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**THE NATIONAL ASSEMBLY**

**THIRTEENTH PARLIAMENT- FOURTH SESSION - 2025**

**DEPARTMENTAL COMMITTEE ON DEFENCE, INTELLIGENCE AND FOREIGN  
RELATIONS**

**REPORT ON:**

**INSPECTION VISIT TO KENYAN EMBASSIES IN THE UNITED ARAB EMIRATES  
AND THE STATE OF QATAR CONDUCTED FROM 7<sup>TH</sup> TO 13<sup>TH</sup> NOVEMBER 2024**

**CLERK'S CHAMBERS  
DIRECTORATE OF DEPARTMENTAL COMMITTEES  
PARLIAMENT BUILDINGS  
NAIROBI**

**MARCH, 2025**

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## LIST OF ABBREVIATIONS AND ACRONYMS

AIE	Authority to Incur Expenditure
APRA	Accelerated Partnership for Renewables in Africa
BLA	Bilateral Labour Agreement
CUE	Commission for University Education
DCI	Directorate of Criminal Investigations
EAC	East African Community Affairs
EGH	Elder of the Golden Heart
FNC	Federal National Council
FRO	Foreign Relations Office
FDI	Foreign Direct Investment
FSA	Foreign Service Allowance
GDP	Gross Domestic Product
HCD	Horticultural Crops Directorate
ICT	Information and Communication Technology
ILO	International Labour Organization
IRENA	International Renewable Energy Agency
KES	Kenya Shillings
KCAA	Kenya Civil Aviation Authority
KEBS	Kenya Bureau of Standards
KNCCI	Kenya National Chamber of Commerce and Industry
KNQA	Kenya National Qualifications Authority
LPG	Liquefied Petroleum Gas
LNG	Liquefied Natural Gas
LAPSSET	Lamu Port-South Sudan-Ethiopia Transport Corridor
MDA	Ministries, Departments, and Agencies
MoU	Memorandum of Understanding
MRA	Mutual Recognition Agreement
MTS	Medium-Term Strategy
NTSA	National Transport and Safety Authority
NITA	National Industrial Training Authority
PFC	Public Finance Management Act
PSC	Program and Strategy Committee
QAR	Qatari Riyal
SKUs	Stock Keeping Units
TVET	Technical and Vocational Education and Training
UAE	United Arab Emirates
UNICEF	United Nations International Children's Emergency Fund
UNHCR	United Nations High Commissioner for Refugees
USD	United States Dollar

### **LIST OF ANNEXURES (VOLUME II OF THE REPORT)**

- Annexure 1: Signed list of Members who attended the sitting which considered and adopted the Report
- Annexure 2: Minutes of the Committee

## LEADER OF DELEGATION'S FOREWORD

This report follows the foreign oversight inspection visit conducted by a delegation of the Departmental Committee on Defence, Intelligence and Foreign Relations to the Kenyan Embassies in Abu Dhabi, United Arab Emirates (UAE) and Doha, Qatar from 7<sup>th</sup> to 13<sup>th</sup> November 2024. The aim of the visit was to inspect and appraise the Committee about the operations and challenges of the two diplomatic missions.

During the inspection visit, the Committee engaged with mission officials, government authorities, and Kenyan diaspora representatives to identify challenges, successes, and areas of improvement in diplomatic operations. The Committee noted that Kenya enjoys strong diplomatic and economic ties with both the UAE and Qatar, with significant trade and investment flows between Kenya and the Gulf region. However, the missions face budgetary constraints, administrative challenges, and operational inefficiencies that hinder their ability to provide essential consular services, support distressed Kenyan workers, and facilitate labour migration and trade relations effectively.

Among the key challenges observed were financial constraints, outdated office infrastructure, fraudulent recruitment agencies exploiting Kenyan job seekers, lack of recognition of Kenyan academic and professional qualifications in the Gulf, and a trade imbalance that significantly favours the UAE and Qatar. The Committee also noted that many Kenyans working in these countries face labour exploitation, contract breaches, and delays in salary payments, yet the missions lack adequate legal and financial support mechanisms to assist affected individuals.

Having visited, received briefings and inspected both the chanceries and the residences of the ambassadors, the Delegation, made the following recommendation: -

### General Recommendations

- (1) The Ministry of Foreign and Diaspora Affairs should: -
  - (a) Collaborate with the National Treasury to: -
    - (i) Establish a *Diaspora Welfare Fund* to provide financial and legal assistance to distressed Kenyans.
    - (ii) Revise the Embassy budget framework to account for *annual rent increments* in Abu Dhabi and Doha, with adjustments included in the 2025/2026 budget cycle.
    - (iii) Implement *Foreign Exchange Stabilization Mechanism* to mitigate forex conversion losses impacting embassy operations.
    - (iv) Implement a performance-based funding and resource allocation framework for Kenya's diplomatic Missions, ensuring that support is directly proportional to the economic, diplomatic, and diaspora-related opportunities they generate for the country.
  - (b) Spearhead negotiation for the recognition of Kenyan nursing certifications in Qatar under the revised Bilateral Labour Agreement.

- (c) Procure new vehicles for the Kenyan Embassies in Abu Dhabi and Doha to replace the outdated fleet, and refurbish the office furniture and ICT infrastructure at both embassies to enhance service delivery.
  - (d) Establish a Joint Bilateral Agreements Monitoring Unit to track the implementation of signed MoUs, to ensure that labour, trade, and investment agreements are regularly reviewed and updated to reflect emerging economic opportunities.
  - (e) Appoint a Special Envoy for UAE and Qatar Relations to coordinate high-level engagements and fast-track pending negotiations, including the mutual recognition of professional qualifications and expansion of skilled labour migration.
  - (f) Collaborate with the Ministry of Interior and National Administration to work with Embassies to expedite the delivery of government services to Kenyans in the diaspora.
- (2) The Ministry of Labour and Social Protection should: -
- (a) Collaborate with the Commission for University Education (CUE) and the Kenya National Qualifications Authority (KNQA), and engage the equivalent UAE and Qatari authorities to establish *Mutual Recognition Agreements (MRAs)* to enhance the employability of Kenyan professionals in healthcare, engineering, education and other sectors in UAE and Qatar.
  - (b) Establish an Implementation Committee to oversee labour migration, ensure compliance with employment contracts, and enforce worker protections.
  - (c) Require the recruitment agencies to submit copies of signed contracts to Kenyan embassies before workers leave Kenya for jobs in the diaspora.
  - (d) Deregister and blacklist fraudulent recruitment agencies and enforce a strict accreditation system where only licensed and vetted agencies can operate.
- (3) The Ministry of Investments, Trade, and Industry should: -
- (a) Develop an Export Certification Program to assist Kenyan businesses in meeting UAE and Qatari compliance requirements.
  - (b) Collaborate with the Kenyan embassies in UAE and Qatar to facilitate trade delegations and networking events aimed at improving Kenya's reputation among Qatari and UAE investors.
  - (c) Develop a *Kenya-UAE/Qatar Trade Expansion Strategy*, focusing on value addition in exports, certification support for Kenyan businesses, and streamlined access to UAE and Qatari markets.
  - (d) Establish an Investment Facilitation Desk at the Kenya Chamber of Commerce to coordinate UAE/Qatar investment interests
- (4) The Ministry of Agriculture and Livestock Development should: -

- (a) Collaborate with the State Department for Trade, to establish a ***Kenyan Agricultural Export Standards Compliance Program***, incorporating capacity-building for farmers on proper harvesting, packaging and export certification, to enhance adherence to UAE and other export market requirements.
  - (b) Collaborate with the Kenya Bureau of Standards (KEBS) and Horticultural Crops Directorate (HCD) to quarterly audits on agricultural exports to ensure compliance with UAE and other foreign quality standards.
- (5) The Kenyan Missions in Abu Dhabi and Doha should set up designated safe houses to accommodate vulnerable Kenyan workers, especially those facing employer mistreatment or deportation.
- (6) The Kenya Investment Authority (KenInvest) should initiate a targeted FDI promotion campaign to attract new investments from the UAE and Qatar.
- (7) The Ministry of Tourism and Wildlife should initiate negotiations with UAE and Qatari investors to establish a joint tourism revenue-sharing framework, ensuring that Kenya benefits more from the tourism value chain and wildlife conservation partnerships.

#### **Specific Recommendations – Embassy to the United Arab Emirates**

- (8) The Ministry of Foreign and Diaspora Affairs and the Embassy of Kenya in Abu Dhabi, UAE should: -
- (a) Engage UAE authorities to develop a structured mechanism for reviewing re-entry bans imposed on Kenyan nationals, and coordinate with UAE's Immigration Department and Ministry of Human Resources to facilitate individual case assessments.
  - (b) Establish a dedicated psychosocial support unit within the Embassy in Abu Dhabi to provide mental health counseling, substance abuse awareness, and reintegration support for distressed Kenyans.
  - (c) Develop a digital registration and tracking system to maintain an updated database of Kenyans living and working in the UAE for improved consular service delivery.

#### **Specific Recommendations – Embassy to the State of Qatar**

- (9) The Ministry of Foreign and Diaspora Affairs and the Embassy of Kenya in Doha, Qatar should: -
- (a) Formalize a Labour Dispute Resolution Desk in collaboration with the Qatari Ministry of Labour to handle complaints of unpaid wages, contract breaches, and mistreatment. The Embassy should also conduct quarterly labour rights awareness forums for Kenyan workers to educate them on their rights.
  - (b) Expedite engagements with Qatari authorities to operationalize the Qatar Visa Centre in Nairobi to ensure pre-departure verification of work permits.
  - (c) Align the rental expenditure for the Embassy of Kenya in Doha, Qatar with the approved budget ceiling by implementing cost-containment measures, opting for

more favourable lease terms, and seeking budgetary adjustments through the National Treasury in accordance with the Public Finance Management Act, Cap. 412A, and the Public Finance Management (National Government) Regulations, Legal Notice 34 of 2015.

- (10) The Kenya Civil Aviation Authority (KCAA) should approve an additional flight route for Qatar Airways to Mombasa to enhance tourism, trade, and connectivity at the Kenyan coast in line with Sessional Paper No. 6 of 2024 on the National Aviation Policy.

Pursuant to Standing Order 199(6), it is my pleasant duty to present to the House the Report of the Departmental Committee on defence, Intelligence and Foreign relations on a foreign oversight inspection visit conducted by a Delegation of the Committee to the Kenya's diplomatic missions in Abu Dhabi, UAE and Doha, Qatar from 7<sup>th</sup> to 13<sup>th</sup> November 2024.

**Hon. Maj. (Rtd.) Sheikh Abdullahi Bashir, M.P.**  
**Vice Chairperson, Departmental Committee on Defence, Intelligence and Foreign Relations/Leader of the Delegation**

## **1.0 PREFACE**

### **1.1 Introduction**

3. Kenya's foreign relations play an important role in advancing national interests, promoting trade and investment, safeguarding the welfare of Kenyans abroad, and fostering bilateral and multilateral cooperation. The Committee is mandated to provide parliamentary oversight on Kenya's foreign policy, diplomatic missions, and strategic engagements with other nations.
4. The Committee undertook an inspection visit to the Kenyan Embassies in Abu Dhabi, UAE and Doha, Qatar from 7<sup>th</sup> to 13<sup>th</sup> November 2024 to evaluate their effectiveness in executing Kenya's diplomatic objectives, delivering consular services, and facilitating economic partnerships. The visit sought to assess the capacity, challenges, and operational efficiency of these missions while identifying policy interventions necessary to enhance Kenya's diplomatic presence in the Gulf region.
5. The UAE and the State of Qatar are strategic partners for Kenya, particularly in the areas of trade, investment, labour migration, and tourism. The UAE is among Kenya's largest trading partners in the Middle East, while Qatar hosts an estimated 67,000 Kenyan workers, making labour migration a key area of bilateral engagement. Despite these opportunities, Kenya continues to face challenges in market access, recognition of professional qualifications, recruitment fraud, and labour rights protection in both countries.
6. This report highlights critical observations made during the Committee's engagements with Kenyan diplomats, government officials, and Kenyan diaspora representatives in Abu Dhabi and Doha. The report further presents recommendations aimed at improving labour relations, boosting trade and investment, ensuring financial prudence in Kenya's missions, and strengthening bilateral agreements to maximize Kenya's benefits from its partnerships with the UAE and Qatar.

### **1.2 Establishment and Mandate of the Committee**

7. The Departmental Committee on Defence Intelligence and Foreign Relations is one of the Departmental Committees of the National Assembly established under Standing Order 216 whose mandates, pursuant to the Standing Order 216 (5) includes, among others, *to investigate, inquire into, and report on all matters relating to the mandate, management, activities, administration, operations and estimates of the assigned ministries and departments.*

### **1.3 Committee Subjects**

4. The subject matter of the Committee is stated in the Second Schedule of the National Assembly Standing Orders and includes, among others, *foreign relations, diplomatic and consular services, and international relations.*
5. In executing its mandate, the Committee oversees the following government Ministries, Departments, and Agencies (MDAs):
  - a) The Ministry of Foreign and Diaspora Affairs;
  - b) The Ministry of Defence;
  - c) The State Department for East African Community Affairs (EAC); and
  - d) The National Intelligence Service (NIS).

#### 1.4 Committee Membership

6. The Committee was constituted by the House on **27<sup>th</sup> October 2022** and comprises the following Members:

##### **Chairperson**

**Hon. Koech Nelson, M.P.**

Belgut Constituency

**UDA Party**

##### **Vice-Chairperson**

**Hon. Maj. (Rtd.) Sheikh Abdullahi Bashir, M.P.**

Mandera North Constituency

**UDM Party**

##### **Members**

Hon. Wanjira Martha Wangari, M.P.

Gilgil Constituency

**UDA Party**

Hon. Joshua Kandie, M.P.

Baringo Central Constituency

**UDA Party**

Hon. Hassan Abdi Yusuf, M.P.

Kamkunji Constituency

**Jubilee Party**

Hon. Kwenya Thuku Zachary, M.P.

Kinangop Constituency

**Jubilee Party**

Hon. Odhiambo Millie G. Akoth, M.P.

Suba North Constituency

**ODM Party**

Hon. Logova Sloya Clement, M.P.

Sabatia Constituency

**UDA Party**

Hon. Kanchory Elijah Memusi, M.P.

Kajiado Central Constituency

**ODM Party**

Hon. Ikana Fredrick Lusuli, M.P.

Shinyalu Constituency

**ANC Party**

Hon. (Dr.) Kasalu Irene Muthoni, MP

Kitui County

**WDM-K**

Hon. Mohamed A. Hussein, M.P.

Lagdera Constituency

**ODM Party**

Hon. Kirima Moses Nguchine, M.P.

Imenti Central Constituency

**UDA Party**

Hon. Teresia Wanjiru Mwangi, M.P.

Nominated Member

**UDA Party**

Hon. Luyai Caleb Amisi, M.P.

