

**4th Annual Report 2016**

**on**

**Measures Taken and Progress Achieved  
in the Realization of National Values and  
Principles of Governance**

**March, 2017**





**H.E. HON. UHURU KENYATTA, C.G.H.**  
President of the Republic of Kenya and Commander-in-Chief of  
the Defence Forces





REPUBLIC OF KENYA

THE EXECUTIVE OFFICE OF THE PRESIDENT

## **4th Annual Report 2016**

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## NATIONAL ANTHEM

(Swahili)

(English)

Ee Mungu nguvu yetu  
Ilete baraka kwetu.  
Haki iwe ngao na mlinzi  
Natukae na undugu  
Amani na uhuru  
Raha tupate na ustawi

O God of all creation  
Bless this our land and nation.  
Justice be our shield and defender  
May we dwell in unity  
Peace and liberty  
Plenty be found within our borders.

Amkeni ndugu zetu  
Tufanye sote bidii  
Nasi tujitoe kwa nguvu  
Nchi yetu ya Kenya,  
Tunayoipenda  
Tuwe tayari kuilinda.

Let one and all arise  
With hearts both strong and true.  
Service be our earnest endeavour,  
And our homeland of Kenya  
Heritage of splendour,  
Firm may we stand to defend.

Natujenge taifa letu  
Ee, ndio wajibu wetu  
Kenya istahili heshima  
Tuungane mikono  
Pamoja kazini  
Kila siku tuwe na shukrani.

Let all with one accord  
In common bond united,  
Build this our nation together  
And the glory of Kenya  
The fruit of our labour  
Fill every heart with thanksgiving.

## EAST AFRICAN COMMUNITY ANTHEM

Ee Mungu twaomba uilinde  
Jumuiya Afrika Mashariki  
Tuwezeshe kuishi kwa amani  
Tutimize na malengo yetu.

*Jumuiya Yetu sote tuilinde  
Tuwajibike tuimarike  
Umoja wetu ni nguzo yetu  
Idumu Jumuiya yetu.*

Uzalendo pia mshikamano  
Viwe msingi wa Umoja wetu  
Na tulinde Uhuru na Amani  
Mila zetu na desturi zetu.

Viwandani na hata mashambani  
Tufanye kazi sote kwa makini  
Tujitoe kwa hali na mali  
Tuijenge Jumuiya bora.



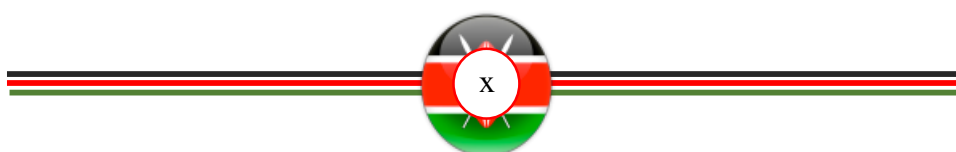
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## LIST OF ABBREVIATIONS AND ACRONYMS

ACA	Anti-Counterfeit Agency
ACE	Adult and Continuing Education
ACUs	Aids Control Units
ADA	Alcohol and Drug Abuse
ADC	Agriculture Development Corporation
ADEA	Association for the Development of Education
AFA	Agriculture and Food Authority
AFAP	Africa Fertilizer Agribusiness Partnership
AFC	Agricultural Finance Corporation
AGPO	Access to Government Procurement Opportunities
AGRA	Alliance for Green Revolution in Africa
AMISOM	African Union Mission in Somalia
APSD	African Public Service Day
ARA	Assets Recovery Agency
ASALs	Arid and Semi-Arid Lands
ASK	Agricultural Society of Kenya
AWSB	Athi Water Services Board
CAADP	Comprehensive Africa Agriculture Development Programme
CAD Fund	China Africa Development Fund
CAJ	Commission on Administrative Justice
CAK	Competition Authority of Kenya
CARPS	Capacity Assessment and Rationalization of the Public Service
CBA	Collective Bargaining Agreement
CBIK	Centre for Business Information Kenya
CBK	Central Bank of Kenya
CBO	Community Based Organizations
CBR	Central Bank Rate
CDFC	Constituency Development Fund Committee
CEC	County Executive Committee
CIDCs	Constituency Industrial Development Centers
CIDP	County Integrated Development Plan
CIM	Chartered Institute of Marketing
CMA	Capital Markets Authority

CoG	Council of Governors
CPC	Corruption Prevention Committee
CRA	Commission for Revenue Allocation
CSR	Corporate Social Responsibility
CUC	Court Users Committee
CUE	Commission for University Education
DANIDA	Danish International Development Agency
DCI	Directorate of Criminal Investigation
DLP	Digital Literacy Programme
EAC	East African Community
EACC	Ethics and Anti-Corruption Commission
EAPCC	East Africa Portland Cement Company
ECDE	Early Childhood development and Education
ECOP	Executive Certificate of Proficiency
ECOS	Economic, Social and Cultural Rights
EDBI	Ease of Doing Business Initiative
EIA	Environmental Impact Assessment
EMC	Environmental Management and Coordination
EPA	Economic Partnership Agreement
EPCB	Export Promotion Council
EPZ	Export Processing Zones
ERP	Enterprise Resource Planning
ESDA	Education for Sustainable Development in Africa
EU	European Union
FAO	Food and Agriculture Organization
FATPP	Functional Assignment and Transfer Policy Paper
FDSE	Free Day Secondary Education
FGM	Female Genital Mutilation
FPE	Free Primary Education
GDC	Geothermal Development Company
GDP	Gross Domestic Product
GIS	Geographic Information System
GMO	Genetically Modified Organism
GoK	Government of Kenya
GPOBA	Global Partnership Output Based Aid
G-United	Greatness United Programme



HELB	Higher Education Loans Board
HIV/AIDS	Human Immunodeficiency Virus/ Acquired Immune Deficiency Syndrome
HOOSL	Hong Kong Off-Shore Oil Services Limited
IADC	Italian Agency for Development Cooperation
IBIS	Integrated Ballistics Identification System
ICBT	International Cross Border Trade Survey
ICDC	Industrial and Commercial Development Corporation
ICT	Information and Communication Technology
IEBC	Independent Electoral and Boundaries Commission
IEC	Information, Education and Communication
IFAD	International Fund for Agricultural Development.
IFMIS	Integrated Financial Management Information Systems
ILD	International Literacy Day Celebrations
IPPs	Independent Power Producers
IRA	Insurance Regulatory Authority
IRTC	Intergovernmental Relations Technical Committee
ISO	International Standards Organization
JETRO	Japan External Trade Organization
JICA	Japan International Cooperation Agency
JKIA	Jomo Kenyatta International Airport
JKUAT	Jomo Kenyatta University of Agriculture and Technology
KAA	Kenya Airports Authority
KAGRC	Kenya Animal Genetic Resources Centre
KALRO	Kenya Agricultural and Livestock Research Organization
KAM	Kenya Association of Manufacturers
KASNEB	Kenya Accountants and Secretaries National Examinations Board
KBC	Kenya Broadcasting Corporation
KBD	Kenya Dairy Board
KCB	Kenya Commercial Bank
KCC	Kenya Co-operative Creameries
KCPE	Kenya Certificate of Primary Education
KCSE	Kenya Certificate of Secondary Education
KCTA	Kenya Coast Tourism Association
KDF	Kenya Defence Forces
KEBS	Kenya Bureau of Standards



KECOBO	Kenya Copyright Board
KEMSA	Kenya Medical Supplies Authority
KenGen	Kenya Electricity Generating Company
KeNHA	Kenya National Highways Authority
KenInvest	Kenya Investment Authority
KEPHIS	Kenya Plant Health Inspectorate Service
KEPSA	Kenya Private Sector Alliance
KeRRA	Kenya Rural Roads Authority
KESAL	Kenya School of Adventure and Leadership
KETRACO	Kenya Electricity Transmission Company
KEWASNET	Kenya Water and Sanitation Network
KEWI	Kenya Water Institute
KFC	Kenya Film Commission
KFCB	Kenya Film Classification Board
KICC	Kenyatta International Convention Centre
KICD	Kenya Institute of Curriculum Development
KIHBS	Kenya Integrated Household Baseline Survey
KIPI	Kenya Industrial Property Institute
KIPPRA	Kenya Institute for Public Research and Analysis
KIRDI	Kenya Industrial Research and Development Institute
KISE	Kenya Institute of Special Education
KLB	Kenya Literature Bureau
KLRC	Kenya Law Reform Commission
KMTC	Kenya Medical Training College
KNBS	Kenya National Bureau of Statistics
KNCHR	Kenya National Commission on Human Rights
KNFP	Kenya National Focal Point on Small Arms and Light Weapons
KNLS	Kenya National Library Service
KPC	Kenya Power Company
KPC	Kenya Pipeline Corporation
KPRL	Kenya Petroleum Refineries
KRA	Kenya Revenue Authority
KRB	Kenya Roads Board
KTB	Kenya Tourism Board
KTDA	Kenya Tea Development Agency



KUCCPS	Kenya Universities and Colleges Central Placement Service
KURA	Kenya Rural Roads Authority
KVB	Kenya Veterinary Board
KVDA	Kerio Valley Development Authority
KYU	Kirinyaga University
LAPSSET	Lamu Port South Sudan Ethiopia Transport Corridor
LMIS	Logistics Management Information System
LPG	Liquefied Petroleum Gas
LSK	Law Society of Kenya
MCDAs	Ministries, Counties, Departments and Agencies
MDAs	Ministries, Departments and Agencies
MKU	Mount Kenya University
MMUST	Masinde Muliro University of Science and Technology
MSE	Micro and Small Enterprises
MSEA	Micro and Small Enterprises Authority
MUHURI	Muslim for Human Rights
MUT	Murang'a University of Technology
MW	Mega Watt
NACADA	National Authority for the Campaign against Alcohol and Drug Abuse
NACC	National AIDS Control Council
NACOSTI	National Council for Science, Technology and Innovation
NCA	National Crime Agency
NCDs	Non-Communicable Diseases
NCIC	National Cohesion Integration Commission
NCIP	Northern Corridor Integrated Project
NCK	Nursing Council of Kenya
NCPB	National Cereal and Produce Board
NCPD	National Council for Population and Development
NEMA	National Environment Management Authority
NEPAD	New Economic Partnership for African Development
NGAO	National Government Administration Office
NGEC	National Gender and Equality Commission
NGO	Non-Governmental Organisation
NHC	National Housing Corporation
NHIF	National Hospital Insurance Fund



NIFC	Nairobi International Financial Centre
NITA	National Industrial Training Authority
NLC	National Land Commission
NMR	Nairobi Metropolitan Region
NOCK	National Oil Corporation of Kenya
NPS	National Police Service
NPSC	National Police Service Commission
NRB	National Registration Bureau
NRRDP	Nairobi Road Rapid Decongestion Programme
NSSF	National Social Security Fund
NTSA	National Transport and Safety Authority
NWCPC	National Water Conservation and Pipeline Corporation
NWSB	Northern Water Services Board
NYS	National Youth Service
OAG	Office of the Auditor General
OAG&DoJ	Office of the Attorney General and Department of Justice
OCOB	Office of the Controller of Budget
ODPP	Office of the Director of Public Prosecution
OPCT	Older Persons Cash Transfer
PAPs	Project Affected Persons
PCPB	Pest Control Products Board
PEC	Poverty Eradication Commission
PFM	Public Finance Management
PPAs	Power Purchase Agreements
PPPs	Public Private Partnerships
PSC	Public Service Commission
PWD	Persons Living With Disability
QASO	Quality Assurance and Standards Officers
RAP	Resettlement Action Plan
RBA	Retirement Benefits Authority
RETRAK	Retail Trade Association of Kenya
RIVATEX	Rift Valley Textiles Factory
SACCO	Savings and Credit Co-Operative Society
SASRA	SACCO Societies Regulatory Authority
SDGs	Sustainable Development Goals
SEKU	South Eastern Kenya University



SGR	Standard Gauge Railway
SRC	Salaries and Remuneration Commission
TICAD	Tokyo International Conference on African Development
TIMS	Transport Integrated Management System
TSC	Teachers Service Commission
TTI	Technical Training Institute
TVET	Technical Vocational Education and Training
TWSB	Tana Water Service Board
UFOB	Uwezo Fund Oversight Board
UK	United Kingdom
UN	United Nations
UNCAC	United Nations Convention against Corruption
UNCTAD	United Nations Conference on Trade and Development
UNECA	United Nations Commission for Africa
UNEP	United Nations Environment Programme
UNESCO	United Nations Educational Scientific and Cultural Organisations
UNICEF	United Nations International Children's Fund
UoN	University of Nairobi
USA	United States of America
USAID	United States Agency for International Development
VDS	Vision 2030 Delivery Secretariat
VTC	Vocational Training Institutes
WASREB	Water Services Regulatory Board
WEDF	Women Enterprise Development Fund
WFP	World Food Programme
WHO	World Health Organization
WRMA	Water Resources Management Authority
WRUAs	Water Resource Users Associations
WSTF	Water Services Trust Fund
YEDF	Youth Enterprise Development Fund
YEP	Youth Empowerment Programme



## THE NATIONAL VALUES AND PRINCIPLES OF GOVERNANCE

The National Values and Principles of Governance under **Article 10 (2)** include—

- (a) patriotism, national unity, sharing and devolution of power, the rule of law, democracy and participation of the people;
- (b) human dignity, equity, social justice, inclusiveness, equality, human rights, non-discrimination and protection of the marginalised;
- (c) good governance, integrity, transparency and accountability; and
- (d) sustainable development.



## PREFACE

It is with great pleasure that I fulfill my constitutional obligations to present the 4th Annual Report 2016 on the measures taken and progress achieved in the realization of National Values and Principles of Governance. The first report in 2014 laid the foundation and a consciousness for public institutions to mainstream and report on the implementation of national values. Since then, National Values and Principles of Governance continue to exert influence on the way individuals relate with each other, how communities engage with one another, and how citizens and Government structures interact, hence defining our identity and impacting on the pace and direction of our national growth and development.

The Constitution in **Article 4(2)** provides that the Republic of Kenya shall be a multi-party democratic state founded on the National Values and Principles of Governance. My Government continues to strengthen democracy and requisite institutions. **Article 10 (1)** binds all State Organs, State Officers, Public Officers and all persons whenever they: Apply or interpret the Constitution; Enact, apply or interpret any law; and or make, or implement public policy decisions. **Article 10(2)** of the Constitution outlines the National Values and Principles of Governance, which include: Patriotism; national unity; sharing and devolution of power; the rule of law; democracy and participation of the people; human dignity; equity; social justice; inclusiveness; equality; human rights; non-discrimination and protection of the marginalized; good governance; integrity; transparency and accountability; and sustainable development.

In fulfilment of **Article 132(1)(c)(i) and (ii)** the 2016 Annual President's Report assesses the measures taken and the progress achieved by my Government in the realization of National Values and Principles of Governance and highlights commitments and the way forward towards their promotion.

I wish to commend public institutions for their commitment in promoting National Values and Principles of Governance and appreciate the contribution of the Directorate of National Cohesion and Values in spearheading the report preparation process.

**H.E. Hon. Uhuru Kenyatta, C.G.H.,**

*President of the Republic of Kenya and Commander-in-Chief of the Defence Forces*



## EXECUTIVE SUMMARY

This is the 4th Annual Report released under the Jubilee Administration in fulfillment of the provisions of **Article 132(1)(c)(i)** of the Constitution. It outlines the measures taken and progress achieved in the realization of national values and principles of governance during the reporting period. The report underscores the nexus between government policies, legislations, projects, programmes and activities on the one hand and the national values and principles of governance on the other.

**Chapter One** presents the introduction and background of the Report and highlights the compilation process and the Constitutional provisions on National Values and Principles of Governance. The Chapter also documents recommendations arising from the findings of the National Baseline Survey, 2015 on the status of compliance, awareness and enforcement of National Values and Principles of Governance. The findings of the survey will inform the programmes, projects and activities that the Government will roll out for the realisation of National Values.

**Chapter Two** outlines measures taken by various MCDAs in implementing the government's commitments contained in the 3rd Annual President's Report, 2015 for the promotion of National Values and Principles of Governance.

**Chapter Three** highlights the policy and legal measures as well as administrative actions, projects, programmes and activities undertaken by MCDAs towards the realisation of National Values and Principles of Governance. One of the measures was the enactment of the Banking (Amendment) Act, (No. 25 of 2016) which limits the interests chargeable on loans made by institutions at not more than 4% above the prevailing Central Bank Rates (CBR) set at 10% to promote equity through access to affordable credit facilities.

His Excellency the President hosted a number of Heads of States and Governments including Park Geun-Hye (President of South Korea), Recep Tayyip Erdogan (President of Turkey), Dr. John Magufuli (President of the Republic of Tanzania), Jacob Zuma (President of the Republic of South Africa), Andrej Kiska (President of Slovakia), Shinzo Abe (Prime Minister of Japan), Narendra Modi (Prime Minister of India), Benjamin Netanyahu (Prime Minister of Israel) among others. These visits fortified national identity and continued to raise Kenya's profile regionally and internationally. In addition, Kenya hosted the United Nations Conference on Trade and Development (UNCTAD) in July, 2016 and the 6th Edition of the Tokyo International Conference for Africa's Development (TICAD VI). These conferences cemented Kenya's position as a global economic



and trade player and promoted Kenya as an investment and tourism destination.

Parliament enacted legislations to promote effective management of electoral processes. These include the Election Offences Act (No. 37 of 2016) to provide for matters related to election offences and the Political Parties (Amendment) Act (No. 14 of 2016) to improve management of the Political Parties Fund established under Section 23 of the Political Parties Act (No. 11 of 2011). To further enhance transparency and accountability in the electoral process, the Government enacted the Election Laws (Amendment) Act (No. 36 of 2016) to amend various laws relating to elections and the Election Laws (Amendment) Act (No. 1 of 2017) to give effect to **Article 99 (1) (b)** of the Constitution.

To address emerging security challenges, the Government implemented a number of strategies which included: enhancing intelligence gathering; recruiting of additional security officers; and developing of the *Masomo na Usalama* to focus on prevention and management of emerging forms of violence. Further, to implement the Security Laws Amendments Act, the Government continued to embrace joint collection and sharing of intelligence amongst law enforcement agencies to enhance detection and disruption of criminal activities. In addition, the Government continued to enhance the efficacy of the *Nyumba Kumi* initiative and scaled up counter-terrorism strategies. These measures among others, aim at enhancing homeland security and the position of Kenya as an important investment and travel destination.

In order to entrench sharing and devolution of power as provided for in **Article 174** of the Constitution, Parliament enacted an amendment to the County Governments Act, (No. 17 of 2012) to consolidate gains made under the devolved system of governance.

To promote integrity, good governance, transparency and accountability the Government organized a State House Summit on Governance and Accountability to deliberate on issues related to governance and give impetus to the fight against graft. The President appointed the Chief Justice and Deputy Chief Justice following their nomination, vetting and approval by the National Assembly. In addition, the Chairpersons of the Ethics and Anti-Corruption Commission (EACC) and the Independent Electoral and Boundaries Commission (IEBC) were appointed.

The Government continued to focus on the principle of sustainable development as a key enabler to the realization of Kenya Vision 2030 with several flagship projects being at different levels of implementation.



**Chapter Four** illustrates the progress achieved through measures taken by public entities in the realization of National Values and Principles of Governance. Parliament passed the Division of Revenue Bill, 2016 providing a total of KSh. 306 Billion as budget for the 47 County Governments up from a total of KSh. 294 Billion in 2015/ 2016 FY. A total of KSh. 6 Billion from the Equalization Fund was released to 14 marginalized Counties during the 2016/ 2017 FY pursuant to **Article 204** of the Constitution. To promote the protection of the Bill of Rights, the Government through the Ministry of Education increased capitation for learners in public primary, secondary schools and special needs education.

In addition, EACC conducted 227 intelligence probes leading to 6 disruptions through which a loss of KSh. 352 Million was averted. Further, 64 asset tracing investigations involving corruptly acquired assets estimated at KSh. 3.6 Billion including public land, Government houses and money out of which KSh. 21 Million in cash and public land with an estimated value of KSh. 405 Million was recovered.

To enhance sustainable economic development and reduce travel time, the Government continued to invest in high-end infrastructure for the realization of Vision 2030. So far the SGR which will provide an alternative means of faster, efficient, safe, reliable and affordable transport, is 98% complete while the construction of the 530km from Isiolo–Moyale highway was completed reducing the travel time between Moyale and Nairobi a distance of 819km from 3 days to 12 hours.

The Government through the Last Mile Connectivity Project has connected 2,617,956 new homes to electricity. Through the Rural Electrification Authority (REA) a total of 23,000 schools have been connected to electricity at a cost of more than KSh. 32 Billion.

In the communications sector, the annual mobile telephony revenue grew by 24.5% to stand at KSh. 214.8 Billion by December, 2016 and mobile communications sub-sector investments grew by KSh. 52.2 Billion translating to 62.5% overall growth. This growth facilitated communication, money transfers and business initiatives for the benefit of the citizenry.

**Chapter Five** documents the Governments commitments and the way forward arising from the measures taken and the progress achieved in the realization of the National Values and Principles of Governance. These commitments include: continual public awareness creation, enhancing capacity of MDAs to adhere to the provisions of the Constitution and enhancing the rule of law, among others.



## CHAPTER ONE: INTRODUCTION AND BACKGROUND

1. In the Preamble, the Constitution recognizes the aspirations of all Kenyans for a government based on the essential values of human rights, equality, freedom, democracy, social justice and the rule of law. **Article 4 (2)** emphasizes the importance of national values and provides that “The Republic of Kenya shall be a multi-party democratic state founded on the national values and principles of governance.”
2. **Article 10 (1)** provides that the national values and principles bind all State organs, State officers, public officers and all persons whenever any of them:
  - (a) Applies or interprets the Constitution;
  - (b) Enacts, applies or interprets any law; or
  - (c) Makes or implements public policy decisions.

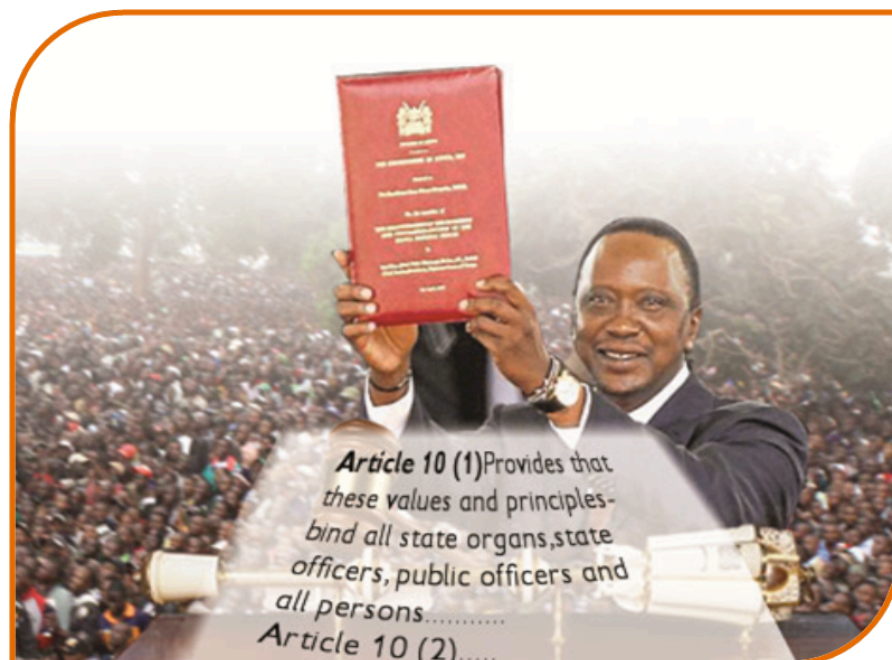


Figure 1: Constitutional Legitimacy of National Values

Source: Open sources

3. **Article 10(2)** of the Constitution outlines the National Values and Principles of Governance that guide the social, economic and political facets of the Kenyan society. The National Values and Principles of Governance include:
  - (a) Patriotism, national unity, sharing and devolution of power, the rule of law democracy and participation of the people;
  - (b) Human dignity, equity, social justice, inclusiveness, equality, human rights, non-discrimination and protection of the marginalized;
  - (c) Good governance, integrity, transparency and accountability; and
  - (d) Sustainable development.
4. **Article 132(c)(i) and (ii)** requires the President to once every year, report in an address to the nation, on all the measures taken and the progress achieved in the realization of the national values, referred to in **Article 10(2)** and publish in the *Kenya Gazette* the details of the report.
5. **Article 174** outlines the objects of devolution which are anchored on the national values and principles of governance provided for under **Article 10**.
6. **Article 232** provides for the values and principles of the public service which apply to all State organs in both levels of Governments and all State corporations.
7. **Article 234 (h)** requires the Public Service Commission to evaluate and report to the President and Parliament the extent to which the values and principles referred to in Articles **10** and **232** are complied with in the public service.
8. **Article 249 (1) (b)** requires all constitutional commissions and independent offices to secure the observance of democratic values and principles by all State organs.
9. The Constitution envisages a nation that enjoys a strong national identity, observes and respects the Bill of Rights, has effective representation and leadership of the people, ensures equitable allocation of resources and opportunities and adheres to the principles of good governance while prioritizing sustainable development. The

successful realization of the National Values and Principles of Governance is essentially a political question that requires leadership and direction from the highest levels of County and National Government.

10. This Report presents an analysis of the legal, policy, institutional frameworks and administrative actions undertaken in relation to national values and principles of governance in the public sector. Public institutions in their submissions indicated the extent to which national values and principles of governance were inculcated and promoted through their functions and processes in regard to formulation, interpretation, implementation and application of policy guidelines and decisions. In addition, the report highlights projects, programmes, and activities undertaken by public institutions to promote national values and principles of governance.
11. The Report outlines the specific measures taken by public institutions to implement the commitments made in the 2015 Annual President's Report. During the period under review, MCDAs were required to implement 5 out of the 16 commitments. An analysis of the status of implementation of the commitments is provided in Chapter two of the Report. Further this Report provides Government commitments and way forward in each of the five thematic areas. Specific action is required in each area to guide MCDA's in executing their respective mandates in 2017 and beyond.
12. During the reporting period, the Executive Office of the President through the Directorate of National Cohesion and Values received 207 submissions compared to 193 in 2015, and 120 in 2014. The increased number of submissions may be attributed to aggressive awareness creation, advocacy, sensitization and training on national cohesion, national values and principles of governance by the Directorate.
13. This Report is derived from an assessment of public institutions with diverse responsibilities and thresholds in the promotion of specific national values and principles of governance. It is important to note that the institutions mentioned in this report are not the only ones that promoted national values and principles of governance. They have been mentioned for purposes of demonstrating the way specific values and principles of governance were promoted. The

commitments and way forward in the 4th Annual President's Report 2016 will guide socio- economic and political transformation and assist MDAs to prioritize the implementation of **Article 10** and ultimately the realization of Kenya's Vision 2030.

14. To determine the status of national values and principles of governance in Kenya, the Ministry of Interior and Coordination of National Government contracted the Kenya Institute for Public Policy Research and Analysis (KIPPRA) to conduct a Survey to determine compliance, awareness and enforcement of national values and principles of governance. KIPPRA undertook the survey and documented their findings in a report that was validated by stakeholders in January 2017. The survey report recommends the need to—
  - (i) enhance awareness and prioritization of national values and principles of governance at both levels of government;
  - (ii) focus on value formation at family and school levels by deepening inclusion and delivery of national values and principles of governance in school curriculum, starting from pre-primary to university level and nurture a values culture by integrating them in the education system;
  - (iii) create awareness on the role of families, households, communities and their elders, religious institutions, learning institutions, sports organizations, and the media in the formation of personal values that subsequently feed into national values;
  - (iv) design and implement comprehensive and targeted civic education programmes on national values and principles of governance across all counties through *barazas*, radio, social media, information communication technology, flyers, community based organizations, non-governmental organizations (NGOs), faith based organizations, amongst other feasible approaches. Special attention ought to be accorded to the private sector, the informal sector, and self provisioning agriculture which dominate employment;
  - (v) identify values champions and value drivers at both levels of government in the executive, judiciary and legislature;



- (vi) Brand the annual reporting process and the national values and principles of governance awareness programme. The State of the Nation Address should be the culmination of a period of campaign activities across all counties and sectors;
  - (vii) enforce adherence to constitutional and legislated provisions on public employment and deployment at the national and county levels, as this will uplift compliance with, and respect for national values and principles of governance;
  - (viii) develop and mainstream Kenya National Values Standard to guide the enforcement, compliance, monitoring and evaluation of national values and principles of governance for all stake holders;
  - (ix) create awareness of policies and legislation on national values and principles of governance such as the *Sessional* Paper No. 8 of 2013 on national values and principles of governance and the Leadership and Integrity Act, 2012;
  - (x) award State Commendations and Decorations on the basis of compliance with the national values and principles of governance;
  - (xi) encourage whistle blowing by members of the public on violations of national values and principles of governance by public servants;
  - (xii) invest in regular research on national values and principles of governance and engage research institutions to design future interventions; and
  - (xiii) develop and implement positive practices on transparency and reporting on national values and principles of governance for effective leadership across the public, private and informal sectors.
15. The above policy recommendations will inform future programmes and activities to be prioritized by Government to promote National Values and Principles of Governance. MCDAs are expected to take these policy proposals and recommendations into consideration when developing policies, legislation, programmes and activities.

## CHAPTER TWO: PROGRESS ON 2015 REPORT COMMITMENTS



Figure 2:2015 Commitments

Source: 2015 Annual President's Report on National Values

16. During the 2016 reporting period, MDAs were required to implement sixteen commitments arising from the 2015 Annual President's Report on National Values and Principles of Governance and the State of Nation Address delivered in March, 2016. The following is an analysis of the implementation of the commitments:

- i. **Implementing key policies to enhance positive ethnic relations and prevent abuse of social media: MDAs were required to implement measures that will promote peaceful and harmonious co-existence among and between Kenyan communities.**
17. During the reporting period, the Government implemented various policy strategies to promote national cohesion and values. Government institutions conducted trainings, seminars and sensitizations to promote national cohesion and values. The Ministry of Interior and Co-ordination of National Government through the Directorate of National Cohesion and Values undertook 69 forums in which 3,187 Kenyans were trained and sensitized on national cohesion and national values.
18. The Ministry of Education trained 24 teachers on a programme dubbed “*learning to live together*” that aims at enhancing positive ethnic relations. The Kenya Literature Bureau (KLB) conducted eight (8) regional ECDE seminars country wide on national values and principles of governance. Similarly, the East Africa Portland Cement (EAPC) and the Competition Authority of Kenya (CAK) trained 44 and 21 staff members respectively, hence increased awareness on national values, leadership and integrity. Separately, Brand Kenya Board organized Inter-County Youth Forums bringing together Youth from the Kilifi, Kwale, Mombasa, Tana River, Lamu and Taita Taveta counties in Coast to promote patriotism and social cohesion.
19. The Ministry of Information, Communication and Technology revised the ICT policy, developed a Cyber Security and Protection Bill, 2016, that provides for the enhancement of security in cyber space, prohibition, prevention, detection, response, investigation and prosecution of cybercrimes; and established the national cyber response unit.
20. The Communications Authority of Kenya (CAK) developed the Programme Code and Complaints Handling Procedures and broadcasting regulations to prevent propagation of hate speech and incitement of violence when airing content on TV and radio. The Code came to effect in July, 2016 and set the standards for programmes aired on free-to-air television and radio services. All Media houses were notified to exercise caution when airing content on matters of hate speech and incitements to violence in the run up to the 2017 General Election. In addition, the Kenya Film Classification

Board (KFCB) partnered with Google to pull down materials of hate speech, propaganda for war and violence.

21. The Government through the CAK in collaboration with the National Cohesion and Integration Commission (NCIC) and other agencies developed a collaborative framework for prevention of hate speech and incitement to violence. In this framework, the Authority frequently avails broadcast clips for use in the investigation and prosecution of hate speech cases.
22. Public universities installed social media monitoring computer programs to curb propagation of hate speech. For instance, Rongo University installed “meltwater” software within the university’s internet infrastructure to monitor usage and abuse of social media.
23. The Kenya Universities and Colleges Central Placement Service (KUCCPS) placed a total of 98,523 students in the period under review. Out of this, 74,389 students were placed in public universities for various degree programmes, 12,096 in private universities for various degree programmes and 12,038 in Technical Universities for diploma programmes. All placements were done with special consideration given to regional representation, affirmative action on gender, PWDs students, and students from marginalized areas.
24. The National Cohesion and Integration Commission implemented various measures to address ethnic conflicts across the country. The Commission held stakeholder dialogue forums, facilitated return of stolen livestock, expedited arrest and prosecution of culprits fueling tensions and facilitated signing of peace declarations. Specifically, the Commission held consultative forums in Baringo, Elgeyo Marakwet, Pokot and Nakuru counties to resolve inter-ethnic conflicts over sharing of resources, cattle rustling and political contestations. In addition, the Commission facilitated signing of the Chemelil Peace Declaration between the Luo and Nandi communities.
  - ii. **Prioritizing resource allocation for continual promotion of National Values and Principles of Governance: MDAs were required to ensure prudent utilization of the resources to support implementation of initiatives that promote national values and principles of governance.**
25. The Government through various institutions utilized resources to support the implementation of **Article 10** of the Constitution. The

National Treasury registered a steady growth in fiscal transfers to County Governments whereby transfers to the counties increased from KSh. 196 Billion in 2013/14 to KSh. 272 Billion in 2015/16 (a 40 percent growth). To improve the lives of vulnerable groups, the National Treasury also allocated KSh. 150 Million to Persons with Disability, Youth and Women in FY 2016/2017. Over the period 2013/14 to 2015/16, a total of KSh 32.6 Billion worth of tenders was awarded to these groups across all Ministries.

26. The National Treasury also prioritized and financed key flagship projects of the Vision 2030. This is in light of the ongoing economic transformation for shared growth through enhancing development sustainability by deepening capital and financial markets. The two flagship projects for the National Treasury were Nairobi International Financial Centre (NIFC) and Deepening of Capital Markets.
27. The Commission for Revenue Allocation (CRA) identified Turkana, Mandera, Wajir, Marsabit, Samburu, West Pokot, Tana River, Narok, Kwale, Garissa, Kilifi, Taita-Taveta, Isiolo and Lamu counties to benefit from the Equalization Fund. CRA also offered assistance to facilitate automation of 25 Counties that has consequently led to the growth of their own source of revenue by a range of 40% and 70%.

**iii. Strengthening National Values and Principles of Governance enforcement agencies and fast tracking judicial processes: MDAs were required to implement measures that will strengthen enforcement and compliance to national values and principles of governance in their respective institutions.**

28. The Public Service Commission launched an Electronic Staff Performance Appraisal Systems to manage and improve the performance of the public service by enabling a higher level of staff participation and involvement in planning, delivery and evaluation of work performance.
29. The Anti-Counterfeit Agency enforced the Anti-Counterfeit Act, 2008 through 16 public outreach programs and 17 workshops in collaboration with other organizations. The Anti-Counterfeit Agency received and processed complaints from consumers and seized suspected counterfeit goods estimated at KSh. 240 Million. The Agency also destroyed assorted counterfeit goods worth an estimated value of KSh. 100 Million in Nairobi and Mombasa.

30. To fast track judicial processes, the Judiciary recruited 3 Supreme Court judges, 9 high court judges, 916 clerical officers, 25 senior resident magistrates and 21 kadhis.
- iv. Enforcing existing electoral and related policies, legislation and regulations: MDAs were required to implement policy and legal measures that will ensure a peaceful electoral process before, during and after 2017 general elections.**
31. The Government through Parliament enacted the Election Laws (Amendment) Act, 2016 to amend various laws relating to elections and for connected purposes. Some of the changes made included putting in place a complimentary mechanism should the electronic system fail, allowing current and aspiring MPs without university degrees to vie for political office in 2017 polls and amendments that seek to create equity in party lists, giving minorities a chance for political involvement.
32. The Ministry of Interior and Co-ordination of National Government recruited 10,000 police officers to the National Police Service and purchased new anti-riot equipment, 25 new state-of-the-art police equipment including bullet-proof cars, 30 armored police fighting wagons, 20 water cannons and a 15-seater helicopter (AW139) for the Airwing Unit during the period under review.
- v. Enacting pending devolution laws: MDAs were required to fast-track the development and enactment of the pending legislations and regulations for devolution so as to enhance the implementation of programmes, projects and activities.**
33. During the reporting period, the Government through the Parliament passed the following legislations to entrench devolution:
- a. The County Governments (Amendment) Bill, (No. 2 of 2016) that seeks to provide for termination of suspension of a county government in accordance to **Article 192(4)** of the Constitution of Kenya.
  - b. County Governments (Amendment) (No. 1 of 2016) that seeks to provide for transfer of the headquarter of a county government in accordance with **Article 192(4)** of the Constitution of Kenya.

- c. The County Assembly Services Bill, 2014 that seeks to provide a framework for the establishment and effective operation of the service with respect to each county assembly.
- d. The County Hall of Fame Bill, 2014 that seeks to establish a County Hall of Fame in each county as an avenue through which the county governments shall bestow honour on individuals within their respective counties acclaimed as being outstanding, exceptional or illustrious in any profession or activity.
- e. The Petition to County Assemblies (Procedure) Bill, 2014 that gives effect to **Article 37** of the Constitution on the right to petition a county assembly and to provide the procedure for the exercise of this right.
- f. The Public Appointments (County Assembly Approval) Bill, 2014 that seeks to provide for the procedure for the approval of public appointments by County Assemblies.
- g. The County Governments Disaster Management Bill, 2014 which seeks to provide for effective management of disasters by the county governments in terms of paragraph 12 of part 11 of The Fourth Schedule to the Constitution.
- h. The County Industrial Development Bill, 2014 which seeks to establish the county industrial development board and to promote and facilitate economic growth through industrial development in all counties.
- i. The County Library Services Bill, 2015 which seeks to provide for the establishment of county libraries and a county library development committee in each county.
- j. The County Outdoor Advertising Control Bill, 2015 that provides legal frameworks for the regulation of outdoor advertisement in counties.
- k. The County Statistics Bill, 2016 to provide a framework for the collection, compilation, analysis and dissemination of statistical information.
- l. The County Boundaries Bill, 2016 to provide for county boundaries and a mechanism for the resolution of county boundary disputes.
- vi. **Strengthening professional and technical capacity of County Governments: MDAs were expected to implement relevant**

**measures that would enhance the technical and professional capacity of county governments to discharge their duties effectively.**

34. The Government recognizes the need to improve the discharge of duties at the county level. To enable counties to function effectively, the Government through the Senate passed the following Bills and forwarded them to the National Assembly:
  - i. The Office of the County Attorney Bill, 2014 that provides for the functions and powers of the County Attorney and to provide for the discharge of duties and exercise of powers County Attorney.
  - ii. The Office of the County Printer Bill, 2014, which seeks to establish the office of the county printer in each county; and to provide for the functions, mandate, management and administration of the office, and
  - iii. The County Industrial Development Bill, 2014 which seeks to establish the county industrial development board and to promote and facilitate economic growth through industrial development in all counties.
35. The Senate also facilitated the attachment and on-the-job training for staff of county assemblies through the county legislative staff attachment program.
36. The Ministry of Devolution and Planning issued guidelines for Mid-Term Review of County Integrated Development Plans (CIDPs) to all counties and provided technical assistance in their review. In addition, the Ministry and Kenya Law Reforms Commission (KLRC) continued to develop county model laws to enhance effective county legislation processes and facilitate framing of high quality legislative instruments in the counties. All the models were drawn from the fourth schedule of the Constitution.
37. The National Treasury trained 259 County Government Officers on various fiscal matters including financial reporting. Similarly, the Kenya Medical Supplies Authority (KEMSA) trained county government pharmacists on the use of Logistics Management Information System (LMIS) directed at enhancing the management of medical ordering processes and submission of electronic orders and reporting. This improved the ordering process by reducing order turn-around time and visibility through an online platform.

38. The Water Services Trust Fund in collaboration with International Fund for Agricultural Development (IFAD) and the governments of Sweden and Finland trained staff from Meru, Embu, Tharaka Nithi, Nyeri, Kirinyaga, and Murang'a counties on project implementation, finance and procurement management. The training strengthened the technical and professional capacities of the county governments in discharging their duties. The Fund further engaged nine service agents to offer technical and social support in implementing WSTF projects across different counties in Kenya. The Fund continued to implement the County Resident Projects Monitoring Model in monitoring project progress and efficiency of implementation in 29 counties. This has strengthened the technical and professional capacity of county governments in monitoring and evaluation of projects.
39. Kirinyaga University (KYU) trained 22 county government officials on Ultra Low Head Micro Hydropower System (ULH-MHP) under the Low Carbon Low Emission Clean Energy Technology Transfer Programme (LCET). In addition, Tana Water Services Board conducted training for 70 officials from Tana River County.
40. The Government through Vision 2030 Delivery Secretariat (VDS) trained county governments of Laikipia, Uasin Gishu, Lamu, Isiolo on County Integrated Development Plans and Sustainable Development Goals.
41. Agriculture and Food Authority (AFA) through Fibre Crops Directorate trained 20 County extension staff on Cotton Value Chain Development and Best Environmental Practices (BEPs) in fibre crops production waste in Isiolo County. Similarly, the Government through the National Biosafety Authority trained officers from Mombasa, Kajiado, Busia and Nairobi counties on Genetically Modified Organism (GMO), food/feed safety assessment and environment risk assessment. In addition, the KENTTEC trained staff of Turkana County Animal Health Department on tsetse and trypanosomiasis eradication techniques.
42. The Kenya Dairy Board (KDB) trained county government officials on establishing of a school milk trust deed aimed at promoting and implementing a sustainable school milk programme.

**vii. Enhancing public participation and access to information:**  
MDAS were required to implement measures that will enhance public participation in project identification, implementation, monitoring and evaluation. In addition,

**they were expected to implement measures that will lead to provision of reliable and updated information to the public on priorities, plans, budgets and expenditures and also establish relevant feedback mechanisms for the citizens.**

43. The Government through Parliament passed the Access to Information Bill, 2015 that gives effect to the right of access to information by citizens as provided under Article 35 of the Constitution. Further, the Senate facilitated public hearings and other forums through which members of the public were involved in the legislative processes. Parliament in collaboration with the Kenya Broadcasting Corporation and other Media houses continued to implement Article 35 on the right to access information for the citizenry through live broadcasts. Parliament continued to upload Hansards to its website and published quarterly magazines to inform the public on its operations.
44. The Ministry of Information, Communications and Technology installed an additional 2100 kms of the National Fiber Optic broadband to enhance internet connectivity in the country. It also reviewed the National ICT policy in line with the constitutional dispensation and Vision 2030 economic blueprint. The Ministry also continued implementation of the e-Government services (e-citizen.go.ke) and free to air TV and FM channels on digital terrestrial platforms.



*Figure 3: 2016 National Values Report Validation*

**Source:** Directorate of National Cohesion and Values

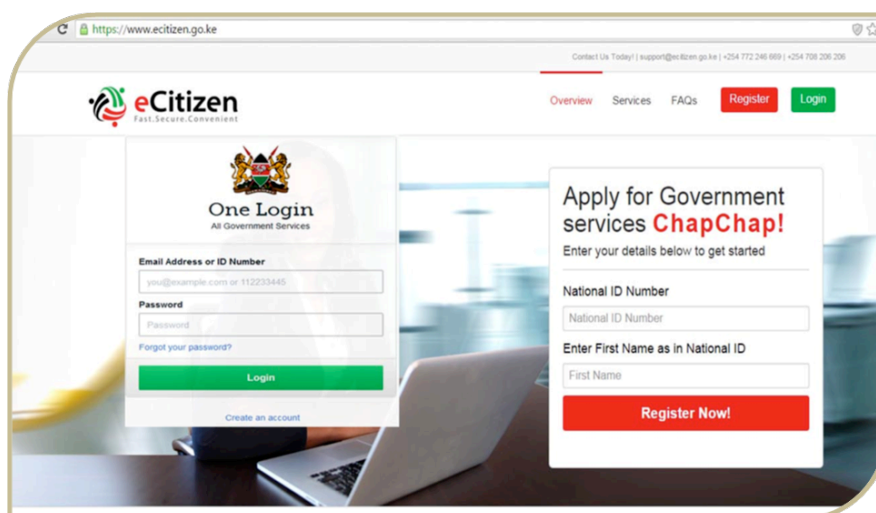


Figure 4: e-Citizen Portal

Source: myGov.go.ke

45. The Kenya Revenue Authority (KRA) involved stakeholders in addressing tax challenges during the 2nd Annual Tax summit in Nairobi in October, 2016. The forum was attended by global experts, tax practitioners, academia, private sector players and senior Government officials. KRA also held the first Public and Private Sectors Stakeholders Tax round table meeting in December, 2016.
46. Vision 2030 Delivery Secretariat carried out an Integrated Marketing and Communication Campaign dubbed *Tunatimiza* in 4 regions namely Nairobi, Mt. Kenya, Western and Coast in which 49 roadshows were held and radio and TV stations engaged. The campaign aimed to showcase the progress of Kenya Vision 2030 projects and illustrate the impact of the Vision 2030 projects.
47. The National Land Commission (NLC) held public hearings on review of grants and dispositions where more than 80 members of the public were involved. The Commission through its National Land Information System and website continued to disseminate information to the public regularly. To ensure access to information, the Commission conducted land clinics and participated in 3 Agricultural Society of Kenya (ASK) shows.

