



Spear of Integrity

A Publication of the Ethics and Anti-Corruption Commission

July - September 2017 Issue No.5

Mainstreaming Integrity into Leadership

Newly elected leaders sign and commit to leadership and Integrity Codes

Convictions

Policemen fined 2 million for taking bribes

Induction of new staff

An enriching induction experience for new staff

Twinning Exercise

Benchmarking tour by African Anti-Corruption bodies

Signing of Leadership and Integrity Codes



Editorial

This inaugural Spear of Integrity Staff e-Newsletter presents an exciting opportunity for the various Directorates, Departments and Regional Offices within the Ethics and Anti-Corruption Commission to communicate their activities, vision and successes. The e-Newsletter is a channel for the Commission to Communicate with one of its key stakeholder, the Staff, who make up the internal audience.

The editorial team has embraced this concept with enthusiasm, made all the more exciting by the passionate and timely contributions in form of articles, happenings, poems, news and achievements from our various Directorates, Departments and Regional Offices. Your support is immensely valued.

This issue, comes out at an opportune time as the Country prepares to usher in the second team of County leaders under the Devolved Government. Accordingly, it was only natural that this issue has focused on the signing of the Ethics and Leadership Codes by the incoming State Officers.

The fight against corruption is the responsibility of each and every single Kenyan. It is a legal requirement that all State Officers sign and commit to the Ethics and Leadership Codes. These leaders are key stakeholders of the Commission, and their commitment and support is key to the achievement of the Commission's mandate.

This Newsletter is a platform for all the staff, the Directorates, Departments and Regional Offices to communicate with one another. It is a platform to showcase your successes and also to educate other Directorates, Departments and Regional Offices on who you are, what you do and how you do it. It is an opportunity for individual staff members to contribute and showcase their talents in writing. It offers a golden opportunity for staff to contribute to knowledge in their areas of expertise and professions. To borrow from the Sustainable Development Goals' tagline, "No One should be Left Behind".

The newsletter is scheduled to be produced quarterly. It should be fun. It should be informative. This is our newsletter, this is our channel. This is a tool to let us know one another as we come together.

Enjoy our inaugural Staff Newsletter. **Tukomeshe Ufisadi, Tuijenge Kenya**



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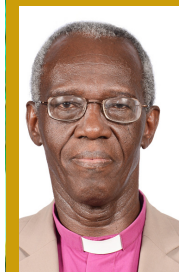
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EACC launches Integrity club in Nyambaria High School, Nyamira

Upcoming events – KISUMU OFFICE

The EACC Western Region will on 5th October 2017 hold a Consultative Forum at Kisumu Hotel for all stakeholders in the road transport sub-sector in the Western region to discuss a joint approach to curbing endemic corruption in the sector. This comes as a result of complaints and reports to the Commission's Western Regional office about corruption among police officers and other stakeholders in the transport sector.

Among other measures, the region has in the past undertaken sting operations, radio talk shows, sensitization of police officers, and formation of police CPCs. On a wider scale, the Commission has in the past formed a Working Committee on Ethics and Integrity on the Road Transport Sub-sector consisting of key stakeholders. The Kisumu hotel forum will be addressed by EACC Secretary/CEO and will be attended by officers drawn from the following institutions:

- 1 Ethics and Anti-Corruption Commission (EACC)
- 2 National Police Service (Traffic and Department of Criminal Investigation Departments)
- 3 Judiciary
- 4 Matatu Owners Association (MOA)
- 5 National Transport and Safety Authority (NTSA)
- 6 Kenya Revenue Authority (KRA)
- 7 Office of the Director of Public Prosecutions (ODPP)
- 8 Independent Policing Oversight Authority (IPOA)
- 9 Kenya National Highway Authority (KenHA)
- 10 Kenya Urban Roads Authority (KURA)
- 11 Association of Kenyan Insurers (AKI)
- 12 Media Owners Association
- 13 Transparency International
- 14 Commission on Administrative Justice
- 15 County Government of Kisumu

KISUMU OFFICE

- Consultative Forum for all stakeholders in the road transport sub-sector in the Western Region - Thursday, 5th October 2017
- Integrity Assurance Officers (IAOs) Training for public institutions in the Western Region - 20th - 24th November 2017
- Induction workshop for new Members of the County Assembly of Vihiga - 11th - 15th September 2017
- Presentation of Corruption Risk Assessment Report for County Government of Homa-Bay - September 2017
- Participate in Performance Contracting negotiations for Ministries, Departments and Agencies - September 2017
- Project Spot Checks in the County Government of Migori - 3rd-5th October 2017

NYERI OFFICE

- ASK Show - 13th - 16th September 2017



GARISSA OFFICE

- School Outreach Programme for Five (5) schools in Wajir County - 18th - 22nd September 2017
- School Outreach Programme in Mandera County - 25th - 29th September 2017
- Integrity Assurance Officers (IAO) Training for Kenya Revenue Authority Officers - October 2017

ELDORET OFFICE

- Integrity Assurance Officers (IAOs) Training for

Elgeyo Marakwet County Officials - 11th - 15th September 2017

- Integrity Assurance Officers (IAOs) Training for Association of Kenya Technical Training Institutes - North Rift Chapter 2nd - 6th October 2017
- Corruption Prevention Committee Training for Kenya Plant Health Inspectorate (KEPHIS)-Kitale - 10th October 2017
- International Anti - Corruption Day Commemoration in One County within North Rift Region - 9th December 2017

Preventive Services Directorate:

Education Department

- Training of Integrity Assurance Officers (IAO), Egerton University Njoro. 15 institutions represented (4th -8th September 2017).
- Nyeri ASK Show (11th -15th September)
- Integrity Assurance Officer training Elgeyo Marakwet Sponsored by GIZ Kisumu.
- Engagement with The Faith Based Technical Committee representing Interreligious Council of Kenya) to begin to actualize Partnership Framework with EACC (Sector 12th September 2017).
- Reviewing Anti-Corruption Reference Materials and other IEC Materials sponsored by GIZ
- Finalization of the Establishment of Ethics and Anti-Corruption Academy (Continuous).
- Establishment of Integrity Clubs in Schools across the country and mapping out of 10 centers in each County as excellence Centres to strengthen Integrity Clubs and ensure their sustainability (continuous)
- Capacity building for County Government Governors/Deputies and MCA's.

Conviction

Businessman fined kshs 8.5 Million for land fraud

By Gitonga Gakii

A businessman who falsified documents and registered two parcels of land belonging to the government has been fined Kshs8.5 million. David Kamunya Runo was charged alongside Zipporah Wangithi Runo, Kawafalls Ltd and Dosama Holdings on six counts of uttering

Prevention Department

- Presentation of two Corruption Risk Assessment for Nakuru County Executive and Assembly (September)
- Presentation of Corruption Risk Assessment for Homabay County Assembly and Executive. (October).
- Launch of Examination into systems and procedures for Kenya National Oil Corporation (September).
- Ministry of Lands Examination reports. (November-December).
- Presentation of Corruption Risk Assessment for Kajiodo County Executive and Assembly. (November).

Legal Services Directorate:

- Ongoing: Review of the UN Convention against corruption; Chapter 2 (Preventive Measures) and Chapter 5 (Asset Recovery).

Transfers and Deployments

A total of Twenty-seven (27) officers were deployed across various stations to enhance operations within the Commission

2. Training: Annual Training Plan

The Department has received training proposals from the Directorates/Departments and Regional Offices and is currently compiling the Annual Training Plan for approval.

Implementation of Training Programs

The Department continues to implement the CPD/CLE programs to ensure that officers are in good professional standing

A total of twenty-six (26) Officers were trained in CPD/CLE while 4 officers attended conferences and workshops abroad in the month of July and August 2017.

3. Performance Management

The Department received target setting forms and Annual appraisal forms and compiled for tabling before the Commission for approval to inform salary increment as well as training and development initiatives for our staff.

4. Staff Welfare: Staff Medical Cover

The Department continues to facilitate the staff medical cover underwritten by Heritage Insurance Company Limited

Human Resource

UPDATE ON HR ACTIVITIES FROM JULY TO AUGUST 2017

The following is an up -date of the HR Activities from the month of July to August 2017

1. Staff Establishment

■ Recruitment

The Commission engaged thirteen (13) officers in the month of August 2017. The majority of the officers were deployed to HR & Administration Directorate.

