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The Dynamics of European Union Foreign Electoral Assistance: Case of Kenya's General Elections

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ABSTRACT

Electoral integrity is widely recognized as an indispensable element of democratic consolidation in the developing world. However, achieving electoral integrity in these countries has been hindered, in part, by their deficient capacity to invest in the essential resources required to enable key sectors to fulfill their roles in ensuring free, fair, and credible elections. Additionally, elections in these regions often report malpractice characteristics such as electoral fraud, contested results, and protracted legal disputes over outcomes. Consequently, external actors have been called upon to help bridge these gaps, foster peaceful political transitions, and bolster the process of democratization. Despite substantial support from foreign actors, there is a paucity of research focusing on the dynamics of their involvement through technical and capacity-building initiatives. Existing research often presents passive assertions about specific African countries, leaving a dearth of empirical evidence regarding the extent and manner of external actors' engagement in these nations. Consequently, fundamental questions concerning when, how, and to what effect external actors intervene in foreign electoral support efforts remain unanswered. This study investigates the European Union's contribution in supporting democratization in Kenya through technical and capacity-building assistance. Employing a case study approach and interpretive descriptive designs, the research delves into the intricacies of EU electoral support in Kenya. By conducting purposive Key Informant Interviews with representatives from key stakeholder institutions and administering surveys to 384 respondents, this study discerns that foreign technical and capacity-building assistance primarily occurs during elections, despite EU policy documents emphasizing that elections are a process rather than a one-time event. The findings reveal that capacity building and technical support, while closely intertwined, are analytically distinct components of EU support, both delivered through the basket fund mechanism. This support is targeted at both governmental institutions involved in elections and non-governmental stakeholders. Crucially, the study establishes that the extent to which the EU's support can contribute to free, fair, and credible elections hinges on the degree of "political hygiene" practiced by the political class and political parties. In essence, the effectiveness of EU support is profoundly influenced by the conduct of domestic political actors, highlighting the intricate interplay between foreign assistance and internal political dynamics. The theoretical framework is guided by Professor Michal Doyle's Liberal Democratic Peace Theory.

Keywords: foreign electoral assistance, Kenya, post-2010 elections, European Union

INTRODUCTION

Article 21 of the United Nations Declaration of Human Rights (UDHR) underscores the fundamental principle that the authority of a government should be derived from the will of the people. This expression of popular will is to be realized through periodic and genuine elections, ensuring universal suffrage and equal participation, conducted by secret vote or equal free voting procedures. However, as time has passed, it has become increasingly evident that the mere act of holding elections is not enough. What truly matters is that these elections are inclusive and result in peaceful electoral transitions, thus serving as tangible

evidence of electoral integrity (Abdulahi, 2015; Olsen, 2007).

In the context of developing countries, the aspiration for genuinely free, fair, and credible elections has often remained elusive (Tocci, 2020). These nations have frequently grappled with electoral fraud, post-election violence, legal disputes, and accusations of illegitimacy by segments of the political class, leading to political instability (Abdulahi, 2015). The inability of developing countries to achieve the level of genuine elections expected by international norms and standards (such as those articulated by the EU in 2010 and the UNDP in 2012) has necessitated external assistance from democratically advanced nations (Börzel & Hackenesch, 2013).

Abdulahi (2015) asserts that there are two primary avenues through which external international organizations involve themselves in democratization efforts in the developing world, particularly in the realm of electoral assistance. The first avenue involves military action or the imposition of economic sanctions by the international community on countries that resist democratization. This approach aims to compel undemocratic regimes to open up their political systems and create space for democracy to take root. Military and economic sanctions are typically applied in cases involving former communist countries, authoritarian regimes, or nations experiencing civil conflicts, such as Iraq, Afghanistan, Somalia, Sierra Leone, and Liberia.

However, the second avenue, which is generally viewed as the more sustainable and constructive approach, involves financial and technical assistance (Abdulahi, 2015; Tocci, 2007; Börzel & Hackenesch, 2013). This form of assistance is typically extended to nations in transition or those emerging from civil conflicts who have embraced democratic principles. Examples of countries in this list include nearly all African countries, notably Rwanda and Mozambique in the late 1990s, but also recently including Zimbabwe, Kenya, among others. Abdulahi (2015) warns is to note that financial and technical aid can come with conditions, such as requirements for economic and political liberalization and long-term governance reforms.

Tocci (2020) adds that recently, this approach has gained significant popularity among donor nations and international organizations as a means to secure financial support and technical aid for the advancement of democratic governance across Africa (Hassan, 2023). These resources encompass both financial backing and specialized knowledge and have a substantial impact by promoting credible elections and strengthening the capacities of governmental and non-governmental entities. Consequently, this enhances the overall quality of the democratization process, a critical step towards achieving the democratic ideals enshrined in Article 21 of the UDHR.

As Africa grapples with the persistent challenges of electoral fraud, post-election violence, protracted legal disputes, and the declaration of election outcomes as illegitimate, the continent has increasingly become a focal point for international actors, particularly the European Union (Crawford, 2013; Youngs, 2001; Bindi, 2010; Kubicek, 2004).

The complexities surrounding electoral processes in many African countries have created a demand for external intervention and support to ensure the integrity and credibility of elections. Resource deficits, both in terms of financial capacity and technical expertise, have further exacerbated the situation, leaving many African nations in need of external assistance to effectively undertake electoral activities before, during, and after elections.

This has positioned Africa as a strategic target for the European Union and other international organizations seeking to promote democratic governance and stability on the continent (Motsamai, 2012; Tocci, 2020; Börzel & Risse, 2004). To some observers (Motsami, 2012; Hout, 2013; Gillespie & Youngs, 2002; Teivainen, 2013) the EU's engagement in Africa reflects a commitment to addressing the multifaceted challenges associated with elections, fostering peaceful transitions of power, and strengthening democratic

institutions to ultimately enhance the prospects for stability and development across the continent. In sharp contrast some observers (Olsen, 2000; Santiso, 2003; Börzel, Pamuk & Stahn, 2008;), it is important to view EU's presence in Africa within the framework of foreign policy of the EU and ask the question what really does EU want in Africa? Nonetheless, there is a convergence in literature on EU and Africa's democratization through elections (Motsami, 2012; Tocci, 2020; Abdulahi, 2015; Börzel & Hackenesch, 2013) that Africa's low pace of democratization becomes the key reason for EU's continued presence in Africa.

According to the European Parliament (2017), the European Union (EU) had been actively involved in providing electoral assistance in numerous African countries since the first wave of democratization in the 1990s (Samarasinghe, 1994; Pinkney, 2004; Songa & Shiferaw, 2022). This support hinges on three thematic areas: democratization, good governance, and human rights. Electoral assistance is seen as Conjecture Avenue through which all these themes can be achieved. European Union intervenes in Africa based on defined frameworks as underpinned by EU-Africa cooperation documents.

These include: the ACP Framework for Sub-Saharan Africa, the Neighborhood Policy for North Africa, and the Africa-EU Joint Strategy for cooperation at continental level (EP, 2017, p. 1). Therefore EU has been active in Ethiopia, Tunisia, Rwanda, Uganda, Tanzania, Ghana, Nigeria, Kenya, among many other countries informed by different guiding EU-Africa cooperation frameworks and employing different tools.

