SEE KENYA THROUGH PROUD EYES
SAY NO TO CORRUPTION

Republic of Kenya

THE NATIONAL ANTI-CORRUPTION CAMPAIGN STEERING COMMITTEE

Progress Report

to the

Patron:

His Excellency Hon. Mwai Kibaki, C.G.H., M.P.,

President and Commander-in-Chief of the Armed Forces of the Republic of Kenya

AUGUST, 2005—AUGUST, 2006

BY THE GOVERNMENT PRINTER, NAIROBI

THE NATIONAL ANTI-CORRUPTION CAMPAIGN STEERING COMMITTEE

Progress Report

to the

Patron:

His Excellency Hon. Mwai Kibaki, C.G.H., M.P.,
President and Commander-in-Chief of the Armed Forces of the Republic of Kenya

AUGUST, 2005—AUGUST, 2006

INTRODUCTION

This is the National Anti-Corruption Campaign Steering Committee's Progress Report to the Patron, H.E. Hon. Mwai Kibaki, C.G.H., M.P., President and Commander-in-Chief of the Armed Forces of the Republic of Kenya. The Kenya Gazette Notice No. 4124 of 28th May, 2004 through which the National Anti-Corruption Campaign Steering Committee was formed, requires that a quarterly report be submitted to the President. The report covers the progress of the programmatic interventions as well as the district fact-finding and dialogue encounters with Public Servants and Civil Society Groups. This report covers the period from August, 2005 through August, 2006.

ACKNOWLEDGEMENTS

The National Anti-Corruption Campaign wishes to acknowledge the continued support from the members of the Steering Committee, the Government of Kenya for funding from the Exchequer, and the entire staff of NACCSC.

Similarly we wish to thank most sincerely the NACCSC staff for production of their respective unit reports. Appreciation goes to the Committee members for assisting with compilation of reports from the districts. Thank you to Rev. and Mrs. Ibrahim Omondi who were the technical editors for this report. We are also grateful for continued funding support from partners and the support of other Anti-Corruption bodies in Kenya for information, experience sharing and solidarity.

The NACCSC further wishes to acknowledge the current and former Ministers for Justice and Constitutional Affairs, the Permanent Secretary Ministry of Justice AND Constitutional Affairs and the Permanent Secretary for Provincial Administration for their support to this work.

Utmost appreciation goes to all the Provincial and District Administration, Heads of Departments, and Civil Society leaders for participation in our meetings and forums. It is hoped and believed that your contributions will lead to great progress in the fight against corruption in Kenya.

TABLE OF CONTENTS

ABBREVIATIONS

AIDS	Acquired Immune Deficiency Syndrome
AIE	Authority to Incur Expenditure
ASK	Agricultural Society of Kenya
CBO	Community Based Organisation
CDF	Constituency Development Fund
DC	District Commissioner
DEO	District Education Officer
DO	District Officer
DPM	Directorate of Personnel Management
ECK	Electoral Commission of Kenya
FBO	Faith Based Organisation
FGM	Female Genital Mutilation
GJLOS	Governance Justice Law and Order Sector
GoK	Government of Kenya
HIV	Human Immune-deficiency Virus
IEC	Information Education and Communication
KACC	Kenya Anti-Corruption Commission
KANU	Kenya African National Union
KAB	Knowledge, Attitude and Behaviour
KBS	Kenya Bureau of Statistics
KNA	Kenya News Agency
KRA	Kenya Revenue Authority
LATF	Local Authority Transfer Fund
MP	Member of Parliament
NACCSC	National Anti-Corruption Campaign Steering Committee
NEMA	National Environmental Management Agency
NGO	Non-Governmental Organisation
OECD	Organisation for Security and Economic Cooperation
PC	Provincial Commissioner
TSC	Teachers' Service Commission

THE CHAIRMAN'S MESSAGE

Corruption has existed with humanity for a number of years. It is a global problem. It is dynamic and continues to manifest itself in different ways in different parts of the world. Similarly, its effects in fragile economies such as ours are without any doubt extremely serious. Corruption affects politics, culture and our human dignity. In other words corruption robs us all!

Our mission as the National Anti-Corruption Campaign Steering Committee is to create public awareness on all aspects of corruption. NACCSC seeks to change the attitudes of Kenyans towards the vice. To achieve this mission, the Steering Committee developed a 5-year strategic plan, which seeks to harness the co-operative efforts of all the sectors and all the members of our society.

There are many reasons why societies the world over continue to fight corruption. The effects of corruption on the economy are now well documented. Across the spectrum of our economic life corruption operates like a tax. It leads to increased cost of doing business, since bribes are worked into the price of goods and services. Resources are diverted from interventions that could alleviate poverty to large capital expenditure projects, providing indescribable wealth to thieves and criminals at our expense. Put simply, this must stop.

It is instructive that Kenyans understand that corruption does more than make us materially poor, deplorable as this is. Corruption creeps under the skin of our moral firmament, eating away at what we value most. It invites us to be part of evil, either as actors or bystanders. What is more, it changes our view of ourselves and in turn how others view us. Until recently, for example, it was common practice in the West to treat bribes given by Western companies to individuals in the developing world as tax-deductible expenditure. But the OECD Convention against Bribery in International Business Transactions and the United Nations Convention against Corruption are beginning to redress the view that corruption is part of the business culture in the South. This illustrates the extent to which the

world had begun to relate to us – as people living on the fringes and outskirts of mankind's moral universe and sphere of dignity.

We therefore fight corruption not just because of the things it takes away from us – such as resources, livelihoods, and freedom – but for what it takes us to be: people lacking in values, dignity, esteem, self-worth and regard for our fellow Kenyans. This is not to say that there is something uniquely genetic about corruption in our part of the world. Instances of corruption are to be found wherever human beings dwell. But corruption thrives more where there is lack of freedom, lack of accountability, where information is scarce and where inequality is widespread. The government as the custodian of our collective interests has the primary duty and responsibility to address structural challenges that enhance corruption.

In regard to freedom, we need to accept the caution that freedom must be exercised responsibly. In particular, we urge the media to observe the fundamental tenets of professionalism, fairness and natural justice as they carry out their work. Equally, we urge the Government to protect our freedoms. It is better to err on the side of restraint and vulnerability that to be seen to err on the side of intolerance and brinkmanship. Let us respect and uphold the rule of law. The Government has a responsibility to ensure that the policy, administrative, legal and institutional frameworks established to combat corruption work well. We do recognise that recent developments signal a new and energetic resolve on the part of Your Excellency's Government to fight corruption. We urge you and your Government to remain steadfast in this course.

On their part, members of the public must become part of the solution to this problem. Political will is just one strand of the double helix that is necessary to keep the fight against corruption alive and robust. Public support is the other. The public has several roles in this fight, including: making the fight against corruption a public as well as a private cause, refusing to provide iniquitous solidarity to

corrupt leaders, and developing a national ethic based on honesty, industry and intolerance of corruption.

Citizens must desist from paying bribes for services that are rightfully owed to them. Understandably, many of the petty bribes that members of the public routinely pay are coerced from them by public officials. Nevertheless, if we do not make a stand against corruption, then we shall be conceding the proverbial inch that yields into a mile and inevitably the whole territory.

It has become politically fashionable in this country for individuals who are suspected of corruption to appeal for the support of their respective ethnic communities under the strange claim that the community in question is under attack. This is a hollow call. We should firmly reject it. Why is this invocation of ethnic protection only made with regard to theft of public resources, but not with regard to similar heinous crimes such as murder, robbery, and so on? The public should guard against being drawn into the criminal culpability of individuals even if these individuals are community leaders.

Connected to this ruse is a subject that our Committee continues to address, namely, the glorification of ill-gotten wealth. We have witnessed in this country the raising of wealthy individuals into iconic status, yet, the wealth being celebrated was acquired through means outside our known experience. Such individuals are held by some sections of our society as role models and are often elected to positions of authority to garnish their respectability. This is a tendency we should guard against. It makes popular the fallacy that in the pursuit of wealth, the end justifies the means.

We also believe that it is the duty of the public to protest, complain and campaign against corruption. The growing democratic space provides them with an opportunity to do this. It would be appropriate to request that certain legal changes be made to support the hand of the public in the fight against corruption.

In particular, we recommend the enactment of a Freedom of Information Law so as to create a more open Government and to protect those who 'blow the whistle' on corrupt acts. Further, the Government should develop an accessible framework that allows ordinary members of the public to track and monitor the use of funds allocated to districts and constituencies, as we have found this to be an area of great public frustration.

We further recommend that all possible measures be taken to isolate and drain corruption out of our politics. We say this because corruption and politics in Kenya are intricately intertwined.

The Government should enact a law to facilitate the funding of political parties from the Exchequer. This will ensure that the political parties operate openly and accountably. This will also reduce their reliance on corruptly obtained monies to fund their activities.

One of NACCSC's core mandates is to raise a wave of public anti-apathy against corruption as well as forge links between Government efforts and the public. In this regard our Committee will continue to carry out research activities, implement public awareness programmes, lobby specific policy focal points, and build links with stakeholders, partners and key collaborating institutions. We shall endeavour to discharge these mandates responsibly, fairly and to the best of our abilities.

We are aware that in executing these mandates we shall face difficulties, challenges and distractions. This is inevitable since corruption is a complex and deeply rooted phenomenon in our society. But we, as individuals and as a committee, cannot choose to just stand by or worse, to 'blame society'!

The NACCSC rightly believes that this fight is a fight for our country. And in this fight we need the efforts of all our countrymen and women. It is with this conviction we have as a Committee over and above our desk programmatic

interventions, have taken up critical face-to-face engagements with public officers and representatives of civil society groups in the districts.

These field dialogue encounters have been extremely useful in locating local corruption issues and thinking ahead collectively with members of the public on how to tackle the vice. The levels of awareness and the positive response from the public is so far extremely good. The Committee has so far visited all the provinces in the country in which over sixty districts have been visited. The remaining districts will be covered between now and December 2006.

Let us as a country join together in this national vision of building a new Kenya free of corruption.

Rev. Mutava Musyimi
Chairman, NACCSC

FOREWARD

Politics in Kenya since the late 1980's has been characterized by agitations against bad governance and misrule. However, due to ongoing regional, national and international pressure, the KANU Regime gave in to multiparty demands in 1992. But KANU was able to manipulate the divided opposition and remained in power until the 2002 General Elections when the National Rainbow Coalition took over power.

The 2002 General Elections were fought on many key issues. One of these was corruption, which had gone beyond control with serious consequences such as lack of political performance, accountability, economic performance below 1.5% growth rate, a dilapidating social sector, and unemployment. Yet despite these difficulties, the country had no public educational structures in place to fight corruption.

When the government of the National Rainbow Coalition assumed office in 2003, it adopted the policy of Zero Tolerance to corruption. Consequently, it established a number of institutions and structures to fight corruption. Among these was the National Anti-Corruption Campaign Steering Committee which was established though a special Kenya Gazette Notice No. 4124 of 28th May, 2004. The committee was charged with the primary task of undertaking public education against the culture of corruption in Kenya – with a view to changing citizens' attitudes and behaviour.

As a way of meeting her mandate, objectives and goals, the NACCSC developed a Strategic Plan for the National Anti-Corruption Campaign for the period 2004 to 2008. Key areas covered by the plan include:-

- Opportunities and challenges
- The Vision, Mission, Values and Strategic Objectives
- Impact, outcomes and outputs
- The Strategies
- Monitoring and Evaluation

- Management and Coordination
- Log-Frame Matrix and
- Implementation Plan

Using the above core aspects of the NACCSC Strategic Plan, the Secretariat developed a concept paper, which details communication models to be used during the campaign. These are the open media communication model, the integrated message model, and face to face communication. Similarly, our programmatic interventions for the year 2005 – 2008 have been anchored on the various key components of the adopted Strategic Plan.

The Strategic Plan recognizes that we must cooperate with various existing public civil society anti-corruption bodies, other stakeholders in the private sector and key international organisations. In this regard we work closely with Transparency International (TI) and with the Kenya Anti-Corruption Commission (KACC). While there is much progress in this campaign following its launch by the President on 15th March this year, a number of challenges still face NACCSC, including:-

- Lack of structured coordination among institutions that are fighting corruption in Kenya along with diverse strategies regarding how to fight corruption among stakeholders.
- Negative competition among anti-corruption stakeholders.
- Lack of commitment from members of the public in the fight against corruption, many of whom have adopted a 'wait and see' attitude.
- Lack of adequate resources for the complicated and multi-faceted campaign against corruption.
- Lack of an additional legal framework apart from the said Kenya Gazette Notice, such as an Act of Parliament, that would back the existence of NACCSC.
- The existence of weaker National Anti-Corruption Structures with poor synergy and co-ordination mechanisms.

- Combined political, economic, social and cultural limitations.
- Lack of consistent international will in the fight against corruption.
- Interest groups who are intent on keeping their gains through corruption.

We stand on the side of optimism in the fight against corruption, even though we recognize that the war on corruption is a process that will take a long time to win. Similarly, our fight against corruption is based on the understanding that this fight must be as inclusive as possible, both locally and internationally. Locally, all stakeholders from the public sector, the private sector, and civil society must collectively continue to fight graft particularly in the Government. The role of the media as a tool of social change in the promotion of positive attitude changes will be critical. Furthermore, the media must be accorded the necessary legal freedom to enable them handle effectively corruption reforms in Kenya as well as provide relevant information and continuous empowerment to the citizens through education.

Polycarp Omolo Ochilo
Director,
National Anti-Corruption Campaign Steering Committee

BACKGROUND

The National Anti-Corruption Campaign Steering Committee was established through the Kenya Gazette Notice No. 4124 by H.E. the President of the Republic of Kenya Hon. Mwai Kibaki. It was fundamentally established to undertake public education and awareness creation against corruption. Its other critical aim is to seek to stigmatise corruption in Kenya and to bring into being a nation free from corruption.

Vision

The Vision of NACCSC is a corruption-free Kenya.

Mission

The Mission of NACCSC is to create public awareness on all aspects of corruption, so as to effect fundamental changes in the attitudes of Kenyans towards corruption, by devising and implementing a comprehensive multi-sectoral campaign against corruption.

Core Values

NACCSC's values can be defined as a set of deeply held beliefs that govern and guide the behaviour of the committee members and secretariat staff in meeting the strategic objectives and in dealing with each other and all other players in the implementation of her strategic plan. These are:-

- **Accountability** – accepting responsibility for all actions;
- **Commitment** – giving of self in the pursuit of the strategic objectives;
- **Equity** – the quality of being impartial and fair;
- **Integrity** – soundness and adherence to principles;
- **Justice** – the principle of fairness that like cases should be treated alike;
- **Participation** – the quality of ensuring active involvement;
- **Transparency** – candid, open, frank; the quality of being easy to see through and understand.

Mandate

- Establish a framework for a nationwide campaign against corruption;
- Effect fundamental changes in the attitudes of Kenyans towards corruption;
- Identify strategic stakeholders and develop a mechanism for their effective co-operation and involvement in effecting changes in popular perceptions about corruption;
- Mobilise stakeholders across all sectors and the general public to evolve a strong anti-corruption culture and to participate in the fight against corruption;
- Provide a framework for raising public awareness and advocacy by key stakeholders in public and private institutions and the society in general;
- Develop and conduct programmes creating a strong anti-corruption culture and strengthening the fight against corruption;
- Develop indices for regular monitoring and evaluation of the anti-corruption campaign and publicly report on the progress made in the fight against corruption, attitude change and in building a mature anti-corruption culture;
- Identify and facilitate mobilisation of resources to achieve the goals and objectives of the campaign;
- Carry out such other functions as may be necessary or incidental to the success of the campaign;
- Identify research areas and findings useful to the campaign;
- Implement the research policy on the causes of corruption and the methodologies of delivering the campaign;
- Design materials and methodologies for research and advocacy;
- Implement policies and guidelines on the areas of collaboration and the creation of linkages with strategic partners and stake-holders;
- Liaise with strategic institutions that can work with the steering committee and develop strategic activities to be jointly carried out;
- Implement guidelines for the campaign within the stated framework and perform any other work/duties assigned by the Director.
- Establish a Secretariat to carry out this mandate.

MEMBERS OF THE STEERING COMMITTEE

His Excellency Hon. Mwai Kibaki, President and Commander-in-Chief of the Armed Forces of the Republic of Kenya, appointed the following as members of the Anti-Corruption Campaign Steering Committee.

1. Mutava Musyimi (Rev) - Chairman
2. Rose Arungu-Olende - Acting Vice-Chair
3. Lisa Karanja (Ms)
4. Karuti Kanyinga (Dr)
5. Ahmed Abdallah
6. Rhoda Wanja Thairu (Dr)
7. Lawrence Gikaru
8. Adan Wachu
9. Vincent Wambugu (Rev.Fr)
10. Ibrahim Omondi (Rev)
11. Shashikant K. Raval
12. Francis M. Nganga
13. Hassan Sheikh Ali
14. John Muriithi
15. Kimaiyo arap Sego
16. Kamla Sikand (Mrs)
17. Sophia Lepuchirit (Ms)
18. Bishop Eliud Wabukala
19. Lucas Mboya
20. Dabar Abdi Malim (Dr)
21. Joy Asiema (Mrs)
22. The Permanent Secretary,
    Ministry of Justice and Constitutional Affairs
23. The Director, NACCSC

SOME COMPLETED TASKS BY THE STEERING COMMITTEE AND THE SECRETARIAT

1. Produced NACCSC's Five-Year Strategic Plan for the period 2005 – 2010.
2. Established the Secretariat in collaboration with the Permanent Secretary Ministry of Justice and Constitutional Affairs, Directorate of Personnel Management (DPM) and the Office of the President. This led to the sourcing of seconded staff ministries and the recruitment of the core staff at the Secretariat:-
   - The Director NACCSC
   - The Programme Officer - Finance and Administration
   - The Programme Officer - Research and Advocacy
   - The Programme Officer - Communications
   - The Finance Officer
3. Produced a Legal Handbook on Corruption Concepts and Definitions.
4. Established NACCSC's Resource Centre at the Secretariat.
5. Facilitated the setting up of an interactive website for the Secretariat.
6. Facilitated of the Launch of the Campaign Activities by the Patron, the President, His Excellency Hon. Mwai Kibaki on 2nd March, 2005.
7. Commissioned an advertising agency, Saatchi & Saatchi, to work with the Secretariat.
8. Commissioned the Research Institution, The Strategic Public Relations, to undertake a National Survey on knowledge, attitudes, practices and behavior on corruption.
9. Participated in capacity building workshops on Good Governance and Communication Skills.
10. Participated in the Field Fact Finding and Dialogue Forums in all the eight provinces in Kenya from January to August, 2006. Over 60 districts have so far been visited. The dialogue forums were attended by public servants and members of the civil society.

EXECUTIVE SUMMARY

The Kenyan Gazette Notice No. 4124 spells out the mandate of the National Anti-Corruption Campaign Steering Committee, with a total of seventeen activities listed in the Gazette Notice.

However, the committee's fundamental role is to undertake public education and awareness-creation against corruption. In fulfilling this key function, the committee is expected to seek to stigmatise corruption in Kenya as well as fundamentally change citizens' attitudes toward corruption. Similarly, it is expected that the committee, through its public education and advocacy, will be able to empower a number of stakeholders and institutions on issues of corruption as one way of enhancing the doctrines of transparency and accountability in governance.

The Kenyan Gazette Notice also provides that a quarterly progress report be given to the Patron. It is envisaged that the progress report will provide indicators on the various forms of programmatic interventions against the anticipated results on the war against corruption. The scope of this report covers the periods from 1st August 2005 to 30th August 2006, which translates to four quarters.

Relevance Analysis of the NACCSC

The relevance of the National Anti-Corruption Campaign, public awareness, and advocacy against corruption is linked to the context in which it was formed as part of the overall legal and political reform agenda for Kenya. The NARC government came to power on Zero Tolerance to corruption. It was elected on its promised commitment to fight corruption and restore integrity, economic growth, transparency, and accountability in the management of public affairs.

NACCSC's programmatic interventions are therefore critically aligned with the Government of Kenya Anti-Corruption Policies and Strategies to fight the vice. Creating awareness in the fight against corruption is critically relevant in Kenya today since, before the formation of NACCSC, there was no institution run either

by the public, civil society or the private sector carrying out such a structured public campaign.

Efficiency Analysis

NACCSC has a well-intentioned and broad-based Steering Committee. Its membership is drawn from Public Service, Civil Society Organisations, and Faith based communities. All eight provinces of Kenya are represented. This diversity has given the committee professional strength, national image, and presence.

The mandate of the Committee is both broad and flexible. This enables the committee to deal with advocacy at various levels of the society. Furthermore, the work of the Committee is also facilitated by a few Professional Programme Officers at the Secretariat. The Exchequer provides the bulk of the funds to run the programme, while the rest of the budget is provided by Governance Justice Law and Order Sector (GJLOS).

However, there are a number of structural, professional, and funding weaknesses that need to be taken into account. The Exchequer is the chief source of funding of NACCSC to the tune of Ksh 150 million, with GJLOS providing an additional Ksh 77 million. However, this money cannot fund all the current programmes approved for implementation in the current financial year. Indeed, a number of critical programmes that have been approved for implementation are pending due to financial limitations.

Similarly, the Secretariat is run by a number of seconded staff from other government ministries. This arrangement is wanting, as the loyalty of the staff may be with their parent ministries. On the other hand, the three Programme Officers and the Director cannot fully undertake advocacy of this magnitude as it requires constant professional intervention and holistic implementation at the same time. The increase of professional staff appears mandatory.

Chairman's Message

The Chairman's message in this report discusses the concept of corruption at various levels. He posits that corruption manifests itself nationally and globally, arguing that it is a dynamic process with far reaching social, political, and economic consequences to the citizens of this country. Central to his message is the premise that corruption creeps under the skin of our moral fiber and eats away what we value most, robbing our people of resources, freedom, dignity, esteem, and self worth.

He links the war against corruption to the NACCSC's vision of the realisation of a Kenya free from corruption and its mission of creating awareness on all aspects of corruption.

The Chairman has also looked at the significance of the committee's engagements with the public and civil society groups in a number of districts in Kenya. Invaluable lessons have been recorded from these visits to the field. His message also calls on citizens to play their part in the fight against corruption as an obligation to their country.

Programmatic Interventions

The body of this report discusses the various programmatic interventions undertaken by various Programme Officers, those being:-

1. The Director's Programmes
2. The Combined Directorate Programmes
3. The Finance and Administration Programmes
4. Research and Advocacy
5. Communications
6. Public Relations and Networks

The ongoing Director's programmes include a planned research on the Constituency Development Fund (CDF) as well as two weekly television Programmes:

- Assignment Kenya (1/2 Hour)
- Insights into Corruption (One Hour)

Additionally, a number of combined programmes are planned. These are:

- Traveling Theatre
- Sports Sponsorship
- Establishment of Networks with a number of stakeholders such as schools, universities, and faith-based communities
- Moot Court Drama Soap Opera
- Television Kiswahili Drama Soap Opera

The Finance Administration is undertaking a programme on resource mobilisation and a Musical Road Show with circuit musicians and religious organisations.

A number of research programmes have also been lined up. These will include a comparative study on Best Practices and the operation of Civilian Oversight Committees, the Integrity Torch Run, and the production of advocacy materials based on research findings.

The Communication unit will continue with campaign branding and positioning, the production and airing of vernacular radio programmes, communication audits, production of a newsletter "*The Spider's Web*", media engagement that includes media training, and the establishment of the Association for Journalists Against Corruption.

The Public Relations through the office of the Director plans to produce a video and photo documentary, establish networks with district and provincial information officers, establish sports networks and faith-based networks and participate in Agricultural Shows in Kenya.

Districts Field Fact-finding Visits and Dialogue Encounters

The last section of this report covers details of our national field fact-finding engagements and dialogues with public officers and members of civil society groups on corruption related issues. The intention of these visits is to obtain first hand information on the extent to which corruption affects people in the grassroots, determine why it takes place, and suggest fundamental solutions. These views have been drawn from leaders of religious organisations, local authorities, NGO's, civil society, the business community and community-based organisations.

The outstanding corruption issues that are affecting a wide cross-section of this country, and related recommendations, are as follows:-

Issuance of passports and identification cards is problematic in most districts. Lack of materials contributes to corruption, and citizens are forced to bribe in order to obtain these services. Files being technically lost until a bribe is produced, delays and outright refusal to provide services are all cited frequently. Apparently the GoK does not treat registration of persons as seriously as it should, and the department is not well funded.

Recommendation:

There should be a nationwide government office to re-organise and computerise the public records-keeping departments. The government should ensure that materials are provided for the printing of ID cards.

Voter registration is a major concern. Many members of the public register more than once in different constituencies so they can sell their votes, not realising that computerisation has made it possible for the ECK to see that they have registered more than once.

Recommendation:

The ECK should empower Kenyans to take part in the electoral process and conduct more aggressive voter education. The ECK needs to put in place

modalities that will eliminate the selling of votes and cheating in the polling stations.

Land-related issues are paramount in many districts, in some cases signaling the height of all corruption problems. There are reports of uncollected title deeds, non-issuance of title deeds, bribery required for land certificates, plots with several purported owners, inconsistency in land allocations, illegal land allocations, squatters, and interference from land-buying brokers, among others. Citizens are at a loss as to whether the Ndungu land report is to be implemented or not.

Recommendation:

Given the delicacy and proliferation of land issues in the country, there is need to harmonsze all land acts in the country and computerise the lands registry. The Ndungu report should be acted upon or dismissed outright.

Major problems plague the education system, with most districts complaining that although there is a ban on private tuition, it continues. In many cases it is the business of the Head-teachers and District Education officers, and is "bleeding parents dry". Teachers are known to intentionally teach only part of the syllabus in class, and require that the remaining parts be provided in tuition. Many contributions are extracted from parents, and monies given for various school provisions are pocketed by teachers and headmasters. Complaints also abound regarding distribution of the bursary fund and issuance of leaving certificates.

Recommendation:

It is recommended that the GoK review and restructure free primary education to make it more efficient, and seal loopholes for corruption. Instances of tuition should be dealt with severely. The constituency bursaries should be handled directly by the schools to avoid corruption at the committee level.

Rape and child abuse are major problems around the country. There is half-heartedness in the prevention of child abuse and prosecution of child abusers. They are often set free without any charges, yet, the abused child is left with physical wounds and emotional trauma. Men often pledge to give maintenance for their children but pay less than they were required to by the courts.

Recommendation:

The GoK should remove barriers that make it difficult to prosecute and charge child abusers, and enforce the laws that prohibit these offences.

Corruption in the Traffic Police is a recurring theme in most of the districts around this nation. Bribes to traffic police, particularly by *matatus*, are common at most road blocks and police check points. In certain areas, the "daily charge" that *matatus* pay to traffic police is commonly known, even by citizens. Road carnage continues, as speed gadgets have been disabled or removed altogether.

Recommendation:

The GoK should initiate a system whereby traffic fines can be paid immediately at specific points, because usually it is the inconvenience of going to court or delays in the payment procedure that encourage corruption. It is recommended that those who inspect speed governors and that the police department (as well as all government institutions) must develop an in-house anti corruption charter that must be strictly adhered to.

Many people have information regarding corruption cases, but are afraid to speak. Complaint boxes are under-utilised or non existent, and in the eyes of many, reports sent to KACC are simply not responded to. This has discouraged the general public greatly. Whistle blowers are not protected.

Recommendation:

The list of shame should be made public. Kenyans in general are highly desirous to see the perpetrators of grand corruption (in particular the cases such as Goldenberg and Anglo Leasing) prosecuted and sentenced for their offenses. There is also a need to protect those who report corruption cases.

Human - wildlife conflict is at alarming proportions due to shrinking wildlife habitat and growing human population. Wildlife also kill livestock and destroy crops, with citizens receiving little or no compensation. Many cases of poaching go unreported.

Recommendation:

There is need to harmonise benefits accruing from tourism to benefit the local communities, and to deal with corruption in the Kenya Wildlife Service.

Many Kenyans see rules and regulations as a hindrance, and are quick to avoid them through corrupt means.

Recommendation:

Kenyan's attitudes towards the rule of law must be changed. In the ongoing battle to educate Kenyans, the issue of anti-corruption should be made part of the school curriculum. Anti-corruption education should be mainstreamed throughout the country to a level akin to the National HIV/AIDS campaign.

Illicit brewing is a problem in many districts of Kenya. Kangaroo courts are set up by the police to handle these (and other) cases. Drug abuse and use of illicit brews has contributed to high school drop-out rates in many districts.

The dilapidated road system a great hindrance to development, especially in certain districts in Northeastern Province, Kisumu Province and Nyanza Province. In extreme cases, money for road maintenance is misused simply because there are no roads to maintain, as is evidenced in parts of Nyanza Province and Northeastern Province. Weighbridges are a problem throughout the nation, and overweight vehicles have done serious damage to Kenya's roads.

Recommendation:

Mobile weighbridges should be set up. More regular and thorough inspections on overloaded vehicles need to be done. Northeastern Province and parts of Coast Province and Nyanza Province badly need all-weather roads.

Relief food is problematic in the districts where it is distributed. Food is being illegally sold by provincial administration to businessmen and illegally sold to intended recipients. Distribution of relief food discourages agriculture because the residents in areas where relief food is normally available prefer not to plant crops, even though they could do so in many cases.

Recommendation:

The GoK should empower the northern and semi-arid regions economically and socially by providing material assistance and initiating irrigation and other development projects to help people become self-sufficient.

There are complaints country-wide that AIE's come too late, sometimes only two weeks before the end of the year, encouraging corruption. Very often, this money is misused.

Recommendation:

Payments of AIE's should be made in good time, and expenditures be thoroughly monitored.

While the CDF and LATF funds have been very helpful in some districts, **there is a general disillusionment across the nation regarding the distribution of these funds**. There is corruption in CDF management, and those in the committees are not well trained. Many public officers and civil servants misuse CDF and LATF funds. Instances can be noted where personal development projects/ businesses/ houses have been built and established with the use of these public funds.

Recommendation:

It is the opinion of the committee that details relating to the use of all devolved funds should be displayed in public so as to enhance transparency. It should be required that evidence of completed CDF projects be given before the issuance of any additional (annual) funds. CAP 265 needs to be revised in this regard.

Kenya's border points are of major concern. There are repeated cases of smuggling of maize, foodstuffs, *bhang, changaa*, illegal firearms, and other negative influences. Human trafficking is also reported at border points. A variety of repercussions occur such as unfair competition with local farmers, drug and human trafficking and escalated crime.

Recommendation:

There is need to sensitise border communities about the negative impacts of smuggling; the integrity committees that are already doing this need to be strengthened. Law enforcement agencies must be vigilant at border points throughout the country. The police at border points need vehicles, metal detectors and other necessary equipment to be able to combat the smuggling of arms, drugs and human trafficking.

Corruption in the protection of the environment affects many districts in Kenya, resulting in rampant deforestation, pollution of lakes and misuse of water resources.

Recommendation:

Empower NEMA to carry out regular assessments and publicise their findings as a way of educating the public about the negative effects of environmental degradation, especially in the affected areas. Law enforcement agencies need to ensure that the environment is protected.

Additional Recommendations:

It is also recommended that ex-Servicemen need to be monitored to curb crime, and a national listing of retired Servicemen should be made. Public officers need to be educated on financial management, because they do not prepare adequately for retirement and therefore tend to misuse public funds to their own advantage.

Effectiveness of NACCSC Programmatic Interventions

Providing structured information and advocacy against corruption is one of NACCSC's most important tools, though which we will endeavour to change people's attitudes against corruption. Indeed, the immediate scientific study results bear this out. According to the National GJLOS survey released in December 2006, 30% of the total 12,000 households surveyed have endorsed the NACCSC as one of the most effective institutions in the fight against corruption. This result is significant given that the campaign has been active for just over eight months since the launch in March 2006.

But a number of challenges still exist. For example, competition for turf in the war against corruption tends to scatter the collective effectiveness and synergy. Besides, NACCSC as presently constituted through a Kenya Gazette Notice, lacks strong legal backing. It is, therefore, critical that the committee and its programmes be given a legal basis of existence through an Act of Parliament in addition to the current mandate derived from the Gazette Notice. An Act of Parliament will enable the committee to develop a long term view and programmatic theoretical framework covering both short-term and long-term sustainable goals. A foundation of this nature will give NACCSC activities room for both vertical and horizontal integration into other existing or emerging programmatic interventions run by stake-holders and the Government.

