





Transparency International Kenya (TI-Kenya) is a not-for-profit organization 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.

> We recognise the devastating effects of corruption on the human wellbeing - it weakens institutions and undermines sustainable socio-economic development.

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ACRONYMS

A 4T				
A4T	Action for Transparency			
ALACs	Advocacy and Legal Advice Centre			
ALNAP	Active Learning Network for Accountability and Performance in Humanitaria			
	Action			
APNAC	African Parliamentarians Network against Corruption			
ASAL	Arid and Semi-Arid Lands			
ASF	Arid and Semi-Arid Lands Stakeholders Forum			
AG	Attorney General			
BoM	Board of Management			
CAJ	Commission on Administrative Justice			
CDF	Constituency Development Fund			
CDMC	County Drought Management Committee			
CLMB	Community Land Management Boards			
CREATE	Collective Resolution to Enhance Accountability and Transparency in			
CSG	County Steering Group			
CSO	Civil Society Organisation			
EABI	East African Bribery Index			
EACC	Ethics and Anti-Corruption Commission			
ECHO	European Civil Protection and Humanitarian Aid Operations			
GCF	Green Climate Fund			
GIZ	Gesellschaft für Internationale Zusammenarbeit			
НА	Humanitarian Aid			
HAIP	Humanitarian Aid Integrity Programme			
ICRM	Integrated Complaints Referral Mechanism			
ICT	Information and Communication Technology			
IPCRM	Integrated Public Complaints Referral Mechanism			
KNCHR	Kenya National Commission on Human Rights			
KSHS	Kenya Shillings			
LAC	Legal Advisory Committee			
LIS	Local Integrity System			
MCA	Member of the County Assembly			
M &E	Monitoring and Evaluation			
MPS	Members of Parliament			
MOU	Memorandum of Understanding			
NDMA	National Drought Management Authority			
NEM A	National Environmental Management Authority			
NGO	Non-Governmental Organisation			

NPS	National Police Service
NPSC	National Police Service Commission
OAG	Office of the Auditor General
OCHA	United Nations Office for the Coordination of Humanitarian Affairs
PETs	Public Expenditure Tracking Survey
PPDA	Public Procurement and Disposal Act
PPOA	Public Procurement Oversight Authority
REDD+	Reducing Emissions from Forest Degradation and Deforestation
SACCO	Savings and Credit Cooperative
SMS	Short Message Service
TI	Transparency International
UN	United Nations
UNCAC	United Nations Convention against Corruption
UNFCCC	United Nations Framework Convention on Climate Change
UNODC	United Nations Office on Drugs and Crime
WAPNET	Wajir Paralegal Network

BOARD OF DIRECTORS

Mrs. Bernadette W. Musundi, Chair

Mrs. Musundi is a former Permanent Secretary in the Office of the Vice President and Ministry of Home Affairs, Heritage and Sports. She has twice served as the Executive Director of the Maendeleo Ya Wanawake Organization (MYWO) - the largest women's NGO in Eastern Africa. She is currently serving as the Chairperson of the Strathmore University Council. Previously, she served in the council of Regina Pacis University College a constituent college of the Catholic University of East Africa. She also represented African women co-operative members on the International Cooperative Alliance's Global Women Committee for 20 years, seven of which she served as its Vice President. Mrs. Musundi is also currently working as a consultant in creating linkages between communities, development agencies and donor partners. She holds a B.A (Hon.) and M.A Degrees in addition to extensive professional training in Adult Education, Marketing, Business Administration and Co-operative Management from local and foreign institutions of higher learning. In October 2016, Mrs. Musundi was appointed and subsequently elected Chair of the Recruitment Panel for the Chairman and Commissioners of the Independent Electoral and Boundaries Commission (IEBC). She joined the TI-Kenya Board in April 2010 and was elected the Chair of the Board of Directors in May 2017.

Ms. Rachel G. Mbai, Vice Chair

Ms. Mbai served as the Vice Chair of the Board of Directors until May 2017. She joined the TI-Kenya Steering Committee in early 2007 and was elected a member of the Board of Directors in September 2007. Ms. Mbai, a lawyer by profession, is a Partner at Kaplan and Stratton Advocates. Her portfolio includes property acquisition, disposal and development, property laws and finance, security transactions and documentation for local banks, financiers and borrowers and due diligence reporting. She has previously served as a Legal Officer in the Ministry of Foreign Affairs, Kenya.

Mrs. Marion Barriskell

Marion Barriskell is the Regional Director (Sub-Saharan) for the British Council. Before joining the British Council, she was the Head of Investigations for KPMG East Africa. Previously, she was a manager at KMPG Forensic Services (London) and worked with Special EU Programmes for peace in Northern Ireland, managing forensic investigations on irregularities detected. She is a recipient of Special EU Programmes Body (SEUPB) award. Mrs. Barriskell is a fellow of the Association of Chartered Certified Accountants, as well as an Accredited Counter Fraud Specialist. She holds a Bachelor of Accountancy degree from the University of Dundee and a Diploma in Audit Skills from the Chartered Institute of Public Finance & Accountancy. She joined the TI-Kenya Board of Directors in August 2014 and is the Chair of the Finance Sub-Committee of the Board.

Dr. Luis Franceschi

Dr. Luis Franceschi is the Dean, Strathmore University Law School and Chairman of the Board of the Ethics Institute of East Africa. He is also the Chairman of the Strathmore Annual Law Conference; Legal Advisor, Strathmore Educational Trust and Adjunct Faculty, Strathmore Business School. Dr. Franceschi is a member of the team of experts Peer Reviewers of the Council of Legal Education (Kenya). He has been a consultant for national and international institutions, including the government of Kenya, the African Union, the Commonwealth of Nations, the African Court of Human and People's Rights, the East African Court of Justice, the United Nations and the World Bank. He also sits on several corporate boards, academic editorial boards and advisory councils. He has written several publications, including the only detailed commentary to the Constitution of Kenya 2010, and is a weekly columnist for the Daily Nation newspaper. He holds a PhD in Law from the University of Navarre, Spain; Masters in Law from the University of Nairobi and Bachelor of Laws degree from U.C.A.B. He joined the TI-Kenya Board of Directors in 2015.

Dr. Linda Musumba

Dr. Linda Musumba is a senior lecturer and founding dean of the Kenyatta University School of Law. She has been a successful founding dean, leader and administrative head of a prestigious new law school in a respected public university in Kenya. She put in place successful systems and procedures to guide the daily operations of the School in line with the ethics and practices of the parent Kenyatta University and particularly an effective feedback and evaluation system. Dr. Musumba has carried out consultancies and research for various organisations such as the African Union Commission and Inter-Governmental Authority on Development (IGAD). She has written and presented papers in several conferences/seminars/workshops organised by various Kenyan and international entities on various issues of law, gender, and governance. She previously wrote a weekly column for the East African Standard Sunday Newspaper, and severally for the Nairobi Law Monthly Magazine. Before joining the TI-Kenya Board of Directors in 2015, she was a Member of TI-Kenya and Secretary General of African Centre for Rights and Governance. She holds a PhD in Law from the University of Birmingham, United Kingdom and a Masters in Law in Development from the University of Warwick, UK. Dr. Musumba is an Advocate of the High Court of Kenya and received her Bachelor of Laws degree from the University of Nairobi. She is a Chair of the Legal Cluster in the Commission for University Education (CUE) Project

Mr. John Henry Juma

Mr. Juma has been a consultant for national and international institutions including the Government of Kenya, government departments and parastatals, and several Municipal Councils (now county governments), the World Bank, German Development Corporation, (formerly GTZ and currently GIZ), French Development Corporation (AFD), United Nations Development Programme (UNDP), Department for International Development (DFID), Fidelity Commercial Bank, UAP Insurance, KUSSCO and the Consumer Federation of Kenya (COFEK) among others. He has over 30 years' experience in stakeholder mobilisation and engagement, resource mobilisation, strategic planning, finance and banking, project development, implementation and management, impact analysis and review, results-based management, institutional development, capacity building, and government and donor engagements. He holds a Master of Arts Degree in Public Policy and Administration (Development Economics) from the University of Wisconsin USA, Bachelor of Arts in Economics from the University of Nairobi, Diploma in Industrial Consultancy from the University of Delft the Netherlands, Diploma in Finance for Small Enterprises from Cranfield University, UK, Certificate in Development Economics from Harvard University and Certificate in Economics of European Integration from the London School of Economics, UK. He joined the TI-Kenya Board of Directors in 2016.

Samuel M. Kimeu – Executive Director

Mr. Kimeu joined TI-Kenya in 2010 from the Embassy of Finland, Nairobi where he had been the Governance Specialist since October 2007. He was previously a lecturer at the Kenyatta University School of Law and the Executive Director of the Kenyan Section of the International Commission of Jurists (ICJ-Kenya). He is an advocate of the High Court of Kenya and holds a Masters of Law Degree in International Human Rights from the University of Notre Dame, Indiana-USA. He received his Bachelor of Laws degree from the University of Nairobi. Mr. Kimeu is in charge of the day to day running of the affairs of TI-Kenya and sits on its Board of Directors as an ex-officio member. He also serves on the Board of Transparency International having been elected in October 2017.



FOREWORD

This reporting period marked the culmination of 'The Concept of Action', the Strategic Plan for Transparency International Kenya for the period 2012 to 2017. In the last five years, Transparency International Kenya has continued to advocate for transparency and accountability through a wide range of interventions spanning civic engagement, legal advice, institutional strengthening, capacity building, legislative development and advocacy, public interest litigation among others.

Corruption is the cause of so many of the problems encountered in the world today. It affects service delivery, creation and availability of job opportunities and holds back economic growth, costing countries billions every year. Countless studies around the world show how corruption can interrupt investment, restrict trade, reduce economic growth and distort the facts and figures associated with government expenditure. The poorest and marginalised sections of the population bear the biggest brunt of corruption.

Adherence to good governance principles creates an environment where corruption cannot survive. This is where all our efforts should be concentrated to fashion a society each one of us will be proud of. Failure to adhere to the practices of good governance by those in authority means consistent demand for accountability by the public.

The public has been the fulcrum of the 2012-2017 Strategic Plan. The plan was premised on the logic that public engagement with and pressure on public institutions and leaders is critical in realising accountability and quality services. TI-Kenya thus continues to reach out to the public through many avenues. The Advocacy and Legal Advice Centers (ALACs) continue to create opportunities for citizens to report cases of corruption through a toll-free line, SMS, mobile legal aid clinics, email and post, and visits to our ALAC offices We have embraced technology to effectively hold duty bearers accountable through the Action for Transparency Application and Uwajibikaji Pamoja platform.

Public campaigns, forums and media advocacy have also been resourceful in our course. The Red Card Campaign spearheaded by the National Integrity Alliance (NIA) now convened by TI-Kenya is noteworthy.

