officials using the BRIDGE methodology
Nigeria, Tanzania, South Africa, Namibia and Ghana	The Chairpersons of these EMBs participated in the induction and on-boarding of the new Chairman and Commissioners of IEBC. Useful lessons were shared during the induction; which will no doubt inform the way the Kenyan process will be managed.
Tunisia and Nepal	Deployment of ICT experts to support the ICT function of IEBC during the FPE
Tanzania	A programme specialist from UNDP Tanzania joined the project team in early May and supported the PMU in project intervention execution and coordination. The programme specialist brought in expertise in the process of interventions execution aligned with application of rules and regulation.
Ethiopia	A procurement analyst from UNDP Ethiopia joined the project team in early June and enhanced staff capacity in procurement during the period of elevated demand. Through the technical support rendered by the two staff, the PMU accelerated delivery in line with the workplan for this period.
Somalia	The project hosted a technical team from UNDP Somalia on mission to observe key aspects of management of elections. Their visit was part of preparations for Somalia elections that were expected to take place in the second half of the year. The team benefited from observing the August elections and hopefully will make use of their experience in enhancing the performance of the Somali elections management body.

6. Partnerships

In the implementation of the SEPK project, UNDP and UN Women worked in collaboration with UNODC, OHCHR, UNON and UNIC whose mandates are relevant to electoral reform in Kenya. This strengthened the principle of Delivering as One (DaO). Similarly, the project worked closely with various interventions under the auspices of the UWIANO Platform for Peace, most of which aimed at promoting peace building through early warning and conflict transformation.

The project continued with partner engagement for resource mobilization. In January 2017, the Government of Italy became a partner to the project with the signing of a funding arrangement of Euro 1,000,000 in support of electoral activities under the basket.

UN Women continued to partner with both state and non-state actors. The partnerships were mainly for purposes of influencing policy, coordination, providing platforms for dialogue between state and non-state actors, implementing the SEPK activities, sharing knowledge with observer missions on elections, and for providing leadership on gender issues. The table below summarizes the key partnerships and the purpose.

Partner	Purpose
IEBC	UN Women engaged with IEBC mainly in the planning of the National elections conference to ensure a theme of inclusion of women and marginalized groups was discussed. UN Women chaired the discussions of the side event on inclusion. A report of the meeting was generated, and the main conference communique included a message on inclusion.
Ministry of Public Service Youth and Gender Affairs (State Department of Gender-SDGA)	UN Women engaged with SDGA to bring together over 150 women candidates for various positions to dialogue with SDGA, Ministry of Interior and IEBC chair on the mechanisms that are available to ensure women have a level playing field. The Interior CS for example assured the women of security provision, and an avenue for quick response to security threats through the candidates reporting to SDGA or IEBC. IEBC promised to hold political parties accountable on ensuring party lists met the minimum 30% inclusion requirement.
Judiciary	UN Women partnered with the Kenya Women Judges Association (KWJA) in deliberating access to justice by women candidates in elections.
EU and COMESA election observers	UN Women engaged EU election observers and provided updates and data on the performance of women in registration, party primaries, security for women, and access to justice mechanisms.
African Union election observers	UN Women engaged African Union election observers and provided updates and data on the performance of women in registration, party primaries, security for women, and access to justice mechanisms. UN Women suggested ensuring inclusion of women leaders in various mechanisms including eminent persons for any mediation.
Coordination platform with other election providers-Uraia Trust and NDI	UN Women continued the coordination platform with other election support providers focusing on women inclusion-especially Uraia Trust and National Democratic Institution (NDI). This purposed to ensure continued country mapping, synergies in supporting women candidates, and providing voter education reports.
Election Donor Group (EDG)	UN Women continued to attend the EDG meetings and provided briefs on voter education, and women participation in elections especially on voter register and in party primaries.
Gender Donor Group (GDG)	UN Women continued to attend the GDG meetings and provided briefs on women participation in elections especially on voter register and in party primaries.

Implementing partners	UN Women continued its support to 15 civil society partners implementing inclusion of women in elections. UN Women undertook a midterm review the progress and refocused all partner support to the "90-day strategy" where all partners would focus on supporting women candidates who made it through party nominations for positions of governor, senator, and MP, on political parties.
UN agencies	UN Women continued its engagement with other UN agencies in implementing SEPK, mainly UNDP and OHCHR. A joint UN midterm review meeting of SEPK was undertaken and the annual work plan 2017 was reprioritized to improve value for money, analysis of the electoral environment was undertaken under leadership of OHCHR, and a briefing to the UNON Director General on gender issues was undertaken.

7. Monitoring and Evaluation

The project conducted field monitoring visits to all implementing partners to monitor the identified risks during project design and support implementing partners to improve on results reporting. The project also undertook programmatic monitoring of the MVR II. The monitoring exercise sought to:

1. Assess the extent to which IEBC has incorporated lessons from MVR I into the organization, conduct and management of MVR II.
2. Assess whether the MVR II process is consistent with set guidelines and international standards for registration of voters.
3. Gauge participation of youth, women, PWDs and other marginalized groups in the registration process.
4. Gauge the extent to which the MVR exercise upholds the principles of access, equity, timeliness, adequate information and voter friendliness.
5. Evaluate the extent to which adequate facilitation is provided to aid registration by special interest groups including women, youth and people with disabilities.
6. Ensure that the MVR exercises delivers value for money (VfM) for SEPK and its development partners.