DEPARTMENTAL REPORTS

THE DIRECTOR'S REPORT

Director – Mr. Polycarp Omolo Ochilo

Functions

- Provide leadership in the implementation of the National Anti-Corruption Campaign Steering Committee's mandate;
- Manage and coordinate the Campaign;
- Liaise with other Anti-Corruption bodies in implementing the nationwide strategy;
- Represent the Steering Committee corporately;
- Undertake research and liaise with other institutions to gather information relevant for the Anti-Corruption Campaign;
- Prepare quarterly reports and any other reports to the Patron;
- Prepare briefs and reports to the Steering Committee;
- Ensure compliance with development partner guidelines and requirements on Anti-Corruption;
- Ensure media coverage;
- Prepare budgets and ensure efficient and effective management of resources;
- Manage human resources;
- Provide monthly financial summaries to the Steering Committee;
- Develop and implement monitoring and evaluation policies;
- In consultation with the Steering Committee and the Accounting Officer, negotiate contracts;
- Liaise with the Permanent Secretary Ministry of Justice and Constitutional Affairs on the implementation of government policies and programmes on anti-corruption.

DIRECTOR'S PROGRAMMES

Programme One: Electronic Media

Introduction

The centrality of the electronic media in our campaign has been identified as critical. The use of electronic media in particular will be key in the fulfillment of our core mandate of carrying out nation-wide public education and awareness campaigns that seek to stigmatise corruption nationally. We have therefore adopted the mixed media approach, using various forms of media within the three adopted communication strategies:- Open Media Strategy, Integrated Media Strategy and Face to Face Communications. To begin, we have planned two television programmes and two radio shows:-

1. Assignment Kenya – A ½ hour weekly programme with Kenya Television Network. Transmission of 13 episodes will begin 3rd September 2006.
2. Insights into Corruption – 1 hour weekly programme with Kenya Broadcasting Corporation, the first programme to be transmitted 22nd October 2006.
3. *Maagano* Kenya – Radio Talk Show – to start before the end of the year.
4. Moot Court Drama Soap Opera.
5. T.V. Kiswahili Drama Soap Opera.

Objectives

- To harness the effectiveness of electronic media in the anti-corruption campaign and advocacy for NACCSC
- To benefit from the reach effectiveness of television and radio
- To minimise communication gaps due to viewer and listener habits

Justification

Our campaign is primarily expected to change peoples' attitudes against corruption. The use of electronic media, given their reach effectiveness in terms of

accessibility, affordability and the oral nature of radio, makes the contextual use of the two mediums both relevant and justifiable in a campaign of this nature.

Challenges - Planned but unachieved activities 2005/2006

We had planned to transmit a one hour Kiswahili Soap Opera on corruption, due to the wider use of Kiswahili in Kenya. Secondly, we had also envisaged the production of an interactive Kiswahili entertainment programme. Thirdly we had planned the production of Moot Court Drama Series on corruption in English. However, due to lack of funds these critical programmes are still on hold.

Future Activities

Subject to availability of funds, we plan to transmit the above listed TV and radio programmes. Furthermore, additional forms of communication interventions that give room for learning lessons, comparisons and cultural specificity will continue to be part of the programmatic interventions.

Conclusion

The use of electronic media will continue to be key in the campaign. Our strategy seeks to tackle the vice through the continuous provision of relevant information to the public.

Programme Two: Research on Devolved Funds

Introduction

One of the innovative methods for direct injection of funds to different constituencies under the NARC government is through devolved funds. This entails direct transfer of money by the Exchequer to the constituencies to fund various development programmes based on the community priorities. These include:- The Constituency Development Funds (CDF), the Local Authority Transfer Fund (LATF) and the Rural Roads Networks Fuel Levy. The first planned study is on the Constituency Development Fund (CDF).

Objectives

- To undertake a comprehensive field study of the CDF covering between 50 to 100 constituencies.
- To generate empirical data on the Constituency Development Fund.
- To use this data to produce scientific based advocacy material on corruption-related issues to the Constituency Development Fund.

Justification

The Constituency Development Fund (CDF) has been and continues to be hailed by Kenyans as one of the most serious attempts by the NARC Government to tackle rural underdevelopment, poverty and social inequalities in Kenya. It is also seen as one way of empowering citizens to decide on their own priority programmes as well as the implementation of these programmes.

Yet, on the other hand, many CDF projects are riddled with corruption-related problems in a number of areas. These include funds allocation, management and utilisation and the appointment of committee members of the fund. A scientific study relating to these and other areas is therefore justified.

Achievements - Planned and achieved activities – 2005/2006

The Terms of Reference for the CDF study was prepared. A call for bids has also been done. A number of public and private institutions have submitted their proposals to enable them to undertake the study. The analysis of these bid[illegible] ongoing before the award is determined by the Ministerial Tender Committee.

Challenges - Planned but unachieved activities 2005/2006

We planned to undertake other studies on the devolved funds such as Local Authority Transfer Fund (LATF) and rural roads, networks fuel levy programmes. However, these projects have so far not taken off due to lack of research funds.

Future Activities

We believe that the two pending studies are critical given the importance the public seems to attach to them. Yet, at the same time there are a lot of allegations regarding the extent to which these noble programmes continue to be undermined by corruption. We therefore still plan to undertake these studies subject to availability of funding.

Conclusion

The generation of empirical data in a number of areas will continue to be critical in supporting our campaign and advocacy programmes. This will in turn enable us to develop relevant and culturally specific advocacy interventions based on our people's values and culture. This has the potential of enhancing attitudinal changes, ownership and levels of citizen's participation in the campaign activities.

Programme Three: Combined Secretariat Programmes

Introduction

A number of programmatic interventions will be jointly undertaken by all the Programme Officers at the Secretariat. These are over and above what various Programme Officers will undertake on their own as detailed elsewhere in this report.

The combined programmes are:-

- Traveling theatre
- Sports
- Clubs and networks
- Dance competitions
- Music
- Emerging new research issues
- Emerging contemporary corruption issues
- Design, production and packaging advocacy materials using the data from the baseline survey/research.

- Distribution of advocacy materials
- Establishment of institutional networks such as schools, colleges, unions, universities, women groups, etc.
- Collective publicity of baseline results with stakeholders, networks and the public.
- Holding of provincial symposiums on a number of identified anti-corruption related issues.

PUBLIC RELATIONS PROGRAMME

Officer - Ms Faynie Mwakio

Programme One: Video Documentary and Photographs

Introduction

Under this activity, all NACCSC activities will be captured on video and still photography. These clips and photographs can be used for awareness creation, education, resource mobilisation, research, and as a campaign tool. The video clips will be made into a documentary entitled "The Year in Review" which will show all the campaign activities undertaken so far, and the possible interventions taken to deal with corruption within different sectors of society.

Objectives

- Build linkages with the various campaign programmes running under NACCSC.
- Provide documentation of NACCSC activities.
- Carry out research that will support development of appropriate campaign material.
- Mobilise resources.

Justification

The video documentary and photographs will greatly assist the campaign as they will depict in detail all activities covered, and the varied response from *wananchi* in different areas of this country. The documentary will be aired on selected television channels, where Kenyans in other parts of the country will get to know how their counterparts in other regions are combating corruption. This will serve as a campaign tool as well as information to *wananchi* on how they can effectively partner with NACCSC to fight corruption.

Achievements - Planned and achieved activities – 2005/2006

- The taking of still photographs of the pre-launch, launch and post-launch activities, for example field fact-finding encounters and capacity building workshops attended.
- The video-taping of similar activities in all districts visited by the Committee.
- The verbatim recording of the same activities as above.

Challenges - Planned but unachieved activities 2005/2006

Several critical problems facing the programme include:-

- Under funding.
- Lack of facilities such as appropriate cameras and tape recording equipment.
- Inadequate human capacity – hence the need to outsource personnel such as cameramen and photographers.

Future Activities 2006 – 07

These will include sending photographs and video clips out to the media houses for use in articles and programmes tailored to reach out to all Kenyans so as to cultivate in them a positive culture of shunning corruption.

Conclusion

Documentation of the entire campaign launch activities enables NACCSC to keep good records of this process that can be used for further awareness creation, education and fundraising. It is further envisaged that once the programme is implemented, there will also be increased vocalisation of anti-corruption messages by all Kenyans, reduced corruption levels countrywide, increased funding of NACCSC by stakeholders and donors and an enlightened citizenry on anti-corruption matters.

Programme Two: Networks with District and Provincial Communication Officers

Introduction

The District and Provincial Information Officers are useful tools for the dissemination and collection of feedback from *wananchi* on anti-corruption material and information. These offices, under the Ministry of Information and Communication, are situated in all major towns of district and Provincial headquarters. This means that they are uniquely placed at the grassroots, where they can effectively interact with Kenyans of all communities. Being Government-owned, these offices are expected to greatly assist NACCSC at minimal cost, and to expound on Government policies and objectives without any prejudice.

Objectives

- To establish networks with the District and Provincial Information Offices through the Kenya News Agency (KNA).
- To establish feedback mechanisms between NACCSC and the District and Provincial Information Offices.
- To enable anti-corruption material and messages to be distributed to *wananchi* as well as enable feedback on the same to reach NACCSC for necessary action.

Justification

District and Provincial Information Offices serve to collect and disseminate news items through the Kenya News Agency (KNA) and the rural-based publications in various towns. They also screen documentaries and educational films countrywide through the Mobile Film Unit. These established systems can be fully exploited by NACCSC to disseminate anti-corruption campaign messages and get feedback.

Achievements - Planned and achieved activities – 2005/2006

So far, efforts have been made to contact the Provincial and District Information Officers in Coast, Nyanza, Western and Rift Valley Provinces in order to jointly work out modalities of establishing these crucial networks.

Future Activities

- Establish contact with the remaining Provincial and District Information Officers.
- Focus group discussions and training for KNA staff to be involved in the network system.
- Equip Provincial and District Information Officers with anti-corruption messages for dissemination.
- Visit information offices to ensure the material is distributed accordingly.
- Supply KNA and rural newspapers with data and information on NACCSC activities.
- Monitor the distribution and feedback channels for ease of communication and clear any unforeseen hurdles.

Conclusion

NACCSC will greatly benefit from partnering with these offices to make use of the already established networks at the grassroots, to reach *wananchi* and to hear

directly from them. Once in place, it is envisaged that the following will be achieved:-

- More well-informed news articles in both KNA and the rural newspapers.
- Increased visibility of anti-corruption material and messages in all parts of the country.
- A well-established and reliable network through which anti-corruption material and messages from NACCSC can reach *wananchi.*

Programme Three: Sports Networks

Introduction

Kenya is a sporting country and has won worldwide acclamation through its many sportsmen and women who have excelled in different fields over the years. NACCSC can use these personalities to help spread its policies. Similarly, sponsorship of tournaments in schools will bring together large audiences who can be sensitised on NACCSC activities.

Objectives

- To sponsor targeted sportsmen and women in this country who will partner with NACCSC in effectively spreading anti-corruption messages through their sporting activities.
- To sponsor specific tournaments where the activity venues will have anti-corruption messages.
- To distribute IEC material and messages during these tournaments.

Justification

If exploited, this avenue is guaranteed to reach a wide audience as many Kenyans indulge in various forms of sporting activities. They closely monitor and love to watch these activities where possible.

Achievements - Planned and achieved activities – 2005/2006

Efforts have already been made with the Provincial and District Sports Officers in Western, Coast, Nyanza and Rift Valley Provinces to help in the establishment of networks. A survey of the areas mentioned was carried out late last year to work out priorities in which sporting activity can be undertaken in specific areas.

Challenges - Planned but unachieved activities 2005/2006

NACCSC planned to sponsor some selected sports tournaments at national, provincial, constituency, district or even village levels. There was also the 'NACCSC Anti-corruption Cup' to be contested over. Similarly, we had planned to use sporting venues and selected sportsmen and women as ambassadors to spread anti-corruption messages during specific sporting activities. Budgetary constraints resulted in the plans being deferred.

Future Activities

NACCSC plans to create well defined links among all of our primary, secondary and potential networks. Additional efforts will be put in place to seek sponsorship for some of our activities.

Conclusion

Harnessing the sporting potential in this country is an added advantage in the war against corruption. Many Kenyans involve themselves in varied sporting activities as a means of livelihood, or for leisure. NACCSC will be able to reach them through this avenue and involve them in the noble fight against graft.

Programme Four: Faith-Based Networks

Introduction

A large majority of Kenyans regularly attend to their religious obligations in churches, mosques or temples. Most of these faith-based organisations have different sub-groups such as women and youth groups. These organisations also have choirs, sporting and drama groups which periodically compete with other

similar groups in tournaments. These groups are thus critical for NACCSC's campaign advocacy needs.

NACCSC, therefore, can use these groups to help spread anti-corruption messages both by sponsoring these tournaments and by involving the religious leaders in talking to their faithfuls on anti-corruption matters.

Objectives

- Sensitise spiritual leaders to include anti-corruption messages in their sermons.
- Sponsor faith-based choirs, sporting or drama groups where anti-corruption messages will be expounded.
- Use the venues to display NACCSC messages and IEC materials.

Justification

The large numbers of Kenyans who visit religious centres tend to believe wholeheartedly in what they hear from their religious leaders. If NACCSC can partner with these organisations, then anti-corruption messages will easily reach many.

Achievements - Planned and achieved activities – 2005/2006

- Establishment of networks with the Anglican Church of Kenya (ACK)
- Discussions and analysis of proposed partnership with various faith-based institutions

Challenges - Planned but unachieved activities 2005/2006

- Establishment of networks with other faith-based organisations.
- Sponsorship of sporting tournaments such as basketball, athletics, and netball for various groups.
- Sponsorship of drama and music festivals for the religious groups.

- Use of these events to talk about anti-corruption and display appropriate messages and material.
- Encouraging preachers to include anti-corruption messages in their sermons.

Future Activities

Constructive engagements with Faith-Based Organisations on the various emerging corruption related issues will be enhanced.

Conclusion

NACCSC partnerships will effectively lead to more Kenyans receiving anti-corruption messages, increased awareness levels and their empowerment to fight the vice. These in turn have the potential to create:-

- Effective participation and partnership of NACCSC with faith-based organisations countrywide.
- More Kenyans reached through this avenue by NACCSC with anti-corruption messages.
- Increased vocalisation and awareness of anti-corruption messages in churches, mosques, and temples etc.

Programme Five: Agricultural Shows of Kenya and other Exhibitions

Introduction

Millions of Kenyans visit ASK Shows and other exhibitions to familiarise themselves with emerging techniques and opportunities in various fields. These exhibitions are ideal platforms for the NACCSC campaign.

Objectives

- To use exhibition venues to display NACCSC messages and IEC materials.
- To sensitise and educate *wananchi* on anti-corruption matters.
- To update them on changing anti-corruption trends and how to counter corruption at their own levels.

Justification

Anti-corruption messages and material packaged in photographic displays, publications and other appropriate thematic messages aimed at enhancing anti-corruption awareness levels will be displayed at exhibitions.

Achievements - Planned and achieved activities – 2005/2006

- Production of NACCSC anti-corruption messages on big display boards.
- Production of NACCSC brochures on its mandate and activity summary.
- Production of the district fact-finding and dialogue forums.
- Participation in the 2006 ASK Shows including the Nairobi International Show together with the Ministry of Justice and Constitutional Affairs.

Future Activities

- Participation in ASK shows.
- Participation in national activities like the United Nations Anti-Corruption Day celebrations.
- Active participation in other exhibitions where participants can receive material and information on NACCSC activities.
- Distribution of advocacy and IEC materials.

Challenges - Planned but unachieved activities 2005/2006

We had planned to participate in all the Provincial shows in the country and to produce various forums of advocacy materials to be distributed during these shows. However, this was never achieved due to the limited budget.

Conclusion

Shows and exhibitions are used the world over by various organisations to showcase their activities and at the same time sensitize and educate show-goers on emerging new trends and activities.

NACCSC will employ these forums to increase awareness and participation of more Kenyans in the fight against corruption.

FINANCE AND ADMINISTRATION PROGRAMMES

Programme Officer: Mr. G.D. Gathii

Functions

- Mobilise resources for implementation of the campaign;
- Initiate policies on the management of administrative systems and standards for implementation;
- Manage office services and the Steering Committee's assets;
- In-charge of staff development and welfare programmes;
- Coordinate the preparation of budgets and financial reports;
- Analyze financial proposals for funding by the Steering Committee;
- Develop mechanisms for monitoring the implementation of the steering committee's resources;
- Advise the committee on finance and administration matters;
- Undertake any other duties assigned by the Director.

Programme One: Resources Mobilisation

Introduction

NACCSC is to carry out a nationwide public education and awareness campaign that requires massive resources against a backdrop of general scarcity of resources and inadequacy of funds from the Treasury. Willingness by bilateral development partners to fund some of the anti-corruption activities is also dwindling. The programme is therefore expected to devise strategies to raise sufficient funds to meet all the campaign activities expenses.

Objectives

- Obtain resources to support and fund all the planned anti-corruption campaign activities

- Provide administrative and logistical support to facilitate the implementation of the programmed campaign activities

Justifications

Corruption is deeply rooted in the country. Resources are required to undertake and sustain an effective nationwide anti-corruption campaign. The implementation of the campaign activities will also require careful planning and mobilisation of all actors/stakeholders.

In order to achieve this, programme activities shall be accorded proper facilitation and additional administrative/logistical support for effective implementation.

Achievements - Planned and achieved activities – 2005/2006

- Facilitation of the collation of the Secretariat's Programmatic activities in the development and submission of costed campaign work plans to Treasury resulting in Kshs 150 million being allocated.
- Facilitation of the Secretariat's production of different fund-raising proposals to other potential sources of resources resulting in Kshs 77 million being availed by GJLOS.
- Facilitation of NACCSC's recruitment of senior officers; one Director and three Programme Officers in July-September, 2005.
- Facilitation of NACCSC's procurement of various promotional materials and services e.g. t-shirts, caps, scarves and posters in July 2005 – March 2006.
- Facilitation of NACCSC's development and production of the Anti-Corruption Handbook.
- Facilitation of NACCSC's development of the campaign website.

Challenges - Planned but unachieved activities 2005/2006

The following activities, planned but not achieved, posed a challenge:

- Transfer of Secretariat staff sourced from other Ministries/ Departments to the Ministry of Justice and Constitutional Affairs.

- Hiring of the Finance Officer; as a result, the Secretariat did not establish an accounting unit as planned.
- Training of the Secretariat staff.

Future Activities

The Programme aims at raising sufficient funds to fund all campaign activities and the Secretariat's recurrent expenditure through: -

- Preparation and submission of additional funding proposals to prospective donors
- Development of social marketing tools

Conclusion

Resource mobilisation will remain key so that the campaign can be sustained. Similarly, facilitation and handling of the campaign logistics and facilitation of other desks will continue to be our priority.

Programme Two: Music Campaign Advocacy Programme

Introduction

In recognition of the power in music as a communication tool, the unit developed a musical campaign advocacy proposal that seeks to bring together both religious and secular musicians. The programme will involve composing songs that carry powerful anti-corruption messages.

Objectives

To involve musicians in each category in composing and recording one thematic song and ten anti-corruption songs; to perform in various venues including the "bussing" of corruption through road shows.

Justification

Use of music is key in the fight against corruption in Kenya as it delivers strong messages that are easily retained. Religious and secular music has successfully been used as an advocacy tool in Kenya such as during the 2002 General Elections and in the recently concluded National Referendum. Music is therefore expected to provide bonding relations and lasting memories.

Achievements - Planned and achieved activities – 2005/2006

- Conception and development of the proposal
- Submission and approval of the funding proposal to the Governance, Justice, Law and Order Sector (GJLOS) Reform Programme
- Recruitment of consultant(s) to coordinate the events
- Placement of bids in the newspapers
- Analysis of the bids by the fund managers

Challenges - Planned but unachieved activities 2005/2006

The number of musicians in both categories who wished to participate in the music advocacy programme was very large. Therefore, significant challenges include:-

- Difficulties in the selection of musical groups and composers
- Studio rehearsals
- Recording of thematic songs and individual singles
- Concert style video shoot
- Production of audio cassettes and CDs

Future Activities

- Launch of the music campaign advocacy programme
- Participation by musicians in the "bussing" (road shows) of corruption in 16 routes covering the entire country
- Development of a proposal to study the legal and administration of justice system with a view of identifying factors that are fertile grounds for corruption.

Conclusion

The programme satisfactorily achieved the activities as expected including some that were unplanned. However, the reasons why some were not achieved were beyond our control at that moment. However, an effective follow up will be made in the next quarter.

RESEARCH AND ADVOCACY PROGRAMMES

Programme Officer - Mr. Micah N. Nguli

Introduction

The Research and Advocacy programme of NACCSC is charged with the responsibility of generating empirical data/information to create a deeper understanding of the concepts of corruption, thus enhancing the capacity of NACCSC in planning, designing and implementing a nation-wide anti-corruption campaign. To be able to discharge this responsibility effectively, the Research and Advocacy programme started implementing the research component of the programmatic interventions matrix developed in line with NACCSC's strategic plan, by providing oversight and by direct involvement in the generation of both desk and field data.

Objectives

The objectives of the Research and Advocacy component of the National Anti-Corruption Campaign Steering Committee are to:-

- Conduct research and generate empirical data that will be used by NACCSC to develop the National Anti-Corruption Campaign Strategy and Advocacy Activities.
- Analyse and disseminate information gathered through research for consumption by the public and other interested stakeholders.
- Generate data that can be used to build cases against corruption and for anti-corruption crusade everywhere, every time through advocacy.

- Generate data which is culturally specific and contextually relevant for national advocacy campaigns.

Justification

- Over the last few years, the abuse of public office for private gains has attracted renewed interests, both among academicians and policymakers. Several perception surveys have confirmed the high prevalence of corruption in almost all the sectors of the economy. According to the Annual Survey on Perceptions of Corruption in Kenya (2002) by the Anti-Corruption Police Unit, awareness and knowledge of corruption in Kenya is very high; 87% of the respondents were able to comprehensively define corruption and more than 96% were able to spell out the causes of corruption.
- The survey also indicated that majority of the respondents think that corruption is a major problem in Kenya (94.6%, n=1705). On the perceived rate of corruption, more than ¾ of the respondents believe that the current level of corruption in Kenya is very high (81%, n=1415).
- Corruption has continued to be entrenched in Kenya, affecting all the sectors of the society as indicated by the analysis of reports and surveys.
- The empirical data generated by research is useful in informing decision making, planning and the production and distribution of communication materials. The formulation of policies and decision making can be futile exercises if not informed by research findings.
- In order to succeed, the National Anti-Corruption Campaign and Advocacy must, therefore, be backed by empirical facts. Research will continue to play a very important role in providing NACCSC with these facts on the status of corruption.
- The major advocacy strategies NACCSC will employ involve interaction, provision of information and collaboration with Kenyans.

Achievements - Planned and achieved activities – 2005/2006

- Conduct the Baseline Survey to determine knowledge levels, attitudes and practices of Kenyans on corruption.
- Conduct case studies on work done by others on corruption, identify opportunity structures likely to lead to corruption and give interpretation for purposes on internalisation in the planning, designing and implementing anti-corruption campaign activities.
- Carry out an interim National Anti-Corruption Campaign Activities Impact Assessment.
- Facilitate the professional production of bulk campaign materials nationally.
- Generate data to inform the planning and implementation of the NACCSC activities and publicise and share the results of the Baseline Surveys and other studies with stakeholders, networks and the public by way of seminars, publications and press releases.

Progress Report:

- **Desk Study:** Strategic Public Relations and Research Ltd undertook desk study with reference to bribery index, media reports and internet search on other relevant documents and materials.
- **Training Field Staff:** The team of field workers was given a two day training on the research tools and principles of field data collection.
- **Pre-testing of the Research Tool:** Pre-testing of the Research Questionnaire was carried out and the results incorporated in the questionnaire.
- **Phase I Research:**

  The first phase of the Baseline Survey, covering five provinces was conducted between the 27th March and 3rd April, 2006. During the exercise, the Programme Officer was able to provide supervision in all the five provinces.

- **Preliminary Report on the Baseline Survey on KAB study**
  Strategic Public Relations and Research Ltd has presented the preliminary report on the Baseline Survey and is now finalising the report for submission to NACCSC.

Unplanned and Achieved Activities for the Year 2005/2006

- Development of the Research and Advocacy programmatic intervention matrix was carried out successfully.
- Oversight responsibility in the organisation of Integrity Torch Run for top athletes.
- Coordinating the development of a concept paper on the establishment of **"Anti-Corruption Civilian Oversight Committees"** and collecting names of those who could be interested in joining the committees in various Districts in Eastern, Nairobi, Rift Valley, Central, Nyanza, Western and North Eastern Provinces.

Challenges - Planned but unachieved activities 2005/2006

We have encountered some delays due to time taken by contracted organszations to interpret our mandate and functions and internalise them in implementing given assignments. Also there is mixed reaction from the public with some confusing the NACCSC for an investigation agency like KACC.

We were unable to carry out an interim National Anti-Corruption Campaign Activities Impact Assessment, but plans are underway to carry out the assessment.

Future Activities

Research into corruption issues remains a very dynamic undertaking. It is the intention of the Research Desk to consider, develop and implement research projects as corruption issues are encountered. This dynamism invites an open-minded policy to meet the challenges of fighting corruption in a changing environment. Some of the future activities include:

1. To undertake a study on social and economic factors, ethnicity, diversity and corruption.
2. To undertake a study on 'Best Practices' used by organisations to fight corruption.

Conclusion

The Research and Advocacy programme desk is committed to the generation of empirical data for consumption by the public and in particular by NACCSC in the planning and implementation of her activities.

COMMUNICATION PROGRAMMES

Programme Officer - Ms Victoria Okumu

Functions

- Implement corporate communication of the Steering Committee;
- Manage communication programmes on anti-corruption;
- Initiate designs of the campaign and determine strategies with key elements such as:-
    - Themes, messages and streams
    - Objectives
    - Audience segments and their mobilisation
    - Components
- Document and produce evidence-based periodic reports on the campaign and the dissemination of the same;
- Monitor, evaluate and review communication programmes
- Manage the Documentation Centre;
- Identify sector specific needs for anti-corruption programmes and formulate projects to enhance them;
- Undertake any other duties assigned by the Director.

Programme One: Campaign Branding

Introduction

The anti-corruption campaign aims at bringing about behavioural and attitude change towards the vice among millions of Kenyans. Ultimately the campaign aims at stigmatising corruption and wiping it out through a social communications strategy supported by other approaches like law enforcement. The campaign's branding is invaluable and will be reflected in sustained and well guided activities.

Objectives

- Provide an identity and positioning for the campaign.
- Enhance the campaign's acceptability, ownership and support.
- Leverage the campaign for growth and impact.

Justification

Given that the campaign is aimed at changing a trend in society that is engrained and popular, it is envisaged that a few years of sustained communication will be needed before substantial success is realised. The branding enables utilisation of multiple communication channels while maintaining clear identity of message source and thereby ensuring belief of content. Subsequent realisation of goals for the campaign is therefore made possible.

Achievements

The campaign has been branded with a logo and a slogan in Swahili and English that urges participants to "See Kenya through Proud Eyes" and to "Say 'no' to Corruption." Further translations will take place in order to enhance acceptance in the other regional dialects. This will be further enhanced by radio programmes which at the initial phase will be in ten different languages.

Promotional materials such as t-shirts, caps, scarves, and posters have been produced and distributed in all of the field visits. The recipients have included Government Public Officers at the districts, the DC's on behalf of their offices, and

invited members from civil society groups. The number of people attending has usually been between 40 and 60, but in some districts over 100. Some materials have also been given to heads of faith-based organizations.

Challenges - Planned but unachieved activities 2005/2006

The concepts on phase two and three relating to campaign branding were developed by the advertising agency Saatchi & Saatchi. They were based on the themes of hope and comparative advantages the country would have if corruption were to be gotten rid of. Though approved by the committee, these were never produced due to budgetary limitations.

Future Activities

Seeking additional funds to enable NACCSC to implement new ideas identified in knowledge, attitudes, practices and behaviour patterns. Other emerging issues such as the quick-wins and service delivery will also be implemented through the Integration Models Strategy.

Conclusion

The branding of the campaign will remain very key throughout the campaign. This will entail continued work with the identified advertising ad agency on various themes and concepts development from time to time as a way of putting the campaign agenda in the public domain.

Programme Two: Communication Audit

Introduction

Communication audits are critical in determining message reach and levels of impact. They are also an effective way of quantifying appropriateness of communications styles and channels. The anti-corruption campaign will require periodic audits to ensure that messages have been transmitted and effectiveness of the channels employed during the life of the campaign.

Objectives

- Provide information on the communication channels reach effectiveness.
- Establish points of entry for campaign management and issues requiring concentrated attention before and during the campaign.
- Give ongoing intervention direction as the campaign progresses.
- Serve as points of reference in campaign monitoring and evaluation.

Justification

The Communication Media Audit is justified by the fact that the media industry in Kenya has now grown in both broadcast and print. It is therefore important that a professional firm be given the responsibility of monitoring the transmission of all NACCSC commercial broadcasts as per the media schedules. Similarly, communication audit is justified to the extent that it will generate empirical data relating to the various channels' reach effectiveness and their suitability for our various messages.

Challenges – Planned but unachieved activities 2006/2006

We planned to achieve a number of activities during the 2005 – 2006 year. Communication audits were one key entry point to our communication campaigns. However, these were not done due to budgetary constraints that did not allow NACCSC to implement phase two media interventions relating to TV and radio commercials. An informed comparative position on media reach effectiveness has therefore not been scientifically informed.

Future Activities

To structure and restructure the campaign with the monitoring of communication activities on a continuous basis in order to keep the campaign effective.

Conclusion

The Secretariat will continue to augment its campaign with information from the Documentation Centre and other resource centres. Communication audits undertaken by professional institutions will also be sourced.

Programme Three: Publication of Quarterly Magazine

Introduction

The campaign will benefit greatly from an agenda-setting regular publication with breaking news on corruption issues. It will not only provide a forum for professionals to share their views but also take the message to decision makers in different forums.

Objectives

- Publicize, analyse, interpret and record the campaigns pertinent corruption related issues.
- Garner support for the campaign.
- Set the agenda on the fight against corruption.
- Create awareness and educate various publics on corruption, governance and ethics issues.
- Seek to change people's attitudes and perceptions against corruption.

Justification

The quarterly magazine is the publicity tool and record for emerging issues on corruption. In addition it is an agenda-setter, reference tool and source of public debate on corruption issues. Its target market includes personalities engaged in anti-corruption work, decision makers in both the private, public and civic sectors. The target market in turn dictates that the *'Spider's Web'* will serve as an aide to decision making on levels of participation in anti-corruption activities. At present there seems to be a dearth of such specialised magazines dealing with corruption related issues. Its publication is thus justified to that extent.

Achievements - Planned and achieved activities – 2005/2006

Collection of articles is ongoing as is the design of the magazine and identification of contributors for the anti-corruption quarterly magazine, *'The Spider's Web'*.

Challenges - Planned but unachieved activities 2005/2006

Bureaucratic processes leading to the publication and circulation of *'The Spider's Web'* will require annual budgetary expenditure approval to ensure time production schedules. Development of a critical, yet, balanced and credible editorial policy will be needed to meet the professional challenges.

Future Activities:

Once the magazine is launched, there are possibilities of making it more regular and made available for a wider audience through increased circulation. It is envisaged that the magazine will in future provide interactive columns for comparative articles by various professionals interested in the discourse on corruption.

Conclusion

'The Spider's Web' is set to increase the quantity and quality of corruption-related reporting. The number of journalists interested in specialisation within this field will also have space to publish their articles. It is expected that *'The Spider's Web'* will be one of the tools in Kenya on the discourse on corruption.

Programme Four: Radio Programmes in Local Languages

Introduction

The use of radio in the national anti-corruption campaign brings variety of presentation and tailoring the messages to a selected target audience who all share specific cultural practices and values. The programmes' content will be in the various local languages, which hopefully will enhance reach effectiveness and general comprehension of issues on corruption by the various targeted local communities.