The campaign advocated for election of leaders with integrity during the 2017 general elections with chapter six of the Constitution of Kenya on leadership and integrity as the basis. The campaign had tremendous impact and as such was recognised by the Public Relations Society of Kenya as the 2017 Public Affairs Campaign of the year. The Campaign was entered and won in the Gold SABRE Awards for Public Relations Campaigns – Geographical Category, winning the Eastern Africa Award and for the Public Relations Campaigns – Public Affairs/Government Relations. For the first time in the history of Kenyan elections integrity was a key talking point/issue, we had cases of individuals being denied nomination certificates by their parties or denied clearance by IEBC on the basis of Chapter 6; 8 candidates on the Red Card list of 20 failed to get elected.

We appreciate our development partners for the invaluable role they have played in supporting the anti-corruption agenda. The financial and technical support they offered has come a long way in ensuring successful implementation of our activities. We are grateful to the national and county governments, other public institutions, civil society organisations and the private sector for the fruitful partnerships that we have built. Finally, a big thank you to the public, we are grateful that you walked with us through this journey. We remain committed to, and will continue to be guided by our vision of a corruption-free Kenya, and look forward to greater collaboration and commitment by all stakeholders in this endeavour. We are confident of making significant progress towards this ambition in the new strategic plan period of 2017 to 2022.

Mrs. Bernadette W. Musundi **Chair, Board of Directors**



INTRODUCTION

This narrative report captures activities, progress and impact recorded by Transparency International Kenya for the period between October 2016 and September 2017 against the priorities outlined by "The Concept of Action – the TI-Kenya Strategic Plan for the period 2012-2017.

The Strategic Plan set out three programmatic priorities namely:

- 1. Strengthened governance in targeted institutions
- 2. An effective legislative and policy environment
- 3. Citizens with capacity to fight corruption and associated vices.

TI-Kenya recognises that the sustained rise in the level of corruption calls for a change of strategy, if we are to succeed in turning the tide against the vice. The incoming Strategic Plan for the period 2017 – 2022 outlines the strategies and actions that TI-Kenya will undertake to address the noted challenges and new trends in corruption. Empowering the public to be responsive and effective in holding duty bearers to account remains central in our Concept of Action, while facilitating the existence of supportive policy, legal and institutional frameworks for anti-corruption interventions.

We will also push for effective implementation of established anti-corruption regulatory frameworks, prevention of the reversal of related hard-won gains, in addition to addressing capacity challenges within various accountability institutions. Additionally, we will also address growing cases of inequity in the distribution of public resources and opportunities. The fight against corruption requires synergy and combined efforts now more than ever, in order to be impactful and sustainable. Working with multiple stakeholders, and pursuing multi-pronged strategies across different levels and sectors is thus critical. We therefore look forward to forming and sustaining vibrant collaborations as we work to deliver the programmatic objectives outlined in the new Strategic Plan.

We thank all our development partners who made significant contributions towards our interventions in the last strategic plan period, and those that have advanced support and made commitments as we cross over to a new Strategic Plan. We particularly appreciate the Embassy of the Kingdom of the Netherlands in Nairobi for invaluable, broad institutional support to the implementation of TI-Kenya's strategic plan 2012-2017. We also appreciate stakeholders in the public and private sectors, civil society organisations and the general public for continued moral, financial and material support towards our initiatives.

Samuel Kimeu

Executive Director

CITIZENS WITH CAPACITY TO FIGHT CORRUPTION AND ASSOCIATED VICES



ENGAGEMENT WITH CITIZENS

Empowering Citizens through Legal Advice

Through the Advocacy and Legal Advice Centers (ALACs), TI-Kenya creates avenues for citizens to report cases of corruption. ALAC is a tool that the Transparency International movement has used since 2008 to empower victims and witnesses of corruption to stand up against the vice in over 50 countries across the globe. The ALAC is a walk-in or call-in centre where citizens can obtain free, quality and confidential legal advice on corruption cases.

TI-Kenya has four ALACs in Nairobi, Mombasa, Eldoret and Kisumu which serve the entire regions where they are situated. Over 50,000 Kenyans have been given legal services since 2009. In taking legal aid services closer to citizens, a total of 47 mobile legal aid clinics were held out of the 48 targeted, by the ALACs, reaching a total of 1,092 people. In addition, a toll-free and SMS line for reporting corruption was maintained during the entire reporting period, with 1,510 clients receiving legal advice from the four ALACs through the line.

Exam Certificate Finally Released After a 10-Year Wait

In March 2017, one Mr. Maurice* called TI-Kenya's ALAC-Western office using the toll-free number seeking for intervention in a matter that had taken too long to resolve.

He indicated that he had sat for his K.C.S.E examinations in 2006 at Emusire Secondary School in Vihiga County. However, he had been unable to retrieve his certificate due to fees arrears and had suffered greatly as a consequence thereof.

ALAC-Western took up the matter with the school Principal as he was acting in total contravention of the Directive issued by the Cabinet Secretary Education regarding issuance of K.C.S.E certificates.

A telephone call was made to the Principal regarding the matter and follow ups made to ensure that the Certificate is released unconditionally.

In July 2017, the client called the office indicating that he had at long last obtained his certificate and appreciated the ALAC-Western office for the legal advice and support offered.



The anti-corruption helpline

0800-720-721

or

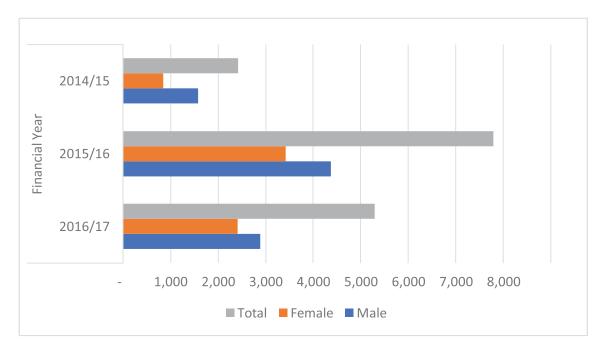
22129

For **FREE** assistance on **CORRUPTION** related cases

Involved Citizens through Public Forums

TI-Kenya organized a number of public forums to reach out to the public. The ALACs held public forums in Nairobi, Kwale, Uasin Gishu, Siaya, Busia, Mombasa, Kisumu, Machakos and Kakamega where materials on ALACs, land and corruption and other TI-Kenya publications, and Frequently Asked Questions on Corruption were distributed.

In terms of public education forums on anti-corruption strategies, civilian oversight and civic participation, a total of 5,293 (55% men and 45% women) were reached by the different ALACs through public forums surpassing the target of 4,800. This, compared to the fiscal year 2015/16, represents a 32% decrease in the number of men and women reached through public outreach due to limited resources for public outreach, and a 54% increase compared to 2014/15 financial year. More importantly however, there is a steady increase in the number of women being reached across the years. This is attributable to various factors such as scheduling outreach activities at times that are convenient to women, and conducting them in more accessible locations.



No of men and women reached through public outreach

CELEBRATING THE ANTI-CORRUPTION DAY

During the annual International Anti-Corruption Day commemorated on 9th December 2016, TI-Kenya participated in several outreach events in collaboration with partners including the National Integrity Alliance, the Ethics and Anti-Corruption Commission (EACC) and the Kenya Leadership and Integrity Forum – KLIF.

ALAC Nairobi participated in the organisation of the International Anti-Corruption day outreach activities conducted in Kajiado with KLIF partners. The activities included a street procession, a public event coloured by entertainment and speeches from public officials reiterating their commitment to fight corruption, exhibition of IEC materials and mobile legal aid clinics.

ALAC Mombasa held two interactive community radio shows, 2 public forums, training of County Government Officials on Ethical Leadership, training of Kwale County Land Officials on Integrity in Land Governance, a public debate on integrity and a peaceful procession which resulted in the presentation of a petition outlining recommendations towards curbing impunity to EACC. ALAC Eldoret and Western conducted various events in Eldoret and Kisumu respectively including a roadshow with entertainment, a public forum, mobile legal aid clinic and a radio talk show.

In Nairobi, under the banner of the National Integrity Alliance, *TI-Kenya was among organisations that held a popular celebration including integrity awards to recognise individuals that have contributed towards the fight against corruption during 'The People's Anti-Corruption Summit' which was televised live, musical concert, roadshows, photo exhibition and legal aid clinics reaching an estimated 400,000 people in total.*

ENGAGING THE YOUTH IN ANTI-CORRUPTION WORK

Integrity Clubs

The youth form a large part of the country's population. Kenya's ratio of youth (aged 15-24) to the population stands at 20.3 per cent, according to data from US-based Population Reference Bureau (PRB). There is therefore a need to engage them with the aim of enhancing a value system that promotes integrity and accountability especially in their formative years. It is against this background that TI-Kenya initiated the formation of integrity clubs to engage students and the youth in ethical and integrity learning. Since 2012, TI-Kenya has initiated 103 integrity clubs in primary and secondary schools in Nakuru, Nairobi, Mombasa, Kwale, Trans Nzoia, Uasin Gishu and Kisumu. The integrity clubs have contributed to improved discipline and responsiveness among the learners. In the year under review, copies of Students' Anti -Corruption Handbooks were produced and disseminated to the integrity clubs in Nairobi, Western, North Rift and Coast regions.

All Kenya Moot Court Competition

To promote the institutionalization of the anti-corruption agenda in institutions of higher learning, TI-Kenya supported the All Kenya Moot Court¹ competition to highlight the challenges faced by anti-corruption players in prosecuting corruption cases. The Court brings together law students from Kenyan universities TI-Kenya's contribution to the success of this competition was through offering advice to the planning committee in the various logistical and event coordinationprocesses, monetary contribution, marking of the research papers and adjudicating the final rounds of the Appellate Competition.

Procurement Students Mentorship

TI-Kenya supported capacity building of procurement and supply chain university students through mentorship, coaching and provision of IEC materials on procurement. This followed a partnership with the Procurement and Supply Chain Students Association (PSSA) in the University of Nairobi and Jomo Kenyatta University of Agriculture and Technology.

Engagement with schools under the women, land & corruption

To encourage students to embrace and advocate for women's land rights and uphold integrity, ALAC Nairobi undertook a school drawing competition on women, land and corruption in five primary schools in Nairobi with the best drawings awarded.



¹ All Kenyan Moot Court Competition (AKMCC) is an annual national moot court competition hosted by the Kenyatta University School of Law (KUSOL) and involving all Law Schools in Kenya. The competition focuses mainly on matters of International law and has become one of the largest annual academic gatherings in the Kenyan legal calendar.

OUR WORK TOWARDS THE 2017 ELECTIONS

The Red Card Campaign

CATEGORY: PRINT MEDIA



AG Muigai backs case seeking clarity on integrity

Posted on June 22, 2017 by admin

By ABIUD OCHIENG, published in the DAILY NATION The Attorney General has thrown weight behind an application seeking an advisory opinion from the Supreme Court on whether aspirants who have [...]

