



Corruption and land governance in Kenya



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In the recent past, high profile cases involving land governance problems have been thrust into the public domain. These include the case involving the grabbing of a playground belonging to Lang'ata Road Primary School in Nairobi and the tussle over a 134 acre piece of land in Karen.

Land ownership and use have been a great source of conflict among communities and even families in Kenya, a situation exacerbated by corruption.

Corruption in the land sector in Kenya

The lands sector has consistently ranked as one of the most bribery prone sectors in Kenya coming in

at number two in the East African Bribery Index 2014 with a score of 55 on an aggregate index of 0 to 100, with a score of 100 being the worst score.

What factors propel corruption in land administration and what strategies can be put in place to promote accountability and transparency in land governance? In this issue, we delve into land governance in Kenya and the corruption question.

“The lands sector has consistently been ranked as one of the most bribery prone sectors in Kenya”

Land governance in Kenya: Where the rain started beating us

By Francis Kairu and Mary Maneno

Kenya has been plagued by frequent problems concerning land. These problems range from huge tracts of land held by foreigners on land that local communities lay a claim to as ancestral or communal land or absentee landlords, numerous squatters, unregistered land and land grabbing cases. Africa has especially suffered from alienation of large swathes of land belonging to indigenous peoples' for mining and large scale farming. Most of the issues have a historical background.

In pre-colonial times, land in Kenya was considered very sacred. The concept of individual ownership was unheard of and subsistence farming was the main mode of farming. As the concept of land use evolved, income generation became a new phenomenon. The land tenure system subsequently was such that individual rights of ownership were emphasised over communal rights .

The clamour for land reforms in Kenya eventually gave rise to the National Land Policy, provisions on land and environmental management under the Constitution of Kenya and new land laws namely the Land Act 2012, Land Registration Act 2012 and National Land Commission Act.

In Kenya, the land problem is one of the main issues that citizens have reported and sought legal advice on through the Advocacy and Legal Advisory Centres (ALACs) . For instance, in 2013/14 14% of cases reported to ALAC involved land and succession.

This was evident in the introduction of the titling system through the Crown Land Ordinance of 1902 and the Land Titles Ordinance of 1908.

Advocacy and Legal Advisory Centres (ALAC) are walk-in, call-in or mail-in centres operated by Transparency International Kenya where victims and witnesses of corruption can obtain free, quality and confidential legal advice.

Some of the problems reported include: lack of awareness of citizen's rights, relevant laws and existing modes of resolving land related problems; weak understanding of land legislation by citizens; inaccessibility of land related complaint mechanisms and diminished accountability from leaders and institutions.

“In Kenya, the land problem is one of the main issues that citizens have reported and sought legal advice on through the Advocacy and Legal Advisory Centres (ALACs)”

Initiatives that share a common goal of improving a land sector governance through the shared approach of increasing transparency of relevant information and processes.

The Land Policy Initiative is a joint programme of the tripartite consortium consisting of the African Union Commission (AUC), the African Development Bank (AfDB) and United Nations Economic Commission for Africa (ECA). Its purpose is to enable the use of land to lend impetus to the process of African development.

The purpose of these Voluntary Guidelines is to provide guidance to improve the governance of tenure of land, fisheries and forests with the overarching goal of achieving food security for all and to support the progressive realization of the right to adequate food in the context of national food security.

World Bank. 2012a. Diagnosing Corruption in Ethiopia: Perceptions, Realities, and the Way Forward for Key Sectors. <http://elibrary.worldbank.org/doi/book/10.1596/978-0-8213-9531-8>

UN-HABITAT.

This includes initiatives like the G7 Land Transparency Initiative , the African Union (AU) Land Policy Initiative , and the Voluntary Guidelines on the Responsible Governance of Tenure which aim to make land deals transparent and support good governance in land administration.

