

# THE KENYAN ELECTORAL BOUNDARY DELIMITATION PROCESS

Delimitation refers to the division of an area through the establishment of lines or boundaries. The boundary delimitation process in Kenya is primarily addressed in Article 89 of the Constitution, playing a pivotal role in defining Constituencies and Wards.

## KENYA'S ELECTORAL BOUNDARY DELIMITATION PROCESS: A QUICK OVERVIEW



### Constitutional Mandate

- The process is mandated by the Constitution of Kenya, specifically **Article 89**, entrusting the **Independent Electoral and Boundaries Commission (IEBC)** with the responsibility of conducting boundary delimitation.

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### Number of Constituencies

- Kenya is divided into **two hundred and ninety constituencies** for National Assembly elections, as outlined in Article 89(1).

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### Review

- The Independent Electoral and Boundaries Commission (IEBC) evaluates constituency names and boundaries every **8-12 years**, finishing at least twelve months before a general election (Article 89 (2)).
- The Commission periodically reviews ward numbers, names, and boundaries (Article 89 (3)).

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### Timeline of Review and Effective Date of New Boundaries

- These reviews, as specified in Article 89(4), must be finalized **one year before** scheduled elections.
- Notably, new boundaries do not apply for a general election held **within twelve months** after the review
- The last boundary delimitation exercise was conducted in **2012**.

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### Criteria for Constituency Boundaries

- Constituency boundaries are determined based on the principles of population equality, considering geography, community interests, and means of communication (Article 89(5)).

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### Population Quota Deviation

- Deviation from the population quota is allowed, with a margin of **forty percent** for cities/sparsely populated areas and **thirty percent** for others (Article 89(6)).

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### Consultation and Progressive Work

- The Commission engages in consultations with all parties and works progressively towards achieving equal constituency and ward populations (Article 89(7)).
- Public involvement is integral to gather input from citizens, political parties, and stakeholders. Valuable information on community interests, historical, economic, and cultural ties is solicited from the public.

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## Alteration of Names and Boundaries

- The Commission has the authority to alter names and boundaries if necessary, ensuring flexibility in electoral design (Article 89(8)).

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## Publication and Effective Date

- Finalized boundaries are published in the Gazette and take effect upon Parliament's dissolution (Article 89(9))

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## Right to Review

- Individuals have the right to appeal the Commission's decision to the High Court within **thirty days** of Gazette publication.
- The resolution of such appeals is expedited, taking no more than **three months** (Article 89(10-11)).

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## Validity

- The established boundaries endure until the next review cycle.
- In line with the Kenyan Constitution, the next review of the boundaries of constituencies and wards ought to be undertaken and concluded by **March 2024**.

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*This meticulous overview underscores the commitment to ensuring a fair, representative, and reflective electoral boundary delimitation process in line with the Constitution, with active engagement from the public and stakeholders throughout the decision-making journey.*