» Read more



Block 106 candidates in EACC list of shame, activists tell IEBC

Posted on June 8, 2017 by admin

By PATRICK LANG'AT, published in THE DAILY NATION Rights watchdogs insist that the electoral commission should bar the 106 politicians the anti-graft body flagged as having integrity issues from August polls. [...]

Electing leaders of integrity is at the core of fighting corruption and the foundation for a corruption free society. The integrity of electoral processes is important in ensuring that this aspiration is realised. Increasing public debate and discussions around the integrity of elective office aspirants is one such step in ensuring that citizens elect leaders whose self-interests do not supersede the public interest.

TI-Kenya's focus on the 2017 elections revolved around enforcement of Chapter Six of the Constitution on Leadership and Integrity. TI-Kenya was therefore part of the #RedCard campaign that sought to enforce political accountability by contributing to the vetting and monitoring process in the general elections.

The August 2017 Elections offered an opportunity to challenge the re-election of leaders who had fallen short of the ethical standards for our leadership as articulated in the Constitution of Kenya. Launched in the lead up to the elections, the 90-day Red Card campaign was initiated by Transparency International Kenya, Society for International Development/Chapter One Kenya, Mzalendo Trust and Ni Sisi Trust. The organisations worked under the auspices of the National Integrity Alliance (NIA).

At stake was the public credibility of the elections and the danger of returning back to public office, individuals who had been named adversely by statutory agencies or prosecuted for economic crimes, abuse of office or corruption.

The campaign was innovative and bold, and demonstrated the impact of collective action in the public interest. It took a "speaking truth to power" approach by publicly naming very powerful individuals in Kenya's political class. 20 individuals were listed as unfit to vie for public office based on the tenets of Chapter Six of the Constitution on Leadership and Integrity. The list, popularly known as the #RedCard20 was based onsolid documentation based on reports in the public domain namely the Auditor General's and Parliamentary reports. The release of the #Redcard20 energised a national public debate, and gave courage to our elections and anti-corruption commissions to make leadership integrity an electoral public interest for the first time in Kenya's history. TI-Kenya and its partners under the NIA backed this public debate with private lobbying meetings with key duty-bearers.

Following the campaign, at least three copy-cat actions were taken independently by citizens in three counties of Bungoma, Vihiga and Murang'a. The red card was independently used by citizens in public rallies to challenge candidates on their integrity record. For the first time in Kenya's history, IEBC denied clearance to a gubernatorial candidate in Mombasa on grounds of integrity. One of the political parties turned down two aspirants on the same grounds. Eight of the #RedCard20, despite getting clearance to vie, were not elected back to office.

The #RedCard Campaign was awarded the Public Relations Society of Kenya Public Affairs Campaign of the Year Award in 2017.

Accountability Forums

TI-Kenya conducted accountability forums in preparation for the elections in Kisumu, Kakamega, Siaya, Bungoma and Busia under the theme: "An eye on transparent and accountable service delivery." The Forum in Kisumu targeted gubernatorial candidates while the others targeted Members of County Assembly Aspirants in Isukha Central Ward (Kakamega), West Alego (Siaya), Musikoma ward (Bungoma) and Murumba ward (Busia). Integrity and accountability pacts were signed by the aspirants to be followed up after the elections as a basis for holding the elected leaders accountable through citizens' report cards that will be closely monitored.

Advocacy on Reports from the Office of the Controller of Budget (CoB) and Auditor General

Aggressive and vibrant advocacy initiatives were undertaken using the Auditor General and Controller of Budget reports in the targeted 5 Counties in Western Kenya - Kisumu, Kakamega, Busia, Bungoma and Siaya. Specific attention was paid to the Auditor General report's feedback on MCAs failing to remit payments for car loans and mortgage allowances and illegal payments to MCAs for sitting allowance as was highlighted by the Controller of Budget reports.

In the western region, most of the county assemblies were adversely highlighted in both the Auditor General and Controller of Budget report in the Financial Year (FY) 2014/15 and 2015/16; the failure of over 90% of incumbent MCAs in their re-election bids in all the five Counties is attributed to active civic engagements using the two reports.

TI-Kenya has impacted on civil society organisations and community groups working in areas of budget advocacy in the region and these are currently spearheading budget accountability work in targeted counties. For instance, in Kakamega County, through TI-Kenya, coalition members successfully filed a petition with the County Government targeting the office of the Governor on the "one cow initiative" a county programme that facilitated marginalised groups with dairy cows.

The petition challenged irregular, discriminative and lack of transparency in the determination of deserving beneficiaries that largely disadvantaged women especially widows. Through a joint petition with the community, the project was reviewed and henceforth included the members of the community that were left out especially women. In Bungoma, coalition members also successfully filed a petition in Court that compelled the County Assembly to be providing budget documents to coalition members for review and public participation purposes.

Other specific activities undertaken during the period under review towards realisation of the objective included the following; efforts were scaled up in transforming county systems on budget reporting systems. Meetings were held with County Executive Committee (CEC) members for finance in Busia, Kisumu, Bungoma, and Siaya to push for adoption of the County Quarterly Budget Implementation Report (CQBIR) template developed in collaboration with other organisations led by the International Budget Partnerships (IBP).

Follow up courtesy calls were also made with the Public Accounts Committee/Public Investment Committee and clarification letters drafted and shared with clerks of Siaya, Kisumu, Bungoma, Busia and Kakamega to avail recommendations and actions of the assemblies in dealing with the issues identified from the auditor general's reports. Feedback is still being followed with respective clerks of the assemblies.

Additionally, County Fiscal Strategy Papers (CFSPs), County Budget Review and Outlook Papers (CBROPs), Annual Development Plans (ADP)s for Kisumu, Siaya, Kakamega. Bungoma and Siaya Counties were reviewed and disseminated during the budget advocacy meetings in partnership with coalition partners and targeted groups in the health (CHVs in Kisumu County) and the agricultural sector (sugarcane farmers in Bungoma County). A total of 191 persons (88 males, 103 females) participated in the review meetings and were empowered on the budget making process.

A significant achievement under this outcome area was the involvement of specific interest groups affected by various issues in the budget advocacy meetings in partnership with coalition partners which saw a total of five petitions on governance and service delivery issues being drafted and presented to the County assemblies in Kisumu, Siaya, Kakamega, Bungoma and Busia. Follow ups on the petitions will commence after the respective assemblies settle down following the elections.

Consultative Meetings

Several consultative meetings were conducted with various election stakeholders including the Independent Electoral and Boundaries Commission (IEBC), non-state actors and religious leaders. The meetings sought to get buy-in for vetting of candidates and the barring of individuals unfit to hold office as per the provisions of Chapter Six of the Constitution of Kenya on leadership and integrity.

Kagua Kiongozi Campaign

TI-Kenya ran a campaign dubbed #KaguaKiongozi - 'Vet your leader' aimed at advocating for vetting of individuals seeking public office by the electorate. The campaign was carried out in Machakos and Uasin Gishu counties in Machakos County with voter education conducted in Matungulu, Mwala, Yatta, Kathiani and Kangundo sub-counties while the forums in Uasin Gishu were held in Moiben, Kapsaret, Moi's Bridge, Ainabkoi and Turbo sub-counties.

The forums enhanced citizens' capacity to influence integrity and accountability as constitutional benchmarks for electing leaders through the participation witnessed from the members of the community. Through the forums, citizens gained knowledge of the role of the office of the MCA and were interested in knowing whether the MCAs being vetted were also knowledgeable on their roles.

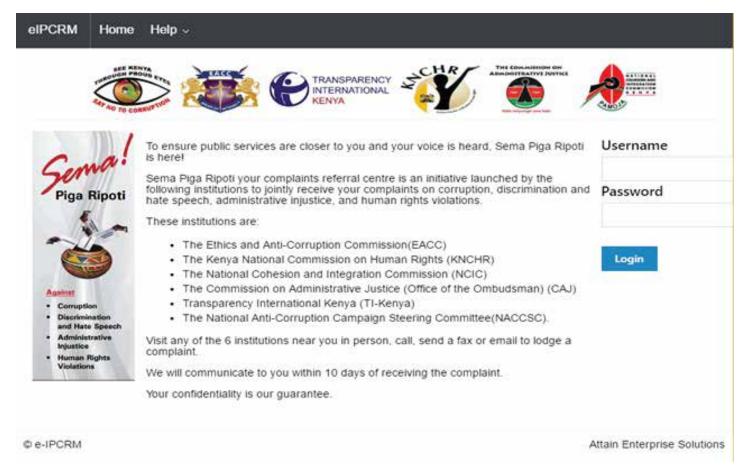
The forums focused on the electoral process (voting, what constitutes the electoral process and the importance of voting for leaders of integrity) and laws that govern the electoral process in Kenya (the constitution, the Elections Act, the Election Campaign Financing Act, the Political Parties Act, the Leadership and Integrity Act and the Independent Elections and Boundaries Act.

TI-Kenya also used drama skits to further educate the public which proved very effective. Achievements of the voter education forums included members within the sub-counties that undertook voter education were empowered on matters of the electoral processes, laws that govern the electoral processes, importance of voting leaders of integrity and the roles of different elective positions including Members of the County Assembly (MCAs), Members of Parliament, Governors, Senators, Women Representatives and the President. This culminated into the vetting forums where they had an opportunity to vet their leaders and thereafter voting in leaders whom they considered as having performed well during the vetting process.

Engagements with IPCRM Partners

Improved working relationships with Integrated Public Complaint and Referral Mechanism (IPCRM²) partners and increased reporting of relevant com plaints to the various partner agencies has resulted in quicker resolution of complaints referred to them.

ALAC Nairobi has continued to participate in the IPCRM technical committee meetings to discuss emerging issues in complaints' management and provide recommendations for implementation. ALAC Mombasa held five IPCRM meetings to plan for activations and discuss the way forward regarding the budgetary constraints facing partners that has impeded the implementation of several outreach activities.