Other strategies include:

1. Raising awareness to ensure that the land tenure rights are respected, protected and fulfilled. This will be possible through holding constant civic education and legal aid forums.
2. Law reforms.
3. Improving access to information amongst citizenry as lack of transparency permeates almost all aspects of land administration.
4. Improving land records management.
5. Decentralising decision making.
6. Registering interests in community land and public utilities like shrines, public beaches, playgrounds etc.
7. Simplifying laws which seem too technical to ordinary citizens.
8. Promoting more transparent and effective land certification and registration systems. This entails viable and affordable solutions that can ease and simplify the process, monitoring and better coordination between actors.

A good example is Lithuania which has also adopted e-governance. These changes have provided open access to information and ensured the incorporation of accountability mechanisms to get citizens engaged.

15 things you need to know about land administration, ownership and tenure in Kenya

By Francis Kairu & Jackline Wahome

1. How is land categorised in Kenya?

In Kenya, there are three different of land classification: private land, public land, and community land.

Private land is land owned by an individual under freehold or leasehold tenure. Public land is vested in the government for the benefit of the people in Kenya. It includes roads, all water bodies, forests, national parks, and land that has minerals, among others.

Community land is held by and managed by communities. It includes land registered under group representatives, shrines, grazing areas and ancestral lands.

2. What is land tenure?

Land tenure is a set of rules that determines how land is used, processed, sold, etc, in a given society. In Kenya, these rules are called land law and are found in various documents, the most important being the Constitution.

Chapter 5 of the Constitution provides for land and environmental management. Other sources of land law include: The Lands Act 2012, Land

Registration Act 2012, and National Lands Commission Act.

3. What is the difference between freehold and leasehold?

Freehold tenure gives the owner absolute rights to do anything they want with the land, subject to laws and regulations. Under leasehold tenure, the land owner is a tenant of the government, and has to pay yearly rates to the government.

4. What is land administration?

Land administration is the way in which land law and regulations are applied in the society. It includes activities such as land registration, survey, land planning and land use regulation. This is usually done by the government through institutions such as the National Land Commission, County Land Management Board and the Ministry of Land, Housing and Urban Development.

5. What are the functions of the Ministry of Lands?

In Kenya, there are two main institutions responsible for land administration. These are:

- The Ministry of Land, Housing and Urban Development
- The National Land Commission (NLC).

The ministry is part of the executive arm of the national government while the NLC is an independent body created by the Constitution. The ministry's functions include: registration, valuation, surveying, adjudication

settlement and physical planning.

6. What are the functions of the National Land Commission (NLC)?

The National Land Commission on the other hand, is concerned with: managing public land on behalf of the national and county governments; advising the government on land registration; researching on land use and management; and finding ways to redress historical injustices, among others.

7. Who can own land in Kenya?

Article 40 of the Constitution provides everyone with the right to own property of any description, including land, in any part of Kenya. However, if one is not a citizen of Kenya, they can only own land on leasehold, for a maximum of 99 years. Women, whether married or unmarried, have equal rights as men to own land.

8. Does the government have a right to take away your land?

Sometimes the government may need land for public interest projects such as expanding roads or establishing other public utilities. In such instances, the rights of the government override individual rights of ownership, and therefore the government can take privately owned land through a process termed as compulsory acquisition.

However, the government must give adequate notice and compensation to the private owners of the land before acquiring it. >> page 4

Case Study: Lithuania

E-governance is the application of information and communication technology (ICT) for delivering government services, exchange of information communication transactions, integration of various stand-alone systems and services. Lithuania, has adopted land reforms, including e-governance, that publish land activities on the web. Information can also be posted on community billboards or shared at local meetings discussing changes to land registration procedures. The system has promoted transparent, effective and accountable land management systems, especially certification and registration of ownership, and the public can track land transactions and ownership on the internet.

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9. How can I acquire land and protect my land rights?

Land in Kenya can be acquired through purchase, inheritance, allocation, or adverse possession. To protect your land rights, it is important to ensure that the land is first registered in your name. This can be done at a lands registry situated in every county within Kenya.

The Constitution also provides for the right to go to court to protect land rights, but also tasks the National Land Commission with encouraging the use of traditional methods or dispute resolution in land conflicts.

10. What is adverse possession of land?

Adverse possession is a legal concept that prevents the true registered owner of land from claiming land against a squatter or another person who has been occupying his/her land.

