



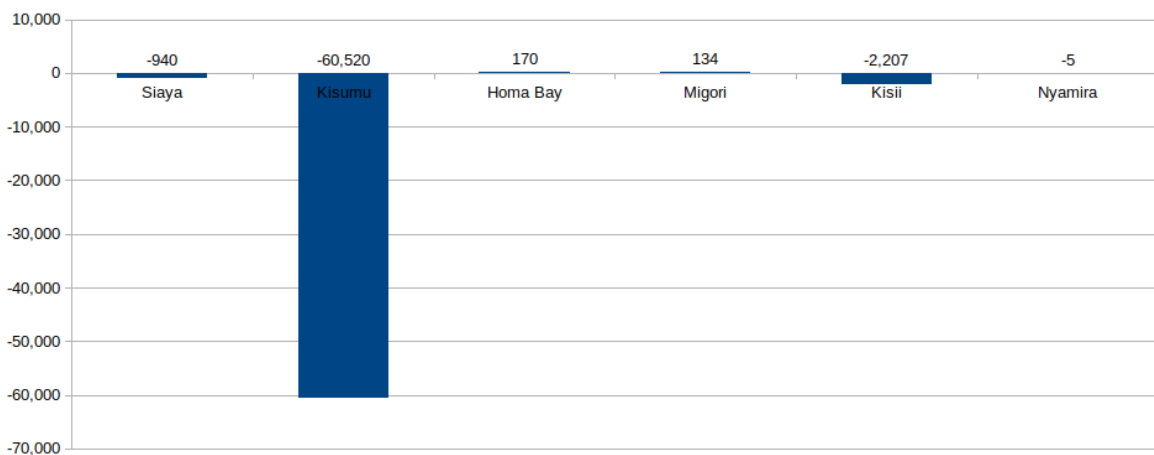
On Election Day, Kura Yangu Sauti Yangu, a coalition of civil society organisations in Kenya, deployed over 500 monitors in all the 290 constituencies to monitor and observe the election. KYSY has also received observations from the public in pictorial, video and written form.

KYSY has revealed important contradictions and major anomalies in the data released by the Independent Electoral and Boundaries Commission (IEBC) – particularly differences between the chairman’s formal announcement of final presidential results, and what is displayed on the website portal.

This important new update show that final results verbally announced by IEBC Chair, Wafula Chebukati, 11 August, are dramatically contradicted by the data displayed on the website portal. Every region (or former province) has major differences of valid votes. Totals in Nyanza, Western, Nairobi, Northeastern and Eastern show differences through totals of *decreased* valid votes; Central, Rift Valley, and Coast show differences through *increased* valid votes.

For example, in Kisumu, the IEBC’s verbal announcement was 60,520 votes *less* than what is in the portal.