USING TECHNOLOGY FOR ACCOUNTABILITY

Launch of the Action for Transparency Mobile App

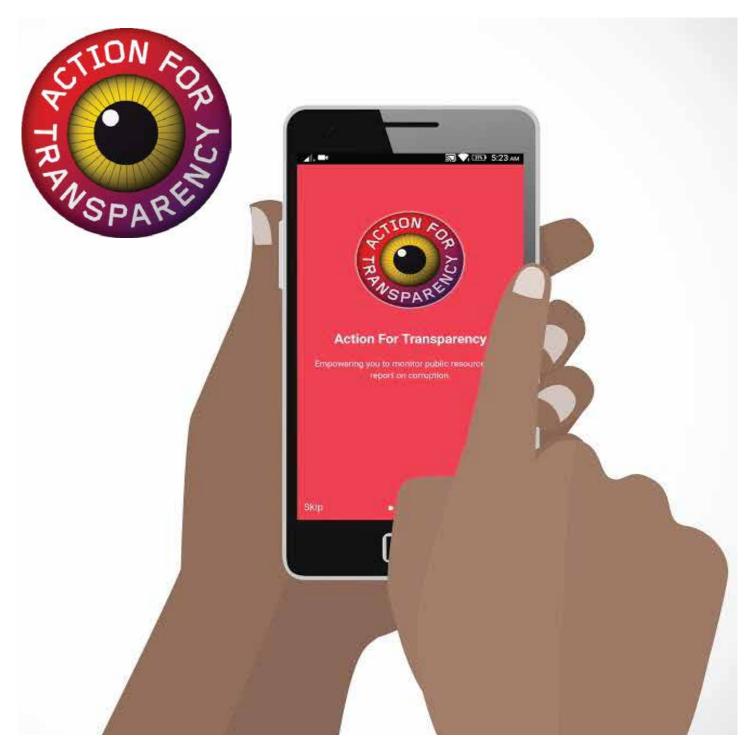
Mid 2017 saw the Action for Transparency project launch a mobile phone application at Peter Kibukosya Primary School in Embakasi. The public forum was graced by representatives from: the Swedish Embassy, the Ministry of Education represented by the Regional Education Coordinator, Sub-county Education Coordinators, Head teachers from various primary schools, boards of management and project implementation partners (Fojo Media Institute), and over 500 members of the public including parents and students.

² Integrated Public Complaints Referral Mechanism – This is a joint initiative bringing together TI-Kenya and national independent constitutional commissions mandated to receive and investigate complaints on corruption, human rights violations, discrimination and administrative injustices. This service is a complaints referral tool that aims to boost the efficiency, economy and impact of the work of the governance institutions through a shared platform. The institutions involved include the Kenya National Commission on Human Rights, EACC, Commission on Administrative Justice and the National Cohesion and Integration Commission and the National Anti-Corruption Campaign Steering Committee.

The A4T mobile App enables users to file reports on the App in regard to any discrepancies or issues relating to the mismanagement of funds in select primary schools and health institutions in Nairobi or making general reports on corruption. The mobile App is now available on Play Store and Apple Store.

609 downloads recorded in 2017. 84 reports were filed during 2017 - 81 through the App and three through the toll-free number.

Reported cases arising from the increase in awareness and reporting have been forwarded to the relevant authorities for appropriate action. Cases from both the education and health sectors have been dis cussed with the County leadership with a commitment given for follow -up and redress.



The Action for transparency App

Uwajibikaji Pamoja

Uwajibikaji Pamoja is a complaint handling and referral system that enables members of the public to submit complaints or feedback concerning aid and service delivery through a toll-free SMS line, a web-based portal, or by filling out paper forms.

71 institutions and agencies including County Governments, the National Draught Management Authority (NDMA) and Kenya National Commission on Human Rights (KNCHR) have joined the initiative and signed an MoU to implement this project with TI-Kenya in Marsabit, Turkana, West Pokot and Wajir.



As part of continuously developing the web based complaints referral platform another feature - spam detector and cleaner- was developed. This helped to clean all junk messages and leave only genuine and valid complaints into the system thus enhancing the speed of response to complaints lodged. In continuous monitoring of the functionality of the web based platform, new and robust features have been explored to make it a live and unique platform that will be impactful once adopted by the County Governments.

CASES OF CORRUPTION AND OTHER GRIEVANCES

The table below shows an analysis of feedback referred through the Uwajibikaji Pamoja system to date. A total of 101,642 complaints and other feedback have been lodged in the system since 2014 when it was first rolled out with 56,221 being resolved.

Statistics	Total
Accepted Complaints	377
Auto Referred Complaints	40485
Cleaned (dismissed) Entries	492
Cumulative Complaints	101642
Current Active Complaints	41550
New Complaints	179
Non-Accepted Complaints	77
Non Referred Complaints	102
Referred Complaints	567
Resolved Complaints	56221

Uwajibikaji Pamoja Success Story 1

Job*, 65-year-old widower and a father of 7 (3 boys and 4 girls) was a beneficiary of a cash transfer programme implemented by Oxfam and funded by ECHO in Turkana. Job was recruited into the programme through a process that is community based and facilitated by Oxfam staff and the community's administrative leaders; and borrowing heavily on the process that was spearheaded by the National Drought Management (NDMA), a National Government agency.

Through the programme, he was supposed to receive monthly stipend of Ksh 2,700 for a period of 17 months.). Job started receiving the money through his bank account for the first 12 months without facing any challenges. From March 2017, Job started experiencing challenges in accessing his money either through the bank or the agent(s). He was turned away on several occasions with the bank staff and agents citing non-conformity of his finger prints with the bank thumb machines.

During this period, Job had sought the intervention of his village elder and the Chief to no avail. Neither the bank nor the agents could listen to him. He lost hope.

On September 19th 2017, the TI-Kenya Turkana County Convener and the National Convener together with the Oxfam Field officer conducted community forums in the larger Turkana West Sub County, Kakuma included. Job was one of the community members who attended one of the forums. The community members were sensitised on their rights to give feedback on both aid and service delivery that is offered by state and non-state actors. The County Convener took them step by step on how to give feedback through the Uwajibikaji Pamoja platform. The County Convener supported him to fill a complaint form to register his feedback.

After checking his account and confirming his registration details, Job was able to access his stipend that had accumulated for seven months.

"TI-Kenya team is God sent! (sic) I had completely given up and even asked my two daughters who were schooling to forfeit school and support me in doing menial jobs to feed the rest of the family. I thank God. God bless your organisation," Job said after he was given his money.

^{*}Name changed to conceal true identity

Helping Citizens to Engage in the Planning, Delivery and Monitoring of Aid and Basic Services

Through the Humanitarian Aid Integrity Program (HAIP), TI-Kenya has made significant contribution towards enabling citizens to engage in the planning, delivery and monitoring of aid and basic services and to report suspected cases of corruption. There has been increased access to information on humanitarian aid services offered by both state and non-state actors among the communities in Marsabit, Turkana West, Pokot and Wajir counties. This is attributable to interactive radio shows aired, training of social auditors and community dissemination forums conducted.

More than 14 social audit trainings and social audit assessments were conducted in the four counties as a means of creating awareness on the Uwajibikaji Pamoja platform. This has resulted in better utilisation of the platform to give feedback on service delivery, planning and county budget processes among the community members.

More than 16 forums targeting Community Disaster Management Committees (CDMCs) were convened in Wajir, Turkana and Marsabit Counties. The committees were trained on how to utilise the complaints referral system in sharing feedback on service delivery and report corruption cases in humanitarian operations in their localities.

Feedback On Corruption Cases

Continuous partner visits in the counties have led to increased resolution of feedback from the communities. The rate is at 60% compared to the previous period which was less than 10%. The complaint referral mechanism, Uwajibikaji Pamoja, was launched in Marsabit County in March 2017. Awareness creation on Uwajibikaji Pamoja was conducted during the outreach events and the SMS short code shared to the public for them to send in complaints or compliments that relate to service delivery in their communities.

To strengthen coordination among implementing partners, 11 monthly partner coordination meetings were held. Of these, 6 were held in Turkana, 3 in Wajir and 2 in Marsabit. A further 22 outreach forums (9 in Wajir and 13 in Turkana) were conducted on the Uwajibikaji Pamoja platform. These forums were used to raise community awareness on their rights and the use of the accountability platform.

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SOCIAL ACCOUNTABILITY

Since 2010, Transparency International Kenya (TI Kenya) has been implementing a programme geared towards enhancing accountability and transparency in the design and implementation of Humanitarian Assistance in Kenya. During the first phase of the programme, an analysis of the 2011 drought response was conducted. Implemented in cooperation with the key actors involved in the food assistance sector, including relevant ministries, international and national humanitarian organisations, development partners and beneficiaries, the "Food Assistance Integrity Study" 3 identifies measures and recommendations to enhance accountability mechanisms that allow for more effective food security programmes. The study also encapsulates the findings of case studies and analyses integrity risks within different food assistance programmes implemented in affected regions in Kenya.

From March 2012, TI Kenya, in cooperation with Humanitarian organisations and other partners, is implementing social accountability programme in order to improve accountability and transparency in the implementation of humanitarian Assistance programmes in Kenya.

"Social accountability programme is the measure of a governmental and non-governmental organization's adherence to the social contract entered between it and the communities who by right are entitled to this service(s)/intervention during the contractual period. This assessment evaluates, for instance, the level of information shared with beneficiaries during targeting and registration, information available regarding projects budgets and timeframe. It also evaluate processes in place to consult community members during all stages of implementation of the intervention, as well as existence of a safe, accessible and effective complaints and response mechanisms put in place by the organization."

Se Qanjara gets a Health Dispensary thanks to TI-Kenya

Qanjara location is in Wajir West Sub-County and home to a local pastoral community. Inhabitants of this location have dropped their indigenous nomadic lifestyle due to recurrent drought caused by climate change which has continuously led to loss of livestock. Majority of the members of the local community are illiterate.

Together with the Wajir Paralegal Network (WAPNET), TI-Kenya conducted a series of public forums during the monthly community visits conducted under the social accountability project. In the public forums, key messages on integrity in humanitarian aid were shared and local communities were sensitised on their basic rights to demand for quality service delivery from county governments and hold service providers accountable as they are taxpayers. The community was made to understand that all sovereign power belongs to the people of Kenya and it's their responsibility to hold elected leaders accountable for better service delivery.

In June 2015, community members identified their key problems and raised concerns about lack of basic health services in their location. Although access to basic health services is a universal and constitutional right, there was no a single health care facility including health personnel and supply of medicine in the area.

Qanjara Community members mobilised resources and selected 3 individuals to follow up with their elected Member of County Assembly and county administration, and question why they don't have any health facility for the last 20 years since their location was created. Now a dispensary facility constructed in 2017 stands tall in Qanjara.

"We residents of Qanjara are mostly pastoralist drop outs who settled in this place 20 years ago after we lost our livestock to recurring droughts. For all these years, we never had basic health facilities and patients were either transferred to Habaswein or Wajir Town for treatment. We never thought we can stand up for our rights and hold elected leaders accountable. Transparency International Kenya's programme has opened our eyes and ears and we are very much grateful. We now got a dispensary facility built and still following up with the county administration to post health workers and deliver adequate supply of medicine (sic). What we thought could be never achieved in the last 20 years is now in place" Kusow, Qanjara resident.

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http://www.transparency.org/files/content/pressrelease/2012 TIKenya FoodAssistanceIntegrityStudy.pdf

STRENGTHENED GOVERNANCE IN TARGETED INSTITUTIONS



STRENGTHENED GOVERNANCE IN TARGETED INSTITUTIONS

TI-Kenya believes that strengthening governance in public institutions will significantly enhance their efficiency and ensure they deliver quality services to the public. It is thus targeting public institutions in the water, education, health, humanitarian aid, climate finance governance, the police and extractive sectors.