Under the laws of Kenya, if a person occupies and uses a piece of land which is registered to another person, and uses it without interference from the real owner for twelve years or more, then the real owner is barred by law from claiming that piece of land.

When this happens, the squatter has a right to approach the Environment and Land Court for the piece of land to be registered in his or her name.

11. What options do I have if I have a land related dispute?

In the event of a land related dispute, the remedy will depend on the type of land involved. If it is private land, the parties in contention can take the dispute to the Environment and Land Court. This is the court specifically established by the Constitution to deal with matters about land and the environment.

If it is a dispute regarding community land between community members, the dispute should be resolved by the registrar of group representatives

under the Group Representatives Act. If dissatisfied, you can appeal to the Magistrates Court and subsequently the High Court. If the dispute is between the community and an outsider who wants to claim the community land, then the parties can file a suit in court.

If it is public land, an individual claiming the land has limited rights because it belongs to the government. However, if a group of people have been squatting on a tract of government land for generations, they can appeal to the government to give them rights to that land by adjudication.

12. How do I get land that is registered in my deceased parents' names registered in my name?

If the value of the estate does not exceed Ksh 100,000, you can apply to the nearest Magistrate's Court. Alternatively you will have to apply to the nearest High Court Family Division for grant of letters of administration, which will appoint you as the administrator of your parents' estate.

To make this application all you need are your parents' death certificates. Later, you need to take the confirmation of grant from the court, which confirms that you are the rightful administrator.

Next, you will take the confirmation of grant, the certificate of title, and your identification details to the land registry, where you will apply for the name on the certificate of title to be changed to yours.

13. My land case has been pending in court for over 10 years now. How do I get help?

The Judiciary has established an office of the Judiciary Ombudsman to assist in resolution of such cases. Citizens can raise a complaint through writing, calling or visiting the office at the Supreme Court building.

The complaints that citizens can raise include, lost files, cannibalized files

and misconduct on the part of judicial officers. However if the case has been delayed by an advocate, then a citizen can raise the issue with the Advocates Complaints Commission.

14. We have received several threats of eviction. How do we protect ourselves?

If the land is rightfully yours and registered to you, you can apply to the court to get an order of injunction against the person threatening to evict you.

This is a court order that prohibits the other person from doing anything that might prevent you from enjoying your land rights fully. If the other person disobeys the order, then they can be jailed for contempt of court.

15. How does Transparency International Kenya (TI-Kenya) assist those with land related complaints?

TI-Kenya has four Advocacy and Legal Advisory Centres (ALAC) in the country, in Mombasa, Nairobi, Eldoret, and Kisumu. ALAC officers receive complaints on corruption from members of the public and give appropriate legal advice.

ALAC officers can help by forwarding the complaint to the relevant Authority, either the NLC or the Ministry. If it is a matter that requires court resolution, ALAC can refer the complainant to an advocate from TI-Kenya's network of partners. The data that the ALAC's collect from cases received is used for advocacy purposes in a bid to bring systemic change.

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Advocacy and Legal Advisory Centres' interventions in land governance issues: Legal aid and public education



A TI-Kenya officer at a past public forum

By Isaiah Mwangela

Advocacy and Legal Advisory Centres (ALACs), were set up by the Transparency International movement to empower the victims and witnesses of acts of corruption to exert their rights.

Often, these victims or witnesses are illiterate, marginalised and extremely vulnerable – or sometimes simply people living in rural areas very far from legal infrastructure, who do not have access to legal services.

Advocacy and Legal Advisory Centres have continually offered quality and free legal advice to victims and witnesses of corruption in the land sector in Kenya . A considerable proportion of complaints received at the centres are related to land especially in North Rift Counties and the Coast region. In the 2013/2014 year 538 cases out of 3900 received were land related.

ALACs reach Kenya's rural population through monthly mobile legal aid clinics in the Nairobi, North Rift, Coast and Western regions. The cases received are analysed and itemised for specific interventions.

