

REPUBLIC OF KENYA



Enhancing Accountability

REPORT

NATIONAL ASSEMBLY
PAPERS LAID

DATE: 21 FEB 2024

DAY

MON

OF
BY:

Hon Owen Baya, MP
Deputy Majority Leader

CLERK AT
THE TABLE:

Miriam Mudo

THE AUDITOR-GENERAL

ON

**KENYA WATER TOWERS PROJECT
(GRANT NO. FED/2016/375-958)**

**FOR THE YEAR ENDED
30 JUNE, 2023**

KENYA FOREST SERVICE



Republic of Kenya



European Union



Project Name: KENYA WATER TOWERS PROJECT

Implementing Entity: KENYA FOREST SERVICE

In Partnership With

1. Kenya Wildlife Service
2. Kenya Water Towers Agency
3. Climate Change Directorate

PROJECT GRANT: FED/2016/375-958

ANNUAL REPORT AND FINANCIAL STATEMENTS

FOR THE FINANCIAL YEAR ENDED

JUNE 30, 2023

Prepared in accordance with the Cash Basis of Accounting Method under the International Public Sector Accounting Standards (IPSAS)



Kenya Water Towers Project

Annual Report and Financial Statements for the financial year ended June 30, 2023

Table Contents

1. Project Information and Overall Performance	iii
2. Statement of Performance against Project's Predetermined Objectives.....	xii
3. Environmental and Sustainability reporting	xiii
4. Statement of Project Management responsibilities.....	xiv
5. Report of the Independent Auditor on The Kenya Water Towers Project Report On The Financial Statements	xvi
6. Statement of Receipts and Payments for the year ended 30th June 2023.....	1
7. Statement of Financial Assets as at 30 th June 2023	2
Statement of Cashflow for the year ended 30 th June 2023	3
8. Statement of Comparison of Budget and Actual amounts for the year ended 30 th June 2023.....	4
9. Significant Accounting Policies.....	5
10. Notes to the Financial Statements.....	12
11. Other Important Disclosures	25
12. Prior Year Auditor-General's Recommendations.....	26
13. Annexes.....	32

1. Project Information and Overall Performance

1.1 Name and registered office

Name

The project's official name is Kenya Water Towers Project **Objective**

The key objective of the project is to support Kenya eradicate poverty through enhancing the productivity of ecosystem services of Kenya's critical ecosystems and enhance resilience to climate change of her water towers,

Address

The project headquarters offices are in Kenya Forest Service Headquarters, Karura, Off Kiambu Road, Nairobi County, Kenya.

The address of its registered office is:

Kenya Water Towers Project
Kenya Forest Service
Karura, Off Kiambu Road
P.O. Box 30513-00100 Nairobi

Contacts: The following are the project contacts

Telephone: (254) 0202020285
E-mail: watertowers@kenyaforests-service.org
Website: www.kenyaforests-service.org

Project information and overall performance (continued)

1.2 Project Information

Project Start Date:	The program start date is 01/08/2016
Project End Date:	The program end date is 31/07/2020
Project Manager:	The Project Manager is Mr. David Chege
Project Sponsor:	The program sponsors are the European Union, which will contribute 100%, Government of Kenya (GOK) which will supplement the activities not covered by the sponsor.

1.3 Project Overview

Line Ministry/State Department of the project	The project is under the supervision of the Ministry of Environment and Forestry.
Project number	FED/2016/375-958
Strategic goals of the project	The strategic goals of the project are as follows: Improving the quality and quantity of ecosystems services of Kenya's critical water towers through increased forest cover , improved landscape and natural resource management and waste management system leading to increased benefits to rural communities
Achievement of strategic goals	<p>The project management aims to achieve the goals through the following means:</p> <ul style="list-style-type: none"> (i) Enhanced Landscape management through harmonized development planning processes (ii) Ecosystem rehabilitation and restoration (iii) Opportunities in landscape management developed (iv) Park infrastructure development (v) Improved ecosystem resilience (vi) Green Growth Practices applied in the landscape management <p>As at the reporting date, a number of achievements had been achieved all at various degree of completion as indicated below;</p> <ul style="list-style-type: none"> i) Enhanced Landscape management through harmonized development planning processes- Development of a harmonised framework for formulating Integrated management plans at 100% complete, Environment Monitoring system at 100% complete, Project web based M& E system at 100% complete ii) Ecosystem rehabilitation and restoration- 260Ha had been planted but are not under protection or maintenance under project funds due to the suspension of the project by the donor, 4 forest blocks are in the process of acquiring title deeds and the process is at 60% complete iii) Opportunities in landscape management developed- Support to forest park development awareness creation undertaken to cover 11

Kenya Water Towers Project

Annual Report and Financial Statements for the financial year ended June 30, 2023

	<p>counties, 3 sites covered under participatory sites survey for forest park and infrastructure development, Support development of Arboretum and green spaces (County) 2 forums out of 11 held, Training facilitators /extension staff conducted for 20 staff who started and were running 14 farmer field schools</p> <p>iv) Park infrastructure development; - Consultancy to carry out feasibility studies, and develop concepts for forest parks complete and thus at 100%</p> <p>v) Improved ecosystem resilience; - Capacity building sessions on the identified knowledge gaps on climate change (Counties) conducted covering a total of 100 people from 11 different counties, and Capacity building sessions on the identified knowledge gaps on climate change (Communities) were conducted covering a total 100 people from 4 counties</p> <p>Green Growth Practices applied in the landscape management;- establishment of 20 energy demo plots in 8 counties done, and consultancy to develop road map to anchor environmental consciousness in schools Completed and at 100%</p>
<p>Other important background information of the project</p>	<p>Programme Steering Committee (SC) is composed of; PS MENR; EU; Treasury; CoG; CEOs – KFS, KWS, KWTA, CCD, KEFRI</p> <p>Programme Technical Committee (TC) is composed of Coordinator(MENR), EU, KEFRI, KFS, KWS, KWTA, CCD</p> <p>Project Technical Implementation Committee (TIC) is composed of Partners: KFS, KWS, KWTA, CCD</p> <p>Project Coordination is done by the Project Manager and his support team.</p> <p>Project covers Mt Elgon and Cheregany hills ecosystem and 11 counties which include West Pokot Trans-Nzoia, Elgeyo- Marakwet, Nandi Bungoma Kakamega Busia Vihiga Siaya Kisumu</p>
<p>Current situation that the project was formed to intervene</p>	<p>The project was formed to intervene in the following areas:</p> <ul style="list-style-type: none"> (i) Enhance resilience to climate change (ii) Increase forest cover (iii) Improved landscape and natural resources management and waste water management systems
<p>Project duration</p>	<p>The program started on 1st August 2016 and was expected to run until 31st July 2020.</p> <p>However, the donor suspended the project after an incidence that happened in Cheregany in January 2018 which was purported to be related to human rights violation though it was not related to project activities. The donor has since terminated the project and closed the project.</p>

Project Information and Overall Performance (Continued)

1.4 Bankers

The following are the bankers for the current year:

Local Project Accounts

- (i) Kenya Commercial Bank – KWTP Euro Account No. 1181839513 Moi Avenue,
P.O. Box 30081 – 00100, Nairobi, Kenya
- (ii) Kenya Commercial Bank – KWTP Kes Account No. 1181839106 Moi Avenue,
P.O. Box 30081 – 00100, Nairobi, Kenya
- (iii) Co – operative Bank of Kenya – KWTP Kes Account No. 01141532868702 Stima Plaza Branch,
P.O. Box 38764, Nairobi, Kenya

1.5 Auditors

The project is audited by the

Auditor General
Office of the Auditor General
Anniversary Towers, University Way
P.O. Box 30084
Nairobi

1.6 Roles and Responsibilities

The project management Unit (PMU) is based in Nairobi and is responsible for the project management and coordination functions. The PMU comprises of the Project Coordinator and a team of Technical Officers. The PMU is also supported by other administrative staff.