48. The Ministry of Industry, Trade and Cooperatives through the Micro and Small Enterprises Authority (MSEA) ensured participation of the Micro and Small Enterprises (MSEs) through committees and direct involvement in identifying viable scalable products at the county level. Similarly, the Tana Water Services Board involved stakeholders in identification, implementation, monitoring and evaluation of the Maua Water & Sewerage and Mwea-Makima Water Projects.
49. The Government through the Kenya National Commission on Human Rights (KNCHR) conducted two national public enquiries on human rights related issues in the North Rift and Coast Regions. These enquiries were aimed at establishing the root causes of conflicts and their effects. Further, the Government through the National Water Conservation and Pipeline Corporation (NWCP) held a number of stakeholders consultative forums on the Soin Koru Dam, Londiani Dam, Rumuruti Dam, Muruny Siyoi Dam and Bosto Dam. In addition, the corporation provided regular updates on the progress of the dams on its website and social media communication platforms.
50. The Government through the Export Processing Zones Authority (EPZA) convened county investment forums in Bungoma and Kiambu in a bid to create awareness of its services. Similarly, the Kenya National Highways Authority (KeNHA) involved 6,484 participants in its public consultative forums. The Authority utilized local media (print and audio), notices, letters and the local administration in mobilizing the public to participate in the forums. The Authority also put in place mitigation measures to address anticipated negative impacts of its projects.
51. Higher Education Loans Board (HELB) increased customer access to information by providing information on HELB products and services through phone calls, website, emails, social media and *Huduma* centers. The Board held consultative workshops with stakeholders to ensure public participation in decision making. The organization maintained a regularly updated website and implemented a reliable call center service.
52. The Kenya Agricultural and Livestock Research Organization (KALRO) continued to offer advisory through short messages services. Additionally, the organization continued to use social media

tools for knowledge and information sharing to address issues affecting farming. Similarly, the Kenya Industrial Property Institute (KIPI), the Kenya Film Classification Board (KFCB) and the National Cereals and Produce Board (NCPB) upgraded their websites to allow for easy and more interactive user experience.

53. The Ministry of Information, Communication and Technology through Konza Technopolis Development Authority (KoTDA) collaborated with ICT Authority for Tunker Connectivity. This has seen 60% completion of the Konza Technocity Trunk Fibre Connectivity implemented under the NOFBI 11 Project by ICT Authority. The Authority further launched the KoTDA Strategic Plan 2016-2020 which outlines the building blocks that will be put in place as well as critical strategic objectives and outcomes to be pursued in the development and management of Konza Technopolis City. It also advertised all the tenders that were available in 2016 as provided for in the Public Procurement and Asset Disposal Act, 2015 and Public Finance Management Act, 2012. In addition, the Business Development Department conducted targeted media campaigns to create awareness and enhance public participation in the project.
54. The Government through the Water Services Trust Fund held a capacity building workshop on water utilities to ensure access to information on project implementation, financial and procurement management, good governance, disability, gender, social inclusion and environmental sustainability. Equally, Kerio Valley Development Authority (KVDA) conducted public participatory forums on development of Wei Wei Phase 3 Project and Arror/Kimwarer multipurpose projects.
55. The Ministry of Health through the National Aids Control Council (NACC) launched the Kenya Aids Response Progress Report in October, 2016 which informed the public on the progress Kenya made in HIV response against global, national and county targets. The Report was a collective effort of both the national and county governments, development partners, implementing agencies, civil society and private sector.
56. The Communication Authority of Kenya in collaboration with Kenya Film Commission (KFC) conducted stakeholder sensitization forums on Broadcasting Licensing processes and Programming Code. The

Authority also sensitized the public on available avenues of complaints resolutions and their rights to complain and report on unsuitable broadcast content.

57. The Communication Authority of Kenya (CAK) published regulatory tools on its website which included; the licensing tools, licensing procedures, licensing application forms and guidelines, list of licensing and frequency resources assigned to broadcast service providers and contact details of existing broadcasters. Further, the Authority established the Digital Kenya website which is a one stop shop for information regarding digital broadcasting in Kenya.
58. The Government through the Kenya Electricity Generating Company (KenGen) developed and disseminated information on national values through the institution's weekly magazine and website. In addition, the Government through the Export Promotion Council (EPC) conducted export awareness forums for stakeholders, participated in trade fairs and exhibition, circulated bi-weekly trade alert and offered business advisory services through the Centre for Business Information Kenya (CBIK).
59. The Government through the National Council for Persons with Disabilities (NCPD) in partnership with stakeholders organized and marked the International Day of Persons with Disabilities at the county and National levels in December, 2016. The event sought to increase awareness of gains to be derived from the integration of persons with disabilities in every aspect of political, social, economic and cultural life.
60. The National Biosafety Authority (NBA) conducted the 5th Annual National Biosafety Conference and the 1st African Leadership Summit in Nairobi whose theme was "Strengthening global, regional, national collaboration, partnerships and capacity towards meeting international obligations in Biosafety." In addition, the Authority participated in the 2016 Mombasa and Nairobi International Trade Fairs which focused on "Enhancing Technology in Agriculture and Industry for security and National growth."
61. The Government through the Kenya Bureau of Standards (KEBS) involved stakeholders in the development of standards through participation in national technical committees, workshops and public review notifications. During the year under review, a total of 495 new

standards were developed and 1304 reviewed and approved by the National Standards Council. In addition, the Salaries and Remuneration Commission (SRC) engaged stakeholders in evaluation of jobs in the public service. This process enabled the harmonization of salaries across the various MCDAs.

**viii. Developing mechanisms for addressing intra and inter-county conflicts: MDAs were expected to implement and support measures that will address both intra and inter-county conflicts.**

62. The Government continued to implement the Intergovernmental Relations Act, 2012, that establishes a framework for consultation and co-operation between the national and county governments and amongst county governments; establishes mechanisms for the resolution of intergovernmental disputes pursuant to **Articles 6 and 189** of the Constitution. The Government also held the Fifth National and County Government Co-ordination Summit in February, 2016 in fulfillment of the provisions of the Intergovernmental Relations Act, 2012.
63. Parliament considered the County Boundaries Bill, 2016 to provide for county boundaries and a mechanism for the resolution of county boundary disputes, to give effect to **Article 188** of the Constitution by providing for the procedure of alteration of county boundaries, and to provide for the establishment of an independent county boundaries commission.
64. The Commission on Administrative Justice (CAJ) issued an advisory opinion on boundary disputes between county governments in April 2016. This was in light of reported cases of county border conflicts that posed a threat to national security and peaceful coexistence. In response to the advisory opinion, the Government through the National Cohesion and Integration Commission, further, held consultative forums to address inter-county conflicts between Kisumu-Nandi, Kakamega-Nandi and Meru-Isiolo over sharing of resources and boundary conflicts.

**ix. Enforcing legal mechanisms for the fight against corruption and unethical practices: MDAs were required to adhere and implement the provisions of the Executive Order No. 6 of March, 2015 on Ethics and Integrity in the Public Service.**

65. During the period under review, the EACC conducted 227 intelligence probes leading to 6 disruptions through which a loss of KSh. 352 Million was averted. A total of 232 integrity tests were conducted against the public officers. Regarding re-active investigations, a total of 578 forensic investigations with an estimated value of KSh. 105 Billion were undertaken. Out of the 578 cases, 109 were completed, 222 are ongoing and 3 were recommended for closure. A total of 119 sting operations with a value of KSh. 1.2 Million were also conducted. The EACC also conducted 64 asset tracing investigations involving assets estimated at KSh. 3.6 Billion that included public land, government houses and money.
66. To realize the provisions of Chapter Six of the Constitution and the Leadership and Integrity Act 2012, the EACC provided technical support to public entities with state officers to develop specific leadership and integrity codes in line with Section 37 of the Leadership and Integrity Codes. In this respect, the Commission oversaw development of Leadership and Integrity Codes for state officers in 73 public entities. This brought the total of public entities with such codes to 128 as follows:
- i. 41 Public Entities in the National Government
  - ii. 45 County Assemblies
  - iii. 42 County Executive Committees
67. The EACC provided technical support in 72 public institutions to develop their Codes of Conduct. Further, the EACC equipped 72 public entities with technical skills to implement Chapter Six of the Constitution. The Commission also developed guidelines on conflict of interest, gifts and public collections to help public institution, state and public officers to comply with the provisions of the Leadership and Integrity Act, 2012. The EACC further approved 67 applications for state and public officers to operate bank accounts outside Kenya as required by Section 19 of the Leadership and Integrity Act, 2012. This measure allowed the EACC to continuously monitor these bank accounts therefore reducing corruption.
68. In addition, EACC issued 563 Notices to institute proceedings in the High Court for failure to adhere to the requirements of Chapter Six and the Leadership and Integrity Act, 2012. The Commission also conducted 112 investigations into ethical breaches. Out of these, 42

were concluded and recommendations made to the Director of Public Prosecution.

69. The EACC conducted vetting of 5,918 persons seeking appointment into State and public office. Similarly, 37,744 self-declaration were received and processed. The Commission undertook Corruption Risk Assessments in Tharaka Nthi, Busia, Homa Bay and Kajiado Counties. In addition, the Commission provided technical advisory services on corruption prevention mainstreaming to more 250 MDAs. Some of the MDAs that received advisory services include Ministry of Foreign Affairs, Nursing Council of Kenya, Kenya Accountants and Secretaries National Examinations Board (KASNEB), University of Nairobi and the Kenya School of Government (KSG) among others.
70. The Government through National Police Service Commission (NPSC), vetted, identified and removed from service officers found to have engaged in malpractices. This ensured that persons appointed into the Service were of integrity and free from corruption.
71. During the period under review the Government continued implementing e-procurement where 89% of constitutional commissions/independent offices and 92% of the Ministries complied. In addition, 88% of public institutions had operational anti-corruption committees, 80% conducted corruption risk assessments and 15% of the public institutions adopted the e-citizen platform.
  - x. **Continuous civic education, enactment and enforcement of laws, policies and regulations relating to the Bill of Rights: MDAs are required to implement measures that will enhance public awareness on the Bill of Rights. In addition, they are expected to enforce existing policy and legal frameworks on the Bill of Rights to facilitate their protection and enjoyment.**
72. The Kenya National Commission on Human Rights (KNCHR) participated in the review of policies and legislations to ensure infusion of human rights principles and standards. The bills included:
  - i. East African Community Prohibition of Female Genital Mutilation Act, 2011.

- ii. The Children Bill, the Statute Law (Miscellaneous Amendments) (No. 2) Bill.
- iii. The Energy Bill of 2015.
- iv. Political Parties (Amendment) Bill, 2016.
- v. The County Government (Amendment) Bill, (No.4 of 2015).
- vi. Information Communication Practitioners Bill.
- vii. Community Land Bill, 2015.
- viii. Penal Code (Amendment) Bill.
- ix. County Early Childhood Bill, 2014.
- x. Persons with Disabilities Bill, 2016.
- xi. High Court (Organization and Administration) Rules, 2016.
- xii. The Public Benefits Organizations (Amendment) Bill, 2016.



*Figure 5: Recently Processed Legislations*

**Source:** myGov.go.ke

73. The KNCHR launched an SMS platform in February 2016 to enhance public outreach and awareness on human rights issues. Through the SMS platform, the Commission received over 158 complaints on human rights violations. In addition, the Commission received and processed a total of 2,497 complaints out of which 1,864 representing 74.65% complaints were considered for legal advice, alternative dispute resolution measures or referred to relevant agencies and 573 representing 22.95% were admitted for investigations and follow up.
74. The Kenya National Commission on Human Rights conducted forums on human rights awareness which involved 85 public officers, 5,986 community members and 1,308 members of the public. Further, the Commission developed and disseminated 3,504 IEC materials on human rights.
75. The Ministry of Education reviewed its Policy Framework for Nomadic Education in Kenya, 2009 to align it to **Article 10** of the Constitution. The Policy is aimed at ensuring inclusivity, equity, equality and protection of the marginalized. NACC and National Aids and STI Control Programme (NASCOP) collaborated in launching the guidelines on the use of Antiretroviral Drugs for treating and preventing HIV Infection in Kenya. The NACC reached over 10 million people on World Aids Day, with HIV information through various media channels. In addition, a total of 3,864,013 youth were reached on a One-on-One HIV Education and Mentorship Programme while 814,336 youth were tested for HIV across the country.
- xi. Enforcing laws and policies to address retrogressive practices: MDAs were required to implement legal and policy provisions that will reduce retrogressive practices and sensitize citizens to embrace progressive practices which promote the Bill of Rights;**
76. The Government through the Anti-FGM Board continued to implement the Prohibition of Female Genital Mutilation, Act, 2011 that mandates the Board to design, supervise and co-ordinate public awareness programmes against Female Genital Mutilation (FGM). To meet this requirement, the Board developed a Communication and Media Strategy (2016-2018) to educate and communicate to the public about FGM. The Strategy aims at strengthening and improving the campaigns against FGM.

77. To address the challenge of cattle rustling and banditry, the Government has intensified police surveillance to promptly combat occurrences among pastoral communities, enhanced intelligence gathering and sharing among law enforcement agencies, and acquired modern security equipment.
78. In November 2016, the Government destroyed 5,260 fire arms and over 200,000 ordinances that had been collected from all over the country through disarmament efforts by law enforcement agencies and others surrendered voluntarily by members of the public through the amnesty programmes.
- xii. Addressing legal challenges in the implementation of flagship projects: MDAs were expected to implement measures that will deepen public participation in the identification, design, planning and implementation of flagship programmes, projects and activities to minimize legal challenges to their implementation.**
79. The Ministry of Water and Irrigation through the National Water Conservation and Pipeline Corporation involved communities and other government officials in its project identification, planning and implementation. This ensured ownership and minimized legal risks. Similarly, The Kenya National Highways Authority (KeNHA) conducted public forums to ensure social acceptance for all its new design projects. This enabled effective implementation of environmental impact assessment and resettlement action plans.
80. Kenya Bureau of Standards (KEBS) involved stakeholders in the development of standards through participation in national technical committees, National workshops and public review notifications. This minimized legal challenges and other conflicts in the implementation of the standards. The Bureau also facilitated 25 sector specific stakeholder workshops in collaboration with county governments to create awareness on standardization, product certification and conformity assessment.
- xiii. Enhancing resource mobilization for sustainable development: MDAs were expected to implement strategies that would enhance private sector participation through the PPP framework to provide additional requisite resources for timely execution of programmes and projects.**
81. The Government through the National Treasury continued to mobilize local revenue towards sustainable financing of approved programmes and projects and also engaged development partners on

provision of financial support. Additionally, all financing agreements with development partners and subsidiary agreements with Semi-Autonomous Government Agencies were aligned to the existing legal frameworks.

82. The Government through the Ministry of Public Service, Youth and Gender Affairs in collaboration with the KCB Foundation launched a KSh.50 Billion programme dubbed *2Jiajiri* in March, 2016 that seeks to empower budding entrepreneurs to upscale their business ventures. The programme benefited 70% of beneficiaries from the *Jua Kali* sector and a total of 2,000 beneficiaries were recruited in the pilot phase.
83. The Government through MSEA commenced the development of a Micro and Small Enterprises Harmonization and Coordination Framework for integrating various public and private sector activities and programmes relating to MSEs. The Authority entered into a Memorandum of Understanding (MoU) with General Motors, East Africa in an effort to promote the *Isuzu Mashinani* project. This project offers employment opportunities to the youth through income generating projects and makes it possible for the company to provide and sell genuine Isuzu parts to MSEs at subsidized rates.
84. The Retirements Benefits Authority (RBA) in partnership with World Bank allocated KSh.10Million to the Financial Sector Support Project to finance technical training programmes such as pension, research and ICT. The Authority further engaged universities through a MoU for the purpose of research on pension and industry related subjects. Two research papers were funded as a result of this collaboration. The Authority further collected levy from pension schemes to run its budget and develop the pension industry.
85. The KeNHA held an investors conference in November 2016 to mobilize resources towards financing Public Private Partnerships (PPPs) projects. In addition, the Anti-Counterfeit Agency signed MoUs with the Chartered Institute of Marketing (CIM) Kenya Chapter and the Kenya Association of Manufacturers (KAM). Consequent to these MoUs, the Agency collaborated with CIM in sensitizing their members during the World Anti-counterfeit Day in June 2016. It also collaborated with KAM in conducting sensitizations in Nyeri, Embu and Meru Counties and developed the Stakeholders Collaboration Framework that embraces PPPs.
86. Kenyatta University entered into a PPP agreement with Africa Integras, a US based Liability Company, to increase student hostel

capacity by 10,000 units at a cost of KSh.5.4Billion. Further, Kenya National Trading Corporation (KNTC) engaged financial institutions to provide resources to facilitate timely execution of programmes and projects. During the period under review, KNTC had access to five financial guarantees from Industrial and Commercial Development Corporation (ICDC).

87. To promote HIV control activities through the use of football, the NACC, Council of Governors (CoG), NASCOP, United Nations joint Team on HIV and AIDs, *Kuza Biashara* and Network for Empowerment of People Living with HIV in Kenya (NEPHAK) partnered with the Federation of Kenya Football (FKF). Through this partnership, the Maisha County League brought together 940 boys and 470 girls within the 15-24 age bracket. Over 10 Million people were reached with HIV information during the campaign period through various media channels. In addition, 3,864,013 (129% of the target) youth were reached with one on one HIV education and mentorship and 814,336 young people were tested across the counties.
88. The Teachers Service Commission (TSC) collaborated with Transparency International (T.I) to train TSC County Directors and partnered with Platinum Credit Limited to sponsor the TSC category on national values at the 2016 Kenya Music Festivals.



Figure 6: Kenya Schools and Colleges Music Festival, 2016

Source: Open source

89. The National Land Commission (NLC) partnered with Food and Agriculture Organisation (FAO), World Bank, *Kituo cha Sheria* and Muslim for Human Rights (MUHURI) for financial and material support aimed at enhancing the Commission's capacity in organising training workshops on land issues. In addition, the Kenya Dairy Board (KDB) entered into MoUs with the Kenya Markets Trust and the Small Holder Dairy Commercialisation Programme to transform the informal milk marketing in Kenya and strengthen capacity of the Board.
- xiv. Bridging the technological gap to keep up with frequent changes and advancements that affect service delivery: MDAs were to implement strategies to facilitate capacity building of their staff and organizations to enhance uptake of appropriate technology for sustainable development, including upgrading of existing ICT systems and equipment.**
90. The Government adopted an online Performance Appraisal system for all public servants. The system came into effect in July, 2016 and is expected to enhance the evaluation of performance of all public servants and subsequently lead to improved service delivery.
91. The Ministry of ICT installed an additional 2,100km of the National Optic Fiber countrywide, implemented ICT human resource development programmes where 134,403 learners' devices were distributed in 22,000 schools under the Digital Literacy Programme and distributed 4,085 Teachers' Digital Devices. The Ministry also trained 77,000 teachers on digital literacy under an ICT human resource development programme.
92. The Ministry of ICT under the Presidential Talent Development Programme, trained 100 ICT graduates on ICT high end-skills and an additional 400 students are currently undertaking the Programme. Further, the Government through the Ministry of Education commenced the management of data for thematic areas under its new Education Management Information System. Through this system the Ministry distributed Validated School Unique Codes for management of schools.
93. The Konza Technopolis Development Authority developed and commissioned 2 innovation websites namely [www.future.go.ke](http://www.future.go.ke) and [www.konzacity.go.ke](http://www.konzacity.go.ke) as a platform and database for various innovations developed by the local techno-community. Further, the Authority donated textbooks, innovation, creativity, technology

among others to Kitoloni Secondary School to enhance awareness on technology and innovation.

94. The Government through institutions such as National Cereals and Produce Board, Masinde Muliro University of Science and Technology (MMUST), Kirinyaga University, Kenya Commercial Bank and KALRO adopted Enterprise Resource Planning (ERP) systems to improve service delivery. The ERP system allows an organization to use a system of integrated applications to manage the business and automate back office functions related to technology, services and human resources. These institutions also installed off site data back-up systems and trained personnel on security management systems.
95. The Ministry of Agriculture, Livestock and Fisheries through KALRO implemented mobile phone technology for payment of goods and services and set up video conferencing equipment to increase outreach with stakeholders. The Kenya Plant Health Inspectorate Service (KEPHIS) installed a seed certification system that is utilized by trained seed merchants, staff and stakeholders.
96. Jomo Kenyatta University of Agriculture and Technology (JKUAT) commissioned 16,640 learner digital devices to 195 primary schools across the country. The University signed a MoU with the Business Association of Persons with Disabilities for training on ICT and launched Women in ICT Programme to mentor girls into ICT related careers, empower youth and marginalized groups.
97. The National Water Conservation and Pipeline Corporation upgraded its Enterprise Resources Planning Systems that has introduced internal automated control systems that support integrity and efficiency in service delivery. Similarly, KeNHA installed Geographic Information System (GIS) software for digital mapping of its road assets. So far, 2674 km of digital mapping has been achieved. The Authority has further trained 20 employees on the use of the GIS in mapping.
98. Kenyatta University continued to run the Digital School of Virtual and Open Learning. The School recorded a total enrollment of 2,630 students into e-learning courses. Separately, the Government through the Higher Education Loans Board (HELB) introduced online loan application platform for its customers and developed an enterprise resource planning software (AX System) to improve service delivery.

99. To bridge the digital divide, Communication Authority of Kenya (CAK) implemented e-Resource Centre Project which involves setting up ICT centers in all public libraries across the county. The project was aimed at enhancing ICT capacity in the rural areas by providing affordable platforms for accessing digital content. Other projects included School Broadband Connectivity Project and Voice Infrastructure Project. Separately, the Kenya Dairy Board rolled out an Online Licensing and Inspection System (LIS) to facilitate issuance of licences and inspection of dairy business for compliance with safety and quality requirements.
100. The National Social Security Fund (NSSF) introduced an on-line platform which allows employers to apply for registration, prepare and submit monthly returns and pay using Mpesa. The platform also allows for individual customers to make voluntary contributions, apply for registration and print their account statements.
- xv. Addressing existing and emerging security challenges: MDAs were to initiate and implement measures that would enhance partnership and collaboration among and between institutions and stakeholders in addressing emerging security challenges**
101. The Ministry of Interior and Co-ordination of National Government launched a national strategy to guide the State and a broad spectrum of stakeholders in the implementation of Counter Violent Extremism (CVE) Programme and formed a Taskforce for Prevention of Violent Extremism to mainstream CVE prevention initiatives in 25 MDAs.
102. The Ministry conducted a national students youth conference on countering violent extremism that created a platform to chart the way forward on sensitization of youth on politically instigated violence especially during electioneering periods. In addition, the Government signed a regional agreement on cyber security under the auspices of the Northern Corridor Integration Projects and conducted a joint training for judges, magistrates and the Law Society of Kenya (LSK) on handling of cyber security.

### CHAPTER THREE: MEASURES TAKEN IN THE REALIZATION OF NATIONAL VALUES AND PRINCIPLES OF GOVERNANCE

103. This chapter outlines various measures taken by MCDAs to promote the realization of national values and principles of governance during the period under review. These measures include formulation of policies, enactment of legislations, development of regulations as well as implementation of programmes, projects and administrative actions as presented in thematic areas below.

#### **Measures taken towards Creation of a National Identity and Exercise of Sovereign Power**

*Article 10(2)(a): Patriotism, National Unity, the Rule of Law, Democracy and Participation of the People.*

104. To promote creation of a national identity and exercise of sovereign power, H.E the President led the nation in advancing the national agenda at national, regional and international levels. At the regional and international stage, the Executive Office of the President sought sustainable partnerships to ensure socio-economic growth and prosperity for Kenyans.



Figure 7: National, Regional and International Forums

Source: myGov.go.ke

H.E. the President promoted the country's interests through State visits, summits, forums, meetings and conferences on matters of security, energy, trade, agriculture, tourism, corruption, youth unemployment, climate change and sports.

105. Further, H.E. the President led a multi-sectoral leader's forum coordinated by Kenya Private Sector Alliance (KEPSA) in Kwale on competitiveness, nationhood and peaceful elections in December 2016. H.E. the President also presented the national flag to the Rio National Olympics teams at State House and called for Kenyans to rally behind the national team in Rio de Janeiro, Brazil.
106. To further promote creation of a national identity and exercise of sovereign power, H.E. the President led the country in the celebration of National Days; *Madaraka*, *Mashujaa* and *Jamhuri*. To entrench national unity, the national celebrations were held on regional rotational basis with *Madaraka* Day held in Nakuru, *Mashujaa* Day in Machakos and *Jamhuri* Day in Nairobi. The Office of the First Lady continued to implement the Pupils Reward Scheme (PURES) that involves pupils with disability and from disadvantaged backgrounds in all 47 counties being invited to State House for various activities.
107. To promote the rule of law, the Judiciary continued to undertake various measures which included hearing and determination of court cases, increasing the number of stations for specialized courts, increasing the number of judges and constructing, rehabilitating and refurbishing courts throughout the country. Further, the Judiciary promoted participation of the people by conducting trainings of Court Users Committees (CUCs) on CUC guidelines and through the Office of the Judiciary Ombudsperson received public feedback information and opened courts in marginalized areas.
108. The Government through the Directorate of National Cohesion and Values continued to sensitize Ministries, Departments and Agencies on the promotion of national values and principles of governance. Further, the Directorate in collaboration with the Performance Contracting Department continued to monitor and evaluate MDAs' compliance with the mainstreaming and promotion of national values and principles of governance. In addition, the Directorate convened county training forums to enhance the capacity of stakeholders in the promotion of national cohesion and national values.
109. To promote democracy and participation of the people and the rule of law, the Ministry of Interior and Co-ordination of National Government coordinated the activities of 320 Peace Committees at

the sub-county, ward, location and sub-location levels. The committees continued to work with the National Committee on Citizen Participation in Security also known as *Nyumba Kumi* and Councils of Elders in settlement of community conflicts and worked hand-in-hand with the IEBC officials at the Constituency level in providing information related to electoral risks.

110. To promote the exercise of sovereign power, the Ministry of Interior and Co-ordination of National Government through the Kenya National Focal Point on Small Arms and Light Weapons (KNFP) collected and destroyed illegally owned firearms from all over the Country through disarmament efforts by the security forces and voluntary surrender by members of the public. In addition, KNFP organized arms marking excises in selected areas of the country.
111. The Ministry of Interior and Co-ordination of National Government through the National Steering Committee (NSC) on Peace-building and Conflict Management and in collaboration with the National Police Service and Council of Governors convened stakeholders' peace forums, at the national, county, sub-county, ward and village levels to discuss peace and cohesion. To mobilize stakeholders towards peaceful elections, the NSC engaged with other partners to establish an all-inclusive platform for coordination of peace initiatives. Principal partners in this initiative are the National Cohesion and Integration Commission (NCIC), the Independent Electoral and Boundaries Commission (IEBC), the Office of the Registrar of Political Parties, the Kenya Private Sector Alliance (KEPSA), Kenya's National Committee on Prevention of Genocide, civil society groups and religious leaders with the support of development partners, United Nations Women and United Nations Development Programme (UNDP).
112. The Government through the Ministry of Interior and Co-ordination of National Government offered amnesty to radicalized returnees from Somalia. This resulted in some youths voluntarily surrendering after denouncing terrorism. In order to integrate these returnees back to society, the Government developed a disengagement and rehabilitation framework. Further, to uphold the rule of law, NCIC continued to enforce the National Cohesion and Integration Complaints Mechanism on offences under the National Cohesion and

Integration Act, 2008 and enhanced the capacity of police officers on detection and prosecution of hate speech offences.

113. To further enhance the creation of a national identity and exercise of sovereign power, the Ministry of Interior and Co-ordination of National Government through the National Registration Bureau continued to register and issue identity cards to eligible Kenyans. The Bureau promoted the rule of law by spearheading the amendment of Cap. 107 Section 9(1) and (b) and Section 16(a) to make the registration process more efficient. In addition, Civil Registration Department continued to provide vital statistics to enhance the security of the country that is necessary for socio-economic and political development. County Commissioners set up counter-terrorism, violent extremism and radicalization committees to sensitize and encourage citizens to report on radicalization and terrorist activities in the counties.
114. To enhance the national identity and exercise of sovereign power, the Ministry of Interior and Coordination of National Government through county commissioners continued to organize interactive *barazas*. In addition, the National Citizen Participation in Security (*Nyumba Kumi*) initiative continued to facilitate peaceful coexistence amongst communities through stakeholder forums to sensitize Kenyans on security issues.
115. The National Cohesion and Integration Commission (NCIC) facilitated intra and inter County Peace and Dialogue Forums in Counties on conflicts over resources and cattle rustling country wide. Further, NCIC conducted capacity building for peace and security actors to counter radicalization and violent extremism in parts of the Coastal region, enhanced the capacity of women in mediation and dispute resolution from all the 47 counties and enhanced the capacity of teachers to establish peace clubs and promote peace and conflict mitigation in institutions.
116. To promote national unity, the Ministry of Education (MoE) completed development of infrastructure in newly upgraded national schools and trained officers and teachers on emerging issues in education. In partnership with United Nations International Children's Emergency Fund (UNICEF), the Ministry developed a program dubbed, *Masomo na Usalama* focusing on prevention and management of Emerging Forms of Violence in the education sector.



*Figure 8: Masomo na Usalama Initiative in Conflict Prone Areas*

**Source:** Ministry of Education

The program enhances access to education for school age children living in conflict prone areas of East Pokot, Turkana South, Isiolo Central and Samburu Central. The Ministry further embarked on constructing additional Technical Training Institutes (TTIs) in constituencies to increase access to technical education. Further, Murang'a University of Technology undertook mentoring construction of TTIs in Gatanga, Kandara and Kamukunji.

117. To promote the rule of law, the Commission for University Education (CUE) initiated the amendment of the Universities Act, 2012 to give the Commission more powers to execute its mandate. Subsequently, the Universities (Amendment) Act, 2016 was enacted by Parliament. Public universities continued to allocate budgets towards promoting national cohesion and national values and organized cultural weeks for staff and students to celebrate their diversity. Staff members from different communities and religious inclinations, as well as students were sensitized on the provisions of the Constitution and the need to promote national unity and public participation. Public universities encouraged formation of professional clubs with diverse membership and in some instances banned ethnic groupings.

118. To enhance patriotism, the MoE involved the youth in volunteer initiatives under the G-United Programme. The programme aims to promote national cohesion through mentorship and focuses on early grade reading. In addition, Jomo Kenyatta University of Agriculture and Technology (JKUAT) fostered patriotism by participating in national and community development activities that demonstrated love and commitment to the country.
119. To promote national unity, Chuka University hosted a sensitization session on national values and cohesion in which they invited Tharaka Nithi county ward and sub county administrators. The University conducted a compliance audit to the various regulations and statutes. The University of Nairobi nominated patriotic members of staff for Excellence Awards in different fields of expertise.
120. To promote the creation of a national identity and exercise of sovereign power, Kenyatta University offered a Common Unit (UCU 106) on Ethics, Diversity and Patriotism to all first year students. Further, the University offered training to the National Police Service, Kenya Defence Forces and Kenya Prisons Officers on the rule of law. In addition, various tertiary institutions and universities conducted student council elections to promote democracy and participation of the people. Separately, the Kenya National Library Services had 9,263,043 adults and 11,868,984 children visit its 61 branches countrywide with 10 libraries dedicating sections to cultural artifacts.
121. To promote creation of a national identity and exercise of sovereign power, Ministry of Energy and Petroleum through Kenya Power Company connected Kenyans across the country to the electricity grid through the Global Partnership Output Based Aid (GPOBA) and the Last Mile Connectivity initiatives. To enhance participation of the people, Kenya Electricity Generating Company (KenGen) in collaboration with the Meru County Government involved residents in land acquisition for the Meru Wind Project. A stakeholder's coordination committee was formed in Ol-Karia and Seven Forks with the community given rights to choose their representatives in the committees. In addition, the National Oil cooperation of Kenya engaged with community elders as well as the Kajiado County government to ensure community support for oil and gas exploration activities.

122. The Ministry of Lands and Physical Planning promoted democracy and participation of the people by holding public complaints and resolutions fora to seek public views in the development of the Community Land Act, 2016 and Land Laws (Amendment) Act, 2016 and set up Settlers Selection Committees in Settlement Schemes. The Community Land Act, 2016 is aimed at streamlining management of community land while the Land Laws (Amendment) Act, 2016 removes overlaps in the mandates of the Ministry and the National Land Commission. A taskforce to formulate guidelines and regulations to operationalize the Land Laws (Amendment) was established. In addition, to promote the rule of law, the National Land Commission spearheaded the enactment of legislation for adjudication of claims arising out of historical land injustices through amendment of the National Land Commission Act, 2012.
123. To enhance the rule of law, the State Department of Housing and Urban Development in collaboration with the Office of the Attorney General and Department of Justice reviewed the current tenancy legislation (Cap. 296, 293, & 301) and formulated and submitted to Parliament the Landlord and Tenant Bill, 2017. The State Department is formulating the National Slum Upgrading and Prevention regulations to enforce implementation of the Slum Prevention and Upgrading Policy.
124. The State Department of Housing and Urban Development continued to uphold the rule of law by developing the National Building Maintenance Policy, National Slum Upgrading and Prevention Policy and the Leasing and Accommodation Policy, and reviewed the National Housing Policy, National Construction Authority Act (No. 14 of 2011). Further, the State Department spearheaded the review of the National Housing Bill, 2009, Built Environment Bill, 2012 and Quantity Surveyors Bill, 2012. The Directorate of Urban and Metropolitan Development formulated the National Urban Development Policy, Development of Metropolitan Areas Policy and proposed amendments to the Urban Areas and Cities Act, Cap. 275.
125. To promote democracy and participation of the people, the Privatization Commission organized and facilitated stakeholder forums with respect to privatization of the New Kenya Cooperatives Creameries (KCC) and public sector owned hotels. Separately, the National Council for Persons with Disabilities continued to lobby for

free legal aid services for PWDs to get representation in court. To promote the rule of law, the Kenya Veterinary Board (KVB) carried out inspection of premises offering animal health services and registered professionals to ensure competent service delivery.

126. The Ministry of Sports, Culture and the Arts spearheaded the development of the Anti-Doping Bill, 2016 which was passed by Parliament within the deadline set by the World Anti-Doping Agency (WADA). In addition, the Ministry through the Department of Arts and Culture organized a national Kenya Music and Cultural Festival held in Kwale County to promote peace, national unity and co-existence among Kenyans in which 26 counties participated. Further, the Department included a category on national values in the Kenya Music and Cultural Festival syllabus. The National Council for Population and Development produced a composition of 5 songs under the banner *Wakenya Tujipange* to promote patriotism.
127. The Brand Kenya Board promoted patriotism by organizing the Inter-County Youth Forums for Coast region on social cohesion. In addition, the Board disseminated positive content through its official social media pages and undertook the 'Road to Rio Campaign' to support Kenyan athletes. The Board further developed a mark of identity for all products made in Kenya as the primary identifier of Kenyan products in support of the Government's 'Buy Kenya Build Kenya' Policy.
128. To further promote patriotism, the Vision 2030 Delivery Secretariat ran a communication campaign dubbed, *Tunatimiza bega kwa bega* which enabled citizens identify with programs in the country and hence created a sense of ownership and belonging. The campaign was aimed at showcasing the progress of Kenya's Vision 2030 flagship projects by illustrating the impact of these projects.
129. The State Department of East African Integration formed a choir whose mandate is to sing the National Anthem, the East African Community (EAC) Anthem and other patriotic songs in all EAC forums held in the country. Further, the State Department, in enhancing democracy and participation of the people, organized stakeholder consultations before proceeding for regional negotiations and public hearings for all Bills proposed by the East Africa Legislative Assembly.

130. The Ministry of Information, Communication and Technology (ICT) through the State Department of Broadcasting and Telecommunications developed a Language Policy to encourage participation of the people living with disabilities. Further, the State Department rolled out internet connectivity across the country through the National Fibre Optic Backbone and implemented '.ke' domain names in official emails and websites.
131. The Communications Authority of Kenya (CAK) promoted patriotism, democracy and participation of the people and the rule of law by establishing a monthly patriots' day and involving the public through stakeholder consultation forums in development of its regulations. A total of 16 sets of regulations were finalized in 2016 on the Kenya Information and Communications Act, Cap. 411A. Further, Kenya Airports Authority (KAA) promoted national unity by employing a total of 52 staff from diverse communities at various levels of the organization.
132. To enhance national identity, the Ministry of Public Service, Youth and Gender Affairs through the State Department of Public Service and Youth Affairs continued to establish additional *Huduma* Centres. The centres helped create a new Kenya Government brand, improved service delivery and enhanced the national pride.
133. The National Treasury upheld the rule of law by reviewing regulations in line with the Public Procurement and Assets Disposal Act, 2015 to include the requirement for minimum 40% of all procurement budgets to be dedicated to locally produced goods and services to promote the 'Buy Kenya Build Kenya' concept. In addition, the Central Bank of Kenya (CBK) enhanced national identity during the celebration of 50 years of existence with a focus on supporting economic growth of the country. The Bank further opened a public gallery at the National Museums of Kenya to showcase the history of the Kenya currency and published a book on the history and development of money in Kenya.
134. To enhance public participation and patriotism, the Government through Kenya Revenue Authority (KRA) held Taxpayers' Month activities in October 2016 and nominated tax payers for recognition awards. Further, KRA started tax clubs in secondary schools and tax

societies in universities and hosted forums that gave taxpayers an opportunity to give input on tax administration.

135. To enhance the creation of a national identity, Uwezo Fund Oversight Board undertook public awareness and training of youth groups across the country in areas of low fund uptake and repayment levels. The Board further organized public forums to collect views on the review of the Public Finance Management (Uwezo) Fund Regulations, 2014. The Board also awarded contracts to youth, women and persons with disabilities under the 30% procurement affirmative action initiative.
136. The State Department for Co-operatives through the SACCO Society Regulation Authority (SASRA) promoted national unity by developing a Central Liquidity Fund as a mechanism for inter-SACCO co-operation in matters of inter-SACCO lending and sharing of ICT infrastructure. The Fund aims at addressing short term liquidity needs and ensuring licensed deposit taking SACCOs can lend more to members. The Authority maintained an interactive website ([www.sasra.go.ke](http://www.sasra.go.ke)), twitter handles and facebook page to facilitate public participation and feedback. Additionally, SASRA initiated the process of developing stakeholder engagement and good corporate citizen policy.
137. To promote the creation of a national identity and exercise of sovereign power, the Ministry of Foreign Affairs allocated funding to foreign missions for National Day celebrations and facilitated the formation of diaspora SACCOs. Separately, the Office of the Controller of Budget participated in a World Bank Round Table which discussed the role of citizens in auditing and budget making.
138. To demonstrate patriotism, the Ministry of Defence through the Kenya Defence Forces (KDF) deployed personnel to assist in disaster incidences of collapsed buildings in Huruma, Westlands and Kisii.



*Figure 9:KDF Assisting at a Collapsed Building Site*

**Source:** Open sources

The KDF further enforced the rule of law when deploying troops to international peace operations by following the Status of Force Agreement, Rules of engagement and Pre-deployment training. Further, the continued participation of the KDF in Somalia under African Union Mission in Somalia (AMISOM) enhances Kenya's image internationally.

139. The Ministry of Interior and Co-ordination of National Government through the Directorate of Criminal Investigations (DCI) undertook several measures to promote the creation of a national identity and exercise of sovereign power. These included upgrading of specialized units, construction of a modern Forensics Lab and development of a Training Curriculum for DCI Training School in collaboration with Kenya Institute for Curriculum Development (KICD). Further, to promote the rule of law, the Government continued to embrace joint collection and sharing of intelligence amongst law enforcement agencies to enhance detection, disruption of activities and arrest of criminals. The monitoring of emerging militia groups continued with the issuance of Gazette Notice (No. 10690 of 20160 which listed the outlawed organized criminal groups.

140. To enhance creation of a national identity, the Government through the Ministry of Interior and Co-ordination of National Government announced the fast-tracking of repatriation of Somali refugees from the country. The decision was actualized in May, 2016 vide Gazette Notice (No. 4418 of 2016) which established the National Multi-Agency Refugees Repatriation Team with a mandate to manage the process of repatriation. The State Department of Correctional and Rehabilitation Services through the Kenya Prisons Service recruited additional prisons officers to manage correctional services reflecting the face of the country in terms of gender, religion and ethnicity.
141. To uphold democracy and participation of the people, Parliament continued to implement **Article 35** of the Constitution on the right to access information for the citizenry through live broadcasts and the uploading of the Hansard reports to its websites. Further, Parliament considered and passed amendments to various legislations, received and considered various petitions from individual citizens and groups.
142. To enhance public participation, the Office of the Director of Public Prosecution (ODPP) opened complaints and compliments desks in all their 47 county offices and 72 sub-counties. The Victim and Witness Facilitation Unit was established to promote state engagement with victims of crime. To promote the rule of law, the Nairobi County Government formulated legislations including the Regulation of Building and Resident Association Act which enabled real estate developers to apply for regularization of their unapproved buildings.
143. To promote the creation of national identity and exercise of sovereign power, the Office of the Attorney-General and Department of Justice (OAG&DoJ) developed a National Policy on Public Participation. In addition, the KLRC developed the Cyber Security and Protection Bill, 2016 whose object is to provide for offences relating to computer systems; enable timely and effective collection of forensic material for use as evidence, and facilitate international co-operation in dealing with cyber-crime. The Commission further developed the Draft National Crime Research Centre Bill, 2016 whose object is to establish the National Crime Research Centre to provide for; its incorporation, powers and functions, carrying out research into crime including the promotion of research in connection with crime and its prevention.

144. The Ministry of Water and Irrigation promoted the rule of law by spearheading the enactment of the Water Act, 2016 to provide for the regulation, management and development of water resources, water and sewerage services. To promote democracy and participation of the people, the Athi Water Services Board consulted widely with stakeholders in Nairobi water distribution and the Juja-Thika Sewerage projects. The Water Services Regulatory Board ensured that adjustment of water tariffs was subjected to public participation. Water Services Trust Fund implemented MoUs with Nandi, Narok, Migori, Tharaka Nithi, Laikipia and Kwale County governments in partnership with Governments of Sweden and Finland to finance projects implementation.
145. The Water Resources Management Authority initiated regional catchment forums for effective public participation on water resources management. The Authority ensured that water allocation and regulation are done as per provisions of the Water Act, 2002 and the Water Resources Management Rules, 2007. National Water Conservation and Pipeline Corporation undertook various projects across the country as well as taking part in stakeholder forums to promote patriotism and national unity. The projects included construction of the Siyoi-Muruny Dam in West Pokot, Lentukai Pan in Narok South, Kirikanja Dam in Keiyo North, boreholes in Turkana County and *El Nino* flood mitigation in Mogotio, Baringo County.
146. In addition, the Tana Water Service Board promoted public participation through community involvement in project identification, implementation, monitoring and evaluation in Kyeni, Murang'a South, Kirinyaga and Maua. To enhance participation of the people and create awareness, Kenya Tsetse and Trypanosomiasis Eradication Council (KENTTEC) spearheaded formation of new farmer groups to support the Council eradicate tsetse and trypanosomiasis. Further, to promote national unity and patriotism, the Agricultural Finance Corporation (AFC) increased the number of farmers accessing agricultural loans from 75,000 to 85,000 across the country. A total of KSh. 3.168 Billion was disbursed increasing the loan portfolio to KSh. 6.926 Billion against the target of KSh. 6.7 Billion.
147. To promote the creation of national identity and exercise of sovereign power, the Ministry of Devolution and Planning developed an

alternative dispute resolution mechanism to strengthen intra and inter-governmental relations among national and county governments. Further, the Ministry operationalized the Inter-governmental Technical Relations Committee. Several County Public Service Boards (CPSB) provided continuous training, awareness creation and dissemination of information on National Values and Principles of Governance to public servants within counties. The Boards engaged members of the public through relevant media such as county websites, newspapers, public *barazas* and notices in churches, schools and trading centers to ensure that information reached the largest number of people. Lamu Public Service Board promoted the rule of law by developing regulations and embracing national symbols. Further, the county held the annual cultural festival to celebrate cultural diversity.

