



COMMEMORATION OF THE INTERNATIONAL ANTI-CORRUPTION DAY

The Inaugural People's Anti-corruption Summit report



“
Held at
Ufungamano
House, Nairobi on
9th December 2016
”

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Abbreviations

Detailed descriptions and explanations of terms and abbreviations relevant to this report are listed below. These descriptions and explanations however serve to clarify our report and are not intended to be authoritative.

Name	Description
DPP	Director of Public Prosecution
EACC	Ethics and Anti-Corruption Commission
IBEACO	Imperial British East Africa Company
IFMIS	Integrated Financial Information System
IACD	International Anti-Corruption Day
IEBC	Independent Electoral and Boundary Commission
KHRC	Kenya Human Rights Commission
KTN	Kenya Television Network
NIA	National Integrity Alliance
NYS	National Youth Service
OECD	Organisation for Economic Cooperation Development
PACA	People's Anti-Corruption Agenda
SGR	Standard Gauge Railway
TI	Transparency International
UN	United Nations
UNCAC	United Nations Convention Against Corruption
UNODC	United Nation Office on Drug and Crime
YALI	Young African Leaders Initiative

Introduction

This report follows the people's summit convened by the Kenya Human Rights Commission (KHRC) to commemorate the International Anti-Corruption Day (IACD) held at Ufungamano house in Nairobi on 9th December 2016.

Background of the Workshop

The International Anti-Corruption Day

The International Anti-Corruption Day (IACD) is observed annually on 9th December since the United Nations General Assembly (UNGA) adopted the United Nations Convention Against Corruption (UNCAC) on 31 October 2003, through resolution 58/4. By this resolution, the UNGA also designated 9 December as the International Anti-Corruption Day, to raise public awareness on corruption, what people can do to fight corruption and the role of the UNCAC in combating and preventing corruption.

The United Nations Convention Against Corruption (UNCAC) is the only legally binding universal anti-corruption instrument. The convention's far reaching approach and the mandatory character of many of its provisions make it a unique tool for developing a comprehensive response to the global corruption problem. The UNCAC covers five main areas; prevention, criminalization and law enforcement measures, international cooperation, assets recovery and technical assistance and information exchange.

The International Anti-Corruption Day (IACD) therefore, provides a unique opportunity for actors in the public and private sectors, as well as the civil society to engage in a constructive national conversation aimed at loosening the grip that corrupt individuals have on government.



The People's Summit

Thus to commemorate the International Anti-corruption Day, the Kenya Human Rights Commission (KHRC) convened a people's summit at Ufungamano House on Friday, 9th December 2016. The people's summit was held at a time when corruption was perceived to have widened and deepened in the Kenyan public sector, following revelations of unprecedented plunder of state coffers, coupled with the apparent lack of political will/interest to combat corruption. The summit aimed at providing an opportune space for a national political conversation for actors in the public and private sectors, as well as the civil society and the citizenry in general.

Anti-corruption actors at the summit ventilated on a wide range of corruption issues affecting the country, including but not limited to; the increased number of publicly reported mega corruption scandals despite increased anti-corruption efforts in the legal and institutional realms, the ineffectiveness of anti-corruption agencies characterized by the inability to prosecute prime perpetrators adversely mentioned in a series of mega corruption scandals, the grave revelations of deeply entrenched corruption in the public sector as captured in the Auditor general reports and the disturbing confession by President Uhuru Kenyatta that he had got no bullet left to battle graft.

The people's summit was broadcasted live through the Kenya television network (KTN) and was attended by more than 500 members of the general public. In convening the summit the Kenya Human Rights Commission (KHRC) partnered with the National Integrity Alliance (NIA), comprised of Transparency International-Kenya, the Society for International Development (SID), Inuka Kenya Ni Sisi! Limited, Mzalendo trust and the Association of Citizens Against Corruption (ACAC). Non National Integrity Alliance (NIA) partners



included; the Africa Centre for Open Governance – AfriCOG, PAWA 254 and the Institute of Certified Public Accountants of Kenya (ICPAK). The government participation was through the representatives of the following institutions; Judiciary, Office of the Director of Public Prosecutor (DPP), Independent Police Oversight Authority (IPOA), the Ethics and Anti-Corruption Commission (EACC) and the Kenya National Commission on Human Rights (KNCHR).