**Example 1. Differences in Valid Votes in Nyanza**

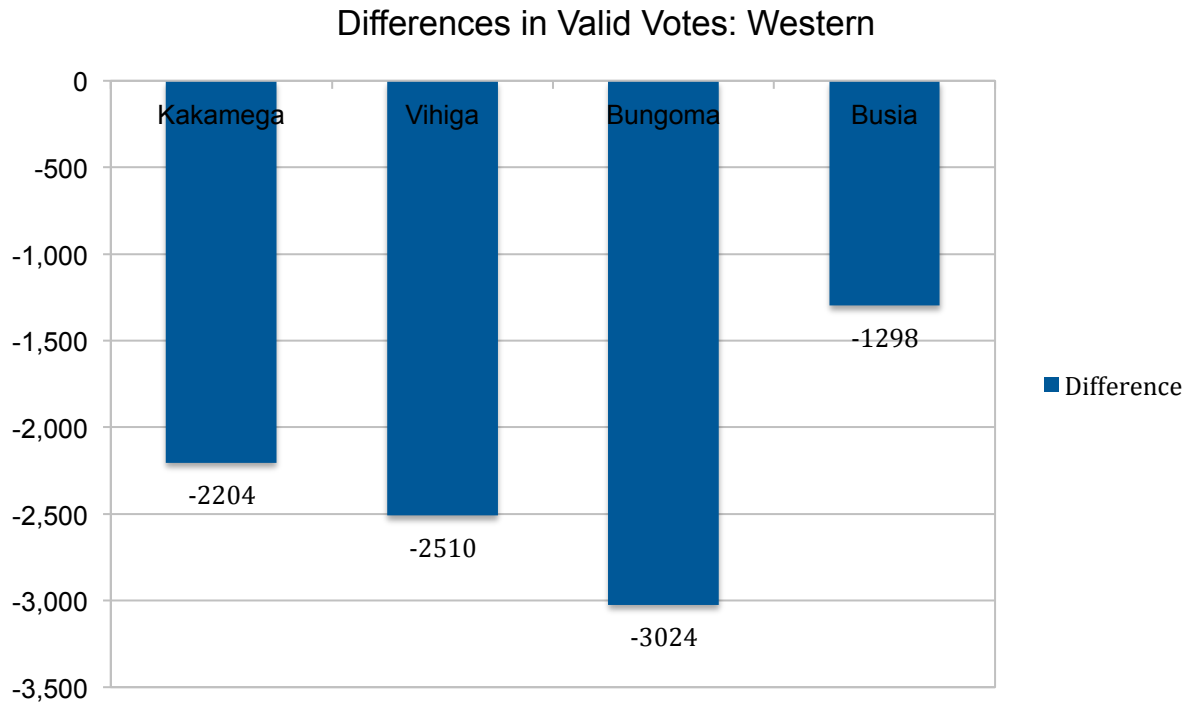


Here is the breakdown:

	Valid Votes Aug 11	Valid Votes Portal Aug 18	Difference
Siaya	379,080	380,020	-940
Kisumu	378,903	439,423	-60,520
Homa Bay	403,006	402,836	170
Migori	322,261	322,127	134
Kisii	403,665	405,872	-2,207
Nyamira	204,833	204,838	-5

**Overall, this is a sum total difference of -63,368 (less) valid votes in Nyanza**

## Example 2. Differences in Valid Votes in Western



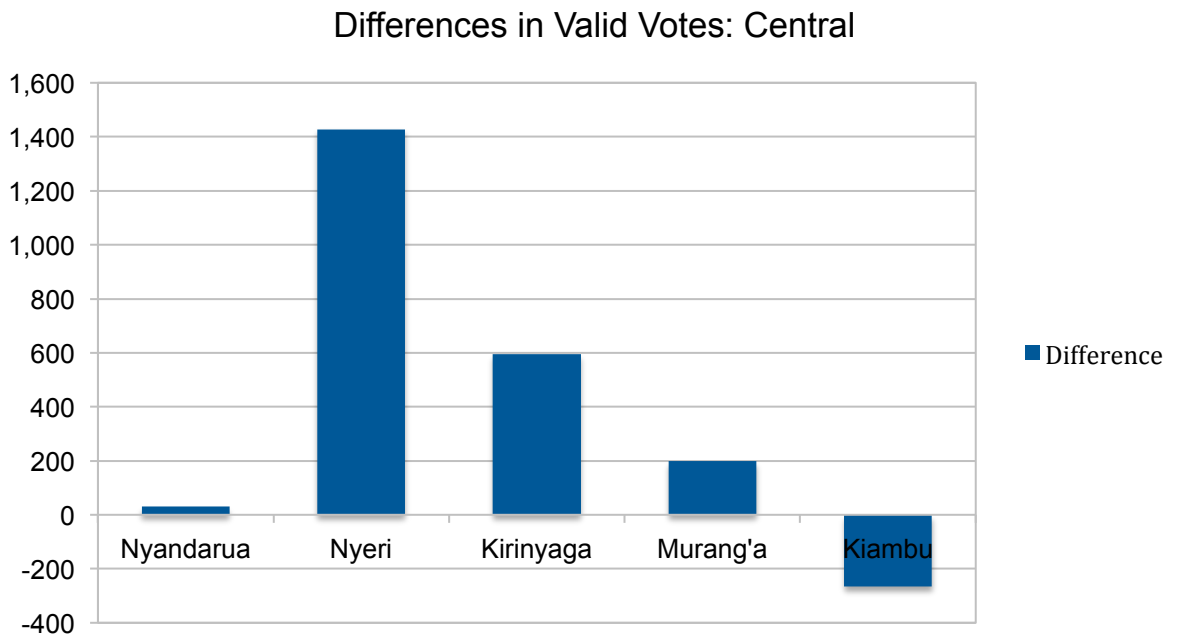
In the case of Bungoma, the results announced by Chebukati put the number of valid votes 3,024 less than the portal total.

