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**REPUBLIC OF KENYA
THE NATIONAL ASSEMBLY**

THIRTEENTH PARLIAMENT - FIFTH SESSION - 2026

DEPARTMENTAL COMMITTEE ON ENERGY

REPORT ON:

**THE CONSIDERATION OF THE SESSIONAL PAPER NO. 5 OF 2026
ON THE NATIONAL ENERGY POLICY, 2025**

 THE NATIONAL ASSEMBLY PAPERS LAID	
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ABBREVIATIONS

ANC	-	Amani National Congress
AVISTEB	-	Avian Sensitivity Tool for Energy Planning
BETA	-	Bottom-Up Transformation Agenda
CAK	-	Competition Authority of Kenya
Cap	-	Chapter
CBS	-	Chief of the Burning Spear
CCM	-	Chama cha Mashinani
CoG	-	Council of Governors
EBK	-	Engineers Board of Kenya
ELCOS	-	Electricity Consumers Society of Kenya
EMCA	-	Environmental Management and Co-ordination Act
EPRA	-	Energy and Petroleum Regulatory Authority
E&P	-	Energy and Petroleum
ESIAS	-	Environmental Social Impact Assessments
FPIC	-	Free, Prior and Informed Consent
GEDSI	-	Gender Equality, Disability and Social Inclusion
IBAT	-	Integrated Biodiversity Assessment Tool
KBAs	-	Key Biodiversity Areas
KEBS	-	Kenya Bureau of Standards
KOGWG	-	Kenya Oil and Gas Working Group
KPLC	-	Kenya Power and Lighting Company
LETA	-	Law for Energy Transitions Africa
MW	-	Mega Watt
NCCAP	-	National Climate Change Action Plan
NDC	-	National Determined Contribution
NEMA	-	National Environment Management Authority
NT	-	National Treasury
NuPEA	-	Nuclear Power and Energy Agency
ODM	-	Orange Democratic Movement
PAA	-	Pamoja Africa Alliance
PAs	-	Protected Areas
SEAs	-	Strategic Environmental Assessments
TIK	-	Transparency International Kenya
UDA	-	United Democratic Alliance
WDM-K	-	Wiper Democratic Movement Kenya

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CHAIRPERSON'S FOREWORD

The Sessional Paper No. 5 of 2026 on the National Energy Policy, 2025 was tabled in the House on 16th April, 2026 and subsequently referred to the Departmental Committee on Energy for consideration.

The Sessional Paper sets out the base for Kenya's energy sector contribution to the country's economic, environmental and social development goals by focusing on resource development and diversification, innovation, equity, sustainability and climate resilience.

The specific objectives of the Policy are to:

- a) promote renewable energy resource development and utilization;
- b) achieve universal electricity and clean cooking access by 2030;
- c) promote local and regional energy trade;
- d) mobilize funding for energy projects;
- e) promote competitive energy procurement and pricing;
- f) develop, modernize and optimize energy infrastructure;
- g) promote energy efficiency and conservation;
- h) enhance institutional capacity, governance and collaborative frameworks;
- i) promote local content and optimize human capacity across the energy sector; and
- j) support energy transition, green industrialization, environmental and social sustainability.

The policy paper is structured as follows:

- a) **Chapter 1** highlights the basis for the National Energy Policy, 2025. It outlines the policy structure, background information and guiding principles. It sets out policy objectives, provides the scope, identifies key policy issues and justifies the need for Government intervention;
- b) **Chapter 2** provides an in-depth analysis of the status, challenges, and opportunities in Kenya's energy sector. It examines key aspects such as electricity access, generation, transmission, distribution and retail, as well as the role of renewable energy, clean cooking, energy efficiency and emerging technologies. Additionally, it highlights critical areas that form the foundation for the policy interventions;
- c) **Chapter 3** outlines Kenya's energy policy statements, which provide strategic direction and actionable measures to address the challenges identified in the situational analysis. The policy interventions focus on key thematic areas, including electricity access, renewable energy development, clean cooking, energy efficiency, emerging technologies and climate change mitigation. These policy statements aim to enhance energy security, promote sustainability and ensure equitable energy access for all Kenyans;
- d) **Chapter 4** provides coordination and administration mechanisms that specifies all institutions and their respective functions in this Policy implementation. It highlights institution, legal and regulatory reforms that will be undertaken for successful

implementation of the Policy. This section also describes the sources of funds to cater for the Policy activities and actions; and

- e) **Chapter 5** explains how the policy strategies and actions will be monitored and evaluated highlighting the data sources, timeframe for implementation of the identified strategies and actions and who is responsible for tracking the implementation of the policy actions. It defines the reporting channels within the organizations, dissemination of M&E results as well as the feedback mechanism from the public on the Policy implementation.

Pursuant to the provisions of Article 118(1) (b) of the Constitution, the Clerk of the National Assembly placed advertisements in the print media on 23rd April 2026 requesting for comments on the Sessional Paper from the public and relevant stakeholders (*annexure 3*). The Committee received two (2) memoranda from the Katiba Institute and Nature Kenya. The Committee held four (4) meetings to consider the Sessional Paper and **recommends that the House Adopts the Report on the Sessional Paper No. 5 of 2026 on the National Energy Policy, 2025.**

The Committee is grateful to the Offices of the Speaker and the Clerk of the National Assembly for the logistical and technical support accorded to it during the consideration of the Sessional Paper. I wish to express appreciation to the Honourable Members of the Committee and the Committee Secretariat for their resilience and commitment to duty, which made the consideration of the Sessional Paper successful. May I also, on behalf of the Committee, thank and appreciate the Principal Secretary, State Department for Energy, and other stakeholders for their submissions. Indeed, the views informed the consideration of the Sessional Paper.

On behalf of the Committee and pursuant to provisions of Standing Order 216(5)(b), 208B (1) and 199 (6), it is my pleasant privilege and honour to present to this House the report of the Committee on its consideration of the Sessional Paper No. 5 of 2026 on the National Energy Policy, 2025.

Hon. David Gikaria, CBS, MP
Chairperson, Departmental Committee on Energy

CHAPTER ONE

1.0 PREFACE

1.1 Establishment of the Committee

1. The Departmental Committee on Energy is one of the twenty Departmental Committees of the National Assembly established under Standing Order 216 whose mandate pursuant to Standing Order 216(5) is as follows:
 - a) *To investigate, inquire into, and report on all matters relating to the mandate, management, activities, administration, operations and estimates of the assigned Ministries and departments;*
 - b) *To study the programme and policy objectives of Ministries and departments and the effectiveness of the implementation;*
 - c) *on a quarterly basis, monitor and report on the implementation of the national budget in respect of its mandate;*
 - d) *To study and review all legislation referred to it;*
 - e) *To study, assess and analyze the relative success of the Ministries and departments as measured by the results obtained as compared with their stated objectives;*
 - f) *To investigate and inquire into all matters relating to the assigned Ministries and departments as they may deem necessary, and as may be referred to them by the House;*
 - g) *To vet and report on all appointments where the Constitution or any law requires the National Assembly to approve, except those under Standing Order 204 (Committee on Appointments);*
 - h) *To examine treaties, agreements and conventions;*
 - i) *To make reports and recommendations to the House as often as possible, including recommendation of propose legislation;*
 - j) *To consider reports of Commissions and Independent Offices submitted to the House pursuant to the provisions of Article 254 of the Constitution; and*
 - k) *To examine any questions raised by Members on a matter within its mandate.*

1.2 Mandate of the Committee

2. In accordance with the Second Schedule to the Standing Orders, the Committee is mandated to consider fossil fuel exploration, development, production, maintenance and distribution; nuclear energy; clean energy; and regulation of energy.
3. In executing its mandate, the Committee oversees the Ministry of Energy and Petroleum.

1.3 Committee Membership

4. The Departmental Committee on Energy was constituted by the House on 27th October 2022 and comprises of the following Members:

