



TRANSPARENCY INTERNATIONAL

**An assessment of the
Public Service Integrity Programme
at the Kenya Ports Authority
Mombasa**



TABLE OF CONTENTS

ABBREVIATIONS	2
1.0 EXECUTIVE SUMMARY	3
1.1 Background to the Study	3
1.2 Summary of the Findings	4
2.0 BACKGROUND	6
2.1 Organisation of Research	6
2.2 Methodology	7
3.0 RESEARCH FINDINGS AND DISCUSSIONS	8
4.1 KPA and Staff	8
4.2 Procurement and Supply	10
4.3 Operations Department	11
4.0 STAKEHOLDERS' VIEWS AND EXPERIENCES	12
5.1 Introduction- Port User Types & Stakeholders	12
5.2 Port Users Experience and Corruption at the Port	12
5.0 EFFECTIVENESS OF KPA's INTEGRITY INITIATIVE	16
5.1 The Capacity of the IAO to Bring About Compliance with PSIP	20
5.2 Recommendations	21
6.0 CONCLUSIONS	23
7.0 REFERENCES	24
8.0 APPENDICES	25
APPENDIX 1: TERMS OF REFERENCE	25
APPENDIX 2: ITINERARY / DETAILS OF INTERVIEWEES	26
APPENDIX 3: QUESTIONNAIRES	28
KPA Staff	28
Port Users	30
Government Agencies	33
KPA REPORT ON PUBLIC SERVICE INTEGRITY	34

ABBREVIATIONS

ACPU	Anti-Corruption Police Unit
C & F	Clearing and Forwarding
CCPC	Corporate Corruption Prevention Committee
CID	Criminal Investigation Department
CWH	Customs Warehouse
DCPC	Divisional Corruption Prevention Committee
DSSWR	Daily Ships Supervisor's Working Report
EAS&S	Export Acceptance and Shipment
'G' Section	Motor Vehicles Section
HM	Harbour Master
KBS	Kenya Bureau of Standards
KEPHIS	Kenya Plant Health Inspectorate Services
KIFWA	Kenya International Freight Forwarders & Warehousing Association
KPA	Kenya Ports Authority
KRA	Kenya Revenue Authority
KSA	Kenya Ships Association
KTA	Kenya Transporters Association
MCC	Manager Conventional Cargo
MD	Managing Director
MPRO	Mombasa Port Release Order
POO	Principle Operation officer
PP	Port Police
PSIP	Public Service Integrity Programme
S/Agent	Ships Agent
S/O	Shipping Order
SOO	Senior Operations Officer
SUPV	Supervisor

1.0 EXECUTIVE SUMMARY

1.1 Background to the study

The Kenya Ports Authority (KPA) was ranked the 5th most bribe-prone public institution in the 2002 Kenya Bribery Index compiled by Transparency International Kenya (TI-Kenya). Thus, for the second year running, the KPA was the worst ranked parastatal corporation in terms of bribery.

Following the publication of the 2002 Kenya Bribery Index, the management of the KPA approached TI-Kenya with a view to discussing an independent evaluation of the KPA's PSIP. In their view, the KPA management felt they had developed a well articulated programme to fight corruption at the Port of Mombasa under the rubric of the Public Service Integrity Programme (PSIP). This programme had been running since 2000.

A preliminary visit by TI-Kenya to Mombasa in July 2003 indicated that there was a high level management focus on eradicating corruption in the KPA. This notwithstanding, the KPA continued to generate adverse perceptions with regard to corruption as reflected in the media reports. The purpose of TI-Kenya's visit was to establish the veracity of these perceptions as well as to take a critical look at the impact of the PSIP on business at the Port. Following this visit, it was decided by KPA and TI-Kenya to undertake a research project to assess the effectiveness of the PSIP.

The research was independently initiated and managed by TI-Kenya although the KPA management facilitated access to the Port and the people who work within it. For a ten-day period in November 2003, TI-Kenya conducted structured interviews with KPA staff and Port users. The interviews were administered to 90 people. Of this number, 30 were KPA staff. The rest were stakeholders at the Port; namely agents for clearing and forwarding, shipping and import/export companies as well as transporters, suppliers, vendors and government personnel. The study did not seek to design a representative sample. Rather, it was an independent assessment of operations at various locations in the Port of Mombasa.

1.2 Summary of the Findings

1.2.1 There is need for a PSIP for the Port of Mombasa as a whole. For several reasons, KPA's PSIP is not sufficient on its own to control and progressively eradicate corruption at the Port of Mombasa. The reasons include the fact that KPA's PSIP meetings are restricted to a relatively small group of stakeholders. Important players at the Port are left out of the PSIP. Among these players are the Kenya Police and the Kenya Customs Departments as well as the Kenya Bureau of Standards (KBS). These agencies and departments have significant operations in the Port which have an impact on corruption. We found out that corruption at the Port is seamless across departments and organisations. Thus, it is best to deal with it holistically. All players at the Port of Mombasa must be directly involved in the fight against the vice.

1.2.2 On the positive side, the KPA staff are aware of the Organization's PSIP. Moreover, the PSIP was developed in consultation with the stakeholders. On the negative side, however, not all stakeholders are happy with their role in the PSIP's implementation. Related to this, Port stakeholders have different awareness levels of the PSIP. The Port has several stakeholders and while KPA is keen to prevent itself from being blamed for the acts committed by other players at the Port, it must take the lead in incorporating these players into its PSIP.

1.2.3 Those interviewed by TI-Kenya's researcher are of the view that the Customs Long Room and the KPA's Port Accounts Department remain problem areas. Most of the clearing agents interviewed said they feel most vulnerable to the bribe-seeking advances of officers in these two departments. Clearing agents spend 70% of their time milling around these offices. The two departments are hard to change because of the high volume of documents that are processed there.

1.2.4 The Integrity Assurance Officers (IAOs) as conceptualised in the KPA's PSIP occupy an office that lacks the capacity to monitor processes. It targets, inappropriately, the recording of corruption incidents with limited investigative capacity. Our conclusion is that the operations of the IAOs should be geared towards monitoring processes specifically targeting the sealing of loopholes that allow for rent-seeking and corruption. At present, an IAO at the KPA has a risk

assessment document but lacks the ability to monitor whether the risk areas identified have been adequately addressed.

1.2.5 Finally, it should be re-stated that any integrity system that is not sufficiently integrated across all government agencies at the Port will not seal the avenues for corruption. The only way of sealing all the loopholes at the Port is constructing a seamless regime that prevents malpractice by any particular agency. The idea of the one stop- shop is a step in the right direction. However, it must also have a monitoring system independent of all the participating agencies.