148. The Kenya Film Commission (KFC) promoted patriotism by celebrating and encouraging local content and showcasing Kenya's content at the Uganda International Film Festival, Distributed Constraint Optimization (DISCOP) Africa and Coast Film Festival. The Commission showcased Kenya as a strategic location for filming to raise its visibility, capture the attention of content buyers, and generate brand awareness for Kenya and business for local filmmakers.
149. To enhance the rule of law, Ministry of Transport, Infrastructure, Housing and Urban Development through the State Department of Shipping and Maritime Affairs constituted a taskforce to spearhead the implementation of Marine Cargo Insurance. This was aimed at stemming export of marine cargo insurance premiums to foreign insurance companies in line with section 20 of the Insurance Act, 2012 that stipulates that Kenyan businesses must be underwritten by Kenyan insurers.
150. The Lamu Port South Sudan Ethiopia Transport (LAPSSET) Corridor Development Authority promoted democracy and participation of the people by holding county level consultative forums to enhance public goodwill for sustainability of the project. Further, the transport corridor opened up the region to enhance national unity.
151. In addition, the Government through Kenya National Highways Authority (KeNHA) promoted national unity by constructing roads

which include Mwatate-Taveta, Loruk-Barpelo, Voi-Mwatate-Wundanyi and Turbi-Moyale. Further, KeNHA organized public participation forums in preparation and implementation of projects to seek social acceptance. Additionally, the Kenya Rural Roads Authority (KeRRA) involved the 290 Constituency Roads Committees to identify the priority road projects in their areas. The Authority continued to undertake environmental and social impact assessments for all its road projects as provided for by national environment protection laws. Separately, Kenya Roads Board (KRB) organized regional workshops to disseminate FY 2016/2017 annual audit and monitoring and evaluation outcomes to road agencies.

152. To promote the creation of a national identity and exercise of sovereign power, the Ministry of Industry, Trade and Co-operatives through MSEA started the *Ufanisi wa Bidhaa* Programme aimed at identifying at least 5 products from each of the 47 counties to be developed in terms of quality improvement, branding, packing and bar-coding. This is to enhance their access to local and international markets to ensure sustainability, job and wealth creation as well as economic development. The Authority further developed MSE (Association) and MSE (Work Site) regulations to implement the Micro and Small Enterprises Act, 2012. In addition, the Industrial and Commercial Development Corporation (ICDC) promoted patriotism by giving priority to procurement of goods and services from Kenyan suppliers and contractors. Separately, the Kenya Bureau of Standards (KEBS) promoted competitiveness of Kenyan products and facilitated trade through provision of standards, measurement, testing and certification solutions.
153. To enhance public participation, Ministry of Health through National AIDS Control Council (NACC) and other partners organized a *Maisha* County League Campaign targeting young people in all 47 counties. The campaign aimed at leveraging on the Federation of Kenya Football League to support ‘kick out HIV stigma from Kenya’ campaign. To promote national unity, the Kenya Medical Supplies Authority (KEMSA) supplied drugs and medical stores to all health facilities in Kenya. The Nursing Council of Kenya (NCK) registered newly trained nurses and carried out accreditation visits to health training institutions across the country.

154. The State Department of Interior, through Kenya School of Adventure and Leadership (KESAL) organized one annual Extreme Event inside Mt. Kenya Forest to uphold patriotism and national unity. The event involved 350 participants from all over the Country and was meant to sensitize the public on the importance of environment protection, promote national unity and patriotism. The KESAL besides training on leadership skills, promoted patriotism through establishment of indigenous tree nurseries, planting trees to increase forest cover, assisting in fighting forest fires and organizing mountain route clean ups.
155. In upholding the rule of law, the State Department of Interior through Government Press continued to print and publish Government documents including Policies, Reports, Regulations, Parliamentary Bills and Acts. The State Department also published all legal notices in the *Kenya Gazette* and further prioritized the printing and publishing of county legislative materials.
156. To enhance national identity, the National Authority for the Campaign against Alcohol and Drug Abuse (NACADA) conducted public awareness campaigns through *barazas*, shows, exhibitions, and community cultural festivals. NACADA also partnered with public learning institutions through campus tours in high risk counties.

### Measures Taken to Enhance Sharing and Devolution of Power

#### *Article 10(2)(a): Sharing and Devolution of Power*

157. Devolution in Kenya is anchored in Chapter 11 of the Constitution which provides the objects and principles of governance. During the year under review, the Government undertook various measures to enhance sharing and devolution of power.
158. Parliament facilitated funding for counties through the National Budget and initiated various county-related legislations. Parliament passed the County Allocation of Revenue Act, 2016 whose object and purpose is to provide, pursuant to **Article 218(1)(b)** of the Constitution, for allocation of an equitable share of revenue raised nationally among the county governments, in accordance with the resolution approved by Parliament under **Article 217** of the Constitution for the FY 2016/2017, provide, pursuant to **Article 187(2)** and **202(2)** of the Constitution, for conditional allocations for

the FY 2016/2017; and facilitate the transfer of allocations made to counties under this Act from the Consolidated Fund to the respective County Revenue Funds.

159. Parliament also passed the Division of Revenue Act, 2016 to provide for the equitable division of revenue raised nationally between the national and county levels of governments for the FY 2016/17 in accordance with **Article 203(2)** of the Constitution and conditional allocations to county governments in accordance with **Articles 202(2)** and **187(2)** of the Constitution.
160. In addition, Parliament considered the County Governments (Amendment) Bill, 2016 to amend the third Schedule of the County Governments Act (No. 17 of 2012) to change the physical location of the headquarters of Kirinyaga County from Kerugoya Urban area to Kutus Urban area; the County Governments (Amendment) (No. 2) Bill, 2016 to provide for the procedure for the disposal of a report of a Commission of Inquiry established under **Article 192(2)** of the Constitution and to provide for the termination of a suspension of a county government under **Article 192(4)** of the Constitution.
161. Other Bills considered by Parliament included the County Statistics Bill, 2016 to provide a framework for the collection, compilation, analysis and dissemination of statistical information; to establish a county statistics office; and to establish the office of the county statistician; the County Boundaries Bill, 2016 to provide for county boundaries, to provide for a mechanism for the resolution of county boundary disputes, to give effect to **Article 188** of the Constitution by providing for the procedure of alteration of county boundaries, and to provide for the establishment of an independent county boundaries commission.
162. Further, Senate Committees visited and engaged county governments on diverse occasions towards finding solutions to current challenges facing them. In addition, Senate worked with county governments in delivering the people's expectations as enshrined in the Constitution through the County Liaison Office with its participation in Legislative and Devolution Conferences. Senate also carried out capacity building of county governments through attachment programs for the technical staff.

163. To support sharing and devolution of power, State House through the Office of the First Lady (OFLA), distributed forty seven (47) mobile clinics to all the forty seven counties through the Beyond Zero Campaign with a view to building capacities of counties in maternal and child healthcare.



Figure 10: Beyond Zero Campaign

Source: myGov.go.ke

164. To support devolution, the Commission on Revenue Allocation (CRA) developed a handbook on enhancement of county governments own sources of revenue to support recurrent and development budgets. The handbook identifies factors that lead to increased county revenue and how to grow and sustain the amount of resources available for development in the counties. In the FY 2017/18, the Commission recommended KSh. 331.6 Billion for allocation to county governments as equitable share and KSh. 36 Billion as conditional grants. The recommendation was based on the six parameters namely: Population (45%), Equal share (26), Poverty (18%), Land area (8%), Development factor (1%) and Fiscal effort (2%) as illustrated in Figure 11.

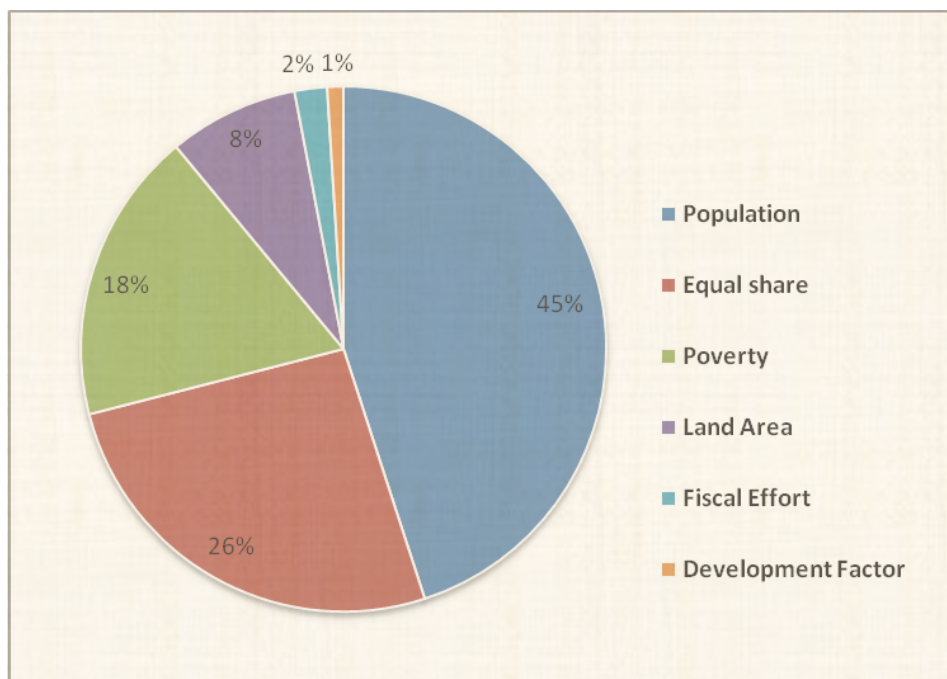


Figure 11: CRA Revenue Sharing Formula

Source: CRA

165. The CRA made contributions on how various stakeholders including the National Government, county governments and local communities may share revenues during the development of the Mining Bill, 2016 (now Mining Act (No. 12 of 2016)). Further, the Commission mediated a water dispute between Kericho and Bomet counties that resulted from nonpayment for bulk water supplied to parts of Kericho County by Bomet Water Company leading to a water crisis in Kericho County. In addition, the Commission participated in stakeholder consultations organised by the Equalization Fund Advisory Board Members to identify projects and programmes for financing from the Equalization Fund in 14 marginalized counties. The Commission also made presentations to various forums such as the Turkana leaders and professionals, the Kenya Institute of Management, and the Kenya Revenue Authority during the Tax Payers' Week. The objective was to create awareness to members of the public on matters affecting them to promote transparency and accountability.

166. Further, the Commission carried out determination of recurrent expenditure ceilings for counties through a consultative process. It further advocated for the automation of county revenue collection and management. To this end, the Commission developed standard county revenue automation guidelines and circulated detailed standard county revenue management system tender specification document for adoption. This was aimed at ensuring counties procure appropriate revenue management systems. The CRA also offered expert technical ICT capacity assistance to county governments while evaluating technical tender documents.
167. The Salaries and Remuneration Commission (SRC) continued to discharge its mandate in supporting county governments on matters relating to remuneration. To enhance collaboration between national and county governments, the KFC in conjunction with the Communication Authority of Kenya (CAK), county governments and the local stakeholders undertook trainings aimed at strengthening the local filmmakers' professional skills. The trainings were also meant to equip the industry players at county level with information to enable them compete effectively at the local and international levels.
168. To support devolution, the Teachers Service Commission (TSC) developed and disseminated a handbook on decentralization of teacher management functions and appointed Deputy County Directors, Sub-county Directors and Curriculum Support Officers. Further, the Commission deployed ICT officers to the counties to provide technical support and enhance ICT connectivity.
169. The KLRC continued to support sharing and devolution of power by offering technical assistance to the 47 county governments in the development or review of legislations. For instance, the Commission developed the Siaya and Kisumu County Persons with Disability Bills, 2016 whose objects were to: provide for rights and privileges of persons with disabilities; realize equalization of opportunities for persons with disabilities; mainstream matters affecting persons with disabilities within the county; establish the county board for persons with disabilities; and establish a county development fund for persons with disabilities within the county.
170. In promoting sharing and devolution of power, the Office of the Controller of Budget (OCOB) advised both national and county

governments on prudent resource allocation and utilization to ensure that the budgets met the requirements of the law before approval of releases from the exchequer. This ensured that devolution programmes and projects were in line with the respective implementation action plans. In support of sharing and devolution of power, the OCOB continued to monitor and approve release of the resources due to the county governments, and further facilitated capacity building for the general public to participate effectively in the budget process. Separately, the Central Bank of Kenya (CBK) maintained stability of the Internet Banking System for the two levels of government, including the county assemblies to enhance efficient utilization of resources.

171. The Office of the Auditor-General (OAG) established 9 regional and county offices and posted auditors to audit county government entities and projects. To enhance devolution, the National Gender and Equality Commission (NGEC) facilitated the development of model laws for Persons with Disabilities (PWDs) in five (5) counties namely Meru, Nyandarua, Migori, Kajiado and Tharaka-Nithi.
172. To promote accountability and prudent utilization of resources in devolution process, the Ministry of Devolution and Planning developed the 2nd Generation Revenue Sharing Formula. The Ministry also developed and disseminated 51 model laws to all county governments and developed and issued policy guidelines to county governments to ensure standards and harmonized development between the two levels of government. The Ministry in collaboration with the Council of Governors (CoG), established a Devolution Resource Centre (*Maarifa* Centre) to be Kenya's premier knowledge sharing and learning platform for effective governance and service delivery; provided technical assistance to county governments on development planning; organized the 3rd Devolution Conference in April 2016. The 4th and last Annual Devolution Conference was held in March, 2017 in Naivasha whose theme was "Devolution-transforming lives: Tell your story" as captured in Figure 12. The overall objective was to assess gains, enhance understanding and appreciation of devolution as a system of governance that focuses on public accountability and learning new ways of socio-economic development and delivery services.



*Figure 12:4th Annual Devolution Conference*

**Source:** Open sources

173. To promote sharing and devolution of power, the Government through the State Department of Planning and Statistics formed a task force to develop a Poverty Reduction Coordination Framework to fast-track poverty reduction in the period 2016-2030. The task force is operating under the Poverty Eradication Commission (PEC) and seeks to actualize the poverty reduction aspirations of the Kenya Vision 2030 and the Constitution. The taskforce produced a draft report proposing among others a legislative framework for coordinating the delivery of poverty reduction in the next 15 years.
174. To support sharing and devolution of power, the COG on behalf of the 47 counties, presented memoranda on Bills before the National Assembly and Senate including the Elections Law (Amendment) Bill, 2016, the Health Bill, 2015 and the Kenya Roads Bill, 2015 among others.
175. The National Treasury continued to support fiscal decentralization through the development of appropriate systems as well as capacity building on fiscal matters to the relevant county government

personnel to entrench devolution. In addition, the Treasury developed an overarching draft policy framework together with a draft national legislation framework with a view to providing support to county governments' local revenue raising efforts. The policy proposes measures to broaden county governments' tax bases while strengthening their revenue administration capacity. In addition, the Treasury made appropriate arrangements to develop the capacity of public officers on financial reporting.

176. To strengthen professional and technical capacity of county governments, the Ministry of Public Service, Youth and Gender Affairs developed and rolled out a new curriculum targeting leadership in counties, developed proposals for seeking technical assistance from development partners, collaborated with targeted counties in capacity development, guided counties in undertaking training needs assessment, reviewed and implemented National Capacity Building Framework for counties. To enhance access to services by citizens in all counties, the Ministry opened 29 additional *Huduma* Centres bringing the total to 45 across 41 counties.
177. Further, the Ministry sensitized the youth on drug and substance abuse, HIV and AIDS, Gender-based Violence and FGM during various county youth engagement forums. The Ministry, through the Public Service Transformation Division, developed a MoU with ASAL Counties to introduce Results Based Management. In addition, the Ministry in collaboration with the Kenya School of Government (KSG) conducted research on the status of devolution in Kenya entitled '*Implementation of CIDP: Current Status.*' The findings and recommendations of the report were shared with all county governments as an intervention towards enhancing the implementation of devolution programmes and activities. The Ministry finalized the Capacity Assessment and Rationalization of the Public Service (CARPS) which was meant to guide the HRM processes in Government.
178. To support sharing and devolution of power, the Government through the Ministry of Lands and Physical Planning allocated KSh. 50 Million to land offices in the counties as per 2016/17 FY printed estimates. The Ministry further developed the Community Land Act, 2016 whose object is to provide for the recognition, protection and registration of community land rights; management and

administration of community land; and to provide for the role of county governments in relation to unregistered community land.

179. To strengthen professional and technical capacity of county governments, the Ministry prepared the National Spatial Plan and Physical Planning manuals to guide county planning. Further, the Ministry collaborated with county governments to prepare Physical Development Plans within counties, carried out capacity assessment and planning needs within the 47 counties, and advised on requirements for planning.
180. The Ministry of Information, Communication and Technology (MoICT) through State Department of ICT and Innovation continued to connect counties to the internet through the National Fibre Optic Backbone, and facilitated capacity building on ICT through the Presidential Youth Talent Development programme. Further, the State Department continued to share and disseminate information to the counties through electronic media, besides the use of newspapers and regional publications.
181. To support sharing and devolution of power, the Ministry of Health developed the Functional Assignment and Transfer Policy Paper (FATPP) which spells out the role of national and county governments in provision of health services. The Ministry also unbundled all the functions spelling out the exclusive functions for each level of government as outlined in the Constitution, the concurrent functions and the residual functions. In supporting devolution, the Ministry of East African Community, Labour and Social Protection continued to decentralize its services for ease of accessibility by citizens at the county, sub-county and ward levels. The Ministry further established semi-autonomous units in the counties allowing for wider community participation in policy decision-making processes.
182. To promote sharing and devolution of power, the Ministry of Water and Irrigation continued to collaborate and support county governments on projects implementation. The Ministry also developed guidelines for smooth transition of water and sanitation services.
183. To strengthen the role of county public service boards in devolution process, the Government through the Directorate of National

Cohesion and Values continued to train chairpersons of county public service boards on the role of the Boards in the promotion of national values and principles of Governance as provided for in County Governments Act, (No. 17 of 2012). In addition, the Directorate trained the executive arm of the County Government of Laikipia on their role in the promotion of national cohesion and values and the various initiatives that need to be adopted to enhance peaceful and harmonious co-existence of the various ethnic communities in the county.

184. To promote sharing and devolution of power, the National Council for Persons with Disabilities (NCPD) decentralized its services to all counties through recruitment and deployment of staff. The Council further facilitated allocation of resources for service delivery in the counties and trained county officers on disability mainstreaming. Similarly, the National Oil Corporation of Kenya (NOCK) continued to partner with county governments in expanding its retail network to 106 stations. Separately, the Kenya Animal Genetic Resource Centre (KAGRC) created satellite centres in different counties to enable distribution of its products. To facilitate this distribution KAGRC entered into MOUs with the respective county governments as their agents and deployed members of staff to satellite centres in Eldoret and Nyahururu.
185. To strengthen the professional and technical capacity of county governments, the Agriculture Food and Fisheries Authority (AFFA) trained Extension Officers to discharge their duties effectively. Export Promotion Council (EPC) in supporting sharing and devolution of power undertook several measures which included; training sessions, product development, onsite coaching, instructive training, creation of export awareness and sensitization workshops for county trade officers. To promote sharing and devolution of power, SASRA continued to co-ordinate county governments to enhance governance in deposit taking SACCOs.
186. To support devolution, the KRA commenced revenue collection through commercial banks spread all over the country. It also opened more offices in different counties and in all the 45 *Huduma* centres across the Country. In addition, the Authority has facilitated deployment of adequate staff to various stations/regions to enhance service delivery. To promote sharing and devolution of power, the

National Aids Control Council (NACC) continued to support the Kenya HIV Situation Room initiative which provides up to date information to stakeholders. This is meant to allow both national and county governments to track performance towards health targets and improve HIV service delivery. Further, the Council in collaboration with the Council of Governors and partners supported the counties to develop and launch County AIDS Strategic Plans.

187. In order to ensure increased access to water through infrastructural development, the Lake Victoria North Water Services Board initiated water projects cutting across 8 counties in its area of jurisdiction. In addition, the Board held consultative meetings with the county governments of Kakamega, Busia, Nandi, Bungoma and Trans Nzoia between March and June, 2016. The meetings were aimed at improving working relationships and enhancing work harmony between the Board and the counties as guided by the Water Act, 2015. The Board further drilled 17 boreholes in the following seven (7) counties: Elgeyo Marakwet, Uasin Gishu, Trans Nzoia, Nandi, Busia, Kakamega and Bungoma.
188. The Lake Victoria South Water Services Board facilitated the decentralization of Water Service Providers to 8 county governments and had the Board of Directors included in the County Water Board. Separately, the Athi Water Services Board (AWSB) participated in the development of the Nairobi County Policy and Water Bill, 2016 that was published in the Kenya Gazette Notice No. 7403.
189. The Kenya Tsetse and Trypanosomiasis Eradication Council (KENTTEC) in support of sharing and devolution of power trained Turkana County Zoologists and Veterinary staff on Tsetse and Trypanosomiasis eradication to enhance livestock productivity.
190. To promote sharing and devolution of power, the National Housing Corporation (NHC) partnered with different counties on housing and infrastructure development. The Corporation continued to support its regional offices in the counties to ensure housing services reached county residents. In addition, the Nursing Council of Kenya (NCK) decentralized its operations in Eldoret, Kisumu, Meru, Mombasa, Marsabit, Garissa and Lodwar.
191. In support of devolution process, Tana Water Services Board (TWSB) partnered with county governments of Meru and Kirinyaga

to design and implement water and sanitation projects. The two county governments provided land for construction of sewage treatment plants at Ahiti Ndomba and Giaki, respectively and the designs for both projects are complete. Separately, Water Resources Management Authority (WRMA) continued to support devolution by decentralizing its services to regions and sub-regions based on Water Basins in the country.

192. To support sharing and devolution of power, the National Water Conservation and Pipeline Corporation entered into MoUs with various county governments to establish a basis for mutual cooperation and collaboration to promote and facilitate development and management of water infrastructure. During the reporting period, the Corporation entered into MoUs with Nyamira, TharakaNithi, Uasin Gishu, Kiambu, Baringo and ElgeyoMarakwet County Governments. Further, the Corporation held a sensitization meeting on project affected persons concerning the proposed Koru Dam in Kericho/Kisumu counties in October 2016 to sensitize stakeholders on matters concerning the dam.
193. Export Processing Zones Authority (EPZA) established branches in 16 counties namely; Nairobi, Machakos, Kajiado, Bomet, Kiambu, Murang'a, Meru, Nyandarua, Uasin Gishu, Nandi, Elgeyo Marakwet, Mombasa, Kwale, Kilifi, Taita Taveta and Nakuru. The Authority further established and operationalized a zonal office at Samburu EPZ in Kwale County. Similarly, the Communication Authority of Kenya (CAK) opened two (2) regional offices in Eldoret and Mombasa to support the counties in western and coastal region respectively. The regional centers are meant to support the counties and make them have easier access to the Authority's services.
194. In addition, Kenya Industrial Research and Development Institute (KIRDI) established nine (9) operational centres in Nairobi, Kisumu, Bungoma, Uasin-Gishu, West-Pokot, Kisii, Migori, Homa Bay and Garissa. Further, the National Industrial Training Authority (NITA) opened regional offices and accredited trade test centers to make their services accessible. To decentralize services, the Higher Education Loans Board (HELB) also operationalized additional service desks in 22 *Huduma* Centres.

195. To promote devolution, the Kenya Rural Roads Authority (KeRRA) and county governments entered into MoUs on matters relating to construction and maintenance of roads. This enhanced technical capacity within the county governments. The Authority also involved its 290 Constituency Roads Committees comprising of local representatives from each constituency in decision making processes to identify road projects to be undertaken. Further, the Authority involved its 290 Constituency Roads Tender Committees in the identification and procurement of road projects.
196. The Northern Water Services Board (NWSB) in its endeavour to support devolution collaborated with county governments of Laikipia, Garissa, Isiolo, Mandera, Wajir and held stakeholder consultations with County Executive Committees (CEC) and county directors of water on water, sanitation and sewerage services. Similarly, Micro and Small Enterprises Authority (MSEA) continued to seek collaboration with the county Governments for promotion and development of Micro and Small enterprises. The KEMSA continued to strength professional and technical capacity of county governments to enable them discharge their duties efficiently through trainings on use of Logistics Management Information System (LMIS). This entailed training of county pharmacists on managing medical commodities, ordering processes, submission of electronic orders, and reporting on order historical data. Further, KEMSA adopted a new business model meant to ease procurement of medical supplies.
197. The Kenya Literature Bureau (KLB) continued to promote devolution by strengthening professional and technical capacity of county Governments through seminars. In addition, KLB partnered with counties to create awareness on the teaching materials available for polytechnics. Separately, the National Hospital Insurance Fund (NHIF) collaborated with county governments in carrying out five (5) sensitization forums on health insurance of elderly persons living with disabilities and Health Insurance Subsidy Programme to facilitate continuous and seamless provision of health insurance services.
198. To enhance devolution, the Kenya National Library Service (KNLS) continued to mobilize donor funding for its 61 branches spread across the counties to facilitate completion of different projects. In addition, the Kenyatta International Convention Centre (KICC) continued to

run the initiative dubbed ‘Meetings, Incentives, Conferencing and Exhibitions’ (MICE) in various counties. In promoting sharing and devolution of power, the Agricultural Finance Corporation (AFC) increased their branches to 45 spread across the counties for fair distribution of loanable funds to farmers. Further, the Pest Control Products Board (PCPB) built the capacity of county officers in its five (5) regional offices of Nairobi, Kisumu, Mombasa, Embu and Nakuru and participated in thirty (30) ASK shows, field days and exhibitions.

199. The Kenya National Highways Authority (KeNHA) decentralized its functions through the ten (10) regional offices across the country which provided oversight to 70% maintenance works of the Authority. Similarly, in promoting devolution, Kenya Agricultural and Livestock Research Organization (KALRO) established additional regional centres and undertook County Specific Soil Management Guidelines for coffee development for Trans Nzoia, Laikipia, Bungoma, West Pokot, Elgeyo Marakwet, Nakuru and Kericho counties. The Organization also conducted four (4) land use assessments for coffee and tea production.
200. To enhance devolution, the Kenya Plant Health Inspectorate Service (KEPHIS) collaborated with the county governments in its stakeholder activities in Uasin Gishu, Machakos, Nairobi, Elgeyo Marakwet, Nandi, Trans Nzoia, Kericho, Narok, Nakuru, Nyandarua, Nyeri, Kirinyaga, Meru, Mombasa, Kilifi, Taita Taveta, Kisumu and Homa bay. In addition, the National Social Security Fund (NSSF) continued to offer services in their branches spread across all the 47 counties. Further, NSSF established and operationalized twenty nine (29) desks in the respective *Huduma* centres to enhance service delivery in the counties.
201. In supporting devolution, the Kenya Medical Training College (KMTTC) established fifteen (15) new campuses across the country to make training opportunities accessible and introduced online applications and admission to colleges. In addition, the Moi Teaching and Referral Hospital partnered with county governments in the Rift Valley and Western Kenya to improve management of chronic diseases aimed at reducing referrals to the facility.

202. To promote sharing and devolution of power, the Kenya Vision 2030 Delivery Secretariat (VDS) signed MoUs with county governments to align County Integrated Development Plans (CIDPs) to Vision 2030 and Medium Term Plans. The VDS held workshops in June 2016 with Turkana, Lamu and Uasin Gishu county governments and also trained Isiolo County Government on CIDPs and Sustainable Development Goals (SDGs). Further, the Secretariat partnered with National Museums of Kenya in developing a funding proposal for commercialization of Aloe in Baringo County and sensitized the county leadership including Members of Parliament.
203. To enhance devolution, the Capital Markets Authority (CMA) implemented the County Investor Education Strategy to create awareness on the capital market investment opportunities. The Authority also developed a policy framework for county financing of development projects through project finance (securitization). In addition, CMA carried out the following activities: conducted roadshows in Homa Bay and Bungoma counties; Conducted forums for CBOs, women and youth in Homa Bay, Taita-Taveta, Murang'a, Busia, Laikipia, and Bungoma counties; held forums for business and professional communities in Homa Bay, Busia, Laikipia, and Bungoma counties; held Investor education forums in Kiambu County; held the 4th Annual Governance and Ethics Conference in Mombasa in March 2016; held a Grand Finale of the Nairobi County University Challenge in March 2016; held a seminar on Emerging Fraud Risk in May 2016; conducted Fourth Annual Capital Markets Open Day in May 2016; and Exhibition at the Annual Law Society of Kenya Conference in Kwale County, among others.
204. To promote devolution, Kenya Copyright Board (KECOBO) undertook training programmes on copyright and related rights in Kitui, Embu, Kiambu, Nandi, Nakuru, Bungoma and Kakamega to empower law enforcement agencies. During the reporting period, 427 police officers from the grassroots levels were trained on copyright law enforcement. To enhance sharing and devolution of power, the KEBS continued to support its six regional offices in Coast, Mt. Kenya, South Rift, North Rift, Lake Region and North Eastern and undertook 25 sector specific workshops in partnership with county governments to create awareness on standards.

205. To promote sharing and devolution, the National Council for Population and Development (NCPD) engaged 11 county governments through workshops to enhance their professional and technical capacity to plan and budget for implementation of development using demographic and health data. The Council also engaged 8 county governments in County Integrated Development Planning processes and strengthened NCPD County Offices through increased funding for population technical support services. Separately, the Insurance Regulatory Authority (IRA) conducted Executive Certificate of Proficiency (ECOP) training in Elgeyo/ Marakwet, Bomet, Embu, Samburu and Makueni counties.
206. Public universities continued to support sharing and devolution of power by devolving their services and functions towards expansion of university education. In addition, universities continued to support county governments especially on capacity building programs. For instance, Masinde Muliro University of Science and Technology (MMUST) collaborated with the Kakamega County Government in diverse areas including capacity building, service delivery and projects implementation in various sectors. Separately, Meru University of Science and Technology participated in the building of the Assistant County Commissioner's office by providing technical and material support to enable the national government administration officers execute their duties efficiently.
207. Rongo University developed a curriculum on County Governance and Management to be used for training of county government staff on Leadership and Governance. It further entered into a MoU with Migori County Government to build the capacity of county staff on leadership and governance. A similar curriculum was developed by Murang'a University of Science and Technology to enhance the capacity of Murang'a County Government staff on leadership and governance. Further, the University of Kabianga introduced a specific budget allocation to departments that is meant to implement initiatives that promote devolution through various activities. The University organized a cultural week activity that was meant to sensitize both staff and students on the need to appreciate sharing and devolution of power.
208. The Ministry of Interior and Co-ordination of National Government, through the National Government Administration Officers (NGAO)

continued to promote sharing and devolution of power through collaborations with county governments and other relevant stakeholders. Joint initiatives undertaken included organizing National Day celebrations, supporting, directing and supervising the delivery of national government social support in the county including the Cash Transfer for orphaned and Vulnerable Children, Older Persons Social Protection Fund and Bursaries for Orphaned and vulnerable Children. Other joint activities are facilitating training sessions, formation of joint inter-governmental committees and forums to improve service delivery in the county, and launch of diverse socio-economic activities.

209. To ensure effective implementation of devolution programmes, county governments through their respective leadership continued to support diverse devolution processes. Some of the activities undertaken towards supporting programme implementation include recruitment of requisite staff, continued empowerment of county personnel, reorganization of operational structures, implementation of diverse devolution laws, regulations and guidelines, resource mobilization, facilitating public participation, and continued monitoring and evaluation of county programmes and projects.

#### **Measures Taken for the Protection of the Bill of Rights**

*Article 10(2)(b): Human Dignity, Equity, Social Justice, Inclusiveness, Equality, Human rights, Non-discrimination and Protection of the Marginalized*

210. To promote human rights, Parliament enacted the Legal Aid Act, 2016 to provide affordable, accessible, sustainable, credible and accountable legal aid services to the destitute persons in Kenya; provide a legal aid scheme to assist destitute persons to access legal aid and to promote alternative dispute resolution methods that enhance access to justice in accordance with the Constitution.
211. The OAG&DoJ promoted human rights by conducting continuous civic education, reviewing laws, policies and regulations relating to the Bill of Rights. The OAG&DoJ also protected human rights by formulating the National Policy and Action Plan on Human Rights and facilitated the development of the Prevention of Torture Bill forwarded to Parliament in 2016, the 4th Periodic Report of International Convention on Civil and Political Rights, and the Development of the 3rd Periodic Report on UN Convention against

- Torture. Separately, the Judiciary established new law courts and increased the number of mobile courts in marginalized areas to promote human rights.
212. The Government through the Ministry of East African Community, Labour and Social Protection registered community development groups to enable them access government development funds set up for vulnerable persons including women, youth and persons with disabilities. In addition, the Ministry placed job-seekers on employment through the National Employment Authority.
213. The Kenya National Commission on Human Rights (KNCHR) promoted the Bill of Rights by receiving and processing complaints of alleged human rights violations across the country. The Commission also conducted human rights awareness for state officers and members of the public to promote and protect human rights for all. It also carried out monitoring of state compliance with international human rights obligations. The Commission promoted human dignity by participating in drafting of the Preservation of Human Dignity Bill. The Office of the Director of Public Prosecutions (ODPP) promoted the protection of the marginalized by embracing diversity in the recruitment, promotion and deployment of its staff members.
214. To promote equity and the right to education, MoE developed the Early Childhood Development and Education (ECDE) Policy in 2016. The Policy guides establishment and teaching in ECDE centres across the country. The Ministry increased access to Basic, Technical Vocational Education and Training (TVET), University and Adult Education by providing funds through Free Primary Education (FPE), Free Day Secondary Education (FDSE), support to Arid and Semi-Arid Lands (ASALs) and TVETs. The Ministry also constructed additional TVET institutions and build capacity of trainers and managers at the counties.
215. To further promote the right to education and social justice, the MoE implemented curriculum reforms in education sector. Consequently, in January 2017, the Ministry hosted the Curriculum Reform Conference which adopted the Basic Education Curriculum Framework. The Framework seeks to guide development of a Competency Based Education Curriculum that will identify and nurture each learners' potential.

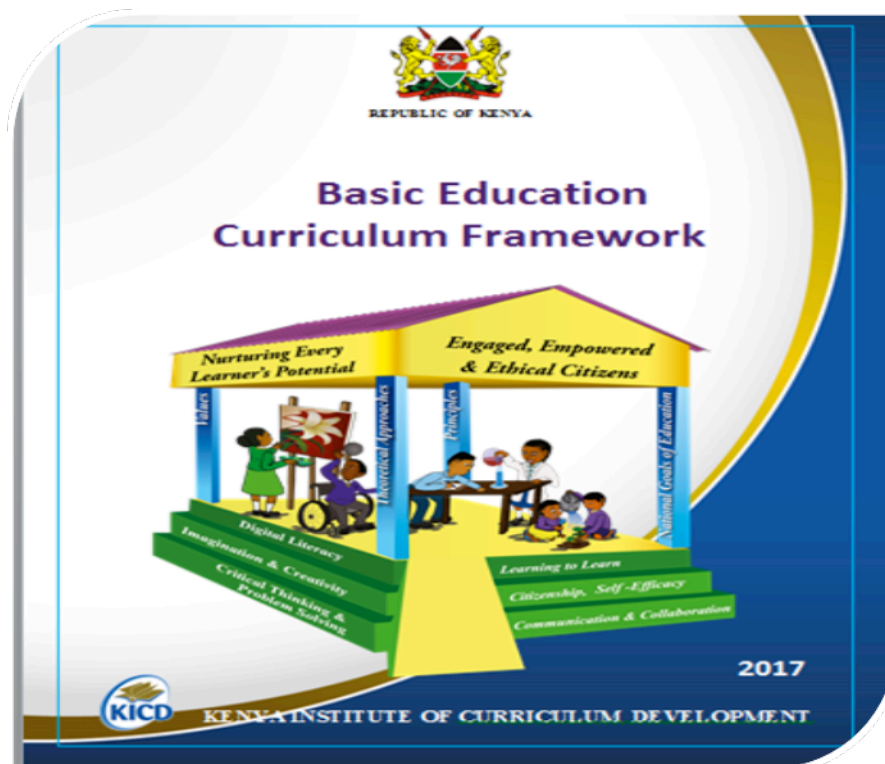


Figure 13: Basic Education Curriculum Framework (BECF)

**Source:** Kenya Institute of Curriculum Development

216. In addition, the MoE protected the marginalized by constructing and equipping special needs workshops to cater for the special needs persons and TVETs and increased capitation for special needs education institutions. To promote inclusivity, the Ministry continued with the selection of students joining form one based on the quota system. To promote equity, the Government increased capitation per student under the Free Day Secondary Education Programme. In addition, HELB enhanced equity in accessing funds for higher education by using the Mean Testing Instruments software, as well as developing an appeal mechanism for loans and bursaries applicants.
217. The National Treasury promoted the Bill of Rights by allocating resources to the following sectors: Agriculture and Rural Development to ensure national food security; Education Sector to promote equal access to education; Governance, Justice, Law and Order sector to provide security, maintain law and realize justice

towards preservation of human dignity; Environmental Protection, Water and, Natural Resources to strengthen life support systems; Social Culture and recreation Sector to promote harmonious industrial relations, preservation of culture, safety and health at workplaces; Health Sector to provide an efficient and high quality health care system; and Public Administration and International Relations Sector to promote and strengthen national legislations.

218. The National Treasury further, promoted the Bill of Rights by engaging all stakeholders in its budget making process in order to ensure equitable distribution of resources to all sectors of Government. The Treasury also promoted equality by developing the Division of Revenue Allocation and County Allocation Revenue Bills. In addition, the Commission on Revenue Allocation (CRA) promoted equity by developing new parameters on how revenue should be shared between national and county governments in the 2017/18 FY.
219. To protect human rights, the National Treasury initiated the implementation of the Climate Action Plan which presupposes the provision of the right to a clean and healthy environment for every person under **Article 42** of the Constitution and includes the right to have the environment protected for the benefit of present and future generations through legislative and other measures, particularly those contemplated in **Article 69**. In addition, to have obligations relating to the environment fulfilled under **Article 70**.
220. To promote equity through access to affordable credit facilities, the Central Bank of Kenya implemented Banking (Amendment) Act of 2016 which limits the interests chargeable on loans made by institutions at not more than 4% above the prevailing Central Bank Rates (CBR) set at 10%. The Act caps interest rates payable by institutions on deposits held at not less than 70% of the CBR.
221. The Ministry of Interior and Coordination of National Government in collaboration with the Ministry of Foreign Affairs promoted human dignity by undertaking voluntary and humane repatriation of Somali refugees from Kenya. This decision was actualized on May, 2016 vide Gazette Notice No. 4418 of 2016 which established the National Multi-Agency Refugees Repatriation Team with a mandate to manage the process of repatriation.
222. The Ministry of Interior and Co-ordination of National Government promoted human rights by providing the police with a comprehensive insurance cover. In addition, the Directorate of Criminal

Investigations (DCI) established the Child Protection Unit to proactively investigate crimes against children in conjunction with the National Crime Agency UK. Additionally, the Ministry improved efficiency of police officers by acquiring new vehicles to enhance national security.

223. The Government through the Directorate of Immigration and National Registration of Persons promoted equity and protection of the marginalized by opening additional service desks in *Huduma* centres and new offices in sub-counties. The Directorate also carried out mobile registration of persons to bring services closer to the people. In addition, the Government granted citizenship and issued National Identity cards to minority groups among them the Makonde Community to enable them exercise their rights.
224. To promote human dignity, H.E. the President declared drought a national disaster in February 2017 through the Executive Order No. 1 of 2017 and allocated KSh. 5.4 Billion to save lives and livelihoods between November 2016 and February, 2017 in 127 ASAL sub-counties on a monthly basis as detailed in Table 1. From July, 2016 to date, National Disaster Management Authority (NDMA) with support from EU spent KSh. 715 Million in drought interventions in 23 ASAL Counties.

**Table 1:** Distribution of Relief Food

Month	Maize (50kg Bag)	Beans (50kg Bag)	Rice (50kg Bag)	Veg. Oil (24x1/2ltr.Ctn)	Fortified Health Food
<b>April 2016</b>	7,100	21,350	5,300	3,190	
<b>September 2016</b>	6,050	17,800	4,550	2,760	
<b>November 2016</b>	52,900	51,600	25,200	6,210	665
<b>December 2016</b>	53,400	51,900	25,400	6,260	2,040
<b>January 2017</b>	53,400	51,900	25,400	6,260	2,040
<b>February 2017</b>	64,500	61,200	29,010	29,010	2,560
<b>Total</b>	237,350	255,750	114,860	53,690	7,305

**Source:** State Department for Special Programmes

225. The Ministry of Health promoted the right to healthcare by intensifying awareness on the risk factors for non-communicable diseases which include cancer, hypertension, heart diseases and

diabetes. Further, the Ministry continued to implement measures to promote a healthy nation which include; Free Maternity Services Programme, removal of user-fee in primary care facilities, the Immunization Programme, social protection for the poor and the elderly, de-worming of school going children and HIV prevention and control programmes. In addition, Kisii University promoted the right to health care by organising a medical camp to provide free health services. To enhance social justice and human rights, the National Authority for Campaign against Alcohol and Drug Abuse (NACADA) supported the establishment of treatment and rehabilitation facilities and availed information to stakeholders on alcohol and drug abuse management and laws.

226. The Ministry of Information, Communication and Technology promoted human rights by implementing the Access to Information Act, 2016 to give effect to the right of access to information by citizens as provided for under **Article 35** of the Constitution. To mainstream non-discrimination and protection of the marginalized, the Ministry reviewed the National ICT Policy to address emerging security issues and development of data protection law and policies by enabling telecommunication access to the underserved areas.
227. The Ministry of Defence promoted human dignity of officers by constructing the Defence Staff College accommodation apartments and sick bay theatre extensions at the Kenya Navy Base. The Ministry continued to protect the rights of the marginalized by equitably recruiting from all communities. The Ministry further supported youth skills development through internship/attachment and apprenticeship programmes.
228. The Ministry of Sports, Culture and the Arts protected the marginalized by availing opportunities for cultural performances during national and international fora. The Ministry supported and organized music and dance training programmes for the less fortunate and those living in informal settlements. The Ministry further, promoted cultural programmes and activities which included safeguarding communities' cultural heritage. The State Department of Arts and Culture produced and disseminated documentaries that promote equality and social justice and enhanced access to information through digitization of key national archival documents.

229. The Ministry of Agriculture, Livestock and Fisheries through the National Cereals and Produce Board (NCPB) promoted human dignity and human rights by enhancing national strategic food reserve thereby ensuring food security. The Ministry promoted inclusiveness by supporting youth and women groups in agribusiness in both urban and peri-urban agricultural projects. The Ministry also promoted protection of the marginalized by developing the Lake Turkana fisheries management plan, the delineation and protection of fisheries critical habitats, and established a livestock insurance scheme. In addition, the Ministry of Water and Irrigation promoted equity by reviewing water tariffs and ensured equitable distribution of water.
230. To promote social justice and human rights, the National Land Commission (NLC) reviewed grants, dispossessed grabbed public lands and undertook alternative dispute resolution and traditional dispute resolution mechanisms to address land disputes. Separately, KENTTEC promoted equity and non-discrimination by maintaining a zero status report on sleeping sickness in tsetse prone regions. The Council also enhanced equity by making farming possible in previously tsetse infested areas and introduced exotic dairy animals in the tsetse freed areas.
231. The Ministry of Foreign Affairs promoted human dignity and human rights by protecting the interests of Kenyans living abroad and continued to provide consular services including mediating labour disputes between Kenyans and foreign missions and organizations accredited to Kenya and assisting Kenyans in distress situations in foreign countries. The Ministry further promoted social justice and inclusivity by facilitating the formation of diaspora SACCOs in the UK, USA, Ireland and Qatar to encourage diaspora to save and invest back home.
232. The Ministry of Public Service, Youth and Gender Affairs promoted equity by ensuring fairness in the selection of youth for training under the Youth Internships/Industrial Attachment/Apprenticeship Programme. The youth were sensitized on Access to Government Procurement Opportunities (AGPO), entrepreneurship, and employability skills.
233. Further, to enhance equity in service delivery to all parts of the country, the Ministry established more *Huduma* centres at the

counties with the aim of completing the final phase by end of FY 2016/17. The centres enabled access to prompt, effective, efficient, impartial and equitable services across the country. Currently, over 12 million Kenyans are being served in *Huduma* centres and over 40,000 customers being served in operational *Huduma* centres daily. Overall, customers have a 95% excellent satisfaction rate. During the reporting period, *Huduma* Kenya program won 1st place in the social media awards as the most active and engaging government agency in social media.

