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Adili 94

FIVE YEARS ON: WHAT KENYANS THINK OF WAR ON GRAFT



Kenya has not made any huge strides in tackling corruption according to Transparency International Corruption Perception Index (CPI) 2007 report. The country is still burdened with innumerable types of corruption which includes petty corruption, grand corruption, and looting. Here are excerpts from a crossview of Kenyans

William Mbae, 45, primary school teacher

Has corruption decreased under the Narc regime?

No. Corruption is still rampant among the "big fish". We have witnessed a lot of situations where junior civil servants are harassed for receiving a bribe of a paltry Ksh50 while those who swindled money running into billions of shilling are left scot free.

Where did the Narc administration go off-track?

The government started off well and we were convinced that all the culprits of mega scandals would be put behind bars before

their illegally acquired properties are confiscated and given back to their rightful owners –the Kenyans. But we have witnessed the complete opposite of this where government ministers are now sitting with these culprits, who are well known, a fact that has compromised the entire process. In addition, the culprits have been using their communities as shields and whenever corruption charges are preferred on them they claim its the entire community that is being fought.

What is the remedy?

What we need is a government that uses its three arms to bite hard until all economic criminals

are brought to book.

Mary Wanjiru, 21, secretary
Has corruption decreased under the current government?

This Government has made great strides in the fight against sleaze. The effort that has been put within the last four years alone is more than what has been applied

What we need is a government that uses its three arms to bite hard until all economic criminals are brought to book.

Five Years on: What Kenyans Think of War on Graft

in the past 40 years. There is obviously political will in the war against corruption as opposed to the former regime.

What are the main indicators that there is political goodwill in the war?

The Kenya Anti Corruption Commission, National Anti-Corruption Campaign Steering Committee, the districts anti-corruption committees, to name just a few of the measures put in place.

What should we do next as a nation?

Be patient and we shall soon reap the fruits. To me, these measures put into place show just how the government is committed to ending the vice. We cannot get more from a sitting government.

Oliver Musau, 27, human rights activist

What is your take on corruption in the country?

Since multipartism the Government of the day has been producing mega scandal during campaign periods as it seeks to marshal an arsenal to suppress the opposition. For instance in 1992, the Goldenberg was born, in 1997 the massive running down of State corporations was crafted and ahead of the euphoric 2002 general election, the then Government mooted the notorious Anglo Leasing.

Thus, is there any cause for alarm?

If this trend is anything to go by, then I am afraid.

What is the way out?

The Government must audit all its accounts and report to Kenyans that there is no cause for worry. It is the same word of assurance that will be used against it in the event it becomes apparent they were only pulling a public relations stunt. In addition, all the key pillars of democracy, among them the media, civil society organisations, and the like should take it upon themselves to spearhead such a campaign with a view to ensuring that all corruption loopholes are sealed during this and future general elections. That way, we will save the struggling Kenyan taxpayer a lot of money.

Sophia Munene, 33, business executive

What is your take on corruption in the country?

I honestly have no problem with corruption.

Why? For instance, our police who have on ump-

teen times been ranked as the country's most corrupt individuals, are underpaid. Some are family men with no other source of income and are expected to put a meal in front of their families every single day. What is wrong if a businessman comes to the aid of such a person? That way I will also have helped many people particularly those who depend on the policeman I bribed. In the same breadth, instead of paying Shs 3,000 to the city council whenever my vehicle is clamped, I would rather give some Shs 1,000 to a senior official at the City Hall and have it released. That is commonsense!

Mohammed Abdi, 43, Communication Officer

How is the government fairing in the fight against graft?

President Kibaki let himself down when he reinstated three Cabinet ministers who had earlier been implicated in grand corruption. This in itself was a clear indication that he was less committed to rein in the vice.

The Government must audit all its account and report to Kenyans that there is no cause for worry.

What could have justified the return of the duo in the Cabinet?

First, they were never taken to any court for trial. Secondly, although KACC cleared

them, it was for their alleged interference in the investigation by (former Ethics and Governance PS) John Githongo, and not over the whole Anglo Leasing scam. In fact, (the Attorney General) Amos Wako clarified that the two ministers were under investigation over any other role they might have played in the masterminding of the scandal, thus their reinstatement might compromise the probe.

Isaac Kittoney, 26, taxi driver

What is your take on corruption in Kenya?