Analytic studies into these interventions reveal a complex dynamics where EU's work interact with the local contexts at the countries of interventions. For example, considering contextual factors, Christine Hackenesch's research reveals that, upon closer examination of Rwanda and Ethiopia, authoritarian regimes tend to be more willing to collaborate with the EU in the realm of democracy promotion when their internal opposition is less formidable, and their regime's survival is not under immediate threat. This inclination arises from the perception that EU assistance could potentially broaden democratic spaces within their countries (Hackenesch, 2020; Börzel & Lebanidze, 2018). According to a separate study conducted for the European Parliament, it has been observed that democracy aid can yield favorable outcomes for political reforms when it is precisely tailored to local requirements and consistently implemented (European Parliament Study, 2016). Abdulahi (2015), while researching on Ghana's electoral assistance by international organizations, corroborates this assertion by arguing that technical and capacity building should be undertaken throughout the elections cycle in order to have an impact.

Against this background this study explored EU's electoral assistance through technical and capacity building in Kenya. Kenya's case is especially special, since, while the European Union's efforts, particularly within its member states, have demonstrated a significant influence in fostering accepted elections by political opponents, the same cannot be readily affirmed for Kenya.

In the context of presidential elections, adversaries have frequently contended that external actors have utilized electoral assistance as a means to exert detrimental influence on Kenya's electoral processes. Although these assertions are often lacking in concrete evidence and cogent arguments delineating the precise impact of a particular foreign actor on Kenya's elections, they raise the pertinent question of investigating how the EU's involvement in electoral assistance actually do work.

European Union is a special case for analysis since she has been in Kenya since the first wave of democratization in the 1990s and was a key player in the repeal of section 2A that ushered in multi-party democracy (EP, 2017).

This study, therefore, examines EU's electoral assistance in Kenya's general elections which has been a constant recipient of EU electoral support from 2002 elections. The focus will be on technical and capacity building support given to Kenyan institutions concerned with elections, state and non-state. The analysis

will reveal how such assistance is offered, to whom it is offered, when it is offered, and the opportunities and challenges that hamper such assistance to delivering electoral integrity in Kenya. The study outcomes constitute both academic and policy imperatives – for EU and Kenya alike. For the field of International Relations, the analysis will provide empirical evidence upon which analysts on EU-Kenya relations can rely in assessing such relations within the framework of democracy cooperation or aid. Moreover, while analysts have called Kenya an anchor state in the Horn of Africa, and a strategic partner to the EU as well as other major state and international non-state actors, studies are dearth that focus on Kenya's relations with these external actors cooperating with it due to her strategic position and relative institutional advancement. This study will thus be an attempt to bridge this gap. Policy-wise, this study will reveal insights about EU's technical assistance in Kenya, and provide data necessary for bettering EU's *modus operandi* (Farrell, 2013; Biondo, 2011)).

Further, the results will show to each of the key stakeholders' in Kenya, targeted policy recommendations critical for enhancing their engagements with EU for enrichment and strengthening of electoral democracy in Kenya (The Electoral Knowledge Network [EKN] (2022)).

LITERATURE REVIEW

Concerns surrounding foreign electoral assistance have captured the attention of International Relations (IR) for several reasons. Firstly, elections are regarded as a critical arena for the exercise of state sovereignty. Consequently, when external actors, whether states or organizations comprised of states, become involved, questions about the interveners' interests come into play (Strachan, 2017). Thirdly, concerns have been raised regarding procedural deficiencies in the involvement of foreign actors in electoral assistance (*Ibid*). This underscores the necessity to scrutinize the processes by which external actors engage in elections, particularly in the developing countries (Kelly, 2012) within the framework of the field of IR. Thus, pursuing this task with the aim of accounting for EU's electoral support in the form of technical and capacity building of elections concerned bodies/stakeholders in Kenya in the post-2010 general elections.

EP (2017) reports that before 1989, only Botswana and Mauritius conducted regular multi-party elections in Sub-Saharan Africa. However, since 1990, nearly every African country has held regular elections, with the European Union (EU) playing a significant role in supporting such democratic endeavors. The EU has deployed numerous Electoral Observation Missions (EOMs), totaling 85 out of 185 EOMs recorded on the EEAS website between 1993 and 2017. Nonetheless, reports also show that the quality of these observed elections and the democratic legitimacy of the governing regimes have exhibited considerable variation (Börze & Hackenesch, 2013; Börzel & Lebanidze, 2018; Farrell, 2013).

According to Motsamai (2012), the EU's electoral assistance role in Sub Sahara African region has changed over time becoming more formalized and underpinned with a sustainability agenda. To this realization, to address the challenge of subpar electoral standards and dysfunctionalized electoral management bodies, the EU has transitioned towards an approach that encompasses the entire electoral cycle (*Ibid*, Hout, 2013; Börzel & Lebanidze, 2008, ELOG, 2023). The final reports from EU EOMs offer recommendations for enhancing future elections' quality. Electoral follow-up missions gauge progress on these recommendations and consider input from various stakeholders. The decision to conduct subsequent EOMs in a specific country is contingent on the government's commitment to implementing past recommendations (Gawrich, 2015).

Additionally, the EU provides electoral assistance to bolster the capacity of electoral bodies, empower civil society actors engaged in electoral processes, and facilitate public education on electoral matters. In specific instances, such as post-conflict scenarios, the EU has financially supported election organization, as exemplified by its €47.5 million contribution, along with €2 million for enhanced security, for the

Democratic Republic of Congo's general elections in 2011. The EU has also extended substantial backing to enhance the African Union's electoral observation capabilities, offering €6.5 million through the Pan-African Programme.

To some researchers, the EU has established a reputation for impartiality, thereby enhancing the credibility of electoral processes and promoting peaceful competition among candidates, encouraging the use of legal channels for contesting election results (Abdulahi, 2015; Börzel & Hackenesch, 2013). An evaluation report for the European Commission, covering EOM activities from 2016 to January 2017, concluded that EU election observation efforts can help identify irregularities and deter fraud and malpractice, despite their inherent limitations (EP, 2017).

Furthermore, these activities are seen as fostering stakeholder confidence in the electoral process, consequently reducing the potential for election-related conflicts. Despite such appraisal, country-specific analysis remain scarce, prompting the need for in-depth case analysis of key African countries allies of EU like Kenya which has been a recipient of EU electoral technical and capacity building support for over two decades with a ceiling of about Kes. 13 billion both to the basket fund and directly to the election concerned institutions in 2022 general elections. .

Both Motsamai (2012) and EP (2017) assert that the EU involvement in poor countries has been regularized even through foreign relations documents targeting poor continents such as Africa. Kelly (2012) asserts that electoral assistance often takes on a tangible and technical character. For instance, international organizations may undertake tasks such as repairing or constructing voter lists and educating local authorities on their assembly and maintenance, thereby influencing who gets to vote in a given country. Additionally, international actors may supply ballot boxes, facilitate the production and distribution of election materials, and provide computer and communication equipment, and more. A striking example is the European Commission's oversight of electoral reform in the Palestinian Authority, coupled with substantial financial support for technical equipment and assistance (European Commission 2006, p. 182). Similarly, in Nicaragua, international donors allocated over \$8 million for the issuance of national voter identity cards (*Ibid*). There are instances where international actors take on the responsibility of organizing entire elections, such as when the United Nations conducts "election supervision" (EP, 2017). Börzel & Hackenesch (2013) assert that while EU's impact has been huge within EU, such cannot be said in countries in Africa where the nature of politics plays out as the key determinant of whether technical assistance leads to free, fair and credible elections. This calls for an examination of Kenya's experiences with EU electoral support through technical and capacity building to understand in-depth by unpacking its dynamics through a systematic study of how this intervention has manifested.

