



TRANSPARENCY
INTERNATIONAL
KENYA



ANNUAL REPORT 2019-2020



TRANSPARENCY
INTERNATIONAL
KENYA

ANNUAL REPORT

2019-2020

TABLE OF CONTENTS

1. TABLE OF CONTENTS.....	ii
2. ACRONYMS.....	iii
3. BACKGROUND INFORMATION.....	iv
4. VISION, MISSION, STRATEGIC AREAS OF FOCUS.....	v
5. BOARD OF DIRECTORS.....	vii
6. FOREWORD.....	x
7. INTRODUCTION.....	xi
8. ANALYSIS OF OPERATING ENVIRONMENT.....	1
9. DETAILED ACHIEVEMENTS UNDER STRATEGIC FOCUS AREAS.....	2
STRATEGIC FOCUS AREA 1: PUBLIC ACCOUNTABILITY.....	2
STRATEGIC FOCUS AREA 2: POLICY, LEGAL AND INSTITUTIONAL FRAMEWORKS.....	18
STRATEGIC FOCUS AREA 3: SOCIAL AND ECONOMIC ACCOUNTABILITY.....	22
STRATEGIC FOCUS AREA 4: INSTITUTIONAL DEVELOPMENT.....	24
10. FINANCIAL PERFORMANCE ANALYSIS FOR THE FINANCIAL YEAR THAT ENDED ON 30TH SEPTEMBER 2020.....	27



ACRONYMS

ALAC	Advocacy and Legal Advice Centres
ADP	Annual Development Plan
APNAC	Africa Parliamentarians' Network Against Corruption
AMV	Africa Mining Vision
A4T	Action for Transparency
BBI	Building Bridges Initiative
CAJ	Commission on Administrative Justice
CBO	Community Based Organization
CDA	Community Development Agreement
CFSP	County Fiscal Strategy Paper
CGSR	County Governance Status Report
CIPU	Critical Infrastructure Protection Unit
CoK	Constitution of Kenya
CSO	Civil Society Organizations
EACC	Ethics and Anti-Corruption Commission
EITI	Extractive Industries Transparency Initiative
IAU	Internal Affairs Unit
IEA	Institute of Economic Affairs
IEBC	Independent Electoral and Boundaries Commission
ICPAK	Institute of Certified Public Accountants of Kenya
ICT	Information and Communication Technologies
KEMSA	Kenya Medical Supplies Authority
KEPSHA	Kenya Primary Schools Headteachers Association
KLR	Kenya Law Report
LIS	Local Integrity System
MCA	Member of County Assembly
OAG	Office of the Auditor General
ODK	Open Data Kit
SGB	Security of Government Buildings
SMS	Short Message Service
TVET	Technical and Vocational Education and Training
UNDP	United Nations Development Programme
UNEA	United Nations Environment Assembly

BACKGROUND INFORMATION

Transparency International Kenya (TI-Kenya) was founded in 1999 in Kenya as a not-for-profit organisation to develop 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 (TI) movement that is bound by a common vision of a corruption-free world. The global movement provides a platform for sharing knowledge and experience, as well as developing strategies to respond to regionally distinct patterns of corruption.

The organisation has extensive experience in governance work at the National and county levels. These include direct engagement with the government, the private sector, individuals, and groups. TI-Kenya uses advocacy as its signature approach, complemented by other approaches such as partnerships' development, research, capacity building, and civic engagement.

TI-Kenya has its main office in Nairobi and regional presence in the Coast, Rift Valley, the larger Western Kenya and Eastern Kenya through its four Advocacy and Legal Advice Centres (ALACs) in Nairobi, Mombasa, Eldoret and Kisumu. TI-Kenya currently runs programmes in 18 counties.

VISION, MISSION, STRATEGIC AREAS OF FOCUS

Vision:

A corruption-free Kenya

Mission:

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

Strategic Areas of Focus:

TI-Kenya's work over the reporting period was anchored on the following strategic focus areas

This strategic focus area ensures increased engagement and accountability by citizens and leaders by supporting citizen empowerment and movement building as well as strengthening civilian oversight of public resources and opportunities.

**Public
Accountability**

This focus area ensures that TI-Kenya continually supports (re) formulation and or enforcement of appropriate accountability focused regulatory frameworks by influencing, coalition building, and capacity development.

**Policy,
Legal and
Institutional
Frameworks**

This focus area supports the application of social justice and economic accountability across sectors and levels to contribute to a more equitable and inclusive society by addressing present and previous injustices, as well as ensuring equitable distribution of public resources and opportunities.

**Social Justice
and Economic
Accountability**

This focus area ensures that TI-Kenya continually enhances its institutional relevance, effectiveness, and sustainability through the strengthening of internal systems and structures.

**Institutional
Development**

Public Accountability	Policy, Legal and Institutional frameworks	Social Justice and Economic Accountability
<ul style="list-style-type: none"> • Action for Transparency • Promoting Social Accountability for Improved Health Service Delivery • Enhancing Transparency and Accountability in the Covid -19 Response Efforts (TRAC Covid-19) • Access to Justice Project • Enhancing Service Delivery in Health and Education • Public Oversight for Integrity in County Governance 	<ul style="list-style-type: none"> • Democracy, Human Rights and Governance • Accountable Mining • Open Contracting for Health • Multi-Actor Partnerships in Climate Risk Insurance in Africa • Climate Governance Integrity • Safeguarding Democratic Spaces in Kenya • In-country COVID-19 emergency procurement monitoring & research 	<ul style="list-style-type: none"> • Domestic Resource Mobilization project • Advancing Global Standards to Stop Corrupt Money Flows in the Real Estate and Accountancy Sectors



BOARD OF DIRECTORS

Mrs. Bernadette W. Musundi, Chair

Mrs. Bernadette W. Musundi is the Chair of the Board of Directors at TI-Kenya, a position she was elected to in 2017. She is a former Permanent Secretary in the Office of the Vice President and Ministry of Home Affairs, Heritage and Sports. During her service in the Government of Kenya, she played a key role in spearheading reforms in the Prisons Department and policies that concern gender development and children's welfare. She was instrumental in the coordination of administrative steps which led to the establishment of the Children's Act and initiated the development of the national sports policy framework.

She also served as the Vice President of the International Co-operative Alliance's (ICA) Global Women Committee which developed the policy framework for women in the co-operative movement. She sits on several boards of directors, among them as a Trustee of the Kianda Foundation; and is the current Chair of the Strathmore University Council. She was also the founding Chairperson of Regina Pacis College Board - a constituent College of Catholic University of Eastern Africa (CUEA). Mrs Musundi also served as the National Chair of the Trefoil Women's Guild of the Kenya Girl Guides Association and as Chair of the Board of Governors for Highridge Teachers College. Mrs Musundi twice served as the Executive Director of the Maendeleo Ya Wanawake Organization (MYWO), among the largest women's NGOs in Eastern Africa.

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 is a holder of a Bachelor of Arts and Master of Arts in Co-operative Management. She has also undertaken many professional courses in policy development, management, and adult education both locally and internationally.

Ms. Eva Wangui

Ms. Eva Wangui is a business leader with over 20 years' experience in telecommunications, mobile financial Services, manufacturing industries and consultancy. She has previously worked with Diageo for over 15 years rising to the level of Head of Finance, at Bharti Airtel Ltd as the Finance Director, and served as Cluster Finance Head – Kenya and Tanzania in Safal Group. She is well versed in Financial Reporting & Analytics, Commercial Finance, Project Management, Board Representations, Business Re-engineering, Controls and Governance, Working Capital Optimization, External Stakeholder Engagements and Talent Leadership.

Ms. Wangui holds a Master's degree in Business Administration from East and Southern Africa Management Institute (ESAMI), Bachelor of Commerce – First Class Honors (Marketing Option), from KCA University, Advanced Management Programme (AMP) from IESE Business School (Spain) and Strathmore Business School (Kenya), Certified Public Accountant of Kenya (CPA K). She joined the TI-Kenya Board of Directors in January 2020.

Dr. Bedan Lyanda Musima

Dr. Bedan Lyanda Musima is the founder and managing director of The Dental & Maxillofacial Imaging Centre Ltd (DAMIC). He is also the founder and chief clinical lead of a multidisciplinary dental centre, Dr Musima and Associates Ltd. He has a wealth of experience in the medical industry having previously worked at the Dental Place Ltd, Upper Hill Medical Centre as an associated dentist and at the University of Pretoria, Department of Orthodontics as a Postgraduate registrar.

He holds a Masters of Clinical Dentistry (MClinDent), Orthodontics and Dentofacial Orthopaedics from the BPP University, United Kingdom, Bachelor of Dental Surgery (BDS) from the University of Nairobi, Kenya, Diploma in Orthodontics (DOrth) from the University of Pretoria, South Africa and a Postgraduate Diploma in Dentistry (PDD) Implantology from The University of Western Cape, South Africa.

Dr. Musima is a member of the British Orthodontic Society, International Association of Dental Research (IADR), American Dental Association (ADA), Kenya Dental Association (KDA) and the Kenya Hospital Association (KHA). He joined the TI-Kenya Board of Directors in January 2020.

Mr. James Muthui

Mr. James Muthui is an Advocate of the High Court of Kenya having been admitted in 2003. He has a vast legal experience in commercial and civil litigation in land disputes, intellectual property, banking law, environmental conservation law, judicial review, employment disputes, debt collection, arbitration and mediation. He is currently a partner at Kaplan and Stratton Advocates.

He holds a Bachelor of Law degree from The University of Nairobi. He is a member of the Law Society of Kenya, Chartered Institute of Arbitrators and International Bar Association. Mr. Muthui is a Commissioner of Oaths (2007) and a Patent Agent, Kenya Industrial Property Institute (2012). He joined the TI-Kenya Board of Directors in February 2020.

Ms. Samira Mary Leakey

Ms. Samira Mary Leakey is a Writer, Editor, Communications and Public Affairs specialist. She has conducted independent consultancies in communications and project management fields with the Turkana Basin Institute, the African Conservation Fund, World Bank, Institute of Economic Affairs, African Medical and Research Foundation and the UNDP Global Environment Facility, Africa Bureau. She co-authored the auto-biographical book of Meave Leakey's life in search of human origins.



Ms. Samira holds a master's degree in Public Affairs – International Development Policy Focus from Princeton University, and a Bachelor of Arts in Politics from The University of London, School of Oriental and African Studies. She joined the TI-Kenya Board of Directors in February 2020.

Sheila Masinde – Executive Director

Sheila Masinde has over 10 years' work experience in media, outreach, governance and programme management. She joined TI-Kenya in 2014 from BBC Media Action (British Broadcasting Corporation's international development charity) where she was the Communications and Training Manager. She first worked for Transparency International Kenya from 2009 to 2012 as the Advocacy and Communications Programme Officer. She has also worked at the Nation Media Group as a radio news presenter for Easy FM and online sub-editor, and I Choose Life as a Programme Trainer and Assistant Programme Manager. She also sits on the board of I Choose Life and serves in the resource mobilization and communications board committee. She holds a Master of Arts in Communication studies from the School of Journalism, University of Nairobi and Bachelor of Arts degree from Kenyatta University. She serves as the secretary to the Board of Directors since January 2020.

