



TRANSPARENCY
INTERNATIONAL
KENYA

FIGHTING
CORRUPTION

FOREWORD

For 20 years, Transparency International Kenya has been at the forefront of promoting integrity in Kenya. Within this period, corruption which was considered a taboo subject during TI-Kenya's early days and only discussed in hushed tones, has become the number one issue in the country; now on every Kenyan's lips, including public officials who vow to tackle it. We pride ourselves in having defied the silence to mobilise citizens, the public sector and the business community to not only recognise corruption as a burning issue but to also speak openly against it.


The fight against corruption is far from won. But it is not all gloom. Despite the challenges faced, the environment for fighting corruption in Kenya has improved. We have robust constitutional and legal frameworks for the fight against corruption. As TI-Kenya, we are proud to have been at the forefront of putting these in place. What remains is to build on this legal foundation to bring to an end the impunity that still prevails for the corrupt. As we mark our 20th anniversary, we have reflected on our milestone moments that are presented in this booklet. It is indeed a great opportunity to look back at our journey of the past 20 years and shape our direction for the next 20.

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1999

No. C. 84486



CERTIFICATE OF INCORPORATION

I hereby Certify, that—

TRANSPARENCY INTERNATIONAL KENYA

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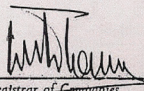
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is this day Incorporated under the Companies Act (Cap. 486) and that the Company is LIMITED. BY GUARANTEE.

Given under my hand at Nairobi this FOURTEENTH day

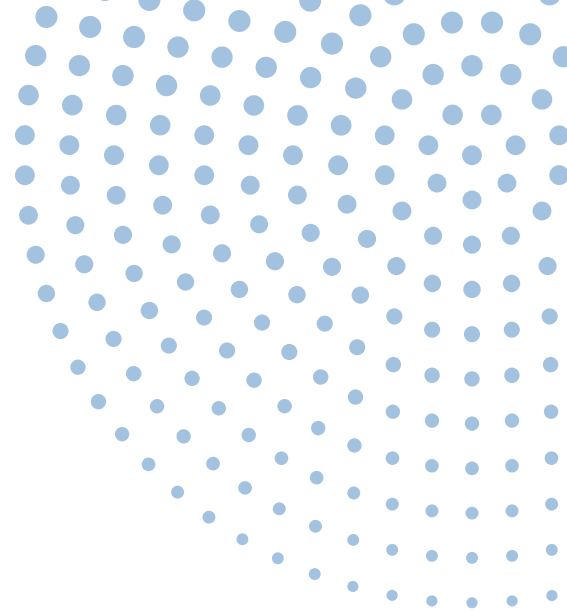
of FEBRUARY One Thousand Nine Hundred and NINETY NINE

.....


Snr. Dy. Registrar of Companies

CPK 540-100-397-1E(SU18)

TI-Kenya's certificate of incorporation is issued on **February 14th 1999**. An unfavorable political climate delayed TI-Kenya's registration by five years.





Transparency International Kenya has been a worthy partner and a twin-brother to African Parliamentarians Against Corruption Kenya (APNAC K) since 1999. APNAC Kenya has benefited from among other things expert advice on matters anti-corruption, supporting APNAC Kenya Anti-corruption initiatives and hosting APNAC Kenya's first secretariat until recently when APNAC Kenya shifted its secretariat to Parliament.

**Hon. Shakeel Shabbir, MP, CBS,
APNAC-Kenya Chairman**

2001

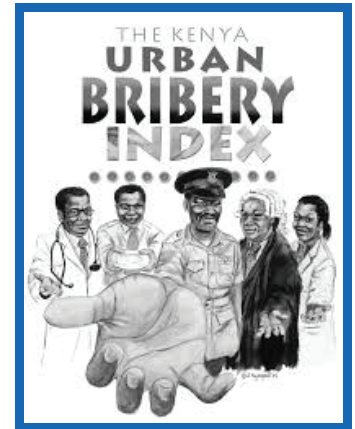
The African Parliamentarians Network against Corruption (APNAC) Kenya chapter, a forum for African MPs committed to fighting corruption is formed in February 2001. The formation of the Kenyan chapter followed APNAC's conception during the 'Regional Seminar on Parliament and Good Governance: Towards a New Agenda for Controlling Corruption in Africa', held in Kampala, Uganda, in early February 1999. The APNAC Kenya chapter was initiated by then Member of Parliament for Webuye Constituency, Hon. Musikari Kumbo who had previously chaired the Parliamentary Anti-Corruption Select Committee established in 1998 to study corruption and its effects in Kenya. The APNAC Kenya founder