Chairperson

Hon. David Gikaria, CBS, MP
Nakuru Town East Constituency

UDA Party

Vice-Chairperson

Hon. Lemanken Aramat, MP
Narok East Constituency

UDA Party

Members

Hon. Charles Gimose, MP
Hamisi Constituency
ANC Party

Hon. Siyad Amina Udgoon, MP
Garissa County
Jubilee Party

Hon. Walter Owino, MP
Awendo Constituency
ODM Party

Hon. Barongo Nolfason Obadiah, MP
Bomachoge Borabu Constituency
ODM Party

Hon. Musili Mawathe, MP
Embakasi South Constituency
WDM - K Party

Hon. George Aladwa Omwera, MP
Makadara Constituency
ODM Party

Hon. Elisha Odhiambo, MP
Gem Constituency
ODM Party

Hon. Cecilia Asinyen Ng'itit, MP
Turkana County
UDA Party

Hon. Gonzi Rai, MP
Kinango Constituency
PAA Party

Hon. Victor Koech Kipngetich
Chepalungu Constituency
CCM Party

Hon. Simon King'ara, MP
Ruiru Constituency
UDA Party

Hon. Geoffrey Ekesa Mulanya, MP
Nambale Constituency
Independent Member

Hon. Tom Mboya Odege, MP
Nyatike Constituency
ODM Party

1.4 Committee Secretariat

5. The Committee is facilitated by the following Secretariat:

Mr. Fredrick O. Otieno
Clerk Assistant I/Head of Secretariat

Ms. Grace Wahu
Clerk Assistant II

Ms. Brigita Mati
Senior Legal Counsel

Mr. Brian Njeru
Fiscal Analyst II

Mr. Yakub Ahmed
Media Relations Officer I

Ms. Lily Cherotich
Public Communications Officer

Ms. Lena Wawira
Hansard Reporter II

Mr. Collins Mahamba
Audio Assistant III

Mr. Anthony Wamae
Serjeant-at-Arms

CHAPTER TWO

2.0 OVERVIEW OF SESSIONAL PAPER NO. 5 OF 2026 ON THE NATIONAL ENERGY POLICY, 2025

2.1 Background Information

6. Kenya's energy sector has been guided over the years by a series of policy and legal frameworks. Sessional Paper No. 4 of 2004 laid the foundation by providing policy direction for electricity generation, distribution, and access, with emphasis on rural electrification and renewable energy. This was followed by the Energy Act, 2006 and later the Energy Act, 2019 (Cap. 314), which introduced reforms covering emerging technologies, green energy, and energy efficiency. The National Energy Policy of 2018 then provided the most recent strategic blueprint before this one.
7. Kenya has recorded notable achievements under these earlier frameworks. The country is the sixth largest geothermal producer in the world, with an installed capacity of 985MW. Electricity access has grown to 75% of the population by 2025, renewable energy sources now account for 82% of total installed generation capacity, and 9,717 kilometres of transmission lines have been constructed, two of which are regional interconnectors.
8. Despite this progress, challenges remain. About 25% of Kenyans still lack access to electricity, with rural areas particularly underserved. Over 65% of households still rely on traditional biomass such as firewood and charcoal for cooking, contributing to deforestation and health risks. The high cost of energy and continued reliance on imported fuels also threaten energy security. These challenges, combined with climate change and rapid population growth, necessitated this new ten-year Policy.
9. As at June 2025, Kenya's total installed electricity capacity stood at 3,081MW, made up of 30% geothermal, 25.6% hydro, 13.2% wind, 6.48% solar, with the balance from captive generation and electricity imports, against a peak demand of 2,316MW.

2.2 Legislative Background

10. **Constitution of Kenya:** Article 10 sets out the national values and principles of governance, including good governance, transparency, accountability and sustainable development, which the Policy is required to embody. Article 42 guarantees every person the right to a clean and healthy environment. Articles 60 to 71 govern land and natural resources, including the principle that minerals and energy resources are held by the National Government in trust for the people of Kenya. Article 174 sets out the objects of devolution, which is relevant given the role of County Governments in energy planning.
11. **Energy Act (Cap. 314) of 2019:** This is the principal statute governing the energy sector. It establishes the Energy and Petroleum Regulatory Authority (EPRA), the Energy and Petroleum Tribunal, and the Nuclear Power and Energy Agency (NuPEA), and provides the legal and regulatory framework that this Policy is intended to align with.

34. **On Electricity Access and Universal Connectivity:** The policy seeks to accelerate universal access to electricity through continued expansion of grid infrastructure, implementation of last-mile connectivity programmes and deployment of mini-grid and off-grid solutions in remote and underserved areas. The State Department emphasized that achieving universal access remains a key Government priority and is critical for improving livelihoods, promoting industrialization and enhancing service delivery.
35. **On Renewable Energy Development:** The policy recognizes renewable energy as a cornerstone of Kenya's energy transition and seeks to maximize utilization of geothermal, solar, wind, hydro and biomass resources. The State Department noted that continued investment in renewable energy will enhance energy security, reduce greenhouse gas emissions, attract investment and support sustainable economic development.
36. **On Energy Security and Reliability:** The Policy proposes measures aimed at strengthening energy security through diversification of energy sources, enhancement of transmission infrastructure, increased regional power interconnections and promotion of strategic energy reserves. The State Department observed that a resilient and diversified energy system is necessary to safeguard the country against supply disruptions and external shocks.
37. **On Clean Cooking and Modern Energy Services:** The Policy prioritizes universal access to clean cooking solutions by 2030, under Section 3.3 on Clean Cooking and Bioenergy. The State Department noted that a significant proportion of households continue to rely on traditional biomass fuels, contributing to environmental degradation and adverse health impacts. The Policy therefore promotes adoption of clean cooking technologies, development of sustainable fuel supply chains and increased public awareness on clean energy alternatives.
38. **On Energy Efficiency and Conservation:** The Policy recognizes energy efficiency as a cost-effective approach to meeting growing energy demand. Proposed interventions include development of energy efficiency standards, promotion of energy-saving technologies, implementation of demand-side management programmes and strengthening of regulatory frameworks to support efficient energy use across all sectors.
39. **On Emerging Technologies and Innovation:** The State Department highlighted the growing importance of emerging technologies within the energy sector in Section 3.6 of the Policy, including battery energy storage systems, smart grids, artificial intelligence, digital energy platforms and advanced energy management systems. The Policy seeks to establish an enabling environment for innovation, research and adoption of new technologies to improve efficiency and reliability within the sector.
40. **On Electric Mobility:** The Policy recognizes electric mobility as an emerging opportunity for reducing dependence on fossil fuels and lowering greenhouse gas emissions. The State Department indicated that the Policy supports development of charging infrastructure, establishment of supportive regulatory frameworks and promotion of investment in electric mobility technologies.

41. **On Green Hydrogen Development:** The Policy identifies green hydrogen as a strategic opportunity for supporting industrial development, export growth and decarbonization. The State Department noted that Kenya's abundant renewable energy resources position the country favourably for production and utilization of green hydrogen and related technologies.
42. **On Nuclear Energy Development:** The Policy acknowledges the potential role of nuclear energy in diversifying the country's energy mix and enhancing long-term energy security. The State Department indicated that development of nuclear energy will be guided by international safety standards, robust regulatory frameworks and public engagement processes.
43. **On Regional Energy Integration:** The Policy supports increased regional cooperation through cross-border interconnections, regional power trade and participation in regional energy markets. The State Department observed that regional integration can enhance reliability of supply, improve market efficiency and strengthen energy security.
44. **On Private Sector Participation and Investment:** The Policy seeks to enhance private sector participation in energy development through creation of an enabling investment environment, promotion of public-private partnerships and implementation of transparent regulatory frameworks. The State Department emphasized that private investment will be critical in mobilizing resources required to achieve the Policy's objectives.
45. **On the Institutional and Regulatory Framework:** The Policy proposes strengthening institutional coordination among national government entities, county governments, regulators and other stakeholders. The State Department noted that clear institutional mandates and effective coordination mechanisms will be necessary for successful implementation of the Policy.
46. **On Implementation, Monitoring and Evaluation:** The State Department informed the Committee that implementation of the Policy will be supported through the Integrated National Energy Plan, sector-specific strategies, monitoring frameworks and periodic policy reviews. Progress will be measured using key performance indicators and regular reporting mechanisms to ensure accountability and effective delivery of policy objectives.

3.1.3 National Energy Policy Validation Workshop Report

47. The Committee received and considered the Report of the National Energy Policy Validation Workshop held on 14th April 2025 at the Radisson Blu Hotel, Nairobi. The workshop brought together representatives from National Government Ministries, Departments and Agencies, County Governments, development partners, private sector organizations, academia, civil society organizations, professional bodies and energy sector institutions.
48. The workshop formed part of the final consultative process aimed at validating the Draft National Energy Policy before its submission for approval and adoption. Participants generally acknowledged the importance of the Policy in providing strategic direction for the development of the energy sector and supporting Kenya's long-term economic transformation agenda. The validation workshop submitted as follows:

3.1.4 Report on Public Participation and Stakeholder Engagement

62. The Committee received and considered the Report on Public Participation and Stakeholder Engagement undertaken during the review of the Draft National Energy Policy 2025. The State Department informed the Committee that stakeholder consultations were undertaken through regional forums, sector consultations, technical meetings and validation workshops involving representatives from National and County Governments, development partners, private sector organizations, civil society organizations, academia, professional bodies and members of the public.
63. The consultations were intended to collect views on the Draft Policy and ensure that stakeholder concerns and recommendations were considered before finalization of the Policy. The views from the Public Participation and Stakeholder Engagement Report were submitted as follows:
64. **General Support for the Draft Policy:** Stakeholders generally welcomed the review of the National Energy Policy and acknowledged the importance of a modern, affordable, reliable and sustainable energy sector in supporting socio-economic development. Participants observed that the Policy presents an opportunity to address existing sector challenges while preparing the country for emerging opportunities associated with technological advancement and energy transition.
65. **Affordability of Energy Services:** Stakeholders expressed concern regarding the affordability of electricity and other energy services. Participants observed that while electricity connectivity has increased significantly, many households and businesses continue to face challenges associated with high energy costs. Stakeholders therefore called for interventions aimed at improving efficiency, reducing system losses and enhancing affordability of energy services.
66. **Electricity Access and Last-Mile Connectivity:** Participants emphasized the need to accelerate expansion of electricity infrastructure in rural and marginalized areas. Stakeholders noted that despite significant progress in electrification, some communities continue to experience limited access to reliable electricity. The consultations therefore supported continued implementation of last-mile connectivity programmes and deployment of decentralized energy solutions.
67. **Reliability and Quality Supply:** Stakeholders highlighted concerns relating to power interruptions, voltage fluctuations and service reliability in certain parts of the country. Participants emphasized the need for increased investment in transmission and distribution infrastructure, maintenance of existing systems and modernization of the electricity network.
68. **Clean Cooking and Household Energy Access:** Stakeholders strongly supported initiatives aimed at increasing access to clean cooking technologies. Participants observed that continued reliance on firewood, charcoal and other traditional fuels contributes to health challenges, environmental degradation and loss of forest cover. Stakeholders therefore called for increased investment in clean cooking programmes, awareness campaigns and support for clean energy enterprises.