2.0 BACKGROUND

Following the publication of TI-Kenya's 2002 Kenya Bribery Index, some of the organisations ranked poorly in the Index sought clarification and guidance from TI-Kenya. In 2002, the KPA was the worst ranked parastatal corporation. Its management sought to utilise the negative rating as an opportunity for improving the KPA's own anti-corruption initiatives. Senior managers of the KPA visited TI-Kenya's secretariat in January 2003 to discuss the KPA's PSIP and the Bribery Index ranking. In July 2003, TI-Kenya visited the Port of Mombasa at the invitation of the KPA in order to facilitate a study design for this research project. As a result of the visit, it was resolved that a diagnostic research be initiated to examine the truthfulness of the KPA's anti-corruption programme and to review the success or otherwise of the initiative.

For a 10-day period in November 2003, TI-Kenya's researcher conducted interviews and independent observations at the Port of Mombasa. During this period, there was heightened media scrutiny of the KPA particularly with regard to a controversy surrounding a tender for the supply of gantry cranes.

2.1 Organisation of the Research

This research commenced on the 10th of November 2003 with the cooperation of the senior management and staff of the KPA. The researcher was granted full access to the files of the Integrity Assurance Office (IAO) as well as all the KPA departments. The KPA's Managing Director provided a letter of introduction for the researcher to visit and interview other Port users including the Kenya Revenue Authority (KRA) Customs Department, Kenya Plant Health Inspectorate Section (KEPHIS), Kenya Bureau of Standards (KBS), Regular Police and other stakeholders.

The Chief Integrity Assurance Officer facilitated the issuance of a gate pass and provided a table in his office where the researcher could peruse office files. The Public Relations Department organised an orientation tour to familiarise the researcher with the Port operations and facilities during the first two days. From then on, the researcher was allowed to carry out his work independently. All appointments and interviews were conducted at a place and time of the researcher's choice thereby maintaining confidentiality of all the information obtained.

2.2 Methodology

For the purposes of the study, stakeholders at the Port were divided into three categories namely:

- The KPA and its staff;
- Government departments i.e. KBS, KEPHIS, KRA's Customs Department, Regular Police and several arms of the Criminal Investigation Department; and
- Port users e.g. clearing and forwarding agents, shipping agents, suppliers, vendors, transporters, importers and other workers in private companies.

For each category, a questionnaire was designed to guide interviews with each set of questions having relevance to the function and nature of the business of each of the above categories as well as their experiences at the Port. The structured part of the interviews took 10-15 minutes to complete. However, those persons willing to provide more information were given ample time to expound on their experiences and suggestions. A total of 90 individuals were interviewed. The table below shows the breakdown of the three categories of interviewees:

Table 1: Breakdown of Interviewees

Category	No of respondents
KPA staff	30
Clearing and forwarding agents	30
KRA – customs dept	5
Suppliers/ vendors	5
Transport	5
KBS	3
Police	5
KEPHIS	2
Shipping agents	5
Total	90

3.0 RESEARCH FINDINGS AND DISCUSSIONS

3.1 The KPA and its Staff

A total of 30 members of the KPA staff took part in the interviews. The interviewees were spread across three cadres of officers namely junior, middle rank and senior officers. Of these 20 were happy to answer structured questions and 10 provided informal and extensive interviews, elaborating both on their work and their experiences regarding corruption and anti-corruption activities at the Port.

3.1.1 Impressions and Levels of Awareness on Corruption and the KPA's PSIP

Most senior officers exhibited a high level of awareness on corruption and anti-corruption activities of the KPA and were open enough to acknowledge that there exists problems. Only 25% of the staff, across all cadres, believe that the Authority has got a firm grip on the matter. The rest, that is 75%, believe that the Authority is still in the learning process of combating corruption effectively. However, over 90% of the staff believe the Authority is serious about combating the vice. Among the staff, 4 departments are frequently mentioned as being active in corrupt activities. These are:

- Personnel Department - in recruitment and promotions
- Finance Department - in procurement and port accounts
- Operations Department - in the loading and verification sheds; and finally
- Security Department - in regard to the disappearance of goods at the Port

3.1.2 Nepotism and Favouritism in Recruitment and Promotions

90% of the junior officers believe that there is favouritism and nepotism in the recruitment and promotion of staff. They cite recruitment of gangs and casuals as being greatly influenced by nepotism. Those who have a relative in the senior management are often retained on the payroll even when there is low-level activity at the Port and irrespective of their work output. 60% of the middle level managers who supervise the casual staff agree to that perception. The senior managers, however, insist that people are employed and promoted purely on merit.

3.1.3 Who is Most to Blame for Corruption According to the KPA Staff?

On the question “Which cadre of officers is usually linked to corruption?” answers are fairly accusatorial. The junior officers accuse the senior officers and vice versa. The middle rank officers accuse both the senior and the junior officers. However, 70% of the Port users blame corruption in the Port on the junior officers specifically the clerical and security officers.

The Port Security Department is accused by the staff and the Port users alike. Over two-thirds of the staff at the gates and operations terminals accuse security officers of unethical behaviour and as being unnecessarily snoopy. Operations’ staff say security officers obstruct their work when they are verifying goods at the warehouses and often try to engage in conversation with port users ahead of the officers responsible for the goods verification. The security officers are neither trained in customer service etiquette nor the verification processes. It is even said that many can hardly read and understand the information on the MPROs. Yet, they insist on being involved in verifying goods at the cargo terminals! Most of the respondents say the security officers have the power to delay the processing of documents thereby creating an opportunity for corruption. The table below illustrates the experiences of each category of the Port users in dealing with various personnel.

Table 2: Perception of Involvement in Corrupt Activities Across Cadres

Category	Senior officers %	Middle rank Officers %	Junior officers %	Cumulative Totals in %
KPA staff	10	20	70	100
C & F agents	10	20	70	100
Shipping agents	35	5	60	100
Transporters	5	5	90	100
Suppliers/vendors	40	5	55	100
Others	20	5	75	100
Average	20	10	70	100

KEY:

- *Senior officers: heads of departments and their deputies*
- *Middle rank officers: heads of sections and their deputies, supervisors and all officers with management responsibilities falling outside the above category*
- *Junior officers: subordinate staff i.e. clerical officers, security staff, drivers, etc*

3.2 Procurement and Supply

25% of all the KPA staff named the Procurement Department as one of those involved in corruption. The senior managers of the Department are very open about the tendering processes. Since 2000, the tendering system has been decentralised to conform to the Government regulations. The Department espouses an open tendering system and purchases are done according to the needs of the end user, requiring at least three quotations before awarding contracts to any supplier. The LPOs for all the stock items are generated through a central computer system which is accessible online and prospective suppliers can submit their quotations online.

