TRANSPARENCY INTERNATIONAL KENYA

ANNUAL REPORT
2014 - 2015
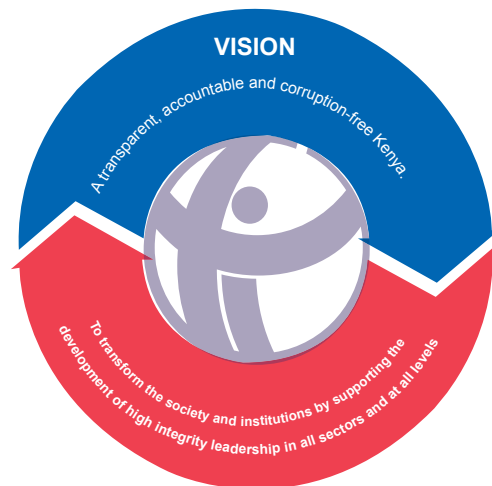
TRANSPARENCY
INTERNATIONAL
KENYA

ANNUAL REPORT

For the Period
1st October 2014 to 30th September 2015

VISION

A transparent, accountable and corruption-free Kenya.

To transform the society and institutions by supporting the development of high integrity leadership in all sectors and at all levels

Transparency International Kenya (TI-Kenya) is a not-for-profit organization founded in 1999 in Kenya with the aim of developing a transparent and corruption free society through good governance and social justice initiatives. TI-Kenya is one of the autonomous chapters of the global Transparency International movement that are all bound by a common vision of a corruption-free world.

Author: Transparency International Kenya

Every effort has been made to verify the accuracy of the information contained in this report. All information was believed to be correct as of October 2015. Nevertheless, Transparency International Kenya cannot accept responsibility for the consequences of its use for other purposes or in other contexts.

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ACRONYMS

ALACs	Advocacy and Legal Advisory Centre
APNAC	African Parliamentarians Network against Corruption
ASAL	Arid and Semi-Arid lands
ASF	Arid and Semi-Arid Lands Stakeholders Forum
BoM	Board of Management
CAJ	Commission on Administrative Justice
CDF	Constituency Development Fund
CMNK	Contract Monitoring Network of Kenya
CSO	Civil Society Organisation
EABI	East African Bribery Index
EACC	Ethics and Anti-Corruption Commission
FoTAPP	Forum for Transparency and Accountability in Pharmaceutical Procurement
GIZ	Gesellschaft für Internationale Zusammenarbeit
HAIP	Humanitarian Aid Integrity Programme
ICRM	Integrated Complaints Referral Mechanism
ICT	Information and Communication Technology
IPCRM	Integrated Public Complaints Referral Mechanism
KNCHR	Kenya National Commission on Human Rights
KSHS	Kenya Shillings
LAC	Legal Advisory Committee
M&E	Monitoring and Evaluation
MPS	Members of Parliament
MOU	Memorandum of Understanding
NDMA	National Drought Management Authority
NEMA	National Environmental Management Authority
NGO	Non-Governmental Organisation
PPDA	Public Procurement and Disposal Act
PPOA	Public Procurement Oversight Authority
REDD+	Reducing Emissions from Forest Degradation and Deforestation
SMC	School Management Committee
SMS	Short Message Service
TI	Transparency International
TSC	Teachers Service Commission
UN	United Nations
UNCAC	United Nations Convention against Corruption
WAPNET	Wajir Paralegal Network

BOARD OF DIRECTORS

Dr. Richard Leakey, Chairman

Dr. Leakey is a renowned Palaeontologist and Environmental Conservationist. He was first elected to the TI-Kenya Board of Directors in 2007 and is the current Chairman. He is a Professor of Anthropology at the State University of New York and previously served as the Head of Civil Service in Kenya.

Ms. Rachel G. Mbai, Vice Chair

Rachel Mbai is a lawyer and a Partner at Kaplan and Stratton Advocates. Her portfolio includes property acquisition, disposal and development, property laws and finance, security transactions and documentation for local banks, financiers and borrowers and due diligence reporting. She serves as the Vice Chair of the TI-Kenya Board of Directors and Chair of the Board Programmes Committee.

Mrs. Bernadette W. Musundi

Bernadette Musundi is a former Permanent Secretary in the Office of the Vice President and Ministry of Home Affairs, Heritage and Sports. Mrs. Musundi has twice served as the Executive Director of the Maendeleo Ya Wanawake Organisation (MYWO). She is currently the Chair of the Strathmore University Council. She holds a B.A (Hon.) and M.A degrees in addition to other qualifications. She joined the TI-Kenya Board of Directors in April 2010. She is the Chair of the Human Resources Committee of the Board.

Marion Barriskell

Marion Barriskell is the Regional Finance Director (Sub-Saharan Africa) for the British Council. She previously served as the Head of Investigations for KPMG East Africa and prior to that, worked as a manager for KPMG Forensic services, London. She has also worked at the Special EU Programme for Peace, based in Northern Ireland. Marion is a fellow of the Association of Chartered Certified Accountants, as well as an Accredited Counter Fraud Specialist. Marion holds a Bachelor of Accountancy degree from the University of Dundee and a Diploma in Audit Skills from the Chartered Institute of Public Finance & Accountancy. She joined the TI-Kenya Board of Directors in August 2014.

Dr. Luis Franceschi

Dr. Luis Franceschi is the Dean, Strathmore University Law School and Chairman of the Board of the Ethics Institute of East Africa. He is also the Chairman of the Strathmore Annual Law Conference; Legal Advisor, Strathmore Educational Trust and Adjunct Faculty, Strathmore Business School. Dr. Franceschi is a member of the team of experts Peer Reviewers of the Council of Legal Education (Kenya). He has been a consultant for various institutions including the former Ministry of Justice, National Cohesion and Constitutional Affairs, the Commission for the Implementation of the Constitution (CIC), the National Economic and Social Council (Office of the President) and the National Cohesion and Integration Commission (NCIC)

among others. He has written several publications, and is a weekly columnist for the Nation newspaper. He holds a PhD in Law from the University of Navarre, Spain; Masters in Law from the University of Nairobi and Bachelor of Laws degree from U.C.A.B. He joined the TI-Kenya Board of Directors in 2015.

Dr. Linda Musumba

Dr. Linda Musumba is a senior lecturer and founding dean of the Kenyatta University School of Law. Dr. Musumba has carried out consultancies and research for various organisations such as the African Union Commission and Inter-Governmental Authority on Development (IGAD). She has written and presented papers in several conferences/ seminars/workshops organised by various Kenyan and international entities on various issues of law, gender, and governance. She previously wrote a weekly column for the East African Standard Sunday Newspaper, and severally for the Nairobi Law Monthly Magazine. Before joining the TI-Kenya Board of Directors in 2015, she was a Member of TI-Kenya and Secretary General of African Centre for Rights and Governance. She holds a PhD in Law from the University of Birmingham, United Kingdom and a Masters in Law in Development from the University of Warwick, UK. Dr. Musumba is an Advocate of the High Court of Kenya and received her Bachelor of Laws degree from the University of Nairobi.

Ms. Ikal Angelei

Ikal Angelei is a Kenyan environmentalist currently serving as the Programme Coordinator at Turkana Basin Initiative. She is the founder and director of Friends of Lake Turkana, Kenya, which works to promote and strengthen community participation and indigenous knowledge in the sustainable use, management and protection of the environment and natural resources. She holds a Bachelor of Commerce (Finance Option) degree from the University of Nairobi and a Master of Arts in Public Policy from the State University of New York, Stony Brook. Ms. Angelei joined the TI-Kenya Board of Directors in June 2012. She in addition serves in the Programmes Committee.

Mr. Samuel M. Kimeu, Executive Director

Mr. Kimeu joined TI-Kenya in 2010 from the Embassy of Finland, Nairobi where he had been the Governance Specialist since October 2007. He was previously a lecturer at the Kenyatta University School of Law and the Executive Director of the Kenyan Section of the International Commission of Jurists (ICJ-Kenya). He is an advocate of the High Court of Kenya and holds a Masters of Law degree in International Human Rights from the Centre for Civil and Human Rights, University of Notre Dame, Indiana, USA. He received his Bachelor of Laws degree from the University of Nairobi. Mr. Kimeu is in charge of the day to day running of the affairs of TI-Kenya.

FOREWORD

Transparency International Kenya has remained on the frontline of the war against corruption, pressing for increased accountability from duty bearers and institutions, and pushing for policies and laws, and firmly rooted ethical values that will turn the wheels of the anti-corruption movement. Tackling corruption is now a key priority in Kenya and is expected to remain top of the national agenda as the country prepares for the next general election in 2017.

The increased focus on corruption has led to increased public debate on graft. However, amplified public debate must translate to action against corruption and rejection of the vice and its perpetrators if the fight against corruption is to succeed. Citizens standing up against corruption means that the public reports corruption encountered to responsible agencies; citizens refusing to take part in acts of corruption such as refusing to pay to bribes; citizens rejecting and calling out corrupt leaders among other actions that perpetrate corruption.

TI-Kenya has situated the public at the centre of the fight against corruption, therefore breathing new life into anti-corruption efforts, mobilising Kenyans and providing the right tools to demand accountability is key. Building integrity in public institutions, pushing for effective anti-corruption legislations and policies, and giving citizens the capacity to fight corruption and associated vices remain our key objectives. This report thus documents the results and progress of interventions carried out towards meeting these objectives.

TI-Kenya is grateful to all donor partners who have supported our work through financial and technical resources. We also appreciate civil society organisations, private sector and government institutions that have supported our initiatives and the general public who have continuously participated in TI-Kenya activities. We appreciate the diversity of views and experiences instilled by all our stakeholders in our work and look forward to further engagement to strengthen our collective action against corruption.

Dr Richard Leakey, FRS

Chairman, Board of Directors

INTRODUCTION

This report outlines the key results and progress realised by Transparency International Kenya for the period between October 2014 and September 2015 against the priorities outlined by The Concept of Action - our strategic plan for the period 2012-2017.

TI-Kenya's Strategic Plan 2012-2017 sets out three programmatic priorities namely:

1. Strengthened governance in targeted institutions

2. An effective legislative and policy environment

3. Citizens with capacity to fight corruption and associated vices.

These programmatic priorities have guided our interventions aimed at realising our vision for a transparent, accountable and corruption-free Kenya.

In the reporting period, corruption dominated the public discourse following revelations of various graft incidents in the public sector. TI-Kenya has maintained its position of being among leading anti-corruption crusaders that have relentlessly pushed the fight against corruption to the spotlight compelling the public and stakeholders to reflect on long term and sustainable strategies that can dismantle the deeply rooted nature of corruption. TI-Kenya claimed its space in the ensuing debate on the fight against corruption, and made its voice heard on what must be done to overcome the great challenge of corruption.

