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International Center for Policy and Conflict

To:

The Registrar of Political Parties
6th Floor, Anniversary Towers
University Way
Nairobi.

Cc:

The Chairman,
Independent Electoral and Boundaries Commission
6th Floor, Anniversary Towers, University Way,
P.O Box 45371 - 00100
Nairobi, Kenya.

December 5th 2012

Dear Madam,

Re: Right of Public to Information on Political Parties Pre- Election Agreements

The International Centre for Policy and Conflict (ICPC) is registered in Kenya under the Trustee (perpetual succession) Act as a nonprofit and nongovernmental organization fostering democratic, peaceful, secure and just societies by promoting the principles of justice, accountability, the rule of law and sustainable human security.

We are writing this letter to request on behalf of the public, publishing and publicizing of information held by the Office of Registrar of Political Parties on political parties pre- election agreements.

The Constitution of Kenya 2010 in Article 10 guarantees public participation in governance matters as one of the national values of Kenya.

Further, Article 33 guarantees the right to freedom of expression that includes the freedom to receive information. Article 35 guarantees the right of every citizen to any information held by the state. The



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Office of Registrar of Political Parties is a state office. Under Article 35 (3), your office is compelled to publish and publicize any important information it holds that affects the nation.

We observe that the deadline for political parties to submit the pre-election pacts and power sharing arrangements outlined by the law and enforced by your office was the 4th December 2012. This deadline had elapsed. We note that various political parties have already complied with the requirement and this information is now within the possession of your office.

We note that this information is of great importance to the public and will affect the citizen's freedom of expression and speech, which is expressed in making informed voting choice. It is in the interests of democracy and public participation that we request for this information to be made public failure to which, we shall seek to enforce the same rights through the courts.

Thank You in Advance,

Ndung'u Wainaina

**Executive Director
International Center for Policy and Conflict**