The management is also of the view that procurement of consumables and stock items is usually smooth as they have long experience in regard to companies that are capable of giving them value for money. However, the KPA management either has no role at all or plays little part in the award of high value tenders. The Department's role is limited to the preparation of tender documents, collecting quotations from interested companies and finally handing over the same to the Board of Governors (BOG). The BOG may request for clarification from the Department during their evaluation. However, no staff member can have any input into the tender evaluation process or make any suggestions on whom to award the tender. According to the senior staff, it is reports in the media on contentious award of tenders by BOG that cause the perceptions of corruption in the Department¹.

The suppliers seemed happy with their business relationship with the KPA. The suppliers interviewed expressed satisfaction with the regularity of payments for their goods and services. TI-Kenya's researcher interviewed most companies at their premises but most seemed unwilling to speak candidly as they were apprehensive about how the research results would affect their business relations with the KPA. However, one company opened up and lamented that a senior officer at the KPA owns a competitor firm which receives more contracts than other companies.

¹ Throughout the period of the research, there was intense media scrutiny on KPA's proposed purchase of gantry cranes. The PS in charge of Ethics and Governance, Mr John Githongo, also visited the Port following those media reports. Staff in the Procurement Department were visibly apprehensive and unwilling to comment on the issues raised in the media reports. The management was keen to refer the researcher to the BOG for comment.

3.3 Operations Department

The two main problem areas in the Operations Department are the warehouses and the container terminal. KPA staff and clearing agents freely intermingle in these areas. According to the staff at the operations yards and Port users, the KPA has abetted corruption by failing to invest in adequate goods-handling machines especially at the loading and off-loading areas. There is a shortage of tractors, container stackers, loading machines and gangs. There is also a high presence of Port and Regular Police in this Department especially in the conventional cargo section. Manifest Office clerks and the staff at the container terminal exhibit a high level of laxity in their interaction with transporters.

If a container does not leave the port within 2 days of clearance, a charge is levied. Hence, the agents and transporters are under pressure to have their containers moved out as fast as possible. Since there are only a few loading machines in operation, the agents frequently bribe loading clerks to speed up the loading of their containers. Many of the agents claim that the loading clerks and their supervisors deliberately delay the loading of containers so as to solicit for bribes.

Following a tip-off from a clearing agent, TI-Kenya's researcher was able to observe three bribery incidents within ten minutes between clearing agents and a loading clerk at the container yard. How are bribes paid? An agent will walk close to a clerk, hand in the blue copy of the MPRO together with a bribe (usually a hundred shilling note) and, within a short while, the clerk will instruct the machine operator to load the containers belonging to the agent.

The supervisors and clerks on their part claim that agents are impatient and do not want to understand how they prioritise their work. They admit that there is a shortage of machinery and that they follow the first-in-first-out (FIFO) system except for Export Processing Zone (EPZ) and transit goods that take priority over all the others.

4.0 STAKEHOLDERS' VIEWS AND EXPERIENCES AT THE PORT OF MOMBASA

4.1 Introduction: Stakeholders and Port User Types

Port users include clearing and forwarding agents (members and non-members of KIFWA), shipping agents, importers/exporters, transporters, suppliers and vendors. Apart from the suppliers, all the other categories of Port users operate through clearing and forwarding agents. There were 50 respondents in this category and a uniform questionnaire was administered.

The transporters interviewed included drivers, track owners and clearing agents for those enterprises that operated combined transport, clearing and forwarding businesses. 90% of transporters interviewed were private truck owners who were hired by import companies. The truck owners themselves are not involved in the clearing process. The company's agents or importers invite them into the loading yards after goods have been cleared. They therefore have contacts mainly with security officers at the gates and clerks at the loading bays.

On the other hand, shipping agents operate either through their own clearing agents or agents nominated by the importing/exporting company. The majority of those interviewed said they had their own clearing and forwarding agents.

Besides the uniform questionnaire, some individuals were willing to give extended interviews. Those who gave extended interviews also completed the questionnaires. None of the suppliers and shipping agencies provided information beyond that required on the questionnaires. Shipping agents and suppliers were interviewed at their office premises, while transporters, importers/exporters and clearing/forwarding agents were interviewed at various locations within the Kilindini Harbour especially around the KPA headquarters, warehouses, container yards, gates or near Customs offices.

4.2 Experience of Port Users With Regard to Corruption in the Port

50 of the 60 Port users interviewed had at least 2 or more years of work experience at the Port. 70% of the clearing and forwarding agents visit the Port daily. They spend a third of the time transacting new businesses and two-thirds following up on the businesses lodged the previous day. All the respondents believe it was necessary to follow up on the progress of their documents.

They stated that unless they physically follow documents around, the document will not progress through the different stages of processing. To the question: ‘What will happen if you lodge your documents and do not follow them through the stages?’, the emphatic answer from the majority of the agents was: ‘The document will not move’.

Evidently, substantial numbers of import companies have their clearing agents permanently stationed at different document processing offices, for example, one at the Long Room, another at the Port Accounts and still another at the loading areas. They work in a relay fashion, each taking care of the business at his/her station. Thus, the agents are aware of the precise location of their documents at every stage. Familiarity has developed between the agents and officers in the clearing offices. 50% of the agents interviewed said they knew most of the officers in the clearing offices by name and often interact with them casually during office, breaktime or lunch hours.

Regarding the extent of corruption at the Port, all the agents interviewed reported to have encountered an occasion when they had to give a bribe in the course of business at the Port. Port Accounts and the Customs Long Room are singled out as locations for the majority of the corruption cases. 80% of the clearing agents say they have had to give a bribe at some stage for every clearing job they have undertake.

On the distribution of bribery cases, 70% of the agents said they bribed a junior officer, 20% bribed a middle ranking officer and 10% had bribed a senior officer.

Clearing agents cite four main reasons for giving a bribe at the document processing offices. These are:

- To speed up the processing of documents
- To make officers overlook errors of commission or omission on documents
- To get information on the progress of documents at the various stages; and
- To find or retrieve ‘lost’ documents.

At both the Customs and the Port Accounts, officers say they operate a FIFO system to process documents. However, it is not uncommon to see some agents complete the whole process in a day, while others take 3-7 days to clear goods. Except for major import businesses who have permanent staff for clearing and forwarding duties, most importers contract private clearing agents

on a temporary basis. These clearing/forwarding (C/F) agents are under pressure to clear goods as fast as possible. Agents deemed efficient by the importers get more clearing assignments.

Most private agents interviewed admitted openly that they would not hesitate to give a bribe so as to expedite their work. Worse still, none of them could recall an occasion on which a bribe offer had been turned down. It is not uncommon to come across agents who openly admit to having an 'inside connection' and who apparently look busier than other agents.

When asked the question: "What are bribes paid for?", 66% of the clearing agents say that, in order to jump the queues or avoid one's document being shuffled to the bottom of the piles of paper in the officer's in-trays, they have to give a bribe to the messenger. 65% say they have to give a bribe just to get officers to attend to their documents. 25% pay bribes to get officers to overlook errors on the forms whereas 10% pay bribes for information on the progress of their documents.