Objectives

- To reach a majority of the Kenyan populace with corruption messages.
- To effect change of attitudes towards identified corrupt tendencies in specific communities.
- To attempt to bring Kenyans on one level on key corruption issues affecting the country.

Justification

Radio is habitual and interactive, making it practical as a campaign tool. The ease with which radio can bring a population onto one platform at a specified time, its affordability, and the fact that one can listen when undertaking other activities, has made it a priority choice as a tool in the anti-corruption campaign. Radio's immediacy, authority and command of trust, combines to give it the best reach as a communication channel. In Kenya, radio covers 98% of the population. The use of regional stations is in step with Nelson Mandela's praise of the use of the mother tongue: 'When you speak to a man in English, you reach his mind. When you speak to him in his own language, you reach his heart.'

Achievements - Planned and achieved activities – 2005/2006

We held several meetings in the last quarter of 2005 with Kenya Broadcasting Corporation and Star FM Producers to discuss anti-corruption programmes production, formats and costs.

We have planned ten pilot 15-minute radio programmes in regional languages. The programmes in Maasai, Kikamba, Kimeru, Kiembu, Luo, Somali, Luhyia and Kiswahili will cover corruption-related issues in a contextual format including:-

- Current issues on anti-corruption
- Agenda for the day/week/ month
- Awareness creators
- Service charters

- Human rights issues
- Testimonials
- Interactive reportage

Challenges - Planned but unachieved activities 2005/2006

The contractual obligations to engage radio producers and have their productions aired has been prolonged. Pilots have been ready and structures for subsequent programmes documented for execution. These delays were occasioned by the early closure of last financial year by May 30th. Bids were therefore time barred and proposals were to be re-submitted this year.

Future Activities

Kenya has 42 local languages. We have only been able at the moment to broadcast corruption messages in seven languages. Subject to availability of funds, we plan additional programmatic interventions in the future. This will thus enhance wide use of local languages in NACCSC anti-corruption campaigns thereby widening reach effectiveness.

Conclusion

NACCSC's decision to tap on the current radio's high percentage reach to the population in Kenya will be a big plus to the anti-corruption campaign. Our target audience will be able to not only receive messages but will in addition interact on a weekly basis through radio stations of their choice on issues relating to corruption.

Programme Five: Media Practitioners Training Workshops

Introduction

The media are critical strategic partners to the anti-corruption campaign. Levels of professionalism and the dynamic nature of corruption dictates that short or sometimes long courses are put in place to ensure that writers interested in investigative journalism are kept abreast with situational trends.

Objectives

- To establish linkages with media houses and journalists interested in corruption reporting
- To enhance the quality and quantity of corruption related media coverage.
- To provide networks and support avenues for journalists under duress following exposure of corrupt activities.

Justification

The media in Kenya are reputed as keen in the public policing of corruption and governance issues. Encouraging and supporting this culture will speed up the realisation of a corruption-free Kenya. Available evidence indicates that a sizeable number of media house institutions lack the tools with which to deliver objective reports from their stations of duty and also face delicate issues relating to poor compensation for published works.

Through training, monthly speaking events, presentation of media kits and the establishment of an association, some of the deterrents affecting the quality and quantity of investigative reports may be reduced. NACCSC is making a contribution by establishing contacts and working relationships with bodies such as the Kenya Union of Journalists, the Media Council of Kenya, Africa Union of Journalists and the World Bank Institute.

The media are sensitive and responsive to the investigation and writing on corruption issues including in the media itself. Organisations representing the media as named above will be contributors to the workshops and representatives have shown interest in the same. An initial workshop is scheduled for the last quarter of the year.

Achievements - Planned and achieved activities – 2005/2006

We have held a number of productive discussions with media representatives and professional organisations who are keen on training in investigative journalism.

Initial contacts have also been made with the World Bank office in Nairobi for possible funding.

Challenges - Planned but unachieved activities 2005/2006

Practices leading to lack of trust for journalists, which in turn affect press freedom, continue to take root among all parties involved. NACCSC plans to have all stakeholders dialogue and take responsibility for actions that threaten press freedom.

Future Activities

We plan to hold regular monthly media symposiums on topical corruption issues. Additional professional skills training in investigative reporting at national, regional and internal levels have also been planned.

Conclusion

Increasing the level of professionalism and output of investigative reporting will stimulate a culture in Kenya where the media has taken the lead in policing issues relating to governance, ethics and corruption.

Programme Six: Association for Journalists Against Corruption

Introduction

Corruption fights back. Cases of maiming, confinement or threats leading to relocation due to extreme fear are common in Kenya. A strong association will give the benefits of shared experiences, put pressure on authorities and look into each others' welfare.

Objectives

- To establish a professional association for collaboration on corruption reporting issues.
- To have in place a body that serves the interests of its members.
- To facilitate linkages with like bodies and members globally.

Justification

The critical role that the media plays in society to inform, educate and entertain the masses cannot be underestimated. The power of radio and television in mass mobilisation for a cause is great, as seen in Rwanda where radio was used to incite ethnic war. NACCSC is therefore working with media houses to produce programmes to be aired on a weekly basis.

There are also arrangements to host monthly talks that will lead writers to corruption related stories or identify with sources of such information. Some of these stories will also find space in the quarterly magazine of the NACCSC.

Training opportunities through workshops and seminars, as well as courses of a longer duration, are envisaged.

Achievements - Planned and achieved activities – 2005/2006

NACCSC planned to undertake training jointly with the Kenya Union of Journalists and the Africa Union of Journalists, both of which are highly keen in the development of platforms that will enhance investigative reporting.

Challenges - Planned but unachieved activities 2005/2006

Time taken to participate in some of the planned forums will be a challenge to journalists especially correspondents. Representations have already been received on sensitivity to remuneration and time logged in the participation of investigative journalism enhancement. Issues affecting interested journalists who cannot be released by their employers is a factor being attended to.

Future Activities

Engaging media institutions, media owners and managers to sensitise them on allocation of more time, space and training to investigative reporting is to be addressed.

Conclusion

The media's critical position to the success of the anti-corruption campaign can not be over-emphasised. The media is a key component of the fight against corruption and its active sustained engagement is deeply required.

INTRODUCTION TO DISTRICT REPORTS

Districts Field Fact-finding Visits and Dialogue Encounters

In an attempt to link the ongoing anti-corruption campaign programmatic interventions with practical activities and events in the field, NACCSC commenced field fact-finding visits and dialogue encounters all over the country. The primary objectives are to establish:-

- Corruption experiences in the districts
- Reasons why they take place
- Suggestions for fundamental solutions

These views have been sought from both public servants and local leaders drawn from the following organizations:-

- Religious Organisations
- Local Authorities
- Non-Governmental Organisations
- Civil society
- Business Community
- Community-Based Organisations

The encounters have been strategically implemented as a way of establishing campaign presence in the districts creating partnership with the public servants and the leaders. They have been fundamental in introducing the Committee's mandate, strategic programmatic interventions and the way forward. The encounters have also provided the single most important opportunity for both the members and staff to obtain first hand information on the extent to which corruption affects people in the grassroots, the dynamism and emotional sensitivity held by the public against the vice and what they think can be done about it.

At the programmatic levels, the encounters were integrated into our interventions as part of the overall 2006-07 performance contract for the Ministry of Justice and Constitutional Affairs.

Some of the critical corruption issues that were raised by members of these groups in different districts in the all the eight provinces are provided in Appendix I.

Based on the information gleaned from these fact-finding visits, it is clear that there are recurring corruption-related problems in many districts of Kenya. These cross-cutting issues, together with a summary of recommendations given by leaders and civil society, are given in Appendix II.

APPENDIX I

Districts Fact-finding Visits and Dialogue Encounters

TABLE OF CONTENTS

Nyanza Province

Western Province

INTRODUCTION

In order to be adequately informed of the occurrences and effects of corruption, NACCSC carried out field fact-finding visits and dialogue encounters all over the country. This basic data will be taken into considering in the committee's attempt to link the ongoing anti-corruption campaign programmatic interventions with practical activities and events in the field.

During these visits, the committee attempted to establish:

- Corruption experiences in the districts
- Reasons why they take place
- Suggestions for fundamental solutions

Where possible, the committee sought audience with the Provincial Commissioner or District Commission at any given location. Thereafter, meetings were held with both public servants and local leaders drawn from the following organisations:-

- Religious Organisations
- Local Authorities
- Non-Governmental Organisations
- Civil society
- Business Community
- Community-Based Organisations

The encounters have been strategically implemented as a way of establishing campaign presence in the districts and creating partnership with public servants and the leaders. They have been fundamental in introducing the Committee's mandate, strategic programmatic interventions and way forward. The encounters have also provided the single most important opportunity for both the members and staff to obtain first hand information on the extent to which corruption affects people in the grassroots, the dynamism and emotional sensitivity held by the public against the vice and what they think can be done about it.

At the programmatic levels, however, the encounters were integrated into our interventions as part of the overall 2006-07 performance contract for the Ministry of Justice and Constitutional Affairs.

The issues raised below are taken directly from the notes and interviews of these visits. Any allegations made have not been confirmed or investigated by the committee. The views expressed do not necessarily reflect those of the members of the committee or the NACCSC.

COAST PROVINCE

Meeting with Deputy PC and Provincial Heads of Departments

Date: 18th January 2006

- The Registration of Persons Act was said to be unfriendly.
- There is a lot of corruption in Local Authorities.
- Land issues are a big problem.
- Salary structures in GoK which are not uniform encourage corruption.
- The corruption which is experienced in the Province includes direct fraud and incompetence.
- The Heads of Departments feared that no action would be taken even if they reported anything because many committees have gathered information in the past and taken no action.

The Deputy PC stated the following:

- Corruption is caused by poverty.
- Religious leaders should talk to their followers about things such as drugs and corruption.
- GoK should address land issues seriously.
- Tourism earns Kenya a lot of money, not withstanding the negative effects of prostitution and drugs.
- It is true there are some corrupt public servants who are known to be corrupt yet nothing is done about them – action should be taken.
- The many NGOs in the country should state clearly what they do in the country and account for their huge budgets.
- There is need for education for the female child.
- There is a serious disparity in the salary structure in the public service which contributes to corruption.
- Outdated regulations and a lot of 'red tape' are still in use in the public service.
- Promotions, transfers, training and national awards are done in unfair ways. Some officers have remained in one job group for a long time, some never get training unless they bribe, while others are transferred to better-

paying stations because of nepotism or because they have bribed their way.

Mombasa District – Meeting with the District Commissioner

Date: 18th January, 2006

- There is alleged corruption in the issuance of National Identification Cards and other GoK documents.
- Evaluation and awarding of tenders is also subject to corruption.
- The majority of complaints handled by the DC are on labour issues.
- There is misuse of CDF funds.

Meeting with Local Leaders - Mombasa

- Laziness on the part of public servants is causing corruption.
- Corruption is high in law enforcement agencies especially among police, where senior officers protect the wrong doers.
- Police arrest and take innocent people to court on framed-up charges while the criminals are released.
- For issuance of IDs, people pay bribes to have their documents processed.
- CDF is full of nepotism and corruption.
- City Council *askaris* arrest and harass hawkers in order to get bribes.
- Bottlenecks in the judicial system encourage corruption in the *matatu* industry.
- Traffic police usually arrest people on Friday evenings intending to take them to court on Monday, but only release them after receiving a bribe.
- Drug trafficking is very high. The authorities know this and have been informed of those involved, yet they do nothing. Drugs are transported in buses which police check and let go because of corruption.
- The issue of drugs has contributed to prostitution and high HIV/AIDS infection rate in Mombasa.
- There is corruption in CDF management; those in the committees need to be trained on management of the funds.
- People pay for P3 forms at the police station.

- Police are demanding for Ksh.5000/= in place of a license to sell palm wine.
- Arrested people pay cash bail which they never get back.
- At court registry people pay Ksh. 3000 so that they are not taken to court on framed up cases.
- Councilors misuse LATF.
- There is a lot of land grabbing.
- Lawyers do not pay their clients compensation; they are corrupt.

Kenya Ports Authority

Date: 18th January, 2006

The authority has put in place internal controls to eliminate corruption including:

- Making the port an e-port.
- Computerisation of all systems.
- Establishment of Corruption Prevention Committees.
- There are many players in the port hence corruption may be perpetuated by any of the many players yet be blamed on the Kenya Ports Authority.

Recommendation:

- The KRA offices should be relocated out of the ports so that congestion would be eased and delays in clearing reduced.

Meeting with the Council Imams (Muslim Leaders) Mombasa

The leaders pointed out that any government that allows corruption does not prosper and identified corruption in the following areas, noting that they had a duty to speak out against corruption.

- Telkom Kenya officials demand Ksh 3000/= bribe in order to install a telephone line.
- Police solicit/extort money from those without national IDs.
- There is discrimination in the issuance of ID's, especially for the Muslims.

- It was reported that KACC had detected a lot of corruption in Mombasa City Council, but no action was taken against those who are guilty.
- There is no control and supervision on service provision; public servants operate independently.
- Appointments and promotions in the government are given through corruption.

Recommendations:

- GoK should institute immediate measures to cut down on drug abuse by youth in Mombasa.
- GoK should also look into the issues of child labour and human trafficking that are rampant at the Coast.

Meeting with District Commissioner of Taita Taveta

Date: 17th January, 2006

- The District had established Corruption Prevention Committees at the sub-location level.
- Corruption reporting boxes were in place but most of the reports were an attempt to settle scores.
- The reports sent to KACC have not been responded to and this has discouraged people.
- There is a lot of corruption in land allocation especially in Voi Division; there is concentration of land ownership in the hands of a few individuals.
- Procurement is also open to abuse.
- CDF has structural weakness and lack of experience in managing a fund of that magnitude.
- Regarding the issue of Group Ranches, it is the locals who gave out their land at a fee.
- There is concern about Voi Teachers' Training College, which is 95% complete but not yet in use.

Meeting with Civil Society Leaders in Taita Taveta

- The leaders said that corruption is very high in Taita especially in land allocation.
- County Council officials have allocated themselves plots at Buguta, Maungu, Mabomani, Ikanga and Mwananchi settlement schemes.
- Most public servants are from one region and the locals are not given positions.
- Corruption is also high in the police and the courts.
- There is corruption in the tendering process; contractors come from Nairobi.
- They accused the DC of falling forest trees and using a GoK vehicle to transport the timber.
- Misappropriation of road construction funds was noted.
- It is alleged that the District Roads Engineer has a construction company which is awarded tenders.
- Head teachers take 10% on all construction jobs.
- The special fund for the disabled has been abused.
- There is misuse of certain GoK vehicles.
- It is necessary to give a bribe in order to be awarded a tender, or give a blank receipt to the officer.
- The DC is mining stones in a disputed land where he has placed police officers to guard the operation.
- CDF belongs to politicians who give the funds only to those close to them.
- Councillors have misused LATF funds to the tune of Ksh 92,000/=.
- Residents are drinking untreated water in the district. Scarcity of clean water is a great concern in Taita Taveta.
- Sale of relief food including, 77 bags maize, 30 bags of beans and oil. This was reported, but no action taken.
- Concern of land ownership in the district. Tsavo Park covers 68% of the land. A large percentage of the remainder is owned by 2 families.
- There is corruption in the issue of prospecting/mining licenses.
- Education standards are very poor in the district.

- Too many squatters. The locals are gearing up for clashes to reclaim land they believe is theirs. Some people have been squatters for up to 60 years. Nevertheless there are many who are squatting but they had their own land and sold it.
- Environmental degradation caused by the cattle rearers is an issue.
- There is concern over the failed Teachers' Training College and what will be done with it.

Recommendations:

- GoK must look at land ownership in Taita Taveta to ensure equity in ownership, and establish a clear land ownership policy as regards the locals.
- A policy needs to be developed to determine how locals lease out their land to ranchers especially when those ranchers do not come from the district. There must be a checking system to monitor cattle that come in from other regions. Livestock should be transported by roads not through public land.
- The GoK should impose a limit on how much land an individual can lease to ranchers and how many cattle can graze per acre to avoid land degradation, particularly in pastoralist areas.
- Because land ownership is limited to a few acres per family, it was recommended that the locals get water from Tsavo National Water supply to irrigate their land.
- There is a lot of mistrust between GoK officials and the locals in the district, which needs to be looked into.

Meeting with the Kwale District Commissioner

Date: 19th January, 2006

- The Tiomin Mining Company has not addressed the issue of compensation to the local people exhaustively.
- Human – wildlife conflict is still an issue.
- There is high corruption on land issues.

- Kwale people believe they can only get government services through bribing and therefore corruption is a way of life.
- The older generation generally does not support anti-corruption efforts.
- Corruption is caused by poverty; people want to get rich quickly.
- There are kangaroo courts to try those who are found drinking *mnazi;* chiefs and police collude to harass them.

Meeting with Kwale Civil Society Leaders and Departmental Heads

- People report a lot of corruption cases and yet no action is taken. Therefore the people of Kwale have lost confidence in the authorities because when they report things in confidence the information is leaked out.
- It was alleged that some senior people in the Government who had been in serious debt have made themselves rich through corruption.
- Majority of the public servants in Kwale District come from upcountry to loot.
- CDF funds which were allocated to needy cases have never reached them, even four years later.
- The roads are bad yet road funds are given to every district.
- The Tourist Police arrest the locals for being at the beach or for no reason.
- There is corruption at the Education office and also at the land and settlement department in Kwale.
- Some officers have over stayed in the District far too long (for example the Livestock Officer)
- There are far too many NGOs in the District, one wonders why there is poverty at 62-70% if these NGOs were doing what they say they came to do.
- Tenders Boards are filled with corruption.
- There is corruption in the offices of lands, local authorities, procurement, CDF, LATF and roads fund.
- Recruitment to armed forces is biased against the locals. Even companies that hire security guards get them from upcountry.

- There is illegal logging. They allege that there was an order from above to get the prisons department to get 'dead' wood to use for cooking in the prisons. People allege that the prison officers were illegally logging.
- Tiomin has not addressed the issue of compensation for land.
- Human-wildlife conflict is a problem. Also when people are killed by wild animals the compensation process is too lengthy.

Recommendations:

- There needs to be a proper policy regarding compensation to landowners when they have to relocate for GoK projects.
- Develop a clear policy on compensation for families of those killed or injured by wild animals. Additionally KWS needs to do more for the communities adjacent to wild life parks/reserves.
- GoK should buy the animal corridors (migratory routes) from the locals and allow animals to co-exist with the local people.

Meeting with the District Commissioner of Kilifi District

Date: 20th January, 2006

- CDF is a big issue as the committees are just a rubber stamp for the MP's.
- The salary structure in public service brings a problem, for example, the salaries given to chiefs is not fair.
- Land issues are rife in the district.
- Traffic police are known for demanding bribes.
- The awarding of bursaries is not fair.
- Government procedures are too long; they encourage corruption.
- Persons guilty of corruption are defended by the system.
- Politicians are known to buy votes during elections.
- Prioritisation of development projects is poor and money is diverted from one project to another, making them unviable.
- Procedures not followed during the tendering process, leading to tenders going to companies who lack capacity and expertise.

Meeting with District Leaders in Kilifi

- There is no protection of whistle-blowers.
- The Integrity Assurance Officers are not working.
- Concern was raised that Vipingo had not compensated land that they took from the locals.
- There were allegations that there are many absentee landlords.
- Too much delay in the provision of services from the GoK.
- Feeling that the bursary funds allocated to the district was inadequate.
- No action on corruption incidents that have been reported.
- Famine relief food is sold by those who have been entrusted to distribute it. Chiefs were the ones selling.
- Land grabbing is rampant on the beach front. They alleged that no Giriama owns a beach plot. They claim that upcountry people and Europeans are the ones getting land.
- Capacity building for the community is a problem because the locals are difficult to deal with. They are very resentful of people coming from outside.
- The CDF is not being administered transparently and tenders were being over valued by bogus consultants.
- Locals felt that they were left out of police recruitment. The police also stay too long in one station.

Heads of Departments of Kilifi

- Promotions in the public service should be based on merit, not bribery.
- Police admitted that there was corruption in the Administration Police. Both police and public should be sensitised on the same.
- Poor pay in the public service leads to corruption.
- There is too much bureaucracy in GoK service: seven signatures required before a cheque can be released to the contractor.
- Whistle blowers and diligent officers should be protected and rewarded.

- Prevention of corrupt activities is better that trying to take perpetrators to court.
- Hardship allowance should be harmonised and put in line with the levels of inflation.
- Procurement officers said they were being victimised and forced to approve shoddy tenders. They say they are always being intimidated.
- The accountant claimed that auditors earn more than accountants do, yet they have the same qualifications. It is demoralising.

Recommendations:

- The GoK should as far as possible use the local people for Training of Trainers because of the cultural contradictions pertaining to the district.
- There is need for the government to take exceptional interest in the education of the girl child.
- Deliberate economic empowerment programmes need to be developed to combat serious poverty in the district.

Meeting with the District Commissioner of Malindi

Date: 21st January, 2006

- Corruption has become a way of life
- There are many land issues, and many absentee landlords
- There is widespread use of drugs which are linked to inaccessible villas.
- There are 300 registered villas out of an estimated 700. The villas are inaccessible even to GoK officers. Most of the owners of the villas are of Italian decent.
- Child prostitution is rampant in Malindi.
- DC also said that children were working at salt harvesting which is against the law. These children are employed by foreign and local companies.
- There is an issue with the Silversands campsite which appears to have been grabbed by some hoteliers in collusion with public officers.

Heads of Departments of Malindi:

- Low salaries contribute a lot to corruption.
- Payment procedures also cause corruption.
- Staffing is inadequate in most departments.
- Jobs requiring unskilled labour should be given to the locals.
- It was alleged that many *matatus* are owned and run by heads of departments.
- The GoK does not have boats to patrol the area looking for drugs, yet owners of Villas have large power boats. The government is therefore not able to patrol effectively.
- Public perception of public servants is hostile.
- There is conflict between the locals and foreigners over the buying of land. Because the locals are too poor to purchase the same.
- Laxity of enforcement of council by-laws.
- Council vehicles are being put to private use.
- The town clerk and treasurer run the council and the councillors are not involved in the decisions.

Meeting with Civil Society Leaders of Malindi:

- There is misuse of GoK resources.
- Child prostitution and other violations of children's rights are rampant in Malindi.
- Children work at salt harvesting for both foreign and local companies, which is against the law.
- Public auditors are corrupt.
- People are poor, and therefore sell their votes during elections.
- Public allege that one must bribe to be allowed to bury someone in the Mulangani (Malindi) mortuary.
- There is a notorious roadblock at Gedi. They allege that police extort money from public and *matatus* there.
- Corruption in courts in Malindi is very high. Officers who have worked there leave as millionaires.

- The council does not promote social programmes.
- Youth, both girls and boys, follow tourists around harassing them and also the tourists use them to get sex and drugs.
- Cultural practices allow girls to get married while still very young. They then miss out on education.

Chamber of Commerce of Malindi:

- The local authorities do not promote social services and the quality of service is poor.
- It takes too long to renew work permits.
- Corruption starts at the top. It is rampant in the judiciary leading to delays in hearing and completing cases.
- They requested us to have informers on the ground.
- *Bhang* is being grown on farms in Malindi.
- Many businesses are operating without being registered for VAT.
- The business community has a lot of information on corruption but want to be protected before they give it out.
- Town clerks are changed too often. When one is found to be corrupt, he is transferred only for another to come and behave in the same way.
- They are forced to bribe and this has even driven some business into the ground. To deal with some of these problems they formed the Malindi Residents Association.

Recommendations:

- Basic legal courses should be taught in secondary schools so that people understand their rights from an early age.
- GOK should pay public officers in advance for their leave in order to discourage corruption.
- Retraining of Public officers should be strictly by the book and by merit.

Meeting with District Commissioner and Heads of Departments of Lamu District

Date: 24th January, 2006

- Land problems abound and there are many absentee landlords.
- Drugs lead to high drop out rates in schools and crime. The negative drug culture undermines the culture of the people.
- Issue of Coast Development Authority being non-productive.
- The Local Authority is not performing its duties.
- There is evidence of corruption among the police.
- There is conflict between GoK officers and MP's when it comes to procurement.

Meeting with Civil Society Leaders of Lamu

- There is corruption in the police department; in particular they do not take action against drug peddlers.
- CDF funds are misused.
- The duty free facility for MPs leads to corruption.
- Corruption in seen in the public service.
- Judiciary and Police collude to compromise justice.
- Upcountry people have settled and been given title deeds yet many local land owners do not.
- They allege that an Australian company is prospecting for oil and they have not had an EIA done. What is in it for the community?
- What is the real status of ownership of Manda Island?

Heads of Departments of Lamu

- Liberalisation of markets had put a very large burden on mango farmers.
- There are very high taxes for property in Lamu but the locals don't realise the benefit.
- The existence of open sewers poses a constant health threat to residents.
- Hard drug use is widespread.

- Acquiring second generation IDs is a problem. They must produce birth certificates of their grandparents which they often do not have.

Recommendations:

- The sewerage system in Lamu must be modernized and open sewers covered.
- There should be a policy for the council to collect garbage and to generally keep the town clean.
- All the boats must have adequate lifejackets and all passengers must wear them.
- Police must be better equipped with marine equipment (boats, life jackets).
- The Forestry Department must look into the cutting of mangrove trees on both the island and mainland, and charcoal burning.
- GoK should form a policy to help farmers in the region market their produce, in particular mangoes that grow very well there. Cooperatives should be set up to help add value to the sector.
- The road from Garsen to Lamu needs to be recarpeted and the marrum parts resurfaced.
- The pier on the mainland needs urgent overhaul. At Mokowe Pier there are no railings.

Tana River District - Meeting with the District Commissioner

Date: 26th January, 2006

- CDF, LATF and bursary funds are plagued with corruption issues.
- Marketing of mangoes is a problem in Hola.
- It is a vast district but has little infrastructure. It is an ASAL district, with 15,000 people living on relief food. The district is affected by both floods and drought.
- Hola town has no power; most people use generators.
- The Garsen-Hola road is often impassable in bad weather.

Meeting with Civil Society Leaders in Hola

- Land and plot allocation is full of corruption.
- Relief food needs to go to deserving people, but does not.
- National IDs can only be issued when a bribe is given.
- Procurement of construction services is corrupt.
- ASAL money is misused. Where has all Ksh 300,000 million for 10 years gone? They have only built 8 water pans estimated at Ksh 1.5 million each.
- There is a district hospital without a maternity ward.
- Massive corruption was alleged in the Public works. Thieves killed a watchman guarding the public works depot and stole culverts.
- There are numerous cases of double allocation of plots in Garsen town.
- Payment of cess is a problem.
- Child labour is preventing children from going to school.
- Complaints about police recruitment. The locals were not being considered unless they bribe.
- There is too much delay in getting title deeds.
- In sexual offences the men are more often than not released. They use the elders system to arbitrate.
- Most land is open ranch land; very little remains for cultivation.
- Tana River County has almost half the land in Coast Province. They accused the county council of selling trust land, and accused people from Ijaara of grabbing land from Tana River District.
- Citizens do not have adequate information on how the HIV money in the district is spent.
- It was alleged that LATF was being used to pay salaries, which had caused the council to neglect collection of taxes and levies.
- Revenue collection must be transparent. They said they were not aware and had no way of finding out how much money the government sends to the district.

- There is a problem with the sale of Hola County Council land in which they accused surveyors of soliciting bribes of up to 70,000 to survey plots and no receipts issued.

Heads of Departments of Hola:

- Public officers complained that their hardship allowances were only KShs 1,200 yet teachers are paid Ksh 4,500.
- There is forgery in collection of county council cess and cattle cess. The collection cannot be monitored properly.
- The expectations for famine relief are not met. The food often ends up with people who do not require it.
- CDF bursaries are only for tertiary education. The public seem not to understand. There are loopholes in the CDF act that allowed illiterate people to be members of the committee. It is normally referred to as '*Pesa ya Mweshimiwa* .
- The processing of money for CDF projects takes too long as the MPs are often in Nairobi.
- Grants through the Ministry of Social Services for gender issues are inadequate. They have over 3,000 CBOs.
- There is hostility between the public servants and the CDF committees because they do not want to get technical assistance from GoK.
- It was alleged that CDF bursaries were being abused and that children who were not needy were benefiting.
- There was an allegation MP for Galole constituency hired consultants to design CDF projects at a cost of 1.5 million from Nairobi. They deliberately came up with an inflated budget for the projects.
- There were allegations that project management committee members award themselves tenders. There is a clear conflict of interest.

Recommendations:

- Money for arid lands should be used for drilling boreholes as a priority as opposed to the desilting of water pans and dams.

- Hola, being a district headquarter, should have electrification as a priority.
- The ministry should look into reequipping and restaffing the maternity at Hola District hospital. There is no gynaecologist there.
- Hola-Garsen road needs to be completed as a matter of priority.
- An investigation should be carried out regarding the activities and decisions reached by the District Steering Group with regard to disbursement of ASAL money.

NORTHEASTERN PROVINCE

Provincial Commissioner, Mr. Aggrey Mudinyu

Date: 6th February, 2006

- The PC advised that heads of departments in the province have been sensitized on corruption issues, but there were still some problem areas, including those listed below.
- There is need for an increase in the number of vehicles and metal detectors for security patrols at the border points.
- Defiance of import regulations is a problem.
- Relief food is expensive to distribute; it would be better to fund irrigation schemes using the available rivers like Tana River.
- The types of relief food that come to the province are not sensitive to the culture (for example ugali, which is a staple in Western Kenya but is unpopular in Northeastern and deemed as food for cows).
- Degradation of environment in refugee settlements.

Garissa District – Meeting with Heads of Departments

Date: 6th February, 2006

- Issuance of National ID cards and the vetting systems are corrupted.
- Birth certificate issuance is a problem, but if one is willing to pay Ksh 3000/- a birth certificate can be issued within one day.

- There is smuggling of substandard goods across the border of Somalia and Ethiopia, especially torches, batteries and cigarettes.
- There is mismanagement and theft of relief food.
- The issue of CDF, LATF, and Bursary Funds have administrative and structural problems leading to corruption.
- Selective harmonisation of civil service terms has led to inequity, which gives loopholes for corruption.
- Land is sold irregularly, with citizens selling land that they do not own to other citizens. Unplanned settlements emerge because of corrupt land transactions. But the District Land Registrar for Garissa is in Nairobi.
- Clanism and tribalism cause divisions and hinder development.

Meeting with Civil Leaders in Garissa

- There is corruption in police, *matatu* people pay Ksh 400/=per day.
- NGOs operating in district do not utilise the funds for the purpose for which they are given. Rather, they operate like private companies, and there is no proper system for monitoring their activities. The NGO Council is not represented in Garissa.
- There is corruption in the Judiciary; people are often forced to plead guilty and then fined heavily. In one case, two children were charged with obstruction of a police officer, and fined Ksh 100,000 each.
- Proper tendering and procurement procedures are not followed as regard road construction.
- Members of the committee for poverty reduction funds give the funds to people of their own choice.
- The town planning of Garissa is poor.
- There is a serious problem of proliferation of firearms due to the breakdown of government in the neighbouring country.
- On the bridge the police harass people and many aliens come into the country from Somalia by bribing.
- There are no working telephone lines and no proper food for patients in the sub-district hospital.

- There is nothing to show for the use of ASAL resource funds.
- Community policing is a failure.
- Kenyans are disillusioned about the lack of political will by the government to fight corruption.
- There are poor people in the refugee camps, and human trafficking is rife.
- Funds for the school feeding programme are being misappropriated.

Recommendations:

- The GoK should be proactive in taking measures to ensure dams do not overflow in the lower Tana region.
- The GoK should empower the northern region economically and socially by providing material assistance and initiating irrigation and other development projects to make the people self sufficient and stop them from relying on relief food, as the people from the region are mainly pastoralists.
- Citizens need to be educated on their legal rights in order to empower them to speak out against corruption.
- Allowances for leave travel allowance and hardship allowance should be increased.
- Harmonisation of civil service terms should be done for all.
- Patriotism must be inculcated in our children to facilitate change in attitude.

Mandera District – Meeting with the District Commissioner

Date: 7th February, 2006

- Poor remuneration of public servants causes them to be tempted to engage in corruption. The hardship allowance, for example, is too little.
- Corruption occurs in revenue collection and procurement procedures.
- Fictitious title deeds are a problem. However, only the survey department is in Mandera and the other departments, principally the lands and valuation departments, are in Nairobi.