In addition to legal aid, ALACs conduct public education forums to address the most prevalent questions of law and procedure in land

acquisition, land administration, the Bill of Rights and the provisions of the new land laws.

Land governance interventions Transparency International Kenya has been championing for land reforms and lobbied for the appointment of commissioners to the National Land Commission a process which had been stalled by the government in 2012/13.

TI-Kenya has engaged with its partners through ALACs to advocate and lobby for land reforms; the International Anticorruption Day 2012 jointly organised by ALAC Mombasa with partners, whose theme was "Transparent and inclusive land reform for sustainable development", was intended to open up debate on the land question in the coastal region.

ALAC's have joined various networks whose goal is to engage with state agencies to curb corruption in the land sector and enhance open, transparent land administration and management. The networks include Coast Land Non State Actors (CLNSA), court users committees in the regions and most recently the Committee on Recovery of Public Land irregularly acquired within Uasin Gishu County which brings together Ethics and Anti-corruption Commission (EACC), ALAC Eldoret, County Government and the Attorney General's office.

ALACs have further engaged the land registrars through advocacy meetings in the regions to reduce barriers in the service delivery chain and eliminate brokers in order to deliver services to the public in a transparent and accountable manner.

Towards improving land administration, ALACs have initiated engagements with the National Land Commission to influence its work and devise strategies for resolution of citizens' complaints on land matters. ALAC Mombasa currently has an understanding with the commission to hold quarterly meetings. These meetings are intended to provide progress reports of cases presented to the commission and strategise on the best ways to deal satisfactorily with citizens' complaints.

“ALACs reach Kenya's rural population through monthly mobile legal aid clinics in the Nairobi, North Rift, Coast and Western regions.”

The writer is the Programme Officer, Advocacy and Legal Advisory Centre, Eldoret.

The Compulsory Acquisition of Land

The standard gauge

By Jackline Warui

Compulsory acquisition is the power of the government to acquire private rights in land without the willing consent of its owner or occupant in order to benefit society.

It is a power possessed in one form or another by governments of all modern nations.

This power is often necessary for social and economic development and the protection of the natural environment. Compulsory acquisition requires finding the balance between the public need for land on the one hand, and the provision of land tenure security and the protection of private property rights on the other hand.

In seeking this balance, nations should apply principles that ensure that the use of this power is limited, that is, it is used for the benefit of society for public use, public purpose, or in the public interest. This is the principle of eminent domain.

Compulsory acquisition is naturally disruptive. Even when compensation is generous and procedures are generally fair and efficient, the displacement of people from established homes, businesses and communities will still entail significant human costs. Where the process is designed or implemented poorly, the economic, social and political costs may be enormous.

Acquisition of land for the Standard Gauge Railway Project.

The process of acquiring land for construction of the standard gauge railway according to The Kenya Railways Corporation Project Manager, Solomon Ouna, was due for completion by December 2014. This was done in partnership with the

National Land Commission which is mandated to deal with compulsory acquisitions.

The project requires about 120,000 acres of land most of which is owned by private persons. 60% of this land was expected to have been bought by August 2014 while the remaining 40% by December 2014. 56% of the land to be acquired has already been gazetted by the National Land Commission (Gazette Notice No. 724, 18th February, 2014 is enclosed). The project began in October 2014.

What affected persons need to know about compulsory land acquisition:

Legal Framework:

The Universal Declaration of Human Rights (Article 17) provides that “everyone has the right to own property alone as well as in association with others” and that “no one shall be arbitrarily deprived of his property”.

The African Charter on Human and Peoples’ Rights, 1986: “Article 14 provides that right to property shall be guaranteed. It may only be encroached upon in the interest of public need or in the general interest of the community and in accordance with the provisions of appropriate laws.”

Article 21.1-All peoples shall freely dispose of their wealth and natural resources. This right shall be exercised in the exclusive interest of the people. In no case shall a people be deprived of it. In case of spoliation, the dispossessed people shall have the right to the lawful recovery of its property as well as to an adequate compensation.” The Constitution of Kenya, 2010 protects the right to property. Article 40 gives every person

the right to own any property whether individually or in association with others in any part of Kenya. Further, it mandates Parliament to enact a law but the law should not deprive anyone of any interest or right over their property arbitrarily.