Here is the breakdown:

	Valid Votes Aug 11	Valid Votes Portal Aug 18	Difference
Kakamega	553,377	555,581	-2,204
Vihiga	200,392	202,902	-2,510
Bungoma	418,612	421,636	-3,024
Busia	275,636	276,934	-1,298

**Overall this is a sum total difference of -9,036 (less) valid votes in Western.**

### Example 3. Differences in Valid Votes in Central



**In the case of Central, Chebukati's announced results on August 11th *increased* the number of valid votes compared to those displayed in the portal.**

Central Province Breakdown:

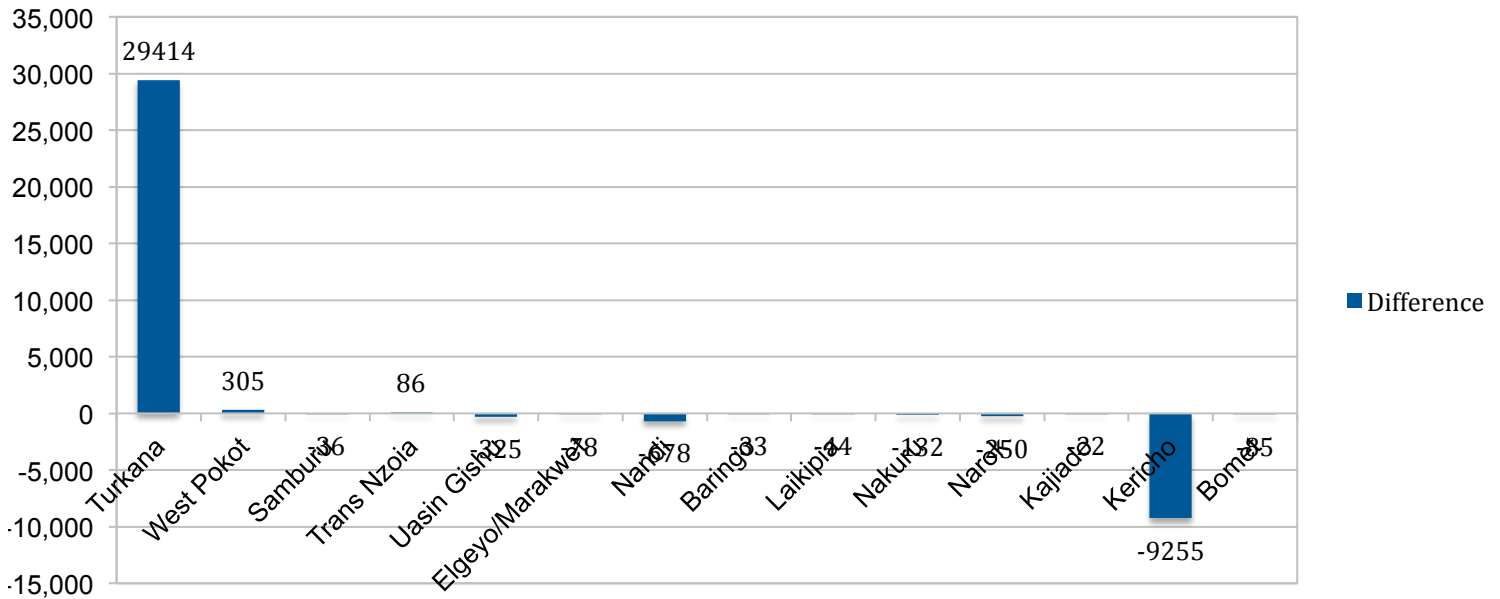
	Valid Votes Aug 11	Valid Votes Portal Aug 18	Difference
Nyandarua	289,514	289,484	30
Nyeri	395,936	394,509	1,427
Kirinyaga	301,856	301,261	595
Murang'a	509,006	508,808	198
Kiambu	985,152	985,417	-265