Messengers in the Customs Long Room are involved in 50% of all the bribery cases. At the Port Accounts, KPA messengers who collect and deliver documents to various operations terminals or to the Customs solicit for a bribe. It was apparent to the TI-Kenya's researcher (who observed operations at both the Customs Long Room and the Port Accounts), that messengers can frustrate agents by refusing to collect documents from the desks of the processing officers or can deliberately misplace documents during transfers. While the job of the messengers is basically to transfer or move documents either between offices or the officer's trays, they seem to have so much discretion in their work as to openly claim to be in a position to 'assist' agents. Agents believe the messengers wield this power by the virtue of some arrangements with officers so as to share the bribes collected. The senior management at the Customs Department admitted to the TI-Kenya's researcher that some of their officers have sometimes stooped so low as to be compromised by the messengers because of greed.

TI-Kenya's researcher was told that it is not uncommon for a document already certified as accurate by one officer to be rejected by the officer in the next document processing stage. Agents understand most of the rejections to be a demand for a bribe. The table below illustrates the perceptions of the various stakeholders in respect to the current level of corruption.

Table 3: Perception of Corruption Across Port Users

Category	Corruption on the Increase %	Corruption on the Decrease %	Corruption Change %	Cumulative Totals in %
KPA staff	5	85	10	100
C & F Agents	5	65	30	100
Shipping Agents	0	70	30	100
Transporters	15	55	30	100
Suppliers/vendors	0	60	40	100
Others	5	55	40	100
Average	5	65	30	100

5.0 EFFECTIVENESS OF THE KPA'S INTEGRITY INITIATIVE

This section discusses the effectiveness of the KPA's integrity initiative in the light of the data obtained. According to the KPA files, the Authority initiated its anti-corruption system way back in 2000 to counter adverse perceptions of corruption at the Port by involving several stakeholders. The Authority's assessment of its anti-corruption activities and the implementation programme to date is reproduced in a summary form in BOX 1 below:

BOX 1: SUMMARY OF THE KPA'S ANTI-CORRUPTION PROGRAMME

The KPA instituted its own anti-corruption system in 2000 ahead of the introduction of Public Service Integrity Programme (PSIP). The KPA initiative was intended to counter claims of corruption among the workforce and to streamline procurement procedures.

KPA dissolved the Central Tender Committee and replaced it with a system of user-driven purchases and absolute justification and prioritisation of projects to ensure only viable projects are undertaken. It introduced an open forum on Friday mornings where Port users can attend and air their views on any matter relating to the Port operations.

After the introduction of the Public Service Integrity Programme in state agencies across the Republic, KPA launched its Corporate Corruption Prevention Programme (CCPP) on 26th August 2002. The Programme incorporated major Port stakeholders and community-based organisations such as religious groups, Kenya International Forwarding and Warehousing Association (KIFWA) and Kenya Shipping Agents Association (KSAA).

As required under the PSIP, the Authority also formed Divisional Corruption Prevention Committees (DCPC) at departmental levels with a view to sensitising the staff on the Authority's anti-corruption drive. The DCPCs were also charged with the responsibility of preparing department-specific corruption risk assessment/management matrix for adoption at the (CCPC) meetings and for subsequent implementation. The offices of the Integrity Assurance Officers (IAOs) were established and six staff members were nominated for the role of coordinating, guiding and implementing corruption-prevention programmes within the Authority. The officers have received training from the Anti-Corruption Police Unit. The programme has achieved the following results:

- 1) Negative news media reports on corruption at the port have decreased
- 2) Voluntary reports from members of staff and Port users on suspected cases of corruption have increased
- 4) Confidence in Port customers has significantly been restored
- 5) The IAOs have successfully sensitised the 1st target group (that is, sectional heads and managers), and a classroom programme has been drawn up for all the members of staff
- 6) Posters have been designed for display in various places in the Port

- 7) All Divisional Risk Assessment/Management have been prepared and presented to the CCPC, discussed and decisions on their implementations taken
- 8) Documents on code of conduct, organisational culture and ethical behaviour have been prepared and the drafts presented to the CCPC
- 9) Minutes of all the anti-corruption meetings are circulated to the PS, Ministry of Transport and Communications and to the Anti-Corruption Police Unit
- 10) Several cases of corruption have been reported to date and one has successfully been concluded
- 11) Separate and independent committees have been formed to work with the IAOs to hear and investigate cases
- 12) Payments to suppliers and third party claims are settled within 45 days and without the suppliers having to chase their requests
- 13) The number of stamps needed for the on-cargo documentation has been reduced from 18 to 11 for fast cargo delivery thereby reducing the period for clearing goods to a maximum of 2 days and enabling cars to be delivered on the same day the document is lodged
- 14) The management is addressing the issue of equipment shortages; and
- 15) An arrangement is underway for implementing the FIFO rule for the loading of lorries.

Source: KPA Document titled 'A brief for Transparency International on steps being taken on corruption prevention at the Port of Mombasa'

On the evidence of the data collected during the study, we make a number of conclusions:

1) The Authority has identified and involved a substantial number of stakeholders in its efforts to fight corruption at the Port and to reverse the adverse news media reports on the KPA. There is also evidence of active participation of the identified stakeholders in the discussions and the implementation of corruption prevention programmes. Moreover, the stakeholders are appreciative of their participation in the programmes. Over two-thirds of the members of KIFWA and KSAA have heard of the work of the CCPC. In addition, a substantial percentage of the members said they knew about the Authority's open forum held on Friday mornings. However, only five percent of the Port users said they have attended the open forum meetings.

Below are some comments with regard to the stakeholders' involvement in the anti-corruption activities:

- From the interviews, it emerged that the number of stakeholders that the KPA has so far involved in the anti-corruption activities is severely limited by the absence of key stakeholders such as the KRA Customs Department and KBS which, according to

Port users, together account for over 50% of all the perceptions of corruption in the Port of Mombasa. Both of these statutory organisations have also expressed concern on the negative media reports on the Port, and have expressed willingness to enter into collaborative activities with the KPA.

- Only a third of the KIFWA and KSAA members admit to have attended meetings where the KPA's anti-corruption programmes were discussed.
- A quarter of the clearing and forwarding agencies said they were not members of the KIFWA. About a third of them said they belonged to another C/F association and that their association was not invited to the CCPC.
- Only one in every five transport companies have been involved in the CCPC meetings. These companies experienced bribery advances when they came into contact with the loading clerks. Local transporters, i.e. those operating in and around Mombasa expressed dissatisfaction with the way the CCPC was constituted. They claim that up-country haulers are favoured by the KPA.

While the KPA's efforts to reach out to various stakeholders in the anti-corruption fight is commendable, there remains a sizeable number of stakeholders not currently involved in the anti-corruption programmes. Therefore, any success realised through the current set-up can only yield partial results.

