Food Assistance Integrity Study

Analysis of the 2011 drought response in Kenya
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Author: Humanitarian Outcomes: Adele Harmer, Paul Harvey & Michael Odhiambo

Front page photo: Save the Children (UK) / ANTHONY NDERITU
“ECFF Trader Qamar Mohamed of Lafaley Food Distribution Point in Wajir East District supplies cereals to one of the beneficiaries allocated to her after she presents her voucher.”

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Food Assistance Integrity Study

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ACRONYMS

ACTED  Agency for Technical Cooperation and Development
ALDEF  Arid Land Development Focus
ALNAP  Active Learning Network for Accountability and Performance in Humanitarian Action
ALRMP  Arid Lands Resource Management Project
APNAC  African Parliamentarians Network Against Corruption
ASAL  Arid and Semi-Arid Lands
CaLP  Cash Learning Partnership
CAP    Consolidated Appeals Process
CBO    Community Based Organisation
CBT    Community Based Targeting
CCF    Crisis Consultative Forum
CERF   Central Emergency Response Fund
CRC    Crisis Response Centre
DC     District Commissioner
DFID   Department for International Development
DMO    Drought Management Officer
DSG    District Steering Group
EACC   Ethics and Anti-Corruption Commission
ECB    Emergency Capacity Building
ECFF   European Commission Food Facility
FAO    Food and Agriculture Organisation
FBO    Faith-Based Organisation
FSNP   Food Security and Nutrition Policy
GFD    General Food Distribution
GIZ    Deutsche Gesellschaft für Internationale Zusammenarbeit GmbH
GMO    Genetically Modified Organism
HAP    Humanitarian Accountability Partnership
HSNP   Hunger Safety Net Programme
IASC   Inter-Agency Standing Committee
IFPRI  International Food Policy Research Institute
<table>
<thead>
<tr>
<th>Acronym</th>
<th>Full Form</th>
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<tbody>
<tr>
<td>INGO</td>
<td>International Non-Governmental Organisation</td>
</tr>
<tr>
<td>KCB</td>
<td>Kenya Commercial Bank</td>
</tr>
<tr>
<td>Kebs</td>
<td>Kenya Bureau of Standards</td>
</tr>
<tr>
<td>KFSSG</td>
<td>Kenya Food Security Steering Group</td>
</tr>
<tr>
<td>KHPT</td>
<td>Kenya Humanitarian Partnership Team</td>
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<tr>
<td>KNCHR</td>
<td>Kenya National Commission on Human Rights</td>
</tr>
<tr>
<td>KRC</td>
<td>Kenya Red Cross</td>
</tr>
<tr>
<td>NCPB</td>
<td>National Cereals and Produce Board</td>
</tr>
<tr>
<td>NDMA</td>
<td>National Drought Management Authority</td>
</tr>
<tr>
<td>NFNSP</td>
<td>National Food and Nutrition Security Policy</td>
</tr>
<tr>
<td>NGO</td>
<td>Non-Governmental Organisation</td>
</tr>
<tr>
<td>OCHA</td>
<td>Office for the Coordination of Humanitarian Affairs</td>
</tr>
<tr>
<td>OVC</td>
<td>Orphans and Vulnerable Children</td>
</tr>
<tr>
<td>PRRO</td>
<td>Protracted Relief and Recovery Operation</td>
</tr>
<tr>
<td>SCUK</td>
<td>Save the Children United Kingdom</td>
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<tr>
<td>SGR</td>
<td>Strategic Grain Reserve</td>
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<tr>
<td>TI</td>
<td>Transparency International</td>
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<tr>
<td>UN</td>
<td>United Nations</td>
</tr>
<tr>
<td>VSF</td>
<td>Veterinarians Without Borders</td>
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<tr>
<td>WASDA</td>
<td>Wajir South Development Association</td>
</tr>
<tr>
<td>WASH</td>
<td>Water, Sanitation and Hygiene</td>
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<tr>
<td>WFP</td>
<td>World Food Programme</td>
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PREFACE

Transparency International (TI) has long held that the most damaging impact of corruption is the diversion of basic resources from the poor. Diversion of humanitarian aid is the most egregious form of this, as it deprives the most vulnerable among the poor – the victims of natural disasters and civil conflicts – of essential life-saving resources. Humanitarian assistance aims to save lives and alleviate the suffering of people in times of crisis, yet these noble ambitions do not immunise it from corrupt abuse.

Food assistance programmes have represented the largest component of humanitarian assistance supported by donors in Kenya for many years. There are a large number of actors involved in providing food assistance through different mechanisms including direct in-kind food distribution, cash transfers and voucher schemes. These three mechanisms involve different numbers and types of stakeholders with diverse policies and procedures in terms of programme implementation, and as a result, various risks for the diversion or misuse of aid provided to vulnerable populations.

This report is a product of the Transparency International Kenya (TI Kenya) Humanitarian Aid Programme that aims to enhance integrity, accountability, efficiency and cost effectiveness in the implementation of food assistance programmes in Kenya. The Food Assistance Integrity Study was conducted in close cooperation with the main actors in the sector, namely the Government of Kenya, United Nations, humanitarian and donor organisations. It analyses: corruption risks pertaining to the policy framework, the aid architecture, and the risks experienced throughout food assessments, programming and support functions. It then makes concrete recommendations to the different actors involved on how to improve governance in the food assistance sector.

We believe that this report will offer guidance and support to the many humanitarian actors who devote their life to alleviating hunger and will enhance the effectiveness of food assistance programmes in Kenya. We hope this study will also contribute to better information flow and accountability mechanisms at the community-beneficiary levels and promote participation of citizens in monitoring humanitarian assistance and reporting cases of corruption.

Samuel Mbithi Kimeu
Executive Director
Transparency International Kenya
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Appreciation also goes to Save the Children UK, Oxfam GB, and World Vision for supporting the case study contexts for Wajir, Turkana and Pokot respectively. These organisations went to great lengths to host the field visits and schedule productive meetings despite their workloads and demands on their time. For this, we are truly grateful to Catherine Fitzgibbon, Joost van de Lest and Nicholas Wasunna and their colleagues in the country and field offices.

Finally, we would like to thank the 109 individuals and the over 200 beneficiaries who gave up their time to be interviewed and to share their experiences and insights with the research team. Their support for the objectives of this study is gratefully acknowledged.

Samuel Mbithi Kimeu
Executive Director
Transparency International Kenya
EXECUTIVE SUMMARY

Over the last decade issues of integrity, accountability and transparency in emergency assistance have received increasing attention.¹ Recent studies have identified food aid as one of the most ‘at-risk’ sectors from corruption and diversion, along with cash programming and post-disaster reconstruction (Maxwell et al., 2008). For many years, food aid has represented the largest component of emergency response and has been the most consistently funded in Kenya; 2011 was no different. With 3.75 million people assessed as food insecure, the Government of Kenya and the international community launched a response effort, significantly prioritising food over other sectors.

This study, commissioned by the Kenyan chapter of Transparency International (TI), set out to analyse the integrity of food assistance in Kenya in relation to the 2011 drought response, with a focus on the Arid and Semi-arid Lands (ASALs) of north and north-eastern Kenya. The key areas of analysis included the:

- policy and institutional environment for food assistance programmes in Kenya;
- risks pertaining to different types of food assistance and food security programmes in Kenya that might increase possible capture and diversion, and prevent access to food for targeted beneficiaries;
- lessons learnt through which stakeholders can improve the formulation of food security policies and programming in Kenya.

In the second half of 2011, the research team with the support of TI Kenya undertook four field studies in East and West Pokot, Turkana and Wajir and conducted over 100 interviews with humanitarian practitioners, local authorities and Government representatives in the field and in Nairobi. The research team also held focus group discussions with over 200 beneficiaries at the community level, and carried out a desk-based review of key policy documentation and related literature. This report synthesises the findings from this research as well as input and feedback from the study’s stakeholder group and other key informants.

The main question explored by the study was the extent to which different food assistance instruments in Kenya – in-kind, cash transfers and vouchers – posed different types of risks. The vast majority of interviewees perceived general food aid (in-kind) as the riskiest in terms of ensuring an effective, efficient, accountable and transparent response. Food aid

¹ Integrity is defined as “behaviours and actions consistent with a set of moral or ethical principles and standards, embraced by individuals as well as institutions, that creates a barrier to corruption” (The Anti-Corruption Plain Language Guide, Transparency International, July 2009).
was also considered to be more prone to risks than other in-kind sectors, largely due to its scale and the weaknesses in its transparency and accountability mechanisms.

Cash is seen as less prone to corruption in Kenya due to the emphasis on strong systems and reliance on electronic disbursement mechanisms. Cash transfers linked to broader social safety net programmes were however harder to scale up in an emergency and as a result, some organisations established direct cash distributions. Direct delivery of cash poses considerable security and corruption risks, and entails substantially more administration and staff time to mitigate these risks. Of the three assistance mechanisms, cash projects were monitored more closely, perhaps more so because of their perceived vulnerability to fraud. Agencies providing cash transfers also placed the strongest emphasis on accountability to recipients.

Although vouchers are less common as a mechanism for emergency support in Kenya, there is a large-scale programme being implemented in the ASALs. The biggest risk to the scale-up of the voucher project during the emergency was perceived to be the provision of poor quality or quantity of goods by traders. There was need for strong price, market and post-distribution monitoring to mitigate these risks.

There were risks common to all three food assistance instruments, and this mainly pertained to targeting and registration. There was evidence of the politicalisation of food assistance, with political leaders, local elites and local relief committees influencing who received assistance. There were risks and pressures in recruitment either due to internal pressures to employ staff from certain communities, or due to political interference. Most complaints from beneficiaries were related to targeting and inconsistency in the timing of food distributions. There were also risks and challenges regarding transportation partly due to political influence in the trucking companies, and due to transportation costs not being adequately resourced by the Government, which increased the likelihood of food rations being looted and sold or both as a form of payment. These risks were exacerbated in the 2011 drought response by broader challenges at the macro level.

First, there were failures to respond to early warning, which ultimately led to a late, rushed and politically pressurised response in Kenya. This meant that some organisations struggled to put strong procedures in place in the time available, heightening the risks of corruption and diversion. It also meant that there were greater challenges to scaling up and ensuring the availability of adequate resources to manage and monitor the quality and effectiveness of the response. Echoing previous years, there were also questions regarding
why the ASALs have not seen greater investments in risk-reduction measures to reduce the need for more costly emergency responses (Save the Children, 2012; Levine et al, 2011).

Second, a challenge to transparent and accountable responses was that coordination processes and policies were weak and responsibilities unclear. The current disaster management and food aid structures and policy oversight, with multiple actors and a lack of government policies and guidance for food distribution contributed to a relatively weak understanding as to ‘who is doing what and where’ in food assistance and this increased the risk of interventions not prioritising the neediest areas, or duplicating assistance. There are important reforms and policies that have recently been enacted in the areas of governance, ASAL development and drought management, which should lead to improvements in coordination at central and district or county levels in the future.

Third, and related to this, the response effort was marked by poor communication and information flow, including inadequate information regarding management of the strategic grain reserve, as well as forecasts of significant pipeline breakages and food distribution problems. A general concern regarding integrity and accountability of food assistance is that without clear information regarding the number of actors involved, how much food is intended, the timeframe for receiving it, and the responsibilities of the various actors in the distribution chain, there are larger opportunities for diversion. Overall, the study found that a key means by which the food assistance sector could increase integrity and accountability would be to maintain an active engagement with coordination structures and to invest in shared lesson learning or monitoring and evaluation exercises. The recommendations for the study were formulated based on consultations at the second stakeholder meeting held in Nairobi in January 2012.
1. INTRODUCTION AND OBJECTIVES

Kenya has not gone below having 1 million people on food assistance in the last 12 years. The recurrent failure of seasonal rains, sustained high food prices, lack of migration options owing to the regional nature of the drought and insecurity in some areas, and limited recovery time from previous droughts, have strained coping mechanisms and exacerbated pre-existing chronic poverty, particularly in Kenya’s arid and semi-arid lands (ASAL) regions (WFP, 2010). Food insecurity has also occurred in the context of the ongoing civil and political unrest, including the violence and displacement associated with the December 2007 election. Food insecurity brought about by crises and disasters is linked to governance issues including the lack of progress by the Government on key policy and institutional reforms related to disaster management. This includes the lack of a coordinated and accountable approach to disaster management, the need for greater transparency in food assistance policy, and the role of the National Cereals and Produce Board (NCPB) in the management of the Strategic Grain Reserve (SGR).

Whilst the international community encourages the need for policy and institutional reforms, it also contributes to some of the structural weaknesses of the system in that it is relatively easy to mobilise resources for emergency response – most evident as food aid – and much more difficult to support long-term, sustainable and government-led interventions. While in-kind food aid remains dominant, the interest, capacity and funding for cash and voucher interventions in Kenya has increased in recent years particularly in the ASALs and in urban areas. These three food assistance approaches (in-kind, cash and vouchers) involve different numbers and types of stakeholders, different types of policies and procedures in terms of programme implementation and thus different risks in terms of misuse or diversion of aid. Managing these risks requires an effective institutional environment, appropriate policies, and governance and accountability mechanisms, at national level and the beneficiary level.

This study is the first component of TI Kenya’s Humanitarian Aid Programme, aiming to enhance integrity, accountability, efficiency and cost effectiveness in the implementation of food assistance programmes in Kenya. Its objectives involve the analysis of a range of issues related to the integrity of food assistance, including the:

- policy and institutional environment for food assistance programmes in Kenya;
• risks, gaps and loopholes which could allow diversion of aid or prevent access to food by targeted beneficiaries;
• risks pertaining to different types of food assistance and food security programmes in Kenya which might increase possible capture and diversion;
• lessons learnt through which stakeholders can improve the formulation of food security policies and programming in Kenya, including through integrity and accountability mechanisms governing food assistance programmes.

The purpose of this research was not to specifically expose any individual organisations’ practices, but rather to understand issues of integrity, transparency and accountability in humanitarian food assistance from the perspective of the main stakeholders in Kenya, including government and non-governmental actors, and among the intended recipients of assistance. The study also sought to examine what is being done to increase transparency and accountability, and analyse the challenges facing the Government of Kenya and its humanitarian and development partners in the provision of food assistance.

Section One of the report outlines the methodology used in the study, and Section Two provides the background and context of the 2011 drought response, in addition to examining general issues of accountability and integrity in emergency response and food assistance. Section Three examines the policy, aid architecture and coordination structures for disaster management and food assistance in Kenya. Section Four explores the risks in Kenya’s food assistance approach, and examines issues such as early warning, assessment, procurement, different types of food assistance programming, partnerships, targeting, and distribution mechanisms. In addition, it explores issues of transport and logistics, human resources, beneficiary accountability mechanisms and monitoring and evaluation. Section Five summarises the lessons learnt from the study, and Section Six concludes the report with a series of targeted recommendations.