**Overall, this is a sum total difference of +1,985 (plus) valid votes in Central**

Rift Valley valid votes were also *greater* than those on the portal when Chebukati announced final results on 11 August.

**Example 4. Differences in Valid Votes in Rift Valley**

Differences in Valid Votes: Rift Valley



	Valid Votes Aug 11	Valid Votes Portal Aug 18	Difference
Turkana	160,912	131,498	29,414
West Pokot	151,086	150,781	305
Samburu	63,952	63,988	-36
Trans Nzoia	247,726	247,640	86
Uasin Gishu	341,575	341,900	-325
Elgeyo/Maraka	146,507	146,585	-78
Nandi	270,895	271,573	-678
Baringo	190,411	190,444	-33
Laikipia	199,502	199,546	-44
Nakuru	754,405	754,537	-132
Narok	281,961	282,211	-250
Kajiado	326,275	326,297	-22
Kericho	294,215	303,470	-9,255
Bomet	263,777	263,862	-85

**Overall, this is a sum total difference of + 18,867 (plus) valid votes in Rift Valley**

There were significant discrepancies in all eight regions, or former provinces, when Chebukati made the announcement on 11 August:

Coast totals of valid votes *increased*

**Coast: +143 (plus) sum total difference of valid votes**

Eastern, Nairobi and Northeastern totals of valid votes *decreased*

**Eastern: -2,787 (less) sum total difference of valid votes**

**Nairobi: -5,522 (less) sum total difference of valid votes**

**Northeastern: -1,634 (less) sum total difference of valid votes**

## **Section 2**

### **UPDATED: revised KYSY Press Statement of 17<sup>th</sup> August**

Revisions reflect changes of data on IEBC website

#### **Turnout**

1. After examining the number of votes cast in the presidential election, we found that there is a gap between what the IEBC verbally announced on August 11, what was being shown on the television screen at the time of the announcement, and what was in the portal the following day.

**Table 1: Discrepancies in Turnout<sup>1</sup>**

Voter Turnout as Announced by IEBC on August 11	15,073,662
Voter Turnout as Projected on National Television (from IEBC)	15,518,971
Voter Turnout as Recorded on the IEBC's Website	15,586,401

Since the IEBC's announced turnout is less than what its own portal was showing at the time of the announcement of presidential results, the validity and reliability of the IEBC's announced figures is questionable.

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1 . These figures were taken from two sources: the live broadcast of the IEBC's final declaration of presidential results on August 11, 2017 and the IEBC's portal as it stood on August 12, 2017.



The IEBC's portal shows varying levels of votes cast for the different elective offices. For instance, in Stream 2 of Kithare Primary School in Meru County (Njia Ward), there were 448 votes cast for president<sup>2</sup> but only 354<sup>3</sup> votes cast for Member of County Assembly. Given that the IEBC's regulations stipulate that every voter must receive and must cast six ballots, there is no reason for differing numbers of votes cast.

There is also evidence of turnout in excess of 100 percent:

- I. In Garissa Main Prison, there are 25 registered voters.<sup>4</sup> The portal shows that there were 18 valid votes and 25 rejected votes, totaling to 43 cast ballots.<sup>5</sup> This amounts to 172 percent turnout.
- II. In Kitale Medium Prison, there are 7 registered voters<sup>6</sup> but 9 total votes cast.<sup>7</sup> This is 129 percent turnout.
- III. In Manyani Prison, there are 157 registered voters.<sup>8</sup> There were 289<sup>9</sup> votes cast, which amounts to a turnout rate of 184 percent.
- IV. In Moyale Prison, there are 6 registered voters<sup>10</sup>, but there were 10 votes cast.<sup>11</sup> This is 167 percent turnout.