RESEARCH METHODOLOGY

The study adopted interpretive descriptive design. This design enabled for the collection and interpretation of both qualitative and quantitative data. The qualitative data helped in obtaining in-depth qualitative data on EU's involvement in electoral support in Kenya. The qualitative findings are based on responses from 32 key informants drawn from ten strata of key electoral stakeholders; IEBC, ORPP, EU, Law Enforcement, CSOs, Local Elections Observers among others. The wide casting of study population enabling gathering data from key stakeholders which facilitated nuanced analysis. The quantitative data on the other hand was collected through the use of individual survey questionnaires. Finally, secondary data was retrieved from desktop and library reviews of existing publications on foreign electoral assistance, and in particular, EU in Kenyan 2022 elections.

Qualitative data has been analyzed interpretatively using thematic content analysis where data collected was first sorted and coded based on similarities in generating categories. The categories then were further

analyzed and themes generated. The themes therefore, have been presented textually and through verbatim quotes and discussed as per the objectives. Quantitative data has been analyzed using simple descriptive statistics with the aid of a computer data processing program – the Statistical Package for Social Scientists (SPSS) – and presented through cross-tabulations. Quantitative and qualitative data have been triangulated in enhancing the reliability and the validity of the findings and in meeting the key objective guiding this study.

RESULTS AND DISCUSSIONS

Conceptualizing European Union Capacity Building and Technical Support in Kenya

In the context of EU's foreign electoral assistance, capacity building and technical components are two distinct but interconnected aspects of support provided to help Kenya conduct credible and effective elections.

Capacity Building

In Kenya's case the study unpacks a conceptualization and practice of Capacity Building that encompasses the process of strengthening the skills, knowledge, capabilities, and institutional capacities of electoral authorities, governmental bodies, civil society organizations, and other relevant stakeholders involved in the electoral process. While speaking to a senior officer at the EU embassy as a key informant, he empathized that key for EU is a whole-of-society approach. He asserting:

Our focus is on whole-of-society approach as this is the real pathway to effective elections in Kenya, like is case across the globe. We must engage both governmental and non-governmental institutions concerned with Kenya's elections. Capacity building with such broader scope helps us to understand needs and put in mechanisms to mitigate challenges and plan for the needs before and during elections (Informant 1EU, June 2023)

A second element to conceptualizing capacity building is to understand its focus relative to technical support. This study revealed that the primary focus of capacity building components of EU assistance is on long-term development and sustainability, and that this is underpinned in EU-Kenya/SSA's cooperation documents, and the broader EU's foreign policy toward Africa.

These documents, key to EU's engagement with Kenya, include the 'ACP framework for Sub-Saharan Africa, and the Africa-EU Joint Strategy for cooperation at continental level' (EP, 2017). Gorm Rhe Olsen agree with this finding when he asserts that the very basis of EU's work in Africa – on 'democracy assistance' and other forms is predicated on EU's foreign policy in Africa (Olsen, 2000; Stavridis & Irrera, 2015; Crawford, 2005; Levitsky & Way, 2005). Therefore, if Olsen is right, it is the EU's Africa Policy that determines the extent of EU's involvement in Kenya. Indeed, an analysis of the 'ACP framework for Sub-Saharan Africa' reveals the critical items that matter for EU, key among which is democratization, and elections treated as the major way of attaining this in SSA.

Lastly, EU-based experts in Kenya revealed that capacity building in Kenya aims to empower local entities to independently manage electoral processes and overcome challenges both during the elections year and in the future elections. Examples of Capacity building activities (to be discussed broadly in subsequent sections) include training for election officials, voter education programming, institution-building efforts, and the review, and/or development of electoral legal frameworks prior to elections year. EP (2017) argue that the choice of the activities supported through capacity building depends on post-elections support reports especially through the EU EOMs which give recommendations on gaps needed to make elections more effective in the following electoral cycle. Experts from IEBC reinforced this understanding by arguing as captured in the excerpt key informant interview below:

Researcher: How do you identify areas for capacity building that the EU comes in to support?

Respondent: There are several ways, we can recommend to them based on our understanding of needs, especially for IEBC. But usually the main source of this information is the EU EOMs and other EOM reports which often come after elections.

Researcher: Thank you. But how do they understand the needs from without the governmental apparatuses concerned with elections?

Respondent: Alright, this is a good question. Usually as the EOMs give their recommendations they are disaggregated by sector. Moreover, and most importantly, there is this body called the ELOG – Elections Observer Group – which is basically a consortia of NGOs doing electoral programming which come up to observe elections and alongside state-based EOMs give their own reports. Their report is a key source of information about needs of media, NGOs and civil society organizations generally.

The second response reveals the role of CSOs in need-analysis for capacity. Indeed, as we write this paper, the ELOG has released their version of assessment report on 2022 election. The report reveals a raft of ideas on how to engage in both capacity building and technical support for the CSOs as well as the governmental actors, from a CSO actor perspective (ELOG, 2022).

Technical Support

On the other hand, Technical Components of EU's electoral assistance in Kenya encompasses the provision of tangible resources, tools, and expertise required for the practical execution of electoral activities. In Kenya, it mostly involves the transfer of technology, equipment, and specialized knowledge. The key focus of the technical component tends to be more immediate and operationally-oriented. It addresses the logistical and procedural aspects of conducting elections effectively. Common examples of technical components in Kenya's post-2010 elections include the provision of ballot boxes, support directed at voter registration systems, biometric technology, printing and distribution of election materials, and IT infrastructure for data management.

Initialization Time for European Union Technical and Capacity Building Support

To situate EU technical and capacity building support in Kenya, the study examined the essence of time. Understanding time the support is given, is a key step to an in-depth analysis of EU's work in Kenya. According to EU's perspective, especially in the post-2010, elections is viewed as cycle, a process, rather than an event, thus the need to offer their support across the three stages in this cycle, namely – pre, during and after elections.

The Concept of an Elections Cycle

In the context of foreign electoral assistance in Kenya, an “elections cycle” referred to the entire process of organizing, conducting, and concluding an election, including all the key phases and activities involved. This cycle typically encompassed various stages, from pre-election preparations to post-election evaluation. The study revealed a breakdown of the election cycle and how electoral support is provided before, during, and after elections. In Kenya, it is a 5 year period from one election to the next (Elections Act 2011)

Pre-election Phase covered the period leading up to the actual Election Day. It included activities bordering on both technical and capacity building support such as voter registration, candidate nomination, campaign preparations, and the establishment of electoral institutions for voter registration, voter education materials, and support for legal and regulatory frameworks. Electoral Support before Elections. The study found that capacity building through foreign electoral assistance involved training election officials and stakeholders, such as political parties and civil society, to ensure they understood the electoral process and their roles. A

key informant from IEBC argued that this capacity building support was key in three major ways, as captured verbatim below:

To IEBC pre-elections capacity building and technical support is critical for us. The Kenyan government tends to shift focus away from elections and elections-related activities only to do so during elections. Foreign support for capacity building has therefore been key in enabling us to undertake preparatory and inevitable preliminary preparations particularly in the training of our officers on electoral good practices and new developments in technology-assisted elections besides mounting a robust voter education curriculum.

Other governmental agencies, as well as CSOs expressed similar sentiments. CSOs particularly argued that their work as regards elections was at its peak in the pre-elections and therefore technical and capacity building support from EU was key at this initial stage as in all other electoral phases. An Officer from ELOG asserted that:

The CSOs are very key players in elections and actually the integrity of elections in this country partly depends on the roles of CSOs particularly during the pre-elections pact activities. Through EU support, we are able to undertake voter education programs, prepare our capacities for elections monitoring and evaluation, and enhance or create our legal and regulatory expertise (Informant 2-CSOs, July 2023)

Election Day is the pivotal day when eligible voters cast their ballots, and election procedures are executed. It's the culmination of the election cycle. The study revealed that at this phase, technical assistance came in terms of technical resources which was focused on polling day procedures, operationalization of the functional technology and ensuring that the voting process ran smoothly. It also came in terms of Election Observation, whereby EU supported international observers monitor polling stations to ensure that the elections were conducted transparently and according to established standards.