An Accountable and Transparent Land Management System

Through the land and corruption project, TI-Kenya held review meetings to discuss land related complaints on cases such as the Mwamdudu⁴ Primary School (Kwale County) to foster synergy in developing solutions to land issues. Other issues addressed in the case review meetings with partners included forced evictions, women, land corruption and compensation issues in the case of compulsory acquisition, and related human rights violations.

TI-Kenya took part in authoring and tabling a memorandum to the Parliamentary Committee on Lands and Natural Resources expressing its views on proposed amendments to the Community Land Bill. The team also provided comments and inputs on the draft regulations prepared by the Cabinet Secretary for Lands and Physical Planning to operationalise the Land Registration Act, the Land Act and the newly enacted Community Land Act to influence progressive and innovative regulations that promote land principles as enshrined in the Constitution. The principles include equitable access, security of land rights, transparent and cost effective administration of land.

Land Corruption Risk Mapping Tool

TI-Kenya with support from TI Secretariat and in partnership with the Centre for Rural Development (SLE) at Humboldt University, students from Technical University of Kenya (TUK) and Strathmore University developed a generic land corruption risk mapping instrument. This was based on research work in Kenya and on literature review from other sectors and countries. The land corruption risk map was based on research through: Analysis of existing literature and material such as legal documents, and documentation on pending and already executed land transactions, and collation of empirical data. The empirical research included key-informant interviews with relevant public officials, civil society organizations, and citizens as users of administrative services and land users as well as focus group discussions with communities of interest.

The tool will be used by TI-Kenya and its partners, the National Land Commission, the Ministry of Lands, civil society, academia in Kenya, and members of the public. The map will be an advocacy tool that will help NGOs, governmental institutions, and other actors in Sub-Saharan Africa to systematically identify and assess corruption risks in land governance and to develop effective counter-measures.

Public Lands Conference

A Public Lands Conference was undertaken in November, 2016 bringing together a number of stakeholders including the National Land Commission, Society for International Development (SID) and Transparency International Kenya.

The two-day conference was aimed at strengthening partnership among the Stakeholders working in land sector and thereafter, developing an advocacy strategy to address complaints and issues affecting the administration and management of public land to foster security of public land tenure. TI-Kenya participated in a panel discussion on 'Strategies that could reduce the risk of public land grabbing and asset stripping' largely drawing upon the findings of its baseline study for the land and corruption project and analysis of land laws.

⁴ School in Kwale County facing land-grabbing threats.

At the end of the conference, the stakeholders drew an advocacy plan to enable them work together in ensuring that public land for instance that which belongs to schools and hospitals is secured by obtaining title documents and fencing.

TI-Kenya submitted an abstract and later presented a paper at the 18th Annual World Bank Conference on Land and Poverty in March 2017. The paper was based on a case study conducted by TI-Kenya in August 2016 on land inheritance and land rights for women in Kakamega County, Kenya. The paper was key in profiling land corruption at the conference and raising recognition on the impact of the problem in land governance and socioeconomic development from a gender lens, as very few presentations touched on the matter.

Strengthening Citizen Led Accountability Mechanisms at the County Level

Following social audits of the health sector in five counties (Trans Nzoia, Elgeyo Marakwet, Uasin Gishu, Kiambu and Machakos) in 2015 and 2016, county specific technical Committees to facilitate implementation of the reports' recommendations were set up. Progress review forums were undertaken in these counties leading to the establishment of progress monitoring committees made up of local CSOs and individuals.

These committees comprised nine members from different sub-counties to report on any notable change in the health facilities. This information was then presented to the Technical Committees which facilitated the development of action plans which were approved during two annual learning and reflection sessions for health stakeholders conducted in November 2016 in Nairobi (for Kiambu and Machakos counties) and Uasin Gishu (for Uasin Gishu, Trans Nzoia and Elgeyo Marakwet counties), and shared experiences and best practices in the implementation of social audit recommendations.



A Responsive Public Procurement System

In the year under review, TI-Kenya sought to develop an offline version of Mobile Drug Tracking System (MDTS) at the facilities to complement the already existing web based system so as to enhance accessibility and reliability of the system regularly affected by poor internet/network supply.

Through the deployment of the Mobile Drug Tracking System (MDTS) and the Drug Price Index (DPI⁵) portal, there has been improved service delivery through use of technology to dispense drugs in certain public health facilities in Kwale and Elgeyo Marakwet Counties, as well as improved access to information on availability of medicines in targeted public health facilities for specific groups of patients.

The system allows the facilities to update their stock, manage the stores, update the master stock and synchronise data remotely.

Review of the Police Trainning Curriculum

TI-Kenya reviewed the police training curriculum to make proposals to influence the introduction of an anti-corruption module within the syllabus. TI-Kenya made nine recommendations for consideration by the National Police Service (NPS) and National Police Service Commission (NPSC) and developed a stand-alone course outline which incorporated Ethics and Corruption. Nine main units covering the following were proposed: understanding ethics, ethics and policing, understanding corruption, corruption and policing, ethics and anti-corruption legal framework, ethics and anti-corruption measures; measuring, documenting, investigation and reporting corruption, and proposed areas of reforms. The review was welcomed and a report with proposals acknowledged by the National Police Training Advisor who pointed out that the report would be considered during the review of the curriculum.

The Police Service Satisfaction Survey

A survey was conducted to establish the needs of police officers/stations versus the budgetary allocation in Kisumu and Nairobi Counties to strengthen institutional capacities within the police service. It aimed to gather information on the welfare of police officers, confirming the conditions of police stations and seeking information regarding budgets that are allocated to the various stations. The survey targeted selected police stations, posts and patrol bases within the two counties: Kisumu and Nairobi.

The Survey established budgetary allocations of Ksh 1,204,600, Ksh 1,204,600 and Ksh 1,154,600 to three police Divisions for one quarter during the financial year 2015/2016 which was noted hence the need to have the Officers in Charge of Police stations tasked with the Authority to Incur Expenditure (AIE) charged to promote service delivery at the station level. TI-Kenya has noted an allocation of Ksh 8.1 billion for leasing of police service vehicles to sustain police mobility in the Budget Statement for the Fiscal Year 2017/2018 (1st July – 30th June).

Feedback that was received from the Directorate of Reforms and the Internal Affairs Unit revealed that following the recommendations, deliberations were made regarding the Officers Commanding Stations (OCS) being considered as AIE holders and that a proposal has been made for the OCS's to be funded.

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The MDTS and DPI are social accountability tools that aim to increase citizen participation through tracking of pharmaceutical commodities at local health facilities. The MDTS enables stakeholders to gain real time information on available medicines. The portal also allows the gathering of accurate data on the stock levels of identified medicines in target facilities, which is necessary to enhance planning, quantification and forecasting of long-term consumer needs.

Feedback has been received through the Police Internal Affairs Unit on the use of the reports' recommendations to firm up the provision of counseling services to the police service as one of the gaps identified by the survey. Further, TI-Kenya has received feedback through the Directorate of Police Reforms that the Service has developed welfare, housing, counselling and chaplaincy policies which are at advanced stages. In addition, each sub-county will be allocated a Chaplain.

TI-Kenya has also noted allocation of resources amounting to Ksh 1.4 billion for the construction of 1,500 housing units for police and Kenya Prisons in Nairobi for the financial year 2017/2018 and Ksh 5.1 billion for Police and Prison Officers Medical Insurance Scheme, Ksh 1.7 billion for Group Life Insurance for Police This is a move that will promote better housing for the police officers as part of improved welfare. The extent of implementation of the recommendations will be further established through the planned evaluation of the intervention by TI-Kenya in April 2018.

Mining for Sustainable Development

The mining sector is fast gaining prominence in Kenya necessitating the need for a strong legal framework in the sector to minimise inherent corruption risks. Through the Mining for Sustainable Development (M4SD) project, TI-Kenya carried out a stakeholder analysis of the mining sector that was followed by a corruption risk assessment in the award of permits, licences and contracts in the sector. The corruption risk assessment was critical as it enabled the identification of existing gaps in the legal and policy framework that potentially create vulnerability to corruption in the mining sector.

It has been vital in informing the interventions crafted to address the gaps and the recommendations advanced to ensure a transparent and accountable mining sector in Kenya. Because of this assessment, there is improved understanding among different stakeholders of the possible corruption risks in the award of licenses, permits and contracts in the mining sector in Kenya.

Other than the national level data and information collected through desk review, the corruption risk assessment was conducted in the counties of Kitui, Kwale and Taita Taveta. The final research findings were validated in the three counties and at the national level. The report was launched at the National and county levels in August and September 2017 to promote public sharing of the findings and recommendations. Action plans were also developed by stakeholders in the three counties to guide implementation of recommendations. TI-Kenya is monitoring the implementation process.

AN EFFECTIVE LEGISLATIVE AND POLICY ENVIRONMENT



AN EFFECTIVE LEGISLATIVE AND POLICY ENVIRONMENT

TI-Kenya supports the development of quality laws (in respect to integrity, transparency and accountability) and monitors their implementation.

TI-Kenya tracked the anti-corruption agenda in Parliament through a review of Hansard reports on a continuous basis to stay abreast of legislative developments in regard to the fight against corruption, and developed a tracking tool to facilitate this process. Issues tracked included debate related to legislative development and reports of key parliamentary committees such as the Public Accounts Committee, Parliamentary Investments Committee and the Finance and Planning Committee among others.

Protecting the Independence of the Office of the Auditor General

TI-Kenya together with National Integrity Alliance members submitted a memorandum to the Parliamentary Finance and Planning Committee following a motion to remove the Auditor General from office on grounds of political bias. In the submission, TI-Kenya sought to defend the independence of the Office of the Auditor General (OAG), and raised concerns on the process and apparent bias in the handling of the allegations against the person of the Auditor General. Some of the concerns raised included the consistent attacks targeting the Office of the OAG, the indications of political pressure as cited by the Director of Public Prosecutions (DPP) in attempts to prosecute the Auditor General and the lack of supporting evidence to the petition. The Auditor General moved to court to block the parliamentary proceedings and was still in office by the time of compiling this report.

Public Audit Act 2015

Parliament in exercise of its legislative mandate enacted the Public Audit Act which was assented on 18th December 2015; the Act had a commencement date of 1st January 2016. The Act had serious ramifications on the proper functioning of the Auditor General as envisioned in the Constitution. It had proposals that could have affected the independence of the Auditor General both as a person and institution. On this premise, Transparency International Kenya approached the court seeking to have the controversial clauses declared unconstitutional, it was joined by the Auditor General and AfriCOG as the 1st and 2nd interested parties respectively while the Attorney General represented the government. Most of the Clauses TI-Kenya and the interested parties had sought to be declared unconstitutional were duly declared in the judgment delivered by Justice E.C Mwita on 16th February 2018.