Corruption was deep-rooted even before the Narc administration took over power in January 2003. It is ironic how soon Kenyans expected the government to uproot it.

Where are we as a country in the war?

What we have seen in the last four years is just but a drop in the ocean. There are several measures that have been devised to tame the vice and we expect that they would soon start bearing fruit. Kenyans should not be impatient and start jumping into conclusions that the government has failed to deliver its pre election pledge of zero-tolerance to graft.

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Five Years on: What Kenyans Think of War on Graft

Martin Okoko, 39, Business Executive

Are we making any success in the war against sleaze?

Yes, we no longer experience cases where law enforcement officers demand bribes with a lot of impunity. During the former regime I recall we had at one time orchestrated a strategy to contribute money for senior city council *askaris*, not because we had failed to comply with the stipulated bylaws, but because they had put it clearly that they "had to eat". That has now seized, particularly after the harmonisation of business licenses. Our businesses are thriving and we are consequently registering considerable profits.

What can we do next as a nation?

We can only hope things will get better in the coming years.

Clement Kibinda, 60, retired civil servant

Is the government committed to ending corruption?

The scrapping of the office of a Permanent Secretary in charge of Ethics and Governance was a bad idea. The fact that the former PS came out in the open revealing the rot in the government was not an act of betrayal as some sympathisers of the government portrayed it as. That should have been received as a challenge.

What should have been done?

The Head of State ought to have recalled the PS from his self-exile; guaranteed him his security and urged him on in the fight. I believe that whatever (the former PS) John Githongo did was just aimed at helping the government achieve its pre-election pledge of zero-tolerance to corruption. But how was he repaid; being frustrated by government ministers (allegedly) interfering with his investigations until he was left with no other option but to hang his boots and make his list of shame public, which was in turn rubbished by the KACC.

Phyllis Lawi, 19, secondary school student

Do you think there is progress in the war against sleaze?

KACC has been giving us a raw deal in the fight against graft. The commission has, to say the least, been under performing. We were convinced that KACC officers needed to be paid "enough" money so that they cannot be tempted to take bribes. One wonders why the police officers, who are mandated to arrest law breakers, among them corrupt indi-

viduals, are not well paid also to lessen their temptation of demanding or accepting bribes.

Would Kenyans be better off with or without the Commission?

I think it was created not necessarily to combat the vice but to reward somebody who might have been supportive of the Government in its heydays in the opposition. At the same time, for (KACC director) Aaron Ringera to describe corruption as a dragon was mindless since we all know the vice truly exists. Justice Ringera should have been the

last person to see the vice as a dragon but he should instead have unearthed its true nature before kick-starting the war. How can you fight something (dragon) that exists in spirit form? Graft in Kenya is real and is seen even with bare eyes, thus the issue of being a dragon or monster does not arise.

Muthoni Micheni, 30, Widow

Has there been any progress

in the fight against corruption?

Stop kidding me! Who has reigned in the rampant corruption at the Public Trustees Office as well as Treasury Pensions department? Since the death of my husband some four years ago, I am yet to receive a penny from his savings. Some of the people whose husbands died later have received the whole amount of money because they paid bribes to some individuals in some of the two offices.

Christine Mwendu, 24, Businesswoman

Has there been any progress in the war against corruption under the Narc regime?

Every right thinking Kenyan can hold brief for the government over its efforts in eradicating corruption. We have seen an unrivalled growth in the economy within a short period of time (four years). There are, however, instances where we have been disappointed.

What are some of the disappointments and who is to blame for the same?

I believe the judiciary and the AGs office are to blame for this. I stand to be corrected; Wako has been misusing his constitutional powers where he has been entering *Nolle Prosequi* even in cases where there is enough evidence. The AG has also been left to go scot-free after making grave mistakes, by offering bad advice as the Governments chief legal adviser that has embarrassed his employer.

The scrapping of the office of a Permanent Secretary in charge of Ethics and Governance was a bad idea.