Enforcement and monitoring of anti-corruption laws must be undertaken with the same degree of commitment that led to their adoption. TI-Kenya thus continues to monitor the enforcement of laws that promote integrity, accountability and transparency while pushing for the formulation and enactment of new laws and legislative amendments that will strengthen the anti-corruption legal framework. TI-Kenya drafted amendments to key bills to align them with constitutional principles of good governance, devolution, access to information and public participation. These included the Access to Information Bill, Leadership and integrity Bill, Ethics and Anti-Corruption Commission (Amendment) Bill 2015, Public Procurement and Disposal of Assets Bill 2014, Whistleblower Protection Bill among others.

We have registered key success in our policy and legislative reform agenda, as highlighted below:

1. The proposal by TI-Kenya to the EACC (Amendments) Bill 2015 to increase the number of Commissioners from three to five to remedy the question of constitutionality raised each time the number of commissioners is below the minimum of three set by the Constitution, was taken up in the law that was enacted.

2. The proposal by TI-Kenya to the EACC (Amendments) Bill 2015 that EACC commissioners serve part time to avoid the frequent conflict with the secretariat in discharging their mandate was also taken up.

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3. An advisory memorandum to the President to reject an amendment on the EACC (Amendments) Bill 2015 to have the offices of the Secretary and Deputy Secretary to the Commission become vacant upon the commencement of the Act thus terminating the terms of service of the incumbents in an unprocedural manner was successful, with the President rejecting the provision.

4. The proposal by TI-Kenya to the Taskforce on the review of the legal, policy and institutional framework for fighting corruption in Kenya and the Judiciary to create an Anti-Corruption and Economic Crimes Division in the High Court was picked up and implemented.

5. TI-Kenya's agenda on the establishment of a whistleblower protection mechanism including an elaborate policy and law, has gained traction and was listed among the Taskforce recommendations with the President instructing the Attorney General to prioritize the legislation.

6. TI-Kenya and the Freedom of Information Network drafted an Access to Information Bill and engaged various Parliamentary Committees and caucuses on its passage. It has been tabled in Parliament as a private members bill by a member of the African Parliamentarians' Network against Corruption and committed to the relevant House Committee.

TI-Kenya has also embraced technology to promote accountability. The 'Uwajibikaji Pamoja' platform which enables members of the public to submit complaints or feedback concerning aid and service delivery through a toll-free SMS line and a web-based portal has enhanced accountability to citizens by faciliating the reporting of corruption cases. Other IT platforms such as the Mobile Drug Tracking System and the Medical Drug Price Index which were largely in the development stage in the period under review, also hold great promise in curbing corruption in pharmaceutical procurement and promoting greater access to healthcare services among Kenyans.

The war against corruption is largely dependent on civic support and pressure on public institutions to provide quality services and demonstrate accountability. Civic engagement thus continues to be a key approach for TI-Kenya, and we are engaging the public in a variety of ways. The Advocacy and Legal Advisory Centres have been key in providing free legal aid services to the public, connecting TI-Kenya to the grassroots and advancing policy and legislative advocacy on anti-corruption at the county level.

We thank all our development partners who significantly supported our interventions. We particularly appreciate the Embassy of the Kingdom of the Netherlands in Nairobi for invaluable support to the implementation of TI-Kenya's strategic plan 2012-2017. We also appreciate stakeholders in the public and private sectors, civil society organisations and the general public that supported our initiatives.

Samuel Kimeu
Executive Director

STRENGTHENED GOVERNANCE IN TARGETED INSTITUTIONS

TRANSPARENCY INTERNATIONAL KENYA

GOVERNANCE AND POLICY PROGRAMME

TI-Kenya works towards strengthening transparency and accountability in key public oversight institutions through institutional strengthening, policy and legal reforms. The enactment and enforcement of policies and laws that promote integrity, accountability and transparency will largely contribute towards TI-Kenya's vision of a transparent, accountable and corruption-free Kenya.

The Governance and Policy Programme consists of the Policy and Legislative Drafting, Institutional Strengthening and Climate Governance Integrity sub-programmes. The programme implements interventions in the health, climate governance, extractives and police sectors.

EFFECTIVE POLICY AND LEGISLATIONS THAT PROMOTE TRANSPARENCY AND ACCOUNTABILITY IN GOVERNANCE BY 2017

Under the legislative drafting sub-programme, TI-Kenya drafted and proposed amendments to key bills to align them with constitutional principles of good governance, devolution, access to information and public participation. In the period under review, TI-Kenya was involved in the drafting, review and advocacy on the Access to Information Bill, Leadership and integrity Bill, Ethics and Anti-Corruption Commission (Amendment) Bill 2015, Public Procurement and Asset Disposal Bill 2014, Whistleblower Protection Bill, Petroleum Revenue Management Bill, Climate Change Bill and Health Bill.

Advocating for a Whistleblower Protection Framework in Kenya

TI-Kenya is involved in advocacy for a whistleblower protection policy and law.

TI-Kenya broadened advocacy for a whistleblower protection framework in Kenya, engaging more government agencies and civil society organisations in its push for a whistleblower protection policy and law. The clamour for anti-corruption reforms in 2015 culminated in a presidential directive for the review of the legal, policy and institutional framework for fighting corruption.

Following this directive, the Attorney General established a Taskforce which sought proposals for the review and strengthening of the anti-corruption and ethics legal framework. Among the proposals given by TI-Kenya was the enactment of legislation and adoption of a policy framework for the protection of whistleblowers. There was further advocacy with partner CSOs and the Task Force bolstering advocacy efforts. Advocacy activities conducted included a three weeks media campaign, publication and dissemination of three policy papers[1] and development of a research paper on whistleblower protection, three civil society quarterly meetings and four expert discussions reaching over 290 participants from various government agencies and CSOs to raise awareness, review and mobilize support for the policy and Bill.

The Taskforce recommended the enactment of a whistleblower protection law and adoption of a policy in a final report presented to the President and he in turn directed the Attorney General to quickly enact a legislation that will ensure that those who come forward with information on corrupt practices are protected.

The draft bill, which largely borrows from a bill developed by TI-Kenya in 2014, has undergone review by stakeholders and experts and is currently with a Cabinet sub-committee. Tabling of the bill in Parliament will take place after discussions and approval at the cabinet and sub-committee level. TI-Kenya is continuing with advocacy for the law while closely engaging the Office of the Attorney General and the Department of Justice.

TI-Kenya also pushed for amendments on the Leadership and Integrity law which were picked by the AG's taskforce on the review of the anti-corruption legal and policy framework. The proposals have also formed part of the recommendations in the taskforce report. These proposals include:

- Vetting of candidates to public office including coming up with substantive procedures in the vetting and issuance of clearance certificates

- Repealing of the Public Officers and Ethics Act or the law be amended to govern public officers only

- The Public Officers and Ethics Act and the Leadership and Integrity Act embrace the principle of access to information in the declaration of assets and liabilities by public and state officers.

TI-Kenya also made proposals to amend the Ethics and Anti-Corruption Commission (EACC) Act. Proposals by TI-Kenya captured in the EACC (Amendment) Bill 2015 included recommendations to increase the number of commissioners from three to five to remedy the question of constitutionality raised each time the number of commissioners is below the minimum of three set by the Constitution. TI-Kenya further proposed that the commissioners serve on part time basis to avoid conflict between the commissioners and secretariat in regard to their functions.

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[1]The policy papers were themed as follows: Comprehensive legislation on whistleblower protection in Kenya, establishment of a confidential system or procedure to encourage disclosures in the public interest by whistleblowers and facilitating whistleblowing by providing effective legal protection to whistleblowers.

These recommendations were taken up by the Attorney General and passed by Parliament in the Statute Law (Miscellaneous Amendments) Bill 2015. However, some of the provisions introduced in the Bill were contentious for instance the proposal that the Public Service Commission (PSC) leads the recruitment of EACC commissioners and the amendment to have the offices of the Secretary and Deputy Secretary to the Commission become vacant upon the commencement of the Act thus terminating the terms of service of the incumbents in an unprocedural manner. TI-Kenya wrote and submitted an advisory letter to the President urging him to reject the amendment Bill in light of the two amendments. The President returned the Bill to Parliament rejecting the amendment to vacate the offices of the EACC Secretary and Deputy Secretary, instead proposing the vetting of EACC staff once new commissioners take office. The amendment to have PSC conduct the recruitment of the Commissioners was however taken up.

Parliament accepted the President's recommendation, and the Bill was consequently passed into law in September 2015.

TI-Kenya originated a Public Procurement and Disposal of Assets Bill after a thorough review of the procurement system in Kenya. The bill was shared with the government through the National Treasury and the Public Procurement and Oversight Authority. TI-Kenya organized a technical review meeting with government agencies including the Ethics and Anti-Corruption Commission, Public Procurement and Oversight Authority, Kenya Institute of Supplies Management among others and the Institute of Certified Public Accountants of Kenya, International Commission of Jurists – Kenya and Parliamentary Initiatives Networks to review and strengthen the bill. The government in its efforts to realize Article 227 of the Constitution of Kenya on procurement of public goods and services, used TI-Kenya's bill as a primary document in originating and developing the government draft bill. The new government harmonized bill captured key TI-Kenya proposals. The bill was with the president awaiting assent by the time of compiling this report. Some of the highlights of TI-Kenya's proposals are below:

- Affirmative action for the youth, children and people living with disability

- Entrenching access to information in the procurement regime

- The need to provide for procurement at the county government level

- The need to acknowledge the independence of the Public Procurement and Oversight Authority.

TI-Kenya has also carried out advocacy interventions on the Climate Change Bill. TI-Kenya's proposals were captured in the draft bill which is currently at the   Senate with recommendations touching on the following:

- The need to demarcate functions of the National Environment Management Authority (NEMA) and the National Climate Change Council

- Advisory function: There was duplication of efforts between the Council and NEMA under the draft Bill as it provided for both the Council and NEMA to advise the

national and county governments on regional and international conventions, treaties and agreements to which Kenya is a party or should be a party to and follow up the implementation of the conventions, treaties and agreements to which Kenya is a party. TI-Kenya suggested that NEMA should be mandated to report to the Council on matters of climate change and advice to the government should come from the Council.

• Composition and selection of board members: TI-Kenya sought to have representation from ministries such as mining, land, transport, tourism and industrialization as sectors that are influence or impacted by climate change. TI-Kenya also proposed to have a representative of the county government, non-state actors and the local communities on the board.

