



Kenya's Early Results Raise Concerns

Early results from Kenya's fresh election confirm that voter turnout was unusually low across the country, with the exception of regional strongholds for the ruling Jubilee party. Other concerns are changes in the Register of Voters, and contradictions between results streamed and the Results Forms (34A) now available on the portal of the Independent Electoral and Boundaries Commission (IEBC).

KYSY deployed approximately 2,000 observers in 44 of the 47 counties around the country to observe election and human rights violations. The observers are responsible for monitoring Election Day processes, and transmit photos of posted Forms 34A and Forms 34B. Analysis of the October 26th election is based upon their findings.

Results began streaming very quickly after polling stations closed at 5pm. Within just an hour, the IEBC had posted 516 forms. Within two hours, it had posted 8,830 forms – which is 22 percent of all the 40,883 results forms. At 8pm, three hours after the polls had closed, 16,264, or 40 percent of all forms had been posted.

When Chairman of the IEBC, Wafula Chebukati, spoke to the public at 9:12pm, he said that 27,134 forms had been posted. This number, which represents 66 percent of all forms, did not match what was posted on the portal at that time. In fact, the portal said that 18,090 forms had been posted at that moment. The discrepancy merits an explanation.

With Kenya's troubling history around the tallying and release of result, the speed raises concerns about the validity of the figures. The files IEBC has posted online show that pictures were being taken of the forms within 15 minutes of closing. That timeline implies that presiding officers were able to close their polling stations, complete the administrative procedures related to securing materials, count and tally votes, announce results and scan forms in 15 minutes. Speed of transmission was a key issue in the August election, raised by petitioners at the Supreme Court.

KYSY's initial analysis, as of 9:00pm on October 26, shows that voter turnout was low across the country. In fact, turnout only exceeded 50 percent in 35 percent of the stations included in preliminary analysis.

Streamed Results

At 9:08pm, the IEBC's streamed results on television showed that Raila had won 130 votes. Based on KYSY observers' photos of Forms 34A, he had garnered at least 3,093 votes by that time.

Registered Voters

The total number of registered voters in Kenya has changed again. When the Register of Voters was gazetted before the August 8 election, the total number of registered voters stood at 19,611,423. On August 11, when the IEBC announced the final presidential results, it announced the number of registered voters as 19,637,061. This change was never explained. This evening, the IEBC's streamed results on television showed that the total number of registered voters currently stands at 19,728,124. This change was not addressed by the IEBC.

Changes in the Register of Voters: June – October 2017

Date	Number of Registered Voters	Change
June 2017	19,611,423	N/A
August 2017	19,637,061	+25,638
October 2017	19,728,124	+91,063

Results Forms

On October 26, the IEBC Chairman announced that elections in Homa Bay, Siaya, Kisumu and Migori would be postponed until October 28. It is therefore extraordinary that, as of the evening of October 26, there are results forms from constituencies in Kisumu and Migori posted on the IEBC's public portal. If elections in these areas have been postponed, it follows that polling was not successfully completed.

How did the IEBC create results forms from these areas?

As of 12:34am on October 27, the IEBC portal contained a few Forms 34B, including one from Kisumu West, despite the fact elections in Kisumu are postponed until Saturday. Form 34B for Kisumu West indicates that the returning officer completed and signed the form with only 9 out of 142 Forms 34A from the constituency. The results contained on the form indicate that Raila received 0 votes and Uhuru won 50 votes.

This is incredulous given the boycott and previous voting patterns in the opposition stronghold.

KYSY reminds the IEBC and all stakeholders that there are still no published polling station results from the August election. Similarly, the IEBC never published polling station results from the 2013 elections. The failure of the Commission to release results casts serious doubt on the legitimacy of the final figures. The Supreme Court said in its' judgment that if the public could not see and cross check results, the election and the elected government lack public legitimacy.

The IEBC insists that those parts of the country that failed to vote on October 26th will vote on Saturday October 28th, when security issues have been 'resolved'. If the country is expected to go through yet another election, it is critical that results are published for the purposes of comparison, understanding and verification.