These key staffs, who form the project coordinating team that is involved in the day to day management of the project and its implementation are:

Names	Title designation	Key qualification	Responsibilities
David Chege 0722678033 dchege@kenyaforest.org	Program Coordinator	B.Sc Forestry (Hons) , MSc Diplomacy and International studies	Coordination of the day to day activities of the Program.
Eric Nahama (Retired) 0722354290 enahama@gmail.com	Assistant Program Coordinator	B.Sc Forestry (Hons)	Coordination of the day to day activities of the Program.
CPA Anthony Kiumbuku 0723449481 Kiumkam@gmail.com	Project Accountant	CPA(K), BCOM (Accounts), MBA(Strategic Management) ICPAK Member	Management of the Finance function of the program
Alex Kathuku 0724530363 lexthuku2012@gmail.com	Program Officer	B.Sc Forestry (Hons)	Coordination of the day to day activities of the Program.
Victor Kobia 0735482885 Vikobia@yahoo.com	Principal Procurement Officer	MBA (Procurement & Logistics) Member of Kenya Institute of Supplies Management (KISM).	Responsible for the management of the procurement process of goods and services and safety of assets

1.7 Funding summary

The Project is for duration of four (4) years from 2016 to 2021 with an approved donor budget of Euros 4 Million equivalent to Kes 400 Million as highlighted in the table below:

Project information and overall performance (continued)

Below is the funding summary:

A. Source of Funds

Source of funds	Donor Commitment-		Amount received to date – (30 June 2023)		Undrawn balance to date	
	Donor currency (A)	Kshs (A')	Donor currency Kshs (B)	Kshs (B')	Donor currency Kshs (A)-(B)	Kshs (A)-(B)
(i) Grant						
EU	4,000,000	440,000,000	1,531,189	174,031,114	2,468,811	265,968,886
(ii) Counterpart funds						
Government of Kenya	900,000	99,000,000	354,718	40,366,879	545,282	58,633,121
Total	4,900,000	539,000,000	1,885,907	214,397,993	3,014,093	324,602,007

Kenya Water Towers Project

Annual Report and Financial Statements for the financial year ended June 30, 2023

Project information and overall performance (continued)

B. Application of Funds

Application of funds	Amount received to date – (30 th June 2023)		Cumulative amount paid to date – (30 th June 2023)	Unutilised balance to date (30 th June 2023)	
	Donor currency (Euros)	Kshs		Donor currency (Euros)	Kshs
	(A)	(A')	(B')	(A)-(B)	(A')-(B')
(i) Grant					
European Union	1,531,189	174,031,114	107,754,444.95	583,924	66,450,575
(i) Counterpart funds					
Government of Kenya	354,718	40,366,879	39,113,349	11,015	1,253,530
Total	1,885,907	214,397,993	146,693,888	594,939	67,704,105

Project information and overall performance (continued)

1.8 Summary of Overall Project Performance:

The project was suspended by the donor in January 2018 and later on terminated in October 2020. The Project was closed in April 2023.

- i) As at the reporting date, a number of achievements had been achieved all at various degree of completion as indicated below:
 - a) Enhanced Landscape management through harmonized development planning processes- Development of a harmonised framework for formulating Integrated management plans at 100% complete, Environment Monitoring system at 100% complete, Project web based M& E system at 100% complete
 - b) Ecosystem rehabilitation and restoration- 260Ha had been planted but are not under protection or maintenance under project funds due to the suspension of the project by the donor, 4 forest blocks are in the process of acquiring title deeds and the process is at 60% complete
 - c) Opportunities in landscape management developed- Support to forest park development awareness creation undertaken to cover 11 counties, 3 sites covered under participatory sites survey for forest park and infrastructure development, Support development of Arboretum and green spaces (County) 2 forums out of 11 held, Training facilitators /extension staff conducted for 20 staff who started and were running 14 farmer field schools
 - d) Park infrastructure development; - Consultancy to carry out feasibility studies, and develop concepts for forest parks complete and thus at 100%
 - e) Improved ecosystem resilience; - Capacity building sessions on the identified knowledge gaps on climate change (Counties) conducted covering a total of 100 people from 11 different counties, and Capacity building sessions on the identified knowledge gaps on climate change (Communities) were conducted covering a total 100 people from 4 counties
 - f) Green Growth Practices applied in the landscape management;- establishment of 20 energy demo plots in 8 counties done, and consultancy to develop road map to anchor environmental consciousness in schools Completed and at 100%
- ii) *There was value-for-money on all the project activities implemented,*
- iii) *This translated to 68% absorption level of the overall funds received since the inception of the project.*
- iv) The table below summarizes the challenges encountered and recommends way forward:

Kenya Water Towers Project

Annual Report and Financial Statements for the financial year ended June 30, 2023

	Challenges	Recommendation/Way Forward
1	Suspension of the project by the donor	Liaising with the donor to lift the Suspension
2	Negative publicity by CBOs representing indigenous people resulting to the suspension of the project	Ministry to deal with the issues as they are beyond project scope

1.9 Summary of Project Compliance:

The Project has ensured that all its activities carried out are within the laws of the Republic of Kenya and that all regulations and procedures have been followed. In cases of inconsistency between the GOK Regulations and those of the donors, the latter have been applied.

2. Statement of Performance against Project's Predetermined Objectives

Introduction

Section 81 (2) (f) of the Public Finance Management Act, 2012 requires that, at the end of each financial year, the Accounting Officer when preparing financial statements of each National Government entity in accordance with the standards and formats prescribed by the Public Sector Accounting Standards Board includes a statement of the national government entity's performance against predetermined objectives.

The key development objectives of the project's agreement/ plan are to: Reduce poverty through enhanced landscape productivity and resilience to climate change effect.

Progress on attainment of strategic development objectives

For purposes of implementing and cascading the above development objectives to specific sectors, all the development objectives were made specific, measurable, achievable, realistic and time-bound (SMART) and converted into development outcomes. Attendant indicators were identified for reasons of tracking progress and performance measurement:

Below we provide the progress on attaining the stated objectives:

Project	Objective	Outcome	Indicator	Performance
Kenya Water Towers Project	To support Kenya eradicate poverty through enhancing the productivity of ecosystem services of Kenya's critical ecosystems and enhance resilience to climate change	Strengthened capacity of the implementing institutions for effective service delivery	No of counties using the developed harmonised planning framework Number of institutional frameworks integrated into the harmonised planning framework	The project remained suspended during the financial year 2020/2021 and therefore there was no achievement
		Sustained provision of ecosystem goods and services in the landscape	Area protected for rehabilitation and restoration No. of hectares of bamboo on-farm and in the forest. Established Hectares of forest secured	
		Improved landscape productivity and household incomes	Improvement in Quality of housing % increase in Literacy levels Access to health care	
		Increased private sector participation in natural resource management	No of investment opportunities sourced No of investment opportunities availed	
		Opportunities for human-nature interaction enhanced	No of arboreta and green spaces strategies developed No of forest park plans developed No of parks supported	

3. Environmental and Sustainability reporting

The project remained suspended in the year under review and therefore did not undertake any corporate social responsibility.

4. Statement of Project Management responsibilities

The Chief Conservator of Forests of Kenya Forest Service and the Project Coordinator of Kenya Water Towers Project are responsible for the preparation and presentation of the Project's financial statements, which give a true and fair view of the state of affairs of the Project for and as at the end of the financial year (period) ended on June 30, 2023.

This responsibility includes;

- (i) Maintaining adequate financial management arrangement and ensuring that these continue to be effective throughout the reporting period,
- (ii) Maintaining proper accounting records, which disclose with reasonable accuracy at any time the financial position of the project,
- (iii) Designing, implementing and maintaining internal controls relevant to the preparation and fair presentation of the financial statement, and ensuring that they are free from material misstatements, whether due to error or fraud,
- (iv) Safeguarding the assets of the project,
- (v) Selecting and applying appropriate accounting policies and
- (vi) Making accounting estimates that are reasonable in the circumstances.