2) There are many anti-bribery posters in the Port. There is also openness about the anti-corruption drive. These efforts indicate that the management is serious about its anti-corruption crusade. There are also well-written risk assessment/management and corruption prevention plans and an excellent documentation of the minutes of all the CCPC and DCPC meetings. All the KPA staff members and all the Port users interviewed at the Kilindini Harbour are aware that the senior management is keen on improving services as well as fighting corruption at the Port. All the IAOs seem sufficiently concerned with finding a solution to the corruption claims at the KPA. Indeed, the KPA's anti-corruption drive is being appropriately used as a model by the Kenya Anti-Corruption Commission. We believe that the KPA's strategy has the potential to highlight what is or is not realistically achievable in attempting to curb corruption in public corporations especially in the short and medium term.

From the foregoing and in spite of the level of the management's focus on the vice, over 75% of the Port users say they still have to bribe an officer in the course of their business at the KPA. Most Port users accept that the level of bribery has gone down compared to a year ago. However, the decline has not been substantial. Respondents stated several reasons why they believe that corruption is still rife in the Port in spite of the KPA's efforts. Some of the reasons stated by the respondents were that:

- The KPA is under pressure from the Government to put posters everywhere in the Port
- The posters are just a public relations exercise and they don't mean much
- The anti-corruption committees consist of members of staff who do not want to catch their colleagues; and
- The respondents do not know the identities and offices of the IAOs.

From the above, it seems reasonable to conclude that Port users do not have faith in the Authority's capacity to combat corruption using its own staff. Indeed, some of the members of staff used in the anti-corruption drive may be involved in the vice themselves.

3) Bureaucracy and institutional rigidities make the reporting of corruption cases a risky business for the whistle-blowers and customers. Most Port users say that if they saw someone giving or receiving a bribe they will not report the matter for fear of victimisation later on. Only 15% of the KPA staff and 5% of Port users said they would report bribe-giving or bribe-taking. However, they said they would only do so to an anti-corruption officer they know personally. On the question of reporting corruption incidents anonymously, most said one would have to be prepared to identify oneself at some stage during the investigations, otherwise the case would be thrown out to lack of witnesses.

4) According to the minutes of the anti-corruption committees, the KPA is said to have implemented the request from Port users to place complaint boxes at strategic locations. The researcher was not able to locate any of these boxes (if they exist), nor did any of the Port users know where they are situated.

5.1 The Capacity of the IAOs to Bring About Compliance with PSIP

The KPA's current reporting system with regard to fighting corruption is co-ordinated by a small secretariat run by members of staff drawn from various departments. At the time of the research, the secretariat had six Integrity Assurance Officers (IAOs) who had undergone a short training by the Anti-Corruption Police. All the officers are seconded to the secretariat and have full-time responsibilities in other departments. For example, the Chief Integrity Assurance Officer doubles up as the Management Accountant for the Authority. Other officers seconded to the secretariat are from the Personnel Department, among others.

According to the KPA documents, the role of the IAOs consist of:

- Providing risk assessments and initiating action in response to the risk of corruption
- Co-ordinating and facilitating the implementation of corruption prevention programmes; and
- Acting as secretaries to the various committees.

The Integrity Assurance Office does not have powers. The responsibility of the Office is limited to receiving complaints and passing them on to the DCPC or the CCPC depending on the gravity of the case. Cases that cannot be resolved by the two committees are passed on to the Anti-Corruption Police Unit and the parent Ministry for appropriate action. IAO's files indicate that only a small number of corruption cases have reached their Office to date. Moreover, less than five cases have been concluded since 2000.

From the foregoing, it is clear that the Integrity Assurance Office does not have the capacity, resources or even the mandate to control corruption at the KPA. The following are the serious weaknesses in the constitution of the Office:

- The Office does not have the mandate or the personnel to investigate incidents of corruption within the Authority. For illustration, petty bribery cases between C/F agents and the clerical staff occur frequently but the Integrity Assurance Office does not have the powers to mount impromptu operations to arrest the offenders.
- IAOs have full time responsibilities in their departments and their work as IAOs appears to be nominal and limited to documentation and attending the CCPC/DCPC meetings. They do not have the resources and the independence to design and implement a proactive programme

to fight corruption on their own initiative. In fact, the IAOs themselves come under the supervision of their line managers and are subject to the Authority's code of conduct.

- As illustrated by the controversies surrounding the cranes tender, the KPA staff and management have limited or no role in making the decisions on high value procurement contracts. Under the Authority's staff code of conduct, the IAOs do not have the authority to investigate or even comment on such tenders. Clearly, staff drawn from an organisation cannot adequately implement Public Sector Integrity Programme within the same organisation.

5.2 Recommendations

The role of the IAOs as described in the KPA Integrity programme demonstrates that the office does not have the capacity to monitor processes and merely looks at reported incidents. This situation amounts to a serious limitation in arresting corruption. For example, there is no way the IAOs can discover which officers delay document processing in order to solicit bribes. The IAOs need powers to visit and monitor whether the clerical staff are processing documents according to the FIFO procedure or why some documents progress fast while others are continuously shuffled back to the bottom of the trays. Without the power to monitor such processes, the IAO cannot arrest corruption. The purpose of the Office is to arrest corruption and, if it cannot do so effectively, other departments such as the Public Relations Department could as well publicise the KPA's anti-corruption campaigns.

There is need for the IAOs to figure out how:

- Some documents are expedited while others are left at the bottom of trays and why the officers should have the discretion to ignore the FIFO procedures. To control misuse of this discretion, there is need for good information management systems that can trigger queries or indicate where the system is being abused. Unless the loopholes that give the officers such a discretion are sealed, it will be impossible to arrest corrupt staff.
- The integrity initiative is simply not working if, indeed, petty bribery is so easily observable as witnessed by our researcher during a visit to one of the KPA's departments. The researcher observed money changing hands in a very casual manner three times within 10 minutes. This is a confirmation that our periodic bribery index on the KPA is accurate. The way forward is to put practical programmes that can arrest the vice.

- The process of incorporating stakeholders into the CCPC is not inclusive enough nor is there evidence to demonstrate that the stakeholders sufficiently participate in it's deliberations. Furthermore, presently the membership of the CCPC is on a self-selection basis and the Authority does not have a procedure for bringing on board the missing Port user associations and some Government agencies.

Any integrity system that is not sufficiently integrated across all Government agencies at the Port will not seal the avenues for corruption. The only way of sealing all the loopholes at the Port is by constructing a seamless regime that blocks the control or abuse of Port processes by any particular agency. The idea of a one-stop shop is a step in the right direction. However, this too must have a monitoring system independent of all the participating agencies.

