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PRESS RELEASE ON THE PRESIDENTIAL BALLOT PAPERS DUE DILIGENCE UPDATE AT AL GHURAIR PRINTING AND PUBLISHING LLC IN DUBAI, UAE.

1. BACKGROUND

Following a request for consultation from IEBC, and on our own behalf as a party, and further taking into account the public anxiety IEBC's preparedness was causing in the entire country, on 10th July 2017, Thirdway Alliance Kenya (TAKE) wrote to IEBC with specific proposals for their consideration in an effort to make the procurement of **Presidential Ballot Papers** transparent and credible. The 5 recommendations to IEBC were as follows:

- a. ***Supervision by Presidential agents at the printing of ballot papers.*** We proposed to that IEBC that it should involve all Presidential Agents in the supervision of the printing of the ballot papers and destruction of templates, typesets and any extra printing material upon completion of the printing process.
- b. ***Serialization & security features on the ballot paper.*** We proposed to IEBC that it should have unique and random serialization and security features so that ballot papers in one constituency cannot be used in another constituency in line with the High Court ruling and the directive that tallying of results at constituency level will be final.
- c. ***Count & seal all presidential ballot papers at printer's premises.*** We proposed to IEBC that it should ensure that counting and sealing of all Presidential Ballot papers by all the Presidential Agents should happen directly at the printer's premises.
- d. ***Breaking of seals at constituency level.*** We proposed to IEBC that it should ensure breaking of the seals at the 290 constituency headquarters should be witnessed by members of the public as well as agents of candidates, which will be the final tallying center of the Presidential results **AS PER THE LAST DECISION OF THE COURT OF APPEAL.**
- e. ***Install a tracking system.*** We proposed to IEBC that it should appoint an international logistics company with 'end to end visibility and tracking system' to monitor and track movement of presidential ballot papers during entire freight from the printer (in this case Dubai following the decision of the Court of Appeal) to the constituency headquarters.
- f. We also proposed to IEBC that access of the said tracking system should be availed to all Presidential Agents and selected observers.

2. OBSERVATIONS

On 27th July 2017, IEBC invited Presidential Agents and Members of the Press to visit Al Ghurair Press in Dubai to review the progress on the printing of the presidential ballot papers. The representative of Thirdway Alliance Kenya, observed as follows;

1. By the time the observers reached the printing press at 3pm on 27th July 2017, about 95% of the printing work for the Presidential Ballot Papers had been completed and packed in various pallets ready for export to Nairobi. No agent therefore supervised the printing, and we could not tell for sure that there was no mischief.
2. There were no modalities to count or even estimate how many ballot papers had been printed. A rough count revealed there were less than 70 constituency pallets in the warehouse when we expected, at least, 250 pallets if indeed, 95% of the work was complete. The Presidential ballot papers are packed in Constituency pallets, and where the constituency exceeds a meter in height, a second pallet is introduced. In total therefore, there should be at least 300 pallets ready for export. The purpose of this mission was to count the ballot papers and not to see the impressive technology. We are yet to do that and verify at least how many pallets will be coming to Kenya.
3. The Printer reported, under instructions from IEBC, that it had printed the required Presidential Ballot Papers including an extra 1% for every constituency to cater for inadvertently spoiled votes should a voter request an extra ballot paper. IEBC Commissioners present were tasked to explain the rationale of adding 1% of the ballot papers and up to what extent they can allow a voter to request extra ballot papers in the event the voter inadvertently spoils the first vote.
4. The Printer indicated that all the printing work will be completed by midnight of 27th July 2017 and the papers shipped to Kenya from Sharjah Airport in two charter flights. One departing on 30th July and the next on 1st August 2017.
5. The Printer and IEBC were requested by Thirdway Alliance Agent to ensure that they implement a tracking system with 'end to end' visibility to monitor the freight movement from the printer in Dubai to the Constituency headquarters where the pallet will be opened. There was no commitment from IEBC or the Printer that this will be implemented.
6. The Printer and IEBC were also requested by the Thirdway Alliance Agent to seal all the pallets with a serialized seal from the Printer's premises of which the Party Agents at the Constituency headquarter would confirm before breaking the same, but there seemed to be a lot of resistance to get this implemented. The printer promised to explore the possibility and revert back citing that they have never sealed any pallets with security printed material. We found that odd, because sensitive security papers such as bank notes and passports would require a much more complex tracking and sealing technology.

3. CONCLUSION

Thirdway Alliance therefore concludes that much as we are impressed by the Printer's capacity, quality and security features in the Presidential Ballot Papers, there remains serious gaps that can compromise the credibility of the 2017 Presidential General Election.

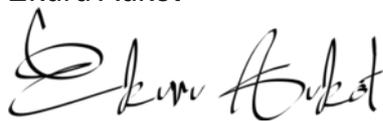
- a. We were not able to establish how many ballot papers had been printed prior to the due diligence visit.
- b. We were not able to get a confirmation from IEBC and the Printer that the ballot paper pallets will be sealed and neither did they confirm if there will be an 'end-to-end' visibility and tracking system deployed.
- c. We were not able to determine how IEBC will deal with outstanding ballot papers that could find their way in to the ballot boxes and the remedy when reconciling ballot paper count if the numbers did not tally with the un-used ballot papers, cast ballot papers and spoilt ballot papers.
- d. We did not count the number of ballot papers, take note of serial numbers of each constituency and we were not shown all the 290+ pallets ready for export. No one in the due diligence delegation can tell for sure how many pallets and how many ballot papers are in each pallet.

We therefore request IEBC to urgently and seriously consider the issues we have raised in a concerted effort to ensure Kenya holds a free, transparent and credible election on 8/8/2017.

As a party, we further conclude as follows: That IEBC can do better in its supposed bid to consult the stakeholders in the printing of the Presidential ballot papers. At the very minimum, the due diligence team should count and confirm the exact number of ballot papers printed, the number of results forms, serial numbers for each constituency and a physical count of the number of pallets being exported to Nairobi from Al Ghurair Printing and Publishing LLC.

With Kind Regards,

Ekuru Aukot



Party Leader
Thirdway Alliance Kenya

Tusipojipanga, Tutapangwa!