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2 . IEBC. August 18, 2017. "Elections in Kenya 2017. 012052025908502 info." Available at <[https://public.rts.iebc.or.ke/enr/index.html#/Kenya\\_Elections\\_Presidential/1/1012/1012052/10120520259/10120520259085/1012052025908502](https://public.rts.iebc.or.ke/enr/index.html#/Kenya_Elections_Presidential/1/1012/1012052/10120520259/10120520259085/1012052025908502)>.

3 . IEBC. August 18, 2017. "Elections in Kenya 2017. 012052025908502 info." Available at <[https://public.rts.iebc.or.ke/enr/index.html#/Kenya\\_Elections\\_Caw/1/1012/1012052/10120520259/10120520259085/1012052025908502](https://public.rts.iebc.or.ke/enr/index.html#/Kenya_Elections_Caw/1/1012/1012052/10120520259/10120520259085/1012052025908502)>

4 . IEBC. August 18, 2017. "Statistics per Polling Station." Available at <<https://www.iebc.or.ke/iebcreports/>>.

5 . IEBC. August 18, 2017. "Elections in Kenya. 049292145101801 info." Available at <[https://public.rts.iebc.or.ke/enr/index.html#/Kenya\\_Elections\\_Presidential/1/1049/1049292/10492921451/10492921451018/1049292145101801](https://public.rts.iebc.or.ke/enr/index.html#/Kenya_Elections_Presidential/1/1049/1049292/10492921451/10492921451018/1049292145101801)>.

6 . IEBC. August 18, 2017. "Statistics per Polling Station." Available at <<https://www.iebc.or.ke/iebcreports/>>.

7 . IEBC. August 18, 2017. "Elections in Kenya. 049292145105801 info." Available at <[https://public.rts.iebc.or.ke/enr/index.html#/Kenya\\_Elections\\_Presidential/1/1049/1049292/10492921451/10492921451058/1049292145105801](https://public.rts.iebc.or.ke/enr/index.html#/Kenya_Elections_Presidential/1/1049/1049292/10492921451/10492921451058/1049292145105801)>.

8 . IEBC. August 18, 2017. "Statistics per Polling Station." Available at <<https://www.iebc.or.ke/iebcreports/>>.

9 . IEBC. August 18, 2017. "Elections in Kenya. 049292145101701 info." Available at <[https://public.rts.iebc.or.ke/enr/index.html#/Kenya\\_Elections\\_Presidential/1/1049/1049292/10492921451/10492921451017/1049292145101701](https://public.rts.iebc.or.ke/enr/index.html#/Kenya_Elections_Presidential/1/1049/1049292/10492921451/10492921451017/1049292145101701)>.

10 . IEBC. August 18, 2017. "Statistics per Polling Station." Available at <<https://www.iebc.or.ke/iebcreports/>>.

11 . IEBC. August 18, 2017. "Elections in Kenya. 049292145102201 info." Available at <[https://public.rts.iebc.or.ke/enr/index.html#/Kenya\\_Elections\\_Presidential/1/1049/1049292/10492921451/10492921451022/1049292145102201](https://public.rts.iebc.or.ke/enr/index.html#/Kenya_Elections_Presidential/1/1049/1049292/10492921451/10492921451022/1049292145102201)>.