members approached TI-Kenya for support upon its formation. TI-Kenya thus provided the APNAC Kenya Chapter with institutional support comprising technical and secretariat services from its inception until 2018 but continues to provide technical support to date. APNAC-Kenya is now housed at the National Assembly and chaired by Hon. Shakeel Shabbir, the Member of Parliament for Kisumu East. APNAC Kenya has over the years provided Parliamentarians with an opportunity to share information, lessons, experiences and strategies on how to strengthen Parliaments' role in the fight against corruption and contributed to various anti-corruption legislations.

As the first intern at TI-Kenya in 2001 and thereafter a Research Officer from 2002 to 2006, I learnt the rigours of anti-corruption and governance research, advocacy and communication under the tutelage of people like John Githongo, Mwalimu Mati, Gladwell Otieno, Dr. David Ndi, Anne Waiguru, Njonjo Mue, Wachira Maina, Dr. Tom Wolf and Prof. Karuti Kanyinga. This shaped my governance philosophy, my political values and provided a strong foundation for my professional career. TI-Kenya's global community also provided lessons, best practice and encouragement in this work that sometimes didn't auger well with government. Transparency International will forever remain the global brand for shaping our thinking and actions on corruption and good governance.

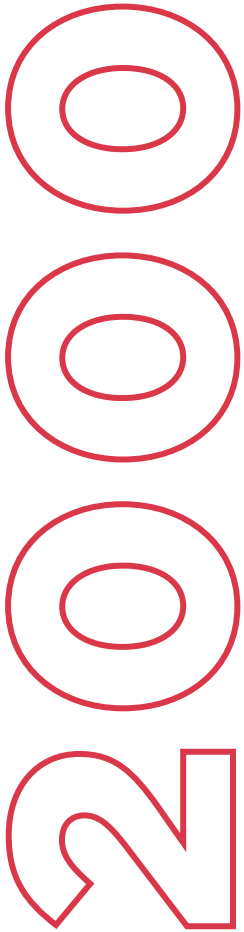
**Con Osendo Omore, DFID
Governance Adviser.**

2001



TI-Kenya publishes the first edition of the Kenya Urban Bribery Index. Based on a survey in which ordinary Kenyans report their daily encounters with corruption - who they bribe, how much, and for what, the study was part of TI-Kenya's effort to inform anti-corruption initiatives with objective, rigorous research. It went beyond perceptions of corruption to provide benchmarks of

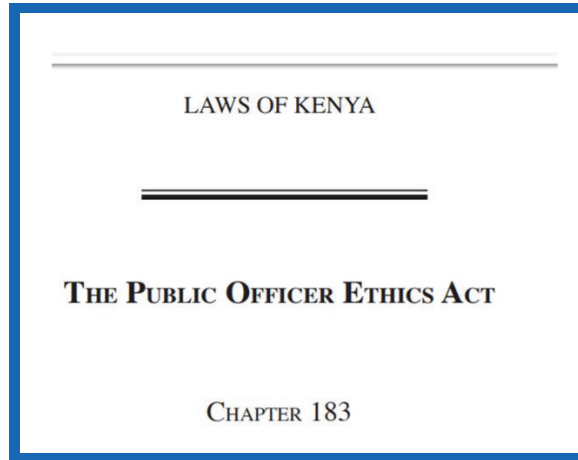
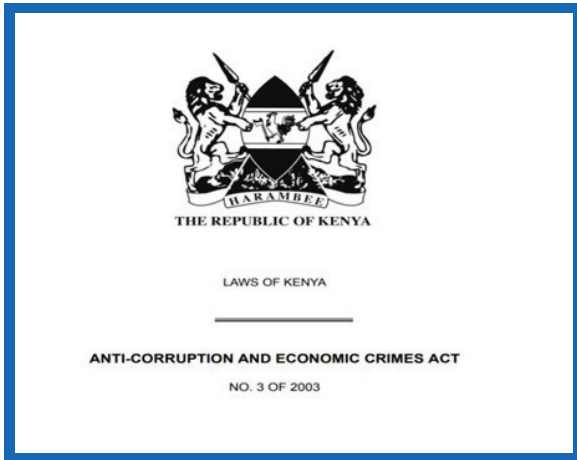
integrity based on the actual incidence of corruption. The survey was used to estimate the magnitude, incidence and direct financial cost of bribery to produce the Kenya Urban Bribery Index (KUBI) - a league table of the incidence of bribery. The survey was conducted in Nairobi, Mombasa, Kisumu, Eldoret, Nyeri and Machakos. It later became the Kenya Bribery Index covering all the former eight provinces of Kenya.