Saboti Constituency

**ODM Party**

### 1.5 Committee Secretariat

7. The Committee Secretariat comprises the following technical staff:

Mr. Dennis Mogare Ogechi  
**First Clerk Assistant/Head of Secretariat**

Mr. Lenny Muchangi  
**Legal Counsel II**

Mr. Bernard Njeru  
**Clerk Assistant III**

Mr. Salat Ali  
**Principal Serjeant-at-Arms**

Mr. Edwin Machuki  
**Fiscal Analyst III**

Ms. Noelle Chelagat  
**Media Relations Officer I**

Mr. John Ng'ang'a  
**Audio Recording Officer**

Mr. Daniel Ominde  
**Research Officer III**

### 1.6 Delegation

8. The delegation that visited comprised of:

- (a) Hon. Maj. (Rtd.) Sheikh Abdullahi Bashir, M.P – Vice Chairperson (Leader of Delegation)
- (b) Hon. Yusuf Hassan Abdi, EGH, M.P
- (c) Hon. (Dr.) Kasalu Irene Muthoni, M.P
- (d) Hon. Kwenya Thuku Zachary, M.P
- (e) Mr. Daniel Ominde – Research Officer III (Delegation Secretary)

## 2.0 THE KENYAN EMBASSY IN ABU DHABI, UNITED ARAB EMIRATES

### 2.1 Background Information

9. The UAE is a constitutional federation of seven emirates with a history that dates back to approximately 6000 B.C., when the area and the surrounding region was referred to as the Arabian Peninsula. During this early period, the area was inhabited by Bedouin communities who practiced fishing, plant gathering, and pottery-making. In AD 630, envoys from Prophet Mohammed (peace be upon him) arrived in the region, introducing Islam. The Islamic civilization flourished during the era of the Umayyad Caliphate (AD 661–750) and the Abbasid Caliphate (AD 750–1258), with strong trade links established between the Gulf and regions in Southeast Asia and the West African coast.
10. The advent of European colonial powers brought significant changes to the region. The Portuguese and Dutch made incursions into the Gulf from AD 1498 to 1750, leveraging sea trade routes and seeking to dominate the lucrative commerce in the area. This was followed by British involvement, which began in AD 1820, after British forces defeated the Qawasims, a prominent maritime power in the region. Subsequently, a series of agreements were signed between the British and the rulers of the emirates, formalizing what came to be known as the Trucial States. These agreements established a period of relative stability under British oversight while preserving the autonomy of the emirates' rulers.
11. In 1968, the British government announced its decision to withdraw its military presence from the Gulf by the end of 1971. Around this time, H.H. Sheikh Zayed bin Sultan Al Nahyan, the Ruler of Abu Dhabi in 1966, recognized the need for unity in the region. Sheikh Zayed, along with H.H. Sheikh Rashid bin Saeed Al Maktoum, the Ruler of Dubai, signed the Union Accord in 1968, marking the initial step towards a unified federation. Between 1971 and 1972, the remaining emirates – Sharjah, Ajman, Umm Al Quwain, Fujairah, and later Ras Al Khaimah – formed the federal state of *Dawlat Al Imarat Al Arabiyya Al Muttahida*, or the United Arab Emirates (UAE).

### 2.2 Political Context

12. The UAE is an independent and sovereign constitutional federation comprising the seven emirates of Abu Dhabi, Dubai, Sharjah, Ajman, Umm Al Quwain, Fujairah, and Ras Al Khaimah. The city of Abu Dhabi serves as the capital of the federation. The member emirates function as an economic and customs union, with federal laws outlining the progressive stages for achieving deeper economic integration.
13. Islam is the official religion of the UAE, and Islamic law serves as a principal source of its legislation. Arabic is the official language of the federation. The UAE's foreign policy is committed to supporting Arab and Islamic causes, fostering closer ties with Arab and Islamic nations, and strengthening friendships and cooperation with other states and peoples. The federal governance structure of the UAE is composed of the Federal Supreme Council, the President and Vice President of the Federation, the Council of Ministers, the Federal National Council, and the Federal Judiciary.
14. The Federal Supreme Council is the highest authority in the UAE and comprises the rulers of all seven emirates. The council elects the President and Vice President of the federation from among its members for a renewable term of five years. The current President of the UAE is

H.H. Sheikh Mohamed bin Zayed Al Nahyan, the Ruler of Abu Dhabi. H.H. Sheikh Mohammed bin Rashid Al Maktoum, the Ruler of Dubai, is the Vice President and Prime Minister. H.H. Sheikh Mansour bin Zayed Al Nahyan is the Deputy Prime Minister, Chairman of the Presidential Court, and the Vice President of the UAE.

15. The Federal Council of Ministers, is the executive branch headed by the Prime Minister, with the Deputy Prime Minister and other ministers selected based on their competence and expertise. The Federal National Council (FNC) is a consultative parliamentary body, consisting of forty (40) members distributed among the emirates in accordance with their population and size to deliberate on federal laws. The Federal Judiciary is comprised of the Federal Supreme Court and federal courts of first instance.

### **2.3 The Kenyan Embassy in Abu Dhabi, United Arab Emirates**

16. The delegation was received by Kenya's Ambassador to Abu Dhabi, Amb. Kenneth Milimo Nganga. The delegation was briefed as follows:

#### **2.3.1 Establishment of the Kenyan Embassy in Abu Dhabi, UAE**

17. Kenya established its Embassy in the UAE in 1982, following the successful initiation of diplomatic relations between the two nations. Since its inception, the Kenya Embassy in Abu Dhabi has not only served as a key channel for bilateral relations but has also been formally accredited to the International Renewable Energy Agency (IRENA), underscoring Kenya's commitment to global renewable energy initiatives. The UAE on the other hand, established its Embassy in Nairobi, Kenya, in 2012.

18. Kenya and the UAE maintain fully-fledged diplomatic Missions at ambassadorial levels in each other's capitals, a reflection of the depth and importance of their bilateral ties. The Kenya Mission in Abu Dhabi has been served by the following nine Ambassadors since its establishment:

(a) Amb. Kenneth Milimo Nganga	2024 to date
(b) Amb. Kariuki Mugwe	2019 to 2024
(c) Amb. Mohamed Gello	2009 to 2015
(d) Amb. Hussein Abdirahman Bishar	2002 to 2008
(e) Amb. Charles Mbaka	2000 to 2002
(f) Amb. Chirau Ali Mwakwere	1998 to 2000
(g) Amb. Mude Dae Mude	1994 to 1998
(h) Amb. Reuben B. Ryanga	1987 to 1994
(i) Amb. Simon Bulut Barmasai	1982 to 1987

19. The Kenyan Mission in Abu Dhabi was established to advance Kenya's Foreign Policy through robust and effective diplomatic engagement. The strategic objectives of the Mission include:

- (a) To promote and advance bilateral cooperation with the UAE;
- (b) To promote, project, and protect Kenya's image and prestige in the UAE;
- (c) To contribute to economic cooperation, trade, investment, and tourism through effective diplomacy;
- (d) To promote and protect the interest of Kenyans in the UAE; and

(e) To promote Kenya's strategic interests in the IRENA.

20. The functions of the Mission include:

- (a) Bilateral and multilateral engagements;
- (b) Promotion of trade and investments;
- (c) Promotion of tourism;
- (d) Technological transfer;
- (e) Provision of consular services;
- (f) Lobbying for Kenya's candidature to the United Nations and other International Organizations; and
- (g) Coordinating official visits and handling protocol matters.

### **2.3.2 Staff Establishment**

21. The Mission's authorised staff establishment was as follows:

- (a) H.E. Kenneth Milimo Nganga - Head of Mission
- (b) Mr. Cosmas Sigei - Minister Consular/Head of Chancery
- (c) Mr. Wycliffe Wekesa Namalenya - Immigration Attaché
- (d) Mr. Leonard Bii - Labour Attaché
- (e) Mr. Lawrence Lelei - Trade Attaché
- (f) Ms. Patricia Dominic - Administrative Attaché
- (g) Mr. Gilbert Ongeri - Financial Attaché

### **2.3.3 High-Level Visits Between Kenya and UAE**

22. Kenya and the UAE have had the following high-level visits that have significantly contributed to strengthening the bilateral relations between the two countries:

- (a) On 27<sup>th</sup> April 1980, the late President Daniel Toroitich Arap Moi conducted a State Visit to the UAE, where he was received by his host, the late H.H. Sheikh Zayed bin Sultan Al Nahyan, the founding father and President of the United Arab Emirates.
- (b) On 25<sup>th</sup> April 1984, the late H.H. Sheikh Zayed bin Sultan Al Nahyan reciprocated with a State Visit to Kenya. During his visit, he held discussions with his counterpart, the late President Daniel Arap Moi, and further strengthened bilateral ties by visiting Mombasa to officially inaugurate the Sheikh Khalifa Islamic Technical Secondary School and the Sheikh Khalifa Foundation.
- (c) On 21<sup>st</sup> November 2011, the late President Mwai Kibaki visited the UAE and held discussions with the late H.H. Sheikh Khalifa bin Zayed Al Nahyan, then President of the UAE. The visit was instrumental in advancing bilateral relations during President Kibaki's tenure.
- (d) From 14<sup>th</sup> to 18<sup>th</sup> February 2022, the former President of Kenya, H.E. Uhuru Kenyatta, undertook an official visit to the UAE. During the visit, he held high-level meetings with H.H. Sheikh Mohamed bin Zayed Al Nahyan, the President of the UAE. During the visit President Kenyatta officiated the high-level Kenya-UAE Business Forum, aimed at fostering trade and investment partnerships. He also graced the National Day of Honour at the Dubai 2020 Expo, showcasing Kenya's potential on a global platform.

- (e) H.E. William Ruto, President of the Republic of Kenya, led Kenya's delegation during the COP28 Conference, held from 30<sup>th</sup> November to 13<sup>th</sup> December 2023 in the UAE. During his visit, President Ruto attended several bilateral meetings and participated in side events on the margins of the conference, emphasizing Kenya's commitment to global climate action and sustainable development.
- (f) President William Ruto also represented Kenya at the World Government Summit (WGS) held from 12<sup>th</sup> to 14<sup>th</sup> February 2024 in Dubai. The summit provided a platform for Kenya to engage with global leaders on governance, innovation, and sustainable economic growth.
- (g) H.E. Musalia Mudavadi, the Prime Cabinet Secretary and Minister for Foreign Affairs, led Kenya's delegation to the 4th Joint Cooperation Commission (JCC) between Kenya and the UAE. During the session, held in 2024, Kenya and the UAE signed a landmark Memorandum of Understanding on Joint Cooperation on Governance and Government Experience, further deepening bilateral relations and promoting mutual collaboration in public administration and governance.

#### **2.3.4 Consular Matters**

- 23. The Mission facilitated the repatriation of 30 bodies of Kenyan nationals who passed away in the UAE between January and September 2024. The majority of post-mortem reports indicated that the cause of death was cardiac arrest or septic shock, while a few cases were attributed to natural causes. In addition to facilitating repatriation, the Mission undertook the responsibility of following up on compensation and insurance payments for the deceased persons, ensuring that the funds were duly remitted to the respective families and the relevant Ministry.
- 24. The Mission also provided essential consular assistance to Kenyans in distress, extending services such as counselling, hospital and jail visits, and facilitating passport acquisition for those whose travel documents were held by their sponsors. Where financial obligations were pending, the Mission actively engaged in following up on outstanding payments to ensure resolution.
- 25. The Mission helped in processing travel documentation for Kenyans requiring urgent departure from the UAE. It expedited the issuance of over 500 emergency travel documents and facilitated the provision of over 500 out-passes (exit permits) to enable Kenyans in distress to leave the country. In addition, the Mission negotiated waivers of fines accrued due to delays in processing documents like birth certificates and passports, thereby alleviating financial burdens on affected individuals.
- 26. Kenyans who have overstayed in the UAE have been granted amnesty, allowing them to either return to Kenya or regularize their immigration status. Regarding Kenyans who left the UAE and were subsequently banned from re-entering, the affected individuals may submit their passport numbers to the Kenyan Embassy for engagement with UAE authorities to review and potentially waive such bans. This intervention aims to provide a structured mechanism for resolving re-entry restrictions and facilitating lawful return for those seeking employment opportunities in the UAE.

27. The rising number of deaths among Kenyans in the UAE remains a concern, with 32 fatalities reported since January. These deaths have been attributed to complications related to stress, with many cases linked to work-related pressures and drug addiction. The Embassy faces significant limitations in addressing these cases, as many affected individuals do not seek counselling or consular support. There is an urgent need for enhanced psychosocial support services for Kenyans working in the UAE to mitigate stress-related complications. Additionally, greater awareness should be created on the dangers of drug use and mental health issues among migrant workers, with structured interventions to support affected individuals.

## **2.4 Bilateral Relations**

28. Kenya and the UAE enjoy cordial and long-standing diplomatic relations, founded on historical ties and deep cultural linkages. These relations trace their origins to the Arab presence along the East African Coast, influenced by early commercial engagements and the Indian Ocean trade, which fostered interactions between the peoples of both regions. Since the formal establishment of bilateral relations, Kenya and the UAE have progressively strengthened their cooperation through the signing of over 20 Memoranda of Understanding (MoUs) across various sectors.

### **2.4.1 Labour Relations**

29. The UAE hosts an estimated 30,000 Kenyans who live and work across various sectors of the economy. The majority of Kenyans in the UAE are engaged in the following industries:

- (a) Hospitality Industry.
- (b) Security Sector, primarily as private guards.
- (c) Transport Industry.
- (d) ICT Sector.
- (e) Education Sector, mainly as teacher assistants.
- (f) Aviation Industry, with Emirates Airlines and Dubai National Air Travel Agency (Dnata) employing 1,326 Kenyans as of November 2023.

30. On 25<sup>th</sup> April 2018, Kenya and the UAE signed a *Memorandum of Understanding (MoU) on Labour Matters and a Protocol on Domestic Workers*, both aimed at regulating and strengthening labour migration between the two countries. Article 7 of the MoU provides for the establishment of an Implementation Committee to oversee the execution and enforcement of the agreement. However, limited efforts have been made towards the formation of the Implementation Committee, thereby affecting the full realization of the intended benefits of the agreement.

31. Despite Kenya's well-trained workforce, many skilled professionals face difficulties securing employment opportunities in critical sectors like health (including doctors, nurses, and medical laboratory technicians), education, engineering, architecture, and nutrition and dietetics. There are however, exceptions in the ICT and aviation sectors, where Kenyan professionals with internationally recognized certifications and licenses have greater access to employment opportunities. The recognition of Kenyan qualifications in these sectors has been facilitated by global accreditation standards, allowing Kenyan professionals to meet UAE's industry requirements.

32. The lack of recognition of Kenyan professional qualifications in other fields is largely due to the absence of mutual recognition agreements between the two countries. Many Kenyan certifications and licenses are not aligned with UAE labour market standards, creating barriers to employment for qualified Kenyan professionals. To address these challenges, there is need for CUE and KNQA to collaborate with their UAE counterparts to establish frameworks that align Kenyan educational qualifications and professional licenses with UAE labour market standards.

#### **2.4.2 Trade and investment**

33. The UAE remains one of Kenya's most significant trading partners and is the largest in the Middle East region in terms of both imports and exports. Over the period 2012 to 2022, Kenya's exports to the UAE were valued at USD 2.4 billion, whereas imports from the UAE ranged between USD 11.4 billion and USD 2.7 billion. The trade balance has consistently remained in favour of the UAE, with Kenya experiencing a negative trade balance of KES 363.4 billion in 2022. This trade deficit has been primarily attributed to increased imports of gas oil, motor spirit, kerosene jet fuel, and residual oil.