Moderated by Yvonne Okwara, the summit took the form of dialogue between the speakers and participants. To initiate the dialogues speakers made brief remarks after which participants were allowed to engage directly either by making comments or by asking questions. The speakers' panel comprised of Mr. George Kegoro (Executive Director-Kenya Human Rights Commission), Mr. John Githogo (CEO-INUKA Kenya), Mr. David Ndi (Managing Director-Africa Economics), Mr. Samuel Kimeu (Executive Director-Transparency International Kenya) and Ms. Elizabeth Kariuki (Programme Manager- Kenya Human Rights Commission).

Opening Remarks

Mr. George Kegoro – the Executive Director, Kenya Human Rights Commission (KHRC) made the opening remarks; he welcomed everyone at the summit, highlighted the summit objectives and pointed out that the summit provided an excellent opportunity for both the members of the public and the anti-corruption stakeholders to have a bold and genuine conversation regarding the corruption problem gravely affecting the country. He was pleased to note that the summit was being held on a day when the world was commemorating the International Anti-Corruption day, but emphasized that the people’s summit was remarkably different and departed fundamentally from the previous commemorations in the sense that it engendered citizen participation and sought to get insight from the public on how best to respond to the corruption menace in the county at both the national and county levels of governance.

Mr. Kegoro opined that the people’s summit was the contrary of the state house governance and accountability summit convened by President Uhuru Kenyatta on 18th October 2016 on the same matter. The state house summit attracted participation from every arm of government including independent commissions and agencies with the view of engaging the nation in a candid discussion on tackling corruption but relapsed into a blame game among the anti-corruption agencies’ bosses.

Rather than engage in a sober conversation to generate strategies to combat corruption in the county, participants at the state house summit had engaged in a ping – pong game over who/which agency was responsible for poor results in the war against corruption. The people of Kenya were treated to dramaturgical perspectives of the corruption problem in the county. The key state anti-corruption agencies involved included; the Judiciary, Director of Public



Prosecutions, the Ethics and Anti-Corruption Commission (EACC), the Attorney General and the Director of Criminal Investigations among others.

President Uhuru Kenyatta rather than stand out as the voice of sober reason chose to defend his administration and his purported record in the fight against corruption. He also got enmeshed in the blame game and lamented about the lackluster performance of these agencies and their respective heads. He steered clear of any possibility of taking political responsibility in the wake of increased publicly reported grand corruption scandals but exonerated himself and argued that he had done all he could do to battle graft. His expression of inability to combat corruption during the summit attracted a nation - wide criticism including a public protest calling for his resignation if he was unable to tackle the graft problem.

Mr. Kegoro summed his opening remarks by positing that the people's summit provided an excellent opportunity to address those criticism since the people's summit brought on board the government's most fierce critics and the common citizens who bear the burden of corruption. This is a critical element that the state house summit lacked.

Context Setting

Corruption is a multi-faceted concept that has been defined broadly by different actors on the global scene. In their broad definitions actors however converge in asserting that corruption undermines democracy, the rule of law, distorts markets and leads to violation of human rights. The World Bank defines corruption as *the abuse of public office for private gain*. In this case corruption takes the form of bribery, theft of state assets, nepotism and patronage and diversion of state revenues. Transparency International defines corruption as *the abuse of entrusted power for private gain*. It corrodes the fabric of society, undermines people's trust in political and economic system, institutions and leaders. Corruption also cost people their freedom, health, money and sometimes their lives.

