

Approved  
SNA  
26/4/23



REPUBLIC OF KENYA  
THE NATIONAL ASSEMBLY  
THIRTEENTH PARLIAMENT – SECOND SESSION

---


DELEGATION REPORT

ON

THE 2023 PARLIAMENTARY DIALOGUE ON UNITED NATIONS CONVENTION AGAINST CORRUPTION (UNCAC) AND GLOBAL PARLIAMENTARIANS AGAINST CORRUPTION (GOPAC) ANNUAL GENERAL MEETING, 8-9 MARCH 2023 DOHA, QATAR

---

PARLIAMENT BUILDINGS  
NAIROBI, KENYA

THE NATIONAL ASSEMBLY PAPERS LAID	
DATE: 26 APR 2023	DAY: WEDNESDAY
TABLED BY:	HON. SHAKEEL SHABBIR MP DELEGATION LEADER
CLERK AT THE TABLE:	

APRIL 2023

## TABLE OF CONTENTS

TABLE OF CONTENTS .....	II
EXECUTIVE SUMMARY .....	III
1.0 INTRODUCTION.....	1
1.1 Global Organisation of Parliamentarians Network Against Corruption (GOPAC).....	2
1.2. African Parliamentarians Network Against Corruption Kenya Chapter (APNAC-K).....	4
1.3 Role of Parliament in Fight Against Corruption .....	4
1.4 Delegation Composition .....	7
2.0 SUMMARY OF THE 20 <sup>TH</sup> DIALOGUE PRESENTATIONS .....	8
2.1 Highlights of the Presentations .....	8
2.2 UNCAC's Scope and Key Provisions .....	9
2.3 UN's Efforts to Combat Corruption .....	9
2.4 The DOHA Declaration .....	9
2.5 The Role of Parliamentarians in Fighting Corruption.....	11
2.6 Strategies for Enhancing the Role of Parliamentarians in Fighting Corruption .....	12
2.7 Challenges Faced in Fighting Corruption.....	12
2.8 Disaster Risk Reduction.....	13
2.9 The Sendai Framework for Disaster Risk Reduction 2015-2030 .....	13
2.10. The UNCAC Progress Worldwide .....	14
2.11 Progress Made in Fight Against Corruption in Rwanda.....	16
2.12 Participation of society against corruption in Argentina .....	17
2.13 The GOPAC Annual General Meeting .....	18
3. OBSERVATIONS .....	20
4.0 RECOMMENDATIONS .....	21

## EXECUTIVE SUMMARY

The world over, the cancer of corruption has spread exponentially, especially in developing countries with devastating socioeconomic and governance consequences. It persists in developing countries despite the proliferation of legal, institutional, and other measures that have been put in place to fight corruption. In mitigation, The United Nations Convention against Corruption (UNCAC) was initiated in 2003 and has since been recognised as a reference framework for the fight against corruption.

UNCAC implementation requires the participation of political stakeholders such as the Global organization of Parliamentarians Against Corruption (GOPAC) and reflects the conviction of the States Parties that anti-corruption measures should be embedded in coordinated policies instead of being carried out in isolation or an ad hoc manner.

It is against this background that the 2023 Doha Dialogue was organized to address the underlining issues of parliament and parliamentarians' engagement with UNCAC. The event drew a strong focus on implementing good practices to address corruption by GOPAC parliamentarians and made the following observations:

1. The Implementation of UNCAC provisions is weak.
2. International cooperation is not at its best especially with regard to Money Laundering, Asset Recovery, Asset Declaration, and Beneficial Ownership.
3. The funding of major anti-corruption activities in developing Countries is weak and inconsistent.

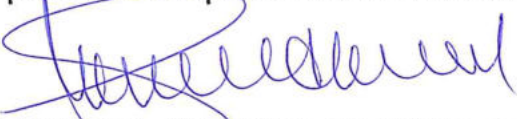
4. Restrictions on the participation of Civil Society Organizations (CSOs) and the Media are increasing.
5. APNAC Kenya was applauded for the pace setting activities carried out in to strengthen the capacity of Kenyan parliament and executive institutions to prevent and combat corruption. In this regard, the Speaker of the Kenyan National Assembly was vetted with a prestigious award in honour of his efforts to unite Kenyan legislators against corruption.

