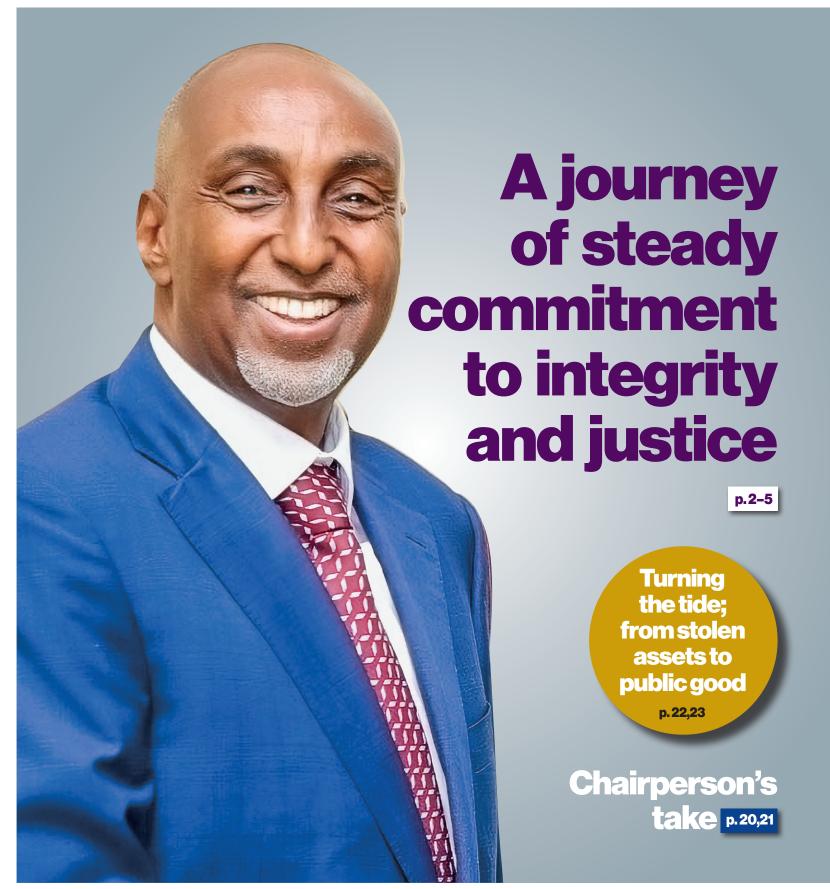


Spear of Integrity

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Editorial

Special Edition 2025 // Issue No. 9

Spear of Integrity

Over the past two years, the Commission has experienced major leadership changes that have influenced its direction and focus. Dr. David Oginde took over as Chairperson, bringing a background in ethical leadership and governance. He steered the adoption of the Commission's Strategic Plan 2023-2028, focusing on strengthening internal structures and stakeholder engagement.

Similarly, Abdi Mohamud took on the role of CEO, bringing decades of experience in law enforcement and anti-corruption efforts. His leadership emphasizes operational efficiency, institutional reforms, and enhancing the Commission's ability to address corruption comprehensively. The united leadership of Dr. Oginde and Mr. Mohamud indicates a renewed commitment within EACC to confront corruption more decisively and restore public trust.

This special edition of the Spear of Integrity brings you the big conversation, special features, news and important highlights in the fight against corruption. We introduce you to the CEO, Mr. Abdi Mohamud, as he outlines his strategic focus upon taking over the leadership of the institution in January this year. In the big conversation, Mr. Abdi speaks to his priority areas as he leads the Commission towards the realization of the Strategic Plan. Find out what success looks like at the end of his 6-year tenure – The legacy Question!

Delve deeper with our feature on asset tracing and recovery, a cornerstone of the CEO's plan, and discover how reclaimed public resources are being put to work for the greater good. You'll also find thought-provoking opinion pieces from Commission staff and guest contributors, as well as key updates on recent events and milestones from within and beyond our walls.

Elsewhere in the issue, Dr. Oginde reflects on the recalibration of Africa's leadership mindset in The Chairman's Take, as he highlights the paradigms that have been presented as antidotes to our corruption challenges and the mental pictures that African leaders bring into governance.

To round off the edition, we bring you a creative corner featuring poetry that inspires and a crossword puzzle to challenge and entertain.

Enjoy the read!

Stephen Karuga - Editor in Chief



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A journey of steady commitment to integrity and justice

Mr. Abdi Ahmed Mohamud promised to commit unambiguously and faithfully to his oath of office when he was sworn in as Secretary/Chief Executive Officer of the EACC on January 13, 2025. Five months down the line, the CEO has sat down in a candid one-on-one interview with the Spear of Integrity to reflect on his 23-year trek in the anti-corruption fight, and his vision for the Commission. Here is the conversation.

Exclusive CEO's Interview

Spear of Integrity: Who is Abdi A. Mohamud? How can you describe your journey in the fight against corruption?

The CEO: My working life began in 1989 when I joined the Kenya Police as a Direct Entry Inspector. After the initial training, I was posted to Kisii Police Station. By 2002, I was serving as a Superintendent of Police (SP) and Deputy Officer Commanding Division (OCPD) when I was transferred to the Anti-Corruption Police Unit (APU). In 2003, I was promoted to Senior Superintendent of Police (SSP).

I joined the Kenya Anti-Corruption Commission (KACC) in 2005 as a Senior Officer and had the opportunity to open the Commission's first regional office in Mombasa in 2008 as Regional Manager for the Coast Region. In 2012, I was transferred to Nairobi to head the Operations Department.

In 2013, I transitioned to EACC after undergoing the vetting process and was appointed Coordinator, Investigations. I was later appointed to the substantive position of Director in charge of investigations, a position I served for 10 years before being appointed the Deputy CEO.

My 23-year journey in the fight against corruption has been one of steady commitment to integrity and justice. It has been interesting as it has been fulfilling.

My achievements are interwoven with the Commission's through its long journey. The foundation of the Commission as we know it was established by Justice Aaron Ringera and his team, which included Justice Smokin Wanjala, now a Supreme Court Judge, Justice Fatuma Sichale, and Dr. John Mutonyi. I am proud to have been part of that team.

What are your most difficult encounters in your 23-year anti-corruption journey?

One of the major setbacks is the adverse court decisions Kangangi and Engineer Kamau Cases. I recall in the Kangangi decision, over 70 bribery cases that the Commission was prosecuting were dismissed, and unfortunately, it was impossible to reconstruct them. The Engineer Kamau Case is still fresh in our minds. The Court of Appeal ruled that the Commission was not properly constituted,

significantly hampering the Commission's ability to function.

The second trying moment was the internal conflicts during the Mumo Matemu Commission. The wrangles primarily involved disagreements among commissioners, accusations of bias, and political pressures. The disputes culminated in court cases that questioned the Commission's leadership, making it a notably difficult period for the team. This resulted in the Commissioners leaving the office before the end of their term, leaving a vacuum for over 6 months.

What key areas do you intend to prioritise to enhance the fight against corruption in your tenure?

My experience and institutional memory have informed my vision for the Commission and that is what I stated during my first staff engagement session as the CEO. I will categorise the areas of priority under two components: the internal and external.

On the external front, we are prioritising five key areas as we continue implementing the Strategic Plan:



The public wants to see blood instantly. However, due process has to be followed as required by our laws. The Commission has no power to jail people and has to work with other institutions.

- Budget analysis and Monitoring of capital-intensive projects: This will be at both national and county levels. We will deploy experts to analyse budget allocations. Focus will be on rolling out prevention and intelligence interventions. These efforts aim to facilitate timely detection and prevention of corruption in the identified projects.
- Assettracing and recovery. The Commission will intensify investigations on unexplained wealth and acquisition of public assets by profiling and undertaking lifestyle audits on public officers. The idea is to enhance recovery on proceeds of corruption and improve the management of recovered assets.
- Tackling bribery at service delivery point. The Commission will scale up intelligence gathering and surveillance targeting institutions that provide essential services and are prone to bribery. We will implement targeted integrity testing and monitoring programs to reduce corruption in service delivery, thereby restoring public trust and improving access to quality services for all citizens.

- Collaboration with regulatory and oversight agencies. We recognize that no single institution can combat corruption alone. Therefore, we will deepen partnerships with regulatory and oversight agencies to leverage their compliance mechanisms and enforcement capabilities. This multi-agency approach will foster a more coordinated and effective response to corruption.
 - Public awareness programmes: Creating a culture of integrity requires proactive engagement. The Commission will scale up engagements targeting the youth and the media to sensitize them on their role in fostering good governance and best practices in ethics and integrity in society.

On the internal front, and in order to remain focused on this vision and achieve our objectives, I will prioritize the following areas:

Staff welfare: Unlocking the conversation with the Salaries and Remuneration Commission (SRC) and the National Treasury to address the salary stagnation and promotion of staff since 2005. Particularly, moving the huge number of staff at Grade seven to six is a priority.

Staff training and retooling: Upgrading the skills of staff to embrace the realities of advancements in technology and use of Al and Big Data in financial investigations and analysis. This also means the acquisition of modern tools of investigation and other operational jobs. We should also enhance the capacity of our Academy so as to offer such impactful courses to the staff.

Office Space: Improvement of the working environment is a key motivator. We are planning to reduce congestion in our offices, both at the

I am confident we shall achieve this through strategic resource planning and collaboration with our development partners.

Headquarters and the regional offices.

What challenges do you anticipate, and what strategies will you put in place to address them?

The implementation of such broad and strategic objectives will not be without challenges, but again, I believe we can overcome them. Some of the anticipated challenges can be summarised as:

- Resource constraints: We receive about 3000 complaints annually for investigation against 200 investigators. The strength of the work force is not commensurate to the work requiring our attention. The intervention has been prioritisation of high impact case and employment of resources to strategic areas.
- Politicisation and ethnicisation of the fight against Corruption: The public should desist from the 'mtu-wetu' syndrome when it comes to the call for accountability.
- Public apathy: Most people don't see corruption as a problem as long as it favours them. We will intensify, in collaboration with other sectors, our public education programmes to create awareness on corruption.
 - Weak Legal framework: The challenge has been that corruption cases take inordinately long to conclude. However, we look forward to the enactment of the Anti-Corruption Laws Amendment Bill, 2025, which provides for completion of anti-corruption cases within 6 months, and appeals within 3 months. It also provides for quarterly reports by the EACC and ODPP to enhance accountability. Further, the enactment of the Conflict of Interest Bill, which was sent back to Parliament by the President, will enhance accountability and bolster the fight against Corruption.
 - Impatience of the public: The public wants to see blood instantly. However, due process has to be followed as required by our laws. The Commission has no power to jail people and has to work with other institutions. We have to enhance public education and awareness to enable citizens to understand the various steps and bodies involved from investigation, prosecution, and adjudication.