The project continued with a Baseline Survey to establish the initial values of key metrics identified in the project Results and Resources Framework (RRF). The findings of this baseline will inform future programming for a more robust electoral technical assistance in Kenya and milestone tracking pre- and post-election.

M&E activity	Key outcomes/ observation	Recommendation	Action taken
Monitoring visit of journalists training in Kisumu using the MCK guidelines	1. Journalists are often under a pressure from media houses to develop sensational stories which will sell. Since it is an employment relationship most journalists are basically "hostages" to their salaries. 2. Women are often depicted in news as victims of violence, unknowledgeable, or "joy-riders" on a man's success or coattails. This can	1. **Information Dissemination:** IEBC to maintain a closer relationship with field journalists from all regions. 2. **Verification:** In the era of digital communication and immediacy, journalists should be empowered to spend more time verifying stories rather than rush to break the news. In addition, they agreed to maintain a neutral net presence on their own	Lessons incorporated in subsequent trainings and accreditation of journalists

	be changed by focusing more on achievements of women, particularly aspirants as opposed to pushing their stereotype feminine features. 3. IEBC promised to communicate regularly and openly with all journalists to ensure they have verifiable information. It was discovered that regional journalists do not benefit from the direct relationship with the Commission that their Nairobi counterparts do. 4. Journalists expressed concern over bribery for stories. And some admitted to having benefited from such relations in the past. 5. Social Media is becoming a go-to source for stories, however, the speed of breaking news online supersedes the speed of verifying the news.	personal accounts if people identify them with the media house online i.e. Not use their own popularity for political messaging. 3. **Ethics:** Even though the stakes are high and competition is stiff, journalists are to maintain their ethical standards in reporting. 4. **MCK Action:** MCK to monitor and act against journalists within the MCK who are breaching the rules of reporting as per the guidelines to support either side. 5. **Media Monitoring:** SEPK to support MCK to monitor and report on the extent to which media houses and journalists comply with the Guidelines for Coverage and Reporting of Elections.	
Survey	1. Finalization of SEPK baseline survey 2. Review of initial and fair draft reports	1. Need to validate report with key stakeholders	Report submitted to management for review and approval before being subjected to external stakeholders

8. Knowledge management

During the reporting period, the following knowledge products were developed through the support of UNDP and UN Women under SEPK:

Title, author, date	Link	Evidence
Electoral security Police Role Card		The Police Role card summarizes election offenses to aid in their prevention, detection and prosecution. It also contains practical information on the interaction between security agencies and election officials in the electoral process.

Handbook on elections security		The handbook provides security agencies, IEBC and other stakeholders with the comprehensive guide to electoral security before, during and after elections.
Training manual on electoral security		This manual aims to develop the capacity of IEBC and security enforcement agencies for improved provision of security before, during and after elections.
Electoral Gender Based Violence (EGBV) Pocket Size Information Booklet		The booklet provides guidance to all, especially security a=officers on definition, causes, examples and monitoring of EGBV; what one can do in case of EGBV; role of various stakeholders and mandate holders in curbing and dealing with EGBV; and useful contacts in cases where one witnesses EGBV.
Guidelines for Media Coverage and Reporting of Elections	http://www.ke.undp.org/content/kenya/en/home/library/democratic_governance/voter-registration-manual--source-book-.html	This guide provides a framework for gender responsive and conflict sensitive coverage of elections by the media. It prescribes a code of conduct which will ensure that media coverage is balanced and promotes national cohesion.
Popular version of Political Parties Act in English and Swahili		The popular versions are designed to help political parties to understand the Act. The versions will be used to sensitize the parties in a bid to enhance their internal democracy systems, strengthen their capacity to engage with members of the public and provide an effective mechanism for their regulation.
Election Technology Law and the Concept of: "Did the Irregularity Affect the Result of the Elections?"		The publication will be an invaluable resource for legal practitioners, law students, judicial officers, and academicians on electoral laws, election technology and practice in Kenya and the region.
Press Statement on the launch of Still a Mirage: A Human Rights Account of the Fresh Presidential Poll for the Period September and November 2017 20th December 2017,	http://www.knchr.org/Portals/0/PressStatements/PRESS%20STATEMENT%20-%20STILL%20A%20MIRAGE%20-%20REPORT.pdf?ver=2017-12-20-104740-223	This statement was a summarization of the Commission's findings of the fresh presidential polls highlighting the key violations
[Report] Still a Mirage: A Human Rights Account of the Fresh Presidential Poll for	http://www.knchr.org/Portals/0/CivilAndPoliticalReports/A%20HUMAN%20RIGHTS%20MONITORING%20REPORT%20ON%20THE%2	This 3rd series of the KNCHR election report highlights the findings from a human rights lenses of the period immediately after the Supreme Court