■ Induction

The new officers were undertaken through a five (5) day induction course at the KICD for orientation into the Commission's Operations

■ Confirmation in Appointment

63 officers who reported in November and December 2016 were confirmed in appointment in the month of August 2017 following a successful completion of the probationary period.

Staff Car Loan & Mortgage Scheme

Four (4) Mortgages and three (3) Car Loans were recommended to the Service Provider (HFC) for processing by the Staff Car Loan and Mortgage Committee.

5. Human Resources Policy Review

The Department has coordinated the review of the HR Policies in liaison with the Committee on finalization of commission policies. A Corporate Services Policies and Procedures Manual was developed and has been approved for implementation with effect from July 2017.

6. Automation of HR Process

The process of automating all Key HR functions is ongoing. Once complete, it is expected that there will be efficiency in service delivery for HR services.

Ethics and Leadership Directorate

- Induction of Governors and Deputy Governors
- Induction for MCAs
- Coordinating the signing of leadership and Integrity Codes by elected and appointed State Officers

false documents and obtaining registration of land by false pretences. The Milimani Anti-Corruption court in Nairobi also fined the two companies a total of Kshs 8.5 million, but acquitted Ms Runo. The court was told that the land in question is a road and railway reserve along the Southern Bypass near Wilson Airport and is valued at Kshs60million. The court was further told that the title deeds were

registered in 2007 in the names of Kawafalls Ltd and Dosama Holdings companies which are co-owned by the two accused persons. Magistrate Lawrence Mugambi ordered the accused to pay the fines within six months, failure to which the Ethics and Anti-Corruption Commission will institute civil recovery of the said fines from the two companies.

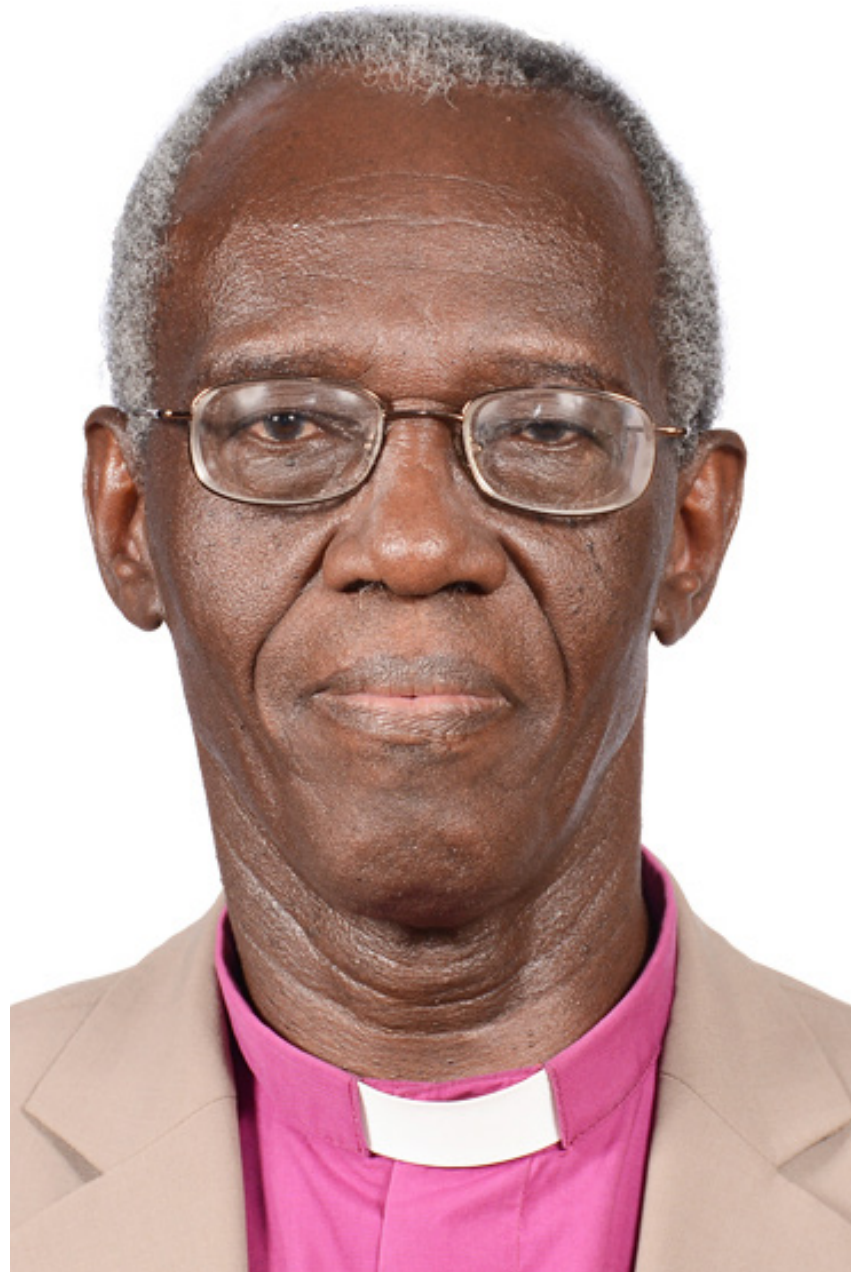
Chairman's Statement

I take this opportunity to most sincerely appreciate the Commissioners, Senior Management and staff both at the Headquarters and in the Regional offices for a job well done and for exhibiting a sense of focus and commitment in this difficult task of fighting corruption and upholding Integrity in the country. Thank you for the support you all accorded me since I came in January 2017, as the Team Leader of this great EACC family.

I have had an opportunity to visit most of the regional offices and I must say that I am impressed by their efforts and sense of unity and mutual respect which I believe has enabled them to achieve so much as EACC family.

Corruption remains a big challenge in our country and poses a big threat to the prosperity of our Nation. The expectation of the public regarding the performance of the Commission is high and the challenges we are facing are formidable. This Commission's primary task is to combat corruption and unethical practices through law enforcement, prevention and education. Whereas the Commission is the lead institution in the fight against corruption, it cannot, as the narrative has been, solely fight corruption without the support and goodwill of Kenyans. We as a Commission must adapt a new strategy which is more viable in fighting corruption in the country; by endeavoring to constantly engage Kenyans and showing them that they have a responsibility and a key role to play both individually and collectively in preventing and fighting corruption, until they come to appreciate and own the process. We should bring on board various stakeholders who are instrumental in taking the anti-corruption message to the public, and also having such stakeholders commit to support the work of the Commission.

I encourage us to inculcate unity and cohesion in the EACC family which is crucial for effective performance of our various duties at all levels and ultimate delivery of



Rtd. Archbishop Eliud Wabukala

our mandate. This is an attitude we must nurture and continually uphold so that we can successfully dissuade those who look for opportunities to foster division among us. As has been the tradition, the success of the Commission must be achieved and celebrated collectively.

I also implore all of us not to be discouraged in our quest to deliver our mandate even in the face of adverse judicial pronouncements. We must be driven by a spirit of patriotism and love for this nation, and a desire to achieve

our purpose as individuals and, as a Commission, knowing that what we do is not only service to humanity but also to the Almighty God. Always aspire to enforce the Law comprehensively, and do not allow the naysayers to dissuade you from achieving the Commission's mandate; just like biblical Prophet Nehemiah who built a wall around Jerusalem and did not listen to his detractors, remain focused in your mission to create a corruption free Kenya.

**RTD. ARCHBISHOP ELIUD WABUKALA, CHAIRMAN
ETHICS AND ANTI-CORRUPTION COMMISSION**

CEO Message



Mr Halakhe Waqo CEO EACC

It is with great pleasure that I present the Spear of Integrity after a 10 year absence. It is my hope that the newsletter provides updates on the latest development, analysis of the current enforcement trends and new laws/regulations as well as practical tips on improving anti-corruption compliance measures. It will be published quarterly on our website and I urge you to have a read.

The theme for the newsletter is informed by the political season that the country is currently in. During the election, there was increased focus not only on the Integrity of the electoral process but the candidates themselves. The EACC, being the agency mandated to promote standards and practices of Integrity and ethics played a prominent role in ensuring Kenyans are governed by respectful leaders who bring honour to the nation and dignity to the office they hold.

In exercise of its mandate, the Commission was involved in various programmes to ensure electoral Integrity; these include; organizing

a National Elections Conference in partnership with IEBC, establishing Chapter Six working group and Integrity verification for all political aspirants seeking various elective positions, Monitoring the elections and facilitating and witnessing of signing of Leadership and Integrity Codes by State Officers. I thank everyone who contributed in making the programmes a success.