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Most people don't see corruption as a problem as long as it favours them. We will intensify, in collaboration with other sectors, our public education programmes to create awareness on corruption.



What support do you require to ensure success during your tenure?

lamgladIhavethefullsupportoftheCommissioners as I lead the Secretariat to implement the policies and strategic decisions. The close working relationship will no doubt enhance the efficiency and effectiveness of our operations.

Secondly, my staff should recognize that this job is a calling. We are here to serve our country, and we should be true patriots. When we work diligently, we earn the support of the public. Therefore, we must do our best!

lassure the team of my support and fairness in the decisions my office makes. Some decisions might not please everyone, but I urge those unhappy to use the internal dispute resolution mechanisms established by the Commission. The best solutions to our issues lie within the Commission and not outside. We have a robust hierarchy of dispute resolution starting with the HR Committee, the CEO's Office and, lastly, the Commissioners.

Externally, we need the support of the public, Parliament, and development partners, among others. The public has the responsibility to participate in governance and seek accountability from all public institutions. They must never tolerate or engage in corruption, and they should report any acts of corruption to the Commission. I commend those Kenyans who report important cases using anonymous mechanisms.

Further, Parliament is a key institution whose support is critical. We need to be supported through the allocation of sufficient budgets and enactment of stronger laws to bolster the fight against corruption. The enactments of the Anti-Corruption Laws (amendment) Bill,2025 and the Conflict of Interest Bill in its original form will help us make an impact in the fight against corruption. I also recognise and commend our development partners in providing the necessary support.

Exclusive CEO's Interview

However, we need more support to strengthen our institutional capacities and implement our strategies. We look forward to broader collaboration and bringing more partners on board to achieve our goals.

Lastly, we have to deepen our collaboration and good relations with our other Government institutions, both under the multi-agency framework for investigative bodies and in the justice sector, bringing together the investigative, prosecutorial, and adjudicative institutions.

What will success look like to you at the end of your tenure?

Success at the end of my six years would mean the following:

- Reduced wastage in big public projects.
- Complete digitization of the Commission operations.
- A properly functional and independent National Integrity Academy.
- A strengthened value-based education system that mainstreams ethics and integrity.
- A completely eradicated menace of fake academic certificates in public service

What keeps you going?

My values and pursuit of excellence as a professional, and the passion to make my country and society better. I reflect on what is expected of me every night before I sleep and every morning when I wake up. I understand the expectations Kenyans have of the Commission. I cannot let them down.

How do you balance the demanding CEO role with family life and faith?

I am a practising Muslim and a family man. My faith and family are the most important things in my life. My day usually begins at 5 am when I go for my morning prayers. I sometimes go to the gym briefly, prepare for work, and report to the office at 7 am. I leave the office at around 6 pm unless, of course, there is a burning issue. Most times, evening prayers find me at home. That has been my routine during the weekdays for some time. On weekends, if I am in Nairobi and not on duty, I am usually at home with my family and friends or at the mosque.



My values and pursuit of excellence asa professional, and the passion to make my country and society better. I reflect on what is expected of me every night before *I sleep* and every morning when I wake up.

Africa forges historic pact to recover stolen wealth at Nairobi forum

In a landmark move to combat corruption and reclaim stolen wealth, the Ethics and Anti-Corruption Commission (EACC), in collaboration with the African Union Advisory Board against Corruption (AUABC), has launched the African Asset Recovery Practitioners' Forum (AARP).

The three-day event, held at the Panari Hotel in Nairobi from April 15 to 17, culminated in signing the AARP-Forum Charter, a Pan-African commitment to enhance cross-border cooperation in tracing, seizing, and repatriating illicitly acquired assets.

The forum, graced by prominent figures including EACC's Chairperson, Dr David Oginde, and the CEO, Mr. Abdi Mohamud, AUABC Chairperson Hon Seynabou Diakhate Ndiaye, and the Interim Chairperson of the AARP Steering Council, Dr. Musa Aliyu, brought together heads of anticorruption agencies from African Union member states, representatives from the AU Commission's Political Affairs, Peace and Security Department, and global partners like GIZ's Global Program on Illicit Financial Flows.

The event underscored Africa's resolve to address the staggering \$88.6 billion lost annually to illicit financial flows through corruption, tax evasion, and mismanagement.

The greatness of a man is not in how much wealth he acquires, but in his integrity and his ability to affect those around him positively. ~ Bob Marley





The AARP-Forum Charter, developed by the African Union and GIZ, establishes a flexible and inclusive network of asset recovery agencies, practitioners, and regional networks like the Asset Recovery Inter-Agency Network - East Africa (ARIN-EA), of which EACC is a member. Structured around five strategic pillars: detection and identification of assets, recovery and return, asset management, collaboration and partnerships, and crosscutting themes like governance, the Charter aligns with the Common African Position on Asset Recovery (CAPAR) and the AU's Agenda 2063 for transparent, accountable governance.

EACC CEO, Mr. Mohamud, highlighted asset recovery as a cornerstone of Kenya's anti-corruption strategy, emphasising that "those who engage in corruption should not be allowed to keep their ill-gotten assets."

Over the past five years, EACC has recovered assets worth Kes28 billion, including cash, movable, and immovable properties, and is pursuing an additional Kes50 billion in over 400 ongoing cases. Notable recoveries include Nakuru Municipality Block 20/32, valued at KES 2.01 billion, restored to the Kenya National Highways Authority, and Kwale/Kinondo Chale Island, worth Kes1 billion, returned to the National Museums of Kenya and Kenya Wildlife Service.

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In September 2024, EACC handed over properties worth Kes5 billion and Kes514 million in cash to the state, presided over by H.E. the President.

The Charter's framework promotes practical solutions such as strengthened asset declaration systems, whistle-blower protections, simplified legal procedures for repatriation, and transparent management of recovered assets for public benefit. It also fosters inter-agency coordination, joint investigations, and partnerships with civil

society and media to dismantle transnational asset concealment networks. Mohamud invited eligible agencies to join the AARP forum, envisioning a "formidable network" to accelerate asset recovery across Africa.

EACC Chairperson Dr. Oginde, closing the event, termed the move a historic milestone in Africa's fight against corruption. He lauded the

delegates from across the continent for ratifying the Forum's Charter and becoming its founding members, adding that good progress had been achieved, including the constitution of working

groups, the nomination of focal persons, and establishing a roadmap for future collaboration.

Dr. Oginde emphasised the Forum's critical role in enhancing inter-agency cooperation, information sharing, and timely recovery of stolen assets for the public good, acknowledging the strong participation from African Union officials, national anti-corruption bodies, and international partners, including GIZ, African Development Bank,

UNODC, and CIFAR. "Asset Recovery is about reclaiming Africa's future, reclaiming a future that has been stolen, not by fate but by corruption," he said.

Supported by Kenya's commitments to the UN Convention against Corruption (UNCAC), the AU Conventionon Preventing and Combating Corruption (AUCPCC), and bilateral repatriation agreements, the forum positions Kenya as a continental leader in anti-corruption efforts. The Nairobi signing serves as a blueprint for future collaboration, signalling to African citizens and the global community a united front against corruption.

Mohamud pledges firm commitment to his oath of office as he takes over as CEO at EACC

The newly appointed Chief Executive Officer of the Ethics and Anti-Corruption Commission (EACC), Mr Abdi Ahmed Mohamud, has promised to commit faithfully to his oath of office.

He was speaking at his swearing-in ceremony at the Supreme Court before the Chief Justice, Hon. Justice Martha Koome. Mr Mohamud takes over from the former CEO, Mr. Twalib Mbarak, who exited the Commission on January 10, 2025, upon the expiry of his 6-year term.

"I wish to offer my unequivocal commitment and fidelity to the oath of Office that I subscribed to in combating corruption, economic crime, and unethical conduct in the country," he said.

He further stated that whereas EACC will continue to enforce the law as mandated, in the future, it will prioritize tracing and recovering corruptly acquired assets, corruption prevention, and the creation of partnerships in the fight against corruption.

Mr. Mohamud said that he is acutely aware of the huge responsibility and expectations that Kenyans bestow upon the Commission and is cognizant of the adverse effects of corruption on a nation's well-being.

The immediate former Deputy CEO committed to reinvigorating existing anti-corruption strategies and enlisting the support and participation of key actors, especially the youth.

The ceremony was attended by senior EACC Officials led by Chairperson Dr David Oginde. Also, in attendance were the Chairperson of the Justice and Legal Affairs Committee of the National Assembly (JLAC) Hon. George Murugara, Director of Criminal Investigations Mohamed Amin, Deputy Inspector General Kenya Police Service Mr Eliud Lagat and Mr Alloys Kemo, Ag—Secretary of Public Prosecutions, representing the Director of Public Prosecutions (DPP).

Mohamud is an Advocate of the High Court of Kenya and a seasoned investigator with a wealth of experience spanning over 30 years in investigation of corruption and other forms of economic crimes.



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New EACC Secretary/ CEO, Mr Mohamud, with the Chief Justice, Hon. Justice Martha Koome after taking oath of Office at the Supreme Court.





Justice of the Republic of Kenya, Hon. Justice Martha Koome (fourth from left), and EACC CEO Mr. Abdi Mohamud (fifth from left), accompanied by the EACC Chairperson, Commissioners, and the Chief **Registrar of** the Judiciary, pose for a photo at the Supreme **Court of** Kenya following the swearing-in ceremony.

Above: Chief

New EACC Secretary/ CEO, Mr Mohamud, taking oath of Office at the Supreme Court of Kenya.

EACC calls for a unified action in war against graft

"We cannot be mere consumers of good governance, we must be participants; we must be co-creators."

~ Rohini Nilekani

The Ethics and Anti-Corruption Commission CEO, Mr. Abdi A. Mohamud, has called for a unified, strategic effort to tackle corruption in Kenya.

Speaking at the launch of the Anti-Corruption Strategic Guiding Framework for the Justice Sector, which was attended by, among other stakeholders, the top leadership of Parliament, the Judiciary, the Executive, and IEBC, Mr. Mohamud stressed the urgent need for collaboration across institutions to combat corruption and economic crimes.