234. To enhance social justice, the Ministry of Energy connected additional households to electricity through initiatives which include the Global Partnership on Out-Based Aid and the Last Mile Connectivity. The Ministry further promoted human rights by connecting more primary schools to electricity in support of the Digital Literacy Programme. To enhance human dignity, the Ministry is undertaking a Liquefied Petroleum Gas (LPG) uptake promotion project to increase penetration of LPG to low income population in the country.

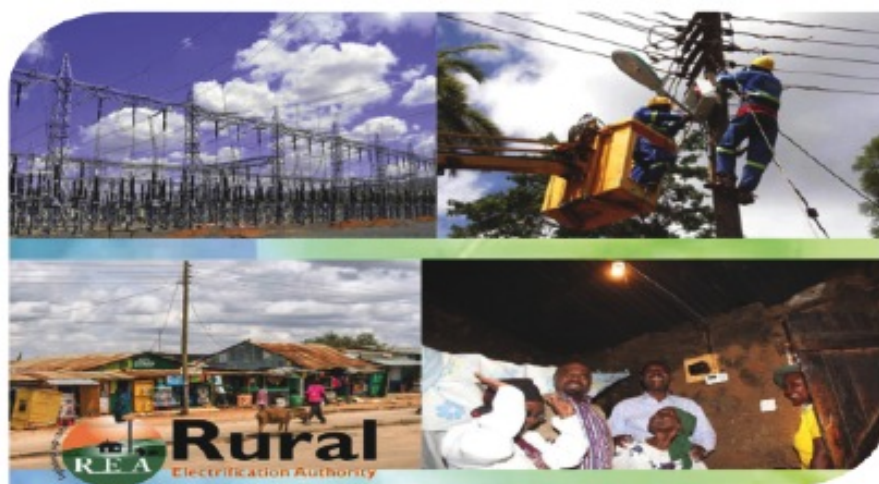


Figure 14: Last Mile Connectivity Initiative in Rural Areas

**Source:** Rural Electrification Authority

235. The Senate considered petitions and passed Bills on the protection of human dignity. To promote equity, the Senate ensured fair and impartial distribution of resources through the budget process by

ensuring that all communities participated. The Senate held several consultative meetings on human rights matters and considered petitions where the rights of individuals were violated.

236. The National Assembly considered and passed various Bills impacting on the Bill of Rights including the National Employment Authority Bill, 2015. The Bill requires the State to take definitive measures to ensure employment, provide a legal framework for facilitating training, establish a Disciplinary Committee and make general provisions for instilling professionalism and promoting higher standards of accountability among officers.
237. In addition, the National Assembly considered the Health Bill, 2015 to address the right to healthcare. The Bill will steer the Country towards progressive realization of the constitutional health rights by establishing a national health system through regulation of the health care industry. The National Assembly promoted equity by passing the Division of Revenue Bill, 2016. The Bill provides for equitable division of revenue raised nationally among the national and county levels of governments and provides additional resources to the two levels of government. The National Assembly further reviewed the Competition (Amendment) Bill, 2016 to enhance consumer protection from unfair and misleading market conduct, recognizing county governments' role in the market economy and recognizing the principle of decentralization of services. The Act will protect the human rights of citizens and ensure they effectively participate in economic and social development.
238. Further, the National Assembly passed amendments to the Witness Protection Act, 2016 to align it to the Constitution and make provisions for reciprocal witness protection arrangements with foreign countries. In addition, the National Assembly passed the University (Amendment) Act, 2016 which empowers the Commission for University Education (CUE) to accredit university programmes in the country, streamline procedure for revocation of charters as well as clarify the role of students in universities and colleges. This Act will ensure all Kenyans exercise their right to education by accessing relevant and quality higher education in Kenyan universities and colleges. The National Assembly passed the amendments to the National Government Constituencies Development Fund Act, 2016 to promote social justice. The Act

streamlines operations at the constituency as a platform for identification, performance and implementation of national government functions, refining the modalities and mechanisms of submission and approval of projects, as well as strengthening the management of the funds at the constituencies.

239. The National Assembly promoted human dignity by passing the Anti-Doping Act, 2016 to conform with the World Anti-Doping Agency and the UNESCO Convention against Doping Regulations. The Act promotes sportsmanship and the international image of Kenya in sports. The National Assembly promoted equality by approving Sessional Paper No. 2 of 2016 on National Slum Upgrading and Prevention Policy based on the principle of equality in proper housing. Further, the National Assembly promoted the right to clean and safer water by passing the Water Act, 2016. The Act provides a mechanism for co-ordination, management and administration of water resources at both national and county levels to guarantee water security.
240. In addition, the National Assembly reviewed the Land Laws (Amendment) Act, 2016 to promote equality, social justice and inclusiveness. The Act gives effect to provisions of the Constitution on land, land acquisition, management, transfer, adjudication, subdivision, and reprieve mechanisms. The Assembly promoted social justice by addressing the effect of corruption by passing the Bribery Act, 2016. The Act extends the fight against corruption to the private sector, creates a legal obligation on every person aware of an act of bribery to report it to the EACC, and provides an effective co-ordination and accountability framework in the prevention, investigation and prosecution of acts of bribery.
241. The Kenya Law Reform Commission (KLRC) promoted human dignity by facilitating the review of the Marriage (Amendment) Bill, 2016 and the Counter Trafficking in Persons Regulations, 2016. To promote social justice and inclusivity the Commission reviewed the Banking (Amendment) Bill, 2015 and the Nurses (Amendment) Bill, 2016 respectively. The Commission promoted equity by offering legal advisory on the National Government (Amendment) Bill, 2016 and offered technical assistance to all County Governments in the development or review of legislation.

242. The National Gender and Equality Commission (NGEC) enhanced equality by addressing gender-based violence at the counties and facilitated development of Persons With Disabilities (PWDs) model laws for the promotion of gender equality and non-discrimination. Further, the Commission issued advisories on the implementation of the two-thirds gender principle. To protect the marginalized, the Commission conducted a baseline survey on the status of gender equality and inclusion. In addition, the Commission developed an inventory of minority and marginalized persons in Kenya and a multi-sectoral monitoring and evaluation framework.
243. The Kenya National Highways Authority (KeNHA) enhanced inclusivity by engaging with the stakeholders including people affected by the project. These consultations ensured there was public participation and impact mitigation. In addition, the Authority carried out Environment Social Impact Assessment encompassing Environment and Social Management Plan to protect human rights of those affected by the projects. To uphold human dignity, KeNHA prepared and implemented the Resettlement Action Plan to compensate and resettle persons affected by road development projects.
244. In order to mainstream social justice in its programmes, projects and activities, KeNHA put in place a grievance redress mechanism to register and address issues from the communities and other stakeholders affected by projects. This mechanism is aimed at ensuring disclosure of projects, policies and reporting claims as well as dispute resolution. In the promotion of equity, KeNHA ensured fair distribution of employment, works and service contracts.
245. To promote inclusiveness, KeNHA initiated Corporate Social Responsibility (CSR) in its projects mainly in disadvantaged areas. The Authority further ensured inclusiveness of the local administration during project preparation and implementation to enable people's participation. To protect human rights, KeNHA, undertook human relocation and resettlement during project implementation in Bachuma gate, Maji ya Chumvi, Mau Summit Interchange and Kisumu-Kakamega-Webuye-Kitale road projects.
246. The Kenya Rural Roads Authority (KeRRA) promoted human dignity by maintaining rural roads in the 47 counties and ensured

continued accessibility to social and economic amenities including health centres, schools and markets. To protect rural road reserves, the Authority carried out rural roads mapping and designing of these road reserves in several regions to secure them from possible encroachment. The Authority also constructed bridges and created low skill jobs under the rural roads maintenance in the rural areas. In the promotion of equality, KeRRA disbursed funds for rural roads projects equally to all the constituencies opening up various parts of the Country leading to improved accessibility. In addition, Kenya Roads Board (KRB) allocated road maintenance levy fund to all Counties equitably. Further, the National Construction Authority (NCA) in collaboration with Buildings Inspectorate protected the Bill of Rights by conducting construction audits to ensure that buildings are safe for human habitation across the country.

247. The Export Processing Zones Authority (EPZ) promoted equity and social justice through establishment of EPZs across the country and partnered with the respective county governments to enhance export capacity. Further, the Authority continued to promote inclusiveness by implementing Kenya Vision 2030 projects which included; Master Planning of all EPZs, establishment of more EPZs and development of SME parks at specific counties.
248. The Kenya Electricity Generating Company (KenGen) continued to promote human dignity by establishing comprehensive Resettlement Action Plans (RAP) for new projects that require resettlement of people affected by its projects and partnered with National and County Governments in Community Relation and Resettlement process. Further, the Company established corporate social responsibility programs and the Annual Mentorship Program to promote social justice and human rights. To enhance inclusivity, KenGen established the Stakeholder Co-ordination Committees (SCC) to systematically deal with community issues in Ol-Karia project.
249. The Ministry of Industry, Trade and Co-operatives through Micro and Small enterprises Authority (MSEA) promoted equity, social justice and human dignity by identifying 12 Constituency Industrial Development Centers (CIDCs) with complete workshops and provided them with modern lathe machines for use by the Micro and Small Enterprises (MSEs) in their region. MSEA also trained 22

youth MSEs on the use of the lathe machines, basic record keeping, health and safety, group management and conflict resolution. This program is meant to create employment and improve the livelihoods of the youth. It also promoted equity by identifying five products from each of the 47 Counties to be improved in quality, branding, packaging, and bar-coding among others in order to make them competitive in the local and international market.

250. The Kenya Bureau of Standards (KEBS) protected the Bill of Rights by implementing digital solutions which involve the establishment of SMS-based secure quality marks checking system. The Bureau empowered SMEs by facilitating workshops for them on standardization and product certification. Further, KEBS promoted consumer protection by defining the requirement that form the basis of consumers to exercise their rights in line with **Article 46(1)(a) to (c)** of the Constitution. Further, KEBS continued to implement a requirement that all imported goods within Pre-Export Verification of Conformity (PVoC) programme must come with a certificate of conformity and those that come without must undergo 100% destination inspection and be issued with a local certificate of conformity.
251. In addressing social justice, the Retirement Benefit Authority (RBA) developed post-retirement medical scheme and National Pension Policy, 2016. In addition, RBA built capacity for its members and enhanced access to readily and appropriate information on pension through cell phones. Separately, the Kerio Valley Development Authority (KVDA) promoted protection of the marginalized by establishing water harvesting and storage facilities in its region of operation. The SACCO Societies Regulatory Authority (SASRA) promoted equity by establishing partnership with other financial regulators and developed Islamic Finance Regulations in order to entrench fairness and equity in wealth creation and distribution in the society. The Authority promoted protection of the marginalized by implementing Preference and Reservations Scheme in the procurement of goods and services.
252. The CUE in the promotion of inclusivity and non-discrimination inspected and recommended RAF University- a Muslim based institution to be licensed and operate in Kenya under a Letter of Interim Authority. To protect the marginalized, the Commission

inspected Garissa University College with the view of recommending it for award of charter. The Commission further facilitated the gazettment of Turkana University College, a constituent college of Masinde Muliro University of Science and Technology (MMUST) to enable marginalized communities access university education.

253. The Jomo Kenyatta University of Agriculture and Technology (JKUAT) promoted human dignity by initiating the Prosthetics and Orthotics Programme for rehabilitation of persons with disabilities. Kenyatta University promoted social justice and protection of the marginalized by offering scholarships for its needy students. Separately, Kisii University promoted equity by setting aside KSh. 10 Million for the Work Study Programme aimed at providing financial empowerment to students from disadvantaged backgrounds. The Kenya Literature Bureau (KLB) continued to promote social justice by donating books to institutions in various counties. In addition, the Jomo Kenyatta Foundation (JKF) offered scholarship opportunities to needy students to promote the right to education and protection of the marginalised.
254. The East African Portland Cement Company (EAPCC) promoted social justice by supporting local communities through the corporate social responsibility. The Company trained its employees on basic sign language in order to serve all customers equitably. To promote human dignity, the National Council of People with Disability (NCPD) provided assistive devices, scholarships, economic empowerment grants as well as infrastructure and equipment grants to support persons with disabilities. The Council also provided cash transfer benefits and sunscreen lotions to PWDs.
255. During the period under review, Kenya School of Government (KSG) in partnership with the Directorate of National Cohesion and Values trained the staff of the Kenya School of Government in Mombasa, Nairobi and Embu on national cohesion and values. The School of Government also trained public officers across the public service on the Bill of Rights.
256. In order to empower youth, women and persons with disabilities, MCDAs continued to implement the AGPO Policy. In the year under review, the following MCDAs complied with the 30% public procurement requirement: Ministry of Interior and Coordination of

National Government, the National Treasury, Ministry of Land and Physical Planning, Ministry of Agriculture, livestock and Fisheries, Ministry of Foreign Affairs, Ministry of Transport, Ministry of Defence, Privatization Commission, CUE, NCPD, Insurance Regulatory Authority (IRA), KeRRA, KenHA, Kenya Industrial Research and Development Institute (KIRDI), EPZ, KLB, JKUAT, KenGen Kenya Copyright Board, SASRA, Kenya Roads Board (KRB), UWEZO Fund Oversight Board and Lake Victoria South Water Services Board and JKF among others.

**Measures Taken for the Promotion of Good Governance, Transparency and Accountability**

*Article 10(2)(c): Good Governance, Integrity, Transparency and Accountability*

257. H.E the President hosted the State House Summit on Governance and Accountability which brought together key stakeholders from the public and private sector to deliberate on emerging issues including challenges in the fight against corruption. During the Summit, the Government reiterated its commitment to fight graft and warned against politicization of the fight against corruption. In addition, the Government committed to take action against procurement offenders and emphasized the need for fast tracking investigations and finalization of anti-corruption cases. Further, to ensure EACC is fully constituted and able to effectively discharge its mandate, H.E. the President appointed the Chairperson.
258. The Office of the Attorney General and Department of Justice (OAG&DoJ) in collaboration with other relevant agencies in the multi-agency framework continued to implement the Report of the Task Force Report on Legal Institutional and Policy Framework for Fighting Corruption in Kenya (2015) as directed by H.E. the President. In addition, OAG&DoJ facilitated the review of the implementation of United Nations Convention against Corruption (UNCAC) in Kenya. During the period under review, an implementation Matrix on the Review Report of Kenya was developed to guide relevant agencies in the implementation process to be undertaken in 3 years at an estimated cost of KSh. 391 Million.
259. To further enhance the war against corruption, the Government enacted the Bribery Act (No. 47 of 2016) which provides for



investigation, prevention and punishment of various forms of bribery in both the public and private sector. The Act requires all public, voluntary, charitable, faith based and community based organizations as well as companies, clubs, partnerships and any other private bodies to put in place procedures appropriate to their size, scale and nature of their operation, for the prevention of bribery and corruption.

260. To promote good governance, transparency and accountability in the use of public funds, the Government through Parliament enacted the Controller of Budget Act, 2016 to give effect to the provisions of **Articles 225, 228 and 252** of the Constitution. The Act further provides that the Controller of Budget shall ensure prudent and efficient use of public funds by amongst others: authorizing withdrawals from the Equalization Fund, Consolidated Fund, County Revenue Funds and any other public fund which requires approval of the Controller of Budget; monitoring, evaluating, reporting and making recommendations to the national and county governments on measures to improve budget implementation in accordance with **Article 228** of the Constitution; and by enforcing budgetary ceilings by Parliament on national and county government expenditure.
261. To promote good governance in the management of land and natural resources, the Government through Parliament enacted and/or amended several pieces of legislation during the year under review. These included: the Community Land Act (No. 27 of 2016) to provide for the recognition, protection and registration of community land rights, management and administration of community land and to provide for the role of county governments in relation to unregistered community land; the Land Laws (Amendment) Act (No. 28 of 2016) to amend the laws relating to land to align them with the Constitution, to give effect to **Articles 68(c)(i) and 67(2)(e)** of the Constitution and to provide for procedures on evictions from land; and the Natural Resources (Classes of Transactions Subject to Ratification) Act (No. 41 of 2016) to give effect to **Article 71** of the Constitution.
262. To promote good governance and transparency in the mining sector, the Government through Parliament enacted the Mining Act (No. 12 of 2016) to give effect to **Articles 60, 62 (1) (f), 66 (2), 69 and 71** of the Constitution in so far as they apply to minerals as well as to provide for prospecting, mining, processing, refining, treatment,

transport and any dealings in minerals. The Act seeks to ensure transparency and cost effective administration of land used for mining and that investments in property benefit local communities and their economies.

263. To promote effective management of water resources in the country, the Government through Parliament enacted the Water Act (No. 43 of 2016) to provide for the regulation, management and development of water resources, water and sewerage services in line with the Constitution. The Government also enacted the National Drought Management Authority Act (No. 4 of 2016) to establish the National Drought Management Authority which is mandated to exercise overall coordination over all matters relating to drought management including implementation of policies and programmes.
264. To promote good governance, the Government through Parliament enacted other pieces of legislation relating to different sectors of the economy including the National Employment Authority Act (No. 3 of 2016) to establish the National Employment Authority and provide for a comprehensive institutional framework for employment management, to enhance employment promotion interventions and to enhance access to employment for youth, minorities and marginalized groups. To enhance management and regulation of the Insurance Industry, the Insurance (Amendment) Act, No. 50, 2016 was enacted to amend the Insurance Act.
265. To promote effective management of electoral processes, the Government through Parliament enacted the Election Offences Act (No. 37 of 2016) to provide for matters related to election offences and the Political Parties (Amendment) Act (No. 14 of 2016) to improve management of the Political Parties Fund established under Section 23 of the Political Parties Act (No. 11 of 2011). To further enhance transparency and accountability in the electoral process, the Government enacted two statutes namely the Election Laws (Amendment) Act (No. 36 of 2016) to amend various laws relating to elections and the Election Laws (Amendment) Act (No. 1 of 2017) to give effect to **Article 99 (1) (b)** of the Constitution, to amend the Elections Act, 2011 and the Independent Electoral and Boundaries Commission Act, 2011.
266. To efficiently manage the conduct of examinations in the country, the Government through Parliament enacted the Kenya National

Examinations Council (Amendment) Act (No. 38 of 2016) to amend the Kenya National Examinations Council Act, Cap 225A to provide for ranking of institutions of basic education.

267. To strengthen the anti-corruption legal framework, OAG&DoJ developed the Anti-Corruption Laws Amendment Bill, 2016, which refines and consolidates all proposed amendments to various anti-corruption laws. In addition, OAG&DoJ developed the Draft Whistleblower Protection Bill, 2016 which creates and elaborate legal framework for protection of persons reporting incidences of criminal or unethical conduct including corruption and economic crime. Further, the Bill requires public and private entities to put in place measures for facilitating whistle-blowing and protecting whistleblowers at the work place.
268. To sustain the campaign against corruption, the Government through the Kenya Law Reform Commission (KLRC) developed the draft National Anti-Corruption Campaign Steering Council Bill, 2017 to establish the National Anti-Corruption Campaign Council with the mandate to provide nationwide public education and awareness campaigns against corruption. In order to promote integrity in the public service, KLRC developed the draft Public Officers (Amendment) Bill, 2016 to amend the Public Officer Ethics Act (No. 4 of 2003) to designate additional Responsible Commissions to enforce provisions of the Act such as declaration of incomes, assets and liabilities among public officers.
269. To promote transparency and accountability in the legal profession, KLRC developed the Advocates Bill, 2016 to provide a framework for regulation of the legal profession. In addition, the Government through Parliament enacted the Judiciary Fund Act (No. 16 of 2016) to provide for the regulation of the Judiciary Fund and to ensure accountability of the funds allocated to the Judiciary in accordance with the Public Finance Management Act, 2012, the Public Audit Act, 2015 and other relevant laws for the effective, efficient and economic use of the Fund.
270. To promote transparency in the management of public information, the Government through the National Assembly enacted the Access to Information Act (No. 31 of 2016) to give effect to **Article 35** of the Constitution and to confer on the Commission of Administrative Justice the oversight and enforcement functions and powers. The

object and purpose of the Act is to provide for a framework for public entities and private bodies to proactively disclose information that they hold and to provide information on request in line with the constitutional principles as well as to facilitate the access to information held by private bodies. In addition, the Health Records and Information Managers Act (No. 15 of 2016) was enacted to make provision for the training, registration and licensing of the health records and information managers, to regulate their practice and to provide for the establishment, powers and functions of the Health Records and Information Managers Board.

271. The Ethics and Anti-Corruption Commission (EACC) undertook several measures geared towards promotion of good governance, integrity, transparency and accountability. These measures included conducting proactive investigations which involved intelligence probes and integrity testing of public officers in order to disrupt corruption networks and avert loss of public funds. The Commission conducted reactive investigations and sting operations as well as supporting prosecution and court processes in respect to corruption matters before courts. In addition, EACC instituted civil proceedings in court for preservation and recovery of corruptly acquired public property. During the period under review, public property including land and money which had been corruptly acquired was recovered and returned to the public.
272. In the implementation of Chapter 6 of the Constitution and the Leadership and Integrity Act, 2012, the EACC continued to provide technical support to public entities to develop specific leadership and integrity codes in line with section 37 of Leadership and Integrity Act, 2012. In addition, the Commission provided technical support to public institutions to develop codes of conduct and ethics for public officers as well as development of guidelines on conflict of interest, gifts and public collections to aid public institutions, state and public officers to comply with the provisions of the Act.
273. Further, EACC continued to approve applications by state and public officers to operate bank accounts outside Kenya as required by Section 19 of the Leadership and Integrity Act, 2012 and conducted investigations into ethical breaches and/or violation of codes for state and public officers. In addition, the Commission continued to conduct integrity vetting of persons seeking appointment into state and public

office and received self-declaration forms for processing pursuant to section 12A of the Act. The EACC commenced investigations against state and public officers who did not declare or made false declarations of their incomes, assets and liabilities in 2015.

274. To enlist the support of Kenyans in the war against corruption, EACC implemented community outreaches, public education and awareness programmes through regional fora, public *barazas* and trade fair exhibitions. The Commission also disseminated to the public Information, Education and Communication (IEC) materials including assorted books, booklets, fliers, posters, banners, caps, T-shirts and simplified integrity and good governance materials aimed at sensitizing the public on the dangers of corruption and their role in the fight against the vice.
275. To prevent corruption and unethical conduct in the public service, EACC carried out monitoring of systems, policies, procedures and practices in selected sectors and public entities. The monitoring was aimed at identifying systemic weaknesses, loopholes and inefficiencies that provided opportunities for corrupt practices. In addition, the Commission carried out corruption risk assessments in county governments targeting both the county assemblies and county executive committees and provided recommendations to enable them mainstream corruption prevention strategies as well as develop and implement appropriate risk mitigation measures.



*Figure 15: EACC Public Education and Awareness Programmes*  
**Source:** EACC

276. In addition, the EACC continued to establish service desks in *Huduma* centres with a view to taking services closer to the people to enhance their participation in the anti-corruption process. Separately, the National Anti-Corruption Campaign Steering Committee held anti-corruption prevention workshops targeting *Maendeleo ya Wanawake* Organization leaders in 46 counties and youth leaders in 5 counties. The Committee undertook a three month interactive anti-corruption radio campaign on *Kass FM* aimed at assisting targeted groups understand the legal provisions in the fight against corruption.
277. To enhance integrity and good governance, the Government through the Judiciary launched the Anti-Corruption and Economic Crimes Division of the High Court as well as the Practice Directions to guide the prosecution of economic crimes. The launch of the Division was aimed at ensuring effective case management and expeditious disposal of cases involving corruption and economic crimes. The purpose of the Practice Directions is to guide the courts and accelerate the disposal of matters related to corruption and economic crimes.
278. The Judiciary launched a consumer friendly Service Delivery Agenda on the theme Sustaining Judiciary Transformation aimed at reducing the backlog of cases, finalizing corruption cases and improving access to justice. In addition, Judiciary initiated Automated Transcription System to protect the integrity of court proceedings by ensuring accurate record and accessibility throughout the lifecycle of a case.
279. In the discharge of its oversight role, the Senate formed ad hoc committees to hear impeachment cases, inquire into allegations of corruption at the Ministry of Health, Kenya Airways and county governments among others. In addition, the Senate Public Accounts and Public Investments Committees summoned Governors to respond to audit queries raised by the Auditor General over county expenditures in the 2013/2014 FY.
280. To promote accountability in the management of public financial resources, the Office of the Auditor General (OAG) initiated the process of procuring and deploying to all Hubs (regional offices) an Audit Management System and put in place a Special Project team on IT audit function whose principal role is to coordinate the implementation of Audit Management System. In addition, OAG

acquired an Audit Software and Business Intelligence Tool to carry out real time audit on transactions taking place within Government and other public entities. The tool (Audit Vault) has the ability to track transactions on Integrated Financial Management Information Systems (IFMIS) platform and the Financial Transaction Superhighway for government transactions in real-time. This new development will significantly reduce the time taken to collect audit planning information.

281. In addition, OAG promoted accountability in the use of public resources by county governments by opening and operationalizing county offices in Bungoma and Narok. The Offices will provide audit services to county governments of Bungoma, Busia and Narok as well as public entities in those regions. To further ensure the audit reports are understood by all Kenyans, OAG initiated the process of simplifying the reports and came up with summarized versions. In addition, given the critical role of the media in the dissemination of the audit reports, the OAG engaged a pool of journalists in capacity building workshops to enhance their reporting skills on audit findings.
282. The Office of the Auditor General further offered technical support in the development of “A Guide to Understanding National and County Audit Reports” which was spearheaded by Parliamentary Initiatives Network targeted at individuals and Civil Society Organizations. These measures were aimed at assisting the public to understand audit reports hence creating increased interest that will enable the people make informed decisions in leadership, based on effective management of public resources.
283. In order to improve accountability in budget execution by county governments, the Office of the Controller of Budget (OCOB) in the statutory annual county government’s budget implementation report recommended implementation of several measures. These included county treasuries ensuring timely preparation and submission of financial reports in line with section 166 (4) of Public Financial Management Act, 2012, county public service boards to establish optimal staffing structures to manage the wage bill, and county treasuries to formulate strategies to increase local revenue collection.
284. To promote efficient use of resources, the Working Group on Socio-Economic Audit of the Constitution, in their final report to the

Budget and Appropriations Committee of the National Assembly, recommended the reduction of the number of Members of Parliament and Members of County Assembly. The team noted that since the advent of devolution, duplication of some roles at the two levels of government had led to wastage of resources and recommended for remedial measures. The report further recommended the conduct of a cost-benefit analysis of devolved functions to guide the amount of funds allocated to county governments and that personnel offering specialized services be de-centralized to counties to improve service delivery.

285. The Office of the Director of Public Prosecutions (ODPP) established an Anti-Corruption Unit to prosecute corruption and economic related crimes while the Directorate of Criminal Investigation (DCI) established the Economic and Commercial Crimes Unit with the sole purpose of dealing with corruption related cases. The DCI participated in the preparation of the Revised Police Reforms Program Document 2015 – 2018 to enhance good governance and accountability within the National Police Service.
286. The SACCO Societies Regulatory Authority (SASRA) commenced institutionalization and automation of enterprise risk management and control framework and trained management staff and risk champions. In addition, the Authority presented proposals to the National Assembly to amend the SACCO Societies Act, 2008 through the proposed SACCO Societies (Amendment) Bill, 2016. The proposed amendments will among others; introduce credit information for licensed Deposit Taking SACCOs, vetting of SACCO directors and senior staff members and develop and implement the Whistle blowing Policy, Conflict of Interest and Gifts Policy, Confidentiality Policy, Board Manuals and revised Service Charter.
287. To enhance accountability in the SACCO sector, SASRA undertook the following measures; review of the Complaints Handling Policy to guide the process of complaints handling, development of the Complaints Handling Guidelines for SACCOs to enable them resolve member complaints effectively and automated complaints handling infrastructure for speedy response to complaints.
288. National Police Service Commission (NPSC) continued to conduct the vetting of all traffic police officers from the rank of Chief

Inspector to Constable in the Coast, Nyanza, Western and Rift Valley regions.

289. The Ministry of Devolution and Planning developed a Monitoring and Evaluation Framework for devolution sector to act as a governance, management and learning tool on implementation of the devolved system. In addition, the Ministry of Health initiated the process of transitioning from ISO 9001:2008 to ISO 9001:2015 and developed an Integrated Human Resource Data Base to capture all the health work force in the sector.
290. To improve administration of the national examinations for both primary and secondary schools, the Ministry of Education (MoE) undertook several measures which included reorganization of school term dates, shortening of the examinations period, change of examination timetables, ban of social and related activities in schools and scrapping of half term breaks during the third term. The measures significantly addressed the challenge of examination cheating which had been experienced in previous years. Notably, there were no reported cases of examination cheating in the 2016 Kenya Certificate of Primary Education (KCPE) and Kenya Certificate of Secondary Education (KCSE) examinations.
291. To further safeguard the integrity of the national examinations, the MoE released the KCPE and KCSE results promptly after completion of the marking exercises, to reduce opportunities for examination malpractices. In addition, the CUE required all university academic staff to submit all certificates acquired from foreign universities for recognition and equation to determine their authenticity. Further, the Teachers Service Commission (TSC) institutionalized performance management in all public schools as a result of which 83% of reports on performance management from schools were submitted and analyzed. The TSC also trained its commissioners and senior management staff on risk management to equip them with skills and knowledge for mitigation of operational risks as they discharge their duties.
292. To promote transparency in the management of the transport sector, the Government through the Information and Communication Technology (ICT) Authority developed the Transport Integrated Management System to facilitate online access to the road transport functions by the public. The portal is expected to have an Intelligent

Traffic Management System which will help law enforcement agencies to monitor the roads and enforce traffic rules to make roads safer for all users. In addition, the ICT Authority facilitated digitization of Kenya's historical images from the Kenya News Agency Library to enable easy access and retrieval of information.

293. In addition, to enhance transparency in revenue management, the Commission for Revenue Allocation (CRA) developed standard County Revenue Automation Guidelines to be used by county governments. Further, CRA developed and disseminated a standard county revenue management system tender specification document for county governments to guide them in the procurement of revenue management systems to ensure prudent use of public resources.
294. The Numerical Machining Complex Limited commenced the process of establishing an interactive web-based portal aimed at enhancing efficiency and adherence to customer service delivery charter. Separately, the KRA rolled out online services through iTax, e-payments, m-payments, banking integration and compliance status/ledger. In addition, the Kenya Roads Board continued to publish disbursement of funds to county governments in local dailies and their website. The National Cereals and Produce Board (NCPB) continued to implement the e-fertilizer programme to enhance transparency and accountability in the government subsidized fertilizer distribution activities. Further, the Nairobi County Government adopted the E-Registry system which enhanced access to information and customer interaction.
295. To enhance transparency in remuneration of the public service, the Salaries and Remuneration Commission (SRC) jointly with the Public Service Commission and public sector employers conducted a job evaluation exercise in the public service. To promote transparency in the award of scholarships to high performing disadvantaged students, the Jomo Kenyatta Foundation (JKF) conducted the scholarship selection through open interview process and home visits.
296. To enhance transparency in the handling of public complaints, the Commission on Administrative Justice (CAJ) developed Guidelines for Implementation of the Indicator, Resolution of Public Complaints FY 2016/2017. These guidelines enabled public institutions to deal with public complaints. In addition, to enhance transparency in the

management of records, the State Department of Arts and Culture cascaded the National Records Management Policy in 280 public offices as stipulated in the Open Governance Partnership National Action Plan II (July 2016 – June 2018) to streamline national records management activities in public offices.

297. To enhance good governance, integrity, transparency and accountability, annual audit of processes and procedures were conducted by institutions such as KEMSA, KNLS, Competition Authority of Kenya (CAK) and the Water Services Regulatory Board (WASREB). In addition, CAK introduced signing of personal integrity commitment (Oath) for newly recruited staff while Konza Technopolis Development Authority published its Financial Report for 2015/16 FY and submitted the same to the Auditor General and the Ministry of Information, Communications and Technology in line with the Public Finance Management Act, 2012.
298. Further, the Water Services Trust Fund (WSTF) developed an integrity testing programme to ensure staff upholds integrity and ethical standards in the conduct of their duties and appointed an Integrity Committee to spearhead integrity in the discharge of its mandate. The County Government of West Pokot audited Early Childhood Development Education (ECDE) teachers and vetted volunteer teachers, casual workers in the Department of Education and ICT volunteer workers from the Department of Health and casual workers in the Departments of Land, Housing and Physical Planning.
299. To enhance staff awareness on integrity, the Government through several institutions continued to train their staff on ethics, integrity and the *Mwongozo* Code of Governance. These institutions included the East African Portland Cement Company (EAPCC), Kenya Film Commission (KFC), Competition Authority of Kenya, National Housing Corporation, CMA, WSTF, Kerio Valley Development Authority, AWSB, NCPB, Industrial & Commercial Development Corporation (ICDC), Kenya National Highway Authority (KeNHA), University of Embu, Kisii University, Murang'a University of Technology and Mombasa County Government. In addition, KFC and CMA ensured that the new board members signed the *Mwongozo* Code of Governance to confirm their adherence to the provisions therein.

300. During the period under review, the Government through various institutions took administrative action against those who undermined the realization of good governance, integrity, transparency and accountability as witnessed in Kitui County where the County Commissioner reprimanded, warned, cautioned and interdicted several Assistant Chiefs and Senior County Government Officers. In West Pokot County, the Head of Human Resource Management, Clerical I & II, Community Development Officer, Senior drivers, Nutritionists and Receptionists were either dismissed or demoted for failing to adhere to the requirements of good governance and integrity.

### Measures Taken for the Realization of Sustainable Development

#### *Article 10(2) (d): Sustainable Development*

301. The Government through the Ministry of Transport, Infrastructure, Housing and Urban Development continued with the construction of the first phase of the SGR. The SGR is expected to move 22 million tonnes of cargo annually up from 1.6 million tonnes and the passenger trains will travel at a speed of 120km/h up from 40km/h which will reduce the cost of transport by about 60%.



*Figure 16: Initiatives Towards Sustainable Development*

Source: myGov.go.ke

302. Further, the Ministry embarked on the construction of bitumen roads within Nairobi Metropolitan Region (NMR) and the construction of Ruiru Sewage and Reticulate wastewater treatment plant. The Ministry also provided sufficient supply for installation and commissioning of 470 street lightings and 114 high mast flood lightings within NMR. In addition, the State Department of Housing and Urban Development constructed market sheds, offices, stores and an ablution block at Langas in Eldoret. The State Department of Maritime and Shipping Affairs entered into agreements with shipping lines from Korea and Denmark whereby Kenyan marine engineering students are undertaking seaboard training.
303. The Government through KeNHA continued to construct key roads in the country, adopted alternative sources of project financing and implemented innovative maintenance approaches. In addition, KURA allocated KSh.143Million in the 2016-2017 FY for maintenance of roads in the North Rift Region to enhance urban road network.
304. The Government through the Kenya Roads Board (KRB) conducted technical, financial and performance audits on road authorities and evaluated county governments on road works funded using the Road Maintenance Levy. Further, the KRB conducted research on cobblestone technology in collaboration with the Ministry of Transport, Infrastructure, Housing and Urban Development and KeRRA. In addition, the Government through KURA improved the Argwings Kodhek, Ralph Bunche and Woodlands roads as guided by a strategy paper titled 'Nairobi Road Rapid Decongestion Programme' (NRRDP). H.E the President and Japan's Prime Minister signed a KSh. 27.3 Billion deal to build the Dongo Kundu hub in Mombasa at the close of the 6th Tokyo International Conference on African Development (TICAD) in August, 2016.
305. The Government entered into a MoU with China Africa Development Fund (CADFund), China Civil Engineering Construction Company and Suraya Property Group Limited to build 20,000 houses for public servants and social housing. Further, the Government through the KPA developed the Green Port Policy and a well-equipped pollution and a quick Marine Emergency Centre. The Authority continued the construction of Lamu Port Project and employed over 100 local workers. In addition, the KAA continued to execute its mandate as outlined under the Kenya Vision 2030 on modernization of JKIA,

Moi International Airport, Kisumu International Airport and upgrading airstrips to national airports in various parts of the country.

306. The Government through the Ministry of Energy and Petroleum constituted a task force to undertake the review of contracts with the Independent Power Producers (IPPs) on the basis of economic changes in the Power Purchase Agreements (PPAs) and recommend appropriate policy action to enable the Government realize value for money on all PPAs. Kenya Power (KP) negotiated and finalized 28 PPAs expected to deliver an additional 1,924MW to the grid in the medium term. Other projects totaling 3,196MW, mainly comprising Feed in Tariffs Projects, are undergoing the approval process and 329MW are under PPA negotiation.
307. In addition, the Kenya Electricity Generating Company (KenGen) as well as other Independent Power Producers (IPPs) continued with the implementation of the allocated 844MW of the 5000+MW New Installed Electricity generation capacity. The Ministry of Energy and Petroleum through the Kenya Electricity Transmission Company (KETRACO) continued the construction of High Voltage Transmission Power Lines including Loyangalani-Suswa Line; Ol-Karia-Suswa-Mombasa Line and Kitui-Garissa Line among others.



*Figure 17: High Voltage Transmission Power Lines*

**Source:** KenGen

308. The KfW (German Bank) gave GDC a concessional loan of Euros 80 Million or approximately KSh.8 Billion to fund the drilling of 15-20 wells, a water pipeline to supply water for drilling and construction of access roads and several consultancies for the geothermal development in the Baringo-Silali block. Hong Kong Off-Shore Oil Services Limited and GDC signed a contract in April 2016, to drill 15-20 wells in the Baringo-Silali Block under Phase I.
309. The Government through Kenya Pipeline Company commenced the replacement of the current 14-inch pipeline to increase capacity. In addition, the Early Oil Pilot Scheme will establish technical, logistical infrastructure for supporting Full Field Development (FFD) of the South Lokichar Sub-Basin. This involves trucking of the crude oil from South Lokichar Sub-Basin using insulated and heated tank-tainers to the Kenya Petroleum Refineries Limited (KPRL) storage facility before export to international markets. Further, the Government through the KPRL drew a comprehensive and integrated energy sector plan to improve access to quality energy services and accelerate economic empowerment for the national and county governments.
310. The Government through the National Oil Corporation of Kenya (NOCK) is working to position Kenya as a leading global oil and gas hub through establishment of oil and gas infrastructure as well as building capacity of Kenyans to participate in the oil and gas sector. Further, NOCK is enhancing LPG access in the country with a view to providing Kenyans with clean and affordable energy to improve quality of life.
311. The Government through KALRO evaluated and developed smart varieties of crops in view of the climatic changes. Further, KALRO developed and enhanced distribution of KARI improved indigenous chicken to improve rural livelihoods and nutrition. To promote livestock production in marginal counties, KALRO continued to establish Disease Free Zones through vaccine development on diseases including Contagious Bovine Pleuro-Pneumonia (CBPP), TSOL 18, Thermos Stable PPR, Rift Valley Fever, and East Coast Fever (ECF). Further, KALRO continued the construction of an Aflaxin Laboratory at Katumani and undertook county specific soil management guidelines for coffee development in 7 counties. Separately, to enhance sustainable production of sugarcane, the Nzoia

Sugar Company adopted irrigation methods, continued maintenance of roads and expanded extension services to farmers.

312. To support regional sustainable development initiatives, the Government through the Ministry of Agriculture, Livestock and Fisheries hosted the second Africa Climate Smart Agriculture (CSA) Alliance in October, 2016 in Nairobi. The Africa CSA Alliance is spearheading implementation of the African Union Vision to reach 25 million farm households practising CSA by 2025 (Vision 25x25) in line with CAADP's 2015-25 Results Framework which was endorsed at the Malabo June 2014 AU Summit. Other forums held in Nairobi included the Africa Agriculture Forum and the African Green Revolution Forum (AGRF). Further, the Ministry strengthened monitoring, control and surveillance through purchase of vessels and establishment of a Monitoring, Control and Surveillance Center.
313. In addition, the Ministry participated in the 22nd Session of FAO/WHO Codex Coordinating Committee for Africa (CCAFRICA) in Nairobi in January, 2017 as a major stakeholder. The Ministry plays a major role in the facilitation of exports and imports of agricultural produce and as such participates in the Codex Committees on Food Hygiene, Contaminants, and Veterinary Drugs in food and the ad hoc Committee on Anti-Microbial Resistance. The development and adoption of Codex Food and Feed standards enhance trade in food and feed commodities, thereby boosting the economy and trade at the national, regional and international levels.
314. The Government through Parliament enacted the Fisheries Management and Development Act (No. 35 of 2016) which provides for conservation management and development of fisheries and other aquatic resources, enhancement of the livelihoods of communities depending on Fisheries and the Blue Economy and establishment of the Kenya Fisheries Service. Further, the Ministry of Agriculture, Livestock and Fisheries scaled up Seaweed (cottonni) farming among communities in Kibuyuni, Kwale County.
315. The Kenya Dairy Board (KDB) promoted the concept of mini dairy processing, milk dispensing and value addition and promoted the consumption of milk through the school milk programme. Separately, KENTTEC suppressed tsetseflies in Mwea, Lake Bogoria and Nyanza areas paving way for the introduction of exotic breeds of

dairy animals. Further, KENTTEC used scientifically proven and environmentally friendly tsetse eradication techniques. In addition, the NCPB continued to provide market outlets for various grain crops such as maize, wheat, rice and beans among others in various parts of the country and distributed Government- subsidized fertilizer under the Fertilizer Subsidy Programme to improve crop production. The Ministry of Agriculture, Livestock and Fisheries further commercialized dairy and breeding of livestock through procurement of liquid nitrogen.

316. To enhance sustainable utilization of water, the WRMA engaged in creation of awareness on conditions of ground and surface water. The Authority assessed water resources and factored the requirements of the National Water Policy of 1999 when carrying out permitting process in water resource allocation. Additionally, the WSTF funded projects under the Commercial Financing Programme where water service providers received financing for projects implemented under the Output Based Aid and Aid on Delivery concepts. The National Irrigation Board constructed 7 water pans to harvest 250,000m<sup>3</sup> for use in green house farming in arid and semi-arid regions in Ilimya, Kilia, Mukengesya, Ngatha, Galma, Burmayo, Bojigaras and Harun Mirgo.
317. The Government through the Water Services Regulatory Board (WASREB) ensured all water tariffs approved had a cost recovery element to enable water service providers to cover operation and maintenance. The Board ensured that in each adjusted tariff, there was a SMART investment plan which the water company would use to extend water services in its area.
318. The Tana Water Services Board (TWSB) implemented Mwea-Makima, Siakago, Maua, Rupingazi, Kiambere-Karaba, Mathira, Gichugu, Karuiru, Njoguini-Gitero-Kabati dam, Ndathi-Mbiriri, Ngimaini-Kiboya water projects to increase water supply. Further, the Athi Water Services Board (AWSB) undertook a TV campaign to sensitize the public on water conservation, vandalism of water infrastructure and sustainable use of the environment. Separately, the Coast Water Service Board (CWSB) held a consultative forum for the waste master plan for Mombasa and selected towns within the coastal region in September 2016. In addition, the Northern Water Services Board (NWSB) expanded water supply and sanitation of Rhamu,

Maralal, Isiolo and Moyale towns. The Board initiated Rural Water Supply Sub-Programme covering Masalani, Laisamis, Bute, Mandera and Garbatula. Separately, the Lake Victoria South Water Services Board conducted regular water quality surveillance to ensure access to clean and safe water as provided for in **Article 43(1)(d)** of the Constitution.

