



**Elections
Observation
Group**

CREDIBLE, PEACEFUL, FREE AND FAIR ELECTIONS

ELECTIONS OBSERVATION GROUP PRELIMINARY STATEMENT

ELOG is a long-term and permanent national platform for civil societies, faith-based organizations and other key stakeholders interested in promoting citizen participation in the electoral processes, through non-partisan, impartial domestic observation and objective reporting of the referendum, as well as future elections and referenda in Kenya.

ELOG seeks to promote peaceful, credible, transparent, accountable, free, fair, and inclusive elections through consistent election monitoring and observation. In order to achieve the foregoing, ELOG has put in place an elaborate and holistic infrastructure that will combine general observation with Parallel Vote Tabulation (PVT) and thematic observation. ELOG has developed a well thought out infrastructure to support in the delivery of its mandate. ELOG has recruited, trained and deployed more than 10,000 general observers spread out in the whole country and 702 Parallel Vote Tabulation (PVT) observers in sampled polling stations. Apart from the referendum day observers, ELOG has been observing the conduct of all the stakeholders in the campaign period. It is from this experience that ELOG has found it necessary to state its observations and concerns.

In order to ensure a functional and efficient infrastructure to deliver on election/referendum observation, ELOG has put in place a formidable team of professionals and experts in various fields. ELOG also has the benefit of the backing and support of veteran election monitoring and observer organizations in Kenya. These are the founder members as well as the backbone of ELOG. They are the Centre for Governance and Development (CGD), the Institute for Education in Democracy (IED), the Constitution and Reform Education Consortium (CRECO), the Consortium for Empowerment and Development of Marginalised Communities (CEDMAC), the Supreme Council of Kenya Muslims (SUPKEM), the Ecumenical Centre for Justice and Peace (ECJP) and the United Disabled Peoples of Kenya (UDPK).

PVT Background

Parallel Vote Tabulation (PVT) has been developed and applied in more than thirty countries around the world including the Philippines, Serbia, Albania, Ukraine, Georgia, Chile, Indonesia, Peru and Lebanon. The PVT exercise is able to provide independent and systematic verification of the counting and tabulation process during the day of elections and referenda.

In the African context it has been applied successfully in several countries including Zimbabwe (2007), Ghana (2008), Malawi (2008) and Zambia (2008). Recently in Zambia, Ghana and Malawi, PVT has helped to reduce mistrust in the tallying process by providing rapid independent verification of the voting process.

In Kenya, the 2010 Referendum has provided an opportunity for a pilot PVT project using the latest technology and methodologies to carry out a PVT exercise for the first time. ELOG has successfully conducted this exercise receiving very high levels of reports from the observers who have been deployed to a nationally representative sample of polling stations across the country.

The PVT Sample

A PVT involves deploying highly trained, accredited observers to a representative random sample of polling stations to collect data on the conduct of the voting and counting process as well as to record the official vote count for the polling stations. Unlike an exit poll, a PVT does not involve observers asking voters for whom they voted. With a PVT, it is the polling officers who count the ballot papers and the PVT observers record the official figures. The official vote counts from the representative random sample of polling stations are then independently added together to estimate the results.

ELOG's Pilot PVT employed a nationally representative random sample of 502 polling stations drawn by experienced statisticians from the official list of polling stations provided by the Interim Independent Electoral Commission. The sample contains polling stations in all 210 constituencies of the eight provinces of Kenya.

PVT Observers

Data for the PVT was collected by 502 PVT Observers. These PVT observers were carefully selected from ELOG's overall 11,000 observers. They represent the most qualified and reliable of ELOG's observers. All PVT observers received additional training on how to undertake the PVT observation on referendum-day and how to collect and transmit the PVT data using text messaging. As part of the extensive training, PVT observers were given a detailed manual covering all aspects of the PVT. PVT observers, like all observers, were accredited by the Interim Independent Electoral Commission. All ELOG observers signed ELOG's

Pledge of Neutrality. This required them to be nonpartisan, abide by the Interim Independent Electoral Commission's Code of Conduct for Observers, and to provide only accurate and unbiased reports. A full simulation exercise of all aspects of the communication system was conducted ahead of referendum-day itself. This involved the 502 PVT observers in all 210 constituencies sending text messages to the ELOG Observation Center.

Reporting by PVT Observers

PVT reports were sent from sampled polling stations via specially formatted text messages and received directly into ELOG's PVT database. This was done to ensure the rapid and accurate transmission of information and to prevent data entry errors.

ELOG informed the Independent Interim Electoral Commission, Referendum Committees and other stakeholders of its plans to conduct a PVT. As of this morning ELOG had received all PVT reports from the sample. PVT reports have been received from all 210 constituencies in the eight provinces. All PVT data was checked for internal consistency. The PVT data reflects official vote counts from sampled polling stations as announced by the polling officers. It should be noted that because the PVT data is based on a sample of polling stations, the PVT results should not necessarily match the official results exactly, but rather the official results should fall within a range of values statistically estimated from the PVT data.

REFERENDUM DAY PROCESS

Opening and Set-up

ELOG observers reported that majority of the polling stations (98%) opened on time. Almost all (99%) of polling stations were set up so that voters could mark their ballots in secret. In 69% of the polling stations, both "Yes" Referendum Agents and "No" Referendum Agents were present during the opening. Only 7% of polling stations had neither a Yes or No Referendum Agent.

