



**National Integrity Alliance**  
Leadership With Integrity

## **Profiting from Poison: Who Allowed Overpriced, Substandard Fuel into Kenya?**

*Our outrage over the importation of KSh 4.8 Billion worth of Substandard Fuel*

### **PRESS STATEMENT FOR IMMEDIATE RELEASE**

**Date: 13th April 2026**

The National Integrity Alliance is outraged by what has emerged in Kenya's energy and petroleum sector, not a minor regulatory lapse but a shameless and mannerless act by irresponsible actors who have chosen profit over people, and convenience over constitutional duty, raising urgent questions about regulatory oversight, accountability, and public safety.

The importation of substandard Kes 4.8 billion fuel reflects a disturbing erosion of ethics in governance, where those entrusted with safeguarding public welfare appear either complicit, negligent, or willfully indifferent. At stake is more than market integrity. Millions of Kenyans now face potential risks to their vehicles, businesses, and health, while the country's already fragile trust in public institutions continues to erode.

This development is particularly alarming given that in 2023, the government of Kenya adopted a Government-to-Government (G-to-G) fuel importation framework involving bilateral arrangements with Saudi Arabia and the United Arab Emirates (UAE). This framework was presented as a corrective mechanism to stabilize supply, manage foreign exchange pressures, guarantee quality assurance, and enhance transparency in procurement.

The presence of substandard fuel within this context signals either a systemic breakdown in the enforcement of this framework or deliberate circumvention of established controls. Both scenarios point to serious institutional failure.

At the core of this issue are several unresolved questions that Kenyans are demanding answers to:

#### **1. Process integrity and regulatory oversight**

How did substandard fuel enter the Kenyan market despite layered quality assurance mechanisms involving the Energy and Petroleum Regulatory Authority (EPRA), the Kenya Bureau of Standards (KEBS), and other oversight bodies? Were mandatory testing protocols bypassed, compromised, or manipulated? If so, by whom, and under whose authority?

## **2. Was the due process followed?**

Was due process followed in the importation of this consignment, or were established procedures bypassed? When exactly was the approval for this importation granted, and when did the consignment arrive in the country? Do these timelines demonstrate that approval was issued lawfully in advance, or do they suggest that authorization may have been granted retrospectively after the consignment had already been ordered? What does this sequencing reveal about the integrity, legality, and accountability of the process?

## **3. Executive accountability and emerging allegations**

The Ministry of Energy bears ultimate responsibility for sector oversight. In light of emerging public claims and reports suggesting that the Cabinet Secretary may have had prior knowledge of the circumstances surrounding this importation, it is imperative that these allegations be addressed transparently and decisively. Accountability cannot stop at the secretarial or managerial levels. Whether through omission or commission, the doctrine of ministerial responsibility requires that leadership answer for failure. As such, the president must act and remove those involved, including Cabinet Secretaries, from office.

## **4. Misuse of public resources and economic harm**

The importation of substandard fuel constitutes a misuse of public resources and a direct assault on economic efficiency. Fuel is a strategic commodity that underpins transport, industry, and household welfare. Substandard products damage engines, increase operational costs, reduce productivity, and impose hidden financial burdens on citizens. This represents not only market failure but also a breach of public trust.

## **5. Market distortion and consumer exploitation**

Reports that some petroleum retailers are hoarding fuel in anticipation of price increases at a time when Kenyans are concerned about the importation of substandard fuel into the country point to opportunistic exploitation of a crisis. Such conduct creates artificial scarcity, distorts pricing, and disproportionately harms ordinary Kenyans already facing high living costs. This behavior must be treated as an abuse of market power and sanctioned accordingly.

## **6. Ethics, governance, and constitutional violations**

This substandard fuel scandal is fundamentally an ethical failure in public administration. The Constitution of Kenya is explicit on the standards expected of public officers and institutions:

- Article 10 enshrines national values including integrity, transparency, and accountability – values that appear to have been disregarded.
- Article 42 guarantees the right to a clean and healthy environment, which may be compromised by harmful fuel products.
- Article 46 protects consumer rights to goods of reasonable quality, clearly violated in this instance.