Looking forward, the Commission will participate in two main events in this area; the induction programmes for elected and appointed officers in County and National government; and organizing a National Leadership Conference which is scheduled to take place during the International Anti-Corruption Day.

As I conclude, I appreciate the effort of the Corporate Communications Department in reviving this newsletter, I hope it will keep you all abreast of the progress in the Commission and the fight against corruption.

**HALAKHE D. WAQO, CBS, MCIARB
SECRETARY/CHIEF EXECUTIVE OFFICER**

Signing of Leadership and Integrity Codes

New State Officers sign and commit to leadership and Integrity Codes

By Gitonga Gakii & Eric Ngumbi

EACC teams were a common feature at the countrywide swearing into office of Governors and their deputies. The teams were there to ensure that the public officers in all the 47 counties signed their commitment to uphold the leadership and integrity codes, which act as a guide for all public officers on how to conduct themselves in honour of those offices.

Section 40 of the Leadership and Integrity Act (LIA) 2012 as read with Regulation 34(2) of the Leadership and integrity Regulations, 2015 requires the Ethics and Anti-Corruption Commission to obtain a commitment to the Specific or General Leadership and integrity Code from each state officer at the time of taking the oath of Office or with seven days of assuming office.

Through a statement released on 16th of August 2017, the Chair, retired archbishop Eliud Wabukala, urged all elected leaders to abide by the requirement of Chapter Six of the Constitution and the regulations provided for in the Leadership and Integrity Act 2012. He further noted that the Commission had deployed its officers to facilitate and witness the signing of the leadership and integrity codes by state officers.

The Chair acknowledged that corruption continues to be

Continued on Page 8



EACC Deputy CEO Mr. Michael Mubea with Mrs. Susan Kinyeki Lower Eastern Head Witness the signing of Leadership and Integrity Codes by Machakos County Governor Dr. Alfred Mutua.

Signing of Leadership and Integrity Codes



Continued from Page 7

a big challenge for Kenya and that it was much more pronounced in the devolved governments. He warned that the Commission will remain vigilant and will not hesitate to take action in line with its constitutional mandate on perpetrators of corruption and unethical conduct. He further appealed to all elected leaders to uphold the Leadership and Integrity Codes.

The codes are provided for under the Leadership and Integrity Act, 2012, which is the law that operationalizes Chapter Six of the Constitution. They are developed by public entities and approved by the Commission to ensure that they conform to the standards of leadership and integrity provided under Chapter Six of the Constitution.

Subscribing to the Leadership and Integrity Codes is a demonstration of commitment and pledge by the state officer that upon assumption of office, they shall always uphold integrity and shun corruption as they perform the duties of the office to which they have been elected or appointed. It is a promise to the people of Kenya that the state officers will discharge their leadership responsibilities in a manner that will always ensure transparency, accountability, efficiency and effectiveness in the management of public affairs.

In the recently concluded election, the Commission played a significant role by vetting and clearing aspirants as required by law. To date, all Governors, their deputies and Members of County Assemblies in all the 47 county governments have committed to the leadership and integrity codes. It is expected all those who were elected, nominated or appointed following the 2017 elections will sign and commit to the codes.

The Commission will monitor compliance with the provisions of the codes by all state officers as part of its strategy to intensify the war against corruption in both the national and county governments.



1. CEO Mr. Halakhe Wago witnesses the signing and commitment to Leadership and Integrity codes by Nairobi Governor Mike Sonko
2. EACC Vice Chair Sophia Lepuchirit Witnesses the signing of Integrity Codes by Taita Taveta Governor Granton Samboja and Deputy Governor Malala Mlagui during their swearing in ceremony held at Mwatunge primary school, Mwatate
3. Embu Governor Martin Wambora Signs and Commits witnessed by Commissioner Dabaar
4. Dr. Wahome Gakuru Nyeri Governor sign witnessed by Commissioner Rose Mghoi
5. Kiambu Governor Feninad Waititu signs witnessed by Mr. Jackson Mue Central Region Head
6. EACC Vice Chair Sophia Lepuchirit witnesses the signing of Integrity Codes by Mombasa Governor Ali Hassan Joho during his swearing in ceremony held at Mama Ngina Drive Mombasa.
7. Kwale County Governor Salim Mvurya Signs and commits to leadership and Integrity Codes as witnessed by EACC Coastal Region officer.
8. Machakos Deputy Governor Francis Maliti signs and commits to Leadership and Integrity Codes

Conflict of interest

An ethical issue in public and private management

By Ochula Michael

Conflict of interest can be defined as the abuse of public office for private gain. It involves a conflict between the public duty and private interests of a public official, in which the public official has private interests which could improperly influence the performance of his/her official duties and responsibilities. It generates social equity problems that imply inequality.

Conflict of interest is a key issue in both public and private sectors in Kenya today. It constitutes corruption since it is a way to use one's office to seek personal benefits at the expense of the institution. Conflict of interest occurs when someone (an individual or a company) has multiple relationships or connections with other individuals or companies which could keep them from being independent in thought, action, or opinion.

When we consider corruption as any action that violates the rule of law, loss of loyalty and integrity, and lack of moral standards, conflict of interest becomes a matter of ethics and potentially leads to more severe corrupt acts. When policy makers and government officials abuse their power for private gain, it affects public interest, which demolishes and destroys opportunities for long-term development in society.

The commonest phenomena are abuse of power through interference in development policies, projects and economic activities, which are key to the realization of Vision 2030. The abuse of political and administrative power for self-interest whether for individual, groups or parties, has damaged public and private sector institutions, the general public and the Kenyan society as a whole. It also destroys sprouting future opportunities for sustaining long-term socio-economic development.

According to economic theory, if government decisions on economic matters are influenced by business interests, then those decisions may not

be in the best interest of the country. For example, if a contract or concession is awarded to the firm which has the best political connections, rather than to the most efficient firm, then the national economy loses some benefit. A single such example may not be very damaging. But the effects can accumulate. Efficient firms which don't have political influence may eventually go bankrupt because they can't get contracts. Then the politically connected firms don't have competitors so they don't need to try hard. So the economy loses even more benefit.

Conflict of interest violates the country's laws and code of public ethical conduct. In a situation where personal advantages are involved, conflict of interest leads to manipulation of authoritative power to intervene in the decision-making process for private interest. This unethical practice has negative results in the provision of public services since there is inadequate freedom, lack of neutrality and morality. This in turn contravenes the leadership and integrity values which are clearly stipulated in Chapter Six of our Constitution. It does not promote public confidence in the integrity of public office. It is this public confidence (and resultant goodwill) which vests in public officials the responsibility to serve the citizens of this country objectively and show impartiality in decision making without other improper motives or corrupt practices.

It influences the public interest in a way because it abuses the primary interest of the agency, the organization, the institute and society. The social loss may be in a financial form from the government or independent institution in form of kickbacks, poor quality of services and lack of future opportunities.

Conflict of interest relates to power on official duties, roles and value conflicts in the decision-making processes. It arises at two levels: Policy and operational. At the policy level, policy makers have political



Stella Mbelle Ethics Officer, Training Public Officers on Ethics

intervention in making decisions for the sake of their own benefits, either direct or indirect. While at the operational level, employees use official capacities to seek personal interests.

There are several factors determining conflict of interest. Among these are, private interest, ethical standards, discretion in using power, lack of clear guidelines for official practices, inefficient law enforcement and lack of effective measures to protect the common benefits of the society. Besides, conflict of interest is correlated with the Kenyan political structure wherever the patronage system allows businessmen to get involved in politics and siphon common benefits off society.

Regulating conflict of interest in the government and private sectors is one of the aims of political and business ethics. Public officials are expected to put service to the public and their constituents ahead of their personal interests. Conflict of interest rules are intended to prevent officials from making decisions in circumstances that could reasonably be perceived as violating this duty of office.

Measures to improve the situation lie with the strengthening of ethical codes of conduct of government officials at the policy and operational levels. Raising public awareness by socializing new officials, both in the public and private organisations, is vital. Partnerships and mutual efforts among different sectors are necessary to enhance professional and ethical standards among policy makers and officials.