The Kenyan delegation to the 2023 UNCAC Convention, therefore, makes the following recommendations:

1. It is time for the international community to seriously explore the idea of establishing a Permanent Anti-Corruption Council similar to the Human Rights Council at the United Nations level to regulate anticorruption efforts and facilitate peer to peer learning.
2. The leadership of Kenya is urged to strengthen initiatives and activities that promote ethical values, integrity ,transparency, good governance and patriotism reinforcing them in the education framework to develop the mind-set and attitudes of Kenyans, especially school going children and the youth.
3. Adopting the Republic of Rwanda model, Kenyan Members of Parliament should be capacity enhanced through regular training sessions on new forms of corruption and how to prevent and fight the same, in collaboration with Ombudsman Office, the Kenya Anti-Corruption Authority, Transparency International and the Office of the Public Prosecutor.

4. Members of APNAC-K should be facilitated to promote Transparency, Accountability and good governance amongst parliamentarians, national and community leaders and the general public.
5. APNAC-K Chapter should engage as many MPs as possible in APNAC-K activities in order to help change the mindset of the general public in support of anticorruption.
6. APNAC-K to should expand its activities to include promotion of cultural and Christian values, reinforcing them in the mind-set and attitudes of the people especially the young generation.
7. Parliamentary leadership (the Office of the Hon. speaker) should promote the role of parliaments and other legislative bodies in the management of public finances and ensure their capacity to exercise effective budget oversight.
8. There is need to work harder to demonstrate that Parliamentary Oversight is needed during and outside of emergency crises as it is one of the most important tools available to Member States to ensure they are implementing their UNCAC commitments properly.
9. Parliament of Kenya should Improve parliamentary oversight role and establish specific parliamentary measures to implement UNCAC provisions in Kenya.

It is now my pleasant duty and honour to present to the House this draft report for adoption and consideration.

  
THE HON. SHAKEEL SHABBIR, M.P

LEADER OF DELEGATION

Dated 25<sup>th</sup> April 2023

## LIST OF ACRONYMS

- ACCU** - Anticorruption Coalition of Uganda
- APNAC- K** - African Parliamentarians Network Against Corruption Kenya Chapter
- ARPAC** - Arab Region of Parliamentarians Against Corruption
- CPI** - Corruption Perception Index
- CSOs** - Civil Society Organizations
- GOPAC** - Global Organisation of Parliamentarians Network Against Corruption
- GTF** - Global Task Forces
- SEAPAC** - Southeast Asian Parliamentarians Against Corruption
- UNCAC** - United Nations Convention against Corruption



## 1.0 INTRODUCTION

1. The United Nations Convention against Corruption (UNCAC) was initiated in 2003 and has since attained a worldwide response from 189 countries. The Member Countries ratified the comprehensive convention effectively allowing its provisions to apply in both preventive and punitive measures. The Convention acknowledges that corruption is not just a matter of national importance but also a cross border one, implying that international cooperation in addressing the offenses is essential. It also emphasizes that the fight against corruption is not just the government domain but depends on the good will of all stakeholders.
2. While the convention has successfully instilled a foundation for countries to tackle corruption at the national level, challenges still need to be addressed to ensure its provisions are implemented effectively. This calls for parliament to play its part in the implementation of the convention.
3. An all-stakeholder approach including parliaments, both at the national and international levels, is needed to provide solid anti-corruption regimes that thrive under the guidance of UNCAC. All state actors, including parliaments and other international communities, must therefore, work hand in hand to address corruption in all its forms.
4. The Doha Dialogue was meant to address the underlining issues of parliament and parliamentarians' engagement with UNCAC. These include:

- i. The current and potential future parliamentary initiatives and innovations that could support the effective implementation of UNCAC.
- ii. The avenue(s) available for parliaments and parliamentarians to be fully engaged, informed, and aware of the UNCAC implementation gap at international and national levels.
- iii. The lessons learned and experiences parliaments and parliamentarians have for effectively supporting the implementation of specific UNCAC provisions.