According to the United Nation office on Drug and Conflict (UNODC)'s action against corruption and economic crimes, corruption is a complex social, political and economic phenomenon that affects all countries. Corruption undermines democratic institutions, slows economic development and contributes to governmental instability. Corruption attacks the foundation of democratic institutions by distorting electoral processes, perverting the rule of law and creating bureaucratic quagmires whose only reason for existing is the soliciting of bribes. The UN secretary General while addressing the globe on the occasion of the International Anti-corruption Day on 9 December 2009 opined that it's the world's vulnerable who suffer first and worst by corruption. He argued that the theft of public money or foreign aid for private gain results into fewer resources to fund the education sector, the health sector and the building of infrastructure such as roads among others.

According to the UN economic commission for Africa, corruption thrives more when there is inadequate governance characterized by the lack of transparency and accountability, weak oversight institutions, limited enforcement mechanisms and insufficient capacity. It creates



adverse situation in which both the rule of law and the respect for human rights are undermined.

The corruption problem in Kenya is as old as the country itself. On numerous occasions the Kenyan public has been shocked by the revelations of rampant looting of state coffers. On these occasions, corruption has taken the form of mega corruption scandals and the obvious consequences have been serious wastage/loss of public resources. The perseverance of this problem is attributable largely to the weak anti-corruption institutions/agencies and a political culture that condones it. The systemic and vicious failures of the political establishments, both at the national and county levels are largely to blame for the ever deepening and widening corruption in the country.

Various political commentators have argued that the wanton theft of public resources in the country has been made worse by the Jubilee regime. Since coming to power in 2013, the jubilee leadership for a period of 4 years has presided over some of the most insidious mega corruption scandals that have resulted to the county losing Billions of shillings and poor services to the public. Some of the mega scams that have emerged during the Jubilee regime include; the loss of at least sh 5billion at the ministry of health (Afya house scandal), the loss of at least Sh791 million at the National Youth Service (NYS), the inability to explain how the Jubilee government spent the Sh250 billion raised from Eurobond, the flawed tendering in the Multi-Billion Standard Gauge Railway, the revelations that the Kenyan electoral officials at the Independent Elections and Boundary Commission (IEBC) were bribed by officials of a UK security printing firm to win printing tender for the 2013 General Election materials (chicken Gate scandal). The revelations in the Auditor General's reports that only one per cent of Kenya's national budget for the financial year 2014/2015 had been properly accounted for. The Jubilee government has also been accused of land grabbing and misappropriation of devolved funds. On the other hand the immediate former EACC chair has been forced to



resign on allegation that he had dealings with the NYS, which is under investigation by the EACC. Through his company (ESAKI Limited), the chair was accused of receiving ksh. 281 million suspected to be part of the KSh 791 million NYS loot.

Despite the increase in the number and scale of mega corruption scandals during the jubilee regime, the anti-corruption institutions/agencies tasked with the mandate to probe corruption allegations have been unable to provide sufficient evidence to substantiate graft allegations leveled against state/public officers. In a twist of events these institutions have fast tracked some cases aimed at exonerating prime suspects through a sham process like in the NYS case, resulting to zero prosecution of key suspects who oversaw the loss of state resources. Most disturbing is that in some cases the adversely mentioned suspects are either close associates or kin to senior state officers, creating doubts on whether such cases can be handled free from political interference due to vested interests and also political complicity.

The entrenchment of corruption not only in national level governance but also in county governance has led to the media and political commentators' declaration that corruption has also been devolved with the coming in place of the devolved governance. It has undermined the governments' ability to effectively and efficiently deliver basic services to the public and continues to generate considerable distortions and inefficiencies. If not checked, it will completely erode the institutional capacity of county governments as procedures are disregarded easily, resources siphoned off at will and state/public officers conduct themselves with impunity.

It's time the country adopted a different approach if the war against corruption is to be won, considering that the institutions mandated to provide leadership in combating corruption like the EACC have performed dismally and the President has failed to demonstrate effective political will to combat corruption over the years, coupled with his admission of inability to battle graft.



The situation as it is presently portrays corruption as a systemic and structural problem in Kenya. Tackling it therefore calls for a national reflection. The people's summit thus provides the first opportunity for such national level reflection bringing on board Kenyans of all walks both in the public and private sector including the civil society and the common citizens.