The consistency and professionalism exhibited by TI-Kenya in its work and interventions especially on transparency and access to information as a way of enhancing citizen participation in governance is admirable

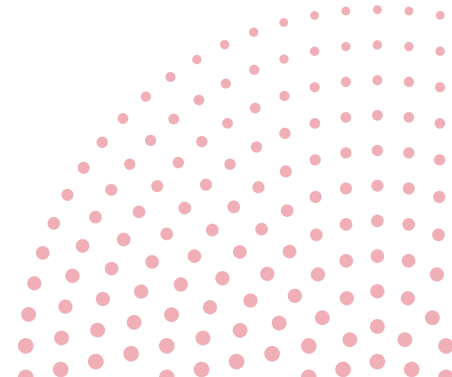
Victor Bwire, Head, Media Development and Strategy, Media Council of Kenya

TI-Kenya supports advocacy efforts for an Access to Information law in Kenya, and becomes part of the Freedom of Information Network, comprising likeminded civil society organisations, that pushed for the law for more than 15 years. APNAC Kenya plays a central role in the enactment of the law. TI-Kenya remained on the frontline of advocacy for the law targeting various parliamentary committees and caucuses, government agencies, independent commissions and the public through the media and outreach forums. In August 2016, the Access to Information Bill was signed into law heralding a new dawn of transparency in Kenya. The law articulates the processes through which citizens can request for information from public entities and relevant private bodies, and penalises the withholding of public information. TI-Kenya is now monitoring the implementation of the law and has been involved in the drafting of the regulations.



2003

Critical anti-corruption legislation enacted including the Anti-Corruption and Economic Crimes Act (ACECA) and the Public Officer Ethics Act (POEA) with TI-Kenya giving input on the proposed provisions and APNAC Kenya pushing them through Parliament.

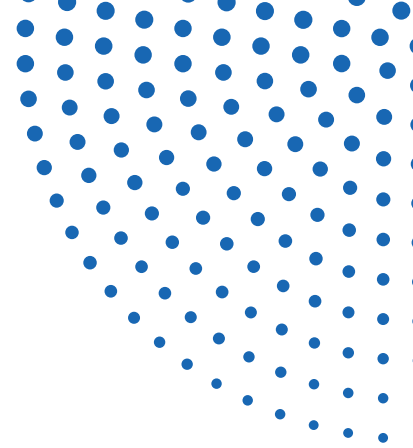


2007



The Political Parties' Act is enacted coming into force on 1st July, 2008. This ensured a legal framework for the registration, regulation, management and funding of political parties thus enhancing political transparency and accountability. To ensure that the Act is implemented TI-Kenya partnered with the Kenya Law Reform Commission, Institute for Education in

Democracy and the Registrar of Political Parties, and held several forums during which the Political Parties Regulations 2007 were drafted to guide the implementation of the law. The process also led to formation of a coalition of 15 organisations to press for the strengthening of integrity systems in political parties.



2009

TI-Kenya's first civic engagement programme, Citizen Demand, is formed to empower citizens to actively engage with public service delivery institutions and the private sector to enhance accountability and effective services.