FOREWORD



BERNADETTE MUSUNDI, CHAIR OF THE BOARD OF DIRECTORS, TRANSPARENCY INTERNATIONAL KENYA

This reporting period marked the midpoint in the 2017-2022 strategic plan implementation. TI-Kenya, therefore, reviewed its strategic plan, taking stock of progress realised so far and realigning its interventions to respond to the current operating environment as well as emerging governance issues. Within the first half of the strategic plan implementation, tremendous progress was realized across the four pillars.

Under the public accountability pillar, empowerment of over 13 Million citizens across the country has been undertaken with ICT-based accountability tools provided for their oversight. Similarly, movements of pro-good governance actors have been created and sustained across the four regions catalyzing bottom-up advocacy. On policy and legislation, TI-Kenya

has supported the development of anti-corruption laws at the international, national and county levels particularly on climate governance, beneficial ownership and public resource management. TI-Kenya has remained on the forefront in advocating for social justice and economic accountability through relentless support towards the creation of transparent and accountable mechanisms for public resource distribution and management across East Africa. As the world undergoes development transformation, the fight against corruption and improved governance remains the only means of achieving global as well as national stability and sustainability. Over the past three years, corruption has evolved with technological advancements and an ever-growing intricate web of illicit financial flows at domestic, continental and global levels. The emergence of the COVID-19 pandemic aided the sprouting of unanticipated governance challenges. The Corruption Perception Index 2019 ranked Kenya 137 out of 180 countries with a score of 28, an improvement from a score of 27 in 2018. Though being slowly won, the fight against corruption is far from over as Kenya remains below the Sub-Saharan (32), and global Corruption Perception Index (32).

Within the next planning period (2020-2022), TI-Kenya will focus its energies on transparency and accountability in the management of COVID-19, electoral accountability, public resource accountability, climate governance with respect to the recent effects of climate change as well as interrupting illicit financial flows. These priorities require strong-willed civilian engagement, sustainable multi-level partner collaborations, elaborate and dynamic advocacy strategies as well as requisite internal and external capacity.

We are grateful to the TI-Kenya membership and Board of Directors, staff, the global TI movement, development partners, civil society organizations, private sector and government institutions, and the public for continued support. We look forward to continuing vibrant collaborations within this planning period.

Mrs. Bernadette W. Musundi
Chair, Board of Directors

INTRODUCTION



Sheila Masinde
Executive Director

This report captures the progress in the implementation of anti-corruption interventions as espoused in the 2017-2022 TI-Kenya strategic plan. It reflects the institutional performance in 2019-2020 and lays out contributions made by different programmes, units, departments, and regional offices towards the achievement of a corruption-free Kenya. The report focuses on results while appreciating the various targeted interventions undertaken within the period under review.

During the review and reporting period, TI-Kenya made notable progress in the fight against corruption within its strategic focus areas as follows:

1. Public Accountability

To increase the number of accountable leaders and citizens in Kenya, TI-Kenya reached over 13 Million citizens with anti-corruption messages on existing as well as emerging corruption issues. Equally, TI-Kenya provided 5 ICT-based accountability tools to aid citizen engagement in civilian oversight work. As a result, A4T Community Advocates (citizens) have stood out in Nairobi as community champions on integrity and good governance. Similarly, over 130,000 corruption and governance related complaints have been lodged by citizens through the ICT platforms. Seven investigative stories on complex corruption webs within the education and health sectors were also published through TI-Kenya's grant and mentorship programme thereby interrupting corruption channels.

2. Policy, Legal and Institutional Frameworks

To ensure that there are adequate anti-corruption focussed laws to support anti-corruption work, TI-Kenya supported the development of Whistleblower Protection Bill 2019, Kisumu Climate Change Bill 2019 and successfully advocated for the implementation of the amendment to Kenya's Companies' Act (Beneficial Ownership Information). TI-Kenya reviewed and provided recommendations on jurisprudential gaps and improved implementation of chapter Six of the Constitution.

3. Social Justice and Economic Accountability

Within the East African region, TI-Kenya is the lead in the development of transparent mechanisms for resource distribution and management through review of beneficial ownership, mining, and public debt laws and regulations. Equally, TI-Kenya filed two administrative petitions in collaboration with County CSOs in Machakos and Vihiga, illuminating resource accountability issues within these counties.

4. Institutional Development

To ensure TI-Kenya continually improves service delivery and meets internal as well as external requirements, the organization automated finance and human resource processes, trained staff on change management, quality management and projects management. Equally, the organization reviewed its internal processes to respond to safe and sustainable working models under the COVID-19 pandemic conditions.

We thank all our development partners who significantly supported our interventions and stakeholders in the public and private sectors, CSOs, and the public that supported TI-Kenya's initiatives.

Sheila Masinde
Executive Director



1. ANALYSIS OF OPERATING ENVIRONMENT

During the review period, Kenya experienced a relatively tranquil political environment occasioned by the March 2018 “handshake” between the President and the opposition leader. Heightened calls for a constitutional review were conducted, with the final report from the Building Bridges Initiative being unveiled and validated paving way for drafting of a referendum bill. With heightened political activities, political temperatures have been gradually rising within the country ahead of 2022. The political environment has slowed down engagement on corruption focussed legislative agenda with parliamentarians.

In March 2020, the first case of the COVID-19 pandemic was diagnosed in Kenya with the pandemic peaking in August 2020. At the time this report was published, cases reported had reached 103K with 85K recoveries. The pandemic management occasioned a restrictive operating environment with Nairobi and Mombasa Counties being put under a cessation of movement while travel restrictions and social gatherings were enforced all over the country thereby hindering the implementation of programme interventions. However, these measures occasioned the initiation of virtual modes of operations and in effect the acquisition of virtual engagement platforms within the organization. Though with a limited degree of effectiveness, TI-Kenya was able to conduct virtual advocacy initiatives. Key transparency and accountability issues regarding management of the pandemic ensued with corruption at micro and macro levels increasing as evidenced by increased bribery at roadblocks, quarantine facilities, including hospitals and the COVID-19 scandal at KEMSA. Lack of public information on the COVID-19 resource management and incidents of human rights violations highlighted governance concerns within the COVID-19 period.

The economy took a deep dive from the effects of COVID-19 pandemic with GDP contracting by an average 1.1% within the period and the country borrowing over \$1B between March and December 2020 to sustain the economy. Insecurity continued to threaten domestic peace and stability in Kenya with sporadic terrorist-related attacks in the northeastern parts of Kenya and incessant tribal clashes in Elgeyo Marakwet, Pokot and Turkana Counties. This however did not affect governance interventions directly as much of TI-Kenya’s advocacy work was concentrated in Uasin Gishu and Elgeyo Marakwet counties.

Climate change remained a key area of focus with flooding and the second wave of the locust invasion experienced in different parts of Kenya. Disaster preparedness and management remained unclear as 15 counties suffered from the devastating locust invasion and 36 counties (over 233,000 people) suffering from flood effects. Government resource priorities seemed misplaced with the COVID-19 pandemic, floods and locust invasion ravaging the nation without a concise remedial approach.

2. DETAILED ACHIEVEMENTS UNDER STRATEGIC FOCUS AREAS

STRATEGIC FOCUS AREA 1: PUBLIC ACCOUNTABILITY

This strategic focus area aims at ensuring increased engagement and accountability by citizens and leaders through supporting citizen empowerment and movement building as well as strengthening civilian oversight.

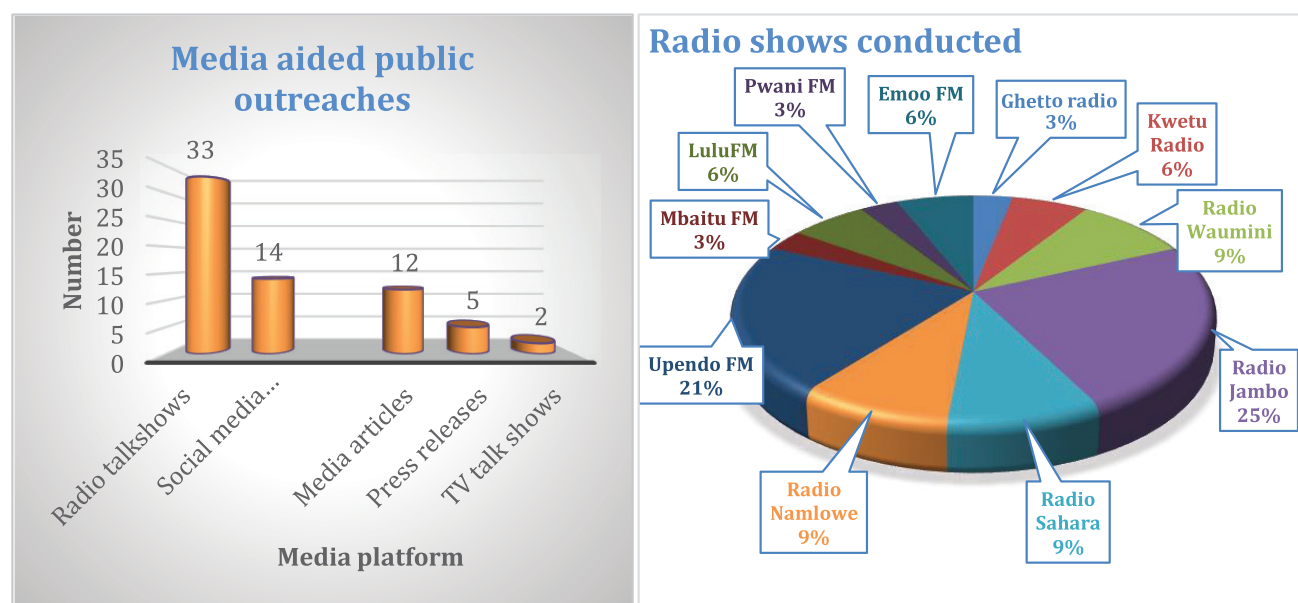
1.0 Citizen Empowerment

1.1 Increased number of knowledgeable citizens recognising and actively fighting corruption

13 Million citizens reached through media aided public outreaches to spur anti-corruption civic action

Mass citizen information and engagement on anti-corruption work formed part of TI-Kenya's key interventions in 2019-2020 in a bid to build adequate active or reactive forces to counter corruption. Through mass media (radio and TV talk shows) and social media platforms (Twitter and Facebook) as well as ICT information and accountability tools, TI-Kenya significantly increased citizen knowledge and awareness on corruption and other governance issues thereby stimulating their response to corruption.

In 2019-2020, TI-Kenya reached approximately 13M citizens through 33 radio talk shows, 2 TV talk shows, 14 social media campaigns (tweet chats), 12 media articles, and 5 press releases.