34. Kenya's main exports to the UAE include mineral fuels, mineral oils and related products, tea, agricultural produce, meat and meat products, and flowers. On the other hand, Kenya's primary imports from the UAE consist of oil and petroleum products, electronic equipment such as telephone sets for cellular networks, among other commodities.

35. The main factors contributing to this imbalance is the failure by Kenyan exporters to meet the required quality standards for agricultural produce. Kenyan farmers, in their rush to make quick profits, often harvest crops such as avocados before they are fully mature and fail to adhere to proper packaging standards, leading to the rejection of their produce in the market. Additionally, despite Kenya's strong position as a leading tea producer, Kenyan tea is repackaged in Dubai before entering the UAE market, diminishing its direct trade benefits to Kenya.

36. The UAE has successfully diversified its economy, reducing its dependence on oil from 70% to 25%. The country has embraced advanced technology in farming, reducing its reliance on imported food products. As a result, while the UAE remains Kenya's seventh-largest export partner, the balance of trade is largely influenced by the nature of commodities exchanged. To address these challenges, the State Department of Trade and Enterprise Development is engaging trade attachés and various stakeholders to explore the potential of different products in various markets.

37. The UAE remains a strategic trade partner for Kenya, given its geographical proximity—only a five-hour flight or a nine to thirteen-day shipping period. The country hosts several annual trade events that provide an opportunity to enhance product visibility for Kenyan exports. However, Kenya is not fully utilizing these opportunities to penetrate the UAE market. There is a need for sufficient budgetary allocation to the Embassy to facilitate coordinated efforts in promoting Kenyan products at such events and expanding market access. Kenya has a wide range of exportable products that are in demand in the UAE, but the country must improve its compliance with market standards, enhance value addition, and adopt a more structured approach to trade facilitation to bridge the trade deficit.

38. Kenya witnessed a steady increase in FDI inflows from the UAE over the years. In 2019, the total FDI attracted by Kenya from the UAE reached approximately USD 2.7 billion, with significant investments recorded in wholesale and retail trade, hospitality, and construction industries. Notable UAE investments in Kenya include Majid Al Futtaim Carrefour Supermarkets, CMC Holdings Ltd, One Nature Hotels in Mara, Dubai's Global Education Management Systems (GEMS) Cambridge International School, and Hillcrest Preparatory Schools.
39. The Dubai Chambers of Commerce Office in Nairobi has played a pivotal role in facilitating trade and investment by UAE investors in Kenya, fostering economic cooperation between the two nations. In 2023, Kenya attracted USD 1.504 billion in Foreign Direct Investment, whereas, in the same period, the UAE attracted USD 30.688 billion in FDI, distributed across various sectors including wholesale and trade (25.6%), real estate (24.7%), finance and insurance (19.4%), mining and quarrying (8.9%), manufacturing (7.4%), construction (3.6%) and professional, scientific and technical activities (3.3%).
40. To increase FDI inflows in Kenya, the following strategies may be considered:
- (a) Create a more predictable and conducive environment for investors by improving the regulatory framework, reducing bureaucratic hurdles, and ensuring policy stability.
  - (b) Assess and enhance existing investment incentives to ensure they remain competitive and attractive to foreign investors.
  - (c) Engage in robust global marketing and branding efforts to position Kenya as a preferred investment destination for UAE investors and beyond.
  - (d) The national MDAs, alongside other stakeholders, should engage in consultative discussions to identify existing challenges and develop a long-term strategy to attract and sustain investments.

## **2.5 The Inventory and Finances**

41. The Mission does not own any building and currently operates with a fleet of five motor vehicles. Two of these vehicles, which were purchased in 2017, have each accumulated 350,000 kilometres and are now costly to maintain. Given their high maintenance costs, the vehicles should be replaced to ensure efficiency in service delivery. The furniture at the Chancery has been in use for over ten years and requires replacement to improve the working environment.
42. In the Financial Year 2023/2024, the Mission was allocated KES 272 million, out of which KES 7 million was administered from the headquarters, leaving the Embassy with an actual disbursement of KES 265 million. The allocation was utilized as follows: KES 60 million was spent on rent for the chancery and residences, between KES 95 million and KES 100 million on salaries and emoluments, KES 10 million on medical insurance, approximately KES 20 million on school fees, and about KES 40 million on other operational expenses.
43. Foreign exchange losses continue to affect the financial position of the Mission. In the Financial Year 2023/2024, the Mission incurred foreign exchange losses amounting to KES 18.5 million, while in the Financial Year 2022/2023, the losses amounted to KES 25 million. The budget absorption rate for the Mission ranges between 92% and 98%. However, the Mission has had to contend with pending bills arising from foreign exchange losses, with

outstanding bills amounting to KES 5 million in the Financial Year 2022/2023 and KES 9.8 million in the Financial Year 2023/2024. The Mission cleared the pending bill of KES 5 million for the Financial Year 2022/2023.

44. The Ministry has introduced ceilings on rental facilities, forcing the Embassy to relocate to cheaper properties. However, annual rent increments in the UAE are not factored into the Mission's budget, presenting a financial challenge. Furthermore, rental payments in the UAE are made on an annual basis, yet the same is not adequately considered in the quarterly disbursements, thereby affecting the Embassy's ability to meet its lease obligations in a timely manner.

## **2.6 International Renewable Energy Agency (IRENA)**

45. The International Renewable Energy Agency (IRENA) was established under Article I of the Statute of IRENA to promote the widespread adoption and sustainable use of all forms of renewable energy. The Agency, which is hosted in the UAE, plays an important role in advancing global energy transition efforts.
46. As a Member State of IRENA, Kenya has remained at the forefront in championing renewable energy initiatives and climate change mitigation measures. In January 2021, Kenya was elected to serve as a member of the IRENA Council for a two-year term (2021-2023). The Council oversees the implementation of the Agency's work and is supported the Finance and Administrative Committee (AFC) and the Program and Strategy Committee (PSC). Kenya is a member of the PSC, which advises the Council on the execution of IRENA's work program, setting strategic priorities, and guiding the agency's programmatic work.
47. During the Africa Climate Summit, the *Accelerated Partnership for Renewables in Africa (APRA)* was officially launched on 4<sup>th</sup> September 2023 by H.E. William Ruto, President of Kenya, in collaboration with IRENA, the UAE, Denmark, and Germany. This partnership seeks to accelerate the global transition to renewable energy. Kenya and IRENA also co-hosted the *APRA Investment Forum* in Nairobi between 14<sup>th</sup> and 16<sup>th</sup> October 2024. The forum was a significant milestone in advancing the Nairobi Declaration and call for action towards unlocking Africa's renewable energy potential by 2030. The forum also contributed to the global objective set for COP28 to triple renewable power capacity by the end of the decade.
48. Kenya continues to play a strategic role in shaping IRENA's policy direction. The Mission, in collaboration with Denmark, co-chaired the formulation of the *IRENA Medium-Term Strategy (MTS) for the period 2023-2027*.

## **2.7 Challenges Faced by the Embassy**

49. The Embassy continues to face the following challenges in the execution of its mandate:
  - (a) Lack of sufficient financial resources to effectively facilitate trade and investment promotion activities in the UAE.
  - (b) Limited funds to assist Kenyans in distress, including those in need of accommodation, return tickets, exit documents, food supplies, and other essential provisions.

- (c) Lack of structured system for documenting the actual number of Kenyans living and working in the UAE, which hampers efficient service delivery and engagement with the diaspora.
  - (d) Recruitment agencies often fail to provide copies of employment contracts for Kenyans working in the UAE, making it difficult to track compliance with labour agreements.
  - (e) Lack of structured follow-up mechanisms on signed bilateral frameworks and agreements affects the realization of intended benefits for Kenyan workers and investors.
  - (f) Many Kenyans take an extended period before seeking assistance from the Mission, which prolongs the resolution of distress cases.
  - (g) Cases of children born to Kenyan parents lacking valid documentation pose challenges in facilitating their legal exit from the UAE.
  - (h) Unscrupulous agents continue to traffic Kenyans to the UAE under false pretences, promising non-existent jobs, which results in exploitation and hardship.
50. To mitigate these challenges, the Embassy proposes the following recommendations:
- (a) The Government should establish a dedicated budget line to support distressed Kenyans abroad and enhance trade and investment promotion efforts.
  - (b) The Government should establish a central database to track the number of Kenyans living in the diaspora, including their migration status, to facilitate better engagement and targeted interventions.
  - (c) The Government should review recruitment agency compliance with existing regulations and introduce mandatory reporting requirements on the number of Kenyans facilitated, their employment status, and working conditions.
  - (d) Enforcement agencies should ensure that Kenyan exports meet international standards to enhance market access and sustainability in foreign markets.
  - (e) Regular dissemination of information through social media platforms can help educate Kenyans on their rights and available support services, encouraging early intervention in distress cases to minimize delays in resolving such matters.
  - (f) The Embassy will endeavour to hold biannual public awareness sessions and roadshows to educate the Kenyan diaspora on available consular services, labour rights, and employment regulations.
  - (g) The Government should review policies governing Kenyan workers abroad and ensure recruitment agencies comply with labour laws. Enforcement measures should be enhanced to curb fraudulent agencies and safeguard the rights and welfare of Kenyan migrant workers.

### **3.0 THE KENYAN EMBASSY IN DOHA, QATAR**

#### **3.1 Background Information**

51. The State of Qatar is located on the western coast of the Arabian Gulf and the eastern part of the Arabian Peninsula. The country's territory comprises the mainland and several islands, including Halul, Shraouh, and Al Asshat. Qatar spans an area of approximately 11,636.8 square kilometres and has a population of about 3 million people. The capital city, Doha, serves as the seat of government and the primary commercial and financial hub. Other major cities in Qatar include Al Wakrah, Lusail, Al Khor, Dukhan, Al Shamal, Mesaieed, and Ras Laffan.
52. Qatar has a distinct desert climate, characterised by hot and humid summers, mild winters, and minimal rainfall. Summer temperatures range between 25 and 46 degrees Celsius, with extreme heat prevalent during the peak months.

#### **3.2 Political Context**

53. Qatar is an independent and sovereign Arab state, whose political system is democratic, based on the principles of consultation, justice, and the rule of law. The official language of Qatar is Arabic, and its people form an integral part of the Arab nation.
54. The governance of the State of Qatar is hereditary within the Al Thani ruling family, following the lineage of the male descendants of Hamad Bin Khalifa Bin Hamad Bin Abdullah Bin Jassim Al Thani. The rule of the State is passed to the Heir Apparent, who is appointed by the Amir through an Amiri Order, following consultations with members of the ruling family and the people of wisdom. The Heir Apparent is empowered to assume the powers and discharge the functions of the Amir during his absence from the country or in instances of temporary compelling circumstances.
55. The Amir serves as the Head of State and the Commander-in-Chief of the Armed Forces. Currently, H.H. Sheikh Tamim bin Hamad Al Thani holds is the Amir of the State of Qatar, having assumed office in 2013, following the voluntary abdication of H.H. Sheikh Hamad bin Khalifa Al Thani. The Deputy Amir, H.H. Sheikh Abdullah bin Hamad Al Thani, was appointed in 2014 through an Amiri Order issued by HH Sheikh Tamim bin Hamad Al Thani.
56. The Amir is empowered to appoint the Prime Minister, who is responsible for leading the Council of Ministers and overseeing the implementation of government policy. The current Prime Minister of Qatar is H.E. Sheikh Mohammed bin Abdulrahman bin Jassim Al Thani, who also serves as the Minister of Foreign Affairs.
57. The legislative authority in Qatar is exercised by the Shura Council, which comprises not fewer than forty-five members, appointed through an Amiri Decision for a four-year term. The Shura Council is responsible for enacting legislation, approving the state budget, and exercising oversight over the executive authority. The judiciary in Qatar operates independently, with judicial authority vested in courts of different types and instances.

#### **3.3 The Kenyan Embassy in Doha, Qatar**

58. The delegation was received by Kenya's Ambassador to Doha, Qatar, Amb. Mohamed Nur Adan at the Embassy headquarters. The delegation was briefed as follows:

### **3.3.1 Establishment of the Kenyan Embassy in Doha, Qatar**

59. Kenya established its Embassy in Qatar in 2010 and the first Ambassador appointed in 2010. The Kenyan Embassy in Qatar is a key channel for bilateral relations. The State of Qatar on the other hand, established its Embassy in Nairobi, Kenya, in 2012.

60. Kenya and the Qatar maintain fully-fledged diplomatic Missions at ambassadorial levels in each other's capitals, a reflection of the depth and importance of their bilateral ties. The Kenya Mission in Doha has been served by the following four Ambassadors since its establishment:

- |                               |               |
|-------------------------------|---------------|
| (a) Amb. Mohamed Nur Adan     | 2024 to date  |
| (b) Amb. Boniface Nduva Mwilu | for one year  |
| (c) Amb. Paddy Ahenda         | for two years |
| (d) Amb. Muka Jalma Boru, EBS | 2010 to 2014  |

61. The vision of the Kenyan Embassy in Qatar is to be a model diplomatic mission in the execution of its duties. The mission of the Embassy is to offer best diplomatic representation in Qatar, through innovative diplomacy to enhance Kenya-Qatar relations, and to facilitate meaningful bilateral engagement between the two countries. The Kenyan Embassy in Qatar is mandated to protect and promote the interests and image of Kenya in the State of Qatar and to strengthen bilateral relations to foster mutual cooperation for the benefit of the people of both countries.

62. The strategic objectives of the Mission include:

- (a) Promoting peace and security.
- (b) Advancing economic cooperation, international trade, and investment.
- (c) Safeguarding Kenya's interests in Qatar.
- (d) Enhancing diaspora engagement and consular services.
- (e) Strengthening public diplomacy and stakeholder engagement.
- (f) Enhancing policy, institutional capacity, and performance management.

63. The core values of the Mission include customer focus, patriotism, team spirit, professionalism, ethics and integrity, and equity and fairness.