An increasingly commercialised public sector that works closely with the business and non-profit sectors gives rise to the potential for new forms of conflict between the individual private interests of public officials and their public duties. In the

private sector, conflicts of interest have been identified as a major cause behind recent corporate governance shortcomings.

At the private level, if you are seeking objective, independent advice which is as free of self-interest as humanly possible, then it is important to make strategic decisions regarding who performs what tasks for your organization. While a conflict of interest is not ipso facto corruption, there is increasing recognition that conflicts between the private interests and public duties of public officials, if inadequately managed, can result in corruption.

There is need to encourage organizational leadership in all sectors to act as catalysts for change or change leaders in enhancing professional ethics and integrity management in public and private institutions. One way of doing this is to include conflict of interest issues in the national agenda and earnestly pushing for implementation of that agenda. Additionally, developing guidelines for managing conflict of interest in the public service, both non-political and governmental institutions is vital.

More importantly, there is need to place a premium on transparency and exemplary leadership. Senior officials should set a personal example for others when they arrange their private capacity interests in a manner that preserves public confidence in their integrity and the integrity of their organisation.

Mere compliance with the letter of the conflict-of-interest policy or law, narrowly interpreted, is not generally sufficient to encourage public confidence in an organisation's integrity. Those businessmen and politicians who benefit from conflict of interest have a vested interest in hiding their actions from public scrutiny.

EAAACA AGM



Regional anti-graft agencies call for bilateral and multilateral cooperation in the fight against corruption

The EACC Secretary / CEO Mr. Halakhe D. Waqo, CBS, MCI Arb responding to questions on the Commission's report during the AGM.

By Lena Muye

The East African Association of Anti-Corruption Authorities (EAAACA) was formed on 28th September, 2007 in Kampala, Uganda. The key instrument that set it up was the Kampala Declaration which involved the Heads of the Kenya Anti-Corruption Commission (now the Ethics and Anti-Corruption Commission), the Prevention and Combating of Corruption Bureau (PCCB) of Tanzania.

This meeting brought together EAAACA members from Uganda, Kenya, Rwanda, Djibouti, Ethiopia, South Sudan and Tanzania. Also in attendance were Justice (rtd.) Aaron G. Ringera – EAAACA founder member, Mr. Mussa Haji Ali – Director General of Zanzibar Anti-Corruption and Economic Crime Authority, members of the Steering Committee of the Asset Recovery Inter-Agency Network for Eastern Africa (ARIN-EA), officials from GIZ and UNODC, all of whom are committed to fighting corruption and illicit financial flows in the Eastern African region.

During Rwanda's presentation, the Chief Ombudsman quoted the country's President Paul Kagame as stating that "Holding people accountable for corruption has a huge political cost but it is not

as high as corruption itself". This resonated with participants as each member country faces similar challenges in the fight against corruption and economic crimes.

The AGM was officially opened by Tanzania's Minister of State, President's Office, Public Service Management and Good Governance, Angellah Kairuki. While delivering her keynote address, she said that the fight against corruption requires bilateral and multilateral cooperation. "Singular or isolated efforts cannot make a big difference because the scourge is trans-boundaries and the solution, therefore, needs to have a common approach and shared responsibilities," said Hon. Kairuki.

Also present during the official opening were Swiss Ambassador to Tanzania Florence Tinguely Mattli, youth representatives, and students from Arusha Secondary School Integrity Club, among other stakeholders.

Kenya's delegation was led by the Ethics and Anti-Corruption Commission's Chief Executive Officer Mr. Halakhe Waqo.

Overview of the Investigations Directorate

A glimpse of the Investigations Directorate

By Christine Nabwire

The Directorate of Investigations is the largest Directorate at the Commission and the pillar of investigations into corruption and economic crimes. It is charged with the responsibility of combating economic crime and corruption through investigations and asset tracing. It comprises four vibrant Departments: Forensic Investigations; Preliminary Investigations and Asset Tracing; Report and Data Centre; and the Intelligence and Operations.

Roles and responsibilities of each Department are clearly outlined as per the organizational structure. The Preliminary Investigations and Asset Tracing Department is divided into two sections, one the Preliminary Investigations Division, which is charged with the responsibility of probing probable cause to conduct full investigations, and Asset Tracing Division which is charged with the responsibility of following proceeds of corruption with an aim to recovering the proceeds. In the Financial Year 2016/2017, Asset Tracing Division traced property worth 4.9 billion shillings. Forensic Investigations Department is

charged with the responsibility of conducting in-depth full investigations into serious corruption offences. The Operations Division within the Operations and Intelligence Department is responsible for conducting sting operations and trap operations while the Intelligence Division carries out covert operations to aid investigations.

The Report and Data Centre Department is responsible for receiving initial reports through walk-ins, letters, emails, Facebook, Twitter, fax, audit as well as parliamentary committee reports, and through the online anonymous reporting system, known as the BKMS. Its analysts are responsible for capturing the information received and categorizing in the data base. Over the years, the Data Division has developed and maintained a rich database of corruption matters. It currently supports the Ethics and Leadership, Preventive Services, and Legal Services Directorates, as well as mainstream investigations under its mother Directorate.

Once the information received is processed and found to be within mandate of the Commission, it is channeled to the relevant Departments. Due to the high level of confidence



Delegation pose for a group photo at Sarova Panafric Nairobi.

“Integrity is telling myself the truth. And honesty is telling the truth to other people.”

Spencer Johnson, MD – American physician and author (Who Moved My Cheese)

There is no higher value in our society than Integrity.”

Arlen Specter – American lawyer and politician (Senator – Pennsylvania, USA)

in the Commission, members of public visit our offices and Huduma Desks seeking advice on a myriad of issues including, civil matters and administrative matters. Analysts at the Report and Data Centre, being the first-line officers, ensure that Commission clients are properly advised and referred to relevant organizations for necessary action. Some of the matters reported to the Commission are issues of public interest and the Report and Data Centre staff are charged with the responsibility of referring the matters through letters to the relevant authorities for their able intervention. Huduma EACC desk being the newest kid on the block, is domiciled at the Report and Data Centre which also acts as a liaison between the Commission and the Huduma Secretariat to ensure that mutual interests are factored in the day to day operation of the EACC Huduma Desks.

The Commission currently has 47 Huduma Staff in the 41

Counties across the country whose main responsibility is to receive and analyse reports, to receive self-declaration forms and also disseminate Information Education and Communication (IEC) materials. Our Huduma staff have contributed immensely in taming the vice of corruption at the Huduma Centres, through deterrence. They play a major role in the Huduma Mashinani Outreach Programmes which are organized by the Huduma Secretariat in conjunction with the County Administration with an aim of providing government services to the far flung areas in the counties.

Malaysia to spotlight the 'dirtiest 10' & 'cleanest five'

Malaysia has started an exercise to sort out the cleanest and "dirtiest" ministries in terms of corruption and abuse of power. Beginning next month, the country's Anti-Corruption Commission (MACC) will publish a list ranking each ministry, according to Chief Commissioner Tan Sri Dzulkifli Ahmad.

"The ranking will show the top 10 ministries with problems and five in the cleanest' ministries category," he told a press conference after a Corruption-Free Pledge (IBR) ceremony held by the Ministry of Plantation Industries and Commodities (MPIC). The ranking will be drawn up every year and expanded to include all government departments and agencies in the country.

The initial ranking has already been validated by the experts involved. "The list is drawn up so that every ministry can see their ranking and work to improve their positions," said Commissioner Tan, adding that ranking is not new as it is already being practiced in other countries such as

Courtesy of Ethical Alliance Daily News

Twinning Exercise



Participants at the twinning exercise actively involved in a session at Integrity Center Nairobi.

Deputy CEO Michael Mubea giving his closing remarks at CAACC workshop at sarova panafric Nairobi

Commission hosts CAACC twinning exercise

By Gitonga Gakii

The Ethics and Anti-Corruption Commission (EACC) in collaboration with Commonwealth Africa Anti - Corruption Centre (CAACC), successfully hosted a delegation from five African Countries to share experiences on management and handling of exhibits by the respective anti-corruption agencies.

The Countries represented during the twinning exercise that took place at EACC Headquarters and Sarova Panafric Nairobi are, Rwanda, South Africa, Botswana and Nigeria.

The commission was picked as the host of the twinning exercise owing to its ranking as the best anti-graft agency in Commonwealth Africa in evidence and exhibit handling. The commission topped 17 other common wealth Africa Anti-corruption agencies in a survey that was carried out by the Commonwealth and the United Nations Office on Drugs and Crime between June 2015 and June 2016.

