

# Strengthening Integrity and Accountability

## Strengthening Good Governance

### Challenges and Opportunities

Kenya is a Lower Middle Income Country (LMIC) and East Africa's largest economy. The country has set ambitious targets in its bid to eliminate extreme poverty by 2030. This will only be possible if growth is accompanied by a reduction in inequality, enabling the poor, in particular, to benefit from new economic opportunities. However, so far, economic gains have failed to reach the poor, and Kenya remains a country of contrasts and widespread inequalities. A large fraction of the population continues to live in fragile conditions with sub-standard access to health, water, sanitation and energy.

In Kenya, corruption and abuse of office are a key constraint to equitable and sustainable socioeconomic growth. According to the 2016 Corruption Perception Index of Transparency International, Kenya's performance deteriorated by six scores compared to the previous year, with the country ranked in position 145 out of 176 countries. Over the last decades, corruption has impeded the

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implementation of political objectives and the provision of services. Corruption comes in two forms: petty corruption, when citizens are asked for *kitu kidogo* ("a little something") to get a document stamped, a service provided, or an infringement overlooked; and large-scale corruption such as public purchases made at inflated prices, public benefits handed out to people who are not entitled, or fictitious companies being paid for contracts that they never executed.

### Our Approach

Kenya would benefit greatly from establishing the conditions needed to prevent and effectively combat corruption and public abuse of power. The German Development Cooperation (GDC) governance programme is working to put these conditions in place. Specifically, Germany's technical assistance, at national and local levels, supports state and non-state actors by pursuing a holistic approach along the anti-corruption chain. Enhancing the capacity of internal and external audit, and oversight institutions will contribute to corruption-resistant public administration structures. Thus the programme works amongst others with the Ethics- and Anti-Corruption Commission, the Commission on Administrative Justice, the Office of the Director of Public Prosecution, the civil society and five selected county administrations.

So what happens if corrupt behaviour is suspected? First, evidence of corruption needs to be referred to competent investigators who then present the results of their investigation to prosecutors. Prosecutors in turn need to pursue corruption cases through the courts, and judges must have the courage to convict when the facts and law require it. That is how the circle of prevention, sanction and deterrence should close.



Left: An awareness-raising activity organised by Integrated Public Complaints Referral Mechanism (IPCRM) partners. 'Sema! Piga Ripoti' is Swahili and means 'Speak and complain'. Photo and cartoon: GIZ

## Our Impact

- The GDC-supported Anti-Corruption Civilian Oversight Committees – a joint initiative of state and non-state organisations mandated to monitor the use of local, public funds and expose corruption – saved three new school buildings. The construction of schools in Pokot, Busia and Kakamega was resumed after having been stopped due to the misappropriation of funds.
- Through its support to non-state actors the Programme extended its presence into 25 counties across the country to enhance structures for social accountability.
- Between 2009 and 2016, a total of 198 cases were concluded with 94 corruption-related convictions, 82 acquittals, and 22 withdrawals. This translates to a 54% corruption case conviction rate. In 2016 alone there were 18 convictions – the highest number ever of convictions in a single year. Some of the notable convictions included a former Member of Parliament, and senior county as well as education ministry officials. In 2016, for the first time, a corruption case was prosecuted and concluded in less than a year.

### FUNDS FOR GOVERNANCE

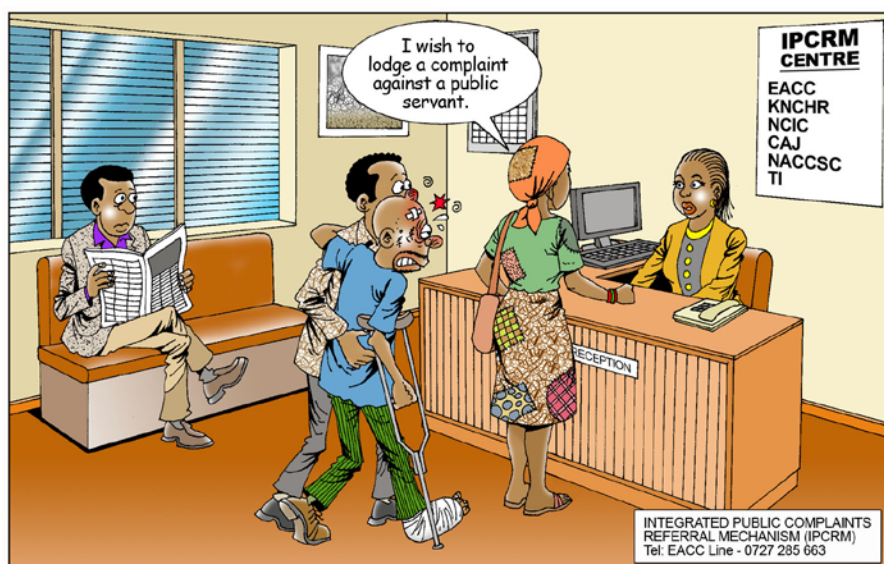
BMZ for 2014–2016	EUR 7,000,000
BMZ for 2017–2018	EUR 4,000,000
Co-funding Finland for 2014–2016	EUR 2,800,000
Co-funding SIDA for 2014–2016	EUR 2,820,000
Co-funding SIDA for 2017–2018	EUR 3,600,000
<b>SUM</b>	<b>EUR 20,220,000</b>

- Through the establishment of a decentralised one-stop-shop system of public complaints in nearly all 47 counties, over 2,000,000 people have been given the opportunity to lodge a complaint about corrupt and abusive behaviour in the public administration of their region.

## Success in the Field

Every year, the Government of Kenya distributes subsidized fertilizer to smallholder farmers to support agricultural development. However, due to the particularly poor soil quality in Western Kenya the Government decided to provide fertilizer at no cost to boost annual harvests. Farmers in Vihiga County, within the Lake Victoria Basin of Western Kenya, wanted to benefit from the fertilizer programme during the 2012 planting season. In Vihiga, food insecurity and poverty are major constraints to development.

When the distribution of the fertilizer started, the Vihiga District Agricultural Officer asked farmers for *kitu kidogo*. Since the KES 2,500 the officer charged for each 50 kilo bag was still lower than the KES 4,000 price in the open market, farmers were left with no choice but to pay. Moreover, the officer made it very clear that the farmers should not complain if they wanted to benefit again from the ‘cheaper’ Government fertilizer. Not willing to give up, jointly with the GDC-supported Anti-Corruption Civilian Oversight Committees of the region, the farmers convened a meeting to seek accountability from the District Commissioner. Upon hearing the case, a KES 250,000 reimbursement was ordered and the offending officer was removed.



Improved mechanism for registering complaints boosts accountability (IPCRM). Cartoon: GIZ

#### Published by

Embassy of the Federal Republic of Germany  
113 Riverside Drive  
P.O. Box 30180–00100  
Nairobi, Kenya  
T. +254 (0)20 426 2100  
E. info@nairobi.diplo.de  
I. www.nairobi.diplo.de  
Tw. @GermanyInKenya

Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH  
Riverside Mews Building  
Riverside Drive  
P.O. Box 41607–00100  
Nairobi, Kenya  
T. +254 (0)20 422 8000  
E. giz-kenia@giz.de  
I. www.giz.de

Kreditanstalt für Wiederaufbau (KfW)  
Riverside Mews Building  
Riverside Drive  
P.O. Box 52074–00200  
Nairobi, Kenya  
T. +254 (0)20 422 8202, 760 2610  
E. kfw.nairobi@kfw.de  
I. www.kfw.de