the Period September and November 2017 20th December 2017,	02017%20REPEAT%20PRESIDENTIAL%20ELE CTIONS.pdf?ver=2017-12-20-084352-583	ruling and provides the trends and patterns of human rights violations
Preliminary Findings of the 26th October repeat presidential polls, 3rd November 2017, KNCHR	http://www.knchr.org/Portals/0/PressState ments/Preliminary%20Findings%20of%20the %2026th%20October%20Repeat%20Preside ntial%20Election%20in%20Kenya%203rd%20 November%202017.pdf?ver=2017-11-03-133124-760	The statement provided a highlight of some of the key preliminary findings of the 26th polls and status of human rights compliance by various actors
An Advisory Opinion on the proposed Election Laws(Amendment) Bill, 2017, 5th October 2017, KNCHR	http://www.knchr.org/Portals/0/PressState ments/AN%20ADVISORY%20OPINION%20O N%20THE%20PROPOSED%20ELECTION%20L AWS.pdf?ver=2017-10-06-135259-393	This comprehensive advisory opinion analyses the provisions of the bill and the impact it has on the holistic enjoyment of human rights in the elections stemming from the history as a country. The KNCHR strongly opposed this bill as it goes against the constitutional tenets.
Checklist on the right to freedom of assembly, Article 19, IPOA, OHCHR and KNCHR		The checklist provides a simplified version of the laws and human rights standards that relate to the freedom of peaceful assembly, the rights and obligations of the police and the persons intending to exercise this right. It further provides the standards for the police use of force and firearms and roles of demonstrators and their organizers.
Mirage at Dusk: A human rights account of the 2017 General Election, 9th October 2017, KNCHR	http://www.knchr.org/Portals/0/CivilAndPo liticalReports/MIRAGE%20AT%20DUSK%20-%20A%20Human%20Rights%20Account%20o f%20The%202017%20General%20Election.pdf .pdf?ver=2017-10-09-130024-457	This report is a culmination of the KNCHR key findings of the 2017 General Elections from the campaigns period, the August polls and the post-election scenarios. The report further gives a highlight and analysis of the human rights violation that were perpetuated post August polls.
Educational Video on peaceful assemblies, OHCHR, KNCHR, IPOA and Article 19.	https://www.youtube.com/watch?v=_7ZZn jAv5n8	An educational video highlighting the legal provisions and roles and obligations of both the police and demonstrators in exercising the right to peaceful assemblies.
Compendium of Electoral Laws, IEBC		One-stop reference guide for electoral practitioners, including IEBC, Judiciary, and ORPP.
Documentary on the right to peaceful assembly	https://www.youtube.com/watch?v=_7ZZn jAv5n8	The documentary provided information for rights holders on how to exercise the right in a manner that does not infringe on the rights of others. It also provided guidance to security agencies on how to deal with protests and other forms of civil disobedience in a manner that upholds and respects human rights and fundamental freedoms.

9. Challenges, Lessons Learnt and Way Forward

During the reporting period, the project identified the following challenges, lessons and recommendations for improving project coordination and implementation:

Challenges
- IEBC was poorly strategized to undertake voter education and other activities under outcome 2 amidst the ongoing political discourse. An evaluation of voter education initiatives is ongoing to establish their effectiveness and impact.
- MCK hinged heavily on its capacity building role than on its regulatory mandate. This diminished the role of media and opened media houses up for manipulation by politicians and government.
- There was poor coordination of stakeholders in key initiatives e.g. the January 2018 Mass Voter Registration (MVR) exercise.
- Most third-party MoUs were not effective in unlocking and coordinating major activities. For example, it remains to be seen how effective the MoU between IEBC and MCK in strengthening the role of the media in elections.
- Follow up and implementation capacity development of CSO partners was not adequate to implement agreed actions.
- Stakeholder engagement and management is a key issue with IEBC

Lessons learnt
- Identify and engage duty bearers dealing with all demographic segments of the society
- Forge working partnerships with media, NSAs and ORPP in the implementation of the project
- The DIM modality helped to fast track activities in cases where IEBC and other government stakeholders were disorganized. The modality also helped to improve accountability and probity in the deployment of resources.
- Need to strategize and agree on the strategic orientation of partners earlier on before implementation starts
- There is need to sign clearly analyzed agreements with all partners. The agreement should cover clear and practical implementation and monitoring actions. Progress review of these agreements should be undertaken on a quarterly or semi-annual basis.
- The project should initiate common reflection and analytical meetings with key partners to identify and unlock bottlenecks to effective implementation of key interventions under the project.
- The project should make use of arrangements of UN devolved structures to identify and reach partners at subnational levels. This should involve a clear strategy for coordination of the partners' activities on the ground.