The three-day exercise was graced by EACC Deputy CEO Michael Mubea on July 11th 2017, focused on the management of exhibits. The exercise also covered various thematic areas such as, Case Management and Overview of Reporting Procedures in Investigation, Legal Framework, Overview on Exhibits Management, Continuity, Handling and Chain of Custody at EACC, Exhibit Registry Management, Practical Exhibit Handling in both Operations and Forensics among others.

This activity saw, the delegation take practical classes at the Commission's headquarters (Integrity Center), in various sections that include; Forensic lab and electronic device handling among others. They were also taken through the process of exhibit storage and management. At the commission's Report Center, the team learnt the process of data center management that involved the processing and sorting out of complaints and any forms of reports that are received and handled by the commission.

Anti-graft law officially sets sail in S. Korea

A much-debated anti-graft law has officially kicked off in South Korea, calling for workers in certain sectors who should maintain higher ethical standards to refrain from receiving any gift priced beyond a legal ceiling.

Under the Kim Young-ran Law, people working for the government, media outlets and schools are banned from receiving meals priced higher than 30,000 won (US\$27), gifts exceeding 50,000 won, and congratulatory and condolence money over 100,000 won.

The law aims to root out corruption and irregularities existing in South Korean society, which has been overlooked by many as mere customs or tradition. It is applied to around 4 million South Koreans working at

40,919 governmental and private organizations.

The spouses of such workers are also obligated to follow the law.

People will be banned from receiving anything from their counterparts when their businesses are closely related and calls for strong transparency. School teachers are also banned from receiving any food or presents from students or parents under their change.

Playing golf for the purpose of providing entertainment will also be regulated under the law, although people will still be free to play on their own.

Violators who receive more than 1 million won at once, or beyond 3 million won over a year can face criminal charges with a jail term of

under three years or fines under 30 million won.

Accordingly, the law is set to change the everyday lives of most of South Koreans as it will change the nature of business relations here.

Observers here said the law can ease the strong hierarchical culture of Korean society, preventing those that have to maintain high ethical standards from receiving pricey gifts or meals and getting people to pay separately.

The law has already brought some changes in South Korea, with local luxury hotels releasing new meals priced below the ceiling.

Courtesy of Ethical Alliance Daily News

Induction of new officers



Commissioner Rose Mghoi, Deputy Directors, Beatrice Kung'u (Corporate Communications) Petronella Kyengo (Human Resource), Mr. Jonam Kinama (Administration) and other officers pose for a group photo after the opening ceremony.

An enriching induction experience for new staff

By Irene Ndirangu

The Ethics and Anti-Corruption Commission has inducted 13 new officers. The one-week induction program was held at the Kenya Institute of Curriculum Development. The new staff filled the positions of Administrative Secretaries II, Records Management Assistants, Drivers and Deputy Director, Corporate Communications.

This is what two representatives of the new staff, Sophia Kamenju and Anne Andrew, had to say about the induction:

"We reported at the KICD facility on the morning of 1st August 2017 and were well received under a formal welcome by Commissioner Mrs. Rose Mghoi. Thereafter, we were taken through introduction and it was clear that individual expectations by the new staff varied due to the fact that we were joining an Institution at the forefront of the fight against corruption.

It is important to note that most of us joined from different sectors – both private institutions and public service. In this understanding, the Human Resources Department encouraged us to ask as many questions as we could, which went a long way in bringing out an enriched induction exercise.

From the 2nd to 4th August, we were taken through presentations capturing the entire operations of all the Directorates at the Commission. Out of these presentations, all the many questions we had with regard to issues of Integrity, corruption, ethics, confidentiality of information, security issues,



Senior HR Officer EllyJoy Bundi takes New staff through the Induction Exercise

prevention of corrupt activities, staff welfare matters, staff development, etc. were satisfactorily addressed.

They also took us through the Car Loan and Mortgage Schemes which most of us are interested in. It was captivating to see that the presentations were carried out by very senior level management at the Commission (Commissioner, Director and Deputy Director levels) who demonstrated a high level of understanding of the Commission's full operations, passionate about their duties and responsibilities and really valued induction processes. This was concluded with a welcome speech by the Chief Executive Officer of the Commission.

By the conclusion of the induction exercise, culminating with team building activities, we felt that we were well prepared, equipped, and adaptable to the Commission and ready to go. Other areas to appreciate were, the food which was good, the accommodation provided was clean, and we learnt the EACC Integrity Song.

On behalf of the new team, we register our gratitude to the management for facilitating the induction process and express special gratitude to Dorothy Wakesho and Ellyjoy Bundi for allowing us to swiftly roll into the system.

"Long Live the Commission."

Citizens Platform

Your Questions on Chapter Six of the Constitution and the Leadership & Integrity Act, 2012 answered

Introduction

Today, we begin a discussion with you about what the law expects from those entrusted with public office. It is your civic duty to ensure that public officials obey the law and perform their duties efficiently, transparently and professionally. As the citizen, you hold the score card upon which public employee's performance may be evaluated.

Without knowledge of the relevant legal provisions and your obligation as a citizen, you will not know when the officials break the law. Knowledge is power and the Commission desires to empower you because eternal vigilance is a crucial weapon against corruption and unethical practices.

Ethical leadership in the management of public affairs is at the cornerstone of the war against corruption and unethical conduct. This is why the Constitution has given prominence to the values and ideals expected of those who hold public office. Below is a discussion on leadership and Integrity based on Chapter Six of the Constitution

1. What is Chapter Six of the Constitution?

Chapter Six of the Constitution deals with issues of Leadership and Integrity. The drafters of the Constitution devoted an entire chapter on leadership because how we are governed and by whom is important. Ethical leaders who exhibit Integrity at all times will improve governance in our country.

2. What does Chapter Six of the Constitution provide for?

Under this Chapter, holders of public office are deemed to be public trustees who must at all times discharge their duties in a manner that promotes public interest. They must show respect for the people; bring honor to the Nation and dignity to the office; promote public confidence and serve the people rather than rule over them.

The Chapter outlines **values and principles to be observed** by State and Public Officers. These include:

- Appointment to public office on the basis of personal Integrity, competence and suitability or election in free and fair elections
- Objectivity and impartiality in decision making ensuring that decisions are not influenced by improper motives or corruption;
- Selfless service that puts public interest above all other interests

- Accountability to the public for decisions and actions
- Discipline and Commitment in service to the people.

3. What is the relationship between Chapter Six of the Constitution and the Leadership and Integrity Act, 2012?

The Leadership and Integrity Act, 2012 is enacted in accordance with Article 80 of the Constitution of Kenya. The Act establishes procedures and mechanisms for enforcing Chapter Six of the Constitution.

4. What is the purpose of the Act?

Its purpose is to ensure that State and Public Officers respect the values, principles and requirements of the Constitution and in particular the responsibilities of leadership under Chapter Six of the Constitution.

In case you have specific concerns under Chapter Six of the Constitution or the Leadership and Integrity Act, 2012 that require clarifications, kindly email them to Codes@Integrity.go.ke or call 0729888881/2/3

Also report all forms of Corruption and unethical conduct by State and Public officers to: report@Integrity.go.ke or 0727285663/0733520641 or P.O. Box 61130-00200 Nairobi or drop your complaint at Integrity Centre or any of the Commission offices near you.

About the Ethics and Anti-corruption Commission

The Ethics and Anti-Corruption Commission (EACC) is a public body established under Section 3(1) of the Ethics and Anti-Corruption Commission Act, 2011 which was enacted in accordance with Article 79 of the Constitution of Kenya. EACC replaced Kenya Anti-Corruption Commission (KACC).

Vision

A Corruption Free Kenyan Society that upholds integrity and rule of law.

Mission

To promote integrity and combat corruption through law enforcement, prevention and education.

Core Values

- Integrity
- Professionalism

- Fidelity to the Law
- Courage
- Teamwork
- Innovation

Mandate

To combat and prevent corruption and economic crime in Kenya through law enforcement, preventive measures, public education and promotion of standards and best practices of integrity, ethics and anti-corruption.

Functions

The Commission's functions are drawn from the Constitution, Section 11 (1) and 13 (2) of the Ethics and Anti-Corruption Act 2011 and the Leadership and Integrity Act, 2012.

