

DDLPS

Schedule for reporting on
Tuesday 20/09/15 SSN 24/09/15

PETITION TO THE SENATE BY MR. DAVID O. GESICHO CONCERNING THE LEGAL
FRAMEWORK FOR VOTER REGISTRATION AND VOTING DURING ELECTIONS

PARLIAMENT
OF KENYA
LIBRARY

Honourable Senators,

1. Pursuant to Standing Orders 220 (1) (a), and 225(2) (b), I hereby report to the Senate that a petition has been submitted, through the Clerk, by one Mr. David O. Gesicho, a resident of Kakamega County, concerning the legal framework for voter registration and voting during elections.
2. As you are aware, under Article 119(1) of the Constitution, and I quote:-
"Every person has a right to petition Parliament to consider any matter within its authority, including enacting, amending or repealing any legislation."
3. In his petition, the petitioner wishes to bring to the attention of the Senate -
 - a) That a significant portion of citizens eligible to register as voters do not actually register as so, and, further, that even among those who do register as voters, a significant portion of them do not actually turn out to vote during elections; and
 - b) That this is blamed on apathy and disinterest of eligible voters on the one hand, and, on the other hand, a voter registration system which continues to create barriers to getting into the voters' register and to voting during elections.
4. The petitioner therefore prays that the Senate introduces legislation making it compulsory for every eligible Kenyan to be registered as a voter, and further making it mandatory for every registered voter to turn out and vote during elections.
5. *Honourable Senators*, pursuant to standing order 226, I shall now allow comments, observations or clarifications in relation to the petition for not more than thirty minutes.

[after comments by Senators]

Hon. Speaker
You may approve
17/09/15

The Clerk

Please approve
forwarding to the
Speaker for his
signature
17/09/15

Approved
SSN
22/9/15

6. Honourable Senators, pursuant to standing order 227(1), the Petition stands committed to the relevant standing committee, in this case the Standing Committee on Legal Affairs and Human Rights.
7. In terms of standing order 227(2), the Committee will be required, in not more than sixty days from the time of reading the Prayer, to respond to the Petitioner by way of a Report addressed to the Petitioner and laid on the Table of the Senate.

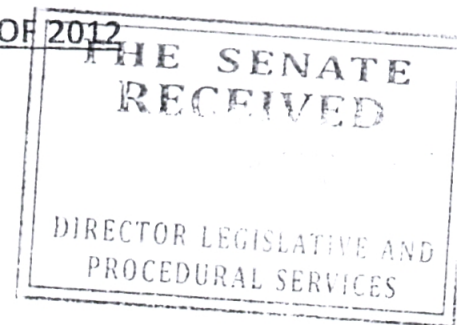
PETITION FOR MANDATORY VOTER REGISTRATION AND COMPULSORY VOTING

THE SENATE,
REPUBLIC OF KENYA,
P.O. BOX 41842-00100,
NAIROBI-KENYA

DSO/D.LAY
Present this to the House for consideration when the Senate resumes 31/08/15



REF: PETITION TO PARLIAMENT (PROCEDURES) ACT NO. 22 OF 2012
(REVISED EDITION 2012) CHAPTER 7C LAWS OF KENYA



I, the undersigned citizen of the Republic of Kenya.

Draw the attention of the House to the following:

That there is a general disinterest/apathy by a significant portion of the eligible Kenyan population to participate in the political affairs of the Republic of Kenya through participation in the democratic election of representatives in the various Houses/Assemblies and in the election of Office bearers in the Institutions of the Presidency and County Governments.

This has been shown by the percentage of eligible citizens of the Republic of Kenya who don't get registered as voters and further by the percentage of registered voters who don't actually turn out to vote on Election Day.

In the General Elections of the year 2013, it is estimated that 32 percent of the eligible population had not been registered as voters and of those that were registered, 14 percent did not turn out to vote on the Election Day.

That various reasons and hypotheses have been postulated to explain this state of affairs.

That a democratic government has a duty to facilitate and promote civic participation since it receives legitimacy through the consent of the governed.

Charles
Please deal
4/9/15

PETITION FOR MANDATORY VOTER REGISTRATION AND COMPULSORY VOTING

That the electoral process serves crucial functions, including choosing elected representatives, setting the course for public policy and allowing individuals to express their views on the public issues that impact their lives, families and communities.

That elections don't serve these purposes well if we don't all participate.

That our voter registration system needs to be changed so it's used as a tool, not as barrier, for civic engagement.

That voter registration continues to create significant barriers to getting into the electoral system and to voting on Election Day.

That compulsory voting systems can confer a high degree of political legitimacy because they result in high voter turnout. The victorious candidate represents a majority of the population, not just the politically motivated individuals who would vote without compulsion.

That other advantages of compulsory voting are the stimulation of broader interest politics, as a sort of civil education and political stimulation, which creates a better informed population.

That there is a correlation between compulsory voting, when enforced strictly, and improved income distribution, as measured by the Gini coefficient and the bottom income quintiles of the population.

That compulsory voting also prevents disenfranchisement of the socially disadvantaged. If everybody must vote restrictions on voting are easily identified and steps are taken to remove them.

PETITION FOR MANDATORY VOTER REGISTRATION AND COMPULSORY VOTING

That the Parliament of the Republic of Kenya consisting of the National Assembly and the Senate are charged with the responsibility of legislation as well as representation.

That the issues in respect of which the petition is made are not pending before any Court of law or Constitutional or legal body that is within my knowledge.

HEREFORE your humble Petitioner Prays that parliament:-

- (i) Introduces legislation for enactment that will make it mandatory for every eligible Kenyan to be registered as a voter and thus shift the burden of voter registration from the individual to the state.
- (ii) Introduces legislation for enactment that will make it obligatory for all eligible persons of the Republic of Kenya to vote.

And your **PETITIONER** will ever pray.

<u>NAME</u>	<u>FULL ADDRESS</u>	<u>NAT. ID NO.</u>	<u>SIGN</u>
David O. Gesicho	P.O. Box 1838-50100 Kakamega Kenya	5617488	

DATED THIS 28th DAY OF AUGUST 2015

DDLPS
Schedule for reporting on
Tuesday 29/09/15 ~~28/09/15~~ *24/09/15*

PETITION TO THE SENATE BY MR. DAVID O. GESICHO CONCERNING THE LEGAL FRAMEWORK FOR VOTER REGISTRATION AND VOTING DURING ELECTIONS

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forwarding to the
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approval
SSN
17/09/15 *22/9/15*

Hon. Speaker
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17/09/15



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REPUBLIC OF KENYA,
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*Charles
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4/9/15*

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