



## **Kura Yangu Sauti Yangu: This is not Democracy**

Today's blockade of the court and intimidation of Supreme Court Judges, including a violent attack aimed at deputy Chief Justice Philomena Mwili, demonstrates why tomorrow's election must not go ahead.

The shooting of the deputy CJ's driver is the latest incident in a long line of attacks on the Supreme Court Justices since the majority judgment bravely annulled the August 8 election, citing 'illegalities and irregularities.' The lack of quorum today at the Supreme Court is a clear result of efforts to intimidate them from living up to their oath of office.

KYSY applauds the courage of CJ David Maraga and Supreme Court Justice Isaac Lenaola for respecting their obligations and duty by showing up to hear the citizens' petition seeking to delay tomorrow's poll.

Kenyans are heading to a poll that is illegal and dangerous. There are multiple and urgent reasons to call off the October 26 election now, including:

- today's High Court ruling that the gazettelement of Constituency and Deputy Constituency Returning Officers by the Independent Electoral and Boundaries Commission was done in an illegal manner;
- the pressures exerted on the IEBC by partisan political interests meaning it does not act as an independent body and is not perceived as one. It has been unable to carry out the necessary reforms to comply with the Supreme Court judgment demanding a credible and accountable fresh election;
- that the National Returning Officer, Wafula Chebukati, is clearly in a state of fear, having made public the multiple failings and inadequacies of the IEBC, and confirming the reasons why Commissioner Rose Akombe fled into exile;

- that withdrawal of the opposition leader, demanding meaningful electoral reforms before another election can be held, renders the process and results of the planned election illegitimate.

There are continuing reports of communities preparing for conflict as election materials are delivered in the counties with an intimidating show of force. Kenyans are being threatened with dire consequences whether they vote or not in an increasingly sinister environment. This is not democracy.

KYSY urgently reminds political leaders that only political dialogue can stave off the pending catastrophe. By no standards can conditions in Kenya be said to be suitable for a fresh presidential election, with so many citizens in fear for their lives and unable to exercise freedom of choice.

KYSY reiterates its commitment to democracy, accountability and justice, and will expose electoral violations and monitor acts of violence by state and non-state actors. It will demand accountability and justice for this reckless pursuit of an illegal election, regardless of the consequences to lives, property and the future of Kenya.

25<sup>th</sup> October, 2017

**Kura Yangu, Sauti Yangu (KYSY)** *is a citizen movement whose mission is to proactively support Kenya's preparations for the 2017 elections with a view to ensuring that the country minimizes the risks related to dysfunctional electoral systems and practices.*

*KYSY is also committed to promoting political dialogue across the country. We believe that political consensus on the elections will increase public confidence and ultimately make both the process and results more credible and legitimate, and therefore contribute to the overall state of political certainty and stability of the country.*

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