In her keynote address, Chief Justice Martha Koome described the launch as "a bold new chapter" in Kenya's pursuit of integrity. She called the framework, developed under the National Council on the Administration of Justice (NCAJ), a "shared pledge" to strengthen justice institutions and dismantle corruption systematically.

The initiative traces back to the Inaugural Heads of the Arms of Government Summit on January 22, 2024, when President William Ruto rallied the Government's three branches to unite against corruption, tasking NCAJ with the justice-sector roadmap.

"Corruption poisons the rule of law. It undermines human rights and distorts justice,"



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the Chief Justice said, referencing its violation of Kenya's constitutional values.

The framework outlines 76 programs for short, mid, and long-term action, emphasizing inter-agency collaboration and public trust. Among the Judiciary efforts, the Chief Justice highlighted the Court Integrity Committees at every court station, multi-stakeholder bodies tackling grassroots corruption, and daily briefings reinforcing a zero-tolerance policy.

She urged Parliament to enact supporting legal reforms and the National Treasury to fund the framework's rollout. "This is a moral imperative, not just a legal one," she said, crediting the NCAJ Anti-Corruption Committee, led by EACC's CEO, and the European Union for their contributions.

The NCAJ unites justice sector actors to promotean efficient, effective, and collaborative justice system. The framework aims to streamline investigations, prosecutions, asset recovery, and adjudication of corruption cases,



From left, the Hon. Attorney General Dorcas Oduor, Chief Justice. Hon. Martha Koome, and Director of Public Prosecutions, Renson Ingonga at the launch of the Anti-Corruption Strategic Guiding Framework for the Justice Sector.

enhance coordination and accountability, implement targeted anti-corruption measures, and build public trust in anti-corruption efforts.



If you don't have integrity, you have nothing. You can't buy it. You can have all the money in the world, but if you are not a moral and ethical person, you really have nothing.

~ Henry Kravis



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EACC to enhance media partnership in anti-corruption drive

The media plays a key role in the fight against corruption and in preserving the country's assets, the Ethics and Anti-Corruption Commission (EACC)'s Chairperson, Dr. David Oginde, has said.

Equating hisroleas EACC's Chairperson to protecting Kenya's maize farm against monkeys, Dr. Oginde said the media plays a critical role in ensuring those, like the monkeys, who want to harvest where they have not planted are exposed.

Dr. Oginde spoke on April 3, 2025, at the EACC-Kenya Editor's Guild Consultative Forum at Sarova Stanley Hotel in Nairobi. Dubbed Turning the Tide: From Stolen Assets to Public Good, the forum highlighted the crucial link between the Commission's strategic focus on asset tracing and recovery and utilizing recovered assets for the greater good.

The event was attended by the president of the Kenya Editors Guild, Zubeida Kananu; the CEO of the Media Council of Kenya, David Omwoyo Omwoyo; the president of The African Editors, Churchill Otieno; the president of the Crime Journalist Association of Kenya, Joseph Muraya; the Secretary General of the Kenya Union of Journalists, Eric Oduor; among other senior media practitioners.

The Chairperson reiterated the significance of harnessing collective synergy in recovering stolen assets. "The media plays a public watchdog role throughinvestigative journalism, creating awareness of what may be happening so that action may be taken. We work together to ensure that assets that have been or are about to be stolen are protected from thieving hands," he said.

The Commission's CEO, Mr. Abdi A. Mohamud, emphasized the importance of EACC's strategic focus on asset tracing and recovery and utilizing recovered assets for the greater public good. The CEO said that the rationale behind asset recovery is to ensure that the corrupt do not profit from their



Joe Ageyo, Editor-in-Chief of Nation Media Group: As a watchdog in exposing corruption and ensuring accountability and transparency, EACC needs to support investigative journalism

corrupt conduct. This, among others, has informed the paradigm shift by the Commission to focus on the recovery of proceeds of corruption.

The media fraternity emphasized the need to ensure that recovered assets benefit the public effectively and are not re-looted. They also called on stakeholders to ensure the safety of investigative journalists and whistle-blowers.

"One of the greatest risks facing journalists reporting corruption is intimidation, threats, and, in extreme cases, violence," said the Kenya Editor's Guild president. She called on the EACC to work more closely with relevant agencies to strengthen witness protection measures, including extending protection mechanisms to journalists covering corruption cases. In a presentation, Leveraging Recovered Assets for Public Good, Mr Joe Ageyo, Editor-in-Chief of Nation Media Group, called on all stakeholders in the anticorruption war to play a role in media sustainability. Mr. Ageyo said independent media faces financial struggles and threats to its freedom. As a watchdog in exposing corruption and ensuring accountability and transparency, he invited EACC to support investigative journalism.

Kenya Leadership Integrity Forum Unveils Strategic Plan

The Kenya Leadership Integrity Forum (KLIF) has launched its 5-year strategic plan.

KLIF is a multisectoral forum that brings together the private and public sectors in the fight against corruption and the promotion of ethics in Kenya. Its secretariat is domiciled within the Ethics and Anti-Corruption Commission.

Dubbed the Kenya Integrity Plan (KIP), the strategy was unveiled on February 28, 2025, at the Kenya International Conference Centre (KICC).

KIP is founded on four strategic objectives, underscoring a commitment to helping the nation achieve its developmental goals. They include enhancing KLIF's capacity and strengthening the policy, legal, and institutional framework for the fight against corruption and

promotion of ethics and integrity in Kenya.

Speaking at the event, the Chief Guest, the Honourable Attorney General, Dorcas Oduor, described the launch of KIP as a significant national milestone.

"This is a momentous occasion, not only for the institutions represented here but for the entire nation, as we reaffirm our unwavering commitment to integrity, transparency, and accountability in all facets of public and private life," said Hon. Oduor, who is also the Chairperson of the National Coordinating Committee (NCC) of KLIF.

The Attorney General said that integrity is the cornerstone of a thriving democracy and a key pillar of sustainable development. A nation that upholds the principles of good governance, honesty, and ethical leadership, she said,



Attorney General of the Republic of Kenya, Hon. Dorcas Oduor. and EACC Chairperson, **Dr. David** Oginde, cutting the ribbon during the launch of the Kenva **Integrity** Plan.

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One of the truest tests of integrity is its blunt refusal to be compromised.

"Chinua Achebe"

ensures the prosperity of its people.

She further noted that the Integrity Plan is a call to action. "It serves as a comprehensive framework that emphasizes prevention, detection, enforcement, and civic engagement in promoting integrity and ethics."

Dr. David Oginde, the Chairperson of EACC and the Alternate Chairperson of KLIF's NCC, noted that KLIF's goal is to have an enlightened community on ethics and improved institutional and personal integrity, which will be necessary to realize the Government's Bottom-up Economic Transformation Agenda.

On his part, the Commission's CEO, Mr. Abdi A. Mohamud, said the Kenya Integrity Plan is a product of a consultative and engaging process between partner agencies and other stakeholders. The Plan's overarching objective, he said, is to establish a more structured and coordinated framework for implementing programmes aimed at mainstreaming integrity in both the public and private sectors.

The event was attended by representatives of KLIF's stakeholders, including the National



Attorney General of the Republic of Kenya, Hon. Dorcas Oduor, and EACC Chairperson, Dr. David Oginde, display the Kenya Integrity Plan during its official launch.

Youth Council, Transparency International – Kenya, Association of Professional Societies in East Africa (APSEA), United Nations Office on Drugs and Crime (UNODC), Office of the Director of Public Prosecutions (ODPP), Public Service Commission, Auditor General, and the Judiciary.





Plan for its training wing



A greedy man

brings trouble

to his family,

but he who

hates bribes

The Ethics and Anti-Corruption Commission (EACC) unveiled the inaugural Strategic Plan for the National Integrity Academy (NIAca), its official training arm. The plan was launched by EACC Chairperson Dr. David Oginde at a ceremony held at the Kenya School of

Government.

Speaking at the launch, the Chairperson said the Strategic Plan serves as a dynamic blueprint for driving EACC's mission in training, promoting ethics, and advancing good governance.

"It stands as testament to the Commission's steadfast commitment to promoting a culture of integrity, transparency, and ethical conduct in our society," Dr. Oginde said.

The plan focuses on three key pillars: quality training on ethics and anti-corruption, building the academy's institutional capacity, and collaboration and coordination of stakeholders to enhance training.

The Chairperson urged stakeholders to actively support the implementation of the

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Strategic Plan, noting that its success depends on translating goals into tangible actions.

"To our partners and stakeholders, we invite you to journey with the Commission by offering your support and active participation to make the vision embodied in the Strategic Plan a reality," he said.

The Commission's CEO, Mr Abdi A. Mohamud, represented by the Director of Investigations, Mr Pascal Mweu, hailed the Academy's role in providing specialized ethics, integrity, leadership, good governance, and anticorruption training to public and private sector institutions.

Mr Mohamud expressed his confidence in the academy, noting that it had created an impact through specialized training for public officers in Kenya and the East African region. "This plan will guide us in building capacity, promoting a culture of transparency, and strengthening institutions to uphold the highest standards of accountability," he noted.

The CEO thanked all contributors, including the European Union, United Nations Office on Drugs and Crime (UNODC), and consultant Prof. Collins Odote, for supporting the Plan. Emphasizing collaboration as key to the Plan's success, Mr Mohamud called on development partners to continue backing NIAca's initiatives, adding that the unveiling of the Strategic Plan marks the beginning of a transformative journey towards a more transparent and just nation.

The Director General of the Kenya School of Government, Prof. Nura Mohammed, who also spoke during the launch, lauded the commission for establishing the academy, adding that it will go along way in mainstreaming ethics and integrity.

Prof. Mohammed pledged the school's commitment to partnering with the academy to ensure the full implementation of the strategy. "We are not here to snore; we are here to score, and as the African saying goes, a cat that aspires to be a lion must lose the appetite for rats," he said.

The academy will provide specialized training to both public and private sector institutions, equipping individuals with the knowledge and skills necessary to combat corruption and promote integrity. It offers a variety of custom-designed courses, including Leadership and Integrity for Executives, Corruption Prevention in Supply Chain Management, Investigation Course for Law Enforcement Officers, and Ethics and Integrity Course for Education Managers, among others.

The launch of the academy's strategic plan marks a milestone since its establishment in 2018. This comprehensive blueprint positions NIAca as a center of excellence in anti-corruption leadership, integrity, and governance training.





There is no rose without a thorn: Flipping the coin of digitization in forensics



By Christine Ombaka

Digital forensics is the application of technical methods to analyse digital, electronic or computer evidence. There has been a significant increase in digitization in the country which has propelled Kenya into a global fintech hub. This has brought with it many benefits.

