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Thinking Policy Together

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UNLOCKING ECONOMIC GROWTH: OPPORTUNITIES FOR POST-COVID-19 RECOVERY PROCESS AND SUSTAINABILITY

POLICY *Monitor*

VISION
An international centre of excellence in public policy research and analysis

MISSION
To provide quality public policy advice to the Government of Kenya by conducting objective research and analysis and through capacity building in order to contribute to the achievement of national development goals

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Editorial

Welcome to the KIPPRA Policy Monitor, the October-December 2021 edition. The theme of this issue is *"Unlocking Economic Growth: Opportunities for Post-COVID-19 Recovery and Sustainability"*. This edition focuses on three articles: Resilience in public service: Opportunities in a post-COVID-19 pandemic; Unlocking the potential of domestic trade in post-COVID-19 recovery in Kenya; Safety for the health workforce in the COVID-19 era: Key pillar for building resilient health systems.

Further, the Policy Monitor provides key highlights of recent economic developments and various activities and events undertaken by the Institute during the second quarter. Read about some of KIPPRA's demand-driven and collaborative projects in this issue, along other key activities such as the graduation of the 18th cohort of KIPPRA Young Professionals Programme; the signing of MoUs between KIPPRA and partner institutions; and our participation in the 7th and final annual Devolution Conference, 2021.

Finally, the Policy Monitor provides key highlights of policy news at domestic, regional and international levels; and legislative developments at the National Assembly and the Senate and concludes with upcoming KIPPRA events.

On behalf of the KIPPRA fraternity, we hope you will be informed as you read this edition.

Happy 2022!

image: Freepik.com

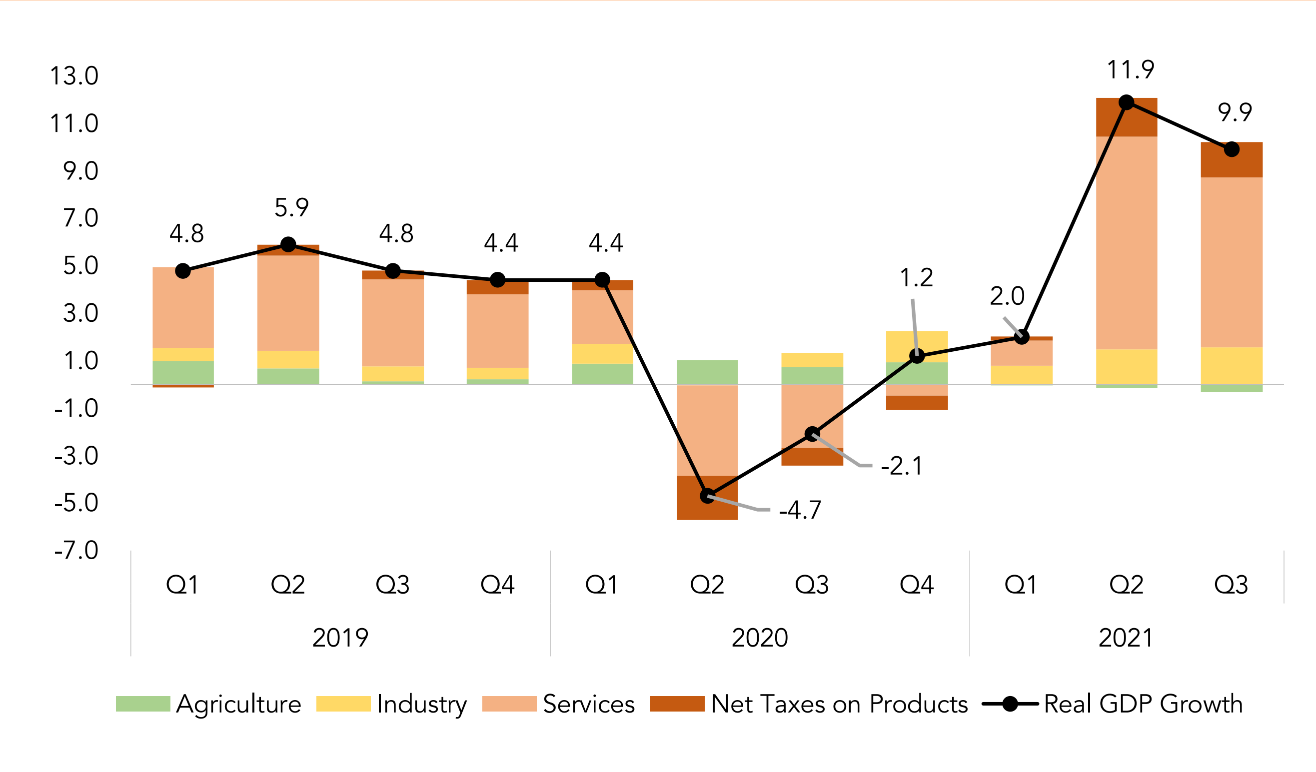
Recent Economic Developments

By Daniel Omanyo

Rebound in Kenya's economic growth has continued. Gross domestic product (GDP) increased by 7.9 per cent in the first nine months of 2021 compared to a contraction of 0.8 per cent in the same period in 2020, measured in constant 2016 prices (Figure 1). The rebound in growth has mainly been driven by the gradual reopening of the economy with lifting of night curfews, among other restrictions instituted with COVID-19, and the ongoing vaccination programme locally and abroad, which has boosted consumption and business confidence in the economy. In the first quarter of 2021, GDP grew by 2.0 per cent, expanding to 11.9 per cent in the second quarter and slightly declining to 9.9 per cent in the third quarter, and remaining above pre-COVID levels. Despite the resurgence of the Omicron Coronavirus variant experienced in mid-December 2021, the recent developments in economic activity give an indication that, overall, the economy is likely to perform better in 2021 given the macroeconomic stability and achievement of the 10 million plus vaccination coverage target in managing the contagion of COVID-19.