Transparency International, Corruption Perception Index 2007

country	country	2007 CPI	surveys	confidenc	e range
rank		score	used		
1	Denmark	9.4	6	9.2 - 9.6	
1	Finland	9.4	6	9.2 - 9.6	
1	New Zealand	9.4	6	9.2 - 9.6	
4	Singapore	9.3	9	9.0 - 9.5	
4	Sweden	9.3	6	9.1 - 9.4	
6	Iceland	9.2	6	8.3 - 9.6	
7	Netherlands	9	6	8.8 - 9.2	
7	Switzerland	9	6	8.8 - 9.2	
9	Canada	8.7	6	8.3 - 9.1	
9	Norway	8.7	6	8.0 - 9.2	
11	Australia	8.6	8	8.1 - 9.0	
12	Luxembourg	8.4	5	7.7 - 8.7	
12	United Kingdom	8.4	6	7.9 - 8.9	
14	Hong Kong	8.3	8	7.6 - 8.8	
15	Austria	8.1	6	7.5 - 8.7	
16	Germany	7.8	6	7.3 - 8.4	
17	Ireland	7.5	6	7.3 - 7.7	
17	Japan	7.5	8	7.1 - 8.0	
19	France	7.3	6	6.9 - 7.8	
20	USA	7.2	8	6.5 - 7.6	
21	Belgium	7.1	6	7.1 - 7.1	
22	Chile	7	7	6.5 - 7.4	
23	Barbados	6.9	4	6.6 - 7.1	
24	Saint Lucia	6.8	3	6.1 - 7.1	
25	Spain	6.7	6	6.2 - 7.0	
25	Uruguay	6.7	5	6.4 - 7.0	
27	Slovenia	6.6	8	6.1 - 6.9	
28	Estonia	6.5	8	6.0 - 7.0	
28	Portugal	6.5	6	5.8 - 7.2	
30	Israel	6.1	6	5.6 - 6.7	
30	Saint Vincent and the Grenadines	6.1	3	4.0 - 7.1	
32	Qatar	6	4	5.4 - 6.4	
33	Malta	5.8	4	5.3 - 6.2	
34	Macao	5.7	4	4.7 - 6.4	
34	Taiwan	5.7	9	5.4 - 6.1	
34	United Arab Emirates	5.7	5	4.8 - 6.5	
37	Dominica	5.6	3	4.0 - 6.1	
38	Botswana	5.4	7	4.8 - 6.1	
39	Cyprus	5.3	3	5.1 - 5.5	
39	Hungary	5.3	8	4.9 - 5.5	
41	Czech Republik	5.2	8	4.9 - 5.8	
41	Italy	5.2	6	4.7 - 5.7	
43	Malaysia	5.1	9	4.5 - 5.7	
43	South Africa	5.1	9	4.9 - 5.5	
43	South Korea	5.1	9	4.7 - 5.5	
46	Bahrain	5	5	4.2 - 5.7	
46	Bhutan	5	5	4.1 - 5.7	
46	Costa Rica	5	5	4.7 - 5.3	
49	Cape Verde	4.9	3	3.4 - 5.5	
49	Slovakia	4.9	8	4.5 - 5.2	
51	Latvia	4.8	6	4.4 - 5.1	
51	Lithuania	4.8	7	4.4 - 5.3	
53	Jordan	4.7	7	3.8 - 5.6	
53	Mauritius	4.7	6	4.1 - 5.7	
53	Oman	4.7	4	3.9 - 5.3	
56	Greece	4.6		6.4 - 5.0	
57	Namibia	4.5		7.3 - 5.2	
57	Samoa	4.5		3.3 - 5.5	
57	Seychelles	4.5		4.2 - 5.7	
60	Kuweit	4.3		5.3 - 5.1	
61	Cuba	4.2		4.3 - 4.7	
61	Poland	4.2		8.3 - 4.9	
61	Tunesia	4.2		6.3 - 4.8	
64	Bulgaria	4.1		8.3 - 4.8	
64	Croatia	4.1		8.3 - 4.5	
64	Turkey	4.1		7.3 - 4.5	
67	El Salvador	4		5.2 - 4.6	
68	Colombia	3.8		7.3 - 4.3	
69	Ghana	3.7		7.3 - 3.9	
69	Romania	3.7		8.3 - 4.1	
71	Senegal	3.6		7.2 - 4.2	
72	Brazil	3.5		7.2 - 4.0	
72	China	3.5		9.3 - 4.2	
72	India	3.5	10	3.3 - 3.7	
72	Mexico	3.5		7.3 - 3.8	
72	Morocco	3.5		7.3 - 4.2	
72	Peru	3.5		5.3 - 3.7	
72	Suriname	3.5		4.3 - 3.9	
79	Georgia	3.4		6.2 - 4.3	
79	Grenada	3.4		3.2 - 4.1	
79	Saudi Arabia	3.4		4.2 - 3.9	
79	Serbia	3.4		6.3 - 4.0	
79	Trinidad and Tobago	3.4		4.2 - 3.9	
84	Bosnia and Herzegovina	3.3		7.2 - 3.7	
84	Gabon	3.3		5.3 - 3.5	
84	Jamaica	3.3		5.3 - 3.4	
84	Kiribati	3.3		3.2 - 3.9	
84	Lesotho	3.3		6.3 - 3.5	
84	FYR Macedonia	3.3		6.2 - 3.8	
84	Maldives	3.3		4.2 - 4.3	
84	Montenegro	3.3		4.2 - 4.0	
84	Swaziland	3.3		5.2 - 4.2	
84	Thailand	3.3		9.2 - 3.7	
94	Madagascar	3.2		7.2 - 3.9	
94	Panama	3.2		5.2 - 3.5	
94	Sri Lanka	3.2		7.2 - 3.4	
94	Tanzania	3.2		8.2 - 3.4	
98	Vanuatu	3.1		3.2 - 3.7	
99	Algeria	3		6.2 - 3.2	
99	Armenia	3		7.2 - 3.2	
99	Belize	3		3.2 - 3.7	
99	Dominican Republic	3		5.2 - 3.3	
99	Lebanon	3		4.2 - 3.6	
99	Mongolia	3		6.2 - 3.3	
105	Albania	2.9		6.2 - 3.1	
105	Argentina	2.9		7.2 - 3.2	
105	Bolivia	2.9		6.2 - 3.2	
105	Burkina Faso	2.9		7.2 - 3.4	
105	Djibouti	2.9		3.2 - 3.4	
105	Egypt	2.9		7.2 - 3.3	