Quantifying the Loss through Corruption

Manifestations of corruption in Kenya

The session was facilitated by Mr. David Ndi - the Managing Director-Africa Economics. Mr Ndi opined that corruption manifests itself in various forms, some latent while others patent. The key difference between these two lies in the degree of public attention. That is, because the majority of Kenyans are used to large-scale corruption and are more likely to be alarmed when such incidences arise and thus gains public attention. They however barely take note of petty corruption commonly dubbed "kitu kidogo" or more hidden acts of dishonesty in policy formulations, law making processes and so on. Nevertheless, according to Mr. Ndi the major ways through which corruption manifests itself in Kenya include:

- ✓ **Defining Corruption in terms of money lost:** Ndi observed in this regard that anti-corruption efforts in the country have witnessed the evolution of various terminologies like the popular political vernacular that "no money was lost." This terminology, he explained, is meant to create the impression that corruption only occurs if money is lost. Thus, if schemes are developed that lead to diversion of other types of resources, which are not money in nature, then no one should complain that there is corruption.
- ✓ **Imbalance between recurrent and capital expenditure:** In Kenya, he observed, there is a misrepresentation that recurrent expenditure is bad while capital expenditure is good. As a result, Kenyans have a one sided understanding of the term development, which is why we witness industrial actions and strikes because of the failure to take care of the recurrent

expenditure. Unlike money set aside for recurrent expenditure, those meant for capital development are easy to steal because we hardly nor do we feel the impact as compared to former case.

- ✓ **Misplaced Priorities:** misplaced priority is one of the forms through which corruption expresses itself without many people noticing. In fact, the act of spending more money to service debts than what is allocated to cater for the recurrent expenditure is one of the readily available evidence to buttress this foregoing point of view. According Mr. Ndiir nothing best illustrates this reality, at the time, than the Standard Gauge Railway (SGR) where the political vernacular of “no money is lost” has managed to delude Kenyans into thinking that project is beneficial while in reality it will not benefit the country as much as is expected.

- ✓ **Normalisation of Corruption:** With respect to corruption, normalisation entails the cultural processes through which dishonesty or fraudulent behaviour gains public support and theft of public resources, as is the case of Kenya, is considered normal, trendy and a way of sharing in the national cake. In such scenarios, a moral code is developed that sanctifies corruption and a legal culture that protects the perpetrators. In Kenya, being mentioned in a corruption case is a political premium and hands suspect the opportunity to place their bids for political leadership. In effect, Kenyans have developed the political culture of considering the corrupt heroes and rewarding them public offices.

Economic Consequences of Political Corruption

As mentioned, corruption has far-reaching social, political and economic impacts. Not only does it water down democratic development and compromises good governance but also violates human rights, leads to inequality in accessing resources, interferes with fair play in markets and such like problems. More fundamentally, corruption undermines development and constitutes a drag on the country's economic growth.

Political corruption is particularly dangerous and the consequences quite debilitating economically. This particular form of corruption in many occasions, according to TI, involves the manipulation of policies, institutions and rules of procedure in the allocation of resources and financing by political decision makers, who abuse their position to sustain their power, status and wealth. In Kenya, the economic impacts of this form of corruption include the following:

- ✓ Poor quality infrastructure. Poor road networks in certain parts of the country can explain this.
- ✓ Undermines devolution. Kenyans are gradually losing faith in the devolved system of government due to rampant corruption at the county level.
- ✓ Compromises the provision of basic services such as education, water and health, which is why strikes are rampant.
- ✓ Rise in insecurity.
- ✓ Unemployment.
- ✓ Misplaced priority.
- ✓ Taints the country's image.

Combating Corruption is Everybody's Responsibility

Globally, corruption accounts for the loss of one trillion US Dollars annually. According to Dr Kinisu (the immediate former EACC boss), Kenya is losing a third of its state budget, which is the equivalent of about \$6 billion (Sh608 billion) to corruption every year. This is aided through complex conspiracy networks involving government officials and the private sector who manipulate systems such as Integrated Finance Management Information System (IFMIS). Owing to this reality, Dr Ndi, emphasised that it is important for everyone to take up the responsibility of fighting corruption and not leave the burden entirely to state agencies such as Judiciary, Police, Ethics and Anti-Corruption Commission (EACC) and the Director for Public Prosecution (DPP) to combat it.