The Post-election phase is a key part of the elections cycle. Following the Election Day, there is a period of vote counting, tallying, announcement and declaration of results and transmission. Post-election activities also involve addressing disputes, evaluating the election's fairness, recommendation for amendments and planning for future elections.

EU electoral support after elections in Kenya involved adherence to institutional and legal procedures to establish mechanisms for addressing election-related disputes, including legal processes and reconciliation efforts. The second one was electoral evaluation, experts especially local NGO consortia and International EUEOMs evaluated the election to assess its overall fairness and adherence to international standards. Recommendations for improvements were often provided, in Kenya, on averagely three to six months after elections. Lastly, EU post-elections support, involved capacity building for future elections. Through this endeavor, assistance might continue to build the capacity of electoral authorities, civil society, and political actors for future electoral processes.

Overall, in Kenya, as in many other countries, foreign electoral assistance aimed at strengthening the entire election cycle and key stakeholders therein. This included but not limited to promoting transparency, inclusivity, and the integrity of the electoral process. It also involves enhancing the capacity of local institutions and stakeholders to manage elections independently and in accordance with international best practices. Electoral support before, during, and after elections is to address the deficiencies and challenges that arise at each phase of the election cycle, ultimately contributing to the credibility and legitimacy of the electoral process to acceptable levels of less than 10% of the entire electoral budget as advanced by the Chairpersons of Electoral Commissions in Africa in Accra; Ghana in 2010.

To build further on the understanding of the dynamics of EU electoral support in Kenya, as regards time of such support, the study explored through survey the issue of time technical and capacity building was offered. The findings from table 1 below shed light on the initiation of EU technical assistance across the

cycle of an elections in Kenya. The study established that the EU appeared, despite the principles that argued for treating elections as a process rather than an event, to treat interventions during elections as a strategic timing of their involvement.

It was evident that the majority of respondents (73.4%) perceive the EU's technical and capacity building support to begin during the elections stage. Among those who affirmed this trend, 100% of respondents affiliated with Civil Society Organizations (CSOs) acknowledged the EU's involvement during elections. This alignment highlighted the strategic approach of EU capacity building efforts, focusing on critical phases of the electoral process, but also called on further interrogation of what happened to the other phases. Indeed, through qualitative investigations, 'during elections' to both governmental and CSOs did not simply imply on the elections day but at least the elections year, for example August 2021 – August 2022 (for the case of 2022 general elections). CSOs most particularly appreciated that their engagements with EU early enough before elections was key to their roles in ensuring electoral outcomes and processes contributed towards free, fair and credible outcome.

Table 1: Elections Assistance Commencement in an Election Cycle At what Part of the Elections Cycle Does the EU Technical Assistance Begin?

At what part of the elections cycle does the EU technical assistance begin?	ORPP	CSOs	JLAC	IEBC	Media	Local Elections Observers	Law Enforcement	The Judiciary	Political Parties	Total
Pre-elections	0 (0%)	16 (12%)	0 (0%)	14 (16%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	30
Post-elections	2 (1%)	18 (13%)	1 (1%)	1 (1%)	3 (2%)	8 (6%)	0 (0%)	2 (1%)	2 (1%)	37
During elections	15 (11%)	100 (74%)	12 (9%)	68 (78%)	17 (12%)	0 (0%)	20 (15%)	7 (5%)	18 (13%)	257
Irregular and can come at different times in the cycle	0 (0%)	0 (0%)	0 (0%)	4 (5%)	0 (0%)	12 (9%)	0 (0%)	10 (8%)	0 (0%)	26
Total	17 (5%)	134 (38%)	13 (4%)	87 (25%)	20 (6%)	20 (6%)	20 (6%)	19 (5%)	20 (6%)	350

Source: Survey Data (2023).

Additionally, the concept of elections cycle and the need for engagement with EU throughout the cycle was very important especially for Elections Management Bodies (EMBs) (Abdulahi, 2015; Hassan, 2023; Olsen, 2000) whose cardinal duty was to conduct credible elections. This study agreed with Olsen as table 1 revealed that for IEBC, all the stages were crucial from pre to post elections. It was also noteworthy that a minority of respondents (7.4%) from Law Enforcement suggested that the EU technical assistance began after the elections, indicating a unique perspective within this group. A finding which could be attributed to the nature of Law Enforcement's involvement, which might require post-election assessment and observation to ascertain the effectiveness of the EU's contributions, just like IEBC. The Law Enforcement cohort is especially key because as Musila (2019) and Decker & Sonnickson (2011) have observed, the police and other cohorts and sometimes the military found their relevance in Kenya's elections especially owing to the high tendency toward post-elections violence. Thus, making the security sector a critical actor that the EU must engage in promoting electoral gains and outcomes especially in the period following the

conduct of an election.

European Union Mechanism for Electoral Support in Kenya: The Concept of the Basket Fund

The findings established that the main mechanism through which the EU undertakes her electoral support in Kenya was through the basket fund. The concept of a “basket fund” in the context of European Union (EU) electoral support in developing countries referred to a financial mechanism used to pool funds from various donors into a single fund (EU, 2017; 2022). This fund is then managed and administered collectively to support electoral processes and related activities in a specific country or region. The basket fund, co-chaired by the UNDP and the EU, has been commonly employed to streamline and coordinate international assistance efforts, ensuring that resources were used efficiently and accountably.

The basket fund concept relates to EU electoral support in Kenya in 6 major ways as emerged from discussions with key informants across various sectors concerned with elections.

Pooling of Resources

In all the immediate general elections 2013, 2017, 2022, multiple international donors, including the EU, provided financial assistance to support elections in Kenya. The study revealed that each donor might have had its own peripheral priorities and objectives; the basket fund allowed these donors to pool their resources into a single fund for the overall objective of peace and electoral integrity outcome. From the perspective of previous basket officers who were part of the interviewees of this study, this pooling of funds minimized duplication of efforts, reduced administrative costs, and created a more coherent approach to electoral support. From the perspective of the IEBC, however, the pooling of funds ensured accountability to a single actor, the fund manager, which for Kenya is the United Nations Development Program (UNDP).

As regards interests of donors, key informant interviews revealed that majority countries present in Kenya through their embassies contributed at least a share to the basket fund. However, these funds would be given with subtle strings attachments and biases with particularly targeted support for either or both leading presidential candidates, often not publicly declared. For example, a country was reported to have publicly declared support for a particular presidential candidate in the 2013 General elections and when their interests was not served by the outcome, they requested the UNDP to return their share of contribution into the basket fund.

Coordination and Harmonization

Informants from EU and governmental agencies both expressed that the concept of the basket fund promoted coordination and harmonization among donor countries and organizations. EU-based informants asserted that it enabled donors to align their electoral assistance efforts with the priorities and needs of Kenya.

They also asserted that this coordination ensured that resources were used strategically and that assistance programs were coherent and complementary, rather than fragmented or contradictory. Thus through basket fund, countries such as Italy, Netherlands, Canada, USA, Britain among others, agreed to undertake their electoral support in Kenya through a coordinated and harmonized way facilitated by the UNDP.

Country Ownership and Alignment

A third theme that emerged from discussions around the basket fund as a mechanism was that it emphasized the importance of recipient countries taking ownership of their electoral processes. Funds were typically disbursed in alignment with the recipient country's national electoral priorities. Thus, EU-based informants expressed that this approach demonstrated genuine respect for the sovereignty of the host country and promoted local ownership of electoral integrity. However, critical respondents especially within the CSO Consortia officers argued that EU support, like many foreign entities was meant to promote foreign agenda

and was often subject to EU's view of Kenya as a strategic partner in the region and through which it could manage such regional conflicts as in DRC Congo and Ethiopia. Horn Institute (2021) confirm this assertion when it argued that democracy assistance directed to Kenya from donor community was based on the understanding that Kenya was emerging as an anchor state through which such donors could access the Horn and manage conflicts while creating an environment favorable for their commercial and geo-political interests.