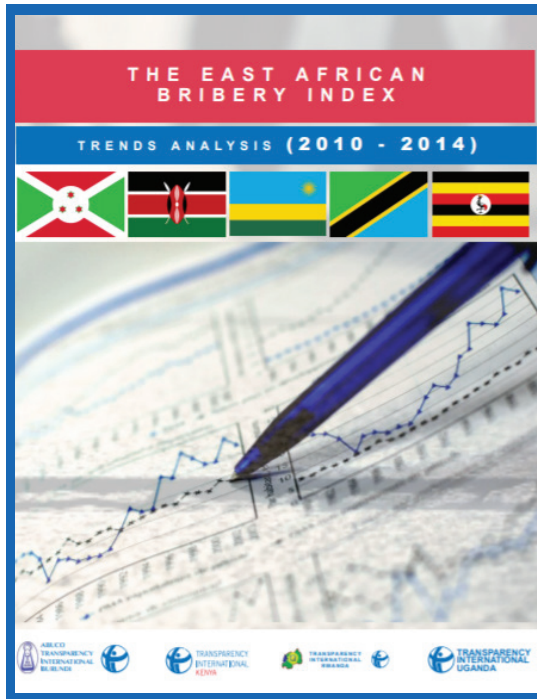


2009



The first Advocacy and Legal Advice Centre (ALAC) set up in Mombasa in June 2009, and in Eldoret later in the same month, extending TI-Kenya's work to the Coast and North Rift regions. ALAC is a tool that the Transparency International movement has used since 2008 to empower victims and witnesses of corruption to stand up against the vice. The ALAC is a walk-in or call-in centre where citizens can obtain free, quality and confidential legal advice on corruption cases. Over 25,000 people have been given legal advice on corruption by the ALACs in Kenya, through walk-in visits to the ALAC offices, legal aid clinics, a toll-free line and SMS.

2009



Corruption not only leads to misuse of public funds for private gain but it also severely undermines the social contract between the state and citizens. The work of TI-Kenya is therefore paramount to ensure citizen agency in asking accountability on public financial management from duty bearers.

Sandra Kidwingira, Program Manager-Africa Economic Justice (AEJ), Diakonia Africa Regional Office

The Kenya Bribery Index is extended to Uganda and Tanzania making it the East African Bribery Index. Rwanda and Burundi were included in the Index in 2010.



2010

TI-Kenya opens an Advocacy and Legal Advice Centre in Nairobi.

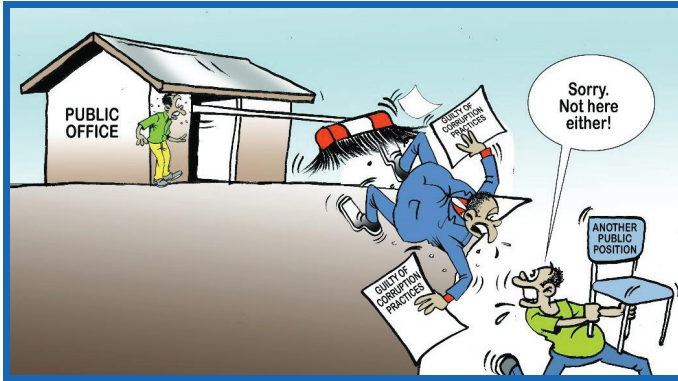
2010



The Constitution of Kenya, 2010 is promulgated in August 2010 replacing the 1963 Independence Constitution. The promulgation of a new Constitution followed intensified advocacy for a comprehensive review of the Constitution, spanning more than 20 years, with TI-Kenya at the forefront of demands for the inclusion of strong provisions on leadership, integrity, and values as well as the protection and independence of oversight institutions. TI-Kenya developed and published constitutional minimums to safeguard transparency and accountability outlining key provisions that the Constitution required to anchor the fight against corruption. TI-Kenya thus contributed towards

the development of Chapter Six of the Constitution on Leadership and Integrity, which lays down the principles upon which State Officers should conduct themselves to ensure that those entrusted with the management of public affairs and resources are persons of good character, probity and uprightness. TI-Kenya's advocacy also contributed towards Article 35 on the right to information under Chapter Four on the Bill of Rights. APNAC Kenya strikes a blow for integrity by ensuring an independent commission on ethics and integrity is not dropped from the Constitution.

2012



The Leadership and Integrity Act (LIA) is passed, giving effect to, and establishing procedures and mechanisms for the effective administration of Chapter Six of the Constitution; and to promote ethics, integrity and servant leadership among State Officers. TI-Kenya and APNAC Kenya are part of the team that developed the law.

Over the years, TI-Kenya has partnered and worked closely with the National Anti-Corruption Campaign Steering Committee (NACCSC), particularly in the media campaigns, Integrated Public Complaints Referral Mechanism and training sessions to create awareness against corruption. We have found it dependable and committed to the fight, with an amazing deep understanding of corruption and unmatched innovative strategies, making it one of the organisations that effectively fight corruption in Kenya, please keep it up. NACCSC will be eternally grateful and looks forward to continued partnership

David Gathii, Acting Director, National Anti-Corruption Campaign Steering Committee

2012



TRANSPARENCY
INTERNATIONAL
KENYA

ADVOCACY & LEGAL ADVISORY CENTRE

ALAC IS A WALK-IN, CALL-IN OR MAIL-IN CENTRE WHERE A
CITIZEN CAN GET FREE & CONFIDENTIAL ADVICE ON
CORRUPTION RELATED CASES

CALL TOLL-FREE 0800 720 721 OR SMS 22129

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facebook.com/TransparencyKenya

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TI-Kenya launches a toll free anti-corruption hotline and SMS in December 2012 to help Kenyans report corruption to the Advocacy and Legal Advice Centres.