However, as Arthur Schopenhauer says, there is no rose without a thorn. Despite organizations securing their ICT infrastructure, breaches may occur both internally and externally. Similarly, ICT may be used as a vehicle to perpetrate fraud hence the need for digital forensics in investigations.

Digital forensics has played a key role in evidence collection and is an important part of litigation for matters taken to court. When someone commits an offence - an adult or a child, knowingly or unknowingly - their common instinct is to hide or eliminate the evidence.

Increased use of electronic devices by



Data can easily be manipulated and investigators must comply with the standards of evidence. This has more often than not been exploited to the advantage of the defence in litigation.

individuals and organisations therefore means that they are a common tool that could be used to perpetrate fraud and could hold evidence that is key in cracking a case. The use of digital forensics has hence helped improve the efficiency of investigations in ensuring quick and efficient searches and analysis of voluminous data; enabling retrieval of deleted information from suspects' devices and allowing for alternative evidence in the event that physical documents are destroyed.

Digital forensics process

The digital forensics process can be broken down into five stages;

Identification, which establishes the scope of an investigation and outlines the goals and objectives that need to be met. Identifying evidence that needs to be collected and the devices used will help guide the investigation.

Preservation of the evidence in the affected network then follows. Preservation is usually performed in the form of an image backup file. It is important to use imaging software which utilizes "write blockers" to ensure no additional digital footprints are left by the forensic examiner.

After data and digital artefacts are collected throughout the investigation, they are then analysed and pieced together to uncover what happened. Forensic investigators dig into the incident in order to create a timeline of events.

Documentation comes fourth. Here, all of the evidence is collected and recorded as it pertains to the crime at hand. The documentation only contains the most critical information needed to make an accurate conclusion. The findings will be prepared in a professional manner for presentation in a court of law.

Last and most important, is Presentation. Forensic investigators will state what happened during the attack and present their findings in a way that can be understood by everyone. This is key as the findings may be used for internal investigations. The presentation should clearly specify what was found and how it was found. It should also show that the process was legal

and that the evidence found was not tampered with.

Digital forensics now plays an important role in evidence collection and analysis which is critical to investigative agencies and other stakeholders in the criminal justice system. Its investigation findings have contributed to technologies by cyber security companies that prevent hackers from accessing networks, websites or devices. It is also helpful in investigating intellectual property theft and recovery of deleted information and in dealing with other emerging issues in the digital space and criminal justice system like phishing, corporate fraud, theft, breach of contract and asset recovery.

It has its own downside, however surmountable. In the criminal justice system for instance, digital or computer forensic analysts must make their investigations in such a way that the electronic evidence gathered meets the stringent threshold in the evidence law to be admissible in court. Data can easily be manipulated and investigators must comply with the standards of evidence. This has more often than not been exploited to the advantage of the defence in litigation. Secondly, the field of computer forensics is relatively new in the emerging economies and there is a lot of ground to cover to bring it to a level that it can reliably aid investigations and win cases in courts of law.

Digital forensics is key in the execution of the EACC mandate, particularly in combating and preventing corruption, economic crime and unethical conduct through law enforcement and prevention. It is an area of expertise that the Commission has fully embraced and developed in its operations to the extent that when Tradepass Global organised the 4th Edition of the CyFrica Summit 2022 in Nairobi in June, the Commission was one of the only three government institutions that were invited to make presentations.

Writer is team leader Forensic Investigations
Department, EACC

Towards a Corruption Free Africa: Recalibrating the Leadership Mindset

By David Oginde

Many sad tales have been told about Africa, painting a very grim picture of our continent. Yet, this continent is so well endowed that it stands among the highest league of nations. Several paradigms have been presented as antidotes to our challenges.

The first is the education paradigm. The founding fathers of our nation believed that one of the most critical pillars for developing into a developed nation was education. As Nelson Mandela once said, "Education is the most powerful weapon which you can use to change the world."

And indeed, many of our countries have consistently prioritised education in their national budgets, thereby not only raising an educated workforce, but also some of the top scholars globally. But has education resolved our problems? The truthful answer is – No!

It would appear that as Africa has become more educated, so also have our problems multiplied. Too many children still walk dusty roads to classes under trees, many mothers lie in clinics with no medicine, and too many dreams are extinguished by the weight of poverty. Yet, this is not because Africa is poor – No! It is because Africa is being looted – looted by a few greedy but highly educated individuals.

Sadly, as a Nigerian proverb says, "When the roots of a tree begin to decay, it spreads death to the branches." Hence, as highly educated leaders and professionals have engaged in such corrupt practices, our children have developed the wrong perception that the primary purpose of education is to usher you into the place of privilege and self-aggrandizement.

The other paradigm that has been proffered is the Legal Framework – the belief that a strong governance structure, backed by a robust legal system will sort out our ethical and integrity challenges. Unfortunately, in my short stint in the "Corruption Industry," I must admit that, whereas laws are important for setting standards for ethical living, they have absolutely no power in producing a people of integrity. Some of the most notorious corruption perpetrators are lawmakers and custodians of ethics and values! Why is this?

In her book, Leadership and Power, Janet Hagberg defines integrity as a quality or state of being of sound moral principle, honest, sincere, and upright. Thus, a man or woman of integrity is a person who has made the personal choice to be honest, sincere, and upright in all their dealings.

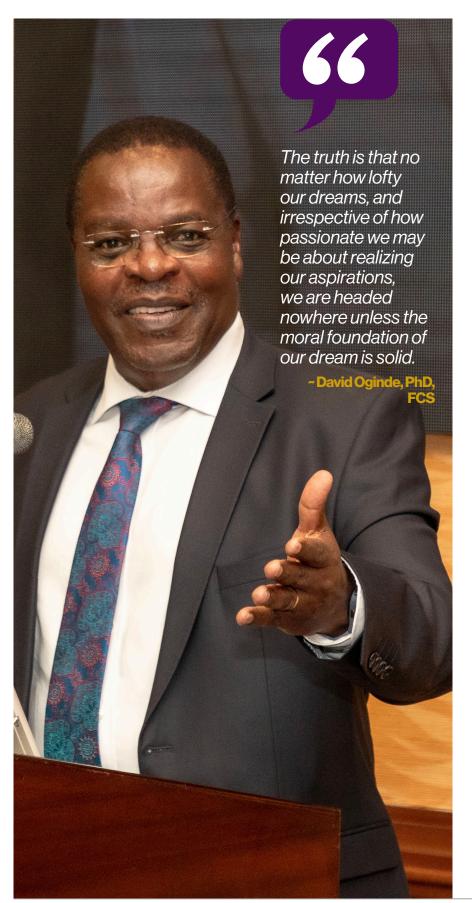
The implications are profound! If we are going to develop men and women of integrity, we must move from mere rational education or legal sanctions. Instead, we must work on building a deep reservoir of emotional sensitivity to ethics and morality. This requires a paradigm shift—a Mindset Change.

Leadership in Africa is shaped not only by political systems, legal architecture, or socioeconomic frameworks but also by the mental pictures that leaders bring into governance. Listening to many Africans, whether in informal conversations or in high level discourse in global platforms, several mental frameworks naturally manifest.

The first of such is the victim mindset – a world view in which we blame all our problems on the colonialists. Whereas there is no doubt that colonialism is a significant contributor to many of our sorrows, it cannot be that at 60 years of age,



Chaiperson's take



we should still be blaming our circumstances. It is a mindset we must debunk.

According to Ngũgĩ wa Thiong'o, decolonization must begin in the mind. For a colonized mind breeds inferiority. Instead, a leadership mindset rooted in African identity, pride, and sovereignty is a must for empowering people towards economic independence.

Another persistent reality among Africans is the scarcity mindset—a belief that resources are scarce while the future is uncertain, therefore, I must get as much as I can while I can. The consequence is the scramble to amass wealth and riches whenever one gets into leadership. Scarcity mindset is the key driver of the rampant corruption that we see across the continent. Yet, a simple Mindshift will reveal that we have adequate resources to support all of us. You do not need to steal public resources to secure your future.

One of the most divisive factors across Africa is the My People Mindset – a perspective premised on the falsehood that when I ascend to any position of leadership, my first responsibility is to My People. Opportunities and resources must of necessity go to my people first. This has been the source and cause of many wars in Africa – a fight for leadership, resources, and opportunities. For Africa to enjoy peace and prosperity, we need a paradigm shift – from a My People to the Ubuntu philosophy as Nelson Mandela and Desmond Tutu exemplified.

The truth is that no matter how lofty our dreams, and irrespective of how passionate we may be about realizing our aspirations, we are headed nowhere unless the moral foundation of our dream is solid.

A careful study of the successful nations such as Singapore, Malaysia, Japan, much of Europe and North America, reveals that these nations got to where they are today because, as a people, they chose to embrace some basic moral values that have guided their social, economic, and political intercourse. Their patriotic zeal drove them to subdue their personal desires for the sake of the national good. The truth is that no individual, family, community, or nation has ever risen to greatness without a sound moral ethic. This calls for a mindset shift.

Writer is Chairperson, Ethics and Anti-Corruption Commission.

Turning the tide; from stolen



In the last strategic plan, covering the years (2018-2023), the Commission recovered assets worth Kes23.84 billion, constituting both corruptly acquired and unexplained assets. This was a 568.7 percentage increase from Kes3.565 billion recorded between 2013-2018.

By Mwongela Mbiti

Over the years, the Commission has prioritized recovery of illegally acquired public property, proceeds of crime and unexplained assets as a strategy to extinguish the benefits that accrue from corrupt conduct and deter other would-be offenders. Besides denying the corrupt the proceeds of their illegal activities, recovered assets have been restituted to the government for public use.

The legal framework for asset recovery in Kenya stems from the United Nations Convention Against Corruption (UNCAC) which obligates member states to develop comprehensive measures for asset recovery among others. The Anti-Corruption and Economic Crimes Act (ACECA) and the Proceeds of Crime and Anti-Money Laundering Act (POCAMLA) provide the substantive legal framework for recovery of illegally acquired assets, proceeds of corruption and unexplained assets. The Commission is empowered under ACECA to pursue recovery of illegally and irregularly acquired assets, and unexplained assets on one hand and proceeds of corruption under the POCAMLA.