Transparency and Accountability

The fifth theme that underpinned interview discussions about the basket fund was that transparency and accountability mechanisms were often built into the management of basket funds. Donors, recipient governments, and civil society organizations worked together to establish clear rules and procedures for fund management, disbursement, and monitoring.

Theoretically, this transparency should have ensured that resources were used for their intended purposes and helped prevent corruption. In this regard, both former and current IEBC top officials expressed during the interviews that the EU expected the IEBC to utilize the post-elections reports analyses/evaluations to draw a framework of engagement including itemizing issues that require funding and specifying the timelines. After these exercise, the proposal was shared with EU, developed a collaborative process of a common-ground itemized issues for funding with their timelines, cutting across the electoral cycle. Both respondents from IEBC and EU concurred on transparency and accountability results from a basket fund electoral assistance mechanism.

However, informants from the ORPP, political parties and CSOs did not agree that such a framework led to transparency in funds management. Indeed, the study could not obtain any financial accounting reports on utility of the EU given finds, or the basket funds utility, which leaves the question of transparency and accountability as an open question.

Flexibility, Responsiveness, and Holistic Support

Finally, basket funds was largely viewed to offer flexibility in responding to evolving electoral needs and challenges in Kenya's context. From donors (EU's) perspective, as electoral processes progress, the fund could be adapted to address emerging issues, such as voter education, conflict mitigation, or electoral dispute resolution. This flexibility allows for a more agile and pragmatic response to changing circumstances.

As regards, holistic support, elections stakeholder agreed that basket funds can cover a wide range of electoral support activities, including voter registration, voter education, capacity building for electoral management bodies, election monitoring, and post-election activities. This comprehensive approach addressed various aspects of the electoral cycle and contributed to the overall integrity of the electoral process.

The question of integrity of elections through such support, however, remained an open gap. For example, IEBC top officials who participated in this study expressed that what mattered for electoral integrity in Kenya was a political hygiene – a situation they defined using words such as 'lack of cut-throat political competition', 'a situation where politicians led the public in respecting and trusting legally created institutions, adequate allocation of fund to the Commission throughout the election cycle and timely amendments of electoral laws as submitted to parliament such as the Campaign Finance Bill that remained stillbirth; among other connotations that show that the domestic political environment served as the key hindrance to an impactful EU technical and capacity building support.

Generally, the basket fund concept was a collaborative and coordinated approach to providing electoral support in Kenya. It facilitated the pooling of resources, enhanced coordination among donors, promoted country sovereignty, ensured transparency, and allowed for flexibility in responding to electoral challenges.

However, various grounds/themes under which the basket fund was discussed in this study revealed lack of consensus on the absolute efficacy of the basket fund.

Stakeholders Rating on EU Technical Assistance role in enhancing Electoral Integrity in Kenya

Having laid the background in the foregoing sub-sections, this sub-section examined more explicitly whether EU's assistance in Kenya's elections enhanced electoral integrity, through the partnership lenses of key stakeholders. This was done in two ways; assessing stakeholders' perception on the necessity of EU's support and secondly whether this support was perceived to be important in the attainment of credibility and integrity in elections in Kenya.

Was the European Union Technical and Capacity Building Support Necessary in Kenya's general elections?

Diverse responses captured in table 2 provided insights into the perceived necessity of the EU's assistance in fostering electoral integrity. A significant number of respondents, particularly those affiliated to Civil Society Organizations (CSOs) (49%), expressed strong endorsement by categorizing the EU's assistance as "Very Necessary." This sentiment was however buttressed by 38% of Political Parties (PP) respondents who asserted a contrary view. The CSOs' strong support could be attributed to their close collaboration with the EU in capacity building efforts aimed at ensuring credible elections.

On the contrary, a notable proportion of respondents affiliated with Law Enforcement (40%) felt that the assistance was "Somewhat Unnecessary," indicating some reservations about the direct impact of technical and capacity building on their role in maintaining electoral integrity. Similarly, a minority of respondents from the LEO (4%), 35% of PP and the Media (6%) expressed skepticism. These diverse perspectives reveal the nuanced considerations that different institutions bring to the table when evaluating the EU's contributions.

Table 2: Opinion on EU Assistance in Facilitating Electoral Integrity

What do you think about the assistance in terms of facilitating electoral integrity in Kenya?	ORPP	CSOs	JLAC	IEBC	Media	Local Elections Observers	Law Enforcement	The Judiciary	Political Parties	Total
Very unnecessary	5 (29%)	0(0%)	1 (8%)	0(0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	5
Unnecessary	13 (24%)	21 (38%)	0 (0%)	0(0%)	0 (0%)	2 (4%)	0 (0%)	0 (0%)	19 (35%)	55
Somewhat necessary	0 (0%)	0 (0%)	4 (8%)	0 (0%)	15 (30%)	15 (30%)	20 (40%)	1 (2%)	0 (0%)	55
Necessary	0 (0%)	0 (0%)	5 (100%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	5
Very Necessary	0 (0%)	113 (49%)	3 (1%)	87 (38%)	5 (2%)	3 (1%)	0 (0%)	18 (8%)	1 (0%)	230
Total	18 (5%)	134 (38%)	13 (4%)	87 (25%)	20 (6%)	20 (6%)	20 (6%)	19 (5%)	20 (6%)	350

Source: Survey Data (2023).

The analysis of this sub-section offered insights into the varying opinions about the perceived necessity of the EU's assistance in promoting electoral integrity. Among the respondents, a substantial number affiliated with Civil Society Organizations (CSOs) expressed strong endorsement, categorizing the EU's assistance as "Very Necessary." This was particularly significant, as CSOs often championed democratic values and transparent processes. This alignment reflected the theory's emphasis on liberal states investing in interventions to promote democratic ideals, including the facilitation of credible elections.

Exploring how the CSOs engaged with EU through technical and capacity building through interviews, the study identified three major avenues to this, with both technical and capacity building components. The first was Voter Education and strong communication programs. Technically this involved EU providing CSOs and IEBC with technical resources, including funding, materials, and expertise, to develop and implement voter education and communication campaigns.

Practically, this involved creating informational materials, organizing workshops, and developing multimedia content to educate voters about the electoral process, their rights, and the importance of participation. Through capacity building efforts EU focused on training CSOs and IEBC in effective communication strategies, outreach techniques, and methods for disseminating accurate and unbiased information to the public. CSOs are empowered to engage with voters, answer questions, and address concerns.

The second avenue for EU-CSOs engagement is through Election Monitoring and Observation (EMO). Technically, the study established that EU may equip CSOs with the necessary tools and technology for election monitoring and observation. Which takes the forms of GIS enabled phones, providing mobile apps, data collection devices, and access to election data. Capacity Building involves CSOs receiving training on how to conduct impartial and credible election monitoring. They learn to observe polling stations, track voter turnout, and report irregularities.

Capacity-building efforts also cover data analysis and reporting to ensure that findings were credible. Narrating how this happens, a Media respondent, whose organization is also part of ELOG, however expressed the limitations that hampered their effectiveness to undertake EMO. He argued:

In most cases, the tools we used to undertake EMO were basically the common tools previously developed. Again, there was proper training to the people who actually undertook monitoring (the assistants) and the training was usually at the tail end/towards the elections day (Informant 3-Media, May 2023).

