

27th November, 2023

ASSISTANT REGISTRAR OF POLITICAL PARTIES, CPA FLORENCE BIRYA
PRESENTATION DURING CLOSING CEREMONY PRO-PEACE PROJECT-KENYA,
THURSDAY 23RD NOVEMBER, 2023, RADISSON BLUE HOTEL, UPPERHILL
NAIROBI.

1. Introduction

- ORPP applauds the efforts of lead partners in Pro-Peace project. The ORPP is proud to have been associated with the initiative as one of the UWIANO partners whose efforts including peace messaging, identification and mitigation measures of conflict as mapped (Early Warning and Early Response) , engagement with varied stakeholders pre-during and post 2022 general election had positive impact
- The considerable reasonable time dedicated to this project has enabled impactful evaluation and processing of lessons learnt to inform subsequent interventions.
- We have seen positive results as evidenced by;
 - 2022 peaceful general election
 - Enhanced cohesion and progressive political conversation
 - Interest of citizens in participation of political parties including voluntary enlisting as party members
 - Improvements and inclusivity in electoral-related conflict management

I salute all the partners and technical personnel who have worked on a comprehensive documentary-**Democratic Journey-** an evidence and appreciation of Kenya's democratic journey that we must credit all duty bearers and citizens for its realization. It is a reminder for us to celebrate where we are and a stark challenge to better and deepen our democratic ideals.

2. ORPP perspective on subject of; Hate Speech, Disinformation; Money in Politics with focus on digital media ; Use of social media by political parties

Disinformation and social media:

Disinformation: Intentional spread of inaccurate information for an ill-intent

It is time to debunk the negativity often ascribed to social media use . In the context use social media by political parties , it is my take that the opportunities of responsive and responsible use far outweighs the demerits. If harnessed can posit the following benefits:

- ✓ Create a conversational nexus between political parties and relevant demographics especially the youth

- ✓ Rife avenue for parties officials'/corporate publicity and advertisement avenue
 - ✓ Improve parties-citizens' engagement as social media provide ways of sharing easy to understand content with ability to diversify modes of presentation (videos, photos,graphics)
 - ✓ Provide a free information content system to supplement other content and information dissemination platforms such as website, notice boards, correspondences
- The ORPP mandate is to register, regulate and Administer the Political Parties Fund. Parties are institutions of good governance founded on ideals of Article 91 of the Constitution of Kenya, 2010.
 - Legal provisions within the scope of ORPP relating to political parties use' of digital space
 - i. Constitution of Kenya, 2010- Article 35 (rights to information); Article 38 (political rights) etc
 - ii. Political Parties Act, 2011 and consequential Regulations- Contemplates use of diverse communication avenues/digital platforms by ORPP and political parties in the management and regulation of political parties

Such include:

- ✓ Section 4A(roles and functions of political parties).
 - ✓ section 34 (functions of the Registrar including making publicly available register of political parties/coalitions and coalition political parties ,political parties members).
 - ✓ Use of Technology (Section 34 B).
 - ✓ Section 17, 18-Maintenance and inspection of records of political parties.
 - ✓ Section 25- Establishment of PPF whose part of proceeds is utilized for purposes of election
 - ✓ Section 30- Declaration of assets, liabilities and expenditure in relation to elections
 - ✓ Section 31- Keeping of proper books and records of account to be audited by the Auditor General
- iii. **The Code of Conduct for Political Parties under the Political Parties Act, 2011**
 - The First Schedule to the Political Parties Act provides for a Code of Conduct for Political Parties
 - Paragraph 7 of the Code prohibits parties from taking part or inciting members/supporters to use violence or intimidation.
 - Flouting the Code is a ground for deregistration of a political party.
 - iv) **Access to Information Act, 2016**
 - Provides the requirement for every public entity including ORPP and political parties to Have appropriate access to information

Facilitate access to information by citizens in formats that is able to reach and be of use to all citizens with reasonable cost and time. Any exemptions for access to information requests by an entity must within the grounds for denial information.

iv) Data Protection Act, 2019

Safeguards to protect and promotion personal data as data handlers and processors.

The above legal provisions among others point to the fact that law may not be deficient in the use of digital media including for and during campaigns for political parties.

3. Efforts of ORPP to empower responsive use of digital media by political parties to enhance their compliance to relevant provisions in Elections Act and Elections Code of conduct are:

- ✓ Set out a dedicated Key Result Area in current ORPP strategic plan to support political parties participation in elections
- ✓ ORPP developed robust digital platforms- (IPPMS; eCitizen, *509#) for parties to plug in their management of data/records and membership
- ✓ Continuous capacity building to party organs including Secretary Generals/ Accounting Officers; Elections Boards, Internal Dispute Committees . Such trainings have been conducted in conjunction with relevant stakeholders on matters such as Treasury, the Office of the Auditor General; Office of the Data Protection Commissioner among others.
- ✓ Coordinated capacity building initiatives for communication officers, ICT officers and other relevant technical officers in partnership with social media providers such as Meta
- ✓ Developed and Public Political Parties Education Source Book with sections dedicated to use of Communication to promote ideas of the party
- ✓ Guidelines for political parties for use in virtual engagements and data protection and consent forms
- ✓ Unified messaging by the Registrar on mainstream media and ORPP official communication platforms on gains of political parties and raft of engagement with political parties. This has had a positive perspective and online conversations about political parties.

4. Use of social media in countering disinformation

To optimize use of social media by corporate and individuals as well as counter disinformation associated by its use, the following may be considered particularly by political parties moving into the next electoral cycle:

- ✓ Ensure accurate and informative content
- ✓ Embrace the use safeguards and guidelines as prescribed by the varied service providers and industry regulators
- ✓ Establishing and launching appropriate monitoring tools
- ✓ Institutionalize appropriateness in use of social media such that there is information dissemination delineation
- ✓ Take advantage of elected and party leaders/officials in their personal use of social media for positive influence to their follower

5. Moving forward:

- ✓ Enhance compliance with varied legal requirements on this subject matter addressing pitfalls from lessons learn in the previous election cycle
- ✓ Foster more collaborations between political parties with ORPP, relevant stakeholders, media and digital space service providers
- ✓ More political education using
- ✓ Optimize use of social media opportunities within bounds of its responsible use
- ✓ Build more capacity of parties officials to be more citizen centric in the use of social media and general communication
- ✓ Develop and/review parties institutional policies and strategies to align to realities of todays communication demand and audience preference particularly the large population of youth as well as persons with special needs

6. Conclusion

Mainstream communication including use of social media has gains not only in political parties campaigning/publicity initiatives but also in the larger self- positioning of political parties. This actualizes the purpose of political parties and aspirations of citizens/ party members to:

- ✓ Be institutions for citizens' representation
- ✓ An avenue to exercise citizens political rights
- ✓ Provide mechanisms to shape and articulate public policy
- ✓ A way to enhance political accountability and involvement
- ✓ Provide the link and an avenue for discussion between the governing and the governed