1.1 Scope and Objectives of the Study

1.1.1 Methods Used
The study examined the period of the drought emergency response from July to December 2011, with a focus on the ASALs. The research components of the study involved a series of interviews with key informants, Government stakeholders and assistance providers, beneficiary focus group discussions, a review of the institutional and policy frameworks for
disaster management and food assistance in Kenya, and field-based analyses of four different counties in the ASALs.

A stakeholder group consisting of representatives of the Government of Kenya, donor governments and non-government organisations was formed to guide the process of the research and support the recommendations from the study through the formulation of increased governance mechanisms for food assistance in Kenya (Annex 1). There were two stakeholder consultations held during the course of the research: the first provided an opportunity to share the methodology and the key research tools, and the second involved a presentation of the first draft of the study to elicit feedback and consultation on the recommendations. Key findings and recommendations of the study were discussed with Members of Parliament at an APNAC (African Parliamentarians Network Against Corruption) meeting in February 2012.

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Image 1.1 Stakeholders meeting in Nairobi, January 2012
1.1.2 Interviews
The study team conducted beneficiary consultations and 109 interviews with key stakeholders, 36 of which were in Nairobi and 73 at the district level in the four case study locations. In Nairobi, the study team interviewed representatives of the Government of Kenya, humanitarian organisations and donor governments, while in the field, various local officials and non-government organisations were interviewed—see Annex 2. The findings of the study are based on the main issues arising from the interviews, which were conducted on a not-for-attribution basis, and from the analysis of policy, programming and background literature.

1.1.3 Beneficiary Consultation
The team conducted focus groups discussions involving 216 participants (115 women and 101 men) drawn from relief committees, beneficiary and non-beneficiary groups, and traders in Turkana, Wajir, East Pokot and West Pokot. The discussions were conducted with a purposively selected number of people that included both men and women, the young and elderly, in various geographic locations (urban, peri urban and rural). Deliberate efforts were made to conduct focus groups in private areas to ensure discussions were as frank as possible, and to conduct separate interviews with relief committee heads and local officials to ensure that they did not influence beneficiary focus groups. For the interviewee and beneficiary questionnaires, see Annex 3.

1.1.4 Fieldwork
Four field contexts—Wajir, Turkana, West and East Pokot—were visited to examine the range of approaches to food assistance and food security programmes in Kenya involving different types of aid providers. The focus in West and East Pokot was on general food distribution. In Wajir and Turkana, the voucher programming through the EC Food Facility (ECFF), and cash programming through the Hunger Safety Net Programme (HSNP) were analysed respectively. The study team interviewed the main food assistance stakeholders in each context and examined the dynamics of different food assistance programmes and how they related to each other, as well as other emergency programmes.

1.1.5 Document Review
Desk research was conducted to examine a wide range of issues in food assistance in Kenya, including the legal and regulatory framework for the provision of national and international
humanitarian or relief assistance, and the food assistance policy environment. The research considered the role of the National Cereals and Produce Board (NCPB) and the Strategic Grain Reserve (SGR), procurement policies, early warning, and food security assessment mechanisms, and wider literature on governance and accountability mechanisms in food assistance and emergency assistance – see Annex 4 for the reference list.
2. BACKGROUND AND CONTEXT

2.1 The 2011 Drought and Response Effort

In May 2011, President Kibaki of Kenya declared the drought affecting the northern and eastern regions of Kenya a national disaster. By the end of August 2011, the number of food insecure people in rural Kenya was assessed to have increased to 3.75 million from 2.4 million at the beginning of the year (Government of Kenya, 2011a). Worst affected were the ASALs of north and north-eastern Kenya, where rates of global acute malnutrition in some areas exceeded emergency thresholds, for example in Turkana North District, where the levels of malnutrition were found to be over 37%, which is significantly higher than some areas of south central Somalia.

Despite the fact that significant early warning information was available as early as November 2010, the Government and the international community were late in responding to the drought. As a result, rather than investing in risk reduction measures such as drought prevention, the emphasis was on supporting emergency interventions dominated by food (Levine et al 2011). The Government of Kenya announced that it would provide nine billion Kenyan shillings (US$ 100 million) to buy food for the victims of the drought.2 The international appeal led by the United Nations (UN) was revised to US$ 740 million, and by the end of the year, 70% of the international appeal was funded.3

For many years, food assistance programmes have represented the largest component of humanitarian assistance supported by donors in Kenya, and has been the most consistently funded. In 2011, 84% of the food aid appealed for was received compared to the 29% received for agriculture and livestock, 15% for health, and 40% for Water, Sanitation and Hygiene (WASH).4 Similarly, this trend is reflected regionally in the Horn of Africa, where up to 70% of humanitarian appeals have focused on food since 2005, and only 15% on livelihoods (ALNAP, 2011).

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2 “Kenya cabinet authorises US$ 100 million to fight drought”, Thu 14 Jul 2011
http://www.reuters.com/article/2011/07/14/kenya-food-idUSLDE76D15C20110714

3 Of the US$ 740 million, US$ 339 million was for multi-sector assistance to refugees and therefore not intended for the ASALs.

4 Some funding has been provided outside the appeal. For WASH, the funding that went outside the appeal took overall funding to over 100% of the requested requirements.
Figure 2.1 International Humanitarian Aid to Kenya by Sector: 2009 – 2011

![Chart showing humanitarian aid by sector in Kenya from 2009 to 2011.](chart.png)

Source: Financial Tracking System: [fts.unocha.org](http://fts.unocha.org)

### 2.2 Integrity, Accountability and Transparency in Emergency Assistance

Over the last decade, issues of integrity, accountability and transparency in emergency assistance have been given greater attention. Transparency International defines integrity as the means by which behaviours and actions impede corruption:

> Behaviours and actions consistent with a set of moral or ethical principles and standards, embraced by individuals as well as institutions that create a barrier to corruption.⁵

Recent studies primarily generated through corruption and accountability concerns have begun to shed light on these issues, particularly from the perspectives of aid agencies and recipient communities.⁶ Questions of how to minimise corruption risks and promote accountability and transparency whilst responding to the humanitarian imperative, have long been a challenge for those involved in relief work (Maxwell et al., 2011). In recent years, international aid organisations have invested considerably in strengthening their systems of finance, logistics, procurement and human resources, and adopted various codes of conduct in attempts to improve standards (Sphere, 2004 and 2011; ECB, 2006). Organisations have also begun to invest in measures to improve accountability to the recipients of relief assistance as well as to those providing funding (HAP, 2008).

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⁶ See for example, Willitts-King and Harvey, 2005; Ewins et al., 2006; Savage et al., 2007; Bailey, 2008; Elhawary, 2008; Maxwell et al., 2008; Metcalfe et al., 2011; Maxwell et al., 2011.
The issue of ensuring integrity in the delivery of critical assistance is sensitive not least because of fears that reports of misuse of funds or corrupt diversion of aid could undermine public trust in aid and impact future giving. Much of the focus to date regarding corruption in emergency assistance has focused on the NGO (non-governmental organisation) community (Larche, 2011). There has been significantly less attention to the interaction between the affected State and non-government actors, and the extent to which policies and systems are mutually supportive of ensuring the integrity of humanitarian response.

2.3 Corruption and Other Risks in Food Assistance

Due to rising food prices, food has become a higher value commodity in the last several years. Given the significant amount of food aid and, increasingly, cash being directed at any particular emergency, the risks and possibilities of diversion increase commensurately, necessitating the conduct of risk management (Maxwell et al 2011). Food assistance programming, from resource allocation, to procurement and shipment, to local warehousing and secondary transportation, to targeting, registration and distribution, and post-distribution dynamics, are open to significant risks of diversion and corruption (Ibid).

In a recent study, food aid, cash programming and post-disaster reconstruction were the most commonly mentioned programmatic activities with a high risk of corruption (Ibid). Food aid, while bulky and difficult to conceal, is considered to afford many opportunities for diversion that it has long been a target of abuse. Cash, of more immediate value, is seen by some as somewhat harder to divert when strong systems are put in place. Nevertheless, studies have found that it remains an area of programming requiring attention to risk management. More generally in humanitarian programming, the processes of assessment, targeting and registration of recipient populations are often fraught with corruption and abuse (Ibid).

Among programme support functions, procurement has been found to pose significant risk of corrupt diversion (Schultz & Soreide, 2008). In the Maxwell et al., study (2011) it was by far the most commonly mentioned activity with a high risk of corruption, although finance, audits, human resources, fleet management and supply chain management also entailed a significant risk of corruption.
3. AID ARCHITECTURE AND POLICY FRAMEWORK IN KENYA

3.1 Constitutional Backdrop

The last two decades in Kenya have been characterised by struggles for governance reforms, informed largely by the quest for participatory, accountable and transparent government and integrity in the conduct of public affairs. Central to this process has been the development of a new Constitution, which was promulgated on 27 August 2010. The Constitution of Kenya 2010 imposes on the Government, obligations relating to the wellbeing of citizens including the provision of food assistance where necessary. The provision of the Bill of Rights at Article 43(1) (c) entrenches the right of every person “to be free from hunger, and to have adequate food of acceptable quality”.

The commitments secured through the Kenyan Constitution also increase the focus and awareness on reducing inequality in Kenya and providing greater support to marginalised communities. The Constitution makes specific provisions under Article 56 for affirmative action programmes designed to better integrate ASALs into the national economic development system. Although the Article does not specifically mention food security, it focuses on many of the challenges that have been identified as being at the root of the recurrent food insecurity in the ASALs. It provides a framework for addressing the underlying causes of vulnerability in the ASALs, including poor governance, lack of physical and social infrastructure and underdevelopment.

A key governance innovation of the new Constitution is the introduction of a devolved government with executive and legislative powers at the County level; the legal framework to facilitate its operationalisation is presently under development. How the introduction of devolved government will transform the delivery of public services and the conduct of public affairs will not be clear until after the next general elections. As far as food assistance is concerned, devolution might lead to greater integrity and efficiency as it brings decision making nearer to the people but that remains to be seen and result in more coherent coordination mechanisms for international actors to engage with.

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7 The High Court of Kenya ruled in January 2012 that Kenyans should vote in presidential and parliamentary elections by March 2013 unless there is a signed agreement between the President and the Prime Minister to dissolve the coalition government before it serves its full term expiring in January 2013. Elections would then have to be held within 60 days of the dissolution.

8 Constitution of Kenya, Article 174
3.2 National Disaster Management Architecture

A challenge to effective disaster management in Kenya has to do with a bifurcated aid management structure. The government architecture is currently very fragmented and there isn’t a single authority for disaster management response. There are six key ministries – Provincial Administration and Internal Security; State for Special Programmes; State for the Development of Northern Kenya and other Arid Lands; Gender, Children and Social Development; Livestock Development; and Agriculture – with shared responsibilities in disaster management, food security and social protection but these tend to work in silo.

The declaration of a disaster in Kenya is made by the President, whose decision is informed by the Crisis Response Centre (CRC) chaired by the Prime Minister. The Ministry of State for Special Programmes, within which the CRC falls, is responsible for coordinating the Government’s disaster response. The coordination of early warning, food assistance assessments and information sits within the Ministry of State for the Development of Northern Kenya and other Arid Lands, which houses the Kenya Food Security Steering Group (KFSSG). These two ministries, alongside the Ministry of Provincial Administration and Internal Security, make up the National Disaster Steering Committee.

The architecture currently in place for food assistance reflects a similar fragmented arrangement to the disaster management structures. The Ministry of State for Special Programmes is responsible for the coordination of Government-led food assistance while the Ministry of Northern Kenya and Arid Lands is responsible for the coordination of early warning, food assistance assessments and information. The Ministry of Agriculture has overall responsibility for the food security and nutrition policy, including oversight of the National Cereals and Produce Board, while the Ministry of State for Special Programmes is responsible for the Strategic Grain Reserve. The Ministry of Gender, Children and Social Protection is responsible for the coordination of social protection, including social safety nets.

At the local level, the main framework for coordinating food assistance in the district is the District Steering Group (DSG), chaired by the District Commissioner (DC) and the Drought Management Office (DMO) who acts as the Secretary. The Group primarily meets to coordinate incoming Government-led food assistance and has variable levels of oversight.

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9 The CRC advises the Prime Minister on issues of disaster response. There is also the Crisis Consultative Forum (CCF) which has representation from the respective technical Ministries and advises the CRC on sectoral issues.

10 There is also a National Disaster Operations Centre which sits under the Ministry of Provincial Administration and Internal Security. This is a coordination centre but without an operational arm – it has a good information network because of its outreach and engagement at provincial level - but it does not have the operational capacity of the Ministry of State for Special Programmes.
over other non-government food assistance in the district. The current Government architecture, and how the national and international non-government community relates to this, is reflected in the figure below.

**Figure 3.1 Coordination Structures in Kenya for Drought Response**

(Adapted from the UN Office of the Coordination of Humanitarian Assistance (OCHA) July 2011)

### 3.3 Disaster Management and Food Assistance Policy

There are further challenges stemming from the lack of clear policy and implementation guidance on disaster response and food assistance in particular.

#### 3.3.1 Disaster Management

The *National Disaster Management Policy* drafted in 2010 establishes the guiding principles and institutional framework for disaster management in Kenya by defining roles, responsibilities, and processes for the coordinated management of disasters in the country. It is yet to be passed by Cabinet, but is understood to be the policy that informs disaster response. The policy establishes a Code of Conduct for the delivery of disaster relief, based on the humanitarian imperative, which stipulates that all citizens of Kenya have the right to receive relief assistance during disasters as a fundamental humanitarian principle. It further stipulates that the Government and stakeholders will fully involve communities in the design,
management, implementation, monitoring and evaluation of disaster programmes. Key stakeholders note that while the key principles of the policy are clearly set out, the policy is not well known to many of those involved in relief assistance, a fact that is due in part to the failure to adopt it so that it can be brought to full implementation.

3.3.2 Food Assistance

The National Food and Nutrition Security Policy (NFNSP), which has been in existence in draft form since 2008 recently received Cabinet approval. The Policy defines food security as a situation where all people, at all times, have physical and economic access to sufficient, safe and nutritious food to meet their dietary needs and food preferences for an active and healthy life. It acknowledges that over 10 million people in Kenya suffer from chronic food insecurity and poor nutrition, while between two and four million people require emergency food assistance at any given time.\textsuperscript{11} The policy seeks to protect vulnerable populations through innovative and cost-effective safety nets linked to long-term development. It provides for two major streams of food assistance – one targeting the poor and chronically vulnerable and the other for emergencies. The policy provides for “transfers-based entitlements, cash transfers, public work programmes, input support, and special measures for the protection and management of livelihood assets, particularly in ASALs which are most prone to food emergencies”.\textsuperscript{12}

The policy recognises the issues associated with the provision of food assistance including appropriateness of foods donated to certain communities, efficiency of food aid programmes as regards timeliness, costs of delivery, administration and leakages, and the effect of food aid on domestic production in view of its impact on domestic food prices. In order to address these concerns and improve the integrity of food assistance, the policy proposes a number of measures including the replacement of direct food relief distribution with cash transfers where appropriate, so that free food is restricted to emergencies.