319. Further, the Kenya Water Institute (KEWI) carried out the First Kenyan – German Water and Wastewater week in Nairobi in October 2016 aimed at capacity building on technical aspects of water and waste water. Additionally, the Institute commissioned the Kenya Water Week in November 2016 in partnership with WSTF, KEWASNET, WASREB and WARMA, working together with Embassies of Finland, Sweden, Denmark and Ministry of Water and Irrigation. The theme of the Conference was “From Aid to Trade: Enhancing Business Partnerships & Innovation for Sustainable Water and Sanitation provision in Africa”. In addition, the KEWI procured a water drilling rig in line with its mandate of training, research and consultancy.
320. The Brand Kenya Board participated in various programmes aimed at promoting sustainable development. The Board took part in the Giants Club Summit and the Ivory Burning event in April 2016. The burning of ivory was aimed at creating awareness on the conservation of wildlife as national assets. The Board took lead in branding of Presidential visits to Brussels, Germany and France that were aimed at enhancing bilateral trade. The Board further participated in the Global Partnership for Effective Development-High Level Meeting 2 (GPED-HLM2) whose aim was to amplify the positive impact of development cooperation.
321. The Kenya Film Commission partnered with the Kenya Bureau of Statistics to establish a sustainable flow of data on the creative economy. The Commission hosted broadcasters and producers for breakfast to foster a business relationship in their endeavor to develop local content and address industry challenges.
322. The Government through the Ministry of Information and Communication Technology promoted the sector through laying of fast internet fibre optic cables and developed relevant policies and legal framework. In addition, the Konza Technopolis Development

Authority adhered to the city's Master Plan which is conceptualized on principles of sustainability for smart cities and various development guidelines in the implementation of Phase 1. Further, the Authority pursued the Green Certification for the city's Streetscape and for Konza Complex and the renewal/revalidation of the SEA Certification 2014-2016 by NEMA.

323. The Ministry of Industry, Trade and Cooperatives opened the Kongowea Market which was built by the Government at a cost of KSh. 444 Million and the Makinon Market which was refurbished by the National Youth Service at a cost of KSh. 17 Million. Further, the Government of Kenya and Rwanda signed the Economic Partnership Agreement (EPA) with the European Union. The EPA is intended to guarantee the EAC traders duty-and-quota free access to the EU market in exchange for a gradual opening of up to 80% of the region's market to European products. Separately, KIRDI is in the process of upgrading its Research, Technology and Innovation Laboratories to ensure that Modern Clean Technology and Innovation is applied in all the country's development projects.
324. The Government of Kenya through the Ministry of Industry, Trade and Development discussed bilateral trade partnerships with the governments of Turkey, Korea, India and Tanzania among others. Further, the Ministry organized the Kenya Public Private Partnership (PPP) Roads Program Investor Conference in November, 2016. The aim of the Conference was to unveil 5 key road projects to be constructed and maintained through the PPP Model. The targeted roads are Thika Road, Nairobi Southern Bypass, Nairobi-Nakuru-Mau Summit Road, the second Nyali Bridge and Nairobi-Mombasa Highway. Further, the Ministry organized the Kenya Manufacturing Summit and Expo in November 2016. The Expo brought together stakeholder in Kenya's manufacturing sector to show case its level of development, provide networking opportunities for various business persons, and promote locally manufactured products.
325. In addition, the Ministry with support of the World Bank Group hosted the 7th Edition of the Ease of Doing Business Initiative (EDBI) Conference in May, 2016 in Nairobi. The Conference provided an opportunity for participants to discuss how ICT supports governments to deliver services faster and more efficiently to citizens and businesses. The Ministry partnered with United Nations

Conference on Trade and Development (UNCTAD) to host the 14th Session of the UNCTAD in July, 2016. The Conference brought together Heads of State and Government, ministers and other prominent players from the business world, civil society and academia to discuss global trade and economic development issues.

326. Further, the Ministry in conjunction with the National Construction Authority and KenInvest held the Big 5 Construct East Africa Trade Fair in November, 2016. The Trade Fair provided an opportunity for suppliers and manufacturers to engage with architects, interior designers, engineers, contractors and real estate developers. In addition, the Ministry partnered with the East Africa Business Council and other business organisations including the Kenya Private Sector Alliance and Kenya Investment Authority in hosting the East African Business and Entrepreneurship Conference and Exhibition in October, 2016. The Conference was meant to boost entrepreneurship in the East Africa Community region. Separately, to promote environmental conservation, the Industrial, Commercial Development Corporation (ICDC) continued to subject their projects to audit and approval by NEMA.
327. The Ministry of Tourism hosted the Magical Kenya Travel Expo 2016 in October 2016 whose theme was “Tourism for all: Explore Endless Travel Possibilities.” In addition, the Ministry reviewed their marketing strategy, product development and Air Growth Strategy to allow destination accessibility. Further, the Ministry is in the process of establishing a National Convention Bureau to promote Conference and Business Tourism. Separately, the Kenya Tourism Board (KTB) partnered with the private sector in developing professional and exciting pre-tour itineraries that were 100% experiential and tailored towards the hosted buyers’ product of interest to ensure that they get maximum conversion.
328. The Ministry further launched the construction of the first ever cruise ship terminal at the port of Mombasa in December, 2016. The Construction of the Terminal is estimated to cost KSh. 350 Million with KSh. 250 Million funding from KPA and KSh. 100 Million from Trade Mark East Africa. Further, the Ministry launched a KSh.30Million SMS campaign to attract domestic travelers as part of its recovery strategy.

329. The Government through the Ministry of Education hosted the Innovation Africa Summit 2016 dubbed "Designed and Made for Africa by Africa." Further, the Ministry received 50 motorcycles from the World Food Programme meant to support monitoring of the implementation of the Home Grown School Meals Programme in Arid and Semi-Arid sub-counties to improve access to education. In addition, the Ministry digitized access to admission letters for pupils selected to join national schools in 2017. Further, the Ministry carried out a needs assessment on the education system and reviewed the school curriculum.
330. In addition, the Ministry provided computers to schools under the Digital Literacy Programme (DLP) and piloted Vocational Training Centre Trainee's Scholarships Programme. The DLP aims at making Kenya's Labour force internationally competitive by targeting learners in public primary schools and integrating the use of digital technology in learning. The Kenya Institute of Special Education (KISE) continued to construct a state of the art Psycho-Educational Assessment and Rehabilitation Centre to provide quality assessment and rehabilitation services to persons with disabilities.
331. The Government through the TSC continued to train and promote teachers at lower job groups through the Teacher Proficiency Course (TPC). The Commission recruited additional teachers while those who exited the service through natural attrition were replaced. The Commission initiated a Collective Bargaining Agreement (CBA) to reduce interruptions caused by industrial disputes by teachers. Separately, the HELB continued to promote sustainable development by increasing capitation aimed at financial sustainability, adopted modern technology and facilitated the *Jenga* Future Communication Campaigns.
332. To promote sustainable development, public universities embarked on several initiatives. For instance Chuka University held an Annual Research Conference on 'Harnessing Research, Innovation and Technology to Realize the Sustainable Development Goals' while the University of Nairobi Enterprises and Services Limited Consultancy Unit developed a Master Plan for an Industrial Park for ICDC in Eldoret. In addition, the University of Nairobi provided technical expertise in organizing symposiums on tackling Africa's Health

Profession's Education, Practice, Research and Retention of Health Workers.

333. Separately, Masinde Muliro University of Science and Technology enhanced income generating activities by establishing a goods and services production unit, university farm and enhanced research grants. In addition, University of Kabianga launched the construction of Phase II of a lecture theatre and enhanced internet connectivity. The Machakos University ensured that all development projects were based on needs analysis and implementation was done in phases for sustainability. In addition, the Kisii University developed the E-Waste Policy in compliance with the Environmental Management Coordination Act, 1999 to provide clear guidelines and procedures. Further, the Ministry of Education coordinated theme 4 of the Promoting Peace and Global Citizenship through Education initiative in preparation for the Association for the Development of Education (ADEA), 2017 Conference to be held in Morocco in March, 2017.
334. The Ministry of Education through the National Commission for Science, Technology and Innovation (NACOSTI) hosted the 5th National Science week in May 2016 where public and private universities shared information on science and technology. Further, to bridge the technological gap, NACOSTI established an online platform for research clearance and issuance of licenses to conduct research ([oris.nacosti.go.ke](http://oris.nacosti.go.ke)) and online application forms for registration of research institutes. In addition, to utilize the capabilities and resources available for national development and improve adoption and application of science and technology, NACOSTI developed national policies on bio-science, space science and national research.
335. To ensure sustainable exploitation of minerals, the Government through the Ministry of Mining facilitated the enactment of the Mining Act, 2016 and developed mining regulations and guidelines. The Act addresses land rights, fair distribution of revenue, royalties, enforcement of environmental safety and governance compliance. Further, the Government launched 'Project Tai' with a budget of US\$ 3 Billion that aims at conducting a national air borne geographical survey for minerals prospecting.

336. The Government through the Ministry of Foreign Affairs signed MoUs with the following countries to promote sustainable development: Government of France to finance construction of Ruiru II Dam and Water Supply project; Government of South Korea on cooperation in industry, trade, investment and industrial complex development; Government of Turkey on growing bilateral trade volume; Government of Tanzania on boosting trade and development; Government of Israel on exploring business opportunities; Government of India on bilateral economic cooperation; Government of Japan on national development; and Government of Botswana on reviewing immigration rules.
337. The Ministry of Devolution and Planning continued to roll out the Electronic Project Monitoring Information System for the Government of Kenya (e-PromIS Kenya) platform. This platform is an automated information management system designed to improve efficiency and transparency in national development planning and co-ordination of reconstruction activities within the country. In addition, the Ministry mainstreamed climate change planning, actions, interventions and duties into existing development policies.
338. The Government through the State Department of Special Programmes allocated funds under the National Drought Emergency Fund for resilience and disaster preparedness. Further, the State Department embarked on capacity building for food production and provision of boreholes in ASALs and launched a dam in Mbooni. In addition, the Kajiado County Government partnered with the Italian Agency for Development Cooperation (IADC) to construct the New Ngong Landfill to replace Waste Dumpsite at an estimated cost of KSh. 2 Billion.
339. To promote sustainable development, the Government through Kenya National Bureau of Statistics (KNBS) completed the Kenya Integrated Household Baseline Survey (KIHBS) data collection and carried out Foreign Investment Survey in August, 2016. Further, the KNBS conducted International Cross Border Trade Survey (ICBT) and Inbound/Outbound Tourism Expenditure Survey in June, 2016.
340. To enhance sustainable economic development, the Government through the National Treasury developed an overarching draft policy and legislation frameworks to support county governments' local

revenue generating efforts. The policy proposes measures to broaden county governments' tax bases while strengthening their revenue administration capacity. Further, the SRC advised Government on measures to ensure that the Public Wage Bill was fiscally sustainable. Separately, the CRA recommended the modalities of sharing of revenue from mining activities among the national government, county governments and local communities.

341. The Government through the National Treasury formulated a Draft National Policy on Climate Finance whose purpose is to improve Kenya's ability to effectively mobilize, manage and track adequate and predictable climate change finance. This policy sets out a guiding framework to enhance National Financial Systems and Institutional capacity to effectively access, disburse, absorb, manage, monitor and report climate finance in a transparent and accountable manner.
342. The National Treasury operationalized Climate Change Budget Coding and budget expenditure on climate change could be tracked. Further, the Government through KRA continued to collect revenue to implement development programmes. In addition, the CBK continued to participate in the Monetary Affairs Committee towards realization of the East Africa Monetary Union in an effort to encourage regional development. The CBK continued to support the development of a conceptual framework and institutional structure to make Kenya a regional monetary hub.
343. The Office of the Controller of Budget (OCOB) developed a monitoring and evaluation framework to facilitate implementation of the national and county government budgets. Separately, the Retirement Benefits Authority (RBA) partnered with College of Insurance to train trustees on management of pension funds. Further, the Capital Markets Authority (CMA) continued to implement the Capital Markets Master Plan and new innovations. The Authority developed a policy paper to facilitate counties to raise funds through the existing bourse and engaged the stakeholders on strategies for infrastructure financing through the capital markets.
344. The Government through the National Government Administration Officers (NGAO) in Nyeri and Nyandarua counties continued to monitor the implementation of national government projects and programmes and ensured maintenance of law and order for sustainable development in their respective counties. The Kiambu

County NGAO worked closely with other Government agencies to create an enabling environment for local communities to identify their needs and priorities.

345. Further, the Kirinyaga and Migori NGAOs continued to enforce laws and policies aimed at mitigating environmental pollution. The Kitui NGAOs continued to promote the environmental conservation through tree planting and regulating charcoal burning and sand harvesting. The Bungoma NGAOs liaised with MDAs at county level to foster development through regular monitoring and evaluation of all government projects.
346. The Government through the KESAL undertook various activities to promote sustainable development including forest clearing of trash, trash audit, planting of indigenous trees and construction of energy saver *jikos*. Separately, the KSG expanded their leadership programmes to cover national and county governments. Further, the KSG mainstreamed leadership programmes for state and public officers at the national and county levels of Government to provide them with knowledge, skills and attitudes on governance, management and overall administration and further promoted sustainable development. The Anti-Counterfeit Agency enhanced enforcement, awareness and research geared towards improving the ease of doing business.
347. The Ministry of Sports, Culture and the Arts through the State Department for Arts and Culture continued to identify artistic talents among the youth and to build their capacity through cultural exchange programmes. Further, the Ministry established the Kenya Film School to train film makers while the Kenya National Archives continued to offer industrial training/practical attachment to students pursuing degree and diploma courses in records and archives management.
348. To promote sustainable development, the KLRC developed the draft Kenya Industrial Research and Development Bill, 2016 to establish the Kenya Industrial Research and Development Institute for conducting research and disseminating findings on industrial and allied technologies. Further, the Commission developed the draft Kenya Food and Drugs Authority Bill, 2016 to establish the Kenya Food and Drugs Authority whose mandate is to regulate and control food, medicinal products and health technologies.



349. The Ministry of Environment and Natural Resources in collaboration with the NEMA launched the Rapid Results Initiative on solid waste management in Kenya in August, 2016. The partners in the initiative included: County Governments, National Transport and Safety Authority (NTSA), NPS, Retail Trade Association of Kenya (RETRAK), and Community Based Organizations. Separately, the NACC developed a policy brief for domestic financing of HIV and AIDS Research Agenda 2014/15-2018/19 and launched the Kenya AIDS Response Progress Report in October, 2016.
350. The Ministry of Industry, Trade and Cooperatives developed the Leather Park at Kinanie, Machakos County to attract foreign and domestic investment in the leather industry. The Kenya National Trading Corporation (KNTC) acquired financial guarantees to support its Vision 2030 flagship projects. Further, the Government through Export Promotion Council conducted test marketing of newly developed products at the New York trade show and in Rwanda and organized a Mini-Exhibition for newly developed and value added products.
351. The Government through Micro and Small Enterprises Authority (MSEA) developed a concept for Micro and Small Enterprises (MSE) product development dubbed “*Ufanisi wa Bidhaa*.” The programme is aimed at identifying at least five products from each of the 47 counties to be developed in terms of quality improvement, branding, packaging and bar-coding.
352. The Ministry of Public Service, Youth and Gender Affairs through the Youth Enterprise Fund introduced a service whereby loan applicants send an SMS to the short code 22501 to receive information on the status of their loan account. Further, the Ministry through the Women Enterprise Fund introduced an SMS service and developed an interactive website for ease of communication. Separately, the Public Service Commission developed an Internship Policy and Guidelines for the Public Service (2016) which provides a framework for engagement and management of internship programmes in the public service.
353. Further, the Ministry spearheaded the celebrations of the African Public Service Day in June 2016 whose theme was ‘Public Governance for inclusive Growth: Towards the Africa we want.’ The celebrations provided a platform to reflect on the role of the public

service in economic development and growth and on the rights of women in the public service.

354. The Ministry of Public Service, Youth and Gender Affairs launched the second phase of the KCB *2jiajiri* Programme whose objective is to alleviate youth unemployment. The launch is captured in Figure 18.



*Figure 18: Launching of the Second Phase of KCB 2jiajiri Programme*

**Source:** myGov.go.ke

355. The Ministry of Information, Communication and Technology collaborated with the Ministry of Public Service, Youth and Gender Affairs to launch a job creation programme dubbed the *Ajira* Digital Programme aimed at opening up more opportunities for the youth. The Programme is in line with the job creation policy and a response to the globally growing working online market. The initiative will provide an avenue for the youth to work from their phones or computers through [www.ajiradigital.go.ke](http://www.ajiradigital.go.ke).
356. The Ministry of Lands and Physical Planning developed a draft National Land Use Policy in May, 2016. The Policy provides legal, administrative, institutional and technological frameworks for optimal utilization and productivity of land and land related resources.

## CHAPTER FOUR: PROGRESS ACHIEVED IN THE REALIZATION OF NATIONAL VALUES AND PRINCIPLES OF GOVERNANCE

357. Ministries, Counties, Departments and Agencies (MCDAs) made significant progress in the promotion of national values and principles of governance provided for under Article 10. During the reporting period, policies were formulated and/or reviewed, laws enacted, regulations and guidelines developed. The Government further recorded progress through implementation of programmes, projects and activities as captured in the following five thematic areas:

### 4.1 Creation of National Identity and Exercise of Sovereign Power

Article 10(2)(a) *Patriotism, National Unity, the Rule of Law, Democracy and Participation of the People*

358. Kenya's image was enhanced through international engagements by H.E. the President to 23 regional and international destinations that included Ethiopia, Israel, France, Ghana, Germany, Uganda and Belgium among others where bilateral and multilateral agreements were signed to promote Kenya as a key investment and tourist destination. In addition, H.E. the President promoted national unity during the multi-sectoral leaders' forum in Kwale where he led leaders in committing to peaceful elections. In addition, H.E. the President led the Government in flagging off the national team and accorded it the necessary moral and material support to participate in the 2016 Rio Olympics. The team brought home a total of 13 medals that included 6 gold, 6 silver and 1 bronze emerging the best team in Africa and 15th globally.

359. To promote national identity, H.E. the President set ablaze 105 tonnes of ivory and 1.35 tonnes of rhino horn to demonstrate Kenya's commitment towards conservation of our national heritage. In addition, the Office of the First Lady continued to implement the Pupils Reward Scheme (PURES) programme which focuses on the marginalized and disadvantaged learners. The program mentored over 2,000 pupils and students from 47 counties in primary, secondary and orphanage schools an increase from 637 in the previous year.

360. To enhance Kenya's international image, the Government lobbied and hosted the Tokyo International Conference on African

Development (TICAD) VI summit, the first to be held outside Tokyo, Japan. The summit was attended by over 30 African Heads of State and Governments and resolved to embrace partnerships, mutual respect and long term commitment to make the world more secure. In addition, the Government hosted the first ever Latin America, Caribbean and Africa Business Summit in Africa which brought together business leaders from the three regions.



Figure 19: TICAD Summit, Nairobi

Source: myGov.go.ke

361. To promote national unity, the Ministry of Interior and Coordination of National Government through the National Registration Bureau issued National Identity Cards to 1,489,457 males and 1,211,782 females totaling to 2,701,239. Further, the Bureau simplified the vetting process for Not Previously Registered (NPR) cases countrywide. Separately, the Government through the Civil Registration Department achieved 73.6% Registration coverage of births and 49.3% registration coverage of deaths.
362. To promote community cohesion and enhance participation of the people, the Ministry of Interior and Co-ordination of National Government conducted 176 forums through Regional Coordinators, 1,034 through County Commissioners and 7,062 through Deputy County Commissioners throughout the country. These forums were in form of interactive *barazas*, community engagements and

consultative platforms. In addition, the Government through National Authority for the Campaign against Alcohol and Drug Abuse (NACADA) conducted 16 forums and public *barazas* to sensitize the public on the effects of alcohol and substance abuse.

363. The Government through the Directorate of National Cohesion and Values conducted 16 capacity building forums on national cohesion and national values for Faith Based Organization leaders in the Coast, Upper Eastern, North and South Rift and Nyanza regions. In addition, the Directorate conducted 8 capacity building forums for youth leaders in Uasin Gishu, Bomet, Trans Nzoia, Kericho, Nandi, Machakos, Laikipia and Baringo counties. Separately, a total of 113 Focal Point persons from MDAs were trained to spearhead the mainstreaming and reporting on national values and principles of governance in their institutions. To enhance institutional reporting through the Performance Contracting platform, the Directorate carried out trainings for 80 institutional committee members from 6 public institutions and conducted capacity building forums involving 2,034 members of staff from various MDAs as shown in Table 2.

**Table 2:** Capacity Building Forums for National Cohesion and Values

Category	Number of forums	Number of participants
Focal Point Persons	3	113
Faith Based Organization Leaders	16	640
Youth Leaders	8	320
National Cohesion and Values Committees	6	80
Capacity Building for MDAs	49	2,034
<b>Total</b>	<b>69</b>	<b>3,187</b>

*Source: Directorate of National Cohesion and Values*

364. The Ministry of Interior and Co-ordination of National Government through the Kenya National Focal Point on Small Arms and Light Weapons (KNFP) carried out a destruction exercise in November, 2016 where 5,260 arms and over 200,000 ordinances were burnt. The

arms had been mopped up through disarmament efforts by the security agencies or voluntarily surrendered by members of the public. Further, KNFP organized arms marking exercises in Turkana, Isiolo, West Pokot and Coast region. The exercises were carried out in conjunction with arms marking teams from the National Police Service and Kenya Defence Forces. So far, the National Police Service has marked 95% of all state owned firearms.

365. In promoting national unity, the Ministry of Interior and Co-ordination of National Government through the State Department for Correctional Services recruited, trained and deployed additional 2,700 Prisons officers reflecting the face of Kenya. The State Department further counseled 6,500 inmates in readiness for reintegration into the society. Consequently, during *Mashujaa* Day celebrations on 20th October, H.E the President released 7,529 petty offenders and prisoners who were about to clear their jail terms. Separately, the Government repatriated 32,782 refugees to Somalia and a further 5,528 resettled to third countries.
366. The Government through the National Police Service Commission (NPSC) carried out a national recruitment in April, 2016 in all Constituencies witnessed by accredited stakeholders. A total of 9,975 police officers were recruited comprising of 3,982 Administration Police Service, 3,996 Kenya Police Service and 1,997 General Service Unit (GSU) Officers. This was an increase from 9,882 in the previous year improving the police to civilian ratio to 1:380 which is above the UN ratio of 1:450.
367. The Ministry of Interior and Co-ordination of National Government through the Directorate of Criminal Investigations (DCI) acquired assorted equipment to support its delivery of services while the ongoing construction of the Forensic Lab is currently at 95% completion level. In addition, the Government continued to expand the operationalization of a toll free 24 hour hotline number **0791 573 080** for use by members of the public in reporting incidents in real time which has enhanced public participation in combating crime.
368. The NCIC trained 160 police officers from Garissa, Kericho, Kisii and Kilifi Counties on hate speech detection. The Commission further received 152 complaints on offences under the NCI Act whereby 69 were on hate speech, 46 on ethnic, racial contempt and 23 on discrimination out of which 14 were forwarded to other agencies and 76 cases were investigated.

369. The State Department of Arts and Culture through the Kenya Cultural Centre held 210 cultural events at the Kenya National Theatre and music festivals for 1,450 participants from 22 Counties held in Kwale County. During *Mashujaa* Day celebrations, 150 heroes and heroines from all counties were feted and honored for exemplary service and promoting national unity.
370. The Ministry of Education expanded the national schools category by equipping 26 additional schools resulting in increased enrollment of 1,351 boys and 2,233 girls into the secondary school cycle. In addition, the Ministry trained 280 teachers from Kakamega, Migori, Kisumu, Nairobi and Murang'a counties on Peace education to address emerging forms of violence. The Ministry also trained 45 Education Officers and teachers from Kisumu County on psychosocial interventions, life skills and countering violent extremism. The Government through the Greatness United (G-United) program recruited, trained and deployed 138 graduates to Busia, Kajiado, Kilifi, Kisii, Kisumu, Machakos, Meru, Nyeri, Samburu and West Pokot counties to enhance patriotism and national unity. Kenyatta University continued to hold its annual cultural week to celebrate Kenyas' cultural diversity. Separately, the University introduced a common course on Ethics, Diversity and Patriotism taught to all first year students. These initiatives enhanced peaceful co-existence amongst the university community.
371. In addition, the Ministry in partnership with the Association for Development of Education in Africa (ADEA) conducted a Situational Analysis on Emerging Forms of Violence in Kenya and developed guidelines for prevention and management of emerging forms of violence in the education sector.
372. To entrench the rule of law, the Government through the Commission for Universities Education issued Notices to 25 university campuses and closed 4 for failure to comply with their standards and regulations.
373. The Kenyatta University continues to offer a security training program in partnership with the Kenya Defence Forces, National Police Service and Kenya Prisons Service. The program has so far trained a total of 1,473 officers.
374. The Judiciary promoted the rule of law by resolving 194,513 cases during the reporting period. The Judiciary also established an additional 6 sub registries of the employment and labour relations court in Malindi, Meru, Machakos, Eldoret, Bungoma and Garissa.

To enhance its human resource capital, the Judiciary recruited and deployed 3 Supreme Court Judges, 9 High Court Judges, 19 Employment and Labour Relations Court Judges, 25 Senior Resident Magistrates, 21 Kadhis, 916 Clerical Officers, 131 Secretaries, 41 Court interpreters, 36 ICT Officers and 70 Archivists. To create a conducive working environment, the Judiciary established new courts in Loitoktok, Mpeketoni, and Ngong and is constructing 4 courts in Garissa, Nanyuki, Nakuru and Siaya. To enhance access to justice in marginalized areas new mobile courts were increased from 19 to 52.

375. To enhance national unity, adherence to the rule of law and participation of the people, Brand Kenya Board reached 47,000 people through Facebook and 29,500 on Twitter with positive content in respect to the general elections. Separately, the Vision 2030 Delivery Secretariat conducted 49 road shows in Nairobi, Mt. Kenya, Western and Coast regions and aired its content through 7 radio stations under the integrated marketing and communication campaign dubbed *Tunatimiza bega kwa bega* which aimed at showcasing the progress and impact of Kenya's Vision 2030 flagship projects.
376. The Government through the National Treasury organized a consultative stakeholder and sector hearings in budget process in October and November 2016 in Mombasa and Nairobi respectively. In addition, the Government through the Kenya Revenue Authority (KRA) convened the First Tax Round Table Meeting in 2016 with all public and private stakeholders. The Authority further recruited 210 female and 286 male new staff from all counties between January and December 2016 and started Tax clubs in 600 schools and initiated 30 Tax societies throughout the country.
377. To operationalize the provisions of **Article 10** on public participation, the Office of the Attorney General and Department of Justice (OAG&DoJ) drafted the National Policy on Public Participation and subjected it to stakeholder review. Separately, the Kenya Law Reform Commission (KLRC) subjected the Cyber Security and Protection Bill, 2016 to stakeholder consultations which is before Cabinet for consideration.
378. In enhancing the rule of law, the Ministry of Transport, Infrastructure, Housing and Urban Development through the State Department of Housing and Urban Development received Cabinet approval for the National Urban Development Policy and the reviewed National Housing Policy, 2004.

379. The Ministry of Water and Irrigation through Water Services Trust Fund ensured public participation in identification and development of 25 sanitation and 10 water resources projects in Nandi, Narok, Migori, Tharaka Nithi, Laikipia and Kwale Counties. Further, The Water Services Regulatory Board through Amatsi, Naivasha, Murang'a, Tachassis, Rukanga, Mathira, Nyasare, Homa Bay, Kahuti and Ngadori Nginda water companies involved the public in adjusting their water tariffs. Water Resources Management Authority (WARMA) held public participation forums in Ewaso Nyiro North catchment area resulting in the formation of 74 Water Resource Users Associations. Separately, KenGen Board established a stakeholder co-ordination committee for purposes of public participation comprising of 47 members drawn from all locations affected by the geothermal project in Olkaria.
380. The Tana Water Services Board through public participation secured 100% support for the Maua Water and Sewerage project. Further, residents of Murang'a South and Kyeni participated in their project's tariff setting process. The Ministry of Lands and Physical Planning set up settler selection committees in 4 schemes namely; Likoni, Ziwani, Nyayo (Sirimoni) and Chemelil whereby a total of 7,709 landless people were settled.
381. To promote the principle of public participation, LAPSET Corridor Development Authority held 5 consultative stakeholder forums in Lamu, Isiolo, Baringo, Meru and Turkana counties. The Kenya Roads Board (KRB) organized 7 regional workshops that brought together stakeholders to discuss the strength and challenges experienced in road maintenance. In addition, Kenya National Highways Authority (KeNHA) involved the public in the construction of 350.6 Kms of Vision 2030 road projects to bitumen standards and development of 6 new road projects namely; James Gichuru –Rironi, dualling of Athi River-Machakos Turnoff, Nuno-Modegashe, dualling of Mombasa Mariakani, Kibwezi Kitui, and Kisumu Boys' Mamboleo. The Communication Authority of Kenya (CAK) engaged various stakeholders through forums for the creative economy sector, producers and media owners which served to reach consensus on 60% quota requirement for local content.
382. To promote patriotism among the diaspora, the Ministry of Foreign Affairs hosted celebrations for Kenyans in foreign missions during National Holidays at a cost of KSh. 46,034,108. Further, diaspora SACCOs were operationalized in the UK, USA, Ireland and Qatar.

The Micro and Small Enterprises Authority (MSEA) through *Ufanisi wa Bidhaa* programme promoted national unity by giving opportunities to Micro and Small Enterprises from counties to showcase their products with the aim of branding and enhancing international market access. The initiative identified five products from 30 counties which are awaiting the development and improvement process.

383. To promote rule of law, the Government through the Anti-Counterfeit Agency received and processed complaints from consumers and seized suspected counterfeit goods estimated at KSh. 240 Million. The Agency also enforced the Anti-Counterfeit Act, 2008 through 16 public outreach programs and 17 workshops in collaboration with other organizations. Separately, to strengthen the rule of law, the Ministry of Transport, Infrastructure, Housing and Urban Development through the State Department of Maritime and Shipping Affairs enforced the Insurance Act section 20 in January, 2017 to cover marine cargo.
384. Ministry of Information, Communication and Technology through the State Department of ICT and Innovation drafted a Language Policy which is before Cabinet for consideration. Further, the Ministry connected 29 counties to the national fiber optic while works in the remaining 18 counties are still underway.
385. Senate received and processed 67 Bills, 82 Motions, 21 Petitions and 149 Statements pursuant to **Article 119** and adopted 51 Motions. Further, Parliament achieved a negotiated settlement in the exit of IEBC Commissioners and created an enabling legal framework to promote free, fair and transparent elections through amendment and passage of the Election Laws (amendments) Bill, 2016. The National Assembly considered and passed amendments to the Witness Protection Act, 2016 aligning it to the Constitution and passed the Small Claims Court Bill 2015 providing mechanism for better management for small claims court. Other legislations passed include: Contempt of Court Bill, 2016, Amended Kenya Defence Forces Act, Access to Information Bill, 2015 and the Bribery Bill, 2016. In entrenching participation of the people, the National Assembly also received and considered various petitions from individual citizens and groups and invited to the Public Gallery of the Assembly chamber girls who had escaped FGM. Further, the State Department of EAC Integration held 1 National Assembly Speakers'

Round Table and 2 EAC stakeholders' Round Table to enhance democracy and participation of the people.

386. In promoting patriotism, Nzoia Sugar Company donated a total of KSh. 1.4 Million to St. Christopher's Mabanga Girls Secondary School and Nzoia Industrial Primary School following fire incidents.

#### 4.2 Sharing and Devolution of Power

##### *Article 10(2)(a) Sharing and Devolution of Power*

387. The Government through the National Treasury continued to fund County Governments in excess of the constitutional requirement of 15% to facilitate full implementation of programmes, projects and activities. County Governments received a total of KSh. 210 Billion during the 2013/2014 FY, KSh. 227 Billion during the 2014/2015 FY and KSh. 294 Billion in the 2015/2016 FY. The County Governments will receive a total of KSh. 307 Billion in 2016/2017 FY and the National Treasury had disbursed a total of KSh. 836 Billion as at January, 2017 out of the KSh. 1.038 Trillion allocated to County Governments since their establishment as illustrated in Figure 20.

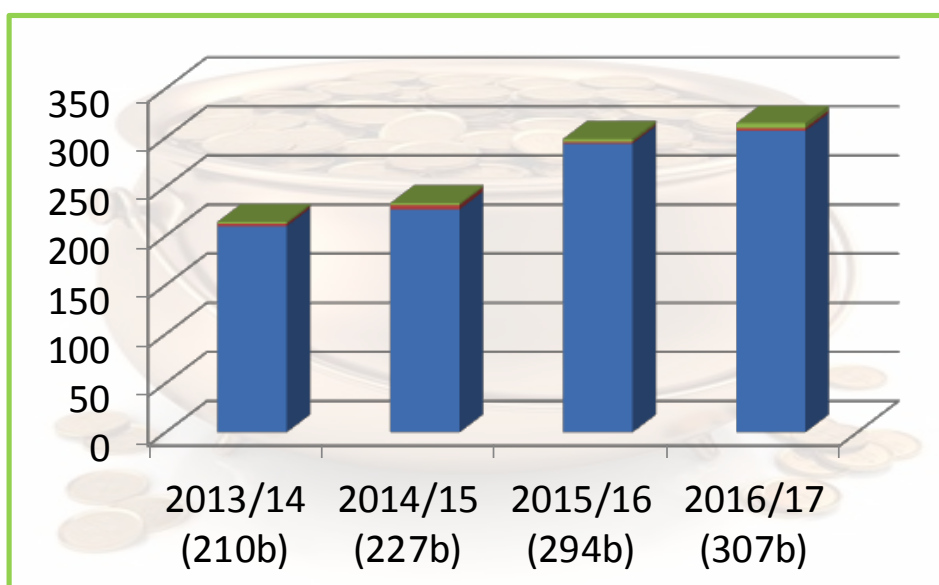


Figure 20: County Allocation by National Treasury (in Billions)

Source: National Treasury

388. Commission for Revenue Authority (CRA) identified 14 counties namely, Turkana, Mandera, Wajir, Marsabit, Samburu, West Pokot, Tana River, Narok, Kwale, Garissa, Kilifi, Taita-Taveta, Isiolo and Lamu to benefit from the KSh. 6 Billion Equalization Fund. The Commission also supported the Mining Bill which was enacted in May 2016 to promote inclusion and participation of local communities. Further, CRA reduced revenue leakages and mismanagement in counties through automated revenue administration as outlined in the CRA Revenue Automation Guidelines.
389. In addition, CRA facilitated automation of 25 Counties leading to the growth of their revenues by between 40% and 70%. For instance, through revenue automation, Kiambu County grew its revenue from KSh. 700 Million in 2013 to KSh. 2.3 Billion in 2016.
390. During the year under review, the National Treasury capacity built 259 County Officers on fiscal reporting and related matters. The Treasury also automated internal audit services by rolling out Teammate Audit Management software and IDEA Data Mining and Analysis software for use by county governments and other relevant government institutions. In addition, Treasury facilitated development and publishing of training manuals and guidelines for internal audit.
391. The Ministry of Devolution and Planning, in collaboration with the United Nations Commission for Africa (UNECA) and the UNECA Sub-Regional Office of Eastern Africa based in Kigali, Rwanda selected Nairobi to host the 20th meeting of the Intergovernmental Committee of Experts (ICE) February, 2016 attended by over 300 delegates. The theme of the meeting was “Institutions, Decentralization and Structural Transformation in Eastern Africa.”
392. The Second Deputy Governors Leadership Forum 2016 took place in January, 2016 in Naivasha. The Conference was aimed at transforming and equipping Deputy Governors with new perspectives and global best practices on effective leadership in their support, deputizing roles to the County Governor and developing a framework for building winning teams for county effectiveness. Overall, the Forum sought to build the capacity of Deputy Governors to support

the Governors in achieving the national development goals as enshrined in the Kenya Vision 2030.

393. The Ministry of Devolution and Planning issued guidelines for Mid-Term Review of County Integrated Development Plans (CIDPs), provided technical assistance in the review of the CIDPs and held 18 Sectorial forums. The Ministry further implemented other initiatives that included the Kenya Devolution Support Programme (KDSP) to strengthen implementation of devolution programmes and policies; Instruments for Devolution Advice and Support (IDEAS) to strengthen fiscal decentralization and local economic development; and civic education curriculum in 18 counties.
394. The Ministry of Devolution and Planning operationalized the Intergovernmental Relations Technical Committee (IGRTC) to handle all matters relating to the relationship between National Government and County Governments. Separately, through the Devolution Resource Centre (*Maarifa* Centre), the Council of Governors (CoG) hosted international delegations from Sierra Leone, Nepal and Zimbabwe to benchmark Kenya's devolved system.
395. In August, 2016, the Council of Governors held a meeting with H.E the President whose agenda was the preparation for the 2017 General elections and how both levels of Governments could team up to maintain a stable, peaceful and cohesive country before, during and after the elections.



*Figure 21: H.E the President meeting with the CoG in State House*

**Source:** myGov.go.ke

396. The Council of Governors initiated and launched the Devolution Torch to foster peace, promote harmonious coexistence and encourage dialogue within and between counties. The campaign enabled the counties to showcase success stories of devolution and encourage inclusion in management of county affairs and foster cohesion amongst the various communities and clans. In addition, the Council of Governors held the Semi Annual Review meeting in June, 2016 aimed at aligning the sector work plans with donor supported activities.
397. H.E. the Deputy President chaired the Intergovernmental Budget and Economic Council (IBEC) Meeting in September, 2016 attended by the National Treasury, Central Bank of Kenya (CBK), Office of the Attorney General, Auditor General, CRA, SRC, Controller of Budget, Ministry of Devolution and Planning, Ministry of Health, IGRTC and Parliament. The meeting sort to resolve issues including; the Short term Borrowing, County Government Expenditure ceiling, County Pension, Assets and Liabilities Vocational Training and Road Maintenance Fuel Levy, Free Maternity Issue and IFMIS. From the meeting's resolutions, county governments can now access overdrafts at CBK with guarantee from the National Treasury following the approval of the borrowing guidelines by IBEC. A follow up meeting that finalized the framework for short term borrowing between County Governments and the National Treasury was concluded in February, 2017.
398. Parliament considered and passed amendment to the County Government's Bill, 2016 into the County Government Act, 2016 that consolidates gains made under devolution as per **Article 174** of the Constitution. Parliament also passed the Division of Revenue Bill, 2016 that provides equitable division of revenue raised nationally between the two levels of Governments. In addition, Parliament passed the County Allocation of Revenue Bill, 2016 to facilitate the proper functioning of County Governments and ensuring continuity of county services through provision of funds to the counties.
399. Parliament passed the Controller of Budget Bill, 2015, that provides for the appointment of the holder of the Office of the Controller of Budget, defines the functions, the presentation of quarterly estimates to Parliament, submission of County Fiscal Strategy Paper and

financial provisions related to the office. Further, Parliament introduced amendments to the Public- Private Partnership Act (No. 15 of 2013) aimed at recognizing County Governments as distinct contracting authorities for Public-Private Partnership projects. Separately, Parliament reinforced and improved the Competition Act, 2012 that enhances consumer protection from unfair and misleading market conduct, recognizing County Governments' role in the market economy and recognizing the principle of decentralization of services.

400. The Parliament also passed the Forest Conservation and Management Act, 2015 to create an effective framework for coordination of the management and conservation of forests and forest resources across all counties in the country. In addition, Parliament passed amendments to the Seeds and Plant Varieties Act Cap 326 Laws of Kenya that recognizes and protects the ownership of indigenous Seeds and plant varieties, their genetic and diverse characteristic and their use by protecting genetic resources and biodiversity for equitable sharing of the accruing benefits in all counties.
401. The Senate continued to convene devolution forums in various counties which are open to members of the public. During the reporting period, the Senate through its subcommittees made 49 visits to monitor county operations. The Senate also continued to publish Senate quarterly magazines to inform the public on the operations of the Senate in the promotion of sharing and devolution of power.
402. To decentralize its services, the Kenya Film Commission (KFC) trained 150 film makers in Mombasa, Machakos, Kisii and Nyeri counties through their line departments. The TSC distributed 341 copies of Handbooks on decentralization of Teacher Management Functions to County Offices. Further, 47 of the TSC County Directors were sensitized on the provisions of TSC handbook on decentralization, while 47 Deputy County Directors, 134 Sub-County Directors and 1,077 Curriculum Support Officers (CSOs) were appointed and deployed in the Counties and Sub-Counties. In addition, LAN and WAN were installed in 36 Counties to enhance connectivity and 8 ICT Officers deployed to the various counties to provide technical support. Besides that, 256 TSC Officers from 32

Counties were inducted on the decentralization of hearing of discipline cases in the Counties.

403. The Ethics and Anti-Corruption Commission (EACC) operationalized service desks in 26 *Huduma* Centers bringing the total to 41 service desks. In addition, EACC undertook Corruption Risk Assessment in Tharaka Nithi, Busia, Homa Bay and Kajiado Counties that targetted both the County Assemblies and the County Executive Committees. The Commission further implemented community outreach, public education and awareness programs throughout the country through regional fora, public barazas and trade fair exhibitions where 700 members of County Assembly, Chief Executive Committee members and Chief Officers in 8 County Governments were trained on integrity and good governance.
404. To support sharing and devolution of power, the Ministry of Sports, Culture and the Arts in collaboration with County Governments organized 29 community festivals and celebrations in Turkana, Marsabit, Kwale, Meru, Mombasa, Kilifi, and Kakamega Counties among others.
405. The Government enacted the Community Land Act, 2016 to provide for; the recognition, protection and registration of community land rights; management and administration of community land; and the role of County Governments in relation to unregistered community land. This Act reiterates the prohibition against disposal of unregistered community land and instructs counties to hold compensation for formal title deeds. Consequently, the Ministry of Lands and Physical Planning has since appointed the Task Force on Regulations to operationalize the Act.
406. The Ministry of ICT through the State Department of Broadcasting and Telecommunications trained 100 youths drawn from various counties on various ICT courses and an additional 400 are currently undergoing the training.
407. The Ministry of Health established an Inter-governmental Forum for Health to facilitate continuous engagement with County Executive Committee members for Health. During the reporting period, 4 Intergovernmental forums were held to discuss health financing,

human resource management, free maternity services program and Management of Essential Services (MESS) amongst others.