Outreach information disseminated includes:

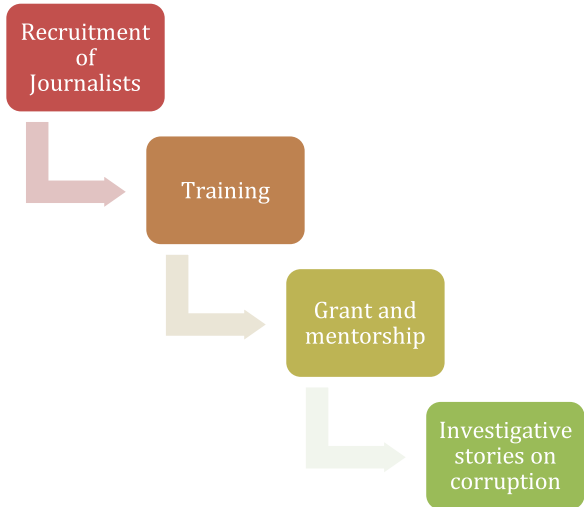
- Implementation of chapter Six of CoK
- Whistleblower protection
- Election campaign financing
- Civilian oversight
- Access to Justice
- Budget advocacy
- BBI report
- Emerging corruption issues
- Health Accountability
- Transparency and Accountability in COVID-19 management

As a result of the radio talk shows, over 350 governance related complaints were lodged by citizens through the Uwajibikaji Pamoja platform, A4T application and Advocacy and Legal Advice Centres (ALACs) across the country.

Between March and April 2020, TI-Kenya received complaints from more than 50 people who had been forcefully detained in quarantine centers across the country for periods longer than 14 days as stated by the government. TI-Kenya reviewed the complaints together with CSOs working in health and governance sectors. On 27th April 2020, TI-Kenya responded in collaboration with the CSOs through a Request for Information via a presser requesting the Ministry of Health to respond to the issues raised and provide clear guidelines on quarantine. After the presser, the senate pressured the government to review its quarantine costing policy. The government responded and directed quarantine facilities not to hold any citizen beyond the stipulated period unless under exceptional circumstances. It also waived costs for quarantined persons who were unable to pay. This led to the release of many citizens who had been unfairly quarantined in isolation facilities in different parts of the country.

Seven Corruption related incidents investigated, and investigative stories published in mass media

The A4T grant and mentorship and Eye on Corruption projects trained and mentored journalists on investigative journalism, thereby enabling them to investigate and expose corruption within the government that affects provision of basic services like health and education.



Seven of the 14 journalists who were supported through Action for Transparency (A4T) and Eye on Corruption projects grant and mentorship programme published their investigative stories unravelling corruption issues affecting health and education sectors.

Through her investigative story, Tebby Otieno highlighted irregularities in procurement and sale of school uniforms within public schools in Kenya, where school headteachers unfairly gain by colluding with uniform distributors. <https://actionfortransparency.org/irregularities-in-sell-of-school-uniforms-in-public-schools-tebby-otieno/>



Donald Magomere investigated and published an investigative story on grabbing of public nursery school land in Akiba, South C, Nairobi bringing to the fore deep-rooted public land corruption in Nairobi. See the whole story [HERE](#)

South C, Akiba residents protest grabbing of nursery school land

by PD Reporter
@PeopleDailyKe

Residents of Nairobi's Akiba and South C estates are up in arms over alleged grabbing of two pieces of land earmarked for a playground and a nursery school.

The residents have appealed to Lands Cabinet Secretary Farida

Karney and Nairobi governor Mike Sonko to intervene and save the plots from a private developer.

The developer has already started construction works on the two plots, L.R No. 209/8524/129, that was designated for a public nursery school, and L.R No.209/8524/130 that had been earmarked for a public playground.

BHARAJ

The grabbing scheme could involve high ranking government officials

According to Ranjana Bharaj, the chairman of South C Residents Association, the residents have agreed to contribute money to engage the services of a lawyer to take legal action against the developer.

"Having tried all avenues to protect the playground, to no avail, we are left with only one option, which is to file a case in court," Bharaj said.

The residents have been joined by the Greenbelt Movement in their efforts to protect the pieces of land.

"Files containing details of the two parcels of land cannot be traced at the Ministry of Lands Registry, leaving most of us wondering whether the grabbing scheme involves high ranking government officials," said Bharaj.



Mary Mwendwa, a freelance journalist investigated and published a story on county staff collusion at STC Casino Clinic with quack doctors to offer specialised skin treatment services at a cost using the hospital as an avenue for attracting unsuspecting patients. Through her story, the catastrophic impact of corruption on the health and economic status of Nairobians was laid bare. [Patients Suffer the Brunt of Corruption at Skin Conditions Clinic - Talk Africa](#)



Covid-19 Home About Us ▾



How Hunger Fund Beneficiaries Lost Money To Fraudsters – Seth Onyango

Lena Bosibori highlighted mismanagement of public health resources through her coverage of public run maternity health facilities lying idle in Nairobi's suburbs <https://actionfortransparency.org/public-run-maternity-health-facilities-lie-idle-in-nairobi-suburbs-lenah-bosibori/>

From the Eye on Corruption project, three stories were published by grantee journalists highlighting corruption in the Government of Kenya - funded cash transfer programme that delivers cash transfers to the poorest and most vulnerable households in Northern Kenya (Hunger Safety Net Programme); see stories <https://bit.ly/2wegT3>, <https://bit.ly/2HVYIbj> and grabbing of City Primary School land in Nairobi (see the full story <https://bit.ly/3carpJT>)

to publish and broadcast public interest stories that media houses are not willing to fund because of resources among other reasons, it has also informed millions of Kenyans about the calamitous effects of corruption. It is now widely evident that public school resources (Land and Funds) face a direct and fast-growing monster of corruption. Affordable and quality education for millions of poor Kenyans remains largely an elusive dream. Equally, millions of Kenyans also continue suffering under poor and increasingly corrupt public health care.

In the period under review, TI-Kenya continued to support journalists through capacity building including training on investigative journalism, gender sensitive reporting and mentorship where at least 24 journalists directly benefited.

Increased citizen-led advocacy initiatives on emerging corruption issues

Continued capacity development of citizens over the period has resulted in increased citizen-led advocacy initiatives on incipient corruption issues within their communities.

A4T community advocates have been identified as community champions for integrity, thereby winning both community support and national recognition. An example is Anthony Njenga who was a recipient of the Transparency Integrity Award due to his long-term commitment to championing integrity at the community level. Community members increasingly reported corruption and governance-related issues through the A4T tools, Uwajibikaji Pamoja platform, and other TI-Kenya corruption reporting channels (SMS, toll-free hotline, ALAC offices) depicting increased voluntary action on corruption from the citizens. Over the last year, over 350 corruption and governance related issues have been reported by citizens from different parts of Kenya with some of these complaints being the subject of investigation by investigative agencies and journalists.

In Kwale county, TI-Kenya facilitated capacity building on civilian oversight for a Citizen Accountability Group. The group was actively involved in the monitoring of governance affairs within Kwale County. They positively influenced public participation in governance issues and advocated for increased transparency and accountability. Cases in point include their advocacy on the digitization of cess collection within the county to reduce corruption and harassment of traders while also drawing attention to incidences of suspected within the County.

Increased use of ICT driven mechanisms to facilitate accountability engagements between citizens and duty bearers

TI-Kenya ICT accountability platforms



A4T Tools

Are ICT accountability platforms that empower citizens in Nairobi County to monitor the use of public resources at health centres and public primary schools and report suspected mismanagement of funds <https://actionfortransparency.org/>



Uwajibikaji Pamoja

Is an ICT watch tool for county government service delivery that citizens use to give feedback on service delivery and influence actions. Complaints, requests for services and compliments sent through the platform are channelled to the relevant county departments for resolution and feedback to the communities <http://haipcrm.com>



Rada Corruption Database

Is an ICT platform for collation and analysis of ongoing and concluded corruption cases for public information and advocacy <http://rada.tkenya.org/>



Covid-19 Tracker

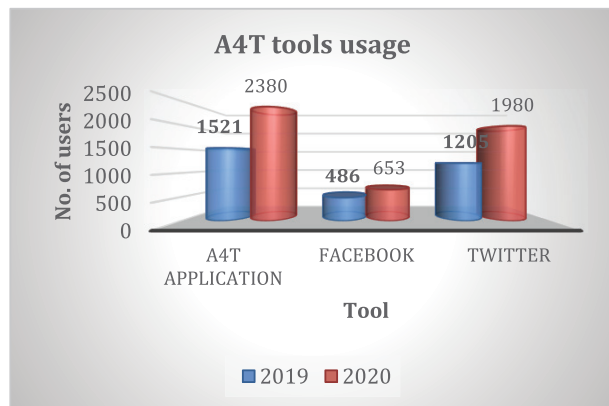
Is an ICT platform that provides accurate and reliable information on mobilization and utilization Covid-19 resources thereby allowing citizens to engage in oversight of covid-19 resources.



Public Audit Database

Is an ICT platform that provides analytical information on Office of the Auditor General reports for advocacy on public finance management in Kenya <http://publicaudit.tkenya.org/>

A4T Tools

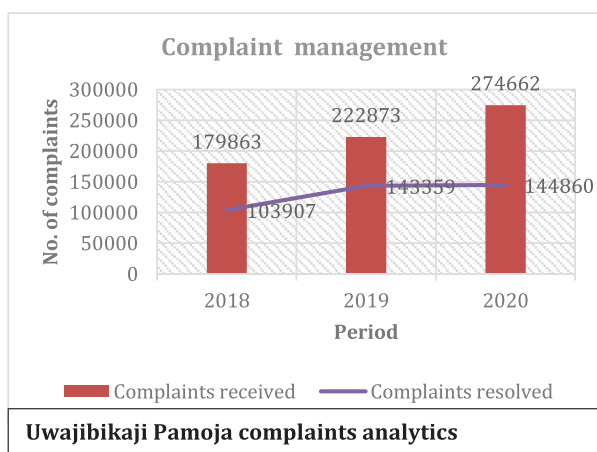


Sustained public outreach and awareness activities (training workshops, social media campaigns, partnership engagements and public forums), increased the number of citizens using A4T application and social media tools to access information and support the fight against corruption.

The A4T platforms are currently being utilized in 12 Counties¹ in Kenya to monitor utilization of public resources in health and education thereby entrenching ICT based accountability mechanisms in 25% of the counties in Kenya. Seventy Six reports from citizens relating to poor service delivery in public education and health facilities within the counties were received, reviewed and referred to relevant government agencies for action as well as journalists for investigative stories.

The use of A4T tools has increased interest from county based Civil Society Organizations in health governance at the county level thereby necessitating their modification to meet the needs of the county partners. [The A4T mobile App](#) has been modified and fed with data from 10 Health facilities in six additional counties (Machakos, Busia, Baringo, Elgeyo Marakwet, Nyeri, and Nakuru) while the [Citizen Health Accountability Platform](#) was developed showcasing health accountability platforms including the [Mobile Drug Tracking System \(MDTS\)](#), [Integrated Commodity Management System](#), [COVID-19 Aid Tracker](#), and the [A4T mobile App](#) for increased public interest and utilization.

Uwajibikaji Pamoja



Within the period under review, citizens within Turkana, Marsabit and Uasin Gishu counties used Uwajibikaji Pamoja, to lodge service delivery complaints to the county governments with TI-Kenya coordinating resolution and feedback. 53% of these complaints have been resolved, hence increasing citizen influence on county decisions and improving service delivery.