In addition, it proposes a combination of universal and targeted interventions to achieve food security and improve nutrition, the linking of transfer-based schemes to long-term development interventions through predictable and guaranteed programmes, and asserts the need for meaningful community and private sector participation in transfer-based entitlement schemes. The policy establishes an institutional framework for its implementation.

\textsuperscript{11} National Food and Nutrition Security Policy, Paragraph 1
\textsuperscript{12} National Food and Nutrition Security Policy, Paragraph 4
in the form of a Food and Nutrition Security Secretariat and this is in the process of being developed.

3.3.3 Other Relevant Policies and Initiatives

There are a number of policies that are relevant to food assistance, specifically policies on social protection, ASAL development, and the development of a drought management authority. The responsibility of coordinating social protection activities in Kenya falls under the Ministry of Gender, Children and Social Development. A number of other ministries including the Ministry of State for Special Programmes are also involved. At the moment, there is a draft National Social Protection Policy document awaiting Cabinet approval, and a National Social Protection Strategy is currently being developed in line with the policy document. Interviewees note that there is a challenge for humanitarian agencies involved in safety nets and social transfers because they’re currently operating and coordinating under disaster management structures, and have little engagement with the Ministry of Gender, Children and Social Development. As a result, policies and nationally agreed approaches to social protection are not well understood by humanitarian actors.

The Ministry of State for the Development of Northern Kenya and other Arid Lands is awaiting Cabinet’s approval of a Sessional Paper on the Development of Northern Kenya and Other Arid Lands – dubbed the ASAL Policy – that has been under development for over 10 years initially under the stewardship of the Arid Lands Resource Management Project (ALRMP). A significant recent development has been the establishment of the National Drought Management Authority (NDMA) and the National Drought Contingency Fund under the State Corporations Act. This establishes a framework for the coordination of all drought management issues – including preparedness and emergency response. It is also designed to foster the formulation of policies aiming to ensure that droughts are not handled as emergencies, but rather within the context of overall development planning. It is seen by some stakeholders as a key solution to the problem of untimely responses to droughts in Kenya. However, it is unclear how broader institutional and policy requirements of disaster management will work with the NDMA, and whether it might undermine investment in disaster management capacities within the wider Kenyan context.

13Cap 446.Legal Notice No. 171 of 24 November 2011
3.4 International and Non-Governmental Coordination Mechanisms

In Kenya, the Government collaborates with the non-government community through a series of sector working groups. Officially, there is a Food Aid Sector Working Group led by the Ministry of State for Special Programmes, the Ministry of Northern Kenya and Arid Lands, and WFP. According to interviewees, there were concerns that the Working Group did not function effectively, and in response to coordination and information gaps, a Food Assistance Taskforce was established in 2011 in recognition of the need for greater coordination to inform the ongoing operation. The Taskforce was to involve the Ministry of State for Special Programmes, and be co-chaired by WFP and the Kenya Red Cross but according to stakeholders it met only once, and therefore had little to no impact on overall coordination.

The large and growing number of actors involved in cash transfer programming has prompted the establishment in the KFSSG of a sub-committee, co-chaired by the Ministry of State for Special Programmes and the Cash Learning Partnership (CaLP), to coordinate cash-based responses. Interviewees raised concerns that the KFSSG, being a food coordination forum, is not necessarily the appropriate entity given that cash transfers can support a range of sectoral interventions. It was noted by interviewees that the Office of the Coordination of Humanitarian Assistance (OCHA) could play a role here but OCHA has so far not taken up this responsibility.

There is also a challenge as to how international actors engage on social protection issues in Kenya. Currently, most international agencies, including WFP and large-scale safety nets such as the Hunger Safety Net Programme (HSNP), work under disaster management coordination frameworks, including the Ministry of Northern Kenya, but as noted above, social protection and safety nets sit within the Ministry of Gender, Children and Social Development and the coordination mechanisms do not interface very effectively. Hence, there is greater risk of a lack of policy coherence. Actors shifting further towards safety net programming will have to consider how to ensure they have a complete picture of the policies and activities ongoing under these two structures.

More broadly, interviewees pointed out that in 2011, disaster response in Kenya was characterised by weak coordination, which increased the risk of interventions not prioritising the neediest areas or duplicating assistance. In particular, there was a relatively weak understanding of ‘who is doing what and where’ in food assistance, and how their activities related to broader food security initiatives including livelihoods, livestock and agriculture programming. At the local level, non-government organisations and the Kenya Red Cross
were criticised for sometimes bypassing local authorities and carrying out their interventions directly with communities.

For their part, NGOs found it difficult to coordinate their activities with the DMOs and DSGs in their areas of operation. DSGs are located at the district level and there is a lack of central level authority coordinating activities between the districts. This means an organisation planning to operate across four districts in Wajir or the districts in Turkana, for example, had to coordinate with multiple DSGs. This was perceived as a significant time-consuming administrative burden, posing a challenge to effective local level coordination. The new county level system is designed to address this, with coordination mechanisms that will bring the districts together. More recently in Turkana, ‘county level’ equivalents of DSGs have been organised and were welcomed by aid agencies operating in the area.

In recognition of the field coordination challenges, OCHA worked with some DSGs to support their role. It placed an officer that roamed between Turkana, Marsabit and Moyale, and planned to have a second fulltime staffer in Marsabit in late 2011, acknowledging the significant need for additional coordination of expertise at the district level. Once the county level structures are in place, there are plans to second officers into the greater county DMO office to support mapping and coordinate activities across all sectors.

International organisations argue that the responsibility for coordination lies with the Government, but with limited capacity and resources, the Government struggled to track its own food aid pipeline, let alone that of other actors. OCHA has a possible expanded role to play here, but bringing together the significant food aid actors has not been part of its remit in Kenya. The implications of the weak coordination structures are discussed further in section 4.3.
4. MAPPING RISKS IN KENYA’S FOOD ASSISTANCE APPROACHES

The conceptual framework for this study was an adaptation of the ‘corruption risk map’ developed by Ewins et al. (2006) as adapted by Bailey (2008). It maps out in detail the different programming and programme support areas of food assistance in humanitarian action that could be vulnerable to risks, and where there are weak accountability and transparency mechanisms and measures. Similar to Ewins, the framework uses a typical emergency food assistance project cycle to suggest the risks and challenges that threaten the integrity of food assistance in Kenya.

Figure 4.1 Corruption Risk Map (adapted)\textsuperscript{14}

<table>
<thead>
<tr>
<th>Assistance process</th>
<th>High-risk areas</th>
<th>Corruption risk examples</th>
</tr>
</thead>
<tbody>
<tr>
<td>Assessment</td>
<td></td>
<td>Manipulation or bribery in assessments, registration and targeting; skimming rations</td>
</tr>
<tr>
<td></td>
<td>Registration</td>
<td>Incorrect information provided to direct assistance to certain households, groups or regions, or to inflate needs</td>
</tr>
<tr>
<td></td>
<td>Targeting</td>
<td>Names added to beneficiary lists in exchange for payment or sexual favours; bribes demanded, multiple registrations</td>
</tr>
<tr>
<td></td>
<td>Distribution</td>
<td>Leaders/staff/committees provide false information about which households meet targeting criteria</td>
</tr>
<tr>
<td>Programme support</td>
<td>Procurement</td>
<td>Distributors modify ration amounts or composition, or knowingly distribute commodities to ‘ghost’ or non-beneficiaries</td>
</tr>
<tr>
<td></td>
<td>Human resources / recruitment</td>
<td>Collusion, kickbacks, multiple submissions of same invoices, conflicts of interest</td>
</tr>
<tr>
<td></td>
<td>Finance</td>
<td>‘Ghost’ staff, nepotism</td>
</tr>
<tr>
<td></td>
<td>Transportation</td>
<td>Falsified or inflated invoices or receipts, manipulation of exchange rates, abuse of bank accounts, embezzlement</td>
</tr>
<tr>
<td></td>
<td>Logistics / warehousing</td>
<td>Diversion during transport or storage; Unauthorised private use of vehicles, siphoning of fuel, collusion with fuel/service providers, falsified records</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Falsification of warehouse documents, diversion during storage</td>
</tr>
</tbody>
</table>

The following section examines these risks in detail, specifically looks at the differing risks posed by the food assistance instruments (in-kind food, cash and vouchers). In addition, it examines the more generic areas of risk including targeting, programming, partnership arrangements, distribution mechanisms, procurement, transport and logistics, human resources, beneficiary accountability, and monitoring and evaluation. It also considers areas of good practice adopted in food assistance in Kenya. First, the study examines two broader challenges at the macro level – a failure to respond to early warning and the challenges with the national assessment process – which heightened and exacerbated the corruption and diversion risks in 2011.

4.1 Early Warning and Food Security Assessments

4.1.1 Early Warning
The crisis in the Horn of Africa and in Kenya specifically was marked by a ‘dangerous delay’ – there were clear early warning signs many months in advance yet there was insufficient response until it became necessary to manage a crisis, not the risk (Save the Children, Oxfam, 2012). The lack of action on early warning has devastating consequences for those affected by the crisis – greater malnutrition and graver impacts on livelihoods, particularly livestock-based livelihoods. In addition, it has a negative impact on the humanitarian system as late more politically pressurised and rushed responses are more susceptible to risks of diversion.

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15 On the other hand, acting early can preserve livelihoods, at limited cost. A study conducted by Save the Children US found that it cost US$ 1 to link a pastoralist to a trader for destocking, and the transaction provided food for two months, which would otherwise have cost between US$ 97 and 165 through a food aid programme (Abebe et al, 2008 in ALNAP 2011).
since the systems to effectively manage and monitor large-scale distributions are harder to put in place. Inevitably, a late response is also more expensive because caseloads are larger and commodity volumes greater, which increases the risks of diversion in proportion to the value of food.

In Kenya, many of the drought and flood-related humanitarian needs can be anticipated in advance, due in part to a strong meteorological and drought monitoring system. Through the Arid Lands Project, the DMO produces a monthly *Drought Monitoring Bulletin*, which provides ongoing detailed information on the variables that affect food security. The Bulletin is discussed at regular meetings of the DSG and the KFSSG, and acts as a critical input into the national Long and Short Rains Assessments (discussed below). Interviewees noted that the early warning information in Kenya is generally considered strong, well coordinated and timely compared to other countries in the region. However, one of its fundamental weaknesses is that very little of the information on the probable weather conditions, prices, or likely food shortage is transmitted to the communities for their action. Aside their own local coping strategies, villages are not involved until it is determined that food aid is necessary.

As early as November 2010, the DMOs were calling for the provision of contingency funding for drought mitigation due to the failure of the rains, and for livestock and water-related interventions; individual agencies were also calling for action. The Government however lacks dedicated resources for contingency planning due to concerns regarding the misuse of funds within the World Bank funded Arid Lands Resource Management project II (World Bank 2011). The OCHA Emergency Relief Coordinator announced an allocation of funding from the CERF (Central Emergency Response Fund) amounting to US$ six million under the first underfunded emergencies round in January 2011. There was however no immediate response from the Government or donors. As a recent ALNAP (2011) study found, the problem in drought response is never the lack of early warning information but the failure to act on it. As, one interviewee noted, “we have so many early warning sources, if someone did not take action it is not because they did not have the information”.

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16 Technical support is provided by WFP, FAO, the EC funded Drought Management Initiative, and Fewsnet.
17 A recent study on the food security situation in the Sahel found exactly the same problem regarding the lack of community based early warnings. See Gubbels, Peter (2011) *Escaping the Hunger Cycle: Pathways to resilience in the Sahel*, Sahel Working Group.
18 In November 2010, at the launch of the 2011 Emergency Humanitarian Response Plan, the Resident Coordinator and OCHA forecast that Kenya was likely to witness worsening food security in 2011. In January 2011, the Kenya Red Cross sounded the alarm that 2011 would be a significant crisis: ‘Kenya Red Cross urges government to declare drought, 6 January 2011’, KRC 2011.
19 These funds were allocated to northeast, northwest and southeast Kenya.
4.1.2. Assessment Mechanisms
The annual Long and Short Rains Assessments, the main assessment mechanisms in Kenya, are used by the Government and WFP to derive the beneficiary caseload for food aid. As such, it has considerable influence over the food assistance sector, far more so than any other sectors. The 2011 Long Rains Assessment, undertaken at the end of July and the beginning of August, declared that 3.75 million people were in need of food assistance until February 2012, up from the previous 2.4 million from the Short Rains Assessment earlier in the year.

The assessments are a rare example of a nationally driven, government-led, multi-sectoral and multi-agency mechanism, and there is general consensus that they are technically sound. It was noted by interviewees however that there’s a time lag between the collection, analysis and release of findings which means there’s a disparity between the findings and the situation on the ground. It is also generally perceived to be an ‘unwieldy’ mechanism, unable to respond quickly to an emerging crisis (Save the Children/Oxfam, 2012). The end result is that the information gleaned from the assessment is very late in the crisis, and in addition to the lack of response to the early warning, contributes to a rushed, and overly food aid dominated response. This inevitably increases the risks of poor practices and diversion. WFP noted that for its operation, the result of Long Rains Assessments was made public at end of August which is when they started mobilising resources. In September, WFP reached only 10-15% of the caseload, and from that point on, WFP’s distributions lagged behind. As one interviewee noted “if you wait for the assessment to come out it’s far too long to respond to the drought”.

There were a number of other concerns raised regarding the assessment process including the measuring of needs based on rainfall rather than on, for example, coping capacities and adaptive behaviour, which tends to result in a food-first approach. Interviewees commented that investment in more detailed baseline data and sentinel sites would be more useful than broad-based assessments, and could potentially contribute to earlier and more appropriate responses. In addition, it would reduce the need to rely on food – a high value item considered more susceptible to corruption and diversion than other sectoral responses.

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20 It is coordinated at the national level by the KFSSG and at the local level by the DSG chaired by the District Commissioner and comprised of a wide range of stakeholders (governmental and non-governmental) in the district.

21 Significant literature and evaluations of past Horn responses have advocated for this (ALNAP, 2011; Levine et al, 2011).
Second, the assessments are based on the population figures for the contested 2009 census. Uncertainty over population figures constitutes one of the main barriers to accurate needs assessment (Darcy and Hoffman, 2003). In the case of northern Kenya, there is significant variation in estimates of population size, particularly due to the highly mobile pastoral communities which have increasingly experienced high numbers of drop outs. These variations in the overall ‘denominator’ can affect the calculation of resource requirements dramatically (Darcy and Hoffman, 2003). Obtaining accurate population figures in Kenya is also not simply a technical issue but a highly political one, prone to distortions by other groups in order to increase resource allocation (Crisp, 1999).

Thirdly, while being a good example of a nation-wide process, the assessments do not cover all areas comprehensively as they tend to miss the areas with populations at considerable risk due to conflict or high levels of insecurity such as northern Turkana and the border areas of Wajir and Mandera. Furthermore, NGOs operating in Kenya’s slums point out that the rains assessments largely exclude urban populations.