69. **Renewable Energy Development:** Stakeholders generally supported increased investment in renewable energy resources including geothermal, solar, wind, hydro and biomass. Participants observed that Kenya possesses significant renewable energy potential and should continue leveraging these resources to enhance energy security, reduce dependence on imported fuels and support climate change mitigation efforts. Stakeholders further encouraged increased investment in research, innovation and local manufacturing within the renewable energy sector.
70. **Energy Transition and Emerging Technologies:** Participants welcomed the Policy's recognition of emerging technologies such as electric mobility, battery energy storage systems, smart grids and green hydrogen. Stakeholders observed that these technologies present opportunities for economic growth, job creation and industrial development. However, participants emphasized the need for supportive policy, regulatory and financing frameworks to facilitate adoption and commercialization of these technologies.
71. **Private Sector Participation and Investment:** Stakeholders emphasized the importance of private sector participation in achieving the objectives of the Policy. Participants noted that the scale of investment required for energy infrastructure development exceeds available public resources and therefore necessitates increased private sector involvement. Stakeholders encouraged the Government to create an enabling environment for investment through regulatory certainty, transparent licensing processes and investment incentives.
72. **Climate Change and Environmental Sustainability:** Stakeholders emphasized the need to balance energy development with environmental protection and climate resilience. Participants observed that climate change continues to affect energy systems through droughts, floods and changing weather patterns. Stakeholders therefore supported measures aimed at promoting low-carbon development, enhancing climate resilience and integrating environmental safeguards into energy planning and implementation.
73. **Community Participation and Benefit Sharing:** Participants emphasized the importance of meaningful community engagement in energy sector development. Stakeholders noted that communities affected by energy projects should be consulted throughout project planning, implementation and monitoring processes. Participants further called for equitable sharing of benefits arising from energy investments and effective grievance resolution mechanisms to address community concerns.
74. **Land Acquisition, Compensation and Resettlement:** Stakeholders raised concerns regarding land acquisition processes associated with energy infrastructure development. Participants emphasized the need for fair compensation, transparent valuation processes and timely settlement of claims. Stakeholders further noted the importance of protecting community land rights and ensuring that affected persons are adequately supported throughout resettlement processes.
75. **Role of County Governments:** Stakeholders observed that County Governments play an important role in implementation of energy programmes, environmental management and local development initiatives. Participants therefore emphasized the need for stronger

collaboration between National and County Governments in planning, implementation and monitoring of energy projects.

76. **Local Content and Employment Opportunities:** Stakeholders emphasized the importance of maximizing local participation in energy sector development. Participants encouraged adoption of policies aimed at promoting local employment, technology transfer, skills development and participation of local enterprises in energy value chains. Stakeholders observed that strengthening local content frameworks would contribute to economic empowerment and long-term sector sustainability.
77. **Capacity Building, Research and Innovation:** Stakeholders highlighted the need for increased investment in research, innovation and human resource development within the energy sector. Participants observed that emerging technologies will require specialized technical skills and therefore encouraged collaboration between Government, academia, research institutions and industry to strengthen national capacity.
78. **Institutional Coordination and Governance:** Stakeholders observed that successful implementation of the Policy will require effective coordination among Government institutions, regulators, County Governments, development partners and other stakeholders. Participants emphasized the importance of clear institutional mandates, accountability mechanisms and regular stakeholder engagement to support implementation of policy objectives.
79. **Financing and Resource Mobilization:** Stakeholders noted that implementation of the Policy will require substantial financial resources. Participants encouraged the Government to explore innovative financing mechanisms, strengthen public-private partnerships and leverage climate finance opportunities to support energy sector investments.
80. **Monitoring, Evaluation and Accountability:** Stakeholders emphasized the need for robust monitoring and evaluation frameworks to track implementation progress and ensure accountability. Participants recommended establishment of measurable performance indicators, regular reporting mechanisms and periodic policy reviews to facilitate continuous improvement and achievement of desired outcomes.

Overall Stakeholder Engagement Position

The stakeholder engagement process revealed broad support for the Draft National Energy Policy and its strategic objectives. Stakeholders generally agreed that the Policy provides an appropriate framework for guiding development of the energy sector and addressing emerging challenges. However, participants emphasized the need to strengthen implementation mechanisms, enhance stakeholder participation and ensure that the benefits of energy development are shared equitably across the country.

3.2 Submissions by Nature Kenya

81. Nature Kenya (East Africa Natural History Society) is Africa's oldest environmental society and serves as the Bird Life International partner in Kenya. Nature Kenya submitted a memorandum to the Committee focusing on biodiversity conservation, environmental sustainability and integration of ecological safeguards within energy sector development.
82. While generally supporting the objectives of the Draft National Energy Policy, the organization expressed concern that the Policy does not adequately address biodiversity risks associated with energy infrastructure development and submitted as follows:
83. **Absence of Biodiversity Compliance Standards:** The Policy does not require energy infrastructure projects to comply with internationally recognized biodiversity standards and best practices. Nature Kenya observed that the absence of explicit biodiversity compliance requirements may expose sensitive ecosystems to avoidable environmental impacts and undermine conservation efforts.
84. **Protection of Protected Areas and Key Biodiversity Areas:** The Policy does not expressly provide safeguards against siting energy infrastructure within Protected Areas (PAs) and Key Biodiversity Areas (KBAs). Nature Kenya noted that such areas provide critical ecosystem services and support biodiversity conservation and therefore require enhanced protection during energy sector planning and development.
85. **Transmission and Distribution Infrastructure:** Nature Kenya observed that transmission and distribution infrastructure may contribute to bird collisions, electrocution and habitat fragmentation if appropriate mitigation measures are not adopted. The organization noted that current infrastructure designs have not been adequately assessed against internationally recognized standards aimed at reducing impacts on bird species and other wildlife.
86. **Environmental Impact Assessment Tools:** The memorandum noted that Environmental Impact Assessments for energy projects do not require application of biodiversity-specific assessment and mitigation tools such as the Integrated Biodiversity Assessment Tool (IBAT), the Avian Sensitivity Tool for Energy Planning (AVISTEP) and Strategic Environmental Assessments. Nature Kenya emphasized that use of such tools would improve identification and management of biodiversity risks.
87. **Monitoring and Reporting of Biodiversity Impacts:** Nature Kenya observed that the Policy does not provide clear requirements for biodiversity monitoring, reporting and disclosure. The organization recommended establishment of monitoring frameworks requiring regular reporting on biodiversity impacts, wildlife mortality incidents and effectiveness of mitigation measures implemented by project developers.
88. **Stakeholder Engagement and Conservation Partnerships:** The memorandum emphasized the importance of involving conservation organizations, scientific experts and local communities in planning and implementation of energy projects. Nature Kenya

observed that collaborative approaches would strengthen environmental governance and improve outcomes for both energy development and biodiversity conservation.

89. **Integration of Biodiversity into Energy Planning:** Nature Kenya recommended that biodiversity considerations be integrated throughout the energy planning cycle, including policy development, project design, implementation and monitoring. The organization emphasized that sustainable energy development should be pursued in a manner that protects ecosystems and contributes to long-term environmental sustainability.

Overall Position

Nature Kenya generally supported the Draft National Energy Policy but urged the Government to strengthen biodiversity safeguards, environmental assessment requirements and conservation measures to ensure that energy development does not result in irreversible ecological damage

3.3 Submissions by the Council of Governors (CoG)

90. The Council of Governors (CoG) submitted a memorandum to the Committee supporting the overall objectives of the Draft National Energy Policy while emphasizing the need to strengthen the role of County Governments in energy planning, implementation and oversight.
91. The Council observed that County Governments are increasingly involved in matters relating to energy access, environmental management, investment promotion and local economic development and therefore require a more prominent role within the Policy framework. The Council submitted as follows:
92. **Recognition of County Governments in Energy Governance:** The Council observed that while the Policy acknowledges the role of County Governments, it does not adequately define their responsibilities in implementation of various policy interventions. The Council emphasized that County Governments should be recognized as key implementation partners given their proximity to communities and their role in local development planning.
93. **Intergovernmental Coordination and Consultation:** The memorandum highlighted the need for stronger coordination mechanisms between the National Government and County Governments. The Council observed that effective implementation of energy programmes requires regular consultation, information sharing and joint planning to avoid duplication of efforts and ensure alignment between national and county priorities.
94. **County Energy Planning:** The Council emphasized the importance of County Energy Plans as instruments for identifying local energy needs and priorities. The memorandum noted that County Energy Plans should be integrated into national planning processes and adequately supported through technical and financial resources to ensure effective implementation.
95. **Equitable Access to Energy Services:** The Council observed that disparities in access to energy services continue to exist across counties, particularly in arid, semi-arid and

marginalized regions. The memorandum therefore called for targeted interventions aimed at accelerating electricity access and deployment of decentralized energy solutions in underserved areas.