The Chief Conservator of Forests of Kenya Forest Service and the Project Coordinator of Kenya Water Towers Project accept responsibility for the Project's financial statements, which have been prepared on the Cash Basis Method of Financial Reporting, using appropriate accounting policies in accordance with International Public Sector Accounting Standards.

The Chief Conservator of Forests of Kenya Forest Service and the Project Coordinator of Kenya Water Towers Project are of the opinion that the Project's financial statements give a true and fair view of the state of Project's transactions during the financial year/period ended June 30, 2023, and of the Project's financial position as at that date. The Chief Conservator of Forests of Kenya Forest Service and the Project Coordinator of Kenya Water Towers Project further confirm the completeness of the accounting records maintained for the Project, which have been relied upon in the preparation of the Project financial statements as well as the adequacy of the systems of internal financial control.

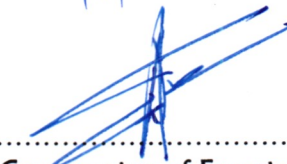
Kenya Water Towers Project

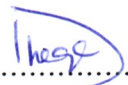
Annual Report and Financial Statements for the financial year ended June 30, 2023

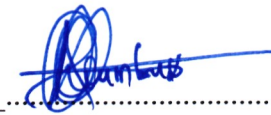
The Chief Conservator of Forests of Kenya Forest Service and the Project Coordinator of Kenya Water Towers Project confirm that the Project has complied fully with applicable Government Regulations and the terms of external financing covenants, and that Project funds received during the financial year/period under audit were used for the eligible purposes for which they were intended and were properly accounted for.

Approval of the Project Financial Statements

The Project financial statements were approved by the Chief Conservator of Forests of Kenya Forest Service and the Project Coordinator of Kenya Water Towers Project on 29/9/23 2023 and signed by them.


.....
Chief Conservator of Forests
Name : Alexander Lemarkoko 'ndc' (K)

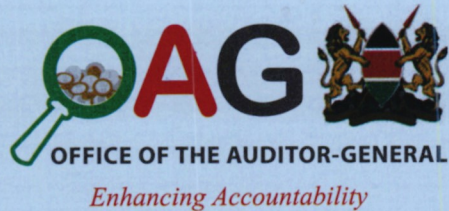

.....
Project Coordinator
Name: David Chege


.....
Project Accountant:
Name: Anthony Kiumbuku
ICPAK Member Number:9107

5. **Report of the Independent Auditor on The Kenya Water Towers Project Report On The Financial Statements**

REPUBLIC OF KENYA

Telephone: +254-(20) 3214000
E-mail: info@oagkenya.go.ke
Website: www.oagkenya.go.ke



HEADQUARTERS
Anniversary Towers
Monrovia Street
P.O. Box 30084-00100
NAIROBI

REPORT OF THE AUDITOR-GENERAL ON KENYA WATER TOWERS PROJECT (GRANT NO. FED/2016/375-958) FOR THE YEAR ENDED 30 JUNE, 2023 - KENYA FOREST SERVICE

PREAMBLE

I draw your attention to the contents of my report which is in three parts:

- A. Report on the Financial Statements that considers whether the financial statements are fairly presented in accordance with the applicable financial reporting framework, accounting standards and the relevant laws and regulations that have a direct effect on the financial statements.
- B. Report on Lawfulness and Effectiveness in Use of Public Resources which considers compliance with applicable laws, regulations, policies, gazette notices, circulars, guidelines and manuals and whether public resources are applied in a prudent, efficient, economic, transparent and accountable manner to ensure the Government achieves value for money and that such funds are applied for the intended purpose.
- C. Report on the Effectiveness of Internal Controls, Risk Management and Governance which considers how the entity has instituted checks and balances to guide internal operations. This responds to the effectiveness of the governance structure, risk management environment and internal controls, developed and implemented by those charged with governance for orderly, efficient and effective operations of the entity.

An unmodified opinion does not necessarily mean that an entity has complied with all relevant laws and regulations, and that its internal controls, risk management and governance systems are properly designed and were working effectively in the financial year under review.

The three parts of the report are aimed at addressing the statutory roles and responsibilities of the Auditor-General as provided by Article 229 of the Constitution, the Public Finance Management Act, 2012 and the Public Audit Act, 2015. The three parts of the report when read together constitute the report of the Auditor-General.

REPORT ON THE FINANCIAL STATEMENTS

Qualified Opinion

I have audited the accompanying financial statements of Kenya Water Towers Project - Kenya Forest Service (KFS) set out on pages 1 to 31, which comprise of the statement

of financial assets as at 30 June, 2023 the statement of receipts and payments, statement of cash flows and statement of comparison of budget and actual amounts for the year then ended and a summary of significant accounting policies and other explanatory information in accordance with the provisions of Article 229 of the Constitution of Kenya and Section 35 of the Public Audit Act, 2015. I have obtained all the information and explanations which to the best of my knowledge and belief, were necessary for the purpose of the audit.

In my opinion, except for the effect of the matters described in the Basis for Qualified Opinion section of my report, the financial statements present fairly, in all material respects, the financial position of Kenya Water Towers Project as at 30 June, 2023 and of its financial performance and its cash flows for the year then ended, in accordance with International Public Sector Accounting Standards (Cash Basis) and comply with Grant No. FED/2016/375-958 dated 28 July, 2016 and the Public Finance Management Act, 2012.

Basis for Qualified Opinion

1. Unconfirmed Remittance of Unutilized Funds

The statement of financial assets reflects remittance of unutilized funds balance of Kshs.5,811,050, as disclosed in Note 10.10 to the financial statements. However, there was no documentary evidence to support the remittance of the funds to the financier, the European Union.

In the circumstances, the accuracy and completeness of the remittance of unutilized funds balance of Kshs.5,811,050 could not be confirmed.

2. Inaccuracies in the Statement of Cash Flows

Review of the statement of cash flows reflects Nil cash flows from operating activities which differs with the statement of receipts and payments amount of Kshs.2,500,000 and Kshs.1,351,617 in respect of receipts and payments respectively. Further, prior year net cash flow from operating activities reflects an amount of Kshs.1,153,199 which differs with the statement of receipts and payments surplus amount of Kshs.67,704,105 resulting to an unexplained variance of Kshs.66,550,906.

In the circumstances, the accuracy and completeness of the statement of cash flows could not be confirmed.

The audit was conducted in accordance with the International Standards for Supreme Audit Institutions (ISSAIs). I am independent of the Kenya Water Towers Project Management in accordance with ISSAI 130 on the Code of Ethics. I have fulfilled other ethical responsibilities in accordance with the ISSAI and in accordance with other ethical requirements applicable to performing audit of financial statements in Kenya. I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my qualified opinion.

REPORT ON LAWFULNESS AND EFFECTIVENESS IN USE OF PUBLIC RESOURCES

Conclusion

As required by Article 229(6) of the Constitution and based on the audit procedures performed, I confirm that nothing has come to my attention to cause me to believe that public resources have not been applied lawfully and in an effective way.

Basis for Conclusion

The audit was conducted in accordance with the International Standards for Supreme Audit Institutions (ISSAI) 4000. The Standard requires that I comply with ethical requirements and plan and perform the audit to obtain assurance about whether the activities, financial transactions and information reflected in the financial statements comply, in all material respects, with the authorities that govern them. I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my conclusion.

REPORT ON THE EFFECTIVENESS OF INTERNAL CONTROLS, RISK MANAGEMENT AND GOVERNANCE

Conclusion

As required by Section 7(1)(a) of the Public Audit Act, 2015 and based on the audit procedures performed, I confirm that, nothing has come to my attention to cause me to believe that internal controls, risk management and governance were not effective.

