

PUBLIC NOTICE

Kenyan National Dialogue and Reconciliation

Outputs and Timeline

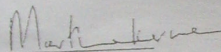
The Commission of Inquiry will start its work within 30 days following the appointment of its members. It will operate for three months, with an additional month if required. At the conclusion of its work it will submit a final report of its findings and recommendations to the President of Kenya, with a copy to the Panel. Main findings of the report will be made public within 14 days of submission, although certain aspects of the report or annexes may be kept confidential in order to protect the identity of witnesses or persons accused.

Financing/Logistics

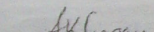
The Commission of Inquiry will be funded by the Kenyan Government and the Trust Fund for National Dialogue and Reconciliation, including support from donor states or foundations. It will receive logistical support from the AU and the UN.

Signed on this day, 4 march 2008

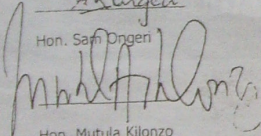
On behalf of Government/PNU:



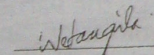
Hon. Martha Karua



Hon. Sam Ongeri

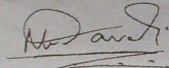


Hon. Mutula Kilonzo

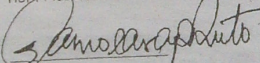


Hon. Moses Wetang'ula

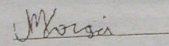
On behalf of ODM:



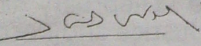
Hon. Mpsalia Mudavadi



Hon. William Ruto



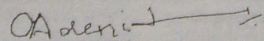
Hon. Sally Kosgei



Hon. James Orengo

Witnessed by:

For the Panel of Eminent African Personalities



H.E. Oluyemi Adeniji

Session Chair

INDEPENDENT REVIEW COMMITTEE

Terms of Reference

The members of the Panel of Eminent African Personalities (The Panel), together with the Parties to the National Dialogue and Reconciliation:

Recalling the 14 February 2008 agreement by the Parties, witnessed by H.E. Kofi Annan for the Panel of Eminent African Personalities, to establish an Independent Review Committee, a non-judicial body, which would be man-

dated to investigate all aspects of the 2007 Presidential Election and make findings and recommendations to improve the electoral process;

Agreed that the Independent Review Committee (IREC) will be established under the Commissions of Inquiry Act, and will conduct its mandate in accordance with the following Terms of Reference:

Key Activities

The activities of the IREC shall be:

- Analysis of 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;
- Examination of the organizational structure, composition, and management systems of the Electoral Commission of Kenya (ECK) to assess its independence, capacity and functioning during the preparation and conduct of the 2007 elections;
- Examination of 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;
- Investigation of 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;
- Investigation into 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.
- Assess the functional efficiency of the ECK and its capacity to discharge its mandate;
- Proposal of recommendations on electoral reform including constitutional, legislative, operational and institutional aspects, as well as on accountability mechanisms for ECK Commissioners and staff pertaining to electoral malpractices, in order to improve future electoral processes; Its Presentation of its findings on the above activities;
- Any other tasks that the IREC may deem necessary in fulfilling its mandate.

National Cooperation

All national authorities whose activities have a substantive relationship to the above activities are requested to extend maximum cooperation to the IREC. The IREC shall be permitted access to all electoral materials