Enactment of Key Anti-Corruption Bills/Laws at National and County Level

Under the legislative drafting sub-programme, TI-Kenya continued to draft and propose amendments to key bills to align them with constitutional principles of good governance, devolution, access to information and public participation, and monitor the enforcement of existing laws that speak to these principles.

Review of the Omnibus Anti-Corruption Laws (Amendment) Bill 2016

TI-Kenya has been the only civil society organisation engaged in the review of the Omnibus Anti-Corruption Laws (Amendment) Bill 2016 – a process spearheaded by the Office of the Attorney General and Department of Justice. The targeted laws in the Omnibus Bill included the Public Officer Ethics Act, Anti-Corruption and Economics Crimes Act, Leadership and Integrity Act, Ethics and Anti-Corruption Commission Act, The Commission on Administrative of Justice Act, Public Audit Act, Extradition (Contiguous and Foreign Countries) Act, and Mutual Legal Assistance Act. The Whistleblower Protection Bill 2016 was also subjected to a review in the same process.

Advocacy for a Whistleblower Protection Framework for Kenya

TI-Kenya has continued to research, engage and advocate for a whistleblower protection regime with various stakeholders. Advocacy was conducted through technical review and consultative meetings with stakeholders including government agencies, independent commissions and CSOs, and public forums and media advocacy. The key outcome of these engagements and advocacy efforts is that TI-Kenya's legislative proposals were accepted by the Attorney General and captured in the Whistleblower Protection Bill 2016. TI-Kenya will continue to engage in advocacy for a whistleblower framework through the 'Rooting Democracy in Kenya through Whistleblower Protection and Advocacy for Electoral Integrity' project funded through URAIA Trust.

The Health Bill

TI-Kenya also reviewed and engaged in advocacy to strengthen provisions on transparency, accountability, access to information, public participation in the Health Bill which was enacted into law in 2017.

Kisumu County Public Participation Act

TI-Kenya continues to advocate for prioritisation and enactment of county public participation and access to information laws. Therefore, TI-Kenya reviewed the Kisumu County Public Participation Act which is yet to be implemented despite its enactment, and generated 13 proposals which were shared with the Cabinet Office and stakeholders in Kisumu County to inform the next advocacy action. Meetings were also held with CSOs in Kisumu to discuss implementation of the law, and a petition on the delayed enactment of the Kisumu County Public Participation Act drafted and presented to the County Assembly.

Anti-corruption policy for the Adaptation Fund

A sound policy framework is necessary in promoting transparency and accountability in climate governance. To this end, TI-Kenya steered the development of an anti-corruption policy for the Adaptation Fund°. The Climate Finance Anti-Corruption Policy was finalised and submitted to the National Environment Management Authority (NEMA) for review pending validation.

Forest Conservation and Management Act, 2016

TI-Kenya made 24 recommendations to the now enacted Forest Conservation and Management Act, 2016. Additionally, various submissions on policies at the global level were made including the provisions on transparency in the United Nations Framework Convention on Climate Change (UNFCCC), provisions on an ad hoc complaints handling mechanism in the Adaptation Fund and provisions on transparency and access to information in the Green Climate Fund.

The Kisumu County Climate Change Policy

TI-Kenya supported the development of the Kisumu County Climate Change Policy Implementation Plan and scoping for County Integrated Development Plans (CIDP) Priorities. TI-Kenya worked closely with counties in Western Kenya to support them in developing climate related policies. A consultative stakeholder workshop was held on integrating Early Warning Systems (EWS) in the Kisumu Climate Change Policy. In Vihiga and Homa Bay Counties, consultative stakeholder workshops were conducted on mainstreaming climate change into the County Integrated Development Plan and domestication of National Climate Change Action (NCCA).

⁶ The **Adaptation Fund** is an international **fund** that finances projects and programs aimed at helping developing countries to **adapt** to the harmful effects of climate change.

Community Land Bill

TI-Kenya took part in authoring and tabling a memorandum to the Parliamentary Committee on Lands and Natural Resources expressing its views on proposed amendments to the Community Land Bill. The team also provided comments and inputs on the draft regulations prepared by the Cabinet Secretary for Lands and Physical Planning to operationalise the Land Registration Act, the Land Act and the newly enacted Community Land Act to influence progressive and innovative regulations that promote land principles as enshrined in the Constitution. The principles include equitable access, security of land rights, transparent and cost effective administration of land.

Other Legislative Initiatives

Other legislative initiatives under climate governance included review of the Green Climate Fund Whistleblower and Witness Protection Policy, and presenting input into the development of the 3rd Medium Term Plan (MTP III) and the National Climate Change Action Plan 2018-2022.

TI-Kenya together with the Greenbelt Movement and the Pan African Climate Justice Alliance initiated a public interest litigation case on the constitution of the National Climate Change Council under the Climate Change Act, 2016. The applicants sought to quash a Gazette Notice dated 7th November 2016 purporting to gazette disputed names for appointment to the National Climate Change Council without following due process as per the Climate Change Act. Judgement of the case was scheduled in early 2018.

Anti-corruption commitments made by the Government of Kenya

Some of the specific commitments made during the 2016 London Anti-Corruption Summit⁷ regarding exposing corruption included taking measures in line with the new Companies' regulatory framework to establish a public central register of company beneficial ownership information and to ensure that international and domestic law enforcement agencies have full and effective access to beneficial **ownership**⁸ information for companies and other legal entities registered within their jurisdiction.

Following heightened advocacy for the inclusion of beneficial ownership provisions in the Companies' Act, TI-Kenya's proposals were adopted into the Companies (amendment) Act, 2017.

Policy Influence At Regional And International Level

TI-Kenya participated in international discussions on climate change, climate finance, anti-corruption and governance. They include the Conference of Parties - COP 22 in Morocco, United Nations Climate Change Conference (Bonn Intersession) – mid-year climate change negotiations and the Open Climate Working Group of the OGP in Bonn, Germany and Open Government Partnership discussions in Paris, France.

Others included the 2016 International Anti-Corruption Conference and TI Annual Members Meeting in Panama; Land and Poverty World Bank Conference in Washington DC where TI-Kenya presented a paper on 'Securing Land Inheritance and Land Rights for Women in Kenya. The engagements were opportunities for learning and advocacy as they served to raise the profile of the organisation and ongoing interventions.

⁷ The London Anticorruption Commitments were made by the country through the Attorney General's office in 2016 and they focused on exposing of corruption, punishing the corrupt and supporting those who have suffered from corruption and driving out the culture of corruption wherever it exists.

Beneficial Owner is a natural person who ultimately owns or controls a legal person or arrangements or the natural person on whose behalf a transaction is conducted and includes those persons who exercise ultimate effective control over a legal person or arrangement.

Policy Influence at Regional and International level

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Formation and Strengthening of Corruption Reporting Opportunities in Climate Finance Governance

In 2016, TI-Kenya embarked on the development of the Climate Finance Watch Tool, a web based application for collecting and disseminating information regarding the upcoming, ongoing and completed climate change projects in Kenya to enhance access to information, transparency and accountability. Once finalized, the tool will help in promoting accountability through tracking of climate finance in Kenya.

Enhanced stakeholder engagement in governance at all levels for increased integrity

Several dialogue meetings have been held on climate governance in Kenya mainly in the UNFCCC dicussions and the nationally determined contributions. Engagements have been held with government officials with regards to building integrity in climate change and climate finance in Kenya. These include NEMA and the Ministry of Environment and Natural Resources on the Adaptation Fund, and the National Treasury on the GCF.TI-Kenya has been representing the civil society in the Taskforce on Anti-Corruption in REDD⁹ + since 2015.

Strengthened Partnership For Transparency and Accountability

Advocacy meetings on the access to information and public participation laws were held with CSOs in Siaya and Kisumu counties. The status of the legislations was picked as an area of interaction with election aspirants to push for the prioritisation of the implementation of the laws after elections. In the period under review, TI-Kenya also conducted an assessment of the public participation law in Kisumu. The findings of the study informs further advocacy for the enforcement of the law. In addition, meetings were held with CSOs in Kisumu and a petition on the delayed enactment of the Kisumu County Public Participation Act drafted and presented to the county assembly. Action on this petiton is being pursued.

Public Officers Leadership and Integrity Code Signed

In 2016, the Kisumu County Governor signed the Public Officers Leadership and Integrity Code marking the official ratification of the document which TI-Kenya supported the County in drafting as a follow up to the Local Integrity System (LIS)¹⁰ study conducted in 2013. Ratification of the code was realised after intensive advocacy through the office of the County Secretary. In 2017, TI-Kenya made follow ups to review the implementation of the code.

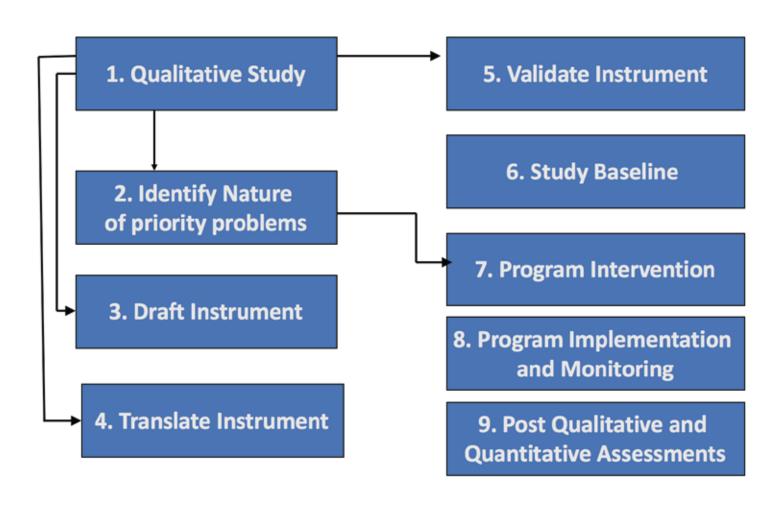
Public Participation in the Mombasa Housing Project

TI-Kenya was among member organisations of the Coast Land Non State Actors Network involved in a case regarding the Mombasa Housing project by the County Government of Mombasa. The project was part of the Urban Renewal and Redevelopment of Old Estates plan which sought to demolish and reconstruct ten (10) housing estates within Mombasa County. The bone of contention was the lack of public participation in the project. The court directed that public participation rules were contravened hence the public should be updated and engaged at all times going forward.

⁹ Reducing Emissions from Forest Degradation and Deforestation

¹⁰ A **local integrity system** (**LIS**) consists of all the policies, practices and integrity institutions that are meant to contribute to the integrity of local government.