## **1.1 Global Organisation of Parliamentarians Network Against Corruption (GOPAC)**

5. The Global Organisation of Parliamentarians Network Against Corruption (GOPAC) is an international network of parliamentarians dedicated to combat corruption, strengthen good governance, and uphold the rule of law throughout the world. It was founded in October 2002 following the Global Conference in Ottawa Canada.
6. GOPAC is the only international network of parliamentarians focused solely on combating corruption. Its members represent more than 63 countries in all regions of the world. Since its inception, GOPAC has provided information and analysis, established international benchmarks, and improved public awareness through a combination of global pressure and national action. GOPAC's programming model uses Global Task Forces (GTF) to promote agendas identified by membership through a



regionally representative group of parliamentarians that champion each topic.

7. GOPAC supports the introduction of legislative and oversight changes in national parliaments to control corruption, promote good governance and hold the Executive more accountable to the people in the following broad areas:

- i. Anti-Money Laundering,
- ii. United Nations Convention Against Corruption,
- iii. Parliamentary Oversight,
- iv. Parliamentary Ethics and Conduct, and
- v. Open Parliament and Participation of Society.

8. To achieve its vision, GOPAC is organized in regional chapters including:

- i. African Parliamentarians Network Against Corruption (APNAC)
- ii. Arab Region of Parliamentarians Against Corruption (ARPAC)
- iii. GOPAC Latin America.
- iv. Southeast Asian Parliamentarians Against Corruption (SEAPAC)
- v. GOPAC Oceania.
- vi. GOPAC South Asia
- vii. GOPAC Caribbean

## **1.2. African Parliamentarians Network Against Corruption Kenya Chapter (APNAC-K)**

9. The African Parliamentarians Network Against Corruption (APNAC) aims to coordinate, involve, and strengthen the capacities of African parliamentarians to fight corruption and promote good governance. It was formed in 1999 in Kampala, Uganda, and since then APNAC has promoted accountability, transparency, and public participation in the processes of government, with an aim to curb corruption.
10. APNAC's mandate is promoted by its presence throughout the Eastern, Southern, and Western regions of Africa, through its National Chapters, and working with other anti-corruption bodies in Africa and around the world. The main objectives of APNAC are to:
  - i. Build the capacity of parliamentarians to exercise oversight role.
  - ii. Share information on best anti-corruption strategies and practices.
  - iii. Promote projects to control corruption based on best practices.
  - iv. Cooperate with other organizations and civil society members with shared objectives.

## **1.3 Role of Parliament in Fight Against Corruption**

11. As the elected representatives of the people, Members of Parliament play an essential leadership role in combating corruption. Through their legislative, oversight, and representative roles, Members of Parliament

can create the legal framework needed to curb corruption, oversee the implementation of laws and policies, and constitute an important bridge between the government and the citizens.<sup>1</sup>

12. The organization is governed by a Constitution of the African Parliamentarians' Network against Corruption (APNAC) which was reviewed and adopted in April 2013.<sup>2</sup> APNAC-Kenya chapter was initiated in February 2001, through the efforts of a Kenyan Member of Parliament, the Hon. Musikari Kombo (M.P Webuye constituency).<sup>3</sup> Since inception, the implementation of activities by APNAC in collaboration with Africa Parliamentary Strengthening Program (APSP) for Budget Oversight, led to the achievement of certain key results such as:

- i. Development of Public Finance Management Laws. During the drafting of the 2010 Constitution of Kenya, APNAC-Kenya worked closely with the Kenya Chapter of Transparency International on Chapter VII of the Constitution which provides for public finance management.
- ii. Advocacy. A series of advocacy campaigns aimed at addressing corruption in core countries have been carried

---

<sup>1</sup>African Parliamentarian's Network Against Corruption, < [https://apnacafrika.org/en\\_US/achievements/](https://apnacafrika.org/en_US/achievements/)> accessed 1<sup>st</sup> March 2023

<sup>2</sup>African Parliamentarian's Network Against Corruption, < [https://apnacafrika.org/en\\_US/apnac-constitution/](https://apnacafrika.org/en_US/apnac-constitution/)> accessed 1<sup>st</sup> March 2023

<sup>3</sup>Transparency International Kenya, < <https://tikenya.org/the-african-parliamentarians-network-against-corruption-apnac/>> accessed 1<sup>st</sup> March 2023

out. An Anti-Corruption manual, monitoring tools, and Code of Ethics have also been developed for members.