10. Risks and Mitigation Measures

Type	Date Identified	Description	Progress	Proposed mitigation measures	Status
Operational	30-Nov-17	Slowdown of implementation by IEBC and other government responsible partners may derail finalization of activities under the 2017 AWP	Many IEBC staff have gone on leave following the completion of the 2017 elections. In view of this, the remaining activities in the 2017 AWP may be delayed or completely stalled.	Work with IEBC to identify key priorities for the remaining period. Most of the activities were completed during Q3, leaving only residual interventions which can be handled by skeleton staff.	Ongoing
Political	28-Nov-2017	Grand standing between NASA and Jubilee on electoral reform may occasion further political crisis in the post-election period	NASA leader Rt. Hon. Raila Odinga maintained that the October 26 FPE was a coronation exercise and not an election as ordered by SCOK. In view of this, he indicated he will be sworn in as the People's President at a date to be determined. This can lead to stronger crackdown on opposition supporters and leaders, deepened the ongoing product boycotts and prolong the political crisis.	The UN should consider deploying its' good offices to support brokering dialogue between key political protagonists to reach an acceptable settlement to the political crisis.	Ongoing
Political	15-Sep-2017	No reform, No election protests undermine the peace before, during and after FPE	NASA has called on its supporters countrywide to hold protests seeking to compel IEBC to undertake minimum reforms before it conducts the FPE. These protests have been successful in Kisumu, Migori, Homabay, Mombasa, Kakamega and Nairobi. The protests have been accompanied by pockets of violence and deaths of civilians and security officials. These protect continue to undermine IEBC's preparedness, distract campaigns of key candidates and curtail business in the affected areas.	The UN should consider deploying its' good offices to support brokering dialogue between key political protagonists to reach an acceptable settlement to the political crisis.	Ongoing
Organizational	01-Sep-2017	Low confidence in IEBC to organize and manage FPE	The opposition NASA is seeing the government as blocking reform of IEBC after it bungled the 2017 Presidential Election. It is calling for removal of key IEBC officials including some commissioners and members of the Secretariat. Many members of the public	Strengthen IEBC communications to educate members of the public on the preparations being made for the FPE. The communications should underscore that IEBC is an independent institution and is not (and should not be seen to be) taking instructions from any external persons.	On-going

Type	Date Identified	Description	Progress	Proposed mitigation measures	Status
			have played into this, claiming that if a match is abandoned due to a bogus referee, it is foolhardy to go into a rematch with the same referee.		
Fiduciary	1-Sep-2017	More resources required to fund IEBC and other partner priorities for the FPE	The project, in response to priorities for the FPE identified by IEBC, has developed a supplementary workplan for September - December 2017. This workplan will require US$ 2.25 million to be fully resourced. EU and Germany have pledge new funds totalling 1.3 million USD. DFID has given a no objection to front-lead part of their funds to support the FPE. The challenge is for the project to mobilize new funding given that all the funds committed have already been earmarked for specific activities up till December 2018.	Continue engagement with key project donors to identify new streams of funding. Early (timely) fund-raising: Initiate development of a new electoral governance project seeking to use lessons learnt from 2017 General Elections to improve 2022 elections through an electoral cycle approach. Insist on VfM so that investments are made only in high impact high visibility interventions	Closed.
Organizational	08-Jul-2017	Low public confidence in the Judiciary	So far, the judiciary is enjoying good confidence in NASA strongholds following its handling of the presidential petition. Conversely, the judiciary enjoys low confidence in Jubilee strongholds. Jubilee has threatened the Judiciary with reconstitution in the event it retains power. However, there are 388 petitions arising from the August 8 General Elections filed with various levels of courts.	Build the capacity of the judiciary to expeditiously and effectively dispense with the 388 petitions tabled before it.	On going
Political	08-Jul-2017	Presidential candidates refusing to accept results or use court system to contest results	Where malpractice is evident; self-declaration of results; parallel tallying; low confidence in the judiciary. These may heighten political temperatures and lead to violence.	Results rejected. Raila Odinga filed a petition in SCOK and the presidential results have been annulled.	Closed.
Operational	08-Jul-2017	Delay in delivery or inadequate voting materials	Voting materials may be delayed; or inadequate materials may be delivered	Strategic and non-strategic electoral materials delivered and distributed. SEPK	Closed.

