

NEW REPORT EXAMINES LESSONS LEARNED FOR KENYA'S JUDICIARY AHEAD OF 2017 ELECTIONS

(Nairobi, Kenya) February 26, 2016 - Kenya's Judiciary has played a positive role in resolving electoral disputes under the Constitution and continues to make progress in instilling confidence in the Kenyan public, according to a new report.

The International Development Law Organization (IDLO) and the Judicial Training Institute (JTI) today launched a new publication titled *Balancing the Scales of Electoral Justice: Resolving Disputes from the 2013 Elections in Kenya and the Emerging Jurisprudence* which analyzes lessons learned from Kenya's 2013 General Elections, and the critical role of the Judiciary in resolving electoral disputes.

The publication addresses key issues from the 2013 elections relevant to Kenyan institutions, the Judiciary, contestants in elections, those intending to file election petitions, as well as the wider Kenyan electorate who can benefit from a greater understanding of the processes and jurisprudence developed regarding electoral dispute resolution in Kenya.

In Kenya, electoral dispute resolution remains a critical element in the electoral cycle that helps secure the integrity of elections and also curbs electoral-related violence. With the 2007 post-election violence in mind, establishing effective, timely and fair electoral dispute resolution processes under the Judiciary continues to be a priority in the run up to the General Elections in 2017.

The Constitution of Kenya 2010 mandates expeditious and fair electoral dispute resolution, consistent with the standard of international frameworks. Substantive discussions analyzed the 2013 Kenyan election dispute resolution process to this end, while also highlighting ongoing efforts and preparations underway for the 2017 elections - including issues of key concern - gender, evidence, and alternative justice mechanisms.

The publication was launched by Chief Justice Willy Mutunga, together with the Judicial Committee on Elections' Strategic Plan and the JWCEP 2012-2015 Final Report. These documents were also supported by IDLO and provide a roadmap of operations to build upon past achievements and advance ongoing electoral transformations in Kenya. The joint launch highlighted successes, lessons learned and recommendations arising from the 2013 election experience to ensure preparedness of the Judiciary to resolve disputes in 2017.

ENDS /

For further information, please contact Kimberly Brown, IDLO Field Program Manager - Kenya, on kmbrown@idlo.int.

Notes to editors:

The publication is being launched in the context of a two-day EDR stakeholder forum, convening a variety of actors including representatives of government bodies, academia, civil society, as well as members of the Judiciary and key institutions (Judiciary Committee on Elections (JCE), Judiciary Working Committee on Election Preparations (JWCEP), National Council on the Administration of

Justice (NCA)). This project was jointly developed thanks to the support of DANIDA.

International Development Law Organization (IDLO)

The International Development Law Organization (IDLO) is the only intergovernmental organization exclusively devoted to promoting the rule of law. IDLO works to enable governments and empower people to reform laws and strengthen institutions to promote peace, justice, sustainable development and economic opportunity. Its programs, research and policy advocacy cover the spectrum of rule of law from peace and institution building to social development and economic recovery in countries emerging from conflict and striving towards democracy.

IDLO has its headquarters in Rome, a Branch Office in The Hague, liaison offices for the United Nations in New York and Geneva, and country offices in Afghanistan, Honduras, Indonesia, Kenya, Kyrgyzstan, Liberia, Mali, Mongolia, Myanmar, Somalia, South Sudan and Tajikistan.

IDLO is pleased to count Kenya among its Member States, and was honored to provide technical assistance to the Committee of Experts in Constitutional Review during the process to design the Constitution of Kenya, 2010. Currently, IDLO is providing technical support to the Judiciary, the Ministry of Devolution and Planning (MDP), the Council of Governors, the National Treasury, the Kenya Law Reform Commission (KLRC) and the Kenya National Commission on Human Rights (KNCHR) in implementing the Constitution through legislative, policy and institutional reforms.

Judiciary Training Institute (JTI)

The JTI is the organ of the Kenyan Judiciary which is responsible for meeting the training, research and capacity development needs of Judiciary staff. JTI performs this mandate in part through various training programs and seminars, public lectures, research, and other forms of discourses targeting all cadres of Judiciary staff, and, where appropriate, members of the academy, other organs of state and the public at large. As the Judiciary's institute of higher learning, the JTI is leading the Judiciary, in line with Judiciary Transformation Framework, in facilitating the growth of jurisprudence and judicial practice as the lifeblood of the institution. The JTI is the judicial think tank: an institute of global excellence and the nerve centre of rich intellectual exchange. It interfaces between the Judiciary and contemporary developments in society, on the one hand, and learning interaction between the Judiciary and other agencies, on the other. The JTI provides the intellectual anchor in making Kenya's courts the hearth and home of a robust and functional jurisprudence that meets the aspirations of Kenyans.