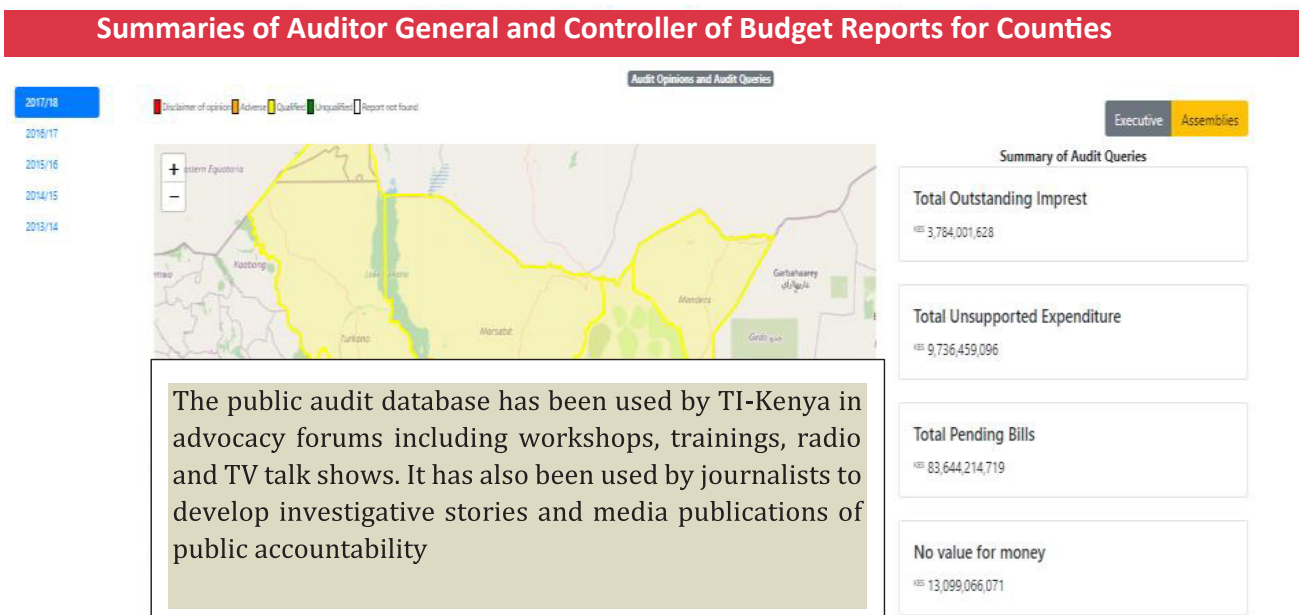
¹ Nairobi, Baringo, Busia, Elgeyo Marakwet, Kisumu, Bungoma, Nakuru, Nyeri, Machakos, Mombasa, Isiolo, and Garissa.

Rada Corruption database

TI-Kenya continued to build data for analysis and advocacy on the progress made in the fight against corruption through Rada Corruption Database. Within the period, data collection from Kenya Law Reports (KLR), courts, Ethics and Anti-Corruption Commission (EACC), and OAG was conducted with 1,558 cases being collected to date. From the analysis of the monetary value of cases reported, the bulk of cases relate to embezzlement of public funds, bribery, Abuse of office and procurement.

TI-Kenya continues to advocate for the acceleration of corruption cases involving high monetary values, key public and private individuals, as well as the development of robust preventive and reactive strategies to mitigate corruption.

The Public Audit Database



The public audit database has been used by TI-Kenya in advocacy forums including workshops, trainings, radio and TV talk shows. It has also been used by journalists to develop investigative stories and media publications of public accountability

The public audit database

As accountability of public resources in Kenya continues to decline, efficient and effective delivery of public services to ordinary citizens continues to deteriorate. This has been evinced through the OAG reports and media publications including investigative reports from A4T grantee journalists. As a counter measure, TI-Kenya continues to amplify citizen-driven interventions as critical mechanisms to hold duty bearers accountable. Within the period under review, TI-Kenya undertook an update of the database to incorporate analysed updated data/ information from the Offices of the Auditor General, Controller of Budget as well as deliberations from County Assemblies. TI-Kenya also initiated a review of the website to enhance its accessibility and public utility.

COVID-19 Tracker

 **TOTAL AID: 194,663,072,350**

[AID TRACKER](#) | [EXPENDITURES](#) | [COVID-19 CASES](#) | [USEFUL LINKS](#) | [ANALYSIS](#)

CONFIRMED CASES: 88,380

CONFIRMED DEATHS: 1,526

CONFIRMED RECOVERIES: 68,929



**Kenya Civil Aviation Authority
Donates Sh15 Million**



**Equity Group Foundation Partners
With Mastercard Foundation To Give
Ksh 1.1 Billion**



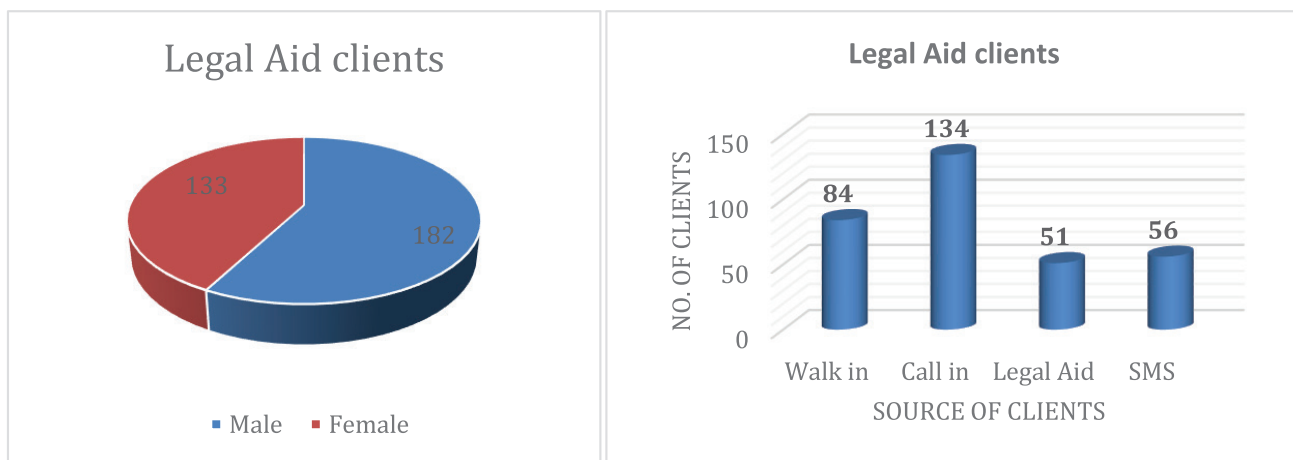
**KenGen Donates Sh20m To Boost
Covid-19 Fund**

In the wake of COVID-19 pandemic, accessibility of public information on mobilization and utilization of COVID-19 resources became arduous with relevant government agencies barely providing information and some of the COVID-19 management measures annulling the conventional mechanisms of public access to information. Previous experience has shown that corruption thrives in crisis situations due to the circumfluent nature of crisis and demand for urgent action to save lives. In light of this, and determined to enhance accountability in the management of COVID-19, TI-Kenya developed and updated the COVID-19 tracker with information on COVID-19 resource mobilization and utilization. This platform ensured safe and secure public engagement in accountability work amid the crisis and increased access to information. TI-Kenya used the information in the platform to not only monitor transparency and accountability in the use of COVID-19 resources but also to engage relevant government agencies on key accountability issues related to the pandemic.

The design for the COVID-19 tracker was adopted by the COVID-19 Emergency Response Fund Board <https://www.kenyacovidfund.co.ke/contributors/> as a measure to enhance transparency and accountability in the management of COVID-19 funds thereby validating TI-Kenya's position as a pillar in the development of innovative and accountability tools.

Increasing citizen knowledge and capacity through legal aid and awareness

The Advocacy and Legal Advice Centre (ALAC), is an avenue created by the TI global movement for citizens to report suspected cases of corruption. The TI movement has used the ALAC tool 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 physically, through phone or email obtain free, quality, and confidential legal advice on corruption cases. TI-Kenya has established four ALACs with one located in its headquarters in Nairobi, and the other three spread across the three regional offices in Mombasa, Eldoret, and Kisumu, and which serve the entire regions in which they are situated. Through the ALACs, over 52,500 people in Kenya have been given legal services since 2009. In 2019-2020, and in light of COVID-19 pandemic ALACs offered legal aid services to 315 citizens mostly through calls and SMS as tabulated below.



A summary of legal aid clients attended to by the ALACs

Increased dialogue sessions and training on topical integrity and accountability issues.

Dialogue sessions and review meetings

To improve collaboration between police, CSOs and citizens for enhanced accountability within the police service, TI-Kenya held a meeting and two dialogue sessions with the National Police Service. Through the meeting, an engagement framework with the police

was agreed upon (schedule of dialogue sessions). Subsequently, dialogue sessions with 35 officers from the Internal Affairs Unit (IAU) and 41 officers from Security of Government Buildings (SGB) and Critical Infrastructure Protection Unit (CIPU) were held in February and March 2020 focussing on corruption and governance issues within the police service. The dialogues informed specific training needs for police officers which will be undertaken in 2021.

Through the Action for Transparency Project, TI-Kenya participated in review meetings organized by Institute of Economic Affairs (IEA) and Uraia Local partners on Social Accountability work in Kenya. These meetings improved knowledge sharing as well as collaboration on accountability work between TI-Kenya and her partners.

Trainings

Training on integrity and accountability issues forms one of the key strategies for continuously building the capacity of anti-corruption actors to recognize and fight corruption. Within the period under review, 4,491 people (2364M, 2127F) were trained by TI-Kenya on public accountability, corruption, governance, alternative justice system, police investigations and electoral processes. These include members of school Boards of Management, journalists, community members, Deputy County Commissioners, Assistant County Commissioners, Chiefs and Assistant chiefs and police officers. The knowledge gained through these trainings has increased civilian oversight and improved the justice system across the country with results being realised through increased public participation and reporting of corruption, increased complaints on public service delivery, improved police investigations and drafting of charge sheets, increased exploitation of alternative avenues of justice, as well as reduced number of cases dismissed on technicalities.