**Table 2: Turnout over 100%**

<b>Name of Prison</b>	<b>No. of registered voters</b>	<b>Valid votes Cast in the portal</b>	<b>Rejected Votes</b>	<b>Total Votes Cast</b>	<b>Percentage turnout</b>
Garissa Main Prison	25	18	25	43	<b>172</b>
Kitale Medium Prison	7	2	7	9	<b>129</b>
Manyani Prison	157	130	157	287	<b>182</b>
Moyale Prison	6	4	6	10	<b>167</b>

**Register of Voters**

2. The total number of registered voters has changed over time. At the end of the mass voter registration exercises, the total number of registered voters stood at 19,646,673. After KPMG’s audit and the IEBC’s subsequent clean-up of the Register, the certified total number of registered voters was 19,611,423. When the IEBC published the list of the number of presidential ballots allocated to each polling station, the number of registered voters totaled 19,613,846. When the IEBC announced the number of registered voters per county at the time of the declaration of presidential results on August 11, the total number of registered voters amounted to 19,637,061. There were differences between the certified Register and the IEBC’s figures in at least 47 out of 49 counties (including prisoners and diaspora).

**Table 3: Changes in the Register of Voters**

	Total Registered Voters	Change
Pre-Audited Register	19,646,673 <sup>12</sup>	
Certified Register	19,611,423 <sup>13</sup>	-35,250
Number of Registered Voters as shown in the Presidential Ballot Packing List	19,613,846 <sup>14</sup>	+2,423
Number of Registered Voters as Reflected in IEBC's Verbal Declaration of Results	19,637,061 <sup>15</sup>	+23,215
Overall Change (Certified vs Announced on August 11)		+25,638

It bears repeating that the register already carries more than one million dead voters, hundreds of thousands of shared identity cards and illegitimate entries as well as errors.

Overall, the total number of registered voters announced by the IEBC on August 11 is 25,638 voters larger than the certified total.

### **Rejected Votes**

3. When the IEBC verbally declared the presidential results, it did not announce the number of rejected votes. At the time of the declaration of presidential results, the television showed a total of 401,093 rejected votes. The IEBC's website currently shows that there were 403,495<sup>16</sup> total rejected votes cast in the presidential election.

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12 . KPMG. May 31, 2017. "Independent Audit of the Register of Voters," page 114. Available at <[https://www.iebc.or.ke/iebcreports/wp-content/uploads/2017/07/6.-Analysis-of-the-Register-of-Voters\\_Audit-of-the-register-of-voters\\_1.pdf](https://www.iebc.or.ke/iebcreports/wp-content/uploads/2017/07/6.-Analysis-of-the-Register-of-Voters_Audit-of-the-register-of-voters_1.pdf)>.

13 . IEBC. June 27, 2017. "Press Statement on the Certification of the Register of Voters." Available at <<https://www.iebc.or.ke/uploads/resources/XaOdS3fXgF.pdf>>.

14 . This total was calculated based on the number of polling stations and number of voters per polling station, as recorded in the General Election Presidential Pallet List 2017. This list is available at <[https://www.iebc.or.ke/resources/?General\\_Election\\_Presidential\\_Pallet\\_List\\_2017](https://www.iebc.or.ke/resources/?General_Election_Presidential_Pallet_List_2017)>.

15 . This is a summation of each county's registered voters, as announced by the IEBC on live television on August 11, 2017.

16 . This figure was listed on the IEBC's portal as of August 18, 2017 at 11:20. Available at <<https://public.rts.iebc.or.ke/results/results.html>>.

## **Presidential Results**

4. The number of valid votes as announced by the IEBC on August 11 is different from what is in the portal in every single county, with the exception of the diaspora. Some of these differences are due to the fact that the portal showed incomplete transmission from 5 counties as of August 16, 2017. Even in places where transmission is complete, however, the totals are different.

5. There are also differences between what the IEBC announced at the county level and what is reflected within the portal for the constituencies within the counties. For example, in Kisumu, the IEBC announced that the total valid votes in Kisumu totaled 378,903. When totaling the valid votes from each constituency within Kisumu in the portal, the total valid votes is shown as 439,423.<sup>17</sup> The IEBC's announced result, then, is 60,520 votes smaller than what is shown in the portal.

6. In Kericho, the IEBC announced total valid votes to be 294,215. The constituency totals within the portal show 303,470.<sup>18</sup> This is a difference of 9,255 votes.