Type	Date Identified	Description	Progress	Proposed mitigation measures	Status
			leading to delayed start of voting and some voters not having a chance to vote. Some contributing factors may include poor road networks, poor logistical planning and deliberate attempt to disenfranchise voters from certain regions. These factors may lead to tension in the polling centres.	provided support through a logistics and warehousing specialist embedded at the commissions	
Operational	08-Jul-2017	Failure of Kenya Integrated Electoral Management Information Systems (KIEMS)	Identification of voters, voting process and transmission of results will be disrupted. Loss and leakage of confidential data; alteration of results announced at the polling centres. These may occasion tensions in the polling stations and after the elections. However, the kits have been lauded as having more than 8 hours battery life, hence power outages may not affect their operation.	KIEMS kits worked well for identification of voters. Questions were raised as to how suitable they were for the transmission of results.	Closed.
Financial	08-Jul-2017	Delayed release of exchequer funding to IEBC	The elections are coming shortly after the close of GoK financial year. Exchequer release may delay resourcing of key electoral operations. This may occasion a fall back on donors, especially the SEPK basket, to fund key operations.	GoK provided near-adequate funding for IEBC to conduct the August 2017 General Elections. Additional funding of KShs. 12 billion has been allocated for FPE, leaving a deficit of KShs. 1.7 billion.	Closed.
Organizational	08-Jul-2017	Low public confidence in the Judiciary	So far, the judiciary is enjoying good confidence in NASA strongholds following its handling of the presidential petition. Conversely, the judiciary enjoys low confidence in Jubilee strongholds. Jubilee has threatened the Judiciary with reconstitution in the event it retains power. However, there are 388 petitions arising from the August 8 General Elections filed with various levels of courts.	Build the capacity of the judiciary to expeditiously and effectively dispense with the 338 petitions tabled before it.	On going

11. Visibility

During the reporting period, the following were media stories highlighting publicity around Development partner support to elections in Kenya.

Title, author, date	Link	Evidence
Support to MVR I and signing of the UNDP EU agreement on elections	1. European Union gives IEBC Sh570m for 2017 elections http://www.standardmedia.co.ke/article/2000191387/european-union-gives-iebc-sh570m-for-2017-elections 2. European Union in Sh577mn grant to IEBC https://www.capitalfm.co.ke/news/2016/02/european-union-in-sh577mn-grant-to-iebc/ 3. EU gives IEBC Sh576 million for 2017 poll http://www.the-star.co.ke/news/2016/02/11/eu-gives-iebc-sh576-million-for-2017-poll_c1293229 4. IEBC doubles number of voter registration clerks http://www.businessdailyafrica.com/IEBC-doubles-number-of-voter-registration-clerks/-/539546/3073060/-/pf8m7oz/-/index.html 5. IEBC gets Sh560m more from EU http://www.nation.co.ke/news/IEBC-gets-Sh560m-funding-from-EU/-/1056/3072524/-/e865agz/-/index.html	Media coverage stories on new funding by the EU into the UNDP elections basket Statements from IEBC in the media recognizing contribution from UK, EU and USAID for MVR I
IEBC on Basket support to MVR I		Press release by IEBC recognizing development partner support to the IEBC on MVR I

Figure 4 (left) Signing of the EU and UNDP agreement in support to elections and Figure 6 (right) EU Delegation to Kenya on a European Union exploratory mission meeting with UN and Government officials discussing electoral assistance in view of deployment of EU long-term observation

Figure 7 Government of Ireland and UNDP signing of agreement in support to elections

12. Financial Summary

Interim Financial Statement 2016									
UNDP Project Number: 00093173									
To: UNDP, DFID, USAID, EU, GOVERNMENT OF IRELAND, GOVERNMENT OF ITALY & GOVERNMENT OF GERMANY									
Reporting Period:	January – December 2017								
	USD	USD	USD	USD	USD	USD	USD	USD	USD
Contributions	**UNDP**	**DFID**	**EU**	**USAID**	**IRELAND**	**ITALY**	**GERMANY**	**OTHERS (CANADA, SLOVAK, FINLAND, DENMARK)**	**Total**
Opening Balance	-	349,700	1,901,107	1,761,148	106,157	-	-	1,410	**4,119,522**
Allocation UNDP TRAC 2016	88,807	-		-					**88,807**
Contributions from DFID	-	1,649,849		-					**1,649,849**
Contributions from USAID	-	-							**-**
Contributions from EU			1,923,077						**1,923,077**
Contributions from Government of Ireland									**-**
Contributions from Government of Italy						1,085,776			**1,085,776**
Contributions from Government of Germany							118,170		**118,170**
Funds transfer from SERP Project to SEPK Project			44,455			8,371		5,158	**57,984**
Total Contributions	**88,807**	**1,999,549**	**3,868,639**	**1,761,148**	**106,157**	**1,094,148**	**118,170**	**6,568**	**9,043,185**
Expenditures									

Programme Cost									
Activity 1	1,045	-153,305	235,720	128,017	7	504,771			716,256
Activity 2	37,042	582,938	1,150,109	306,870	22,360	234,874	108,111		2,442,305
Activity 3	3,984	744,598	1,496,332	873,881	58,331	193,385		687	3,371,199
Activity 4			144,665	114,538		-			259,203
Activity 5	46,736	674,553	512,226	21,496	1,105	76,969		5,228	1,338,312
Total Programme Costs	**88,807**	**1,848,785**	**3,539,052**	**1,444,802**	**81,803**	**1,009,999**	**108,111**	**5,915**	**8,127,274**
Indirect Support Costs (GMS)	-	149,112	246,024	115,644	6,544	80,800	8,649	472	607,244
Commitments and Undepreciated assets & Inventory	-	-38,011	-7,829	94,298	-	5,999			54,456
Total Expenditures	88,807	1,959,885	3,777,247	1,654,743	88,348	1,096,798	116,760	6,387	8,788,975
Balances as at 31st December 2016	0	39,664	91,391	106,405	17,810	-2,650	1,410	181	254,210