Transparency International, Corruption Perception Index 2007

111	Eritrea	2.8	5	2.1 - 3.5
111	Guatemala	2.8	5	2.4 - 3.2
111	Moldovaa	2.8	7	2.5 - 3.3
111	Mozambique	2.8	8	2.5 - 3.1
111	Rwanda	2.8	5	2.3 - 3.3
111	Solomon Islands	2.8	3	2.4 - 3.1
111	Uganda	2.8	8	2.5 - 3.0
118	Benin	2.7	7	2.3 - 3.2
118	Malawi	2.7	8	2.4 - 3.0
118	Mali	2.7	8	2.4 - 3.0
118	Sao Tome and Principe	2.7	3	2.4 - 3.0
118	Ukraine	2.7	7	2.4 - 3.0
123	Comoros	2.6	3	2.2 - 3.0
123	Guyana	2.6	4	2.3 - 2.7
123	Mauritania	2.6	6	2.0 - 3.3
123	Nicaragua	2.6	6	2.3 - 2.7
123	Niger	2.6	7	2.3 - 2.9
123	Timor-Leste	2.6	3	2.5 - 2.6
123	Viet Nam	2.6	9	2.4 - 2.9
123	Zambia	2.6	8	2.3 - 2.9
131	Burundi	2.5	7	2.0 - 3.0
131	Honduras	2.5	6	2.3 - 2.6
131	Iran	2.5	4	2.0 - 3.0
131	Libya	2.5	4	2.1 - 2.6
131	Nepal	2.5	7	2.3 - 2.7
131	Philippines	2.5	9	2.3 - 2.7
131	Yemen	2.5	5	2.1 - 3.0
138	Cameroon	2.4	8	2.1 - 2.7
138	Ethiopia	2.4	8	2.1 - 2.7
138	Pakistan	2.4	7	2.0 - 2.8
138	Paraguay	2.4	5	2.1 - 2.6
138	Syria	2.4	4	1.7 - 2.9
143	Gambia	2.3	6	2.0 - 2.6
143	Indonesia	2.3	11	2.1 - 2.4
143	Russia	2.3	8	2.1 - 2.6
143	Togo	2.3	5	1.9 - 2.8

