



Independent Review Commission



Kenyatta International Conference Centre
2nd Floor
P. O. Box 46846
00100 NAIROBI

Tel: 221125/6
E-mail: irec@dialoguekenya.org

NOTICE TO THE PUBLIC

By *Kenya Gazette* Notices Nos.1982 and 1983, published on the 14th day of March 2008, the President of the Republic of Kenya appointed this Commission under the Commissions of Inquiry Act (Cap. 102) to inquire into all the aspects of the December 2007 General Election in Kenya with particular emphasis on the Presidential Election. The Commission's terms of reference are to –

- (a) *analyze the constitutional and legal framework to establish the basis for the conduct of the 2007 elections and to identify any weaknesses or inconsistencies in the electoral legislation;*
- (b) *examine the organizational structure, composition and management systems of the Electoral Commission of Kenya to assess its independence, capacity and functioning during the preparation and conduct of the 2007 elections;*
- (c) *examine the public participation in the 2007 electoral process and the electoral environment, including the roles and conduct of the political parties, media, civil society and observers;*
- (d) *investigate the organization and conduct of the 2007 electoral operations including: civic and voter education, training, voter registration, logistics and security, polling and counting, vote tabulation and results processing, and dispute resolution;*
- (e) *investigate the vote counting and tallying for the entire election with special attention to the presidential elections in order to assess the integrity of the results and make recommendations for improvements, adjustments or overhaul of the system;*
- (f) *assess the functional efficiency of the Electoral Commission of Kenya and its capacity to discharge its mandate;*
- (g) *perform any other tasks that the Commission may deem necessary in fulfilling the foregoing terms of reference;*
- (h) *recommend –*
 - (i) *electoral reforms including constitutional, legislative, operational and institutional aspects, as well as on accountability mechanisms for Electoral Commission of Kenya Commissioners and staff pertaining to electoral malpractices, in order to improve future electoral processes;*
 - (ii) *such other legal or administrative measures as the Commission may deem necessary;*

and to report these findings and any recommendations within six months.

Pursuant to the said mandate the Commission has commenced its investigations into the matters stated above and will, upon completion of its work, submit its findings to the President of the

Republic of Kenya and the Panel of Eminent African Personalities. The Commission's report shall be made public, in English and Kiswahili, within 14 days of submission.

In order to accomplish this important responsibility, the Commission will require maximum cooperation and assistance from members of the public, public officers, political parties, candidates, the media, civil society, faith-based organizations, private sector groups, observers and any other stakeholders in the electoral process.

The Commission also intends to hold public meetings in due course, to receive views and information of a general nature from various stakeholders on days and dates and at locations within the different regions of Kenya. The Commission also intends to hold formal hearings in Nairobi, and such other places as it may determine, to receive testimony on matters relevant to the inquiry. Details of such public meetings and formal hearings will be published in due course.

Consequently, the Commission wishes to invite any member of the public who has information which may help it to discharge its responsibilities regarding the matters set out above to submit the same to the Secretary to the Commission. Submissions may be made in writing or presented orally before the Commission. Anyone who wishes to make oral presentations to the Commission at the formal hearing shall indicate such wish through a written note briefly setting out the substance of the submission. Any person who wishes to be heard in confidence can, in the written note, request to do so and such request will be respected.

All information shall be treated in strict confidence and shall be used only for the purposes for which the Commission was appointed. Those who provide information may be required to give further evidence or particulars. Information and other communication should be submitted either by hand at the Commission's secretariat or by post or e-mail to:

**Secretary
Independent Review Commission
2nd Floor, Kenyatta International Conference Centre
P. O. Box 46846
00 100 Nairobi**

Email: irec@dialoguekenya.org

to reach him on or before **May 16, 2008 at 4.00 p.m.**

**JOHANN KRIEGLER
CHAIRMAN**