

STATEMENT BY EZRA CHILOBA ON TERMINATION OF SERVICE
12th October 2018

My employment with the Independent Electoral and Boundaries Commission (IEBC) has officially been terminated. This does not come as a surprise to Kenyans who have been monitoring the events at the IEBC in the last six months. The outcome was already pre-determined and the process was a mere formality.

This is was a narrative that I was told over and over again.

I received the employment termination letter signed by the Chairman about an hour ago. The letter claims that I had twice been invited to appear before the disciplinary committee of the Commission, but I failed to show up; hence the decision to terminate my employment.

The position is that, when I was first invited to appear, I was away attending classes at the University of Oxford, where I am pursuing an MSc in Major Programme Management.

I communicated my unavailability to Commissioners through the Chairman's Office via email. While at school, I read in the media, the development of my being sacked, a decision that was later rescinded and communicated through the same channel.

I was immediately informed of a meeting that was scheduled for October 11th, where I was to appear before the said committee to defend myself in a disciplinary proceeding that is in itself questionable.

Upon review of how the Commission had conducted itself during the said audit exercise, it was clear that the proceedings were a mere formality since the decision had already been pre-determined.

The following are the facts:

1. The commissioners unprocedurally voted to send me on compulsory leave allowing them to stage manage an internal audit that would justify their end. The Commission the conducted an internal audit and raised several issues which I was never given a chance to respond before its finalization. This is against standard practice.
2. That the Commission proceeded to frame the issues raised in the internal audit as disciplinary issues leading to a show cause letter. It is through the show cause letter that I saw the internal audit report for the first time. That while writing to me the show cause letter, the Commission proceeded to release the report to both the EACC and DPP.
3. That on three occasions, I requested the Commission to allow me access to the relevant documents, staff who participated in various procurement processes and financial management, and office to prepare the responses to the audit queries as well as the purported disciplinary proceedings. The Commission refused and categorically stated that the issues were within my knowledge.



4. That while preparing on how to respond to the issues raised, I was unable to frame any defence owing to the fact that the Commission had deliberately denied me that chance.
5. That the same 3 commissioners who voted to send me on compulsory leave/suspension, were the same members of the disciplinary committee and same members of the plenary that has to preside over my case.

My employment termination should not be seen as an issue of my person but that of the holder of the office. It brings to focus the major governance crisis at the IEBC; an issue that will affect even the next office holder if the matter is not addressed.

I remain at hand to support any independent and objective review of the conduct of the 2017 General Election and all related matters.

Lastly, I will forever be grateful for the opportunity to serve the country and to the staff of the IEBC, with whom we worked as a dedicated and professional team. But much still remains to be done to achieve the level of excellence we once dreamt of. It is still possible.


Ezra Chiloba