Basis for Conclusion

The audit was conducted in accordance with the International Standards for Supreme Audit Institutions (ISSAIs) 2315 and 2330. The Standards require that I plan and perform the audit to obtain assurance about whether effective processes and systems of internal controls, risk management and overall governance were operating effectively, in all material respects. I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my conclusion.

Responsibilities of the Management and those Charged with Governance

Management is responsible for the preparation and fair presentation of these financial statements in accordance with International Public Sector Accounting Standards (Cash Basis) and for maintaining effective internal control as Management determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error and for its assessment of the effectiveness of internal controls, risk management and overall governance.

In preparing the financial statements, Management is responsible for assessing the Project's ability to sustain its services, disclosing, as applicable, matters related to

sustainability of services and using the applicable basis of accounting unless Management is aware of the intention to terminate the Project or to cease operations.

Management is also responsible for the submission of the financial statements to the Auditor-General in accordance with the provisions of Section 47 of the Public Audit Act, 2015.

In addition to the responsibility for the preparation and presentation of the financial statements described above, Management is also responsible for ensuring that the activities, financial transactions and information reflected in the financial statements are in compliance with the authorities which govern them, and that public resources are applied in an effective way.

Those charged with governance are responsible for overseeing the Project's financial reporting process, reviewing the effectiveness of how Management monitors compliance with relevant legislative and regulatory requirements, ensuring that effective processes and systems are in place to address key roles and responsibilities in relation to overall governance and risk management, and ensuring the adequacy and effectiveness of the control environment.

Auditor-General's Responsibilities for the Audit

The audit objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement whether due to fraud or error, and to issue an auditor's report that includes my opinion in accordance with the provisions of Section 48 of the Public Audit Act, 2015 and submit the audit report in compliance with Article 229(7) of the Constitution of Kenya. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with ISSAIs will always detect a material misstatement and weakness when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements.

In addition to the audit of the financial statements, a compliance audit is planned and performed to express a conclusion about whether, in all material respects, the activities, financial transactions and information reflected in the financial statements are in compliance with the authorities that govern them and that public resources are applied in an effective way, in accordance with the provisions of Article 229(6) of the Constitution and submit the audit report in compliance with Article 229(7) of the Constitution.

Further, in planning and performing the audit of the financial statements and audit of compliance, I consider internal control in order to give an assurance on the effectiveness of internal controls, risk management and overall governance processes and systems in accordance with the provisions of Section 7(1)(a) of the Public Audit Act, 2015 and submit the audit report in compliance with Article 229(7) of the Constitution. My consideration of the internal controls would not necessarily disclose all matters in the internal control that might be material weaknesses under the ISSAIs. A material weakness is a condition in

which the design or operation of one or more of the internal control components does not reduce to a relatively low level the risk that misstatements caused by error or fraud in amounts that would be material in relation to the financial statements being audited may occur and not be detected within a timely period by employees in the normal course of performing their assigned functions.


Because of its inherent limitations, internal controls may not prevent or detect misstatements and instances of non-compliance. Also, projections of any evaluation of effectiveness to future periods are subject to the risk that controls may become inadequate because of changes in conditions, or that the degree of compliance with the policies and procedures may deteriorate.

As part of an audit conducted in accordance with ISSAIs, I exercise professional judgement and maintain professional skepticism throughout the audit. I also:

- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for my opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal controls.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by the Management.
- Conclude on the appropriateness of the Management's use of the applicable basis of accounting and based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Project's ability to sustain its services. If I conclude that a material uncertainty exists, I am required to draw attention in the auditor's report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify my opinion. My conclusions are based on the audit evidence obtained up to the date of my audit report. However, future events or conditions may cause the Project to cease to sustain its services.
- Evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.
- Obtain sufficient appropriate audit evidence regarding the financial information and business activities of the Project to express an opinion on the financial statements.
- Perform such other procedures as I consider necessary in the circumstances.

I communicate with the Management regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal controls that are identified during the audit.

I also provide Management with a statement that I have complied with relevant ethical requirements regarding independence and to communicate with them all relationships and other matters that may reasonably be thought to bear on my independence and where applicable, related safeguards.


FCPA Nancy Gathungu, CBS
AUDITOR-GENERAL

Nairobi

19 December, 2023

6. Statement of Receipts and Payments for the year ended 30th June 2023.

	Note	Receipts and payments controlled by the entity	Receipts and payments controlled by the entity	Cumulative to-date (From inception)
		2022-2023	2021-2022	
Receipts		Kshs.	Kshs.	Kshs.
Transfer from Government entities	10.1	0	2,500,000	40,366,879
Proceeds from domestic and foreign grants	10.2	0	0	174,031,114
Total receipts		0	2,500,000	214,397,993
Payments				
Compensation to employees	10.3	0	0	8,190,364
Purchase of goods and services	10.4	0	1,351,617	103,084,244
Acquisition of non-financial assets	10.5	0	0	33,875,780
Transfers to other government entities	10.6	0	0	1,543,500
Other grants and transfers /payments	10.7	0	0	0
Total payments		0	1,351,617	146,693,888
Surplus/ (deficit)		0	1,148,384	67,704,105

The accounting policies and explanatory notes to these financial statements are an integral part of the financial statements.

.....
 Chief Conservator of Forests
 Name : Alexander Lemarkoko 'ndc' (K)

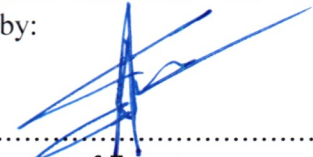
.....
 Project Coordinator
 Name: David Chege

.....
 Project Accountant:
 Name: Anthony Kiumbuku
 ICPAK Member Number:9107


7. Statement of Financial Assets as at 30th June 2023

Description	Note	2022-2023	2021-2022
		Kshs	Kshs
Financial Assets			
Cash and Cash equivalents			
Bank Balances	10.8	927	5,807,596
Total Cash and Cash equivalents		927	5,807,596
Imprests and Advances	10.9	0	4,381
Total Financial Assets		927	5,811,977
Represented By			
Fund Balance B/fwd.	10.10	5,811,977	66,555,721
Remittance of Un Utilized Funds		(5,811,050)*	(61,892,128)*
Surplus/(Deficit) for the Year		0	1,148,384
Net Financial Position		927	5,811,977

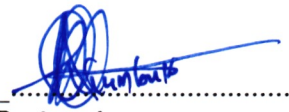
The accounting policies and explanatory notes to these financial statements form an integral part of the financial statements. The financial statements were approved on 29/9/2023 2023 and signed by:



 Chief Conservator of Forests
 Name: Alexander Lemarkoko 'ndc' (K)



 Project Coordinator
 Name: David Chege



 Project Accountant:
 Name: Anthony Kiumbuku
 ICPAK Member Number:9107

**The Project returned Euros 36,674 during the year being a debit note issued by the donor.*

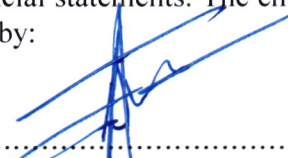
Kenya Water Towers Project

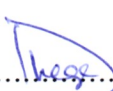
Annual Report and Financial Statements for the financial year ended June 30, 2023

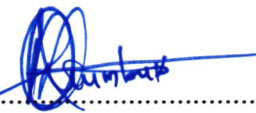
Statement of Cashflow for the year ended 30th June 2023

Description	Notes	2022-2023	2021-2022
		Kshs	Kshs
Cashflow from operating activities			
Receipts			
Transfer from government entities	10.1	0	2,500,000
Payments			
Compensation of employees	10.3	0	0
Purchase of goods and services	10.4	0	(1,351,617)
Adjustments during the year			
Decrease/(increase) in accounts receivable	10.12	4,381	4,816
Net cash flow from operating activities		4,381	1,153,199
Cashflow from investing activities			
Acquisition of non-financial assets	10.5	0	0
Net cash flows from investing activities		0	0
Cash flow from financing activities			
Refund of UnUtilized Funds		(5,811,050)	(61,892,128)
Net cash flow from financing activities		(5,811,050)	(61,892,128)
Net increase in cash and cash equivalents		(5,806,669)	(60,738,929)
Cash and cash equivalent at beginning of the year	10.10	5,807,596	66,546,525
Cash and cash equivalent at end of the year	10.10	927	5,807,596

The accounting policies and explanatory notes to these financial statements form an integral part of the financial statements. The entity financial statements were approved on 29/9/2023 and signed by:

.....