In other words, it has become very difficult even for the state anti-graft agencies to combat this vice thus making it a collective approach is the most appropriate option. He alluded to the leadership crisis of the Ethics and Anti-Corruption to illustrate his point in this regard and called on participants to join hands to help tame the corruption menace.

Political Analysis of the Corruption Problem

Characteristics of Corruption

The session was facilitated by Mr. John Githongo - the CEO-INUKA Kenya. Mr. Githogo attempted a political diagnosis of the corruption problem in Kenya and made the following observations to characterise it.

- ✓ **Language Dilemma.** He cited language dilemma as one of the major causes of laxity in the fight against corruption. He explained that people are more aware of theft and stealing as opposed to corruption. For instance if one was to shout, "mwizi" people are more likely to respond and condemn the act as compared to if one just said so and so is corrupt. He thus opined that Kenya need to change the language used to describe corruption and instead term it theft.
- ✓ **Plunder.** Theft of public resources on a wide scale is a key feature of the problem of corruption in Kenya. Public officials together with other accomplices deploy different techniques to steal public money. These realities happen despite Kenya leading in the sub-Saharan Africa in terms of enacting anti-corruption laws. Kenya also became the first country in Africa to ratify the UN Convention Against Corruption.
- ✓ **Kenyan Culture Abets Corruption.** Despite these positive gestures, the report by Transparency International shows that the majority of the youths support corruption. Our culture condones corruption as well, yet we forget that this vice undermines government leadership legitimacy. In Kenya, he explained, corruption has morphed into plunder in which it has been normalised and is supported virtually by political culture. This political culture traces its origin to the colonial era when the colonialists incorporated companies i.e. the Imperial British East Africa Company (IBEACO), which operated without being held to account in law.



He decried the deplorable lethargy that belies the capacity of most societies to lift the objectives of laws of the printed pages into actual reality. Good governance has become the common talk of the modern democratic societies yet the biggest is implementation. This is also the Kenya's challenge with regard to the fight against corruption. For close to five decades now the various initiatives have not brought this important agenda to fruition.

- ✓ **Use of Excessive Violence to Punish Petty Offenders.** In Kenya, minor suspects of thefts encounter inordinately harsh treatment than those implicated in mega corruption cases. As pointed out, the latter category is glorified and rewarded with political appointments while a minor chicken thief is lynched or he or she escape public wrath, he or she is made to longer sentence.

Tackling Corruption in Kenya

- ✓ **Rename Corruption and call it theft.** Because the majority of Kenyans are more familiar with words such as theft, stealing to describe the dishonest behaviour of a person of taking what does not belong to him or her, it is therefore more appropriate to term abuse of public office for private gain as theft of public funds than call it corruption. For this reason, and as explained, Kenyans are more likely to respond and condemn the act of corruption if one was to shout, "mwizi" than if one said so and so is corrupt.
- ✓ **Leverage on Technology.** Direct contact between public officials and citizens opens up opportunities for the former to demand bribes while the latter gives it thereby promoting illegal transactions. One way to address this problem is to employ technology such as IFMIS. This would minimize interaction between the two and encourage arm-length dealing. Doing so will also help reduce red tape or bureaucracy.
- ✓ **Active Public Participation.** Continuous citizen engagement with the government is critical. The civil society should play an active role in this regard and create citizen awareness and



promote the culture of participation, as it is important as an ingredient for supporting various strategies aimed at reducing corruption.

- ✓ **Active Prosecution of Culprits of Corruption.** Those found guilty of political corruption should be handed stiff penalties. This would require a cultural paradigmatic shift from situation where the corrupt are praised and considered heroes to their prosecution.