408. The First Lady Beyond Zero Campaign acquired and dispatched mobile clinics in the remaining 7 Counties and now the 47 Counties have been covered. County Governments implemented the DANIDA Health System Strengthening Program in the 47 Counties. Consequently, a new initiative through an intergovernmental program known as “*Transforming Health System for Universal Health Care*” was initiated with support of World Bank and DANIDA in counties. To address the challenge of medical waste management, the Government in partnership with Belgian Government supported acquisition of medical waste equipment.
409. To support sharing and devolution of power, the Ministry of Transport, Infrastructure, Housing and Urban Development build capacity for County Governments, set up regional quality assurance laboratories and posted 13 regional representatives to offer technical advice to the counties. Separately, the Ministry of Energy and Petroleum installed street lighting in Nairobi and Mombasa. Out of the targeted 52 towns and 13 county headquarters, installation in 35 towns are 100% complete while 30 are at various stages of installation.
410. The Ministry of Agriculture, Livestock and Fisheries through the State Department for Fisheries and the Blue Economy created 18 fish market outlets across the counties to include Kajiado (Matasia), Kiambu (Thika), Nyeri (Othaya, Kirinyaga (Sagana), Embu, Meru, Kakamega, Kisii, Nakuru, Machakos, Murang'a, Narok, Nyamira, TaitaTaveta, Makueni (Mtito), Nairobi, Loitokitok (Kajiado), and Sagana Aquaculture Centre. In addition, the Ministry finalized the Lake Turkana Fisheries Management Plan Baseline Report to enable finalization of the management plan and 52 contracts for constructing various infrastructures for agriculture and livestock development were awarded. Other projects initiated by the Ministry in diverse counties are as shown in the Table 3:

**Table 3:** Projects established by the State Department for Fisheries

	PROJECT DESCRIPTION	TOTAL UNITS	COUNTY	NO.	TOTAL COST (KSh)
1	Water Pans	10	West Pokot	4	103,386,110
			Baringo	2	
			Marsabit	3	
			Isiolo	1	
2	Earth Dams	4	Samburu	2	39,970,907
			Baringo	1	
			Marsabit	1	
3	Bore Holes	5	West Pokot	1	41,438,540
			Baringo	2	
			Turkana	1	
			Isiolo	1	
4	Shallow Well	1	Turkana	1	4,648,974
5	Sub-Surface Dams	3	West Pokot	2	11,992,048
			Isiolo	1	
6	Hay Sheds	6	West Pokot	2	49,879,132
			Baringo	1	
			Marsabit	1	
			Isiolo	1	
			Samburu	1	
7	Demo Plots	3	West Pokot	2	19,080,941
			Baringo	1	
8	Livestock Sale Yards	19	West Pokot	3	229,908,744
			Baringo	4	
			Turkana	4	
			Isiolo	4	
			Samburu	4	
	<b>TOTAL</b>	<b>51</b>			<b>500,305,396</b>

**Source:** The Ministry of Agriculture, Livestock and Fisheries

411. The Government through the Ministry of Foreign Affairs continued to engage with County Governments on foreign travel and Kenya's international obligations. To this end, the Ministry held a workshop on protocol, foreign travel and Kenya's international obligations for 39 County Officials drawn from 11 Counties of the Rift Valley cluster at Lake Baringo. Brand Kenya Board organized the inter-county youth forums in Kilifi, Mombasa, Tana River, Lamu, Kwale and Taita-Taveta Counties. Further, the Board developed the County Competitive Index tool aimed at enhancing the County Governments' branding capacity.
412. Through decentralization of services, the National Council for Persons with Disabilities enhanced access to services by all persons with disabilities in all Counties. The Council shared resources such as equipment, finance and empowered County Officers' on disability affairs in all the Counties. The Ministry of Agriculture, Livestock and Fisheries through Agriculture and Food Authority (AFA) trained 20 County Extension Officers on Cotton Value Chain Development and Best Environmental Practices (BEPs) in fibre crops production and on biogas production from sisal decortication waste in Isiolo County. To ensure enhanced and quality performance for Small Micro-Enterprises (SMEs) within the Counties, the Export Promotion Council collaborated with the Kenya Bureau of Standards (KEBS) and audited for certification 8 SMEs in Nyanza, Western and Coast regions.
413. For effective management of revenue in the Counties, KRA contracted and trained 35 commercial banks in various counties on usage of iTax system in revenue collection. In addition, the Authority opened 3 offices in Nanyuki, Kericho and Mbita, and acquired 4 iTax offices in Thika, Garissa, Malindi, and Sameer Park-Nairobi. Similarly, KRA opened iTax support offices at the Nation Centre in Nairobi and regional support centres in Mombasa, Kisumu, Nyeri, Eldoret, Nakuru, Embu and Malindi aimed at making tax-payment services accessible. Further, the Authority opened 4 Regional Domestic Taxes Department (DTD) offices in Nakuru, Embu, Mombasa and Sameer Park-Nairobi.
414. The Kenya School of Government (KSG) conducted research on the status of devolution in Kenya entitled 'Implementation of CIDP: Current Status' whose findings and recommendations were

disseminated to all stakeholders including the County Governments. To decentralize its services, Kenya Medical Training Institute (KMTI) opened campuses in Nyahururu, Isiolo, Voi, Hola, Busia, Nyamache, Wajir and Kombewa. This resulted in increased enrollment to an estimated student population of 2,700, a milestone in the Government's efforts towards attaining the highest standard of health care as spelt out in the Kenya Health Policy 2014-2030.

415. The National Housing Corporation (NHC) partnered with diverse Counties in the implementation of various housing initiatives that included; the construction of 50 units in Migori County, 500 units in Machakos County (NSSF) and 50 units in Nakuru County. In addition, NHC provided consultancy services to individual SACCO members for 30 housing units in Machakos County and construction of 100 housing units in Nyandarua County.
416. The Government through Water Resources Management Authority (WRMA) established and operationalized 6 regional offices in Athi Catchment Area, Rift Valley Catchment Area, Lake Victoria North Catchment Area, Lake Victoria South Catchment Area, and Ewaso Nyiro Catchment Area. Further, 26 sub-regional offices have been established and operationalized as well, besides the establishment of Water Resource Users' Associations (WRUAs) within sub-catchments for collaborative management of water resources countrywide.
417. The Government through the Northern Water Services Board (NWSB) signed a Service Provision Agreement (SPA) with Marsabit Water and Sewerage Company Ltd for the formation of the company to provide water services to the people across the county. Further, the Board worked with Laikipia, Garissa, Isiolo, Mandera, Wajir, Marsabit, and Samburu counties to improve water infrastructure in their respective counties by providing the requisite technical support. The National Industrial Training Authority (NITA) opened 3 offices in Athi River, Thika, and Kakamega, and also had 112 trade test centers accredited during the period under review. During the reporting period, Micro and Small Enterprises Authority (MSEA) signed MoUs with the County Governments of Marsabit, Makueni, Trans Nzoia, Kakamega, and Taita/Taveta. The MoUs sought collaboration with County Governments for promotion and development of MSEs in the respective Counties.

418. During the reporting period, KRB gazetted the Roads register covering 161,451km of the presently classified road network out of which 41,305km were defined as national roads and 120,146km as county roads. In the gazetted road register, road class S, A, B, C, H & J and class D, E, F, G, K, L, M, N, & P were classified as National and County roads respectively. In addition, the Board sensitized 35 County Governments on the Road Maintenance Levy Fund (RMLF) conditional grant for repair and maintenance of roads and Public Finance Management Requirements. This aimed at improving utilization of RMLF funds, prioritization and implementation of road maintenance works by County Governments. The Board also released a total of KSh. 3.7 Billion RMLF conditional grant to County Governments for maintenance of county roads between March and December 2016. The Kenya Roads Board disbursed KSh. 2.1 Billion to county governments between March and December 2016 to improve county roads infrastructure and maintenance.
419. In order to build the capacity of Counties on the implementation of a sustainable school milk programme, the Kenya Dairy Board established a National Technical Committee and 15 county-based technical committees to spearhead the school milk programme. The Board further conducted 22 County regulatory forums to strengthen the capacity of County Governments to enforce the relevant food laws. In addition, the Board finalized the Dairy Technical Regulations and operationalized 2 new branch offices in Nyandarua and Murang'a Counties. The Board further convened bi-annual regulatory/stakeholders meetings in 5 counties out of the 20 targeted in the 2016/17 FY.
420. To enhance devolution, the County Liaison Officers (CLOs) continued to support the Kenya Coastal Development Projects (KCDP) at the county level. Among other things, CLOs conducted information and awareness campaigns to implement *Hazina ya Maendeleo Pwani*, supported communities in developing proposals, and assisted Community Based Organizations (CBOs) in implementing their KCDP supported projects. Presently, a total of 12 CLOs, 2 in each County, are stationed in Tana River, Taita/Taveta, Kwale, Kilifi, Mombasa and Lamu.
421. The Kenya Literature Bureau (KLB) conducted a total of 8 regional ECDE Seminars to enhance capacity of Counties. In addition, KLB partnered with Kiambu, Bomet, and Nakuru County Governments to create awareness on polytechnics' learning and teaching materials

available. The Kenya Veterinary Board (KVB) opened a regional office in Kakamega to decentralize the operations of the board to support Counties in the Western region.

422. To promote sharing and devolution of power, Kerio Valley Development Authority (KVDA) established additional regional offices in Lake Turkana, Baringo, Turkwel, Kerio Basin and Samburu. The Competition Authority of Kenya (CAK) marked the World Consumer Rights Day in Mombasa County in March, 2016 as part of its campaigns towards the promotion of sharing and devolution of power. The event was attended by a total of 2,500 participants.
423. In support of devolution, NACADA discharged services to various Counties that included assistance to Taita Taveta County to prepare Regulations and Licensing Act in October, 2016; Nairobi County to review the Draft National Alcohol Drinks Control and Licensing Regulations in November 2016; held 4 county interagency committee meetings to facilitate surveillance, enforcement and training in collaboration with relevant enforcement agencies in Isiolo, Laikipia, Embu and Nyandarua Counties in December, 2016. In addition, the Authority facilitated 5 inter-agency meetings in Bungoma, Migori, Kisii, Busia and Homa Bay Counties between November and December 2016 besides, holding others in Makueni, Kitui, Nairobi, Narok, Kajiado, Machakos, Mombasa, Taita Taveta, Lamu, Samburu, West Pokot, Nandi, Trans Nzoia, Baringo and Uasin Gishu Counties. Last but not least, the Authority disseminated baseline findings on the status of alcohol and drug abuse in Taita Taveta, Kwale, Mombasa, Kilifi, Tana River and Lamu Counties.
424. To enhance devolution, WSTF engaged 26 County Residents Monitors (CRMs) to support projects implementation in the 47 Counties and held a workshop with the Council of Governors to discuss the County Prototype Health and Sanitation Bill, 2016. KALRO developed County specific soil management guidelines for coffee development for Trans Nzoia, Laikipia, Bungoma, West Pokot, Elgeyo Marakwet, Nakuru and Kericho Counties.
425. The Anti-Counterfeit Agency established a new regional office in Garissa and enhanced capacity of Mombasa, Kisumu and Eldoret regional offices. The Agency also opened one counterfeit goods depot in Eldoret to facilitate storage of seized goods in the region and sensitized Kisumu, West Pokot, Trans Nzoia, Nandi, Uasin Gishu, Elgeyo Marakwet, Baringo, Marsabit, Turkana, Nairobi and Nyeri

Counties on the Anti-Counterfeit Act enforcement mechanisms. Separately, KEMSA signed MoUs with the 47 counties on the framework of supply of medical commodities.

426. To promote sharing and devolution of power, the National Cereals and Produce Board (NCPB) continued to support the Government's Strategic Food Reserve initiatives. To this end, NCPB procured grain in areas of surplus, stored it and facilitated its distribution across all counties. Further, NCPB has 110 stations spread in 46 Counties and 6 regional offices that partner with the respective County Governments on food security and related issues. In addition, NCPB distributed KSh. 2.67 Million of 50kg bags of subsidized fertilizer between January and December 2016 meant to enhance crop production for small scale farmers. During the reporting period, NCPB purchased over 1 Million of 90kg bags for the 2016-2017 FY by January, 2017 for strategic food reserve.
427. The Ethics and Anti-Corruption Commission (EACC) provided technical support to public institutions to develop codes of conduct and ethics for public officers in Counties during the period under review. EACC oversaw the development of 72 codes of conduct and ethics for Public Officers both at National and County levels of Governments, Leadership and Integrity Codes for 45 County Assemblies and 42 County Executive Committees.



Figure 22: EACC Chairman at a Function

Source: EACC

428. Masinde Muliro University of Science and Technology (MMUST) collaborated with the Kakamega County Government to provide health care services through the School of Medicine. The University also participated in the Kakamega Forest Marathon, the Anti-jigger and Beyond-Zero campaigns organized by the County Government. Separately, Rongo University continued to sensitize and train Migori County Government staff on Governance and Management leading to increased understanding of leadership roles by MCAs and County Government staff. In addition, there has been increased participation in decision making which has led to efficient service delivery in the County Government.
429. Kisii University collaborated with the Kisii County Government to deepen awareness on devolution through an initiative where a total of 58 County members of staff were sensitized on Devolution. Separately, Murang'a University of Technology (MUT) introduced courses on the county governance in the areas of: Devolved system of governance, Public Financial Management, Ethics and Integrity and Public Procurement. The courses have benefitted 18 women drawn from 12 women groups from Murang'a County.
430. To bring services closer to the business community, the County Government of Nairobi enabled applications for business licensing for traders at the ward level and conducted business counseling initiatives and extension services for 515 Micro, Small and Medium Enterprises projects across the County.
431. The Ministry of Interior and Co-ordination of National Government through the National Government Administration spread throughout the country, collaborated with County Governments to coordinate and stage all national state functions, mitigate effects of drought, and enhance the fight against alcohol and drug abuse.

### 4.3 Protection of the Bill of Rights

*Article 10(2)(b): human dignity, equity, social justice, inclusiveness, equality, human rights, non-discrimination and protection of the marginalized*

432. To promote the right to legal services, the Office of the Attorney General and Department of Justice (OAG&DoJ) prepared the Legal Aid Act, 2016 that establishes the National Legal Aid Service to provide access to legal aid to the Kenyans who cannot afford the high service cost. In addition, OAG&DoJ formulated the National Policy and Action Plan on Human Rights that was forwarded to Parliament in December 2016. The OAG&DoJ also conducted a stakeholder review workshop to enrich the 4th Periodic Report of the

International Convention on Civil and Political Rights. The OAG&DoJ also conducted civic education in 5 counties on issues of human rights.

433. The Government through the Ministry of East African Community, Labour and Social Protection registered 34,500 self-help groups who were able to access government funding. Also 13,225 job seekers were placed in employment by the Employment Authority thus enabling individuals to sustain themselves and reduce over reliance on aid and assistance from Government.
434. The Kenya National Commission on Human Rights (KNCHR) promoted human dignity by receiving and processing 2,497 complaints and assisted 1,864 accounting for 74.65% complainants with legal aid. The Commission further provided alternative dispute resolution mechanisms and referred complaints that did not fall within their mandate to relevant agencies. A total of 573 representing 22.95% complaints were admitted for investigations and further follow up while 60 representing 2.42% complaints are awaiting supporting documents before final determination.
435. To enhance the right to information, the KNCHR conducted human rights awareness through; development and dissemination of 3,504 IEC materials, sensitized 1,308 citizens on Economic, Social and Cultural Rights (ECOS), sensitized 5,986 community members and 85 public officers on Human Rights Based Approach. In addition, the Commission supported the National Police Service (NPS) to develop guidelines on the operationalization of **Article 37** of the Constitution and guidelines on the use of force and firearms. The Commission further convened a consultative forum with stakeholders to discuss ratification of international human rights treaties and optional protocols with the aim of lobbying the state to ratify optional protocols in addition to convening the relevant parliamentary committees.
436. The KNCHR developed, validated and submitted to Senate a framework for monitoring and enforcement of economic and social rights to ensure County Governments adhere to **Article 43** of the Constitution. In addition, the Commission prepared tools for Survey on Presidential Pleasure Sentence to ensure respect for human rights in the Penal Code reforms process.
437. To facilitate access to justice among the marginalized communities, the Judiciary established new law courts in Ngong, Loitokitok and Mpeketoni and increased the number of mobile courts from 19 to 52. In addition, 4 more courts are under construction in Garissa, Nanyuki,

Nakuru and Siaya. Separately, the constitutional and human rights division of Milimani High Court resolved a total of 238 human rights related cases during the period under review.

438. To improve the levels of literacy, the Ministry of Education enrolled 278,462 learners in Adult and Continuing Education Programmes. To promote equity, the Ministry constructed TTIs in 130 Constituencies currently at different completion levels, besides 6 Vocational Training Workshops in six Counties. In addition, 104 County Staff comprising 75 males and 29 females were trained in management of Vocational Training Centres (VTC).
439. To protect the marginalized, the Ministry of Education completed piloting of the VTC Trainees' Scholarship Programme in conjunction with the Italian Cooperation in which KSh. 4,606,000 was disbursed to 250 trainees comprising 119 Male and 131 female under the Kenya-Italy Debt for Development Programme (KIDDP). Further, the Ministry established 30 special needs educational institutions, constructed and equipped 4 special needs TVET institutions namely; Karen TTI for the deaf, Machakos TTI for the blind, Nyangoma TTI for the deaf and Sikri TTI for the deaf and blind.
440. To promote human dignity, the Kenya Institute of Special Education (KISE) bought 2 disability friendly buses to showcase how to aid the PWDs as shown in Figure 24. The Institute also constructed a state-of-the-art psycho-educational assessment and rehabilitation centre to provide better quality assessment and rehabilitation services to PWDs.



*Figure 23: KISE Disability Friendly Bus*

**Source:** KISE

441. The Ministry of Education enhanced the right to education by increasing capitation for pupils in public primary schools under FPE from KSh 1,020 to KSh.1,420 per pupil per year representing a growth of 39%, Free Day Secondary Education by 25% from KSh. 10,265 to KSh. 12,870 per student and Special Needs Education (SNE) from KSh. 20,000 to KSh. 30,000 per pupil representing an increase of 50%. The Free Secondary Education benefited 2,354,786 students in the year under review.
442. To promote access to education, the Ministry rolled out the Digital Literacy Programme in 60 schools countrywide and established County Adult and Continuing Education Advisory Committees in 37 Counties. The Ministry of Education provided school meals to 812,715 disadvantaged and vulnerable learners up from 667,108 in 2015 under the Home Grown School Meals Programme. In addition, to promote the dignity of the girl child, the Ministry distributed sanitary towels to 1.3 million learners representing an increase of 85% from beneficiaries in 2015.
443. To promote protection of the marginalized, the Ministry of Education in partnership with UNICEF delivered education kits to 19 schools in Samburu County benefitting 9,789 learners resulting into an additional 487 children re-enrolled in schools. Further, 30 primary schools were targeted and 1,250 out of school children profiled for placement in Kisumu County schools. In addition, 14 Quality Assurance and Standards Officers (QASO), 7 Sub-County Education Officers and 30 head teachers were sensitized on peace education, education in emergencies and life skills.
444. The Higher Education Loans Board (HELB), through the use of Mean Testing Instruments (MTI) promoted equity by awarding loans and bursaries to deserving students amounting to KSh. 8.9 Billion based on need rating benefiting 212,639 students. The initiation of MTI ensured the needy cases and marginalized members of the society were rated appropriately and awarded according to their level of need. The Board also promoted protection of the marginalised by awarding scholarships amounting to KSh. 28.3 Million to needy students from marginalized counties.
445. The National Treasury allocated KSh. 63.4 Billion in FY 2015/16 to the Agriculture and Rural Development Sector to promote food

security. Further, it allocated KSh. 339.9 Billion to education sector and increased allocation to the Governance, Justice Law, and Order from KSh. 149.1 Billion in 2014/15 to KSh. 163.4 Billion in 2015/16 to address security threats. In order to ensure safe and secure environment to all persons, the National Treasury increased allocation to Environment, Water and Natural Resource sector from KSh. 73.8 Billion in FY 2014/15 to KSh. 88 Billion in FY 2015/16.

446. In order to promote human dignity, the National Treasury, provided special guidelines on tax rebates and waivers to deserving individuals, groups and organizations. In the FY 2015/2016 the National Treasury increased the allocation to the sector from KSh. 36.5 Billion in 2014/15 and KSh. 42.4 Billion in 2015/16 FY representing a 16.5% increase.
447. To promote human dignity, The National Treasury increased allocation to the health sector from KSh. 1,182,432 in FY 2014/1015 to KSh. 1,505,492 in FY 2015/2016 towards ensuring an efficient and high quality healthcare system including free maternal health services. The National Treasury also increased allocations to the Public Administration and International Relations sector from KSh. 134.334 Billion in 2013/14 to KSh. 212.120 Billion in 2015/16. This resource allocation is meant to among key objectives; promote human dignity through provision of overall policy and leadership direction to the country, overseeing the national legislation as well as the human resource function in the public service.
448. To ensure pensioners enjoy their rights to social security as provided for under **Article 41** of the Constitution, the National Treasury processes pension claims in 20 days upon submission of all relevant documents. In addition, the National Treasury allocated KSh.33.7Billion in the FY 2016/2017 towards social protection programme including cash transfers to the Persons with Disability, the Elderly and Orphans and Vulnerable Children.
449. To promote equity in distribution of national resources, the Government through the National Treasury developed a framework for operationalization of the Equalization Fund and allocated KSh.6Billion for the 14 marginalized Counties. In addition, to promote social justice, the National Treasury allocated KSh. 5 Billion to the Contingency Fund to cushion people from adverse effects and

impact of unforeseen disasters and emergencies. The Commission on Revenue Allocation promoted equity by proposing the allocation of KSh. 331.6 Billion as equitable share and KSh. 36 Billion to finance recurrent and development expenditures in the devolved units during the FY 2017/18.

450. The Uwezo Fund Oversight Board approved KSh. 247.3 Million to be loaned to 2,734 groups in 290 constituencies to promote protection of the Bill of Rights. The Board further undertook public awareness campaigns on utilization of funds for income generating activities in at least three wards in 51 constituencies.
451. A total of 32,782 refugees were repatriated from Dadaab Refugee Camp to the Federal Republic of Somalia under the voluntary repatriation program by the Ministry of Interior and Coordination of National Government in collaboration with Ministry of Foreign Affairs. A further 5,528 were resettled to third countries during the period under review.
452. The Ministry of Interior and Co-ordination of the National Government in collaboration with the Ministry of Devolution and Planning distributed a total of 7,640 bags of maize, 2,490 bags of beans, 4,880 bags of rice, 2,897 cartons of cooking oil and 90 bales of Nutro Pap in Kitui County. To promote human dignity, the State Department of Special Programmes screened the relief food that was distributed to more than 1.3 million vulnerable and increased the distribution to 2.6 Million on the onset of drought. It also rehabilitated 300 street families.
453. The Ministry of Interior and Co-ordination of National Government promoted the Bill of Rights by observing the one third gender rule during the recruitment of 118 female assistant chiefs and 293 male assistant chiefs, 11 female and 28 male chiefs during the period under review. The Ministry of Interior and Co-ordination of the National Government through the Directorate of Immigration and Registration of Persons further, promoted equity and protection of the marginalized by introducing its services in 27 *Huduma* Centers and opened offices in 23 sub-counties.
454. The Government through the Ministry of Interior and Coordination of the National Government continued to enhance national security by recruiting more security officers in the various categories of the

National Police Service. Under the Kenya Police Service, a total of 5,993 were recruited while a total of 3,982 Administration Police Service were recruited. Further, the Ministry acquired 887 motor vehicles for the Directorate of Criminal Investigation (DCI) out of which 418 were Government owned while 469 were leased to enhance mobility and rapid response. In addition, the Ministry is constructing the police forensic lab which is at 95% completion status and most forensic equipment having been procured.

455. The Government through the Ministry of Interior and Coordination of National Government enhanced human dignity and rights of police officers by providing a comprehensive insurance cover with AON Minet Insurance Company.



*Figure 24: Modernization of National Police Service*

**Source:** National Police Service Commission

456. The Ministry further provided additional housing units for 1,105 officers, completed the construction of 212 housing units, leased 522 units while another 1,200 units are under construction as indicated in Table 4.

**Table 4:** Construction of Police Housing Units during the Year 2016

No.	Police Station/Post	No. of Units
<b>No. Units completed</b>		
1.	Kamulu Police Post	100
2.	Migosi Police Post	100
3.	Thika Police Station	12
<b>Construction on going</b>		
1.	General Service Unit (GSU) Recce Training school Ruiru	300
2.	Presidential Escort Ruiru	300
3.	Eldoret Airport Police	50
4.	Bungoma Police Station	100
5.	Garissa Police Station	300
6.	Kajiado Police Station	100
7.	Garsen Police Station	50
<b>Leased Units in 2016</b>		
1.	Donholm Nairobi	322
2.	Mombasa	100
3.	Nakuru	100
4.	Kasarani Nairobi	25
5.	Mwiki Nairobi	30

*Source: Ministry of Interior and Coordination of the National Government*

457. The Government recognized the Makonde community as the 43<sup>rd</sup> ethnic group in Kenya by granting citizenship and issuing them with 1,176 National Identity Cards thus according them all Constitutional rights of citizenship. National Registration Bureau (NRB) registered and issued National Identification Cards to eligible Kenyans of over

18 years a total of 2,701,239 comprising 1,489,457 males and 1,211,782 females.

458. To enhance social justice and human rights, National Authority for the Campaign against Alcohol and Drug Abuse (NACADA) funded the establishment of treatment and rehabilitation facilities as indicated in Table 5.

**Table 5:** Treatment and Rehabilitation Facilities Funded by NACADA

No.	Facility	Cost (KSh)
1.	Iten County Referral Hospital	9,986,910
2.	Wesu Rehabilitation Centre	8,102,797
3.	Kwale Health Centre	5,000,000
4.	Gathumbi Health Centre	3,718, 575
5.	Siakago District Hospital	9,499,999
6.	Cheptala Health Centre	8,236,133
7.	Gilgil District Hospital	2,800,000
8.	Kiamwasi Rehabilitation Centre	8,732,488
9.	Kodiaga Prison	1,832,570

**Source:** NACADA, 2016.

459. To enhance the right to information by the citizens, the Ministry of Information, Communications and Technology implemented the Access to Information Act (No. 31 of 2016) by increasing digital signal coverage to 60% of Kenya. This led to a wider internet coverage in the underserved areas and increase in number of mobile phone subscribers by expansion of 3G networks to hitherto marginalized areas. Mobile phone subscriptions increased by 8.3% to 26.7 Million subscribers by December, 2016. Further, the Ministry published periodical and newspapers such as *Nuru*, *Ngao* and *Sun* highlighting human rights issues. In the reviewed National ICT Policy special emphasis was given to issues of human rights protection and the mainstreaming of disability and child protection issues.

460. The Government through the Ministry of Health disbursed KSh3.8Billion to the Counties to continue the implementation of the Free Maternity Service Programme which has increased the number of deliveries in public health facilities by 26% from 768,583 deliveries in 2013, to 972,330 in 2016. Overall the proportion of pregnant women who delivered under skilled health attendants increased to 72% by end of 2016 up from 44% in 2009. The Ministry has also signed a MoU with NHIF for direct reimbursement of free maternity funds through the institution.
461. The Government through the Ministry continued to implement ante and post-natal care maternity services in public health facilities to promote social justice. During the reporting period, 2,401 facilities (301 Hospitals; 2,100 Health Centres and Dispensaries) were covered under this programme. Towards reducing the high maternal mortality ratio in the country, the Government waived all user fee charges in public health facilities countrywide, completed distribution of mobile clinics to the 47 counties through the First Lady's Beyond Zero campaign and increased the number of skilled birth attendants.



*Figure 25: First Lady's Beyond Zero Mobile Clinic*

**Source:** myGov.go.ke

462. To promote access to health services, the Government through the Ministry continued to implement the free health care service program with remarkable improvement in access, quality and demand for health care services from public and faith based health institutions.

The total outpatient per capita utilisation in primary care facilities increased from KSh. 34.1 Million visits to KSh. 44.2 Million in the period under review. This translates to an increase of KSh. 10 Million more (29.5%) from 2013 meaning that more people were able to access the facilities due to non-financial barriers.

463. The Ministry of Health promoted access to healthcare by increasing the routine immunization coverage from 77% to 83.5% and the percentage of fully immunized children from 64.5% in 2012/13 to 79% in 2015/16. The immunization initiatives including mass campaigns against polio and measles have reduced infant and child mortality rates. Further, the Ministry in collaboration with development partners improved the health of children by de-worming a total of 6,215,532 school going children.
464. To promote the protection of the Bill of Rights, the Ministry through the implementation of HIV prevention and control programmes, the annual incidence of HIV infection dropped from 166,000 in 2007 to about 100,000 in 2016 while the national prevalence also dropped from 6.3% in 2009 to 5.6% currently. Since the advent of ARV treatment in Kenya in 2003, nearly 946,000 HIV patients are on regular Anti-Retroviral drugs by end of December, 2016 and a total of 82,000 children and youth are currently on ART. The estimated number of children who are HIV positive has reduced from 160,000 in 2014 to 110,000 currently. The Ministry provided preventive antiretroviral therapy for and Prophylactic ARV treatment for all HIV positive pregnant women to prevent mother to child transmission of HIV at 94%.
465. The Ministry of Health through Nursing Council of Kenya registered 4,300 nurses across the country thus significantly contributing to safe and effective healthcare. The National Aids Control Council (NACC) released a report showing reduced new HIV infections by 24% between 2013 -2015 from 101,600 to 77,600; a 40% increase in persons on lifelong Anti-Retroviral Therapy (ARTs), enhanced uptake of services of Kenya unique HIV Tribunal. During the World AIDS Day, 2016 NACC reached over 10 million people with HIV information through various media channels. In addition, a total of 3,864,013 youth were reached with one on one HIV education and mentorship while a further 814,336 youth were tested on HIV across the counties.

466. KEMSA procured and distributed medical supplies worth KSh. 419 Million to all public hospitals and health facilities. Further in partnership with USAID-supported MCP programme, KEMSA provided HIV/AIDs, anti-malaria and laboratory equipment worth KSh. 4.2 Billion to all public hospitals in the country.
467. The Ministry of Defence promoted the rights of its officers by constructing accommodation apartments for 62 Kenya Defence Forces (KDF) Officers at their Staff College. The Ministry also upheld human dignity of the officers by constructing a Sick Bay for the Kenya Navy Officers with a theatre extension which is at 62% completion and another one at Manda Bay which is at 40% completion. During the reporting period, the Ministry offered 84 slots to the youth under Industrial Attachment and Internship Programme.
468. The Ministry of Sports, Culture and the Arts promoted non-discrimination by facilitating the marginalized communities of Sengwer, Elmolo, Turkana, Pokomo, Makonde, Ilchamus and Pokot to perform during the National celebrations. The Ministry also trained 40 youth on music and dance from the informal sectors of Nairobi and implemented the final phase of the Kaya project under UNESCO and started the Maasai and Kit-Mikaye projects in 2016. In addition, the Ministry produced 14 documentaries on social protection, Standard Gauge Railways, (SGR), Agricultural Sector Development Support Programme, Digi-school, Sustainable Development Goals, slum upgrading among others. The Ministry further enhanced access to information through digitization of 86,021 archival documents of national importance.
469. The Government through the Ministry of Agriculture, Livestock and Fisheries promoted the Bill of Rights by boosting the Strategic Food Reserve through purchasing of 5,774,363 of 90kg bags of maize and 735Metric tonnes of powdered milk to enhance food security. The Ministry sensitized 38 groups drawn from Kiambu (3), Nairobi (15) and Kisumu (20) on urban and peri-urban agriculture opportunities to promote social justice. The Ministry also promoted adoption and use of modern science and technology to increase agricultural, livestock and fishery production in Nairobi, Kisumu and Mombasa to promote social justice. Further, the Ministry protected the marginalized by establishing livestock insurance scheme covering 66,460 livestock units benefitting 5,732 people in Turkana, Wajir, Marsabit, Isiolo,

Mandera and Tana River Counties. To cushion the marginalized, the Ministry implemented the pastoral livelihood resilience by establishing 6 hay structures in Baringo, Marsabit, Samburu, Ilbisil-Kajiado, Laikipia and Witu-Lamu.

470. The Government through the Kenya Tsetse and Trypanosomiasis Eradication Council (KENTTEC) enhanced equity and non-discrimination by introducing dairy farming in the tsetse freed regions of Lake Victoria Basin, Lake Bogoria Basin, Meru/Mwea, Narok/Kajiado and coastal region on Faza Island. In Bungoma County, the Council introduced exotic cows in tsetse freed areas increasing dairy production by 20%. The Council also continued to assist dairy farmers in Siaya and Homa Bay Counties while it introduced over 200 dairy cows and 300,000 dairy goats in Thiba Commercial farm in Mwea. In addition, KENTTEC supported the formation of 153 new farmer groups across the country and sensitized them on tsetse and trypanosomiasis eradication and animal husbandry
471. The Ministry of Agriculture, Livestock and Fisheries through KALRO promoted the access to information by publishing research findings in the *Mtafiti* Magazine and finalized the implementation of an electronic document management system at KALRO Library for online accessibility of research materials. The Kenya Veterinary Board enhanced human dignity by inspecting 1,186 agro-vet shops and other veterinary medicines outlets. In addition, the Board inspected and licensed 556 veterinary clinics to provide ambulatory services, Artificial Insemination as well as registration of 781 Animal Health Graduates across the country to sustain livestock health.
472. The Government through the Ministry of Foreign Affairs facilitated the signing of bilateral Agreements on Employment of Domestic Workers with the Governments of the Republic of Saudi Arabia and Qatar on Regulation of Manpower Employment to protect Kenyans working in those countries. The Ministry also protected the rights of Kenyans living abroad by increasing capacity building through establishment of more missions abroad and posting of labour officers to handle labor matters besides other consular services. In addition, the Ministry facilitated the return of some distressed workers from Middle East countries following mistreatment by their employers.

473. The Ministry also implemented the Transfer of Prisoners Act, No. 22 of 2015 that provided the legal framework and modalities for exchange of prisoners. Meanwhile, the Government is negotiating with People's Republic of China to conclude an agreement on prisoner exchange program. Separately, the Ministry successfully mediated in disputes on behalf of Kenyans pursuing claims against Foreign Missions/Organizations based in Kenya but which enjoy immunity from legal processes. It has also rendered diplomatic services and rescued close to 200 Kenyan students who were stranded in Chennai, India following heavy floods.
474. To promote social justice, the Ministry of Foreign Affairs facilitated the formation of diaspora SACCOs in the UK, USA, Ireland and Qatar that have become major sources of diaspora remittances. According to the Central Bank of Kenya (CBK), diaspora remittances from North America increased by 11.9% equivalent of KSh. 831 Million accounting for 49.3% of total remittances amounting to KSh. 7.79 Billion by June, 2016. Remittances received from other countries increased by 13% for the year under review 2016.
475. The Government through the Ministry of Energy and Petroleum enhanced social justice by connecting additional 2.6 Million new households to electricity since March, 2013 through initiatives such as Global Partnership on Out-Based Aid (GPOBA) and Last Mile Connectivity. This has raised the customer base to 5,690,373 in December, 2016 representing a growth of 135%. The Ministry also promoted human rights by connecting a total of 22,499 primary schools to electricity in support of the digital literacy programme against a target of 23,337. In promoting human dignity, the Ministry processed procurement of 1.2 million empty domestic 6kg LPG cylinders fitted with unified valves, burners and grills to be distributed to low income households.
476. The Ministry of Lands and Physical Planning promoted the Bill of Rights by processing and issuing 2.6 million title deeds as at December 2016. It also effected the cabinet directive on temporary waiver on processing of title deeds for the economically challenged persons and waived survey and land registration fees for all public schools.
477. To promote social justice, National Land Commission (NLC) revoked 2,972 title deeds of grabbed land belonging to public bodies

and reverted it to the rightful public institutions. In promotion of human rights, NLC heard and resolved 3,010 cases through Alternative Dispute Resolution (ADR) mechanisms.

478. The Government through the Ministry of Public Service, Youth and Gender Affairs offered youth Internship/Industrial Attachment/Apprenticeship opportunities to 6,200 youths to impart hands on skills and prepare them for the job market. Further, the Ministry promoted equity by establishing more *Huduma* Centres bringing the total to 45 operational centres in 41 Counties. These centres served over 40,000 customers daily enabling over 12 Million Kenyans to access information and quality public services.
479. The Senate passed various Bills which include; Persons with Disabilities (Amendment) Act, 2015 to provide for the obligations of the National and County Governments in ensuring the wellbeing of PWDs and the Health Act, 2015 to establish a national health system through regulation of the health care system. In addition, the Senate also made statements in accordance to Standing Order 45(2)(b) on human dignity on the plight of the Makonde people in Kwale County in 2016 and inquiry into extra-judicial killings.
480. The Senate also passed the County Allocation of Revenue Bill, 2016 to ensure equity in the allocation of revenue raised nationally among the County Governments in the FY 2016/2017 and the responsibilities of the National and County Governments. To promote inclusivity and protection of the marginalized, the Senate considered amendments to the Election Laws (Amendment) Bill, 2016 which included mechanisms to realize the two-thirds gender rule principle in party nominations and ensure all citizens are able to vote including the people living with disabilities.
481. The National Assembly promoted the Bill of Rights by considering and passing the National Employment Authority Act, 2015, The Legal Aid Act, 2016, The Health Records and Information Managers Act, 2016, The Witness Protection Act, 2016, The Universities Act, 2016, the Anti-Doping Act, 2016, The Private Security Act, 2014, The Banking Act, 2016, The Competition Act, 2016, the Access to Information Act, 2016, Sessional Paper (No. 2 of 2016) on National Slum Upgrading and Prevention Policy and The Bribery Act, 2016. The Assembly further passed the motion to avail P3 Forms in public healthcare facilities free of charge.

482. The Senate established caucuses on human rights such as the Kenya Parliamentary Caucus on Female Genital Mutilation (FGM) and an Ad-hoc Committee on Prisons and Borstal Institutions consisting of 11 members to enquire into the rights of detained persons, persons held in custody and other imprisoned persons under the law.

483. The Office of the Director of Public Prosecutions (ODPP) promoted equity and inclusivity through recruitment, promotions and deployment of staff as displayed in Table 6.

**Table 6:** Recruitment/Promotion and Deployment by Gender

No.	Category	Male	Female	Total
	Recruitment	39	24	63
	Promotions	62	70	132
	Deployments	36	48	84

*Source: ODPP*

484. The KLRC promoted the Bill of Rights by facilitating the review of the Marriage (Amendment) Bill, 2016 currently before the National Assembly for consideration. KLRC facilitated the review of the Counter Trafficking in Persons Regulations, 2016 and submitted the comments to Counter Trafficking in Persons Advisory Council for incorporation. The object of the regulation is to operationalize the Counter Trafficking in Persons Act to provide the various procedural issues on victim assistance and protection as well as recommending templates for reporting under the law. In addition, the ODPP considered ethnic diversity during their staff recruitment as reflected in Figure 26.

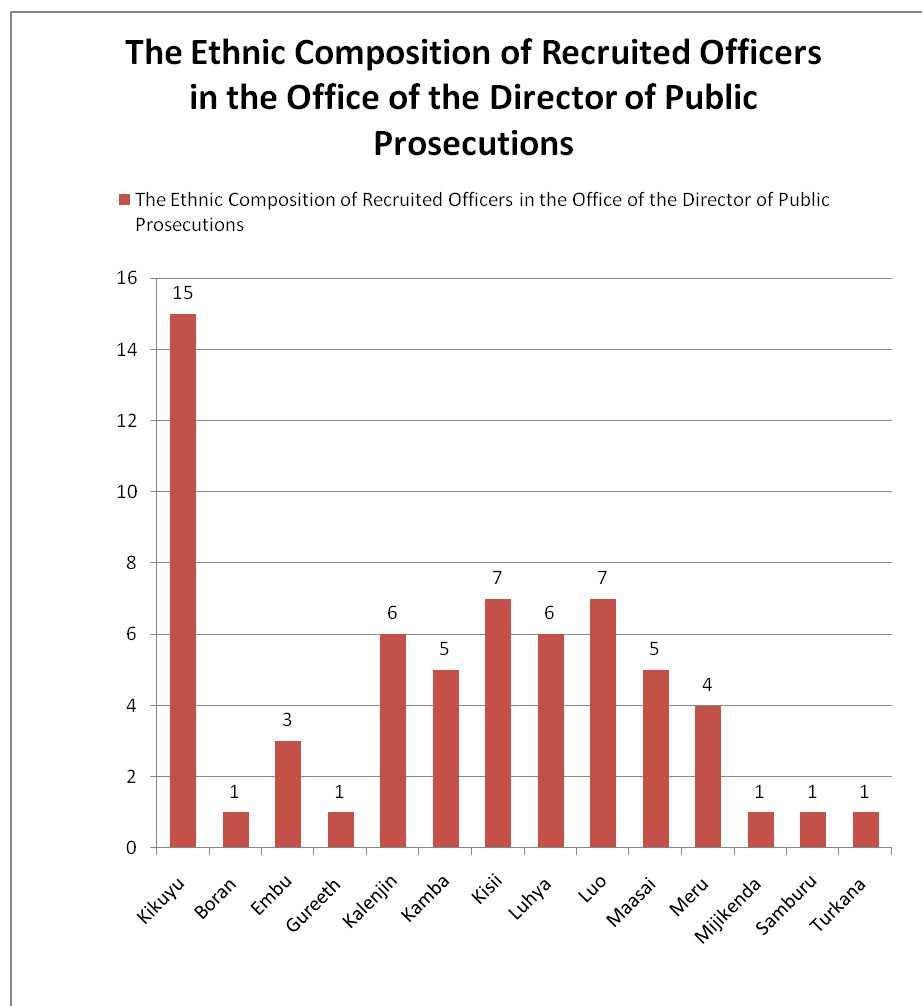


Figure 26: The Ethnic Composition of Recruited Officers in the ODPP

**Source:** The Office of the Director of Public Prosecutions Report, 2016

485. To promote social justice, the KLRC facilitated the review of the Banking (Amendment) Bill, 2015 whose object is to regulate the interest rates charged by banks or financial institutions on loans and other monetary advances, through setting a ceiling on the rate of interest chargeable as well as introduce a minimum rate of interest payable by banks or financial institutions on deposits held in interest earning accounts. The implementation of this law has provided conducive environment in the financial market.

486. To promote inclusivity, the KLRC in collaboration with the Nursing Council of Kenya reviewed the Nurses Act, Chapter 254 of the laws of Kenya and developed the Nurses (Amendment) Bill, 2016 whose object is to allow for participation of Enrolled Community Health Nurses in the elections into the Nursing Council through reconstitution of the Board and the register of Nurses. The Bill seeks to ensure that the Enrolled Community Health Nurses are recognized like other cadres of nurses and allowed to participate in the election and subsequent appointment into the Nursing Council.
487. The KLRC offered legal advisory on the National Government (Amendment) Bill, 2016 which is a private member's Bill. The object of the Bill is to introduce equitable distribution of the National Government Constituencies Development Fund to promote equitable distribution of resources across constituencies.
488. Further, the KLRC pursuant to its mandate under Section 5(3) of the County Government Act, developed the Siaya and Kisumu County Persons with Disabilities Bill, 2016. The object of these Bills is to provide for; the rights and privilege of persons with disabilities, to realize equalization of opportunities for persons with disabilities; to mainstream matters affecting persons with disability within the county; to establish the County Board for persons with disabilities, to establish a country development fund for persons with disabilities within Siaya and Kisumu Counties.
489. The National Gender and Equality Commission (NGEC) co-ordinated 6 meetings with state and non-state actors under the Kisumu County Gender Technical Working Group to address issues related to gender equality and freedom from discrimination. The Commission further developed and produced the first status report on equality and inclusion that provided baseline data on the gaps in four sectors namely; employment, political representation, social protection and education. The report also explored the extent to which the principle of equality and inclusion was implemented at the National and County Government levels in public and private sector.
490. In addition, the Commission facilitated Meru, Nyandarua, Migori, Kajiado and Tharaka-Nithi Counties in developing model laws for PWDs. The Commission further provided advisories to Kisumu, Homa Bay and Kirinyaga Counties to reserve 5% of the total revenue

allocation for the development of PWDs Bill. Cumulatively, the Commission facilitated review of 45 national and county Bills to comply with the principle of equality and non-discrimination.

491. The NGEC supported and participated in the 5th Edition of the Desert Wheel Race in Isiolo to raise awareness on the rights of persons with disabilities. The Commission also issued advisories to the Judicial Service Commission on the implementation of the two-thirds gender principle at the Supreme Court of Kenya and the National Assembly as a result of failing to implement the two-thirds gender principle. Further, the Commission issued advisory to National Assembly after it failed to mainstream gender equality in respect of the Statute Law (Miscellaneous) Bill, 2015 and Assembly Bill, No. 57 regarding deleting section 14(b) of National Police Service Act No. 11A of 2011.
492. To promote non-discrimination, NGEC issued an advisory to the National Council for Persons with Disability (NCPWD) regarding Employment and Labour Relations Court Case No. 348 of 2013. In addition, the Commission developed a database of minority and marginalized groups in the 47 Counties and developed a multi-sectoral monitoring and evaluation framework towards prevention and response to Sexual Gender Based Violence. The Commission also finalized a baseline study on the county status earmarked to receive equalization fund and monitored 18 counties on representation.
493. The Kenya National Highways Authority (KeNHA) enhanced inclusivity through its projects by undertaking stakeholder consultations with the public and in 7 projects and prepared Environmental Impact Assessment (EIA) reports for Nakuru-Nyeri-Marua and Mombasa Northern Bypass. To promote human dignity, the Authority prepared and implemented Resettlement Action Plan (RAP) for Nakuru-Nyeri-Marua and Mombasa Northern Bypass whereby a total of KSh. 65.5 Million was spent to compensate 385 households affected by Kwa Jomvu Mombasa-Mariakani projects. The Authority also developed a Document Eviction Audit and Corrective Action Plan for Kwa Jomvu on the Mombasa-Mariakani Road Dualing project to mitigate its negative impact to Project Affected Persons.

494. To promote social justice, KeNHA allocated 60% of unskilled work of the projects to the locals and put in place the Grievance Redress Mechanism (GRM) to resolve project implementation issues on the Turbi-Moyale and Bachuma Gate-Maji ya Chumvi projects. KeNHA further held GRM disclosure meetings for Ahero-Kisii-Isebania and Mombasa-Mariakani projects to protect the rights of the Project Affected Persons (PAPs).
495. KeNHA initiated Corporate Social Responsibility (CSR) programmes by constructing Market stalls for Timboroa Market on the Timboroa-Eldoret Road and constructed 4 classrooms and toilets for Boro Primary School in the Siaya-Ruambwa project to promote social justice. Further, KeNHA undertook procurement for Social Needs Assessment for the marginalized groups on the Kitale-Kainuk-Lodwar-Lokichoggio-Nakodok Road and prioritized 6 projects to open up marginalized regions. The projects are: Nuno-Modogashe Road, Garsen-Witu-Lamu, Rhamu-Mandera Road, Isiolo-Moyale, Loruk-Barpelo and Sudan link projects. The last mile of the Isiolo-Moyale part of Mombasa-Nairobi-Addis Ababa Road is paved and Loruk-Barpelo Road has 40.5km constructed to bitumen standard.