96. **Promotion of Renewable Energy Resources:** The Council noted that many counties possess significant renewable energy resources, including solar, wind, geothermal, biomass and small hydropower potential. The memorandum emphasized the need for policies that support development of these resources and encourage county participation in renewable energy investments.
97. **Clean Cooking Household Energy Access:** The Council supported the Policy's commitment to universal access to clean cooking solutions and observed that County Governments have an important role to play in promoting awareness, supporting adoption of clean cooking technologies and facilitating local clean energy initiatives.
98. **Climate Change and Resilience:** The memorandum highlighted the increasing impacts of climate change on energy infrastructure and natural resources. The Council emphasized the importance of integrating climate resilience measures into energy planning and strengthening protection of water catchments, forests and other critical ecosystems that support energy production.
99. **Local Economic Development and Job Creation:** The Council observed that energy investments should contribute to local economic growth through employment creation, enterprise development and increased participation of local communities in energy value chains. The memorandum encouraged measures aimed at maximizing local benefits arising from energy projects.
100. **Financing of County Energy Initiatives:** The Council noted that many counties face resource constraints that limit their ability to implement energy-related programmes. The memorandum therefore called for increased financial support, innovative financing mechanisms and stronger public-private partnerships to facilitate county-level energy investments.
101. **Capacity Building and Technical Support:** The memorandum observed that implementation of emerging technologies and modern energy systems will require enhanced technical capacity at the county level. The Council therefore emphasized the need for training, knowledge sharing and institutional strengthening to support effective implementation of the Policy.
102. **Monitoring and Evaluation Frameworks:** The Council recommended establishment of clear monitoring and evaluation mechanisms involving both levels of Government. According to the Council, collaborative monitoring frameworks would improve accountability, strengthen implementation and facilitate tracking of progress towards achievement of policy objectives.

Overall Position

The Council of Governors generally supported the Draft National Energy Policy and emphasized that effective implementation would require stronger recognition of County Governments, enhanced intergovernmental collaboration, increased investment in local energy initiatives and equitable distribution of energy infrastructure and services across all counties.

3.4 Joint Submissions by Law for Energy Transitions Africa (LETA), Katiba Institute, Natural Justice and Stand Up Shout Out Nairobi

103. The Committee received a joint memorandum from Law for Energy Transitions Africa (LETA), Katiba Institute, Natural Justice and Stand Up Shout Out Nairobi. The organizations generally welcomed the Draft National Energy Policy and acknowledged its role in supporting Kenya's transition towards a sustainable energy future.
104. However, the organizations raised concerns regarding policy coherence, social justice, community rights, benefit-sharing arrangements and implementation of a just energy transition framework. The submission was made as follows:
105. **Alignment with Existing Energy Transition Frameworks:** The organizations observed that Kenya has developed several energy transition and climate-related frameworks, including the Kenya Energy Transition and Investment Plan and the Green Hydrogen Strategy and Roadmap. The memorandum noted that the Draft National Energy Policy does not sufficiently clarify how these frameworks will be integrated and coordinated during implementation.
106. **Just Energy Transition Principles:** The organizations emphasized that the energy transition should be guided by principles of fairness, equity and inclusivity. The memorandum observed that energy transition policies should not focus solely on technological advancement and emissions reduction but should also address social and economic impacts on affected communities.
107. **Community Participation and Decision-Making:** The submission highlighted the importance of meaningful participation by communities in planning and implementation of energy projects. The organizations emphasized that local communities should be involved throughout project lifecycles and should have access to information necessary to facilitate informed participation.
108. **Benefit Sharing in Energy Resource Areas:** The organizations expressed concern regarding implementation of benefit-sharing mechanisms, particularly in areas hosting geothermal and other energy projects. The memorandum observed that communities affected by resource development should receive tangible social and economic benefits arising from such projects.
109. **Implementation of Geothermal Royalty Sharing Mechanisms:** The organizations noted that existing legal provisions relating to benefit sharing have not been fully implemented. The memorandum therefore called for operationalization of mechanisms

aimed at ensuring that host communities benefit directly from exploitation of geothermal and other energy resources.

110. **Land Rights and Community Land Governance:** The memorandum emphasized the need to recognize and protect community land rights within energy sector development. The organizations observed that energy infrastructure projects frequently affect community land and therefore require transparent consultation processes and respect for legal protections provided under the Community Land Act.
111. **Free, Prior and Informed Consent (FPIC):** The organizations emphasized the importance of applying the principle of Free, Prior and Informed Consent in projects affecting indigenous peoples and local communities. The memorandum noted that FPIC promotes accountability, reduces conflicts and strengthens social acceptance of development projects.
112. **Displacement, Resettlement and Livelihood Restoration:** The submission observed that energy projects may result in displacement of communities and disruption of livelihoods. The organizations therefore advocated for stronger safeguards relating to compensation, resettlement planning, livelihood restoration and long-term support for affected populations.
113. **Gender Equality, Disability and Social Inclusion:** The memorandum emphasized the need for the Policy to incorporate Gender Equality, Disability and Social Inclusion (GEDSI) considerations. The organizations observed that women, youth, persons with disabilities and marginalized groups should benefit equitably from energy investments and transition programmes.
114. **Environmental Sustainability and Climate Justice:** The organizations emphasized that energy development should be undertaken in a manner that protects ecosystems, promotes climate resilience and advances environmental justice. The memorandum called for stronger integration of sustainability considerations into energy planning and implementation processes.
115. **Institutional Coordination and Accountability:** The submission observed that successful implementation of the Policy will require effective coordination among Government institutions, regulators, communities and civil society organizations. The organizations emphasized the importance of transparency, accountability and stakeholder engagement throughout implementation of the Policy.

Overall Position

The organizations generally supported the Draft National Energy Policy but called for stronger integration of just transition principles, enhanced protection of community rights, improved benefit-sharing mechanisms and greater emphasis on social inclusion and environmental sustainability.

3.5 Submissions by the Engineers Board of Kenya (EBK)

116. The Engineers Board of Kenya (EBK) submitted a memorandum supporting the overall objectives of the Draft National Energy Policy while emphasizing the importance of engineering standards, technical capacity, infrastructure quality and professional oversight in implementation of the Policy.
117. The Board observed that achievement of the Policy's objectives will depend significantly on the quality, safety, reliability and sustainability of energy infrastructure developed across the country. The Board submitted as follows:
118. **Engineering Standards and Quality Assurance:** The Board observed that implementation of energy projects should be guided by established engineering standards and best practices to ensure safety, reliability and long-term sustainability. The memorandum emphasized the need for compliance with professional standards throughout the planning, design, construction, operation and maintenance phases of energy infrastructure projects.
119. **Professional Oversight of Energy Projects:** The Board noted that increasing investment in energy infrastructure requires stronger professional oversight to safeguard public interests and ensure technical integrity. The memorandum emphasized the importance of involving registered engineers in all stages of project development and implementation.
120. **Energy Infrastructure Development:** The Board observed that the Policy proposes significant expansion of electricity generation, transmission and distribution infrastructure as well as deployment of emerging technologies. The memorandum emphasized that these investments should be accompanied by robust engineering frameworks to ensure resilience, efficiency and reliability of energy systems.
121. **Technical Capacity Development:** The Board noted that successful implementation of the Policy will require a highly skilled workforce capable of supporting emerging technologies and modern energy systems. The memorandum therefore called for increased investment in engineering education, technical training and professional development programmes.
122. **Emerging Technologies and Innovation:** The Board welcomed the Policy's focus on technologies such as battery energy storage systems, smart grids, electric mobility and green hydrogen. However, the memorandum observed that adoption of these technologies will require specialized technical expertise, research and innovation to ensure successful deployment and long-term sustainability.
123. **Research, Development and Knowledge Transfer:** The Board emphasized the importance of strengthening collaboration between Government institutions, universities, research institutions and industry players. According to the memorandum, investment in research and development will facilitate innovation, support local solutions and strengthen Kenya's competitiveness in the evolving energy sector.
124. **Local Content and Technology Transfer:** The Board observed that implementation of major energy projects should contribute to development of local technical expertise and

domestic industries. The memorandum encouraged increased participation of Kenyan engineers, contractors and technical professionals in energy sector investments.

125. **Infrastructure Safety and Risk Management:** The memorandum highlighted the importance of incorporating safety considerations into energy planning and development. The Board noted that robust engineering and risk management frameworks are necessary to minimize technical failures, accidents and disruptions to energy services.
126. **Climate Resilient Infrastructure:** The Board observed that climate change presents increasing risks to energy infrastructure and emphasized the need to incorporate resilience measures into design and construction of energy facilities. The memorandum encouraged adoption of engineering approaches capable of withstanding extreme weather events and changing environmental conditions.
127. **Institutional Collaboration:** The Board emphasized the importance of collaboration among regulators, professional bodies, Government agencies and industry stakeholders in implementation of the Policy. The memorandum noted that coordinated approaches would strengthen technical governance and improve project outcomes.

Overall Position

The Engineers Board of Kenya generally supported the Draft National Energy Policy and emphasized that engineering excellence, professional oversight, technical capacity development and adherence to standards will be critical in achieving the Policy's objectives and ensuring sustainable development of the energy sector.

3.6 Submissions by the Kenya Bureau of Standards (KEBS)

128. The Kenya Bureau of Standards (KEBS) submitted a memorandum supporting the Draft National Energy Policy while emphasizing the critical role of standards, quality assurance, conformity assessment and consumer protection in development of the energy sector.
129. The Bureau observed that the rapid evolution of energy technologies and increasing deployment of renewable energy systems require robust standards frameworks capable of ensuring safety, quality, interoperability and market confidence. KEBS submitted as follows:
130. **Standards as Enablers of Energy Sector Development:** The Bureau observed that standards provide the foundation for safe, reliable and efficient energy systems. The memorandum noted that implementation of the Policy should be supported by comprehensive standards frameworks covering generation, transmission, distribution, storage and utilization of energy resources.
131. **Quality Assurance and Consumer Protection:** KEBS emphasized that increased deployment of energy technologies has resulted in growth of products entering the Kenyan market, some of which may fail to meet required quality standards. The Bureau therefore highlighted the importance of conformity assessment, market surveillance and enforcement mechanisms to protect consumers from substandard products and services.