Meeting with Civil Society Leaders in Mandera

- It was alleged that a local teacher earns two salaries, as he was appointed to the Local Government but did not resign from teaching.
- Police harass members of the public to get bribes.
- MPs were said to be at the forefront in misappropriating CDF money.
- The District Steering Group has become a law unto itself; it does not account to anybody for the funds it receives.
- There is corruption in the issuance of ID cards and Birth Certificates.
- Prison food is sold across the border.
- Relief Food is also sold by local NGO's and MPs.
- Drugs at the local health centres are sold.
- Land grabbing can be seen and the issuance of title deeds is a problem.
- There is insecurity across the borders, both from Somalia and from Ethiopia.
- Locals tend to favour their clansmen when it comes to the provision of services (nepotism or clanism).
- There is a cultural problem among the northern people in which they believe they should give a bribe to anyone who provides a service, especially a medical service. They also do not believe in queuing, and are very impatient. This contributes to corruption.
- The civil servants complain that the salaries are too low and the hardship allowance ineffective. The place is very far and visiting ones family in other parts of the country can use ones entire salary. They also feel that being deployed in Mandera is used as punishment for errant civil servants, so many are prepared to bribe their superiors to avoid going there.
- Illegal allocation of land took place in Mandera using fictitious letters of allocation and this is still going on today.
- There is too much delay in the judicial system. People stay in jail for months waiting to go to court.
- Children from across the border (Somalia and Ethiopia) come to school in Kenya and benefit from the free education, denying Kenyan children places in schools. But it is difficult to identify them as they have no ID's.

Recommendations:

- The salary and hardship allowance of public servants should be increased so that they are not so tempted to engage in corruption.
- Public officers should be re-shuffled and transferred regularly.
- Mandera, being very remote, needs better services. Transport, medical, and water facilities should be improved especially for the government officers.
- River Dawa should be harnessed for irrigational purposes to alleviate the long term food shortages and reduce poverty, which promotes corrupt behaviour.
- We must agitate for the prosecution of those alleged to be corrupt.

Wajir District – Meeting with Heads of Departments
8th February, 2006

- The CDF projects in Wajir are a major problem. Members of the public have no access to information on the projects and locals are not involved in the project planning and implementation. The area MP constitutes the CDF Committees, and members are the MP's close associates or relatives. There is no transparency and accountability in the tendering process. CDF projects overlap with other donor funded projects through which money is stolen, made possible because there are no proper books of account, no project monitoring and no evaluations.
- The Constituency bursary fund is run in a similar way as the CDF. Those who support the politicians are nominated into the Committee and their relatives are the main beneficiaries. There is lack of transparency and accountability hence lack of information on the how funds are disbursed. Those who deserve bursaries do not receive any, yet there is no display of the names of beneficiaries, their institutions nor the amount given.
- Food for the primary school feeding programme is sold to some business people.
- The transfer of the DEO has been cancelled three times

- There is long delay of cases at the law courts until interested parties lose track and give up or the case is thrown out.
- People pay for freedom in the range of Ksh 3000/= and the case is not taken before the court.
- Contractors inflate prices of goods they supply and have formed cartels, to the extent that the government does not get value for money.
- The locals lack capacity to service government tenders and as such contractors are brought in from outside.
- Tenders for drought emergency are given without tendering; this encourages corruption.
- There are numerous security roadblocks and the security personnel extort money at these roadblocks.
- A number of big companies were prospecting for oil in the region, including Amoco. The people believe that nuclear waste was dumped there. They claim to have contracted strange diseases as well as having their cattle die. They believe it is cancer.
- The existing tendencies on corruption in the area may be attributed to the previous policy of containment making it very difficult for people to survive. They became reliant on cheap sub-standard goods from across the border.
- 14 health centres were closed for lack of staff to manage them.
- Some government officers have stayed in their stations for over 10 years. They become used to the locals and engage in business farming and other interests and easily engage in corruption.

Meeting with Civil Society Leaders in Wajir

- Relief food is being illegally sold by provincial administration to businessmen. Part of the reason for this is that the locals do not eat grain foods.
- Funds were provided for the drilling of boreholes in each constituency, but the drilling has been suspended before completion.

- The District Steering Group has become entrenched and powerful, hence perpetuating corruption. They control disbursement of government resources in the district and are not answerable to anyone.
- Heads of Departments have stayed for too long in one station.
- Women are subjected to violence by men, but when they report it, no action is taken.

Recommendations:

- The GoK should investigate what the companies were doing and carry out tests to ascertain whether the area is free from radiation.
- The GoK should provide human resources in the district. Medical groups and NGO's should be encouraged to address and alleviate the plight of the community.
- There should be a massive soil and water conservation effort to counteract desertification. Tree planting should be carried out to reclaim arid land.
- CDF should not be controlled by Members of Parliament.
- The District Steering Group must make all their policy decisions public and a selection of non-partisan members of the public sit in their meetings.
- GoK must strictly adhere to government policy on transfers so that officers do not stay in their stations for over 5 years.

EASTERN PROVINCE

Meeting with Deputy PC John Abduba (Embu)

Date: 17th March 2006

- Corruption prevention committees are not functional due to frequent transfer of trained Integrity Assurance Officers.
- There are complaints that the committees have not been facilitated financially.
- There is corruption in the logistics of relief food distribution; the funds allocated for the logistics are misappropriated.
- LATF funds are not well used.

- Unemployment rate is very high. The youth engage in criminal activities as a result.

Civil Society and Heads of Departments of Embu

Date: 17th March, 2006

- The mayor reported that traffic police asked him to give a bribe of Ksh.1200/- for speeding at 120km/hr.
- Public servants were said to be corrupt because of low salaries.
- Courts release criminals and require bribes when people are charged or presented to the courts; this frustrates the police efforts immensely.
- Developers have grabbed most land which could have been used for recreation for the young people.
- CDF funds do not reach the people at the grass root level.
- There is intellectual corruption when people write proposals for funding and other people steal the proposals and use them to acquire funds.
- Some projects are incomplete; this is due to corruption. Where did the funds go and how will they be accounted for?
- At the district treasury, payments are made against blank payment vouchers.
- Public officers are often late reporting for work.
- They questioned the planning of the education syllabus, and wondered why have to keep buying new books for the same class each year.
- Exposure of corruption incidents minimises future corruption.
- Promotion of civil servants is shrouded in secrecy and promotes corrupt practices.
- Embu town stadium and Embu Municipal market were grabbed; only a small piece is left for public utility.
- Cooperative societies suffer from nepotism.
- AIE holders borrow from each other. This is unprocedural.
- Prison officers are poorly trained.
- They claimed that prisoners are only those who are too poor to buy their freedom.

Recommendations:

- Empower people to monitor and audit projects on the ground.
- Revive polytechnics to absorb school leavers.
- Facilitate committees at the district levels.
- Educate Kenyans to know that CDF is their money.
- Pay public servants well to avoid tempting them.
- Reward public officers for good performance.
- Blacklist those who are corrupt so the public can steer clear from them in public affairs.

Machakos District - Meeting with the District Commissioner

Date: 16th January, 2006

General issues:

- The DC explained that the district is faced by hunger and the government was supplying relief food. 41 educational zones are covered under the school feeding programme.
- There is poor planning of resources particularly the big water masses at the Masinga Dam which should be distributed to the people to make the area more productive, since the residents are hard-working.

Corruption Issues

- Kenyans have not understood the phenomenon of corruption, and corruption is seen as the preserve for the public servants.
- There is also the problem of the membership of the District Corruption Prevention Committee where two members were said to be ex-convicts. There is need for proper guidelines on the selection of the members and also how the committee should function.
- Land matters in Machakos District are a thorny issue. An individual converted 760,000 acres of government land into his own property, subdivided it and sold it to unsuspecting local members of the public at Ksh 7000 per acre.

- There are 2800 land cases on Ministerial Appeal before the DC, who can only handle a few of these. There is need for a policy to have these cases dealt with by elders so as do dispense justice quickly.
- The DC has no role in the administration and management of CDF. The fund has a problem in the way the provisions were made, giving the MPs total responsibility in the management of the fund.
- CDF bursaries in Machakos were given to non-deserving cases since the MP gave only to people close to him.
- CDF money was paid to a contractor to build a dam. That person did only 30% of the work and then left, but was paid. However, the person who did 70% was not paid as the MP was in favour of the first contractor.
- The DC suggested that a National Committee be established to run the CDF fund and that politicians be removed from the administration of the fund.
- LATF is also being abused. The case was mentioned of Ksh 45 million given to County council of Matuu being used for salaries and allowances yet never accounted for.
- Kenyans regard those who have amassed wealth through corruption as heroes, and often they are made elders.
- Cases of corrupt police officers were mentioned.

Recommendations

- The DC recommended that NACCSC should consult heavily with Provincial Administration for the success of the campaign.
- A meeting/workshop for all District Commissioners to sensitise and provide them with information on the campaign agenda would very instrumental for NACCSC.
- Whistle-blowers need protection.
- It should be necessary to provide evidence of finished projects for LATF and CDF.
- People from the armed forces who retire or are dismissed should be monitored lest they become dangerous criminals.

- The government should all remove barriers to make it difficult to investigate and prosecute rapists and child defilers.

Machakos District - Public officers and civil society

Date: 23rd August, 2006 (second visit)

- Grabbing of society land and sale of cooperative societies property by corrupt officials in Lukenya and Katelembu farms was mentioned.
- There was theft of 7.2 million shillings belonging to LATF within Mavoko Council.
- Issue of land grabbing and allocation of council plots without plan in Mwala town. Note: there are 12,800 pending land disputes
- Corruption is seen within police department
- Sand harvesting, a major activity in the district, is being done in a way that causes environmental degradation. But the administration has done nothing to arrest this problem.
- Teachers are charging tuition fee, contrary to the government policy of Free Primary Education. Tuition seems to be the business of Head Teachers and District Education officers.
- Secondary schools are not performing to the community's expectations, yet they admit very bright students with over 400 marks.
- Some Head Teachers collude with Board Chairmen and get tenders; they are not concerned with performance.
- Free primary education funds are used for school development, this is misuse.
- CDF bursaries are given to non-deserving children.
- CDF projects are awarded to contractors who do very little and charge a lot.
- Relief food is given to non-deserving people.
- Public servants said that salary discrepancies are causing corruption.
- There is violation of children's rights. Children suffer abuse and even neglect from their own parents. There is half-heartedness in the prosecution and child abusers and prevention of child abuse. Those found

guilty are often set free without any charges yet the child has physical wounds and is emotionally traumatised.

- Men often pledge to give maintenance for their children but pay lees than they are required to. Their wives (ex) or children's mothers think the child officer is cheating them.
- KenGen which is located in the district does not benefit the locals.
- Development activities in Athi and Ngong areas lead to contamination of borehole water and rivers in Machakos.
- Relief food is being sold in shops and by the rich. The administration particularly chiefs should be divorced. The food goes from the Red Cross to the chiefs.
- Government support for children with HIV/AIDS is going astray. There is conditional cash transfer to orphans and vulnerable children by the Ministry of Home Affairs (a pilot project in six districts). But the fund was late and the funds were mishandled.
- Muslims are discriminated against. Getting ID cards is a headache, especially if you are a Muslim even though you may be a Kamba.
- Sand scooping has reached alarming levels (they take everything). Sand harvesting leaves something behind. No sand is left behind when sand scooping occurs. Fragile ecosystems are destroyed and gullies result. Many reports have been made but no action is taken because the administration also benefits from the scoopers/harvesters.
- Road carnage continues. The speed gadgets have been disabled or removed altogether. Those who inspect these vehicles need to be investigated.
- Many people have information on corruption but they are afraid of speaking.

Recommendations:

- The highway to Mombasa needs a hospital facility to cater for accident victims.
- Desilting of the dams needs to be done more regularly.

- Whistle-blowers need to be protected.
- Ex-servicemen need to be monitored to curb crime. There should be a national listing of retired servicemen.
- GoK should remove barriers that make it difficult to prosecute and charge child abusers.
- NEMA should carry out environmental impact assessment and the government should regulate development in the area.
- There should be a law to synchronise the licensing of sand harvesting and charcoal burning, with transportation of the two.

Isiolo District – Meeting with District Commissioner and Heads of Departments

Date: 24th March, 2006

- Isiolo is trust land (held in trust by Isiolo County Council) with the exception of a small portion of Isiolo town, and as such the whole town is unplanned.
- There are no titles and there is no land registry (these are located in Meru). There is a private surveyor who, on the strength of an allocation letter from the council, surveys and demarcates plots accordingly. He does this in conjunction with the district physical planners.
- The Simba account within the free primary education structure was raised as an issue. Head teachers are taking advantage of the illiteracy of the committee to award themselves tenders from this account.
- During the drought the GoK gave money to the district through AFC to buy excess livestock. There was an allegation that only a small portion actually reached the district. Large numbers of cattle perished.
- There was an allegation by the judiciary that court clerks were demanding payment for succession forms from the public. The judiciary also noted that up to 50% of the cases filed in court ended in reconciliation.
- Uaso Nyiro development Authority complained that their level of funding was too low to enable them to implement their programmes.

- Registrar of persons suggested that Isiolo is an insecure district and consequently when people apply for IDs the vetting must be extremely thorough. They have been illegally approving non-Kenyans for registration. There was also a proliferation of brokers in the district including brokers purportedly assisting applicants to obtain IDs.
- The Police claimed to have a problem with cross border cases. Prisoners from Isiolo have to be transferred to Meru or Nairobi. It was difficult to take witnesses to testify because of inadequate facilitation. This of course compromised many cases.

Civil Society Leaders in Isiolo:

- It was alleged that there is a lot of corruption in GoK departments, in particular the survey department, who they claimed often fraudulently allocated council land.
- In order for the work of NACCSC to be successful, it will be necessary to do serious sensitisation of the citizenry, and network with civil society leaders.
- There are many NGO's and CBO's operating in Isiolo, but they are not transparent in their operations. They fall short of their intended objectives.
- There is nepotism in the appointment of CDF committees. An observation was made by one councilor that corruption has become a way of life in the district.
- It was alleged that corruption permeates the land department in the district (the registry is in Meru but there is a lands officer in Isiolo).
- Auditors come and conduct audits but the reports are not forthcoming. They concluded that this was corruption fighting back.
- Though there are 20 elected councilors, 9 of these are nominated. This number is above the GoK regulations and thus violates a statute.
- The Council was allocating land to persons from outside the district.
- There is no public toilet or other facilities in Isiolo town, yet the council continues to collect cess and rates from the traders.

- Patients who go to hospital are referred to private chemists to purchase their medication.
- When they report incidents to the police, the suspects are often released without charge.
- There are highway patrols yet un-roadworthy vehicles still use the roads.
- When tenders were awarded they went to contractors from outside the district yet there were local contactors with the same capacity.

Recommendations:

- It was suggested that ministries in all development projects be involved in those projects from the time of inception.
- GoK must re-plan the town because of the problems of flooding and poor sewerage.
- Security in the whole area must be improved, which would possibly require an increased deployment of the security forces. More patrols are needed in the outlying areas. There should be monthly forums for the locals to express their security concerns.
- Set up a revolving fund to assist the Town Council to purchase cattle from pastoralists during hard times.
- Immediately increase the capacity of the Police station in Isiolo and provide them with adequate vehicles and finance to transport suspects to Meru and Nairobi. There should also be facilitation for witnesses to travel to respective courts to testify.

Makueni District - Meeting with the District Commissioner

Date: 14th March, 2006

- The DC said that the district is large and some areas are very thinly populated. The poverty level is 75%.
- He reported that the Kamba people are loyal to the government, hence very peaceful and without many land disputes.
- There is shortage of water and a large number of the population depends on relief food.

- There is a problem with the CDF.

Civil Society and Community Leaders in Makueni (2nd visit)
Date: 24th August, 2006

- Corruption is present in all working places; this is shown by the fact that people own property that is beyond their means.
- High levels of unemployment are also causing corruption.
- Boreholes are done in the MP's home area with CDF money.
- Both MPs and Councilors are corrupt.
- Valuers and the Physical Planners charge Ksh 2000 to 2500.
- There is corruption at the Hospital mortuary where people have to pay the attendants between Ksh. 1000 to 1200 to have bodies taken in, and an extra Ksh 800 to 1000 for preservation, without receipts. Bodies are moved back and forth between the mortuary and hospital. Sometimes young boys who are employed in the mortuary take Ksh. 500 then put the body in a coffin and dump it in a public place.
- It was alleged that at the districts office there is preparation of false claims and receipts.
- The police often release those arrested by chiefs for brewing illicit brews.
- There is a problem with the CDF management in Makueni; funds are only given to those areas that supported the MP and bursaries are given only to some areas.
- One child receives three or so bursary allocation because the parents are supporters of the MP.
- LATF bursaries are given only to friends and not those who deserve them.
- There is overpricing in construction of buildings through public works.
- Overpricing is seen at the district hospital. People are conned due to lack of understanding.
- Under the Food for Work project, 8000 people worked and were not paid 850 bags of food worth Ksh. 1,912,500. But the recipients of the food are known.

- At Kisau police post the police officers extort money from young boys who smoke *bhang*.
- Government officers come to work late on Mondays and leave early on Fridays.
- Tendering process in the Free Primary Education is not done properly, for example Kyome and Ngunu primary schools.
- Chiefs are involved in illicit brew, bhang and land issues where they collect money from the involved.
- Thugs who are involved in highway robberies are known but not arrested.
- Rape cases are on the increase yet complainants do not seem to get assistance from police.
- The land tribunals are corrupt.
- It was alleged that lawyers and auctioneers collude to con Kenyans.
- The drilling department in the Ministry of Water is corrupt. They drill half way and abandon the project, then claim full payment even though they do not complete the drilling.
- There was an issue of child poisoning which the police seemed to cover up.
- In regard to relief food, AMREF is the leading agency. But relief food ends up in wrong places. 400 bags of beans were removed from storage and disappeared.
- Water is a big problem. Creating water sources and directing these resources has become political. Appointments in the various water boards are made without consideration of the person's background with regard to the issues of water in the ASAL areas.
- Muslim Boys' School was given CDF 200,000 but the money disappeared.
- At the lands office, one is taken in circles from office to office in an attempt to get a title, until at last a bribe is required.

Recommendations:

- Makueni has developed guidelines for sand harvesting. These should be replicated for other districts.

- CAP 265 needs to be revised so that councilors are empowered and can monitor and have say in the use of LATF funds.
- Funding for NEMA needs to be increased.
- Chiefs and sub chiefs must be supplied with uniforms and made to wear them when on duty.

Kitui District – Meeting with District Commissioner
Date: 15th March, 2006

- Rains have been unreliable and people depended on relief food for the last four years. The GoK and some NGOs are assisting through food support.
- Fruit farming was said to be doing well in the district.

Heads of Departments of Kitui:

- It was reported that transporters and fuel suppliers collude with officers to cheat the government.
- Officers tend to over stay in a station for too long.
- Lots of funds are directed to the desilting of dams. They felt that this was inappropriate as the dams should have desilting chambers.
- LATF is being used to pay salaries and debts at the expense of development.
- The fisheries department in the district is being allocated funds each year and yet there is nothing to show for it on the ground.
- Ministry of Public works allocated Ksh 72 million in the past 3 years but there is little to show for it on the ground.
- The district gets 10,000 bags per month of famine relief. This food was being distributed well. However, two Assistant Chiefs who were accused of misuse of relief food were taken to court.
- Suppliers and head teachers of secondary schools collude when it comes to supplies to schools and money is misappropriated.
- Whistle-blowers need to be protected.

Civil Society Leaders of Kitui:

- Kitui Municipal Council is second in corruption in Kenya (as rated by Transparency International). They said that corruption was real and present among them and that they needed to eliminate it, not just control it.
- They complained of having many non-local public servants working in the District who come from other tribes.
- The locals do not benefit from services from the police, lands and from procurement department.
- The police department is poor in responding to distress, but is more keen in working at the road blocks. Each day the police collect Ksh 100/- in the morning and Ksh 100/- in the evening from the *matatus* on the roads.
- Public transport vehicles are usually overloaded and the seat belts are not clean.
- Chiefs and some senior officers are stealing relief food.
- There is a lot of land grabbing.
- The CDF committee in Kitui Central does not have official meetings, yet some people meet and approve funds. Therefore the CDF funding should be stopped until things are streamlined.
- Corruption within public servants is caused by job insecurity.
- Bursary funds benefit the rich and well connected.
- Voter bribing is the order of the day.
- Religious leaders in Kitui are a big let down in fighting corruption in the district.
- Environmental degradation is a big problem, and in particular charcoal burning.
- *Bhang* is being sold in the open market.

Recommendations:

- The people of Kitui should be encouraged to practice rain harvesting as a solution to the perennial water scarcity.
- There should be GOK training programmes in livestock management and ranching to improve food security in the district.

- The GOK should look for ways of promoting the growth of cotton, silk harvesting, bee keeping and fish farming in the district.
- Alternative sources of energy, especially solar, should be explored for the district.
- NACCSC should go down to the village level because people have a lot of information on corruption-related issues.

Mwingi District – Meeting with the District Commissioner

Date: 16th March, 2006

- Pointed out that poverty level was at 56%, and 60% of the population are youth. The local community depends on relief food.
- There was high enrollment and retention in primary schools due to Free Primary Education and food provision in schools.
- The 66 million CDF funds so far received in the district have assisted a lot in building school laboratories, dispensaries, water boreholes and road construction.
- There was a problem with the LATF; the councilors are many and the impact of what LATF funds have done is very little. It is too thinly spread.
- The DC pointed out that delay in procurement caused corruption.
- There was disparity in salary structure among different departments of government.
- There was a problem of production and drinking of illicit brews such as *kumi kumi.*
- A chief was alleged to have stolen relief food.
- Suggestion boxes were put up but they are not serving the purpose.
- It is important to protect the whistle blowers.
- Environmental destruction was noted. Lots of damage is done due to charcoal burning and inept agricultural activities such as cultivating on hillsides. For example, on Kiomo Hills, agricultural activities have destroyed the hillside.

Heads of Departments of Mwingi:

- The CDF Act is inadequate. There is political patronage and conflict of interest on CDF management.
- There is collusion with traders to overprice and supply substandard goods and services. There is no market survey hence goods and services are overpriced.
- There is over employment of casual workers for road works, abuse of office and misuse of GOK property. A fictitious list of casual workers seems to exist.
- There are loopholes in the process of procurement, which are exploited by constructors to use substandard materials in construction work.
- Public servants use official time for private work.
- The Town Clerk pointed out that the government payment process is delayed so that suppliers can induce officers.
- It was alleged that land registrars influence the sub-division of land and various other decisions on land matters.
- The officers also ask members of the public to contribute fuel money as they claim there are no funds for fuel.
- There is shortage of drugs and materials. This leads to patients paying bribes in order to get services.
- There is acute shortage of medical personnel to the ratio of 1:20, which violates the recommended ratio of 1:6. As such the morale of the nurses is low.
- Clinical officers keep drugs in their drawers and ask money from patients in order to release the drugs.
- There is also abuse of waiver on medical services.
- The procurement procedures for the purchase of drugs, food stuffs and other supplies are abused.
- The management of water supply has a lot of corruption; the public pays money which is never accounted for.
- There is collusion in the supply of goods and services between suppliers and Public officers. Prices are inflated, yet sub-standard goods are

supplied. There are cartels of suppliers who collude to fix prices with the illegal assistance of some public officers, in order to give themselves lucrative contracts.

- People are unaware of the civic rights and requirements necessary for registration of IDs'. Acquisition of affidavits was riddled with corruption.
- Beneficiaries of land collude with surveyors to manipulate the demarcation of land to their advantage. This also unfairly influences land adjudication cases.
- Inadequate AIE compel public officers to ask *wananchi* to provide them with transport to and from the field, hence an avenue for corruption.

Civil Society Leaders of Mwingi:

- There is collusion between market workers and traders; some traders avoid paying the correct revenue.
- At the courts, cases are delayed for a long time, some for as long as 5 years.
- Public works officers inflate the cost of fuel for roads repairs and maintenance.
- Relief food is stolen by public servants.
- There is corruption not only in the management of CDF and LATF but in all ministries.
- Corruption is more common in the procurement of goods and services.
- The Provincial Administration has corruption, chiefs ask for *"Usuu"* worth Ksh. 3000 to settle the smallest problem.
- Police sell P3 forms for as much as Ksh. 1000/=
- Patients are delayed for more than 3 hours before they get treatment.
- Health workers are rude; some have their own clinics.
- Boards of Governors in schools incur unjustifiable expenditure.
- Public servants are given very low salaries which encourage corruption.
- Auditing of school funds is never done.
- There is selective awarding of contracts. It is only those who are 'known' who are allowed to tender.

- Traffic police collect Ksh. 500 per day from each *matatu* that operates on the roads to and from Mwingi. Overloading of vehicles is ignored by the police.
- Councilors are not involved in CDF projects within their wards.
- Locals do not know that CDF funds are public funds, and therefore they cannot question how much money has been given for which project.
- Primary education is supposed to be free but teachers charge 10/- tuition fee per child.
- The teachers employ selective teaching which only benefits the children of those who can afford to pay tuition.
- Duplicate Receipt books are printed through which revenue is stolen from GoK.
- The land adjudication committee charges an unofficial fee of Ksh. 2000/- to 4000/- from both parties.
- It was alleged that some arrested people in police cells collect money from other arrested persons on behalf of the police men.
- Police road blocks are alleged to be money collecting points.

Mbeere District - Meeting with the District Commissioner

Date: 18th March, 2006

- Corruption is common in the provision of services especially by the traffic police department.
- There was problem in the management of the public funds namely; CDF, LATF and the Road Fuel Levy Fee. The CDF Act is skewed. People are not trained to handle the process of managing the CDF funds, project identification and allocation of funds
- Land issues are a major concern in the district because of problems with surveying and the incomplete land demarcation process in the district. (They rely on the survey department in Embu).
- Land brokers interfere with the process of land registration and hence promote corruption. Lawyers and magistrates collude to buy land that is the subject of disputes. Auctioneers use unorthodox means to sell peoples'

properties. Most of the land in Siakago town was grabbed leaving no public utility land (for example the stadium, the bus stage and KARI land).

- The Issue of clanism is high (Ndamata and Muruli Clans). Clanism features in all issues in the district and is detrimental to development.
- While sale of *miraa* is an economic activity, the school drop-out rate is high. Children drop out of school to pick *miraa*. Boys are especially affected.

Civic leaders and Heads of Departments of Mbeere

- The civic leaders said that the local people perceive giving of gifts and/or money for a service as a cultural habit. This is perpetrated by the characteristically low salaries of public servants.
- Appointments to government are corrupt, and some people hold several top government portfolios.
- Many committees are powerless. One can be in a local committee such as the school board but have no voice.
- Many NGOs exploit the local people.
- There is failure to regulate commodity prices. GoK departments procure goods that can be sourced within the district, from without.
- The public servants who overstay in the station get sucked into local issues and lose track of their work ethics.
- Police take bribes to release suspects of brewing illicit brews.
- The land boards and tribunals are not given their allowances, which leads them to solicit bribes.
- It was alleged that the US Green Card Lottery is a way of deliberately perpetrating brain drain.
- The high number of religious organisations registered raises concerns.

Recommendations:

- Waive VAT on agricultural implements.
- As a way of fighting corruption, information on all devolved funds should be displayed publicly.

- Provide civic education for the people to know their rights.
- Revise public servants' salaries.
- Corrupt public officers should be charged in court and not transferred.
- NACADA should carry out education for the youth on drug abuse.

Meru South District – Meeting with the District Commissioner

Date: 20th March, 2006

- Relief food is still being distributed in some areas. Distribution of relief food had been given to a committee chaired by a local leader.
- There is a problem with the coordination, monitoring and evaluation of the CDF fund. The CDF committees do not give information on what the funds are for and the impact of CDF is yet to be felt in the district. Development of the infrastructure, including construction of roads and water, should benefit from CDF but disbursement of the fund is too slow.
- On LATF there are some issues. Projects undertaken through the fund are unclear and the public do not fully understand how the LATF fund is utilised.

Heads of Departments of Meru South:

- There is political interference in employment and transfers of public officers. This is often done without regard to their qualifications.
- There are great disparities in the salaries of public servants.
- The process of licensing business is too lengthy, thus encouraging corruption.
- Similarly acquiring of ID cards is also a very lengthy process and therefore corruption finds its way into it.
- Police are accused of poor service delivery; there are delays at the police station.
- Land issues are common but no corruption issues mentioned.
- The Ndungu report has cases on *jua kali*, encroachment on public land and road reserves, the district hospital land and the DC's office.

- Government departments are not involved in the management of CDF. Procurement in CDF has been done through single sourcing, which has made local traders feel sidelined.
- *Matatu* operators opt to pay a bribe of Ksh 100 rather than pay the court fine, which is high.

Civil Society Leaders in Meru South:

- Highway police are harassing Kenyans on the highways. They allege that the police in the district only have one functioning radar gun.
- There is corruption in the courts of law; some cases have been pending for the last 21 years.
- The locals are not involved in CDF management, and politicians are very selfish on CDF funds and practice nepotism.
- In the education sectors, Head Teachers do not use the funds given for free primary education, and the schools continue to suffer.
- The tendering process for GoK is lengthy and hence encourages corruption.
- There is corruption in the Electoral Commission of Kenya; the officials recruit relatives.
- Police were accused of collecting bribes at a road blocks at Irumba. Also the police check at Kirubia is notorious for extortion by the Police.
- It was also alleged that the provincial administrators, the chiefs, collect protection fee from illicit brewers.
- It was alleged that the police release arrested people in their custody through corruption.
- There is a conflict of interest among doctors and teachers who run private clinics and schools.
- There is bribery during selection of students to Form One.
- Most road reserves have been grabbed and repossession has been hampered by court cases.
- *Bhang* growing and logging are rampant in the Mt. Kenya forest.

Recommendations:

- Educate Kenyans to know their rights.
- Resolve the issue of illegal cattle grazing in Mt Kenya forest during times of drought.
- Vet those who are elected to boards of Agricultural Societies to ensure their integrity.
- GoK medical staff should not be allowed to be directors and or shareholders of private clinics.
- There is need for a unit to check on the police and the politicians in order to control corruption.
- There is also need for a supervisory committee in schools to control corruption.
- Quarrying should be stopped immediately on road reserves and strictly monitored elsewhere.
- Land grabbed in Chuka town should be repossessed. There is little if any public utility land.
- Cultivating river banks is illegal and this must be enforced.

Meru Central: District – Meeting with the District Commissioner
Date: 21st March, 2006

- The police department is corrupt, especially in the traffic section.
- The Administration Police and the chiefs collect protection fee from those who deal with illicit brews. The law courts are also alleged to be involved in the illicit brew business by giving lesser sentences or fines which cannot deter the crime.
- The courts apply double standards.
- There is duplication of efforts among LATF and CDF funds.

Civil Society Leaders of Meru Central:

- Land meant for a fire station in town was grabbed. A fire-fighting vehicle donated by the British government is non functional.
- The high rate of homicide (up to 10 per month) is very worrying.

- There is grabbing of land by local authorities. For example, land meant for Ngakoromone market was grabbed. Physical Development Plan No. Mru 1169/94/2 of 11 Nov 2003.
- Municipal council councillors employ their own children who are then given the job of cess collection.
- Lower Imenti forest should be taken to its original 1975 boundaries to protect the water catchment areas.
- 52 public plots since 1978 were sub divided and sold to individuals. It is captured in the Ndungu report.
- Nkuene Farmers Society, which is a coffee society, had 300 acres of land valued at Ksh 93 million. The headquarters and vehicles were sold by a liquidator, but members claim that they do not know how much they were sold for and what was done with the money.
- A cotton ginnery in Meru Central was disposed of in a less than a transparent manner.

Heads of Departments of Meru Central:

- Members of the public offer bribes to the prisons officers in order to skip the queue when they want to see their relatives. The public also offer bribes to have their relatives and friends moved to better prisons. They even offer to fuel prison vehicles.
- Farmers complained about the privatisation of the artificial insemination services (AI). They alleged that the government officers who offer such services are paid privately yet they are on salary.
- Public Health inspectors are facilitated to do inspections of slaughter houses by the owners. They are thus under pressure to approve the meat even if it is below quality. Additionally meat inspectors, when facilitated, will pass meat of dubious quality.
- The system of reimbursement at the district treasury is riddled with corruption.
- Delays in payment in the district treasury are common. There is also loss of revenue and payment vouchers.