Knowledge sharing and learning in Anti-Corruption Work

Knowledge sharing and learning in the anti-corruption sphere facilitates exchange of information and practical advocacy skills across thousands of anti-corruption actors; as such continually building progressive advocacy skills, influencing more masses and ultimately sustaining anti-corruption work. Within the review period, TI-Kenya deepened knowledge sharing and learning through



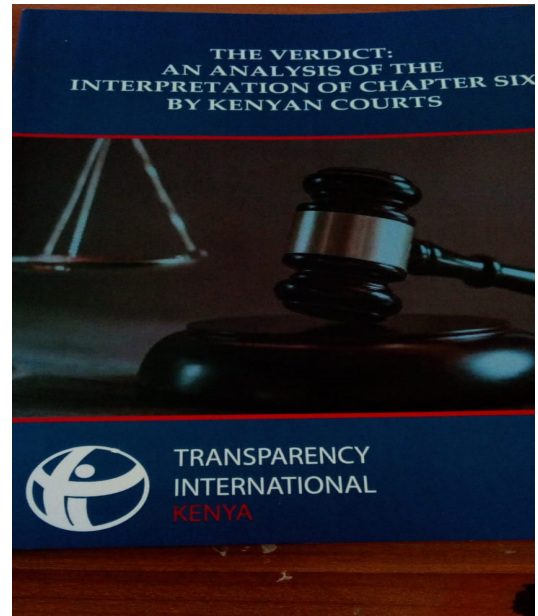
Figure 1: Public forum in Machakos County

the following: a knowledge-sharing forum for partners in Kwale county; peer review meetings with Kenya Primary School Headteachers' Association (KEPSHA) and the Institute of Economic Affairs; and consultative meetings with UNDP. TI-Kenya also held a validation meeting to study the costs and benefits of Access to Justice initiatives in

Kenya; launched events for the Local Integrity Study and Corruption Perception Index respectively; and participated in webinars on Women's Housing and Land Rights and COVID-19, Eviction response during and after COVID-19, Migration, Displacement, and De-urbanization in the Context of COVID-19 and youth integrity. Through these avenues, information and knowledge on social accountability, gender and corruption, access to information, transparency and accountability in COVID-19 response as well as protection of vulnerable groups as well as effective youth engagement in the fight against corruption were shared.

International Anti-Corruption Day

The International Anti-Corruption Day is observed annually since the passage of the United Nations (UN) Convention Against Corruption on October 31, 2003, to raise public awareness for anti-corruption. TI-Kenya observes this day annually by conducting activities meant to strengthen stakeholder engagement in anti-corruption work. In December 2019, TI-Kenya in partnership with Institute of Public Finance, ICPA-K and the African Parliamentary Network Against Corruption (APNAC) conducted a public lecture, report launch and ward ceremony for integrity champions to mark the international anti-corruption day. The Public lecture led by ICPAK on corruption and anti-corruption initiatives included a discussion on corruption prevention, particularly in relation to the public and private sectors. The report (The Verdict: An analysis of the interpretation of Chapter Six by Kenyan courts) launched analyzed the interpretation and application of Chapter Six of the Constitution of Kenya by courts in Kenya. The Integrity Champions Awards 2019 recognized particular actions or initiatives undertaken by one or several individuals and constituting a tangible contribution to the fight against corruption and promoting the Principles of Leadership and Integrity as enshrined in the Constitution of Kenya. Three hundred and ten (229M, 81F) participants from the private sector, government and civil society took part in these activities.



1.2: Increase in established, capable and active civic movements meaningfully engaging in public accountability

Mapping and reinvigoration of more corruption action groups at County and national level

Establishment and engagement of civic movements in anti-corruption work all over Kenya has increased effort in anti-corruption through civic influence and protection of vulnerable anti-corruption champions. TI-Kenya has previously mapped, formed

and engaged civic movements at local, county and national level on different thematic issues related to corruption and governance. Currently, there are active civic movements, mapped, established and supported by TI-Kenya in the western region, Rift Valley, Coast and Nairobi regions. Within the period under review, TI-Kenya initiated the process of reinvigorating these movements through mapping of more corruption action groups as well as assessment of the performance of existing groups. Mapping and establishment of stronger civic movement will be concluded in 2021.

Increased institutional strengthening initiatives for good governance actors at the county level

Strengthening of good governance actors lubricates these movements to ensure they are adequately prepared for anti-corruption work, are efficient and effective in their work, and protected from disintegration by government retaliation, fatigue or change in environment. Within the period under review, TI-Kenya undertook 2 inception meetings, and 6 capacity building workshops with CSOs in Nyeri and Elgeyo Marakwet, a meeting with private suppliers at county (Nyeri and Elgeyo Marakwet) and national level as well as a national conference on Open Contracting to enhance actor capacity on Open Contracting within the health sector. As a result, a monitoring framework on Health Procurement at county and national level was developed. To advance CSO engagement in climate work, TI-Kenya held a workshop on climate risk insurance in October 2019 and monthly stakeholder meetings since April 2020. Sensitization of CSOs, CBOs and affected communities on the mineral value chain in Kwale County based on the Thematic Areas (Land, Environment, Exploration and Royalties) was also conducted to improve their capacity to engage and advocate for transparency and accountability in mining activities.

In Kwale, 4 capacity building sessions with the Citizen Accountability Group were conducted to enhance their capacity to engage with the Kwale County Government on governance processes. As a result, the Citizen Accountability Group attended 1 assembly sitting, drafted and submitted 3 memoranda in collaboration with other CSOs to the county government and held 7 meetings with MCAs on governance issues. From the memorandum and meetings, some budgetary issues raised in the memoranda were captured in the Kwale county budget for 2020-2021 including construction of a maternity wing at Chitsanze in Tsimba/Golini ward, allocation of Kshs. 4 Million towards rehabilitation of Vanga sports field and Kshs. 12.9 Million towards construction of a public library in Lunga Lunga sub-county.

Strengthened networks amongst anti-corruption agents

Networking among anti-corruption agents is a prodigious way of building synergy, sharing governance ideas, as well as enhancing the anti-corruption narrative. In the last one year, TI-Kenya partnered with Kenya Legal Aid Network (Kelin), Center for Rights Education and Awareness (CREAW), Katiba Institute, Amnesty International Kenya, The Institute of Social Accountability (TISA) to advocate for transparency and accountability

in government response to COVID-19. The partnership was instrumental leveraging in partner strengths as well as promoting learning, sharing of information and monitoring of COVID-19.

In Mombasa, TI-Kenya through the Coast Land Non-State Actors Network issued a press statement calling on the government to stop evictions within the Coast Region during the ongoing COVID-19 pandemic, and held strategy meetings COVID-19 to ensure continued CSO collaboration and sharing of information amid the pandemic. In Nairobi, the Action for Transparency project engaged the A4T advocates through quarterly meetings to strengthen their engagement in advocacy work. As a result, the community advocates have been in the forefront in capacity building communities on the use of A4T tools as well as budget monitoring for the education sector. In Kitui County, TI-Kenya facilitated one County Mining information sharing forum between community members, mining companies operating in the region, relevant county departments and academia. TI-Kenya also supported a national mining information sharing forum with community members, mining companies operating in the country, relevant Ministries, CSOs and academia thereby promoting networking and information sharing among these groups.

1.3: Improved civilian oversight of public institutions for improved service delivery

Increased citizen oversight mechanisms initiated at the county level

Citizen oversight at county level ensures a bottom-up approach to accountability by holding duty bearers responsible for service delivery at the lower political and administrative units. To increase oversight mechanisms at county level, TI-Kenya initiated the use of 11 accountability monitors in Mombasa, Kilifi, Kwale and Nairobi counties to ensure increased transparency and accountability in management of COVID-19 resources and in general public service delivery. The accountability monitors monitored transparency and accountability in county governance during COVID-19 and raised key issues including inaccessibility to information, poor service delivery and mismanagement in county health facilities which were the subject of CSO advocacy at county and national level.

Through the Action for Transparency project, ICT Social Accountability mechanisms were rolled out in 11 counties and CSOs from these counties' were trained built on the use of these mechanisms in Health Service Delivery monitoring. These mechanisms include Public Expenditure Tracking, Social Audits and use of social media for advocacy work. Currently 14 counties² in Kenya are using these mechanisms in civilian oversight interventions including tracking the use of COVID-19 funds.

² Nairobi, Baringo, Busia, Elgeyo Marakwet, Kisumu, Bungoma, Nakuru, Nyeri, Machakos, Mombasa, Isiolo, Kwale, Kilifi and Garissa.

Physical social audits were conducted within the TVET sector in Elgeyo Marakwet and Vihiga counties focused on service delivery in vocational education at county level. The audits highlighted issues such as low public involvement in planning and management of TVETs, poor infrastructure and human resourcing, low uptake of vocational education as an alternative to other level tertiary learning and insecure land tenures. The audit findings have formed the basis of advocacy meetings between citizens, CSOs and the 2 County governments.



TI-Kenya staff presenting the key findings of the social Audit report to stakeholders

Increased citizen participation in budget processes at the county level

Budget advocacy remains one of the critical tools in ensuring duty bearers prioritize citizen needs and deliver services with adherence to the value for money principles. In 2019, TI-Kenya facilitated the establishment of a Citizen Accountability Group in Kwale County comprising of 18 members (9 males and 9 females), drawn from all the sub-counties in Kwale County with the objective of having citizens engage with governance processes at the county level. TI-Kenya built the capacity of the Citizen Accountability Group on various governance processes including budgetary process, public audit, public participation and civilian oversight. During the reporting period, members of the Citizen Accountability Group took part in public participation meetings for the Kwale Annual Development Plan (ADP) 2020-2021. Nine Members attended forums in seven different wards in the County in January 2020, where they expressed their views and gave input on the ADP.

The CAG members also were involved in public participation exercises for the County Fiscal Strategy Paper (CFSP) 2020. eight members, from even different wards in the County, attended the forums and gave input on the CFSP including provision of water, construction of roads and bursary distribution.

During this reporting period, TI-Kenya held six knowledge and information sharing as well as capacity building sessions with the group. These sessions improved their capacity to continually engage the county government on budgetary processes.

During a public participation forum on the Kwale County Fiscal Strategy Paper held in Lunga Lunga sub-county in February 2020, CAG members together with youths raised a concern that the youth had been not involved in development projects in the County. They requested that the youth should be deliberately included via specific youth-targeted development projects. In the budget estimates for FY 2020/21, allocations of Kshs. 4 Million towards rehabilitation of Vanga sports field and Kshs. 12.9 Million towards construction of a public library in Lunga Lunga sub-county have been made. These could be attributed to the views and feedback presented to the duty bearers.

Continued support towards corruption-related public interest litigation / administrative petitions

TI-Kenya in collaboration with the Kenya National Human Rights Commission filed an advisory opinion in the Supreme Court of Kenya seeking guidance on standards to be employed in enforcement of Chapter 6 of the CoK 2010. Through this opinion, TI-Kenya sought to enhance compliance with Chapter 6, thereby encouraging the election/appointment of transparent and accountable leaders. The hearing is still ongoing at the High Court after the Supreme Court allowed the preliminary objection on the matter citing two petitions pending in the High Court since 2017.

TI-Kenya was also an Interested Party in a petition against the decision by the Parliamentary Service Commission to award housing allowances to MPs illegally and unconstitutionally filed by the State's Salaries and Remuneration Commission in 2019. The matter was ongoing at the close of the period under review though the Salaries and Remuneration Commission obtained interim orders stopping the Parliamentary Service Commission (PSC) from further illegal payments.

TI-Kenya filed a constitutional petition with other civil society organisations in 2019 on the division of revenue. With key prayers sought requiring the tabling of the financial estimates for the year without incorporation/inclusion of the Division of Revenue Bill 2019, and that any tabling of the budget policy highlights and legislative proposal without the passing, incorporation or inclusion of the Division of Revenue Bill be declared illegal and unconstitutional. The matter was ongoing at the close of the reporting period.