The process of asset recovery or forfeiture begins with investigations or what is called asset tracing or 'following the money'. These investigations are triggered either by a report to the Commission or the Commission, on its own motion following intelligence briefs. Investigations entail search and seizure; analysis of bank statements, business records, financial documents and contracts; piercing the corporate veil to determine the ultimate beneficial owners; assembling corroborative evidence through interviews of witnesses or targets; coordinating with foreign authorities; and organizing the information in a comprehensive and coherent manner.

Unlike criminal investigations, asset tracing files need not be taken to the Office of the Director of Public Prosecutions (ODPP). Once the Commission is satisfied that a person is in possession of unexplained assets, proceeds of corruption or any asset has been illegally or irregularly acquired, it proceeds to court seeking orders to recover the same. It is a shorter and more efficient process as it only involves the Commission, the suspect, and the Court. In some cases, however, it only involves the Commission

and the suspect where the latter admits liability and voluntarily surrenders the stolen assets to the Commission. The Commission, therefore, is in control of the entire process, except, of course for the court process.

Once a case is filed in court, the Commission obtains orders freezing the funds involved or preserving the properties pending hearing and determination of the case to prevent the suspects from withdrawing or disposing off the assets subject of the court process.

The Commission has recorded significant success in asset recovery over the last few years both through the courts and Alternative Dispute Resolution (ADR) mechanisms. Infact, in the last Strategic Plan covering the years, 2018-2023, the Commission recovered assets worth Kes23.84 billion constituting both corruptly acquired and unexplained assets. This was a 568.7 percentage increase from Kes3.565 billion recorded within a similar period between 2013-2018. This tremendous success can be attributed to the change in tact by the Commission with respect to strategic focus on asset recovery, improved technical capacity of the Commission staff, international cooperation and more importantly, the progressive jurisprudence coming from the courts.

Social re-use of recovered assets

The funds recovered by the Commission are deposited in the Commission's asset recovery account and are at the end of every financial year yielded to the Consolidated Fund. On the other hand, immovable assets are registered in the name of the Treasury Principal Secretary in accordance with the law and any title documents handed over accordingly. Similarly, assets that are already in use or belonging to a particular government agency may automatically revert for the intended public use especially where privately owned titles have been cancelled; for instance, recovered road or railway reserves, government houses among others.

Among the Commission's major recoveries is a parcel of land in Industrial Area of Nairobi measuring approximately 60 acres belonging to the Meteorological Department. The Government vested the land to the State Department of Housing which is currently developing a social housing project.

assets to public good



President
William Ruto with
construction
workers at the
Affordable
Housing Project
on the Nairobi
Meteorological
land recovered
by EACC.

Other notable recoveries in the recent past include 5 acres of land with 20 Government houses belonging to the Ministry of Housing and Urban Development estimated at Kes345 million in Nakuru; 31 acres of land gazetted as a national monument and marine reserve belonging to the Kenya Wildlife Service in Chale Island valued at Kes1.2 billion; Kes410 million property comprising of a prime parcel of land located in the Dunga area, Kisumu valued at Kes60 million with a storey building worth Kes350 million. The land in Kisumu was set aside as an open space (wayleave) and is currently in use by the Kisumu Water and Sanitation Company Limited (KIWASCO).

In 2016, Jersey authorities confiscated funds following the successful conviction of Windward Trading Ltd for money laundering offences. The charges arose from corrupt payments made to Windward Ltd by Kenya Power and Lighting Company (KPLC) disguised as consultancy and commission fees. The award of tenders and payments to the company were facilitated by Mr. Samuel Gichuru, the then Managing Director of KPLC. Mr. Gichuru happened to be also the beneficial owner of Windward Trading Ltd.

In March 2022, Kenya signed an Asset Recovery Agreement (ARA) with New Jersey for the return of Kes450 million to the country, which money was earmarked for funding COVID 19 mitigation measures. This ARA is particularly significant as it is the first to be implemented in line with the Framework for the Return of Assets from Corruption and Crime in Kenya

(FRACCK). FRACCK, signed by the Governments of Kenya, Jersey, Switzerland and the UK in 2018, has been hailed as one of the most innovative and novel approach to asset return. Notably, the money was eventually used to purchase ambulances for public hospitals in the country.

Regional hub in asset recovery

Following the Commission's successes in the fight against corruption generally, and asset recovery in particular, Kenya has gained traction in the region with numerous African countries visiting for benchmarking. One thing that has been consistent and has stood out in the regional conversations about EACC's success story is forfeiture of 'unexplained assets'. ACECA empowers the Commission to recover, from public officers, assets in their possession that are disproportionate to their known legitimate sources of income. An officer is given an opportunity to explain the extra assets, and where they are unable or fail to offer satisfactory explanation, it is presumed to have been acquired by corrupt conduct. This serves to deter public officers from abusing their positions of authority to enrich themselves. This strategy is mostly efficient as no corrupt conduct needs to be proved for a claim for unexplained asset to succeed.

Similarly, the Commission has embraced and is encouraging ADR in asset recovery. ACECA has empowered the Commission to engage persons in possession of unexplained assets or those suspected to have illegally acquired public property, with a view to restoring them without resulting to court process. Further the Commission has adopted an ADR Policy that provides the modalities for the engagement and managing discretion on the part of the Commission. This is another major success factor for the Commission as it has reduced the turnaround time for the cases and increased the value of recoveries.

The Commission has unveiled a new Strategic Plan (2023-2028) to guide its operations for the next five years. The recast vision for the Commission is 'An Integrity and Values Driven Kenyan Society' and asset recovery is at the heart of it. The Commission's commitment to this call remains unwavered.

Victory in the war against corruption lies with the youth

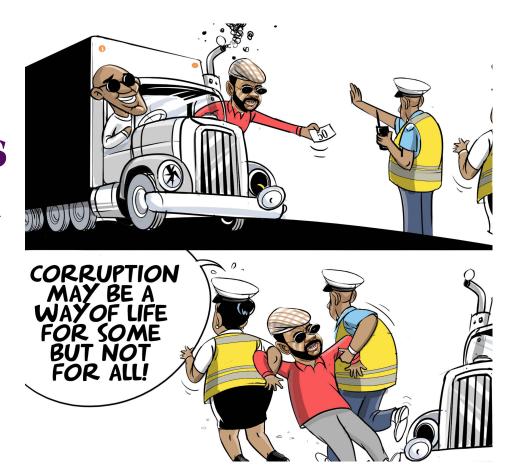
It is essential that global action ensures that young people are not only heard but understood, engaged and even allowed to lead anti-graft efforts

By Charity Kagwi-Ndung'u

The place of the youth in the war against corruption is momentous. The youth hold immense potential to revolutionize the fight against corruption if engaged meaningfully. They bring energy, innovation, and fresh perspectives to social and political issues.

They can also leverage technology and social media to raise awareness, mobilize support, and hold corrupt individuals and institutions accountable. Furthermore, by actively participating in the political process and promoting ethical values, young people can contribute to creating a more transparent and just society.

By failing to properly address corruption, humanity joins a narrow list of species on the planet that steals from its young. Accordingly, corruption robs the youth of their heritage and stifles multi-sectoral progress, thus depriving them of a prosperous future. Corruption, by stunting development and growth, leads to weak institutions and systems which affect all sectors including, among others, health, education, and agriculture. All these sectors are integral to a good environment for young people to meet their full potential. This is perhaps why the youth need to be actively



integrated into anti-corruption programs, given that they are highly susceptible to inheriting the repercussions of a corrupt world.

The need for meaningful engagement calls for relevant institutions and stakeholders to actively involve the youth in preventing and combating corruption. More often than not, the youth are systemically excluded from decision-making and are denied platforms to air their concerns. It is essential that global action ensures that the young people are not only heard but understood, engaged and even allowed to lead anti-corruption efforts.

In addition to inclusion, we ought to empower the youth to address and prevent corruption. This could be done by investing in education around integrity which can provide opportunities to learn about ethical values, good governance and the cost of corruption. Besides, technology and innovation enable young people to access information, communicate, and mobilize against corruption. Supporting partnerships with youth-led initiatives and







By failing to properly address corruption, humanity joins a narrow list of species on the planet that steals from its young.

involving youth organizations will create a supportive environment for young people to combat corruption.

It goes without saying that no matter how well-equipped or self-sufficient institutions are, moral degradation will create a pathway for people to manipulate systems for their personal gains. Therefore, it is important to inculcate in minds and hearts of the young the value of ethics and demonstrate that integrity pays. Subsequently, now more than ever, the time is now for all relevant stakeholders to put in place strategies that empower the young population by providing them with necessary tools, resources and support in order to enable them effectively fight corruption.

United Nations Office on Drugs and Crime (UNODC) through the Global Integrity Project, seeks to establish effective integrity programs to pave way for talent supply chain of university graduates that act as ethics and integrity ambassadors. The ultimate goal has been to foster ethical decision-making in the private and public sector by empowering young graduates right at the start of their careers.

Fundamentally, this project recognises that successful anti-corruption endeavours must also go beyond legal and institutional approaches by pursuing ways to transform societal attitudes. Education at the tertiary level is a major intervention for achieving such transformation as it shapes the mindsets and professional identities of future leaders and citizens.

Through a high-level academia and private sector working group, UNODC customized and enriched four pillars on Anti-Corruption, Integrity and Ethics with practical case studies of integrity challenges in specific industries and linked to the specific local context. Through the project, UNODC has trained 100 lecturers as trainers in Kenya who have in turn delivered the modules to over 8,000 students in Kenyan Universities. Follow-ups and monitoring of some of the students in the workplace has demonstrated real life cultural and mindset shifts on issues of integrity and corruption.

Majority of the alumni of the program have been able to employ the skills gained to address both instances of corruption and gaps in the anti-corruption framework in society. This is a positive indication that an investment on education around integrity can be impactful in promoting preventive measure in the fight against corruption.

Cognisant of the importance of equipping our youth on early stages of development and education with tools and basic knowledge to both understand and react when they are confronted with corruption, UNODC has also worked closely with educators, trainers and civil society organisations focusing on primary and secondary schools in the counties of Nairobi, Machakos, Kwale and Uasin Gishu to equip relevant actors in the field in effective, evidence-based skills to promote values such as acceptance, integrity, respect and fairness.

Relevant for their communities

Through the Education for Justice (E4J) Initiative, UNODC was able to conduct workshops and trainings that resulted in the establishment of 12 "Justice Clubs" that successfully engaged with 450 secondary school students around the country through ownership of initiatives that they valued as relevant for their communities and promoted their change of attitude while bolstering their assimilation of values such as conflict resolution, critical thinking, teamwork and empathy.