2012



TI-Kenya sets up Integrity Clubs, with the first chapters rolled out in Nakuru, Uasin Gishu, Mombasa and Nairobi, and more rolled out in Kisumu, Kwale and Trans Nzoia in 2013 leading to a total of 103 clubs. The clubs seek to engage students in primary and secondary schools in ethical and integrity learning through various co-curriculum activities such as art and essay writing, sports, drama, community service among others. The Integrity Clubs have contributed to improved discipline and leadership among the learners with several club members being elected as student leaders.



Through sensitising members of the community by TI-Kenya, people are now more knowledgeable about their rights and can now hold their leaders accountable especially on issues around medical commodities in public health facilities. Politicians (MCAs) are currently involving the public in planning and prioritising development plans on health matters

William Kendagor, County Director of Public Health, Elgeyo Marakwet County



2012

The High Court orders the Kenya Revenue Authority (KRA) to collect taxes from Members of Parliament. Prior to the promulgation of the Constitution in 2010, only a small portion of Kenyan parliamentarians' remuneration attracted tax. However, the new Constitution changed this. Despite this, the legislators continued to enjoy this privilege against the provisions of the 2010 Constitution. Civil society organisations went to court to challenge this state of affairs with TI-Kenya enjoined as an interested party in the petition challenging the failure by Members of Parliament to pay tax.

2013



TI-Kenya opens an Advocacy and Legal Advice Centre in Kisumu to serve the Western Kenya region, extending TI-Kenya interventions to Kisumu, Siaya, Kakamega, Busia and Bungoma counties.

2013

The Campaign Finance Law is enacted in 2013. TI-Kenya had been involved in advocacy of a campaign financing legislation following challenges observed in political party financing such as the use of funding from corrupt sources, abuse of state resources for partisan political purposes and acceptance of support in exchange for unauthorised favors or promise of favours upon election to office. TI-Kenya thus supported and participated in stakeholder forums involving government agencies and the civil society and position papers. TI-Kenya also wrote to the Independent Electoral and Boundaries Review Commission (IEBC) reminding it of its unfettered constitutional mandate to regulate campaign financing. 90% of TI-Kenya's recommendations to the draft Campaign Finance Bill were taken up although some gaps still existed necessitating TI-Kenya to embark on advocacy for requisite amendments. TI-Kenya therefore drafted an amendment bill in 2018 and is currently engaging stakeholders to push for the requisite reforms.



2015

An Anti-Corruption and Economic Crimes Division in the High Court is established. TI-Kenya had proposed the establishment of dedicated anti-corruption courts to a Taskforce on the Review of the Legal, Policy and Institutional Framework for Fighting Corruption in Kenya and the Judiciary. Consequently, the Judiciary established the division and gazetted anti-corruption court magistrates to expedite corruption cases.



2017

**YOU HAVE BEEN
REDCARDED
IN THE INTEREST
OF THE PUBLIC**

PRODUCED IN THE PUBLIC INTEREST
Chapter Six: an Ethical Standard for all Accountants to serve Public Office

The years 2014-2017 will always remain vivid for me. Transparency International-Kenya was a solid partner in our attempts to expose health-based procurement fraud, stop school playground grabbing and hold the political class accountable to Chapter Six on Leadership and Integrity of the Constitution. Our joint work at Shule Yangu and National Integrity Alliance was unequivocal, edgy and courageous. We thank you for the opportunity to served Kenya alongside you

**Irungu Houghton, on behalf of former colleagues at the
Chapter One Kenya/Society for International Development**

The #RedCard Campaign is rolled out in April 2017 to challenge the re-election of leaders who had fallen short of the ethical standards for leadership as articulated in the Constitution of Kenya. Launched in the lead up to the general elections, the 90-day campaign was initiated by four CSOs working under the auspices of the National Integrity Alliance (NIA) namely Society for International Development/Chapter One Kenya, Mzalendo Trust, Ni Sisi Trust and Transparency International-Kenya. 20

individuals were listed as unfit to vie for public office based on the tenets of Chapter Six of the Constitution on Leadership and Integrity. The list, popularly known as the #RedCard20 was based on solid documentation based on reports in the public domain namely the Auditor General's and Parliamentary reports. Leadership integrity became an issue of public interest for the first time in the history of Kenyan elections.