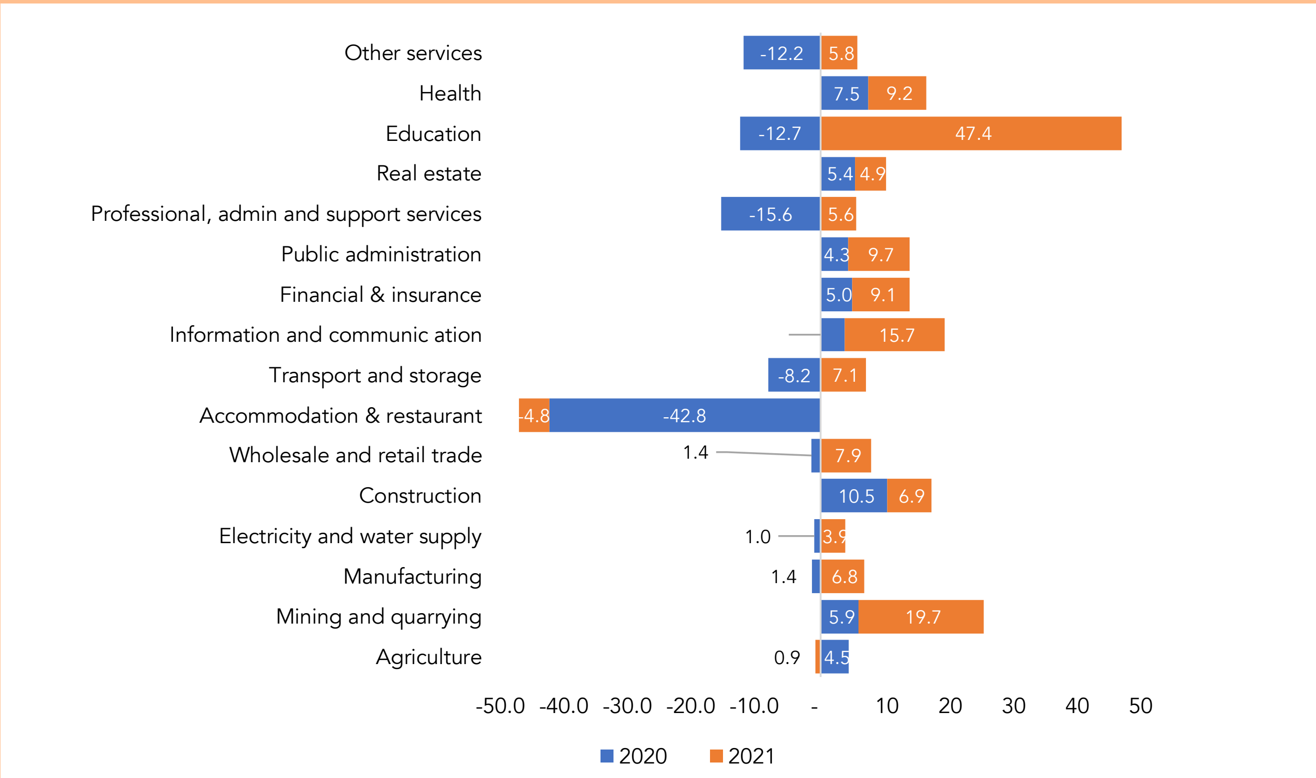
The recovery in Kenya's economic growth in the first nine months of 2021 was bolstered by notable broad-based expansion in the service sectors, especially in education, information and communication, public administration, health, financial and insurance, wholesale and retail activities, and transport and storage activities, which registered stronger growth compared to the same period in 2020 (Figure 2). It is only accommodation and restaurant activities that recorded a contraction of 4.8 per cent compared to a contraction of 42.8 per cent in 2020 reflecting the gradual recovery amid the existing COVID-19 restrictions, both locally and abroad, that continued to adversely hit this contact-sensitive services sub-sector. Overall, the services sector contributed 5.3 percentage points to growth in the first nine months of 2021 compared to negative 2.3

Figure 1: Quarterly economic growth 2019-2021, constant 2016 prices



Data source: Kenya National Bureau of Statistics (Various), Quarterly GDP Reports

Figure 2: Sectoral economic performance in the first nine months, constant 2016 prices



Data source: Kenya National Bureau of Statistics (Various), Quarterly GDP Reports percentage points contribution in the same period a year ago.

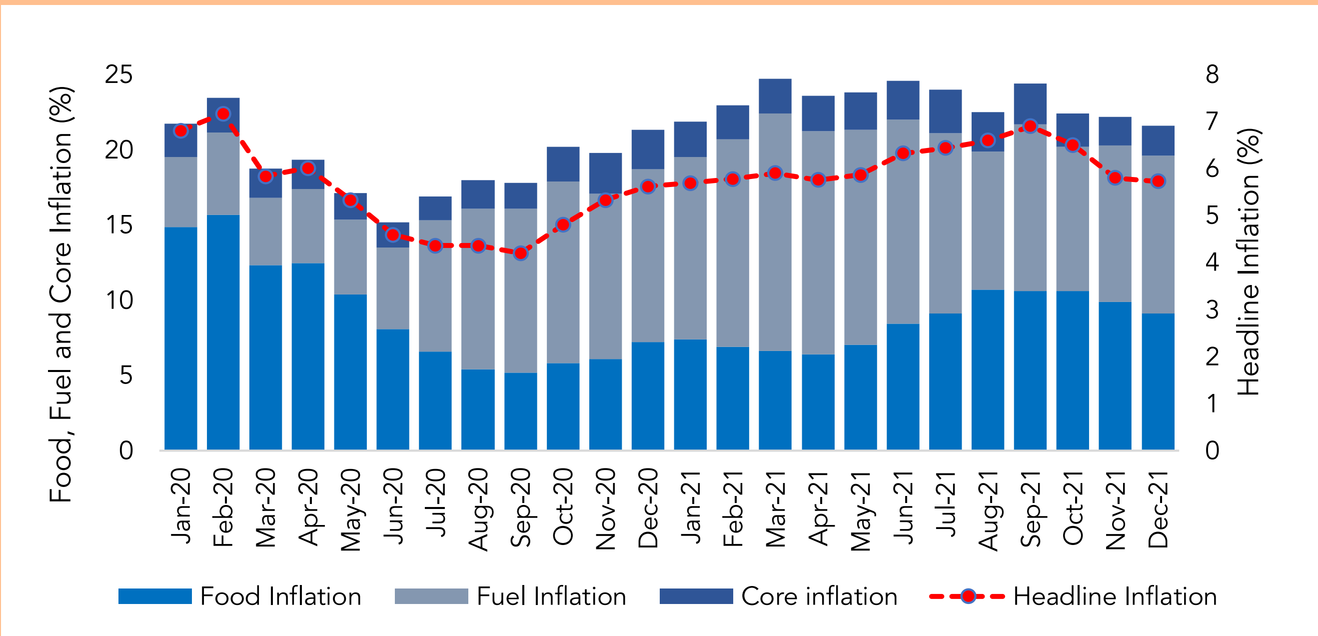
Meanwhile, agriculture, forestry and fishing activities dragged growth in the period under review, recording a contraction of 0.9 per cent and contributing to growth by negative 0.2 percentage points due to the devastating dry weather conditions that prevailed in over ten counties during the period. This compares to a 4.5 per cent growth and a contribution of 0.9 percentage points in overall growth in the same period in 2020 when the country experienced conducive weather conditions amid the locust invasion early in the year. Industrial activities registered an expansion of 9.3 per cent compared to 3.5 per cent in 2020. This equates to 1.3 percentage points contribution to growth in 2021 compared to 0.5 percentage points in 2020, reflecting improved overall contribution of industry in economic output.

Headline inflation remained within the governments' target band of 5±2.5. The headline inflation rate for October-December 2021 averaged 6.0 per cent compared to 5.3 per cent during the same period in 2020. The increase in inflation was mainly on the account of increasing food inflation (Figure 3). Food inflation increased to 9.9 per cent in the quarter under review from 6.4 per cent in the same quarter a year ago owing to increase in prices of key food items such cooking oil,

> "Food inflation increased to 9.9 per cent in the quarter under review from 6.4 per cent in the same quarter a year ago"