TI-Kenya in its effort to improve the anti-corruption policy, legal and institutional framework in Kenya, drafted various anti-corruption policies among them the Whistleblower Protection Policy, Adaptation Fund Policy, Ethics and Integrity Policy, Public Participation Policy and Access to Information Policy .These policy papers have informed advocacy proposals on anti-corruption issues. TI-Kenya has shared these policy papers with the relevant government agencies for adoption and enforcement. Among the policies that have seen enforcement include the public participation and access to information policies which are currently being implemented by the Kwale and Kisumu County Governments.

A RESPONSIVE PUBLIC PROCUREMENT SYSTEM UNDERPINNED BY PRINCIPLES OF TRANSPARENCY AND ACCOUNTABILITY

Public procurement has provided fertile ground for corruption in Kenya. This has been demonstrated by the various corruption scandals in the procurement of goods and services that has led to the loss of billions of shillings of public funds over the years. Corruption in public procurement means public funds are wasted on an enormous scale, and the benefits these funds should have brought are lost. TI-Kenya is thus working towards curbing corruption risks in public procurement through policy and legislative advocacy, capacity building for state and non-state actors and monitoring.

TI-Kenya is the convener of the Contract Monitoring Kenya Network (CMKN) that focuses on enhancing transparency and accountability in public procurement. CMKN is a multi-stakeholder group bringing together different partners for transparent and effective management of public resources and service delivery in Kenya.

The network monitors public contracts in Kenya, focusing on four key sectors of public service: education, water, the construction industry (particularly roads/transport infrastructure) and health (mainly in pharmaceuticals). TI-Kenya is also the convener of the Forum for Transparency and Accountability in Pharmaceutical Procurement (FoTAPP).

TI-Kenya held three meetings for CMKN and FoTAPP in the year under review. The meetings discussed the Health Bill and Public Procurement and Disposal of Assets Bill and

proposals made on these bills were later submitted as memoranda to the respective parliamentary committees. The members also discussed the drug price index project being implemented by TI-Kenya following a demonstration of the drug price index web portal and mobile application, giving feedback on areas of improvement.

In line with enhancing transparency and accountability in public procurement, TI-Kenya is undertaking two projects in health procurement. TI-Kenya is upgrading the Mobile Drug Tracking System (MDTS), a social accountability tool aimed at facilitating citizen participation in monitoring the procurement and supply of pharmaceuticals in the Kenya. The project focuses on Kwale, Homa Bay and Elgeyo Marakwet. The scale up of the MDTS allows for inter-phasing the system with a web portal to allow stakeholders to gain real time information on available medicines. The portal also allows the gathering of accurate data on the stock levels of identified medicines in target facilities, which is necessary to enhance planning, quantification and forecasting of long-term consumer needs.

Other features were introduced to the MDTS to enable citizen participation. Therefore in 2016, citizens in Kwale and Homa Bay will be able to interact with the health facilities to know the drugs available in the various health facilities and register into various community health programmes to enable them to receive notifications and information related to the specific programmes in the targeted regions. Two meetings were held in Kwale and Homa Bay in the period under review to deepen buy-in for the project from county health officials for smooth implementation of the project. The project experienced inception challenges in Uasin Gishu County, which was the third target county, and was therefore shifted to Elgeyo Marakwet County.

One training was conducted on the use of the MDTS in Kwale County and reached out to 20 stakeholders (9 community Health Workers, 7 pharmaceutical technicians, 2 Clinical officers, the County Pharmacist and County Director for Medical Services). Findings of a baseline survey for the project conducted by TI-Kenya in November 2014 in Kwale and Homa Bay were shared with the county health officers in Kwale during the training.

The second project in pharmaceutical procurement, the **Drug Price Index project,** involves the development of a pharmaceutical pricing reference guide to influence a pricing policy for Kenya and enhance predictability in the procurement prices of drugs. This project is being undertaken in Elgeyo Marakwet County.

TI-Kenya has developed a pharmaceutical pricing reference guide to influence a pricing policy for kenya and enhance predictability in the procurement prices of drugs

The pricing guide targets pharmaceutical suppliers and

citizens, to enable them access information regarding drug prices and make informed choices on where to purchase medicines. TI-Kenya has thus developed a web portal and mobile application to enhance access to information on pharmaceutical commodity prices.

As part of the roll out of the project, 25 people from the Health Facilities' Management Committees in Elgeyo Marakwet County were trained on the use of the Drug Price Index web portal and mobile application in September 2015. This engagement was also critical in fostering buy-in for the project from key county health officials including the County Executive Committee (CEC) Member for Health, sub-county medical officers of health and sub-county pharmacists. The health officials expressed willingness to adopt the system, and gave further proposals to improve its efficacy.

By the time of compiling this report, the system was being upgraded to include modules that would further enable the system to meet the users' needs, and improve monitoring and reporting. The pricing guide will be an important tool to enhance transparency in the pharmaceutical procurement process and reduce avenues for corruption during procurement in a context where Counties can either procure drugs directly or through the Kenya Medical Supplies Agency (KEMSA). It is also expected to curb consumer exploitation thus leading to more affordable health products in public facilities and cushion Kenyans from unnecessary out of pocket health spending.

Capacity Building of Youth on Procurement and Anti-Corruption

TI-Kenya in partnership with the Procurement and Supply Chain Students Association (PSSA) conducted a conference on "Ethics and technological developments in procurement systems and alignment of the procurement law to the Constitution and Vision 2030". The conference reached approximately 300 participants representing students studying procurement from various universities. The conference engaged the students on three key thematic areas:

1. The legal framework for the public procurement system in Kenya in line with the Constitution and Vision 2030

2. Ethics and governance in public procurement

3. Technological development in procurement systems

Throughout the year, TI-Kenya engaged members of the Procurement and Supply Chain Students Association through mentorship and involving them in procurement engagements such as participation in meetings of the Contract Monitoring Network of Kenya.

Increased knowledge and skills on ethics and integrity in public institutions by 2015

Through the institutional strengthening sub-programme, TI-Kenya works to increase knowledge on the management of ethics and integrity among state and public officers through capacity building and technical support. During this reporting period TI-Kenya supported a number of institutions in strengthening their transparency and accountability structures.

The National Environmental Management Authority (NEMA) is the accredited National Implementing Entity of the Adaptation Fund in Kenya. It became the twelfth institution to be accredited globally, and the seventh in Africa. TI-Kenya thus convened a meeting of NEMA stakeholders and target bodies first to review the anti-corruption mechanisms in place, what has or has not worked, and explore areas that need further enhancement. The idea of developing an anti-corruption policy for the Adaptation Fund was then conceived. TI-Kenya led the process of the policy development. By the end of the reporting period, TI-Kenya had conducted a draft policy which was awaiting validation by NEMA stakeholders. TI-Kenya increased rapport with the Teachers Service Commission, by supporting the review of its Leadership and Integrity Code, which had been submitted to the Ethics and Anti-Corruption Commission for gazettement by the time this report was compiled.

As a follow up to the Local Integrity Systems assessment conducted for the Kisumu County Government in 2013, TI-Kenya engaged the Kisumu County Public Service Commission to assist it with training and establishment of an ethics and integrity department within the County Government of Kisumu. By the end of the reporting period, discussions were ongoing on capacity building for the Commission and protocols on setting up an ethics and integrity unit.

TI-Kenya monitored the recruitment of Kenya Wildlife Service rangers in 18 centres across the country in March and April 2015. Monitoring for the recruitment of Kenya Forestry Service rangers was also conducted in June 2015. The findings and recommendations of both exercises were documented in reports submitted to the Service.

TI-Kenya enhanced engagement with the judiciary in the reporting period, facilitating capacity building sessions for judicial officers including judges, magistrates and court registrars. The TI-Kenya Executive Director delivered a series of trainings on corruption in the Judiciary and perceptions of public confidence informed by research conducted by TI-Kenya and other institutions at the Annual Judges Conference held in August 2015 and several Continuous Judicial Training. In the same month, TI-Kenya Board Member Dr Linda Musumba made a presentation on the topic 'Reality Check: The Dragon of Corruption in the Judiciary and Court Registries' during an induction and management course for deputy registrars. The Executive Director facilitated a session on 'The context of economic crimes and the role of the Judiciary' at a training for judges, magistrates and officers from the Office of the Director of Public Prosecutions, the Ethics and Anti-Corruption Commission and the Directorate of Criminal Investigations in September 2015.

A TI-Kenya Officer (far right) at an international engagement on climate change and sustainable development goals.

PROMOTING INTEGRITY IN CLIMATE FINANCE

The climate governance and integrity interventions have gained traction with TI-Kenya being appointed a member of the REDD+ Taskforce by the government. This position has provided an opportunity

for the organisation to give guidance and influence policy issues and accountability in the implementation of the REDD+ strategy in Kenya. The Taskforce is largely made up of governance agencies. Among the successes TI-Kenya registered through membership to the taskforce is working with the REDD+ focal point at the Ministry of Environment, National Resources and Water to come up with guidelines and procedures to ensure good governance in the sector.

TI-Kenya participated in various International meetings on anti-corruption and climate governance including the Conference of Parties 20, Bonn Inter Agency sessions, African Ministerial Conference on the Environment, 9th Conference on Community-Based Adaptation (CBA 9) in Nairobi, regional workshop on climate finance in Namibia and presented its work in these conferences.

TI-Kenya together with the larger TI movement pushed for the recognition of climate change in the sustainable development goals. TI-Kenya also hosted a meeting of TI national chapters implementing climate governance interventions in May 2015, with participants sharing lessons learned and developing processes to enable on-going support to pursue climate finance actions nationally and regionally.

TI–Kenya also convened a Kenya Climate Finance Governance Network Meeting to review the networks' governing instruments and structure. The meeting also reviewed previous network engagements, achievements and areas of improvement. The members also drew strategies for engagement in various advocacy processes at local, national and international levels.

TI-Kenya, in partnership with CARE-Kenya convened a two day workshop in July 2015 to share experiences and deliberate on raising awareness on corruption prevention mechanisms and good adaptation practices around the Adaptation Fund.

STRENGTHENING THE CAPACITY OF THE PUBLIC TO IDENTIFY AND FIGHT CORRUPTION

CITIZEN DEMAND

The war against corruption cannot be won without civic support and pressure on public institutions to provide quality services and demonstrate accountability. Civic engagement is thus central in TI-Kenya's strategy. The Citizen Demand Programme is the primary vehicle through which TI-Kenya engages Kenyans to stand up against corruption.