132. **Renewable Energy Standards:** The Bureau noted that accelerated deployment of solar, wind, biomass, geothermal and other renewable energy technologies requires development and enforcement of appropriate standards. According to the memorandum, harmonized standards will improve product quality, support investment and facilitate wider adoption of renewable energy solutions.
133. **Electric Mobility Standards:** KEBS observed that the growth of electric mobility presents new opportunities and challenges within the energy sector. The memorandum emphasized the need for standards relating to electric vehicles, charging infrastructure, battery systems and safety requirements to ensure orderly development of the sector.
134. **Battery Energy Storage Systems:** The Bureau highlighted the growing importance of battery energy storage systems in supporting grid stability and integration of renewable energy resources. The memorandum called for development of standards governing performance, safety, installation and disposal of battery technologies.
135. **Green Hydrogen and Emerging Technologies:** KEBS welcomed the Policy's recognition of green hydrogen and other emerging technologies. The Bureau observed that successful deployment of such technologies will require development of technical standards and regulatory frameworks to guide implementation and promote investor confidence.
136. **Digitalization and Smart Energy Systems:** The memorandum noted that increasing digitalization of the energy sector introduces opportunities for efficiency improvements but also presents new risks. KEBS emphasized the importance of standards governing smart grids, digital infrastructure, cybersecurity and data management within the energy sector.
137. **Cybersecurity of Energy Infrastructure:** The Bureau observed that growing reliance on digital systems increases exposure to cybersecurity threats. The memorandum therefore highlighted the need for standards and protocols aimed at protecting critical energy infrastructure and ensuring resilience against cyber-attacks.
138. **Support for Local Manufacturing and Innovation:** KEBS emphasized that standards can facilitate local manufacturing, innovation and technology transfer. The Bureau encouraged development of standards frameworks that support domestic industries while maintaining quality and safety requirements.
139. **Regional and International Harmonization:** The memorandum observed that harmonization of standards with regional and international frameworks can facilitate trade, investment and technology transfer. KEBS therefore encouraged alignment of national standards with recognized international best practices.

Overall Position

The Kenya Bureau of Standards generally supported the Draft National Energy Policy and emphasized that strong standards frameworks, quality assurance systems, conformity assessment mechanisms and consumer protection

measures will be essential in ensuring safe, reliable and sustainable development of the energy sector.

3.7 Submissions by Competition Authority of Kenya (CAK)

140. The Competition Authority of Kenya (CAK) submitted a memorandum supporting the Draft National Energy Policy and highlighting the importance of competition, consumer welfare and market efficiency in the energy sector. The Authority observed that reforms proposed within the Policy provide opportunities to increase investment, improve service delivery and promote innovation while safeguarding consumer interests. The Authority submitted as follows:
141. **Promotion of Competitive Energy Markets:** The Authority observed that increased competition can enhance efficiency, improve service quality and encourage innovation within the energy sector. The memorandum therefore supported policy interventions aimed at promoting competitive market structures and reducing barriers to entry.
142. **Private Sector Participation:** CAK welcomed proposals intended to increase private sector participation in energy development. The Authority noted that competitive markets can attract investment, stimulate innovation and contribute to achievement of national energy objectives.
143. **Electricity Market Reforms:** The memorandum observed that ongoing reforms within the electricity sector present opportunities to improve efficiency and reduce costs. The Authority supported measures aimed at facilitating open access, competitive procurement and increased participation of independent power producers.
144. **Consumer Welfare and Protection:** CAK emphasized that energy sector reforms should be implemented in a manner that protects consumers and promotes affordability. The Authority noted that regulatory safeguards are necessary to ensure that benefits arising from competition are passed on to consumers.
145. **Prevention of Anti-Competitive Practices:** The memorandum highlighted the need to guard against abuse of market dominance, collusion, restrictive trade practices and other anti-competitive conduct. The Authority emphasized the importance of maintaining effective oversight and enforcement mechanisms within liberalized energy markets.
146. **Transparency and Fair Access:** CAK observed that transparent regulatory processes and fair access to infrastructure are essential for promoting competition and attracting investment. The memorandum encouraged implementation of measures that facilitate equal treatment of market participants and reduce barriers to market entry.
147. **Innovation and Market Development:** The Authority noted that competition encourages innovation and development of new products and services. The memorandum therefore supported policy measures that foster innovation while maintaining appropriate regulatory oversight.

148. **Coordination between Regulators:** CAK emphasized the importance of collaboration among sector regulators, competition authorities and other Government institutions. According to the memorandum, coordinated regulatory approaches can improve market outcomes and strengthen consumer protection.
149. **Monitoring of Emerging Energy Markets:** The Authority observed that emerging sectors such as electric mobility, energy storage and green hydrogen may create new market structures requiring regulatory attention. The memorandum therefore encouraged proactive monitoring to promote fair competition and prevent market distortions.

Overall Position

The Competition Authority of Kenya generally supported the Draft National Energy Policy and emphasized that promotion of competition, protection of consumers and enhancement of market efficiency will be critical in achieving a sustainable and inclusive energy sector.

3.8 Submissions by the National Environment Management Authority (NEMA)

150. The National Environment Management Authority (NEMA) submitted a memorandum supporting the Draft National Energy Policy while emphasizing the need to strengthen environmental governance, sustainability safeguards and climate resilience measures within the energy sector.
151. The Authority observed that while the Policy appropriately recognizes the role of energy in supporting economic growth and development, implementation of energy projects must be undertaken in a manner that safeguards the environment, protects natural resources and promotes sustainable development. NEMA submitted as follows:
152. **Environmental Assessment as a Fundamental Planning Tool:** NEMA observed that environmental considerations should be integrated into all stages of policy formulation, planning and implementation. The Authority emphasized that Strategic Environmental Assessments (SEAs), Environmental and Social Impact Assessments (ESIAs) and environmental audits should not be treated merely as compliance requirements but as important decision-making tools capable of identifying, preventing and mitigating environmental risks associated with energy projects.
153. **Integration of Environmental Sustainability within Energy Planning:** The Authority noted that sustainable energy development requires balancing economic growth objectives with environmental protection. The memorandum observed that environmental sustainability considerations should be mainstreamed throughout the Policy to ensure that energy development does not compromise ecosystem integrity, biodiversity conservation or sustainable utilization of natural resources.
154. **Climate Change Adaptation Resilience:** NEMA emphasized that climate change continues to pose significant risks to energy infrastructure and resource availability. The Authority observed that increasing frequency of droughts, floods and extreme weather

events has the potential to disrupt energy production, transmission and distribution systems. The memorandum therefore called for stronger integration of climate adaptation measures and resilience planning within implementation of the Policy.

- 155. Environmental Risk Management Framework:** The Authority observed that the Policy should provide clearer guidance on identification, assessment and management of environmental risks associated with energy development. NEMA noted that energy projects often involve significant environmental impacts which require comprehensive risk management frameworks supported by continuous monitoring, reporting and enforcement mechanisms.
- 156. Protection of Biodiversity and Ecosystems:** The memorandum highlighted the need to protect forests, wetlands, water catchments, wildlife habitats and other environmentally sensitive ecosystems from adverse impacts arising from energy projects. NEMA observed that infrastructure development, resource extraction and energy generation activities can contribute to habitat degradation, ecosystem fragmentation and biodiversity loss if appropriate safeguards are not implemented.
- 157. Management of Water Resources:** NEMA emphasized the importance of sustainable management of water resources in the energy sector. The Authority noted that many energy technologies depend on water availability and therefore require integrated planning approaches that consider competing water demands, climate change impacts and long-term resource sustainability.
- 158. Pollution Prevention and Environmental Protection:** The memorandum observed that energy sector activities may generate air pollution, water pollution, hazardous waste and other environmental impacts. NEMA therefore emphasized the need for robust environmental management systems capable of preventing pollution and ensuring compliance with environmental standards and regulations.
- 159. Hazardous and Electronic Waste Management:** The Authority highlighted the growing challenge associated with management of hazardous waste, electronic waste, battery waste and other emerging waste streams resulting from deployment of modern energy technologies. The memorandum called for development of comprehensive waste management frameworks and stronger regulatory oversight to ensure environmentally sound disposal and recycling practices.
- 160. Decommissioning and Rehabilitation of Energy Facilities:** NEMA observed that the Policy should provide clearer provisions regarding decommissioning of energy infrastructure and restoration of project sites upon completion of operations. The Authority noted that inadequate decommissioning planning may result in long-term environmental liabilities and degradation of affected areas.
- 161. Land use Planning and Environmental Safeguards:** The memorandum emphasized the importance of integrating environmental considerations into land use planning processes. NEMA observed that energy projects frequently compete with other land uses and therefore

require careful planning to minimize conflicts, protect sensitive ecosystems and support sustainable development objectives.