The Constitution only allows the state to deprive any rights or interests over any property if the deprivation is as a result of compulsory acquisition. The compulsory acquisition must be merited on the grounds that:

- a) The land must be required for a public purpose or in the public interest and
- b) Just compensation must be promptly paid to the person whose land is being acquired.
- c) Further the Constitution also allows any aggrieved person the right of access to a court of law to seek a remedy on the acquisition or compensation process (Article 40(3)).

Procedure for Compulsory Acquisition:

The Land Act, 2012 (enacted pursuant to Article 40) under Part V11 gives the procedure to be followed in the compulsory acquisition of land.

1. The national or county government intending to acquire land gives notice to the National Land Commission to acquire the land on its behalf. The Commission establishes whether the request satisfies the conditions of Article 40(3) of the Constitution (Section 107(5)).

2. Notice of acquisition

When the Commission approves the request, it causes a notice of intention to acquire land to be gazetted in the national or county Gazette and a copy delivered to the registrar and all interested persons. Interested persons

Land and Compensation Process

Large railway project

in this respect include the persons whose names appear in the land register or their spouses, persons occupying the land or their spouse (section 110).

3. Notice of inquiry:

After 30 days of the notice mentioned in 2 above, the Commission is to publish a notice of inquiry and give at least 15 days before it conducts an inquiry. The inquiry is to hear issues of propriety and claims of compensation. The notice should also be served upon all interested persons.

4. Valuation and submissions of claims:

The Commission shall arrange for valuation of the land to be acquired to be done. Interested persons shall then deliver written submissions not later than the inquiry date.

5. Public hearing:

At the inquiry, the Commission shall make an inquiry on who the interested persons are and hear the claims of compensation.

6. Determination and award:

The Commission shall then make a determination on the eligibility on interested persons and the award to be given to them. The award determined shall be filed at the office of the Commission and notice of the award and offer of compensation given to all interested persons.

7. Payment of compensation and possession:

The Commission is then to pay the compensation promptly. The word promptly is not defined under the statute but can be interpreted according to the surrounding circumstances. Section 114 provides for payment before taking possession in cases where a person desires to be allocated another property as compensation.

The word 'promptly' can be interpreted in the same context, to require government to pay compensation before taking possession. Otherwise, it may mean within a reasonable period of time which will depend on circumstances of the case.

8. Appeals:

Owners and occupants are given the chance to contest the land acquisition, including the decision to acquire the land, the process by which the land was acquired, and the amount of compensation offered.

Corruption risk in compulsory land acquisitions

Corruption = Monopoly + Discretion – Accountability – Transparency

1. **State officers involved in the acquisition and compensation process manipulating the value of land between acquisition and compensation period.** It is possible that the value of land assessed for compensation may be reduced or increased but actual amount paid is less. The process should be monitored and affected persons involved.

2. **The period within which compensation should be paid to land owners is not defined.** This may give room for corruption where some people may not be compensated or may be partly compensated and not know the fate of the partly uncompensated amount. The state should at least partly compensate land owners before taking possession.

3. **Lack of public participation in the process.** The process of construction of the SGR already began without involving affected persons. Public participation is a critical ingredient in governance processes and has to be embraced through it all. If the process continues without involving interested and affected persons, the lack of transparency would be a violation of the basic principle of public participation and access to information. Opacity is one of the key enablers of corruption and impropriety.

4. Limited access to information relating to acquisition process.

The inquiry hearings should be conducted in public. Further, reports by the National Land Commission on valuation and awards given should be made available to the public for scrutiny in accordance with Article 35 of the Constitution. This will make the Commission transparent and accountable.

5. **Compensation with another parcel of land.** A land owner whose land is acquired can inform the Commission that he be allocated a parcel of land of similar value instead of monetary compensation. This may give room for corruption where government officers may allocate land and to themselves or other ghost beneficiaries or collude with beneficiaries to allocate large parcels than should be.