- iii. Dissemination of Information. Since 2010, a semi-annual newsletter is shared as a means of sharing information among the Chapters and other anticorruption bodies.
- iv. Public-Private Partnerships. To address the need for the control and the oversight of major publicly funded projects APNAC drafted bills on financing, construction, operation, maintenance, and transfer of infrastructure such as the Build-Operate-Transfer Bill, which largely provide a framework for regulating the Public-Private Partnerships.
- v. Transparency Laws. APNAC has taken significant steps in addressing several transparency concerns including Asset declaration, Political party funding, and conflict of interest.
- vi. Incorporating Civil Society Organizations (CSOs) in the Fight against Corruption. APNAC has over the years, worked with CSOs such as the Anticorruption Coalition of Uganda (ACCU) to provide forums to raise public concerns on corruption.

## 1.4 Delegation Composition

13. The Kenyan Parliament through APNAC participated in the 20<sup>th</sup> dialogue at DOHA. The delegation comprised of the following:

- i. **The Hon. Shakeel Shabbir, MP. Leader of the Delegation**
- ii. Hon. Benard Kitur Kibor, MP.
- iii. The Hon. Rael Chepkemai Kasiwai MP
- iv. Dr. Kefa Misuko Omoti- Secretary to the delegation

## 2.0 SUMMARY OF THE 20<sup>TH</sup> DIALOGUE PRESENTATIONS

14. The Doha activity highlighted the urgency for parliament and parliamentarians to support the effective implementation of UNCAC. The topics discussed focused on ways to strengthen parliamentary roles and how parliament and parliamentarians are made aware of the UNCAC review mechanisms and its findings. This was expected to facilitate adoption of good parliamentary practices, innovation, and sharing of lessons learned among the parliamentary community.

### 2.1 Highlights of the Presentations

15. The meeting was informed that in the year 2003, the United Nations General Assembly adopted the United Nations Convention Against Corruption (UNCAC), the first legally binding global anti-corruption instrument. UNCAC aims to promote and strengthen measures that prevent and combat corruption more effectively and efficiently. UNCAC also seeks to promote integrity, accountability, and proper management of public affairs and public property while at the same time enhancing international cooperation and technical assistance in the prevention and fight against corruption. The Convention recognizes that corruption is a cross border problem and calls for international cooperation to address it.



## 2.2 UNCAC's Scope and Key Provisions

16. UNCAC covers various areas of corruption, including prevention, criminalization, international cooperation, asset recovery, and technical assistance. It has 71 articles that cover various aspects of corruption such as prevention, criminalization, and law enforcement. The convention also provides for asset recovery, international cooperation, and technical assistance. UNCAC recognizes the role of civil society, the private sector, and parliamentarians in fighting corruption.

## 2.3 UN's Efforts to Combat Corruption

17. UNCAC has so far been successful in promoting international cooperation, supporting the recovery of stolen assets, and strengthening anti-corruption measures in member countries. Since inception, asset recovery remains high on the global agenda. It was included in the Sustainable Development Goals under Goal 16.4 and in the commitments under the Addis Ababa Action Agenda on Financing for Development.
18. Further, the launch in 2016 of the second cycle of the Implementation Review Mechanism for the Corruption and its coverage of asset recovery is expected to contribute to stepped up attention to asset recovery. The interconnection between the Sustainable Development Goals and the Rule of Law is also echoed in the Doha Declaration.

## 2.4 The DOHA Declaration

19. The Doha declaration was hailed as having facilitated the following milestones:

- a. Raising awareness: The Doha Declaration has helped to raise awareness of the negative impacts of corruption and the need for collective action to combat it. The declaration has encouraged governments, civil society, and the private sector to prioritize anti-corruption measures in their policies and practices.
- b. Legal frameworks: The declaration has inspired many countries to strengthen their legal framework for prevention and prosecution of corruption matters. Several countries have thus enacted anti-corruption laws, established independent anti-corruption agencies, and strengthened their judicial systems to ensure the impartial and effective handling of corruption cases to align with the UNCAC.
- c. Public participation: The declaration has encouraged public participation in anti-corruption efforts. Civil society organizations and the media have also played an important role in monitoring and exposing corrupt practices and holding public officials to account. Some countries have established mechanisms to enable citizens to report corruption anonymously and protect whistleblowers from retaliation.
- d. International cooperation: The Doha Declaration has fostered international cooperation and coordination in combating corruption. Various Countries have engaged in information

sharing, capacity building, and mutual legal assistance to prevent and prosecute cross-border corruption cases.