Ultimately, we must remember to align anti-corruption strategies to the universal agenda enumerated under the Sustainable Development Goals (SDGs). At the heart of this agenda, is the welfare of the youth and future generations. This war is an essential component of the efforts to achieve the SDGs and for that reason, it is critical to centre the contributions and input of the actual focal objects of the overall 2030 global agenda.

Writer is UNODC Regional Head of the Crime Prevention & Criminal Justice and Anti-Corruption Programmes Eastern Africa

Upholding Chapter Six of the Constitution is the Key to Ethical Leadership

By John Lolkoloi

Chapter Six of the Constitution of Kenya was primarily enacted to reform governance by addressing the hitherto culture of impunity, corruption and other forms of conduct inimical to the public interest. In entrenching a dedicated integrity chapter in the supreme law of the land, Kenyans hoped to rid the country of graft and other governance ills that had for decades impeded their prosperity in the political, social, economic and cultural spheres.

Chapter Six advances ethical leadership, which is crucial for the success of our governance structures. Ethical leadership entails leading by example and setting high standards of honesty and integrity, not just for oneself but for others.

The Constitution gave prominence to integrity in the management of public affairs. Article 73, provides that authority assigned to a State officer is a public trust, which vests in the officer the responsibility to serve rather than the power to rule the people. State officers are commanded to always exercise public authority in a manner consistent with the Constitution that demonstrates respect for the people, brings honour to the nation and dignity to the office

Chapter Six prescribes integrity standards to guide the performance of public duty. These constitutional standards are further amplified under the Leadership and Integrity Act, 2012. For instance, state officers should be objective and impartial in decision-making.



Citizens should uphold integrity while companies should maintain ethical business practices." Their decisions should not be influenced by nepotism, favouritism or corrupt conduct. They should uphold selflessness in service which entails utmost dedication, diligence and honesty. Further, they should be accountable to the public and take responsibility for their decisions and actions.

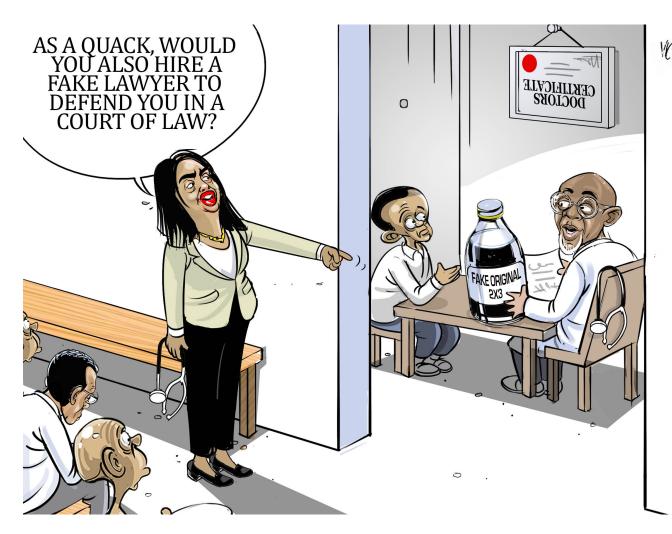
In respect to personal conduct, state officers should uphold high standards of discipline and always conduct themselves with dignity in both public and private lives. They are also barred from operating bank accounts outside Kenya without approval from the Ethics and Anti-Corruption Commission.

Other integrity obligations for state officers include observance of the rule of law, avoiding conflict of interest, and taking care of public property. Relatedly, state officers are prohibited from falsifying records, misleading the public or using public office to unlawfully enrich themselves.

Scourge of corruption

Despite the high threshold of integrity envisaged under Chapter Six and relevant statutes, the scourge of corruption continues to thrive. Lest we forget, corruption undermines the effectiveness of leaders and institutions of governance and ultimately impedes realization of national goals. It hurts all citizens, albeit in varying ways and degrees. It leads to increased cost of doing business, low investor confidence, high cost of living, poor quality public services and delays in access to justice. To date, Kenyans still suffer the pre-2010 challenges

Opinion



which they hoped to extinguish by enacting Chapter Six of the Constitution.

As evidenced by the periodic reports of Parliamentary Watchdog Committees, Auditor General and EACC, many public officials have failed to live up to the yardstick of integrity under Chapter Six. This has led to numerous individuals and companies being charged with corruption and economic crime including abuse of office, conflict of interest, unlawful acquisition of public property, fraud and falsification of documents. The reports further chronicle cases of public officials ordered by the court to forfeit to the State unexplained wealth and corruptly acquired assets.

Despite the legal framework guiding the performance of public duty, our greatest challenge, as a society is the widespread dishonesty in our dealings. If all persons upheld

integrity and lived by the existing laws, there would be no corruption in our motherland.

When taking the oath of office, state officers swear to obey, respect, uphold, preserve, protect and defend the Constitution. To realize the promise under chapter six, therefore, they must all live by their respective oaths of office. As once stated by former President Mwai Kibaki, leadership is a privilege to better the lives of others and not an opportunity to satisfy personal greed.

Separately, private persons also have a role. Citizens should uphold integrity while companies should maintain ethical business practices. As aptly put by Mahatma Gandhi, the world has enough for everyone's needs but not enough for everyone's greed. Corruption can end in Kenya if we all uphold integrity.



Leadership is a privilege to better the lives of others and not an opportunity to satisfy personal greed"

- Mwai Kibaki

The role of the private sector in addressing corruption



As governments address corruption through policymaking and law enforcement, the business sector must inculcate a culture of integrity within their organizations."

By Dr. Julius Kipngetich

Now more than ever, businesses and economies across the world are undergoing disruption among other challenges. Despite the competing priorities, attention must be directed towards addressing corruption.

The 2024 Corruption Perceptions Index (CPI) found that there is still a huge amount of work to be done to stop corruption.

Corruption threatens a country's democratic gains, security, and economic growth. It also advances unfairness while increasing the cost of doing business. Although discourse around corruption has majorly been directed to Government agencies, the private sector is an equal enabler of unethical conduct and corruption.

The occurrence of private sector corruption is reportedly high. Commercial bribery and kickbacks, tax evasion, money laundering and favors to family or friends are some of the common forms of corruption in the business sector. 2023 Data from Kenya Revenue Authority indicated that 85 per cent of firms did not pay corporate taxes.

Corruption is a multisectoral problem that will require a concerted approach by the public and private sector.

A culture of integrity

As governments address corruption through policymaking and lawenforcement, the business sector must inculcate a culture of integrity within their organizations. This should run from the recruitment stage and throughout the employee's journey within a company.

Companies must also encourage personal resolve among employees to shun unethical

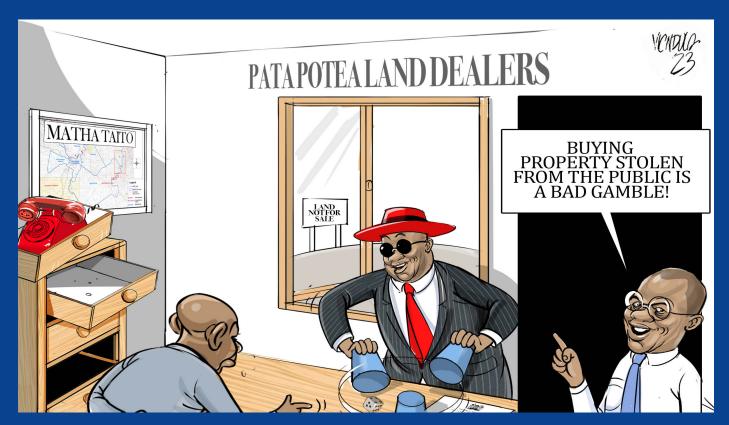
conduct. Creating educational opportunities around corruption and illustrating how an individual's role combats this negative practice will go along way in creating a culture of integrity. Additionally, zero-tolerance policy on bribery and corruption must be extended to company suppliers.

Addressing corruption will require private companies to adopt and implement clear processes, policies, and procedures. These guidelines should cover every business area and form the operational framework for everyone within the organization. Blue Company members have adopted a non-tolerance policy towards bribery and corruption. For instance, employees have an obligation to report any donation or gift by a client or supplier exceeding \$35.

Clearly defined code of ethics must be regularly communicated to employees while providing opportunities for staff to respond or raise issues in a confidential environment.

In addition to enforcing structures that promote ethical business practice, private companies must take up the responsibility to generate awareness on the cost of corruption. World Bank estimates that more than \$2.6 trillion, equivalent to five per cent of global GDP, is lost to corruption annually around the world. This is enough capital to fund a \$300 billion estimated cost of climate adoption in developing economies. Further research shows that corruption is a key cause for the global deteriorating peace.

Breaking down the cost of corruption will sensitize people on how this vice ravages our society and eventually provoke change. Companies that are committed to ethical business practice should proactively curate advocacy opportunities that illustrate the impact



of corruption on an individual and national level. The Blue Company consistently organizes and participates in various activities such as webinars and industry events that lobby for anticorruption and ethical business practice.

Strengthen whistleblowing structures.

Whistleblowing is one of the most efficient ways to detect and prevent corruption. Private companies must establish whistle blowing structures to understand any wrongdoing being committed by an individual or entity within the organization.

Although whistleblower disclosures have enabled companies to avoid loss, much needs to be done to protect the whistleblower. Reporting gross misconduct cases comes at a high price. Companies should maintain whistleblower confidentiality to encourage more employees to report any misconduct cases. This will not only ensure the safety of the whistle blower, but that they are not labelled as betrayers.

Address the supply side of corruption

Public sector has been seen as a major actor in corruption. While this is true, the private sector has been on the corruption supply-side. Bribery

and unfair competition are common propagators of corruption in the business sector.

Addressing corruption will require private companies to overcome the passive attitude towards corporate bribery. Companies must build transparent institutions and collaborate with other industry players to ensure fair business practice. The Blue Company brings together private sector companies which are committed to integrity and anti-corruption. Together, we are using our collective voice to both demonstrate that ethical business pays, and lobby against corruption in the private sector across East Africa. Our Blue Company members are also giving each other business preference and discounted rates through the Group Purchasing initiatives. This will create incentives for other businesses to adopt ethics and anti-corruption.

A corruption-free business environment will attract more investment and ensure resources are efficiently utilized. Ethics and business integrity will also enable companies attract and retain talent.

Writer is Advisory Board Member - The Blue Company



Pictorial



Senior journalists Yvonne Okwara (left), Jamila Mohamed (centre), and Sam Gituku (right) during the EACC-Kenya Editors' Guild engagement forum at a Nairobi hotel.