The third category of areas of support that EU offered to CSOs is that related to legal and regulatory expertise. In terms of technical support, EU assistance involved hired locals or external (especially through IFES and IDEA) legal experts who provided CSOs with guidance on election laws, regulations, and the general electoral framework. These experts such as Kituo Cha Sheria, Law Society of Kenya and Kenya Human Rights Commission helped CSOs understand the legal aspects of the electoral process.

In terms of capacity building, CSOs were trained in legal advocacy and how to engage with electoral authorities. This included understanding of the procedures for candidate registration, campaigning, and handling electoral disputes, electoral financing, Gender candidature, Campaign Finance Bill 2017; CSOs also received support in drafting policy proposals or advocating for electoral reforms.

Overall, by combining technical support with capacity-building efforts, EU electoral assistance empowers CSOs to be effective watchdogs, advocates, and educators during the pre-election period. These initiatives strengthen civil society's ability to promote transparency, fairness, and inclusivity in the electoral process, ultimately the expectation was that this would contribute to more credible and democratic elections in Kenya. However, while CSOs and IEBC feel the necessity of EU support, political parties expressed not so much support for this intervention. With most respondents from the Orange Democratic Movement (ODM) arguing for a concerted interference by EU by influencing electoral results especially in 2022 and 2017.

These contrasting opinions match with findings by Fioramonti (2009) who found that perceptions about EU's role in promoting democracy in Africa varied by cohort of stakeholder in elections, with more skepticism coming from political parties on the losing end as well as their supporters. The EP (2017) corroborated these notions on necessity of EU's support in Africa, when, by pointing at a number of EU commissioned studies arguing that while the general public stood for pro-democratic support, the political class and governments did not fully appreciate EU's contribution depended on where they stood in terms of losers and gainers with gainers current and future more optimistic about EU's support and losers more skeptical and expressing possibilities of interference.

Does European Union Capacity Building and Technical Support Lead to Free, Fair, and Credible Elections?

The data presented in table 3 below encapsulated the varying opinions on the extent to which EU interventions through capacity building contributed to free, fair, and credible elections. Notably, a considerable number of respondents from Civil Society Organizations (CSOs) (38%) and the Independent Electoral and Boundaries Commission (IEBC) (57%) expressed confidence that such interventions indeed lead to improved electoral integrity. This viewpoint aligned with their roles as key actors in promoting transparent and credible elections, with IEBC being the lead on the government side and CSO playing the lead role on the society's side.

However, the perspectives were more divided among respondents from Political Parties (PP), Law Enforcement, and the Judiciary. None from the cohort of Political Parties (PP) respondents supported this view. On the same note, very few respondents from Law Enforcement (5%) could agree with the CSOs and IEBC. This variance could stem from the complex interactions and diverse functions of these institutions within the electoral landscape, influencing their perceptions of the direct impact of EU interventions on electoral integrity.

Table 3: European Union Capacity Building and Technical Support Interventions and Free, Fair, and Credible Elections

Does EU interventions through capacity building and technical building lead to free, fair, and credible elections?	ORPP	CSOs	JLAC	IEBC	Media	Local Elections Observers	Law Enforcement	The Judiciary	Political Parties	Total
Yes	5 (4%)	11 (9%)	12 (9%)	50 (14%)	15 (4%)	10 (9%)	0 (0%)	13 (7%)	0 (0%)	116
No	13 (37%)	123 (35%)	1 (3%)	37 (11%)	5 (1%)	10 (3%)	20 (6%)	6 (2%)	20 (6%)	235
Total	18 (5%)	134 (38%)	13 (4%)	87 (25%)	20 (6%)	20 (6%)	20 (6%)	19 (5%)	20 (6%)	350

Source: Survey Data (2023).

When the study engaged in in-depth qualitative research through key informant interviewing, respondents reasserted that the EU, while it assisted through technical and capacity building, had no power to influence electoral outcomes. CSO-based respondents highlighted two reasons, why despite the support from EU, both fair, free and credible aspects of the elections might not be as a result. First was the issue of high rates of

poverty levels obtaining in Kenya (see GoK, 2022 – Household Survey). Many CSO leaders with electoral programs in the villages of Kenya argued that poverty caused vulnerability on the part of voters hindering their ability to participate in election by choosing political leaders who hold their visions at heart, rather, they made their decisions based on the extent to which politicians bribed them, through what in Nyanza region was terms as *yuko jamna*. Secondly, CSOs leaders expressed that Kenya is experiencing political decay, as voter apathy has become a structural hindrance to voter participation. Statistics from European Parliament's EOM' reports analysis on elections in Kenya show that there has been steady decline from 2013 to 2022. For example, in 2013 the turn up was 85.91%, in 2017 it was 79.51% and in 2022 it was only 64.77% marking a decline of 21.14%.

From the IEBC perspective, the study found that the main determinant of free, fair and credible elections in Kenya, was political hygiene. Without it, as it had been, based on widespread consensus among IEBC personnel that no amount of EU support could lead to electoral integrity. My discussion with a key regional elections consultant (in June 2023 at Nairobi City) and who currently works at the interior ministry quite captures this notion.

Researcher: In your understanding, based on your expertise, what factors determine the EU's ability to undertake free, fair and credible elections?

Respondent: To answer your question directly, it will depend; some countries, the problem is EMB because an election is seen to be a referee. Referees are bullied and cash crunched deliberately by the political class all over the world.

Researcher: Zero in to Kenya, Sir.

Respondent: For example, in Kenyan contestations, the biggest problem is a hybrid of mistrust of the EMB and mistrust from the political party that think that IEBC is not credible and it cannot conduct genuine elections. The other problem in Kenya is the political class. We have a breed of politicians who believe it is elections. The other problem in Kenya is the political class. We have a breed of politicians who believe it is their way or not their way. This is despite the fact that we have a very elaborate way of recruiting members of the EMB.

Researcher: This is still contested though?

Respondent: Yes but that is the best we can do really in the circumstances we are in. The situation we are in, the commissioners lose trust because of the politicians they are working for, and who Kenyans want to elect. It is a challenge of the EMB- whether it is professionally recruited, and the mistrust as to whether they are working for politicians towards free and credible elections. There is never a problem with financial support for the EMBs by the way. Because there is a budgetary allocation and elections must be done whether after 5 years or 4 or 7 like in other African countries. There is ill will by the political class to bully IEBC.

Researcher: This is of particular interest in my study. The place of foreign assistance is something that is in contestation. Whether they enhance credibility of elections or not is actually what am investigating, narrowing into EU. For example, you remember there was a time when IFES was sent away from this country with feelings about its negative influence. I don't know where and when donors come in and where they stop. What is their contribution really, the donors?

Respondent: you are speaking to somebody who has worked with the development partners. I was a donor myself. I worked with German Development Cooperation (GIZ) and I was funding governance projects in Kenya, Uganda and Tanzania. There is always a misconception of really, what development partners do or not do. The development partners to the best of my understanding, try not to interfere with the democratic processes and the governance structure and the in-workings of the country. What they do is to come in and provide technical or financial assistance or both. For example, the EU [though in the recent past just like the

GIZ has been moving away from electoral assistance to real development funding] has been providing assistance for a very long time. This support is justifiable because elections is a very expensive process. Entire electoral cycle, if not complemented by a donor, any given country (developing) may not be able to fund that elections fully but even the development partners may not be able to fund the entire process – so others come in at the tail end, while other do small bits across the cycle. This is why development partners understand the elections as a process and will be in a country throughout the process. But elections is the real thing. We cannot have a country or leaders without elections, assistance towards election is an existence issue.