 Chief Conservator of Forests
 Name : Alexander Lemarkoko 'ndc' (K)

.....

 Project Coordinator
 Name: David Chege

.....

 Project Accountant:
 Name: Anthony Kiumbuku
 ICPAK Member Number:9107

*Kenya Water Towers Project
Annual Report and Financial Statements for the financial year ended June 30, 2023*


8. Statement of Comparison of Budget and Actual amounts for the year ended 30th June 2023

Receipts/Payments Item	Original Budget a	Adjustments b	Final Budget c=a+b	Actual on Comparable Basis d	Budget Utilization Difference e=c-d	% of Utilization f=d/c %
Receipts						
Transfer from Government entities						
Proceeds from domestic and foreign grants						
Proceeds from borrowings						
Miscellaneous receipts						
Total Receipts	0	0	0	0	0	0
Payments						
Compensation to employees						
Purchase of goods and services						
Social security benefits						
Acquisition of non-financial assets						
Transfers to other government entities						
Other grants and transfers						
Total Payments	0	0	0	0	0	0
Surplus or Deficit	0					

Note: The significant budget utilisation/performance differences in the last column are explained in Annex 1 to these financial statements.

.....
Chief Conservator of Forests
Name: Alexander Lemarkoko 'ndc' (K)

.....
Project Coordinator
Name: David Chege

.....

Project Accountant:
Name: Anthony Kiumbuku
ICPAK Member Number:9107

9. Significant Accounting Policies

The principal accounting policies adopted in the preparation of these financial statements are set out below:

9.1 Statement of compliance and basis of preparation

The financial statements have been prepared in accordance with Cash-basis IPSAS financial reporting under the cash basis of accounting, as prescribed by the PSASB and set out in the accounting policy note below. This cash basis of accounting has been supplemented with accounting for;

- a) Receivables that include imprests and salary advances and
- b) Payables that include deposits and retentions. The financial statements comply with and conform to the form of presentation prescribed by the PSASB.

The accounting policies adopted have been consistently applied to all the years presented.

9.2 Reporting entity

The financial statements are for Kenya Water Towers Project under Kenya Forest Service. The financial statements are for the reporting entity Kenya Water Towers Project as required by Section 81 of the PFM Act, 2012 .

9.3 Reporting currency

The financial statements are presented in Kenya Shillings (Kshs), which is the functional and reporting currency of the Project and all values are rounded to the nearest Kenya Shilling.

9.4 Recognition of receipts

Kenya Water Towers Project recognises all receipts from the various sources when the event occurs, and the related cash has actually been received.

i) Transfers from the Exchequer

Transfer from Exchequer is recognized in the books of accounts when cash is received. Cash is considered as received when payment instruction is issued to the bank and notified to the receiving entity.

ii) External Assistance

External assistance is monies received through grants and loans from multilateral and bilateral development partners.

Significant Accounting Policies (Continued)

iii) Other receipts

These include Appropriation-in-Aid and relates to receipts such as proceeds from disposal of assets and sale of tender documents. These are recognized in the financial statements at the time associated cash is received.

iv) Donations and grants

Grants and donations shall be recognized in the books of accounts when cash is received. Cash is considered as received when a payment advice is received by the recipient entity or by the beneficiary. In case of grant/donation in kind, such grants are recorded upon receipt of the grant item and upon determination of the value. The date of the transaction is the value date indicated on the payment advice.

v) Proceeds from borrowing

Borrowing includes external loans acquired by the Project or any other debt the Project may take and will be treated on cash basis and recognized as a receipt during the year they were received.

vi) Undrawn external assistance

These are loans and grants at reporting date as specified in a binding agreement and relate to funding for the Project currently under development where conditions have been satisfied or their ongoing satisfaction is highly likely and the project is anticipated to continue to completion. An analysis of the Project's undrawn external assistance is shown in the funding summary.

9.5 Recognition of payments

The Project recognises all payments when the event occurs, and the related cash has actually been paid out by the Project.

i) Compensation to employees

Salaries and Wages, Allowances, Statutory Contribution for employees are recognized in the period when the compensation is paid.

Significant Accounting Policies (Continued)

ii) Use of goods and services

Goods and services are recognized as payments in the period when the goods/services are consumed and paid for. If not paid for during the period where goods/services are consumed, they shall be disclosed as pending bills.

iii) Interest on borrowing

Borrowing costs that include interest are recognized as payment in the period in which they incur and paid for.

iv) Repayment of borrowing (principal amount)

The repayment of principal amount of borrowing is recognized as payment in the period in which the repayment is made. The stock of debt is disclosed as an annexure to the consolidated financial statements.

v) Acquisition of fixed assets

The payment on acquisition of property plant and equipment items is not capitalized. The cost of acquisition and proceeds from disposal of these items are treated as payments and receipts items respectively. Where an asset is acquired in a non-exchange transaction for nil or nominal consideration and the fair value of the asset can be reliably established, a contra transaction is recorded as receipt and as a payment.

A fixed asset register is maintained by each public entity and a summary provided for purposes of consolidation. This summary is disclosed as an annexure to the consolidated financial statements.

9.6 In-kind donations

In-kind contributions are donations that are made to the Project in the form of actual goods and/or services rather than in money or cash terms. These donations may include vehicles, equipment or personnel services. Where the financial value received for in-kind contributions can be reliably determined, the Project includes such value in the statement of receipts and payments both as receipts and as payments in equal and opposite amounts; otherwise, the contribution is not recorded.

Significant Accounting Policies (Continued)

9.7 Cash and cash equivalents

Cash and cash equivalents comprise cash on hand and cash at bank, short-term deposits on call and highly liquid investments with an original maturity of three months or less, which are readily convertible to known amounts of cash and are subject to insignificant risk of changes in value. Bank account balances include amounts held at the Central Bank of Kenya and at various commercial banks at the end of the financial year.

For the purposes of these financial statements, cash and cash equivalents also include short term cash imprests and advances to authorized public officers and/or institutions which were not surrendered or accounted for at the end of the financial year.

9.8 Restriction on cash

Restricted cash represents amounts that are limited/restricted from being used to settle a liability for at least twelve months after the reporting period. This cash is limited for direct use as required by stipulation. Amounts maintained in deposit bank accounts are restricted for use in refunding third part deposits.

9.9 Imprests and Advances

For the purposes of these financial statements, imprests and advances to authorized public officers and/or institutions which were not surrendered or accounted for at the end of the financial year is treated as receivables. This is in recognition of the government practice where the imprest payments are recognized as payments when fully accounted for by the imprest or AIE holders. This is an enhancement to the cash accounting policy. Other accounts receivables are disclosed in the financial statements.

9.10 Contingent Liabilities

A contingent liability is:

- a) A possible obligation that arises from past events and whose existence will be confirmed only by the occurrence or non-occurrence of one or more uncertain future events not wholly within the control of the entity; or
- b) A present obligation that arises from past events but is not recognised because:

Significant Accounting Policies (Continued)

- i) It is not probable that an outflow of resources embodying economic benefits or service potential will be required to settle the obligation; or
- ii) The amount of the obligation cannot be measured with sufficient reliability.

Some of contingent liabilities may arise from: litigation in progress, guarantees, indemnities. Letters of comfort/ support, insurance, Public Private Partnerships, The Entity does not recognize a contingent liability but discloses details of any contingencies in the notes to the financial statements unless the possibility of an outflow of resources embodying economic benefits or service potential is remote.

Annex 5 of this financial statement is a register of the contingent liabilities in the year.