- The district works office has issues of corruption especially with alteration of specifications at delivery, although all the contractors had been deregistered and a new list drawn.
- The Town Clerk pointed out that there is collusion between revenue collectors, enforcement officers and the traders, especially *matatu* operators.
- The county council enforcement officers receive bribes from offending traders to forego taking them to court.
- Low salaries have been a factor contributing to corruption in the council.
- Land within the county council has been grabbed.
- Corruption in the police department is in the eyes of the public at the road blocks.
- Police harass people during investigations so that they can yield and give bribes.
- Police falsely accuse individuals who have land cases to put them in custody while their cases are being heard so that the land issue is concluded without one party.
- There is loss of revenue at Kenya Wildlife Service through double receipting and abuse of smart cards.
- There is a sensitive wildlife and human conflict, mostly elephants destroying crops and farmers not being compensated.
- ID cards take too long to process. Classification of fingerprints is hampered by lack of qualified personnel.
- Transportation of voters to other constituencies is a concern. Vote buying is common during elections.
- Teachers and bookshop owners collude to raise the prices of books to skim money on supplies for themselves. Transfer of teachers is also riddled with corruption. Secondary school principals tend to inflate school fees over ministry recommendations.
- The lands department is full of brokers because there is so much confusion.
- KRA revenue collectors in Meru are corrupt.

- County council revenue collectors collude with *matatu* owners in the main bus-park so they don't pay parking fees.

Recommendations:

- The GoK must institute civic education programmes to sensitise people on their rights.
- Speed up the resolution of land disputes as these are linked to the high homicide rate in Meru.
- Implement the Ndungu report.
- Increase the number of judges sitting in Meru Courts.

Tharaka District – Meeting with the District Commissioner

Date: 22nd March, 2006

- The press does not cover the district.
- CBO's are very poorly organised as most of the committee members are old.
- Illiteracy rate is high in the district.
- CDF and LATF laws should be reviewed.
- Clerks in local authority are being recycled instead of being sacked when they are caught in illegal transactions.
- Free education committees in the district are formed by the headmasters and they are often intentionally weak so the heads can misuse them.
- Taxes collected by the council do not seem to benefit the town (Marimanti).

Civil Society Leaders and Heads of Departments in Tharaka

- School heads have ways of manipulating the system when it comes to the supply of books and other school supplies. But people are ignorant and take no interest in what is going on in schools. The standards of education are very poor.
- Orphans in the district are without shelter.

- Teachers' recruitment is very poorly carried out in this district. Selection of teachers should be done by the TSC in Nairobi.
- A transfer to the district is considered a punishment by public officers. Public officers in the district cannot bring their families to live with them because of the lack of accommodation.
- They commended Plan International for the good work they have done in educating orphans and establishing a number of water projects in the district.
- Community policing is being well received in the district.
- The money brought in by local leaders does not reach the local people.
- There is little or no accountability for the money used in most projects.
- The registration forms for ID's are not available and the ID's take very long to be issued.
- The press does not cover the district and the KNA office is poorly equipped.
- The district has no court and it is expensive and time consuming to transport suspects to Meru and Chuka.
- Court fines for possession of illicit drink are too low and do not discourage the brewers.
- FGM is carried out. When chiefs know it is going on in their location, they hide the information.
- There is no tarmac road in the whole district. The roads are expensive to maintain.
- There is no power supply in the district.

Recommendations:

- The KNA needs to have a fully equipped and functional office in Tharaka.
- The locals should be encouraged to build accommodation which will suit the government officers and their families.
- The GoK must develop a comprehensive policy for monitoring the activities of NGO's and develop an index to ensure that a selected percentage of their project budgets is evidenced on the ground.

- Those found carrying out FGM should be jailed without the option of a fine.

Meru North District – Meeting with the District Commissioner
Date: 23rd March, 2006

- The major economic activity is growing *miraa*.
- Trained integrity officers were being indiscriminately transferred and consequently there is no continuity in the fight against corruption. However one of the achievements was the sensitisation of the public against the vice.
- Five corruption cases were pending: 3 in court and 2 under investigation.
- Some departments were notorious for corruption, for example the land adjudication department which started work in 1963 and to date has not completed its work.
- Land committees are corrupt and many people do not know where they are supposed to live.
- The police department is corrupt.
- Poor remuneration of public servants is one of the causes of corruption.

Civil Society Leaders in Meru North:

- There are too many roadblocks at which vehicles have to part with 500 KShs. Failure to do this, the driver would be fined heavily in court. Consequently they prefer to pay the bribe.
- There are 14 roadblocks between Maua and Nairobi and at each one they are required to pay between 50 to 150 Kshs per vehicle (PSV and *miraa* vehicles).
- GoK lost the war on corruption because in 2003, the whole country had risen against the vice but along the way the GoK lost its will.
- In land disputes those who had more money to bribe would win the case (competing bribes)
- There were allegations that there is unwillingness amongst GoK officers to fight corruption because of the attendant benefits.

- It was alleged that even when there was a registered objection against the sale of land, the sellers and land officers colluded to delete the objection and the land is still transacted. For example, a son would even bribe his father to get a bigger share of the family land.
- In regard to domestic violence, when a man beats his wife he can bribe his way out of charges at the police station.
- Chiefs, Assistant chiefs and APs are paid protection fees by brewers to fore-bear any arrests and prosecutions. It was alleged that they collect money every Thursday.
- Mechanics have an established cartel with motor vehicle inspectors and they collect money from owners of commercial vehicles to be passed as roadworthy even when the vehicles are not.
- There was an allegation that in Police recruitment money changes hands well before the recruitment takes place and the recruit would have an agreed on 'mark' to identify him to the officers so he can be passed.
- The church alleged that land officers allocate themselves land in adjudication sections and then sell it. When people complained about the suspected officers they were either promoted or transferred.
- Corruption is seen in the registration of churches. Some churches will only sponsor schools if the heads are members of their denomination.
- The election of directors to the 2 tea factories in the district was fraudulent.
- Teachers having affairs with girl students are common and no action is taken against them by the police or DEO because they bribe their way out.
- Land officers often give conflicting judgments on the same issue and this could only be because one has been bribed.

Heads of Departments of Meru North:

- Within the CDF there was a management problem. At this time there were up to 193 ongoing projects that required monitoring and evaluation and this was not possible. They noted that District Projects Committees had not met since the inception of CDF.

- Councilors put pressure on their officers to be allowed to supply materials for the projects in their wards.
- Identification of needy students for bursaries was abused because the poor and needy are not allocated bursaries unless they bribe.
- Head teachers force students to repeat classes and consequently there is a high dropout rate from pupils who resist the order to repeat. In many cases the money for students who have dropped out is not returned to the ministry.
- Since the members of CDC are nominated by the MP's, they do not speak out in the event of any misconduct.
- District Officers, Chiefs and Assistant chiefs are often looking for schemes to siphon devolved funds to cushion themselves against their low remuneration.
- It was alleged that in the management of free primary education, the heads and treasurers collude to supply goods and services to the schools at inflated prices.
- The Ministry of Health claimed that expired drugs were often procured and also that drugs that were not required were being procured.
- The district quantity engineer claimed that he does designs, drawings and estimates for CDF committees. He alleged that after submission, they disappear and the result was stalled projects due to poor supervision and monitoring by the technical line ministry staff.
- A majority of the youth have no primary identification certificates such as the birth and baptismal certificate to enable them to acquire IDs. They shy away from applying for IDs.
- The district has the highest number of land consolidation parcels numbering up to 80,000. The logistics of the exercise are enormous and create many loopholes for corruption by the committee. There were many instances of the public bribing officers to get judgment in their favour in land cases. Land brokers are the people who connect members of the public to the officers. Poor allocation of funds hampers resolving of land adjudication issues (there are 34 adjudication sections). They claimed that

since the minister of Lands was the sole arbitrator in lands appeals he could be subject to manipulation.

- Poaching is taking place in the gazetted GoK forest (11,018 hectares) and the guards and the District Forestation Officers were unlawfully selling forest products. One of the reasons identified for this was the poor remuneration of the guards and officers.
- Forest produce movement permits were being given out through bribing of officers.
- The CDF committees did not have the capacity to design and implement the projects.
- The public's ignorance of the law was exploited by public officers to extort bribes.
- Councilors influenced the determination of cases.
- There are brokers at the courts who mislead the public that they will be able to have cases decided in their favour at a fee to be paid to the court officials. There was also the issue of buying of witnesses who would then fail to appear in court to testify.
- Missing court files are common complaints. In most cases there is collusion between the court clerks and the parties.
- The police are compromised to abuse their powers to arrest and detain rivals (victimisation).
- When officers stay too long at a station it breeds familiarity to the extent that officers are compromised and it affects their judgment in decision making.
- There are cases of doctors demanding money in order to carry out and sign post mortem reports.
- Corruption is rampant in the traffic department. Police officers were openly taking bribes on the roads.

Recommendations:

- The land adjudication in the district must be looked into with a view of speeding up what is pending and completing the whole exercise in a transparent manner.
- GoK should explore ways and means of empowering the people of Meru North to find alternative agricultural income generating activities other than *miraa*.
- The CDF as an institution should hire its own technical staff.
- The DEO should be involved in supervising the local communities and setting up central vetting committees in order to avoid abuse and duplication in the awarding of bursaries.

RIFT VALLEY PROVINCE

Provincial Commissioner, Mr. Hassan Noor

Date: 16th May 2006

- The P.C. reported that at the provincial level corruption prevention committees have been revived and are now functional, and that the campaign is seen to be picking up. His office is committed to supporting the fight against corruption.
- Land issues represent the height of all corruption problems in the province. Public servants who had been given powers to allocate land had abused their powers in land allocation, and there are double allocations of land parcels.
- Ordinary Kenyans see police officers receiving bribes.
- Cattle rustling in the Samburu area is a big problem. Disarming of pastoralists is the solution but there is lack of political will from the local leaders. In Uganda it is working well.
- Suguta Valley infrastructure is poor, with killings and tribal animosity becoming a big problem. It is a way of life.
- Poor education in the Samburu-Suguta area; many times 15-year-olds are out rustling cattle instead of going to school.

Recommendations:

- Suguta Valley infrastructure should be improved and the valley opened up.
- Improve education in the areas of Suguta and Samburu.
- GoK should come out clearly on the Ndungu report; people are not sure whether it is to be implemented or not.

Provincial Heads of Departments – Rift Valley Province

Date: 16th May, 2006

- There is a corruption prevention committee at the provincial, district and departmental levels.
- NACCSC is going the right direction in the war against corruption by going out and involving Kenyans. The committee is perceived to be the conscience of the country.
- There are some power cartels in the procurement process in government.
- The war against corruption should target both the public servants and the private sector.
- In order to get elected as an official in the cooperative societies, people have to bribe.
- The issue of moral uprightness is important. But Kenyans have been conditioned to be corrupt, and there are no role models in society. Emphasis should now be on change of attitudes among Kenyans.
- Land was allocated without due regard to water catchments.
- There is corruption in the Judiciary system, a Service Charter was necessary
- Handling offenders by the corrective institutions is very bad that it was better for one to bribe to escape.
- AIEs are released late in the year hence prompting corruption.

Recommendations:

- Suggested that GOK should also improve on efficiency.
- NACCSC should come up with a policy on land ownership in terms how much land an individual can own.

- It is important to empower public servants to fight corruption.
- AIE's must be on time
- Retrain Public officers.
- Issue of anti corruption should be made part of the schools curriculum.
- There is a need to train public officers not to accept bribes and the public not to offer bribes. Fighting corruption must be made every Kenyan's business.
- There is need to harvest goodwill from among the public while it still exists.
- There should be a nationwide government office to reorganise the public records keeping with a view to computerising it in all departments.
- Need to harmonise all land acts in the country.
- Because Nakuru is located on a fault, the planning should take that into account when producing building plans.
- Pollution of the lake should be checked, especially the releasing of effluent and as such the sewerage department should be modernised and expanded.

Nakuru District – Meeting with District Offier (representing D.C.), Departmental Heads and Civil Society Leaders

Date: 16th May, 2006

- Participants indicated that corruption was a way of life, and that there was need to establish why members of the public give bribes.
- Corruption was also found in elections and in politics.
- There was corruption involving altering of tender documents.
- Evictions from Mau forests led to social instability and corruption. It also raises the issue of Social Justice.
- Corruption abounds in the lands office because of poor record keeping. Record keeping is manual. Agents masquerade as land officers. There is a parallel lands office issuing bogus titles, sometimes for free.
- People don't question how the wealthy acquired their money. They are held in high esteem nevertheless, which encourages corruption.

Recommendations:

- GoK should consider provision of loan facilities for low salaried people.
- Processes and procedures of doing things should be made easier.
- Trees should be planted and the burning of charcoal discontinued.
- Money that has been taken through illegal gains and stashed abroad should be returned to the district.
- Make mobile weighbridges. Carry out more regular and thorough inspections as overloaded vehicles have seriously damaged Kenya's roads.
- Management of forests should be a priority as there are national repercussions, including weather change. Forests should be protected as a main water catchment area.

Koibatek District

Date: 17th May, 2006

- The DC pointed that the major issue of corruption in the district is land. Dispensation of justice on land matters by elders was affected by bribery.
- There were cases of rape where the accused bribes his way to freedom.
- The local people believe that they must pay for services given by public servants.

District Leaders of Koibatek

- Leaders stated that there were no projects undertaken using LATF and CDF.
- They said the town had no sewage and roads were bad.
- There is no equal land allocation. Justice goes to the highest bidder on issues of land in conjunction with land tribunals.
- People have silencers on chain saws. They can log quietly. The forest officer would not even tell people where he lives for fear of being killed. The department is under-equipped to effectively police the forest.

- Elders with title deeds do not pass on them on to their children because they fear children will sell the land. When they die there is problem between family members regarding who will get the title.
- Women suffer a lot when raped because they cannot get justice. Often, elders hold court and take money to silence the victim.
- Poor remuneration for public servants encourages corruption.
- The culture of giving money for a service is widespread in the district.
- The local MP was said to be the most corrupt.
- Road construction projects are awarded to briefcase contractors.
- There is corruption in the *matatu* industry involving overloading, seat belts, speed governors and unroadworthy vehicles.
- Bursaries were allocated to those who do not deserve them. There were also double allocations of bursary funds to the same beneficiaries; one student gets bursary from CDF and also from other sources.
- Construction of the police lines was sub-standard.
- Out of 30 million shillings allocated to the district due to the *El Nino* rains, only Ksh 10million was utilised.
- Funds allocated for the Ravine Mortuary were misused.

Recommendations:

- That CDF Act should be amended so that members can elect committee members.
- There is need for land adjudication board members to be vetted.
- Harmonise public servants' salaries.
- The police department needs armed security and more vehicles.

Baringo District

Date: 18th May 2006

- Corruption had reached very high levels in Kenya and the district, with a population of 350,000, also has its share of the vice.
- There is a problem with CDF due to lack of proper policy.

- There were reported corruption cases on health facilities, CDF and bursaries which were being investigated.
- Government seminars in hotels are seen as party to corruption.

Meeting with public servants and civil society of Baringo

- There was corruption problem with the CDF especially with the bursary allocation and appointment of committee members.
- Land/plots were allocated to people from Nairobi and the locals did not benefit.
- There are delays in handling of cases at the law courts; a case involving theft of Ksh 1.6 million six years ago has not been settled to date.
- There were cases of double and triple allocation of land at Muchongoi Scheme.
- Some people were allocated forest land and water/river reserves.
- Cattle-rustling is rampant in the district. Much of it is commercialised. The rustlers take the cattle and sell in markets.
- People became used to the culture of handouts. Government seminars were mostly being taken there because its where the then President was from.

Recommendations:

- There is need to promote development that will pull people away from cattle rustling.
- Mainstream anti corruption education is needed throughout the country akin to the National HIV/AIDS campaign; it should also be included in the school curriculum.

Kieyo District – Meeting with the District Commissioner

Date: 19th May 2006

- Corruption is present in all sectors of our economy
- Soon after the new government came into power, Kenyans were ready to fight corruption, but they lost momentum after reporting issues of

corruption and nothing was done, and have now given up the fight due to poverty.

- The Director of KACC was bribed with a huge salary to fight corruption.
- That allocation of resources, particularly the devolved funds, is causing corruption due to the unclear polices.
- Land issues are a big cause of corruption, and forest land was given out.
- There is illegal harvesting/logging of forest products.

Public Servants and Civil Society

- It is normal for councilors to bribe.
- Police collect protection fee from illicit brewers and set up kangaroo courts for this purpose.
- There is theft of money at the local council and they had reported the matter.
- Sale of bonded GoK vehicles is done in a corrupt way.
- Some GoK vehicles are left in villages without security and spare parts are removed.
- Some locals gave land out for schools/other public utilities with a promise for compensation but were never compensated as promised.
- There is lack of prioritisation in LATF projects.
- Police recruitment is not favourable to them.
- Identification of needy cases for Bursary funds is not properly done.
- There is grabbing of school land.
- In Keiyo the maps done for land allocation were different from the situation on the ground. The officers asked for money to correct the anomaly.
- Land tribunal cases take too long to finalise due to lack of resources.

Recommendations:

- Police need to be better equipped so they can transport suspects and exhibits to court, especially in regard to illicit brew.

- Kenyan attitude towards laws must be changed. They see rules and regulations as a hindrance.

Kapsowar-Marakwet District – Meeting with the District Commissioner Date: 20th May 2006

- There is corruption in the district involving misuse of public resources especially the devolved funds namely CDF and LATF, such that the impact of these funds is very minimal on the ground.
- Other departments have not signed performance contracts but still continue to do things the old way, hence misuse of GoK resources.
- Land has been a source of conflict, but all land matters are handled by the land dispute tribunals, which go up to the divisional level.

Meeting with District Heads of Departments and Civil Society Leaders

- The district forest officer stated that land was given to squatters at water catchment areas and politicians have made it difficult to move these people.
- Most of the land in the district has not been demarcated as adjudicated, and therefore there are no titles. This causes a lot of conflict, even within families.
- Land cases are interfered with by chiefs who influence decisions, and the tribunal committees are not transparent.
- Forest guards are poorly paid hence they are easily compromised and do not have the capacity to deal with poaching.
- The forest Act is not well supported by Cap. 365 to the extent that the magistrates do not award sufficient punishment to deter illegal logging. There are 65,000 hectares of forest in the district with 66 forest guards and only one vehicle.
- It was noted that the CDF Act does not provide a procedure for election of the CDF committees. This has resulted in corruption.
- That there is no Law Court in the district.

- Water from Chebarar Dam goes to Eldoret and the locals do not benefit.
- Bribery of the police is a loophole for avoiding arrest for selling and brewing illicit liquor.

Recommendations

- CDF management should be given to committees at the grass-root level and the provincial administration should oversee the implementation of projects. The CDF committees should have gender balance and involve youth.
- A Law Court is needed in the district so that cases do not need to be taken to Eldoret.
- Land demarcation should be carried out to minimise land cases and killings related to land allocation.
- Service charters for government ministries would minimise misperceptions by the public regarding corruption.

Uasin Gishu District – Meeting with the District Commissioner

Date: 22nd May 2006

- Corruption is an issue of perception and there is need for continuous education for attitude change.
- Illegal logging is taking place in the district.
- The needs of squatters often conflict with environmental concerns; for example there are squatters in an area that is designated as a water catchment for Lake Victoria.

Meeting with public servants and civil society

- CDF committees are not known to the people, and the committees are made up of supporters of MP's. The funds are known as "*pesa za Mjumbe*".
- Members of the public do not know that CDF are public funds and that they have a responsibility in its management and monitoring. Similarly, they are not aware that LATF is supposed to be their money.

- Insecurity has increased and it seems like justice will never be given to the people.
- There is corruption in Moi Referral Hospital, where patients have to bribe to be treated.
- There is collusion between government health officials and private chemists, such that doctors prescribe drugs and send patients to specific pharmacies in town.
- There is corruption in the police department as police take bribes from *matatu* operators.
- Secondary schools are charging tuition fee of up to Ksh 300/= without giving receipts.
- CDF committee members are not trained to manage the funds.
- HIV/AIDS patients are discriminated against and are not admitted into hospitals.
- Corrupt KRA officials are taking advantage of the peoples' lack of knowledge on taxation laws.
- Many bogus colleges are many in the town conning parents out of money.
- Micro-finance institutions pretend they will give out loans, but actually swindle people of their money.
- Some Head teachers are compromised to give admissions.
- Officers who overstay in one station become familiar with known criminals, and collude with them.

Meeting with Heads of Departments in Uasin Gishu

- Poor pay for civil servants and low allowances fans corruption.
- The government experiences shortages in the supply of drugs, but the public sees this as corruption.
- Police and security officers are poorly paid and given poor housing with inadequate resources to carry out their duties.

Recommendations:

- There is need to deal with the conflict between doctors and pharmacists.
- The Ministry of Education and any other relevant authorities need to ensure that bogus colleges are not set up that ignore the education regulations. They need to regulate them more thoroughly.
- Details of the bursary fund allocations should be published on notice boards, and provided until a child completes school.
- CDF could have fewer projects, but complete them rather than ending up with half-completed buildings (such as classrooms, for example).
- Access to information, especially women, should be made through churches, schools and local FM stations.

Trans Nzoia District – Meeting with the District Commissioner

Date: 23rd May 2006

- The D.C. stated that corruption is now a way of life.
- The main corruption issue is land buying and ownership.
- There is also the issue of professional squatters who keep on claiming that they are landless, but when given land they sell it and start again.
- Although the CDF is a good idea, implementation is poor. MP's should have less control of these funds.
- The forest settlement in Cherangani Hills was politically motivated and is a form of environmental degradation.

Trans Nzoia Civil Society Leaders:

- Public servants are very corrupt.
- LATF funds are mostly used to pay salaries and council debts.
- Police receive bribes from *matatu* operators.
- HIV/AIDS funds are not properly used; there is cheating and misappropriation.
- Assistant chiefs collude with the brewers of *changaa* and *busaa.*
- There are variations in the cost of commodities bought through tender.
- CDF management has not involved the Muslims.

- Cases of the grabbing of public land such as that of Kitale Prisons and KARI are well known. Also ADC farms have been misallocated through corruption.
- Forest land was allocated to squatters but some of the beneficiaries are top government officials.

Meeting with Heads of Departments of Trans Nzoia

- The sustainability of CDF projects is a cause for concern.
- Promotions are given in corrupt ways, but not to those who are deserving.
- Poor pay for government officers should be addressed, because there is a commitment to work.

Recommendations:

- The Ndungu report should be acted upon. In particular in Trans Nzoia the issue of land allocation and squatters may be the most severe in the country.
- Cattle branding should be introduced in the district to reduce cattle rustling.
- Clergy should be involved as members of the LATF and CDF committees.
- The locals want the government to take care of the family of the late Masinde Muliro and make sure that their property is secure and any property lost since his death be returned.
- A course on anti-corruption should be included in the school curriculum.

West Pokot District – Meeting with the District Commissioner

Date: 24th May, 2006

- Corruption involving GOK officers is minimal as there are few GOK services in the district.
- Insecurity is high in the district which makes it impossible to spend funds.
- Some NGOs receive a lot of funds yet they do nothing on the ground. Sentinell is one such NGO which received Ksh 45 million for fighting

female genital mutilation (FGM) and yet has nothing to show for these funds.

Local Leaders in West Pokot:

- The issue of ID cards has been thorny.
- Turkwell project displaced locals without compensation. The project employed people from one tribe and not the locals; in the process there was a lot of nepotism and tribalism.
- There is corruption among traffic police who collect between Ksh 50-100/= from *matatus.*
- Pokots have been branded as thieves by the government.
- Unemployment is high among Pokots who have a big number of graduates.
- The Ksh 10.6 million given for purchase of cows through the Agricultural Finance Corporation never benefited Pokots.
- Relief food does not reach those with genuine needs.
- Police arrest people and retain them for long hours over the weekend in order to solicit and receive bribes.
- CDF is MPs' money; the committees are made up of supporters and relatives
- Locals pay Ksh 2000 for interviews into medical colleges and then unqualified people are taken for training.
- There is corruption in the procurement process.

Heads of Departments of West Pokot

- Recruiting teachers through the current process is tempting and hence encourages corruption.
- Inspectors are bribed not to punish teachers who are involved in love affairs with students.
- Prices of good and services are inflated in the GoK procurement process.
- There are people who want to be paid even though they do not work.

- Revenue collectors collude with businessmen not to pay revenue to the council.
- There is limestone and gold in plenty in Pokot and this is being exported to Uganda without the locals benefiting.

Recommendations:

- The government should look into the setting up of a cement factory or other industry that can benefit the local community and make use of the region's vast natural resources.
- The district should not be treated as a closed off region.
- The government should change the public perception that the people from this area are just thieves and bandits. It creates a label for them and thus they feel cut off from the rest of the country.
- There should be a rationalisation of hardship allowances for all public servants.

Nandi North District – Meeting with the District Commissioner

Date: 25th May, 2006

- Previously, loopholes in treasury facilitated fraud and corruption. However, a system of tracking vouchers has now been put in place.
- Regarding the CDF, each Parliamentarian has different priorities, but with involvement of the District Commissioner, they reach an agreement. Some of the CDF projects have been completed, but others are ongoing. There is a notice board outside the DC's office regarding these projects.
- There is double allocation of land and double allocations of bursaries.

Meeting with Civil Society Leaders in Nandi North

- The vetting process for issuance of IDs is too bureaucratic and is not transparent. Getting an ID is especially problematic for Muslims, who are discriminated against.
- Kenyans fear police and judiciary therefore readily offer bribes.
- Corruption is rampant in government offices.

- Corruption in land matters is extreme.
- Corruption starts from the top as during elections a lot of money exchanges hands and voters are bribed.
- There is corruption in the police; people give bribes to avoid arrest and prosecution.
- Audit reports on financial impropriety are in some instances fraudulent.
- Disparity in salary structures was identified as a cause of corruption.
- In the Nandi Teachers Sacco, Ksh 300 million cannot be accounted for. Members were barred from meeting to discuss management of the Sacco. Although the matter went to court, the file has disappeared and the case has stagnated.
- There is misuse of courts to block justice.
- *Matatus* are overloading and tampering with speed governors, but there is no action by police. Seat belts in *matatus* are non-functioning or substandard.
- Gains achieved in the fight against corruption during the change of presidency have actually now been reversed.
- Civil servants come late to work.
- Chiefs ask for bribes to sign forms for IDs.
- Police officers are also in *matatu* business hence they cannot enforce the law.
- Lack of payment of allowances to land control boards is encouraging corruption.
- Bureaucracy in procurement procedures has wasted a lot of funds meant for development.
- The *boda boda* riders are arrested because they have no headlights on the bicycles and are harassed by the police. As such they have to stop operating at night.
- It was allocated that when complaints on defilement are filed with the police, suspects are in most cases released as a result of corruption.

Heads of Departments of Nandi North

- Police take bribes because they are poorly paid; housing is poor and houses are few. Police also are known to own *matatus*.
- Persons suspected of brewing *busaa*, after arrest, are not prosecuted. However, police complained that illicit brews in the district were being brought from Western Province, Uasin Gishu District and Nandi South District. They reported that private motor vehicles were being used to ferry the illicit brews, and also drugs, in the district.
- Chiefs demand bribes from the citizens who need their services, especially the youth who are looking for registration documents.
- Subordinate police officers are underpaid, and hence demand bribes.
- Tedious procedures and bureaucracy in government services encourages corruption, because people look for shortcuts. Brokers come with ways of circumventing these requirements and procedures, but at a cost.
- It was alleged that the public service motor vehicles are owned by police officers and these vehicles flout the traffic rules with impunity.
- Liberalisation of veterinary services has resulted in the overcharging of both drugs and clinical services.
- Duplicity and multiplicity of funding is seen in CDF and LATF funds; there is no synchronisation. The capacity of the DCF project committee is very low.

Recommendations

- There is need for an aggressive campaign against corruption that uses the existing public administration structures from the grass root level.
- There should be no protection or favouritism regarding those implicated in corruption; all should be prosecuted.
- The salaries of police officers should be reviewed upwards, and the police forces should be enlarged.
- Establish the office of an ombudsman to receive complaints from the public.

- Equitable distribution of work in the public service will help reduce corruption.
- Reports from public committees should be implemented.
- Amend the CDF Act to allow for the members of the CDC's to be directly elected by the area residents, and display publicly information about CDF projects.
- The law should empower police officers to deal with traffic offenses on site rather than be required to take all cases to court.
- Patriotism should be promoted in the fight against corruption.
- The public should be educated not to give bribes for services which are due to them free of charge.
- Bursary funds should be allocated by and channeled directly through the Boards of Governors of schools.
- Employers and the government should take employees from all communities in order to prevent unfair collusion.

Nandi South District – Meeting with the District Commissioner
Date: 26th May 2006

- There are many land-related issues in the district and locals who had been evicted during the ethnic clashes are now squatting at hilltops which are forest reserves and water catchment areas especially at Tinderet, Selengwani and Kapchomwa. However, some squatters are mere land speculators and are not genuine. Others had been affected by the large scale tea farms and the sisal estate.

Local Leaders and Public Servants in Nandi South

- Public servants pointed out that there was corruption in the manner in which AIEs are delayed and then released at the end of May. This frustrates the AIE holders and because it forces them to do things without following procedures lest they would have to return funds to the Treasury.
- There is societal pressure on the public servants when members of the public tempt them with money/bribes in order to speed service provision.

- Members of public complained that they are not knowledgeable on how CDF, LATF and other devolved funds are managed and therefore do not know when corruption is taking place.
- Case files are known to go missing at the registry due to corruption.
- There is corruption in the bursary allocation; funds are given to people who do not deserve them.
- Disparities in salary structures are to blame for most of the corruption.
- The culture of goodwill/*bakshish* is rampant in the region.
- There is corruption in the Free Primary Education, Head Teachers have devised ways of misusing the funds.
- ADC Kimwani farm was allocated to those who were politically correct in the previous government and the squatters who were there were left out. There were allegations that the administration plans to evict squatters (who are indigenous) to pave the way for resettlement of others.
- Tinderet, Serengonik, and Kapchorwar forests have been invaded by squatters and allocated to individuals.
- The town has poor or non-existent sewerage system.
- Illegal brews abound because there are a lot of tea factories in the district and the workers buy *changaa* or other brews in the night.
- Locals wanted justice for the family of the late Seroney as their land was mortgaged to National bank of Kenya and the Bank kept the land after he died. The remaining land was invaded by squatters.

Recommendations

- Local residents should be sensitised and empowered on devolved funds so that they can be involved in monitoring the administration of the funds.
- Members of the Bursary Committees should be made known to the public and/or bursaries be handled directly by the schools to avoid corruption at the committee level.
- Let future studies be specific and not blame the whole police service as being corrupt; this is demoralising the good ones.

- The local community should be told to stop narrowing the roads and grabbing road reserves.
- Re-building of moral values should start in schools. As part of this education and rebuilding process, we need to stop glorifying dishonest people.
- Those with large tracts of land should sell part of their land to the government, who would then settle the genuine squatters, at a cost.
- Civil servants should be paid well and given proper benefits such as housing and medical cover.
- CDF cheques should not be collected personally by Members of Parliament. They are known to hold on to these cheques and travel around the constituency showing them to voters – until they become stale.

Laikipia District – Meeting with the District Commissioner
Date: 8th June 2006

- There are no Corruption Prevention Committees in the district due to the lack of trained Integrity Assurance Officers. Furthermore, there are no guidelines to help in the fight against corruption, since the only existing handbooks are outdated.
- When the complaint box is opened, there are no corruption issues found, just complaints and allegations about individuals.
- There have been no complaints about the use of CDF funds.
- A Monitoring and Evaluation Unit has been established to ensure that all funding to government projects is well utilised.
- Crime rate in the urban centres is quite low, but is high in other parts especially cattle rustling along Rumuruti and El Moran areas. The Government subsequently wants to develop these areas – boreholes, schools, dispensaries etc so that *wananchi* can settle in these areas.
- There are too many resources used in security operations at the expense of development.