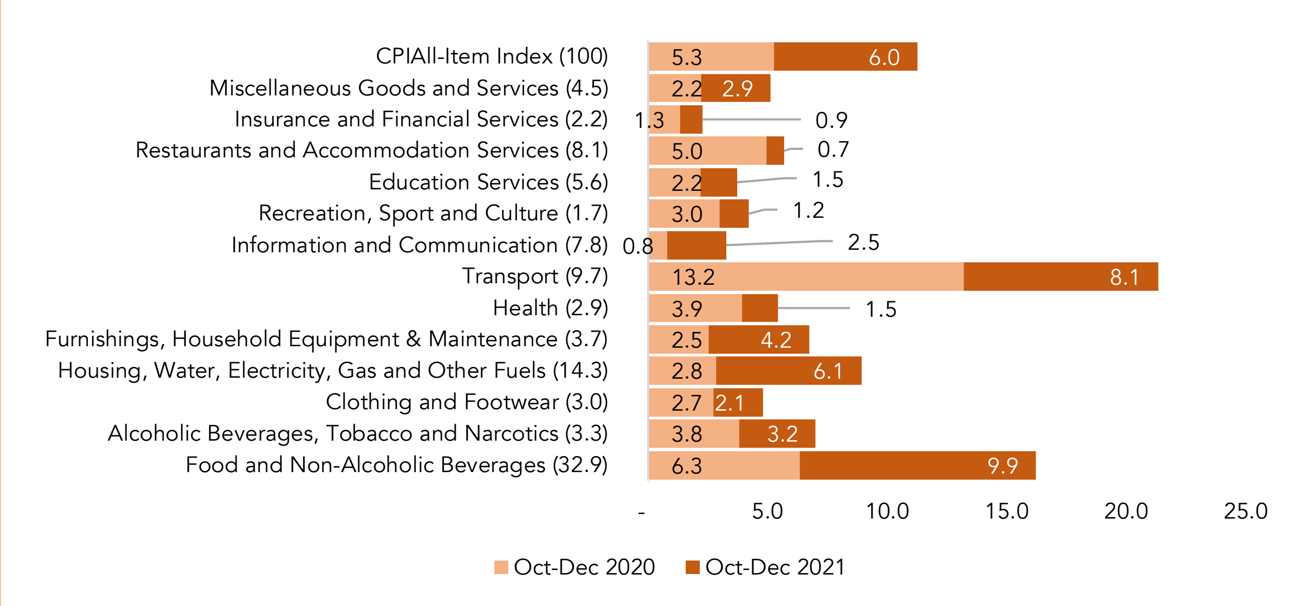
tomatoes, onions, sugar, and potatoes. Moreover, the general elevation of food prices was driven by the sunny and dry weather conditions experienced in most parts of the country, leading to scarcity of specific food items. Fuel inflation declined during the quarter to 10.2 per cent from 11.5 per cent in the same quarter last year, on account of a decline in transport index (Figure 4), coupled with relaxation of social distancing measures imposed in public transport to contain the spread of COVID-19. Meanwhile, core inflation remained low and steady, reflecting muted demand pressures

Figure 3: Inflation dynamics, January 2020 to December 2021, (February 2019=100)



Data source: Kenya National Bureau of Statistics and Central Bank of Kenya

Figure 4: Average 12-months changes in the CPI by division, % weight in parenthesis



Data source: Kenya National Bureau of Statistics

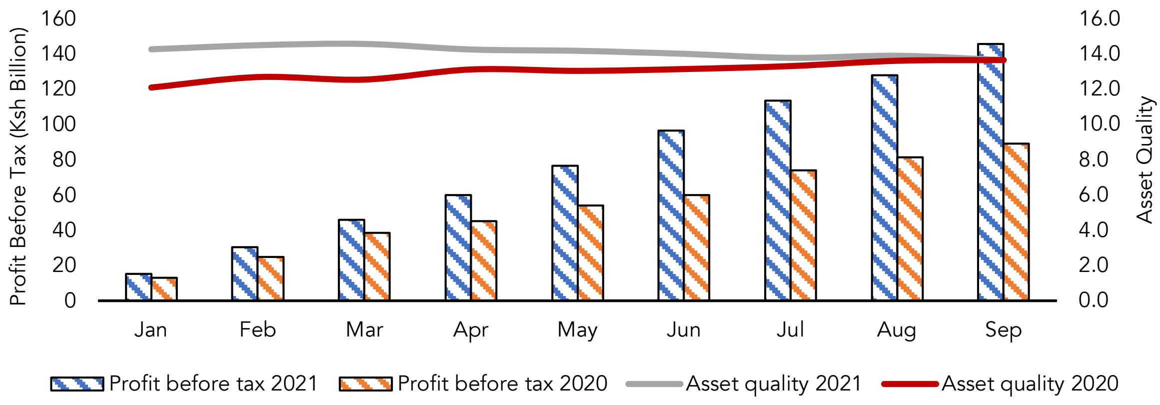
during the quarter, and declining to 2.0 per cent from 2.3 per cent in the same quarter in 2020.

In terms of the CPI basket divisions, several shifts were recorded in the various components of the basket. Four of the thirteen major components recorded growth (Figure 4). Food and non-alcoholic beverages, already the highest-weighted major component, grew by 3.5 percentage points from 6.3 per cent in October-December 2020 to 9.9 per cent in the same period in 2021. This mirrored the increased demand for food and beverage items as the country was in the festive season, amid the scarcity of these items brought about by extreme weather conditions that prevailed in most parts of the country. Furnishing, household equipment and routine maintenance component grew to 4.2 per cent from 2.5 per cent in the same period a year ago. As more consumers spent most of their time at home with family and friends during the festive season, consumers directed more spending towards tools and other household equipment as they carried out home improvement and décor to make their living spaces more conducive for festivities. Information and communication, and miscellaneous goods and services components expanded by 1.7 and 0.7 percentage points, respectively, reflecting consumers' increased demand for these items during the quarter. Other components of the CPI basket recorded a decline, notably the transport component, which declined from 13.2 per cent in October-December 2020 to 8.1 per cent in 2021, reflecting significant decrease in bus fares of country public services during the quarter compared to the same period in 2020 when COVID-19 containment measures had stifled the minimum passenger capacity, causing operators to increase prices.

With economic recovery underway and inflationary expectations appearing well-anchored, the Central Bank maintained an accommodative monetary policy stance by keeping the key policy rate unchanged. During its November 2021 meeting, the Monetary Policy Committee retained the Central Bank Rate at 7.0 per cent, having endorsed the current accommodative monetary policy stance as appropriate on the backdrop of inflationary pressures remaining within its target band, and leading economic indicators showing robust performance.

The banking sector remains stable and resilient, supported by improvements in economic activity in 2021. Recent data up to September 2021 reveal that the banking sector profit before tax improved in the first nine months compared to the same period, giving an indication of improving stability of the sector. Nonetheless, the issue of concern is the asset quality, which remained weak in 2021 but

Figure 5: Asset quality and banks profitability

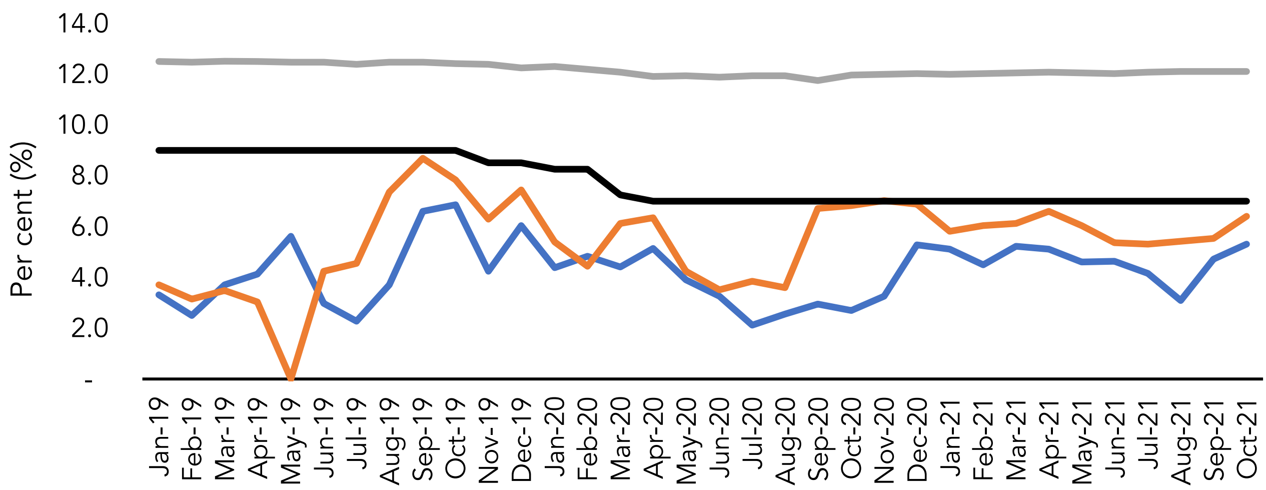


Data source: Kenya National Bureau of Statistics

shows signs of improvement when compared to a similar period in 2020 (Figure 5). At the end of September 2021, banking sector profit before tax amounted to Ksh 145.5 billion compared to Ksh 89.2 billion in the same period in 2020, reflecting the effects of improved business conditions on banking sector performance. Similarly, even though asset quality remained weak in the first nine months of 2021, the trend has been declining, and thus signaling improvements. In addition, at the end of September 2021 liquidity ratio stood at 56.7 per cent compared to 54.6 in similar period in 2020.