6.0 CONCLUSIONS

The fight against corruption requires sustained and proactive efforts from all cadres of officers. It also requires that the committees charged with the responsibility of implementing the anti-corruption policies not only have teeth but are seen to have them so as to deal with any incident of corruption convincingly without fear or favour. It is noted that the current integrity initiative is a step in the right direction. With a sustained and proactive implementation, the programme will bear fruits in the long run. A third of those sampled fear that the KPA's rigid institutional culture cannot change in the short term; not even in the light of the heightened government drive to reform parastatals. Most respondents expressed uncertainty on the genuineness of the present anti-corruption drive and doubted whether the management has the will to carry through the programme should the corruption habit prove to be a hard nut to crack. This was the view of over two-thirds of the respondents who suggested that fighting corruption with well meaning statements will not change an old habit.

Due to the openness of the senior management on the fight against corruption, the KPA integrity programme holds optimistic promise to substantially reduce the negative media reports in the short term. This optimism is, however, dependent on the sustained and proactive programme of activities backed by sufficient resources to translate the anti-corruption guidelines into firm action. There is need to introduce a business-like image at the KPA in order that those harbouring the intention of engaging in corrupt practices understand that the Organisation does indeed have the will and the teeth to firmly deal with corrupt officers. Furthermore, there is need to adopt a holistic approach to effectively implement the Corruption Prevention Programme taking cognisance of the risks and opportunities inherent in attempting to reform a deep-rooted organisational culture. Lastly, it is suggested that the Port urgently requires the establishment of a Port-wide office to oversee the Port's PSIP. This should be headed by a qualified and independent officer who will act as an Ombudsman and focus on anti-corruption. The officer and his staff should have a secure tenure of office to effectively combat the vice.

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APPENDIX 1: TERMS OF REFERENCE.

The Management of the Kenya Ports Authority has requested TI-Kenya to conduct an evaluation of KPA's integrity initiative. The objective of this initiative is to eradicate corruption from KPA. A preliminary visit by TI-Kenya to Mombasa indicated that there is a high level of management focus and attention to eradicating corruption in KPA. This notwithstanding, KPA continues to generate adverse perceptions with regard to corruption, as reflected in media reports and TI-Kenya's bribery index. The purpose of the evaluation is to establish the veracity of these perceptions.

The consultant will investigate the perceptions of corruption by stakeholders in the Port of Mombasa. The investigation will address all the agencies involved in Port Operations. These are:

- KPA
- Customs
- Kenya Bureau of Standards (KBS)
- Kenya Plant Health Inspectorate Service (KEPHIS)
- Police

It will seek to establish:

1. The contribution of each of the agencies to perceptions and to the extent possible, actual evidence of corruption in the Port. For each to establish:
 - Who is involved? (Junior, middle or senior staff)
 - For what and how much bribes are demanded/paid
 - What are the consequences of not bribing
2. What is the stakeholders experience of the impact of KPA's integrity initiative (i.e. are they aware of it and have they experienced improvement)
3. The perceptions of the service providers themselves with regard to accusations of corruption?

The consultant will interview at least five informants from each of the following:

- Shipping agents
- Clearing and forwarding agents
- Transporters
- Cargo owners i.e. importers and exporters
- Suppliers and vendors
- KPA employees

APPENDIX 2: ITINERARY AND DETAILS OF INTERVIEWEES

Sunday 9th November

Travel to Mombasa

Monday 10th November

KPA Headquarters / Integrity Assurance Officer

Tuesday 11th November 10.00a.m.

Integrity Assurance Officer /Familiarization with Documents
Set appointments for department heads.
Chief security officer for gate pass
Public Relations Officer orientation tour of Port of Mombasa

Wednesday 12th November 10: 00 a.m.

Integrity Assurance Officer.
Head Procurement and supplies department
Operation departments (Conventional Cargo Terminal), customs
verification shed,
Container terminal and loading areas.
operations supervisor, conventional cargo
Customs officer, verification shed.
transporters at Conventional cargo terminal.
Gate 18- (exit gate for containers)
head procurement department and staff.

Thursday: 13th November

offices of port users, and all day interviews

Friday: 14th November

Interviews in and outside KPA
Head Port Accounts

Observations/ and interview at port accounts documents processing rooms

Deputy Commissioner General, customs, long room

Saturday: 15th November

Operations (container terminal)
Loading supervisor.
cargo owners (importers)/ transporters.
Observation at container loading areas
loading clerks
security
KBS and interview with head of KBS
Port security and regular police at gates

Sunday; 16th November

appraisals of appointments and planning.

Monday: 17th November 10.30

Deputy Commissioner, Customs and Customs Kilindini.

KPA Integrity Assurance Officer to appraise progress and plan more appointments.

KEPHIS

Police Commissioner at port

Suppliers' offices

Manager, creditors' ledger.

Tuesday: 18th November

OCPD port police

KIFWA

Kenya shipping agents association.

Suppliers

Wednesday: 19th November

KPA Integrity Assurance Officer

KPA Legal Secretary

KPA Public Relations Department

APPENDIX 3: QUESTIONNAIRES

KPA Staff Questionnaire Questionnaire to be filled in by Researcher:

Intro: I would like to ask you some questions about your work at the port. I will take only 10 to 15 minutes of your time. The aim of the research is to find out why the KPA continues to generate adverse media report with regard to corruption. The study is being conducted at the request of KPA.

- 1) KPA official _____ **(Dept only. Name not required)**
- 2) Rank _____
- 3) Number of years of service _____ how many of those years at KPA _____
- 4) How many days in a week are you on duty? _____
- 5) Do you normally work day or night shifts _____
- 6) Do you hear/ or read about corruption in the Port _____ if No, go to question 7.
If yes, do you hear/ or read about it:
 - a) More often now than before _____
 - b) Less often than before _____
 - c) About the same as before _____
- 7) Do you get briefings from your superiors about anti-corruption guidelines _____
if no go to question 8,
If yes, how often _____ from who _____ (dept name)
- 8) Have you heard/ or read about KPA's integrity initiative: (i.e. initiative is to eradicate corruption from KPA) _____ If no go to question 9
If yes, from who _____ and do you think it has
 - a) Improved
 - b) worsened or
 - c) has had no change to services at KPA.
- 9) Would you like to mention any department/s that you've witnessed or heard about that is linked to corruption in KPA _____

10) Could you rank the following departments according to your perception of incidence of corruption if any, from most corrupt to least corrupt: i.e., **Human Resource, Procurement and Supplies, Accounts, Operations, security, MDs Office**

1) _____ 2) _____ 3) _____ 4) _____ 5) _____ 6) _____

11) In your opinion/ experience which cadre of officials gets linked to corruption most times?

a) Senior officers _____

b) Middle ranked officers _____

c) Junior officer _____

If you think all are involved, could you rank the above officials from: from most corrupt to least corrupt.