- There are many squatters on private ranches awaiting resettlement by the Government when land becomes available.
- The Government is encouraging internally displaced people to go back to their land as security has been beefed up.
- There are problems of farm produce poaching and burning of charcoal. There is also illegal logging going on.
- There are also problems with land-buying companies, with many cases of double allocations. This has resulted in numerous court cases. In some cases the registered title holder and land occupant differ.
- People coexist peacefully but conflict arises in times of drought when pasture becomes scarce.

Civil Society leaders in Laikipia:

- Doldol town (60 kms away from Nanyuki town) has no ambulance to cater for the sick in the area. They sourced one from St Johns Ambulance but it was later taken away and given to the Nanyuki District Hospital.
- Not all the bomb victims were compensated by the British Army, and unexploded ordinances are still lying in Doldol.
- Doldol areas are marginalised in development and poverty is very high. It has low school enrolment and high illiteracy; most children of workers on the big ranches do not attend school.
- Up to three-quarters of the land in Laikipia is owned by settlers whose leases were renewed last year for another 99 years.
- Slums have sprung up in Nanyuki town as a result of overflow of people evicted by land buying companies. This occurs when the companies allocate one plot to several people.
- Idle youth engage in cattle rustling.
- There was an allegation that Naibor School was allocated 1.7 million from CDF but no corroborating evidence on the ground.
- Many unroadworthy public service vehicles ply the Nanyuki-Doldol road.

- The Mayor wants the law amended to make Full Council meetings open to the public, so that there is transparency and accountability in their operations.
- The mayor also wants to display all LATF and bursary details so that the public can easily access the information.
- Famine relief food remains at the local Cereals Board depot for too long while people suffer from hunger. Famine relief food is not going to the needy. There is evidence that some of the relief is being illegally sold.
- It is wrong that easy-come riches are still glorified in society.
- Perennial drug shortages in Government health institutions a big problem
- Traffic police take bribes from owners/drivers of vehicles caught with offences, and release them without preferring charges.
- The Nanyuki – Rumuruti road is often impassable, they want it fixed because it makes vital communication in the area easy.
- An issue was raised on the method of nominating councilors to local authorities.
- The formation of CDF committees should be 'party blind' and incorporate all citizens irrespective of their party affiliation.
- They allege that the Council yard, bus terminus, a number of GoK houses, road reserves and *jua kali* land among others have been grabbed in Nanyuki town.
- Wildlife conflict has brought suffering to the community.

Departmental Heads of Laikipia:

- Some people are corrupting courts to subvert justice.
- The Presidential Ban on forest harvesting was ill-timed because it has taken too long. No replanting has been organised.
- There are circulars on the ground mandating respective Officers to repossess land mentioned in the Ndungu Report, for example lands and forests. But some 7,000 hectares of land were grabbed in the area, and the department has not been ordered to repossess it all. The Lands Department however is still allowing transactions on the affected land due

to lack of clear instructions on how to effect the recommendations of the Ndungu report.

- Land transactions are lengthy, and therefore encourage graft.
- Due to numerous complaints on drug theft from Government hospitals, a raid will soon be organised to establish if this true. There is already an ongoing investigation to ascertain if it was true that the drugs meant for district hospitals were ending up in private pharmacies as alleged.
- The CDF Act needs urgent amendment to make it compliant.
- A Doldol health institution obtained an ambulance from St Johns ambulance through political influence while the District Hospital had none. The MOH decided to take the ambulance to the District Hospital to correct what he believed was an anomaly.
- Laws like the forest ban promote graft because people still need charcoal and firewood.
- There are no Government resources set aside to monitor and evaluate devolved funds, and no budgetary provision for the same.
- There is no designated dumping site within Nanyuki town, which causes a health hazard.
- The Environment Officer cannot implement the new NEMA Act because they are not empowered/registered.
- The District Education Office denied allegations about Naibor (an old, well-established school) getting Ksh 1.7 million CDF funds. They have displayed all Free Primary Education and donor funds allocations outside each school.
- Relief food distribution from March 2006 was done by Red Cross and Caritas, *not* the Provincial Administration.

Recommendations

- Politicians should respect Civil Servants who have the know-how, and need their support to work.

- They want the *shamba* system re-introduced because it has more benefits than negative aspects. Without this system, the forests have become good avenues for graft.
- Central Park should be provided with electricity and public toilets to benefit all who use it.
- The 300 metre road to Nanyuki Cottage Hospital plus the 70km Nyahururu – Nanyuki road should be constructed through joint funds from both CDFs and LATF. (However it was later established that the hospital is within Central Province, not Laikipia district).
- Misuse of Government vehicles should be curbed, not tolerated.
- Most laws should be evaluated; they should not impose very high fines to the extent that bribing is a cheaper and more favourable option. The new law to curb smoking in public with a fine of Ksh 50,000 is a case in point.
- The Government must improve on its administration and accounting systems, and discourage any loopholes
- The Government must discourage the 'Godfather' syndrome which abets corruption
- All Civil Servants must be well-remunerated like those in KACC to deter them from indulging in corrupt practices
- Anti-corruption should be introduced as a subject in the education curriculum to help create a strong foundation in the youth from the early stages.
- The government should incorporate the public in monitoring all public projects to ensure the money is well spent.
- Anti-corruption committees should be established in all departments, churches, and schools to help curb the vice.
- The public should be sensitised on all negative aspects of corruption, so that they will develop better morals.
- The Government should develop a resettlement programme which should include the setting up of schools, drilling of boreholes and establishment of dispensaries in El Moran, Rumuruti, Kinamba and Sipili areas so that wananchi can settle in these areas.

- Ranchers should be made responsible for building schools and clinics and employing teachers and nurses for the children of their workers as part of their social responsibility.
- All unexploded ordinances must be identified and safely disposed of with immediate effect.
- The government should put in place systems at a district level to fight graft there, not just at a national level.
- GOK should institute a special development plan for the alleviation of rampant poverty in this district.
- A Policy needs to be developed to address food security, to empower the locals to increase their agricultural productivity, to encourage cooperative ranching and a tree growing programme to re afforest the denigrated part of Mt Kenya forest.
- Additionally GoK should explore ways and means of building up mutual trust and respect between the locals and the settler ranch owners.

Kajiado District – Meeting with the District Commissioner
Date: 25th August, 2006

- The DC said that the district corruption prevention committee is in place with Integrity Assurance Officers. However, the Corruption Prevention Committee is restrained by lack of training and lack of information material.
- The Heads of Departments and the public had been sensitised on corruption and the exercise is still continuing.
- Performance contracting has helped a lot in service delivery.
- There are some corruption-prone areas already identified which include the District Treasury, Registration of Persons, Police Department and in particular traffic police, and the Land Tribunal.
- There is also corruption in the private sector, especially noted in mismanagement of finances in the group ranches.
- CDF committees have malpractices.

- Local authority has corruption issues also, noted especially in 'red tape' and bureaucracy.
- There too many NGOs and CBOs whose activities are not known.

Local leaders in Kajiado

- Corruption is deeply rooted in Kajiado, particularly on land matters.
- There is a cartel of buying land and a special land board with brokers who charge Ksh 30,000 to process title deeds in collusion with lands and council officers.
- There is double or even triple allocation of land in Kajiado District.
- There is poor and unequal distribution in education in the district.
- Human vs. wildlife conflict has never been addresse;, KWS does not consider or compensate the locals.
- The National Aids Control Council gave out Ksh 200,000/= and not the Ksh 350,000/= signed for, meaning that Ksh 150,000/= was used by the officials.
- Corruption starts at the homes because Maasai's educate boys only and not the girl child, and force girls to marry early.
- Female genital mutilation seems to be supported by government officials who do nothing about it.
- There is charcoal burning and sand harvesting in the area.
- Locals need medical care but the medical officers can not communicate with the local people in their language.
- Land issues are a major problem in Kajiado.
- The District Steering Group (DSG) is compromised because members are colleagues.
- In Stoney Athi, land belonging to the council was subdivided and sold to individuals.
- In Kajiado there are no confirmed plans for the town. There are only sketches that are changed with any new administration that takes over the town council. Town council is liaising with Geomaps to do a satellite survey to improve town planning. Also they are going to introduce land by

laws which have not existed. They will also declare some towns 'full' so that any further expansion will take place in new designated places in the district to avoid overcrowding and poor planning.

- To date the Amboseli Park has not yet been taken over by the county council despite the gazette to that effect.
- Water from Kilimanjaro passes through Kajiado and goes to the large flower farms.
- In the urban centre, who should be given land and by whom? What are the criteria used? If you transfer a lands officer or a surveyor they would rather resign. This shows the magnitude of corruption in the district.
- Human wildlife conflict is at alarming proportions due to shrinking wildlife habitat and growing human population. Wildlife also kill livestock and destroy crops. There is little or no compensation. But KWS are quick to respond if people kill any wild animals that threaten them or their livelihood.
- Land is sold by councils and yet it is a wildlife corridor; this leads to imminent clashes with KWS who want to repossess.
- The beacons that were erected at Embuyangat group ranch and Kaptei do not correspond to the ones registered with the land registrar.
- Brokers collude with registry officials and produce fake rates and water receipts so that they can bribe and transfer land. They have also tried to bribe the chairman of the county council. Brokers are sons of the Maasai in the district. The situation is one of 'willing buyer - willing seller'. People need to understand the real value of their land so they don't sell it. They are not educated.
- Women have no rights on land ownership and inheritance.
- Briefcase NGO's have a lot of money but do not carry out interventions. Many NGO's use the Kajiado name to get funding then they go and stay in Nairobi and do nothing.

Heads of Departments in Kajiado

- The officers said that lack of allocation of resources, low salaries, and a low level of literacy are contributing to corruption.
- They also said that there is corruption in job placement, and no hardship allowance is paid.
- There is inducement to get favours in education yet the people do not qualify, especially in bursaries.
- Local politicians also bring lists of those who should be given bursaries and those who deserve never receive them.
- There is corruption in the process of selecting students for Form One admissions.
- Land is being allocated without due regard to water catchments.
- There is a problem on CDF due to lack of proper policy.
- Allocation of resources particularly the devolved funds is causing corruption due to the unclear polices.
- Land issues are a big cause of corruption.

Recommendations

- The war against corruption should target both the public servants and the private sector.
- There is need for a Livestock Board to oversee livestock management in the region.
- Privatization of survey services should be reversed as it has increased levels of corruption in land surveys.
- The Amboseli National Park should be given to the local community so that they can benefit from the revenue.
- Register both man and wife as owners of the land so the man can get consent from wife.
- Educate Maasai on value of the land and the fact that soon they may soon have none left.

- Women should be protected so that can inherit their husband's land in case they die. Women need ownership rights so the land can be safe-guarded for schools and children.
- The Children's Act and other relevant laws should be enforced to prevent FGM, and awareness should be raised in the community and the dangers of FGM.
- Vetting of NGO's and CBO's in the district should be carried out to find those that are not valid.
- Need to harmonise benefits accruing from tourism and mining to benefit the local community.
- Subdivision of Langatawose should be stopped due to too much corruption.

NAIROBI PROVINCE

Meeting with the Provincial Commissioner, Mr. James Waweru

Date: 2nd June, 2006

- The PC stated that a number of Integrity Assurance Officers were trained but there is no continuity in the anti-corruption work.
- Corruption is very common and all Kenyans are informed of the issue.
- Land allocation presents a problem because the city council and the registrar of lands both allocate land.
- There is corruption in the informal settlements where people want to get land/plots through politicians, councilors and chiefs.
- The issuance of ID cards is another area prone to corruption especially with refuges bribing to get the Kenyan National Identification Card.

Civic Leaders in Nairobi

- Some public servants collect protection fee from illegal business operators.
- Hawkers bribe city council enforcement officers in order to be allowed to operate.

- Members of Parliament appoint CDF committees. Thereafter, the committees owe allegiance to the MPs who use the funds as pocket money.
- There are parallel CDF committees in Embakasi Constituency.
- Provision of services by public servants is low, prompting people to bribe.
- Chiefs and administration police receive bribes from those involved in illicit brew business.
- Bursary allocations benefit the rich who do not deserve them.
- Head teachers cheat on education funds.
- The immigration office has many corrupt officials who make it difficult for one to get a passport without giving a hefty bribe.
- The police are viewed as very corrupt. This is encouraged by law courts that give very steep fines. Hence bribing is a cheaper alternative, and this encourages corruption.
- It was alleged that members of the outlawed Mungiki sect pay police Ksh 3000/- protection fee per day to avoid being arrested. This accounts for the inability of the Provincial Administration and Police to stamp out this menace that is rampant in some outskirts of the city.
- The City Hall revenue collection method is prone to corruption. Because there are no receipts, one can bribe so as to pay less than the needed amount.
- City *askaris* demand bribes especially when issuing parking tickets. If not given, they collude to clamp cars and tow them away.
- Church leaders were said to be corrupt, because they take money from their congregations for personal use.
- Lands department procedures are too slow and complex, providing fertile ground for corruption.
- City Council health facilities have no drugs, so patients are forced to buy them at chemists.
- When one takes patients to Kenyatta National Hospital, they are not treated unless one knows a doctor or gives a bribe.

- Hawkers are harassed by police and City Council *askaris* when trying to gain an honest living – but they are often left alone if they pay protection fee.
- Illicit brews and drugs are rampant in most slums, but police do not arrest suspects even if these people are pointed out to them.
- It was alleged that councilors claim to have repaired or constructed a road using LATF while the same road had actually been repaired using CDF funds. However, road repairs are not properly done and the road network within city estates remains very poor.

Provincial Heads of Departments of Nairobi

- The government does not give equal air space to all media houses. For example, it was alleged that Royal Media owns many frequencies, a form of corruption.
- It was alleged that during the referendum, NARC did not put its campaign messages on KBC or the Kenya New Agency, but funded Royal Media Services (Citizen) very heavily.
- Journalists are exploited by the media owners because they prefer to use correspondents rather than employ their own reporters.
- The media covers fairly those who bribe but write bad reports on those who are unable to do so. The corruption occurs both ways, however, because many politicians also corrupt the journalists to write good stories about them.
- *Matatus* overload and flout transport regulations because they pay certain fees to police to allow them on the roads.
- There is a lot of bureaucracy in the government in areas of procurement, imprest surrender, and awarding of contracts; all these encourage corruption.
- There is a lot of intimidation and victimisation of staff especially in parastatals, where those favoured are usually employed through the direct influence of the boss.

- Some ministries control state corporations within their departments, thus rendering the Chief Executive Officers and Directors appointed by the boards useless because decisions are made for them and they are expected to just act as a rubber stamp.
- It was noted that Kenya Medical and Practitioners Board takes action against their members when they do wrong, and other professional bodies such as engineers and architects should do the same.
- The overlap of development projects by several departments, without coordination, gives room for corruption.
- Limited training opportunities in colleges and institutions make those recruiting open to bribery from desperate parents and guardians.
- After the referendum, many leaders turned down offers to join the government unless they were given high positions; this is a bad example.
- The idea that corruption is only at the top in not correct. Many junior officers are also corrupt.
- Tribalism and nepotism are seen in certain organisations or departments in that, when the Minister is from a certain tribe, the parastatal head and most staff are taken from the same tribe.
- Hurried implementation of laws and regulations opens up avenues for corruption. For example the 'alcoblow' and smoking fines are so high that one results to bribing for freedom once arrested.
- Too much power vested in one person or institution makes that person prone to corruption. There must be checks and balances everywhere.
- Unplanned and un-inspected houses built within town, especially along Thika Road, are a result of slow decision-making at Nairobi City hall and bribery of concerned officers.

Recommendations

- Civil servants need constant protection and encouragement from their employers if they are going to fight corruption within their departments.
- There is need for good role models, especially among leaders, that the youth can emulate.

- Young people should also be taught about the evils of corruption from a young age, both at home and in school, so that they will grow up shunning the vice. It was suggested that anti-corruption should be made an examinable subject in all schools.
- Corruption issues should be incorporated into the voter education of the Electoral Commission of Kenya, and should be preached against in the various forums of all faith-based organisations.
- NACCSC needs to consolidate its gains and achievements, then make these public in order to gain the public's confidence and cooperation in the fight against corruption.
- NACCSC should open offices at the grass root level, and hold many informal meetings with different communities to spread awareness and sensitise people on the ills of graft.
- There is need for a multi-sectoral approach to fight against corruption: address poverty, involve the media, and ensure a close link between various arms of the government and NGO's that are fighting corruption.
- Just as the fight against HIV/AIDS started at the top, so must the fight against corruption be endorsed by the highest office.
- Government employees should be paid in a manner commensurate with the cost of living so that they do not fall prey to bribes, but work according to stipulated regulations.
- Kenyans should be educated on their rights so that they know it is the responsibility of leaders to serve them honestly and faithfully.

CENTRAL PROVINCE

Meeting with Provincial Commissioner, Mr Kiplimo Rugut

Date: 9th September, 2006

- The Provincial Commissioner thanked the NACCSC for their visit to the province.
- The PC also gave apologies that it was not possible to meet the groups during the first visit early in the year, saying that the notice was short and they were preparing to receive the Head of State.

- He stated that the provincial corruption committee, that meets twice a month, involves the CID and the PC's office to investigate cases.
- The PC further assured the committee that his office will support the fight against corruption.

Meeting with Deputy P.C. of Central Province

Date: 21st August 2006

- Malpractice is seen in the distribution of relief food.
- There is a lot of corruption in the Traffic Police, as witnessed by ordinary Kenyans who see police officers receiving bribes.
- Education enrollment is erratic, and the school dropout rate very high.
- Land issues are a big corruption problem in the province. The Ndungu report is in need of implementation. Land buying companies are very active, but some are bogus.
- There are 10,000 squatters in Mathira, Tetu, Kieni East and West. Due to an order by the government to move people from forests, all these are fed on relief food.
- There is corruption in service delivery especially at the District Treasury and Registration of persons.
- CDF projects are not completed on time.
- Nyeri has the highest forest cover in the country but Mount Kenya forest destruction by outsiders is a worrying concern.
- There is a big problem of growing and trafficking *bhang* in the area, especially deep in the forests.
- The construction of the road towards Nairobi has taken a long time, but a technical team together with the Parliamentary Group had visited the site and a report is awaited.
- Corruption had caused cooperative societies to break down.
- A number of Government plots had been grabbed.
- In King'ongo' area, there is child labour especially in coffee farms and quarries.

- The issuance of ID cards has been affected by lack of resources in the department.

Meeting with Civil Society and Local Leaders in Nyeri District

Date: 21st August, 2006

- There is duplication in the accounting of funds used in projects where money from LATF is spent on a project and then CDF officials claim they too have used money on the same project.
- There are no recreation/sports facilities in Nyeri town, making it easy for the youth to get involved in anti-social activities.
- Residents pay water bills inclusive of garbage collection fee but garbage is never collected.
- Rape cases are rampant but the police are bribed and so charges are not made.
- Police do not respond to distress calls nor act on reports given to them.
- The highway patrol police in Tetu collect cash bails of Ksh 3000/= and Ksh. 1000/= from every *matatu* on a daily basis (Nyeri-Nairobi route).
- Administration police solicit and receive money from local illicit brewers as protection fee.
- Police also demand money for scratch cards.
- Coffee factories are adding fake weights on some people's weights and later share the money.
- Lack of sign language experts is making those who cannot talk suffer in the hands of police or administration.
- Intelligence officers are not giving proper information to the government.
- People are forced to bribe up to Ksh 8,000 to get a passport. The problem is due to middlemen.
- There is corruption in the district, but it is being coordinated from outside the district.
- The vetting committees in the Department of Registration are corrupt.
- Some officers have been interdicted due to malpractices involving relief food.

- The Government has identified where squatters are and has given allotment letters to formalise their settlement.
- An Assistant Chief has been interdicted over illegal logging allegations.
- People are now serious with forest protection because 70% of the water comes from the forest areas (Ndakaini Dam). Local communities are also planting trees.
- Have arrested 100 people on *bhang* cultivation in the forests and destroyed 3 acres of *bhang.*
- Some Cooperative societies were merged so that they can market their produce. The Government has also given them a waiver on loans, and coffee sales have gone up.
- The process of repossessing grabbed public land is on course.
- Crime in Nyeri has been brought down by 60% through community policing.
- CDF has helped put up some security units in most areas, for example, in Othaya a police station was put up

Recommendations:

- The District Development Youth Committee would like to work with NACCSC to fight corruption.
- Community media such as theatre could be used to spread anti-corruption messages.
- Carry out situational analysis of corruption in places of work.
- The judiciary should establish courts to deal with land matters only.
- Police should publish the amounts of fines chargeable for corresponding traffic offences so that Kenyans are not forced to bribe.

Muranga District – Meeting with the District Commissoner

Date: 6th June, 2006

- The D.C. urged that the fight against graft should start from the top not the bottom. Most elected leaders are lackluster in performance as they

attainted office through vote-buying and as such are not concerned with real issues.

- Transfer of trained Integrity officers from the district adversely affects the fight against graft. The administration also does not make adequate budgetary provisions for the integrity officers to work. There is no structure for them to operate.
- Cooperative movements in the district need to be improved because politicians use them for their own ends.
- The crime rate in Muranga is exceedingly high. Most of the criminals who torment Nairobi commute to and from Muranga.
- The administration gets mixed signals from GoK on the status of Mungiki. This makes it difficult for them to address the group.
- There is a problem on inheritance of land. A dispute over even a metre can end in murder.

Civil Society Leaders in Muranga

- It was alleged that the town library is co-funded through CDF, LATF Kenya national library services and as such to monitor their direct inputs is difficult. This can be used to cover up incidents of corruption.
- Allegations were made that the local mayor received tenders for road repairs within Muranga town through his own companies, which is conflict of interest.
- There are claims of police harassment. Police arrest people on trumped up charges, such as planting *bhang* in people's pockets then arresting them in the hope of getting bribed.
- Overloaded *matatus* drop off passengers just before police roadblocks.
- The new cigarette law was used to harass *wananchi* and detain them without charges in the hope the police could solicit bribes to release them.
- NSSF need to be computerised to increase its efficiency.
- Convicts smoke openly in the prisons even though it is illegal.
- There is an urgent need for GoK departments to display their service charters so that the public can know what to expect of them.

- Junior officers in the lands department hide files and alter documents to their own ends.
- The local authority employees are often relatives of councilors and chief officers (nepotism)
- Procurement is not streamlined and procurement officers award themselves tenders using proxy companies.
- Officers deliberately work slowly in the hope that they will be bribed to give prompt service.
- The sewerage system in Muranga is inadequate.
- School leaving certificates are only released to students once they clear all outstanding fees. In particular Kenya National Examination Certificates are withheld by schools for same reason.
- Muranga District Hospital is supplied by only one supplier.
- Councilors meet without informing the public, contrary to the requirements under the Local Authority Act. Members of the public then have difficulty in accessing the minutes of the same.
- Enforcement of law against white collar criminals is hampered by the fact that the DC, for example, cannot reprimand an out-of-order MP. An officer cannot enforce the law against influential people.
- The criterion for awarding constituency bursaries is skewed in favour of gifted children. This makes it difficult to identify a child's real potential as they may be clever but, being poor, have been out of school intermittently and score low grades.
- There is a conflict between chiefs and police in that chiefs arrest *chang'aa* brewers and hand them over to the police to be prosecuted. The police take bribes and release them, then the chiefs are sacked or transferred for not doing their jobs.

Heads of Departments of Muranga:

- Land grabbing is so rampant in Muranga that city planning is compromised.

- Overcrowding is compromising the quality of treatment in Muranga District Hospital. The mortuary is often full.
- There are too many roadblocks between Muranga and Thika that don't seem to serve any purpose.
- Composition of members of Constituency Development Committees is questionable.
- Technical staff from GoK departments are not consulted over implementation of CDF projects, as should be the case. Information is withheld by the CDF committee and is not provided freely to the District Development Officer, who is the AIE holder.

Recommendations:

- The GoK should recruit and train integrity officers for each district. There should be a Training of Trainers function built into each district with this regard. The officers should have integrity monitoring as their sole function. GoK must structure this office into the administration and provide adequate budgetary provisions for the same in each district.
- The CDF act needs an overhaul so that *wananchi* can be better integrated into the project selection and management.
- National Social Security Fund (NSSF) needs to be computerised to increase its efficiency.
- In determining which children are awarded bursaries the relevant committees should be guided by demonstrated potential as well as direct grades to avoid discriminating against poor children who may be gifted but have scored low grades because they have been away from school.
- Council meetings must be advertised and members of public invited. Any council meeting held without a public notice should be declared null and void.
- In fighting corruption, Kenyans are demanding that action be seen to be taken against the perpetrators of grand corruption in particular the Anglo Leasing and Goldenberg scandals.

- An environmental impact assessment needs to be carried out in Muranga district to identify the real extent of soil erosion and make recommendations on the resettling of those living on hills in order to reduce soil loss.

Kirinyaga District – Meeting with the District Commissioner
Date: 7th June 2006

- The District Integrity Assurance Committees activated recently to handle graft issues locally are all operational. They have held a lot of sensitisation meetings and seminars for all Civil Servants. However the war against graft is far from being won.
- Corrupt practices can be seen in all revenue collection offices: Lands, ID registration, Accounts, and others.
- There are land problems due to the heavy presence of brokers.
- Even when departmental heads are transferred due to corruption, the operatives and networks are left intact within the offices, hence making corruption hard to eradicate.
- Action needs to be taken against perpetrators at the top so that *wananchi* do not take future government warnings for granted.
- A lot of corruption cases have been taken to court in the last five years, but no one has been convicted so far – so people are despairing.
- There is need for financial and logistic support at the district level so that the units can train, set up offices, and sensitise people against graft.
- Misappropriation in bursary allocations; not all those who receive bursary are needy.
- There is a lot of crime, illicit brews and hard drugs in circulation within the district's main towns.
- Corrupt management officials within the tea *saccos* and coffee cooperatives embezzle and misappropriate funds.
- Community policing efforts are growing; people help the Police fight crime up to village level. The crime rate is exceedingly high and criminals go from Nairobi to Kirinyaga.

- There is the presence of Mungiki cells in the district.

Civil Society Leaders in Kirinyaga:

- Past injustices in the area have not been addressed. For example, there are cases of people displaced from their land with no compensation to date.
- Some leaders own companies that are awarded tenders all the time.
- Succession issues – women and children are marginalised.
- Most of the people sitting on CDF Committees are sycophants, hence the devolved funds do not reach everyone in the area.
- Hospitals are well-stocked with drugs yet patients are hardly given these drugs, but are forced to buy the same.
- *Wananchi* cannot see on the ground any projects said to be funded through LATF.
- There are no street lights in Kagio town, and no rubbish collection even in the large market.
- Illicit brews are rampant in the area, and police benefit from this trade. However, this ruins the youth.
- A Councilor explained that LATF funds are only allocated to projects identified and prioritised by local *wananchi.*
- In regard to roads, *wananchi* want to know who monitors the use of funds allocated to them.
- Conflict in South Ngariama land – Kirinyaga County Council is the trustee of the land.
- *Wananchi* want church leaders involved in bursary disbursements.
- Idle youth, high poverty levels and unemployment are major causes of escalating crime rates. Also illicit brews and drug-taking contribute to this menace.
- *Wananchi* claim that police are too slow to respond to emergencies, and only visit areas too late after the thugs have left.
- People are generally fatigued with promises of fighting corruption because they can't see any action being taken.

- Citizens in the district want the Government to urgently repossess all land/material illegally acquired (refer to Ndungu report) so that the government can be taken seriously by *wananchi.*
- Some laws of the land need to be re-written to suit the current situations.
- The Children's Department is seriously rocked by graft.
- Delay in court cases leads to corruption because people feel desperate and resort to bribing.
- Security agents in the area are lax; there is urgent need for an overhaul.
- There are high unemployment rates despite well-educated youth, but there are no social amenities like a public library. The youth hence end up in drinking dens, and engage in crime to enable them have money they can pay as bribes when seeking employment.
- There were allegations that land in Kagio was compulsorily acquired by the Government and the people appropriately compensated. They however later went to Ardhi House where they colluded and retrieved the new title deeds. They are now demanding their original land, where new people were settled. This issue was referred to the Ndungu Committee because the Lands Commissioner cannot find the title deeds, hence cannot resolve the issue.
- The Councils want autonomy from the Ministry of Local Government to decide on appropriate trade license rates for each town.
- On LATF use, *wananchi* were urged to access information from their Local authorities to know how and where it is applied.
- Local leaders were urged to divorce politics from development so that area residents can benefit.
- People have built permanent structures on road reserves. Men disposed of land without the knowledge of their families.
- Some of our laws tend to encourage corruption as they carry stiff crimes for petty offences and this tempts people to bribe to avoid incarceration. Court systems and procedures are too cumbersome and demanding; this encourages litigants to look for shortcuts by way of bribing officials.

Heads of Departments in Kirinyaga:

- There are five tea factories in the district, each uses 100 acres of fuel wood each year – they plant their own forests.
- The Social Services department is mobilising youth to form income-generating activities.
- Police reported that they have five new Land Cruisers for each of the Police Stations within the district.
- There are 800 km of road within the district and most of it is graveled, hence the Road Fuel Levy funds are well utilised here.
- Facilitation of Government departments is very poor; most heads are therefore forced into corrupt practices to get vehicles, fuel and other basic provisions.
- Officers are demoralised because they cannot perform with limited funds and facilities.

Recommendations:

- Some of the leaders would want local brews to be legalised and licensed.
- The civil society leaders requested NACCSC to design advocacy programmes for each district to cater for peculiar circumstances.
- Local Police should be fully equipped with the necessary gadgets, vehicles, adequate fuel and other necessary supplies to enable them fight crime.
- The GoK should institute a specific study on how the youth can be integrated into mainstream development and decision making process in the district. It was further suggested that they hold youth forums and engage other stakeholders to help solve the youth problems.
- The Youth fund should take into consideration the high numbers of unemployed youth in the district and invest in technical and agricultural training facilities for them.
- The GoK should look into ways of absorbing the unemployed in the district into income generating activities to keep them from crime and drugs.

- The fight against corruption must be a concerted effort and involve everyone. This should be mainstreamed in all the core functions and activities of the Government in order to be effective.

Nyahururu District – Meeting with the District Commissioner
Date: 10th June, 2006

- CDF funds have helped in eradicating *harambees* which used to encourage graft. But poor structures encourage abuse of the fund.
- The whole district is a settlement area, except for some who have leases. There are a lot of land problems. There are subsequently many land-buying companies in the area that fleece *wananchi.* Double allocation of land is common.
- The roads in the area are in terrible condition and the network of roads is very poor.
- There is very little illegal activity in the forests.
- High unemployment rates contribute to a lot of insecurity.
- There is a lot of insecurity along roads, but *wananchi* cooperate with the police (community policing) and are helping to stamp out the vice.
- The Mungiki Chairman hails from the district. But support for this sect is minimal in the district.
- Police in the area corrupt – corrupted by *wananchi.*

Civil Society Leaders and Heads of Departments of Nyahururu:

- The court process is lengthy, forcing people to get remanded during trial, thus forcing some to bribe the Police to evade this. Also congestion in police cells make people bribe to avoid incarceration.
- Low enrollment in free primary education is very worrying.
- Cattle dips and even dams are being grabbed by individuals.
- LATF: works well as stake holders in 6 divisions are consulted to identify their priorities. Projects are completed with 74 cattle dips rehabilitated, classes put up according to priority. Every ward gets KShs 100,000 per year.

- Sexual abuse of girls is rampant. This is alarming.
- There is duplication in the disbursement of Bursary funds, between CDF, LATF and Constituency Bursary Fund as well as NGO's.
- People are being asked to buy land back from land-grabbers that originally had community boreholes,
- Land encroaching has also resulted in blocked waterways and closed roads.
- Fake title deeds are being issued.
- Board appointments for Secondary schools are an issue. Some schools in the district have run without a Board of Governors for up to 3 years.
- People glorify ill gotten wealth. This is worrying.
- Civil servants feel helpless in fight against corruption because of past misdeeds.
- Victims of tribal clashes allege that they have not been compensated or resettled.
- The public complained about gambling by youth in particular with regard to playing pool.

Recommendations:

- There is need for the establishment of a centre where reports on sexual abuse against girls can be made.
- There is need to harmonise all bursary disbursement schemes across the country top maximise their utility.
- GoK should improve the road network so farmers can easier access markets for their produce.
- NACCSC was requested to open offices at district and provincial levels.