These functions include:

- Education:** EACC educates the public and creates awareness on the dangers of corruption and economic crime in order to enlist their support in the fight against corruption in the country.
- Prevention:** EACC undertakes preventive measures against unethical and corrupt practices through advisories and systems reviews that seek to discover and seal corruption loopholes in institutions.
- Investigations:** EACC conducts investigations on its own initiative or on a complaint made by any person in respect of corruption, economic crime, unexplained wealth and ethical breaches. Upon completion of such investigations, the findings are forwarded to the relevant agencies with recommendations for necessary action.
- Asset Recovery:** EACC may institute and conduct proceedings in court for purposes of recovery or protection of public property that is illegally acquired or unexplained wealth.
- Mediation, Conciliation and Negotiation:** EACC may undertake mediation, conciliation and negotiation in the course of its investigation and recovery of illicitly acquired wealth.

SPREAR OF Integrity – KISUMU OFFICE

Commissioner Dr. Dabar Maalim in talks with Kisumu County Governor Jack Ranguma on 13th June 2017 in Kisumu. Looking on is the then acting County Secretary, Dr. Ojwang' Lusi.



Strengthening partnership with chief executives of County Governments

By John Agar

Officers from the Kisumu office of the Ethics and Anti-Corruption Commission paid a courtesy call on the then County Governor Jack Ranguma on 13th July, 2017. The team leader, Commissioner Dr. Dabar Maalim, highlighted the Commission's County programs, including supporting the Corruption Prevention Committees to undertake corruption risk assessments and develop appropriate work plans.

Commissioner Maalim stressed the need for

collaboration to root out corruption and confirmed that the Commission had guided the County Integrity Assurance officers and Executive Committee members to develop a work plan for corruption prevention.

Governor Ranguma highlighted some of the challenges his government faced in rooting out corruption, including what he referred to as the nature of the staff and related latent influence of defunct local authorities, general apathy to reforms, and dependence on County Assembly decisions. However, he said he was yet to receive a work plan for corruption prevention but assured the team that once

in hand, he would implement it to help detect, prevent and eradicate corruption within his government. On his part, the then County Secretary, Dr. Ojwang' Lusi, asked the Commission to forward the said Action Plan so that it could be tabled before the County's executive committee for effective implementation.

Regarding investigations, the County Secretary asked the Commission to provide timelines as there were a number of cases that had taken too long and were holding up the implementation of County projects.

Commissioner Dr. Dabar Maalim in talks with Kisumu County Governor Jack Ranguma on 13th June 2017 in Kisumu. Looking on is the then acting County Secretary, Dr. Ojwang' Lusi.

Commissioner Dr. Dabar Maalim presents educational material to Kisumu Girls High School Principal Mrs. Mary Akunja during an anti-corruption sensitization exercise on 13th July 2017. Looking on is the Chairperson of the Board of Management, Mrs. Rachel Odongo, Director, EACC Preventive Services, Mr. Vincent Okongo, Mr. Ephantus Mutahi and Mr. John Agar from the Kisumu office.

Commissioner Dabar Maalim in the company of the Director, Preventive Services, Mr. Vincent Okongo, and EACC education officers sensitizing students of Kisumu Girls High School on 13th July 2017.



Sensitization of students and launch of Integrity Clubs

By Kisumu Team

Kisumu Girls High School students were on 13th July 2017 sensitized on Integrity and anti-corruption issues. The exercise was carried out by the EACC's Western Region office led by Commissioner Dr. Dabar Maalim.

The interactive session with the students started with prayers, singing of an Integrity song, and presentation of a spoken word performance and a choral verse by members of the students' Integrity Club.

The EACC team was received in the principal's office where they met with the Chair and Vice-Chairpersons of the School's Board of Management, and the Chairperson of the Parent's Association. Principal Mrs. Mary Akunja briefed

the team on the school's achievements, citing its 2016 KCSE performance which led to more than 200 students qualifying for university admission. The school, with a student population of 1,300, is categorized as a national institution.

During the sensitization session, the various speakers urged the students to take their education seriously as it would determine their future. They were also urged to be people of Integrity so that they grow to build a Kenya free of corruption.

The Principal pointed out that the school had participated in the Science Congress where the students, with the help of the ICT teacher, had built an App. The students had won in the National and Africa competitions and were going to represent Africa in San Francisco USA. The Commission celebrated their achievement.



EACC embraces media to educate members of the public

A radio talk show organized by the EACC's Western Region office on 25th July 2017, generated a lot of public interest, with listeners asking for information about a host of issues.

Among these were, challenges facing the Commission, indicators of corruption, how the Commission

deals with suspects of election malpractices, commitment of top leaders in fighting corruption, the fate of suspects in the National Youth Service scandal, wealth declaration, number of convictions attained so far and whether there is any hope of completely eradicating corruption in Kenya.

The Radio Nam Lolwe FM talk show was hosted by the station's Mr. Omollo Absalom, who guided the discussion on the mandate of the Commission, role of the Commission

in the General Election, its achievements, forms of corruption, wealth declaration by public officers, and role of each Kenyan in fighting corruption.

The Commission was represented Mr. John Agar, an officer based in the Western Regional office in Kisumu. It is estimated that show reached about three million Kenyans during its one-hour period. The station indicated it would invite the Commission for similar discussions.



EACC Commissioner Dr. Dabar Maalim and Resident Kisumu High Court Judge David Majanja in the company of EACC officers on 13th July 2017 in Kisumu.

EACC revamps partnership with the judiciary

Kisumu Resident Judge David Majanja hosted a delegation of the EACC's Western Region, led by Commissioner Dabar Maalim on 13th July 2017. The purpose of the meeting was to promote working relations between the Judiciary and the Commission.

Commissioner Maalim referred to the Judiciary as a critical stakeholder since it was the final consumer of the Commission's investigative work. He pointed out his agency's "well-established history of collaboration with the judiciary", citing recent joint visits to the United Kingdom and Hong Kong on a benchmarking mission.

Justice Majanja welcomed on-going anti-corruption sensitization programmes by the Commission in courts such as Bungoma, Nyando, Butere, Winam, Mumias, Vihiga and Sirisia. He said he had taken a number of steps to address corruption and the perception of corruption in the Kisumu station while at the same time pointing out challenges such as the issue of brokers and use of forged documents, especially land documents, to process accused persons' bond.

As the Kisumu station head, the judge said he closely monitored anti-corruption cases, ensuring that the resultant appeals were expedited. In addition, he ensured that petitions seeking to stop investigations and arrests were firmly dealt with. He explained that no such petitions were pending in the Kisumu law courts.

He further stated that it would be useful for the Commission's Preventive Services Directorate to be represented during Kisumu Court Users Committee. He expressed the desire to have the staff of the Kisumu law courts trained on matters of anti-corruption.

EACC Commissioner Dr. Dabar Maalim and Resident Kisumu High Court Judge David Majanja in the company of EACC officers on 13th July 2017 in Kisumu.

SPREAR OF Integrity – KISUMU OFFICE

From Center
- Right:
EACC officer
John Agar,
Nyambaria
High School
Integrity
Club Patron
Edward
Mairura,
Deputy
Principal
(Academics)
Richard
Mosoku
and school
Chaplain Pr.
Jones Ondora
with members
of Nyambaria
High School
Integrity
Club.



EACC staff take time to bond with each other and the commissioners

By Editorial Team

Staff of the EACC Western Region on 13th July 2017 took time off their normal schedules to bond with one another and with Commissioners from the headquarters during which they freely submitted their views in relation to their work. Commissioner Dabar, accompanied by the Director, Preventive Services, Mr. Vincent Okongo, represented Commissioners and senior management.

The exercise, involving 29 officers from the EACC Kisumu office and five from the contiguous Huduma Centers, took place in the EACC office at Jubilee Insurance Building. Its climax was at Wigot Gardens where the team shared lunch.

Character and Moral Education: A tool in the fight against corruption

By Michael Ochula

Educationists have noted that schools have appropriate settings for moral education because their main goal is student learning, and the purpose of learning is to promote students' cognitive development.

There are two major purposes of schooling: Cognitive development and character formation. Cognitive development contributes to enhancing one's knowledge and intellectual skills. Character formation helps shape attitudes and behaviors reflected in such values as honesty, integrity, respect, responsibility, self-discipline, and reliability. Cognitive-academic and character development prepare students for work, further education, lifelong learning and citizenship.

