



REPUBLIC OF KENYA

# THE JUDICIARY



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## **CHIEF JUSTICE'S TALKING NOTES DURING THE OFFICIAL OPENING OF THE 14<sup>TH</sup> ANNUAL GENERAL MEETING OF THE EASTERN AFRICAN ASSOCIATION OF ANTI- CORRUPTION AUTHORITIES, 17<sup>TH</sup> MARCH 2022**

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**Distinguished Members of the Eastern  
African Association of Anti-corruption  
Authorities (EAAACA),**

**Ladies and Gentlemen,**

Good morning!

1. I am delighted to join you today as you commence your 14<sup>th</sup> Annual General Meeting (AGM). I am honoured to address our partners in the region who play a vital role in preventing and combating corruption.



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2. I want to acknowledge the great strides made by the Special Brigade Anti-Corruption Commission of Burundi, Inspection General State of Djibouti, the Federal Ethics Anti-Corruption Commission of Ethiopia, the Ethics and Anti-Corruption Commission of Kenya, Office of the Ombudsman of Rwanda, the South Sudan Anti-Corruption Commission, Prevention and Combating of Corruption Bureau of the United Republic of Tanzania and the Inspectorate of Government, Uganda. Each of you, as member states of the EAAACA, have a positive impact in fighting corruption. I commend you all.
  
3. I want to thank the Ethics and Anti-Corruption Commission (EACC) of Kenya for hosting this AGM. The AGM as the supreme governing organ of this authority is critical to all operations and



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EAAACA's success. It allows, amongst other things, an opportunity to deliberate, reflect on achievements made, as well as measures to undertake to promote zero tolerance against corruption.

4. I am sure that you will all agree with me that corruption is a major constraint hindering our economic, social, political and judicial growth. It is a depravity that rears its ugly head in many forms such as bribery, extortion, fraud, embezzlement, and appropriation of public assets and property for private use.
5. The negative consequences of corruption are untold. They include weakened democracy, erosion of trust, inequality and social division. In addition, corruption dampens investor confidence



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while depriving citizens of quality services and access to human rights.

6. Corruption starts at the individual level then slowly creeps into institutions thus becoming an endemic institutional problem. It also happens in the shadows, can involve anyone and adapts to different contexts and changing circumstances. It can evolve in response to change in policies, rules, legislation and technology.
  
7. Therefore, it is essential that we all strengthen our institutional capacity to fight this depravity. This is important because corruption and institutional weaknesses are linked together. They feed off each other. Consequently, we must continually coordinate and harmonise our policies and legislation to effectively combat this vice. Let us



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engage in an in-depth analysis of the best practices and innovations to improve our efficacy in fighting corruption.

## **Ladies and Gentlemen,**

8. An important cog in fighting this vice is public awareness of the same. We must be transparent by shedding light on the rules, processes and legislation that deal with corruption. Let us ensure that our laws and policies are easily accessed, understood and used by the public. We must continually stimulate public awareness about the dangers of corruption.

9. On this breath, I must congratulate the EAAACA for its notable track record in developing a public awareness and communication strategy, the Result Based Monitoring and Evaluation Plan,



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Strategic Plan 2018-2022, operation manual, harmonization of anti-corruption laws and regional training programs. This is the way to go. These internal achievements are applauded because they play a critical role in fighting corruption.

10. It is common for the public to embrace **'corruption apathy'** and accept the tune: **"that is just the way things work in Africa."** We must do our best to kill this mindset. I believe that once people are convinced that a sincere and genuine effort to combat corruption is underway, they will respond and extend their full cooperation in resolving the problem.

11. The Judiciary of Kenya has pledged to do its utmost best to combat corruption. This is in light of the fact that judicial corruption allows impunity



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to reign and undermines the rule of law. Currently, therefore, we are championing reform initiatives and interventions under the mantra of **“Social Transformation through Access to Justice (STAJ)”**.

12. One of our key goals is to allow people to be actively involved in access to justice. Corruption is a major player in frustrating access to justice. It allows justice *‘for a few at the expense of justice for all’*. This is, in my books, untenable.

13. Everyone must have an equal opportunity to access justice. Impunity must not reign and the rule of law must never be undermined. Corruption and perceptions of corruption in the Judiciary not only undermines the courts credibility as corruption fighters, but also erodes trust in the



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courts' impartiality, harming all the core judicial functions.

14. I am acutely aware that a truly accessible Judiciary is one that deals with corruption effectively. This not only meets the public needs but also inspires confidence. Therefore, recognizing the grave danger that we all face if this vice permeates and corrodes the entire justice system, the Judiciary will continue to work with all partners to identify, expose and stem out culprits or entire cartels. This war cannot be won singly. We need to work together to secure the rule of law.

15. I want to encourage you to continue sharing information under the Asset Recovery Inter Agency Network for Eastern Africa. This will accelerate





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effective tracing and recovery of proceeds of crime and deprive criminals of their illicit gains. Do revitalise and coordinate your efforts in enabling the repatriation of proceeds of corruption, money laundering and ill-gotten wealth.

16. Continuous trainings to build your capacity and robust joint research on fighting corruption will be critical to your operations and success. I urge you to organize countrywide meetings with citizens to mobilise support and prevent corruption. Anti-corruption campaigns in the media are also impactful. Let us engage all players in our motherland to finish this vice.

17. Be guided by the spirit of patriotism. Dedicate yourselves to promoting zero tolerance against corruption in all your undertakings. In this way,



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our shared goal of eradicating this vice will be achieved.

## **Finally, Ladies and Gentlemen,**

18.I encourage you all to consult, cooperate and support each other in this forum and in the future. This will ensure that the EAAACA serves as a solid platform for successful war against graft and unethical conduct. I implore you all to tackle the underlying causes of corruption and not just the symptoms. We must continue with our battle against corruption for our Motherland to flourish.

I thank you for your attention.

Thank you and God bless you all.

**Hon. Justice Martha Koome, EGH**



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## **Chief Justice, and President of the Supreme Court of Kenya**