Citizen Demand has two main components:

- Advocacy and Legal Advisory Centres (ALACs)

- Service Delivery sub-programme

Enhancing citizens' capacity in demanding for transparency and accountability

An Advocacy and Legal Advisory Centre officer engages the pubic during a forum in Kajiado.

TI-Kenya through the Citizen Demand Programme conducted public sensitization forums to empower the public on corruption and anti-corruptions strategies. Public forums have facilitated direct engagement with the public through interactive sessions that have elicited one-on-one and immediate feedback. In this period ALACs reached out to a total of 15,825 people directly through public forums with 8,234 people being male while 7,591 were female. The public forums were conducted in Nairobi, Kiambu, Machakos, Kajiado, Elgeyo Marakwet, Uasin Gishu, Trans Nzoia, Bungoma, Busia, Kisumu, Siaya, Kakamega, Kwale, Kilifi and Mombasa counties.

Sensitising citizens for action through public forums

4 public forums were held at Shimoni, Wasini, Lukore and Wasini in Kwale County on 17th and 18th December 2014, and 3rd and 5th March 2015 respectively targeting 70 people each. A total of 247 (120 Male, 127 Female) out of the targeted 280 people were reached. The citizens were empowered with information on how to proactively demand for their rights. The topics covered focused on social accountability with emphasis on exercising civilian oversight and exploring available redress mechanisms for any injustices committed against them. Citizens were also given free legal advice.

Following the discussions of the forum in Shimoni, the residents formed a civilian oversight committee and resolved to conduct an audit on a food assistance programme within their locality to determine the criteria used to distribute food rations. The report was shared with TI-Kenya's Advocacy and Legal Advisory Centre (ALAC) team in Mombasa.

Monitoring reports before the forums were conducted indicated that none of the citizens reached had organized any accountability forums independently. By March 2015, residents in four out of the 20 wards in Kwale had initiated and organized accountability forums independently.
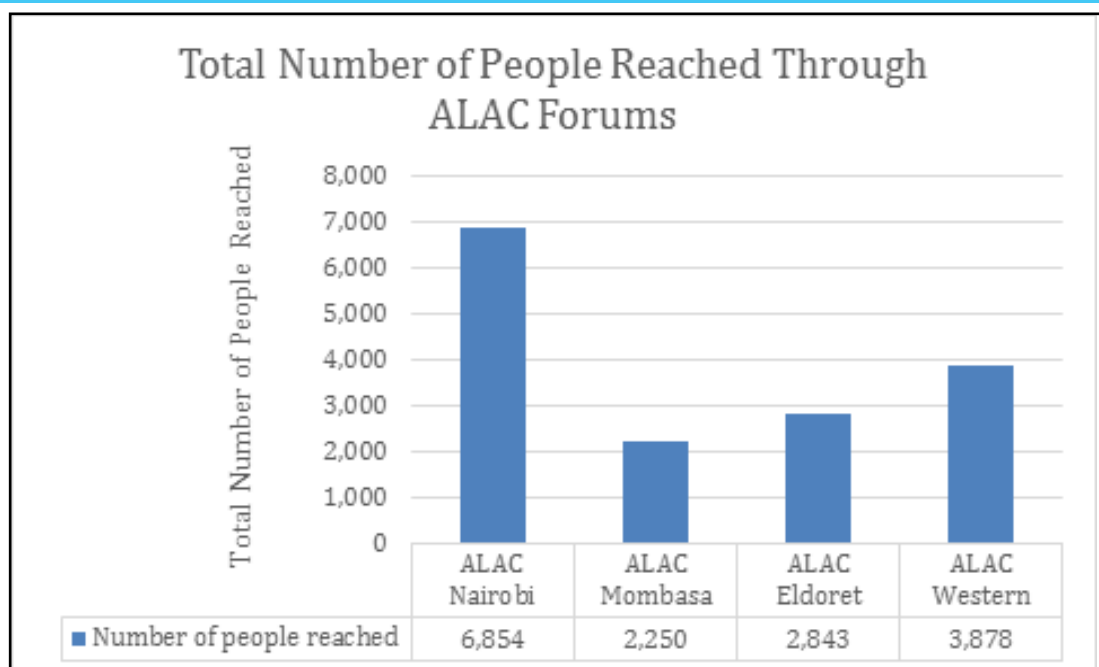
Figure 1: Total number of people reached through public forums

	ALAC Nairobi	ALAC Mombasa	ALAC Eldoret	ALAC Western
Number of people reached	6,854	2,250	2,843	3,878

Most of the public forums were organised through the members of the Coalition for Good Governance[2] who demonstrated improvement in organizing and engaging with the community on anti-corruption sensitization. Through civic empowerment initiatives, coalitions in Busia and Bungoma have registered their own groups and are utilizing the coalitions to push for reforms in their respective counties. During the same period, an anti-corruption plan for Bungoma County was developed in partnership with coalition members, the office of the county commissioner and the National Anti-Corruption Campaign Steering Committee. This was in response to a presidential circular on the need to develop such plans. Kakamega Coalition members received funding based on work done with and referral from TI-Kenya. TI-Kenya continues to provide technical support in the implementation of the coalition's projects. Improved working relationships with oversight institutions were also witnessed in the period under review. 10 coalition members were trained by EACC as anti-corruption monitors in Kakamega, Bungoma, Busia, Siaya and Kisumu counties. Talk shows and public forums were also conducted in partnership with the institutions.

The Citizen Demand programme also participated in the budget making process and conducted budget tracking trainings in Western Kenya. Trainings were conducted for 109 coalition members comprising 71 men and 38 women drawn from Kisumu, Siaya, Bungoma, Busia and Kakamega counties.

Providing free legal aid on corruption cases

Transparency International Kenya currently runs four Advocacy and Legal Advisory Centres (ALACs) which provide free advice on corruption cases, these are:

- ALAC Nairobi

- ALAC Mombasa

- ALAC Eldoret

- ALAC Western

The ALACs enable the public to access quality, professional and free advice and assistance on corruption related complaints. This assistance includes drafting complaints to be referred to relevant public institutions for action. The ALACs also assist complainants to follow up the cases with the relevant institutions. A total of 3,900 clients were assisted with legal services.Strategic partnerships created under the Integrated Public Complaints

Referral Mechanism[3] (IPCRM) platform, Legal Aid Providers' Caucus, Legal Advisory Committees and other partners facilitated the referral and resolution of cases.

[2.] Coalition building and partnership development is a key approach by TI-Kenya in programme implementation. TI-Kenya through the ALACs supports the Coalitions of Good Governance in Nairobi, Mombasa, Kisumu, Siaya, Kakamega, Bungoma, Busia and North Rift (Uasin Gishu and Elgeyo Marakwet). These coalitions have been at the forefront of spearheading integrity, transparency and accountability initiatives in these counties.

Status of Cases taken up by ALACs through Legal Aid Clinics

	Completed	Pending/Closed	Referrals outside IPCRM	Referred to LAC[2]/ALACs	Follow Up	Referred to IPCRM	ADR[3]
Nairobi	326	123	78	4	46	13	0
Mombasa	457	161	44	48	94	3	0
Western	754	164	31	16	143	56	4
Eldoret	529	111	259	244	67	78	47
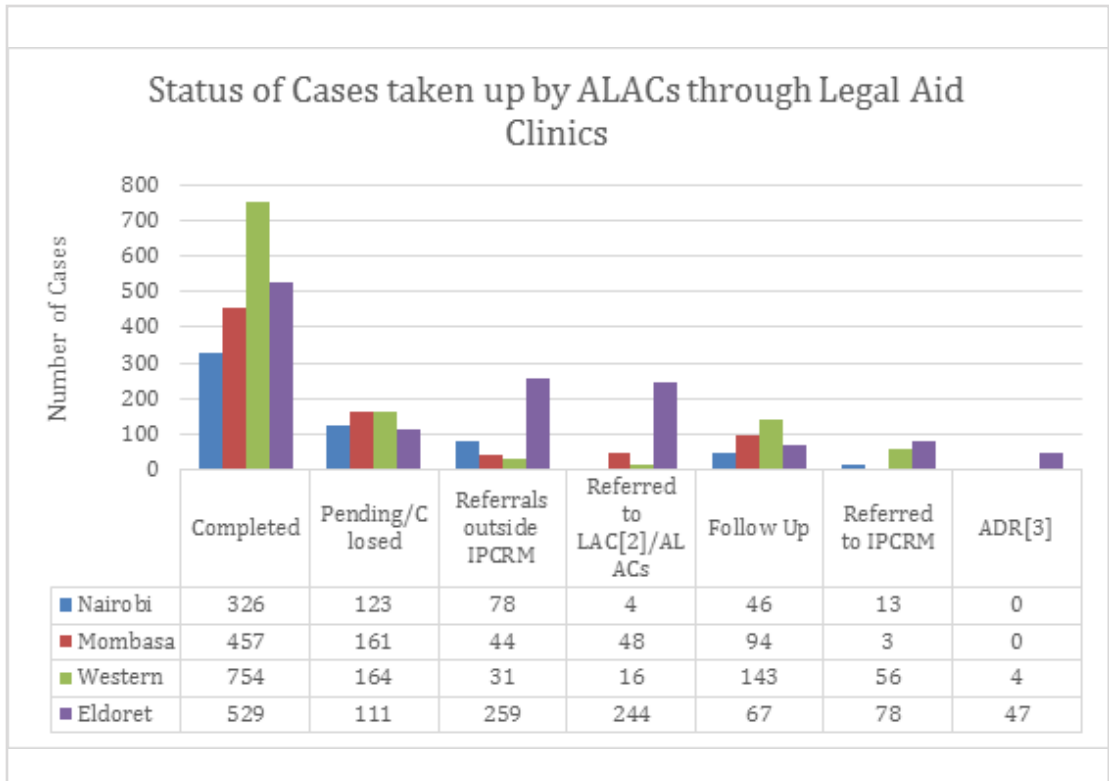
Figure 2: Status of case taken by ALACs thorough legal aid clinics

Through the ALACs, county-level media advocacy to empower the public with information on corruption and anti-corruption strategies was conducted largely through radio with 18 talk shows broadcast. The talk shows have contributed to an increase in the number of corruption complaints while some issues that were raised during the talk shows were acted upon by county government.

SUCCESS STORY: Bungoma good governance coalition nips a corrupt deal in the bud

Even with the Constitution adopted in 2010 and new land laws to safeguard the interests of citizens in land ownership, fraudulent acquisition of land in Kenya is still prevalent.