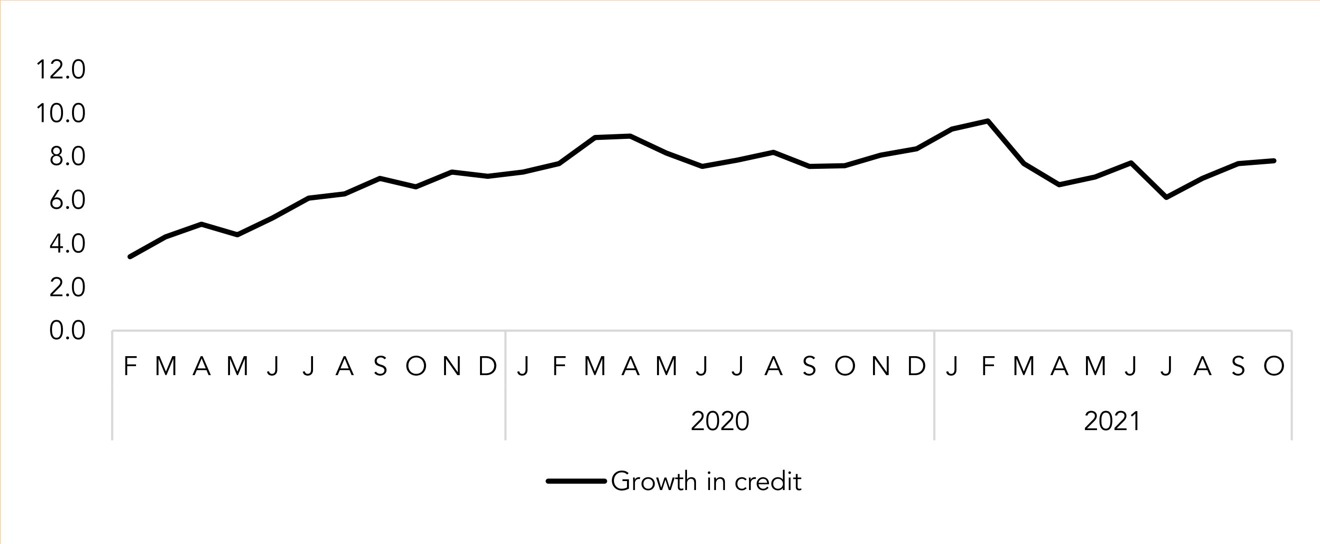
Liquidity conditions in 2021 were tighter compared to the same period in 2020, despite monetary policy remaining accommodative and the key policy rate remaining at 7.0 per cent (Figure 6). Interbank rates edged upwards in 2021, averaging 4.7 per cent compared to 3.6 per cent in 2020. This was mainly driven by higher government receipts

Figure 6(a): Interest rates dynamics



Data source: Central Bank of Kenya

Figure 6(b): Bank credit to the private sector (annual growth, %)



Data source: Central Bank of Kenya

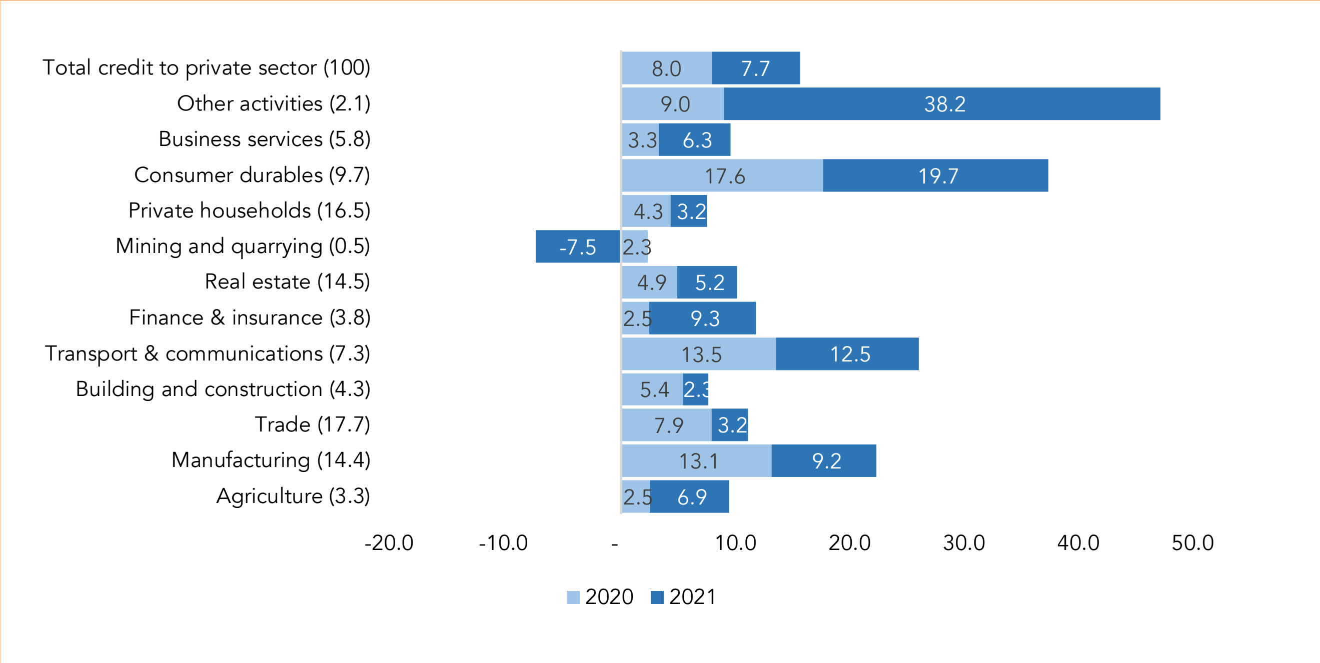
relative to payments. In contrast, lending rates remained sticky, reflecting the difficulties faced by banks in effectively pricing risks. Risk pricing challenges have been the result of delayed approval and implementation of risk-based pricing models. Moreover, the continued suspension of the listing of negative credit information for borrowers with loans below Ksh 5 million has made it difficult for banks to effectively conduct customer credit assessment. The foregoing has combined to stifle private sector credit growth, thereby impeding the pace of the ongoing economic recovery.

Detailed data for the first ten months of 2021 indicate that credit expansion to the private sector remained broad-based across all sectors except for mining and quarrying. Specifically, lending to the private sector grew by 7.7 per cent in 2021 compared to 8.0 per cent in 2020 (Figure 7). However, as highlighted above, in large part, this slight decline in credit to private sector reflects the marginal increases in interbank rates, repo rates and the sticky lending rates in 2021 compared to 2020.