6. Unchecked discretion and the monopoly in setting the land prices make corruption more likely to occur.

Moreover, the decision of the Commission on the value given to land or compensation offer made to a victim is conclusive evidence of the same. This could be improved by developing legal regulations for the outsourcing of land valuation services to independent organisations in a competitive market, and by assigning to an independent committee the power to review and approve the land allocation price.

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Recommendations for action

The land acquisition and compensation process is a process that requires a high degree of technical expertise to complete. Determining ownership and amount of award/compensation required is the mandate of the National Land Commission. Therefore:

1. The Commission should be tasked to account for the criteria used in determining size of land, its value and awards to be paid. A mechanism should be put in place to monitor this implementation and the decisions made on the whole compensation process. This will ensure accountability by the Commission.
2. The Commission should avail all information to interested persons and the public for scrutiny.
3. The Public and CSOs should monitor the compensation process closely e.g. by taking count of the number of people to be compensated as per gazette notices to avoid compensation of “ghost land owners” and corruption in the process. The amount of money paid and timelines should also be published to ensure consistency.
4. CSOs should also.
 - Conduct surveys to determine community needs, undertake impact assessments and assist in data collection.
 - Implement an education campaign to sensitize people on the acquisition process, their rights in the process,

how to contest unfair procedures, and how to dispute compensation determinations.

- Organize public meetings where community members can educate each other, voice their concerns, share their experiences and identify potential strategies.
- Help to develop effective communication procedures between the acquiring agency and affected owners and occupants.

Principles that should guide the process for compulsory acquisition

- Processes should be based on the following principles:
- The land and land rights to be acquired should be kept to a minimum. For example, if the creation of an easement or servitude can serve the purpose of the project, there is no need to acquire ownership of the land parcel.
- Participatory planning processes should involve all affected parties, including owners and occupants, government and non-governmental organisations.

- The acquisition process should be properly defined with specified time limits so that people can understand and meet important deadlines.
- Processes should be transparent and flexible, and undertaken in good faith.
- Notices should be clear in written and oral form, translated into appropriate languages, with procedures clearly explained and advice about where to get help.
- Assistance should be provided so owners and occupants can participate effectively in negotiations on valuation and compensation.
- The process should be supervised and monitored to ensure that the acquiring agency is accountable for its actions, and personal discretion is limited.
- The government should take possession of the land after owners and occupants have been paid at least partial compensation, accompanied by clearly defined compensation guarantees and payment timelines.



Construction work on for the standard gauge railway project

The writer is the Deputy Programme Officer, Governance and Policy at Transparency International Kenya

Wajir residents enjoy improved service thanks to 'Uwajibikaji Pamoja'



A past community forum on Uwajibikaji Pamoja key messaging in Wajir County Photo/TI-Kenya

Residents of Giriftu, Wajir County are receiving better services from the Hunger Safety Net Programme following the 'Uwajibikaji Pamoja' initiative.

The second phase of the Hunger Safety Net Programme (HSNP) targeting 19,200 beneficiaries was rolled out in Wajir County in August 2014 by the National Drought Management Authority.

Since the roll out, there were complaints related to the programme with the community members feeling that they were being taken for granted by the implementing organisations.

This led to bad blood between the programme staff and community members for several months. In October 2014 there were joint field outreach activities by the National Drought Management Authority and TI-Kenya in Giriftu.

Awareness creation activities were conducted on the public's rights and avenues to complain against poor services.

A complaint related to delays in disbursement of cash to beneficiaries by HSNP was lodged into the Uwajibikaji Pamoja system via SMS.

The Uwajibikaji Pamoja convener for Wajir County referred the complaint to the National Drought Management Authority and made a follow up visit to the coordinator's office.

After this meeting the coordinator planned a joint field trip to Giriftu on 28th November 2014 to meet the community members. On the material day, the coordinator and the convener met with the Giriftu community members through a baraza .

The coordinator explained that the delay in disbursement was caused by lack of sufficient staff members in Hunger Safety Net Programme but from December 2014 more members of staff would come on board and they would no longer experience delays.