Transparency International Kenya through the Advocacy and Legal Advisory Centre (ALAC) Western has continued to empower citizens on corruption and anti-corruption strategies particularly emphasizing the role of the citizen in the fight against corruption through civilian oversight. It is through such capacity building by ALAC that the Coalition of Good Governance in Bungoma managed to prevent corruption which could have cost the public money intended to purchase land to set up a police post.

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

It all began when the Constituency Development Fund Office issued a cheque of Ksh 500,000 to purchase land to set up an Administration Police Camp within Kibabii Location, Bungoma County. A high ranking county administration official and a chief took it upon themselves to look for the land. However members of the community felt that they were doing so in order to enrich themselves by cutting deals.

The community members having amassed knowledge through the ALAC forums on the importance of being involved directly in projects, raised questions about the funds and the procedure that was being adopted to acquire the land. The two officials got information that residents were probing the deal and abandoned the plans to acquire the land themselves. Members of the community, led by the coalition members, constituted a committee that collected views on the project from other members and were directly involved in the acquisition of the land that was eventually purchased for the construction of the Administration Police Camp.

Members of the community expressed gratitude to ALAC Western for knowledge and support on corruption and anti-corruption strategies as through that, they were able to avert a corrupt deal.

SUCCESS STORY: ALAC helps resolve 20 year pension case

In his prime, Kassim[4] was a budding technician working for one of the biggest state corporations. Due to an illness that left him with walking difficulties, he was forced into early retirement over 20 years ago. He retired to a sleepy village in Vanga, Kwale County near the border of Kenya and Tanzania.

For 20 years he tried to pursue his pensions. And when he once thought he was close to getting his dues, he was asked to pay Kshs 5,000 to assist in the 'retrieval' of his file. Unable to raise the money, he resigned himself to fate until the Advocacy and Legal Advocacy Centre team from Mombasa, held a mobile legal aid clinic in his village in Vanga in October 2014. The legal aid clinic was part of the project aimed at localizing anti-corruption efforts in Kwale County.

ALAC officers reviewed his case and forwarded it to the Pensions Department and the Commission on Administrative Justice. Within a week of the referral, his file was availed and he was requested to visit the Pensions Department office for clearance of his file paving way for payment of his pension dues. In January 2015 he received his first cheque.

Legislative and policy advocacy at county level

TI-Kenya continued county engagements on the public participation and access to information bills, by advocating and working with the Nairobi, Kisumu, Siaya and Busia county governments towards the enactment of model public participation and access to information laws. The Kisumu County Access to Information Bill was passed into law by the County Assembly and was awaiting the Governor's assent by the close of the reporting period. The Siaya County Public Participation Bill was passed by the County Assembly but was yet to be signed into law. The Busia County Public Participation Bill was passed by the Assembly but returned to the Assembly by the Governor for inclusion of public views.

[4] Name changed to protect complainant's identity

However the response of the Busia Governor reached the assembly after 14 days thus the bill automatically became law. A technical team from the Assembly and the County Executive was formed to review disputed sections and come up with a harmonized bill that will repeal the first one. TI-Kenya has also initiated advocacy for a similar law in Bungoma County. TI-Kenya was among civil society organisations that reviewed the draft Nairobi County Public Participation Bill and gave proposals to review it including provisions on the specific role of the office in charge of public participation and civic education to enhance effective public participation.

Established accountability mechanisms and structures for transparency and good governance

Following a Local Integrity Systems (LIS) study in Kisumu in 2013, TI-Kenya supported the Kisumu County government in developing a draft Leadership and Integrity Code in consultation with the county officials. The code was validated by senior county government officials in September 2015, and was awaiting adoption by the time this report was compiled. For Busia County, data collection was undertaken for the LIS with the report awaiting validation by stakeholders before further review, publication and advocacy on the findings and recommendations.

Empowered citizens proactively and efficiently engaging and demanding for accountable education institutions and governance

Wall murals with graffiti messages on education and governance in Kwale by TI-Kenya. The accountability walls seek to inspire citizens to demand better service delivery.

TI-Kenya led the development and review of three county and 30 school level accountability pacts in Kwale, Kisumu and Trans Nzoia. As a result of the development pacts, there is strengthened participation by the education stakeholders in decision making processes at both the county and school levels.

Progress can be reported in the implementation of the school level development pacts; for instance at Mwagulu Primary School in Kwale County where the combined efforts of the school's Board of Management have led to the construction of a pupils' toilet, which was one of the action points in the school's development pact.

At Sibanga Primary School in Trans Nzoia County, the school head teacher attributes the increased number of parents participating in parents days' meetings to the action points prioritized in the development pacts. Unlike the pre-pact era where decisions were made by a few members of the School Management Committee (SMC) resulting to such decisions being disowned by the majority of parents, the decision making process currently involves representatives of parents, teachers and learners. In addition, the representatives are assigned specific duties in the implementation of decisions reached. The SMC works as a united team unlike before where there was mistrust among the SMC members thus hindering the implementation of certain activities and to a larger extent the development and performance of the school.

TI-Kenya conducted 10 public forums in Kwale, Trans Nzoia and Kisumu counties reaching 1,586 members of the public. These forums sought to empower the public with knowledge and skills on how to constructively engage school managers in demanding for accountability and transparency in the management of educational institutions.

TI-Kenya conducted county level anti-corruption trainings for Boards of Management and School Management Committees in 72 schools in the three counties. As a result of the capacity building trainings, some schools have demonstrated higher levels of transparency in the conduct of school affairs including procurement processes where tenders are advertised openly; for example in Goseta Boys High School in Trans Nzoia County. Some of the schools that benefited from the training are sharing financial information with the public through school notice boards; for example St Joseph Primary and Simanya Primary schools in Kwale County. Some schools also developed budgets based on the school development plan (SDP) for example Obwolo Primary School in Kisumu County.

TI-Kenya supported and strengthened activities of CSOs in the education sector in the three counties working through the County Education Networks (CENs). TI-Kenya supported the CENS in conducting surveys on topics relevant to the education sector in their counties. In Kisumu County, the Kisumu County Education Network (K-CEN) conducted a survey to assess the status of Early Childhood Development and Education in the county. In Kwale County, the network conducted a survey on teacher/learner absenteeism. In Trans Nzoia County, the survey assessed the status of child labour in the county. Workshops to validate survey findings were conducted and a draft report incorporating recommendations from the workshops finalised. The reports are currently being reviewed before publication. The research findings are expected to strengthen the networks' policy advocacy interventions to promote good governance in these counties.

Promoting integrity in schools

Pupils during an integrity club event at Msambweni Primary School in Kwale County.

TI-Kenya believes that education is key in preventing corruption, and that education on good governance, ethics and integrity for young people can help break the cycle of corruption as present-day youth prepare to take the mantle of leadership in the future. It is against this background that TI-Kenya initiated integrity clubs to engage students and the youth in ethical and integrity learning.

TI-Kenya supported and strengthened activities of 80 integrity clubs across three counties in the review period; 30 in Trans Nzoia County, 29 in Kisumu County, and 21 in Kwale County.

Across the three counties, integrity clubs have contributed to improved discipline and responsiveness among the learners.

At Msambweni Primary School in Kwale, the members' responsiveness is manifested by their reporting of absent teachers and learners to the integrity club patron who later shares this information with the head teacher.

At St. Anthony Boys' High School in Trans Nzoia County, the discipline level among the students has gone up and the school principal attributes this to the weekly activities of the integrity club, including club members giving speeches on integrity issues during the school assembly. The members also identify in-disciplined students and recommend to the school management whether they should be enrolled in the guidance and counselling programme or be punished.

At Nyabondo High School in Kisumu country, the integrity club has set up a talking compound to educate the entire school on good values including integrity, honesty and hard work among others. Through the talking compounds, learners are constantly reminded of the need and their personal responsibility to uphold integrity, ethics and manifest good character in their daily lives.

An essay writing competition conducted between July and September received entries that manifested increased knowledge on ethics, integrity and instilled positive values and attitudes, and empowered the youth to advocate for good governance. Club members clearly brought out cases of corruption affecting their respective communities and the country at large and suggested alternative solutions to curb the vice. They were candid in defining corruption, causes of corruption and what citizens including the government could do to end the vice. In their essays they referred to the trainings received as members of the integrity club.

Enhancing public access to budgetary information for schools and health facilities in Embakasi

The A4T concept is built on a set of tools and methods that are interrelated in a progressive process.
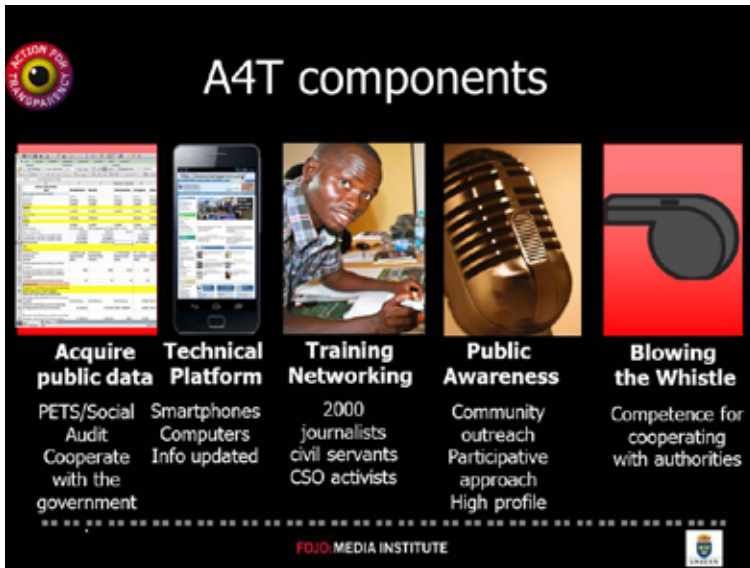
TI-Kenya begun the implementation of a new project called Action for Transparency, A4T, that aims to contribute to strengthened democratic accountability and transparency in Kenya through citizen monitoring of government expenditure. The project is being implemented in conjunction with Pawa Initiative and Fojo Media Institute (Sweden). The project was at its inception stage in the period under review.

TI-Kenya conducted courtesy calls to introduce the project to senior government officials in the Ministry of Education including the Principle Secretary, the Director of Medical Services and respective county government officials for education and health.

The courtesy calls were largely successful with positive feedback received and promise of support from the government officials. A kick off meeting with about 40 education stakeholders was largely successful. The project received positive feedback from the participants, especially government officers who pledged their support for the A4T project. The A4T concept is built on a set of tools and methods that are interrelated in a progressive process. The tools and methods to be used include public expenditure tracking surveys, capacity building, outreach and an ICT platform (app/website) to allow community leaders, journalists, civil servants, civil society activists and other citizens to review public data on primary schools and health centres, and report suspected corruption .

