

IN THE REPUBLIC OF KENYA

IN THE SUPREME COURT OF KENYA AT NAIROBI

PETITION NO. _____ OF 2017

BETWEEN

RAILA AMOLO ODINGA.....1ST PETITIONER

STEPHEN KALONZO MUSYOKA.....2ND PETITIONER

AND

INDEPENDENT ELECTORAL AND BOUNDARIES

COMMISSION..... 1ST RESPONDENT

H.E. UHURU MUIGAI KENYATTA.....2ND RESPONDENT

AFFIDAVIT IN SUPPORT OF THE PETITION

I **MOHAMED NOOR BARRE** an adult male persons of sound mind and disposition both of Post Office Box Number 47 Rhamu do hereby make oath and state as follows: -

1. **THAT** I am a resident of Mandera North Constituency, Mandera County, well conversant with the facts of this matter and hence competent to swear this Affidavit.
2. **THAT** I was appointed to serve as a Presiding Officer at Kalicha Primary School in Mandera North Constituency. Upon appointment, I was trained at Rhamu Arid Zone Primary School and I proceeded to take an oath of Secrecy administered by the Principal Kadhi, Mandera.
3. **THAT** on 7th August, 2017 on the eve of elections at around 5.00 pm, we were all called to the Independent Electoral and

Boundaries Commission's Office in Mandera North to collect materials so as to report to our respective polling stations.

4. **THAT** upon reaching the place of work a clerk of the Commission informed 70 of us that our names had been replaced by others for unexplained reasons. A protest arose and we reported the matter to Rhamu police station.
5. **THAT** the following day, 8/8/2017, elections proceeded at various polling station conducted by strangers who were acting as presiding officers, but who had not been trained and had not taken oath of secrecy.
6. **THAT** at Kalicha Primary School, polling station 2 of 2 polling stations, all registered voters numbering 594 are all alleged to have voted 100%. In truth, these figures were just filled in at the Tallying Centre.
7. **THAT** vote tallies across the Constituency were done at the Sub County Commissioners Block against a court order which had directed that the tallying centre should be at Rhamu Arid Zone Primary School.
8. **THAT** this kind of rigging happened throughout Mandera County.
9. **THAT** I now annex hereto and mark "**MNB**" documents supporting the above.
10. **THAT** I swear this Affidavit in support of the Petition and humbly seek this Honourable Court's intervention allow this Petition and secure our democracy.

11. **THAT** what is deponed to herein is true to the best of my knowledge and in accordance with the Oaths and Statutory Declarations Act, Chapter 15 of the Laws of Kenya.

SWORN at **NAIROBI**)

By the said)

MOHAMED NOOR BARRE) **DEPONENT**

This day **18TH** Day of **AUGUST** 2017)

BEFORE ME)

COMMISIONER FOR OATHS)

DRAWN & FILED BY:
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NAIROBI