Perspectives from a rights holder

The session was facilitated Ms. Elizabeth Kariuki – the Programme Manager, Economic & Social Justice Programme at KHRC. The session was an experience sharing moment where citizens were allowed the chance to enumerate their daily encounter with corruption. The point of departure in this respect reiterates the earlier observations that corruption in Kenya is of two major types. For instance, petty corruption in which citizens themselves participate in perpetrating the vice without hardly being able to appreciate the social, political and economic consequences because the money or the amount of resources involved are little and the grand corruption ones where huge sums of money get lost. Below are some of the examples that emerged during the *people's summit* forum.

First Case: Resisted attempts to pay bribe for an ID

The first citizen, a lady, failed to procure a national identity card for her daughter who was scheduled to go to the United States on a number of occasions despite having paid the requisite fee of about Kshs. 300. It took her close to four months to finally get it. This was because every time she turned up to collect the card, she was taken in rounds as if she was being demanded to first pay “kitu kidogo” before she could get it. In response, she mobilised a number of journalists who accompanied her to the office of the Registrar of Persons to demand for the production of the ID.



This clearly shows that citizens have great potential in helping prevent corruption if only they could assert their rights to be served without having to pay an extra fee. However, to be realised, Kenyans themselves must be willing to take such responsibilities and keep vigil on this evil. This experience also shows that fighting corruption should be made a joint effort and all stakeholders such as the media should be willing to assist vulnerable citizens speak out against corruption. The media is an important tool that can be utilised to help advance this agenda.

Second Case: Compelled to pay bribe to jump queue in a public hospital

In the instant case, the enumerator had a health emergency and could not contend with the long queue at a public health care unit. Despite her incessant plea for help by hospital attendants, no one accorded her a listening ear. However, because of the urgent nature of her case, she was forced to give out bribe to overtake others in the line and for the doctor to attend to her case.

This particular case is quite illustrative of some of the major challenges many Kenyans face in their attempt to live a genuine life. Sometimes a push comes to a shove and there simply nothing one can do except resign to fate and accept to bribe. This shows that central to the fight or prevention against corruption is the effectiveness of the state systems. There is need to build more social amenities such as hospitals to adequately cater for people's needs.

Third Case: Refused to pay bribe to be recruited

This particular case involved recruitment by the national police. The enumerator had successfully passed the tests conducted to establish his suitability to join the police force. However, he was unable to proceed because he declined to bribe the officer in charge. According to this citizen, who hails from Mathare North, a ghetto in Nairobi, not only did he



consider bribery evil but also the amount of money demanded was unconscionable and unreasonably huge.

This case demonstrates one fundamental point about corruption; that it is not enough to consider it inherent evil but that it also makes a lot of sense doing cost benefit analysis. As pointed out in the preceding pages of this report, corruption discourages democratic development of our country, interferes with the rule of law, constitutes breach of fundamental human rights, interferes with fair play in markets, dwindles the quality of life and creates a conducive atmosphere for organized crime, terrorism and other threats to human security to thrive. In other words, the disadvantages of corruption outweigh its benefits by far.

Integrity Champions Awards 2016

The people's summit also hosted the integrity Champions award 2016. The annual award ceremony aims at recognizing individuals who have excelled in upholding ethics in the conduct of their duties as public officers and community leaders who have provided leadership in defending the public interest against the interests of the corrupt. The Summit thus provided a subtle forum to reward these gallant soldiers and encourage others to join in the fight against corruption. In the year 2016 one public officer and 4 community leaders were recognized for their outstanding courage and determination in confronting corruption.

Bernard Muchere

Bernard Muchere is a Certified Financial Examiner and President/Chairman of Association of Certified Fraud Examiners Kenya under Chapter (134). Mr. Muchere has worked in government for the last 33 years out of which 26 years have been in internal auditing. He exposed the loss of over 5 Billion shillings at the ministry of Health in what is now infamously known as the Afya house scandal. He has also handled high-profile fraud related cases in government. These included construction of Box Culvert along Hola - Garsen road,



Construction of Kenyan Embassies in Dar es Salaam, Abuja, Nigeria, Islamabad, and South Africa, as well as stalled projects under Ministry of Public Works, Purchase Tokyo embassy and construction of the Vice President house in Karen. In short, he has used his position as a government auditor to unearth corruption in the national government.