### 4.2 Sourcing and Procuring Food

Most discussions regarding the availability and procurement of food in Kenya have played out at the national level, although the impacts of pipeline breakages, contaminated food, or appropriate foodstuffs are mostly felt by the beneficiaries on the ground. The current drought response was marked by all these occurrences.

#### 4.2.1 The Role of the Government and the Strategic Grain Reserve

The National Cereals and Produce Board Act and the Exchequer and Audit Strategic Grain Reserve Trust Fund Regulations, 2002 require the Government to maintain at least eight million 90 kg-bags (720,000 MT) of grains in physical stock or cash equivalent as strategic grain reserve (SGR). The intention is to have adequate food in stock to sustain the nation for three to six months during times of disasters, pending receipt and distribution of incoming shipments. The trustees of the Strategic Grain Reserve (SGR) Fund are the Permanent Secretaries in the Ministries in charge of Provincial Administration and Internal Security, Finance and Agriculture.

The National Cereals and Produce Board Act established the National Cereals and Produce Board (NCPB), which plays a key role in food assistance especially with regards to the distribution of grains such as maize, rice and wheat. It is through the NCPB and its depots
countrywide that the Government manages the storage and distribution of cereals. The NCPB falls under the political oversight of the Minister for Agriculture, while its day-to-day operations are overseen by a Board, whose chairperson is appointed by the President; members are appointed by the Minister for Agriculture.

The management of the SGR has faced many challenges, as was demonstrated by the contradictory statements emanating from the Government and widely reported in the press in the run up to the 2011 emergency. In February, the Government announced that there was “enough food to feed the hungry in the country, therefore the drought situation should not be declared a national disaster.” This was reiterated at a parliamentary committee meeting that month, when the Minister of Agriculture said that the country had 27.7 million bags of maize of which three million were with the NCPB, 19.9 million with farmers, and 3.9 million with traders.22

However, in a dramatic turnaround three months later, President Kibaki declared the drought a national disaster on 30 May 2011, and directed the Treasury to facilitate urgent importation of maize to boost stocks held in the SGR. At the end of June, the Government declared that the country’s stock of maize stood at 8.5 million bags, which would last approximately two months. In July, it was announced that four million bags of maize needed to be imported to avert a food shortage, and as such, the Government announced a waiver on import duty of maize.23

The sudden change in position attributed to a number of factors, including – in part – inadequate information. Interviewees noted that the Minister for Agriculture’s commentary in February was based on provisional figures and that the proper assessments which followed, revealed the shortages. Interviewees argue that inadequate information is a function of corruption and lack of integrity on the part of those involved in the management of the strategic grain reserve. Governance problems including mismanagement and corruption have beset many grain reserves in Africa (Speranza and Neubert, 2010). In addition, part of the broader challenge related to the price of maize and therefore food accessibility rather than simply its availability. There were many reports that maize ‘cartels’ were plotting to create an artificial maize shortage to necessitate duty-free imports. Prices were prohibitive (the highest in Kenya’s history just before harvesting), and in marginal areas this was doubly compounded by the costs of transportation due to poor infrastructure.

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22 See for example, “Minister Says Food is Enough”, Daily Nation, 09 February 2011
23 See for example, “Treasury Throws Open Importation Of Maize” Daily Nation, 05 July 2011; “4 m Bags Needed As Maize Stocks Dry Up” Daily Nation, 07 July 2011
Finally, states often are reluctant to recognise an emergency for the reason that it could be seen as an admission of failure in their own capacities to govern (Harvey and Harmer, 2011). In the year preceding an election, as is the case in Kenya, these concerns are inevitably heightened and affect the way in which decisions and information are relayed to the public.

4.2.2 Other Actors

WFP’s food for Kenya is sourced from diverse locations, including regionally and internationally when there are local food shortages. In response to drought and local food shortages, WFP attempted to source food regionally but a number of opportunities (including Tanzania and South Africa) failed, due to concerns over its GMO (Genetically Modified Organisms) content. There were additional delays incurred due to a number of factors including a labour dispute at the port of Mombasa, and the time taken to re-bag food into donor specific bags. These factors combined with the time required to transport food from the port to the targeted regions in the country (discussed in Section 4.7) resulted in significant delays in the pipeline (WFP, 2011). Generally, interviewees commented that WFP’s procurement process and procedures are regarded as tightly managed and controlled, but noted that it remains un-transparent and that it would be much more preferable if the procurement system was open and known to all stakeholders.

Food aid was also marked by a contamination scandal. The Kenya Red Cross, under the Kenyans for Kenya initiative (Section 4.3.2) recalled 362 tonnes of UNIMIX – a high protein food containing maize and soya fortified with vitamins and minerals – suspected of aflatoxin contamination. The UNIMIX was to be distributed to 726 schools with a population of approximately 274,000 children in five regions in the country. Finally, there were issues concerning food appropriateness, for instance in West Pokot where it was reported that the Government ration that was being distributed contained tinned beef, which local pastoralist communities will not consume but accept it only to discard it. Similarly, when the WFP replaced maize with corn soy blend in their rations during some distribution cycles in Turkana, the Turkana rejected it because they do not consider it food.

24 WFP Update: September 2011
25 “Kenya: Kebs Tests Showed Unimix Was Bad”, 08 November 2011, Daily Nation
4.3 Risks in Food Assistance Programming

There are a broad range of food assistance instruments in Kenya, including general food, unconditional cash transfers, vouchers, cash and food for work. One of the questions the study team explored was the extent to which there were different types of integrity risks posed by different food assistance instruments in Kenya. Aside the general risks such as spoilage, spillage and contamination, the vast majority of interviewees perceived general food to be the riskiest in terms of ensuring an effective, efficient, accountable and transparent response, and most at risk of corrupt diversion during transport, targeting and distribution. Food aid was also considered to be more prone to risks compared to other in-kind alternatives, largely due to its scale and the fact that it is widely dispersed and therefore harder to monitor. However, a number of respondents argued that water was more susceptible to corruption and much harder to monitor partly because its quantification is very difficult and it is easy to sell on. In Wajir, it was suggested that 30% of water intended for beneficiaries never reaches them.26

Due to the reliance on electronic disbursement mechanisms (e.g. bank accounts or smart cards) in Kenya, cash was seen as less prone to corruption. However, direct cash distributions were considered susceptible to risks and for this reason, agencies undertaking direct cash transfers placed significant emphasis on internal organisational and external monitoring systems.

4.3.1 GFD: Managing Multiple Pipelines

In-kind food aid, the dominant mechanism in Kenya, is primarily distributed by the Government and WFP.27 In addition, supplementary feeding and school feeding are provided by several actors including WFP, the Kenya Red Cross (through the Kenyans for Kenya initiative), NGOs and faith based organisations. Until November 2011, there were two major food aid pipelines in Kenya – WFP and the Government – responding based on the beneficiary caseload derived from the Long Rains Assessment. WFP partners with national and international NGOs and the Kenya Red Cross to distribute food, and the Government pipeline is managed and operated by government officials and local authorities. There was an agreed division of responsibilities – WFP had responsibility for thirteen districts, the

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26 Some strategies to prevent such diversion include requiring a full tank to be delivered to a single community, and a community monitor to break the seal. The community monitor then continues on with truck to subsequent communities. Options such as water meters in truck are also utilised.

27 The dominance of food aid is primarily due to the way in which WFP is supported by donor governments. Approximately 80% of WFP’s budget for Kenya is provided in-kind and 20% is unrestricted cash contributions.
Government had responsibility for nine districts, and seven districts were shared, with the Government primarily distributing food and WFP cash for assets and other support. In addition to this, the Government was providing additional food to all offices of the District Commissioners in the ASALs irrespective of the WFP pipeline, although the basis on which these allocations were determined is unclear.

The rationale to run two pipelines was a reflection of a joint decision to work together to ensure coverage, but there are wider political drivers as well. For coherence, most interviewees agreed that one pipeline was preferable, and that WFP was the most technically capable in targeting and distribution. Part of the interest for the Government having its own pipeline had been for the purpose of visibility, and to demonstrate its capacity to support its own population in times of hardship. There is considerable political pressure to see food distributed. As one interviewee noted: “there’s a double language in Kenya: the broad public message is that sustainable programming is most important but at the district level, MPs with a shorter political life want to be seen to be giving food.” As such, there will continue to be pressure on the Government to respond with food aid even though, the Government’s capacity to target and distribute is weak and the necessary resources are not prioritised.

Both pipelines were challenged by significant delays, making WFP interviewees consider timeliness to have been the most challenging issue in 2011, and something that they are still grappling with. In September, WFP reported that approximately 45% of targeted beneficiaries received food or cash assistance, but for GFD specifically, it was approximately 10-15%. For example in Turkana North, WFP missed the distribution of food in June, August and September while in Wajir, beneficiaries had not received part or any of the July and August rations respectively by late September when the study team visited. In East Pokot, it was reported that there had been no food distributed in July, August and September, and none had been done for November by mid-November when the study team visited, yet these were the critical months of the intervention. Advance notice of these shortfalls was not provided to partners, nor to beneficiaries. A lack of information regarding possible support at the peak of a crisis is not just an operational problem, it is also a considerable failure to beneficiaries and one that puts their livelihoods at greater risk.

The Government’s pipeline was plagued with more significant problems than timing and procurement. As noted earlier, the government publicly declared it would provide nine billion shillings (approximately $100 million) to buy food for victims of the drought. There was however no official reporting in the public realm on how these funds were spent, and more generally how food assistance is allocated.
According to interviewees, monitoring of government food aid is almost non-existent, and the information channels between the Ministry of State for Special Programmes and the district-level administration were very unclear.

At district level, there is little understanding of the criteria used by the Government in food allocation, specifically how much could be expected, and how it compared between districts. From their perspective, this was not only due to poor information management but also considerable inconsistency in the pipeline, which meant that the tonnage varied from month to month without warning. Food delivered to the District Commissioner’s office arrived with no advance notice, and no indication of how it should be prioritised. A significant concern regarding integrity and accountability therefore is that if no-one knows how much food they are meant to receive, and from whom, at the various stages in the chain there are considerably larger opportunities for diversion.

Most stakeholders noted that it was unclear how food was targeted and distributed from the District Commissioner’s office to the communities. In some districts, it was understood to be according to ranking from worst affected to least affected based on a very broad assessment of population density and hospital data on vulnerable groups. But a number
of interviewees highlighted that in reality there is no set criteria, there is an ad hoc approach to targeting, and as a result, it’s not a needs based process. In districts where WFP has sole responsibility such as East Pokot, the ‘additional’ Government pipeline was meant to focus on needs not met by WFP’s pipeline, but respondents at Chesakam village in East Pokot claimed that the Government’s relief food never reaches them.

There is no formal training of Government officials in targeting and distribution but some have benefited from trainings hosted by WFP. According to one interviewee, there are written standards — Guidelines for Management of Relief Food — issued by the Ministry of State for Special Programmes that focus on the management of the food distribution process. However, during this research there was very little reference by Government actors to the guidelines as a framework for decision-making.

The lack of governance and accountability in the Government’s food aid system was most acutely demonstrated in West Pokot when a District Commissioner was arrested in September 2011 and arraigned in court on charges of stealing 280 bags of maize worth KSh. 1.2 million (approximately US$ 13,000) that was meant for distribution as food aid. At the same time, some employees of the NCPB were under investigation for the sale of relief food; these were subsequently charged. In response, the Provincial Commissioner ordered an audit of Pokot South District. As far as the study team is aware, this is the only audit undertaken of government food aid during the drought.

In October, the government made the decision that they were unable to manage the existing pipeline and requested WFP to pick up the remaining districts. There was no official public reference to this. It was agreed between the government and WFP during bilateral discussions. According to interviewees, it was generally understood that the Government was unable to cope with the challenges of targeting, monitoring, and the management of risks associated with the diversion of food aid. As such, WFP agreed to a significant and almost immediate scale-up from a caseload of 1.6 million to 3.75 million people. For its part, the Government agreed to contribute 10,000 metric tonnes a month to cover its former caseload but as of December 2011 WFP had not received this contribution.

Most stakeholders welcomed the decision to have only one pipeline. Although donors noted that the decision on the part of the government to hand over its districts to WFP signals a threat that it is stepping away from its responsibilities. In particular, a number of donors stressed concerns that the overall humanitarian response on the part of the government had

not been proportionate and transparent, nor had it been well coordinated with the international system.

4.3.2 A Public-Supported Pipeline: Kenyans for Kenya Initiative

Most of the additional food aid pipelines set up by individual agencies such as World Vision and Islamic Relief for the 2011 response were relatively small and targeted specific geographic areas but the scale and approach of the Kenyans for Kenya initiative – the first of its kind in Kenya – was significant and merits discussion.

Struck by the fact that Kenyans were suffering and the Government did not appear to be doing enough, a group of business entities including Safaricom, Equity Bank, Kenyan Airways, Kenya Commercial Bank (KCB), Gina Din Corporate Communications and media houses, collaborated with the Kenya Red Cross to set up an online donation service through M-PESA. The idea was to raise approximately US$ 500,000 to provide assistance to the ASALs and marginal areas but by September, the initiative had raised over US$ 11 million.29

There was a general understanding amongst the public that assistance would be given in the form of food but in fact, the Kenyans for Kenya website and other related advertising did not detail the activities that money would be spent on. The immediate food aid allocations were determined by the Kenya Red Cross. The decision to provide food aid in the form of UNIMIX to schools in the ASALs was according to the Red Cross determined in consultation with the District Steering Groups, and based on an assessment of gaps. In a number of the contexts the study team reviewed however, interviewees were not aware of any discussions either directly with Government officials or through the DSG or the KFSSG. According to many, these were determined independently of the other food assistance initiatives, and it is therefore unclear the extent to which specific assessments were undertaken or how the distribution between the districts was determined.

Additionally, interviewees could not confirm how the project fitted into existing food assistance planning, in particular whether it was targeted at additional beneficiaries to those on WFP/GoK pipelines or providing additional assistance to the same beneficiaries. As an important indicator of transparency, the initiative’s initial allocations were audited by Deloitte & Touche, and it was established that approximately US$ 1.3 million worth of UNIMIX had been allocated to Turkana North, and a similar figure to East Pokot and to

29 In Kenyan Shillings, the initiative raised KSh. 633,854,734 with outstanding pledges of KSh. 43,861,928 and donations in kind of KSh. 278 million; all the funds were received by KCB bank.
Walda, Moyale. However, with the exception of this audit, there is very little to account for the school feeding activities undertaken through the initiative.