Voting

ELOG did not observe any major incidents through the voting process. In almost all of the polling stations no one attempted to disrupt the voting process (99%). Overall, ELOG was generally satisfied with the management of the voting process

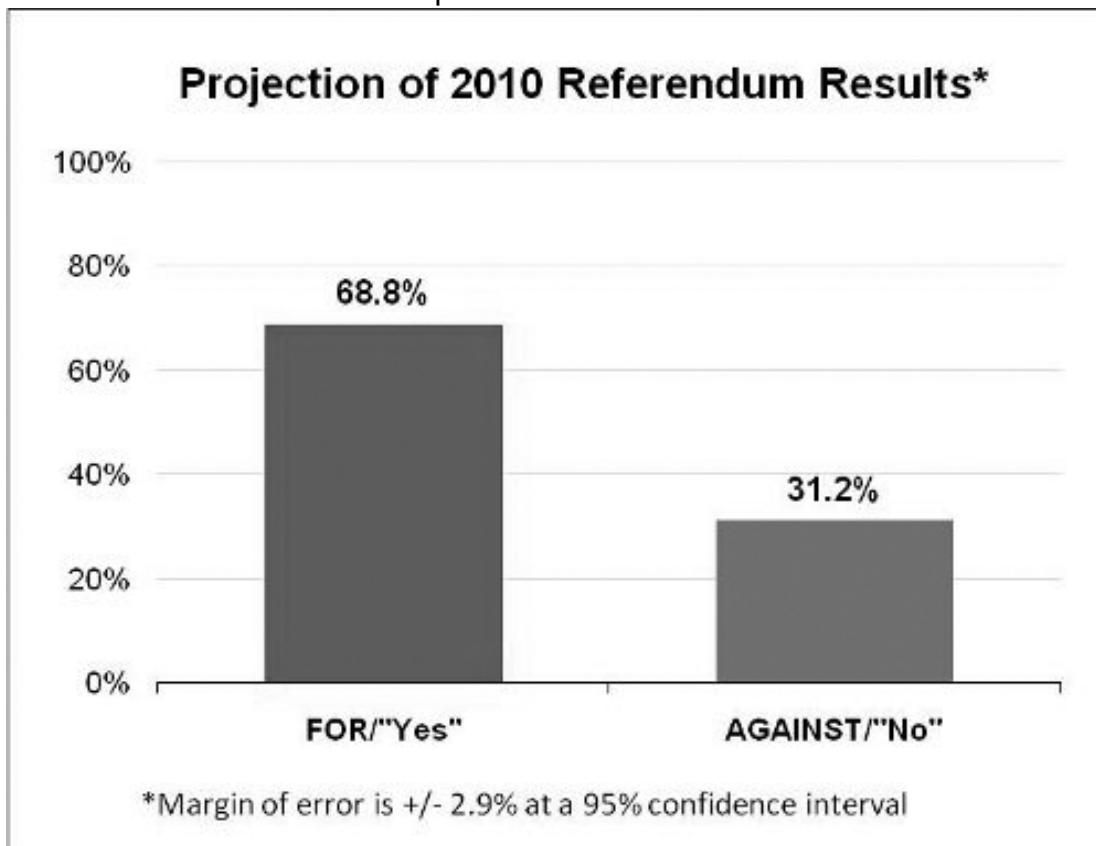
Closing and Counting

In nearly all of the polling stations (99%), the ballot box seals were intact and the ballot papers were displayed to Referendum Committee Agents and observers before counting. Referendum Committee Agents requested recounts in only 4%

of polling stations. Referendum Committee Agent signed the results form (Form 6) in nearly all of the stations (98%) where they were present. A copy of the results form (Form 6) was affixed publicly outside of most polling stations (90%). Most polling stations (98%) reported that no one attempted to intimidate or influence election officials during the counting process.

PVT Referendum Results and Final Turnout:

ELOG wishes to note and to remind all Kenyans that it is the IIEC which is constitutionally mandated to declare and announce the final, official results of the Referendum. What we share with Kenyans are therefore, a projection of the results based on the PVT sample.



The PVT projection for final turnout is 72.5% with a margin of error of +/- 1.7%. It is worth noting that the "Yes" side of the Referendum surpassed the 25% majority required in at least five of the eight provinces. ELOG projects 68.8% for the YES and 31.2% for the NO with a +/-2.9% margin of error.

Conclusion:

ELOG is confident that the process and the results reflect the wishes of Kenyan voters. We would like to appeal to all Kenyans to respond to the results in a

constructive manner, to remain calm, and to provide the Interim Independent Election Commission with the space necessary to finalize the tallying process. ELOG will provide Kenyans with a comprehensive picture of the final results once we receive all data and information from our general and PVT observers. We also appeal to all Kenyans, especially the Referendum campaign sides to act responsibly and in the interests of the nation. Kenyans have been able to exercise their democratic rights and therefore we are all winners regardless of how we voted. This is an important milestone in Kenya's democratic consolidation and development. We urge all the stakeholders to support the implementation of the new Constitution so that we move forward together.

May God Bless You and God Bless Kenya
Thank You

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