Weakening of the shilling against United States dollar continued. During October-December 2021, the shilling exchanged at an average of Ksh 112.1 per dollar compared to Ksh 109.5 per dollar in a similar period in 2020. This was occasioned by the strengthening of the US dollar in global markets following improvements in growth outlook, inflation expectations, high global fuel prices, growing global economic demand and increased demand for imports by domestic importers, which exerted pressure on the shilling leading to rapid depreciation. The weakening of the shilling has reflected the continued widening of the current account deficit, implying increased foreign expenditure in imports relative to receipts from exports (Figure 8). Other implications of continued depreciation are increased cost of imports, which transmits to domestic price of commodities including electricity and fuel prices. Further, currency composition of Kenya's external debt comprises of 64.9 per cent in US dollar, 20.0 per cent in Euro, 6.7 per cent in Japanese Yen, 5.6 per cent in Chinese Yuan, 2.5 per cent in Great Britain Pound and other currencies accounting for 0.3 per cent. As a result, weakening of the shilling increases the external debt cost since the debt is foreign currency-dominated.

Kenya's stock of foreign exchange reserves remained adequate and within the statutory requirement of at least four months of import cover, although the reserves have been declining. The stock of official reserves stood at US dollar 9,450 million (5.7 months of import cover) in October 2021 compared to US dollar 9632 (5.8 of import cover) in September 2021. The increased economic activity locally has resulted into increased import demand, which coupled with the weakening shilling has resulted into huge import

Figure 7: Average annual growth in credit, average % share in parenthesis



Data source: Central Bank of Kenya

bill, exerting pressure on the foreign reserves that are key for debt repayment and external trade.

Despite the negative external developments amid the global pandemic, Kenya's diaspora remittances remained robust in the first eleven months of 2020 and the same period in 2021 compared to the same period in 2019. Diaspora remittances registered year-on-year growth of 17.7 per cent in the first eleven months of 2020 and expanded further to grow at 24.2 per cent in January to November 2021, thus defying the projected decline for middle- and low-income countries. This performance was much stronger compared with the performance during the 2007 electoral violence and the 2008 financial crisis. In 2008, remittances contracted by 19.2 per cent and rebounded to 9.0 per cent in 2009. Officially recorded remittance flows reached

Figure 8 (a): Exchange rate (Ksh/USD)

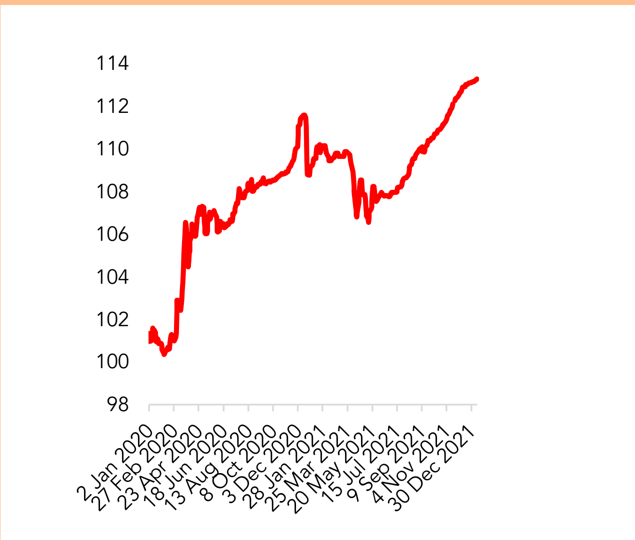
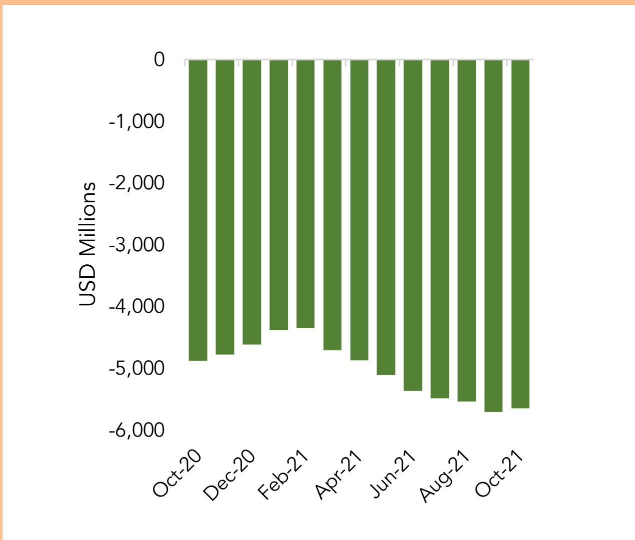
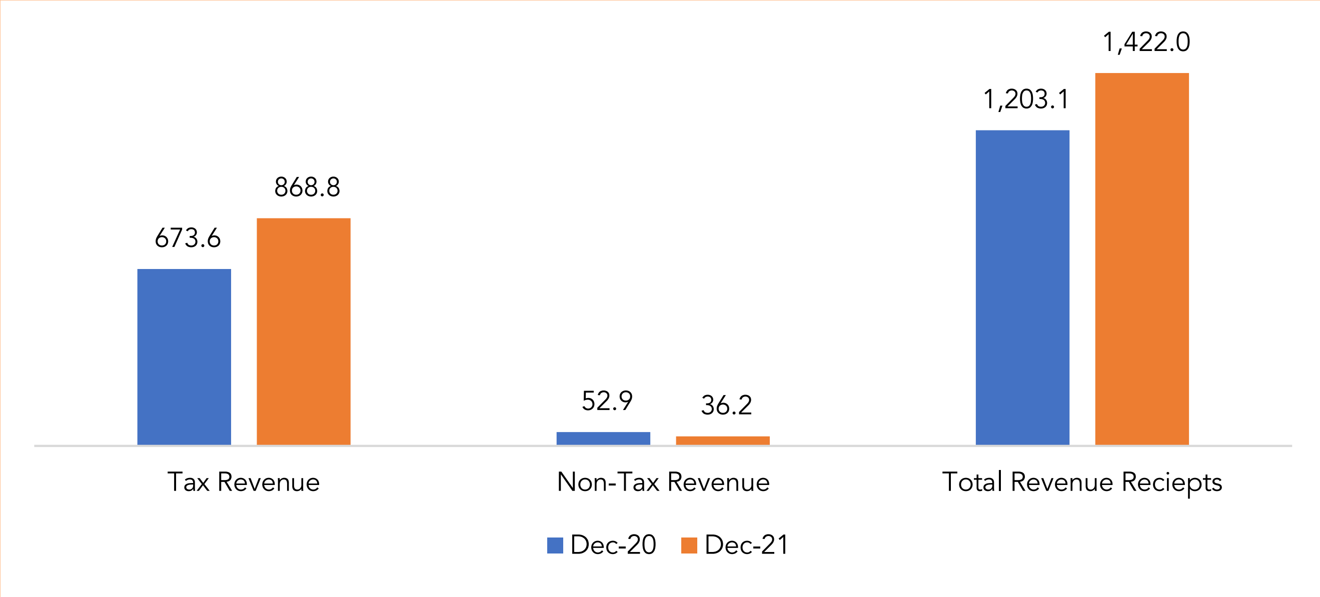


Figure 8 (b): Current account developments



Data source: Central Bank of Kenya

Figure 9: Performance of total revenue receipts in 2019 and 2020



Source: Kenya Gazette Notice (Various)

US$ 320.1 million in November 2021 compared to US$ 257.7 million at the end of November 2020. At the macro level, diaspora remittances are a major source of investments and enabler of economic growth and sustainable development. Remittances have a multiplier effect in the economy through savings, investments, fiscal and debt sustainability. Remittances widens consumption base and therefore the revenue, giving government room to spend or incur more debt. At the micro level, remittances enhance start-ups of small-scale businesses while recipient households have more resources to spend on health and nutrition, education opportunities, improved housing, and sanitation.