Long-term projects have also been planned (utilising approximately US$ 3.6 million\textsuperscript{31}), but again interviewees commented very little has been planned in consultation with the Government and other assistance actors, and cautioned the extent to which activities were reflective of a detailed understanding of how the projects might be sustainably financed after the Kenyans for Kenya support comes to an end. As the first public appeal of its kind, there are undoubtedly lessons that will be utilised and drawn on for the future. One commentator remarked, “There is a high risk that if the Kenyans for Kenya initiative proved to be ineffective in terms of impact, this could add to the perception that aid is being diverted”. A systematic evaluation of the kind utilised for other public appeals might be a means by which the initiative could demonstrate greater transparency and accountability to the public so that lessons could be harnessed and applied in the future.\textsuperscript{32}

\subsection*{4.3.3 The Rise of Cash Transfers and Voucher Programming}

In the ASALs, cash and vouchers are increasingly utilised, a reflection of a global trend towards the use of cash in emergencies (Harvey and Bailey, 2011), and of a growing desire in Kenya to better balance in-kind assistance with alternate social transfers. A number of cash transfer programmes launched specifically for the emergency drought response will scale down by early 2012 while others have been developed as longer-term assistance programmes more reflective of social safety nets, which were complemented with emergency assistance during the drought. A good example involves doubling the cash transfer of a safety net programme for a short-term period (2-6 months).

\begin{itemize}
\item The Hunger Safety Net Program (HSNP) is the dominant mechanism in terms of scale of the unconditional cash transfers. Operating in Turkana, Marsabit, Wajir and Mandera, this mechanism scaled up during the drought, doubling the cash grant to its 60,000 beneficiaries from KSh. 2,150 (approx. US$ 22) to KSh. 4,300 (approx. US$ 45) for a period of two months.\textsuperscript{33}
\end{itemize}

\textsuperscript{30} Deloitte & Touche declared that the shilling value of planned activities included: KSh. 121 million – Turkana North; KSh. 113 million – East Pokot; KSh. 116 million – Walda, Moyale

\textsuperscript{31} KSh. 350 million

\textsuperscript{32} See for example the accountability framework established by the Disaster Emergency Committee in the UK, \url{http://www.dec.org.uk/}

\textsuperscript{33} The cash grant also increased at the base rate from 2,150 KSh. (approx. US$ 22) to 3,000 KSh. (approx. US$ 30) in November 2011.
• Oxfam GB and its local partners also ran emergency cash transfer targeting non-HSNP and non-GFD beneficiaries in Turkana (6,000 households) and Wajir (20,000 households) providing KSh. 3,000 (approx. US$ 30) per month over six months. Mercy Corps distributed emergency cash in Wajir. The targets for this programme were in areas with limited to zero mobile network coverage, and the cash was therefore directly distributed through a third party agent – KCB. Islamic Relief, Mercy Corps, ACTED and VSF Germany were all also running emergency cash transfer programmes.

• The main voucher programme – EC Food Facility Programme – being implemented in Wajir and in Turkana was scaled up in response to the emergency, increasing the number of beneficiaries receiving general food through local traders via vouchers from 54,000 to approximately 79,000 beneficiaries. Just over 55,000 beneficiaries received substitutions as part of the ration with locally produced milk, meat or fish.

• A number of organisations also ran longer-term and emergency food for assets and work, and cash for assets and work programmes in the ASALs and marginal areas. WFP’s longer-term programme is considered the largest, targeting between 70-80,000 households with food and cash for assets and work, although this does not target the ASALs.

• In November, as part of the process of taking on the Government’s share of the food pipeline, WFP carried out a rapid market assessment and determined that unconditional cash transfers would be an appropriate modality for providing food assistance to approximately 108,000 households in the seven districts previously covered by the Government. However, the necessary amount of cash was not yet secure in December 2011.

The expansion of cash transfers in the ASALs is generally a welcome trend on the part of stakeholders. In particular, cash and vouchers are perceived to provide assistance to beneficiaries in a manner that empowers them to make decisions about their own welfare, at their own time. Agencies also stressed the cost efficiencies in this mechanism, which avoids shipping, storage, transport and distribution costs incurred by in-kind assistance. Interviewees held the view that when managed through electronic transfers based on robust systems, cash was less at risk of corruption and diversion than in-kind assistance but direct distribution was considered particularly risky in terms of security and corrupt diversion.

In undertaking direct transfers to 20,000 households in Wajir during the drought period, Oxfam GB opted to work with a local partner for targeting and registration, and to contract
out the transportation and distribution to the Kenyan Commercial Bank (KCB), but also committed to have an Oxfam staff member at every distribution site to monitor the process. Oxfam also put in an extra stage to the process by giving a voucher to each beneficiary as an interim step rather than the beneficiary being provided cash directly based on their ID card. With the voucher exchange there was proof that KCB had provided the cash to the intended beneficiary. The alternative, of having KCB cross the name out on a list opened up the possibility of payments being diverted by the agent. Although this entailed considerably more administration and staff time, it was felt to be an important mitigation measure to the risk of corruption. The decision to contract KCB was also driven by security concerns – KCB staff travelled with armed escort – a position Oxfam GB could not take if it were transporting the cash.

In general, scaling up quickly in cash transfers (whether direct or through electronic means) without establishing standards for market analysis, appropriate partner selection, and post distribution monitoring poses risks to the programme. WFP, for example, switched seven districts from GFD to cash, utilising the same partners that were managing the in-kind food distribution. The skills and experience needed to monitor cash programmes, such as market monitoring of prices (a role the partners share with WFP), are significantly different to that of in-kind food and should not be assumed especially when those partners have limited exposure to cash programming.

Box 4.1 The Hunger Safety Net Programme (HSNP)
The HSNP, established in 2009 and financed by DFID, is a social protection payment scheme providing unconditional cash transfers. In its first phase it targeted up to 60,000 chronically food insecure households in four counties (Mandera, Marsabit, Turkana and Wajir) in the ASALs of northern Kenya. In the second phase, it will register all households in four counties (over two million people) excluding only those on government payroll and those already on social safety net schemes. DFID argues that the rationale for registering everyone is that the differences between peoples’ relative poverty is very small, and that this will improve preparedness for future responses.

The HSNP is a multi-agency venture, involving various stakeholders including CARE, SCUK, Oxfam GB (the three agencies managing the targeting and registration processes), Help Age International (responsible for social protection rights), Oxfam Policy Group (monitoring and evaluation) and Equity Bank as the payment service provider. HSNP is also part of a wider strategy of DFID to strengthen social safety nets including sustainable financing mechanism for social protection in Kenya. The Secretariat for the HSNP is situated within the Ministry of State for the Development of Northern Kenya and other Arid Lands and at the outset there was a view that it should gradually be integrated into the Ministry. However, interviewees felt that the Ministry has limited ownership of the programme and taking on greater responsibility for the project in the second phase remains challenging.
There is only one commodity voucher programme of scale in the ASALs – the EC Food Facility. A recent evaluation of this programme found that the voucher system was a good mechanism for ensuring transparency and accountability of food entitlements. However, there are a number of risks including under-scooping by traders even though they were provided with weighted measures for accuracy and are required to do regular measure checks in the presence of relief committee members. In addition, though the vouchers and shops display entitlements as pictorials, there was a risk of traders giving a smaller quantity or replacing the commodity with cash, although Save the Children notes that both the trader and beneficiary would be struck off the programme if they were caught. As the programme was reliant on WFP’s general food ration, there was the added broader programmatic risk that due to pipeline breaks there was a shortfall that in the case of the ECFF affected delivery of eight

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Image 4.2 Woman receiving her cash transfer entitlement from the HSNP in Turkana, 2011
food cycles. The Value-for-Money assessment of the ECFF found that WFP failed to fulfil 70% of its pipeline obligations in Turkana (Philpott, 2011). Finally, post-distribution monitoring became increasingly important during the drought as the availability of milk decreased and the price of meat increased over time. In Wajir, it was noted by some traders that the set price of meat on the voucher needed to reflect the inflation occurring in the market to ensure the business continued to be viable for traders. Without monitoring and the possibility for corrections, traders would be more likely to trade at lower quality or quantity than originally agreed.

**Box 4.2 EC Food Facility (ECFF)**
The ECFF was a pilot project intended to gauge the efficacy of food vouchers in food assistance, and to stimulate market function and food production. Starting in May 2010 and implemented in Wajir and Turkana, the beneficiaries receive their GFD through vouchers from local traders according to individual needs (for example, the monthly ration can be taken all at once or at different instalments). Part of the ration is substituted for locally produced items such as meat and fish (milk was originally part of the substitute but the effects of the drought meant the milk portion could no longer be sustained). The programme involves traders, livestock producers and private banks (First Community, Equity and KCB) – which support the bank accounts of traders.
4.4 Targeting

All food assistance instruments were considered vulnerable to corruption risks during the targeting and registration phase, as is the case in any sector, and this has been well documented in other studies. Targeting creates incentives for political leaders, local elites and local relief committees to manipulate beneficiary lists through cronyism or by demanding bribes, and ghost or duplicate names may be included on registration lists (Harvey, 2007; Jaspars and Shoham, 1999; WFP, 2006; Harvey and Bailey, 2011).

In Kenya, community-based targeting (CBT) is the dominant model for food assistance, and this includes cash transfers and voucher programming. The principle behind CBT is that communities themselves are more likely to have better information on those most adversely affected and needy in times of disaster than are outsiders (IFPRI/WFP, 2005). Despite this, most interviewees noted that risks of political influence and nepotism at the targeting and registration stages were significant. In particular, interviewees noted that local
politicians were known to interfere by prioritising areas that did not meet the criteria thereby affecting the integrity of the process and reducing the share of food available to those in real need.

Generally, CBT relies on chiefs and Relief Committees to support the allocation process based on the needs of vulnerable people but as confirmed by most interviewees, community leaders and Relief Committees do not always act in the interests of the most vulnerable. Two main concerns were highlighted:

- First, chiefs and Relief Committees rarely allocate based on vulnerability criteria alone: in the case of Wajir, much of the decision-making is based on clan interests while in other contexts, distribution is done equally so as not to disrupt power dynamics. In Wajir, each clan is normally represented during the targeting process and agreement is based on all clan interests being addressed. In one case, the DC’s offices were unable to send food to one location because of considerable clan tensions while attempting to identify beneficiaries based on needs.

- Second, in some contexts beneficiaries perceive that part of the food ration is sold by chiefs and Relief Committees, particularly in more remote areas, and that these also take some of the food as compensation for their role. In some cases, there were reports of community leaders ‘underscooping’ food so that a small remainder could be kept or sold. This is more likely in GFD where beneficiaries may not be sure of the actual quantities of rations to which they are entitled.

For their part, chiefs and Relief Committees noted that they are under considerable pressure from the community for being the custodians of food, and pointed out that it was a thankless job, for which they were often insulted by those within their communities. They felt that some form of compensation (e.g. small cash payment) would increase the responsibility and commitment of relief committee members to executing the role effectively and accountably.

In the ASALs, a major consideration for agencies is the practice of post-distribution sharing by recipients of their rations, particularly brought about by a large portion of pastoralist ‘drop-outs’ settling in areas where they have not been registered.34 Sharing is part of the culture in Kenya and it is understood to occur voluntarily as none of respondents in the

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34 For example, in Harakotkot in Wajir there were 500 households, but only 240 receiving food rations. Household receiving 10 kilos maize was likely to share 6-7 kilos. In Lafaley, 50% of the population was unregistered.
focus groups suggested they had been coerced. One interviewee observed, “there are two distributions that go on: the official one and then the one down the street so that they can share what they have.”

**Box 4.3 Beneficiary Perspectives**

In Wajir, beneficiaries did not think any type of corrupt diversion of food was occurring during distributions. Beneficiaries were much more concerned with their own challenges, namely unmet needs and exclusion from assistance than whether corruption, security or other logistical constraints were to blame. However in the other field contexts examined – Pokot and Turkana – there were considerably more complaints about favouritism, nepotism and influence peddling.

There were very few references by beneficiaries of having had to use a bribe in order to get on a distribution lists, and there were two cases referring to someone who was offering sex/prostitution for food.

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*Image 4.4 Focus Group discussion with community members in West Pokot, 2011*
4.5 Partnership Arrangements

Partnerships between food providers play a major role in food assistance, especially in times of acute need when the quantity of food and coverage for distributions often increase. In Kenya, the partnership process for GFD has been one of the most contentious issues in drought response given the fact that WFP’s operations, which constitute a multi-million dollar business in Kenya, present significant opportunities in terms of employment and business contracts for potential partners.

4.5.1 Politicisation of Partnerships

Globally WFP’s approach to identifying and utilising international and national NGOs as ‘cooperating partners’ to deliver food to beneficiaries has been a long standing arrangement, dating back to the origins of the Programme. While there has been considerable investment over the years in defining roles and responsibilities within this partnership process, the concept of establishing agreed standards for partner selection has been less developed.

Over the last few years in Kenya, identifying the cooperating partner at the district level has been highly politicised, with the selection of partners being influenced by local politics and factors other than the capacities of the agency to deliver food in an efficient and effective manner. In a number of districts, the Kenya Red Cross was ‘selected’ by local government officials and politicians as the preferred partner over competitively selected (and at times, already contracted) partner. Interviewees noted that the patronage of certain implementing partners was partly based on possible rent seeking behaviour, particularly in order to ensure usage of certain transportation and warehousing interests. It was noted that the monopolisation of the food aid distribution ‘business’ can lead to rent-seeking and diversion, and also risks that dominant partners may not implement according to the agreed principles of cooperating partnerships.

In 2010, in an attempt to address a growing politicisation of partnership selection, WFP along with the Ministry of State for Special Programmes jointly developed Guidelines for Selection of Cooperating Partners under the PRRO and for Future Operations. These were designed to improve consistency and establish standards and parameters to be used in the process of selecting or terminating cooperating partnerships (WFP, 2010). The guidelines introduced the principles that underpin cooperative partnership based on common goals,

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35 Cooperating partners are usually responsible for carrying out an activity on WFP’s behalf, such as transport, storage or distribution, usually within a food assistance intervention designed by WFP. WFP is accountable to the government and its own Executive Board for the intervention. The NGO usually provides a service related to the distribution of food, and WFP pays the NGO the cost of carrying out that service.
concerns and priorities of the main partners and guided by international humanitarian
principles and the UN’s millennium declaration. The guidelines were designed to ensure that
partners are selected on the basis of capacity and experience, and also ensure selection
processes were sufficiently rigorous and more transparent.

Despite this, the selection process employed in the current drought response remained
amenable to political interference and manipulation. It was reported that in five contexts
(including the study contexts of West Pokot and Turkana Central), the selection process had
reached a standoff because leading political figures were supporting agencies that did not
meet the selection criteria. WFP had taken over distribution in some areas, including Turkana
Central in order to maintain the pipeline, but not without delays.36 By December 2011, WFP
had appointed new partners and had secured agreement on the part of the Government and
stakeholders regarding the need to secure the process of selection of partners from political
interference.

4.5.2 Managing Risks in Scaling Up with Local Partners

Another significant partnership challenge in Kenya is the lack of local partners to work with,
particularly in some counties in the ASALs where there are few local organisations with the
experience and capacity to partner with international agencies in an emergency response. In
particular, there was concern that the local organisations in Turkana could not meet minimum
standards (e.g. their own policies or Sphere standards) for food distribution and therefore
INGOs were elected to deliver directly to beneficiary level. This view was supported by an
interviewee who observed that “food is a hot commodity – food aid goes through so many
checks and balances you need a partner with huge capacity and we are not there yet”.