TI-Kenya also supported drafting and submission of two administrative petitions to the County Governments of Vihiga and Machakos. The Vihiga petition was done in collaboration with the county CSO umbrella body and sought government action and response to COVID-19 accountability, poor working conditions, shortage of basic commodities and delays in payment of health workers.

In Machakos, TI-Kenya supported efforts by a CSO health network to develop a request for information on the county's utilization of COVID-19 funds and resources. The request was based on opaqueness of the County Government on health accountability.

STRATEGIC FOCUS AREA 2: POLICY, LEGAL AND INSTITUTIONAL FRAMEWORKS

This strategic focus area supports formulation, review and or enforcement of appropriate accountability-focused regulatory frameworks through influencing, coalition building, and capacity development.

2.1: Existence of critical policy, legal and regulatory frameworks to redress and prevent corruption

Increased formulation of anti-corruption and accountability related legal frameworks.

Formulation and implementation of anti-corruption and accountability legal framework provides a firm foundation for good governance. In support of this, TI-Kenya supported a review of the draft Whistle Blower Protection Bill 2019, through initiation of research on whistleblowing in Kenya as a basis of engaging policy makers with a view of amending the law.

Through the Social Justice and Economic Accountability Programme, TI-Kenya gave input in the validation of the debt policy and borrowing framework in 2019, some of which was adopted in the final 2020 draft policy by the National Treasury. Through this programme, TI-Kenya is also supporting establishment of laws and policies relating to transparency and accountability in beneficial ownership, mining and public finance management including public debt.

Improved implementation of anti-corruption/ accountability laws, policies, rules and regulations.

To ensure effective implementation of relevant anti-corruption legislative frameworks, TI-Kenya undertook a study on jurisprudential gaps in the application of Chapter 6 of the Constitution of Kenya. The study report provides key gaps, best practices and recommendations on effective implementation of this chapter. Subsequently, TI-Kenya conducted advocacy campaigns on effective and standard implementation of chapter 6 of CoK through radio shows, pressers, social media campaigns and stakeholder engagements.

TI-Kenya has been in the forefront in advocating for state officials and elected officials to vacate office upon being charged with corruption offences.

TI-Kenya also supported review of the Beneficial Ownership regulations 2020, an amendment to Kenya's Companies' Act (Beneficial Ownership Information). Through sustained advocacy, these regulations were published in February 2020 and companies given until 31st July 2021 to update their beneficial ownership register. TI-Kenya continues to advocate for enhanced compliance with these regulations to improve transparency and accountability in the management of Kenyan registered companies.

Enhanced action against reversal of Key gains realised in the 2010 CoK dispensation.

To ensure the gains realised through the 2010 constitution are not reversed thereby retrogressing the fight against corruption, TI-Kenya submitted recommendations on review of equitable revenue sharing formula to the effect that resource accountability informs progressive revenue sharing among counties. TI-Kenya was reviewing BBI recommendations on Governance and anti-corruption at the close of the reporting period to highlight to what extent it addresses clarity, coordination and independence in execution of mandates for institutions in charge of investigation, prosecution and adjudication of corruption and economic crimes. This review will form the advocacy anchor on the Building Bridges Initiative and any subsequent constitutional amendments. At national and county level, TI-Kenya has been advocating for improved access to information through adoption of open contracting, updating of beneficial ownership registers and provision of public information on resource accountability.

2.2 Existence of active strategic partnerships involved in anti-corruption work

Increased deliberations and action on emerging accountability concerns.

In wake of the COVID-19 pandemic and emerging accountability concerns, TI-Kenya took a leading role to convening forums for CSOs in the accountability sphere to advocate for improved transparency and accountability in management of the pandemic with as respect to human rights. In this regard, TI-Kenya convened 11 forums at the national level and 7 forums at the regional level culminating in government response actions. The national government through KEMSA published information on COVID-19 related procurement and revised quarantine guidelines in response to accountability concerns raised by CSOs through these forums.

Enhanced leadership in strategic partnerships, networks, alliances or forums

TI-Kenya has taken a leading role yet inclusive approach in partnerships and alliances within the period under review. Within the Coast region, TI-Kenya took the lead in engaging Mombasa and Kwale County Governments on land and resource accountability issues through Mombasa and Kwale CSO networks. In the western region, TI-Kenya in collaboration with the Vihiga Sub-county Civil Society network, Magharibi Justice Center, and Inform Action Group advocated for reforms in the Technical and Vocational Training Centres within Vihiga and health sector. Through this partnership, the CSOs successfully pushed for enactment of Vihiga Health Services Bill 2019 and Vihiga Facility Improvement Fund Bill 2019.

2.3: Existence of capable and active institutions/actors with the will, commitment and drive for positive change.

Strengthening public institutions and non-state actors charged with the fight against corruption.

Augmenting the capacity of public institutions and non-state actors charged with the fight against corruption has a multiplier effect in elimination of the vice. During the reporting period, TI-Kenya held two police dialogues with the internal affairs unit and administration police on corruption and governance issues within the police service. The corruption and governance issues discussed during dialogues led to the design of specialized training for police on corruption to be undertaken in 2021 as part of capacity strengthening measures within the service. TI-Kenya in partnership with other CSOs within the Police Reforms Working Group supported the development and publication of the Distance Conscious and Human Rights-Based COVID-19 Policing Guidelines which entrenched rights-based approach as well as safe policing within the pandemic period. As a result, police-related human rights violations during enforcement of COVID-19 measures have significantly reduced as police seek to uphold safe and rights-based policing approach.

In collaboration with the office of Director of Public Prosecution, North Rift region, TI-Kenya trained police officers from report and crime departments on how to carry out investigations and draft charge sheets as a way of strengthening investigation and prosecution processes. This has led to reduction in the number of charges dismissed at the Eldoret High Court due to glitches in charge drafting.

For non-state actors, TI-Kenya capacity-built Health Facility Management Committees from 24 facilities in Machakos, Trans Nzoia and Vihiga counties on health service delivery and oversight as a way of strengthening oversight for improved delivery of services. CSOs from 14 counties³ were trained on use of ICT for Social Accountability approaches in Health Service Delivery including Public Expenditure Tracking and Social Audits to strengthen civilian oversight within these counties. As a result, the CSOs monitored the use of COVID-19 public resources at county level, shared information and engaged the respective counties for increased transparency and accountability in management of the pandemic.

3

Nairobi, Baringo, Busia, Elgeyo Marakwet, Kisumu, Bungoma, Nakuru, Nyeri, Machakos, Mombasa, Isiolo, and Garissa.



Enhanced knowledge generation and documentation initiatives on effective accountability

Knowledge generation, documentation and sharing enhances the capacity of different actors to effectively champion for accountability as new knowledge, information, methods and skills are acquired. To improve knowledge generation, documentation and dissemination, TI-Kenya:

- Finalised the review of Local Integrity Systems (LIS) in Kwale County and launched the LIS report. The review looked into the existence and effectiveness of mechanisms that promote transparency, accountability and integrity in the county thereby providing a good base foundation for improving transparency and accountability within the County.
- Undertook an update of the County Governance Status Report (CGSR) in 16 counties⁴, thereby establishing mechanisms put in place by county governments to promote transparency, accountability, integrity and service delivery.
- Undertook an analysis on the interpretation by the Courts on Chapter Six of the CoK which entailed the interpretation and application of judicial decisions on Chapter Six of the CoK since 2010. This analysis provided recommendations for enforcement of integrity standards in public service delivery.
- Undertook Social audit of TVET education in Elgeyo Marakwet and Vihiga counties focussing on service delivery in vocational education at county level. The audits highlighted key issues within the sector and provided recommendations for improvement to citizens and duty bearers.
- Undertook an assessment on County Governments Response to COVID-19 in 12 counties⁵. The assessment examined existence and sufficiency of laws, policies, regulations and strategies at county level in response to the COVID-19 pandemic especially regarding mobilization, allocation, distribution and utilization of resources for the COVID-19 as well as the status of service delivery. The assessment established inadequacies in transparency and accountability mechanisms at county level with regard to management of COVID-19 resources and provided recommendations for improvement.
- Undertook a research on the extent of Transparency and Accountability by the Government of Kenya in responding to the COVID-19 pandemic, unearthing accountability gaps, their effects on COVID-19, management and also providing best practices in emergency crisis management for improvement and future adoption.

4 Kisii, Busia, Kericho, Nakuru, Nandi, Murang'a, Embu, Isiolo, Garissa, Tana River, Kitui, Makueni, West Pokot, Nyandarua, Mombasa, Elgeyo Marakwet

5 Machakos, Baringo, Bungoma, Busia, Elgeyo Marakwet, Garissa, Isiolo, Kisumu, Nairobi, Nakuru and Nyeri

Enhanced technical support to public institutions who seek to improve their accountability mechanisms.

During the period under review, TI-Kenya provided technical support to the County Government of Kisumu in the development of Kisumu Climate Change Bill which culminated into the Kisumu Climate Change Act 2020. The implementation of this Act will improve transparency and accountability in climate management within the county. TI-Kenya also technically supported the County Government of Kisumu in assessing climate change vulnerability and financing within the county. The vulnerability assessment will guide decision making on climate finance flows and investments within the county.

Increased protection of anti-corruption activists against backlash or harassment.

TI-Kenya has been on the forefront in ensuring that anti-corruption activists are not silenced through intimidation, backlash and harassment. TI-Kenya continues to provide secure corruption reporting channels for anti-corruption activists. TI-Kenya has also been on the forefront in advocating for the review and adoption of whistle blower protection law. TI-Kenya has also been on the forefront in mapping and establishing coalitions of anti-corruption actors as a strengthening mechanism for enhanced anti-corruption work and protection against backlash and harassment.



STRATEGIC FOCUS AREA 3: SOCIAL AND ECONOMIC ACCOUNTABILITY

This strategic focus area supports the application of social justice and economic accountability across sectors and levels for a more equitable and inclusive society by addressing present and previous injustices, as well as ensuring equitable distribution of public resources and opportunities.

3.1 Present and previous corruption- fuelled injustices are addressed to contribute to a more equitable and inclusive society

3.2: Existence of fair mechanisms for the distribution of resources and opportunities by 2022

Development of mechanisms for transparent and equitable distribution and management of public resources and opportunities

TI-Kenya has been supporting enhancement of transparency in corporate reporting through advocacy on improved compliance of beneficial ownership laws. In this regard, TI-Kenya supported the assessment of beneficial ownership laws within the East Africa region with a view to identifying existing gaps and recommending requisite policy and legislative measures. As a result of the assessment and subsequent advocacy, Tanzania included beneficial ownership provisions in the Finance Act 2020 which was operationalized in July 2020. In Kenya an amendment to Companies' Act (Beneficial Ownership Information) Regulations 2020 was published in February 2020 requiring companies to update their beneficial owners register. Companies are required to update their beneficial ownership register by 31st July 2021⁶. These are significant steps in ensuring improved transparency by corporates, hence more equitable distribution and management of public resources and opportunities.