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

*2017 Opening balances adjusted to reflect balances as per the 2016 Certified Financial Reports

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

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Catherine Masaka, Deputy Country Director (Operations)

Annex 1: Planned activities for 2017

Outcome	Planned Activities
Outcome 1 – Strengthened legal and institutional framework for free, fair, credible, transparent and peaceful 2017 General Elections	
Output 1.1. Legal framework strengthened	1.1.1. Support Parliament and relevant bodies[53] to undertake advocacy on electoral reform and implementation of two-thirds gender rule[54]
	1.1.2. Support the launch and dissemination of popular version of the Political Parties' Act
	1.1.3. Support to global study on elections and conflict – the Kenyan Case Study
	1.1.4. Support to implementation of electoral legal reform stemming from judicial decisions
	1.1.5. Support IEBC to handle post-2017 election petitions and review the legal framework after the elections
Output 1.2. Institutional framework for coordination of electoral processes strengthened	1.2.1. Support finalization of the development and/or implementation of IEBC policies/guidelines: gender and social inclusion; social media; voter education; stakeholder engagement; partnerships; human resource, etc.)
	1.2.2. Support BRIDGE[55] training for IEBC, ORPP and CSOs[56]
	1.2.3. Support finalization of development and/or installation & operationalization of IEBC institutional systems: risk management, post-2017 election scenarios building and observer management system
	1.2.4. Support development and operationalization of strategic plans for key electoral institutions: IEBC[57], ORPP, MCK, PPDT and JTI
	1.2.5. Support IEBC capacity to plan and implement Boundary Delimitation ahead of the 2022 general election
	1.2.6. Support development of a strategic framework for capacity building of Political Parties (independent candidates, social inclusion issues, conduct of party nomination, strengthening of PPLC)
	1.2.7. Support enhancement of IEBC corporate governance: streamline relationship between Commissioners and Secretariat

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[53] Key electoral stakeholders and other oversight bodies including those working on gender and social inclusion including IEBC, ORPP, Judiciary and CSOs

[54] This will include capacity building of elected and nominated SIG leaders to effectively engage in social inclusion debates and to spearhead advocacy for issues on inclusion.

[55] *Building Resources in Democracy, Elections and Governance* is a comprehensive adult-learning training curriculum on election management.

[56] CSOs include those currently supported by UNW, KNCHR, NGEC, CAJ, etc.

[57] Support to develop the IEBC Master Election Operations Plan for the 2022 Electoral Cycle

Outcome	Planned Activities
	1.2.8. Support IEBC post-election evaluations and lesson earning[58]
	1.2.9. Support capacity of NGEC to engage in continued monitoring of post-election VAWIE issues
Outcome 2 – Increased participation in the electoral process, especially of youth, women, persons with disabilities and other marginalized groups	
Output 2.1. Strengthened voter participation	2.1.1. Post-election evaluations and learning: Support review of effectiveness and impact of voter education during 2017
	2.1.2. Technical support to IEBC to effectively engage in stakeholder on post-election electoral reform
Output 2.2 Increased participation of youth, PWDs and women voters	2.2.1. Post-election evaluation and learning on gender and social inclusion: Support engagement of Special Interest Groups (SIGs) and Civil Society Organizations in post-election dialogue, reforms[59] and development of a knowledge product on media compliance to the Guidelines on representation of women and SIGs in the electoral process
	2.2.2. Technical assistance on gender and social inclusion in electoral processes
Output 2.5. More objective, balanced and gender sensitive reporting on electoral issues and processes	2.5.1. Post-election evaluation and learning: Support review of the role of the media (including MCK) in the 2017 elections[60]
Outcome 3 – Efficient electoral operations and enhanced electoral security	
Output 3.2. Strengthened electoral operations and logistics	3.2.1. Provide technical support to review the IEBC election technology experience during the 2017 electoral cycle and recommend reforms ahead of 2022 general election
	3.2.2. Support ELOG post elections evaluation and learning and observer trainings and deployment for the 2017 General elections
3.4 Election security and risk management with specific focus on women, youth,	3.4.1. Support mapping, documentation[61] and community engagement on improving accountability in Violence Against Women in Elections (VAWIE), SGBV and access to justice

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[58] This activity will be co-implemented with and the budget shared between IFES and IEBC. The total IEBC budget is about 600,000 for post-election evaluation, lesson-learning, report writing and validation, the latter via a national election evaluation conference, similar to the 2017 national election conference.

[59] Includes addressing barriers to women participation in political leadership; reflection, documentation of lessons and women's journey in elections; UNW-NSA synergy and partnerships; and assessment of 2017 Women Peace and Security in elections at national and county.

[60] Includes assessment of compliance with media code of conduct, implementation of the guidelines for reporting on elections and how inclusion issues were addressed in the media.