1) _____ 2) _____ 3) _____

Do you have any evidence _____ (any evidence given to us in private will be treated with utmost confidentiality; details of lengthy evidence can be taken at a more suitable time and in private).

PORT USERS (STAKEHOLDERS) Questionnaire to be filled in by Researcher:

Intro: I am from Transparency International- Kenya and I am conducting a research on corruption at the port. I would like to ask you a few questions which will take only 10 to 15 minutes of your time. The aim of the research is to find out why the KPA continues to generate adverse media reports with regard to corruption.

- 1) Port User Type _____ (state nature of business only, **Name not required**)
- 2) Number of years of business relations with port _____
- 3) Frequency of visits to port _____ (Daily, weekly, monthly _____ several times daily)
- 4) a. Frequency of visits to transact new business _____
b: Frequency of visits to follow-up on business _____
 - i) Are all the visits necessary _____
 - ii) What happens if you do not visit _____
 - iii) Which departments require frequent visits usually _____
- 5) Have you encountered any occasion of corruption during your visits to any department _____
 - a) if yes, how often (Most times, half the time, only few times) _____

if No, have you heard about other port users experiences
(explain) _____

- 6) Do you hear/ or read about corruption in the Port _____ if No, go to question 7.
If yes, do you hear/ or read about it:
 - a) More often now than before _____
 - b) Less often than before _____
 - c) About the same as before _____

- 7) In your opinion/ experience, would you say incidence of corruption at the port is:
- On the increase_____
 - On the decrease_____
 - About the same as before_____
- 8) In your opinion/ experience which cadre of officials gets linked to corruption at the port most times?
- Senior officers_____
 - Middle ranked officers_____
 - Junior officer_____
- 9) If you think all are involved, could you rank the above officials from: from most corrupt to least corrupt.
- 1)_____ 2)_____ 3)_____
- 10) Have you heard/ or read about KPA's integrity imitative: (i.e. imitative is to eradicate corruption from KPA)_____ If no go to question 11
- If yes, from who_____ and what effect has it had on services at the port:
- Improved
 - worsened
 - No change
- 11) As a port user, have you ever been involved in KPA's anti-corruption initiatives:
- Yes
- No
- 12) Is your company a member of any port user association? (such as Kenya Ships Agents Association etc)
- Yes
- No
- 13) Have you heard about KPA's corporate corruption prevention committees? (Members of the committee are the chairmen of the various port user associations, for example the chairmen of Kenya shipping agents association):
- Yes
- No

If yes, have you attended any meetings _____

Or has a member of your organisation attended their meetings _____

Or have you attended a meeting of your association where KPA's initiative was discussed

(Please explain) _____

14) Would you like to mention any department/s that you've witnessed or heard about that is **most** linked to corruption of the KPA _____

a) Could you rank the following departments according to your perceptions of corruption in the KPA, from most corrupt to least corrupt: (i.e. **Human Resource, Procurement and Supplies, Accounts, Operations, security, MDs Office**)

1. _____ 2. _____ 3. _____ 4. _____ 5. _____ 6. _____

15) Would you like to mention any Agency that you've witnessed or heard about that is **Most** linked to corruption at the Port _____

16) Could you rank the following Agencies according to your perception of incidence of corruption if any, from most corrupt to least corrupt: i.e., **KPA, Customs, KBS, KEPHIS, and Police**

1. _____ 2. _____ 3. _____ 4. _____ 5. _____

Do you have any evidence _____ (Any evidence given to us in private will be treated with utmost confidentiality. Details of lengthy evidence can be taken at a more suitable time and in private).

GOVERNMENT AGENCIES AT THE PORT Questionnaire to be filled in by Researcher:

Intro: I am from Transparency International- Kenya and I am conducting a research on corruption at the port. I would like to ask you a few questions; it will take only 10 to 15 minutes of your time. The aim of the research is to find out why the KPA continues to generate adverse media report with regard to corruption.

Organisation _____

What's the role of your organisation at the port? _____

As a stakeholder at the port, do you have any collaborative activities with KPA and other port users to fight corruption at the port: Yes No

If Yes: Explain _____

Do you have own programme of activities to fight corruption at the port? Yes No

If yes, explain _____

If an officer in your organisation is mentioned by other port users as being involved in corruption, what disciplinary procedures are followed _____

Which cadre of officials in your organisation do port users mostly complain about with regard to corruption _____

REPORT ON KENYA PORTS AUTHORITY PUBLIC SERVICE INTEGRITY
WORKSHOP HELD ON 13TH AUGUST 2004 AT THE NYALI BEACH
HOTEL MOMBASA.

1.0 INTRODUCTION

- 1.1 Kenya Ports Authority in conjunction with Transparency International (TI-K) held a Workshop on KPA Public Service Integrity Programme at the Nyali Beach Hotel on 13th August, 2004. This was as a result of a survey conducted by TI-Kenya from 10th to 22nd November 2003.
- 1.2 The meeting was attended by Divisional and Departmental Heads of KPA and representatives from all stakeholders and community based organizations at the Port of Mombasa namely: Kenya Railways Corporation (KRC), Kenya Revenue Authority (KRA), Kenya International Freight & Warehousing Association (KIFWA), Dockworkers Union, Religious Leaders, Port Health, Kenya Ships Agents Association (KSAA), Provincial Administration, Kenya Bureau of Standards, Criminal Investigation Department (CID), Kenya Transport Association (KTA) and Members of the Press. The Transparency International (TI-Kenya) team was lead by its Executive Director. The list of participants is attached as Appendix 1.

2.0 OBJECTIVES

The objectives of the Workshop were:

- a. To create a forum to receive and discuss the report findings of a survey conducted in the Port of Mombasa by TI-Kenya. The survey had assessed the impact of corruption on business at the port
- b. To generate recommendations and suggestions that will help to map out the way forward for countering corruption at the Port of Mombasa.

3.0 OPENING REMARKS

- 3.1 In his opening remarks, Mr. Brown Ondego, the Managing Director of Kenya Ports Authority began by welcoming participants to the forum. He commended TI-Kenya for sponsoring the research on assessing the impact of corruption on business at the Port.
- 3.2 The Managing Director affirmed the authority's commitment in the fight against corruption. However, he expressed his disappointment in that the culture of cutting deals was still rampant among employees despite laid down rules and regulations. He emphasized that management will not condone the culture and was presently running a training programme at the Bandari College for pre/in-service employees to instill anti-corruption attitudes.
- 3.3 On eradication of corruption at the port, he pointed out one of the main challenges as being lack of co-operation from the customers in volunteering information on the vice.
- 3.4 The MD informed the forum that the Equipment replacement plan was on course and it is expected that by 2006 equipment replacement will be completed at the Container Terminal. With new equipment there will be improved efficiency and service delivery and therefore reduced corruption.
- 3.5 In her remarks, TI-Kenya's Executive Director Ms Gladwell Otieno, briefly outlined the activities of Transparency International both locally and globally on the fight against corruption. She explained the Kenya Bribery Index as a periodic assessment that captures corruption as experienced by ordinary citizens in both public and private organizations.
- 3.6 Mr. David Ndi, the TI-Kenya Research Advisor who designed the research programme conducted at the Port of Mombasa gave an overview of the findings. He noted that the corruption atmosphere is usually highly polarized, politicized and further characterized by denials. He observed that corruption was a collective action problem that requires everyone to play a positive role in dealing with it.
- 3.7 In regard to dealing with corruption it was pointed out that management information is very important in institutions as it helps to get a performance measure.