TI-Kenya has over the past year been on the fore front in advocating for prudent public debt management in East Africa. In this regard, TI-Kenya has supported review of Auditor General reports within the East Africa region and COVID-19 related public debt with a view of closing the policy and legislative gaps. TI-Kenya further gave input into the Public Debt and Borrowing Framework and advocated for publication of the public debt register in Kenya. The National Treasury published the Public Debt and Borrowing Framework, 2020, incorporating TI-Kenya's input regarding transparency and accountability on the borrowing, use and retirement of public debt.

Increased support towards effective public resource planning, use and accountability.

TI-Kenya through the Okoa Uchumi coalition⁷ has been advocating for debt relief under the G20 Debt Suspension Service Initiative to allow for the government of Kenya to effectively plan for the country's economic needs amidst the COVID-19 pandemic. The National Treasury sought debt relief under the initiative which was accepted by the Paris Club and China. This initiative has ensured more effective public resource planning and prioritization for Kenya amid the COVID-19 pandemic.

⁶ https://brs.go.ke/assets/downloads/Press_Release_Extension_BO.pdf

⁷ The Okoa Uchumi Debt Campaign is a civil society platform committed towards working with stakeholders to redress Kenya's public debt crisis. The coalition seeks to push for political accountability and bolster constitutional safeguards in public debt management as a means to debt sustainability through a balanced and equitable budget.

TI-Kenya is undertaking an assessment of COVID-19 related public debt in EAC with a view to ensuring prudence in public resource management by advocating for reduced public debt borrowing, and transparent and accountable use of public debt resources. Initial findings indicate soaring COVID-19 related public debt to the tune of \$2.3 billion with Kenya leading with \$1.5 billion since March 13th2020. TI-Kenya continues to advocate for transparency and accountability in the management of borrowed resources.

Enhanced collaboration with relevant state and non-state actors to ensure effective and transparent governance of natural resources.

TI-Kenya has been collaborating with TI chapters within the East Africa region to advocate for adoption of legislative and policy structures that support the implementation of the AMV and EITI in order to ensure effective and transparent governance of natural resources. In collaboration with these partners, TI-Kenya undertook an assessment of mining laws within the region and made both legislative and policy recommendations towards AMV and EITI implementation. Uganda which joined the EITI in August 2020 appreciated the recommendations and committed to uphold transparency in the extractives sector.

TI-Kenya through regional partners continues to push for the domestication of the Africa Mining Vision (AMV) and implementation of EITI within the region.

Through Jukwaa la Madini forum⁸ held in September 2019 TI-Kenya, advocated for speedy gazettment of the Community Development Agreement (CDA) Committees as provided in the CDA Regulations 2017. In February 2020 Ministry of Petroleum and Mining in Kenya gazetted the Mining (Community Development Agreements) regulations, 2017 gazetting committee members in key mining areas in Kenya including Kisii, Baringo and Kwale which will ensure transparency and accountability in the management of mining activities.

TI-Kenya in collaboration with Kwale County Mining Alliance and Kwale community representatives held a consultative forum with Base Titanium LTD, on community benefits emanating from the mining sector in Kwale County. TI-Kenya also participated in a consultation on the implementation of the United Nations Environment Assembly Resolution 4/19 on Mineral Resources Governance (UNEA 4/19), which highlighted the most pressing mineral resource governance challenges in the region and initiatives that can help address the challenges, as well as offer best practice on sustainable or responsible development in the extraction, use, and management of minerals.

⁸ Jukwaa la Madini- National Conference on Mining, Oil and Gas



STRATEGIC FOCUS AREA 4: INSTITUTIONAL DEVELOPMENT

This strategic focus area enhances institutional relevance, effectiveness and sustainability through Human Resources (HR) and Governance Development, Resource Mobilisation, Marketing, Systems and Structure Strengthening, as well as Monitoring, Evaluation, Research and Learning (MERL).

Improved Human Resource and Governance Development

Good governance is at the heart of TI-Kenya's operations as a clear reflection of strong values commonly shared by the global movement. Within the reporting period, TI-Kenya recruited four board members and held quarterly meetings to strengthen institutional governance and oversight. TI-Kenya also developed an engagement framework with FOTIK members as it continually seeks to build the body of anti-corruption champions within the country.

TI-Kenya is keen on continuous human resource development as a critical enabler of institutional development. Within the period under review, TI-Kenya undertook the following human resource development measures:

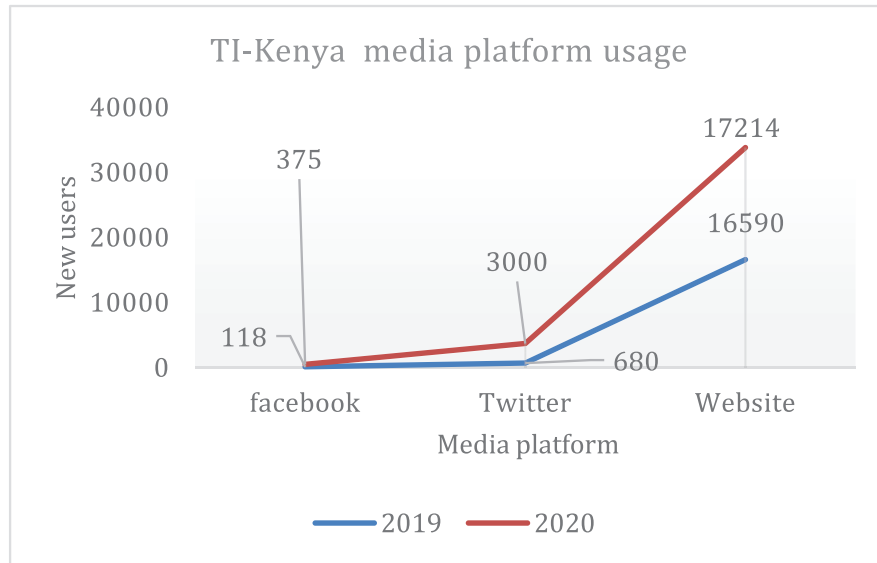
- Review of institutional performance assessment mechanism and bi-annual assessment of performance assessment
- Training of 32 staff on digital security, social media advocacy, monitoring and evaluation, project management and change management.
- Establishment of a return to work model to support sustainable and safe working approaches amid the pandemic.
- Establishment of appropriate staff welfare and support mechanisms including, virtual team building and staff welfare activities, wellness talks, and suitable insurance packages.

Improved marketing and communication

Marketing and communication remains a strategic tool upon which TI-Kenya's brand image and public profile is anchored on. In 2019-2020, TI-Kenya reached approximately 13 Million citizens through 33 radio talk shows, 2 TV talk shows, 14 social media campaigns (tweet chats), 20 media articles, and 5 press releases. In addition, TI-Kenya reached approximately 3000 citizens through online information, education and communication materials designed to advocate for accountability amidst COVID-19 pandemic. Through these interventions, there has been increased visibility and public understanding of TI-Kenya's mandate as well as increased engagement with stakeholders on anti-corruption initiatives. Subsequently, TI-Kenya's social media following rose from 12K to 15K followers on Twitter and 10K following on Facebook from 9,625 in 2018-19. TI-Kenya's website attracted 17,210 new users in 2018-2019.

Improved internal systems, policies and structures

To respond to the COVID-19 pandemic, TI-Kenya reorganised its internal systems, policies and structures to accommodate sustainable and safe operations amidst the pandemic. To this end, TI-Kenya developed and implemented COVID-19 organizational protocols and automated its financial and human resource systems that ensured that TI-Kenya staff and all stakeholders working with TI-Kenya were safe.



TI-Kenya also acquired requisite online platforms (ODK, Mentimeter, Zoom, Teams, Planner) to ensure continued anti-corruption advocacy. Through these platforms, TI-Kenya has been in a position to carry out civic engagement, safe stakeholder meetings, review workshops, as well as research and evaluations. To ensure advocacy responds to global current issues and adheres to international standards and human rights principles, TI-Kenya developed whistleblower policy, confidentiality and conflict of interest policy, gender policy, anti-fraud and resource mobilization policy. TI-Kenya trained staff and management on quality management systems as part of an elaborate institutional process of ensuring that organizational service delivery meets customer requirements as well as continual process improvement.

Enhanced Monitoring, Evaluation, Research and Learning (MERL)

Monitoring, evaluation, research and learning ensures effective delivery and demonstration of results as well as provision of suitable mechanisms for institutional learning and growth. Within the period under review, TI-Kenya conducted a midterm review of its strategic plan as well as internal annual review and planning thereby collating and reflecting on successes achieved within the first planning period as well as realigning its priorities to respond to emerging opportunities. To increase anti-corruption awareness, strengthen institutions and ensure advocacy strategies remain relevant, TI-Kenya:

- Conducted a survey (EABI) highlighting bribery experiences of citizens in public service within Kenya for increased awareness creation and appropriate remedial action.
- Developed the County Governance Status report highlighting the status of governance in the counties particularly on indicators that speak to transparency, accountability, integrity and service delivery. Publication and advocacy on recommendations will be conducted within the oncoming year.
- Launched the Local Integrity System assessment (LIS) report (conducted in March and April 2019) which assessed the existence and effectiveness of mechanisms that promote transparency, accountability and integrity in Kwale county. The study highlighted progress made by the County in establishing mechanisms that promote accountability provided recommendations that TI-Kenya will continue to advocate for implementation.

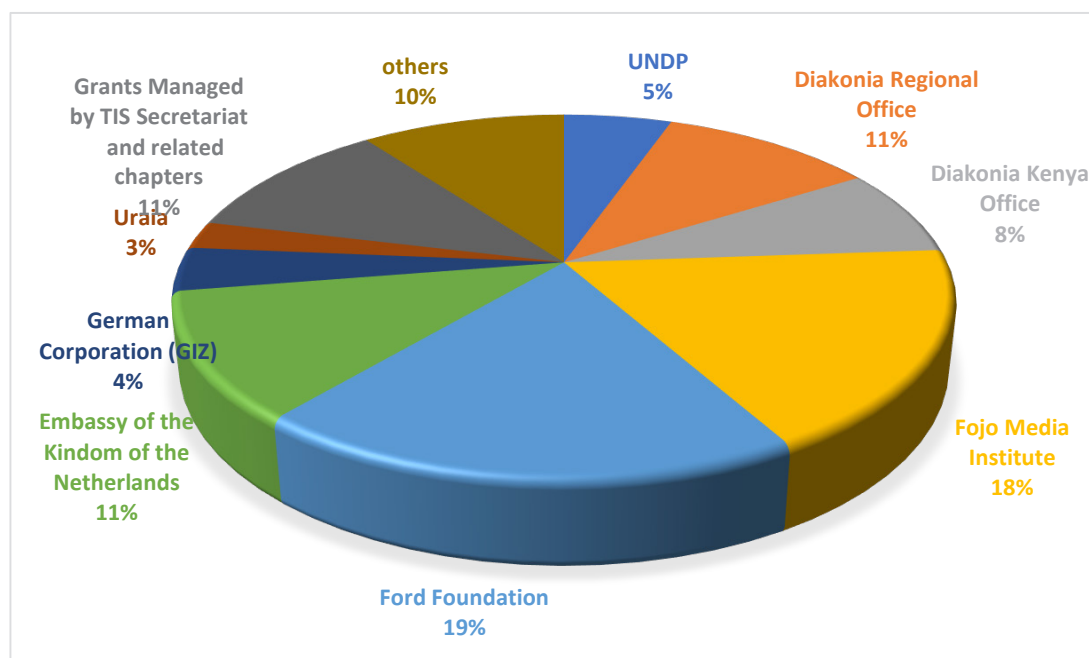
To ensure monitoring and evaluation capacity continually improves within the organization, monitoring and evaluation support visits were conducted during the pre-COVID-19 period as well as a desktop review and reflection workshops during the COVID-19 period.