9.11 Contingent Assets

Kenya Water Towers Project does not recognize a contingent asset, but discloses details of a possible asset whose existence is contingent on the occurrence or non-occurrence of one or more uncertain future events not wholly within the control of Kenya Water Towers Project in the notes to the financial statements. Contingent assets are assessed continually to ensure that developments are appropriately reflected in the financial statements. If it has become virtually certain that an inflow of economic benefits or service potential will arise and the asset's value can be measured reliably, the asset and the related revenue are recognized in the financial statements of the period in which the change occurs.

9.12 Pending bills

Pending bills consist of unpaid liabilities at the end of the financial year arising from contracted goods or services during the year or in past years. As pending bills do not involve the payment of cash in the reporting period, they recorded as 'memorandum' or 'off-balance' When the pending bills are finally settled, such payments are included in the statement of receipts and payments in the year in which the payments are made.

Significant Accounting Policies (Continued)

9.13 Budget

The budget is developed on a comparable accounting basis (cash basis), the same accounts classification basis (except for accounts receivable - outstanding imprest and clearance accounts and accounts payable - deposits, which are accounted for on an accrual basis), and for the same period as the financial statements. The Project's budget was approved as required by Law and National Treasury Regulations, as well as by the participating development partners, as detailed in the Government of Kenya Budget Printed Estimates for the year. The Development Projects are budgeted for under the MDAs but receive budgeted funds as transfers and account for them separately. These transfers are recognised as inter-entity transfers and are eliminated upon consolidation. A high-level assessment of the Project's actual performance against the comparable budget for the financial year/period under review has been *included in an annex to these financial statements*.

9.14 Third party payments

Included in the receipts and payments, are payments made on its behalf by to third parties in form of loans and grants. These payments do not constitute cash receipts and payments. and are disclosed in the payment to third parties' column in the statement of receipts and payments. During the year, Kshs 0 billion being loan disbursements were received in form of direct payments from third parties.

9.15 Exchange rate differences

The accounting records are maintained in the functional currency of the primary economic environment in which the Project operates, Kenya Shillings. Transactions in foreign currencies during the year/period are converted into the functional currency using the exchange rates prevailing at the dates of the transactions. The donor **does not** allow for foreign exchange gains and losses resulting from the settlement of such transactions and from the translation at year-end exchange rates of monetary assets and liabilities denominated in foreign currencies to be recognized in the statements of receipts and payments.

Significant Accounting Policies (Continued)

9.16 Comparative figures

Where necessary comparative figures for the previous financial year/period have been amended or reconfigured to conform to the required changes in financial statement presentation.

9.17 Subsequent events

There have been no events subsequent to the financial year/period end with a significant impact on the financial statements for the year ended June 30, 2023.

9.18 Prior period adjustments

Prior period adjustments relate to errors and other adjustments noted arising from previous year(s). Explanations and details of these prior period adjustments are presented *in note 10.11 of these financial statements*

10. Notes to the Financial Statements

10.1 Transfers from Government entities

These represent counterpart funding and other receipts from government as follows:

Description	KShs	KShs	Cumulative to-date (from inception)
	2022-2023	2021-2022	
<i>Counterpart funding through Ministry 0</i>			
Counterpart funds Quarter 1	0	2,500,000	40,366,879
Counterpart funds Quarter 2	0	0	0
Counterpart funds Quarter 3	0	0	0
Counterpart funds Quarter 4	0	0	0
Total (See Annex 2)	0	2,500,000	40,366,879
<i>Other transfers from government entities</i>			
Appropriations-in-Aid	0	0	0
Total	<u>0</u>	<u>2,500,000</u>	<u>40,366,879</u>

Annual Report and Financial Statements for the financial year ended June 30, 2023

Notes to the Financial Statements (Continued)

10.2 Proceeds From Domestic and Foreign Grants

During the financial period to 30 June 2023, we received grants from donors as detailed in the table below:

Name of Donor	Date received	Amount received in donor currency	Grants received in cash	Grants received as direct payment*	Grants received in kind	Total amount in Kshs	
						2022-2023 Kshs	2021-2022 Kshs
Grants Received from Bilateral Donors (European Union)	0	0	0	0	0	0	0
Insert name of foreign Government	0	0	0	0	0	0	0
Grants Received from Multilateral Donors (International Organizations)	0	0	0	0	0	0	0
Insert name of international organization	0	0	0	0	0	0	0
Grants Received from Local Individuals and organizations	0	0	0	0	0	0	0
Insert name of individual or local organization	0	0	0	0	0	0	0
Total	0	0	0	0	0	0	0

(* The direct payment grants represent payments for goods and services done directly by the donor on behalf of the project)

Annual Report and Financial Statements for the financial year ended June 30, 2023

Notes to the Financial Statements (Continued)

10.3 Compensation to Employees

	2022/2023			2021/2022	
	Payments made by the Entity in Cash	Payments made by third parties	Total payments	Total payments	Cumulative to-date
-	Kshs	Kshs	Kshs	Kshs	Kshs
Basic salaries of permanent employees	0	0	0	0	0
Basic wages of temporary employees	0	0	0	0	0
Personal allowances paid as part of salary	0	0	0	0	0
Personal allowances paid as reimbursements	0	0	0	0	0
Personal allowances provided in kind	0	0	0	0	0
Pension and other social security contributions	0	0	0	0	0
Compulsory national social security schemes	0	0	0	0	0
Compulsory national health insurance schemes	0	0	0	0	0
Social benefit schemes outside government	0	0	0	0	0
Other personnel payments	0	0	0	0	0
Total	0	0	0	0	0

Kenya Water Towers Project

Annual Report and Financial Statements for the financial year ended June 30, 2023

Notes to the Financial Statements (Continued)

10.4 Purchase of Goods and Services

	2022/2023			2021/2022	Cumulative to-date
	Payments made in Cash Kshs	Payments made by third parties Kshs	Total payments Kshs	Total payments Kshs	
Telephone, Computer Internet	0	0	0	0	691,736
Travel Costs(airlines, bus, railway)	0	0	0	0	348,425
Accommodation - Domestic Travel	0	0	0	0	15,816,707
Daily Subsistence Allowance	0	0	0	1,234,100	27,155,254
Publishing and Printing Services	0	0	0	0	0
Advertising, Awareness and Publicity	0	0	0	0	369,788
Training	0	0	0	0	132,900
Remuneration of Instructors	0	0	0	0	1,109,214
Production and Printing of Training Materials	0	0	0	0	993,269
Hire of Training Facilities and Equipment	0	0	0	0	77,778
Motor Vehicle Insurance	0	0	0	0	1,465,351
Workshop Tools, Spares and Small Equipment	0	0	0	0	491,000
General Office Supplies (e.g : papers)	0	0	0	0	896,059
Cleaning Materials, Supplies and Services	0	0	0	0	25,000
Catering services	0	0	0	0	885,746
Refined Fuels and Lubricants	0	0	0	110,000	4,042,390

Kenya Water Towers Project

Annual Report and Financial Statements for the financial year ended June 30, 2023

	2022/2023			2021/2022	Cumulative to-date
	Payments made in Cash	Payments made by third parties	Total payments	Total payments	
Bank Charges	0	0	0	7,517	223,897
Contracted Professional Services	0	0	0	0	9,739,960
Boards and Committees	0	0	0	0	18,200
Events and Celebrations	0	0	0	0	642,289
Tree seeds and seedlings.	0	0	0	0	17,320,336
Supplies for production	0	0	0	0	81,336
Seminars and Conferences	0	0	0	0	9,746,546
Tree Planting	0	0	0	0	8,931,725
Land Levies	0	0	0	0	750,000
Maintenance - Motor Vehicles	0	0	0	0	1,000,789
Maintenance of Buildings and Stations	0	0	0	0	43,550
Maintenance of Computers, Networks	0	0	0	0	85,000
Total	0	0	0	1,351,617	103,084,245