### **3.3.2 Staff Establishment**

64. The Mission's authorised staff establishment was as follows:

- |                           |   |
|---------------------------|---|
| (a) H.E. Mohamed Nur Adan | - Head of Mission                               |
| (b) Ms. Judith Ntongodu   | - Head of Chancery                              |
| (c) Mr. Gufu Hussein      | - Second Secretary/Consular Affairs Officers    |
| (d) Ms. Roseline Otiko    | - Administrative Attaché                        |
| (e) Mr. Abdirahman Abdi   | - Second Secretary                              |
| (f) Mr. Barako Godana     | - Financial Attaché                             |
| (g) Mr. Hamid Mohamed     | - Minister Counsellor/Foreign Relations Officer |
| (h) Ms. Rael Jelagat      | - Labour Attaché                                |

- (i) Mr. Abdirahman Ayala - Second Counsellor/Immigration Attaché
- (j) Col. Said Abass Farah - Defence Attaché

### 3.3.3 High-Level Visits Between Kenya and Qatar

65. Kenya and Qatar have had the following high-level visits that have significantly contributed to strengthening the bilateral relations between the two countries:
- (a) H.E. President Mwai Kibaki undertook a three-day visit to Doha, Qatar, in November 2008 to attend the International Conference on Financing and Development. During his visit, Kenya and Qatar engaged in negotiations aimed at facilitating the construction of the second Port at Lamu and the Garsen-Lamu Road. This visit served as a prelude to the establishment of Kenya's diplomatic mission in Doha, Qatar, reinforcing Kenya's commitment to strengthening bilateral relations with Qatar.
  - (b) In 2014, H.E. President Uhuru Kenyatta undertook a State Visit to Qatar, during which he met with H.H. Sheikh Tamim Bin Hamad Al-Thani. During the visit, the two Heads of State witnessed the signing of four agreements and three MoUs in various areas of cooperation, including energy generation, transport, agriculture, and security. H.H. the Emir assured President Kenyatta of Qatar's commitment to supporting Kenya's Vision 2030 flagship projects, particularly the LAPSSET Corridor.
  - (c) H.E. President William Ruto visited Qatar during the FIFA World Cup 2022, reinforcing Kenya's diplomatic engagements with Qatar.
  - (d) In 2021, Hon. Fred Matiang'i visited Qatar as a special envoy of H.E. President Uhuru Kenyatta, delivering a special message to H.H. Sheikh Tamim bin Hamad Al-Thani regarding strategies for strengthening and developing bilateral relations between Kenya and Qatar. During this visit, Hon. Matiang'i held discussions with the Prime Minister of Qatar, H.E. Sheikh Khalid Bin Khalifa Bin Abdulaziz Al Thani, which culminated in the conclusion of an agreement on enhanced security cooperation and collaboration between the two countries.
  - (e) In 2023, Hon. Moses Kuria visited Qatar, where he held high-profile meetings, positioning Kenya as an ideal investment hub for Qatari businesses. He met with Qatar Chamber First Vice-Chairman Mohamed Bin Twar Al Kuwari and deliberated on strategies to enhance economic and commercial relations between the two countries.
  - (f) In 2024, Hon. Prof. Njuguna Ndung'u visited Qatar to represent H.E. President William Ruto at the 4<sup>th</sup> Qatar Economic Forum. During this visit, he held a bilateral meeting with His Excellency Dr. Ali Bin Ahmed Al-Kuwari, the Minister for Finance of Qatar, where they discussed a wide range of issues of mutual interest, including prospects for Qatari support towards the Nairobi International Finance Centre, investment in smart agriculture, green energy, and ecological restoration efforts.
  - (g) In 2024, Hon. Florence Bore visited Qatar to attend the Doha Dialogue on Labour Mobility. During the visit, she held discussions with H.E. Dr. Ali Bin Samikh Al Marri, Minister of Labour of the State of Qatar, on enhancing bilateral labour relations between Kenya and Qatar. Additionally, Hon. Bore engaged with Mr. Fathi Atti, Senior Vice President for Aeropolitical and Corporate Affairs of Qatar Airways, where they explored

opportunities for collaboration between Kenya and Qatar Airways, particularly in enhancing employment opportunities for Kenyans in the aviation sector.

- (h) In 2024, Hon. Salim Mvurya undertook a trade and investment mission to Qatar, focusing on attracting FDI in Kenya's green investment initiatives. His mission centred on securing investments for the Kenya Green Investment Fund, which aims to de-risk private green investments in Kenya. During the visit, Hon. Mvurya engaged with the leadership of the Qatari Chambers of Commerce, led by First Vice-Chairman Mohamed Bin Ahmed Bin Twar Al Kuwari, to explore investment opportunities. The meeting resolved to strengthen ties between KNCCI and the Qatar Chamber of Commerce, with an agreement to establish a Qatar Investor Desk to enhance the security and trust of Qatari investments in Kenya.

### **3.3.4 Consular Matters**

- 66. The Embassy facilitated the evacuation of six Kenyans facing medical distress, repatriated forty-three distressed Kenyan nationals, processed twenty emergency travel documents, and issued seventy-six birth certificates. The Embassy undertook an official visit to the Central Prison, where it engaged with twenty-five male and five female Kenyan nationals serving long-term sentences for various offences, including murder and drug-related crimes. The judicial system in Qatar imposes stringent penalties, and the Embassy has limited capacity to intervene in such cases. Some individuals were convicted for offences involving miraa and possession of controlled substances, as Qatar enforces strict laws on drug-related offences. A number of detainees are nearing the completion of their sentences, and the Embassy has proactively engaged the Government of Qatar through formal communication to request amnesty, resulting in the successful granting of clemency to some individuals.
- 67. However, significant challenges remain, particularly the language barrier, which has led to instances of miscarriage of justice due to legal technicalities. In light of this, there is need to secure expert legal representation at the local level to facilitate legal interventions, particularly in ensuring that Kenyan nationals are afforded the opportunity to appeal their convictions. Some female detainees have delivered while in incarceration, and due to Qatar's legal framework, children born out of wedlock are deemed illegitimate, creating further legal and social complexities.
- 68. In pursuit of a long-term resolution, there is need for the establishment of a mutual legal agreement to allow for the transfer of sentenced Kenyan nationals to serve their sentences in Kenya. The MoU on Extradition and Transfer of Sentenced Persons is currently under consideration by the Office of the Attorney General.
- 69. The Embassy faces financial constraints in supporting Kenyan nationals whose employment contracts have been terminated without compensation. Many of these individuals, particularly those classified as "runaways," lack legal status, further complicating their conditions. Given these challenges, there is need for additional financial support to assist distressed Kenyans, as current interventions largely rely on the goodwill of charities and well-wishers.
- 70. Despite these challenges, the Kenyan diaspora in Qatar continues to play an active and positive role in various activities. Notably, Kenyans in Qatar have established social and

sporting initiatives such as the Kenya Football Team, Green Maasai, Kenya Women's Football Team, and Gulf Vibes, with recognised leadership structures among the diaspora community.

### **3.4 Bilateral Relations**

71. The bilateral relations between the Republic of Kenya and the State of Qatar are strategically focused on enhancing cooperation in key sectors, including trade, labour, investment, and education. The Kenyan Embassy in Qatar continues to facilitate and align significant opportunities that contribute to Kenya's economic and developmental aspirations.
72. In pursuit of these objectives, Kenya and Qatar have entered into various MoUs aimed at strengthening bilateral engagements. These include agreements on economic and trade cooperation, education, and labour cooperation. The MoU on labour cooperation is currently under review to ensure its alignment with emerging labour market trends and mutual interests. Additionally, MoUs on defence and security cooperation are at an advanced stage and are expected to be formalised in due course.

#### **3.4.1 Labour Relations**

73. In the labour sector, approximately 67,000 Kenyans are currently employed in the State of Qatar, serving across various sectors, including security, transport, healthcare, and education. Notably, close to 2,500 Kenyans are engaged in different capacities within Qatar Airways, 700 are employed in the transport sector, while others are distributed across hospitality, health, and education sectors, in addition to a number serving as domestic workers. Since 2010, the employment of Kenyans in Qatar has been on a steady rise.
74. In recognition of the evolving labour market dynamics, Kenya and Qatar undertook a revision of the Bilateral Labour Agreement (BLA) to expand opportunities for skilled labour. Qatar's transition towards a service economy, coupled with structural changes in the labour sector following the 2022 FIFA World Cup, has increased the demand for skilled professionals in ICT, hospitality, and healthcare. The revised BLA seeks to align with these emerging needs and to address the limitations of the 2012 Agreement, which remains largely one-sided and does not comprehensively incorporate the expanded labour space or ILO developments in safeguarding workers' welfare.
75. Qatar, as a city-state, hosts all 67,000 Kenyan workers within its compact geographical space. The Qatari labour market continues to prefer Kenyan workers due to their adaptability and professionalism. For instance, Kenyan domestic workers have been noted for their dual roles, including serving as English language tutors in Qatari households.
76. Mowasalat (Karwa), the national public transport company of Qatar, has expressed interest in recruiting Kenyan workers for their workshops. The company has proposed a partnership with Kenya's TVET institutions to facilitate training based on their syllabus, particularly due to variations in engine systems used in Qatar. Kenya stands to leverage this platform by engaging relevant national agencies such as NTSA and NITA to establish collaborative frameworks. However, the lack of an internationally accredited system for Kenyan graduates remains a challenge in integrating Kenyan professionals into the global labour market. Mowasalat (Karwa) is also in the process of establishing an academy for off-road drivers to

support its venture into desert tourism. Kenya, through NTSA and NITA, has an opportunity to forge partnerships in this area.

77. Power International Holding, a major Qatari conglomerate, has provided employment opportunities for an additional 7,000 Kenyans. The company, which operates in multiple countries, continues to require a highly skilled workforce. Power International Holding is currently constructing a milk processing factory in Algeria, with an estimated workforce requirement of 5,000 personnel. Given Qatar's demonstrated preference for Kenyan workers, Kenya must actively engage in lobbying efforts to facilitate the recruitment of its workforce in Algeria. The Kenyan Embassy in Qatar engaged with the Qatari Ambassador to Algeria, thereby fostering communication between the Kenyan diplomatic missions in both Qatar and Algeria. However, it is imperative to escalate lobbying efforts with key decision-makers in Algeria to secure employment opportunities for Kenyan workers. The Kenyan Embassy in Qatar has also held discussions with the President of Power International Holding, who has committed to reserving approximately 8,000 job opportunities for Kenyans.
78. In 2023, Power International Holding conducted recruitment exercises in Nairobi. However, concerns were raised regarding the execution of the process, particularly the perceived lack of adequate planning by the responsible Cabinet Secretary. Despite these challenges, the recruitment exercise successfully identified candidates who met the employer's criteria.
79. The Kenyan labour force in Qatar continues to face several challenges, including:
  - (a) A number of Kenyan workers have been rendered redundant due to restructuring within various sectors.
  - (b) There have been cases of unpaid salaries, and the Embassy has been actively engaging with the Qatari Ministry of Labour to pursue pending salary claims on behalf of affected Kenyan workers.
  - (c) Some Kenyans have fallen victim to unscrupulous recruitment agents who lure them to Qatar with promises of non-existent jobs, leaving them stranded and in distress.
80. To address the challenges associated with irregular employment, the Qatari Government is in the process of establishing a Visa Centre in Nairobi. The Centre will ensure that Kenyans seeking employment in Qatar secure clear work permits prior to travel, thereby mitigating cases of joblessness upon arrival. The Kenyan Embassy in Qatar has engaged with the Qatari Director General of Immigration to fast-track this initiative.
81. Additionally, the Kenyan Embassy in Qatar has formally communicated its concerns to the Ministry of Labour and Social Protection and the Directorate of Criminal Investigations (DCI). However, the challenge persists as these agencies continuously mutate, forming entrenched cartels with operatives in both Kenya and Qatar. In 2021/2022, twelve recruitment agencies were deregistered in Qatar due to non-compliance and unethical practices. Similar regulatory actions should be instituted in Kenya to safeguard job seekers from exploitation.

### **3.4.2 Trade and investment**

82. The trade balance between Kenya and the State of Qatar is currently in favour of Qatar, as the volume of exports from Qatar to Kenya surpasses that of Kenya's exports to Qatar. However, there exists significant potential for improvement in Kenya's export performance

within the Qatari market. Kenya's primary exports to Qatar comprise fruits, vegetables, and horticultural products, while Qatar primarily exports LNG, LPG, and fertilizer to Kenya. Notably, Qatari supermarkets stock a range of Kenyan products, including tropical fruits, which underscores the demand for high-quality Kenyan agricultural produce in the Qatari market.

83. In the tourism sector, Qatar Airways currently operates two flights to Kenya and has announced plans to introduce an additional flight to both Nairobi and Mombasa. This development is expected to enhance trade, tourism, and investment relations between the two countries, thereby contributing to a more balanced trade relationship.
84. Despite the opportunities available, penetrating the Qatari export market remains a challenge due to its relatively small size and stringent market entry requirements. To address these barriers, the Embassy is actively seeking to foster collaboration between Qatari companies already established in the market and Kenyan producers, particularly in value addition. This strategic approach aims to enhance the competitiveness of Kenyan products and facilitate their successful entry into the Qatari market.
85. While Kenya is widely recognized for its skilled and diligent workforce, concerns have been raised regarding the conduct of certain Kenyan businesspersons who have engaged in fraudulent activities, including swindling Qatari investors. Such incidents have, to some extent, tarnished Kenya's reputation in trade and commerce within Qatar. The Embassy continues to engage with relevant stakeholders to restore confidence in Kenyan enterprises and ensure that business engagements between the two nations adhere to ethical standards and best practices.

### **3.4.3 Education**

86. In 2024, the University of Nairobi entered into MoU with Qatar University, Business School, to facilitate the recognition of its Economics programme within the Qatari workforce. This partnership is expected to enhance academic cooperation and create opportunities for Kenyan graduates in Qatar. Further, the Qatar Foundation, in collaboration with UNICEF, UNHCR, and the Girl Child Network, has been instrumental in supporting access to education for 793,000 children in Kenya since 2012 across multiple counties.
87. Regarding scholarship opportunities, the State of Qatar has withdrawn direct scholarship provisions. Instead, Qatari universities now require applicants who meet the set academic thresholds to apply for admission directly. Once admitted, students may seek financial aid based on their family's income status. Alternatively, students may access study loans, with a provision that allows for 25% of the loan to be written off for every year of work undertaken in Qatar upon completion of studies. However, some faculties in Qatari universities do not offer programmes in English.
88. Silatech had previously expressed willingness to provide training opportunities for Kenyans in various fields. However, due to the absence of a formal MoU, the opportunity was not secured for Kenya and was instead granted to Bangladesh. Nonetheless, the Embassy is still engaging the Ministry of Labour and Social Protection to expedite the signing of the MoU to facilitate the revival of this programme and ensure Kenya benefits from such training opportunities.

89. The Embassy is also pursuing the equalization of certification for Kenyan nurses through the revision of the existing Bilateral Labour Agreement. This initiative seeks to enable Kenyan healthcare professionals to have their qualifications recognized in Qatar, thereby improving their employment prospects within the country's healthcare sector.

#### **3.4.4 Security**

90. The security and military cooperation between Kenya and the State of Qatar continues to strengthen, with both nations engaging in robust collaborations in the areas of intelligence sharing, training facilitation, and defence partnerships. Qatar has established a training framework that benefits Kenyan security personnel, while Kenya, through its security and defence agencies, collaborates with Qatari counterparts on intelligence-sharing initiatives to enhance regional and international security.

91. The National Defence College of Kenya has established a strategic partnership with Ahmed Bin Mohammed Military College in Qatar to facilitate knowledge exchange and training in defence-related matters. Kenya and Qatar enjoy cordial defence relations, with ongoing engagement in military cooperation. The Office of the Defence Attaché in Qatar currently has fifty-nine resident members who interact on a regular basis, including through information-sharing forums, participation in security and defence conferences, and undertaking joint training exercises. The Office closely collaborates with the Head of Mission and the Foreign Relations Office (FRO) to advance Kenya's defence interests in the region.

92. The Office of the Defence Attaché is accredited to seven States in the Middle East, including Qatar, Bahrain, and Kuwait, to promote Kenya's defence interests. However, accreditation to Oman was not granted. The Office plays an important role in interpreting Kenya's defence policy while ensuring that national interests remain uncompromised. It also facilitates engagements between the Ministry of Defence and key stakeholders, coordinates defence outreach activities, advises the Head of Mission on defence-related matters, promotes Kenya's defence industry, facilitates emergency response efforts, and oversees the preparation of the Office's budget and procurement plans.