On the fiscal front, the cumulative actual national revenue receipts as of December 2021 totaled Ksh 1,422.0 billion compared to Ksh 1,203.1 billion in the same period in 2020. This represents 18.2 per cent increase attributable to the removal of COVID-19 fiscal measures where corporate tax rate reverted to 30 per cent from the 25 per cent, Individual Income Tax rate reverted to 30 per cent from the 25 per cent and Value Added Tax (VAT) reverted to 16 per cent from 14 per cent. The ongoing economic recovery has also bolstered revenue performance.

Tax income receipts at the end of December 2021 amounted to Ksh 868.8 billion, representing 29.0 per cent increase attributed to improved performance of various tax heads as the rebound in economic activities continued. This was a better performance compared to 2020 when tax revenue receipts amounted to Ksh 673.6 billion. The improvements in tax revenue receipts reflect the impact of the removal of COVID-19 tax measures instituted in 2020.

At the end of December 2021, total exchequer issues were higher than those recorded at the end of December 2020. Total exchequer issues to both National and County governments by the end of December 2021 grew by Ksh 182.7 billion. According to the National Treasury and Planning, the exchequer issues amounted to Ksh 1,363.3 billion as of December 2021, representing 42.7 per cent of the annual net estimated issues for the year set at Ksh 3,193.0 billion. This level of exchequer issues also represents an increase of 15.5 per cent from December 2020 when the exchequer issues stood at Ksh 1,180.7 billion.

The economy is projected to expand by 6.2 per cent in 2021 and 6.0 per cent in the medium-term. This is a revision of the 7.0 per cent projected earlier in the year. The revision was occasioned by the third wave of COVID-19 restriction measures implemented between March and June 2021 and release of rebased national account numbers. Economic performance in 2021 will be anchored on improved business and consumer confidence, continued macroeconomic stability, and the ongoing implementation of the strategic priorities of the Government under the "Big Four" agenda, Economic Recovery Strategy and other priority programmes as outlined in the Third Medium-Term Plan of the Kenya Vision 2030. However, the expected robustness in economic performance is not without risks. Kenya's rebound in 2021 will depend on the path of the global pandemic and the vaccination efforts locally and abroad, and in neighbouring counties, and vulnerabilities arising from disturbances in global activities and financial markets.

Table 1: Exchequer expenditure issues (Ksh billion) at end of October 2021

	Estimates as at December 2020	Actual Exchequer issues as at December 2020	Estimates as at December 2021	Actual Exchequer issues as at December 2021	Level (%) of performance (2020)	Level (%) of performance (2021)
Recurrent to MDAs	1,063.0	459.7	1,106.6	528.0	43.2	47.7
CFS	1,028.1	457.7	1,327.2	546.3	44.5	41.2
Development to MDAs	355.7	139.4	389.2	144.0	39.2	37.0
Total Issues to NG	2,446.8	1,056.8	2,823.0	1,218.3	43.2	43.2
Total Issues to CGs	383.6	124.0	370.0	145.0	32.3	39.2
Grand total	**2,830.4**	**1,180.7**	**3,193.0**	**1,363.3**	**41.7**	**42.7**

image: Freepik.com

Unlocking the Potential of Domestic Trade in the Recovery Process with COVID-19 in Kenya

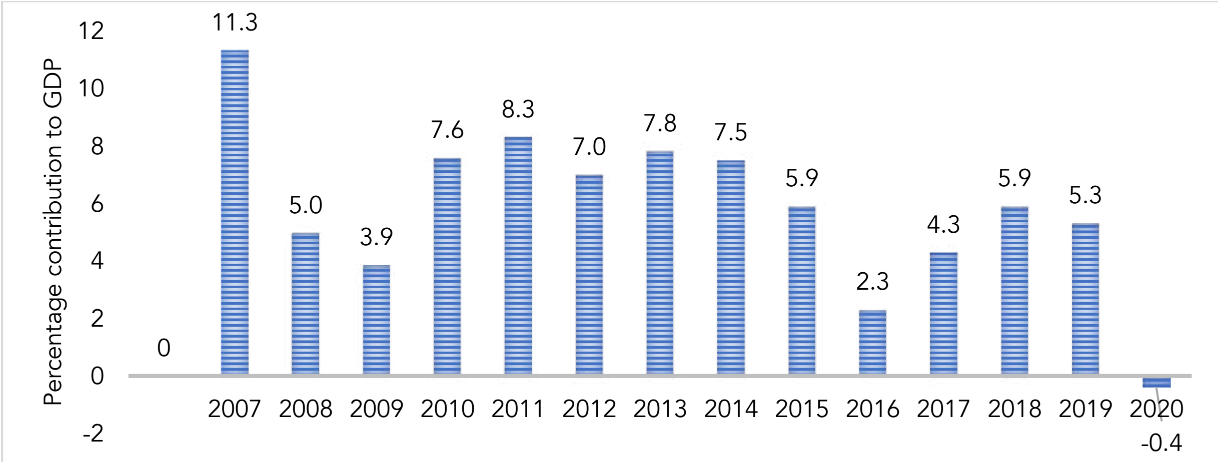
By John Karanja, Shadrack Mwatu and Paul Odhiambo

Domestic trade plays an important role in the economy by creating jobs and contributing to GDP, as stated in the Kenya Vision 2030. However, the sector has experienced several shocks over the years, including post-election violence, global financial crisis, droughts, and the recent COVID-19 pandemic. The effects of these crises in the contribution of the sector to GDP and employment growth differ significantly. For instance, partly due to the post-election violence that followed the December 2007 general elections, the contribution of the sector to GDP in 2008 fell by 6.3 per cent to 5.0 per cent. During the global financial crisis experienced in 2009, the contribution to GDP fell by 1.1 per cent to 3.9 per cent. Partly because of the nationwide droughts experienced in 2015 and 2016, the sector shrunk by 1.6 per cent to 5.9 per cent, and by 3.6 per cent to 2.3 per cent, respectively. Partly due to the COVID-19 pandemic, the contribution to GDP shrunk by 5.7 per cent to 0.4 per cent in 2020. Figure 10 shows that, of all the crises experienced between 2007 and 2020, the COVID-19 pandemic had the most severe effect on performance of the domestic trade sector.

The severity of COVID-19 effects was largely aggravated by containment measures, particularly movement restrictions, which even disrupted global trade supply chains temporarily. As a result of the disruption to global supply chains, employment in the sector decreased by 18.0 per cent. As shown in Figure 11, the effect of COVID-19 is the second most severe on employment in Kenya's domestic trade sector, after the 2011 nationwide drought, when sector employment fell by 31.0 per cent.