A further challenge is the burden placed on small but qualified local organisations to
scale up and meet the demands of multiple international partners. For example, the two well-
established local organisations in Wajir, Aldef and WASDA, were heavily relied upon as
partners during the 2011 drought response. These two organisations were implementing
partners of up to ten different long-term and emergency programmes, resulting in significant
pressure to meet the demands of their international partners. An interviewee noted, “It is
pretty impossible to say no to a contract. There are very few local organisations who will say
they are at their limit”.

36 MPs also tried to influence or pressure WFP in its selection/ assessment process when it comes to schools to
be included in the school feeding programme.
Most of the increased staff needs are contracted which results in limited opportunities for training and sensitisation to policies and standards. Aldef, for example, had 20 fulltime staff, but scaled up to over 150 contractees as a result of the emergency programmes in 2011. It was noted that finding quality staff was extremely challenging and that programmes had to bear greater risks by being staffed with personnel lacking experience, training and skill personnel. These NGOs also did not have adequate budgets allocated for post distribution monitoring. The task of distribution was given priority by the international partner, but not that of monitoring. This adds to the argument as to why separating out the monitoring component, or contracting it to separate organisations to do, such as the HSNP model, might serve to increase accountability and transparency.

4.5.3 Transparency and Communications

The final broader point on partnerships is the need for increased transparency and communication. Importantly, all partners recognised the considerable challenges in managing a pipeline in a period of significant regional food shortages. But few accepted poor practice in the way in which the information is relayed to stakeholders. Some partners noted they faced an ethical situation as to whether they could continue on WFPs behalf knowing assistance was so partial that it wasn’t adequate – and yet still being officially seen as the ‘face’ of assistance in those communities.

The lack of information and the inconsistency in the pipeline is ultimately borne by the beneficiaries, who see little value in a complaint or accountability mechanism if those they are complaining to cannot control the problem. A more open policy on the part of WFP to communicate in advance when a cycle will be missed or the ration size reduced, would allow both cooperating partners and beneficiaries to plan better and adopt alternate livelihoods strategies. It would also serve to increase trust and relations between WFP and its partners. Notably, donors pressed for increased and sustained transparency and consistency in forecasting pipeline constraints, and this improved communications towards the end of 2011.

4.6 Distribution Mechanisms

Generally, there is a trend towards more innovative delivery mechanisms in preference to directly distributing food assistance in the form of cash or vouchers (Harvey and Bailey, 2011). In many parts of the ASALs for instance, agencies are adopting innovative cash transfer mechanisms using mobile phones cash transfers, debit cards and smart cards,
developing long-term partnerships with banks, and increasingly supporting local producers and traders. Whilst there are a number of clear advantages to the distribution process, there remain challenges and risks for service providers and the beneficiaries who are for the most part located in remote areas.

For those involved in the HSNP, technology was identified as the principal barrier to effective programming. For instance, there were intended beneficiaries that had not received payment since the programme started in 2009 due to technical challenges such as “bad finger” – referring to malfunctioning of the biometric data reader. These were provided with a one-off ‘manual’ payment in late 2011 and re-registered. During the drought response, the intention was to utilise existing social transfer mechanisms such as HSNP to scale up but this proved more difficult than anticipated. As regards the HSNP, it was not possible to target, register and start payments to additional beneficiaries in a timely manner and as a result, current beneficiaries received a double payment for two months; there were no additional beneficiaries. One of the rationales for scaling up and registering the entire population in the four counties for the HSNP is due to the need for greater preparedness for a future disaster.

WFP is presently developing a smart card designed with the ECFF in mind but with the understanding that there are broader possibilities for usage, including for registration and targeting of general food. Generally, the use of smart cards offers the opportunity for organisations to better monitor the activities of traders and beneficiaries, including the locations and quantities of commodities accessed, thereby increasing oversight and ensuring integrity in the process. There is a considerable need however to harmonise the range of delivery mechanisms (such as smart cards) and the information that these cards capture in a more coherent fashion. Beneficiaries from HSNP and ECFF programmes, for example, will now each have smartcards. Aside from the number of differing cards, the information systems that sit behind these cards, alongside the information captured from various other social protection programmes such as the OVC programme, should ideally be commonly shared and the information stored in a single, central registry. The World Bank is currently convening an Expert Working Group on social protection to determine the best way forward.37

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4.6.1 Working with Banks and Licenced Agents

There are three banks involved in cash and voucher programming in Kenya: Equity Bank, KCB and First Community Bank. Following the adoption in 2009 of new banking legislation licensing rural banking agents, Equity Bank has capitalised on the opportunity to expand its services via licenced agents in local towns with Point of Sale Machines, and promote mobile technology through Safaricom. in view of its significant reach, Equity Bank has received the lion’s share of cash and voucher ‘business’ in Kenya, including the HSNP and WFP’s unconditional cash transfers and cash-for-work programme, and the OVC programme. Perhaps unintentionally, this has given Equity an advantage in accessing a previously untapped client base.

The fact that banks operate with a profit motive rather than a poverty alleviation one is not new but one that operates as a single banking provider to diverse agencies requires additional attention especially when there are time pressures to scale up quickly. Interviewees were concerned that the bank may attempt to manage an increased caseload without increasing its staff. They were also concerned that aid agencies and Equity Bank are highly reliant on licensed agents to deliver cash to beneficiaries yet these may not have sufficient liquidity to manage the client base. Interestingly, the number of agents serving a certain programme had grown from 6 to 78 licensed agents over a short space of time. Evidently, monitoring the performance of the banks and the agents is critical to ensuring that the appropriate level of service to beneficiaries is maintained.

4.6.2 Working with Traders

Engaging traders and conducting sensitisation regarding the way in which the ECFF voucher programme was to work was a significant process for the agencies involved. The recent evaluation found that because recipients are limited to certain traders/shops and certain goods, strong monitoring was needed to ensure that traders were not increasing prices and that the full range of commodities available for purchase by the vouchers was consistently available.38

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During the drought period, post distribution monitoring became increasingly important as the availability of milk decreased and the price of meat increased over time. In Wajir, traders highlighted that inflation on set commodities posed risks to the viability of their businesses. As previously indicated, provision of poor quality goods or under-scooping by the trader were identified as key risks in addition to traders giving cash to the beneficiaries instead of the required commodity. Indeed, without monitoring and the possibility for corrections, traders would be more likely to trade at lower quality or quantity than originally agreed.

Traders also developed a relationship with the local banks as clients. For their part, the banks argued that under the ECFF programme, they absorb a level of risk in their relationship with traders due to a number of issues. In particular, banks extend advances or loans to traders – particularly those travelling long distances – before being reimbursed by
Save the Children. There was a risk however that traders might drop out of the programme or disappear once they’ve taken the advance. The banks highlighted the need for regularly updated traders list so that they could act on this information.

4.7 Transport and Logistics and Associated Procurement Processes

The transport and logistics risks to food assistance in Kenya are primarily related to the poor quality of roads and the logistical challenges of reaching remote areas. These issues open up opportunities for corruption and diversion when strong and accountable systems are not in place.

Primary transportation tasks (from the port or source to the district level) are undertaken by the Government trucks or WFP-contracted trucks. WFP’s contracting arrangements are tightly managed and require that any transport company handling WFP food be held accountable for both its condition and quantity. In case of losses in transit for any reason, these are deducted, meaning that a company lacking insurance bears the cost. WFP acknowledges that there is a comparative ease of managing the primary transportation stage due to better infrastructure and security, compared to secondary transportation (from the extended to the final distribution point), which is seen as far more problematic. Secondary transportation is the responsibility of WFP’s cooperating partners and even these are required to hold their transporters to the same standards. Poor roads, limited numbers of secondary transporters (particularly in the scale-up of an operation), poor conditions of food storage and warehousing, and in some contexts insecurity due to banditry, are the most significant logistical challenges during secondary transportation. According to interviewees, this results in some loss of food rations and increases the likelihood of food rations being looted. The Government pipeline was perceived as most susceptible to this risk because it does not provide adequate resources for transportation, as was the case in West Pokot where the local administrators were sometimes compelled to sell a portion of the food to cater for transport costs.

All agencies also experienced challenges during the drought due to limited availability of secondary transport, coupled with considerable hikes in fuel prices and cost of vehicle maintenance. For instance, in East Pokot, the Kenya Red Cross reported that there are only three transporters available for hire to supply food to over 100 schools, and the maintenance costs are exorbitant on account of the poor infrastructure. In Turkana, the Turkana Truckers Association went on strike for a number of months during the critical
drought period demanding three times what they were being paid, to reflect the increased cost of fuel and spare parts; the issue was resolved through negotiations with WFP. Some interviewees indicated that some level of collusion occurs amongst truckers when transport rates stop being attractive and for this reason, agencies needed to be very clear on pricing structures to allow for adjustments whenever appropriate, especially following fuel price increases. One agency also noted that staff could be exposed to bribery and kickbacks in order to favour specific providers during procurement processes. In Pokot and Turkana, there were also risks of conflict of interest due to influential individuals being involved in politics, transport and humanitarian activities simultaneously.

Interviewees also raised the issue of the costs of remoteness, for example in East Pokot, where the nearest NCPB depot is about 75 km from the district headquarters at Chemolingot. There are NCPB stores at Nginyang and Koloa but during the drought response these were not stocked, and this meant that the food had to be sourced even farther. In addition, transport along the road to Chemolingot is often disrupted by flooding for days on end, causing vehicles to get stuck leading to spillage and even contamination of food. The situation is even worse between Chemolingot and the distribution centres, the furthest of which is nearly 100 km away from the district headquarters. Among the measures proposed to help prevent diversion of aid during transport and storage is the sourcing of food closer to the beneficiaries for example from farmers in Kitale or Eldoret rather than Nairobi as is presently the case for West Pokot. Apart from contributing to local economies, this would substantially reduce the costs of transport, while also reducing the opportunities for diversion, delay and spoilage.

Periodic conflicts associated with cattle rustling in East Pokot and parts of Turkana also render areas inaccessible for long periods, and increase the cost of transportation therefore impeding access to many vulnerable people. In addition, incidents of banditry and other spillover effects of the conflict in Somalia are considered to be on the rise in Wajir. The most recent included the ambush of two Government food trucks close to border with Somalia, near the town of Sabule. To manage the security threats, WFP requires that food be delivered within two days so that it does not attract too much attention, and that it be stored close to security hubs such as police stations and DCs’ offices.

As electronic cash distributions continue to increase in volume, and potentially increase the share of food assistance, the transportation business may become increasingly competitive as trucking companies vie for a share of the commercial activity. Agencies may need to be aware of additional political and corruption pressures in this scenario.
4.8 Financial and Human Resources
Generally cash transfer projects are closely monitored, perhaps more so because of the perception that they are vulnerable to fraud. That said, agencies directly distributing cash highlighted the significant internal risks regarding fraud and corruption. For one agency, a poorly conducted risk assessment resulted in massive fraud involving one of their own officers who was diverting part of the cash. The matter was under internal investigation and was to be reported to the donor and the relevant authorities for judicial action.

Many interviewees indicated that bias in recruitment – either due to political interference or internal pressures to employ staff from a certain ethnic group – was quite common in Kenya. Agencies working in Turkana disclosed that there is a lot of pressure to employ Turkanas in the office even in more senior positions than they are qualified to occupy. In eastern Kenya, an aid agency recently received a death threat from a particular ethnic group in the area to coerce it into recruiting a member of the community in question as a water technician. The pressure on local staff, especially those occupying the positions of administrator and logistician positions are also common.

At the district level, staff are also exposed to bribery and quick back payment to favour specific providers, and theft and collusion between staff and local chiefs or community representatives. KRC disclosed that it moves staff around so that they do not get accustomed to operating in any given context. This is particularly so for those working in the proximity of their home areas; for example, there are fewer Somalis in senior positions in Wajir. The issue of partnerships, the quick scale-up of organisations particularly local ones complicates the risks that organisations face in the management of their programmes as any significant expansion – say from 20 staff to 150 contracted staff – puts significant pressure on the organisation as regards assets management and quality control.

4.9 Beneficiary Accountability Mechanisms
Despite recent pushes in the humanitarian sphere for accountability and transparency, people’s knowledge of the aid process – who is entitled, what they are entitled to, how they can access it and who to contact if they encounter problems accessing it – is still inadequate (Maxwell et al, 2011). These issues were evident in the Kenyan context, and attempts to create meaningful beneficiary accountability mechanisms varied widely amongst the various food assistance providers.
Downward accountability mechanisms for general food provided by the Government were primarily set around the Relief Committees, whose members tend to be the first port of call for beneficiary and non-beneficiary concerns and complaints. The DC offices also handle ‘complaints and suggestions’ and have corruption boxes for written statements. However, in view of the fact that most beneficiaries do not live close to the DCs office, and many are illiterate or face significant literacy problems, the utilisation of these mechanisms is low. In addition, it is generally perceived that complaints against the Government system are never acted upon. The Kenya Red Cross reported that it had no systematic means of receiving beneficiary complaints.

For WFP’s pipeline, while Relief Committees are also central, cooperating partners are the second, and important ports of call, through community sensitisation and post distribution monitoring mechanisms such as complaints desks during distribution processes. In particular, providing information to beneficiaries regarding ration sizes, delivery schedules, as well as the right to complain, where to complain, and issues of confidentiality were considered key to effective accountability structures. Some interviewees were HAP signatories and as such have additional accountability layers such as a Complaint Response Mechanism and a whistle-blower policy as an internal means of allowing staff to speak out against poor agency practices.

Part of a strong accountability mechanism is being clear with beneficiaries regarding any challenges facing the programmes, the overall goals and end dates. However, cooperating partners found that this had been a significant part of the challenge in their relations with the beneficiary community – the inability to forecast and communicate when delays are expected or why rations are missing, reduces their ability to manage expectations of beneficiaries. This was summed up by an interviewee who said, “the lack of forecasting as to what’s happening has reputational risks, as well as livelihood ones”.
Box 4.4 Beneficiary and Non-Beneficiary Perspectives

Most complaints from beneficiaries are about targeting, food quantity, and the inconsistency in delivery. For the Government pipeline, proximity to the DC’s office may determine the level of knowledge available to beneficiaries. Beneficiaries from Lafaley, Wajir East for example, explained that the DC communicates the tonnage, type and timeframe for delivery of GFD a day or two in advance. In contrast, in Harakotkot, Wajir South, beneficiaries only knew that food was being delivered when the trucks arrived. The general perception amongst beneficiaries was that filing a complaint would not change the nature of assistance being received.

For non-beneficiaries such as drop-out pastoralists who are for the most part unregistered, those interviewed complained that they had no understanding of how the registration process worked, and no information as to how to go about discussing registration with local authorities or relevant cooperating partner agencies.