Character education involves teaching children the basic human values. These include honesty, kindness, generosity, courage, freedom, equality, and respect. It

aims to create schools that foster ethical, responsible, and caring young people. However, some adults need to be exposed to character and moral education for attitudinal change; but it might be difficult to change adults, especially those with entrenched bad behaviour.

For instance, our schools should make serious efforts to instill in their students important core, ethical values such as respect for self and others, integrity, and self-discipline with emphasis on the basic values the society share. In fact, character education should be an integral part of every aspect of schooling and learning as it provides long-term solutions to moral, ethical, and academic issues in society. There is no pretension here that our country does not have its share of social problems; but the people are becoming more aware of their civil, political and economic rights and responsibilities.

There is no single laid down rule or method for effective character

education. However, there are some basic principles, including promoting core ethical values as the basis of good character, and defining "character" comprehensively to include thinking, feeling, and behavior and a teaching with meaningful and demanding academic curriculum that helps students to succeed. We must engage families and community members as partners in the character-building effort. For effective character education, schools would reinforce good character traits through a systematic approach that includes adult modeling, curriculum integration, a positive school climate, and access to comprehensive guidance and counseling services.

Moral education, like character education, is as old as society and education. It addresses ethical dimensions of the individual and society and examines how standards of right and wrong are developed. Consequently, moral education teaches core moral values such as honesty,

responsibility and care, and helps to raise morally responsible and self-disciplined citizens.

Problem solving, decision making, and conflict resolution are also important parts of developing good moral character. Good role modeling in the classrooms and out in the communities is important in moral education because through role playing and discussions, students see how their actions and decisions affect others in the society. Thus, morals are caught, not taught, and classroom life is saturated with moral meaning that shapes students' character and moral development.

Serious societies since the time of great Philosophers like Plato have made moral education a deliberate aim of schooling. They get educated for good character as well as intellect, decency as well as literacy, virtue as well as knowledge; and they try to train their citizens who will use their intelligence to benefit others as well as themselves.

This was the case in the early years in Kenya. But as the society began to worship money and material wealth (with less regard for good character), support for old-fashioned character education in the society crumbled, with morality taking a dangerous nosedive.

The schools in Kenya are today strewn with cases of vandalism and cultism and cheating in examinations, disrespect for authority and an upsurge in prostitution, drug abuse and other self-destructive behaviors. Most of the youths continue with these anti-social behaviors in their adult lives thereby causing rampant deviant behavior such as corruption.

In many morally upright societies, character and moral education is introduced into the classroom through the study of heroes and heroines and special teachers are hired for that purpose. Those identified by communities as good role models are often invited by school authorities to visit local schools to address students. Students would then use the opportunity to examine the character traits personified in the speakers and aspire to emulate their good character and life.

Sorrowfully, in Kenya the role models the youths are exposed to are the corrupt and merchants of impunity, who are wealthy without contributing to the development of society. Providing Kenya's children and youths' good role models for good character and moral development is important because those who grow up under a corrupt system tend to be corrupt. The notion that people are conditioned by the content of the characters in their immediate communities, still holds true.

EACC launches Integrity club in Nyambaria High School, Nyamira

By John Agar

A visit by Nyambaria High School students to the EACC's Western Region office finally paid dividends on 16th July 2017 when they launched their own Integrity Club.

The students had requested technical support from the EACC. To mark the launch, EACC officer John Agar, who presided over the event, planted a tree to signify the growth of Integrity among the learners. He challenged the Club's members to prompt neighboring schools to replicate their zeal in promoting Integrity among the youth.

Quoting from one of the books of American author Ellen G. White, Mr. Agar said: "The greatest want of the world is the want of men—men who will not be bought or sold, men who in their inmost souls are true and honest, men who do not fear to call sin by its right name, men whose conscience is as true to duty as the needle to the pole, men who

will stand for the right though the heavens fall."

Integrity Clubs in Kenya were launched in November 2010 by then Minister for Education Prof. Sam Ongeri. Their objectives include character building, enhancing learners' knowledge of ethics and Integrity, empowering the youth

to advocate good governance as a means of combating corruption, promoting patriotism among the youth and a culture of hard work, honesty and responsiveness in institutions of learning, and encouraging the youth to be self-directed, focused and responsible.



Conviction

Traffic policemen fined for taking bribes

By Editorial Team

Two traffic policemen caught in a sting operation while taking bribes from motorists have been fined Kshs.1 million or 12 months' imprisonment in default each.

Constables Abdi Khalif and Shadrack Ngatia of Makuyu traffic base were arrested in January by the Rapid Response Team of the Ethics and Anti-Corruption Commission following surveillance on the Thika-Kenol road. They were found with Kshs.14,300, the proceeds of bribes from motorists. The Nairobi Milimani Anti – Corruption court also imposed a mandatory fine of Kshs.28,600 on each of them or six months' jail in default.

The court heard that the EACC Surveillance Team caught the policemen on video collecting bribes from motorists. The September 1, 2017 conviction marks the second such case secured through the operations of the Investigations Department of the Ethics and Anti-Corruption Commission in as many months.

Recently, the Milimani court fined city businessman David Kamunya Runo Kshs8.5 million for falsifying documents and registering two parcels of land belonging to the government.

Runo was charged alongside Zipporah Wangithi Runo, Kawafalls Ltd and Dosama Holdings on six counts of uttering false documents and obtaining registration of land by false pretences. The Anti-Corruption Court also fined the two companies a total of Kshs 8.5 million, but acquitted Ms Runo.

The court was told that the land in question is a road and railway reserve along the Southern By-Pass near Wilson Airport, and is valued at Kshs. 60 million. The court was further told that the title deeds were registered in 2007 in the names of Kawafalls Ltd and Dosama Holdings, companies which are co-owned by the two accused persons.

Magistrate Lawrence Mugambi ordered the accused to pay the fines within six months, failure to which EACC would institute civil recovery of the said fines.

The conviction was a secured through the combined efforts of EACC's Asset Tracing Team, Evidence Analysts and the Prosecuting Counsel.

National Elections Conference (NEC)

Commission sponsors National Elections Conference

By Pamela Jepkemei

The conference under the theme "Working together towards a Credible and Peaceful General Election, 2017" served as a platform for the key stakeholders to discuss and commit themselves on how to ensure election of ethical leaders in a credible and peaceful process.

Three main partners, the Independent Electoral and Boundaries Commission, the Ethics and Anti-Corruption Commission and Kura Yangu Sauti Yangu initiative, successfully convened the conference held at the Kenyatta International Convention Centre (KICC) Nairobi.

The Conference brought together 1000 representatives from, the Judiciary, political parties, state security organs, civils society, religious organizations, the media, and law enforcement agencies, business community, development partners, voters, political observers and the Diplomatic Corps.

The Objectives of the three day conference were;

- To critically evaluate the state of preparedness among Kenya's key electoral stakeholders to support and conduct the 2017 general elections;
- To synergise the efforts and roles of stakeholders in ensuring credible and peaceful 2017 General Elections
- To rally Kenyans and key stakeholders to commit to credible and peaceful 2017 elections. All the speakers emphasized the need for a peaceful and credible election.

The EACC Chairperson, Archbishop (Rtd) Eliud Wabukala while addressing the participants during the opening of the conference on June 13th 2017,

said that leadership is a great calling and a public trust which necessitates adherence to the highest standards of Integrity.

Archbishop Wabukala added that there is no better time than during a general election when Kenyans have an opportunity to apply the Integrity test to elect persons who will serve them in public office through a democratic process.

Kenyans have a significant opportunity to determine how they want to be governed bearing in mind that some of the challenges we experience today including corruption, are caused by those among us who lack personal Integrity, said the EACC Chairperson.

He called upon civil society, religious sector, media and other stakeholders to remain vigilant and committed to playing their respective roles in the pursuit of free and fair elections. The Chief Executive Officer and Secretary of the Commission, Mr. Halakhe Waqo told the gathering that the responsibility to hold a credible election lies not only on IEBC and the Government but on each and every Kenyan.

Mr. Waqo said the National Elections Conference is a foundation for future interactions and the agenda on the way forward on Integrity issues. He said the Commission would partner with other electoral stakeholders to hold a post-election conference after the General Election.

The participants including dignitaries had a chance to sign their election pledges towards credible and peaceful elections. Former Prime Minister Right Honourable Raila Odinga who attended the opening ceremony also signed the peace pledge.