2017

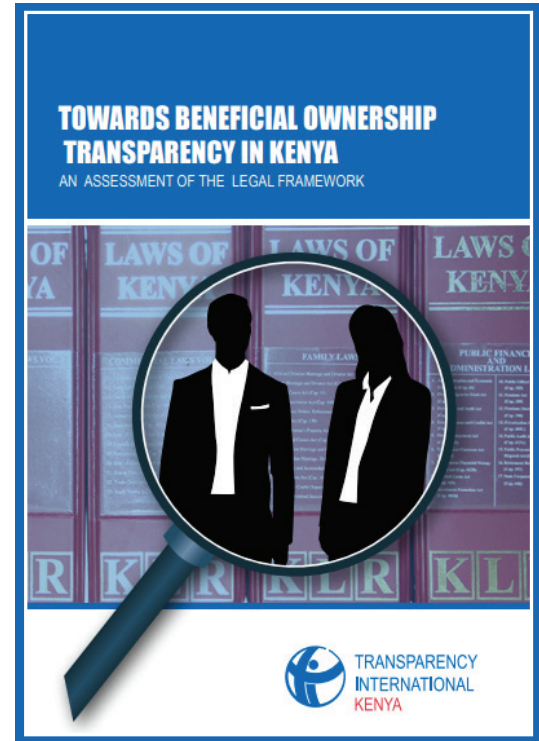


The Action for Transparency (A4T) App is launched in May 2017. The App collects and publishes information on budgets, disbursements and expenditure in public primary schools and health centres in Nairobi. In addition to collating and making public information easily accessible, the App enables citizens to anonymously report suspected cases of corruption. Journalists and civil society organisations can then use this information to reveal corruption or misuse of funds and push the government to take action. To date, the App has been downloaded 1,000 times with 100 cases reported through the App channelled to mandated institutions for action.



2017

TI-Kenya successfully advocates for the inclusion of provisions on beneficial ownership in the Companies (Amendment) Act, 2017. TI-Kenya had embarked on an intervention on beneficial ownership transparency to establish public beneficial ownership registers, following a commitment made by Kenya at the UK Anti-Corruption Summit in 2016. These included the definition of a beneficial owner and requirements to disclose pertinent details of beneficial owners of private companies. TI-Kenya is now advocating for full implementation of the provisions.



2017

The inaugural Integrity Walk is held on International Anti-Corruption Day commemorated on 9th December 2017 in Nairobi, Kisumu, Eldoret and Mombasa.




2018

F

There has been no other single civil society organisation that has been singularly focused on transparency both nationally and internationally than TI. In Kenya, the chapter has been more than forthright in forging the national consciousness in accountability. Joyous 20th Anniversary

**Edward Ouko, Auditor
General, Kenya**



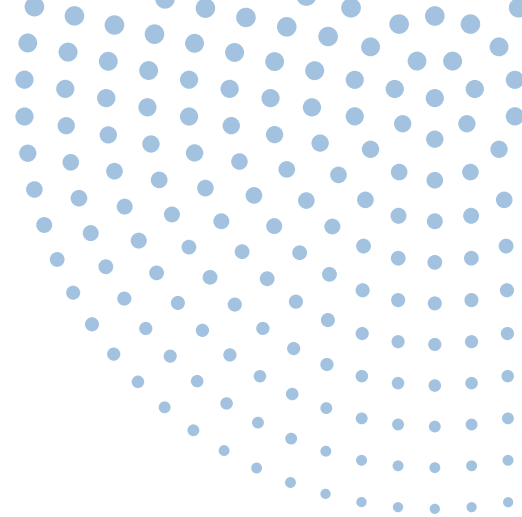
A TI-Kenya petition challenging the constitutionality of certain amendments of the Public Audit Act 2015 enacted by Parliament is upheld by the High Court. TI-Kenya had filed the case to oppose amendments as they undermined the independence of the Auditor General. Most of the clauses TI-Kenya had challenged were duly declared unconstitutional in the judgment delivered in February 2018.

2019

TI - Kenya turns 20!



2019



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24/7 to get assistance on corruption related cases