ENHANCED PROGRAMMING, MONITORING AND EVALUATION



MONITORING AND EVALUATION

Monitoring and evaluation is key in tracking and assessing the results and impact of programmes and projects. M&E has enabled TI-Kenya to capture requisite data to facilitate programmatic decision making and document, provide feedback and disseminate lessons learned. M&E has also contributed towards greater transparency and accountability in the use of resources.

Quarterly inter-programme review meetings were conducted to create a platform for programme staff to report on outcomes of their interventions, lessons learnt and best practices. The Monitoring and Evaluation unit provided templates for quarterly reporting and presentation. The meetings provided a learning platform for programme staff and built synergies for various programmatic actions, as areas requiring inter-programme support were discussed as part of future planning. Monthly intra-programme review meetings to monitor activity implementation at the individual programme level were also conducted.

In an effort to mainstream the M&E function within various programmes in the organisation, TI-Kenya Staff members were trained on how to use the various M&E tools to support detailed monitoring of TI-Kenya interventions. Staffs were trained on the use of the programme management plans - PMPs, monthly reporting and annual review tools. Capacity building was also conducted through mentorship and coaching throughout the reporting period.

Monitoring and evaluation needs assessment was conducted to identify institutional and individual factors affecting M&E in the organisation. The institutional factors affecting monitoring and evaluation such as policies and culture were pointed out to the TI-Kenya management for necessary action. This process enabled the documentation of capacity needs among staff and the development of a training plan thereof.

"To ensure evidence based benchmarks for the 2017-2022 strategic plan period, the M&E unit supported the review of achievements of the previous strategic plan (Concept of Action, 2012 – 2017), a process that enabled and culminated in the development of the new strategy that puts emphasis on performance measurement as a means of informing decision making, and supporting individual and organisational learning. The review also included an organisational needs assessment, institutional environmental scan and stakeholder consultations with TI-Kenya members, Board of Directors, TI-Kenya staff, CSO, private sector, government representatives, and development partners. The new strategic plan was launched in November 2017, and was operationalised for the 2017-2018 financial year."

The monitoring and evaluation policy was reviewed in line with the new strategic plan and now awaits adoption. The policy will ensure the conduct of monitoring and evaluation is standardised, streamlined, and results-oriented. In addition, a range of tools that focus on outcome reporting have been developed for deployment from FY 2017/18. These tools include project specific logical frameworks, quarterly and monthly reporting templates.

KNOWLEDGE MANAGEMENT FOR INFORMATION SHARING AND LEARNING



- TIKenya
- ff TI-Kenya
- @TI_Kenya

KNOWLEDGE MANAGEMENT

TI-Kenya seeks to utilise technology and improve documentation practices to better capture, store, retrieve, use, re-use, and share knowledge within the organisation and externally.



A comprehensive Knowledge Management (KM)tool was produced and different Information Technology (IT) solutions for Knowledge Management, internal and external information sharing have been set up with staff trained to use the tools. This has resulted in improved documentation practices, enhanced access to information and cost reductions.

IT Solutions in Place

Office 365¹¹ was introduced in TI-Kenya to enhance organisational communication and documentation. In the period under review, capacity building was conducted for staff on the several apps in Office 365 to support sharing and storing of documents, and networking and group communication. A system of continuously backing up information in staff computers was also adopted. The TI-Kenya website was revamped and updated on a regular basis.



User Productivity applications	Office Office	Project & Visio	Office Mobile	www Office Online
Organizational Productivity services	Exchange	SharePoint	L 🕽	y÷ Yammer
Shared Platform Services	Provisioning and update automation	Identity management and access control	System Monitoring	Commerce Platform
Streamlined Management Services	Engineers on Call	Service Operations	Consolidated Reporting	Auditing & Compliance policies

¹¹ A set of online applications and programmes for communication (email, group chats) and documentation.

RESEARCH FOR EVIDENCE-BASED ADVOCACY



RESEARCH

TI-Kenya's research programme produces research tools and publications that enhance understanding of the extent and nature of corruption, providing data for evidence-based advocacy interventions.

The East Africa Bribery Index 2017

A survey for the East Africa Bribery Index (EABI)¹² was conducted and the report launched in September 2017. EABI was a collaborative effort between Transparency International chapters in Kenya, Uganda, and Rwanda. The 2017 index maps out bribery patterns in key service delivery areas across Kenya, Uganda, Rwanda and Tanzania, with the aim of using the findings to influence policy changes and advocacy initiatives.

Governance and Anti-Corruption Strategy/Plan for the Judiciary

In 2016, TI-Kenya was contracted by the Judiciary to conduct corruption mapping and develop a Governance and Anti-Corruption Strategy/Plan for the Judiciary through interviewing Judiciary staff and stakeholders to establish arenas of corruption and unethical practices in the Judiciary. More specifically, TI-Kenya is required to develop a Governance and Anti-Corruption (GAC) strategy/plan for reducing, detecting and preventing corruption and unethical practices in the entire Judiciary and the justice chain system institutions. TI-Kenya submitted the desk review report in 2016, and conducted validation sessions with various judiciary stakeholders including staff and partners.

County Governance Status Report

A survey on County Governance was conducted across the 47 counties culminating in the publication and launch of the County Governance Status Report (CGSR)¹³ in December 2016. The report provides county specific governance information on various issues such as citizen engagement, service delivery, political accountability and access to public information, public participation and civilian oversight. The report has been widely disseminated to stakeholders in government, civil society and development partners, and to the public through online and broadcast media. In the next implementation period, TI-Kenya will analyse the CGSR data and produce county specific information that will aid in advocacy engagement with the County Governments.

Effective Service Delivery Framework

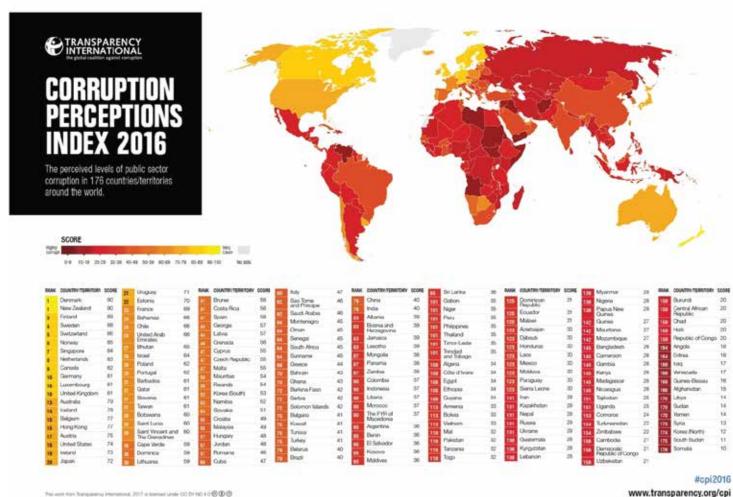
To strengthen systems at sub-national governments, TI-Kenya took part in a Local Integrity Systems (LIS) study in two local governments; Kabarole District Council (Uganda) and Walvis Bay (Namibia). The findings of this study are expected to contribute to strengthening governance structures and practices in these institutions.

¹² The East Africa Bribery Index 2017

¹³ The report can be found <u>here</u>.

PROMOTING BUSINESS INTEGRITY

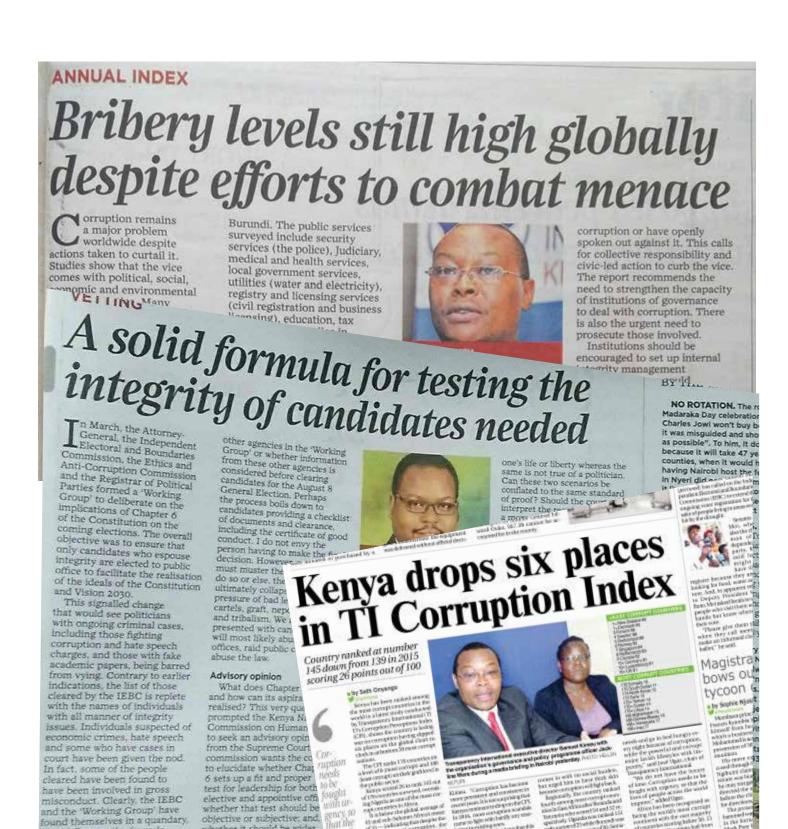
The Business Integrity Country Agenda (BICA), a project that maps out corruption and integrity issues in the private sector was initiated in to provide data and information that will guide interventions and collaborations with the private sector in the fight against corruption. Desk review and expert interviews were conducted for the study and a report drafted and validated, in the period under review. The report was launched on 6th June 2018 in Nairobi.



www.transparency.org/cpi

PUBLIC PRESENCE AND PROFILE OF TI-KENYA





TI-Kenya continues to utilise strategic communication tools and strategies to engage the public on corruption. Key tools and approaches used in the year under review include online media which continues to grow worldwide as a key platform to interact with the public on governance issues and other matters of public interest. Other platforms utilised by TI-Kenya include the mass media, audio-visual productions, newsletters, IEC materials and public campaigns among others.

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especially over the formula

constitutional requirements

to ensure compliance with

whether it should be wider

than the criminal test. Should

the Supreme Court determine

Information on Corruption Issues

Editions of the Adili newsletter were published on land and corruption, humanitarian aid, corruption in the sports sector and leadership vetting. They were published on TI-Kenya's blog and were sent out as e-newsletters to over 3,000 subscribers on TI-Kenya's mailing list.

TI-Kenya conducts daily media monitoring with articles on corruption shared to facilitate further research and response on emerging issues by TI-Kenya's Rapid Response Team. A monthly environmental scan is also carried out to facilitate research and follow up on corruption related cases. TI-Kenya also tracked the coverage of the organisation in the media.

Media has played an important role in advancing TI-Kenya's initiative of a corruption free society. We continued to publish opinion articles were published on various issues including the status of bribery in the East African region based on the EABI 2017, campaign financing, beneficial ownership, accountability in the mining sector, and leadership and integrity.

