



REPUBLIC OF KENYA

STATEMENT

Kenya Country Statement delivered during UNCAC

BY

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SPEAKER OF THE SENATE &

LEADER OF DELEGATION

**7TH SESSION OF THE CONFERENCE OF STATES PARTIES TO THE
UNITED NATIONS CONVENTION AGAINST CORRUPTION (UNCAC).**

HELD AT

THE UN CONVENTION CENTRE

VIENNA, AUSTRIA

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**Madam President,
Honourable Ministers,
Excellences,
Distinguished Delegates
Ladies and Gentlemen;**

1. Allow me, on my own behalf and that of the Kenya Delegation, to congratulate you and the other members of the Bureau, on your election to preside over this Session. My delegation assures you of our full cooperation during this important session and your entire tenure in the office.
2. The Kenyan delegation also expresses gratitude to the Secretariat for the timely preparation and circulation of documentation for the Session.
3. At the outset, the Kenya Delegation associates itself with the statements made by the African Group and the Group of 77 and China. Kenya believes that the UNCAC provides the best and most objective framework for a global fight against corruption. We confirm that Kenya successfully underwent its implementation review in the 1st Cycle of the Implementation Review Mechanism, and has put in place an elaborate implementation matrix to guide in the implementation of the recommendations of the Review Report. In addition, Kenya is currently undergoing the review of implementation in the 2nd Cycle which focuses on Prevention and Asset Recovery.
4. Subsequent to completion of the 1st Cycle review and the recommendations therein, Kenya has amended several anti-corruption laws with a view to strengthen the fight against corruption. The Bribery Act was enacted and came into force in January 2017. Other laws pending in Parliament include the Anti-Corruption Laws (Amendment) Bill as well as the Whistleblower Protection Bill. Apart from legislation, parliament has demonstrated strong support towards anti-corruption through budgetary allocation and vetting of Presidential appointees, among other measures.

Madam President,

5. The Kenya Government, through the relevant institutions charged with combating and preventing corruption, remains steadfastly committed and focused on the war on corruption. Kenya firmly believes that eradication of corruption is the key to spurring economic growth and development and also provides an enabling environment for the enjoyment of the human rights and fundamental freedoms for our people.
6. As part of the agenda to strengthen the war against corruption, Kenya has recently set up and fully operationalized the Assets Recovery Agency and the Financial Reporting Centre (which is charged with reporting on suspicious financial transactions) as fully autonomous agencies. The two institutions are provided for under the Proceeds of Crime and Anti-Money laundering Act enacted in 2009; and their roles are crucial especially on prevention and asset recovery and will complement the existing efforts, including those of the Ethics and Anti-Corruption Commission.
7. In terms of the legal framework, Kenya Constitution is a key pillar on ethical leadership and integrity, and this theme runs throughout all the chapters. Besides the Constitution, some of the other key anti-corruption laws that Kenya has enacted include the following: the Anti-Corruption and Economic Crimes Act; the Public Officer Ethics Act; the Ethics and Anti-Corruption Commission Act; the Leadership and Integrity Act; the Public Procurement and Disposal Act; the Proceeds of Crime and Anti-Money Laundering Act; the Mutual Legal Assistance Act; the Witness Protection Act, the Public Finance Management Act and the Bribery Act.
8. Kenya equally established the Multi-Agency Team (MAT) which comprises of the Ethics and Anti-Corruption Commission, the Director of Public Prosecutions, Directorate of Criminal Investigations, the Kenya Revenue Authority, Assets Recovery Agency, Financial Reporting Centre, and National Intelligence Service, and is chaired by the Attorney General. MAT, and serves as a cooperation, coordination and collaboration center for all

agencies that play a part in the investigation and prosecution of corruption, economic crime and other organized crimes including terrorism, drug trafficking, poaching, smuggling and trafficking of persons and firearms.

Madam President,

9. In line with its preventive approach to fighting corruption, Kenya has introduced far-reaching measures which have served to significantly reduce opportunities for corruption. Notable among these are: compulsory requirement that all payments from the Government be made on ICT-based platforms through which citizens can apply and pay for passports, driving licenses, business registration, marriage certificates, land search certificates and other necessary documents so as to reduce human contact. The establishment of “Huduma Centres” to provide a one-stop-shop for provision of essential Government services. The Huduma Centre concept won Kenya the 2015 UN Public Service Award in Improving Delivery of Public Services.
10. Additionally, Kenya has adopted an Integrated Financial Management System geared towards enhanced transparency and accountability in the management of public funds.
11. On asset recovery, Kenya strongly supports mechanisms that provide for the confiscation of corruptly-acquired assets. In this respect, Kenya acknowledges and supports the work of the Working Group on Asset Recovery.
At the national level, Kenya has strengthened the capacity of the Ethics and Anti-Corruption Commission, and the Assets Recovery Agency. Through the efforts of the two agencies, Kenya has managed to recover assets valued at millions of shillings derived from corrupt practices, both locally and abroad.
12. Kenya continues to cooperate and work with other State Members on international cooperation. To this end, Kenya acknowledges the support and cooperation, with the governments of the United Kingdom, United States of America, Switzerland, and France. Through their cooperation, Kenya has

recently repatriated millions of shillings back to the country from foreign jurisdictions, consisting of proceeds of corruption stashed abroad and/or fines imposed on companies for corrupt practices. This notwithstanding, Kenya remains concerned about legal and administrative challenges which frustrate the return of stolen assets especially from some developed countries.

- 13.** On technical assistance, Kenya has identified and documented in the UNCAC Implementation Review Report the areas on which the country will seek technical assistance.

Kenya continues to receive assistance in these areas from development partners, including the UNDP, UNODC, World Bank's StaR Initiative and GIZ.

Madam President,

- 14.** In conclusion, Kenya reiterates its commitment to supporting international and regional efforts towards fighting corruption, and more particularly to the full implementation of UNCAC requirements.

I thank you, Madam President.