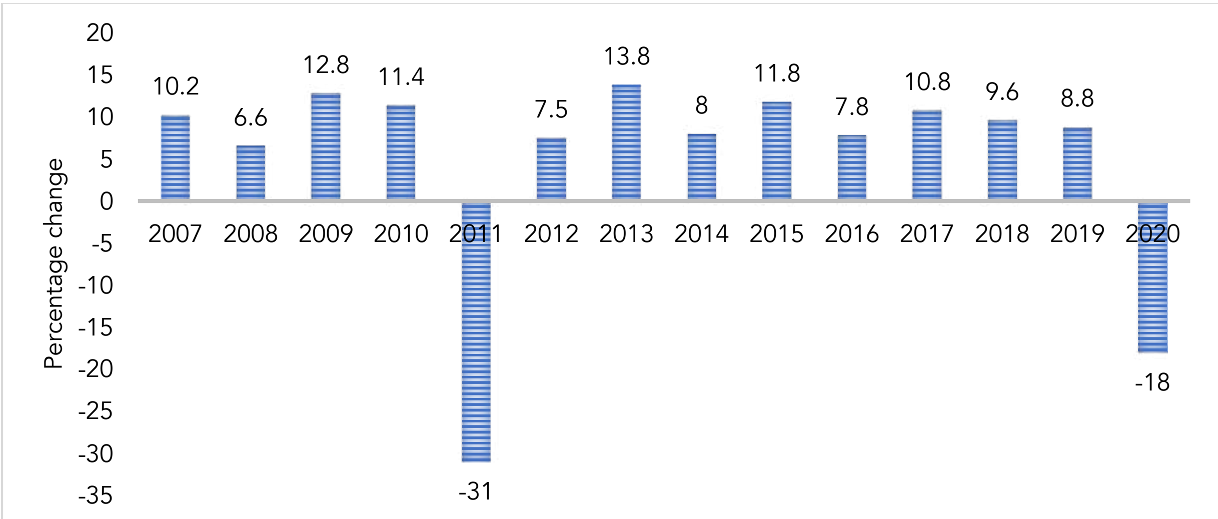
Despite the effects of pandemic on domestic trade, there are opportunities for the country to exploit to unlock the potential in the sector during the recovery process from the COVID-19 pandemic.

Figure 10: Kenya's domestic trade as share of GDP



Source: Kenya National Bureau of Statistics (Various), Economic Survey

Figure 11: Employment in domestic trade



Source: Kenya National Bureau of Statistics (Various), Economic Survey

Boosting Local Consumption

Private consumption was the hardest hit by the COVID-19, declining by 7.7 per cent from 4.9 per cent in 2019 to -2.8 per cent in 2020 while government consumption declined by 2.7 percentage points from 7.0 per cent in 2019 to 4.3 per cent in 2020, partly due to shrinkage in government revenue collections (Figure 12). Consumption by non-profit institutions serving households, however, grew by 0.7 per cent from 3.6 per cent in 2019 to 4.3 per cent in 2020, partly due to increased uptake of donations and grants to provide goods and services to households rendered vulnerable by the COVID-19. In addition, the COVID-19 pandemic presented an opportunity for the government and public institutions to boost the Buy Kenya Build Kenya strategy by increasing local consumption of certain products. Local consumption experienced during the pandemic needs to be further secured by continuously advocating for the use of local materials in manufacturing.

In the first wave of the pandemic, fiscal measures were used to cushion local consumption through 100 per cent tax relief for persons earning gross monthly income of up to Ksh 24,000, reduction of income tax from 30 to 25 per cent, reduction of corporation tax from 30 to 25 per cent, reduction of turnover tax from 3 to 1 per cent, temporary suspension of Credit Reference Bureau (CRB) listing, and reduction of VAT from 16 to 14 per cent. These incentives have since been reverted. Enhanced processing of tax refunds to firms while targeting the worst affected firms supporting more employees with payroll cash transfers to retain employees could serve to boost local consumption during the COVID-19 pandemic. Direct cash transfers to households rendered most vulnerable by the pandemic has the potential to secure local consumption and through their multiplier effect, support recovery of the economy in the post-COVID-19 period. Full implementation of the *Kazi Mtaani* Programme under the stimulus programme helps to provide disposable income to the youth, and further support individual consumption. Further, opening of the economy supported by uptake of COVID-19 vaccines is important in creating and sustaining jobs that in effect support local consumption and, therefore, sustain growth of the domestic trade sector.

Enhancing Local Production to Support Domestic Trade

In response to the shortage of medical consumables, there were innovations by local firms to fill the local consumption gap left by disruption of global supply chains by the COVID-19 containment measures. The consumption of domestically produced goods by public and private institutions demonstrates that there is an opportunity for the country to reduce reliance on imports of certain goods and support the growth of local industries.

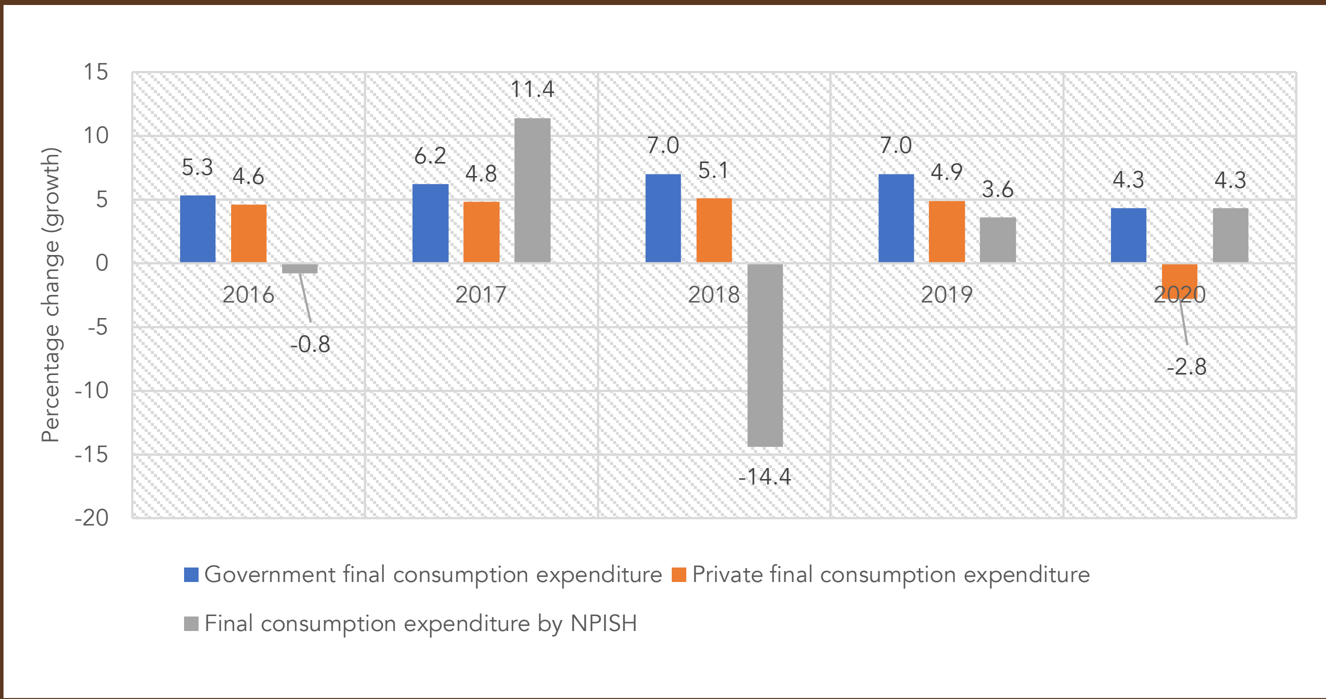
“Full implementation of the *Kazi Mtaani* Programme under the stimulus programme helps to provide disposable income to the youth, and further support individual consumption.”

Therefore, the demonstrated capability of local production during the COVID-19 pandemic has the potential to unlock recovery of the domestic trade sector, with a high multiplier effect to create employment in various sectors. Sectors such as the textile sector demonstrated capacity to innovate when provided with a conducive environment and should be of interest even to county governments, given the sector is characterized by micro and small enterprises.

As such, both levels of government have an opportunity to nurture local innovations by re-engineering domestic industries, encouraging local production and subsequently supporting consumption of locally produced goods. That said, local entrepreneurs and traders need to be competitive and adhere to standardized norms to boost their production. They will require incentives, and quality infrastructure that supports production of high-quality, competitive goods and services.

