



A corruption-free Kenya

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**PRESS RELEASE**

**2021 CORRUPTION PERCEPTIONS INDEX REVEALS A DECADE OF STAGNATING  
CORRUPTION LEVELS AMID HUMAN RIGHTS ABUSES**

**25th January 2022:** The 2021 Corruption Perceptions Index (CPI) released today by Transparency International, the global civil society organisation leading the fight against corruption, reveals that corruption levels have stagnated worldwide at a time when human rights and democracy are under attack.

Countries that violate civil liberties score lower on the CPI while countries with high respect for human rights attain higher CPI scores. Out of the 331 cases of murdered human rights defenders in 2020, 98% occurred in 23 countries with high levels of Public Sector corruption – with CPI scores of less than 45. Out of these, at least 20 cases targeted anti-corruption activists, underscoring the urgent need to accelerate the fight against corruption to halt human rights abuses and democratic decline across the globe.

“Human rights are not simply a nice-to-have in the fight against corruption”, Delia Ferreira Rubio, Chair of Transparency International said. “Authoritarianism makes anti-corruption efforts dependent on the whims of an elite. Ensuring that civil society and the media can speak freely and hold power to account is the only sustainable route to a corruption-free society.”

**Global Highlights**

The CPI uses a scale of 0-100 (where 100 is the cleanest and 0 is the most corrupt). Countries and territories are ranked based on their perceived levels of public sector corruption. The report is a composite index, a combination of surveys and assessments of corruption which is collected by a variety of reputable institutions.

The 2021 edition of the CPI ranked 180 countries and territories by their perceived levels of public sector corruption, drawing on 13 expert assessments and surveys of business executives. Denmark, Finland, and New Zealand topped the index, with 88 points while South Sudan, Syria and Somalia fell at the bottom with scores of 11, 12 and 12, respectively.

## **Kenya's Performance and the Regional outlook**

Kenya obtained a score of 30 out of 100, a slight drop from a score of 31 in 2020. Kenya's score still falls below the Sub-Saharan average of 33 (a rise of one point from 32 in 2020) and global average of 43 - a score below 50 indicates serious levels of public sector corruption. The CPI 2021 ranked Rwanda the highest in the East African region with 53 points compared to 54 points in 2020, Tanzania with 39 from 38 points in 2020, while Uganda and Burundi stagnated at 27, and 19 points respectively. South Sudan was ranked last both regionally and globally scoring 11 points from 12 points in 2020. African countries that scored above the global average included, Seychelles (66 points), Cabo Verde (58 points), Botswana (55 points) and Mauritius (54 points).

## **Kenya's Stagnating Performance Across the Years**

In comparison to CPI 2020, Kenya only had a change of one score. The 5-year trend analysis from 2017 to 2021 shows that Kenya's score was 28, 27, 28, 31 and 30 respectively. In addition, Kenya's score largely oscillated between 25 and 28 between 2012 and 2019, until 2020 when it recorded a score of 31, which has this year dropped to 30.

This is a clear indication that Kenya has largely stagnated in the fight against corruption since the change is not statistically significant even when a trend analysis of 10 years is performed. This demonstrates a general lack of progress in anti-corruption efforts despite the current administration's pre-election promises to tackle corruption. Various anti-corruption efforts are yet to significantly turn the tide against corruption. Laws and legislative amendments enacted in the last ten years such as the Leadership and Integrity, Access to Information, and Elections Campaign Financing laws among others are yet to be fully implemented. While there have been attempts to amplify corruption investigations and prosecutions, Kenyans are still frustrated by the slow turn of the wheels of justice as corruption cases have dragged in the courts, and Kenyans now face the stark reality that the 2022 election will provide a political lifeline for some corruption suspects already charged in court, as their cases are yet to be concluded. Corruption in public service has also denied Kenyans access to critical services including education and health, and the soft underbelly of our governance system has been exposed by the impact of the COVID-19 Pandemic in these and other public service sectors. Successive governments including the Jubilee government have made several commitments to tackle corruption, contained in key global and regional conventions, and other undertakings made at the international and national level, but key commitments are yet to be realised including the enactment of a Whistleblower Protection law.