147	Angola	2.2	7	1.8 - 2.4
147	Guinea-Bissau	2.2	3	2.0 - 2.3
147	Nigeria	2.2	8	2.0 - 2.4
150	Azerbaijan	2.1	8	1.9 - 2.3
150	Belarus	2.1	5	1.7 - 2.6
150	Congo, Republic	2.1	6	2.0 - 2.2
150	Cote d'Ivoire	2.1	6	1.7 - 2.6
150	Ecuador	2.1	5	2.0 - 2.3
150	Kazakhstan	2.1	6	1.7 - 2.5
150	Kenya	2.1	8	1.9 - 2.3
150	Kyrgyzstan	2.1	7	2.0 - 2.2
150	Liberia	2.1	4	1.8 - 2.4
150	Sierra Leone	2.1	5	2.0 - 2.2
150	Tajikistan	2.1	8	1.9 - 2.3
150	Zimbabwe	2.1	8	1.8 - 2.4
162	Bangladesh	2	7	1.8 - 2.3
162	Cambodia	2	7	1.8 - 2.1
162	Central African Republic	2	5	1.8 - 2.3
162	Papua New Guinea	2	6	1.7 - 2.3
162	Turkmenistan	2	5	1.8 - 2.3
162	Venezuela	2	7	1.9 - 2.1
168	Congo, Democratic Republic	1.9	6	1.8 - 2.1
168	Equatorial Guinea	1.9	4	1.7 - 2.0
168	Guinea	1.9	6	1.4 - 2.6
168	Laos	1.9	6	1.7 - 2.2
172	Afghanistan	1.8	4	1.4 - 2.0
172	Chad	1.8	7	1.7 - 1.9
172	Sudan	1.8	6	1.6 - 1.9
175	Tonga	1.7	3	1.5 - 1.8
175	Uzbekistan	1.7	7	1.6 - 1.9
177	Haiti	1.6	4	1.3 - 1.8
178	Iraq	1.5	4	1.3 - 1.7
179	Myanmar	1.4	4	1.1 - 1.7
179	Somalia	1.4	4	1.1 - 1.7

WHY KENYA RANKS POORLY IN THE CORRUPTION PERCEPTION INDEX

By Joseph Ojango

In a view to find out what Kenyans think of the CPI ratings, we solicited various opinions:

Duncan Mboya a Nairobi based journalist said that: "the fight against corruption is not yielding any fruit due to the fact that the government, despite creating many anti corruption bodies (many to an extent that I have lost count of all of them) has failed to take action against people involved in reported grand scandals like Anglo Leasing and Goldenberg"

He added that the hefty pays and allowances to the commission staff is in itself a corrupt practice. "These commis-

sions are just a waste of the remnant public resources, since these bodies have no teeth to prosecute and are also a waste of witnesses' time" he complained.

"This has made the public skeptical and not offer themselves to assist the anti corruption crusaders since it is a waste of time. Whistleblowers are also afraid to volunteer information since they fear for their safety as the most corrupt individuals are the big wigs at the top" he added.

Mr. Mboya complained about the slow manner and inefficient services delivery in public offices as what has forced some members of the public to bribe the officials concerned so that things could move with speed. "Brib-

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Why Kenya Ranked Poorly in the CPI, 2007

ery has become the order of the day in most public offices though it has reduced to some extent in certain offices" he added.

It has come to the knowledge of Kenyans that anti corruption laws exist for different classes of the population if not tribes. A case in point is that which involved the then Director of the National Aids Control body Mrs. Gachara. Despite being jailed, she did not complete her jail term and neither was she ordered to repay back the money she had received illegally" Duncan Mboya lamented.

"If those adversely mentioned in major scandals have never been prosecuted but have been rewarded instead, where are we headed to with our campaign?" he questioned.

His sentiments were equivocally echoed by a Nairobi based practicing accountant, Mr. William Oloo Gombe and according to him, there exist two reasons why corruption will not reduce, but will instead become more sophisticated;

"This has prompted the appointment of anti corruption officials who must be friendly to the current government in order to cushion and protect the interests of those who appointed them. This is a misdemeanour in its own right because it has jeopardized the vital independence of such a body. He lamented.

He mentioned unrealistic performance contracts and lack of vetting appointees to public office as another reason.

"We are told that there is a performance contract for appointees to such public offices. But we are not told what the conditions are and what actions are to be taken and by which independent body, as to hiring, vetting, rewarding, punishing and firing. This means the officers can just sleep on their jobs, earn hefty salaries and get away with it as long as the ones who appointed them have nothing to lose" He complained.