93. Among its key achievements, the Office successfully secured accreditation from both Bahrain and Kuwait, facilitated access for KDF delegations, participated in the Milipol Security Exhibition, and held high-level engagements with the Chief of Defence of Bahrain, culminating in the accreditation of the Defence Attaché's Office to Bahrain. Efforts are underway to secure additional training opportunities for KDF, particularly in specialized areas such as pilot training and defence medicine, as well as promoting the transfer of defence-related technology. The Office of the Defence Attaché is also pursuing the establishment of a Defence Cooperation Agreement between Kenya and Qatar, seeking to secure more specialized training opportunities, and to advance collaboration in defence technology transfer.

94. However, the Office faces several challenges, including delays in the release of funds from the exchequer, high living costs in Qatar, challenges in maintaining timely correspondence with relevant agencies, and the climatic conditions in Qatar, which at times hinder field operations. The Office of the Defence Attaché is in need of a 38% budgetary increase to accommodate the rising cost of living in Qatar and ensure effective operational capacity.

95. Regarding Qatar's strategic positioning in the Horn of Africa, the State of Qatar, through its Stabilization and Mediation Unit (Horn of Africa), has been actively involved in mediation efforts in Somalia, Sudan, the Democratic Republic of Congo, and South Sudan. Qatar has provided both financial and technical support to these regions, including through observer missions aimed at conflict resolution and peace-building initiatives.
96. From a geopolitical perspective, there are concerns regarding sabotage in the mining and blue economy sectors within the East African region. Furthermore, espionage and unfair competition have been noted, particularly concerning labour market opportunities in Qatar, where East African countries are increasingly competing for access to employment slots. These emerging geopolitical dynamics necessitate enhanced diplomatic engagement and strategic positioning to safeguard Kenya's interests within the region.

### 3.5 Assets and Financial Matters

97. The Embassy does not own any property, as both the Chancery and the official residence are leased. The Embassy has also leased furnished residential facilities for its staff. The Embassy maintains a comprehensive insurance cover for its staff, which is deemed sufficient. The Embassy owns a fleet of motor vehicles, while each of its affiliated agencies also maintain their own vehicles.
98. The following table presents the itemized monthly financial status of leased properties by the Embassy:

No.	Designation	Monthly Amount (KES)	Ceiling (KES)	Budget Overrun (KES)
1.	Chancery	1,078,500.00	1,006,600.00	71,900.00
2.	Head of Mission	1,078,500.00	1,006,600.00	71,900.00
3.	Administrative Attaché	611,150.00	514,085.00	97,065.00
4.	Second Secretary/Consular Affairs Officers	506,895.00	514,085.00	(7,190.00)
5.	Head of Chancery	503,300.00	514,085.00	(7,190.00)
6.	Second Secretary	503,300.00	514,085.00	(7,190.00)
7.	Financial Attaché	593,175.00	514,085.00	79,090.00
<b>TOTAL</b>		<b>3,796,320.00</b>	<b>3,557,025.00</b>	<b>305,575.00</b>
<b>ACTUAL/PROPOSED</b>				
<b>AIE</b>				-
<b>DEFICIT</b>				-

99. The following table presents the summary of annual financial status of leased properties by the Embassy:

Category	Annual Actual/Proposed Expenditure (KES)	Ceiling Allocation (KES)	Budget Overrun (KES)
Annual Lease Expenditure	45,555,840.00	42,924,300.00	3,666,900.00
AIE	22,894,708.00	22,894,708.00	-
<b>DEFICIT</b>	22,661,132.00	20,029,592.00	-

100. The rental costs in Qatar are regulated by the State, making it challenging for the Embassy to remain within the allocated ceiling of KES 22,894,708.00. Additionally, Doha, being the capital city, has a high cost of living. The reduction in the rent allocation was not accompanied by a clear justification.

101. While leasing cheaper facilities has been considered, such a move would likely increase operational costs in other sectors, thereby negating potential savings. The Embassy is financially constrained, and no other budgetary allocations can be reduced without compromising essential operations.

102. The following table outlines the pending bills as of the 2023/2024 Financial Year:

No.	Entity	Pending Bill	Status	Remarks
1.	MFA (Recurrent)	26,469,340.20	Cleared	-
2.	State Department for Immigration & Citizen Affairs	5,427,726.68	Cleared	-
3.	State Department for Labour & Social Protection	4,509,058.68	Pending	No AIE received for the FY 2024/25
4.	Foreign Relations Officer	2,268,000.00	Cleared	-

103. The pending bill of KES. 26,469,340.20 was largely due to foreign exchange losses and has currently been cleared.

104. The table below provides a breakdown of the budget allocation, expenditure, and absorption rates for the 2023/2024 financial year:

No.	Entity	Allocation 2023/24	Total Expenditure	Absorption Rate for FY 2023/24
5.	MFA (Recurrent)	212,552,480.00	205,339,986.79	96.61
6.	State Department for Immigration & Citizen Affairs	45,298,116.00	42,654,385.85	94.16

7.	State Department for Labour & Social Protection	36,107,556.00	33,782,414.75	93.56
8.	Foreign Relations Officer	43,915,974.00	41,145,470.49	93.69

105. The Embassy prioritizes rent payments for both residential and non-residential officers to avoid operational disruptions or embarrassment. In an effort to address budgetary shortfalls, the Embassy reallocated funds from Foreign Service Allowance (FSA) to cater for rent and other recurrent expenditures.

106. However, this approach is unsustainable as the Embassy is compelled to reallocate funds every financial year to meet urgent operational needs. Without additional budgetary support, the Embassy faces continued financial strain.

### 3.6 Visit to Baladna Farm, Al Khor, Qatar

107. During the inspection visit, the Delegation extended its visit to Baladna, a leading dairy and food production company situated approximately 60 kilometres north of Doha. Baladna is located in Al Khor, spanning an expansive 2.6 million square metres, and is recognized as Qatar's premier milk, dairy, juice, and food brand. The company is committed to providing fresh and nutritious food choices to consumers while adhering to international best practices in dairy farming and food production.

108. The mission of Baladna is to position Qatar's dairy model on the global map as a homegrown brand dedicated to excellence in sustainable food production. Its vision is to be the most trusted brand of nutritional foods and healthy beverages in Qatar, with an expansion strategy focused on replicating its integrated and sustainable farming model in new markets.

109. The core principles of Baladna include:

- (a) Ensuring high-quality food production by implementing international best practices in dairy and food processing.
- (b) Employing highly qualified veterinarians to promote optimal cattle health and welfare.
- (c) Upholding corporate values of achievement, hospitality, self-reliance, and responsibility.
- (d) Engaging experts in livestock breeding and dairy production to enhance efficiency and sustainability.

110. Baladna Farm houses over 24,000 Holstein cows, reared in a state-of-the-art facility designed for optimal dairy production. The farm also features six (6) advanced rotary milking parlours; forty (40) state-of-the-art barns designed to optimize animal comfort and productivity; three (3) high-tech production factories specializing in dairy processing, juice manufacturing, and plastic bottling; over 250 stock keeping units (SKUs); and a dedicated visitor complex including a restaurant, a landscaped garden, a children's play area, and a petting zoo.

111. The farm infrastructure ensures a well-conditioned and comfortable environment for the herd, allowing them to attain production benchmarks with minimal stress. Baladna integrates climate-controlled barns, energy-efficient systems, and water conservation techniques to minimize environmental impact and maximize sustainability.

112. Baladna utilizes advanced milking rotary systems, capable of milking up to 100 cows simultaneously. The automated milking process ensures higher hygiene levels, reduces the risk of infections compared to traditional manual milking, and is equipped with specialized sensors to optimize milking cycles. Each cow is milked three times a day, producing between 30 to 40 litres of milk daily. Fresh milk is transported directly to Baladna's onsite factory, where it undergoes pasteurization and processing into a variety of dairy products.
113. The factory at the Farm is equipped with technology in milking, pasteurization, and packaging to ensure product quality, efficiency, and hygiene compliance. The Farm's production facilities are equipped to manufacture a diverse range of dairy products, including:
- (a) Fresh milk, laban, and yoghurt.
  - (b) Cheese varieties and labneh.
  - (c) Cooking and whipping cream.
  - (d) Long-life milk and juices (both natural and long-life variants).
  - (e) Dairy-based desserts and catering products.
114. Baladna has adopted comprehensive sustainability initiatives aimed at reducing environmental impact and ensuring responsible resource management. The farm's sustainability measures include:
- (a) Water conservation and management to minimize wastage.
  - (b) Energy-efficient practices to lower electricity consumption.
  - (c) Sustainable manure management strategies for environmental preservation.
115. As part of its long-term sustainability objectives, Baladna actively supports educational programs to raise environmental awareness and promote climate-conscious farming practices. The company's corporate responsibility strategy aligns with national and global sustainability goals, ensuring that its operations contribute positively to both local and international environmental conservation efforts.

### **3.7 Challenges Faced in the Mission**

116. The Embassy continues to face several operational challenges that impede its ability to effectively discharge its mandate. These challenges include:
- (a) The Embassy is experiencing infrastructural challenges, including outdated and worn-out furniture and office equipment, which negatively impacts the working environment and service delivery.
  - (b) The Embassy currently operates with only one utility vehicle, while seven other vehicles, including the official van, are in a state of disrepair due to old age and continued usage. This has significantly hampered mobility and logistical operations.
  - (c) The Embassy has experienced significant delays in the disbursement of funds from the National Treasury. The Departmental Committee on Defence, Intelligence, and Foreign Relations is urged to intervene and facilitate timely disbursements to ensure the uninterrupted operation of the Mission.
  - (d) The conversion of KES) into USD before further conversion into QAR has led to substantial foreign exchange losses. In the 2023/2024 Financial Year alone, this process

resulted in a loss of KES 25 million. The Embassy seeks a review of the financial disbursement process to mitigate such losses.

- (e) The cost of renting Embassy premises in Qatar remains high due to a non-market-driven rental system that does not allow for negotiation. This continues to exert financial strain on the Mission's operational budget.
- (f) The slow response time on the e-Citizen portal has led to significant delays in the processing of essential documents such as certificates of good conduct. Consequently, some Kenyans have resorted to using falsified documents, including fake certificates and counterfeit Qatari stamps. Applicants also face difficulties in applying for new certificates of good conduct and other government services on e-Citizen portal, since payments can only be made through the e-Citizen platform, which is primarily administered in Kenya. Given the limitations of the Embassy's mandate, its role is limited to fast-tracking applications and follow-ups.
- (g) The Embassy lacks designated safe houses to temporarily accommodate Kenyans facing distress situations, including victims of labour disputes, human trafficking, and other vulnerabilities.
- (h) The absence of a dedicated Consular Welfare Fund has impeded the Embassy's ability to offer financial and legal support to Kenyans in distress. Thus, there is need for the establishment of Consular Welfare Fund to enable the provision of enhanced legal assistance for specific cases requiring high-level legal representation.

## 4.0 COMMITTEE OBSERVATIONS

### 4.1 The United Arab Emirates

117. In its visit to the Embassy of Kenya in Abu Dhabi, UAE, the Delegation made the following observations: -
- (a) Kenya's agricultural exports to the UAE face significant challenges due to inconsistent quality standards. Kenyan exporters frequently harvest produce before maturity and fail to meet packaging requirements, resulting in market rejection. While the UAE has reduced its economic dependency on oil from 70% to 25% and adopted advanced agricultural technologies, Kenya has not fully capitalized on opportunities to supply agricultural products.
  - (b) Kenyan professionals seeking employment in the UAE face barriers due to the lack of mutual recognition agreements on academic and professional qualifications. Despite the presence of many skilled workers, sectors such as healthcare, engineering, and education remain largely inaccessible to Kenyan professionals due to non-alignment with UAE labour standards. However, Kenyan professionals in ICT and aviation have secured employment due to international accreditation standards.
  - (c) The implementation of the 2018 MoU on Labour Matters and the Protocol on Domestic Workers between Kenya and the UAE has faced delays due to the absence of an Implementation Committee as provided for under Article 7 of the MoU. The lack of a structured oversight mechanism has hindered the effective monitoring of labour migration, dispute resolution, and worker protections. Additionally, recruitment agencies have failed to provide employment contracts to Kenyan workers, making it difficult to track compliance with labour regulations and ensure fair treatment.
  - (d) The Kenyan Embassy in Abu Dhabi has been instrumental in providing consular services to Kenyans in distress, including the repatriation of 30 deceased Kenyans between January and September 2024. The primary causes of death were cardiac arrest and septic shock, with stress-related complications and, in some cases, drug addiction cited as contributing factors. Many affected individuals do not seek counselling or consular assistance, limiting the Embassy's capacity to provide timely intervention.
  - (e) The Embassy has facilitated the repatriation of Kenyans in distress by issuing over 500 emergency travel documents and exit permits. Kenyans who have overstayed in the UAE have been granted amnesty to either return home or regularize their immigration status. However, Kenyans who were previously banned from re-entry require structured engagement with UAE authorities to review and potentially waive such bans. The Embassy has proposed that affected individuals submit their passport details for case-by-case assessment.
  - (f) Kenya's trade balance with the UAE remains heavily skewed, with the UAE being one of Kenya's largest trading partners in the Middle East. Between 2012 and 2022, Kenya's exports to the UAE amounted to USD 2.4 billion, whereas imports from the UAE ranged between USD 2.7 billion and USD 11.4 billion, resulting in a persistent trade deficit. The trade imbalance is primarily attributed to Kenya's high importation of petroleum products, coupled with the lack of value addition in its exports and failure to comply with

UAE market standards. The State Department of Trade and Enterprise Development has initiated engagements with trade attachés and stakeholders to address market entry challenges.