This conversation further corroborated findings and interpretations already made in previous sections. That the nature of politics played out as the key hindrance to elections integrity. However, these views vary, because while CSOs and IEBC blame the political class and parties, political parties shift the blame to external actors (such as EU) and resort to possible conspiracy theories to explain possibility of IEBC-EU infiltration to determine who won beyond the persons chosen by the eligible voter.

CONCLUSION

Conceptualizing European Union Capacity Building and Technical Support in Kenya

In the examination of European Union (EU) capacity building and technical support in Kenya, we find that capacity building and technical support represented two distinct yet interconnected components of EU's foreign electoral assistance.

Capacity building, as elucidated in our study, encompassed the process of enhancing the skills, knowledge, capabilities, and institutional capacities of various electoral stakeholders in Kenya. This approach emphasized a whole-of-society perspective, involving both governmental and non-governmental institutions. EU's capacity building aligned with its broader African Policy, which prioritized democratization and viewed elections as a crucial means to achieve this in Sub-Saharan Africa. A key revelation was the long-term and sustainability focus inherent in EU's capacity building approach, as reflected in their cooperation documents with Kenya and the overarching EU foreign policy in Africa. This underscored the idea that EU involvement in Kenya had been largely influenced by its commitment to promoting democracy on the African continent. Capacity building activities included training election officials, voter education programs, institution-building efforts, and the development of electoral legal frameworks. These activities were tailored based on recommendations from EU Election Observation Missions (EOMs) reports (2013, 2017; ELOG 2023) and other electoral reports, aligning with post-election support needs.

In essence, the EU's approach to capacity building in Kenya is grounded in a holistic graduated understanding of elections as a process, not merely an event. It recognizes the importance of fostering local capacity to manage electoral processes independently and efficiently. This approach not only addressed immediate challenges but also contributed to the long-term development and sustainability of Kenya's electoral system, in line with EU's broader policy objectives in Africa.

On the other hand, the technical support provided by the EU in Kenya focused on tangible resources, tools, and expertise necessary for the practical execution of electoral activities such as election monitoring and observation. This component addressed the operational and logistical aspects of conducting elections effectively. Technical support includes the transfer and complementarity of technology, equipment, and specialized knowledge. It notably involved the provision of critical checks on commissioned EVID, ERTS and Public portal that has evolved since 2013 to 2022.

A prominent feature of EU's technical support was the deployment of international observers with Parallel Tallying Mechanism during elections. These observers played a pivotal role in reporting the transparency

and adherence to established standards during the voting process albeit with few challenges. Thus, EU's technical assistance in Kenya had an immediate operational focus, aiming to facilitate the smooth execution of electoral procedures on Election Day.

In summary, EU's technical support in Kenya was geared towards contributing to the efficient conduct of elections by addressing the logistical and operational requirements. This component operates in tandem with capacity building efforts to create a comprehensive approach to electoral assistance, contributing to the credibility and effectiveness of the electoral process in Kenya.

Initialization Time for European Union Technical and Capacity Building Support:

To understand the timing of EU's technical and capacity building support in Kenya, we explored the concept of an "elections cycle." In this context, an elections cycle encompasses all phases of an election, from pre-election preparations to post-election activities.

Our study reveals that EU views elections as a process rather than a singular event, reflecting its commitment to comprehensive electoral assistance. During the pre-election phase, EU support extended to capacity building for electoral stakeholders such as expert deployment, workshop emoluments, voter education materials. This early engagement was important for Civil Society Organizations (CSOs) and Elections Management Bodies (EMBs) were fairly resourced for their roles during elections. The election phase primarily focused on the election year and involved various technical resources such as monitoring electoral processes, access to polling stations, operationalization of EVID and ETRS technological apparatus. . Additionally, post-election support entailed dispute resolutions, production of electoral evaluation reports, and payment of the hired personnel courtesy of the approved assistance criteria.

In conclusion, the EU's strategic approach to electoral assistance in Kenya aligned with the idea that elections were a continuous process, with inherent local deficiency thus, need for support needs at each phase. EU's early engagement with CSOs and EMBs during the pre-election phase underscored the importance of preparation for credible and fair elections. Furthermore, the EU's commitment to post-election support reflected its dedication to resolving disputes, evaluating electoral processes, and building the capacity of electoral institutions for future elections, contributing to the overall integrity of the electoral process in Kenya.

European Union Mechanism for Electoral Support in Kenya: The Concept of the Basket Fund

The European Union (EU) utilized the basket fund mechanism as a primary approach to provide electoral support in Kenya. The basket fund, in the context of EU's electoral assistance in developing countries, referred to a financial mechanism that consolidates funds from multiple donors into a single pool. This pool of resources was collectively managed and administered to support various electoral processes and related activities within a specific country or region.

This approach had several key implications for EU's electoral support in Kenya, as elucidated through discussions with various stakeholders. In the context of Kenya's elections, multiple international donors, including the EU, contributed financial assistance. Each donor typically subtly had its own priorities and objectives.

The basket fund concept allowed these donors to consolidate their resources into a single fund. This pooling of funds served to minimize duplication of efforts, reduce administrative costs, and created a more coherent approach to foreign electoral support. The United Nations Development Program (UNDP) managed the fund on behalf of Kenya, ensuring that resources are utilized efficiently.

However, it was essential to acknowledge that donor contributions to the basket fund were not without interests or conditions. Some donor countries might have had specific, albeit often undisclosed, preferences

or objectives, such as supporting particular presidential candidates. This practice added a layer of complexity to the pooling of resources and raised questions about the extent of donor influence in Kenya's electoral processes. The basket fund mechanism promoted coordination and harmonization among donor countries and organizations involved in Kenya's elections. This coordination allowed donors to align their electoral assistance efforts with the priorities and needs of Kenya. It ensures that resources are strategically deployed, and assistance programs are coherent and complementary, rather than fragmented or contradictory. Consequently, countries such as Italy, the Netherlands, Canada, the USA, and Britain coordinate their electoral support activities through the UNDP, enhancing the overall efficiency and impact of their contributions.

A critical dimension of the basket fund concept was its emphasis on recipient countries taking ownership of their electoral processes. Funds were typically disbursed in alignment with Kenya's national development strategies and electoral priorities. This approach respected the sovereignty of Kenya and encouraged local ownership of electoral reforms.

However, some critics argue that foreign assistance, including EU support, can be influenced by the EU's view of Kenya as a strategic partner in the region, potentially leading to external agendas affecting the electoral process. Transparency and accountability mechanisms were integral to the management of basket funds.

Donors, recipient governments, and civil society organizations collaborated to establish clear rules and procedures for fund management, disbursement, and monitoring. This transparency was intended to ensure that resources were used as intended and to prevent corruption. While both IEBC and EU representatives highlighted the importance of transparency, the study revealed a lack of financial accounting reports on the utility of EU funds and the basket fund, raising questions about the actual transparency and accountability achieved through this mechanism.

In summary, the basket fund concept represented a collaborative and coordinated approach to electoral support in Kenya. It facilitates the pooling of resources, enhances coordination among donors, promotes country ownership, ensured transparency, and allowed for flexibility in responding to electoral challenges. While this approach has notable advantages, such as minimizing duplication of efforts and enhancing coordination, the study reveals divergent opinions on its overall effectiveness, highlighting the complex dynamics at play in Kenya's electoral landscape.

Stakeholders' Rating on EU Technical Assistance in Enhancing Electoral Integrity in Kenya

This section delved into stakeholders' perceptions regarding the necessity of EU's technical assistance and its role in promoting electoral integrity in Kenya. The study assessed these perceptions based on the views of various stakeholder groups and their roles in the electoral process. The study gathered diverse opinions regarding the perceived necessity of the EU's assistance in fostering electoral integrity in Kenya.