Initial Examples of Turnout

Polling Station	Stream	Constituency	County	Turnout
GAVALAGI PRIMARY	2	VIHIGA	VIHIGA	0.74
KAKEMER PRIMARY SCHOOL	1	Teso North	BUSIA	0.94
KAMUTHINI PRIMARY SCHOOL	1	KILOME	MAKUENI	2.51
KATHONZWENI PRIMARY SCHOOL	1	MAKUENI	MAKUENI	3.69
AWATAACK NURSERY SCHOOL	1	Teso North	BUSIA	6.20
MITAMBONI PRIMARY SCHOOL	5	KATHIANI	MACHAKOS	10.15
SONAYA SOCIAL HALL	4	MVITA	MOMBASA	11.06
KAWINDA SECONDARY SCHOOL	1	WUNDANYI	TAITA TAVETA	13.33
OLOMAYIANA NURSERY	1	kajiado west	KAJIADO	16.61
MOI PRIMARY	3	Kandunyi	BUNGOMA	19.25
PORT VICTORIA TOWN HALL	2	Budalangi	BUSIA	20.12
PORT VICTORIA TOWN HALL	3	Budalangi	BUSIA	20.32
MOI UNIVERSITY WEST CAMPUS POLLING STATION	3	TURBO	UASIN GISHU	25.30
MOI UNIVERSITY WEST CAMPUS	2	TURBO	UASIN GISHU	28.11
ST. JOHN PR. SCH	2	SAKU	MARSABIT	31.25
KAPENGURIA TRADING CENTRE	2	KAPENGURIA	WEST POKOT	31.43
PTOKOU PRIMARY SCHOOL	1	SIGOR	WEST POKOT	31.56
KAPENGURIA TRADING CENTRE	1	KAPENGURIA	WEST POKOT	32.90
KACHIBORA MARKET	2	cherangany	TRANS NZOIA	35.89
ORTUM BOYS PRIMARY SCHOOL	2	POKOT SOUTH	WEST POKOT	40.59
CENTRAL PRIMARY SCHOOL	3	MOIBEN	UASIN GISHU	42.56
GIRGIR	1	SAMBURU EAST	SAMBURU	44.50
KAPKORIS PRIMARY SCHOOL	1	KAPENGURIA	WEST POKOT	46.90
LORUBAE PRIMARY SCHOOL	1	SAMBURU EAST	SAMBURU	47.23
BARINA PRIMARY SCHOOL	1	RONGAI	NAKURU	49.45
KAPKENDUIYWA PRIMARY SCHOOL	2	KAPSERET	UASIN GISHU	49.55
BISHOP DELANY SECONDARY SCHOOL	4	TURBO	UASIN GISHU	49.56
BISHOP DELANY SECONDARY SCHOOL	2	TURBO	UASIN GISHU	49.82
BISHOP DELANY SECONDARY SCHOOL	5	TURBO	UASIN GISHU	51.49
MARIACHI VIA TREE NURSERY	1	SIGOR	WEST POKOT	59.09
AP LINE I (OPEN)	1	SAMBURUR WEST	SAMBURU	61.21
ST. JOSEPH PRIMARY SCHOOL	1	KAPSERET	UASIN GISHU	64.01
ROMBO GIRLS PRIMARY SCHOOL	3	KAJIADO SOUTH	KAJIADO	71.60
BIDII PRIMARY SCHOOL	1	MAKADARA	NAIROBI	72.36
ST. MARY'S SUGUT PRIMARY SCHOOL	1	EMGWEN	NANDI	74.81
CHEPKOIYWO PRIMARY SCHOOL	2	KESSES	UASIN GISHU	76.92
KIMBIBI PRIMARY SCHOOL	1	MWEA	KIRINYAGA	77.09
CENTRAL PRIMARY SCHOOL	3	NAIVASHA	NAKURU	78.45
KARLEL PRIMARY SCHOOL	1	CHESUMEI	NANDI	78.51
LAMAON CATTLE DIP STATION	1	AINABKOI	UASIN GISHU	80.00
ST MARTIN'S CHEPKEMEL PRIMARY SCHOOL	1	TINDERET	NANDI	82.04
KIGANJO YOUTH POLYTECHNIQUE	1	GATUNDU SOUTH	KIAMBU	85.74
KIBOI PRIMARY SCHOOL	1	KIHARU	MURANGA	87.23