Boniface Mwangi

Boniface Mwangi is an award-winning Kenyan Photojournalist and human rights activist who has and continues to fight for the rights of all Kenyans by demanding for accountability in the management of public resources. He has been vocal in the fight against corruption in Kenya and not only in word but in deeds as well.

Wanjeri Nderu

Wanjeri Nderu is a social justice crusader and a full-time volunteer who has had to bear the brunt of vicious assault for running an online campaign serialising the looting of one of Kenya's leading parastatals. Parastatals are public institutions and lose of funds by such institutions is loss of public money. Therefore, by highlighting the looting of this parastatal she helped save public funds. She continues to aggressively champion for equal rights for all and refuses to lose hope that Kenya cannot be better than it is today.

Winnie Obure

Winnie Obure is a woman rights defender, her work revolves around advocacy for justice, women economic empowerment, prevention of gender-based violence, and gender equality. She is particularly passionate about adolescent girls and young women issues including sexual and reproductive health rights. She is the Busia County Representative to the World March of Women, a member of the Coalition of Grassroots Human Rights Defenders and a Young African Leaders Initiative (YALI) alumnus. She believes in transparency,



accountability and the rule of law. Winny recently came to the limelight when she took on a police officer accused of defiling a 15-year-old girl in Kiambiu. Her protests led to her being locked up at the police station with eight of her colleagues.

Conclusion and Recommendations

In conclusion, the summit's general consensus was that corruption is deeply entrenched in the Kenyan public sector. Therefore tackling it effectively requires a comprehensive overhaul of the anti-corruption system and a change in the attitude and character of the political leadership in the battle against graft. Considering that most of the alleged mega corruption prime suspects have been exonerated through a sham process, while the government has failed to demonstrate greater transparency in procurement processes by not publicizing information on tender analysis, detailed contractor profiles including list of directors, engagement contracts and bills of quantities is a clear manifestation of lack of political will/interest on the side of the political leadership to combat corruption.

The president's admission of helplessness, his inability to act, and the failure by the different state anti-corruption agencies to admit responsibility in the midst of wanton theft of state resources, is a clear indication of state capture. This situation underpins the need for collective popular campaigns against mega corruption in the country with the view of exposing and combating corruption at all levels of governance and hold all elected leaders accountable.

There are five main recommendations from the summit namely;

1. The political leadership must show genuine political will/interest in battling graft. In public service - the accused must not be protected but sacked, barred from holding public office and assets recovered. In public procurement - the government must demonstrate greater transparency by publicizing information on tender analysis, detailed contractor profiles including list of directors, engagement contracts and bills of quantities. In public spending -



the government must set its priorities right since misguided government priorities only catalyze wastage of public resources. In addition the leadership must also expose and dismantle corruption cartels in the public sector.

2. Anti-corruption agencies must find effective and efficient collaborative strategies to combat corruption. This will rid repetition of ping - pong game over which agency is responsible for poor results in the war against corruption but focus on identifying where the anti-corruption chain breaks and sealing the gaps. The blame games have only exposed the institutions as weak and incapable of combating corruption.
3. The leadership has cultivated a Kenyan culture that condones corruption, hence the need to re-look at our culture. For instance language; the use of convenient phrases or words to describe corruption dims the ability to appreciate the full reach of this particular problem. It makes sense, as observed by Dr Githongo to use the word “theft” rather than “corruption” in referring to the act of reckless plundering of public resources.
4. The civil society need to increase popular campaigns against mega corruption at both the national and county levels. The campaigns premised on the People’s Anti-Corruption Agenda (PACA) will play a great role in strengthening public oversight and in holding elected leaders accountable.
5. The government must effectively support the management of the whistle blowing system. This calls for a deep national conversation regarding funding the system and confidence of protection by the whistle blowers with the view of encouraging all Kenyans to act as whistle blowers.

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