



INTERNAL MEMO

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FROM: Ag. Commission Secretary/CEO

TO: Voter Registration Personnel - Diaspora

REF: IEBC/DVREO/1/2/2022

DATE: 1<sup>st</sup> February, 2022

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SUBJECT: USE OF NATIONAL IDENTITY CARD IN DIASPORA VOTER REGISTRATION

Reference is made to the above subject.

The Constitution of Kenya 2010 has placed an obligation on the Government and the IEBC to facilitate citizens not only locally, but also abroad to register as voters for elections and referenda. Article 82(1) (e) of the Constitution leaves no doubt that the right to vote by Kenyans in the Diaspora is to be realized progressively.

Pursuant to its mandate, the Commission in the Kenya Gazette Notice No. 194 Vol. CXXIV No. 7 of 14<sup>th</sup> January, 2022 published that the conduct of voter registration for citizens residing in United States of America, Canada, United Kingdom, Germany, United Arab Emirates, Qatar, South Sudan, Burundi, Rwanda, Tanzania, Uganda and South Africa will be done for a period of 15 days from 21<sup>st</sup> January, 2022. The voter registration process is guided by the Constitution of Kenya, 2010, the Election Act, 2011 and the Election (Registration of Voters) Regulations, 2012.

I would like to bring to your attention that the High Court in Nairobi yesterday afternoon, 31<sup>st</sup> January 2022, gave an order in High Court Constitutional Petition No. E004 of 2022 - Okiya Omtatah Okoiti -V- The Hon. Attorney & IEBC, that pending hearing and determination of the Petition, the Commission should register Kenyan citizens residing outside Kenya using either their valid passport or Kenyan identification card (ID).

The purpose of this memo therefore is to direct you to comply with the above court order by allowing every eligible Kenyan citizen residing outside Kenya to be registered as a voter so long as they furnish the Registration Officer with a valid Republic of Kenya passport or National Identity card.

MARJAN HUSSEIN MARJAN