- 162. Community Rights and Environmental Justice:** The Authority emphasized the need to ensure that communities affected by energy projects are adequately protected from environmental risks and are able to participate meaningfully in environmental decision-making processes. NEMA noted that environmental justice principles should guide implementation of energy projects to ensure equitable distribution of benefits and burdens associated with development.
- 163. Public Participation and Access to Information:** NEMA observed that effective environmental governance depends on transparency, access to information and meaningful public participation. The memorandum emphasized the need for continuous stakeholder engagement throughout planning, implementation, monitoring and decommissioning phases of energy projects.
- 164. Institutional Coordination and Regulatory Oversight:** The Authority highlighted the importance of collaboration among regulatory agencies, Government institutions, County Governments and project developers. NEMA observed that effective coordination is necessary to strengthen compliance monitoring, improve environmental governance and avoid duplication of regulatory functions.
- 165. Capacity Building and Resource Allocation:** NEMA noted that implementation of environmental safeguards requires adequate financial resources, technical expertise and institutional capacity. The memorandum therefore called for increased investment in environmental monitoring systems, technical training and institutional strengthening to support implementation of the Policy.
- 166. Carbon Markets and Emerging Environmental Opportunities:** The Authority observed that emerging mechanisms such as carbon markets, climate finance and nature-based solutions present opportunities for supporting sustainable energy development. The memorandum encouraged the Government to establish appropriate governance frameworks to facilitate participation in such initiatives while safeguarding environmental integrity.
- 167. Cross-Cutting Environmental Governance Measures:** NEMA emphasized that environmental considerations should not be confined to specific sections of the Policy but should be reflected across all energy sub-sectors, including electricity, petroleum, renewable energy, nuclear energy, energy efficiency and emerging technologies. The Authority observed that mainstreaming environmental governance across the entire Policy framework would strengthen sustainability outcomes and enhance long-term sector resilience.

Overall Position

NEMA generally supported the Draft National Energy Policy but emphasized that successful implementation will require stronger environmental safeguards, enhanced climate resilience measures, improved environmental governance frameworks and adequate institutional support to ensure that energy

development contributes to sustainable development and environmental protection.

3.9 Joint Memorandum by Transparency International Kenya (TI Kenya) and the Kenya Oil and Gas Working Group (KOGWG)

168. The Committee received a joint memorandum from Transparency International Kenya (TI Kenya) and the Kenya Oil and Gas Working Group (KOGWG), a coalition comprising civil society organizations, community-based organizations, governance institutions, environmental organizations and extractives sector advocates.
169. The stakeholders generally welcomed the Draft National Energy Policy 2025 but proposed several amendments aimed at strengthening transparency, accountability, public participation, environmental sustainability, community rights and implementation of a just energy transition.
170. Their comments focused on various provisions of the Policy, particularly those relating to Energy Transition and Climate Change, Carbon Markets and Carbon Financing, Transparency and Data Sharing, Devolution, Land Acquisition and Environmental Governance as follows:
171. **Energy Transition and Climate Change:** The stakeholders welcomed the inclusion of energy transition provisions under Section 3.8 of the Policy and acknowledged the Government's commitment to achieving sustainable development and climate resilience. However, they observed that the Policy places greater emphasis on technological transformation and decarbonization targets without adequately addressing the social, economic and governance implications of the transition process.
172. They proposed that implementation of the energy transition framework should explicitly incorporate principles of equity, inclusivity and social justice to ensure that vulnerable communities are not disproportionately affected by transition measures. The stakeholders further emphasized that the transition should support economic opportunities, livelihoods and social protection mechanisms for affected populations.
173. **Just Energy Transition:** With regard to Section 3.8.2 on Just Energy Transition, the stakeholders welcomed recognition of the concept within the Policy but argued that the provisions require further strengthening. They observed that the Policy does not sufficiently define how communities dependent on existing energy systems will be protected during the transition to low-carbon development pathways.
174. The memorandum proposed development of clear implementation mechanisms addressing social protection, local employment opportunities, capacity building, skills development and equitable distribution of benefits arising from energy transition investments.
175. The stakeholders further recommended establishment of participatory mechanisms to ensure that communities actively contribute to transition planning and implementation processes.

176. **Carbon Markets and Carbon Financing:** The stakeholders acknowledged the Policy's recognition of carbon markets and carbon financing as important instruments for supporting climate action and sustainable energy development. However, they observed that the proposed framework does not adequately address governance, transparency and accountability considerations associated with carbon finance initiatives.
177. They recommended inclusion of stronger safeguards to ensure that carbon projects respect community rights, provide equitable benefit sharing arrangements and operate in accordance with principles of environmental integrity. The stakeholders further emphasized the need for transparent monitoring and reporting frameworks capable of tracking financial flows, project outcomes and community benefits associated with carbon market activities.
178. **Transparency and Data Sharing:** Regarding Section 3.8.4 on Transparency and Data Sharing, the stakeholders emphasized that transparency remains a critical component of good governance within the energy sector. They observed that while the Policy recognizes the importance of data sharing, it does not adequately provide for public disclosure of contracts, project information, beneficial ownership records, environmental performance reports and revenue management information.
179. The stakeholders proposed establishment of stronger disclosure requirements to enhance public oversight and strengthen accountability across the energy value chain. They further argued that access to information is essential for meaningful public participation and informed decision-making by communities affected by energy projects.
180. **Devolution of Energy Functions:** The stakeholders welcomed recognition of devolution within the Policy but observed that the roles and responsibilities of County Governments require further clarification. They noted that counties play an increasingly important role in energy planning, environmental management, investment facilitation and community engagement. The memorandum therefore proposed stronger provisions on intergovernmental coordination, capacity building and resource allocation to support effective implementation of devolved energy functions. The stakeholders emphasized that County Governments should be fully integrated into energy planning and decision-making processes.
181. **Land Acquisition:** On Section 3.14.1 relating to Land Acquisition, the stakeholders raised concerns regarding the potential impacts of energy infrastructure projects on community land, indigenous territories and local livelihoods. They observed that land acquisition processes often generate disputes where consultation, compensation and resettlement measures are inadequate.
182. The memorandum proposed stronger safeguards to ensure compliance with constitutional provisions relating to land rights and community participation. The stakeholders further emphasized the need for transparent compensation mechanisms and meaningful engagement with affected communities throughout project lifecycles.
183. **Environmental Issues in Energy:** The stakeholders generally supported the environmental provisions contained in Section 3.14.2 but argued that additional safeguards

are necessary to address environmental risks associated with energy development. They observed that energy projects may result in biodiversity loss, ecosystem degradation, pollution and adverse impacts on water resources if not properly managed.

184. The memorandum therefore proposed stronger environmental monitoring frameworks, enhanced compliance mechanisms and increased emphasis on ecosystem conservation within implementation of the Policy. The stakeholders further recommended adoption of precautionary approaches in areas with significant environmental sensitivity.
185. **Gender Equality, Diversity and Social Inclusion:** The stakeholders welcomed the inclusion of GEDSI provisions under Section 3.14.3. However, they observed that implementation measures remain insufficiently developed. The memorandum proposed establishment of specific targets and monitoring indicators to ensure meaningful participation of women, youth, persons with disabilities and marginalized groups within energy programmes and investments. The stakeholders emphasized that equitable access to energy services and economic opportunities should remain a central objective of the Policy.
186. **Research, Development and Innovation:** The stakeholders supported the Policy's emphasis on research, development and innovation and encouraged increased investment in locally driven solutions capable of addressing Kenya's energy challenges. They emphasized the importance of collaboration between Government, academia, communities and civil society organizations in generating knowledge and promoting innovation. The memorandum further proposed strengthening research relating to community energy systems, climate adaptation technologies and locally appropriate renewable energy solutions.
187. **Implementation Framework and Accountability Mechanisms:** The stakeholders observed that successful implementation of the Policy will require stronger accountability and oversight mechanisms. While acknowledging the proposed coordination and administrative framework, they recommended clearer institutional responsibilities, measurable performance indicators and enhanced stakeholder participation within implementation and monitoring processes.
188. The memorandum further called for periodic public reporting on implementation progress and establishment of accessible grievance redress mechanisms to address concerns arising during implementation of energy projects.

Overall Position

The Joint memorandum by Transparency International Kenya and the Kenya Oil and Gas Working Group generally supported the objectives of the Draft National Energy Policy 2025. However, the stakeholders proposed strengthening provisions relating to transparency and accountability, public participation, community rights, environmental governance, devolution, carbon markets and implementation of a just energy transition. They emphasized that effective implementation of the Policy should be guided by principles of equity, inclusivity, sustainability and responsible governance to ensure that the benefits of energy sector development are shared fairly across all segments of society.