EACC officers, led by Deputy Director of Budget and Planning, Mr Willis Wasala (third from right), receive certificates as the Commission is recognized for outstanding service across various categories at the 2025 National Diversity and Inclusion Awards & Recognition (DIAR Awards).





Special Edition 2025



United Nations Office on Drugs and Crime (UNODC), Eastern Africa Regional Heads during a consultative forum at Integrity Centre.





The Attorney General of the Republic of Kenya, Hon. Dorcas Oduor (right), hands over the Integrity Plan (2023–2028) to Ms. Ashita Mittal, (Left) Regional Representative of UNODC Eastern Africa.



Cabinet Secretary for the Ministry of Water, Sanitation and Irrigation Eng. Mugaa Murithi Eric (left) with EACC Commissioner Dr. Cecilia Mutuku, (right) handing over a report.

Pictorial



EACC officers participated in the launch of the African Asset Recovery Practitioners' Forum (AARP), organized by the African Union (AU) and held at a Nairobi hotel.



EACC Commissioners and the management team hosted the visiting South Sudan Anti-Corruption Commission during a benchmarking exercise at Integrity Centre, Nairobi.



If the
Commission
is carrying
out a police
operation or
an intelligence
gathering or
asset tracing
exercise, it
cannot be
required to
issue a prior
mandatory
Notice to the
suspects.

Element of surprise critical

By Mwongela Mbiti

The Supreme Court of Kenya in October 2022 brought to conclusion a seven-year enervating legal battle on the question as to whether the Ethics and Anti-Corruption Commission (EACC) should give notice to suspects or their associates before commencing investigations.

EACC and the Office of the Director of Public Prosecutions (ODPP) moved the Supreme Court on appeal against the decision of the Court of Appeal that EACC had violated Kisumu Senator Prof. Tom Ojienda's right to privacy for investigating his bank accounts without issuing a notice as required by the law.

The origin of this suit extraordinaire that threatened to paralyze the operations of EACC and compromise all other investigations previously undertaken, was a complaint lodged before the Commission alleging that KES280 million had been fraudulently paid into Prof Ojienda's advocate-client bank account by Mumias Sugar Company Limited. Based on this allegation, EACC obtained warrants to investigate the bank account on 18th March, 2015. It had further been alleged that the money paid to Prof. Ojienda was allegedly for services not rendered at the time the former Nairobi Governor Dr. Evans Kidero was the CEO of Mumias Sugar Company.

Ojienda, being an advocate of the rank of Senior Counsel was indubitably aware of his rights, was aggrieved by EACC's decision and subsequent order by the court. He petitioned the High Court in 2015 complaining that EACC had, without notice to him, obtained warrants to investigate his bank accounts. He argued that EACC had not only abused its entrusted power by secretly obtaining the warrants but had also infringed on his right to privacy, property, fair administrative action, and fair hearing as enshrined in the Constitution.

Justice Lenaola, then a High Court Judge,

agreed with Ojienda and ruled that indeed, the impugned search warrants were illegally obtained and EACC had violated his rights under the Constitution. The court went further to quash the warrants.

The cumulative effect of this judgment was far-reaching. Law enforcement agencies worldwide are empowered by the law to engage in covert operations to obtain and preserve evidence to be adduced in court during the prosecution of criminal cases. In the absence of such powers, the agencies remain lame ducks and the suspects have the opportunity to tamper with the evidence, conceal proceeds of crime or at the very extreme circumstances, flee jurisdiction to avoid arrest and prosecution.

Aggrieved by the High Court Judgment, EACC and DPP moved to the Court of Appeal. In a Judgment delivered on 28th June, 2019 the Court upheld the High Court decision on all issues and dismissed the appeal for lack of merit. Basically, the Court of Appeal affirmed the position that the EACC is bound to issue prior Notice to each and every person it intends to investigate before it commences its investigations.

EACC and DPP proceeded to the highest court in the land seeking answers to the question 'Whether the Commission is inflexibly bound to issue prior notice to the suspects/associates before commencing its investigations including applying for warrants'. At this point EACC argued that it was facing an existential threat and the Supreme Court was called upon to make a decision that would go to the very body and soul of the institution as a law enforcement agency.

The Supreme Court Judges led by the Deputy Chief Justice Philomena Mwilu, acknowledged that EACC has a wide and critical mandate under the Constitution and the law to combat

in corruption investigations 66

Corruption and Economic Crime in the society. In executing this mandate, the EACC assumes different postures depending on the nature of the specific function it is carrying out. Thus, on the one hand, the EACC assumes a nonconfrontational role when for example, it is educating the public on the vices of corruption, or conducting research into the nature of corruption, or when undertaking a systems review of a specific agency with a view to sealing corruption loopholes.

Further, the Judges acknowledged that the Commission may assume a law enforcement posture, when conducting investigations into suspected corrupt conduct, effecting

arrests of corruption suspects, disrupting corruption networks, and through the DPP, arraigning suspects before the courts. Lastly, the Commission may assume an intelligencegathering posture, when for example it is tracing the proceeds of crime with a view to recovering the same.

In conclusion, the Supreme Court noted that, if the conditions so specified obtain, then the Commission may issue Notice to the affected parties. If the Commission is carrying out a police operation or an intelligence gathering or asset tracing exercise, it cannot be required to issue a prior mandatory Notice to the suspects.



I urge the professionals to desist from deploying their expertise to facilitate their expertise to facilitate theft of public funds.

~ David Oginde, PhD, FCS. Chairperson EACC

Summary of files forwarded to the **Director of Public Prosecutions** 3rd Quarter, 1st Jan-30th March, 2025 Files forwarded to



Files recommended for Prosecution



Files recommended for administrative action



Files recommended for closure

MORE FINDINGS Files where recommendation to prosecute accepted



Files where recommendation to prosecute not accepted



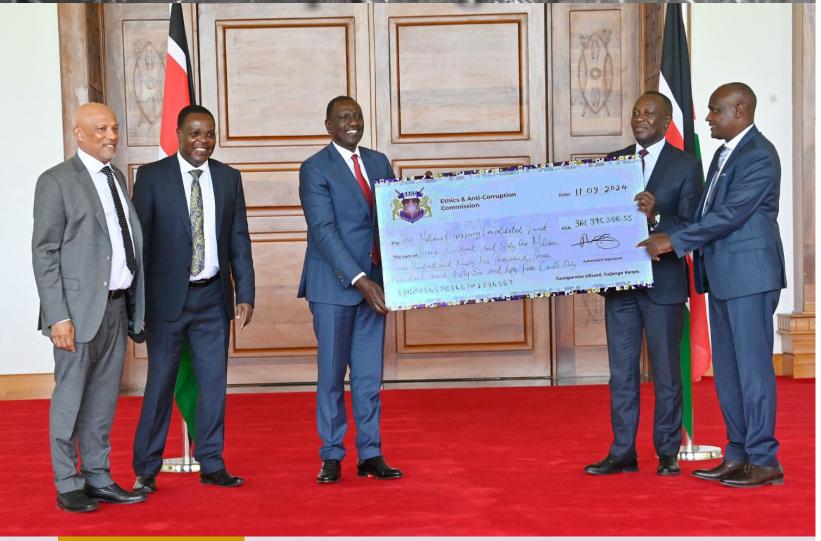
Files returned for further investigation



Files awaiting DPP

Source: www.eacc.go.ke



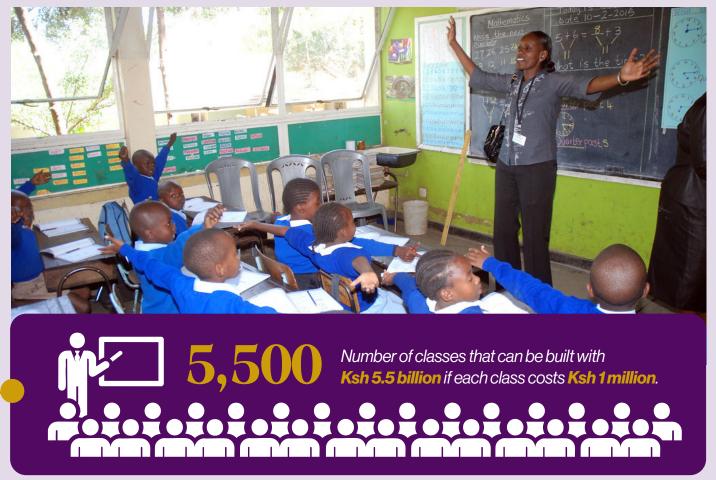


His Excellency, President
William Ruto, third from left, and
CS for the National Treasury,
Hon. John Mbadi, extreme
right, Principal Administrative
Secretary Charles Hinga to his
right, displaying a symbolic
cheque of Kes361,395,356.55
for the National Treasury
Consolidated Fund as EACC's
CEO, Twalib Mbarak and
Chairperson Dr David Oginde,
first and second from left, look
on.



Ksh5,5bn

The total estimated value of the assets recovered were 5.5 billion, comprising cash and immovable assets.



Number of classes that can be built: **5,500,000,0001,000,000=5,500** classes\frac{5,500,000,000}{1,000,000} = **5,500** \text{ classes}

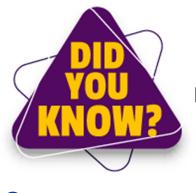


 $\textbf{Number of boreholes} = \textbf{5,500,000,0001,500,000} = \textbf{3,666.6.} \\ \text{text {Number of boreholes}} = \text{trac {5,500,000,000}} \\ \textbf{1,500,000} = \textbf{3,666} \\ \text{toreholes} = \textbf{5,500,000,000} \\ \textbf{1,500,000} = \textbf{3,666} \\ \textbf{1,500,000}$

Self-Declaration (EACC Clearance) process is now online



For more information or inquiries, call EACC Help Desk 0709 781000, 0730997000 or 0204997000



The Ethics and Anti-Corruption Commission is mandated to combat and prevent corruption, economic crime and unethical conduct in Kenya through law enforcement, prevention, public education, promotion of standards and practices of integrity, ethics and anti-corruption





Executive Courses

- Leadership and Integrity for Executives
- **Ethics in Public Procurement** Oversight
- Ethics and Integrity for Education Managers
- Governance, Ethics & Integrity

Law Enforcement Courses

- Corruption & Ethics Investigations
- Financial Investigations
- **Alternative Dispute Resolution** Mechanisms
- Mutual Legal Assistance
- **Asset Tracing**
- **Asset Recovery**

Ethics Courses

- > Ethics in Revenue Management
- > Ethics in Public Financial Management
- ➤ Ethics in Public Procurement
- ➤ Ethics in Human resource management
- Corruption Prevention Committee
- Integrity Assurance Officers'
- Integrity Assurance Officers' Refresher

Madison house, Upper Hill Close, 1st Floor niaca@integrity.go.ke 0741 834 185

Why Take These Courses?