PROMOTING TRANSPARENCY AND INTEGRITY IN HUMANITARIAN AID OPERATIONS

HUMANITARIAN AID INTEGRITY PROGRAMME

The Humanitarian Aid Integrity Programme of TI-Kenya works towards:

- Improving the policy / aid architecture framework and the capacity of humanitarian aid institutions/ agencies to apply and coordinate anti-corruption instruments in their operations;

- Reducing corruption in humanitarian operations in Wajir, West Pokot and Turkana Counties; and,

Ensuring a recorded improvement and sustained implementation of humanitarian aid operations at policy, programme design and execution levels worldwide.

Improved policy / aid architecture framework in humanitarian aid

In the year under review, TI-Kenya through the Humanitarian Aid Integrity Programme drafted and disseminated a brief analysis of the anti-corruption policies of nine donor agencies, regulations relating to humanitarian aid and their implementation among their grantees and legislations relevant to the sector. The research was completed in partnership with the London School of Economics (LSE).

The report gave recommendations for advocacy interventions to strengthen aid integrity. The report acknowledged that donor agencies, particularly in recent years, have taken crucial steps towards anti-corruption in humanitarian assistance, unfolding in multiple dimensions and approaches. A lot of similarities have been spotted presumably, because this field remains novel, though suffused with imbalances, discrepancies and situational dynamics in practice. The report was disseminated among the TI-Kenya partners in humanitarian aid.

The findings of the study will be further disseminated among donors' agencies and used for bi-lateral advocacy interventions within the implementation of a global humanitarian aid integrity intervention being led by TI-Kenya in West Africa, East Africa and the Middle East region that is aimed at enhancing integrity of humanitarian operations in complex humanitarian contexts.

TI-Kenya participated in a number of advocacy meetings including the Pastoralists' Parliamentary Group annual meeting in November 2014. TI-Kenya was also represented and spoke on behalf of the Inter Agency Working Group during the Core Humanitarian Standards launch event conducted in Copenhagen, Denmark in December 2014. 150 copies of the revised Core Humanitarian Standards (CHS) handbook were distributed. TI-Kenya organized the launch of the handbook in East Africa in March 2015 which was attended by over 150 participants.

The organization was also represented and spoke at a meeting of the CHS Alliance on integrating humanitarian integrity principles which was attended by over 150 participants from all over the world in June 2015. The ASAL Stakeholders Forum Annual meeting in February 2015 was also attended.

In April and May 2015, TI-Kenya presented the 'Uwajibikaji-Pamoja'[5] system during two webinars on accountability to affected population organised by the Inter Agency Standing Committee (IASC) (one in English and one in French) attended by over 600 participants from all over the world.

A presentation on collective accountability mechanisms was made at the Inter Agency Standing Committee meeting in September 2015 in Geneva which was attended by 80 high level participants including Ambassadors, Heads of Mission and UN officials.

Community members during a public forum in Turkana.

TI-Kenya drafted and published an article on 'Uwajibikaji Pamoja' in the Drylands Learning and Capacity Building Initiative Journal, November 2014. Another article written on Corruption in the humanitarian aid sector was written in March 2015 and published in the Humanitarian Accountability Report in September 2015. One paper on accountability in the humanitarian aid sector was drafted with World Vision and disseminated to the World Humanitarian Summit stakeholders through the UN Office for the Coordination of Humanitarian Affairs regional office.

Improved stakeholders' understanding on accountability mechanisms and humanitarian aid policies at the global level

At the global level, TI-Kenya has been leading and coordinating the Humanitarian Aid Integrity Network (HAIN) of the TI movement. A meeting of HAIN chapter members was conducted in Malaysia on the sidelines of the International Anti-Corruption Conference in September 2015 with representatives of the TI-Secretariat, TI-Kenya, Sierra Leone,

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

Philippines, Norway and Palestine in attendance. This meeting resulted in an agreement to network with TI Sierra Leone and Liberia in conducting an Ebola case study and the participation of TI national chapters from Palestine and Pakistan in regional events conducted within the framework of the Enhanced Response Capacity project[6].

In the period under review, networking and HAIN promotion outreach missions were conducted in Senegal with meetings held with donor agencies operating in West Africa and a forum for 22 humanitarian aid practitioners was conducted. An outreach mission was conducted in Zimbabwe with meetings held with aid agencies operating in Zimbabwe and South Africa.

H.A.I.P Social Accountability Assessments

	Wajir	Turkana	West Pokot	Total
Target	21	19	23	63
Achieved	14	11	7	32
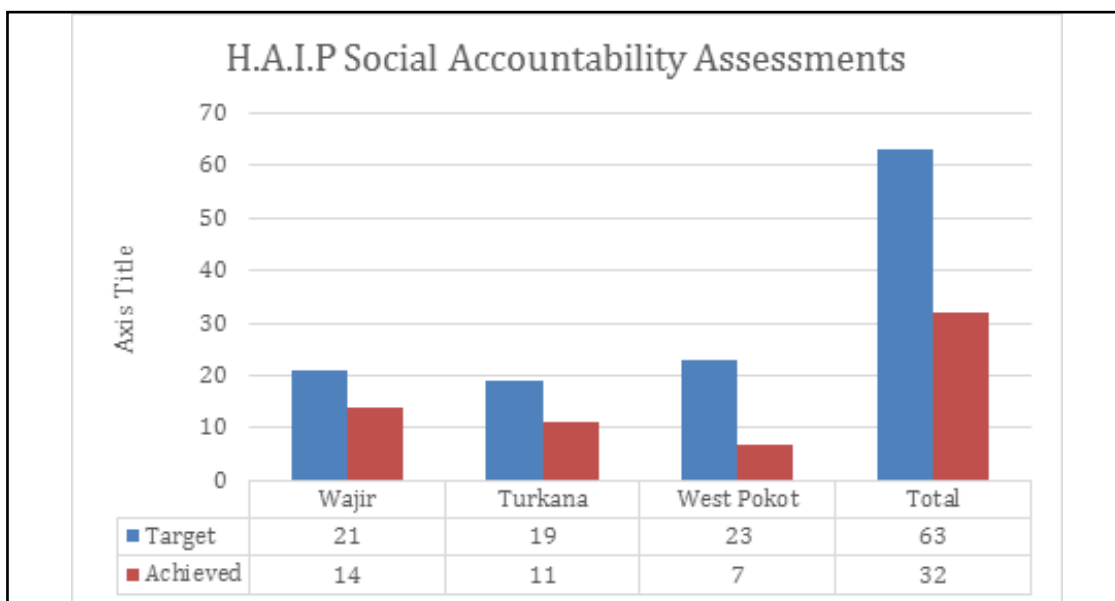
Figure 3: Social accountability assessments

Completed Social Accountability Assessments

- Total: 32
- Completion and change in implementation of projects: 19
- Community Acquiring Information on the projects: 10
- Asset Recovery: 3
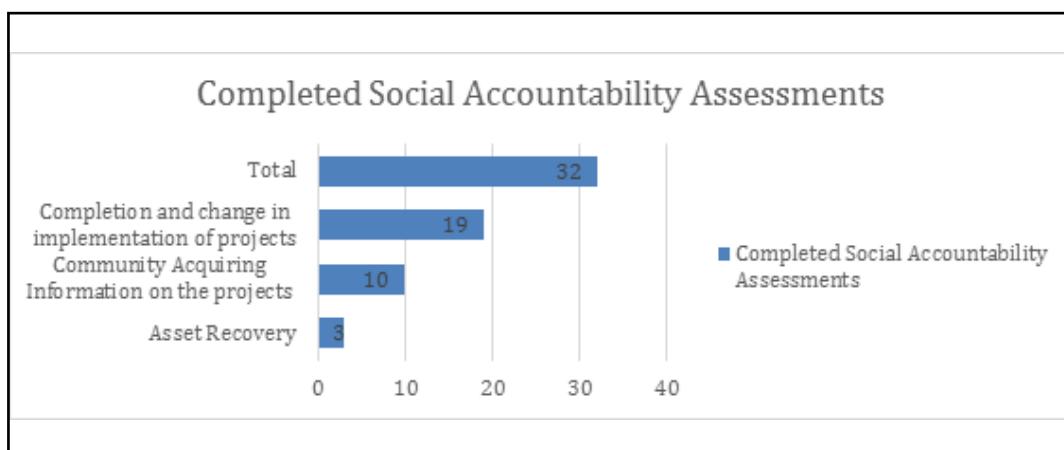
Figure 4: Completed social accountability assessments

6. This project is being led by TI-Kenya and is aimed at enhancing integrity of humanitarian operations in complex humanitarian contexts.

TRANSPARENCY INTERNATIONAL KENYA

ENHANCING STATE AND HUMANITARIAN AID AGENCIES CAPACITIES TO APPLY AND COORDINATE ANTI-CORRUPTION INSTRUMENTS

Various training sessions on corruption risks mitigation and applicable solutions were conducted in the reporting period.

A joint training with the International Federation of the Red Cross was conducted on 11th June 2015 to test an E-learning tool developed by TI-Norway to mitigate corruption risks in humanitarian aid operations. 28 people were trained. 10 people from humanitarian aid agencies had been earlier trained in conjunction with TI-Norway and RedR UK in December 2014.

TI-Kenya also conducted semi-annual learning and reflection meetings on progress, best practices, challenges, and recommendations on corruption risks' mitigation initiatives at county level. The learning events conducted in Turkana, Wajir and West Pokot were attended by 99 participants from partner agencies including state institutions and other stakeholders. A national learning session that targeted the policy makers of *Uwajibikaji Pamoja* partner organisations attended by 20 participants was also held.

Reduced corruption in humanitarian operations in the seven IGAD Countries

A TI-kenyaOfficer addresses a public forum on humanitarian aid integrity in Turkana

TI-Kenya conducted 115 public forums to raise the affected populations' awareness on corruption risks in humanitarian aid reaching a total of 5,970 people (2,754 female, 3,216 male) in the three target counties in the reporting period.

A total of 120 support visits were conducted in the 3 counties including a visit to West Pokot conducted together with the National Drought Management Agency (NDMA) in June 2015.

A meeting with partners and conveners (10 participants) was conducted in Nairobi in February 2015 to take stock and plan humanitarian aid integrity interventions in 2015.

TI-Kenya utilised community based FM radio stations to reach out and engage the affected populations on corruption risk and reporting mechanisms. Key messages were translated to Kiswahili, and the local languages i.e Turkana, Pokot and Somali languages for broadcast. A total of 21 live radio interactive shows in Turkana (Akicha FM), Wajir (Radio Wajir) and West Pokot (Kalya FM) and 4,009 early warning text messages (SMS) were broadcast.