3.10 Submissions by the Electricity Consumers Society of Kenya (ELCOS)

189. The Committee received a memorandum from the Electricity Consumers Society of Kenya (ELCOS), which focused on consumer welfare, affordability of energy services, reliability of electricity supply and the potential implications of market reforms proposed under the Draft National Energy Policy 2025.
190. While supporting the overall objectives of expanding access to energy, promoting renewable energy development and enhancing efficiency within the energy sector, the Society raised concerns regarding the potential impact of the proposed reforms on consumers, particularly low-income households and vulnerable groups.
191. The Society therefore proposed measures aimed at strengthening consumer protection, ensuring affordability and safeguarding public interests during implementation of the Policy as follows:
192. **Electricity Market Reforms and Open Access Trading:** The Society commented extensively on the ongoing transition towards open-access electricity markets and wholesale electricity trading. It observed that while increased competition may create opportunities for efficiency and lower costs among large industrial consumers, there is a risk that domestic consumers could be adversely affected if adequate safeguards are not established.
193. The memorandum noted that direct procurement of electricity by large consumers could reduce revenues traditionally used to support lower tariffs for residential consumers, thereby exposing households to higher electricity costs. The Society therefore recommended establishment of consumer protection mechanisms to ensure that market liberalization does not result in unintended burdens on ordinary consumers.
194. **Affordability of Electricity:** The Society identified affordability as one of the most significant concerns affecting consumers. It observed that although the Policy acknowledges challenges associated with high energy costs, infrastructure investments and system expansion requirements, it does not sufficiently address the issue of electricity affordability from the consumer perspective.
195. The memorandum expressed concern that households may continue facing high electricity bills while simultaneously financing major investments in transmission infrastructure, renewable energy integration, storage technologies and modernization programmes.
196. The Society proposed stronger policy commitments aimed at reducing the cost burden on consumers and protecting vulnerable households from excessive electricity charges.
197. **Energy Transition and Emerging Technologies:** With regard to emerging technologies and energy transition initiatives, the Society acknowledged the importance of investments in green hydrogen, battery energy storage systems, electric mobility, smart grids and renewable energy development. However, it observed that many of these technologies require substantial capital investment and may increase overall system costs during implementation.

198. The memorandum therefore recommended that the Government establish clear safeguards to ensure that the costs associated with energy transition initiatives are managed efficiently and do not result in significant tariff increases for consumers.
199. **Universal Access to Energy:** The Society supported the Policy's objective of achieving universal access to electricity and clean cooking solutions by 2030. However, it observed that access does not necessarily guarantee affordability. The memorandum highlighted challenges relating to connection costs, affordability constraints among low-income households and barriers faced by rural communities in accessing modern energy services.
200. The Society therefore proposed targeted interventions aimed at ensuring that vulnerable populations benefit from universal access programmes and are not excluded due to financial constraints.
201. **Reliability and Quality of Energy Services:** The Society further observed that the Policy identifies several challenges affecting service delivery, including aging infrastructure, system losses, transmission constraints, vandalism and supply interruptions. While welcoming proposals aimed at addressing these challenges, the memorandum emphasized that improving reliability and quality of service should remain a priority alongside efforts to expand access and modernize the energy sector.
202. The Society proposed stronger accountability mechanisms and performance standards to ensure consumers receive reliable and quality energy services.
203. **Consumer Protection Measures:** The Society proposed establishment of stronger consumer protection frameworks capable of shielding vulnerable consumers from market volatility and adverse impacts arising from electricity market reforms. The memorandum recommended retention and strengthening of lifeline tariff mechanisms, enhanced market oversight and effective monitoring arrangements to prevent anti-competitive practices that could negatively affect consumers.
204. The Society further emphasized the importance of transparency and public accountability in implementation of electricity sector reforms.

Overall Position

The Electricity Consumers Society of Kenya generally supported the objectives of the Draft National Energy Policy 2025 but called for greater emphasis on affordability, consumer protection, reliability of service and social safeguards. The Society emphasized that implementation of the Policy should ensure that energy sector reforms and transition initiatives deliver tangible benefits to consumers while protecting vulnerable households from adverse economic impacts.

CHAPTER FOUR

4.0 COMMITTEE OBSERVATIONS

The Committee, having considered Sessional Paper No. 5 of 2026 on the National Energy Policy, 2025 makes the following observations:

1. That, while the Policy provides a comprehensive framework for the energy sector, it does not contain a clear implementation roadmap, financing plan, cost estimates, funding commitments, or prioritization framework to guide implementation of its ambitious objectives. The Committee further observed that the Policy does not provide for the utilization of financing mechanisms established under the National Infrastructure Fund Act, 2026 (Act No. 4 of 2026), which was enacted to mobilize and channel long-term financing for strategic national infrastructure projects. The absence of a structured implementation framework may undermine effective coordination, resource mobilization, accountability, and realization of the Policy's strategic objectives.
2. That, despite significant progress in expanding electricity access, approximately 25 percent of Kenyans remain without access to electricity, while a majority of households continue to rely on traditional biomass for cooking, with attendant health, environmental, and socio-economic consequences. The Committee further observed persistent concerns regarding the affordability of electricity and modern energy services, particularly among low-income households and marginalized communities, which continue to constrain universal access and inclusive economic development.
3. That, notwithstanding substantial investments in the electricity sub-sector, concerns persist regarding frequent power outages, voltage fluctuations, system losses, transmission bottlenecks, ageing infrastructure, and inadequate maintenance of energy assets. These challenges continue to affect the reliability, quality, and efficiency of electricity supply, increase the cost of doing business, and undermine consumer confidence in the sector.
4. That, while the Policy recognizes emerging technologies such as electric mobility, battery energy storage systems, smart grids, artificial intelligence, and green hydrogen, it lacks clear implementation frameworks, regulatory pathways, technical standards, financing mechanisms, and investment incentives necessary to facilitate their deployment and commercialization. This may impede Kenya's competitiveness in the rapidly evolving global energy transition.
5. That, although the Policy recognizes environmental sustainability as a key pillar of energy development, it does not adequately strengthen environmental and biodiversity safeguards relating to the protection of protected areas, key biodiversity areas, forests, wildlife habitats, and water catchments, nor does it comprehensively address hazardous waste management, electronic waste, decommissioning obligations, and climate-related risks associated with energy infrastructure development.
6. That, while the Policy acknowledges the importance of community participation in energy projects, concerns persist regarding land acquisition, compensation, involuntary

resettlement, community engagement, and equitable benefit sharing associated with energy infrastructure development. The Committee further observed that the benefit-sharing framework for geothermal resources under the Energy Act, 2019, which allocates twenty percent (20%) of the National Government's share of geothermal revenues to host county governments and five percent (5%) to local communities, has not been fully operationalized in certain geothermal and other renewable energy resource areas, thereby denying host communities the intended socio-economic benefits and potentially undermining public support for energy projects.

7. That, County Governments play a critical role in energy planning, clean cooking, environmental management, and local economic development. However, the Policy does not clearly define their roles, responsibilities, and coordination mechanisms, thereby limiting effective intergovernmental collaboration and the realization of devolved functions within the energy sector.
8. That, the Policy does not sufficiently provide for transparency, public disclosure, accountability, carbon market governance, data sharing, and implementation of a just energy transition. The Committee further observed that the transition to a low-carbon economy must be anchored on the principles of equity, inclusivity, and social justice to ensure that vulnerable communities, workers, and affected regions are not disproportionately disadvantaged during the transition.
9. That, although the Policy recognizes local participation in the energy sector, it does not establish measurable targets, implementation timelines, or monitoring mechanisms for local content, technology transfer, local manufacturing, employment creation, skills development, and participation of Kenyan professionals and enterprises. This may limit the country's ability to maximize economic value, industrial development, and employment opportunities arising from energy investments.
10. That, while ongoing electricity market reforms and open-access trading arrangements are intended to enhance competition and efficiency in the electricity sector, concerns remain that their implementation may disproportionately benefit large consumers while exposing residential, commercial, and small consumers to higher electricity tariffs and the erosion of existing cross-subsidy arrangements, unless appropriate regulatory safeguards are established.
11. That, the Policy does not provide adequate standards, quality assurance, and cybersecurity frameworks to govern the deployment of renewable energy systems, electric mobility, battery energy storage systems, and smart grid technologies. The absence of such frameworks exposes the energy sector to substandard technologies, cyber threats, and operational vulnerabilities associated with the increasing digitalization of critical energy infrastructure.
12. That, despite the Government's ongoing efforts to lower the cost of electricity through electricity market reforms and the review of legacy Power Purchase Agreements (PPAs), the Policy does not provide a clear framework to guide future power procurement, periodic review of Power Purchase Agreements with Independent Power Producers (IPPs), or the

application of least-cost power development principles. The Committee observed that the continued existence of legacy contractual obligations, including capacity charges and other cost drivers under certain PPAs, may continue to exert upward pressure on electricity tariffs unless supported by a transparent, competitive, and sustainable power procurement framework.

CHAPTER FIVE

5.0 COMMITTEE RECOMMENDATIONS

From the above observations, the Committee recommends, **THAT:**

1. The House **adopts** this Report on the Sessional Paper No. 5 of 2026 on the National Energy Policy, 2025.
2. Following the **adoption** of this Policy, all proposed legislation on energy matters should be guided by the provisions of the Policy.
3. **FURTHER**, the House **RESOLVES** that the Cabinet Secretary for Energy and Petroleum, the Energy and Petroleum Regulatory Authority (EPRA), the National Environment Management Authority (NEMA), and other relevant State agencies implement the following directives, and that the Cabinet Secretary for Energy and Petroleum reports to the Committee on progress made within twelve (12) months of the adoption of this Report—
 - a. **Implementation Framework and Financing:** The Cabinet Secretary for Energy and Petroleum, within twelve (12) months of the adoption of this Report, develop and publish a costed implementation framework for the National Energy Policy comprising clear implementation timelines, prioritized interventions, financing sources, measurable performance indicators, a monitoring and evaluation framework and periodic reporting to the National Assembly and report progress to the National Assembly within twelve months of the adoption of this Report. The implementation framework should also leverage financing mechanisms under the National Infrastructure Fund Act, 2026 (Act No. 4 of 2026), public-private partnerships, climate finance, development partner support, and private sector investment to finance priority energy infrastructure projects and report progress to the National Assembly within twelve (12) months of the adoption of this Report. Further, the CS E&P, in collaboration with CS, NT, shall ensure that the transition of eligible energy infrastructure projects from direct Exchequer financing to financing under the National Infrastructure Fund is undertaken in a coordinated and seamless manner to avoid implementation delays and disruption of ongoing projects.
 - b. **Universal Access to Affordable Energy:** The Cabinet Secretary for Energy and Petroleum, in collaboration with the Energy and Petroleum Regulatory Authority (EPRA), the Rural Electrification and Renewable Energy Corporation (REREC), County Governments and other relevant agencies, accelerate implementation of universal access programmes through expansion of last-mile connectivity, mini-grids, clean cooking initiatives and targeted affordability interventions to achieve universal, affordable and equitable access to modern energy services by 2030 and report progress to the National Assembly within twelve (12) months of the adoption of this Report.