The Hunger Safety Net Programme has one of the most developed beneficiary accountability mechanisms in the humanitarian community. This is done through a third party, HelpAge International, charged with the responsibility of checking accountability and transparency in all forms of the project on the basis of a Charter of Rights and
**Responsibilities** signed by all component parts of the programme. In theory, it is the responsibility of HelpAge to monitor compliance with the Charter and to follow up any breaches. However, this is difficult given that all organisations involved have individual contracts with DFID, which tend to dominate if there are questions regarding performance, as opposed to compliance with the Charter whenever issues of performance are raised. The research team was informed that this issue will be addressed in the second phase.

HSNP’s social protection rights component is primarily a complaint mechanism established through Rights Committees, established as a mechanism to address beneficiary grievances. Rights Committee members tend not to be drawn from Relief Committees, partly because these were considered susceptible to corruption, and in any case, it was recognised that holding both functions would be a significant (unpaid) burden to the individuals. The members of the Rights Committees are elected from the communities unlike the Relief Committees, which are seen to be ‘imposed’. In total, there are 1,790 Rights Committees members, of which 597 are female and 1,193 are male, all representing HSNP beneficiaries. Their role is to oversee the HSNP payments, and address any complaints or grievances that beneficiaries, non-beneficiaries or the agents might have. They are not responsible for arbitrating issues, rather reporting to HelpAge, which then refers the issue to the relevant component i.e. Equity Bank or the targeting and registration partner.

Complaints from the beneficiaries are relatively consistent in nature and include:

- Errors of exclusion and inclusion;
- The long distance from registration and payment collection sites to villages;
- Card distribution – whereby the beneficiary has registered but not received the card, or has lost it;
- Payments including
  - card malfunction;
  - if the beneficiary has been informed that they have been paid yet this is inaccurate;
  - Bad finger – biometric data prints not matching;
  - POS machine fails;
- Lack of change to provide the exact amount of KSh. 2,150 (some agents give KSh. 2,000 or 2,100, and provide the rest as in-kind from their stores; or the Rights Committee member ‘receives’ KSh. 50 from the beneficiary.)
In turn, the agents raise complaints to the Rights Committees regarding beneficiary behaviour and concerns about Equity Bank delaying reimbursement.

The Rights Committees are considered to be working so well in HSNP contexts that there is evidence showing that they are also being used for other roles including conflict resolution, advocacy and in political dialogue with Councillors and MPs. In some districts, there’s also been a preference for Rights Committees to oversee general food distribution. However, there is a sustainability problem with the Rights Committees due to limited incentives for committee members to undertake the work but HSNP is looking to address this in the next phase. This is addition to providing training on a number of issues related to social rights and services, giving committee members increased recognition through visible forms of identification, and providing transport or reimbursement for transport to conduct their duties.

In addition to the Rights Committees, HelpAge has also developed feedback mechanisms through churches in Christian communities, mosques in the Muslim communities, and through Government channels including the Provincial Administration.

4.10 Monitoring and Evaluation

At the end of 2011, the Inter-Agency Standing Committee (IASC) supported the conduct of a real-time evaluation in Kenya as part of a Horn of Africa-wide evaluation process. Interviewees noted that it was likely this would be the only countrywide evaluation of the drought response, and so far there has been no discussion related to conducting a sector-specific evaluation of food assistance. There has thus far been no discussion to conduct a sector specific evaluation for food assistance, although a number of INGOs noted their programmes are systematically monitored and evaluated as a condition of donor funding. However, the study found that there is no explicit attention to diversion and corruption in monitoring and evaluation, regardless of whether it is perceived as a major risk.

For its part, the Government of Kenya has never undertaken an evaluation of its own response to a disaster, and interviewees were doubtful as to whether this would happen for the 2011 response. This is not peculiar to Kenya as Governments seldom commission or publish internal or independent analyses or evaluations of their disaster responses (Harvey and Harmer 2011). Whilst governments might be sensitive about allowing independent evaluations of their provision of emergency relief, this critical dimension of the overall relief response needs to be better documented and understood. The lack of independent and publicly available analysis of government responses to disasters makes it more difficult to
establish the trust and credibility that donor governments need to support governments directly during disasters (Ibid). Donors have a critical role to play here. Funding allocations could be allocated at a sectoral level based on agreement to allocate a certain percentage of funds to an independent evaluation of the entire sectoral response, including the role of government, for example.

The media – a broader mechanism for accountability in Kenya – played an important role in sensitising the public, creating awareness, and drawing attention to poor practices and the corrupt diversion in food distribution. During the drought response, the newspapers carried stories of the maize cartels, the mismanagement of the SGR, Government interference in WFP’s selection of cooperating partners, food contamination from the Kenyans for Kenya initiative, and charges preferred against the DC and NCPB officials for stealing and selling relief food. As such, the Kenyan media acted as a vital source of accountability and transparency, and promoted integrity during the drought response.

It also however had a tendency to sensationalise aspects of the crisis – and lacked sensitivity to beneficiaries and those suffering – by overplaying their victim status rather than promoting their rights and entitlements. Increased engagement with local and national media outlets on the part of government and civil society organisation will be important in order to sensitise journalists on the goals of humanitarian action, its standards and principles, to increase capacities to provide accurate, evidence based reporting, as well as to report on concerns about the integrity of food assistance or other aid abuses.
5. CONCLUSIONS AND LESSONS LEARNT

The 2011 drought response in Kenya with regards to food assistance was notable for some important examples of good practice in the areas of integrity, accountability and transparency but overall the system struggled due to some weak structural problems and behaviours. There seven key lessons learnt from the study are highlighted below.

5.1 Risks to Different Food Assistance Instruments

The study found that there were different types of integrity risks generated by different food assistance instruments in Kenya. In-kind food assistance, was perceived as the riskiest of the instruments, was more prone to risks compared to other in-kind sectors largely due to its scale, the way it is distributed (prone to both direct and indirect forms of diversion), and weaknesses in accountability and transparency mechanisms. Direct delivery of cash also poses considerable corruption and security risks, although most cash projects are also more closely monitored because of their perceived vulnerability to fraud. Of the three assistance instruments, agencies providing cash transfers placed the strongest emphasis on accountability to recipients. The biggest risk to the scale-up of vouchers in Kenya during the drought response was that of traders reducing the quality or quantity of goods, and this calls for strong price, and market and post-distribution monitoring to mitigate these risks.

5.2 Acting on Early Warning

The lack of action on early warning led to a late, rushed, more expensive and politically pressured response that contributed to greater risks of diversion. As organisations contended with time constraints to put in place strong procedures, the pressure on local partners was amplified as scaling up required commensurate resources to manage and monitor the quality and effectiveness of the response. As a result of the poor response to early warning and the nature of the rains assessment mechanisms, the 2011 drought response in Kenya was considered by stakeholders to be disproportionately food-first and emergency oriented, rather than linked more broadly to food security and livelihoods policy and programming.

5.3 Challenges in Aid Architecture: Disaster and Drought Management

The disaster management and food assistance aid architecture, alongside other structures of government have critical weaknesses. Currently, the lack of a single authority to manage
disaster responses means that there are multiple ministries with different responsibilities, limited resources to execute their powers, and weak overall governance of the process. This is a challenge to ensuring transparent and accountable government-led responses. Some stakeholders believe that with the establishment of a National Drought Management Authority, future drought responses will improve. Whilst this is encouraging, it does not address how non-drought disasters will be managed and there may remain significant coordination challenges in responding to other types of crises in the future.

5.4 Food Assistance Policy and Coherence in Programming
The current structures and policy oversight are an impediment to the management of food assistance. In the drought response, there were multiple actors that were poorly coordinated and as such, information on food assistance programming, and how this related to broader food security and livelihoods interventions was weak. On the part of the Government, the lack of clear policy and implementation guidance for food distribution, and the lack of accountability mechanisms contributed to poor practices, culminating in some officials being charged with the theft and sale of maize meant for distribution as food aid. The decision to shift to a single WFP-managed pipeline was in recognition of the need for greater coherence, integrity and accountability. Nevertheless, the capacity of the Government to coordinate and ensure policy linkages between emergency and longer-term food assistance initiatives in Kenya will still be required.

5.5 Politicisation of Food Aid
The drought response was highly politicised – as emergencies often are – more so the food aid, which seemed to be caught in Kenya’s political dynamics. The need for visibility in the response resulted in greater political attention to food aid, at the expense of other longer-term but less tangible interventions. There was political interference almost throughout the entire response, involving manipulation of the targeting and distribution processes, significant interference with partnership selection and the recruitment processes. There was also a commercial dimension to some of the politicisation for patronage and rent seeking interests.

5.6 Increased Transparency and Communication
The drought response was also notable for weak transparency and communication on the management of the strategic grain reserve, pipeline breakages and food aid distribution
problems. The impact of poor communication is ultimately borne by the beneficiaries who may not be in a position to make alternate choices when information regarding assistance is not forthcoming. But other stakeholders – particularly local and international partners – also struggle to manage their commitments to beneficiaries when communication regarding distribution constraints is not forthcoming. Such situations are likely to expose the implementer to operational risks and jeopardise acceptance by the local community. Increased transparency on the part of central authorities and key food assistance providers to act on information available and increase preparedness of local communities is vital. There is also a need for the food assistance and food security sector to be more consultative, maintain engagement in coordination structures, forecast consistently and share operational constraints.

5.7 Beneficiary Accountability Mechanisms and Approaches
There is evidence to suggest that investments in beneficiary accountability mechanisms not only improve programming – and play a more transparent and accountable role in capturing concerns of beneficiaries – but also increase the capacities of communities in exercising their rights and entitlements. For these mechanisms to be meaningful, investment including in training and specific resource inputs is required. The study also found that more creative and innovative approaches, which have longer-term objectives and a means of cross-referencing feedback rather than corruption boxes or one-off post-distribution monitoring exercises, created greater possibilities for ownership among community stakeholders.
6 RECOMMENDATIONS

The recommendations below address key lessons learnt and aim to enhance the integrity of food assistance in Kenya in the future. The good practice examples cited throughout this report should also be seen as options for aid organisations to consider adapting and implementing in their own areas of operation.

To All Humanitarian Actors (Government and Non-Government)

All actors engaged in humanitarian responses in Kenya should understand that corruption is a major public issue and that addressing corruption risks requires political will, commitment and coordinated action among Government and non-government aid agencies. In addition to the recommendations for specific groups, actors involved in the food assistance sector should:

- Jointly analyse corruption-related risks regarding different food assistance instruments (in-kind, voucher and cash transfers), identify mitigation measures, and set up a process for joint monitoring of food assistance activities.
- Invest in disaster management coordination structures and share information regarding the nature and scope of interventions, including total funds planned or programmed and disbursed, disaggregated by sector and by geographic area.
- Invest in induction and capacity building programmes to help staff identify and address corruption risks.
- Engage with civil society institutions such as local and national media outlets to sensitisie journalists on the goals of humanitarian action, its standards and principles, to increase capacities to provide accurate, evidence based reporting, as well as to report on concerns about food assistance or other aid abuses.
- Recognise the principles that guide humanitarian assistance and protect responses from politicisation at national and local levels.
- Make corruption risks an explicit part of monitoring and evaluations exercises.
- Raise awareness of communities on the existing channels and mechanisms available at local level for reporting concerns and incidents of corruption and diversion of aid.
To Humanitarian Non-Government Organisations (UN, NGOs, CBOs and FBOs)

Preparedness

- Strengthen preparedness for scaling up interventions, such as pre-qualifying vendors, pre-supply contracting arrangements, establish rosters of pre-checked qualified staff to enrol during emergency, and carry out vetting ex-post of staff recruited under emergency procedures.
- Explicitly address corruption risks with partners in advance of emergency responses, particularly by supporting better systems for surge capacity of contracted staff, monitoring programmes to increase oversight and building capacities to scale-up other aspects of programme support.

Information and Coordination

- Utilise inter-agency coordination forums for sharing challenges regarding corruption (for example blacklists of contractors, discussing common approaches to dealing with corrupt officials).
- Consistently consult and coordinate interventions with official Government structures at the county level, including the District Steering Group.

Beneficiary Accountability

- Strengthen beneficiaries’ complaint and accountability processes to support communities in reporting diversion and malpractices regarding humanitarian assistance.
- Consider coordinating complaint and accountability mechanisms more effectively between agencies at the community level to avoid multiple reporting structures for beneficiaries, and enhance community ownership.
- Enhance linkages and institutionalisation of complaint mechanisms from the grassroots level to watchdog institutions at the district or county level, such as the Ombudsman, the Ethics and Anti-Corruption Commission (EACC) and the Kenya National Commission on Human Rights (KNCHR).
To the World Food Programme

- Increase transparency and provide consistent communication on food pipeline breaks and delays, and changes in rations to cooperating partners at local levels, and to other key food assistance implementing agencies, donors and Government at national level.

To the Kenya Red Cross and the Kenyans for Kenya initiative

- Undertake a formal independent evaluation of the Kenyans for Kenya initiative in order to document lessons learnt and increase transparency and accountability to the public.

To the Government of Kenya

- Provide accurate and timely information to the public regarding the level of food reserves in the country.
- Increase capacity to respond adequately and promptly to early warning systems and avoid the risks associated with rapid scale-up of operations.
- Provide transparent reporting on financial commitments to disasters. This should include the total amount disbursed, and be disaggregated by sector, by geographic area, and ministries involved in disbursement.
- Clarify mandates and responsibilities regarding disaster management and response, in relation to the newly established National Drought Management Authority, and clarify the bodies for coordination.
- Provide consistent communication on government-provided food allocations, delays and changes in rations to local district commissioners and local relief committees, and to other key food assistance implementing agencies.
- Commit to developing mechanisms and means of building capacities for county authorities to mitigate corruption risks.
- Undertake an evaluation of the Government’s response to the 2011 drought to establish a baseline of performance measures and share lessons learnt.

To Donor Governments

- Require agencies to allocate more resources to field monitoring, downward accountability mechanisms and forensic audits.
- Promote transparent reporting of corruption cases and related challenges by partner organisations.
• Provide more flexible funding to build crisis response into development programming; and ensure humanitarian funding responds to early warning signals without the pressure and risks of spending rapidly.\(^{39}\)

• Support further integrity studies in the area of humanitarian assistance to identify gaps and their impact on effective emergency response.