3.8 Turning to the survey, Mr. Ndi explained that a Bribery Index is a corruption perception indicator usually carried out on business. The forum was informed that during the survey, random sampling was used and it targeted the ordinary citizen at the Port.

4.0 RESEARCH FINDINGS

4.1 Mr. Abdullahi Mohamed, the TI-Kenya Researcher presented the findings of the research and highlighted the following:-

- a) There is an overall perception among the ordinary people who interact with KPA that:
- Within the Port of Mombasa, Kenya Ports Authority is the most corrupt organization while Kenya Plant Health Inspectorate Services (KEPHIS) is the least corrupt.
 - Clearing and Forwarding agents constitute a large percentage of the initiators of corruption in the port. The main reasons being to speed up the processing of documents/jump the queue, to make officers overlook errors of commission or omission and, to get progress reports of their documents.
 - The report confirmed that all levels of employees are involved in taking bribes but the highest culprits are the junior staff.

4.2 TI-Kenya observed that about 65% of clearing agents had reported a decline in corruption practices as compared to previous years. This was attributed to KPA's stepped up efforts in fighting corruption by implementation of corruption prevention programmes in the following areas:

- I. Involving stakeholders in the Corporate Corruption Prevention Committee
- II. One Stop Center is a good example of steps that have been taken by KPA to reduce corruption at the Port of Mombasa.

4.3 The report pointed out that whereas there were Integrity Assurance Officers at the port, their impact was still minimal.

5.0 REACTIONS TO THE REPORT

- 5.1 Mr. Issa Muslim, Chairman of Kenya Ships Agents Association gave examples from other ports of the world on management crises. He explained that it was possible for these ports to control corruption because their management are able to make independent decisions unlike KPA management that is subjected to stringent bureaucracy especially when acquiring new equipment. Where there is efficiency there is less corruption.
- 5.2 He urged all port users to participate as Kenyans in the fight against corruption and on his part he assured KPA of his commitment in the war on the vice.
- 5.3 Mr. Joseph Ngetich, National Chairman of Kenya International Freight & Warehousing Association promised to be in the team with KPA in the efforts on corruption eradication. Noting that there is need to promote legitimate trade, KIFWA would continue to be a member in KPA's Corporate Corruption Prevention Committee as their vision is to trade in a corrupt-free environment.
- 5.4 He commended KPA for reducing clearing of bills from two days to one hour, and urged the Authority to strengthen the system further by computerizing all imports/exports billings as a means of dealing with corruption.
- 5.5 The Authority was called upon train and educate all members of staff on professionalism, integrity and ethics.
- 5.6 Mrs. R Namu, Senior Deputy Commissioner (Southern Region) for Kenya Revenue Authority commended KPA for the efforts in the fight against corruption. She underscored the need for a coalition approach in the eradication of corruption.

6.0 DISCUSSION

- 6.1 It was generally accepted that corruption has roots in Kenyan culture and therefore there is need for culture change. Noting that corruption was only a symptom of a bigger problem the issue should be tackled at a national rather than local level.

- 6.2 A suggestion was given that the best method of combating corruption would be to start at the top level. This approach would aim at developing role models to emulate during the fight against corruption.
- 6.3 It was observed that the facilitators of corruption in the port were the clearing and forwarding agents.
- 6.4 There are loopholes in the procedures for handling toxic cargo which need to be looked into to avoid instances that point to inefficiency, thus leading to corruption.
- 6.5 The establishment of Customer Care Desk was highly commended as one way that has helped KPA in the fight against corruption. The forum noted that whereas the revenue office had been singled out as one of the most corrupt areas, the new developments have ensured that corruption has been minimized.

7.0 COMMENTS FROM THE PANEL

The following was noted:

- 7.1 Performance contracts will be implemented as soon as agreed by the Government. These are geared towards ensuring customer satisfaction in all areas including health hazards, corruption and inefficiency.
- 7.2 Commercial principles will prevail while upholding best practices in governance.
- 7.3 Institutional changes in KPA are in progress and on the right path.
- 7.4 Post audit will be considered with a view to implementing it. Audit trail on “Fast In - Fast Out” can apply after operational analysis.
- 7.5 Abrupt changes to systems will be avoided to ensure that there are no interruptions to normal business.
- 7.6 Privatization is not always the best option. Noting that some of the best ports in the world were state owned e.g. Port of Singapore and Port of Rotterdam. It is the management style that determines the efficiency of a port.

7.7 Efficient processes will help reduce corruption. Corruption is lucrative business to those involved. It is therefore important to watch out for subversion of the system so as to encourage corruption.

7.8 Culture change can be brought about by:

- Media focus
- High quality investigative journalism
- Regular meetings of stakeholders, civil society and public service.

7.9 Public support on anti-corruption measures is evident.

8.0 Recommendations/Suggestions

1. Limitation of political interference in the management of the Port. KPA management should be autonomous to enable it make timely decisions in their operations.
2. Institute measures to have minimum interaction of personnel with port users in corruption risk prone areas.
3. Setting up of an independent anti-corruption office with an Ombudsman who will not be a KPA employee. To enable free reporting and protect whistle blowers from fear and victimization.
4. Adoption of open office sitting arrangement.
5. Put in place pre and post audit monitoring efficiency systems for every operation. This will seal any loopholes for corruption.
6. Placing corruption prevention boxes at strategic sites in the port.
7. Avoiding complex networks, red-tape, bureaucracy, rigid rules and procedures in the performance of duties to discourage shortcuts
8. Implementation of Performance Contracts.
9. Training of employees to instill positive attitude towards corruption prevention and business ethics with a view to changing the way of doing business

10. Identification of leadership role-models to head corruption risk sections.
11. All Stakeholders to sensitize their employees on the need to fight corruption.

9.0 CLOSING REMARKS

In his closing remarks, the Kenya Ports Authority Chairman Maj-Gen. (Rtd) A. Rafrout urged all stakeholders to join hands in combating corruption which had become a matter of national concern. He called on the participants to persistently and tirelessly work towards eliminating the vice which is complex and deeply rooted.



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