- c. **Grid Reliability and Infrastructure Modernization:** The Cabinet Secretary for Energy and Petroleum, in collaboration with Kenya Power and Lighting Company (KPLC) and the Kenya Electricity Transmission Company (KETRACO), prioritize investment in transmission, distribution, and grid modernization infrastructure, strengthen maintenance programmes, and reduce technical and commercial losses to improve the reliability, resilience and quality of electricity supply and report progress to the National Assembly within twelve (12) months of the adoption of this Report.
- d. **Emerging Energy Technologies:** The Cabinet Secretary for Energy and Petroleum shall, within twelve (12) months of the adoption of this Report, develop comprehensive policy, regulatory, and investment frameworks for emerging energy technologies, including electric mobility, battery energy storage systems, smart grids, artificial intelligence, and green hydrogen, supported by appropriate standards, incentives and implementation roadmaps and report progress to the National Assembly within twelve (12) months of the adoption of this Report.
- e. **Environmental Protection and Climate Resilience:** The Cabinet Secretary for Energy and Petroleum, in collaboration with the National Environment Management Authority (NEMA) and other relevant agencies, strengthen environmental safeguards within the Policy by providing comprehensive measures on biodiversity conservation, protection of water catchments, forests and protected areas, hazardous and electronic waste management, decommissioning obligations and climate change mitigation and adaptation. In addition, the Cabinet Secretary for Energy and Petroleum, in collaboration with NEMA, revises the Policy to mainstream environmental governance across all energy sub-sectors and requires mandatory use of Strategic Environmental Assessments and biodiversity-specific assessment tools, including the Integrated Biodiversity Assessment Tool and the Avian Sensitivity Tool for Energy Planning, for projects sited near Protected Areas or Key Biodiversity Areas and report progress to the National Assembly within twelve (12) months of the adoption of this Report.
- f. **Community Rights and Benefit Sharing:** The Cabinet Secretary for Energy and Petroleum strengthen the Policy framework on land acquisition, compensation, resettlement, stakeholder engagement and benefit sharing by ensuring transparent compensation processes, effective grievance redress mechanisms, meaningful stakeholder participation throughout the project lifecycle, operationalization of the geothermal benefit-sharing framework under the Energy Act, 2019, and adherence to the principle of Free, Prior and Informed Consent for projects affecting community land in accordance with the Community Land Act, 2016 and meaningful stakeholder engagement throughout the project lifecycle and reports progress to the National Assembly within twelve (12) months of the adoption of this Report.
- g. **Intergovernmental coordination and county energy planning:** The Cabinet Secretary for Energy and Petroleum strengthens intergovernmental coordination mechanisms, integrates County Energy Plans into national planning processes, and


provides adequate technical and financial support for county-level energy initiatives and reports progress to the National Assembly within twelve (12) months of the adoption of this Report.

- h. **Transparency, participatory frameworks and protection of vulnerable communities:** The Cabinet Secretary for Energy and Petroleum shall strengthen the Policy by establishing robust frameworks for transparency, public disclosure, accountability, carbon market governance, data sharing and public participation, while ensuring that implementation of the energy transition is guided by the principles of equity, inclusivity and social justice, with adequate safeguards for affected and vulnerable communities and reports progress to the National Assembly within twelve (12) months of the adoption of this Report.
- i. **Local content, research, training and capacity-building:** The Cabinet Secretary for Energy and Petroleum develop a comprehensive local content framework incorporating measurable targets, implementation timelines and monitoring mechanisms to promote technology transfer, local manufacturing, employment creation, skills development and meaningful participation of Kenyan professionals, enterprises and research institutions in energy sector investments and reports progress to the National Assembly within twelve (12) months of the adoption of this Report.
- j. **Electricity market reforms, consumer impact assessments and affordability safeguards:** The Cabinet Secretary for Energy and Petroleum, in collaboration with the Energy and Petroleum Regulatory Authority (EPRA), shall ensure that implementation of electricity market reforms and open-access trading arrangements is undertaken in a phased manner, supported by comprehensive consumer impact assessments and appropriate regulatory safeguards to protect residential, small and vulnerable consumers while preserving affordability and fair competition and reports progress to the National Assembly within twelve (12) months of the adoption of this Report.
- k. **Standards development, quality assurance and cybersecurity protocols:** The Cabinet Secretary for Energy and Petroleum, in collaboration with the Kenya Bureau of Standards (KEBS), EPRA and other relevant agencies, develop and implement comprehensive standards, quality assurance and cybersecurity frameworks governing renewable energy systems, electric mobility, battery energy storage systems, smart grids and other digital energy technologies, including formal recognition of KEBS as the lead standards development institution for energy products and technologies and reports progress to the National Assembly within twelve (12) months of the adoption of this Report.
- l. **Power Purchase Agreements and Cost of Electricity:** The Cabinet Secretary for Energy and Petroleum shall, within twelve (12) months of the adoption of this Report, revise the Policy to provide a clear framework for least-cost power procurement, periodic review of Power Purchase Agreements, and competitive procurement of

electricity generation. The framework shall promote transparency, affordability, and value for money, while supporting the Government's ongoing efforts to reduce the cost of electricity through the renegotiation of legacy PPAs, without compromising security of supply, contractual obligations, or investor confidence, and report progress to the National Assembly within twelve (12) months of the adoption of this Report.

SIGNED  DATE 2/07/2026

**THE HON. DAVID GIKARIA, CBS, M.P.
CHAIRPERSON,
DEPARTMENTAL COMMITTEE ON ENERGY**

 THE NATIONAL ASSEMBLY PAPERS LAID	
DATE: 02 JUN 2026	
DAY: <u>Thursday</u>	
TABLED BY:	<u>Chairperson DC Energy</u>
CLERK AT THE TABLE:	<u>Hakima Ahmad</u>



REPUBLIC OF KENYA
THE NATIONAL ASSEMBLY

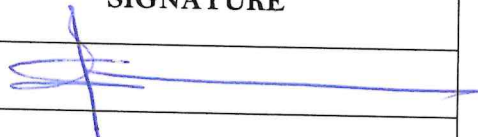


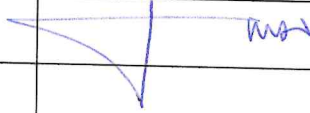

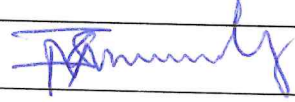
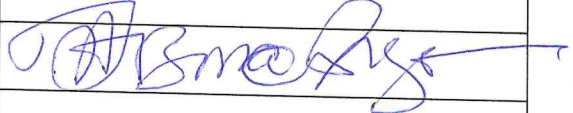
THIRTEENTH PARLIAMENT – FIFTH SESSION, 2026

DIRECTORATE OF DEPARTMENTAL COMMITTEES

DEPARTMENTAL COMMITTEE ON ENERGY

ADOPTION OF THE REPORT ON CONSIDERATION OF THE SESSIONAL PAPER NO. 5 OF 2026 ON THE NATIONAL ENERGY POLICY, 2025

We, the undersigned Honorable Members of the Departmental Committee on Energy today 30/06/2026, do hereby affix our signatures to this Report on the Consideration of the Sessional Paper No. 5 of 2026 on the National Energy Policy, 2025 to affirm our approval and confirm their accuracy, validity, and authenticity.

NO.	NAME	SIGNATURE
1.	The Hon. David Gikaria, CBS, M.P -Chairperson	
2.	The Hon. Lemanken Aramat, CBS, M.P – Vice-Chairperson	
3.	The Hon. Samuel Gonzi Rai, M.P.	
4.	The Hon. Charles Gimose, M.P.	
5.	The Hon. Julius Musili Mawathe, M.P.	
6.	The Hon. Walter Owino, M.P.	
7.	The Hon. Elisha Odhiambo, M.P.	
8.	The Hon. Tom Mboya Odege, M.P.	
9.	The Hon. Simon King'ara, M.P.	
10.	The Hon. George Omwera Aladwa, M.P.	
11.	The Hon. Victor Koech Kipngetich, M.P.	
12.	The Hon. Geoffrey Ekesa Mulanya, M.P.	
13.	The Hon. Cecilia Asinyen Ngitit, M.P.	
14.	The Hon. Barongo Nolfason Obadiah, M.P.	
15.	The Hon. Siyad Amina Udgoon, MP	

LIST OF ANNEXTURES

1. Annexure 1 : Adoption Schedule of the Report
2. Annexure 2 : Minutes of the Committee Sittings
3. Annexure 3 : Copy of the Newspaper Advertisement
4. Annexure 4 : Submissions from stakeholders