Media interviews conducted for TV and radio programmes on various issues touching on governance were broadcast on TV and radio. Several opportunities were acquired during the period on K24 TV, KBC TV and Radio, Ebru TV, KTN, NTV, Radio Maisha, Upendo Radio, Radio Amani, Radio Waumini, Milele FM, Citizen TV, Radio Sahara, Radio Namlolwe, Bibilia Husema, Baraka FM, Radio Kaya, Radio Mambo, Kubamba Radio, Hope FM, Qwetu Radio, Ramogi FM, Kameme FM among others. These included engagements spearheaded by the ALAC offices in Kisumu, Mombasa and Eldoret.



TI-Kenya branded promotional materials produced in the year included Wall and Desk Calendars, Notebooks T-Shirts, khangas/lesos and branded pens.

TI-Kenya implemented a voter education project in Uasin Gishu and Machakos counties, and at the national level through media advocacy ahead of the August 2017 General Elections. TI-Kenya facilitated Social Vetting exercises dubbed #KaguaKiongozi (Vet your leader) to influence the election of individuals of integrity. Also, TI-Kenya engaged university students in a competition, dubbed Kagua Kiongozi (Vet your leader) video competition, in which participants created video clips around the various electoral accountability themes.

TI-Kenya produced a short video highlighting its achievements in the past five years as it marked the end of the 2012-2017 Strategic Plan period. A video highlighting the action for transparency project and its use was also produced. A participatory video project documenting a land case in Wasini Island, Kwale County was also produced in conjunction with the local community.

TI-Kenya's online channels are updated daily with relevant and engaging content. The TI-Kenya website was upgraded in the year. It is now user friendly with updated content.

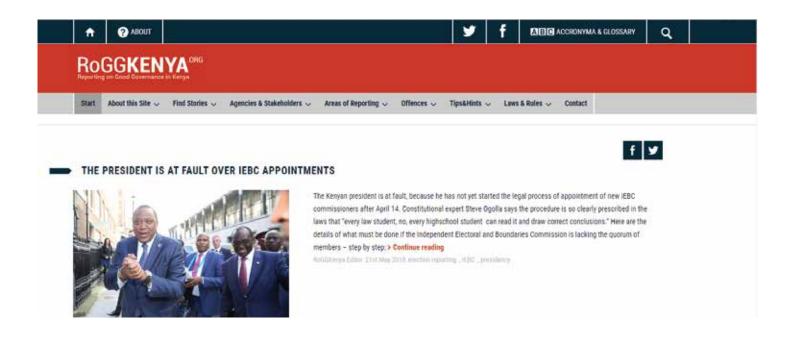
TI-Kenya's website recorded an average of 2097 sessions, 1, 555 users and 4554, page views per month. TI-Kenya's Facebook page grew to 8,800 likes up from 8,478 registered users (likes) in the previous year, the average reach per week grew from 3,001 to 4,126 while the twitter page grew to 8,020 followers from 6,221.

TI-Kenya's tweets in the reporting period have received over 3700k impressions from 3572K impressions, while the TI-Kenya Instagram page is now at 1,012 followers from 320 followers the previous year. Campaigns on Twitter conducted included #RedCardKE calling on the IEBC to bar candidates with integrity issues from vying for electoral seats; TI-Kenya also moderated and engaged in tweet chats under #IntegrityKE on chapter six of the constitution, on the role of anti-graft oversight institutions and action against those implicated in corruption.

Partnerships

TI-Kenya developed partnerships with Article 19, CRECO – Constitution and Reform Education Consortium, DW Akademie, and Kenya Correspondents Association on the Reporting on Good Governance in Kenya (RoGGKenya) Kenya initiative.

RoGGKenya is a one-stop shop, a toolbox for Journalists who would like to generate exclusive fact-based follow-up reports - focused on the Kenyan counties. This platform is key for reporting governance issues.

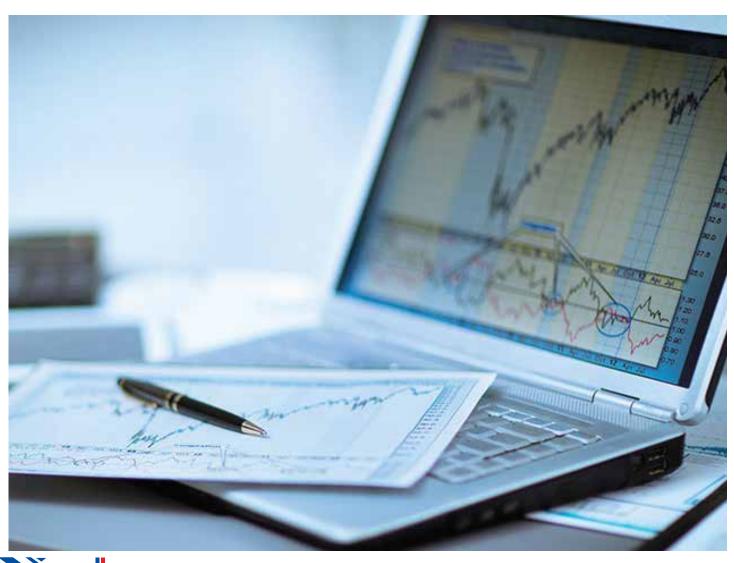


Investigative and Data Journalism Training

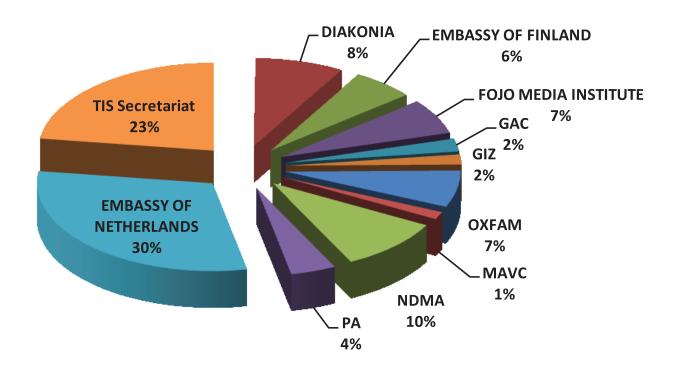
Through the A4T project, TI-Kenya also enhanced engagement with the media following an investigative and data journalism training for 37 journalists, with 10 benefiting from a grant to carry out investigative stories under the project with mentorship from experienced journalists. The journalists will publish and broadcast stories of corruption in the health and education sectors to help raise public awareness and empower citizens to fight corruption.



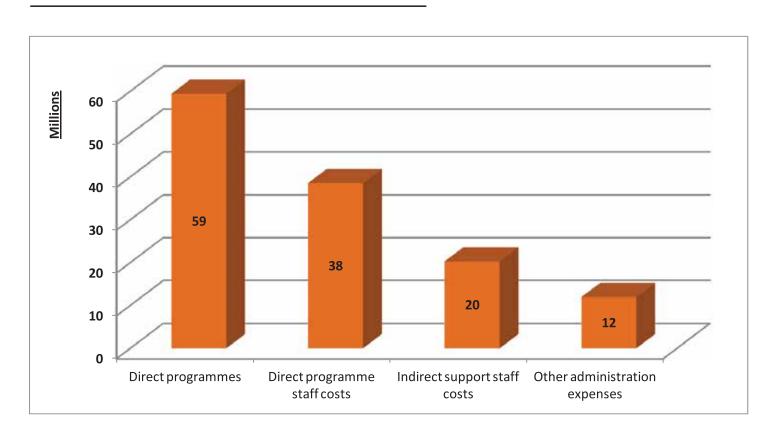
FINANCIAL PERFORMANCE ANALYSIS FOR THE FINANCIAL YEAR ENDED 30TH SEPTEMBER 2017



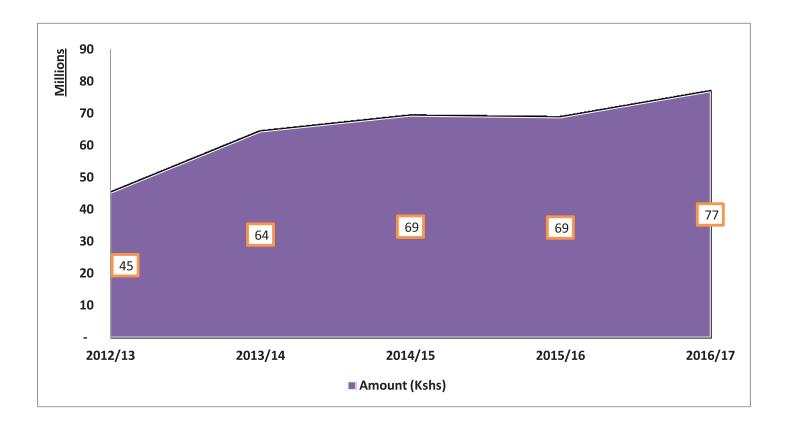
Who Funded Us?



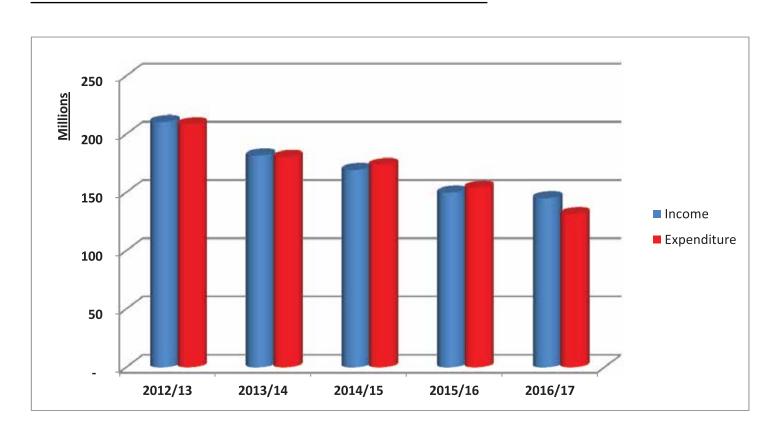
How the funds were applied (Kshs)



Five years' trend on our total assets



Five years' trend on total funds and expenses



Vision Statement

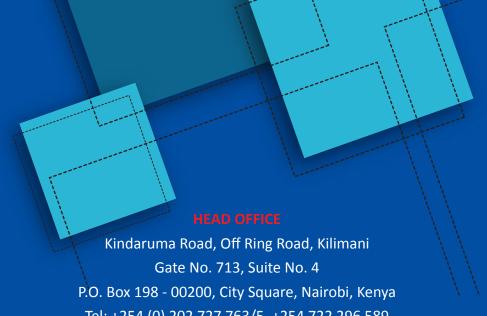
A corruption free Kenya

Mission Statement

To champion the fight against corruption by promoting integrity, transparency and accountability at all levels.

Core Values





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