- (g) Kenya continues to attract Foreign Direct Investment (FDI) from the UAE, with significant investments in wholesale and retail trade, hospitality, and construction. By 2019, UAE FDI in Kenya was valued at approximately USD 2.7 billion, with major investors including Majid Al Futtaim Carrefour Supermarkets, CMC Holdings, One Nature Hotels in Mara, and Hillcrest International Schools. The Dubai Chambers of Commerce Office in Nairobi has played a key role in facilitating trade and investment. However, in 2023, Kenya attracted only USD 1.504 billion in FDI, while the UAE secured USD 30.688 billion, indicating the need for enhanced investment attraction strategies.
- (h) The Kenyan Mission in Abu Dhabi has actively supported Kenya's participation in the IRENA. Kenya served as a member of the IRENA Council from 2021 to 2023 and co-chaired the formulation of the IRENA Medium-Term Strategy (MTS) for 2023-2027. In 2023, Kenya launched the Accelerated Partnership for Renewables in Africa (APRA) in collaboration with IRENA, the UAE, Denmark, and Germany to advance Africa's transition to renewable energy. Strengthening Kenya's engagement with IRENA is essential for securing renewable energy investments and technical support.
- (i) The Embassy faces significant operational challenges, including limited financial resources to facilitate trade promotion and consular services. Many Kenyans experiencing employment disputes, financial difficulties, or lack of accommodation rely on the Embassy for assistance, yet the Mission lacks a dedicated budget to support distressed nationals. Additionally, the absence of a structured system for documenting the number of Kenyans in the UAE hampers effective diaspora engagement and service delivery.
- (j) The operational capacity of the Embassy is constrained by outdated office infrastructure and transport facilities. Two of the Mission's vehicles, purchased in 2017, have each accumulated 350,000 kilometres and have become expensive to maintain, necessitating replacement. Additionally, the furniture at the Chancery has been in use for over a decade and requires urgent replacement to improve working conditions.
- (k) The Mission was allocated KES 272 million in the 2023/2024 Financial Year, with KES 60 million allocated to rent, between KES 95 million and KES 100 million to salaries and emoluments, and KES 10 million to medical insurance. However, the Embassy has suffered foreign exchange losses amounting to KES 18.5 million in 2023/2024 and KES 25 million in 2022/2023, significantly impacting financial stability. The Mission's absorption rate ranges from 92% to 98%, with pending bills of KES 9.8 million due to exchange losses.
- (l) The introduction of rental ceilings by the Ministry has forced the Embassy to relocate to cheaper properties. However, annual rent increments in the UAE are not factored into the Mission's budget, leading to financial strain. Furthermore, leases in the UAE are paid

annually, but this is not adequately considered in quarterly budget disbursements, making it difficult for the Embassy to meet its lease obligations on time.

#### 4.2 The State of Qatar

118. In its visit to the Embassy of Kenya in Doha, Qatar, the Delegation made the following observations: -

- (a) Qatar hosts an estimated 67,000 Kenyan workers, with the majority engaged in low-skilled jobs in the security, domestic work, transport, and hospitality sectors. While Kenya and Qatar have revised the Bilateral Labour Agreement (BLA) to expand opportunities for skilled labour, the previous 2012 Agreement remains largely one-sided and does not incorporate ILO developments on workers' welfare. Despite Qatar's growing demand for skilled professionals in ICT, healthcare, and hospitality, Kenyan workers continue to face challenges in accessing these opportunities due to the lack of mutual recognition of academic and professional qualifications.
- (b) The recruitment process for Kenyans seeking employment in Qatar remains unstructured, leading to increased cases of deception by unscrupulous recruitment agencies. These agencies continue to lure unsuspecting job seekers with promises of jobs, only for them to be stranded in Qatar without proper employment. While twelve recruitment agencies were deregistered in Qatar in 2021/2022 due to unethical practices, similar enforcement actions have not been implemented in Kenya to protect job seekers from exploitation.
- (c) Cases of delayed or unpaid salaries among Kenyan workers in Qatar have been reported, prompting the Embassy to engage the Qatari Ministry of Labour to resolve such disputes. However, the Embassy lacks sufficient resources to provide legal aid and financial assistance to distressed Kenyan workers, many of whom have lost their legal status due to job loss. The Embassy is therefore constrained in its ability to provide adequate support for Kenyan workers facing employment-related challenges.
- (d) The establishment of a Qatar Visa Centre in Nairobi is expected to ensure that Kenyans secure proper work permits before traveling to Qatar. However, there is an urgent need for the Embassy to fast-track engagements with Qatari authorities to operationalize the Visa Centre and mitigate cases of undocumented workers. Without this intervention, Kenyans seeking employment in Qatar remain vulnerable to fraudulent job offers and potential deportation.
- (e) The trade balance between Kenya and Qatar remains significantly skewed in favour of Qatar, which exports LNG, LPG, and fertilizer to Kenya, while Kenya primarily exports fruits, vegetables, and horticultural products. Although some Kenyan products, such as tropical fruits, are stocked in Qatari supermarkets, Kenyan exporters continue to face challenges, including high compliance costs, strict import regulations, and barriers to market entry. These challenges hinder Kenya's ability to fully exploit the Qatari market and increase its export volumes.
- (f) Kenyan businesspersons face difficulties in establishing their presence in Qatar due to stringent regulatory requirements, lack of trade facilitation frameworks, and weak government support for export market penetration. Cases of fraudulent dealings by some

Kenyan businesspersons, including swindling Qatari investors, have also negatively affected Kenya's reputation in Qatar, making it more difficult for genuine Kenyan entrepreneurs to gain the trust and confidence of Qatari business partners.

- (g) Qatar Airways currently operates two flights to Kenya, with plans to introduce additional flights to Nairobi and Mombasa. This development is expected to boost trade, tourism, and investment relations between the two countries. However, there have been delays in permitting Qatar Airline to introduce additional flight to Mombasa.
- (h) The education sector has also witnessed increased collaboration between Kenya and Qatar. However, the lack of mutual recognition of Kenyan degrees and certifications continues to restrict access to skilled job opportunities for Kenyan graduates. The Embassy has been advocating for the recognition of Kenyan nursing certifications under the revised Bilateral Labour Agreement, but progress in this area remains slow.
- (i) The Embassy lacks a designated safe house for Kenyans in distress, forcing it to rely on charities and well-wishers for support. The absence of a Consular Welfare Fund has further limited the Embassy's capacity to assist Kenyan nationals whose contracts were terminated without compensation. Additionally, some Kenyan women in detention have given birth while incarcerated, but under Qatari law, children born out of wedlock are deemed illegitimate, creating further legal and social complications. To address these issues, the Embassy has proposed the establishment of an *Extradition and Transfer of Sentenced Persons Agreement*, which is currently under review by the Attorney General.
- (j) The Embassy in Qatar is fully leased, and state-regulated rental costs make it difficult to remain within budgetary allocations. Additionally, foreign exchange conversion losses resulted in a KES 25 million deficit in FY 2023/2024. The Embassy has also experienced delays in receiving funds from the National Treasury, negatively impacting its operations, including consular services and labour interventions.
- (k) The Embassy operates under financial and logistical constraints that hinder its efficiency. It has outdated furniture and office equipment, which affects service delivery. The Embassy has only one functional utility vehicle, while seven others, including the official van, are in a state of disrepair. These challenges negatively affect the Embassy's ability to carry out its mandate effectively.
- (l) The Embassy's monthly and annual rental expenses exceeded the set budget ceilings. The annual lease expenditure of KES 45,555,840.00 surpassed the allocated ceiling of KES 42,924,300.00, resulting in a budget overrun of KES 3,666,900.00 contrary to the **Public Finance Management Act, Cap. 412A** as read together with the **Public Finance Management (National Government) Regulations, Legal Notice 34 of 2015**.

#### 4.3 General Observations

119. In addition to the foregoing observations the Committee observes that: -

- (a) Kenya has signed multiple MoUs with the UAE and Qatar in trade, labour, security, and investment, yet there is no structured mechanism to ensure full implementation. The lack of an effective follow-up framework has resulted in slow progress in bilateral

engagement between Kenya and the two countries in labour migration, trade facilitation, and investment cooperation.

- (b) Kenya has a significant labour force in the UAE and Qatar, but most Kenyan workers occupy low-skilled positions in domestic work, security, and hospitality, with limited access to professional jobs due to lack of recognition of qualifications from Kenyan institutions in the two countries. Further, most of the existing Bilateral Labour Agreements are outdated and do not accommodate emerging sectors such as ICT, healthcare, and engineering, which are now in high demand.
- (c) Recruitment agencies continue to exploit Kenyan job seekers, bringing them to both countries under false promises, which has resulted in cases of unemployment, distress, and repatriation. Additionally, there is a growing number of Kenyans in distress due to job losses, unpaid wages, and employer mistreatment, yet the missions lack adequate financial resources to provide legal or welfare support.
- (d) The trade balance remains heavily in favour of the UAE and Qatar, as Kenya primarily exports raw agricultural products while importing high-value processed goods like LPG, LNG, petroleum, and fertilizers from the UAE and Qatar. Kenyan businesspeople face challenges accessing Qatari and UAE markets due to strict compliance requirements, lack of certification, and limited capital access. Incidences of fraud by some Kenyan traders in both countries have damaged the country's reputation, making it difficult for Kenyan businesses to establish trust with investors.
- (e) The Kenyan embassies in the UAE and Qatar operate under severe financial constraints, limiting their ability to offer timely consular services, labour support, and diplomatic engagement. Delayed exchequer disbursements have led to reallocation of funds meant for other critical services to cover rent and operational expenses. High rental costs in both Doha and Abu Dhabi further strain the missions, as rent in these cities is state-regulated and non-negotiable. Foreign exchange losses during conversion from KES to USD and then to local currencies have resulted in significant financial losses for the missions.
- (f) Both embassies lack designated safe houses or structured welfare programs to support distressed Kenyans, especially victims of exploitation or job loss. Charities and well-wishers currently provide temporary support, but this approach is unsustainable given the increasing number of Kenyans in distress.

## 5.0 COMMITTEE RECOMMENDATIONS

120. The Committee recommends that: -

### 5.1 General Recommendations

- (1) The Ministry of Foreign and Diaspora Affairs should: -
  - (a) Collaborate with the National Treasury to: -
    - (i) Establish a ***Diaspora Welfare Fund*** to provide financial and legal assistance to distressed Kenyans.
    - (ii) Revise the Embassy budget framework to account for ***annual rent increments*** in Abu Dhabi and Doha, with adjustments included in the 2025/2026 budget cycle.
    - (iii) Implement ***Foreign Exchange Stabilization Mechanism*** to mitigate forex conversion losses impacting embassy operations.
    - (iv) Implement a performance-based funding and resource allocation framework for Kenya's diplomatic Missions, ensuring that support is directly proportional to the economic, diplomatic, and diaspora-related opportunities they generate for the country.
  - (b) Spearhead negotiation for the recognition of Kenyan nursing certifications in Qatar under the revised Bilateral Labour Agreement.
  - (c) Procure new vehicles for the Kenyan Embassies in Abu Dhabi and Doha to replace the outdated fleet, and refurbish the office furniture and ICT infrastructure at both embassies to enhance service delivery.
  - (d) Establish a Joint Bilateral Agreements Monitoring Unit to track the implementation of signed MoUs, to ensure that labour, trade, and investment agreements are regularly reviewed and updated to reflect emerging economic opportunities.
  - (e) Appoint a Special Envoy for UAE and Qatar Relations to coordinate high-level engagements and fast-track pending negotiations, including the mutual recognition of professional qualifications and expansion of skilled labour migration.
  - (f) Collaborate with the Ministry of Interior and National Administration to work with Embassies to expedite the delivery of government services to Kenyans in the diaspora.
- (2) The Ministry of Labour and Social Protection should: -
  - (a) Collaborate with the Commission for University Education (CUE) and the Kenya National Qualifications Authority (KNQA), and engage the equivalent UAE and Qatari authorities to establish ***Mutual Recognition Agreements (MRAs)*** to enhance the employability of Kenyan professionals in healthcare, engineering, education and other sectors in UAE and Qatar.
  - (b) Establish an Implementation Committee to oversee labour migration, ensure compliance with employment contracts, and enforce worker protections.

- (c) Require the recruitment agencies to submit copies of signed contracts to Kenyan embassies before workers leave Kenya for jobs in the diaspora.
  - (d) Deregister and blacklist fraudulent recruitment agencies and enforce a strict accreditation system where only licensed and vetted agencies can operate.
- (3) The Ministry of Investments, Trade, and Industry should: -
- (a) Develop an Export Certification Program to assist Kenyan businesses in meeting UAE and Qatari compliance requirements.
  - (b) Collaborate with the Kenyan embassies in UAE and Qatar to facilitate trade delegations and networking events aimed at improving Kenya's reputation among Qatari and UAE investors.
  - (c) Develop a ***Kenya-UAE/Qatar Trade Expansion Strategy***, focusing on value addition in exports, certification support for Kenyan businesses, and streamlined access to UAE and Qatari markets.
  - (d) Establish an Investment Facilitation Desk at the Kenya Chamber of Commerce to coordinate UAE/Qatar investment interests
- (4) The Ministry of Agriculture and Livestock Development should: -
- (a) Collaborate with the State Department for Trade, to establish a ***Kenyan Agricultural Export Standards Compliance Program***, incorporating capacity-building for farmers on proper harvesting, packaging and export certification, to enhance adherence to UAE and other export market requirements.
  - (b) Collaborate with the Kenya Bureau of Standards (KEBS) and Horticultural Crops Directorate (HCD) to conduct quarterly audits on agricultural exports to ensure compliance with UAE and other foreign quality standards.
- (5) The Kenyan Missions in Abu Dhabi and Doha should set up designated safe houses to accommodate vulnerable Kenyan workers, especially those facing employer mistreatment or deportation.
- (6) The Kenya Investment Authority (KenInvest) should initiate a targeted FDI promotion campaign to attract new investments from the UAE and Qatar.
- (7) The Ministry of Tourism and Wildlife should initiate negotiations with UAE and Qatari investors to establish a joint tourism revenue-sharing framework, ensuring that Kenya benefits more from the tourism value chain and wildlife conservation partnerships.

## 5.2 Specific Recommendations – Embassy to the United Arab Emirates

- (8) The Ministry of Foreign and Diaspora Affairs and the Embassy of Kenya in Abu Dhabi, UAE should: -
- (a) Engage UAE authorities to develop a structured mechanism for reviewing re-entry bans imposed on Kenyan nationals, and coordinate with UAE's Immigration Department and Ministry of Human Resources to facilitate individual case assessments.

- (b) Establish a dedicated psychosocial support unit within the Embassy in Abu Dhabi to provide mental health counseling, substance abuse awareness, and reintegration support for distressed Kenyans.
- (c) Develop a digital registration and tracking system to maintain an updated database of Kenyans living and working in the UAE for improved consular service delivery.

**5.3 Specific Recommendations – Embassy to the State of Qatar**

- (9) The Ministry of Foreign and Diaspora Affairs and the Embassy of Kenya in Doha, Qatar should: -
  - (a) Formalize a Labour Dispute Resolution Desk in collaboration with the Qatari Ministry of Labour to handle complaints of unpaid wages, contract breaches, and mistreatment. The Embassy should also conduct quarterly labour rights awareness forums for Kenyan workers to educate them on their rights.
  - (b) Expedite engagements with Qatari authorities to operationalize the Qatar Visa Centre in Nairobi to ensure pre-departure verification of work permits.
  - (c) Align the rental expenditure for the Embassy of Kenya in Doha, Qatar with the approved budget ceiling by implementing cost-containment measures, opting for more favourable lease terms, and seeking budgetary adjustments through the National Treasury in accordance with the Public Finance Management Act, Cap. 412A, and the Public Finance Management (National Government) Regulations, Legal Notice 34 of 2015.
  - (d) The Kenya Civil Aviation Authority (KCAA) should approve an additional flight route for Qatar Airways to Mombasa to enhance tourism, trade, and connectivity at the Kenyan coast in line with *Sessional Paper No. 6 of 2024 on the National Aviation Policy*.

SIGNED: .....  ..... DATE: 14/3/2024 .....