- e. Private sector engagement: The declaration has encouraged the private sector to adopt and implement anti-corruption policies and practices. Many companies have established codes of conduct, implemented due diligence processes, and engaged in anti-corruption initiatives to promote transparency and integrity in their operations.

## **2.5 The Role of Parliamentarians in Fighting Corruption**

20. Parliamentarians play a critical role in preventing and fighting corruption:

- i. They have the power to enact and enforce laws that promote transparency and accountability.
- ii. Parliamentarians can also oversee the implementation of UNCAC and hold governments accountable for their commitments.
- iii. They can also engage with civil society and the private sector to promote anti-corruption measures. This is especially important, since according to OECD and World Bank estimates, \$20 billion to \$40 billion per year are stolen by public officials, a figure equivalent to 20 to 40 percent of official development assistance flows.

## 2.6 Strategies for Enhancing the Role of Parliamentarians in Fighting Corruption

20. Participants were informed of the following strategies:

- i. Strengthening the authority of parliament and its role apart from the executive branch.
- ii. Providing parliamentarians with adequate resources and capacity-building opportunities.
- iii. Engaging with civil society and the private sector to promote anti-corruption measures.
- iv. Supporting parliamentarians who are committed to fighting corruption.

## 2.7 Challenges Faced in Fighting Corruption

21. The following challenges were highlighted:

- i. Parliamentarians may face resistance from corrupt entities and interest groups.
- ii. Lack of resources and capacity can also hinder parliamentarians' efforts to fight corruption; Corruption is often deeply entrenched in political, economic, and social systems, making it difficult to eradicate.
- iii. To this day, UNODC estimates that less than 1% of illicit financial flows are intercepted and recovered.

## 2.8 Disaster Risk Reduction

22. Disaster Risk Reduction (DRR) aims to reduce the damage caused by natural hazards like earthquakes, floods, droughts, and cyclones, through an ethic of prevention. A disaster's severity depends on how much impact a hazard has on society and the environment. The scale of the impact in turn depends on the choices people make for their lives and for our environment. Each decision and action make people more vulnerable to disasters - or more resilient to them. "The more governments, UN agencies, organizations, businesses, and civil society understand risk and vulnerability, the better equipped they will be to mitigate disasters when they strike and save more lives.

## 2.9 The Sendai Framework for Disaster Risk Reduction 2015-2030

23. This disaster strategy that aims to:

- i. Reduce global disaster mortality.
- ii. Reduce the number of affected people globally.
- iii. Reduce direct economic loss in relation to GDP.
- iv. Increase the number of countries with national and local disaster risk reduction strategies.
- v. Substantially enhance international cooperation to developing countries
- vi. Increase the availability of and access to multihazard early warning systems.

24. On the matter of Parliament and the People: addressing emergencies; the delegation was informed that:

- i. Developing countries lose between US\$20 to US\$40 billion each year through bribery, misappropriation of funds, and other corrupt practices and that much of the proceeds of corruption find “safe haven” in the world’s financial centers.
- ii. These criminal flows are a drain on social services and economic development programs, contributing to the further impoverishment of the world’s poorest countries.
- iii. The victims include children in need of education, patients in need of treatment, and all members of society who contribute their fair share and deserve assurance that public funds are being used to improve their lives.

## 2.10. The UNCAC Progress Worldwide

26. On the matter of implementation of the United Nations Convention against corruption; the delegation was informed that:

- a. UNCAC Legislative Guide (2006, 2012) meant to assist States seeking to ratify and implement the Convention need to first identify legislative requirements and options available to States. This involves legislation applicable to various stages in the fight against corruption such as criminalization and international cooperation, prevention, and asset recovery, promoting good practices in relation to the role



of national parliaments and other legislative bodies in preventing and combating corruption in all its forms.

