

Minutes of the Inaugural meeting of the Kenya Task Force on Anti-Corruption for REDD+

Thursday 23rd October 2014 | Ministry of Environment, Water and Natural Resources (NHIF building)

Participants

- **Chairperson:** Ephraim Muchiri ,Ministry of Environment, Water and Natural Resources(MEWNR),State Department of Environment and Natural Resources;
- Alfred N. Gichu, National REDD+ Coordination Office, MEWNR
- Susan Kinyeki, Ethics and Anti-Corruption Commission (EACC)
- Judy Ndichu, Transparency International (TI), Kenya
- Gerald M. Ngatia, National Alliance of Community Forest Associations (NACOFA)
- Pauline Mwendu, Kenya Forest Service (KFS)
- Peter O. Odhengo, The National Treasury
- Patrick Ole Twala , Indigenous Livelihoods Enhancement Partners (ILEPA)

In addition, Estelle Fach and Josep Garí from the UN-REDD Programme participated to provide advisory support and serve as initial secretariat.

Opening session

Mr. Muchiri opened the meeting at 10 am by welcoming participants to the State Department of Environment and Natural resources. He declared a quorum to hold the meeting. Participants introduced themselves and adopted the agenda. Mr. Ephraim emphasized the need for the proposed task force on anti-corruption for REDD+ to critically analyze issues but also help strengthening good practices in forest and REDD+ governance

Mr. Alfred Gichu reminded participants about the sensitive social and environmental issues that surround the work on REDD+. He highlighted the need of inclusiveness of stakeholders' participation and defining safeguards, in order to be transparent and accountable. He noted that risks are known to those working in the sector, and that corruption is one of these risks. Mr. Gichu highlighted in particular the fact that financial incentives often go through a chain (ministry, treasury, community associations) before reaching local people, posing corruption risks. He then noted the continuous support of the UN-REDD Programme on governance issues, and highlighted the key institutions to deliver on governance activities such as the EACC, TI, the National Treasury, agencies dealing with forests, and forest dependent communities.

In the following discussions, participants commented on :

- The risks of entrepreneurs known as “carbon cowboys” walking into peoples’ homes to tell them “I can sell your carbon”
- The role of the Treasury to ensure that money flows are traceable
- The mutual needs and benefits of such dialogue through a collaborative Task Force to avoid work in siloes and to overall bring good governance of REDD+
- The vanguard and innovative nature of this initiative, which could serve as a model to be replicated in other sectors (agriculture, energy) or with climate finance in general
- The leading role of Kenya in Africa and in the World with such Task Force, and the lessons the Task Force will have to share

Session 1: Background on Corruption Risks and Governance Opportunities in REDD+

Mr. Gichu shared two documents and invited participants to become familiar with them.

- The [Kenya REDD+ Corruption Risk Assessment \(hyperlink\)](#), supported by UNDP
- The [Legal Report on Forest Governance, REDD+ and Sustainable Development in Kenya \(hyperlink\)](#), supported by FAO, which could be useful when looking to strengthen the legal regime to strengthen corruption risk management

Mr. Gichu then presented a few slides about the Kenya REDD+ Corruption Risk Assessment and recommendations, available [here](#).

The following discussions bore on:

- Some recommendations of the 2013 Kenya REDD+ Corruption Risk Assessment have already been discussed as part of UN-REDD support, will soon be initiated, and will need inputs of the Task Force, such as :
 - The creation of a REDD+ registry
 - An awareness raising campaign on corruption risks in REDD+
 - National stakeholder engagement plan
 - National Guidelines on Free Prior and Informed Consent
 - The REDD+ Finance work

(A workplan is available [here](#) for more details)

- The need to educate and raise awareness of local people and raising awareness of local actors as a way to alleviate capacity issues of forest guards, and the power of technology (phones) to contribute to this monitoring of forests
- The issue of benefit sharing, and the possibility to consider and learn from the related discussions included in the Bill introduced in the Senate on benefit sharing of natural resources which included forests, oil and gas among other natural resources
- The need to involve the judiciary to avoid forest cases to be ignored and dismissed
- Regarding the REDD+ registry, the capacity of CFAs and CPAs to correct, store and disseminate data for REDD+ registry.
- The need for a significant shift from business as usual to a desired state
- The necessity to involve high level of commitment to support the Task Force
- The need for the Task force to develop specific, measurable, timely and relevant indicators to monitor the implementation of the recommendations and Task Force activities

Session 2 – Functional issues

The next session was devoted to discussing, amending and adopting the Terms of Reference (ToR) of the Task Force (final draft presented in the Annex). Below are the main discussion points that lead to the final, adopted version.

1. Membership of the Task Force

- The National Land Commission was added as a core member due to the crucial and sensitive land issues around a REDD+ system.
- The Council of Governors was added as a core member to integrate the views from the decentralization policy that now structures Kenya's development agenda; It was agreed to engage the Council of Governors via the Sub-Committee on Environment.
- Academia is to remain as an observer to be invited upon needs Task Force Members are invited to look for key individuals and propose them at the next meeting or via email beforehand. It was agreed that KIPPRA and the Environmental society of Kenya could be brought in as resource members on a needs basis
- The Ministry of Agriculture may be brought into some meetings on a needs basis, depending on the priority issues and actions selected by the Task Force.
- Private sector will be brought into meetings on a needs basis, as observer
- The EACC will chair the Task Force meetings for the first 6 months, with possibility of renewal
- Secretariat responsibilities will be assumed by the MEWNR (via the REDD+ Coordination office) with support from the UN-REDD Programme
- For continuity, participating institutions will nominate individuals to attend all Task force meetings. On an exceptional basis, institutions may nominate an alternate, preferably the same person.
- A stakeholder map will need to be developed to analyze in more details the interests of various stakeholders and the need to engage them in selected meetings and activities of the Task Force.

2. Roles of Task Force members

- In order to secure high level commitment and political support:
 - At the conclusion of Task Force meetings, the management of the hosting institution will be briefed
 - high level events will be organized
 - Every four months, at a minimum, Task Force members will report back to their hierarchy, organizations & networks, make recommendations, gather feedback and share it back with the Task Force

3. Operational details

- Lunches will be provided by the institution hosting the meeting. No DSA shall be provided for the regular meetings of the Task Force, except for members who have to travel to the meeting place.
- [Transportation reimbursement will be provided according to UNDP CO rules]

4. Amendments to the Terms of Reference

- The Terms of Reference may be amended by a quorum of 7 out of the 10 core members.

Decisions and next steps

- Amendments were made to the proposed Task Force Terms of Reference (see Annex)
- Task Force members committed to become familiar with the Kenya REDD+ Corruption Risk Assessment, the REDD+ Legal Report and the project document of the Kenya REDD+ Governance Initiative.
- The next meeting of the Task Force will take place during the week 24-28 November, ideally on Tuesday 25th November 2014, and will be hosted by the EACC.
- A high level event to launch the Task Force will take place in the same week, ideally a day or two afterwards (likely on 27th November 2014).
- The minutes with the amended/final Terms of Reference of the Task Force will be circulated on Monday 27th October and participants committed to react with endorsement or comments by Friday 31st October *close-of-business*.
- The Secretariat will contact the Land Commission and the Environment Sub-Committee of the Council of Governors to find a suitable representative from each to join the TF from its second meeting in late November 2014.