FINANCIAL PERFORMANCE ANALYSIS FOR THE FINANCIAL YEAR THAT ENDED ON 30TH SEPTEMBER 2020

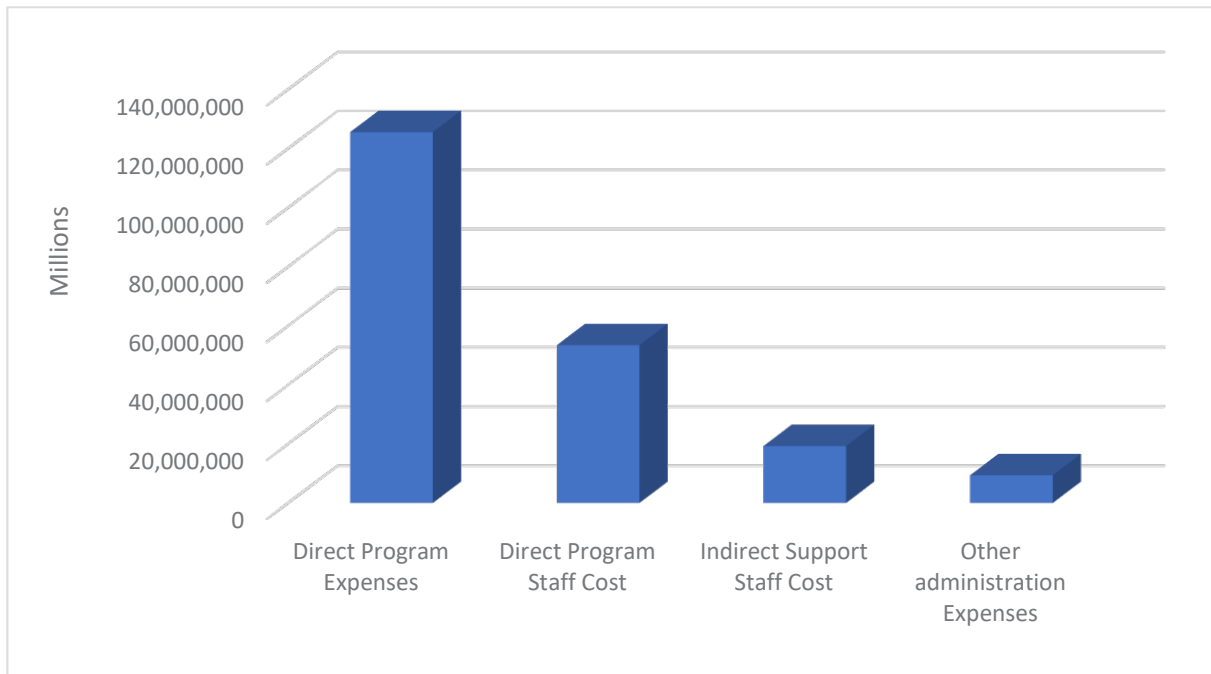
1. Income Reported During the Year

PARTNERS	AMOUNT RECEIVED DURING THE YEAR (KSH)
UNDP	8,560,087.00
DIAKONIA REGIONAL OFFICE	17,143,408.00
DIAKONIA KENYA OFFICE	12,376,300.00
FOJO MEDIA INSTITUTE	28,621,479.00
FORD FOUNDATION	30,935,436.00
EMBASSY OF THE KINGDOM OF THE NETHERLANDS	18,005,324.00
GERMAN CORPORATION (GIZ)	6,206,970.00
URAIA	3,900,000.00
GRANTS MANAGED BY TIS SECRETARIAT AND RELATED CHAPTERS	17,628,000.00
OTHERS	16,211,166.00
GRAND TOTAL	159,588,120.00

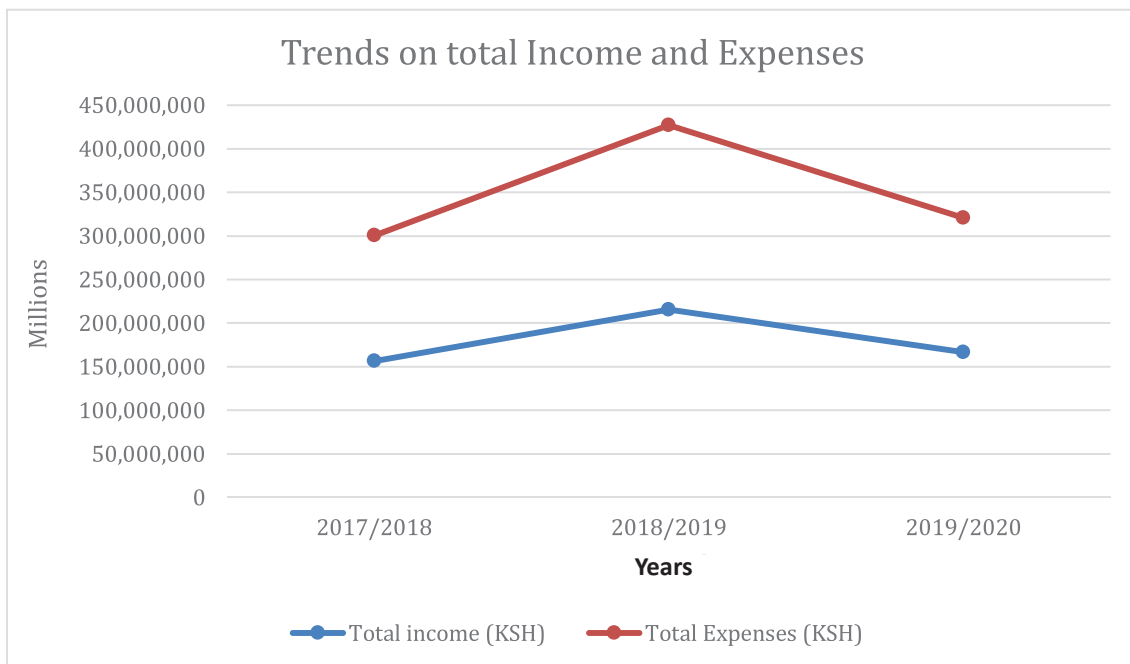
2. Who Funded Us



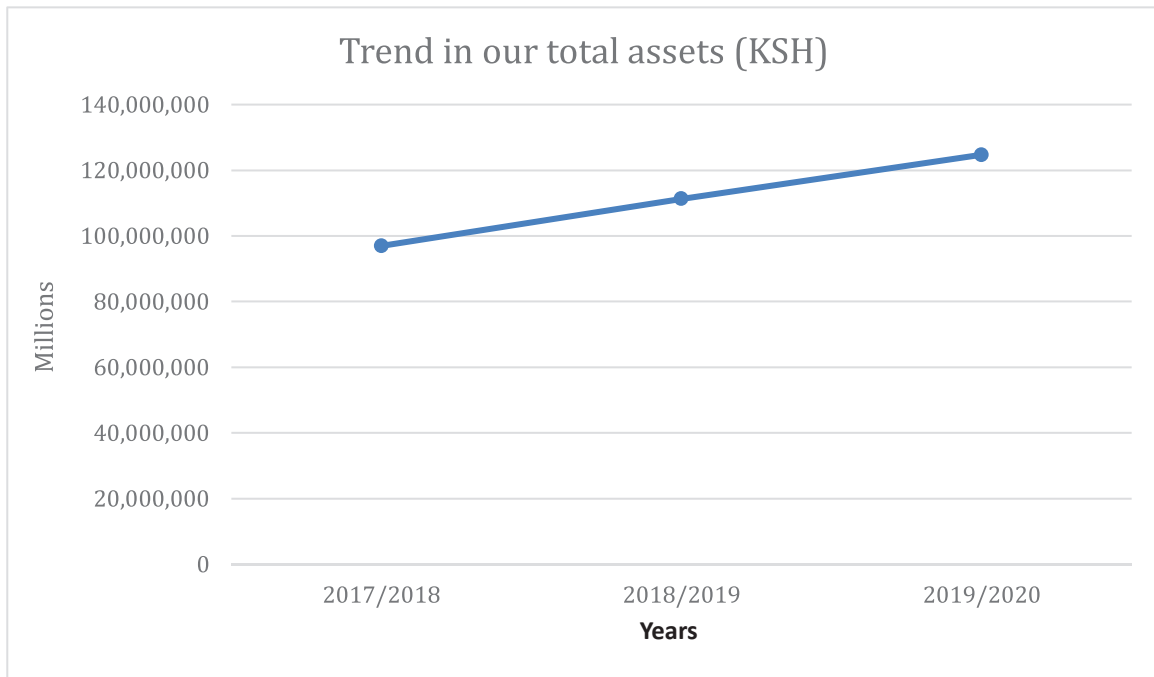
3. How the Funds Were Applied (Ksh)



4. 3 Years Trend on Total Income and Expenses



5. 3 Years Trend on Our Total Assets





TRANSPARENCY INTERNATIONAL KENYA

HEAD OFFICE

Kindaruma Road, Off Ring Road, Kilimani
Gate No. 713; Suite No. 4
P.O. BOX 198 - 00200, City Square, Nairobi, Kenya
Tel: +254 (0) 202 727 763/5, +254 722 296 589
Email: transparency@tikenya.org

To receive free confidential advice on corruption related cases
Call 0800 720 721 or SMS 22129 toll free*
*call free from Safaricom lines

For advice on corruption related cases contact the
Advocacy and Legal Advice Centres (ALAC):

ALAC ELDORET

FIMS Building
Nandi Street, Opposite Nandi Arcade
3rd Floor, Room C26
Eldoret
Tel: 0704899887

ALAC NAIROBI

Kindaruma Road, Off Ring Road, Kilimani, Gate No. 713: Suite No. 4
PO BOX 198 - 00200, City Square, nairobi, Kenya
Tel: +254 (0) 202 727 763/5, +254 722 296 589
Fax: +254 20 272 9530 Email: transparency@tikenya.org

ALAC MOMBASA

2nd floor, KNCHR offices Panal Freighters Lane
Off Haile Selassie Avenue Behind pride Inn Hotel Mombasa CBD
Tel: 0728 418 822 Hotline: 0800 720 721
Email: alacmombasa@gmail.com

ALAC WESTERN

P.O. BOX 3560-40100, RIAT along Kisumu-Kakamega Road, Kisumu
Mobile: 0716 900 227
Email: alacwestern@tikenya.org