- b. There are resolutions that Urge States parties to support the role and strengthen the capacity of parliaments and other legislative bodies to prevent and combat corruption, including in areas where they have a mandate for review or oversight.
- c. UNCAC implementation mechanisms and resolutions encourage States parties to identify and implement any legislative or other measures that may be necessary to implement the Convention and address relevant recommendations emerging from the Mechanism for the Review of Implementation of the Convention
- d. Resolution 8/14, of the Abu Dhabi declaration Encourages States parties, in the framework of their preparations for the special session of the General Assembly against corruption, to address the strengthening of the role of parliaments and other legislative bodies in preventing and combating corruption in all its forms, while duly respecting the independence of the legislative authorities Requests
- e. UNODC to develop a compendium of good practices e) Resolution 8/13, of the Abu Dhabi declaration in relation to the role of parliaments and other legislative bodies in preventing and combating corruption Invites States parties and other donors to provide extra budgetary resources for the purposes identified in the present resolution.
- f. States were also encouraged to strengthen national legislatures and supreme audit institutions, to strengthen relations between national legislatures and supreme audit institutions, and to encourage national

legislatures to be aware of the findings of supreme audit institutions so that they may be considered when exercising parliamentary functions.

## **2.11 Progress Made in Fight Against Corruption in Rwanda**

27. In general, Rwanda is well ranked in fighting corruption by Corruption Perception Index (CPI 2021) whereby in this report Rwanda is ranked on 52nd worldwide, and 1st in Easter Africa Region (EAC). This is supported by institutions place that fight against corruption such as: Office of the Ombudsman, National Public Prosecution Authority, Financial Intelligence Center, Rwanda Investigation Bureau, Rwanda Public Procurement Authority, National Commission for human rights and Transparency International Rwanda
28. The Rwandese Parliament is affiliated to the Network of African Parliamentarians Network Against Corruption (APNAC) working in more than 25 African countries. It enjoys the support of 80 legislators from both the Senate and the Chamber of Deputies. Noteworthy anticorruption strategies employed in Rwanda include:
  - i. Capacity building: This is done through regular trainings for its members on the new forms of corruption and how to prevent and fight against it. In collaboration with Ombudsman Office, Rwanda Investigation Bureau (RIB), Office of the ombudsman, Transparency International – Rwanda, National Public Prosecutor Authority.

- ii. Public participation fora. The Forum organizes radio shows that are aired on radio and facilitate exchange between members and people on different topics in different sectors.
- iii. Public sensitization for a: The forum visits different Universities and Higher Learning Institutions (HLI), Secondary Schools and other different groups of people across the country and they are shown the position of Rwanda in fighting against corruption and how bad corruption is to our development and measures that our country envisages in fighting corruption.
- iv. Member's Public outreach: Members of the Forum visit people in their local villages through the activity called *Umuganda* "community work" in a bid to exchange with them about corruption related issues and request them to play their role in fighting corruption.

## 2.12 Participation of society against corruption in Argentina

29. The Argentine Republic signed the UNCAC on December 10th, 2003, and finished the ratification and deposit process on August 26th, 2006.

Notable legislative provisions in Argentine Constitution include:

- a. **Art. 118:** Popular participation in criminal justice through jury trial
- b. **Art. 36:** whoever participates in serious intentional crime against the State that entails enrichment, will be disqualified for the time that the laws determine to hold public positions or jobs. Congress will enact a law on public ethics for the exercise of the function.

- c. **Art. 38:** Political parties are fundamental institutions of the democratic system. Its creation and the exercise of its activities are free within the respect of this Constitution, which guarantees its democratic organization and operation, the representation of minorities, the competence to nominate candidates for elective public office, access to public information and the dissemination of their ideas. The State contributes to the economic support of its activities and the training of its leaders. Political parties must publicize the origin and destination of their funds and patrimony.