[61] This will include lobbying organizations to provide information on VAWiE

Outcome	Planned Activities
persons with disability and other special interest groups	3.4.2. Strengthening knowledge and capacity of KNCHR and grassroot human rights CSOs on monitoring, documentation of human rights and GEWE violations during the post-election phase
	3.4.3. Support collation, synthesis and analysis of domestic and international election observer reports to generate lessons for SEPK and for follow up on recommendations
	3.4.4. Technical assistance on human rights, right to peaceful assembly, and monitoring of human rights violations during the post-election phase
	3.4.5. Post-election evaluation and learning: Review of the Election Security Arrangement Programme (ESAP)[20] including issues on the right to peaceful assembly.
Outcome 4 – Strengthened electoral justice and timely electoral dispute resolution	
Output 4.1 Increased capacity for just and timely electoral dispute resolution that protects all and especially women	4.1.1. Post-election evaluation and learning: Support lessons-learning on the 2017 EDR process as undertaken by various judicial branches and the IEBC.
	4.1.2. Support review of Intra-Party Dispute Resolution Mechanisms including introduction of Alternative Dispute Resolution Mechanisms (ADRM) which are gender and socially-inclusive; also produce Model Rules on Intra-Party Dispute Resolution Mechanisms.
	4.1.3. Support production of case digest on IEBC cases on code of conduct and party lists.
Outcome 5 – Strengthened project management and coordination	
Output 5.1. Effective and functioning PMU established	5.1. Management of the SEPK Project Management Unit (PMU)
	5.2. Donor coordination and reporting on the electoral process (including monitoring meetings and engagements)
	5.3. Project closure activities including terminal evaluation, terminal financial audit, archiving and documentation, that fully reflect gender, human rights and inclusion

Annex 2: Monitoring and Evaluation Plan for 2018

OUTPUTS	OUTPUT INDICATORS	DISAGGREGATION	FREQUENCY OF REPORTING	BASELINE[62]	MEANS OF VERIFICATION	RESPONSIBLE PERSON(S)	DATA SOURCE
Output 1.1. Legal framework strengthened	# of elections legislation reviewed and enacted	None	Quarterly	10	Count	SEPK M&E Officer	Enacted statutes
	# of legal reform emanating from the 2017 elections, political dialogue process and elections petitions implemented	None	Quarterly	0	Count	SEPK M&E Officer	Popular version
Output 1.2. Institutional framework for coordination of electoral processes strengthened	# of IEBC policies, procedures and systems finalized	None	Quarterly	12 policies in draft form	Count	SEPK M&E Officer	Policies, procedures
	# of ORPP policies, procedures and systems implemented	None	Quarterly	4 policies finalized and awaiting implementation	Count	SEPK M&E Officer	Policies, procedures
	# of officials trained on BRIDGE, corporate governance etc.	Male	Quarterly	26	Count	SEPK M&E Officer	Activity reports
		Female	Quarterly	19		SEPK M&E Officer	
	# of institutions supported to develop/ review strategic plans	None	Quarterly	IEBC strategic plan is ready for mid-term review	Document review	SEPK M&E Officer	Institutional strategic plans
	% public satisfaction with the conduct and roll out of the boundaries delimitation exercise	None	Quarterly	72%	Survey	SEPK M&E Officer	Survey reports
Output 2.1. More informed voters	# of stakeholders engaged in post-election electoral reform	County	Quarterly	13	Document review	SEPK M&E Officer	Activity reports

[62] Baselines informed by achievements and status by close of 2016

OUTPUTS	OUTPUT INDICATORS	DISAGGREGATION	FREQUENCY OF REPORTING	BASELINE[62]	MEANS OF VERIFICATION	RESPONSIBLE PERSON(S)	DATA SOURCE
	# of people engaged on boundaries delimitation	Channel	Quarterly	0	Document review	SEPK M&E Officer	Activity reports
Output 2.2 Increased participation of women voters	# of women stakeholders engaged on post-election reform	Sex	Quarterly	17	Document review	SEPK M&E Officer	Activity reports
	# of youth stakeholders engaged on post-election reform	Male	Quarterly	0	Document review	SEPK M&E Officer	IEBC reports
		Female	Quarterly	0	Document review	SEPK M&E Officer	IEBC reports
	# of PWD stakeholders engaged on post-election reform	Male	Quarterly	0	Document review	SEPK M&E Officer	Activity reports
		Female	Quarterly	0	Document review	SEPK M&E Officer	Activity reports
3.4 Election security and risk management with specific focus on women, youth, persons with disability and other special interest groups	# of grassroots CSOs capacity built on monitoring, documentation and reporting of human rights and GEWE in elections	Male	Quarterly	0	Field visits	SEPK M&E Officer	ESAP reports
Output 4.1 Increased capacity for just and timely electoral dispute resolution that protects all and especially women	# of EDR mechanisms capacity built	None	Quarterly	1	Document review	SEPK M&E Officer	IEBC reports
	# of stakeholders engaged in EDR process	None	Quarterly	5	Count	SEPK M&E Officer	PPDT reports
Output 5.1. Effective and functioning PMU established	# of donor meetings held	None	Quarterly	17	Document review	SEPK M&E Officer	Minutes
	# of SEPK technical and financial reports	None	Quarterly	4	Document review	SEPK M&E Officer	SEPK reports

