



FOR IMMEDIATE RELEASE

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PRESS STATEMENT

Upholding Accountability in the COVID-19 Response Efforts

- A. RECOGNISING that Kenya is currently facing an unprecedented health crisis of global magnitude due to the COVID-19 pandemic which as in many countries brings with it novel challenges requiring extraordinary response and action from all of humanity.
- B. APPRECIATING that the Government of Kenya has taken measures to contain the spread and contraction of COVID-19 to safeguard citizens and as part of its obligation to save lives and livelihoods.
- C. UNDERSTANDING that Governments world over including the Government of Kenya have had to take extraordinary measures to secure their countries and people, mobilise resources and enforce necessary containment measures.
- D. CONCERNED that there have been instances exposing Kenya's lack of preparedness and capacity in dealing with an emergency of the magnitude of COVID-19 and in particular:
 - 1. Reports of inadequate provision of critical supplies including protective gear to ensure the safety of Health Workers and other personnel (such as security and airport surveillance workers) providing critical services;
 - 2. A shortage of health workers and professionals to effectively address the looming crisis exposing concerns that have been previously raised by health workers' unions and the general public, including concerns around the social security and welfare of health workers;
 - 3. Instances of individuals including public officials and state officers demonstrating a lack of personal integrity by contravening Government directives on containment measures including mandatory self-quarantine for individuals who had recently travelled or experienced some of the COVID-19 symptoms, and social distancing measures among others;
 - 4. Lack of clear transparency and accountability measures in relation to the allocation, disbursement and utilisation of resources to fund emergency response efforts;
 - 5. Harassment of whistle-blowers who out of a sense of patriotism and urgency in dealing with a crisis of the nature of COVID-19 act promptly to point attention to situations needing urgent response/action.
- E. EMPHASIZING the need to ensure that all decisions, actions and eventual consequences are responsive to Kenya's Values and Principles of Governance as enshrined in Article 10 of the

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Constitution of Kenya as well as other constitutional provisions and accountability measures spelt out in policy and enabling legislations and in particular THAT:

1. The Government should guarantee adequate access to and flow of accurate, verifiable information on the extent of the crisis. This information should be available in different languages understood by Kenyan citizens, and through media and formats that can be easily understood and accessed, so that all Kenyans can make informed decisions to protect themselves and fully cooperate and participate in the response efforts. Measures to protect lives and livelihoods, restrictive measures taken and the reasons thereof, extent and timelines for the restrictions, resources allocated, disbursed and used in response to the crisis and all other information meant for the public as guaranteed under Article 35 of the Constitution on the right to information is paramount.
2. To further enable access to information as highlighted above, the Government should establish a public information portal on COVID-19 accessible to the public with all information including: current number of infections; affected geographical locations; preventive measures at personal, household, neighbourhood/community including informal settlements and rural areas, county and national levels; emergency response units and their activities across the country; resource allocations, at national and county level, including donations in cash and in kind; and other pertinent information.
3. To enhance accountability in mobilisation and use of resources, agencies involved in the response should ensure transparency in the procurement of lifesaving medicines and other medical supplies, with greater effort taken to prevent price gouging of drugs, and other goods and services required to protect citizens from contagion (such as hand sanitizers, masks, gloves). All procurement information should be published in due course, with all procurement subjected to an audit.
4. Adequate resources should be mobilised at both National and County level to address any immediate shortages in medical provisions noting that the directives by county officials and one by the President on use of One Billion Kenya Shillings from the Universal Health Coverage programme to address the shortage of health workers should also include the provision of resources for equipment and protective gear for use by the health workers.
5. The Emergency Response Fund Board constituted by the President to oversee mobilisation of resources and funding for COVID-19 response measures should embed transparency and accountability measures in the sourcing and allocation of the funds.
6. Meaningful and free participation of citizens and stakeholders in decision-making processes should be explored. A special response working group including state and non-state actors (CSOs, faith-based organisations and the private sector among other key actors) is required to enhance public participation and accountability in the formulation and implementation of responses measures to capture the circumstances and needs of all Kenyans particularly vulnerable groups.
7. Protection of whistle-blowers should be observed even as we continue to emphasise the need to urgently pass the Whistle-blower Protection Bill which has been pending for close to five years and would therefore offer proper legislative guidance to public

officials in dealing with Kenyans wishing to share accurate and verifiable information for the public good.

8. The Government should take swift and decisive action to protect vulnerable populations from health-related, economic and social inequalities in dealing with the current crisis. The government should plan and roll-out a raft of measures targeting vulnerable groups through measures such as: enhanced sanitisation and provision of social amenities including water; mobile medical services (preventive, testing and contact tracing services); and relief aid mobilisation and distributions systems with the support of other aid agencies.
9. Reliable data and monitoring and evaluation systems should be urgently put in place at the national and county levels to facilitate the design of evidence-based responses and targeted interventions.
10. The Ministry of Interior and Coordination of National Government and the Inspector General of Police should ensure that police officers are well facilitated with clear information and tools to enforce the curfew within the confines of the law as spelt out in the National Police Service Act and the Service Standing Orders. Officers contravening the law must be held to account to build public trust and confidence that the National Police Service lives up to its motto of service with dignity.

We expect the Government to take all necessary measures within the confines of our governance and legal frameworks to save lives and livelihoods, and implore all citizens to unite in surmounting this crisis and remain vigilant to ensure that there is accountability of all public resources at all levels. Individual integrity, discipline and vigilance will see us through this crisis. Transparency International Kenya, will continue to execute its role in enhancing transparency and accountability in processes and use of resources in the COVID-19 pandemic response efforts.

Sheila Masinde
Ag. Executive Director

Note: This statement is made in addition to the other statements made jointly with other non-state actors and the Police Reforms Working Group - Kenya including:

1. [Advisory Note on Ensuring A Rights-Based Response to Curb the Spread of COVID-19](#); and
2. [Police Must Stop the Use of Excessive Force while Enforcing the Curfew Order](#).

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