### **2.13 The GOPAC Annual General Meeting**

30. On March 09, 2023, the Global Organization of Parliamentarians against Corruption (GOPAC) held its 2023 annual general meeting under the chairmanship of HE GOPAC Chairman Dr. Ali bin Fetais Al Marri. The event brought together GOPAC Members, and a number of officials and representatives of UN agencies concerned with combating corruption.
31. The assembly reviewed and approved the minutes of the previous general assembly, reviewed the organization's report for the year 2022 and examined the report of the audit committee and the organization's financial report. The sitting also reviewed the reports of GOPAC's regional branches.
32. Aware that parliamentarians represent a moderate voice that works to enhance levels of integrity and credibility and take the necessary

measures in this regard, the Committee witnessed election and nomination of some Members to leadership positions. Notably, the Honourable Shakeel Shabbir, M.P, leader of the Kenyan delegation to Doha was re-elected to chair the GOPAC Audit Committee for a period of two years.

### 3. OBSERVATIONS

33. Evidence coming from Corruption Commission reports and Auditor-General reports indicate that emergency funding programmes cause corruption and in fact, emergency funding does not work. It was indeed, observed that:

- 1) Corruption is increasing.
- 2) The implementation of UNCAC provisions is weak.
- 3) International cooperation is not at its best especially with regard to Money Laundering, Asset Recovery, Asset Declaration, and Beneficial Ownership.
- 4) The funding of major anti-corruption activities is weak and inconsistent across countries.
- 5) Restrictions on the participation of Civil Society Organizations (CSOs) and the Media are increasing.
- 6) APNAC Kenya was applauded for the pace setting activities carried out in to strengthen the capacity of Kenyan parliament and executive institutions to prevent and combat corruption. In this regard, the Speaker of the National Assembly was vetted with a prestigious award in honour of his efforts to unite Kenyan legislators against corruption and embezzlement of public resource.



## 4.0 RECOMMENDATIONS

34. Through the Legislative, Oversight and Budgetary Approval functions, Parliaments and Parliamentarians can play major roles in the prevention and combating of corruption. This could include support and introduction/development of legislations focusing corruption prevention, monitoring the implementation of anti-corruption policies and strategies set by governments and ensure the provisions of integrity, transparency, accountability, and the role of law in the public sector. The sitting noted the following recommendations:

- 1) It is time for the international community to seriously explore the idea of establishing a Permanent Anti-Corruption Council similar to the Human Rights Council at the United Nations level to regulate anticorruption efforts and facilitate peer to peer learning.
- 2) Adopting the Republic of Rwanda model, Kenyan Members of Parliament should be capacity built through regular training sessions on new forms of corruption and how to prevent and fight the same, in collaboration with Ombudsman Office, the Kenya Anti corruption Authority, Transparency International and the Office of the Public Prosecutor.
- 3) Members of APNAC-K should be urged to promote Transparency, Accountability and Good governance amongst parliamentarians, national and community leaders and the general public.

- 4) APNAC-K Chapter is urged to engage as many MPs as possible in anticorruption activities in order to help change the mindset of the general public in support of anticorruption.
- 5) APNAC-K to should engage in activities that promote cultural, integrity and patriotism values, reinforcing them in the mind-set and attitudes of young Kenyans, especially school going children
- 6) The Parliamentary leadership (the Office of the speaker) is encouraged to promote the role of parliament and other legislative bodies in the management of public finances and ensure their capacity to exercise effective budget oversight.
- 7) The parliamentary leadership should also endeavour to strengthen relations between national legislatures and supreme audit institutions and encourage national legislatures to be aware of the findings of such institutions and take effective measures to prevent, investigate and prosecute corruption involving members of national parliaments in accordance with the Convention, considering questions of privileges and immunities.
- 8) There is need to work harder to demonstrate that Parliamentary Oversight is needed during and outside of emergency crises as it is one of the most important tools available to Member States to ensure they are implementing their UNCAC commitments properly.
- 9) Parliaments should facilitate the secure exchange of sensitive information between different anti-corruption and asset recovery agencies as an important step towards improving the situation.

- 10) Parliament of Kenya could enhance the fight against corruption by encouraging public reporting and civil society and the media involvement in fighting corruption.
- 11) Parliaments should ensure that anti-corruption bodies are empowered with the right mandate/responsibilities and that they are independent and free from undue government intervention.
- 12) There is need to improve parliamentary oversight role and establish specific parliamentary measures to implement UNCAC provisions in Kenya.
- 13) APNAC-K should build partnerships with other stakeholders such as monitoring bodies, Civil Society Organizations, the media, and human rights institutions.