Annex 3: Recommendations for strengthening coordination and implementation of SEPK

	Issue	Proposed solution	Action by whom	Action by when
1	Lack of sustaining regular coordination and reporting structures e.g. UNDP-UNW biweekly meetings	▪ Monthly meetings to include all agencies involved in the project ▪ The meetings will be held on the last Wednesday of every month, starting on Wednesday January 31, 2018 ▪ The meetings can happen over modern technology e.g. skype or telephone. ▪ Standing agenda for the meeting and a standard template for briefing the management of all the agencies on the proceedings of the meetings. ▪ PM and CTA will co-convene the meetings and share the proceedings of the meetings with the management of key agencies. ▪ Begin with the outcomes of this retreat. ▪ Set up a WhatsApp group for discussion of urgently emerging issues ▪ Half an hour of the agenda will be set aside for discussing topical issues around the project ▪ CTA to lead preparation of regular updates on key issues and countdown to 2022 – work on a concept note detailing the parameters to be covered in the update, the targeted audience and input from all the agencies into the update	TLs, CTA, PM	Immediately
2	Poor coordination between various ETAPs which led to a subtle competition especially between SEPK and KEAP	▪ Support IEBC in convening ETAPS ▪ Discuss in the interagency monthly meetings the outcomes of ETAPS meeting	CTA	On approval of 2018 AWP
3	Unclear and incomplete information and communication between country offices and headquarters	▪ Finance heads, the team leaders and the PM to get together and come up with a way forward	TLs	Before approval of AWP
4	Disjointed understanding of the roles of different officers in the project e.g. approval channels	▪ Keep the key agencies in the loop of all KEY communications within the project ▪ Make review of progress a standing agenda in the monthly meetings ▪ Set up a mailing list for PM, TL-GPS, TL-UNW and OHCHR	TLs	On approval of 2018 AWP
5	need to strengthen management of the project by empowering the PMU.	▪ Hold monthly/quarterly meetings with the CD to discuss the priorities for the quarter with CDs, DCDs, and TLs. ▪ Weekly meetings with Hop and TL, UNDP	CTA PM	Every quarter
6	No joint project monitoring missions with key stakeholders	▪ Include joint monitoring missions in the quarterly workplans	M&E Specialist	From 2018 AWP
7	The project was not officially launched to clarify the roles and expectations of key stakeholders.	▪ The PSC will provide a platform for clarifying roles and expectations of key stakeholders ▪ Revitalize the project stakeholder reference group – Present the membership to the PSC for adoption; Hold two SRGs during 2018	PM	On approval of the 2018 AWP

		▪ Once the workplan is approved, bring together all the key partners to inform of them of the key activities to be supported under AWP 2018	PM	On approval of 2018 AWP
8	Lack of flexibility in project implementation	▪ Consider flexibility (fast-track modality) in our partnerships with EMBs especially through DIM.	COs	For the next electoral cycle
9	Clarify working modalities from the beginning with all UN agencies partnering in elections	▪ Should start from the design of the new ProDoc, identify the different roles of each UN agency, draft the MoUs right from the beginning ▪ Engage UNODC to understand their reasons for pulling out of the implementation of the project – CTA to lead	PM	For the next electoral cycle
10	Politics superseded technical aspects. Interventions for project are on technical level but all interventions face risk since elections in Kenya are political, this requires constant engagement with key stakeholders and political parties.	▪ Undertake comprehensive political analysis as part of the project design and follow up on the findings ▪ Include politics as part of the risk framework of the project	CTA	By next PSC
11	Clarify the roles and composition of project management structures	▪ Revisit the discussion on the ToR and composition of the PSC, PDG, SRG ▪ Include detailed ToR for each of the project management structures in the new ProDoc	CTA	By next PSC
12	Make the project more client focused	▪ Undertake institutional capacity/needs micro assessments for partners before engagement	CTA	ASAP
13	Various UN agencies applied differing standards in dealing with some partner requests e.g. payment of DSA	▪ Clarify the norms and standards (eligible and ineligible expenditures, what is supported and the rationale for it) during the inception meetings ▪ Hold a meeting with UNDP-K Operations Manager, UNW TL and UNDP TL to agree based on the DSA and transport reimbursement	PM	On approval of 2018 AWP
14	Earmarking of funds limits the flexibility of the project to employ the resources in implementation of immediate project priorities	▪ Revisit the ideals of a basket fund – e.g. donors earmarking their funds for specific activities	KCO	In the next ProDoc
15	Strengthen the communications capacity of the PMU	▪ Employ a dedicated communications and conflict focal point for the PMU, in addition to the existing PMU members. ▪ Finalize a comprehensive staffing needs assessment on design of ProDoc for the 2022 Electoral Cycle	KCO	In the next ProDoc