**THE HON. NELSON KOECH, M.P.**  
**CHAIRPERSON, DEPARTMENTAL COMMITTEE ON DEFENCE, INTELLIGENCE**  
**AND FOREIGN RELATIONS**

## **LIST OF ANNEXURES**

**Annexure 1:** Signed list of Members who attended the sitting which considered  
and adopted the Report

**Annexure 2:** Minutes of the Committee

**Annexure 1:** Signed list of Members who attended the sitting which considered and adopted the Report

 <b>THE NATIONAL ASSEMBLY</b> <b>PAPERS LAID</b>	
<b>DATE:</b> 01 APR 2025	
<b>DAY.</b>	
<b>TABLED</b> <b>BY:</b>	
<b>CLERK-AT</b> <b>THE-TABLE:</b>	





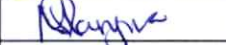

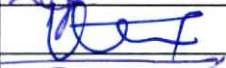


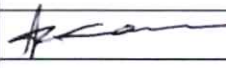
**REPUBLIC OF KENYA  
THE NATIONAL ASSEMBLY  
13<sup>TH</sup> PARLIAMENT – FOURTH SESSION-2025  
DEPARTMENTAL COMMITTEE ON DEFENCE, INTELLIGENCE, AND FOREIGN  
RELATIONS.**

**REPORT ADOPTION LIST**

**REPORT ON INSPECTION VISIT TO KENYAN EMBASSIES IN THE IN THE UNITED ARAB EMIRATES AND THE STATE OF QATAR.**

We, Members of the Departmental Committee on Defence, Intelligence, and Foreign Relations, have pursuant to Standing Order 199, adopted this Report and affix our signatures to affirm our approval and confirm its accuracy, validity and authenticity today, **Thursday 27<sup>th</sup> January 2025.**

*February*

	NAME	SIGNATURE
1.	<b>The Hon. Koech Nelson, CBS, M.P. (Chairperson)</b>	
2.	<b>The Hon. Maj. (Rtd.) Sheikh Abdullahi Bashir, MP (Vice Chairperson)</b>	
3.	The Hon. Yusuf, Hassan Abdi, CBS, M.P.	
4.	The Hon. Wanjira, Martha Wangari, CBS, M.P.	
5.	The Hon. Odhiambo, Millie Grace Akoth, M.P.	
6.	The Hon. Kanchory, Elijah Memusi, M.P.	
7.	The Hon. (Dr.) Kasalu, Irene Muthoni, M.P.	
8.	The Hon. Kirima, Moses Nguchine, M.P.	
9.	The Hon. Kandie, Joshua Chepyegon, M.P.	
10.	The Hon. Kwenya, Thuku Zachary, M.P.	
11.	The Hon. Luyai, Caleb Amisi, M.P.	
12.	The Hon. Teresia, Wanjiru Mwangi, M.P.	
13.	The Hon. Logova, Sloya Clement, M.P.	
14.	The Hon. Ikana, Fredrick Lusuli, M.P.	
15.	The Hon. Mohamed, Abdikadir Hussein, M.P.	

## **Annexure 2: Minutes of the Committee**



**THE NATIONAL ASSEMBLY**  
**13<sup>TH</sup> PARLIAMENT - FOURTH SESSION (2025)**  
**DIRECTORATE OF DEPARTMENTAL COMMITTEES**  
**DC- DEFENCE, INTELLIGENCE AND FOREIGN RELATIONS**

**MINUTES OF THE 11<sup>TH</sup> SITTING OF THE DEPARTMENTAL COMMITTEE ON  
DEFENCE, INTELLIGENCE, AND FOREIGN RELATIONS HELD ON THURSDAY  
27<sup>TH</sup> FEBRUARY 2025 AT 10.00 A.M IN BUNGE TOWER, 2<sup>ND</sup> FLOOR, COMMITTEE  
ROOM 14, PARLIAMENT BUILDINGS.**

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**PRESENT**

1. **The Hon. Maj. (Rtd.) Sheikh Abdullahi Bashir, M.P.** - Vice Chairperson
2. The Hon. Yusuf Hassan Abdi, C.B.S, M.P.
3. The Hon. Wanjira Martha Wangari, C.B.S, M.P
4. The Hon. Kanchory Elijah Memusi, M.P.
5. The Hon. (Dr.) Kasalu Irene Muthoni, M.P.
6. The Hon. Kirima Moses Nguchine, M.P.
7. The Hon. Kandie Joshua Chepyegon, M.P.
8. The Hon. Ikana Fredrick Lusuli, M.P.

**APOLOGIES**

1. **The Hon. Koech Nelson, C.B.S, M.P.** - Chairperson
2. The Hon. Odhiambo Millie Grace Akoth, M.P.
3. The Hon. Kwenya Thuku Zachary, M.P.
4. The Hon. Luyai Caleb Amisi, M.P.
5. The Hon. Teresia Wanjiru Mwangi, M.P.
6. The Hon. Logova Sloya Clement, M.P.
7. The Hon. Mohamed Abdikadir Hussein, M.P.

**IN ATTENDANCE**

**NATIONAL ASSEMBLY**

- |                         |   |                            |
|-------------------------|---|----------------------------|
| 1. Mr. Dennis M. Ogechi | - | Clerk Assistant I          |
| 2. Mr. Bernard Njeru    | - | Clerk Assistant III        |
| 3. Mr. John Ng'ang'a    | - | Audio Officer II           |
| 4. Ms. Noelle Chelagat  | - | Media Relations Officer II |
| 5. Mr. Daniel Ominde    | - | Research Officer III       |
| 6. Mr. Abdi Salat       | - | Principal Serjeant-At-Arms |
| 7. Mr. Edwin Machuki    | - | Fiscal Analyst III         |
| 8. Mr. Lenny Muchangi   | - | Legal Counsel II           |

- |                           |   |                                     |
|---------------------------|---|-------------------------------------|
| 9 Mr Martin Siger         | - | Research Officer III                |
| 10. Mr Steve Jeremy Kamau | - | Intern                              |
| 11. Mr Ian Kasawa Opicho  | - | Pupil Directorate of Legal Services |
| 12 Ms. Grace K Gijo       | - | Pupil Directorate of Legal Services |

#### **AGENDA**

- 1 Preliminaries – Prayers, Adoption of the Agenda
2. Confirmation of minutes of previous meeting
- 3 **Meeting with the National Transport and Safety Authority (NTSA) on the inquiry into the Conduct of the British Army Training Unit Kenya, and**
- 4 **Consideration and adoption of reports on:**
  - a) **2025 Budget policy statement (BPS),**
  - b) **Budget Implementation Oversight (BIO) for the 2023/2024 Financial Year,**
  - c) **Treaty establishing the Intergovernmental Development Authority (IGAD),**
  - d) **Treaty-Making and Ratification (Amendment) Bill, 2024 by Hon.Peter Kaluma, CBS, MP, and**
  - e) **An inspection visit conducted to diplomatic missions in Qatar and UAE.**
5. Any Other Business
- 6 Adjournment/Date of the next Sitting

#### **MIN.NO. DDC/DIFR/051/2025:**

#### **PRELIMINARIES**

The meeting was called to order at 10 20 a m and a prayer was said The agenda above was unanimously adopted, having been proposed by Hon Kanchory Elijah Memusi, M.P. and seconded by Hon. Wanjira Martha Wangari, C B S, M P.

#### **MIN.NO. DDC/DIFR/052/2025:**

#### **COMMUNICATION FROM THE CHAIR.**

The Chairperson informed the Members of

1. An invitation by the State Department for Diaspora Affairs into the launch of Diaspora Policy in Radisson Blue Hotel Upper Hill on Wednesday, 5<sup>th</sup> March 2025

#### **RESOLUTION**

The Chairperson to request permission to sit during plenary sitting hours from the Speaker of the National Assembly in order to attend the launch.

2. Kenyans in Diaspora Technical Working group which was seeking audience with the Committee between 10<sup>th</sup> and 14<sup>th</sup> March 2025.

#### **RESOLUTION**

The Committee noted an upsurge of organizations by Kenyans living in Diaspora seeking audience with various parliamentary committees and resolved that in future, the matter be handled through the Ministry of Foreign and Diaspora Affairs.

3. A scheduled visit by the Danish Foreign Affairs Committee from 3<sup>rd</sup> to 8<sup>th</sup> March 2025. The Delegation would like to meet with the Committee on March 4<sup>th</sup> 2025 at 10.00 a.m.

## **RESOLUTION**

It was resolved that the visiting Danish MPs be given audience on the said time and date and Members were urged to avail themselves for the meeting.

### **MIN.NO. DDC/DIFR/053/2025:**

### **CONFIRMATION OF MINUTES OF PREVIOUS SITTINGS.**

Confirmation of Minutes of previous Sittings was deferred to a later date.

### **MIN.NO. DDC/DIFR/054/2025:**

### **MEETING WITH THE MANAGING DIRECTOR, NATIONAL TRANSPORT AND SAFETY AUTHORITY (NTSA) ON THE INQUIRY INTO THE CONDUCT OF THE BRITISH ARMY TRAINING UNIT KENYA.**

The Clerk informed the Committee that the Director General of NTSA was engaged in an official activity in Naivasha and, therefore, was unable to appear before the Committee to make his submissions. He further noted that due to the urgency in concluding the matter, he had advised the Director General to provide written submissions instead of appearing before the Committee.

### **MIN.NO. DDC/DIFR/055/2025:**

### **CONSIDERATION AND ADOPTION OF REPORTS:**

#### **A. REPORT ON 2025 BUDGET POLICY STATEMENT.**

The Committee, having considered the report, adopted it having been proposed by Hon. Ikana Fredrick Lusuli, M.P and seconded by Hon. Kirima Moses Nguchine, M.P. It was adopted with the following recommendations:

#### **1. Non-Financial Recommendations**

- a) To maintain high-quality engagement with the diaspora amidst limited resources, the SDDA should, within the next 12 months, collaborate with the SDFA to utilize already posted staff in missions (e.g., Migration Attachés) to take on additional responsibilities related to diaspora affairs. This maximizes the utility of current staff without incurring extra costs associated with deploying new officers.
- b) Within the next 12 months, the SDFA to leverage the use of Public-Private Partnerships (PPPs) to acquire, renovate, and maintain mission properties abroad. This initiative will lessen GoK exchequer's reliance.
- c) The SDFA to restructure its foreign service by consolidating or closing economically unsustainable and underperforming missions and reallocating resources to prioritize funding for key missions within 12 months. The objective of this initiative is to optimize the utilization of available resources and improve efficiency.
- d) The SDFA prioritizes the appointment of Honorary Consuls in critical regions instead of establishing full-fledged diplomatic missions. This strategy will enable the SDFA to optimize the use of limited resources while also maintaining a robust foreign presence without incurring substantial financial costs associated with full-scale missions.

- e) The SDDA to provide protection, necessary documentations and evacuation of Kenyans in distress on a case-by-case basis rather than establishing of safe houses which might not be tenable.
- f) The Ministry of Defence (MoD) to submit a comprehensive report to the committee by April 30<sup>th</sup>, 2025 detailing the next phase of its modernization programme. The report to include:
  - a) Breakdown of planned modernization in personnel, equipment, and systems.
  - b) A detailed resourcing plan, including budgetary allocations and funding sources
  - c) Progress report on the achievements of the ongoing modernization phase.
- g) The State Department for Foreign Affairs (SDFA) to submit a comprehensive evaluation report by April 30<sup>th</sup>, 2025 on the efficacy and performance of Kenya's 65 diplomatic missions. This report should provide:
  - a) A mission-by-mission assessment of operational efficiency and financial sustainability.
  - b) An analysis of each mission's strategic contribution to Kenya's foreign policy and economic interests.

## 2. Financial Recommendations

The Committee recommends that the ceilings for all the programmes for Vote 1041: MoD; Vote 1052: SDFA; Vote 1053: SDDA, Vote 1221: SDEAC; and Vote 1281: NIS be approved as tabled (see the table below)

DC-DIFR MDAs BPS 2025 Ceilings as Tabled (KES Million)

Vote, Programme Code & Title	Recurrent	Capital	Total
<b>1041: Ministry of Defence (MoD)</b>	<b>192,111.10</b>	<b>12,516.00</b>	<b>204,627.10</b>
Defence	180,231.90	12,316.00	192,547.90
Civil Aid	335.00	-	335.00
General Administration Planning and Support Services	2,641.90	-	2,641.90
National Space Management	-	-	-
Programme 4: Defence Industrialization	8,902.30	200.00	9,102.30
<b>1053: State Department for Foreign Affairs (SDFA)</b>	<b>20,811.60</b>	<b>2,346.40</b>	<b>23,158.00</b>
General Administration Planning and Support Services	2,814.10	238.10	3,052.20
Foreign Relation and Diplomacy	17,798.00	1,948.30	19,746.30
Economic and Commercial Diplomacy	49.50	-	49.50
Foreign Policy Research, Capacity Dev and Technical Cooperation	150.00	160.00	310.00
<b>1054: State Department for Diaspora Affairs (SDDA)</b>	<b>675.90</b>	<b>-</b>	<b>675.90</b>
Management of Diaspora Affairs	675.90	-	675.90
<b>1221: State Department for East African Community (SDEAC)</b>	<b>587.40</b>	<b>-</b>	<b>587.40</b>
East African Affairs and Regional Integration	587.40	-	587.40
<b>1281: National Intelligence Service (NIS)</b>	<b>52,396.00</b>	<b>-</b>	<b>52,396.00</b>
National Security Intelligence	52,396.00	-	52,396.00

*Source: The National Treasury*

### **3. Other Recommendations**

The Committee requests the following.

- (i) The ceiling for the MoD be enhanced by **KES.3,480.00 million** to cater for the following critical funding gaps:
  - a) **KES.1,000.00 million** for tooling and kitting of KSL to achieve Public Private Partnership Agreement
  - b) **KES.980.00 million** for contractual Obligation on refurbishment of M1-17, Augusta and MD 500.
  - c) **KES.1,500.00 million** for KMC factory modernization to meet international standards to access export market.
- (ii) The NIS ceiling be enhanced by **KES.5.00 billion** to cater for:
  - a) **KES.1.00 billion** - recruitment of additional personnel, and
  - b) **KES.4.00 billion** - expansion of surveillance systems.
- (iii) The State Department for East African Community (SDEAC) Affairs ceiling be enhanced by **KES.439.76 million** for the EAC Chairmanship component because Kenya is the current EAC Chair, and the position has a huge responsibility towards meeting regional integration objectives.

### **B. REPORT ON BUDGET IMPLEMENTATION OVERSIGHT FOR THE 2023/2024 FINANCIAL YEAR**

The draft report was considered and adopted having been proposed by Hon Yusuf Hassan, M P and seconded by Hon. Elijah Memusi, M.P. It was adopted with the following recommendations

#### **1. Ministry of Defence (MoD)**

- a) The MoD should submit to the Committee, within 30 days from the date of adoption of the report by the House, a detailed report on receipts and expenditures of the National Peace Support Fund since its inception
- b) The MoD should submit to the Committee, within 30 days from the date of adoption of the report by the House, a detailed report on the acquisitions using the KES.3 billion was provided for the Purchase of Mine-Resistance ambush-protected vehicles in Supplementary Estimates II for FY 2023/24.

#### **2. State Department for Foreign Affairs.**

- a) To properly manage the problem of high rental and leasing costs for Missions abroad, the State Department for Foreign Affairs should submit to the Committee, within 30 days from the date of adoption of the report by the House, a detailed asset acquisition plan (rent-to-own scheme) to ensure that in the long run it owns the properties.
- b) SDFA budgeting and performance reporting should be linked to the five foreign policy pillars i.e , Peace Diplomacy, Economic Diplomacy, Environmental Diplomacy, Cultural Diplomacy and Diaspora Diplomacy. This will enable an assessment the effectiveness in the use of resources allocated to SDFA.