Annual Report and Financial Statements for the financial year ended June 30, 2023

Notes to the Financial Statements (Continued)

10.5 Acquisition of Non-Financial Assets

	Payments made in Cash	Payments made by third parties	Total payments		Cumulative to-date
	Kshs.	Kshs.	2022-2023	2021-2022	
Purchase of Motor Vehicles	0	0	0	0	26,959,400
Purchase of Motor Cycles	0	0	0	0	4,125,000
Purchase of Computers	0	0	0	0	2,294,880
Purchase of ICT and Communication equipment	0	0	0	0	260,000
Purchase of Office equipment	0	0	0	0	225,500
Purchase of Household Equipment	0	0	0	0	11,000
Total	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>33,875,780</u>

Annual Report and Financial Statements for the financial year ended June 30, 2023

Notes to the Financial Statements (Continued)

10.6 Transfers to other Government Entities

During the financial period to 30 June 2023, we transferred funds to reporting government entities as shown below:

	Payments made in Cash	Payments made by third parties	Total payments	Total payments	Cumulative to-date
	Kshs	Kshs	Kshs	Kshs	Kshs
Transfers to National Government entities					
Kenya Water Towers Agency	0	0	0	0	240,000
Kenya Wildlife Services	0	0	0	0	240,000
Climate Change Directorate	0	0	0	0	240,000
	0	0	0	0	0
Total	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>720,000</u>
Transfers to Others					
CFAs	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>823,500</u>
	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>823,500</u>
TOTAL	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>1,543,500</u>

We have confirmed that the beneficiary institutions have received the funds and have recorded these as inter-entire receipts. We have attached these duly signed confirmations as an Appendix to the financial statements).

Annual Report and Financial Statements for the financial year ended June 30, 2023

Notes to the Financial Statements (Continued)

10.7 Other Grants, Transfers and Payments

	2022-2023		2021-2022		Cumulative to-date
	Payments made in Cash	Payments made by third parties	Total payments	Total payments	
	Kshs	Kshs	Kshs	Kshs	Kshs
Grants for scholarships	0	0	0	0	0
Transfers to lower levels of government e.g. schools	0	0	0	0	0
Miscellaneous payments	0	0	0	0	0
Total	0	0	0	0	0

Kenya Water Towers Project

Annual Report and Financial Statements for the financial year ended June 30, 2023

Notes to the Financial Statements (Continued)

10.8 Cash And Cash equivalents

Description	2022-2023	2021-2022
	Kshs	Kshs
Bank accounts (Note 10.8A)	927	5,807,596
Cash in hand	0	0
Cash equivalents (short-term deposits)	0	0
Total	<u>927</u>	<u>5,807,596</u>

Kenya Water Towers Project has two project accounts spread within the project implementation area and one foreign currency designated accounts managed by the project management team as listed below:

10.8 A Bank Accounts

Project Bank Accounts

Details	2022-2023	2021-2022
	Kshs	Kshs
<u>Foreign Currency Accounts</u>		
Kenya Commercial Bank EUR [A/c No:1181839513]	327	4,554,066
Total Foreign Currency balances	<u>327</u>	<u>4,554,066</u>
<u>Local Currency Accounts</u>		
Kenya Commercial Bank Kes [A/c No: 1181839106]	0	0
Co-operative Bank of Kenya Kes [A/c No. 01141532868702]	600	1,253,530
Total local currency balances	<u>600</u>	<u>1,253,530</u>
Total bank account balances	<u>927</u>	<u>5,807,596</u>

Kenya Water Towers Project

Annual Report and Financial Statements for the financial year ended June 30, 2023

Notes to the Financial Statements (Continued)

Special Deposit Accounts

The Project does not have any special deposit account

Kenya Water Towers Project

Annual Report and Financial Statements for the financial year ended June 30, 2023

Notes to the Financial Statements (Continued)

10.9 Imprests and Advances

<i>Name of Officer or Institution</i>	2022-2023	2021-2022
	Kshs	Kshs
Ecosystem Conservator Busia	0	0
Ecosystem Conservator Elgeyo Maraket	0	0
Ecosystem Conservator Kakamega	0	2,389
Ecosystem Conservator Kisumu	0	0
Ecosystem Conservator Nandi	0	0
Ecosystem Conservator Siaya	0	0
Ecosystem Conservator Trans Nzoia	0	0
Ecosystem Conservator Uasin Gishu	0	0
Ecosystem Conservator Vihiga	0	0
Ecosystem Conservator West Pokot	0	1,118
Kenya Water Towers Agency	0	875
Total	0	4,381

Kenya Water Towers Project

Annual Report and Financial Statements for the financial year ended June 30, 2023

Notes to the Financial Statements (Continued)

10.9b: Breakdown of Imprests and Advances

<i>Name of Officer or Institution</i>	<i>Amount Taken</i>	<i>Due Date of Surrender</i>	<i>Amount Surrendered</i>	<i>Balance 2023</i>	<i>Balance 2022</i>
Ecosystem Conservator Busia	2,787,930	02-Dec-16	2,787,930	0	0
Ecosystem Conservator Elgeyo Maraket	4,917,812	02-Dec-16	4,917,812	0	0
Ecosystem Conservator Kakamega	1,382,500	02-Dec-16	1,382,500	0	2,389
Ecosystem Conservator Kisumu	1,198,797	02-Dec-16	1,198,797	0	0
Ecosystem Conservator Nandi	2,085,215	02-Dec-16	2,085,215	0	0
Ecosystem Conservator Siaya	1,382,500	02-Dec-16	1,382,500	0	0
Ecosystem Conservator Trans Nzoia	5,090,663	02-Dec-16	5,090,663	0	0
Ecosystem Conservator Uasin Gishu	1,584,495	02-Dec-16	1,584,495	0	0
Ecosystem Conservator Vihiga	2,085,215	02-Dec-16	2,085,215	0	0
Ecosystem Conservator West Pokot	2,084,772	02-Dec-16	2,084,772	0	1,118
Kenya Water Towers Agency	9,479,540	16-Mar-17	9,479,540	0	875
Total	34,079,439		34,079,439	0	4,381

10.10 Fund Balance Brought Forward

Description	2022-2023	2021-2022
	Kshs	Kshs
Bank accounts	927	5,807,596
Cash in hand	0	0
Cash equivalents (short-term deposits)	0	0
Outstanding imprests and advances	0	4,381
Total	927	5,811,977

Notes to the Financial Statements (Continued)

10.11 Prior Year adjustment

	Balance b/f FY (2022/2023 audited financial statements)	Adjustments	Adjusted balance b/f FY 2022/2023
Description of the error	Kshs	Kshs	Kshs
Bank account Balances	927	0	927
Cash in hand	0	0	0
Accounts Payables	0	0	0
Receivables	0	0	0
Others (<i>specify</i>)	0	0	0
Total	927	0	927

10.12 Changes in Receivable

Description	2022-2023	2021-2022
	Kshs	Kshs
Opening Receivables as at 1 st July	4,381	9,196
Closing account receivables as at 30 th June	0	4,381
Change in Receivables	(4,381)	(4,816)

Kenya Water Towers Project

Annual Report and Financial Statements for the financial year ended June 30, 2023

11. Other Important Disclosures

1. Pending Accounts Payable (See Annex 3a)

None

2. Pending Staff Payables (See Annex 3b)

None

3. Other Pending Payables (See Annex 3c)

None

4. External Assistance

None

Kenya Water Towers Project

Annual Report and Financial Statements for the financial year ended June 30, 2023

