



## Fundamental freedoms respected in Kenya's general elections, but procedural shortcomings demonstrate the need for improvements

**Nairobi, 11 August 2022** – The Chief Observer, Mr. Ivan Štefanec, Member of the European Parliament from Slovakia, presented today the preliminary findings of the European Union Election Observation Mission (EU EOM) on the 9 August general elections in Kenya.

*“Kenyan voters cast their votes patiently in six levels of general elections which offered voters a real choice of candidates and fundamental rights were generally respected throughout the course of the campaign. Last-minute changes to the election process showed that procedural elements still stand to be improved.”* said Mr Štefanec at a press conference in Nairobi today.

On election day, opening, voting, and counting took place generally in line with established procedures, but key integrity measures were at times not followed, especially in counting procedures. The EU EOM notes that the tabulation process is ongoing, and its observers will remain in the country until the completion of the electoral process.

The legal framework provides a good basis for holding democratic elections, but more could have been done to reform electoral legislation between elections as well as to implement the affirmative action elements of the 2010 Constitution. The presidential race had the highest profile, but the importance of gubernatorial races showed the rising significance of the constitutional devolution of power.

While the preparatory stages of the elections were managed effectively and professionally by the Independent Electoral and Boundaries Commission, as election day approached, important uncertainties persisted that impacted election day procedures. Many of these decisions could have been considered sooner but were instead dealt with as they emerged, in some cases due to prolonged litigation.

*“Lack of proper campaign finance framework damaged the campaign environment, and created an unlevel playing field, disadvantaging those with less access to funds, especially women, who made up only 12 per cent of the candidates.”* said Mr Štefanec.

The media were covering the elections extensively, though some bias in broadcast media was noted, in particular in the vernacular radios. Social media were used extensively throughout the campaign, but disinformation with elements of coordinated inauthentic behaviour was also spread via online platforms.

*Ms. Evin Incir, Head of the delegation of the European Parliament from Sweden said: “These general elections have so far been peaceful, and I wish to congratulate the Kenyan people. I am particularly pleased that one of the reasons is the fact that during this campaign the focus was much more on socio-economic issues. Nonetheless, the electoral process still faces some challenges which should be addressed to enhance public trust.”*

The EU deployed over 180 observers from EU Member States as well as Canada, Norway and Switzerland for the general elections. The EU EOM will remain in Kenya to assess the complaints and appeals process as well as a possible second round of the presidential election.

The EU EOM operates under a separate and distinct mandate from the EU Delegation in Kenya and it is independent in its findings from EU Member States and all EU institutions.

For further information, please contact the press office of the EU EOM Kenya 2022.

Marek Mracka, Press Officer - [marek.mracka@eomkenya2022.eu](mailto:marek.mracka@eomkenya2022.eu); +254 712 07 09 07