He further informed them that the cash disbursements are made once every two months and gave them an SMS number through which to channel their complaints should they come across any agent who demands any charges for the disbursement.

He also informed the community that some staff had been sacked after they were found charging some community members.

Following this baraza, the community members got a better understanding of the Hunger Safety Net Programme, leading to better relationships and less mistrust between the staff and beneficiaries.

About uwajibikaji pamoja

'Uwajibikaji Pamoja' is an Integrated Complaint Referral Mechanism that was set up to improve service delivery to the residents of Turkana County and facilitate the referral of complaints from one service provider to another.

The service enables members of the public to submit complaints or feedback concerning aid and service delivery through three channels: a toll-free SMS line, a web-based portal, or by filling out paper forms.

People with no access to a mobile phone or internet can visit the nearest office of a participating organisation to lodge their complaints. The walk-in option will also allow people who cannot read or write to report their cases.

'Uwajibikaji Pamoja' is currently being implemented in Wajir, Turkana and West Pokot Counties.

By The Humanitarian Aid Integrity Programme team

Community in Kwale sensitised on the importance of getting more involved in education governance



Participants during a public forum on education governance in Kwale County. Photo/TI-Kenya

By **Brenda Osodo**

TI-Kenya conducted a public forum in Kwale County to sensitise residents on the importance of participating in the education of their children.

The public forum held in May 2015 in the four Sub-counties of Kwale County targeted parents and members of the communities surrounding the primary schools with which TI-Kenya has integrity clubs. These schools are Kichaka Simba, Makamai, Mwangulu and Simanya Primary schools.

Some of the issues discussed in the forum were the rights and responsibilities the community in education sector governance.

To ensure quality service delivery, avenues through which the community can participate in education governance, guided the discussion. These avenues are embedded on the principles of governance such as, transparency,

effectiveness, accountability, integrity and independence.

Acts and policies such as Basic Education Regulations (Final review, 2015), The 2010 Kenyan constitution, the Public procurement and Disposal Act and Public Officers Ethics Act.

Many of the parents were oblivious to how the Free Primary Education (FPE) program works including the allocations, management, procurement of items, and accountability of the money allocated to students - of Ksh. 1020 per student for primary school students and Ksh. 10,265 per student for secondary schools.

The writer is the Project Assistant, Citizen Demand, Education Project in Kwale County .

“TI-Kenya’s Citizen Demand Programme works in partnership with stakeholders in Kwale, Trans Nzoia and Kisumu Counties to improve service delivery in the education sector.”

Transparency International Kenya hosts global climate governance integrity workshop in Nairobi



Participants at the global climate governance integrity workshop held in Nairobi. PHOTO/TI-Kenya

By **Psamson Nzioki**

Transparency International Kenya with Transparency International Secretariat held a three day workshop on global climate governance integrity in Nairobi, Kenya in May 2015.

The workshop created a platform for the various climate finance interventions to share information and evaluate each other's ideas.

Also discussed in the meeting were processes that will enable on-going support to develop and pursue climate finance actions, on a national, regional and international level.

Frequent and prolonged droughts, frequent floods and increased incidences of diseases are a few of the effects of climate change. With Poor governance of finances set aside to address these effects, the number and magnitude of communities suffering from these effects would increase.

Climate finances agreed in 2009 in Copenhagen are set to increase to

Kshs. 8.5 Trillion (100 US billion dollars) by 2020 but are likely to flow through the same systems which have not adopted anti-corruption safeguards.

TI-Kenya's role in Climate Governance and Integrity Programme (CGIP), is to advocate for good governance, transparency and accountability in Climate finance in order to make climate investment more effective.

With over 20 participants drawn from all the Transparency International chapters, involved in climate finance, new partnerships, strategic alliances and corporation with potential collaborators were made.

The writer is the Deputy Programme Officer, Climate Governance Integrity Programme.

TI-Kenya's Climate Governance and Integrity Programme in partnership with stakeholders in climate change issues works with a network which facilitates shared-learning, information exchange, and cooperative climate finance governance (CFG) advocacy and research actions on climate finance governance.



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