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<sup>17</sup> . IEBC. August 18, 2017. "Elections in Kenya 2017. Kisumu." Available at <[https://public.rts.iebc.or.ke/enr/index.html#/Kenya\\_Elections\\_Presidential/1/1042](https://public.rts.iebc.or.ke/enr/index.html#/Kenya_Elections_Presidential/1/1042)>.

<sup>18</sup> . IEBC. August 18, 2017. "Elections in Kenya 2017. Kericho." Available at <[https://public.rts.iebc.or.ke/enr/index.html#/Kenya\\_Elections\\_Presidential/1/1035](https://public.rts.iebc.or.ke/enr/index.html#/Kenya_Elections_Presidential/1/1035)>.

### **Comparison of Forms 34A and Forms 34B**

A preliminary comparison of Forms 34A and Forms 34B demonstrates worrying inconsistencies.

**Table 4: Sample of Discrepancies in the Form 34A and Constituency Results Form 34B<sup>19</sup>**

<b>Name of Polling Station &amp; County</b>	<b>Form 34 A</b>	<b>Form 34 B</b>
Stream 2 -Emkwen Youth Polytechnic - Bomet	Total rejected votes <b>12/212 (unclear)</b>	Total rejected votes <b>2</b>
Stream 2 - Kambi Garba Polling Station - Isiolo	Total rejected votes <b>10</b>	Total rejected votes <b>8</b>
Stream 2 - St. Kizito Polling Station – Isiolo North	<b>2</b>	<b>0</b>
Stream 1 -Ramadhan Primary School Polling Station – Isiolo	<b>0</b> Votes for Kenyatta <b>150</b> votes for Wainaina <b>1</b> rejected vote	<b>150</b> votes for Kenyatta <b>0</b> votes for Wainaina <b>0</b> rejected votes
Stream 1 - Nyamecheo Primary School, Stream 1 - Kisii	<b>253</b> votes for Kenyatta <b>0</b> votes for Wainana <b>4</b> rejected votes	<b>0</b> votes for Kenyatta <b>253</b> votes for Wainana <b>0</b> rejected votes

**Table 5: Differences in Kisii Primary School, Stream 3 in Nyaribari Chache, Kisii**

<b>Candidate</b>	<b>Form 34A</b>	<b>Form 34B</b>
JA	0	2
MD	0	3
SJ	0	1
JK	0	0
UK	176	200
MW	0	0
JN	2	3
RO	297	176
Rejected Votes	3	0

<sup>19</sup> . These figures are taken from the Forms 34A submitted by KYSY observers and Forms 34B, as posted on the IEBC's website at <<https://forms.iebc.or.ke/form34b>>.

These differences are not only huge, but they point to serious problems with the election outcome as announced. At face value, they suggest the need for a full audit of the results the IEBC has released and reconciliation of announced results with the authentic documents from the polling stations. The amount of missing data, a full week after the election, calls into question whether the declaration of results could be made legitimately.

IEBC's opaque and unaccountable management of election results has already produced deadly consequences. In the aftermath of the announcement of the election results, violence in various parts of the country resulted in several deaths, 13 of which Kura Yangu attributes to police violence.

### **Police Violence**

Furthermore, Kura Yangu Sauti Yangu has received reports of the violent police dispersal of peaceful protests and gatherings through the use of excessive force in areas including Kondele, Mathare and Kibra (Olympic, Gatikwira and Bombululu). Live bullets, brutal beatings and teargas have been the police forces' weapons of choice. Three incidents of rape have been reported in Mathare after police broke into people's houses and forced the men out. We have also received reports of damage to property. The overall picture is one of grievous violations of the right to life, freedom of assembly and security of person and property.

Unlike what we have witnessed, the use of force, and in particular lethal force, should not be the default position for police in crowd control and management. In any case, the objective for use of force should be to subdue with the objective of effecting an arrest and not to perform execution-style killings. The use and deployment of all weapons, lethal and non-lethal, should be accounted for after every security operation to enhance individual and command responsibility.