12. Prior Year Auditor-General's Recommendations

Reference No. on the external audit Report	Issue / Observations from Auditor	Management comments	Status: (Resolved / Not Resolved)	Timeframe: (Put a date when you expect the issue to be resolved)
1	<p>The Kenya Water Towers project (KWTP) was suspended by the donor (E.U.) citing violation of forests' people rights by Kenya Forest Service while implementing the project in one of the water towers and as previously reported the suspension has not been lifted. The program started on 1 August 2016 and was expected</p>	<p>As previously stated in the 2019-2020 Financial year audit, the WaTER towers project was being implemented in two of Kenya's five major water towers; the Cheregany and Mt. Elgon.</p> <p>Note that the project was never implemented in Mau ecosystem.</p> <p>The project was suspended after an incidence that happened in Cheregany in January 2018 which was purported to be related to human rights violation though it was not related to project activities. Following the suspension, all project activities were affected and KFS through the Ministry</p>	<p>Not Resolved/ Project Terminated and Closed</p>	

Kenya Water Towers Project

Annual Report and Financial Statements for the financial year ended June 30, 2023

Reference No. on the external audit Report	Issue / Observations from Auditor	Management comments	Status: (Resolved / Not Resolved)	Timeframe: (Put a date when you expect the issue to be resolved)
	<p>to run until 31 July 2020. As the KWTP was being undertaken, in the Mau, the Ogiek community living in Mau Forest took the Republic of Kenya to the African Court on Human and Peoples' Rights claiming that they were being forcefully evicted from their ancestral land- the Mau Forest. The judgment of this case was delivered in the month of May 2017</p>	<p>of Environment and Forestry has been engaging the Donor in an effort to lift the suspension. KFS facilitated the independent assessment in Embobut as demanded by the donor as one of the conditions for lifting the suspension.</p> <p>KFS also acknowledges the need to involve all communities in the implementation of forestry projects and programmes and it is for this reason that it has embraced the Participatory Forest Management Framework (PFM) operationalized through the Community Forest Associations (CFA) as required by the Forest Conservation and Management Act 2016. All forests are managed in close collaboration with all stakeholders including forest adjacent communities</p>		

Kenya Water Towers Project

Annual Report and Financial Statements for the financial year ended June 30, 2023

Reference No. on the external audit Report	Issue / Observations from Auditor	Management comments	Status: (Resolved / Not Resolved)	Timeframe: (Put a date when you expect the issue to be resolved)
	<p>where the Court found that Kenya had violated 7 provisions of the African Charter on Human and Peoples' Rights by evicting the Ogiek from the Mau forest. In addition, in the same month, the UN committee on the Elimination of Racial Discrimination, expressed its concerns about reports on the eviction in Embobut forest. The committee</p>	<p>through a participatory frame work.</p> <p>Following the African Court on Human and Peoples Rights ruling on the Ogiek Community of Mau, the government gazetted the task force on the implementation of the decision of the African Court on Human and Peoples Rights issued against the Government of Kenya in respect of the rights of the Ogiek Community of Mau. The Government of Kenya Set up a taskforce to help address the Ogiek case as per GN/10944/2017, the main terms of reference for the African Court decision and all land related laws and policies, with a view to addressing the Ogiek claims of restitution or compensation. The Government of Kenya has been in active consultation</p>		

Kenya Water Towers Project

Annual Report and Financial Statements for the financial year ended June 30, 2023

Reference No. on the external audit Report	Issue / Observations from Auditor	Management comments	Status: (Resolved / Not Resolved)	Timeframe: (Put a date when you expect the issue to be resolved)
	<p>called for Kenya to acknowledge the rights of the Sengwer, the Endorois, Ogiek and all other indigenous peoples. It was concluded that Kenya ought to carry out effective consultations between relevant parties and communities likely to be affected by the projects with a view to obtaining free, prior and informed consent of indigenous</p>	<p>with the African Court on Human and Peoples Rights in relation to the reparation claims. The taskforce which also addressed its self to other land claims including that of the Sengwer community has since finalized its report and the report handed over to the government for implementation. Consequently, the government through a presidential directive is addressing the issue of land rights of the Ogiek community of Eastern Mau.</p> <p>Further, Kenya Forest Service together with Kenya National Commission on Human Rights (KNCHR) are working together to ensure Human Rights Based Conservation Protection and Management of Forests. This initiative has seen the development of</p>		

Kenya Water Towers Project

Annual Report and Financial Statements for the financial year ended June 30, 2023

Reference No. on the external audit Report	Issue / Observations from Auditor	Management comments	Status: (Resolved / Not Resolved)	Timeframe: (Put a date when you expect the issue to be resolved)
	<p>communities before implementing future projects.</p> <p>Further, although the statement of performance objectives indicates project dates runs from 2018-2022 it is not clear whether the project was given an extension by the donor as no evidence was availed to that effect. For the year under audit 2019-2020, the project</p>	<p>Curriculum and Training Manual for mainstreaming Human Rights Based Approach in forest Conservation Protection and Management targeting all KFS staff and stakeholders in the forest sector. In addition, KFS with Assistance from KNCHR and UNDP has developed Environmental and Social Safeguards guidelines for Kenya forest service projects and programmes. The guidelines will ensure that all projects and programs implemented by KFS undergo the necessary assessments to identify, evaluate and manage the associated social and environment risks and impacts. This will facilitate compliance and consistency with the different social and environmental safeguards set by different development partner and funding agencies.</p>		

0.01

Kenya Water Towers Project

Annual Report and Financial Statements for the financial year ended June 30, 2023

Reference No. on the external audit Report	Issue / Observations from Auditor	Management comments	Status: (Resolved / Not Resolved)	Timeframe: (Put a date when you expect the issue to be resolved)
	remained suspended and therefore there were no achievements.	The Project Management is in the process of closing the project as guided by the donor.		

.....
Chief Conservator of Forests
 Name: Alexander Lemarkoko 'ndc' (K)

.....
Project-Coordinator
 Name: David Chege

Kenya Water Towers Project

Annual Report and Financial Statements for the financial year ended June 30, 2023

13. Annexes

Annex1 - Variance explanations - Comparative Budget and Actual amounts for FY 2022-2023

	Final Budget	Actual on Comparable Basis	Budget Utilization Difference	% of Utilization	Comments on Variance (below 90% and over 100%)
	a	b	c=a-b	d=b/a %	
Receipts					
Transfer from Government entities	0	0	0	0	
Proceeds from domestic and foreign grants					
Proceeds from borrowings					
Miscellaneous receipts					
Total Receipts	0	0	0	0	
Payments					
Compensation of employees					
Purchase of goods and services	0	0	0	0	
Acquisition of non-financial assets					
Transfers to other government entities					
Other grants and transfers					
Total payments	0	0	0	0	

Project Terminated and Closed by the donor

Annex 2: Reconciliation of inter-entity transfers

No Inter Entity Transactions during the year

Annex 3a - Analysis of Pending Bills

No Pending Bills during the year

Annex 3b - Analysis of Pending: Staff Bills

No Pending Bills during the year

Annex 3c - Analysis of other Pending Payables

No Pending Bills during the year

Annex 4 – Summary of Fixed Assets Register

Asset class	Opening Cost (KShs) 2022/2023	Donations in form of assets (KShs) 2022/2023	*Purchases/ Additions in the Year (KShs) 2022/2023	**Disposals in the Year (KShs) 2022/2023	Transfers in/(out) Kshs 2022/2023	Closing Cost (KShs) 2022/2023
	(a)	(b)	(c)	(d)	(d)	(e)= (a)+ (b)+c - (d)+(- d)
Motor Vehicles	26,959,400					26,959,400
Motor Cycles	4,125,000					4,125,000
Computers and ICT Equipments	2,554,880					2,554,880
Office and Household Equipments	236,500					236,500
Total	33,875,780					33,875,780

Annex 5 – Contingent Liabilities Register

No Contingent Liabilities

Annex: 6 Reporting of Climate Relevant Expenditures

None

Annex 7 Disaster Expenditure Reporting Template

None

Annex 8: Other Support Documents

- i. Signed confirmations from beneficiaries in Transfers to Other Government Entities
- ii. Bank Reconciliations statement as at 30th June 2023
- iii. Board of Survey Report



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10-3-1944