- Enhance ethical leadership & decision-making
- Strengthen accountability & transparency in governance
- Equip professionals with tools to prevent corruption
- Promote integrity in financial, procurement, and HR practices

Who Should Attend?

- Compliance Officers
- Wildlife Rangers
- **Education Managers**
- Law Enforcement Officers
- **Integrity Assurance Officers**
- **Executives from Private and Public Sectors**
- Procurement and Human Resource **Professionals**
- Finance and Revenue Managers













Integrity in our society

Picture a society where there are no bank robbers, no cattle rustlers, no corruption, no theft cases at all. How wonderful would this society be? If every member of society would uphold integrity, then we would have a perfect society. Integrity therefore is the quality of being honest and having strong moral principles. It is one of the most essential values that a society should embrace to thrive.

Integrity plays an important role in our society. It does not only bring behavioral development but Also political development. If leaders of the society were honest and had integrity, our nation would not be among the third-world nations today. The money for development would have been properly utilized as a lot of resources are allocated to different sectors every year.

Our court systems have also been destroyed by lack of integrity. We have heard and seen wrong doers being set free a few days after their arrest with claims that there was no sufficient evidence despite serious criminal offences committed. A murderer can walk scot free just by bribing his or her way out. In order to stop this, we must at all times join hands and uphold our moral compass.

Children mirror the behavior of their parents. To show children the correct path, parents should champion the positive picture of integrity. They should pass virtues to them. Importance of integrity should be well defined and practiced by all. by doing so, the future is assured. They will grow up with the



knowledge that good habits and practices add value to them but vices destroy.

How many people outside your family do you trust with the key to your house? Of late, almost everyone is either a liar or a thief. People have no trust with anyone. This is due to lack of integrity. integrity eliminates mistrust among the people and promotes sincerity.

We can accomplish the creation of a perfect society by upholding integrity. no more corruption, no more theft cases, a safe haven for us and all our loved ones. We will become better people with better leaders, a better society and eventually a better world.

LARRY KIMATU F3 G (Former Student, Kabianga High School)



The value we ought to have, integrity

Where would we be if everybody was honest? I will answer the question for you; very far. We would be far ahead in terms of developing our country for the better by eliminating corruption while curbing incompetence, ignorance and illiteracy among members of the society by delivering to them financial aid on time and in right amounts. Integrity is often talked about but it is lacking in most of us. It is the quality of being honest and having strong moral principles.

Before we talk about integrity as a country, we should first discuss and practice in our schools. A student who possesses integrity is disciplined and relates well with both teachers and their peers. As the school motto of my school, Kabianga High School states, Discipline And Hard Work For Success. Success only comes about when one is honest in his studies and to himself. An honest person knows how to differentiate bad from good hence will abstain from other activities that won't develop their academic or nurture the talents like drugs abuse.

Integrity also involves honesty in examinations. When a person cheats in their certificate of secondary education, they will end up pursuing a course what is not fit for them as per their ability. Such a person may either drop the course or indulge in the drugs as a result of frustrations and hopelessness. Such students would have taken courses that they truly deserved and ended successfully to provide services needed in the country.

Forging of documents is a criminal offense and a vice that people practice due to lack of integrity. In desperation for a job, an individual may be forced to present forged documents but what they fail to recognize is the fact that skills are basic in service delivery. They end up providing poor service delivery. How many times have managers employed only to fail to deliver and sink down the company?

Corruption, the mother of all vices. The disease that is killing our country, robbing us of funds and services that would surely have improved the living standards of numerous people. Corruption is caused by greedy men and women. The desire to have more than what they already have. The failure to get satisfied. Lack of integrity plays a worst part in aiding corruption. They are birds of a feather which flock together. Citizens practice corruption sometimes in order to avoid being arrested by police. They do so to escape being asked to take responsibility for their wrongdoing. Change can only begin with us. We can stop bribing police by doing the right thing and reporting any acts of corruption to EACC.

Every individual should embrace integrity if at all we should make progress in an aspect of life and sector as a country.



Paetry

Hey Way-Makers!

Heyway-makers, shakers and kingmakers, The people of this great nation, To whom sovereign power belongs Mine eyes 've seen the way and light, Away to the way side and site, Away to deliver this site.

Heyway-makers, shakers and kingmakers, Civic engagement is the way, We have to participate, not sit at the periphery Participate not only in budgeting, but in tracking expenditure too Yes, track to ensure prudent utilization of our

For we are the guards of our basket

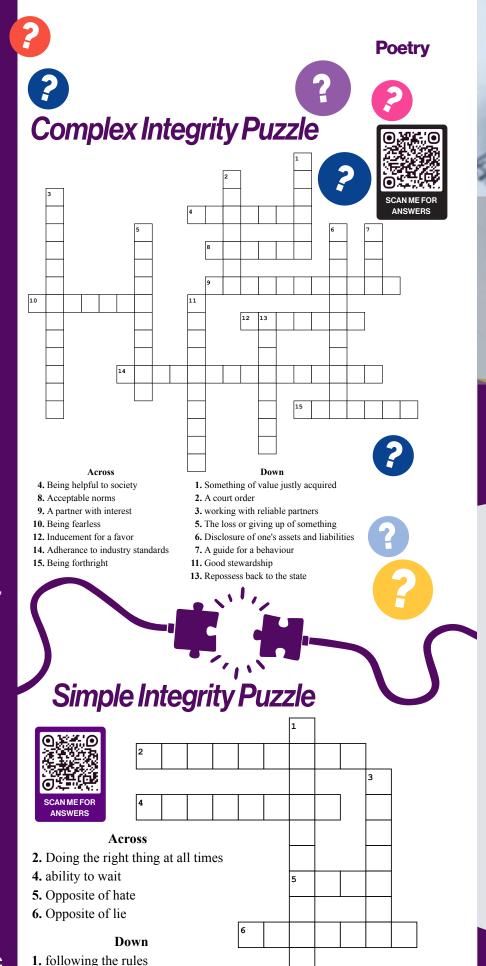
Makers and shakers, we are the sole powerful solution to this situation
Stand-up, and stake-up for posterity,
For the nations' development depends greatly on us,
So come on! Let's soldier on with patriotism
Let's not betray our nation.

Igive a road map,
First thing, arise, warmup
Then commit to service delivery, Let's go
Let's play our oversight role,
Let's effectuate hygiene in politics and leadership
Servant-hood in our hood n' not servitude is the call,
Let's demand transparency and accountability
Let's advocate for morality in our 'site,'
And not the opposite for it brews the obvious

May integrity be the recipe in our endeavor, And never should we abdicate our civic duties Way-makers, let's chart a course of reason this season for a better Kenya.

By Shallet Walongo, HSC

3. Young people should...their elders





In promotion of ethics and integrity, the Ethics and Anti-Corruption Commission (EACC) oversights the compliance with the law on operation of bank accounts outside Kenya.

Article 76(2) of the Constitution and section 19 of the Leadership and Integrity Act, 2012 requires both State and public officers who wish to open or operate bank accounts outside Kenya to seek approval from EACC.

It is a requirement that for each calendar year annual account statements are submitted by 31st January of the succeeding year. Further, holders of those accounts are required to notify the Commission upon closure.

EACC has automated the process of seeking approval to open or continue operating bank accounts through the Adili Online Platform. The platform can be reached through this link https://adili.eacc.go.ke/

It is critical to note that transparency increases accountability and credibility.





EACC Head Quarters

Integrity Centre

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EACC Regional Offices

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Office Tel: +254 (0) 710 768706 +254 (0) 710 600308 +254 (0) 733 472295

Central Nyanza Regional Office

Covering Kisumu, Siaya and Vihiga Counties

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North Eastern Regional Office Covering Garissa, Mandera and Wajir Counties

Province Road, Next to Government Guest House, Opposite Almond Resort P.O. Box 1510 – 70100 Garissa, Kenya Office Tel: +254 (0) 729 480404 +254 (0) 737 994444

North Rift Regional Office

Covering Uasin Gishu, Baringo, Trans-Nzoia, West Pokot, Turkana and Elgeyo Marakwet Counties

Imperial Court Building, "Wing A", Uganda Road

P.O. Box 9387 – 30100 Eldoret, Kenya Office Tel: +254 (0) 703 602727 +254 (0) 789 776600

Central Regional Office

Covering Nyeri, Embu, Kirinyaga, Murang'a, Nyandarua and Laikipia Counties

Advocates Plaza, Next to Law Courts and Lands Office

P.O. Box 1724 – 10100 Nyeri, Kenya Office Tel: +254 (0) 703 204580 +254 (0) 789 665500

Lower Eastern Regional Office

Covering Machakos, Kitui, Makueni and Kajiado Counties

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+254(0)731888034

Upper Eastern Regional Office

Covering Isiolo, Marsabit, Samburu, Meru and Tharaka Nithi Counties

Lower Kiwanjani, near Isiolo Sunrise Academy

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South Rift Regional Office

Covering Nakuru, Kericho, Narok, Bomet and Nandi Counties

5th Floor, Assumption Centre,
Moi Road / Maasai Road Junction
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+254 (0) 731 888064

Upper Coast Regional OfficeCovering Kilifi, Lamu and Tana River Counties

Ground Floor, Right Wing, Pine Court Building, Malindi-Lamu Road P.O. Box 1595 – 80200 Malindi , Kenya Office Tel: +254 (0) 702 391270 +254 (0) 731 888056

South Nyanza Regional Office

Covering Kisii, Nyamira, Homa Bay and Migori Counties

Former County Attorney's Office,
Off Kisii/Kilgoris Road, Opposite KERRA
- Vehicle Inspection Unit
P.O. Box 2819 – 40200 Kisii , Kenya
Office Tel: +254 (0) 724 267332
+254 (0) 780 888028

Western Regional Office

Covering Bungoma, Kakamega and Busia Counties

2nd Floor, Daimah Plaza, along Bungoma – Kanduyi Road P.O. Box 2021 – 50200 Bungoma , Kenya Office Tel: +254 (0) 702 391287 +254 (0) 731 888059