## **Measures to Propel Anti-Corruption Efforts During Electioneering Year and Protection of Human Rights in Kenya**

While corruption remains both a social and economic problem, it is also largely a political problem in Kenya. As the country heads to the general elections on 9<sup>th</sup> August this year, the lack of a robust framework for the enforcement of the campaign financing law to prevent the use of ‘dirty money’ for campaigns still presents a challenge to the fight against corruption.

“The amounts of money being left in campaign locations under the guise of ‘community empowerment’ and clashes over cash pledges, are telling of the problem ahead if decisive measures are not undertaken to ensure that politicians are held accountable for the sources of their campaign funds, amounts raised and how these funds are used,” Sheila Masinde, Executive Director, Transparency International Kenya. “True commitment to tackle corruption by politicians seeking elective office must start with embracing transparency in the mobilisation and utilisation of campaign funds, and political parties’ refusal to nominate individuals accused of corruption. It is pertinent that the next administration elevates anti-corruption efforts and it is thus incumbent on voters to adjudge and vet the next set of leaders against the standards of leadership and integrity set out in Chapter Six of the Constitution and reject any individual that has been found in breach of the standards set out, and assess past performance and capacity of candidates in regard to anti-corruption efforts.”

The unregulated use of money during election campaigns is closely tied to corruption and illicit financial flows. [TI-Kenya has repeatedly called for the implementation of election campaign financing regulations](#), and together with other partners has since moved to court to compel the implementation of the campaign finance regulations.

On the nexus between corruption and human rights violation, CPI 2021 highlights that the global COVID-19 pandemic has been used in many countries as an excuse to curtail basic freedoms. In Kenya, police enforcement of guidelines imposed to contain the spread of the COVID-19 pandemic during the last two years has resulted in reports of increased bribery risks, police brutality and infringement of basic human rights. Besides, there has been an increasing trend of extra-judicial killings and enforced disappearances reported in various parts of the country by human rights organisations.

Additionally, human rights violations such as displacement, voter intimidation, harassment of political aspirants, police brutality, curtailing freedom of the media, and civic space restriction including harassment of human rights defenders and civil society actors are rife during the election period. Accountability of security officers for such violations remain limited at best.

**TI-Kenya, therefore, proposes the following:**

1. At the centre of corruption are the sources of political parties and candidates’ campaign funds, amounts raised and how these funds are used, hence the need to ensure that regulations on campaign financing are put in place and applied during the 2022 general elections and beyond.

2. That Citizens invoke Article 1 of the Constitution of Kenya 2010, and exercise their sovereignty through strict actions, by rejecting any individual with pending corruption and economic crimes cases, and those who have acted in breach of the leadership and integrity tenets as enshrined in Chapter 6 of the Constitution of Kenya 2010. This should be done across all the six elective positions including presidential candidates.
3. That all arms of government need to understand and apply Chapter 6 of the Constitution to the letter with similar standards for both elective and appointive public office positions.
4. That the National Police Service should commit to respect the rule of law and human rights including the right to picket and assemble as articulated in the Constitution and relevant laws.
5. Actors within the criminal justice system who play a critical role in combating corruption as well as ensuring accountability for human rights violations should embody the principles of integrity, transparency, accountability, and respect for rule of law.

#### ***Note to the Editors***

- [Transparency International Kenya](#) is a not-for-profit organisation founded in 1999 in Kenya with the aim of developing a transparent and corruption-free society through good governance and social justice initiatives. TI-Kenya is one of the autonomous chapters of the global Transparency International movement that are all bound by a common vision of a corruption-free world.
- The CPI is the flagship research product of Transparency International, the global civil society organisation leading the fight against corruption for more than 25 years.
- Since its inception in 1995, the Corruption Perceptions Index has become the leading global indicator of public sector corruption. The index offers an annual snapshot of the relative degree of corruption by ranking countries and territories from all over the globe. In 2012, Transparency International revised the methodology used to construct the index to allow for comparison of scores from one year to the next. For more information, visit [www.transparency.org/research/cpi](http://www.transparency.org/research/cpi).
- Data Sources: The CPI 2021 is calculated using 13 different data sources from 12 different institutions that capture perceptions of corruption within the past two years. Nine data sources were used for Kenya in 2021 including the African Development Bank CPIA, Bertelsmann Foundation Sustainable Governance Index, Economist Intelligence Unit Country Ratings, Global Insight Country Risk Ratings, World Bank CPIA, World Economic Forum EOS and World Justice Project Rule of Law Index.

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