

# **NASA POSITION PAPER ON IRREDUCIBLE MINIMUMS BEFORE THE FRESH ELECTIONS ARE HELD:**

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## **1. Forms 34Bs**

- All Forms should be preprinted indicating names of polling stations and candidates.
- Returning Officers to physically fill in the Forms and make a formal announcement at the Constituency level. The above process to be done in the presence of agents, media, observers and the public.
- There should be no use of Excel documents in filling results Forms.
- All Forms to be standardized.

## **2. Printing of Ballot papers and Forms**

- Al Ghurair Company printed non standardized elections results declaration Forms which were used in the impugned presidential elections.
- Another printer should be contracted to print ballot papers and results declaration Forms in the fresh elections.

## **3. Election Monitors**

- Introduce election monitors selected from a multi-sectoral group to have a role in signing off for elections materials and results declaration forms at polling stations and the Constituency tallying center.
- Elections Monitors to sign off on the Forms 34As and 34Bs before the results are announced.

## **4. Returning Officers**

- A new slot of returning officers to be appointed for all the 291 constituencies.
- Current serving ROs to remain as Constituency Elections Managers and not play any role as Returning Officers in the fresh elections but provide logistical support to the appointed ROs.
- Appointment of ROs should be from a pool provided by political parties of nominees.
- Posting of ROs should be done through open balloting in public to determine constituencies where the officers are to be posted.

## **5. Results Transmission**

- No text messaging in sending elections results.
- Only scanned images to be sent through the KIEMS kit to the constituency and national tallying center.
- Commission to proactively announce exact number of persons who have voted at 5 pm based on tabulations from KIEMS Kits before the counting starts.
- Elections results to be announced at the Constituency level. Only scanned images to be sent through the KIEMS kits or results transmitted by Presiding Officers and Returning Officers may be tabulated.
- National tallying center should not display results before they are verified and announced at the constituency level. No results should be displayed unless political party and candidates' agents are given full access to all transaction logs and databases.

- National tallying center should only display scanned images of result Forms once publicly announced at the Constituency tallying centers.
- Media Houses should proactively cover all results announcements at the respective constituencies and show live feed of the outcome.
- Candidates' agents should be part of receiving teams at the constituency and national tallying centers. Receiving teams to verify all Forms 34As delivered and confirm that accurate entries are made on the Forms 34Bs and sign off before announcement is made.
- Observers should be allowed access to this process.

## **6. Candidate Agents and tallying center**

- Candidate's agents should be present at all levels and processes of the elections. These include the deployment and receiving of elections materials.
- Candidates should have IT agents present to oversee the entire IT infrastructure of the Commission and be present or have access at all data centers, where controls are maintained and servers hosted/configured.

## **7. ICT Infrastructure**

- Independent International Experts should be engaged to manage the entire ICT framework of the elections with close supervision of the Candidates agents and the IEBC.
- Results transmission system to be designed on the Oracle platform and overseen by Oracle Consulting. No use of cloud servers in results transmission.
- IBM was contracted to provide end to end security testing of the KIEMS system. IBM to be allowed to provide security and monitoring of users, networks and servers used in results transmission.
- Administrator and root accounts must be disabled on KIEMS servers. All system administrators accessing the servers must use their own accounts.
- IEBC to avail API to be made available to all stakeholders in time and relevant documentation.
- Commission should provide full information on the following;
- Entire ICT infrastructure, list of support partners and their respective Service Level Agreements (SLAS), full disclosure of implementation documentation by each partners.
- Firewall configuration including ports configuration.
- Disclose all database transaction logs including: alert logs, archive/redo logs, audit trail, data files, OS command history, network logs, sql.net logs database vault logs and trace files.
- Physical view and inspection of IEBC servers, portal access to the servers and IP addresses of all 20 servers.
- Full access and copy of all servers and databases it is using.
- Disclose all support partners with SLAs and escalation matrix.
- Disclose firewall configuration including ports configuration.
- Entire enterprise architecture of the landscape.
- GPS coordinates of KIEMS.
- KIEMS sim card numbers for all kits

- Telkom and network structure with all service providers (provide agreements and implementation details).
- Transaction logs of all databases and servers.

## **8. Polling Stations**

- IEBC should provide a list of all polling stations and registered voters per all those polling stations in advance. List should indicate the GPS locations of all polling stations and the network coverage.

## **9. Complicit Elections Personnel**

- A scrutiny of the Forms 34Bs from the constituencies showed that 80 constituency Forms were fake and therefore illegal. Officers who were complicit in processing results through these illegal Forms being the respective returning officers and national tallying center officers who allowed the illegal documents to pass as results should not play any role in the fresh electoral process.
- Officers who also facilitated the display of figures purporting them to be results but which at the Supreme Court hearing were disowned by the Commission as mere statistics should equally be barred from participating in the fresh elections.
- These officers include;
  - 1) Comm. Abdi Guliye
  - 2) Comm. Molu Boya
  - 3) Ezra Chiloba (CEO)
  - 4) Marijan Hussein Marijan
  - 5) Betty Nyabuto – Deputy Commission Secretary (Operations):
  - 6) James Muhati, Director ICT
  - 7) Immaculate Kassait:
  - 8) Praxedes Tororey:
  - 9) Moses Kipkogey
  - 10) Sidney Namulungu
  - 11) Nancy Kariuki
  - 12) Silas Rotich

Hon Musalia Mudavadi;  
Chair,  
National Campaign Committee  
September 12, 2017