

# Law Society of Kenya



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## PRESS RELEASE

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In line with the Law Society of Kenya (LSK) mandate to advance the rule of law, the LSK participated in election observation upon its accreditation by the IEBC as both long term and short term observers. The LSK deployed numerous volunteer observers from its membership distributed in various parts of the Country. The observers have been able to use an online LSK Election Observation Mission System (LEOMS) developed jointly with Sheriasoft, a legal technology start-up company.

The Law Society of Kenya is in the process of receiving and analyzing observer reports submitted via the LEOMS. A comprehensive report on the observation mission shall be issued after the conclusion of the ongoing election process.

Preliminary indications regarding the voting exercise itself, is that, it went on well apart from a few reported minor incidences. The electronic voter identification devices (EVIDs) largely functioned correctly and the process was completed without substantial disruptions in most of the polling stations.

On the 2<sup>nd</sup> August 2017 LSK observers witnessed the IEBC's demonstration of its Results Transmission System at the Bomas of Kenya and were impressed by the high level of transparency built into the system. The live demonstration shown to the members of the public, press, political stakeholders and members of the diplomatic corps one week before the election day showed to all the scanning of forms 34A from various polling

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stations, the transmission of results together with the scanned form and the receipt at the national tallying center of the results and scanned forms with the display of provisional results automatically updated by the system - all in real time. This was a demonstration of the IEBC's obligation under Section 39(1C)(a) of the Elections Act no. 24 of 2011 and Regulation 82 of the Elections (General) Regulations 2012. What was demonstrated then is not what the IEBC has done after the completion of the voting exercise, and with this omission, a critical element of transparency was lost.

Pursuant to Article 138(10) of the Kenyan Constitution the IEBC has seven days after the presidential election to declare the results of the election. We therefore plead with Kenyans to remain calm as we wait for the declaration of the results of the presidential election and of all other elective posts. And we remind political leaders and candidates that, for the election dispute resolution process, the Judiciary and the Bar are both adequately prepared.

For what remains of the election process which is the tallying of votes and verification of results we appeal to the IEBC to complete the same in a fair, transparent and credible manner as required under the Constitution and the Electoral Laws.

And lastly we urge all the security agents to remain professional, neutral and non-partisan when undertaking their duty of maintaining law and order. They are reminded that these duties include the protection of property and of all citizens' lives and the facilitation of every citizen's rights under the Constitution including the right to peaceably and unarmed, to assemble, to demonstrate, to picket and to present petitions to public authorities.



ISAAC E. N. OKERO,  
LSK, PRESIDENT

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