- Article 201 requires prudent, responsible, and accountable use of public resources. Any indication of overpricing in the importation process, coupled with the entry of substandard fuel into the economy, directly undermines this principle by pointing to wasteful and insufficient use of public funds.
- Article 232 sets out the values of public service, including high standards of professional ethics, accountability, and responsiveness – standards that are evidently in question.

Taken together, these provisions point to a governance framework that has not merely been strained, but potentially breached.

In light of the seriousness of these issues, **National Integrity Alliance (NIA) calls for:**

### **1. Political responsibility**

Given the gravity of the matter and the serious questions raised, political accountability must extend across the full chain of decision-making. While the Cabinet Secretary for Energy bears primary oversight responsibility, there are also credible concerns regarding trade-related approvals, particularly any waiver or relaxation of stringent quality checks by KEBS to expedite importation, offloading, and distribution processes. In this regard, both the Cabinet Secretary for Energy and the Cabinet Secretary for Trade should take responsibility and step aside to allow for a credible, impartial investigation, as accountability cannot be limited to isolated offices where systemic failure is evident.

### **2. Independent review of the G-to-G framework**

Given the deep-seated concerns surrounding the G-to-G framework, including the claims of manipulation by some state actors and politically connected business tycoons, we call upon the Office of the Auditor General (OAG) to conduct a comprehensive audit to assess its efficiency, efficacy, and whether it delivers value for money to Kenyans. However, this audit must not become another procedural exercise whose findings are documented but never acted upon, as has been the case with numerous audit reports on corruption and financial mismanagement that fails to result in prosecutions or sanctions.

We further call upon the Ethics and Anti-Corruption Commission (EACC) to undertake a corruption risk assessment of the framework, and together with relevant enforcement agencies, ensure that audit findings translate into concrete investigative, prosecutorial, and administrative action, including clear timelines for implementation and public reporting on progress.

### **3. Full transparency and public disclosure**

In line with the right of access to information under Article 35 of the Constitution of Kenya 2010, provide immediate publication of all details relating to the importation, testing, and distribution of the affected fuel consignments, including all actors involved.

### **4. Comprehensive accountability**

The ongoing investigations by the Directorate of Criminal Investigations (DCI) and other relevant bodies must go beyond surface-level enforcement to uncover systemic failures, networks of collusion, and ultimate beneficiaries, including the business tycoons involved.

## 5. Regulatory enforcement and market discipline

Immediate action must be taken against fuel hoarding and speculative practices, alongside reforms to strengthen monitoring, enforcement, and transparency across the petroleum supply chain.

This incident reflects deeper governance weaknesses that, if left unaddressed, will continue to erode public trust and expose citizens to risk of financial exploitation, overtaxation, and loss of livelihoods.

Kenya's energy and petroleum sector must be governed in strict adherence to constitutional principles, ethical standards, and the public interest.

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### THE NATIONAL INTEGRITY ALLIANCE (NIA)

The National Integrity Alliance (NIA) is a citizen-centered integrity and anti-corruption coalition comprising Transparency International Kenya (TI-Kenya), Inuka Kenya Ni Sisi! The Kenya Human Rights Commission (KHRC) and The Institute of Social Accountability (TISA). NIA seeks to breathe life into the constitutional promise on Integrity by catalyzing frontline ethics and anti-corruption institutions, and active citizens to Detect, Deter, Disrupt and Defeat corruption at all levels of society.

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*For media inquiries, please contact Mulayi Muni at +254 729 051400 ([mulayi.muni@tisa.or.ke](mailto:mulayi.muni@tisa.or.ke)), Njeri Wangari at 0722353657 ([jwangari@tikenya.org](mailto:jwangari@tikenya.org)) or Grace Awuor at 0700540406 ([gawuor@khrc.or.ke](mailto:gawuor@khrc.or.ke))*