Maragua District

Date: 22nd August 2006

Members of the committee first met the DC, then held a combined meeting where all these issues were raised.

- Maragua District has its own share of corruption just like other districts, but anti-corruption campaigns are going on. Changing peoples' attitudes has not been easy but a time has come that all must change with regards to the fight against corruption.
- Reporting corruption is minimal because the residents are not convinced of the change in the public servants' way of doing things. Many people prefer to report issues in Nairobi.
- Land buying companies have remained the biggest issue in Maragua. The district is basically a settlement area, and there are up to 50 land buying companies. Issuing of title documents is a problem. There is only 1 divisional land registration officer, which is inadequate. When the district was created a lot of public land was subdivided and allocated to individuals, and now many plots have 2 or 3 purported owners.
- There are quacks who impersonate meat inspectors. Some officers overcharge and fail to remit revenue, or favour and give time to their friends to improve their premises. Many have trained but not been deployed so they find their own means. Certificates of transport are now the norm. Revenue collection in this area has increased as butchers see the benefit of certified meat.
- Quarrying endangers the stability of some roads even when someone is doing it in their own *shamba*. Siphoning of fuel takes place. Officials organise for fuel to be siphoned from graders' tanks. Graders function like mobile fuel stations and only put what is needed for that day.
- Problematic areas have been rectified in terms of road maintenance. Kigumu, though is still a problem as they are using quarry waste to surface the roads. Vehicle maintenance is high as the resultant surface is very rough. All parts of the district are accessible by road.
- Coordination of environment activities is difficult because different organs play different roles. Charcoal burning is illegal, but charcoal usage is not. Where will the charcoal come from? It is not illegal to use a tree, but it is illegal to use and not replace it. The Ministry of Environment is charged with enforcement and compliance of the environmental act. They must

also carry out environmental audits and environmental impact assessment. Conflict arises when a project may not be environmentally sound but the community feels that it will benefit them economically.

- Members of public register more than once in different constituencies so they can sell their votes. They don't realise that the voter role is now computerised and it can be seen clearly from the role that they have registered more than once.
- There is corruption in the traffic police department.
- There is a lot of insecurity in the area, especially on Thika – Nairobi Highway.
- Unemployment is still a big challenge in this district as is the case in many parts of Kenya.
- Issuance of National IDs is a problem, in particular film for photos. Public are told to come after 3 months yet the delay is at headquarters. People think officers want a bribe. The IDs are produced at the headquarters.
- There are many NGOs conning the local people of their money.
- There is vote-buying in the local cooperative movement thus creating many corruption related problems, for example the leaders in the cooperative societies take loans and do not repay. Society property is sold irregularly.
- There is corruption in the procurement of education materials and there is doctoring of enrollment data so as to be awarded more money.
- Chiefs claim that they do not have transport and therefore they solicit bribes to get from place to place to help *wananchi.*
- In artificial insemination and clinical services, (AI services have been privatised 42 licensed in district) farmers are conned by the service providers, to the extent that dead semen is given or cheated that semen is imported when it is local. Cattle dip fees are collected but not remitted by the officers.
- In regard to meat inspection, there are quacks who impersonate meat inspectors. Some officers overcharge and fail to remit revenue. Some officers overcharge and fail to remit revenue, or give time to their friends

to improve their premises. Many have trained but not been deployed so they find their own means. Certificates of transport are now the norm. Revenue collection in this area has increased as butchers see the benefit of certified meat.

- There is corruption also in tick control; money is collected by the officers but never banked.
- In Kenya Revenue Authority, there are long queues for registration of companies and obtaining compliance certificates. These long queues encourage corruption.
- There is rampant corruption in elections with voters being transported from one place to another.
- The bursary funds are abused by politicians.
- Cattle dip fees are collected but not remitted by the officers.
- The CDF in Maragua is the best managed in the country.

Recommendations:

- Teach Kenyans to value their voters' cards and ID cards.
- ECK should empower Kenyans to take part in the electoral process, and conduct voter education.
- Issuing of ID's should be decentralised. They should be issued at the district level or from the point of registration.
- Checking system of land registration/titles needs to be improved so as to avoid double or triple allocation.
- Facilitate chiefs to be able to move around. They need bicycles or money for fuel.
- On land buying companies, there needs to be legal revision of the cases and improvement of hearing of cases.

NYANZA PROVINCE

Provincial Commissioner Mr. Paul Olando

Date: 20th June 2006

- The Provincial Commissioner stated that corruption is there in the province, in both the private and public sectors, but it is taking a different turn in that people are aware of the fight against the vice.
- That Corruption Prevention Committees had been established as the government requires, but effectiveness of these committees is wanting.
- The committees should be redesigned to have officers assigned for that work only.
- There is also the problem of lack of uniformity in the war against corruption; the public thinks that public servants are not serious in fighting corruption.
- The training period of one week for Integrity Assurance Officers is not adequate.
- Stated that the high levels of poverty (67% in Nyanza) is tempting people to be corrupt.
- CDF is doing a good job in education and other areas.
- Officers and leaders soliciting for bribes in order to offer services.
- One particular parent brought Ksh 30,000/= to have the son recruited into the Administration Police.
- Locals find it difficult to invest in Kisumu because Asians collude with one another and government officials to raise the entry level for most investment contracts. This prevents the locals from competing.
- The PC said that the Molasses plant was put to auction and bought by investors and is right now operational though it is on a go-slow. It is now employing people.
- The sewerage system is inadequate for the city. The World Bank is funding a rehabilitation project but there is still a danger of pollution in the lake.
- The PC lamented that Luo professionals were hesitant to come home. The fear of being bewitched and the dilapidation of infrastructure in the area,

coupled with elitism (they do not want to mix with the poor rural folk) keep them away. He urged them to come home and help develop the area.

- Poverty, malaria, and HIV undermines development efforts in Nyanza.
- Politics and political agitation have also played a part in hampering development efforts.

Kisumu District - Civil Society Leaders

Date: 20th June, 2006

- Corruption is both grand and petty in Nyanza.
- There is greed among the leaders and that is why issues of corruption in CDF, LATF and other devolved funds cannot be solved.
- Projects which were to be funded by CDF funds have never been funded.
- People must bribe to be awarded bursaries.
- There is a lot of corruption in the courts of law; files just disappear.
- It was suggested that leaders should accept responsibility for the mistakes that are made.
- Local leaders want to see action not just words, because corruption is a monster. But the GoK can get rid of corruption by considering the causes of it, which include greed, uneven distribution of resources, and low salaries for civil servants.
- Corruption in the courts. Files disappear at will. This normally occurs to the favour of the wealthy.
- MPs are in Parliament for personal gain.
- There is no ice plant for the locals to store their fish catch, and there are some trawlers that harvest too much fish. The fish exporters are not paying cess. The by-laws on fish are too rigid. They are written by Minister of Local Government, which is too detached from the reality on the ground.
- To get loans from Cooperatives, often one has to bribe the officials.
- Vote buying is a serious issue during elections in the district.
- The municipal council does not have the capacity to fight fire.

- There is no uniformity in implementation of the corruption prevention committees programmes.
- Suppliers do not understand GoK systems and seek to shorten processes of payment through bribes.
- Internal audits spend so much money in monitoring and then there is lack of money for services.
- Even with the money for road maintenance there are no roads to maintain. The dilapidated road system is the greatest hindrance to development in the district.
- They are not involved in budgetary matters, as these are handled in Nairobi.

Heads of Departments of Kisumu

- Corruption prevention committees have been established in some of the departments as required in the implementation guidelines. However, they are seen as a burden to most departments and there is no ownership of these committees and the fight against corruption.
- Members of public look at civil servants with suspicion.
- Mainstreaming anti-corruption initiatives is a problem.

Recommendations:

- There is need to create responsible citizenry through education, because awareness is going to help fight corruption.
- The council should design and implement the by-laws with regard to fishing.
- There is need to create change in attitudes through education, so corruption prevention should be made a compulsory course in schools.
- The committee should partner with the Luo council of elders who are well respected, to help reduce corruption in Nyanza.
- There is urgent need to reconstruct the road system in Nyanza as a way of dealing with poverty. The province has potential in cotton, fishing, and sugar.

- The heads of department need to submit the budgets on time.
- The list of shame should be made public, for what is the point of the list if no one is taken to book.
- Need to change the culture of wife inheritance.
- A new strategy should be employed to fight corruption, such as telling people that there are other ways of succeeding – but not through corruption.

Nyando District – Meeting with the District Commissioner

Date: 21st June 2006

- The DC said that there is corruption in Nyando both in the public sector as well in as in the private sector.
- There are many complaints on the sugar industry.
- While the government is continuing to provide services, there is still more to be done especially on procurement.
- Punctuality is a problem. There is wastage of time and this is theft to the government.
- There is a problem with the performance of chiefs in relation to local brew and kangaroo courts.
- There is a problem of land issues and acquisition of title deeds.
- Settling of cases takes a long time.
- There is a large number of displaced people.
- The issue CDF being seen as a campaign tool for some MPs.
- Ministry of works has problem on roads.
- Chemilil Sugar Company was given money and waiver on sugar importation but the money was misused.
- The DC informed us that there were squatters in Muhoroni, who had been evicted from Thessalia farm in Kericho District.
- At Muhoroni Livestock multiplication centre, 120 acres was carved off for resettling 'imaginary' squatters. The land was allocated to individuals instead.

- There are unresolved issues on the ownership of the Ahero Rice irrigation scheme.
- Land compensation for the Sondu Miriu Hydro problem has been a problem and has slowed the implementation of the project.
- Delays in payments to sugar cane farmers can go up to 6 years.
- Negative impact of flooding has been reduced by desilting the Nyando River.

Meeting with Nyando Civil Society leaders:

- Corruption is present in all sectors, the public, private sector and the church.
- Members of Parliament are corrupt.
- Salaries given to officers of KACC are too high and this is affecting the budget.
- Police are soliciting and taking bribes, especially from *matatus* and illicit brewers.
- It is a problem at the DC's office to get claims paid. Some officers ask for bribes to process benefits for widows.
- There is selective treatment at the hospitals; to get treatment from the hospital you must have a 'godfather'.
- There are far too many NGOs formed merely for survival, but they do not benefit locals.
- CDF management has no guidelines.
- Transporting sugar cane has become very expensive for farmers.
- Teachers ask for tuition, which the government had abolished.
- There is corruption in the registrar of births and persons.
- People pay anywhere from Ksh 2,000 to 20,000 to finish cases at the police station.
- There is corruption at the council offices.
- The proposed town council hall collapsed under construction. It was to cost Ksh 24 million.
- No action has been taken to settle land clash victims (Thessalia) to date.

- Mismanagement of relief food, which does not reach the needy people.
- *Matatus* are owned by senior policer officers and GoK officers.
- Muhoroni/Londiani road is reported to be tarmacked on paper but in reality is not.
- Drunkenness among the youth is rampant.
- Chiefs are paid protection money by illicit brewers.
- Kisumu-Homa Bay road is literally unusable.
- Allegation that money was transferred from the Ministry of Local Government to the Nyando town council and withdrawn in collusion with local councillors.
- Forgery of title deeds is rampant.
- The death rate from AIDS is very high and the process of getting death certificates is very complicated.
- Examples of corruption are exemplified by the buying of a used grader in poor condition at a cost of 14 million by the Nyando town Council. The case is being investigated.
- There are 70 registered NGOs in Nyando and the money they receive more often than not does not reach the intended beneficiaries.
- Farmers often bribe to get their cane harvested by Chemilil Sugar Company and additionally bribe to get jobs in the same factory.

Heads of Departments in Nyando:

- Junior officers overstay in their stations.
- Building by-laws are not being enforced.
- AIE's reach them too late in financial year to be of much use.
- Variations in contracts is commonplace as a way of increasing them and defrauding the GoK.
- The GoK officers find they are understaffed and as such are susceptible to bribes.
- Police complained that they are poorly paid and takes bribes to make ends meet.

Recommendations:

- The Committee should have offices in the districts to be able to monitor corruption in district properly.
- The training duration for integrity assurance officers should be reviewed.
- CDF committee members should be trained on procurement procedures, record and book keeping to enhance the funds capacity.
- Strictly supervise building construction, given that it is a new district.

Siaya District – Meeting with the District Commissioner

Date: 22nd June, 2006

- The DC suggested that it is important to determine the causes of corruption which is rampant in the public sector.
- Shortage of staff affects service delivery and there is laxity among public servants.
- There is misuse of both CDF and LATF.
- The poverty level at an index of 40%, without cash crops or fishing.
- There is a shortage of 1200 teachers in the District.
- There is political interference in provincial administration.
- AIEs come too late.
- He commended the Dominion project. They have helped in road construction and the revival of the cotton industry.
- CDF the committee bought 3 tractors which are not viable.
- The DC noted that frequent transfers among them hampered their work.
- Siaya standards of education have fallen from their old time high. He attributed this to poverty and lack of teachers. The MPs have little interest in the education sector.

Siaya Civil Society Leaders:

- The leaders said that they have not been made aware of who manages CDF and Bursary funds. Politicians apparently give the funds to people who voted for them.

- Revenue collection on small scale traders encourages corruption.
- Hospital personnel usually ask for bribes in order to provide services.
- There is corruption within Siaya Municipal Council, yet representatives complained that the money they receive is too little to provide for the municipality.
- LATF has been used to pay staff salaries and not for the intended purposes.
- In provincial Administration, the chiefs do not feel responsible to locals.
- There is abuse of drugs in the district. *Bhang* is a problem in the district, exacerbated by the fact that in neighbouring Uganda, it is grown legally.
- Siaya Municipal Council representatives complained that the money they receive is too little to provide for the municipality.
- The upgrading of local authorities/municipalities has been haphazard and is often in conflict with their economic viability.

Heads of Departments of Siaya:

- CDF committees lack the capacity and technical know-how to identify projects for funding. The fund had been used to buy tractors, a project they felt was not a priority area. The CDF committee pays Ksh 2000/= per person for consultation with the technical staff.
- The locals do not know anything about the Bursary component of CDF and the Bursary programme is greatly abused. About Ksh 3.8 million goes to the area MP who gives out the funds as he wishes, and there is no documentation.
- There is duplication in terms of accounting for LATF as the officials cheat that they have started a project which they are funding, yet funds come from other partners such ac CDF.
- The District Development Committee is never informed about the projects identified and the funds allocated hence the office cannot audit the activities of CDF.
- There is need for simplification of certain procedures to minimise corruption.

- Teachers' check-off system has a problem. Teachers collude with hire purchase companies to obtain money under the pretext that they have bought goods on hire purchase (unofficial loan). This is then paid off by the TSC by deducting it from their salaries. The teachers are so busy paying off loans that they absent themselves from school to find other work to pay the loans. Another consequence of the loan burden is they neglect their own families and when their salaries are attached to provide for their families they bribe TSC officials and get their salaries through the back door.
- Traditional brews are made for the elders are a must whenever they meet, which means breaking the law.
- The community recommended that the Bar Sauri millennium village is considered a success and should be relocated in the district.
- Abundance of illicit brews in Ugenya was noted as a problem.
- CDF money ends up in private schools illegally.

Recommendations:

- The high level of poverty in Siaya requires intervention from the GoK in order to empower people to cultivate traditional crops on large scale such as cotton, simsim, and soya beans.
- TSC should enforce a requirement of the new policy that the maximum a teacher's salary can be deducted for payment of loans is 65%.

Bondo District – Meeting with District Commissioner

Date: 23rd June 2006

- The DC said CDF is so strategic that it is changing the lives of people. However the funds are only in the hands of a few individuals and accounting and management of the funds is wanting. Poor accounting systems undermine the proper utilisation of devolved funds such as CDF and LATF.

- LATF is equally abused. There are no clear accounting systems in place. The committee does not discuss with the technical staff on projects they wish to fund.
- There is a lot of insecurity especially highway robberies.
- Although a District Corruption Committee is in place, it is non-functional.
- There is a high turnover of trained Integrity Assurance Officers.
- There are no complaints in the reporting boxes at strategic places; the public is not keen on using the boxes as they prefer to mail their complaints.
- Land grabbing is a big issue.
- The environment has been affected by cutting trees.
- He lamented the late arrivals of AIE's which put pressure on heads and money ended up being misused.
- Highway robberies have been reported because of increased economic activity relating to the fishing industry.
- Persistent power blackouts threaten industry in the district.
- The DC noted that frequent transfers among them hampered their work.
- The fishing industry earns 100 million US$ of which as little as 20% remains in Nyanza.
- The intellectual competence of the head teachers far out weights those of members of the school committees. They can manipulate them and make gains for themselves through contracts.

Bondo Civil Society Leaders:

- The leaders said that corruption starts from the top when wrong instructions are issued.
- There is corruption among police, especially traffic police.
- The funds for AIDS control in the district are not monitored.
- CDF money has been misused in some areas like the scoping of dams, and some CDF projects are paid for before work is done.
- There are far too many NGOs in the district and the work they do is not known.

- National Aids Control Council has given funds to the district for prevention education and support of those affected, but the funds have been used to buy chairs for funerals.
- Public servants stay in Kisumu town and commute every day, thus they report late and leave early, which results in theft of GoK time.
- A bursar and a councilor were arrested for stealing school funds through double receipting. The same was transferred to another school.
- There are over 4000 community based organisations within Bondo but they are doing nothing.
- The Free Primary Education is badly designed and managed.
- KNUT defends drunken teachers who absent themselves from school.
- There was concern with the management of CDF in Rarieda. Dams were built but at a very high cost.
- Recruitment of people to the disciplined forces is riddled with corruption.
- Muslims complained that there was no cemetery for them in the district.
- Middlemen in the fishing sector exploited the fishermen.
- Open bribery on the roads Ndori/Bondo by public to police.
- Representatives of the municipality complained that they had to pay Value Added Tax (VAT) on the money they received from the GoK

Heads of Departments in Bondo:

- There are too many roadblocks between Kisumu and Bondo.
- Courts take too long to clear cases.
- OCPD said that the police were ill equipped and compromised in their work.
- There is no public education on corruption in Bondo.
- The LATF money comes in too late and hampers progress on projects.
- Bondo District Hospital is understaffed. There is also a problem with referring patients to Kisumu because of no vehicle.
- They were only given 3,000 bags of maize and beans for relief which was inadequate and there was no lead agency for food distribution.

- Pathologists were demanding money from public for post mortems and this interfered with investigations.
- ECK said they lacked resources and that voters were bribed to vote or they would not turn out. Aspirants were bribing ECK returning officers.
- Weakness with CDF is the legal framework gives too much power to the MP's.
- The GoK does not treat registration of persons as seriously as it should and the department is not well funded.

Recommendations

- There is need to build housing for Public officers in Bondo.
- Review and restructure free primary education to make it more efficient and seal loopholes for corruption.
- There is need for better staff in the district hospital and for adequate provision of drugs, especially for treating malaria.

Over arching proposal for Nyanza:

The GoK should institute a special development plan for the alleviation of rampant poverty in Nyanza which should include the revival of the sugar and cotton industries which should focus on repairing the dilapidated infrastructure and accelerating the rural electrification programme.

The Plan should include revamping and restructuring of the fishing industry to harmonise the incomes from the sector and reduce exploitation of fishermen. This should ensure the creation of competitive cooperative movements to cater for fishermen.

Additionally, it is necessary to formulate a far reaching policy on the HIV pandemic in the province as well as increase funding for research into malaria control and treatment.

WESTERN PROVINCE

Provincial Commissioner Mr. A. K. Mwasserah

Date: 26th June 2006

- The PC said that most of the problems are related to agriculture and hence corruption cases are mostly related to land issues.
- Corruption is common but the degree varies.
- Complaint boxes have been placed at all strategic places and many complaints, both genuine and otherwise, have been dealt with.
- He said public officers need to be educated, because they do not prepare adequately for retirement. He said there should be a program to help them learn how to invest and save for the future.
- He noted that environmental pollution was being caused by poor controls at the Pan Paper Factory, in particular the pollution of River Nzoia. Pan Paper, however, gives 4000 seedlings to be planted every year.
- The administration is winning the war against charcoal burning in Kakamega forest.
- He said there was high unemployment in the district and most school leavers became *boda boda* drivers.
- Allow for citizens arrest when corrupt activities are detected.
- Farmers are often cheated out of their dues when they deliver cane to the factories by employees who underwieigh the load.
- Aliens come in through Malaba, Busia, Bungoma from Burundi, Zaire and so on.
- There is corruption at the weighbridges throughout the district.
- Most misallocated land has been repossessed.
- Lake Victoria has receded by 1.5 metres in the last 5 years mostly due to deforestation of Mt Elgon.
- There are not enough Guards to cover Kakamega forest effectively.
- Problems abound with management committees of CDF. But he has engaged them and has issued instructions that they be monitored. They have also initiated a training programme for them.

- He is also taking the committees around to see what other committees are doing in their constituencies.
- Squatters were evicted from Mt Elgon, 1600 in total.

Provincial Heads of Departments:

- They pointed out that some laws are not effective, for example for the non use of seat-belts, the fine is only Ksh 500/= but after being in court the whole day, people choose to give bribes instead of wasting time.
- The procurement process has been abused because quotations are given to one contractor who varies prices at will.
- The supervision of construction of houses and roads is not done properly because the officers concerned collude with the contactor.
- There are head teachers and members of the Board of Governors who supply food stuff to the schools they head.
- They challenged us to provide people with creative education rather than go around telling people to stop corruption.
- Manipulation of the procurement process through one person submitting several quotations or tendering more than once.
- By public servants accepting lunches and transport from clients, corruption is perpetuated in the public service.
- Private colleges are registered illegally even when they lack facilities.
- Cost sharing is not working well as medical staff list patients names in books and do not issue receipts thereby denying the GoK revenue.
- There was alleged tampering with expiry dates on drugs which subsequently find their way into private clinics.
- Meat inspection officers lack transport and facilitation. This had undermined service delivery as clients bribe them to pass their product.
- Institutions that handle food (restaurants and hotels) bribe officers in department of public health to get the food handlers license (clean bill of health).
- A contractor with good contacts gets several contracts and gives some to those he wants.

- The public servants accuse *Saccos* and Banks of colluding to offer loans which the public servants take and when they find it difficult to pay the bank will offer a bridging loan and the civil servant becomes trapped.
- Corruption has created an avenue for money laundering in the cooperatives.
- Municipal and county councils deduct money from their employees which they don't remit to the cooperatives.

  CDF projects are too thinly spread out and as such the failure rate is high.
- Public complain about the police but yet the public will try to bribe senior police officers to get their relatives in the force transferred to traffic dept to make money through receiving of bribes.
- Collusion between public officers and contractors to certify shoddy work is rampant.
- Corruption is exemplified in the education system through bribes from parents for admissions into higher education institutions.
- A number of GoK vetting committees are not facilitated and as such are easily swayed by bribes.

Meeting with Civil Society Leaders in Kakamega

Date: 26th June, 2006

- They wanted to know how NACCSC was different from other committees that have been formed in the past but did nothing.
- At Sinyalu constituency, CDF money is not reaching the locals as there is no transparency in the committees.
- There are Kangaroo courts at provincial administration chiefs' offices where people pay Ksh 2000/= to obtain freedom.
- Police arrest approximately 40 people each day but take only 6 or so to court. Those people who do not pay bribes of up to Ksh 2000/= are the ones taken to court.
- Contractors of projects are conduits for stealing CDF and LATF money.

- Police officers receive bribes of Ksh 100/= while courts fine up to Ksh 10,000/= depending on the offense, hence it is cheaper bribe than pay fines.
- At land registry, files are always missing but when you pay something your file is produced.
- At the hospital doctors ask for Ksh 5000/= to undertake an operation.
- One patient was taken to hospital at 9:00 p.m. but was not seen by the doctor until the following day at 2:30 pm.
- There is corruption in payment for grazing as money may not be handed back to the exchequer and is instead pocketed by forest guards.
- School boards meetings are irregular. This does not help deal with issues in schools.
- Magistrates and lawyers collude to delay cases and charge clients more money.
- Those who apply for power are forced to bribe to get meters.
- They pay water bills and there is no water in the taps.
- Multiple allocation of the same plots abound in municipal council. Fraudulent transfer of land is carried out by senior officials. This has occurred with public utility land given by the public.
- Public are asked to buy pipes so that they can get water then the same pipes are used to provide water for all on that line and the payee is not refunded.

Recommendations:

- The National Anti-corruption Committee should start working at the grassroots level as soon as possible. The committee can make use of provincial administration *barasas* to reach Kenyans down to the village level, and the PC's office is ready to facilitate this.
- Officers should be trained in financial management because many public servants engage in corruption due to poor personal financial management.

- PC added that the community policing programme was a success in the province. The hotline provided for the programme has made crime reporting easier and a number of such cases have been handled.
- Officers should be trained on management of personal finances and to prepare for retirement.
- Allow for citizens arrest to help curb corruption.
- Provide welfare for the unemployed and vulnerable.
- Promotions must be on merit and diligent and hardworking civil servants should be rewarded.
- Provide mobile registration units for the district.
- Provide people with seedlings and fertiliser to empower them in food production.

Vihiga District – Meeting with the District Commissioner

Date: 24th June 2006

- The DC said that they had sensitised most of the district heads and leaders on corruption and set committees but there is need to facilitate the office to undertake anti-corruption activities.
- Police collect protection fee on illicit brew.
- The law courts are not helping as they set offenders free on community service order or with a very small fine which cannot deter the offenders from repeating the offences. For example, one offender was given a sentence of 3 hours of community service.
- There is collusion between *matatus* and police officers. *Matatus* are still overloading.
- There is corruption also in the procurement process.
- Law courts are out of touch with reality. There are numerous reports of cases that are delayed or interfered with. Courts mete out lenient sentences that are not harsh enough to deter crime.
- Land remains a major issue. The land available in the district per family (seven people) is a mere .4 acres.
- The poverty index is 62% and unemployment is very high.

- Food insecurity is a problem. When 1 million bags of maize are required to feed the population, only 400,000 are available.
- Public are ignorant of their civic rights and therefore believe it is in order to bribe to get a service.

Civil Society Leaders and Heads of Departments of Vihiga

- Overloading is the order of the day for *matatus.* Police and touts exchange money openly.
- Nepotism is an issue that needs immediate attention. There are instances of promotion of unqualified head teachers. This has demoralised the good performing teachers. This is the order with all other GoK departments.
- Food distribution is haphazard at best. Those who receive relief are the well connected.
- Employment depends on how much one can bribe and one's connections --especially politician connections.
- Political goodwill is absent in the fight against corruption. They cited Anglo Leasing and Goldenberg as cases in point that bred overnight millionaires and yet who are those guilty have not been prosecuted.
- Provisions do not exist for the disabled to access services. For example, there are no ramps alongside stairs. The disabled are not factored in the budget.
- The elite in the district have relocated elsewhere (like schemes in Kitale) and this leads to a lack of capacity on the ground.
- People are afraid of taking credit because they fear losing their land and as such investment is very low. This results in poverty.
- Drug abuse is evident in the district.
- Remuneration from employment is so meager that people feel they must engage in illegal activities to boost their income before they retire.
- With the introduction of cost sharing, those who cannot contribute take shortcuts to access a service. Instead of paying the required amount they offer to bribe public officers in order to pay less.

Recommendations:

- Review the sentencing for illicit brewing and increase the fines. Also make a provision for spot fines and the immediate destruction of the brew.
- Procurement and all financial procedures within the district need to be streamlined.
- Let the GoK take immediate action to reforest areas like Kaimosi and southern parts of Kakamega forest that have been decimated by charcoal burning and illegal logging by GoK officers.
- The GoK should carry out a feasibility study to determine whether an agro based industry can be initiated in the district.
- The GoK must take strict measures to eradicate the growing of *bhang* in Bunyore and Maragoli areas and sensitise the people on the adverse effects of drug-taking.

Busia District – Meeting with the District Commissioner
Date: 27th June 2006

- The DC said that the main economic activity is agriculture and that sugar is doing well, except for complaint on cost.
- Security personnel along the border are compromised to allow the movement of poultry products from Congo via Uganda but KEPHIS are inspecting the products.
- Floods have been a problem, but the National Youth Service has constructed dykes that have improved the situation.
- There is timber from Congo and Uganda which traders bring at night to avoid taxation.
- Noted problem with management of CDF.
- Smuggling across border of maize and other foodstuffs from Uganda into Kenya competes unfairly with the local farmers.
- He said that illegal firearms crossed from Uganda into Kenya escalating crime in Busia and its environs.
- Truck drivers prefer to stay overnight on the Kenyan side because of our favourable tax regulations, but this leads to congestion.

- Sese island is an issue because Kenyan fisherman are arrested and their fish and gear confiscated by Uganda Patrols when truth is that the border is vague.
- Timber is brought in from the Congo.

Meeting with Civil Society Leaders in Busia:

- Leaders said that corruption is caused by poverty and because the cost of things has gone up, it attracts corruption.
- They accused police of leaking information to suspects when members of the public report issues to the police, this is a risk they would rather not take.
- There are far too many road blocks which are money collecting centres.
- They wished that Ministry of Health would publicise when they supply drugs to local hospitals so that members of the public can go for treatment before the drugs expire.
- There is need to let people of Busia know the cost of land so that land valuers do not con them.
- It was alleged that people pay to get ID cards.
- There is a lot corruption involving customs officials.
- There delays in the courts where cases stay for over 3 years.
- Bursaries are allocated to people who do not deserve them.
- *Boda boda* are involved in too many accidents. Up to 8 are knocked down daily.
- The town is congested and planning severely compromised.
- They suggested the setting up of an ombudsman's office for addressing public complaints.
- There are too many blackouts. They claim it happens on certain days and times as a way of employees of Kenya Power and Lighting soliciting bribes.
- There is a problem of water in the town and boreholes being dug close to pit latrines.
- Public officers sell mosquito nets to be issued to the public, in Uganda.

- NGO's are too many in Busia and the benefits are not felt by the *wananchi*, especially AIDS-related NGO's.
- Land registry is slow and people bribe to get their land issues sorted out quickly.
- People complained that KRA collect so much money in Busia yet the town itself does not benefit. Meanwhile the lands department also collects revenue which goes to the KRA.
- *Boda Boda* drivers are arrested for carrying customers who are found with *bhangi*. But they did not know what their passenger was carrying.

Heads of Departments in Busia:

- Kenyans respect those with property even when it is not known how the property was acquired. This encourages corruption.
- Those officers who remain in one station for too long should be transferred to avoid their getting too familiar with the locals.
- There is an historical perspective that those who stole coffee made it in life, so corruption is beneficial.
- Meat inspectors collect revenue but do not remit. They do not give receipts. There is no mechanism to monitor what they have collected, and some of them have parallel receipts.
- Serious shortage of staff hampers delivery of service in the district hospitals.
- Poor terms of service for civil servants lead to lack of moral values and opens avenues for corruption.
- There are brokers for all sorts of GoK services like registration of IDs.

Recommendations:

- Need to streamline the management of *boda bodas* into functioning cooperative to improve their income and empower them to regulate themselves.

- There is need to sensitise the community on the negative impact of smuggling, and the integrity committees that are already doing this should be strengthened.
- GoK should manage its borders given that they are the entry points for smuggling of firearms drugs and other negative influences.
- Incorporate modern technology in security at the border to enhance Kenya's internal security.

Bungoma District – Meeting with the District Commissioner
Date: 28th June 2006

- The DC stated that corruption is an issue being discussed at the local level.
- That the police do not have the patience to investigate corruption issues.
- What NACCSC is doing is the right way to go especially in providing structures through which Kenyans down at the village level can address corruption. NACCSC should be established at the grassroots level.
- This is important because the corruption prevention committees formed under KACC are not effective. The DC's corruption prevention committee was in place but it has limitations as most trained Integrity Assurance Officers are transferred every so often.
- PanPaper does not meet required environmental standards. They release waste into River Nzoia which ends up polluting the river and spreads to Lake Victoria.
- The trailers carrying sugar are pulled by tractors that are not road worthy. They cause many accidents. They get away with it because the factory will not get any cane. The farmers are too poor to maintain their tractors properly.
- Tobacco growing depletes the soil.
- The old people protect communal land and will not give it to their children. They die and there are problems with ownership. At the land *barazas* only the elderly attend. The children are not interested because they know they will never get the land anyway.

- The Bungoma district hospital land was grabbed but has been returned though the title remains in another's name.