*Figure 27: Part of the Completed 530km Isiolo- Moyale Highway*

**Source:** LAPSET

496. The Kenya Rural Roads Authority (KeRRA) disbursed KSh. 465 Million being 10% of Roads Maintenance Levy Funds equitably to 290 Constituencies, constructed 1,371.3 Km of rural roads to bitumen standards and 310.1km were put under the low volume seal programme that improved access to social and economic amenities for rural communities. The Authority further carried out maintenance of 53,341kms of rural roads in 47 counties to ensure continued accessibility to social and economic amenities leading to improved quality of life. In addition, the Authority mapped 875 km of road reserves to secure them from illegal encroachment and preserved more reserve roads for expansion. The Authority also designed 1,186.48km of roads in the period 2016 and constructed 5 bridges. Through all these initiatives the Authority cumulatively created 21,206 jobs for rural people during the reporting period.
497. The Government through the Kenya Roads Board (KRB) disbursed KSh. 33.8 Million per constituency totaling KSh. 9.802 Billion road maintenance fund to all the 290 constituencies between January, 2016 to date to promote equity, human dignity and equality.
498. The Export Processing Zones Authority (EPZA) promoted equity and social justice by establishing 17 EPZs in the following Counties; Nairobi, Machakos, Kajiado, Bomet, Kiambu, Murang'a, Meru, Nyandarua, Uasin Gishu, Nandi, Elgeyo/Marakwet, Mombasa, Kwale, Kilifi, Taita/Taveta and Nakuru. Establishment of more EPZs in other Counties is also ongoing in Homa Bay, Busia, and Trans Nzoia. To promote inclusiveness, EPZA continued to implement Vision 2030 by rolling out the Master Planning of Samburu EPZ while those in Kwale and Kinanie in Athi River are now completed while the development of SME Park at Athi River EPZ is ongoing.
499. The Ministry of Energy and Petroleum through KenGen supported 180 students in various universities through the KenGen Student sponsorship program to promote human rights, equity and inclusiveness. In addition, 1,236 youths were offered skills transfer opportunities through the internship/apprenticeship program to build their capacity and prepare them for the job market.
500. To promote social justice, KenGen implemented community support projects under its CSR program in Embu and Machakos Counties. The projects undertaken included Kivaa water project, Kaewa

Secondary School dining hall and Gatururi Primary School classroom. In Upper Tana, KenGen donated books to Mirira and Kiambaa Primary Schools. In Naivasha, KenGen undertook seven 30 metre high mast security lighting project in Kayole, Kwa Muhia, Sanctuary, Mai Mahiu and Naivasha town. KenGen also sponsored the Lamu Cultural Festivals in November, 2016 and supported the Albinism Society during its October, 2016 event dubbed Mr. and Miss Albinism Society of Kenya. KenGen mentored 160 students under its Annual mentorship program at Starehe Centre in August, 2016.

501. The Ministry of Industry, Trade and Cooperatives through the Micro and Small Enterprises Authority (MSEA) trained 22 youths on management of Micro and Small Enterprises (MSEs) and appropriate technology. The participants were drawn from Baringo, Machakos, Kakamega, Vihiga, Nyeri, Kajiado, Makueni, Nyandarua, Nandi, Marsabit, Kisumu and Taita-Taveta Counties. The Authority availed resources to the County Enterprise Development Officers (CEDOs) representing the 47 Counties amounting to KSh. 6.5 Million for identification of products and office operations expenses. The Authority in collaboration with other Government agencies identified five products from 30 Counties and awaiting the development and improvement process.
502. The Government through the Retirement Benefits Authority (RBA) operationalized the National Pension Policy, 2016 through Legal notice No. 101 of 2016 that facilitates transferring part of accumulated pension benefits for purposes of purchasing Post-Retirement Medical Cover. In addition, RBA promoted inclusiveness, equity and human dignity by regulating a total of KSh. 800 Billion fund of the pension industry and sensitized 7,154 prospective retirees (scheme members) and 174 employers without pension schemes. To promote access to information, RBA developed short messaging service for Kenyans to access frequently asked questions and related information about the pension sector.
503. To promote the right to access education, the Commission for University Education (CUE) awarded charters to Kirinyaga University, Machakos University, The Co-operative University, University of Embu, Murang'a University of Technology, Taita-Taveta University, Rongo University and KAG East University.

Further, a Letter of Interim Authority was awarded to RAF University bringing a total number of seventy universities duly licensed to operate in Kenya. To mitigate against the protection of the marginalized, CUE recommended the award of a Charter to Garissa University College and gazettelement of Turkana University College as a constituent College of MMUST vide Legal Notice (No. 15 of 2017).

504. The Government through Kerio Valley Development Authority (KVDA) promoted protection of the marginalized by developing 82 water pans across its catchment area to promote access to clean water. The Authority undertook Cherangany Watershed flagship project to promote conservation of watershed resources over an area of 202,000 hectares. Further, the KVDA developed 2,737 hectares of land under irrigation in West Pokot, Elgeyo Marakwet and Turkana counties benefitting 1,400 farmers.
505. Kenyatta University promoted equity, social justice and protection of the marginalized by offering scholarships worth KSh.6.4Million to 105 orphans and vulnerable students. Kisii University promoted equity by spending KSh. 6.6 Million on the work-study programme benefitting 2,850 students from disadvantaged backgrounds. Separately, Kenya Literature Bureau promoted social justice by donating books valued at KSh. 5.8 Million to various schools and universities. Jomo Kenyatta Foundation awarded 184 scholarships worth KSh. 26.8 Million to needy students in high schools. Separately, East African Portland Cement Company (EAPCC) donated 150 bags of cement to Mghamonyi Boys High School in Taita-Taveta County and trained 27 employees on basic sign language to enhance communication with persons with disabilities (PWDs).
506. The NCPD provided 9,462 assistive devices and 1,890 scholarships to PWDs, assisted PWD groups with 510 economic empowerment grants and 54 infrastructure and equipment grants to learning institutions catering for PWDs. NCPD also assisted 36,222 households with cash transfer benefits and 3,024 persons with albinism with sunscreen lotions to protect them from skin cancer. The Council further registered 72,779 new PWDs as at December, 2016 in its efforts to enhance inclusiveness and non-discrimination among PWDs.

507. During the period under review, KSG in partnership with the Directorate of National Cohesion and Values trained the staff of the Kenya School of Government in Mombasa and Embu Satellite campuses. The School further trained 18,765 public officers across the public service on the Bill of Rights.

508. To protect the rights of marginalized and special interest groups, Government institutions continued to implement the AGPO policy by increasing the opportunity to do business with Government. The Table 7 indicates some of the MDAs and the corresponding allocations to youth, women and people with disabilities procurements.

**Table 7: MDA Tender Awards to Youth, Women and PWDs**

No.	MDAs	Allocation amount in Kenya Shillings (KSh.)
1.	Ministry of Agriculture, Livestock and Fisheries	949,509,122
2.	Ministry of Transport, Infrastructure, Housing and Urban Development	16,385,102
3.	Kenya Rural Roads Authority (KeRRA)	2,015,737,142
4.	Kenya National Highways Authority (KeNHA)	1,178,836,427
5.	Kenya Literature Bureau	73,782,079
6.	Jomo Kenyatta Foundation	41,128,718
7.	EPZ Authority	41,510,000
8.	KALRO	30,400,404
9.	Privatization Commission	8,543,292
10.	Insurance Regulatory Authority	18,062,018
11.	KIRDI	24,500,000
12.	Kenya Copyright Board	809,655
13.	SASRA	6,300,000
14.	Lake Victoria South Water Services Board	18,791,000
15.	National Treasury	150,000,000

No.	MDAs	Allocation amount in Kenya Shillings (KSh.)
16.	National Council for Persons with Disability	221,183,646
17.	The University of Nairobi	342,000,000
18.	Commission on University Education	27,808,265
19.	Ministry of Defence	5,800,000
20.	Kenya Roads Board	39,100,000
21.	UWEZO Fund Oversight Board	43,698,300
22.	KenGen	367,920,000
23.	Lake Victoria North Water Services Board	83,347,283
24.	Teachers Service Commission	98,610,138

Source: MDAs Reports 2016

#### 4.4 Realization of Good Governance, Transparency and Accountability

*Article 10 (2)(c): Good Governance, Integrity, Transparency and Accountability*

509. The Government recorded significant progress in the realization of good governance, integrity, transparency and accountability. A key milestone was the appointment of the Chief Justice and Deputy Chief Justice by H.E the President following their nomination, vetting and approval by the National Assembly. In addition, H.E the President appointed the Chairperson for EACC after undergoing the requisite vetting process and took oath of office in January, 2017. The appointment made the Commission be fully constituted in accordance with the law and gave it the impetus to effectively discharge its mandate. The National Assembly further vetted and approved 5 members of the Central Bank of Kenya (CBK) Board and 37 other nominees for appointment to various positions in the public service.

510. To combat corruption and recover corruptly acquired assets, the Government co-ordinated a Multi-Agency Team that brought together the Directorate of Criminal Investigations (DCI), the Ethics and Anti-Corruption Commission (EACC), the Financial Reporting

Centre (FRC), the Directorate of Public Prosecutions (DPP), the Kenya Revenue Authority (KRA) and the Asset Recovery Agency (ARA) resulting to over 360 corruption cases being presented before court.

511. The Government through the Ethics and Anti-Corruption Commission (EACC) registered several milestones in its efforts to fight corruption in the country. During the period under review, the Commission conducted 227 intelligence probes leading to 6 disruptions through which a loss of KSh. 352 Million was averted. In addition, a total of 232 integrity tests were conducted against public officers in the reporting period. The Commission also conducted a total of 578 forensic investigations with an estimated value of KSh.105Billion. Out of the 578 cases, investigations in relation to 109 were completed, 222 are ongoing and 3 were recommended for closure.
512. The Commission further conducted 119 sting operations with a value of KSh. 1.2 Billion. Out of the 119 cases, 101 are pending before court while 18 are under investigations for additional evidence to support prosecution. During the reporting period, the commission secured 16 convictions and also forwarded 130 reports of concluded investigation to the ODPP with recommendations which included prosecution, closure for lack of evidence and administrative action.
513. To realize provisions of Chapter 6 of the Constitution and the Leadership and Integrity Act, 2012, EACC undertook 64 asset tracing investigations involving corruptly acquired assets estimated at KSh. 3.6 Billion where public land valued at KSh. 405 Million, Government houses and KSh. 21 Million in cash were recovered. The Commission also supported prosecution and court processes in 424 cases pending before courts and oversaw the development of 73 leadership and integrity codes for state officers in 73 public entities. This cumulatively brought public entities with such codes to 128 comprising 41 public entities in the National Government, 45 County Assemblies and 42 County Executive Committees. During the reporting period, the Commission further equipped 72 public entities with technical skills to implement Chapter 6 of the Constitution and approved 67 applications for state and public officers to operate bank accounts outside Kenya as required by Section 19 of Leadership and Integrity Act, 2012.

514. To enforce compliance with the requirements of Chapter 6 of the Constitution and the Leadership and Integrity Act, 2012, the EACC issued 563 Notices of Non-Compliance to public entities that were in breach of integrity laws requiring them to comply. This enhanced their level of compliance in the implementation of the various obligations set out under the Act. The Commission also disseminated leadership and integrity content to public officers through publication of 10 advertisements and 24 guest appearances in various media houses reaching an estimated audience of 12 million members of the public. Further, the Commission sensitized 2,843 state and public officers on leadership and integrity through workshops. To enhance public awareness on integrity and good governance, EACC sensitized 1,165,950 members of the public through outreach programmes and 10 million through media messaging in local media channels. The Commission also disseminated 75,000 assorted IEC materials including books, booklets, fliers, posters, calendars, t-shirts, caps, reflector jackets and banners with integrity messages to the public.
515. The EACC received 288 reports of ethical breaches, investigated 112 cases out of which 42 were concluded and recommendations made to ODPP. The EACC further vetted 5,918 persons seeking appointment into State and Public Offices and received and processed 37,744 self-declaration forms. In addition, the Commission provided technical support to 32 public institutions on compliance with requirements for declaration of income, assets and liabilities as provided under Public Officers Ethics Act, 2015.
516. To prevent unethical conduct in the public service, EACC undertook corruption risks assessments in Tharaka-Nithi, Busia, Homa Bay and Kajiado targeting County Assemblies and County Executive Committees. The Commission also conducted examination of systems, procedures and practices in the Ministry of Lands and Physical Planning and identified loopholes and avenues for corrupt practices and recommended mitigation measures. In addition, the Commission provided technical advisory services on corruption prevention mainstreaming to 250 Ministries, Departments and Agencies to enable them strengthen their integrity and anti-corruption mechanisms. The Commission further trained 700 members of County Assemblies, County Executive Committee Members and Chief Officers in 8 County Governments on integrity and good

governance. EACC also trained 1,100 Integrity Assurance Officers (IAOs) and 700 members of Corruption Prevention Committees (CPCs) aimed at mainstreaming anti-corruption measures within the institutions.

517. During the period under review, the Commission in collaboration with the Kenya Leadership and Integrity Forum led the nation in commemorating the International Anti-Corruption Day, 2016 to take stock of achievements and challenges in the war against corruption. The event was commemorated in 10 different regions bringing together stakeholders in public and private sectors to reflect on their respective roles to eradicate corruption.
518. The EACC established its presence in 26 more *Huduma* Centres cumulatively having service desks in 45 *Huduma* Centres across the country. Separately, the National Anti-Corruption Campaign Steering Committee (NACCSC) trained a total of 418 *Maendeleo ya Wanawake* leaders, 118 Project Committee Members and 188 Youth leaders on existing legal provision in the fight against corruption.
519. The Office of the Director of Public Prosecutions (ODPP) vetted 90 Prosecution Counsels to handle anti-corruption and economic crimes and instituted corruption charges against 3 Prosecution Counsels for engaging in corruption related activities. The Office also operationalized the Integrity Assurance Unit and trained 30 Integrity Assurance Officers (IAOs) to continuously take part in corruption risk assessments within the Office.
520. The Assets Recovery Agency (ARA) conducted capacity building for 40 security officers on investigation and prosecution of corruption and economic crimes. This was geared towards equipping the officers with technical skills to enable them effectively undertake their duties as well as fostering synergy and collaboration with other law enforcement agencies. In addition, ARA preserved assets worth KSh. 316 million acquired through proceeds of crime.
521. To entrench integrity and accountability in the National Police Service, 904 traffic police officers were vetted by the National Police Service Commission (NPSC) in the Coast, Nyanza, Western and Rift Valley regions. A total of 127 Officers were found unsuitable and removed from the service due to unexplained financial transactions, sending and receiving money from colleagues, operating *matatu*

business, receiving money from transporters and operators of breakdown businesses amongst other professional misconduct. The breakdown of the officers removed as per region is as illustrated in Table 8:

**Table 8:** Breakdown of affected officers during the NPSC vetting

Region	No. of officers removed
Coast	36
Western	23
Rift Valley	50
Nyanza	18
<b>Total</b>	<b>127</b>

**Source:** National Police Service Commission, 2016.

522. In addition, the NPSC vetting process had 72 officers with pending investigations before results were determined while a further 26 officers were removed after opting not to be vetted while 20 police officers who were vetted earlier and removed from the Service applied for review of the Commission's vetting decision. Upon consideration, the Commission allowed their review and only 6 passed the re-vetting exercise. A total of 12 officers failed the vetting review, while one applied to retire and one has been pending to await conclusion of a court case. Currently, the Commission is vetting traffic police officers in Kajiado, Nairobi, Central, Eastern, North Eastern regions.

523. To promote transparency and integrity in the Judicial Service, the Judges and Magistrates Vetting Board vetted 9 Court of Appeal Judges out of which 4 were found unsuitable to serve. The judges found unsuitable applied for review of their cases but all their applications were unsuccessful. In addition, a total of 44 High Court Judges appeared before the Vetting Board and 7 found unsuitable. Similarly, in the Magistrate's Court, out of 298 Magistrates vetted, 14 were found unsuitable.

524. To enhance efficiency and effectiveness in service delivery, the Public Service Commission (PSC) issued policies and guidelines that set norms, standards and harmonized the discharge of various human

resource functions and ensured compliance with constitutional provisions. Key among them included; the Diversity Policy for the Public Service; the Kenyan Communities and Performance Rewards and Sanctions Framework for the Public Service; Internship Policy and Guidelines, Framework for Development of Career Progression Guidelines; Framework for Development and Review of Terms and Conditions; Staff Performance Appraisal Systems; and Public Service Excellence Award Scheme amongst others.

525. The Public Service Commission Evaluation Report for 2015/16 on Public Service Compliance with Values and Principles in **Article 10 and 232** of the Constitution highlighted that 92.7% of boards for state corporations were fully constituted and had sponsored a majority of their members for governance training based on the *Mwongozo* Code of Governance. On migration to e-procurement, the report records that 89% of Constitutional Commissions/Independent Offices and 92% of ministries had complied. In addition, 88% of public institutions had operational anti-corruption committees while 80% had conducted corruption risk assessments and about 15% of public institutions had presence in the e-citizen, a Government Digital Payment System that allows for electronic payment of services such as passports, drivers' license, land registry searches, birth certificates among others.
526. In its effort to promote accountability in the use of financial resources, OAG audited several financial statements as follows; 108 for national government, 47 for county governments, 241 for state corporations, 160 for donor funded projects and 290 For Constituency Development Funds. All these audited financial statements were submitted to the public through the National Assembly, Senate and county assemblies. Separately, Uwezo Fund Oversight Board audited all the 290 constituencies to establish the level of compliance with procedures governing the Fund and provided advisories on relevant corrective measures and controls.
527. The OAG acquired an Audit Software and Business Intelligence Tool to carry out real time audit on transactions taking place within government which facilitated the release of financial information to 5 regional offices. The financial information related to trial balance, the vote book, general ledger, appropriations accounts and payments from IFMIS. In addition, OAG trained a total of 70 journalists drawn

from mainstream media houses – newspaper, television and radio journalists – to enlighten them on the audit process for effective and accurate dissemination of audit reports to the public.

528. The Ministry of Information, Communication and Technology through the State Department of Broadcasting and Telecommunications established and operationalized the Media Council of Kenya Complaints Commission and the Communications and Multimedia Appeals Tribunal under Section 102 of Kenya Information and Communications Act. The Complaints Commission is mandated to arbitrate in disputes between (a) Public and the media (b) Government and media (c) Intra-media disputes arising out of breaches of the Code of Conduct for the Practice of Journalism or violations of media freedom. The Tribunal, on the other hand, is mandated to hear appeals of aggrieved parties who are dissatisfied with the ruling of the Media Council's Complaints Commission.
529. The East African Portland Cement Company (EAPCC) successfully went through the ISO re-certification audit. Separately, Kenya Electricity Generating Company Limited (KenGen) also underwent re-certification for ISO 9001:2008 Quality Management System and ISO 14001:2004 Environmental Management System. Similarly, the Kenya Roads Board and KEPHIS also underwent re-certification for ISO 9001:2008 while the Meru National Polytechnic transitioned from ISO 9001:2008 to ISO 9001:2015.
530. The Government through MDAs initiated several administrative actions to promote good governance, integrity, transparency and accountability. These included conducting a system and financial audit in 61 branches of Kenya National Library Services (KNLS) and auditing of 11 Water Services Providers by WASREB namely Embu, Kirinyaga, Murang'a South, Murang'a, Nyahururu, Kisumu, Meru, Eldoret, Othaya Mukurweini, Ruiru Juja, Thika, Nzoia, Nanyuki, Naivasha, Migori and Limuru. In addition, KRA conducted a life style audit for 88 retirees, 13 resignations and 4 dismissals exiting the service. Separately, CUE determined the authenticity and recognized 2,000 certificates of the university academic staff acquired from foreign universities and conducted 4 institutional quality audits and 17 school based programme audits. Meanwhile, Kenya Roads Board conducted audits of road works in central, eastern and western regions. Separately, to entrench good governance in public service, the Directorate of National Cohesion and Values coordinated,

monitored and evaluated mainstreaming of National Values and Principles of Governance in programmes, projects and activities of 154 MDAs.

531. To promote effective and efficient service delivery in revenue collection, the Government through Kenya Revenue Authority (KRA) initiated the iTax platform that has enabled over 2 Million tax payers to generate and file returns, compliance status and payment slips in real time. This has enhanced the integrity, transparency and accountability of KRA in its revenue collection and management.
532. To enhance awareness on good governance, integrity and transparency in public institutions, State House sensitized 137 of its members of staff on Leadership and Integrity Act while KRA sensitized 131 members of staff and 6,552 stakeholders on integrity. The Authority also trained 17 officers as IAOs, 30 new members of CPCs on their role in the prevention of corruption and 30 tax auditors on corruption related audits. Similarly, EAPCC trained 24 Corruption Prevention Committee (CPC) members, 36 Integrity Assurance Officers (IAOs) and 389 employees on ethics and anti-corruption issues. In addition, the Kenya Airport Authority (KAA) trained 12 CPC members and 16 Heads of Departments on corruption prevention and Leadership and Integrity Act, 2012 and 195 staff were sensitized on the Leadership and Integrity Regulations 2015. Further, the Kenya Rural Roads Authority (KeRRA) trained 43 IAOs while EAPCC expanded the mandate of the Ethics and Integrity Office to include investigations and training while KNLS trained 16 members of staff on the Anti-Corruption Policy and the Code of Conduct and 4 as IAOs. Finally on capacity building, the National Social Security Fund (NSSF) trained 17 members of staff on integrity.
533. To further enhance awareness on good governance and integrity, the Ministry of Foreign Affairs trained 10 members of the Ministerial Anti-Corruption and Integrity Assurance Committee and sensitized 43 officers in Missions abroad and 38 local staff members on corruption prevention, ethics and integrity. Separately, KeNHA conducted one sensitization on corruption prevention in all its regional offices while the Anti-Counterfeit Agency trained 4 officers on good governance and integrity. Further, TSC trained 45 out of 47 County Directors on integrity and anti-corruption initiatives while the Kenya Plant Health Inspectorate Service (KEPHIS) sensitized staff in 3 of its stations on corruption issues.

534. The Nzoia Sugar Company Limited trained its Board members, 21 senior managers and 6 top employee union officials on principles of corporate governance while the Commission on Administrative Justice (CAJ) also trained 192 public officers on complaints handling. The Officers who included county commanders, top managers and ethics officers were drawn from four institutions, namely; National Police Service, Kenya Airports Authority, Karatina University and Kenya Rural Roads Authority. Further, the State Department of Public Works in collaboration with EACC trained 62 members of staff on ethics, integrity and good governance. Other organizations that conducted trainings to promote good governance, integrity, transparency and accountability are listed in Table 9.

**Table 9:** Breakdown of Institutions and Number of Persons Trained

<i>No.</i>	<i>Institution</i>	<i>No. of persons trained/sensitized</i>
1.	Anti-Counterfeit Agency	4
2.	Commission on Administrative Justice	192
3.	East Africa Portland Cement Company	449
4.	Kenya National Library Services	20
5.	Kenya Plant Health Inspectorate Service	3
6.	Kenya Revenue Authority	131
7.	Kenya Rural Roads Authority	43
8.	Ministry of Foreign Affairs	91
9.	National Social Security Fund	17
10.	Nzoia Sugar Company	37
11.	State Department of Public Works	62
12.	State Department of Vocational and Technical Training	47
13.	State House	137
14.	Teachers Service Commission	45

**Source:** MDAs Reports 2016.

535. The Government through various institutions took administrative action against those who undermined the realization of good governance, integrity, transparency and accountability during the period under review. The KNLS disciplined 3 members of staff on

issues of sexual harassment, absenteeism and misappropriation of Board's funds. The Government arrested 19 County Government Officers for interfering/ hacking the IFMIS system thus, fraudulently transferring more than KSh. 98 Million. In addition, 2 Accountants from South Eastern Kenya University (SEKU) were arrested for their involvement in payment of KSh. 10 Million to a fictitious contract at the University while the Officer in charge of Cyber Café at *Huduma* Centre was arrested and relieved of his duties after engaging in fraudulent activities in issuance of fake driving licenses.

536. Kenya Revenue Authority referred 52 criminal cases for prosecution for offences such as unauthorized access to customs computerized systems, forgery, abuse of office, store breaking, stealing and making false documents. The County Government of West Pokot investigated, dismissed and demoted 8 of its members of staff for fraud, irregular payment of salaries and forgery of certificates. In addition, the Ministry of Health, through internal disciplinary mechanism and regulatory bodies such as the Kenya Medical Practitioners and Dentists Board and the Nursing Council of Kenya, handled 15 cases of gross misconduct and various forms of disciplinary actions taken against the officers concerned. In addition, Kenyatta University suspended 11 staff members for involvement in unethical conduct and corrupt practices. The State Department of Public Works also interdicted 6 officers suspected of engaging in corrupt practices. The breakdown of the administrative action is illustrated in Table 10 as follows:

**Table 10:** Breakdown of Administrative actions by MDAs

<i>No.</i>	<i>Institution</i>	<i>No. of staff disciplined</i>	<i>Offence</i>
1.	Kenya National Library Services	3	Sexual harassment, absenteeism and misappropriation of Board's funds
2.	Office of the County Commissioner, Kitui County	24	Interfering/ hacking the IFMIS system and issuance of fake driving

<i>No.</i>	<i>Institution</i>	<i>No. of staff disciplined</i>	<i>Offence</i>
			licenses
3.	South Eastern Kenya University, Kitui County	2	Payment of money to a fictitious contractor
4.	County Government of West Pokot	8	Fraud, irregular payment of salaries and forgery of certificates
5.	Ministry of Health	15	Gross misconduct
6.	Kenyatta University	11	Involvement in unethical conduct and corrupt practices
7.	State Department of Public Works	6	Corrupt practices

Source: MCDAs Reports 2016

### Realization of Sustainable Development

#### *Article 10 (2) (d): Sustainable Development*

537. The Government through the National Treasury maintained macro-economic stability measures on inflation at 6.8% and the economy grew at 5.6% as it expanded by 6.9%. The National Treasury had 65 Public Private Partnerships (PPPs) projects that are at various stages of implementation and finalized National and County PPP regulations. The National Treasury also developed 4 proposals on Green Climate Fund each worth USD10 million towards Climate Change Adaptation Strategies and developed national policy on climate change. In addition, the National Treasury undertook prudent financial management to ensure sustainable debt is a continuous process as the gross Government Debt was 47.97% of GDP which is below the 50% target. The Central Bank of Kenya (CBK) maintained strong financial institutions that are liquid and well capitalized thus enhancing banking sector stability and growth.

538. The National Treasury through the Kenya Revenue Authority (KRA) collected KSh. 1.2 trillion against a target of KSh. 1.3 trillion (a performance rate of 94.7%) during the FY 2015/16. The Retirement Benefits Authority (RBA) improved management of the pension scheme funds currently at approximately KSh. 1 trillion. In addition, the Capital Markets Authority (CMA) was voted as the most innovative regulator in Africa for the development of the 10-Year Master Plan, development of a Responsive Regulatory Framework and development of Practices for Issuers of Securities to the Public and a Stewardship Code for Institutional Investors. Separately, the Office of the Controller of the Budget continued to release periodic reports with recommendations to facilitate prudent utilization of the exchequer releases, to ensure proper implementation and sustainability of projects, programs and activities.
539. The Government through Kenya Railways Corporation continued the construction of Phase I of the Standard Gauge Railway (SGR) which is 98% complete. The commissioning of the SGR Phase I project is set for June, 2017. The first batch of fifty six (56) diesel locomotives from China were delivered at the port of Mombasa in January, 2017. The locomotives are to operate on the line targeting transport of at least 40% of port cargo; 43 will transport cargo, 5 are passenger locomotives as captured in Figure 28, meant to transport 1,380 passengers in one trip while 8 will be used for shunting operations. The locomotives will be capable of carrying up to 4 times cargo possible to be handled by the current meter gauge railway. This will lead to decongestion of Mombasa port, create jobs, better efficiency in railway operations, reduce transport cost, reduce incidents and accidents occasioned by heavy trucks and trailers on Kenyan roads, reduce transit times for goods, better connectivity to regions and improve overall transport sector. Further, the construction of SGR created 30,000 jobs while KR and China Roads and Bridges Corporation (CRBC) undertook capacity building and technology transfer programmes.
540. The design of the SGR is set to have state-of-the-art passenger stations at Mombasa, Nairobi, Mariakani, Miaseny, Voi, Mtito Andei, Kibwezi, Emali and Athi River. A total of 40 stations are planned to be built along the line, 33 out of which will be ready when the railway becomes operational. The SGR will shorten travel time from

Mombasa to Nairobi from 10hrs to 4hrs while freight trains will complete the 609km journey in less than 8hrs. Phase II of the SGR extending from Nairobi to Naivasha at an estimated cost of KSh. 153 billion launched in October, 2016 is currently under construction.



Figure 28: Test Runs of the SGR Train in February, 2017

**Source:** [www.myGov.go.ke](http://www.myGov.go.ke)

541. The Kenya Railways Corporation (KRC) facilitated capacity building for 35 employees on rail operations while 25 students are also in China for undergraduate training in rail engineering. The Corporation in conjunction with the Ministry of Education under the Northern Corridor Integrated Project (NCIP) commissioned an audit of rail skills in Kenya, Uganda, Rwanda and South Sudan.
542. The Government through Lamu Port South Sudan- Ethiopia Transport (LAPSSET) is continuing the construction of Port Housing for management and security estimated to be at 55% completion while dredging to deepen the harbour began in October 2016. The construction of the 1st three berths is ongoing with delivery of the 1st berth expected within 24 months and 45 months for the other two at a cost of USD 480 million that is equivalent to KSh. 48 billion.

543. The construction of the 530km highway from Isiolo to Moyale was completed and the travel time between Moyale (Kenya/ Ethiopia border town) and Nairobi reduced from about 3 days down to 10 hours. The highway will lead to ease of access to markets, enhanced cross border trade, improved Government service delivery, stabilized security in the region, reduced inter- community conflicts and improved access to health services.
544. Further, the Government is also structuring the remaining 29 berths to be concessioned to the private sector for construction and operations. Preliminary facilities at Manda Airport in Lamu as captured in Figure 30 are completed, including a 1km runway and terminal building and a 3km runway at the Isiolo Airport. The construction works on the terminal building is ongoing with an estimated completion rate of 90%.



*Figure 29: A Terminal Building at Manda Airport, Lamu County*

**Source:** LAPSSET

545. The Government completed the construction of the Southern Bypass at a cost of KSh. 18.7 billion to decongest the Northern Corridor and enhance socio-economic development in Nairobi and its environs. The Bypass was commissioned by Heads of State of Kenya and Tanzania in Nairobi in November 2016. In addition, H.E. the President also launched the construction of the KSh. 3.1 billion Kitale-Lokichar-Amosing roads project in November, 2016.

546. The Government through the Ministry of Transport, Housing and Urban Development constructed a total of 186.2km of non-motorized transport facilities that included 12.6km in Kakamega; 43.75km in Nakuru; 68.04km in Eldoret; 24.01km in Thika; and 37.8km in Mombasa to ease mobility.
547. The Kenya Roads Board (KRB) released KSh.1.076Billion to County Governments towards maintenance of County roads as per County Allocation of Revenue Act, 2016. Further, KRB allocated KSh. 26 Million to fund the Cobblestone Project to determine the unit cost of construction and specification of cobblestone as a building material and planted 6,500 trees in Kitui and Makueni Counties in collaboration with schools and Kenya Wildlife Service. Similarly, the Kenya Urban Roads Authority (KURA) released KSh. 43 Million to fund road works in Uasin Gishu, Trans Nzoia, West Pokot, Nandi, Baringo and Turkana Counties.
548. To further support road infrastructure development, the Government through KURA is expanding the Outer-Ring road into an eight lane highway which is 35% complete. The project will have a positive multiplier effect on traffic, real estate, trade and the general economy of eastern part of Nairobi. The Authority is also undertaking a project to improve the Argwings Kodhek, Ralph Bunche and Woodlands roads guided by a strategy dubbed Nairobi Road Rapid Decongestion Programme (NRRDP). This project further aims at reducing vehicular and non-motorized transport conflicts and junction geometry to improve traffic flows in the existing road network within the City of Nairobi. The project will attract a total cost of KSh. 185 Million and is expected to end in June, 2017.
549. In addition, the Authority is currently upgrading Bitumen road which joins Maseno-Kombewa-Kalandini and Maseno township roads having completed 69km. The Authority will further construct another 40km of roads at a cost of KSh. 1.46 Billion in various towns across the country.
550. The Government through Kenya National Highways Authority (KeNHA) tarmacked a total of 141.6 km and maintained 2,414 km of roads. The Authority also undertook Environmental Impact Assessments (E.I.A.) for 14 new projects.

551. Further, KeNHA continued the construction of the Port Reitz Road which is 60% complete. It is part of the Mombasa Port Area and is the first phase of the Dongo Kundu Bypass. The 11km Dongo Kundu Bypass links the Port with the Mombasa-Nairobi Highway at Miritini. It is expected to ease movement of cargo from the port when it is completed in July, 2018.
552. The Kenya Ports Authority continued to implement the Green Port Policy through the Green Port Program which puts in place measures to reduce greenhouse gas emissions and direct gas emissions from KPA controlled facilities. The Green Port Program is fully funded by the Trademark East Africa and aims at protecting the community from harmful environment impacts of port operations.
553. The Government through the State Department of Maritime and Shipping Affairs, International Maritime Organisation (IMO) and the European Union (EU) entered into a recognition agreement with Jomo Kenyatta University of Agriculture and Technology to host the regional Maritime Technical Co-operation Center (MTCC) for the African region. The MTCC will build capacity for maritime personnel in the continent and for Kenyans in particular.
554. The Government through the Kenya Airports Authority completed the construction of Terminal 1A (T1A) International-Arrivals at Jomo Kenyatta International Airport (JKIA) and became operational during the period under review. JKIA Second Runway was conceived to increase overall handling capacity of JKIA.
555. The Government through Kenya Ports Authority continued the expansion and modernization of the port of Mombasa with H.E the President commissioning the first phase of the second container terminal. The first phase of the commissioned container terminal has boosted KPA's handling capacity by 50% with an additional 550,000 Twenty Foot Equivalent Units (TEUs) to the existing 1.1million TEUs annually.
556. The Government through the Ministry of Energy and Petroleum commissioned over 40 new substations and raised power generation from 1,765MW to 2,370MW. The Last Mile connectivity project being implemented by the Ministry of Energy and Petroleum through Kenya Power (KP) has increased electricity connectivity to Kenyans with a total of 2,617,956 new homes connected through this initiative

and other government funded programs such as GPOBA (Global Partnership On Output-Based Aid). This raised the country's electricity access rate from 27% in four years ago to 56% with over 4.9 million customers connected.

557. The Ministry also installed 35,916 street lighting points in selected urban centres and towns in 47 Counties. This Project is on-going to cover 52 towns in 47 counties aimed to enhance security and promoting the 24 hour economy in these urban areas. The Government through Kenya Power Company (KPC) has completed 23 distribution substations accompanied by over 3,862kms of distribution power lines. The Ministry of Energy and Petroleum through Kenya Electricity Transmission Company (KETRACO) constructed a total of 1,631Km of transmission lines across the country to enable evacuation of the newly added generated power from geothermal power stations, wind and other power stations to Mombasa and other areas.
558. The Government through the Rural Electrification Authority (REA) continued to connect 23,000 schools with electricity, at a cost of more than KSh. 32 billion. During the period under review 2,203 schools were connected to the grid while 490 schools were fitted with Solar Power panels.
559. The completion of 70MW geothermal wellheads increased KenGen's total new installed electricity generation capacity to 400.5MW of the 844MW committed and the implementation process of the 443.5MW balance is on course. The pipeline projects include: 140MW OlKaria V, 70MW OlKaria I Unit 6, 80MW Meru Wind Phase I, 140MW OlKaria VI, 6MW OlKaria I Rehabilitation and 60 MW OlKaria 1 & IV Top Up. The projects are at various stages of completion and have undergone Environmental and Social Impact Assessments (ESIA). KenGen has a total installed capacity of 1,632MW of which 85% is from renewable sources hence pushing the national clean and renewable energy to 65% of total installed capacity. An additional 114MW were commissioned by 3 Independent Power Producers namely; Triumph Power 83MW, or power IV Geothermal 29MW and Bojoule Kenya 2MW as part of the Ministry's "Roadmap for Fast Tracking Power Generation" programme.

560. The Government through Geothermal Development Company (GDC) trained 113 young engineers, scientists and planners from USD20.5 million geothermal capacity building JICA grant extended to GDC in 2013. Currently, Kenya has less than 20 active geothermal experts, hence the need to build capacity.
561. The Government through the Kenya Pipeline Company (KPC) commenced construction of the 450km of the 20-inch multi-product oil pipeline from Mombasa to Nairobi where 44 kilometers of pipe-stringing was done and 16 kilometers of welding completed. The fourth and last batch of consignment of 11,321 pieces of the pipeline arrived in Mombasa. The project will cost US\$500Million, 70% of which was sourced from a consortium of banks. The project will enhance product flow from the current 730,000 litres per hour to 1 Million litres per hour to meet local and regional demand for petroleum products up to the year 2044; application of global best practices on health, safety and environmental management issues in line with Equator principles; creation of employment opportunities for Kenyans; and enhanced safety and Government revenue by providing the safest means of transporting petroleum products.
562. Preparatory activities for the Lokichar – Lamu Crude oil 836 km, 20-inch diameter pipeline system are ongoing and the draft Joint Development Agreement (JDA), which sets out the structure to progress the development of the crude oil pipeline is ready.
563. The Ministry of Energy and Petroleum is procuring 1.2 Million empty domestic 6kg LPG cylinders fitted with unified valves, burners and grills to be distributed to low income households through the LPG Uptake Promotion. The long-term objective is to ease the usage of biomass and kerosene hence promoting environmental conservation and improve health standards. A technical committee comprising of the Government and the Joint Venture Partners prepared the draft Early Oil Pilot Project Agreement that sets out the terms and conditions of the project. Similarly, the National Oil Corporation of Kenya (NOCK) installed a mini storage and filling LPG (skid units) in Kiambu, Uasin Gishu and Kisumu Counties to complement the Nairobi National Oil LPG terminal.
564. The Ministry of Agriculture hosted a landmark forum whose theme was “Seize the Moment: Africa Rising through Agricultural

Transformation” to advance policies and secure investments that will ensure a better life for millions of Africa’s farmers and families. The forum was attended by 1,500 delegates including African Heads of State and Governments, development partners, agribusiness firms, financial institutions, scientists and farmers among others.

565. The Ministry of Agriculture, Livestock and Fisheries through the State Department of Fisheries and the Blue Economy is procuring an Off Shore Patrol Vessel (OPV) at a cost of KSh. 3.6 Billion to patrol the high seas and protect fisheries resources. The State Department is also constructing international accredited fish quality laboratories in Nairobi, Mombasa, and Kisumu at a cost of KSh. 1.2 Billion. In addition, the State Department constructed a Farmers' Resource Centre in Lamu County at KSh. 70 Million and also constructed Tourism Jetty in Shimoni, Kwale County at KSh. 210 Million. Further, the State Department constructed a Landing Site & Ice Plant in Shimoni, Kwale County at a cost of KSh. 20 Million and also established Marine & Ocean Monitoring Control and Surveillance Centre in Nyali, Mombasa County. In addition, the State Department renovated Fish Landing Banda in Kibuyuni, Kwale County at KSh. 8.1 Million and also constructed a Micro Finance Banking Hall in Msambweni, Kwale County at KSh. 2.1 Million. Separately, the *Hazina ya Maendeleo ya Pwani* established and supported 127 community group projects at KSh. 110 Million and awarded a total of 218 scholarships to coastal students in institutions of higher learning.
566. The Government through the Ministry of Agriculture, Livestock and Fisheries commenced the construction of Offshore Patrol Vessel (OPV) and procured 2 patrol vessels for surveillance in Lake Victoria and Turkana. The Ministry further identified and demarcated three breeding areas in Lake Baringo and Turkana and restocked dams and rivers countrywide with 10,000 fingerlings. In addition, the Ministry of Agriculture, Livestock and Fisheries through the Kenya Dairy Board (KDB) established anti- hawking programmes on milk, and established a milk Trust Fund in Migori and sensitised the Counties to adopt the School Milk Programme. Separately, the Government through the Kenya Tsetse and Trypanosomiasis Eradication Council (KENTTEC) disseminated 5,000 animal spraying guides that included information on techniques on how to spray animals that are environmentally friendly.

567. The Government through the Kenya Tea Development Agency (KTDA) announced KSh.84Billion revenue for smallholder tea farmers for the 2015/16 FY, compared to 63.5Billion earned in the 2014/15 FY. This represents a 32.2% increase in earnings for smallholder tea farmers. Of the KSh. 84 Billion, KSh. 61.99 Billion revenues representing 75% was paid out to smallholder tea farmers at an average rate of KSh 50.26 per kilogram of green leaf delivered to KTDA managed factories while the balance of 25% covers the costs of production. The total production of green leaf to June, 2016 increased to 1.23 Billion kilograms.
568. The Ministry of Agriculture, Livestock and Fisheries provided veterinary equipment to Baringo, West Pokot, Turkana, Samburu, Isiolo and Marsabit Counties worth KSh. 20Milion. In addition, the Ministry procured 9,100MT of fertilizers for the short rains season and 238,000MT for use during the 2016/17 long rains maize planting season. The total cost of the fertilisers imported since the fourth quarter of 2016 is KSh. 13.84 Billion and was distributed through the NCPB depots countrywide. Consequently, the cumulative beneficiaries accessing the subsidy have risen from over 430,000 to over 2.88 million farmers. The subsidy initiative has expanded commodity coverage to coffee, tea, sugarcane and other crops. Currently, the GoK subsidized fertilizer is sold at KSh. 1,800 and KSh.1500 per 90 kg and 50kg bag of planting and top dressing fertilizers respectively. This has led to increase in acreage production to 44,538,376 bags in the year 2016.
569. The Ministry of Agriculture, Livestock and Fisheries and County Governments through National Cereals and Produce Board (NCPB) distributed a total of 2,668,393 of 50kg bags of Government-subsidised fertilizer in the nine month period from March 2016.
570. Further, the Ministry distributed 26 tractors with accompanying equipment to Busia (9), Tana River (4) and Pekerra in Baringo (13). The Ministry also established 48 coolers handling 12,000 liters of milk with a daily income of KSh.386, 000 and 4 livestock breeding centres in Eldoret, Kabete, Sotik and Kirinyaga producing 160,000 doses of semen at KSh.500 per dose. Separately, the establishment of a fertilizer plant in Eldoret operated by Toyota Tsusho Corporation with the capacity to produce 160,000 metric tons of fertilizers was completed in August, 2016.



Figure 30: Fertilizer blended by Toyota Tsusho Fertilizer Africa Ltd

**Source:** Ministry of Agriculture, Livestock and Fisheries

571. The Government through Kenya Agricultural and Livestock Research Organization (KALRO) identified 24 promising maize clones tolerant to the Maize Lethal Necrosis Disease (MLND). The construction of an Aflaxin Laboratory at Katumani to improve on the quality of maize consumed by Kenyans is 80% complete. In addition, KALRO developed County specific soil management guidelines for Coffee development in 7 counties namely Trans Nzoia, Laikipia, Bungoma, West Pokot, Elgeyo Marakwet, Nakuru and Kericho. Further, KALRO ensured that 29 varieties of different crops had been submitted, evaluated and recommended for release by KEPHIS. The organization promoted soil conservation measures along river banks through tree planting or agro forestry in KALRO Kibos and conservation of riparian areas in Kericho. Separately, Kenya Veterinary Board facilitated the inspection of 1186 agro-vet shops and other veterinary medicines outlets.
572. The Government through AFC increased loan portfolio to KSh. 6.926 Billion and disbursed KSh. 3.168 Billion in Agricultural loans. The Corporation posted a pre-tax profit of KSh. 241.4 Million up from KSh. 206.4 Million recorded in 2014/2015. The Corporation has also partnered with Alliance for Green Revolution in Africa (AGRA) to work with farmers in Bura and Hola Irrigation Scheme. The Corporation, with regard to the vision 2030 flagship project, continued development, expansion and rehabilitation of irrigation

infrastructure through partnership with National Irrigation Board to finance seed maize production in the Bura and Hola Irrigation Schemes. The loans advanced to the irrigation schemes stood at KSh. 38.75 Million.