\(^{39}\)This recommendation draws from the findings of a joint Save the Children/Oxfam study “A Dangerous Delay” (2012) on the costs of late response to early warning in the 2011 drought response in the Horn of Africa.
ANNEX 1: STAKEHOLDER GROUP

The following organisations were members of the Food Assistance Integrity Study Stakeholder Group:

1. Ministry of State for the Development of Northern Kenya and other Arid Lands
2. Ministry of State for Special Programmes
3. Australian Agency for International Development (AusAID)
4. Canadian International Development Agency (CIDA)
5. Department For International Development (DFID)
6. European Commission Humanitarian Office (ECHO)
7. Deutsche Gesellschaft für Internationale Zusammenarbeit GmbH (GIZ)
8. United States Agency for International Development (USAID)
9. Kenya Red Cross
10. Office for the Coordination of Humanitarian Affairs (OCHA)
11. World Food Programme (WFP)
12. Food and Agricultural Organisation (FAO)
13. World Vision
14. Save the Children United Kingdom (SCUK)
15. Oxfam Great Britain (Oxfam GB)
16. HelpAge
17. Cash Learning Partnership (CaLP)
ANNEX 2: INTERVIEWEES

Nairobi

1. Koryun Alaverdyan, Head of Programme, WFP
2. Hervé Belliot, Head of Mission, Action Against Hunger
3. Melanie Boyd, Head, Development Cooperation, CIDA
4. Melanie Bruns, Expert Programme Coordination, Welthungerhilfe/German Agro Action
5. Aeneas Chuma, UN Resident Coordinator
6. Maxine Clayton, Regional Programme Coordinator, East Africa, IFRC
7. Tim Colby, First Secretary (Development), CIDA
8. Greg Collins, Regional Food for Peace Officer, USAID/East Africa
9. Astrid de Valon, Regional Emergency Advisor, FAO Sub-Regional Emergency Office for Eastern & Central Africa (REOA)
10. Lucy Dickinson, Humanitarian Affairs Officer, OCHA
11. Chris Finch, Senior Social Development Specialist, World Bank
12. Catherine Fitzgibbon, Program Quality Director, Save the Children
13. Cheryl Harrison, Coordinator, Programme Innovations, WFP
14. Glenn Hughson, Kenya Coordinator, CaLP
15. Mathieu Joyeux, Nutrition specialist, UNICEF
16. Beatrice W. King’ori, Deputy Director of Agriculture, Ministry of Agriculture
17. James Kisia, Deputy Secretary, Kenyan Red Cross
18. Alan Kute, Vulnerability and Analysis Mapping Unit, WFP
19. Misheck Laibuta, Livelihoods and Food Security Advisor, Kenya Programme, Oxfam GB
20. Mathew Leslie, Risk Management Officer, Resident Coordinator’s Office, Somalia
21. Peter Lokoel, Programme Manager, Social Protection, HelpAge International
22. Luigi Luminari, Technical Assistant, Drought Management Initiative
23. Stephen MacDowell, Regional Programme Coordinator, East Africa, IFRC
24. Henry Narangui, Programme Coordinator, Hunger Safety Net Programme, Ministry for Development of Northern Kenya and other Arid Lands
25. Patrick Lavand’homme, Deputy Representative, OCHA
26. James Oduor, Drought Management Coordinator, Ministry of Northern Kenya and Arid Lands
27. Oyinkan Odeinde, WFP
28. Chris Porter, Humanitarian Aid Advisor, DFID
29. Chris Price, Food Security Advisor, DFID
30. Shannon Ryan, Senior Program Manager, Food Security and Climate Change, AusAID
31. Peter Sturesson, First Counselor Rural Development, European Union
32. Philip K. Tarus, Under Secretary, Relief and Rehabilitation Department, Ministry of State for Special Programmes, Office of the President
33. Joost van de Lest, ASAL Coordinator, Oxfam GB
34. Samson Palia Wangusi, Deputy Secretary, Relief and Rehabilitation, Ministry of State for Special Programmes, Office of the President
35. Nicholas Wasunna, Senior Advisor, World Vision
36. Romina Woldemariam, Head of Operations, WFP

**East Pokot**

1. Fredrick Kamakurtwo, Executive Member, CHEIYO
2. Joseph Kangogo, Assistant Chief, Maron Sub-location and Ag. Chief Ripko Location
3. Erick Kalegeno, Team Leader, Kenya Red Cross, *East Pokot Branch*
4. Gertrude Komen, Assistant Commodity Tracking Specialist, World Vision
5. Eunice Lesuto, Field Coordinator, World Vision.
6. Augustine Loribo, Program Officer, CHEIYO’s (CBO)
7. Anthony Kioko Mativo, M&E Officer, World Vision.
8. Amos Mariba, District Commissioner, East Pokot, Chemolingot
9. Prudence Mgana, Senior Field Coordinator, World Vision
10. Nicolas Omollo, Manager ACTED Churo Office,
11. Charles Punde, Livestock Officer, ACTED, Chemolingot
13. Julius Taikong, Drought Monitoring Office, Arid Lands
15. Abigail Cherop, Food Monitor, World Vision
17. Alvin Lopakale, Food Monitor, World Vision
18. Moses Sakerin, Food Monitor, World Vision

Focus Group Discussion with Members and Officials of Chemolingot Youth Integrated Organization (CHEYIO) at their office in Chemolingot

1. Augustine Loribo, Public Relations Officer
2. Fredrick Kamurkutwa, Member, Executive Committee
3. Limamer Edwin, Member, Executive Committee
Focus Group Discussions
Focus groups were undertaken with members of Relief Committees, beneficiaries and other community members in Chesakam Village. 40 people were involved in separate focus groups, including 10 women and 30 men.

West Pokot
1. Deborah Katina, Coordinator YANGAT CBO, Makutano
2. Julius Mareng, Kapenguria Constituency Office and Pokot Outreach Ministries
3. Daniel Kirui, District Commissioner, Central Pokot
4. Evelyn Kokonya, Human Resources Officer, Evangelical Lutheran Church of Kenya
5. Charles Lochero, Chairman, SIKOMCBO
6. Alfred Mwandale, District Commissioner, West Pokot
7. Reverend James Nakiriero, Anglican Church of Kenya
8. George Ochieng, Acting District Commissioner, South Pokot
9. Kissinger Ongaga, District Officer, Kong’elai and Kapenguria Divisions
10. Rev. Edwin Kemoi, Diocesan Secretary, Evangelical Lutheran Church of Kenya
11. Wilson Tonape, Pokot Council of Elders Coordinator (Pokot County)

Focus Group Discussions
1. Pokot Council of Elders, Makutano Trading Centre
2. Assistant Chiefs at Chief’s Office, Kabichbich Administration Centre
3. Chiefs and 1 Assistant Chief at Office of the DC, Kongelai
4. Community Members at the compound of the DC’s Office, Kongelai attended by 25 people – elders, women, and youth, including 10 women and 15 men

Turkana
1. Philip Arman, Turkana Programme Manager, Oxfam GB
2. Peter Ekunyuk, Coordinator for Social Protection and Rights Programme, HelpAge, Turkana
3. Geoffrey Eyanae Kaituko, DMO, Arid Lands
4. Magret Guada, Regional Coordinator Turkana, UNICEF
Focus Group Discussions

Focus groups were undertaken with Relief Committees, HSNP Rights Committees, HSNP agents and beneficiaries in Napakotkot and Kaaleing, Turkana North. 64 people were involved in focus groups, including 46 women and 18 men.

Wajir

1. Kuresh Amhed, Relief Coordinator, ALDEF
2. Michael Aswani, District Officer 1, Wajir South
3. Omer Bulle, Deputy Livestock Officer, Ministry of Livestock Production
4. Abdul Fatah, Food Security Livelihood Project Officer, WASDA
5. Diyad Hujale, Executive Director, ALDEF
6. Rahow Ibrahim Hussein, Manger of Operations, First Community Bank
7. Lynette Kamau, Reporting Officer, Kenyan Red Cross
8. Abdul Khader, Branch Manager, Kenya Commercial Bank
9. Ibrahim Khalif, Chief, Habaswein, Wajir South
10. Erastus Kyalo, Food Security and Livelihood Officer, Save the Children
11. Saamal Lokulo, Food Security and Livelihood Coordinator, Save the Children
12. Benjamin Makoha, M&E Unit, Wajir County, WFP
13. Ugas Mohammed, Project Officer (Voucher Officer) WASDA
14. Moses Muia, Logistics Officer, WFP
15. Abdi Musa, Drought Management Officer, Ministry of Arid Lands
16. Anthony Nderitu, Food Security and Livelihoods Programme Coordinator, Save the Children
17. Kennedy Nyaiyo, District Commissioner, Wajir East
18. Eric Ogara, Food Security Livelihood Manager, Save the Children
19. Bernard Orimbo, Area Manager, Wajir East, Save the Children
20. Anas Silwa, Accountability / M&E Officer, World Vision
21. Marianne Vik, Programme Coordinator, Oxfam GB
22. Samuel Wajoir, Branch Manager, Equity Bank
23. Aswani Were, District Commissioner, Wajir South

**Focus Group Discussions**
Focus groups were undertaken with Relief Committees, beneficiaries, traders and non-beneficiaries in Lafaley, Wajir East and Harakotkot, Wajir South. Of the 87 people involved in focus groups, 49 were women and 38 men.
ANNEX 3: INTERVIEW QUESTIONNAIRES

Aid Agency Questionnaire

General Background

(1) What food assistance has the agency been involved in?

(2) Is it emergency related or ongoing, food security-related, both?

(3) What mechanisms does the agency use for food assistance?
   - In kind food aid
   - Cash grants
   - Voucher system
   - Other – please state

(4) Have projects been directly implemented or with partners?

Assessment and context analysis

(5) What needs assessments do you draw on to prioritise your activities? For example:
   - Long and short rains assessment
   - Multi-sectoral assessment
   - Vulnerability assessment /
   - Market assessment
   - Other (please specify)

(6) Are you satisfied with the information that is provided to you regarding the outcome of the long and short rains assessment (i.e. how specific number of beneficiaries per district are identified)? If not, please specify why / what are the concerns? How could the assessment process be improved?

(7) What were the key factors in deciding the geographic location of interventions? For example:
   - assessed priorities
• existing project areas
• gaps identified as part of a coordinated process?
• Other (please specify)

(8) How do you target and register beneficiaries? Do you face any particular challenges or interference in the targeting and registration process?

**Risk management and mapping**

(9) Are the risks of corruption and diversion an explicit part of assessment or programme design?

(10) What types of risks are identified?

(11) Are there specific risks relating to differing food assistance mechanisms (GFD, vouchers, cash transfers)? If so, what are they?

(12) Do you see corruption and corrupt diversion of food/food assistance as a major issue?

(13) How does it compare to other common problems in the aid system such as waste or mismanagement, spoilage of in-kind resources, poor targeting; logistical failures; post-distribution dynamics?

(14) How does it compare to other sectors, such as health or WASH? Is food aid more or less vulnerable to diversion than other forms of assistance? Are the lessons or examples of good accountability mechanisms from other sectors that might be useful to draw on in the food sector?

**Policies and standards**

(15) What policies and procedures are in place to help deal with managing risks related to the food assistance sector within the organisation? Do you think they are adequate to manage the risks?
(16) Are there examples of good practice that have been successful in helping to minimize corruption or deal with it when it occurs? Alternatively to increase accountability and transparency?

(17) Are staff and partners adequately trained for periods of big increases in distribution? Is this level of support adequate to ensure the integrity of food assistance?

(18) How do staff and management deal with demands for bribes or coercion regarding access to beneficiaries/passage of staff and commodities?

**Partnerships**

(19) Are you directly implementing food assistance or are those distributions being delivered on another institution behalf (GoK, WFP)? IF NO GO TO QUESTION 23

(20) If you are an implementing partner, how the selection process is undertaken?

(21) Do you have any concerns or comment re accountability mechanisms and the transparency of the selection (and termination) process? If yes, what?

(22) If you work with local partners (NGOs, CBOs)

- How are local partners vetted?
- Is their reputation for integrity explicitly considered?
- Do you face any challenge or interference in the vetting process of your partners?
- Are there particular risks relating to these partnerships and how are they dealt with?

(23) How does the agency monitor partners’ work? Do partners need to comply with agency policies and procedures?

**Procurement and logistics**

(24) What are the main challenges regarding the food aid pipeline?

(25) What are the main risks in transport?
(26) What measures could help prevent diversion of aid during transport and storage?

**Monitoring, Evaluation and Accountability**

(27) Are diversions and corruption risks explicitly looked for in monitoring and evaluation?

(28) Has corruption ever come up as an issue in M&E of any food assistance programme? If so, how was it dealt with?

(29) What mechanisms are in place for downward accountability? (transparency initiatives, complaints mechanisms, participatory monitoring)? How effective have these been?

(30) Is there a level of leakage, loss or corruption that is “acceptable” in reviewing the performance of a relief response?

**Final thoughts**

(31) If the interviewees had to think of one thing that could enhance accountability and integrity mechanisms in the food assistance sector in Kenya, what would it be?

(32) Any questions for the interviewer

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*End of interview. Thank you for your time.*
Focus Group Beneficiary Questionnaire

Introduction
I’m working with Transparency International. We’re here to talk about issues relating to the provision of food aid in your community.

The information you will give us is strictly confidential, meaning that we will not write your name; and no one will bother you in any way about what you say concerning the questions we ask you. You are free to answer or not to answer the questions.

Our organisation is completely independent and does not provide assistance so we will not be able to directly address any concerns you raise. Our report will be given to aid agencies and the government with recommendations for how to improve things for the future.

Questions

Basic background
1. How do people in this community make a living? For example:
   - own production
   - casual labour
   - trading
   - migration
   - remittances
   - livestock sales
   - Other?

2. How have you coped with recent food insecurity? For example:
   - reduced consumption
   - sale of assets
   - remittances
   - debt
   - distress migration
   - casual labour
   - taking kids out of school
   - not accessing health care
   - Other?
**Assistance**

3. Have you received any assistance?
4. If so, what?
5. Who was it delivered by?
   - Local govt
   - Aid agency
   - Red Cross
   - Other?

**How was it communicated / explained?**

6. How did you hear about the assistance available?
7. How was it explained what was being provided?
8. Was it explained who would receive it?

**Targeting**

9. How do you think it decided who would get assistance and who would not?
10. Do you feel that this process was fair?
11. Did anyone have to do anything (e.g. pay bribes, favours, provide gifts) to get on to distribution lists or receive a ration card?
   - If yes: what did you have to do? And how did you feel about having to do this?

**Distribution Process**

12. How was the food distributed?
   - Did people have to wait for a long time?
   - Did people know how much you were meant to receive?
   - Did people get the right amount?
   - Once you received your distribution, did you have to give any of it to anyone else (enforced sharing, informal taxation etc)?

**Feedback / Complaints Mechanisms**

13. Were people able to complain if you thought that there was anything wrong with the selection of who would get food aid or how it was distributed?
14. If so, what was the procedure for making a complaint?
15. Did anyone complain?
16. If so, were their complaints acted upon?
17. Do you feel that the complaint process was effective? Why or Why not?

Transporting and Using the Food
18. How did people transport the food/cash home?
19. Were they able to do this safely?
20. What did people do with the food/cash (sell it, keep it for consumption)?
21. Were people able to store the food safely?

General views about diversion and corruption of food assistance
22. Do you believe that there was any kind of poor practice in the way food assistance was provided to you? Explain in detail.

23. Have you heard of any ways in which food aid is diverted more generally?
   - If so, how?

24. How do you think food assistance could be improved in general?
ANNEX 4: REFERENCES


IFPRI/WFP, (2005), *Assessing the effectiveness of community based targeting of emergency food aid in Bangladesh, Ethiopia, and Malawi.*

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