Affected population has better access to information and monitors aid delivery at grassroots levels

TI-Kenya conducted social accountability assessments at the sub-locational levels. A total of 63 social accountability assessments were conducted in the reporting period with 32 assessments successfully completed. A summary of the status of the assessments is below:
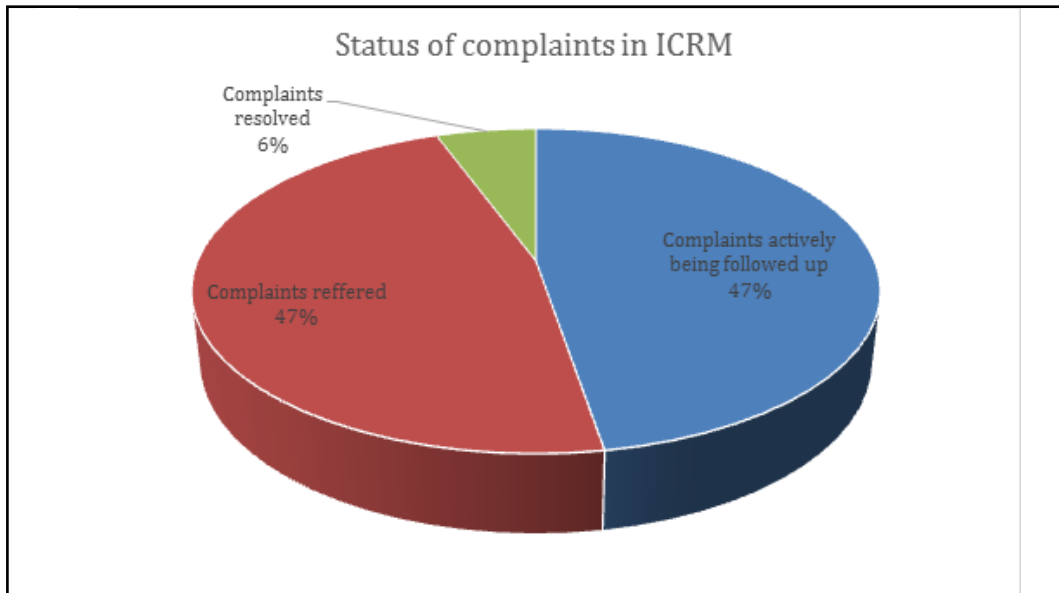
Figure 5: Status of ICRM complaints

TI-Kenya conducted outreach missions to elected officials in Turkana, Wajir and West Pokot counties in the period under review to champion reforms in humanitarian aid interventions. These officials included the Turkana County Assembly Speaker and Members of the County Assembly (MCAs). Following these engagements, some of the leaders have advocated for the integration of social accountability practices in their counties. In West Pokot for instance, funds from the county budget have been allocated to enhance social accountability interventions.

The organisation also supported the community through three conveners and TI-Kenya partners at the county level to ensure community access to information at grassroots level. In Wajir, continuous support was provided to Wajir Paralegal Network (WAPNET), although the security situation did not allow TI-Kenya to visit the county regularly before October 2015. A total of 41 (18 female, 23 male) social auditors were trained in Wajir, Turkana and West Pokot Counties in January and February 2015.

Fully functional referral system for complaint handling in Wajir, West Pokot and Turkana Counties

In 2014, TI-Kenya developed and launched a web-based Integrated Complaint Referral Mechanism (ICRM[7]) at the county level dubbed 'Uwajibikaji Pamoja'. This system aims to enhance accountability of aid providers to populations in Turkana, Wajir and West Pokot counties.

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

County specific databases and a short code were developed in October 2014. The web-based platform was revamped and launched in June 2015.

Following the upgrade, a bulk text messaging service through the web-based platform is in place. 3,679 complaints/comments /feedback were lodged into the system and 1,731 referred and actively followed up while 206 were resolved.

29 county partner coordination meetings were held in Turkana, West Pokot and Wajir Counties in the year under review to discuss field outreach plans, complaints management and trends, and advocacy plans with county governments and humanitarian agencies.

Twenty trainings on the Uwajibikaji Pamoja system were conducted for staff of partner agencies, social auditors and community representatives in the three counties, with 508 participants trained.

Eight trainings on the Uwajibikaji Pamoja platform were conducted for the County Drought Management Committees in Wajir, West Pokot, Turkana, Marsabit and Samburu. This training aimed to enable the committees to collect complaints on behalf of the community members.

SUCCESS STORY: Reforming relief distribution in Kongelai

Residents of Kongelai location in West Pokot had for many years silently suffered as a result of ineffective and unclear food aid distribution systems. Kongelai being a semi-arid region is regularly faced with food shortages and water scarcity that exposes most of the community members to drought and famine. This condition led to the distribution of relief food by the Government through the local authorities and chief. This system was however not effective as the community members felt that the distribution was marred with bias and claims of embezzlement by the office of the chief. With the implementation of the social accountability project through TI-Kenya,

community members selected ten social auditors that were trained to participate and monitor service provision by various stakeholders and to hold service providers accountable. In one of the public forums conducted in April 2015, the community

members tasked the social auditors to seek answers on relief distribution on their behalf.

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

Following several consultative meetings, a public hearing was convened to allow both sides to present their case. The hearing led to the introduction of a new system of relief food distribution that is more inclusive and factors the entire location in the distribution. The chief was compelled to always receive the relief food in the presence of at least three social auditors. Distribution of food aid is now more transparent, accountable and inclusive .

SUCCESS STORY: Water for Shaantaabak

The County Government of Wajir had been undertaking a water tracking project in Shaantaabak location for three years but this stopped abruptly in November 2014 due to lack of financial resources. In August 2015, a joint field outreach visit by the Wajir South Development Agency and the Uwajibikaji Pamoja convener was conducted in Shantaabak location where the community members were sensitized about their rights and how to complain against poor services from both state and non-state service providers through the toll free Uwajibikaji Pamoja line. This system would enable them avoid incurring transportation and time costs as it was before whenever they wanted to report complaints to service providers' offices in Wajir town.

Following this outreach visit, a complaint was lodged into the system by a member of the community in September 2015 requesting the county government to provide a water track to Shantaabak community as he explained the risk of not having water supply in the location. This complaint was entered into the system by the Convener's office and referred to the Wajir County focal person for immediate redress.

On 2nd October 2015, the county directorate of disaster management and humanitarian coordination office team went to Shantaabak location and conducted a public forum where they shared the complaint received through the Uwajibikaji Pamoja system and assessed the water supply problem. After the assessment, the water department promised to provide a water track in the location after every 3 days.

RESEARCH AND LEARNING FOR EVIDENCE BASED ADVOCACY

RESEARCH

TI-Kenya's research programme produces research tools and publications that enhance understanding of the extent and nature of corruption, providing data for evidence-based advocacy interventions. Key research products produced in the year included the East African Bribery Index 2014, a national opinion poll on devolution and the Business Ethics Study.

East African Bribery Index 2014

The East African Bribery Index report launch in December 2014.

The 6th edition of the East African Bribery Index (EABI) was launched in December 2014 in Nairobi. TI-Kenya conducts this survey in partnership with Transparency International Chapters and partners in Uganda, Tanzania, Burundi and Rwanda. TI-Kenya has been using the findings of the study to initiate interventions to catalyze the reporting of bribery as well as strengthen institutions of service delivery.

The survey aims to map out bribery levels within public institutions and service sectors as experienced by respondents over a period of twelve months. This research is used to inform advocacy work.

According to EABI 2014, fewer East Africans were reporting cases of bribery as an average of 10% of East Africans filed complaints on bribery with majority not reporting for varied reasons including lack of information on where to report or because they felt, among other reasons, no action would be taken. Bribery levels in the police, judiciary and lands services across the East African Community remained high; indicating that reforms in these sectors had not borne fruit, in countries where such processes had been initiated such as Kenya. The bribery index findings were widely covered in the national and international media, and have been cited in renowned studies.

In the period under review, TI-Kenya performed a trends analysis on the EABI findings gathered between 2010 and 2014 to draw patterns that have emerged over the past five years. It focused on five sectors; Police, Judiciary, Registry and licensing services, Land services, and Tax services. The findings were to be released at the end of 2015.

Pulling together to move forward a National Opinion poll on devolution and governance in Kenya, launched in 2015.

National opinion polls

TI-Kenya carries out opinion polls to capture public views on various governance issues in the country. The polls are constructed along issues around which the public needs to engage with. The objective is to gauge public opinion, promote debate and inform re-prioritisation on issues of public importance. In 2015, TI-Kenya conducted and published an opinion poll, Pulling together to move forward: A national opinion poll on devolution and governance in Kenya. The poll found that 59% of Kenyans regarded corruption as the biggest threat to devolution in Kenya. It also found that more Kenyans feel that corruption is the most pressing problem county governments should address, with 25% identifying it as a major problem up from 9% in 2014. Concern on corruption also increased significantly at national level, with 28% highlighting it as the most pressing problem up from 10% in 2014. Insecurity was cited as the most pressing problem at national level by 32% of the respondents, down from 52% in 2014.

The polls were well received by the public and covered in the national media, and served to enhance public debate on corruption and devolution.

Business Ethics Study

TI-Kenya was commissioned by GIZ to conduct a baseline assessment and risk mapping of unethical business conduct in the East African Community in November and December 2014. The study was commissioned with regard to the realization that corruption and unethical business behavior were key constraints to economic development within the East African Community (EAC). The main objective of the study was to identify prevailing unethical business behavior in the private sector as well as map out the ethics management initiatives that exist to mitigate unethical business behavior. The findings of the survey informed the formulation of a code of ethics for businesses in the EAC region and rules and procedures for the code of conduct, which were developed by TI-Kenya. By the time of compiling this report, the code was scheduled to be launched in November 2015.

Local Integrity Systems Study

On the back of successful Local Integrity Systems (LIS) studies conducted in Kisumu and Kwale counties in 2013, TI-Kenya embarked on the same study in Busia County in the period under review. The study examined the internal governance and capacity of each of the core county government actors such as the county executive and assembly, and their role in promoting integrity in the county government system. The report was awaiting validation by key county stakeholders by the close of the period under review.