#### **3. State Department for Diaspora Affairs**

The State Department should submit to the Committee, within 30 days from the date of adoption of the report by the House, the firmed-up Diaspora Policy 2024 for the Committee's review and recommendations

#### **4. State Department for East African Community**

The State Department for East African Community to submit a report to the Committee, within 30 days from the date of adoption of the report by the House, detailing how inadequate funding has inhibited it from fully discharging its mandate, and how its budgetary allocation compares with the equivalent Ministries/State Department of the other EAC Partner States, and how EAC has benefited Kenya vis-a-vis its contribution to EAC in the last 3 financial years.

**C. REPORT ON TREATY ESTABLISHING THE INTERGOVERNMENTAL DEVELOPMENT AUTHORITY (IGAD)**

The draft report was considered and adopted having been proposed by Hon Moses Kirima, M.P and seconded by Hon. Fredrick Ikana, M.P. It was adopted with the following observations and recommendation:

**Observations**

- a) The Treaty aligns with Kenya's constitutional values, including good governance, democracy, the rule of law, accountability, and respect for human rights. The fundamental and operational principles of the Treaty are consistent with the Constitution and existing statutory frameworks. Ratification of the Treaty does not necessitate any constitutional amendments or changes to current laws but may require adjustments to policy frameworks for effective implementation
- b) The Treaty seeks to enhance IGAD's capacity to address critical regional security threats such as terrorism, piracy, and cross-border crimes. The focus of IGAD on peace-building and conflict resolution, particularly in Somalia and South Sudan, directly supports Kenya's security objectives. Kenya stands to benefit from improved regional stability, reduced risks of refugee influxes, curbed illegal arms trafficking, and strengthened mechanisms for intelligence sharing and joint operations. IGAD's role in fostering dialogue and peaceful co-existence is critical to regional stability, which in turn reinforces Kenya's internal security.
- c) The Treaty's emphasis on regional economic integration directly benefits Kenya's trade and investment landscape. By reducing trade barriers, harmonising regulations, and facilitating cross-border infrastructure projects, IGAD seeks to enhance the ease of doing business in the region. Kenya's strategic location and robust agricultural sector position it to benefit significantly from initiatives aimed at improving market access, reducing logistical costs, and promoting large-scale infrastructure projects, such as transport and energy corridors. The facilitation of free movement of goods, services, labour, and capital is expected to stimulate economic growth and create employment opportunities in Kenya and the wider region.
- d) IGAD's expanded mandate includes promoting climate resilience, drought management, and sustainable resource use. This aligns with Kenya's national environmental priorities and offers a platform for addressing transboundary resource management challenges, such as shared water resources and ecosystems. The Treaty provides Kenya access to regional and international funding for environmental projects, particularly those targeting climate adaptation, desertification control, and agricultural sustainability

- e) Ratification of the Treaty positions Kenya as a prominent leader within IGAD, enabling it to influence regional policies on key issues such as security, economic integration, and environmental management. The Treaty will bolster Kenya's standing within AU and support its aspiration to play a leading role in shaping continental and global agendas. IGAD's alignment with the AU's goals will further enhance Kenya's diplomatic reach and strategic positioning in multilateral forums.
- f) The Treaty's peace-building initiatives are anticipated to reduce displacement caused by regional conflicts, thereby lessening the burden of refugees on Kenya's resources. IGAD's focus on health, education, and labour mobility provides opportunities for Kenyan citizens to access services, employment, and education within the region. The facilitation of people-to-people connections fosters social cohesion and supports the integration of communities across borders.
- g) Ratification of the Treaty does not impose significant additional financial burdens on Kenya, as the associated costs will be accommodated within existing budgetary provisions. IGAD's reliance on member contributions and external funding will ensure the sustainability of its operations. Kenya's participation in donor-supported IGAD programs will further reduce the financial burden on national resources.
- h) The Treaty seeks to strengthen IGAD's organisational structure by enhancing the roles and functions of its principal organs—the Assembly, Council, Committee of Ambassadors, and Secretariat. The Assembly is mandated to provide policy direction, oversee implementation, and establish additional organs as required. The Council's expanded functions include issuing regulations, appointing Deputy Executive Secretaries, and implementing decisions of the Assembly. The Committee of Ambassadors now advises on action plans and monitors programme implementation. The Secretariat is tasked with developing policies, coordinating programmes, and managing financial and human resources. These enhancements will ensure a robust institutional framework for achieving IGAD's objectives.
- i) The Treaty seeks to broaden IGAD's areas of cooperation to include trade liberalisation, transport and communications, tourism, energy, agriculture, gender equality, investment, and the free movement of goods, labour, and capital. The emphasis on human resource development and private-sector participation is expected to spur innovation and economic diversification in member states, including Kenya.
- j) The Treaty introduces a structured dispute resolution framework to address disagreements arising from its interpretation. Disputes are to be resolved amicably through negotiations facilitated by the Council of Ministers. An ad hoc Dispute Resolution Mechanism may also be established by the Assembly upon the Council's recommendation. This framework will ensure transparency and fairness in resolving conflicts, promoting harmony among member states.
- k) The Treaty reinforces IGAD's role as a foundational pillar of the AEC, contributing to the broader goals of the African Union for continental integration. Its alignment with continental initiatives like AfCFTA underscores its importance in advancing regional and continental economic development.

- l) The Treaty shall enter into force sixty days after the deposit of the instrument of ratification of two-thirds of the Member States of IGAD with the Executive Secretary. Currently, the Republic of Djibouti, the Federal Republic of Ethiopia and the Republic of South Sudan have ratified the treaty.
- m) The Committee ensured compliance with constitutional and statutory requirements for public participation, although no public memoranda were received. Stakeholders, including the Ministry of Foreign and Diaspora Affairs and the Office of the Attorney General, expressed unanimous support for the Treaty. Their submissions highlighted the strategic benefits of ratification for Kenya's national and regional interests.

#### **Recommendation**

The Committee recommended that Pursuant to Section 8 of the Treaty Making and Ratification Act, 2012, the House **approves** the Ratification of the Treaty Establishing Inter-Governmental Authority on Development (IGAD).

#### **D. REPORT ON PROPOSED TREATY-MAKING AND RATIFICATION (AMENDMENT) BILL, 2024 BY HON.PETER KALUMA, CBS, M.P.**

The draft report was considered and adopted having been proposed by Hon. Yusuf Hassan, M.P and seconded by Hon. Fredrick Ikana, M.P. It was adopted with the following observations and recommendation:

#### **Observations**

- a) The legislative proposal expands the scope of the memorandum accompanying the treaty transmitted from Cabinet to the National Assembly, to include the number and identity of States party to a treaty. However, this may be impractical, given the dynamic nature of international negotiations and the evolving commitments of States.
- b) The legislative proposal seeks to subject treaties to a similar legislative process as Bills. The first step in the legislative process of a Bill is First Reading. Historically, the first reading serves as an opportunity to introduce the Bill to the House and to the public for the first time. However, this is not the case for treaties since they are negotiated and concluded by the Executive.
- c) Amendments to Bills are usually proposed between the Second Reading and Committee of the Whole House, either through the relevant Committee or individual Members of Parliament. However, amendments to Treaties are proposed and negotiated between State parties as provided under the Vienna Convention on the Law of Treaties.
- d) The National Assembly Standing Orders already mandates the relevant Committee to facilitate public participation before its consideration of a Treaty.
- e) The current legislative framework enables the National Assembly to review a Treaty through the relevant Committee and, if necessary, propose reservations which shall be applicable under the Vienna Convention on the Laws of Treaties. This ensures that the National Assembly discharges its constitutional mandate of law-making.
- f) Parliament should be empowered to guide the Executive by providing recommendations that ensure treaties conform to Kenya's legal and policy framework. Where the ultimate treaty provisions do not align with national standards, Parliament may register reservations during ratification to safeguard Kenya's interests.

### **Recommendation**

The Committee recommended that the Proposed Treaty Making and Ratification (Amendment) Bill 2024 **should not** proceed for publication.

### **E. REPORT ON AN INSPECTION VISIT TO KENYAN EMBASSIES IN THE UNITED ARAB EMIRATES AND THE STATE OF QATAR CONDUCTED FROM 7TH TO 13TH NOVEMBER 2024.**

The draft report was considered and adopted having been proposed by Hon Yusuf Hassan, M P and seconded by Hon Moses Kirima, M.P It was adopted with the following recommendations

#### **General Recommendations**

- (1) The Ministry of Foreign and Diaspora Affairs should: -
  - (a) Collaborate with the National Treasury to -
    - (i) Establish a *Diaspora Welfare Fund* to provide financial and legal assistance to distressed Kenyans
    - (ii) Revise the Embassy budget framework to account for *annual rent increments* in Abu Dhabi and Doha, with adjustments included in the 2025/2026 budget cycle.
    - (iii) Implement *Foreign Exchange Stabilization Mechanism* to mitigate forex conversion losses impacting embassy operations.
    - (iv) Implement a performance-based funding and resource allocation framework for Kenya's diplomatic Missions, ensuring that support is directly proportional to the economic, diplomatic, and diaspora-related opportunities they generate for the country.
  - (b) Spearhead negotiation for the recognition of Kenyan nursing certifications in Qatar under the revised Bilateral Labour Agreement
  - (c) Procure new vehicles for the Kenyan Embassies in Abu Dhabi and Doha to replace the outdated fleet, and refurbish the office furniture and ICT infrastructure at both embassies to enhance service delivery.
  - (d) Establish a Joint Bilateral Agreements Monitoring Unit to track the implementation of signed MoUs, to ensure that labour, trade, and investment agreements are regularly reviewed and updated to reflect emerging economic opportunities.
  - (e) Appoint a Special Envoy for UAE and Qatar Relations to coordinate high-level engagements and fast-track pending negotiations, including the mutual recognition of professional qualifications and expansion of skilled labour migration
  - (f) Collaborate with the Ministry of Interior and National Administration to work with Embassies to expedite the delivery of government services to Kenyans in the diaspora
- (2) The Ministry of Labour and Social Protection should: -
  - (a) Collaborate with the Commission for University Education (CUE) and the Kenya National Qualifications Authority (KNQA), and engage the equivalent UAE and Qatari authorities to establish *Mutual Recognition Agreements (MRAs)* to enhance the employability of Kenyan professionals in healthcare, engineering, education and other sectors in UAE and Qatar.
  - (b) Establish an Implementation Committee to oversee labour migration, ensure compliance with employment contracts, and enforce worker protections.

- (c) Require the recruitment agencies to submit copies of signed contracts to Kenyan embassies before workers leave Kenya for jobs in the diaspora.
- (d) Deregister and blacklist fraudulent recruitment agencies and enforce a strict accreditation system where only licensed and vetted agencies can operate
- (3) The Ministry of Investments, Trade, and Industry should: -
  - (a) Develop an Export Certification Program to assist Kenyan businesses in meeting UAE and Qatari compliance requirements.
  - (b) Collaborate with the Kenyan embassies in UAE and Qatar to facilitate trade delegations and networking events aimed at improving Kenya's reputation among Qatari and UAE investors.
  - (c) Develop a *Kenya-UAE/Qatar Trade Expansion Strategy*, focusing on value addition in exports, certification support for Kenyan businesses, and streamlined access to UAE and Qatari markets.
  - (d) Establish an Investment Facilitation Desk at the Kenya Chamber of Commerce to coordinate UAE/Qatar investment interests
- (4) The Ministry of Agriculture and Livestock Development should: -
  - (a) Collaborate with the State Department for Trade, to establish a *Kenyan Agricultural Export Standards Compliance Program*, incorporating capacity-building for farmers on proper harvesting, packaging and export certification, to enhance adherence to UAE and other export market requirements
  - (b) Collaborate with the Kenya Bureau of Standards (KEBS) and Horticultural Crops Directorate (HCD) to quarterly audits on agricultural exports to ensure compliance with UAE and other foreign quality standards.
- (5) The Kenyan Missions in Abu Dhabi and Doha should set up designated safe houses to accommodate vulnerable Kenyan workers, especially those facing employer mistreatment or deportation.
- (6) The Kenya Investment Authority (KenInvest) should initiate a targeted FDI promotion campaign to attract new investments from the UAE and Qatar.
- (7) The Ministry of Tourism and Wildlife should initiate negotiations with UAE and Qatari investors to establish a joint tourism revenue-sharing framework, ensuring that Kenya benefits more from the tourism value chain and wildlife conservation partnerships

## **5.2 Specific Recommendations – Embassy to the United Arab Emirates**

- (8) The Ministry of Foreign and Diaspora Affairs and the Embassy of Kenya in Abu Dhabi, UAE should: -
  - (a) Engage UAE authorities to develop a structured mechanism for reviewing re-entry bans imposed on Kenyan nationals, and coordinate with UAE's Immigration Department and Ministry of Human Resources to facilitate individual case assessments
  - (b) Establish a dedicated psychosocial support unit within the Embassy in Abu Dhabi to provide mental health counseling, substance abuse awareness, and reintegration support for distressed Kenyans.
  - (c) Develop a digital registration and tracking system to maintain an updated database of Kenyans living and working in the UAE for improved consular service delivery.

## **5.3 Specific Recommendations – Embassy to the State of Qatar**

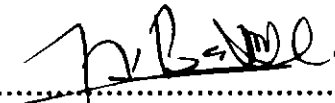
- (9) The Ministry of Foreign and Diaspora Affairs and the Embassy of Kenya in Doha, Qatar should: -

- (a) Formalize a Labour Dispute Resolution Desk in collaboration with the Qatari Ministry of Labour to handle complaints of unpaid wages, contract breaches, and mistreatment. The Embassy should also conduct quarterly labour rights awareness forums for Kenyan workers to educate them on their rights.
- (b) Expedite engagements with Qatari authorities to operationalize the Qatar Visa Centre in Nairobi to ensure pre-departure verification of work permits.
- (c) Align the rental expenditure for the Embassy of Kenya in Doha, Qatar with the approved budget ceiling by implementing cost-containment measures, opting more favourable lease terms, and seeking budgetary adjustments through the National Treasury in accordance with the Public Finance Management Act, Cap. 412A, and the Public Finance Management (National Government) Regulations, Legal Notice 34 of 2015.
- (d) The Kenya Civil Aviation Authority (KCAA) should approve an additional flight route for Qatar Airways to Mombasa to enhance tourism, trade, and connectivity at the Kenyan coast in line with *Sessional Paper No 6 of 2024 on the National Aviation Policy*.

**MIN.NO. DDC/DIFR/056/2025:**

**ADJOURNMENT AND DATE OF NEXT MEETING.**

There being no other business, the meeting was adjourned at 11.46 a.m. The next meeting will be held on notice.

SIGNED:  DATE: 14/3/2024

for THE HON. NELSON KOECH, C.B.S, M.P.  
**CHAIRPERSON, DEPARTMENTAL COMMITTEE ON DEFENCE, INTELLIGENCE  
 AND FOREIGN RELATIONS.**