Andrew George Omondi, a 21 year old college student argues that the lack of or inadequate entrenchment of anti corruption as a subject matter in the syllabus right from the lower levels education has made Kenyans more corrupt. George says, "This practice grows gradually from petty thievery, which is, stealing pencils in classrooms, to grand corruption and looting of public resources since anti corruption values are not instilled early enough in our education system".

"What is the need of pinning anti corruption posters all over government and private office corridors while those within the same offices keep on reporting cases of mass corruption day in day out?" he questioned. He added that somebody somewhere must be earning good money for no work done and pulling our resources apart.

Macharia a city hawkker echoed Isaacs sentiments by citing a case where a certain police officer nearly extorted Kshs. 200 from him for a fictitious offence of illegally selling within the central business district (CBD). He had no money and failed to pay the bribe and was thrown in a cell on a Friday evening not to be released until the following Monday with no formal charge, only to be arraigned in court thereafter with loitering charges.

He could not pay the court fine and had to stay for a further two weeks in remand prison. "When you are deprived of your freedom, is that not corruption?" he questioned.

"What is the need of pinning anti corruption posters all over government and private office corridors while those within the same offices keep on reporting cases of mass corruption day in day out?"

However, his sentiments were hit back by one police officer at Central Police Station who spoke on anonymity. The officer lamented why the public are always quick to complain about the police every time they diligently discharge their duties while complainants know very well they have committed a crime.

"Why is it that bodies like Transparency International are always ranking us top on the bribery index,

while most organizations like KRA, where there is grand corruption are overlooked?" He posed. He went ahead to challenge the government to improve the police take home pay in order to minimize these reported cases of petty bribes.

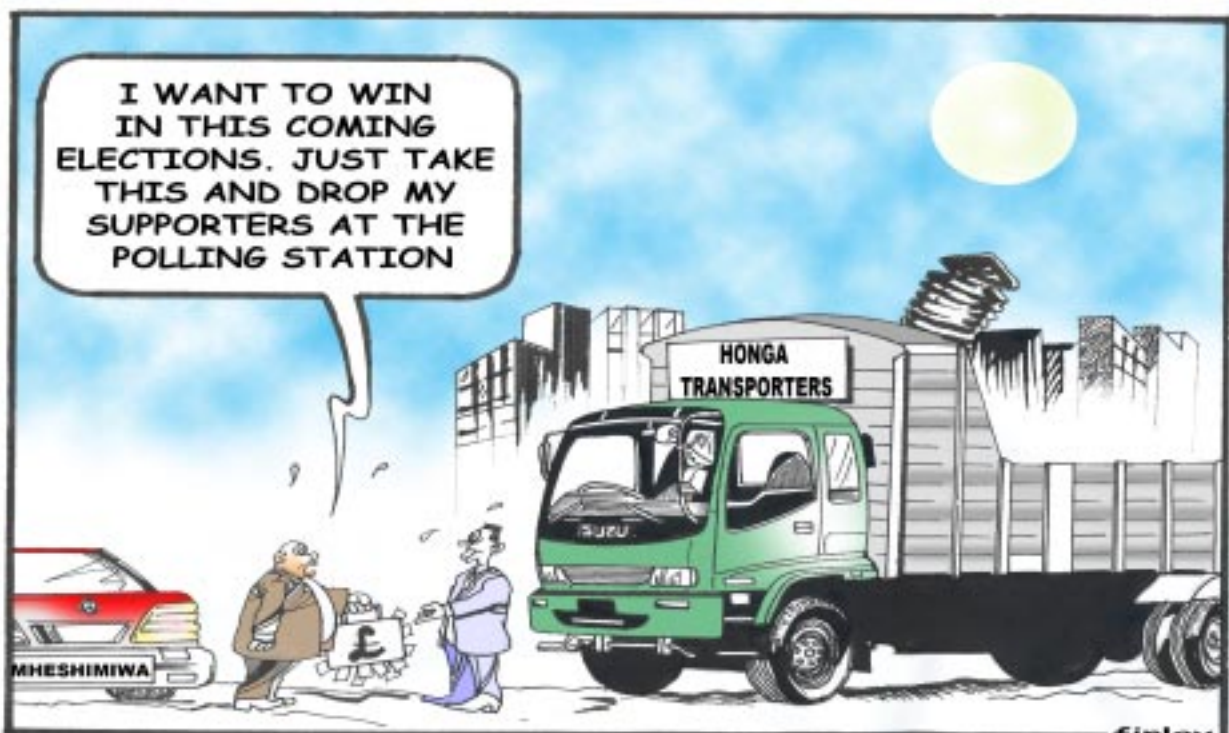
In conclusion, the public believes that the MPs are the most corrupt especially evidenced by their heft pay rise at a time when the country was on its knees economically and in financial slander.