COMMUNICATIONS

The TI-Kenya Twitter Page @Tikenya

TI-Kenya continues to utilise strategic communication tools and strategies to engage the public on corruption. Online media continues to grow worldwide as a key platform to interact with the public on governance issues and other matters of public interest. TI-Kenya's online channels are updated daily with fresh content. TI-Kenya's website recorded 47,367 visits by 35,607 users who viewed 85,858 pages in the reporting period. TI-Kenya's Facebook page grew with 7,683 likes up from 6,219 registered users (likes) in 2014, while the twitter page grew to 1,650 followers from 1,100 in 2014. TI-Kenya's tweets in that period have been viewed 301.9K times. TI-Kenya's newsletter mailing list had 1,398 subscribers who received TI-Kenya's monthly newsletter by the close of the reporting period.

By writing and publishing reports and articles on key programmatic areas online, TI-Kenya has greatly contributed to a body of knowledge and is therefore appearing more on the first page of online search engines. Key searches in relation to Kenya such as access to information, whistleblower, bribery, corruption, bring up TI-Kenya as an important source of imformation.

TI-Kenya published seven editions of the Adili newsletter focusing on the following topics: access to information, devolution, the East Africa Bribery Index and Corruption Perceptions Index, whistleblower protection, civilian oversight, land governance and budget oversight. Materials published in the Adili newsletter were also published in the TI-Kenya blog page while each edition was sent as an e-newsletter to over 1,300 subscribers on TI-Kenya's mailing list. 7,000 copies of the newsletter were published in hard copy and 1,247 PDF copies downloaded from the website in the review period.

TI-Kenya continues to engage the media proactively and is highly regarded as a key authority in anti-corruption issues and as a result received numerous requests for media interviews and appearances in all the major national TV and radio stations.

TI-Kenya Executive Director,
Samuel Kimeu during a television interview.

Information from TI-Kenya press statements, surveys and indices are widely quoted by local and international media.

A five week radio campaign on whistleblower advocacy was conducted in April and May 2015 with an estimated 550,000 people reached weekly through the talk shows broadcast. TI-Kenya also had articles published monthly in the opinion pages of all the national newspapers including the Daily Nation, The Standard, Business Daily, The Star and People. Issues covered included whistleblower protection, EACC (Amendment) Act, lifestyle audits, 'Chicken-gate' scandal that implicated some officials of the Independent Electoral and Boundaries Commission, and recommended action after the publication of names of 175 public officials and high level individuals suspected of corruption among other issues.

MONITORING AND EVALUATION

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

The M&E unit recorded the following achievements in the period under review:

In an effort to mainstream the M&E function within various programmes in the organisation, staff trainings on basic M&E concepts and implementation tracking were conducted. Capacity building was also conducted through mentorship and coaching.

The department carried out various project baseline surveys for new projects and conducted evaluations for continuing projects and those that were closing. The data from these surveys was key in resetting project indicators.

A Value for Money (VfM) strategy was also developed for the education governance project.

LESSONS LEARNED

1. Applying participatory methodologies in in programme implementation has proven successful and more efficient in ensuring that projects are impactful due to the diverse views, capacities and buy-in by different stakeholders; for instance the Whistle Blower Protection Bill was developed through the engagement of various stakeholders at different stages.

2. Developing effective and mutually beneficial partnerships with like-minded stakeholders and duty bearers is critical. These partnerships can be harnessed in strengthening project implementation like in the case of the 'Uwajibikaji Pamoja' project and in building the capacity of TI-Kenya.

3. Enhancing accccountibility through the use of technology is strategic. 'Uwajibikaji Pamoja', has gained both regional and global level recognition for the use of technology in enhancing accountability to citizens and faciliating the reporting of corruption cases.

4. Engaging the media continously and proactively by pitching story ideas is important to maintain visibility and public debate.
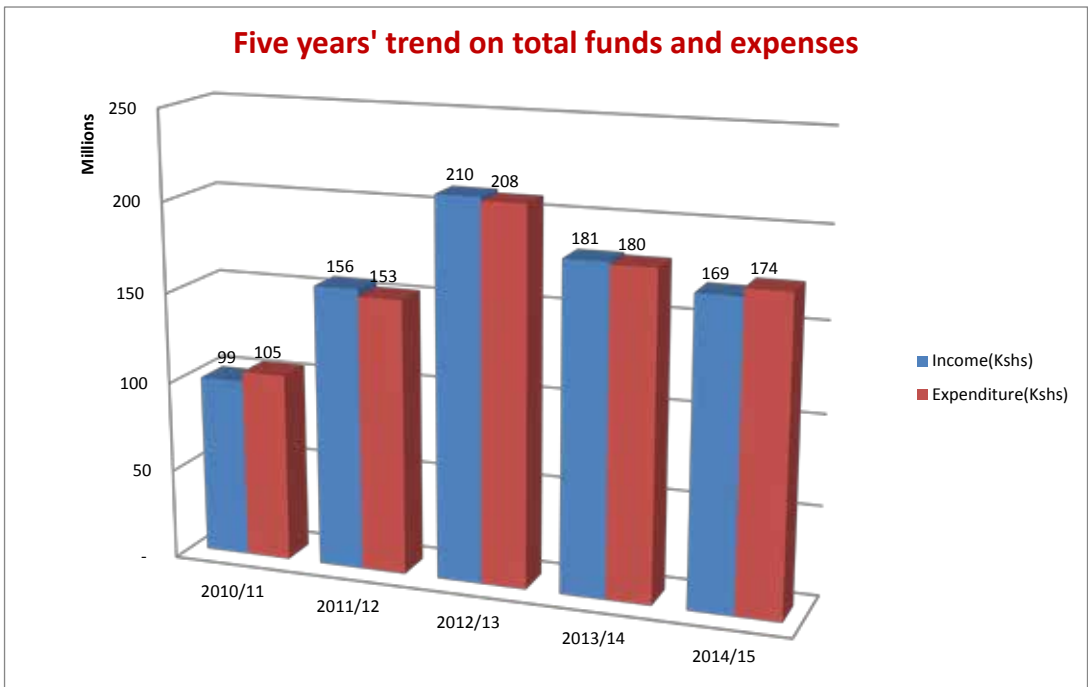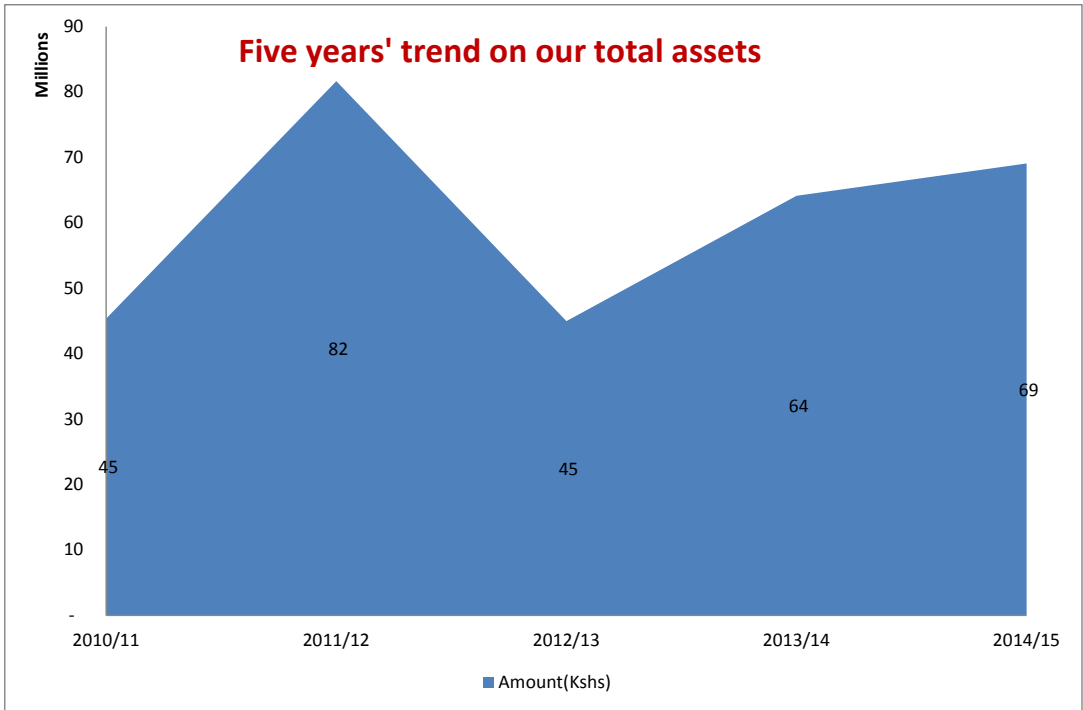
CHALLENGES

1. The bureaucratic processes involved in engaging some government departments slowed down the implementation of some projects.

2. Lack of cooperation from targeted county governments led to a delay in the implementation of the pharmaceutical procurement projects in Uasin Gishu and Trans Nzoia counties hence the shifting of both projects to Elgeyo Marakwet which was accommodative.

3. The security situation in Wajir deteriorated leading to slow project implementation in that county as TI-Kenya staff were unable to travel to the county although partner organisations were engaged to support the running interventions.

4. While TI-Kenya managed to mobilise resources to support some projects it was still unable to raise resources to cover all the interventions planned for 2014/2015. But despite the resource constraints many initiatives were conducted in collaboration with other stakeholders through coalitions and networks.

FINANCIAL PERFORMANCE ANALYSIS FOR THE FINANCIAL YEAR ENDED 30TH SEPTEMBER 2015

Our Donors

Donor Partner	Amount(Kshs)
The Embassy of The Kingdom of Netherlands	57,886,055
Department for International Development	24,361,031
United States Agency for International Development	1,481,226
Food and Agriculture Organization - IGAD	2,260,806
TI-Secretariat	11,420,183
The Embassy of Belgium	3,954,422
African Development Bank	9,054,865
HIVOS	11,519,387
Other Income	2,974,530
GIZ	11,237,378
The Embassy of Finland	12,748,870
Oxfam	5,754,269
URAIA	3,467,650
Fojo Media Institute	2,042,154
Diakonia	423,669
National Drought Management Authority	8,515,705
Total	**169,102,201**

Who funded us?(Kshs)

Fojo Media Institute 1%, Diakonia 0%, NDMA 5%, Oxfam 3%, URAIA 2%, Embassy of Finland 8%, GIZ 7%, Other income 2%, HIVOS 7%, ADB 5%, TI-Secretariat 7%, Embassy of Belgium 2%, FAO IGAD 1%, USAID 1%, Embassy of The Kingdom of Netherlands 34%, DFID 14%

How the funds were applied (Kshs)

Category	Millions
Direct programmes	88
Direct programme staff costs	51
Indirect support staff costs	20
Other administration expenses	14

Five years' trend on our total assets

Five years' trend on total funds and expenses