Notably, a significant number of respondents affiliated with Civil Society Organizations (CSOs) expressed strong endorsement, categorizing the EU's assistance as "Very Necessary." This alignment reflects the idea that CSOs often champion democratic values and transparent processes, leading them to perceive the EU's support as crucial.

On the contrary, a notable proportion of respondents affiliated with Political Parties (PP) expressed a contrary view, with 35% of them asserting that the EU's assistance was "Unnecessary." This divergence in opinions reflects the contentious nature of politics in Kenya, with political parties harboring skepticism about external influence.

Furthermore, the perception of necessity varied among other stakeholder groups, such as Law Enforcement

and the Judiciary, highlighting the nuanced considerations brought to the table when evaluating the EU's contributions. Stakeholders' opinions on whether EU interventions through capacity building contributed to free, fair, and credible elections varied significantly. A considerable number of respondents from Civil Society Organizations (CSOs) and the Independent Electoral and Boundaries Commission (IEBC) expressed confidence that such interventions indeed led to improved electoral integrity. This alignment is expected, as both CSOs and IEBC play key roles in ensuring transparent and credible elections.

However, among respondents from Political Parties (PP), Law Enforcement, and the Judiciary, opinions were divided. None of the Political Parties respondents supported the view that EU interventions led to improved electoral integrity. Law Enforcement respondents also showed limited support for this perspective. In-depth qualitative research further revealed that while the EU provides technical and capacity building support, its ability to influence electoral outcomes in Kenya is limited. The study found that issues like poverty, voter apathy, and a challenging political environment significantly impact electoral integrity, often overshadowing the impact of external assistance.

In conclusion, stakeholders' perceptions of EU technical assistance in Kenya's electoral processes are complex and influenced by their roles and experiences. While some viewed the assistance as necessary and effective, others harbor skepticism and believe that it has limited impact, emphasizing the multifaceted challenges facing electoral integrity in Kenya. The study underscores the importance of considering the diverse perspectives of stakeholders in understanding the dynamics of electoral support and integrity in the country.

REFERENCES

1. Andrew Songa, & Shiferaw, T. L. (2022). Kenya's Watershed Election: Implications for EU Policy.
2. Bindi, F. (Ed.). (2010). *The foreign policy of the European Union: assessing Europe's role in the world*. Rowman & Littlefield.
3. Börzel, T. A., & Hackenesch, C. (2013). Small carrots, few sticks: EU good governance promotion in sub-Saharan Africa. *Cambridge Review of International Affairs*, 26(3), 536-555.
4. Börzel, T. A., & Lebanidze, B. (2018). "The transformative power of Europe" beyond enlargement: The EU's performance in promoting democracy in its neighborhood. In *The European Union and Central and Eastern Europe* (pp. 17-35). Routledge.
5. Börzel, T. A., & Risse, T. (2004, October). One size fits all! EU policies for the promotion of human rights, democracy and the rule of law. In *Workshop on Democracy Promotion* (Vol. 4, No. 5). Stanford: Stanford University.
6. Börzel, T. A., Pamuk, Y., & Stahn, A. (2008). Good governance in the European Union.
7. Crawford, G. (2005). The European Union and democracy promotion in Africa: the case of Ghana. *The European Journal of Development Research*, 17, 571-600.
8. Crawford, G. (2013). European Union development co-operation and the promotion of democracy. In *Democracy Assistance* (pp. 90-127). Routledge.
9. Decker, F., & Sonnicksen, J. (2011). An alternative approach to European Union democratization: Re-examining the direct election of the Commission President. *Government and Opposition*, 46(2), 168-191.
10. Del Biondo, K. (2011). Democracy promotion meets development cooperation: The EU as a Promoter of Democratic Governance in Sub-Saharan Africa. *European Foreign Affairs Review*, 16(5).
11. Farrell, M. (2013). A triumph of realism over idealism? Cooperation between the European Union and Africa. In *The EU as a Global Player* (pp. 15-35). Routledge.
12. Fioramonti, L. (2009). African perceptions of the European Union: assessing the work of the EU in the field of democracy promotion and peacekeeping. *Report commissioned by the International Institute for Democracy and Electoral Assistance, Stockholm*.
13. Gawrich, A. (2015). The European Parliament in International Election Observation Missions (IEOMs): Division of labour or decreased influence?. In *The European parliament and its*

- international relations* (pp. 121-142). Routledge.
14. Gillespie, R., & Youngs, R. (Eds.). (2002). *The European Union and democracy promotion: the case of North Africa* (Vol. 7). Psychology Press.
 15. Hassan, Isaack H.(2023). Referee of a Dirty Ugly Game: In the theatre of Kenya's Elections – An Insider Account.
 16. Hout, W. (2013). Between Development and Security: the European Union, governance and fragile states. In *EU Strategies on Governance Reform* (pp. 151-168). Routledge.
 17. Kelly, J. (2012). International Influences on Elections in New Multi-party States. Awoodnford School of Public Policy and Department of Political Science, Duke University, Durham, North Carolina 27708-0239.
 18. Kubicek, P. J. (2004). International norms, the European Union, and democratization: Tentative theory and evidence. In *The European Union & Democratization* (pp. 1-29). Routledge.
 19. Levitsky, S., & Way, L. A. (2005). International linkage and democratization. *Democracy*, 16, 20.
 20. Motsamai, D. (2012). European Union's Electoral Assistance – Perceptions for African Democracy Building. International IDEA.
 21. Musila, B. (2019). *Foreign aid in Africa: analyzing the role of European Union political aid in political processes in Kenya, 1990-2013* (Doctoral dissertation, Stellenbosch: Stellenbosch University).
 22. Olsen, G. R. (1998). Europe and the promotion of democracy in post-Cold War Africa: how serious is Europe and for what reason?. *African Affairs*, 97(388), 343-367.
 23. Olsen, G. R. (2000). Promotion of democracy as a foreign policy instrument of 'Europe': Limits to international idealism. *Democratization*, 7(2), 142-167.
 24. Peters, J. (Ed.). (2012). *The European Union and the Arab Spring: promoting democracy and human rights in the Middle East*. Lexington Books.
 25. Pinkney, (2004). *Democracy in the Third World*. Lynne Reiner Publishers.
 26. Samarasinghe, A.R.W.S. (1994). Democracy and Democratization in Developing Countries. The American University & Institute for International Research Washington, DC and International Centre for Ethnic Studies Kandy, Sri Lanka.
 27. Santiso, C. (2003). Sisyphus in the castle: improving European Union strategies for democracy promotion and governance conditionality. *The European Journal of Development Research*, 15(1), 1-28.
 28. Stavridis, S., & Irrera, D. (Eds.). (2015). *The European Parliament and its international relations*. Routledge.
 29. Teivainen, T. (2013). The pedagogy of global development: The promotion of electoral democracy and the Latin Americanization of Europe. In *War, Peace and Progress in the 21st Century* (pp. 163-179). Routledge.
 30. The Electoral Knowledge Network [EKN]. (2022). Capacity ELISA, IDEA, INE, UNDP. Retrieved from <https://aceproject.org/ace-en/focus/capacity-building>.
 31. Tocci, N. (2020). Resilience and the role of the European Union in the world. *Contemporary Security Policy*, 41(2), 176-194.
 32. UN (2019). United Nations Electoral Assistance – Report of the Secretary General: Strengthening the role of the United Nations in enhancing the effectiveness of the principle of periodic and genuine elections and the promotion of The UN.
 33. Youngs, R. (2001). *Democracy Promotion: The Case of European Union Strategy* (Vol. 167). Bruxelles, Belgium: Centre for European Policy Studies.
 34. Youngs, R. (2002). *The European Union and the promotion of democracy: Europe's Mediterranean and Asian policies*. OUP Oxford.