573. The Government through Nzoia Sugar Company planted 4.7 hectares under a pilot irrigation project in the nucleus. The objective of this project is to establish whether irrigation will improve performance of the cane compared to the cane under rain-fed conditions. The Company graveled, graded and murramed existing roads and opened up other new roads to facilitate cane transportation. The total road network covered was 534 Km within the nucleus estate and out grower scheme. The Company extended direct agricultural extension services to its contracted 70,165 farmers through field days, family days, public barazas, field demonstrations and individual farm visits.
574. The Government through the Kenya Water Institute (KEWI) procured a water drilling rig and drilled a borehole in Nairobi and Kericho, 4 boreholes in Taita Taveta Counties for training purposes. Further, KEWI in partnership with the Government of Israel supported 50 former students of the Institute to acquire practical skills in dryland farming technologies and application of automated and irrigation systems Israel and have been attached to the Galana-Kulalu Food Security Project upon their return.
575. The Ministry of Water and Irrigation through the Tana Water Services Board is undertaking several projects in its catchment area which are in various stages of completion as detailed in Table 11.

**Table 11:** Tana Water Services Board Projects

<i>No.</i>	<i>Name of project</i>	<i>Estimated cost (KSH Millions)</i>	<i>Estimated No. of Beneficiaries</i>	<i>Status of completion</i>
1.	Mwea-Makima	89	10,000	100%
2.	Siakago water project	20	12,000	100%
3.	Maua Water project	225	56,000	51%

<i>No.</i>	<i>Name of project</i>	<i>Estimated cost (KSH Millions)</i>	<i>Estimated No. of Beneficiaries</i>	<i>Status of completion</i>
4.	Maua drainage and sewerage	511	15,000	40%
5.	Rupingazi-Weru water project	7	15,000	30%
6.	The Kiambere-Karaba Water project	20	8,000	80%
7.	Mathira Community Water project	213	21,000	55%
8.	Gichugu Water Project	75	20,000	15%
9.	Karuri water project	30	8,000	75%
10.	Njogouini-Gitero-Kabati dam	35	5,000	100%
11.	Ndathi-Mbiriri water	6	2,000	100%
12.	Ngimaini-Kiboya dam	8	750	100%

Source: Tana Water Services Board

576. Through the Ministry of Water and Irrigation, Northern Water Services Board (NWSB) trained the communities on operation and maintenance, financial management of the project in order to ensure sustainability and ownership of the project.

577. The Ministry of Water and Irrigation through the Coast Water Service Board commissioned Mkanda Dam Water Project which involved rehabilitation works to reinstate the scheme to its original



operative status. This included installation of raw water pumps, rehabilitation of pipelines and treatment works and construction of water storage tanks. The Board completed Phase I of project at a cost of KSh. 100 Million.

578. The Ministry of Water and Irrigation through the National Irrigation Board (NIB) continued to implement the Galana-Kulalu Food Security Project which is a Kenya Vision 2030 flagship project to enhance food security, reduce poverty levels in the country and create employment opportunities. The Board completed the construction of 2 reservoirs with a capacity for 45,000m<sup>3</sup> for drip irrigation system under the Galana-Kulalu Food Security Project. Cumulatively, 127 irrigation projects have been completed putting 120,000 acres of land under irrigation benefiting 88,000 farmers. In addition, the National irrigation Board constructed Ilimya and Kilia, Mukengesya, Ngatha, Galma, Burmayo, Bojigaras and Harun Mirgo reservoirs where an estimated 500,000m<sup>3</sup> of water was impounded.

579. The Ministry of Water and Irrigation through the Galana-Kulalu Food Security Project, as illustrated in Figure 31, has now achieved the 10,000 acres for maize crop with the establishment of the appropriate 2 water intake works. During the reporting period the Galana-Kulalu Food Security Project realized a harvest of 120,000 90kg bags of maize out of which 70,000 90kg bags were distributed in the Coast Region as mitigation against drought and famine in late 2016 and 2017.



*Figure 31: On-going Irrigation at Galana- Kulalu*

**Source:** Ministry of Water and Irrigation

580. The Ministry of ICT through the Konza Technopolis Development Authority (KoTDA) commenced a KSh.3 Billion construction of the first 8-storey building with two basement floors to host the techno city operations and house early investors and innovators. The second phase of the building is designed to have a hotel and a conference facility.
581. The Government through Ministry of Information, Communication and Technology (ICT) ensured annual mobile revenue grew by 24.5% to stand at KSh. 214.8 Billion by December 2016 while mobile investment grew by 62.5% (52.2 billion). Further, the Ministry ensured that 100 ICT graduates drawn from 47 Counties were trained and graduated with high end ICT skills while another 400 ICT graduates are undergoing training on publications targeting Arid and Semi-Arid regional publications (Rural Newspapers).
582. The Ministry of Industry, Trade and Cooperatives in collaboration with United Nations Conference on Trade and Development (UNCTAD) adopted two crucial documents; Nairobi *Maafikiano* and Nairobi *Azimio* which aimed at ensuring fair trade between developing countries and developed nations and that action is taken on previous agreements. The conference cemented Kenya's position as a global economic and trade player and also promoted the country as an investment and tourism destination and led to increase in levels of tourist arrivals in 2016/2017 FY.
583. The Governments of Kenya and Japan built on outstanding issues from the TICAD-V Yokohama Declaration and Action Plan, which addressed six critical areas including; boosting economic growth, accelerating infrastructure and capacity development, empowering firms as mainstream economic actors, promoting sustainable and resilient growth, creating inclusive society for growth, and consolidating peace, stability, democracy and good governance. The conference enhanced Kenya's leadership role in commerce and promotion of tourism globally.
584. The Ministry of Industry, Trade and Cooperatives through the Kenya Industrial Research and Development Institute (KIRDI) developed a state-of-the-art Research, Technology and Innovation laboratory in Kisumu at a cost of KSh.800Million. KIRDI is also undertaking a Research, Technology and Innovation Project in Nairobi at an

estimated cost of KSh. 4.3 Billion, currently at 61% completion. Separately, the Kenya National Library Services is constructing an ultra-modern Library in Upper Hill Nairobi which is 80% complete. To accommodate the increasing student enrollment, Kisii University continued to construct lecture halls that are 72% complete.

585. The Ministry of Education held the Innovation Africa Summit Forum, 2016 attended by Ministers from 25 African Countries. The Summit sought to build partnerships and design solutions in the education sector using Cloud Technology under the Innovation Africa platform. The Meru University of Science and Technology completed the construction of engineering workshops and a complex to enhance capacity of training specialists in the area of science and engineering. In addition, Murang'a University of Technology carried out the following high impact projects:

**Table 12:** Murang'a University of Technology High Impact Projects

S/NO.	PROJECT TITLE	AMOUNT (KES.)	STATUS
1.	Construction of Water Reservoir	16,996,465	Commissioned
2.	Construction of Gatanga Technical Training Institute (Murang'a County)	48,958,688	On-going
3.	Construction of Kandara Technical Training Institute (Murang'a County)	55,800,278	On-going
4.	Construction of Kamukunji Technical Training Institute (Nairobi County)	53,740,660	On-going
5.	Construction of Ablution Block and Gate	14,619,712	Commissioned
6.	Construction of Internal Roads	52,229,938	On-going
7.	Construction of Perimeter Wall	60,600,232	On-going
8.	Construction of Hostel Block Phase I	144,481,516	Commissioned
9.	Construction of Hostel Block Phase I Wing II	154,959,825	On-going

**Source:** Murang'a University of Technology

586. The Government through the Teachers Service Commission (TSC) trained over 70,000 teachers on incorporating ICT in teaching and learning. To guarantee quality delivery of the programme and support to teachers, ICT officers are currently being trained and will be deployed to the counties as quality inspectors. The delivery of the DLP devices commenced in September, 2016. JKUAT is setting up a local assembly park which has a capacity of assembling 750,000 devices per year and creating 3000 jobs. This Government initiative has enabled electricity connections to 22,237 schools sparking economic activity in the school environs. The Government aimed to deliver 1.2 Million devices to all public primary schools by December, 2016. The government has so far spent more KSh. 50 Billion to roll out the digital learning programme at the cost of KSh. 33 Billion used to connect public primary schools to electricity and KSh. 17 Billion spent to purchase laptops and their operating systems.
587. The Teachers Service Commission (TSC) trained 11,894 out of 12,000 standard one teachers on the Digital Learning Programme (DLP). The Commission trained 4,047 P1 teachers who were selected purely on the basis of affirmative action and 1,350 ATS VI teachers totaling 5,397 teachers under the 2016 Teacher Proficiency Course (TPC) programme. The Commission recruited 8,473 additional and replacement teachers and signed a four year CBA agreement during the period under review. A total of 95 teachers were trained on high-tech teaching methods by the Government of Kenya and Korea as part of the primary schools environment improvement and capacity building project in Kenya under which both infrastructure standards and ICT competence would be improved in schools.
588. To increase the national forest cover the Ministry of Education through the Kenya Literature Bureau planted about 10,000 seedlings in Njoro, Nanyuki and Thika Sub-Counties and sponsored National World Wetlands Day celebration held in Kericho County and World Environmental Day celebration held in Nanyuki County. In addition, the University of Nairobi aligned its environmental policy to the Constitution; included Sustainable Development as one of the core values in the service delivery charter; carried out Environmental Impact Assessment for all capital development projects; marked the Educational for Sustainable Development Day (COP22) in

conjunction with UNEP and MARRECH COP 22/2016/CMP12; operationalized UoN Environmental Sustainability Committee to spearhead coordination of activities related to environmental sustainability. The Vice Chancellor UoN was appointed as the new Chair of the Education for Sustainable Development in Africa (ESDA) Consortium during the 6th Tokyo International Conference on African Development. In addition, the University planted over 20,000 trees over the last two years and undertook riparian rehabilitation of Chiromo river. Separately, Meru University also planted approximately 6,000 seedlings in the year, 2016 to add ecological and environmental value to the University and its surroundings.

589. The University of Nairobi launched the 2017 Nairobi Innovation Week in December, 2016 that offered local innovators a platform to publicize and pitch their ideas to potential investors. The UoN targeted a fund to finance innovators and develop exceptional ideas that were showcased during the 3rd Annual Nairobi Innovation Week whose theme was, ‘Innovating to Solve Pressing Local and Global Challenges.’ The event targeted inventors applying technology to address concerns such as food scarcity and climate change. Besides the University of Nairobi, other educational institutions with initiatives to support technology start-ups include the Jomo Kenyatta University of Agriculture and Technology and Strathmore University.
590. Jomo Kenyatta University of Agriculture and Technology (JKUAT) launched a KSh. 2.6 Billion Sino-Africa Joint Research Centre (SAJOREC). JKUAT received a license to commercialize 9 varieties of indigenous vegetables (*Mboga za Kienyeji*) from KEPHIS. JKUAT’s Institutional Ethics Review Committee was accredited by NACOSTI enabling it to operate and conduct ethics review for research protocols involving human subjects. The Government through Machakos University completed and commissioned a new hotel building, a lecture theatre and a tuition block are 80% complete. University of Kabianga completed and commissioned the flagship project lecture theatre phase II and increased the bandwidth from 60 to 120 mbps. Maseno University received a licence from Kenya Plant Health Inspectorate Service (KEPHIS) to commercialise a stiga resistant maize breed.

591. The Government through Higher Education Loans Board (HELB) recovered a total of KSh.4.1Billion from loanees, mobilized KSh. 15 Million through partnerships and launched a campaign aimed at introducing a culture of prompt repayments of loans motivated by the desire to build a good credit history and maintain a favorable credit score. Further, the Government through the Ministry of Education facilitated exports of KSh.10 Million worth of mechanical parts made by students of Kabete and Nyeri National Polytechnics through the Africa Tech Challenge as witnessed by the Cabinet Secretary, Education in Figure 32.



*Figure 32: Flagging off Consignments of Metal Pin Products*

**Source:** Ministry of Education

592. The Government through the Ministry of Mining enacted the Mining Act, 2016 and developed Mining Regulations and Guidelines; developed the Mining and Mineral Policy that was adopted by Cabinet in April, 2016; and developed Mining Investment Handbook. The Ministry is in process of developing an over-arching National Extractive Policy and a 20 year Mining Strategy. In addition, the Ministry set aside KSh. 3.4 Billion to conduct a national geophysical survey to map out the country's mineral deposits and provide accurate data to expedite mineral exploitation.

593. Further, the Ministry conducted a Land Use and Land Cover Survey through remote sensing for Mombasa, Kilifi, Kwale, Marsabit and Nyamira Counties for effective urban and rural planning (Geo-spatial maps). In addition, the Ministry adopted an online transactional Mining Cadastre Portal system which revolutionized and simplified the licensing application and processes. The system reduced the time taken to process applications from 6 months to less than 90 days.
594. The Government through the Ministry of Sports, Culture and the Arts empowered 100 talented youths in schools to create careers in music as sustainable sources of livelihoods. The Ministry also registered 2,500 artists, held 8 workshops and one national exhibition for cultural practitioners and organized 3 exchange programmes. To further promote arts and culture, the Kenya Film School trained and graduated the first batch of 25 students in December, 2016 while the National Archives offered attachments to 182 students to acquire curating skills. In addition, the Ministry produced and disseminated documentaries on Vision 2030 flagship projects in the areas of agriculture, tourism, culture, education and infrastructure amongst others.
595. The Ministry of Interior and Coordination of National Government through National Police Service acquired a modern KSh. 68 Million Agusta Westland helicopter to be used by security agencies during security operations. To increase the Police-Citizen Ratio, the Government recruited 10,000 officers into the service to promote law and order for sustainable development.
596. The Kirinyaga, Migori and Kitui NGAOs promoted sustainable development through the development of tree nurseries within the counties and implementation of environmental awareness creation programmes through Public *barazas* resulting in reduced cases of environment pollution. These initiatives further resulted in enhanced food security and productive population.
597. The Government through the Anti-Counterfeit Agency destroyed assorted counterfeit goods as per court orders with an estimated value of KSh. 100 Million in Nairobi and Mombasa. In addition the agency developed the stakeholders' collaboration framework that embraced Public Private Partnerships. The Ministry of Interior and Coordination of National Government through the Kenya Prisons

Service constructed an additional 350 staff houses at Kamiti Main Prison, Shimo la Tewa Main Prison and Ruiru Prison through Private Public Partnership (PPP). Further, the Kenya Prisons Service recruited, trained and deployed an additional 2,700 officers to enhance correctional services in prisons and borstal institutions.

598. The Government through the Ministry of Foreign Affairs hosted the 14th Ministerial United Nations Conference on Trade and Development in July, 2016 which brought together Heads of State and Governments and other key individuals in business with the aim of tackling global trade and economic development challenges. The conference reinforced Kenya's high profile standing within the United Nations as an active member and a contributor to the international economic order. In addition, the Government through the Ministry hosted the 7th Tokyo Conference on Africa Development (TICAD VI) summit in August, 2016 which focused on Africa's Economic Development. The meeting contributed significantly in enhancing Kenya's leadership role at the global level in influencing the outcomes of major events and served the goal of promoting conference tourism.
599. The Government of Kenya and Korea signed a MoU on cooperation in industry, trade, investment and industrial complex development in Nairobi. Consequently, the two states launched the Kenya-Korea Business Forum, graced by both Heads of State. In addition, the 2 States renewed the Korea-Kenya Bilateral Economic Cooperation Committee and established communication channels between the East African Community and the Korean business community.
600. The Government of Kenya signed an agreement with French Government in April 2016 on financing of Ruiru II Dam & Water Supply project worth an estimated 19 Million Euros. In addition, the Government ratified the Paris Agreement on Climate Change in October 2016. Further, the Government through Ministry of Foreign Affairs signed a MoU in October 2016, with the Republic of South Africa to facilitate cooperation in the field of Biodiversity, Conservation and Management.
601. The Government of Kenya and Turkey set a target to grow bilateral trade volume to USD1 Billion within the next five years; fast-track the signing of an agreement to deal with the issue of double taxation;

cooperate on the development of a Preferential Trade Agreement (PTA) that Turkey is seeking to have with the Eastern Africa region. The Government of Kenya and Turkey signed 3 bilateral agreements to improve cooperation between the two countries. These included a MoU between the Kenya Bureau of Standards and the Turkish Standards Institute, a Cooperation Protocol between the Kenya Broadcasting Corporation (KBC) and the Turkish Radio and Television (TRT) and the launch of the Kenya-Turkey Business Forum.

602. H.E the President met the Israeli Prime Minister and signed a bilateral economic cooperation agreement culminating into the opening of a Commercial Attaché's office in Nairobi in 2016. In addition, the meeting led to the launch of the Kenya-Israel Business Forum aimed at exploring numerous and diverse business opportunities between the two countries.
603. To further strengthen bilateral relations, H.E the President and the Indian Prime Minister signed a bilateral economic cooperation agreement that included a Revised Agreement on Avoidance of Double Taxation, MoU between the Bureau of Indian Standards and the Kenya Bureau of Standards, Line of Credit Agreement for USD15Million to Industrial Development Bank Capital Limited for development of Small and Medium Enterprises (SMEs) and Line of Credit Agreement for USD 29.9Million to the Government of Kenya to upgrade the Rift Valley Textiles Factory (RIVATEX). The meeting led to the launch of the Kenya-India Business Forum aimed at exploiting existing potentials in trade and investment including exploring the possibility of export of pulses from Kenya to India. The two Principals tasked the Joint Trade Committee of the two countries to explore further ways of enhancing trade cooperation. H.E the President participated in an India- Kenya Business Forum in New Delhi during the visit to India in 2016.
604. Kenyan and Japanese companies signed MoUs including: Toyota Tsusho Corporation and Ministry of Devolution and Planning, Toyota Tsusho Corporation and Seven Seas Technology (Kenya), Toyota Tsusho Fertilizer Africa Limited and Africa Fertilizer Agribusiness Partnership (AFAP). These were meant to support sales marketing, risk control with technical advice for the business in Kenya.

605. H.E the President's visit to France resulted in the signing bilateral agreements worth 250 Million Euros to support the energy, roads and water and sanitation sectors. H.E the President also met with French importers led by Pierre Layani, the chairman of Rungis International Market, the world's largest wholesale market for fresh produce and urged them to work together to boost trade between the two nations. In addition, H.E the President attended the 'Belgium-Kenya Business Forum' where he encouraged Belgium investors to explore investment opportunities in Kenya in manufacturing, value addition in industry among others. The Governments of Kenya and Botswana agreed to review immigration rules that made obtaining of work permits restrictive for Kenyans. The meeting launched the 'Botswana-Kenya Business Forum' to explore avenues of investment in both nations.
606. The World Bank "Doing Business Report 2017" ranked Kenya, once again, as the third most reformed country in the world in the area of starting a business. The Report showed Brunei Darussalam, Kazakhstan and Kenya as the top three most improved economies in 2015/16. According to the Report, Kenya emerged top after implementing five reforms on registering a business, getting electricity, registering property, protecting minority investors and resolving insolvency. Kenya moved 21 places up in getting electricity to position 106, 25 places in protecting the minority investors to position 87, the country also moved 48 places up in resolving insolvency to position 92 and 34 places to position 116 in starting a business. Kenya ranked 137th globally in 2014 in the World Bank Ease of Doing Business index an improvement from 108th in 2015 and further to 92nd out of 190 surveyed economies in 2016.
607. To significantly improve the ease of doing business in the country, the Government in November, 2016 scrapped all construction related charges levied by Government ministries and counties. Multiple charges levied in the construction industry had contributed to the increase of costs in the sector and led to unreasonable delays in obtaining requisite approvals. Scrapping of the levies will encourage investors, increase investor confidence and reduce the cost of doing business. The Government also created a one-stop shop approach for licensing and registration of contractors by the National Construction

Authority. Further, the Government through National Construction Authority registered 13,869 contractors, accredited 16,418 and 180,014 site supervisors and construction workers respectively and also regulated their conduct. Separately, the Council of Governors through the County Governments rehabilitated a total of 283,094 hectares of forests and planted approximately 53, 217, 999 trees.

608. The Ministry of Public Service, Youth and Gender Affairs through the Uwezo Fund Oversight Board (UFOB) approved funding proposals from constituencies amounting to KSh. 247 Million to 2,734 groups.
609. During the period under review, officers from all the three State Departments of Ministry of Devolution and Planning were trained on e-ProMIS (electronic Projects Monitoring Information System). The training was to equip the officers with skills to capture indicators, outputs and outcome to the e-ProMIS for easier monitoring of projects.
610. The Ministry of Defence is in the process of constructing a vegetable and fruit processing factory at Gilgil (Vision 2030 Flagship Project). So far, the Ministry is installing machines, recruiting staff and engaging local farmers in the Phase 1 of the project which is 60% complete. The Ministry also implemented the Incinerator Waste Heat Recovery System at Moi Air Base to save on water heating costs and enhance solid waste management.
611. The Government through SASRA commenced the process of developing a Central Liquidity Fund for deposit taking SACCOs. The Authority embarked on technical review of Deposit Guarantee Fund (DGF) to provide a safety net for failed deposit taking SACCOs. The Authority with other financial regulators commenced development of Islamic Finance Policy framework in order to deepen financial access by facilitating development of Islamic products for enhanced financial inclusion. In addition, the Authority commenced implementation of Enterprise Risk Management Framework (ERM) that will enable the Authority identify risks and take corrective action.
612. In December 2016, the President inaugurated the Volkswagen production facility at Thika with a call for Kenyans to buy products that are made, assembled or value added in the country. The President

also signed for the production of two models of Peugeot that will increase Kenya's local motor vehicle assembling by 43%. Separately, the East Africa Portland Cement Company introduced e-commerce through which the customers can buy their goods and further introduced the *Dial-A-Cement* initiative that enables employees purchase cement from the factory.

613. The Export Processing Zones Authority (EPZA) contributed to the growth of the economy by generating KSh. 67 Billion in exports, KSh. 73 Billion in investments and created 51,500 jobs. Export Promotion Council (EPC) promoted export competitiveness of the Avocado sector and promoted Kenyan products to the regional market. The Council disseminated export trade information including export market development calendar. The Council also hosted a mini-exhibition for exhibitors to display their newly developed, value added products and opened a Kenya House in the Conference and showcased Kenya's iconic products to the international community. The Council held an exhibition in TICAD VI Conference where it showcased production capacity, products and services to the global community. EPC showcased Kenyan products to the international market and established/deepened business contacts. The Council created a platform to interact with entrepreneurs, share EPC mandate on export market development, capacity and product development and also hosted some SMEs.
614. The Government through the Ministry of Industry, Trade and Co-operatives completed a feasibility study and report on development of leather park, trunk sewer to Athi River, dislodging of sewer ponds, and road construction. Further, the Micro and Small Enterprises Authority (MSEA) trained 22 Micro and Small Enterprises drawn from Baringo, Machakos, Kakamega, Vihiga, Nyeri, Kajiado, Makueni, Nyandarua, Nandi, Marsabit, Kisumu and Taita/Taveta Counties. In addition, the approval and audit of Industrial, Commercial Development Corporation (ICDC) funded projects by the National Environment Management Authority (NEMA) ensured that they complied 100% with the Environmental Management and Co-ordination (EMCA) Act (No 8 of 1999).
615. The Government through Ministry of Tourism waived visa fee for children less than 16 years of age as part of the strategy to strengthen the tourism industry. The Visa fee waiver for children applies to all

nationalities positions Kenya as a family holiday destination. Park fee will be capped at USD 60 down from USD 90 for the FY 2016/17.

616. During the period under review, the Tourism sector recorded an increase in international arrivals from 231,038 in 2015 to 263,284 between January and April, 2016. The increase in arrivals for the period was attributed to mitigation measures including charter incentive program, improved tourist inbound travel facilitation, down grading of travel advisories, Visa fee waiver among others. Jomo Kenyatta International Airport (JKIA) arrivals grew by 13.6% in the period under review recording 229,594 as compared to 202,071 in 2015. Moi International Airport, Mombasa on the other hand recorded 31,810 visitors compared to 28,967 in 2015 representing a 9.8% growth. Separately, cruise ship arrivals at Kilindini Harbour stood at 1,880 in 2016.
617. The Government rolled out a KSh.1.2Billion Charter Incentive Program that would see all tourist charters with passengers terminating at Moi International Airport, Mombasa and Malindi Airport enjoy landing fee waiver. The charters will also benefit from a USD 30 passenger subsidy per seat filled by international passengers who terminate or disembark in Kenya over the same period.
618. The Government through the National Aids Control Council (NACC) disseminated the policy brief for domestic financing of Kenya HIV and AIDS Research Agenda for 2014/15-2018/19 to stakeholders and potential investors to identify the opportunities that they can contribute towards domestic financing of HIV and AIDS Research.
619. The Government through the Ministry of Public Service, Youth and Gender Affairs facilitated the third batch of 33 young Kenyans to benefit from a Master's degree programme at Japan universities under the African Business Education (ABE) initiative offered by the Japan International Cooperation Agency (JICA). This ABE initiative focused on those skills which would reflect the development dynamics and changing needs of the industry sector. Since the inception of the programme, a total of 133 youth from Kenya had benefited from the ABE scholarships with 55, 45 and 33 students in 2014, 2015 and 2016 respectively.

620. The Public Service Commission launched the internship policy and issued a Circular that approved stipend and subsistence allowance for interns in the public service in October, 2016. The policy provides that holders of Bachelor's degree from a recognized University be paid KSh. 25,000 per month and KSh. 4,000 as daily subsistence allowance (DSA) whenever the intern is required to undertake official assignments outside the assigned station. Further, interns whose terms of agreement offer a different rate of stipend/allowances such as medical, nurse and Clinical Interns (Diploma and Bachelor's degree holders) will continue with the internship program under the current terms.
621. The Ministry of Public Service, Youth and Gender Affairs organized a Pre - Retirement Training at Kenya School of Government in April 2016 that brought together 400 public servants who were set to retire in 2016. The objective of the programme was to psychologically prepare the retirees for retirement through group and individual counseling and to enhance their functionality after retirement.
622. In addition, the Ministry of Public Service, Youth and Gender Affairs concluded the Capacity Assessment and Rationalisation of the Public Service (CARPS) in both National and County Governments and the report is being disseminated in 2016/2017 FY. The Government through National Youth Service trained and graduated 9,039 recruits at the NYS Training College in Gilgil in April, 2016. The graduates consisted of young men and women among them orphans and those with disabilities. They were deployed across the country to engage in various activities that include: dam and road construction; vector control; slum civil works, *Huduma* kitchens and agribusiness integrated enterprises. So far, NYS has mentored 76,000 community youth.
623. The Ministry of Public Service, Youth and Gender Affairs through NYS released KSh. 408 Million to bank accounts held by youth SACCOs under the NYS Youth Empowerment Program. The youth were encouraged to save KSh120 from their daily earnings in savings and credit co-operative societies (SACCOs) from where they can take loans to start businesses. They were further encouraged to apply for the 30% of Government tenders meant for women and youth under AGPO.

624. The NYS through its servicemen and women joined hands with over 800 enlisted local youth to clean up Kongowea market in Mombasa in February 2016. A similar activity was carried out in Kilifi County and over 2,000 youths were involved earning KSh. 471 per day out of which KSh. 141 would be retained as a saving in their cooperative society.
625. In Kibra, more than 3,000 youths in the NYS programme saved Sh130Million within four months. In Gatundu South, 3,000 youths formed 16 SACCOs and saved KSh. 30 Million, while in Kisumu Central, 4,000 youths saved KSh. 100 Million. Nakuru West constituency registered 1,187 youths and saved KSh. 14 Million in one SACCO while Nakuru East registered 1,112 youths and saved KSh. 9.6 Million in five SACCOs, Lugari Constituency has 4 SACCO's which had saved KSh. 7.8 million. The youth in Kajiado West Constituency have one SACCO with a membership of 2,215 and a saving of KSh. 15.7 Million. Embu County has a total of 3,160 SACCO membership who had saved a total of KSh. 14.2 Million through their 11 SACCOs. Kisumu central constituency has 5,000 youth with cumulative savings of KSh. 57 Million.
626. Gatundu South has 12 SACCOs in total with a total membership of 3,881 who have saved a total of KSh.30.5Million. All payments to the community youth, including their mandatory daily savings, have been placed on an automated platform with a Huduma Card through which they access their funds. NYS youth empowerment program were commissioned in Mvita, Nyali and Kisauni constituencies. The youth in Mvita, Kisauni and Nyali Constituencies formed 15 SACCOs with a membership of 3,190 and savings of KSh. 16.5 Million. SACCOs formed by the youth under the NYS programme accumulated savings close to KSh. 1 Billion since the program began a year ago.
627. The Government through the Ministry of Public Service, Youth and Gender Affairs in collaboration with the KCB Foundation launched a KSh.50Billion programme dubbed *2Jiajiri* in March 2016. The program seeks to empower budding entrepreneurs to scale and upscale their business ventures. KCB would set aside KSh.10Billion every year for the next 5 years to create at least 2.5 million direct and indirect jobs. The programme targets 70% of beneficiaries from the *Jua Kali* sector and a total of 2,000 beneficiaries were recruited in the pilot phase. The initiative is expected to benefit at least 500,000

entrepreneurs in Kenya. The first batch of *2Jiajiri* Generation Kenya Project graduation ceremony was held in July, 2016 at the KICC.

628. Further, the Ministry launched the President's Award; President's Award–Kenya (PA-K) project sponsorship that was held at the Awards House in January 2016. The program complements government's efforts to harness the potential in youth through programs like Youth Enterprise Fund, *Uwezo* Fund, Kenya Youth Empowerment program, 30% access to all procurement in public tenders and National Youth Service. The PA-K project is a self-development and character building programme available to all young people countrywide, equipping them with positive life skills to make a difference for themselves, their communities, country and the world.
629. Through the mainstreaming of leadership programmes for State and Public Officers at the National and County levels of Government, the Kenya School of Government (KSG) trained a total of 18,765 officers in 2016. The Ministries of ICT and Public Service, Youth and Gender Affairs and the *Ajira* Digital programme recruited 350 Youth Officers from the 47 Counties to help in educating and equipping the youth with the skills that will enable them to take advantage of online jobs. The platform aims to have 960,000 youths working online in addition to the approximate 40,000 youths currently.
630. The Government developed and launched a National Spatial Plan and physical planning manual (standards and guidelines); formulated National Land Use Policy and digitized 13 land registries; registered 2.4 million title deeds; enhanced administration and management of public land; procured and installed an Enterprise Resource Plan (ERP) comprising of National Land Information Management System (NLIMS). The National Spatial Plan (NSP) is a flagship project identified under Kenya Vision 2030 as one of the foundations for socio-economic transformation aimed at achieving an organized, integrated, sustainable and balanced development of the country. The Plan will inform future use and distribution of land and provide a coordinating framework and linkages between different activities and actors within the national space.

## CHAPTER FIVE: GOVERNMENT COMMITMENTS AND THE WAY FORWARD



Figure 33: Government Commitments and Way Forward

Source: Directorate of National Cohesion and Values

**i. Continual public awareness creation on national values and principles of governance.**

631. One key finding of the national baseline survey on the status of national values and principles of governance undertaken by the Government in 2015 was the low level of awareness at a paltry 38%. To address this, the Government commits to engage all stakeholders to upscale civic education at both national and county levels.

**ii. Develop innovative ways for promoting national values and principles of governance.**

632. The Government commits to support institutions to design and adopt innovative ways for the promotion and mainstreaming of national values. In addition, the Government commits to ensure that national cohesion and national values are incorporated into the learning programs at all levels of education.

**iii. Enhancing capacity of MDAs to adhere to the provisions of the Constitution on the national values and principles of governance.**

633. The Government is committed to continue enhancing the capacity of MDAs and other public institutions to promote national values and principles of governance and shall provide the necessary resources to facilitate continuous mainstreaming.

**iv. Implementing key policies to enhance a values culture, harmonious ethnic relations and address abuse of social media.**

634. To address negative ethnic relations and abuse of social media the Government shall implement the provisions of the Sessional Paper No. 8 of 2013 on National Values and Principles of Governance, Sessional Paper No. 9 of 2013 on National Cohesion and Integration and Sessional Paper No. 5 of 2014 on Peace building and Conflict management to promote peace and ethnic harmony. Further, the Government commits to enforce the Kenya Information and Communication Act, Cap 411A, and the Cyber and Computer Crimes Related Act, 2016 and the Code and Complaints Handling Procedures by CAK in order to ensure the right and freedom to information does not result in incitement, violence and hate speech.

**v. Strengthening inter and intra-governmental relations.**

635. The devolved system of government has faced disputes over common boundaries and utilization of shared resources. Collaboration between and among national and county governments is key to enhanced service delivery. The Government shall continue to take measures to entrench devolution through implementation of devolution policies, legislation, programmes, projects and building the capacity of the Inter-governmental Committee and developing mechanisms for resolving inter and intra-county disputes.

**vi. Enhancing implementation of policies, legislation, programmes and projects that promote the Bill of Rights.**

636. To ensure full enforcement of the provisions of the Bill of Rights, the Government shall fast track the formulation, enactment, review and implementation of laws, policies and regulations to strengthen implementation and enforcement of the constitutional provisions. Further, the Government shall continue adopting a multi-sectoral approach to enhance adherence to the Bill of Rights.

**vii. Enforcing policies, laws and regulations on the fight against corruption and unethical practices.**

637. The Government shall continue to enhance the capacity of institutions charged with the responsibility to fight against corruption and develop innovative ways to entrench good governance into public institutions including the use of Information, Communication and Technology (ICT), inter-agency collaboration and expanding the presence and services offered at *Huduma* Centres.

**viii. Enhancing the rule of law and fast tracking judicial processes**

638. The Government shall continue to enhance the capacity of law enforcement agencies. In addition, the Government commits to strengthen ICT capacity and physical infrastructure to enable the Judiciary fast track resolution of cases.

**ix. Expanding the resource base and prudent utilization of resources for sustainable development.**

639. The Government commits to expand the resource base for socio-economic development by incorporating Public Private Partnerships



(PPPs) in projects and programmes and enhancing tax collection base to provide the necessary resources for development. In addition, the Government shall ensure strict adherence to policies, laws and regulations relating to mobilization and utilization of public resources.

**x. Enforcing the policy on Access to Government Procurement Opportunities (AGPO) and other empowerment programmes.**

640. The Government commits to continue enforcing the policy on AGPO to provide opportunities to disadvantaged groups and aid in creating employment.

**xi. Enhancing public participation and access to information**

641. The scale and sustainability of public participation and information accessibility at both levels of government are limited due to a number of reasons. The Government commits to enhance public participation and improve access to information in accordance with the constitutional provisions.

**xii. Addressing existing and emerging security challenges**

642. To address security challenges, the Government shall continue to use innovative ways including use of modern technology, inter-agency collaboration and intelligence led interventions.



## APPENDIX 1: LIST OF MCDAs THAT SUBMITTED REPORTS

### A. MINISTRIES

- (1) Ministry of Agriculture, Livestock and Fisheries
- (2) Ministry of Defence
- (3) Ministry of Devolution and Planning
- (4) Ministry of East African Community, Labour and Social Protection
- (5) Ministry of Energy and Petroleum
- (6) Ministry of Environment and Natural Resources
- (7) Ministry of Foreign Affairs and International Trade
- (8) Ministry of Health
- (9) Ministry of Industry, Trade and Co-operatives (Office of the Cabinet Secretary)
- (10) Ministry of Information, Communications and Technology (Office of the Principal Secretary)
- (11) Ministry of Interior and Co-ordination of National Government
- (12) Ministry of Lands & Physical Planning
- (13) Ministry of Mining (Office of the Principal Secretary)
- (14) Ministry of Public Service, Youth and Gender Affairs
- (15) Ministry of Public Service, Youth and Gender Affairs (State Department of Public Service and Youth – Office of the Principal Secretary)
- (16) Ministry of Sports, Culture & the Arts
- (17) Ministry of Tourism (Office of the Cabinet Secretary)
- (18) Ministry of Transport, Infrastructure, Housing and Urban Development- (Office of the Cabinet Secretary)
- (19) Ministry of Water and Irrigation
- (20) Office of the Attorney General & Department of Justice
- (21) State House
- (22) The National Treasury

### B. DEPARTMENTS/DIRECTORATES

- (23) Directorate of Criminal Investigations
- (24) Directorate of Policy, Partnership and East African Community Affairs
- (25) Government Press
- (26) Immigration and Registration of Persons



- (27) Kenya National Focal Point on Small Arms and Light Weapons
- (28) Kenya School of Adventure and Leadership
- (29) Kenya School of Government
- (30) National Registration Bureau
- (31) Office of the Attorney General & Department of Justice
- (32) Office of the Attorney General & Department of Justice (Directorate of Legal Affairs)
- (33) Office of the Attorney General & Department of Justice (Legislative Drafting Department)
- (34) Office of the Attorney General & Department of Justice (National Anti-Corruption Campaign Steering Committee)
- (35) Office of the Director of Public Prosecutions
- (36) State Department for Public Works
- (37) State Department for Special Programmes
- (38) State Department of Arts and Culture
- (39) State Department of Broadcasting and Telecommunications
- (40) State Department of Correctional Services
- (41) State Department of Fisheries and the Blue Economy
- (42) State Department of Housing and Urban Development
- (43) State Department of Infrastructure
- (44) State Department of Maritime and Shipping Affairs
- (45) State Department of Vocational and Technical Training
- (46) State Department of Water Services

**C. COMMISSIONS AND INDEPENDENT OFFICES**

- (47) Commission on Administrative Justice
- (48) Commission on Revenue Allocation
- (49) Energy Regulatory Commission
- (50) Ethics and Anti- Corruption Commission
- (51) Kenya Law Reform Commission
- (52) Kenya National Commission on Human Rights
- (53) National Cohesion and Integration Commission
- (54) National Commission for Science, Technology and Innovation
- (55) National Gender and Equality Commission
- (56) National Land Commission
- (57) National Police Service Commission



- (58) Office of the Auditor General
- (59) Office of the Controller of Budget
- (60) Privatization Commission
- (61) Public Service Commission
- (62) Salaries and Remuneration Commission
- (63) Teachers Service Commission
- D. PARASTATALS AND SAGAs**
- (64) Agricultural Finance Corporation
- (65) Agriculture and Food Authority
- (66) Anti-Counterfeit Agency
- (67) Athi Water Services Board
- (68) Brand Kenya Board
- (69) Capital Markets Authority
- (70) Central Bank of Kenya
- (71) Communications Authority of Kenya
- (72) Competition Authority of Kenya
- (73) Council of Legal Education
- (74) East African Portland Cement Co. Ltd
- (75) Export Processing Zones Authority
- (76) Export Promotion Council
- (77) Higher Education Loans Board
- (78) Industrial and Commercial Development Corporation
- (79) Insurance Regulatory Authority
- (80) Jomo Kenyatta Foundation
- (81) Kenya Academy of Sports
- (82) Kenya Agricultural & Livestock Research Organization
- (83) Kenya Airports Authority
- (84) Kenya Animal Genetic Resource Centre
- (85) Kenya Bureau of Standards
- (86) Kenya Copyright Board
- (87) Kenya Cultural Centre
- (88) Kenya Dairy Board
- (89) Kenya Education Management Institute
- (90) Kenya Electricity Generating Company

- (91) Kenya Film Classification Board
- (92) Kenya Film Commission
- (93) Kenya Forestry Research Institute
- (94) Kenya Industrial Property Institute
- (95) Kenya Industrial Research and Development Institute
- (96) Kenya Institute of Special Education
- (97) Kenya Leather Development Council
- (98) Kenya Literature Bureau
- (99) Kenya Medical Supplies Authority
- (100) Kenya Medical Training College
- (101) Kenya National Bureau of Statistics
- (102) Kenya National Highways Authority
- (103) Kenya National Library Service
- (104) Kenya National Trading Corporation Ltd.
- (105) Kenya Plant Health Inspectorate Service
- (106) Kenya Ports Authority
- (107) Kenya Railways
- (108) Kenya Revenue Authority
- (109) Kenya Roads Board
- (110) Kenya Rural Roads Authority
- (111) Kenya Tourism Board
- (112) Kenya Tsetse and Trypanosomiasis Eradication Council
- (113) Kenya Universities and Colleges Central Placement Service
- (114) Kenya Veterinary Board
- (115) Kenya Vision 2030 Delivery Secretariat
- (116) Kerio Valley Development Authority
- (117) Konza Technopolis Development Authority
- (118) Lake Victoria North Water Services Board
- (119) Lake Victoria South Water Services Board
- (120) LAPSET Corridor Development Authority
- (121) Local Authorities Provident Fund
- (122) Micro and Small Enterprises Authority
- (123) National Aids Control Council

- (124) National Authority for the Campaign against Alcohol and Drug Abuse
- (125) National Biosafety Authority
- (126) National Cereals and Produce Board
- (127) National Construction Authority
- (128) National Council for Persons with Disabilities
- (129) National Council for Population and Development
- (130) National Hospital Insurance Fund
- (131) National Housing Corporation
- (132) National Industrial Training Authority
- (133) National Irrigation Board
- (134) National Oil Corporation of Kenya
- (135) National Social Security Fund
- (136) National Water Conservation & Pipeline Corporation
- (137) Northern Water Services Board
- (138) Numerical Machining Complex Ltd.
- (139) Nursing Council of Kenya
- (140) Nyayo Tea Zones Development Corporation
- (141) Nzoia Sugar Company Ltd.
- (142) Pest Control Products Board
- (143) Retirement Benefits Authority
- (144) Sacco Societies Regulatory Authority
- (145) Tana Water Services Board
- (146) Tourism Fund
- (147) University of Nairobi Enterprises and Services Ltd.
- (148) Uwezo Fund Oversight Board
- (149) Water Resources Management Authority
- (150) Water Services Regulatory Board
- (151) Water Services Trust Fund

**E. UNIVERSITIES AND TERTIARY INSTITUTION**

- (152) Chuka University
- (153) Dedan Kimathi University of Technology
- (154) Jomo Kenyatta University of Agriculture and Technology
- (155) Kagumo Teachers Training College

- (156) Karen Technical Training Institute for the Deaf
- (157) Kenyatta University
- (158) Kirinyaga University
- (159) Kisii University
- (160) Laikipia University
- (161) Maasai Mara University
- (162) Machakos University
- (163) Masinde Muliro University of Science & Technology
- (164) Meru University of Science & Technology
- (165) Meru National Polytechnic
- (166) Moi University
- (167) Murang'a University of Technology
- (168) Nairobi Technical Training Institute
- (169) Rongo University
- (170) University of Embu
- (171) University of Kabianga
- (172) University of Nairobi

**F. LEGISLATURE**

- (173) The National Assembly
- (174) The Senate

**G. THE JUDICIARY**

- (175) Chief Registrar of the Judiciary

**H. COUNTY PUBLIC SERVICE BOARDS**

- (176) Kilifi Public Service Board
- (177) Kirinyaga Public Service Board
- (178) Kitui Public Service Board
- (179) Lamu Public Service Board
- (180) Mombasa Public Service Board
- (181) Nairobi City County
- (182) Trans Nzoia Public Service Board
- (183) West Pokot Public Service Board

**I. COUNTY COMMISSIONERS**

- (184) County Commissioner Bungoma
- (185) County Commissioner Embu

- (186) County Commissioner Kericho
- (187) County Commissioner Kiambu
- (188) County Commissioner Kilifi
- (189) County Commissioner Kirinyaga
- (190) County Commissioner Kisii
- (191) County Commissioner Kisumu
- (192) County Commissioner Kitui
- (193) County Commissioner Laikipia
- (194) County Commissioner Lamu
- (195) County Commissioner Makueni
- (196) County Commissioner Meru
- (197) County Commissioner Migori
- (198) County Commissioner Mombasa
- (199) County Commissioner Nakuru
- (200) County Commissioner Nandi
- (201) County Commissioner Nyandarua
- (202) County Commissioner Nyeri
- (203) County Commissioner Taita Taveta
- (204) County Commissioner Uasin Gishu
- (205) County Commissioner Vihiga
- (206) County Commissioner Wajir
- (207) Regional Coordinator Coast



**KENYA**  
**VISION 2030**

*Towards a globally competitive  
and prosperous nation.*