The recent quest on the miscellaneous amendment bill for their huge send off pay shows clearly how corrupt our MPs are. We (or they?) are using institutions like parliament to facilitate our (their) corrupt ideals notwithstanding that it is those same institutions that are supposed to curb the menace.

A phrase coined by government spokesman Dr. Alfred Mutua "Nijivunia kuwa Mkenya" is totally misleading as most Kenyans are languishing in abject poverty and there is a lot of inequity all over. "How could I be proud to be a Kenyan while some Kenyans are dying outside there because of lack of a meal? This I term miscommunication to mislead and it should read "Ninavumilia kuwa Mkenya".

Election Offences

- Making of false statements in applications to be placed on an electors register
- Forging or fraudulently destroying nomination papers or delivering false nomination papers to a returning officers
- Supplying ballot papers to a person without authority to do so
- Forging or destroying a ballot paper, officials perforation, stamp or mark on any ballot paper
- Selling or offering to sell or purchasing any ballot papers from any person
- Being in possession of an official marked ballot paper without authority
- Stuffing ballot boxes, that is putting onto a ballot box anything other than a legal ballot paper
- Without authority, taking out of or being in possession of ballot paper outside a polling station
- Destroying, taking opening or otherwise interfering with a ballot box or ballot papers in use or for use in an election
- Manufacturing, supplying, being in possession of or using a device for extracting a ballot paper for a ballot box during polling
- Making a mark on a ballot paper issued to somebody else without the authority to do so
- Voting at an election without the right to do so
- Preparing a fake voters register
- Printing a fake voters card
- Being in possession of a voters cards bearing some other persons name without the authority of that person to do so
- Supplying or selling fake voters' cards
- Purchasing a fake voters card
- Making of false entries in election records by election officials
- Election officials permitting persons who are neither blind or incapacitated to vote as such
- Willfully rejecting or refusing to count a ballot paper which is valid cast for any candidate
- Willfully counting for any candidate a ballot paper which was not validly cast
- Interference with the secrecy of elections by elections official by divulging information to unauthorized persons.
- Unauthorized communication to others after they have received ballot papers



Some indicators as to the effectiveness of access to information

- Is there a policy on the provision of information which favours access, unless the case against access in a particular instance meets prescribed and narrow grounds, justifying its being withheld?
- Do rights of access to information extend to information held by local governments and state-owned enterprises? Does it include records of private companies that relate to government contracts?
- Are there clear procedures and effective guarantees for citizens and journalist to access the official information they require?
- Do courts award punitive sums in libel cases involving public figures? If so do these serve as a deterrent to the media?
- Do the courts give appropriate protection to journalists' sources?
- Is training given to officials in the proper handling of records and the making of information available to the public?

Public sector records

- Is there an official body with the legal duty for record maintenances (record tracking)?
- Are there clear administration instructions on the maintenance of public records? If so, are these generally observed?
- Do citizens have a right of access to their personal files (other than those concerned with law enforcement) and the right to insist on corrections where these contain errors?
- Do public officials or others seeking information experience difficulties in obtaining it? If they so, where are the problems?
- What policies exist concerning the provision of information to the public (e.g to service a complaint)?
- Can officials provide credible and timely audited accounts, and information about personnel numbers, etc?
- Does legislation cover the records of regions and districts (or their equivalents)?

Up coming Events

Event: TI-Annual International Conference and Membership Meeting
Date: October 27th-28th 2007
Venue: Bali, Indonesia
Organizers: Transparency International Secretariat

Event: The Economic of Corruption -A University Training on Good Governance and Reforms
Date: October 7th- 13th 2007
Venue: University of Passau, Germany
Organizers: University of Passau

For more information on Corruption in Kenya, and previous issues of *Adili*,



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Pasha Nikupashe radio programme is back, join us every Saturday from 10.00 am - 11.00a.m on 92.9 FM, KBC Swahili service

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