Meeting with Civil Society Leaders in Bungoma:

- Corruption is rampant in Bungoma; those who are involved are protected by someone.
- CDF management in Kimilili is done badly; the community does not know what projects are being done. The area is said to have received Ksh 58 million yet there is nothing on the ground to show for it.
- There is a lot of corruption at the municipal council; councilors keep on talking about projects they are implementing but there is nothing on the ground.
- Councilors have decided not to follow the right procedures in handling LATF, instead they have opened their own accounts through which they pay people with their own personal cheques.
- At one time, Ksh 600,000 was given for development but nothing was done; the councilors need to be investigated.
- The people have nowhere to report corruption issues. KACC is based in Nairobi and when locals report corruption cases to KACC, no action is taken nor do they bother to acknowledge receipt of the complaints. They therefore need a place at the district level where they can report corruption and action is taken.
- The CID is not doing a good job when it comes to handling corruption. For example, there is one CID officer in Kakamega who is doing things very badly.
- Land issues are a problem.
- The DC has no control over the activities at the weighbridge because it falls under the jurisdiction of the KRA and Public works.
- They allege that corrupt officers from the field tend to be taken to Nairobi and promoted.
- Delay of cases in court because of lack of judges.
- Sentences for some crimes are very light and as such not a deterrent.

- Bungoma county council handles LATF unprocedurally. There is corruption and falsification of projects done.
- The tendering system is flawed because it does not specify who should sit on tender committees.
- To qualify for money for AIDS one must have a proposal. When they take to the technical people to evaluate they rubbish it. One has to bribe them to write the project (an organisation) so it can be passed.

Heads of Departments of Bungoma

- Land matters are made worse by the fact that 75 laws are in use on land issues, they have caused confusion and hence corruption; these laws need to be repealed.
- There is also some problem with the procurement procedures; they should be specific as to who should be who in the procurement committee.
- The CDF health centre projects have been done without consultation with the Ministry of Health. Already the district has 4 hospitals, 20 dispensaries and the CDF projects have done 40 Health Centres of which 18 are ready, but there is a great shortage of personnel.
- In CDF projects, the technical people should be involved.
- When town clerks or county clerks mismanage funds the most that happens is that they are transferred to other municipalities.
- Prostitutes are arrested but the clients go free.
- Police were commended for community service.

Recommendations:

- Provision of education to create awareness on corruption is important.
- The GoK should consider introducing anti-corruption education in primary schools just like in the case of HIV/AIDS.
- Parental involvement in child upbringing is also needed.
- Children should be involved in farm work in order to be productive and create wealth.

- The local people need to be made aware of their rights so that they can say 'no' to corruption.
- It is important to elect leaders with moral authority to lead.
- There should be alternative crops grown to tobacco to replenish the soil.
- Tractors and trailers must be made to comply with traffic laws.
- Police should charge people immediately on the road for traffic offenses.

APPENDIX II

Common Corruption Issues and Recommendations

APPENDIX II

Common Corruption Issues and Recommendations

Based on the information gleaned from visiting 47 districts in Kenya covering all eight provinces, the committee noticed certain recurring corruption-related issues that seem to cut across most of the regions of Kenya. These issues have been identified by government officers, local authorities, NGO's, civil society, religious leaders, the business community and community-based organisations.

Similarly, the recommendations are those given by leaders and civil society at the grassroots level. *The views expressed and recommendations contained herein do not necessarily reflect those of the members of the committee or the NACCSC, unless indicated as such.*

Some of the outstanding corruption issues that are affecting a wide cross-section of this country are as follows:-

1. Implications of corruption in Kenya, and how to fight it

1. There is a widespread perception regarding the lack of action and seriousness to fight corruption.

Many people have information regarding corruption cases, but are afraid to speak. Complaint boxes are under-utilised or non existent, and in the eyes of many, reports sent to KACC are simply not responded to. This has discouraged the general public greatly.

There are many corrupt public servants who are known to be corrupt, yet nothing is done about them. Because of this, the public perceives that no credible action has been taken against the perpetrators of grand corruption in this nation. When town clerks or other officers mismanage funds, the most that happens is that they are transferred to other municipalities. It seems apparent to the public that action is not taken when corruption cases are reported, and many people feel that they would be in danger if they expose corrupt leaders because whistle-blowers are not protected.

Kenyans are demanding that action be seen to be taken against the perpetrators of grand corruption in particular the Anglo Leasing and Goldenberg scandals. Corrupt leaders must be brought to book. Kenyans also want the list of shame to be made public – many wonder what the point is of having a list of those incriminated and yet they are not forced to face the law. It was suggested that penalties for grand corruption should be enhanced to the extent that corruption involving public funds of more than Ksh 1 billion be made a capital offence.

Certainly there is need to harvest goodwill from the public while it still exists.

In light of the outcry by the public against public officers, the GoK should carry out a few sting operations and impromptu visits to district offices and see how effective it will be in checking the corruption among public officers.

2. Negative effects of corruption on the society are widespread.

Corruption has led to rampant capital flight; the government is impoverished because contractors inflate prices of goods they supply and have formed cartels and the government does not get value for its money; corruption worsens poverty; inequity among Kenyans and growing perverse conditions have made life deplorable.

3. A change of attitude is necessary, as well as positive role models whom the youth (and all Kenyans) can emulate.

Many Kenyans see corruption as a way of life, and assume that it is necessary to bribe in order to obtain services. The society is lacking role models who display integrity and are obviously not corrupt. This lack of role models in society is a major problem especially for youth. Often, persons who are wealthy are honoured in the society, regardless of how they obtained their wealth.

Research should be carried out to determine why members of the public give bribes; religious leaders should talk to their followers about the evils of corruption; also there is need to evaluate societal values that give room for corruption.

The culture of people buying their way into positions must be discouraged. Civic education is needed to alert Kenyans to choose people of integrity in public office, rather than people who are able to bribe.

Future studies on corruption should be specific rather than laying blame on the entire police department or entire public service or entire judiciary, because the

wholesale condemnation of these sections of society demoralises those within the system who are, in fact, upright.

4. Comprehensive and effective means to fight corruption are urgently needed.

The GoK should recruit and train **integrity officers** for each district. There should be a Training of Trainers capacity built into each district with this regard. The officers should have integrity monitoring as their sole function. GoK should structure this office into the administration and provide adequate budgetary provisions for the same in each district.

It is necessary to provide **protection** for those who "blow the whistle" on corruption, and public servants must be empowered to fight corruption.

NACCSC needs to be empowered to work from the grass root level to stamp out corruption, and would be able to function more efficiently if given further mandate through an Act of Parliament. The anti-corruption campaign needs to be strengthened nationwide, and should target both the public servants and the private sectors.

This committee recommends the establishment of an office of **ombudsman** who will receive and address public complaints of all kinds. Further, there should be body that would assess public complaints and have power to summon and interrogate any public officer, including members of the cabinet, with regard to use of GoK resources, from cars to funds. This department could analyse the Terms of Reference of public officers and ensure that the GoK resources allocated to the same are used effectively.

5. Anti-corruption curriculum should be included in schools and taught at all levels of society.

The teaching of anti-corruption should be made part of the schools' curriculum in order to help the nation understand the negative effects of corruption. This education programme on corruption deserves just as much if not more focus from the GoK as that accorded to the National AIDS Campaign. The curriculum for students would need to inculcate in them vaiues of courtesy, respect, honesty and integrity at an early age. These are the values that will empower future generations to resist the temptation to be corrupt.

6. Cooperation and coordination of anti-corruption bodies

It would appear to the committee that there is public disquiet about the apparent disconnect between the offices of the Kenya Anti Corruption Commission (KACC) and the Attorney General's (AG) office. This is most apparent when corruption cases are referred to the AG for prosecution and then returned to KACC for 'further' investigation. The public perceives this as a high stakes game to hoodwink them when in reality the will to prosecute high profile corruption cases does not exist.

Further to this, it is perceived that the Judiciary is simply an extension of the executive and as such highly compromised.

This committee therefore recommends that GoK exhaustively reviews the relationship between the three arms of government and reaffirm and reiterate its policy on the prosecution of corruption cases. In addition GoK should call together Judiciary, AG's office and KACC and work out modalities that will streamline the process of prosecution to make it effective and restore public confidence in these offices.

2. Government systems

1. Regularise salaries, hardship allowances, promotions and transfers

The serious disparity in the salary structure in the public service contributes to corruption. Promotions and transfers are often done in unfair ways; some officers have remained in one job group for a long time while others stay in one station for ten years or more which lends itself to engaging in business, farming, and other interests that conflict with their work. Some officers never get training unless they bribe, and frequent transfers among the District Commissioners hampers their work. Others bribe their way in order to be transferred to better stations.

The salaries of public servants need to be harmonised; rationalisation of hardship allowances for all public servants is needed; there needs to be a proper national policy on compensation for government officers who relocate for GoK projects; the government should consider provision of loan facilities for low-salaried staff.

Furthermore, this committee recommends that the GoK should devise a system of ensuring punctuality and reducing apathy among public servants in line with the Rapid Results Initiative (RRI). This may entail the creation of a committee that will deal with issues such as promotion outside merit based on nepotism, un-harmonised salary structures, delayed promotion (stagnation in one job-group), lack of progressive schemes of service and general apathy, among others.

2. Systems for public records needed

There should be a nationwide government office to reorganise the public records keeping with a view to computerising it in all departments. NSSF also needs to be computerised to increase its efficiency.

3. Standard for poverty indices to deal with inconsistency

The government should develop its own relevant standard for determining poverty indices to harmonise the apparent contradiction in low-rated districts which are deemed to be poor and yet have vast resources.

4. Service Charters in all Government Departments and Ministries

Each GoK institution should develop an in-house anti-corruption charter that must be strictly adhered to, even as processes and procedures for doing most things are made easier.

5. Completion certificates for projects needs a counter-check

It was reported in several GoK-funded projects throughout the country that contractors received completion certificates from the headquarters even though they were incomplete and in some cases no work had been done at all. This committee recommends that the GoK institute a policy mechanism that will link the issuance of certificates with the reality on the ground. This will entail making public officials and NGO's aware of all GoK projects being undertaken. Additionally GoK should investigate those specific cases that have been mentioned in this report with a view to uncovering how the certificates were issued.

6. Physical planning funds

Physical planning departments are under funded. This contributes greatly to corruption in planning of towns and construction across the country. The government should increase the funding to this vital department and undertake a countrywide review of the design and functions of this office, as well as a review of the planning of all towns and cities in the country. In particular the correlation between town plans and their implementation needs to be examined.

7. Open plan for Government offices

GoK should look into the possibility of having open plan offices in government offices to enhance transparency and efficiency.

8. Uniforms needed for chiefs and sub-chiefs

Chiefs and sub-chiefs must have adequate uniforms and wear them always when on duty.

9. Payment of Value Added Tax (VAT)

Municipalities complained that they have to pay VAT on the money they received from GoK. This policy should be reviewed.

10. Empowerment of Kenya News Agency (KNA)

It was noted that in all districts the KNA was poorly facilitated. As a result much of the work that the GoK has been doing to improve governance and facilitate services goes unnoticed. This committee recommends that the GoK review the facilitation for KNA and provide them with adequate funds and equipment that are up to date, including laptops, mobile phones and digital cameras as well as internet access and vehicles.

11. Establishment of new districts

Upgrading of local authorities/ municipalities has been haphazard and is often in conflict with economic viability.

12. Procurement procedures

There are power cartels in the procurement process in the GoK. Contractors inflate prices of goods they supply and have formed cartels to the extent that the government does not get value for money. The GoK should look into the procurement process. It is deemed too complex and as such Kenya is losing business to Uganda and Tanzania where such procedures are simpler and faster.

13. Elections in Committees and Councils

In order to be elected as an official in cooperative societies, on school boards, or various public committees, one needs to bribe.

For this reason, Municipal Councils should be completely revamped and restructured and their operations revised. Councilors must have attained a recommended level of education to be eligible for election.

3. Land ownership

Land-related issues are paramount in many districts, in some cases signalling the height of all corruption problems.

1. Title deeds

Reports abound of the following: title deeds are uncollected; multiple title deeds are issued for the same plots of land; non-issuance of title deeds; forgery of title deeds; bribery required for land certificates; interference from corrupt and bogus land-buying brokers; and title deeds being issued for free.

In order to deal with these problems, the lands registry should be computerised, and there is need to harmonise all land acts in the country.

2. Ndungu Report

GoK should address land issues seriously and come out clearly on the Ndungu report. It is recommended that the Ndungu report should be acted upon or dismissed outright. It is bringing confusion and outrage in many districts.

3. Squatters

Conflicts over the rights of squatters and the distribution of land are leading to tribal clashes and killings in many districts of this country. Complaints abound of

"professional" squatters who sell land allocated to them, then falsely claim the status of landless squatters with hopes of being given even more land.

The issue of squatters country-wide should be resolved and contradictions regarding genuine squatters who do not have title deeds and others who sold their lands should be harmonised. This will require that land demarcations be carried out.

It is crucial that the government ensure that those who have already been allocated land get their title deeds. Comprehensive legislation is needed to deal with the management of settlement schemes as a way of ensuring equity and fairness in the distribution of land to landless people. Security should be increased, with permanent GSU camps in clash hit areas. Faith based organisations should visit such areas and speak to the public about the need for peace and enhance the doctrine of dialogue through public hearings, as opposed to recourse to violence and destruction.

4. Corruption in land allocations

Allocation of public land, government land, and land needed for water catchment or forests/lakes shows a lot of inconsistency and evidence of corruption.

It was suggested that there should be a policy on land ownership in terms of how much land an individual is permitted to own, and land adjudication board members should be vetted. Women should be protected so that they can inherit their husbands land in case they die.

There should be a survey done in all municipal councils to identify all road reserves and public utility land with a view to recovering all land that is being illegally used.

4. The Police Department

1. Monitor ex-servicemen/ ex capital offenders

Ex-servicemen need to be monitored, as well as capital offenders who are released from prison. Additionally there should be a body to monitor ex-servicemen as they have the training to handle firearms and/or the connections to supply firearms and logistics to criminals. This monitoring should go a long way to reducing incidents of armed robbery.

2. Equipping of the Police Department

Criminals often have better resources than police, and as such the Police Department needs to be better equipped.

3. Traffic police

Corruption in the traffic police is a recurring theme in most all districts around this nation. Bribes to traffic police, particularly by *matatus*, are common at most road blocks and police check points. In certain areas, the "daily charge" that *matatus* pay to traffic police is commonly known, even by citizens. Going to traffic court is a very long process, so people prefer to bribe.

This committee recommends that a facility be put in place for fines to be paid "on the spot" at the scene of traffic offenses, rather than offenders being required to go to court. Many people choose to bribe because they do not want to go through the hassles of attending court. Such a provision would increase government revenue as well as reduce corruption.

Those who inspect speed governors should also be monitored, because it is obvious that many vehicles have speed governors which are not working, yet they pass the inspection.

4. Adjustment of fines for various crimes

The fines for many crimes (traffic offenses, illicit brewing, smoking in public to name a few) are very high. The public opts to bribe officers rather than face the court proceedings or be forced to pay hefty fines. The fine structure should be reviewed with this in mind.

5. Issues in Society that are exacerbated by corruption

1. Women – need empowerment

Women do not receive justice in the court system in regard to abuse, land ownership, and inheritance. Women should be empowered legally and protected so that they can inherit their husband's land in case of death.

2. Rape/ sexual abuse

Rape and child abuse are on the rise, and half-heartedness seen in the prosecution of child abusers and prevention of child abuse as offenders are often set free without any charges. Rape in Kenya not only physically and mentally damages the victim but in Kenyan society, victims are in addition stigmatised . As a result the community often tries to negotiate with the suspect to compensate or even marry the victim and the cases do not go to or are not pursued in court. In several cases across the country it is alleged that GoK officials tend to play down the seriousness of rape.

It is necessary to remove the barriers that make it difficult to prosecute and charge child abusers. This committee specifically recommends that in all rape cases the GoK should waive the Kshs 2,000 examination fee charged by hospitals for victims to get P3 forms filled and signed.

Given the continued rise in rape cases statistically, there should be special prosecutors and courts to specifically handle rape cases, and centres where reports on sexual abuse against girls can be made. It was noted that the Rapid Results Initiative has already established special desks for rape cases in several police stations. We recommend these be extended to all police stations in the country and be manned by specially trained officers.

It is furthermore the considered view of this committee that Kenya should start, at a national level, a professional Anti-Rape advocacy institution.

3. Child/ Human trafficking

Human trafficking is rife, especially at the borders and the Coast. Child labour and human trafficking needs to be investigated with urgency.

GoK should also look into the issue of child labour and human trafficking that are rampant at the Coast and some of the refugee camps in North Eastern province, as the rights of both groups are regularly trampled on.

4. Illicit brew

Kangaroo courts are in place in many districts for those caught involved in illicit brewing and police regularly collect protection fee on illicit brewing. With these problems in mind, it is necessary to review the fines and sentencing for illicit brewing. Also provision should be made for spot fines and the immediate destruction of the brew.

In one specific example, it would appear that the illicit brewers in Kisii are using a 'scorched earth' policy with regard to the export of illegal brews. They promote the same and reduce productivity of their neighbours in the hope of dispossessing them of their land. The intention, it would appear is to get them

addicted to brews and thereby encourage irresponsible action. The government needs to examine this scenario and take appropriate action.

5. Drug abuse

The GoK should institute immediate measures to cut down on drug abuse by youth.

6. Needs of the female child

We must ensure education for the female child.

6. Environmental concerns

1. Education needed

Citizens should be educated on the dangers of destroying forests and waterways. There is a very good example in Kisii District, where people have learnt to plant trees on their land and conserve the environment and avoid farming river banks or slopes. This approach should be promoted in other districts.

2. Water: Rivers/ Lakes/ Water catchment and dams/ Sewage

There is evidence of environmental destruction in many regions of this country. For this reason, pollution of lakes and rivers should be checked, and sewer systems should be modernised and expanded.

It was noted with much concern that rivers in the district of Kericho are drying up especially in Trans Mara, Narok, Kericho, Bomet and Bureti, Nyando and Nyamira. These form the basis of the water catchment areas in the Rift Valley and Nyanza. This is contributing to the receding levels of water in Lake Victoria and the Rift Valley lakes.

This committee recommends that the government should as a matter of urgency put in place strict enforcement of environmental policy than enables them to run and monitor water catchment areas in the country. Furthermore, the GoK should also repossess and/or remove settlements in all the water catchment areas as part of the long term solution.

Dams throughout the country should have desilting chambers to save on money used for desilting them.

3. Forests/ Charcoal

Forests are being destroyed while those charged with protecting them are willing to accept bribes, and the burning of charcoal is taking place illegally. Laws should synchronise the licensing of sand harvesting and charcoal burning.

4. Sand harvesting

Sand harvesting is taking place illegally, and sand harvesting is not provided for or regulated by a specific law.

However, there is a difference between sand scooping and sand harvesting – the former takes all sand and leaves nothing behind, and it is highly destructive to the environment. NEMA has developed certain guidelines for sand harvesting. We recommend that, given the seriousness of the issue, the GoK should elevate these guideless to a law through an Act of Parliament.

5. Human-wildlife conflict

Human - wildlife conflict is at alarming proportions due to shrinking wildlife habitat and growing human population. Wildlife also kill livestock and destroy crops, with citizens receiving little or no compensation. Many cases of poaching go unreported.

There is need to harmonise benefits accruing from tourism to benefit the local communities, and to deal with corruption in the Kenya Wildlife Service.

6. Hunting/ Poaching

Recently the debate on lifting the ban on hunting has resurfaced in the public domain. The proponents argue that if hunting is controlled it could bring much needed money and the attendant benefits to the communities who share their land with wildlife. Additionally they claim that this is the only way of controlling Kenya's wildlife populations that live mostly outside Game Parks, Reserves and conservation areas. These populations, they add, are being decimated in any case by the growing corruption-ridden, illegal trade in bush meat.

Against this argument, many feel that hunting will quickly spiral out of control and will decimate huge populations of Kenya's wildlife.

Given that tourism is Kenya's second largest income earner (up to 23 billion KShs a year) and employing over 500,000 people it is imperative that the GoK gives more attention to this dilemma.

The committee recommends that the GoK examine the alternatives to lifting the hunting ban that will stamp out the illegal trade in bush meat and provide income to the attendant communities.

7. Empowerment of NEMA

Funding for NEMA is too low to cater for the demand of responsibilities. There should be a deliberate and affirmative policy to increase the number of environmental officers under NEMA and a similar increase in forest officers/guards as evidence on the ground shows tremendous destruction of water catchment areas across the country. In addition, NEMA needs to be much better funded.

Given the seriousness of environmental degradation across the country, we recommend that a portion of both CDF and LATF funds should be specifically allocated to environmental conservation and afforestation.

7. Devolved funds and Government disbursed funds/ aid

1. Overview

LATF and Bursary funds are highly misused. Reports abound regarding conflicting and unauthorised development projects, duplication of use of funds, salaries being paid from these funds, and politicians using the funds for personal gain. The general public is not aware of the allocation or disbursement of funds, which are characterised by lack of accountability, lack of proof of projects that are supposedly funded, secrecy regarding decisions about funds allocation and lack of reporting.

Due to this, all devolved funds should be displayed in public so as to enhance transparency; management of devolved funds should be given to committees at the grassroots level and the provincial administration should oversee the implementation of projects. Locals need to be sensitised and empowered on devolved funds so that they can be involved in monitoring and administering these funds.

In many cases when town clerks or county clerks mismanage funds, the most that happens is that they are transferred to other municipalities. They should be prosecuted. Council meetings must be advertised and members of public invited. Any council meeting held without a public notice should be declared null and void.

Government officers handling devolved funds in each district should not be under duress from the MP's when it comes to the issuing of cheques for projects.

Similarly the same officers should not delay making payments for projects that have been approved.

All committees at the district level that oversee devolved funds must develop strategic plans and conduct feasibility studies before implementing any projects. This will ensure that projects are not spread too thinly to be viable.

2. Bursary Funds

Bursaries are given to those who are not in need while genuine cases do not receive bursary funds. It is recommended that members of the Bursary Committees should be made known to the public, and constituency bursaries should be handled directly by the schools to avoid corruption at the committee level. There is need to harmonise all bursary disbursement schemes across the country to maximise their utility.

In determining which children are awarded bursaries, the relevant committees should be guided by demonstrated potential as well as direct grades to avoid discriminating against poor children who may be gifted but have scored low grades because they have been away from school.

3. Constituency Development Funds (CDF)

It is recommended that there should be need to provide evidence of completed CDF projects before subsequent allocations are released; the CDF Act should be amended so that members can elect committee members; CDF committees should have gender balance and involve youth. In addition the CDF committee, treasurer and the CDF accountant should be the only ones to collect and disburse funds from public officers.

Due to the strategic importance of CDF and the level of mismanagement of the fund across the country, this committee recommends that CDF money should be

released for only 4 years, and then the fifth (election) year, there should be a national audit, monitoring and evaluation exercise. This will serve to inform the voters of the performance of their MP's and give the public a basis to determine who to vote for.

Evidence on the grounds indicates that many MP's do not attend the District Project Committee meetings under CDF and yet they are patrons or chairmen of the same. We recommend that the Act be amended to provide the committee members the powers to appoint chairs for the meetings in the MP's absence.

4. LATF

CAP 265 needs to be revised so that Councilors can monitor and have say in the use of LASDAP and LATF funds. The amendments should also take into account the need for public participation in the management of local authority funds.

5. Relief Food

Relief food is problematic in the districts where it is distributed; food is being illegally sold by provincial administration to businessmen and illegally sold to intended recipients.

The government should empower the northern and semi-arid regions economically and socially by providing material assistance and initiating irrigation and other development projects to help people become self-sufficient.
Persons known to sell relief food should be prosecuted.

6. Authority to Incur Expenditure (AIE)

Late issuance of AIE gives room for corruption. The funds are released sometimes only two weeks before the end of the year, encouraging corruption. Very often, AIE money is misused.

AIE holders should receive money on time; the GoK must improve on efficiency in this regard.

8. Kenya's borders

1. Overview

Repeated cases of smuggling of maize, foodstuffs, *bhang, changaa,* illegal firearms, and other negative influences are found in all border districts. Human trafficking reported at border points is rife, and border regions report escalated crime and rampant corruption.

Given the nature of business at all border crossing points in Kenya and the congestion arising there-from, there is need to improve these facilities and amenities to international standards. In particular parking lots, recreational facilities, security check points, accommodation, provision of electricity and sewerage need to be adequately catered for.

2. Security/ firearms

Law enforcement agencies must be vigilant at border points throughout the country, and regional approaches must be developed to tackle problems of illegal arms, smuggling and drug trafficking.

3. Drugs

Drugs and liquor such as *bhang* and *changaa* are legal in neighbouring countries yet illegal in Kenya – this affects our borders drastically.

9. Registration of Persons and Electoral Registration

1. National Identification (ID) Cards and Passports

The GoK does not treat registration of persons as seriously as it should and the department is under-funded. Additionally there are often problems with the

availability of materials for processing ID's. As such, delays and outright refusals to process applications have frequently occurred. Bribing is required to obtain ID cards and lack of materials contributes to corruption. The loss of files (until a bribe is produced), delays, and outright refusals to provide services are all reported.

It is the considered opinion of this committee that many members of the public do not see the importance of an ID, in particular the older generation. Therefore, we recommend that the GoK should have an advocacy programme on the centrality of having an ID. This should include the empowering of chiefs, sub chiefs and grassroot religious organisations to register births. In addition the ID should be be linked to the benefits of social security. We further recommend that policy should be reviewed to make the driving license a valid form of Identity. Given the seriousness of vetting of people in border districts, the GoK should establish a national task force with clear terms of reference to undertake a national analysis and interpretation with a view to finding a lasting solution to this problem.

Though much of this is now being addressed by the Rapid Response Initiative, more needs to be done to ensure that all required materials are distributed on time to each district. The option of registering for ID's at schools should be exploited. The government needs to ensure that paper for printing IDs is available.

This committee further recommends that the requirement that tribe be mentioned in ID application forms should be scrapped with immediate effect. This is an infringement on the rights of Kenyans and promotes nepotism.

2. Voter Registration

It is recommended that a policy of continuous registration of voters be put in place.

3. Electoral processes

Given the problems with voter registration the ECK should empower Kenyans to take part in the electoral process and conduct more aggressive voter education. Modalities should be put in place that will eliminate the selling of votes and cheating in the poll stations.

10. Schools and the Education System

1. Tuition

Although there is a ban on private tuition, it continues in many districts and is often the business of head teachers or District Education officers, thereby "bleeding parents dry". Teachers are known to intentionally teach part of the syllabus only in class, and require that the remaining parts be provided in tuition. Certainly instances of forced tuition should be dealt with severely.

2. Exams/ Cheating

In a number of districts in Kenya there has been rampant cheating in exams. This has been reduced considerably. In particular in Kisii, there are cases of children being discriminated against by being forced to sit exams without sweaters and or shoes (to prevent them from carrying hidden papers etc into examination halls) thereby subjecting them to inhuman and degrading treatment.

The government should work with Kenya National Examinations Council to make sure children are not treated inhumanely while cheating is curbed. In addition there should be an investigation into how the papers are leaked. Also there are cases of impersonation during exams. That is, a child can bring another (school leaver) to sit exams in his place in order to get better marks.

Given the continued rampant cheating in exams in the country it is the view of this committee that the GoK policy on examinations management is wanting and in need of overhaul.

3. Funds for Free Primary Education

Many contributions are extracted from parents, and monies given for various school provisions are pocketed by teachers and headmasters. It is necessary to review and restructure free primary education to make it more efficient, and seal loopholes for corruption within the system.

4. Distribution of resources

Some districts are lacking teachers and therefore the standard of education is very low.

11. Various Sectors of Public and Government Services

1. Prisons

There are serious problems in Kenya's prisons. The evidence available indicates that congestion, hunger, lack of clothing, inadequate medical facilities, infiltration by drug peddlers are rife. The handling of offenders by corrective institutions is very bad, which encourages corruption and makes it better for one to bribe than to persevere in such conditions; overcrowding and frequent abuse of prisoners' basic rights encourages corruption. Non-custodial sentences should be given more frequently so that the congestion in prisons is alleviated, and the basic human rights of prisoners need to be ensured.

There is need to re-train prison officers on basic aspects of the law and human rights to enable them to treat prisoners humanely. Additionally the GoK should

increase accommodation facilities for prison warders while modernising the existing ones.

2. Jua Kali Sector

It is evident from visits to the districts that the *Jua Kali* sector is neglected.

They are often in want of land and have great difficulty accessing cash equipment and information. For example, they are often exposed to lead in garages as they repair motor vehicles and use no eye and head protection as they carry out their business. They need comprehensive capacity building in safety standards and procedures.

Given the centrality of *Jua Kali* as a critical factor of the informal sector and in view of the fact that so many of Kenya's people are local artisans, GoK should review the current *Jua Kali* policies with a view of

- Strengthening and extending the existing *Jua kali* sheds nationally.
- Creating linkages between *Jua Kali* and formal institutes of training such as polytechnics and institutes of technology.

3. Sugar Sector

There should be a GoK review of the policy on the sugar sector. This should take into account the efficient operation of the companies and the out-growers associations, the payment and marketing system and support for the local farmers.

4. Tobacco Policy

Whereas tobacco companies involve themselves in social responsibility programmes, the overall damage done to society by smoking of cigarettes still far outweighs any beneficial programmes tobacco companies may have. The GoK should review tobacco policy relating to its consumption and the subsequent tobacco related diseases.

5. Non-Governmental Organisations (NGO's)

There are many registered NGO's around the districts of Kenya that do not provide any tangible benefit to the communities. Many districts report of the presence of brief-case NGO's, falsification of projects and misappropriation of funds.

The many NGO's in the country should be monitored; they need to state clearly what they do in the country and account for their huge budgets. The GoK must develop an index to ensure that a selected % of their project budgets is evident on the ground.

6. Registration and responsibilities of societies and churches

Evidence on the ground indicates that despite the Societies act, several religious institutions across the country are set up with the express intention of soliciting funds from abroad/locally for the leaders' own personal gain. In addition, some teach unethical practices such as not seeking medical attention when ill. There are also cults and other anti-social groups that are an affront and repugnant to the ideals of society. This committee recommends a review of the Societies Act and more vigilance on the part of the GoK in the monitoring of religious organisations.

7. Roads

The dilapidated road system is a great hindrance to development, especially in certain districts in Kisumu and Nyanza. In extreme cases, money for road maintenance is misused simply because there are not roads to maintain.

Weighbridges are a problem throughout the nation, and overweight vehicles have done serious damage to Kenya's roads. It is recommended that mobile

weighbridges be set up. More regular and thorough inspections on overloaded vehicles need to be done.

Given the current state of roads in the country including the damage to roads due to freight traffic and the rampant drug trafficking, prostitution, insecurity (smuggling of arms, highway robbery) along major highways, it is the recommendation of this committee that the GoK institute a policy that will ensure a given percentage of freight be moved by rail and air (for example 50% by rail 15% by air and the rest by road).

8. Refugees - Hosting of Refugee camps and attendant consequences

After visiting Garissa and Lodwar, this committee wishes to raise at the GoK level concerns about the hosting of refugee camps in these areas. It is clear that there is severe environmental degradation in the Dadaab refugee camps and surrounding areas as a direct result of collecting of wood for fuel. The Dadaab camps as at August 2006 hosted up to 160,000 refugees. We take cognizance of the deteriorating situation in Somalia. Ultimately the numbers of refugees in the camps is bound to increase sharply.

As such there are a number of agencies that are assisting with programmes aimed at reducing the dependency on wood fuel by the refugees. In addition the United Nations is supplying food and other related aid to the camps. In the opinion of this committee, these interventions are not enough.

With this in mind we propose that the Kenya Government in conjunction with its partners who support the refugees look more critically at the issue of environmental degradation in these areas. In particular we propose the setting up of a special basket fund for the re afforestation/environmental programmes that will restore the ecological stability of these regions. We propose that such a

fund be managed and implemented by one body so as to have the greatest impact.

Further we wish to encourage the GoK to undertake studies that will examine and access these costs (environmental degradation) to the country and the people in the surrounding areas in particular with a view on sensitising the international community to the real burden Kenya faces in hosting refugee camps.

[redacted]