The EACC Chairperson, Archbishop (Rtd) Eliud Wabukala addressing the participants



EACC CEO/Secretary Mr. Halakhe Waqo making his remarks at National Elections Conference



EACC Management from left, the DCEO, Mr. Michael Mubea, Commissioners, Mr. Mwaniki Gachoka and Ms. Sophia Lepuchirit

A word from the Rtd Archbishop Wabukala to graduates



Rtd. Archbishop Eliud Wabukala following proceedings during the AIU graduation ceremony

"Be the true salt and light of the world"- EACC chair

By Charles Rasugu

The Chairperson of the Ethics and Anti-Corruption Commission (EACC), Rtd. Archbishop Eliud Wabukala, has urged graduates of the African International University (AIU) to shun corruption and embrace ethics in their career endeavours.

He was giving a key note address at the AIU Nairobi during the 32nd Graduation Ceremony that was held on 1st July 2017. Citing the Holy Scriptures in Mathew 5:13-16, His Grace said that many countries including Kenya were struggling from the sin of corruption.

The Chairperson observed that corruption is 'extreme immorality and wickedness' and implored upon the 174 new graduates and the over 2000 participants drawn from over 30 countries to be agents of change in a world full of greed and unethical conduct. 'In the world today people no longer believe in hard work and honest earning, they are consumed by selfish lust and desire for a high life that they cannot yet afford', his Grace said.

The Chairperson urged Kenyans to take advantage of the upcoming elections to elect leaders of Integrity and conduct a peaceful election.

Present during the function was the Chancellor of the University, Prof. Watson Omulokoli and Vice-Chancellor Prof. Dankit Nassiuma both of whom advised the graduates to be good ambassadors of the university wherever they go.

The Chairperson, who was accompanied to the function by the EACC Deputy Director, Ethics and Leadership, attended the function as part of the Commission's strategic interventions in the promotion of standards and best practices in ethics and Integrity among the youth.

Other programs that the Commission has developed targeting the youth include establishment of Integrity Clubs in institutions of learning include, sponsorship of music and drama festivals, school outreach programmes, training of school managers and development and production of assorted information, education and communication materials targeting learners.

POEMS

Welcome back "Spear of Integrity"

In the midst of 2007, "SPEAR" was born
In the "SPEAR" artists were bloomed
In the "SPEAR" readers' were cultured
In the "SPEAR" ideas were nurtured
In the "SPEAR" minds were read
In the "SPEAR" information was shared

In the midst of 2017 the "SPEAR" reappeared
Ten years away the "SPEAR" disappeared
Ten years away the "SPEAR" was spared
Ten years away the "SPEAR" is repaired
Ten years away the "SPEAR" ascended
Ten years today the "SPEAR" is pleased

- By Asha Hamisi

Kielekezo Chema

Bismillahi ya rabana, Mola anatuongoza,
Tufanye juhudi sana, maadili kuyakweza,
Iliitoke bayana, tume yetu kutukuza,
Tusirudi nyuma tena, nchi yetu itaoza
Añsaa wee makinika, uwepo kazini kwako,
Fisadi kajanjaruka, wala hana pumziko,
Mbinu uchao apika, kutupa sie sumbuko
Kimshika tatapika, heee! Cheko'le sikitiko
Wallahi tunatutuma, kama simba wa-porini,
Kila kona tunavuma, bara-nyika hadi pwani,
Vijana watutazama, tusivunje tumaini,
Nchi tuhifadhi vyema, isipoteze dhamani
Pongezi wanakamati, kututolea kitabu,
Nimevuta changu kiti, umalenga nijaribu,
Huku nikijizatiti, uwe wangu uraibu,
Leo tosha nne beti, Asha aaga taratibu

- By Asha Hamis



The Obligations of State Officers and Public Officers under the Leadership and Integrity Act, 2012

DOs		DONTs
Rule of Law (Section 7)	Respect and abide by the constitution and the law	Not to engage in any conduct which violates the rights and fundamental freedoms of any person
Responsibility and duties (Section 9)	Shall take personal responsibility for the consequences of any actions or omissions	Blame others
Performance of duties (Section 10)	<ul style="list-style-type: none"> Carry out duties of the office efficiently and honestly Carry out duties in a transparent and accurate manner Keep accurate records and documents relating to the functions of the office Report truthfully on all matters of the organization which they represent 	
Professionalism (Section 11)	<ul style="list-style-type: none"> Carry out duties in a manner that maintains public confidence in the integrity of the office Treat members of the public with courtesy and respect Maintain high standards of performance and level of professionalism Observe and subscribe to the ethical and professional 	Not discriminate against any person
Financial integrity (Section 12)		<ul style="list-style-type: none"> Use the office to unlawfully enrich himself or any other person Accept a personal loan or benefit which may compromise the officer in carrying out the duties.
Moral and ethical requirements (Section 13)	<ul style="list-style-type: none"> Demonstrate honesty in the conduct of public affairs Accurately and honestly represent information to the public 	<ul style="list-style-type: none"> Engage in activities that amount to abuse of office Engage in wrongful conduct in furtherance of personal benefit Misuse public resources Falsify any records Engage in actions which will lead to the officer's removal from membership of professional body(ies) Commit any offences
Gifts or benefits in kind (Section 14)	<ul style="list-style-type: none"> Declare the gift or donation to the public entity which the officer represents 	<ul style="list-style-type: none"> Accept monetary gift Accept a gift exceeding value prescribed by the Commission Regulations solicit gifts, hospitality or other benefits Accept gifts or benefits from persons whose interest is in conflict with the officers or public entity. Receive jewellery, precious metals or stones, ivory or any other animal part protected under the relevant Convention.
Wrongfully acquisition of property (Section 15)		Use the office to wrongfully or unlawfully acquire property

Conflict of interest (Sections 16 & 17)	<ul style="list-style-type: none"> Declare all conflict of interest Register all conflicts of interest 	<ul style="list-style-type: none"> Award or influence award of a contract where you have a personal interest Participate in a tender for the supply of goods or services to a public entity in which the officer is serving or associated with.
Public collections (Section 18)		<ul style="list-style-type: none"> Solicit for contributions from the public for a public purpose unless approved by the President Participate in public collection of funds in a way that reflects negatively on the officer.
Bank accounts outside Kenya (Section 19)		Shall not open or maintain an account without the approval of EACC
Acting for foreigners (Section 20)		Compromise the security of the country
Care of property (Section 21)	<ul style="list-style-type: none"> Take care of public property Surrender all public property on exit from office 	Use public property for personal gain
Misuse of official information (Section 22)		Use or allow a person to use confidential information in furthering private interest
Political neutrality (Section 23)		<ul style="list-style-type: none"> Act as an agent for a political party or a candidate in an election Manifest support for or opposition to any political party or candidate in an election Engage in any political activity that may compromise or be seen to compromise the political neutrality of the office
Impartiality (Section 24)	Carry duties with impartiality and objectivity	Practice favouritism, nepotism, tribalism, cronyism, religious bias
Giving of advise (Section 25)	Give honest, accurate and impartial advice without fear or favour	
Gainful employment (Section 26)		Full time state officers should not participate in any other gainful employment
Offers of future employment (Section 27)	Disclose all offers of future employment or benefits that could place officer in situation of conflict of interest	In the performance of their duties be influenced by plans or expectations for or offers of future employment or benefits
Misleading the public (Section 29)		Knowingly give false or misleading information to any person
Falsification of records (Section 30)		Falsify any record or misrepresent information to the public
Conduct of private affairs (Section 32)	Behave in such a manner that inspires public confidence in the office	Demean the office that you hold
Tax, financial and legal obligations (Section 33)	Pay all your taxes	Neglect your financial obligations
Bullying (Section 34)	Handle the public and colleagues with courtesy	Bully any person
Reporting improper orders (Section 36)	Report improper orders to the Commission	Conceal improper orders
Signing Specific Leadership and Integrity Code (Section 40)	Commit to the Specific Leadership and Integrity Code	Take office without commitment to specific leadership and integrity codes

INTEGRITY CENTRE



EACC HEADQUARTERS NAIROBI

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Email address: EACC@Integrity.go.ke

Website: www.EACC.go.ke

Report Centre

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0727 285663; 0733 520641

Hot fax: (020) 2717473

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Advocates Plaza, Next to Law Courts and Lands Office
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North Eastern Regional Office – Garissa

Province Road, Next to Government Guest House
Opposite Almond Resort
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