Thus, dynamism in innovations and technology with the COVID-19 pandemic demonstrate the potential of local entrepreneurs in tapping opportunities. As a result, there is a need to re-examine the National Trade Policy 2017

Figure 12: Local consumption



Source: Kenya National Bureau of Statistics (2021), Economic Survey

and other County governments' regulatory frameworks that regulate domestic trade to provide more supportive regulatory environment to the sector.

Digitization of Trade Transactions

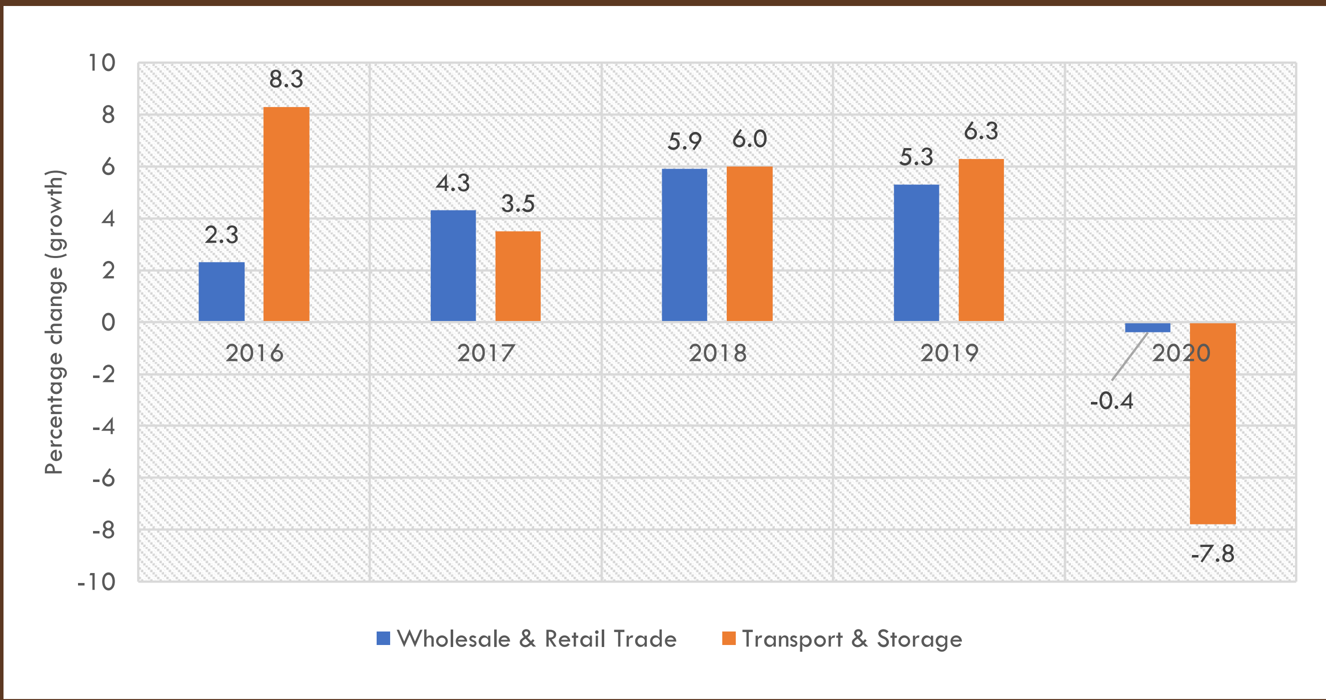
Digital trade and digitally enabled transactions have become important day-to-day operations in domestic trade. According to a study conducted by Mastercard 2021, since the beginning of the pandemic, 79% of Kenyan customers have increased their online transactions. Consumers and online businesses are increasingly using social media as a platform to transact business. The most significant increases in online activity have been in data, fashion, healthcare, banking, and other fast-moving consumer goods. Subsequently, consumers are increasingly preferring digital transactions over the traditional modes of retailing. This, in turn, creates an opportunity to unlock e-commerce in Kenya's domestic trade.

Leveraging on digital technology to improve competitiveness in domestic trade is equally critical in building resilience in post-COVID-19 recovery process. Online marketing requires support in provision of digital infrastructure and access to affordable data, especially for the micro, small and medium enterprises (MSMEs) to take advantage. This way, digitization becomes critical in mitigating socio-economic impacts of COVID-19, such as job losses, reduced business operations and disrupted supply chains.

Strengthening Local Supply Chain

The disruption in the supply chain by the pandemic affected the demand and supply of most goods and services in the country. For instance, during the COVID-19 pandemic, local supply chain took a hit as domestic mobility restrictions disrupted transport and storage of goods. In 2020, for example, domestic transport and storage, which is an important indicator of the economic performance of the local supply chain shrunk by 14.1 per cent from 6.3 per cent in 2019 to -7.8 per cent in

Figure 13: Gross Domestic Product by activity



Source: Kenya National Bureau of Statistics (2021), Economic Survey

2020. With easing of mobility restrictions and re-opening of the economy supported by increased uptake of COVID-19 vaccines, the sector is expected to recover and rebound from the effects of the pandemic. To sustain the recovery of the sector amidst uncertainty of new COVID-19 variants and possible lockdowns, the Government should enhance public vaccination, coupled with improved awareness of observance of preventive measures such as use of facemasks, handwashing and sanitization, and deliberate physical distancing. In addition, the National and County governments need to work together in improving the transportation sector, which is critical to supply chain activities.

Way Forward and Policy Implications

As the country embarks on economic recovery post-COVID-19, promotion of domestic trade is a priority in ensuring that the sector contributes significantly to GDP and employment creation. As such, exploiting opportunities presented by the COVID-19 and making targeted policy interventions will not only aid in unlocking the sector's potential, but also develop resilience for the sector to withstand future pandemics and other uncertainties. Importantly, ensuring the public COVID-19 vaccination programme is effectively implemented will cushion the domestic trade sector from potential lockdowns, both locally and globally, as the world continues to witness new COVID-19 variants.

Resilience in Public Service During Pandemics: Opportunities in and Post-COVID-19

By Paul Lutta and Douglas Kivoi

Introduction

When the COVID-19 struck, the public service in Kenya had to improvise and adapt to the pandemic. Health workers had to continue saving lives and keeping the health system functional; frontline workers had to ensure continuity in delivering other essential services; and government officials had to ensure that public service is delivered. The Government has taken various actions to mitigate the pandemic by, for example, providing personal protective equipment (PPEs), face masks, regularly undertaking COVID-19 tests, and more recently vaccinating citizens. The Government also mobilized the use of non-technical staff to support health workers in undertaking temperature checks and contact tracing. To secure productivity of public servants, monitoring was tightened with higher frequency monitoring in setting and reporting on targets, virtual meetings, and developing frameworks to facilitate submitting documents online.

The pandemic presented many public institutions with opportunities to innovate public service delivery. For instance, most public universities had to strengthen the capacity of their information and communication (ICT) infrastructure to offer online classes, and the Judiciary started conducting court sessions virtually to protect the health of their staff and members of the public seeking services. This demonstrates agility of the public sector and resilience in public service provision to ensure minimal or no interruption in public service delivery.

The National Police Service rolled out a digital Occurrence Book (OB) to ensure that all entries made in police stations are a permanent record that cannot be edited, thus guaranteeing transparency and accountability in police operations at the station level. The digital OB is part of the government policy to digitize service delivery for Kenyans at all levels.

The public health sector developed the Managed Equipment Services (MES) model, involving partnerships between the private sector and public healthcare providers that offers solutions to some of the challenges posed by the ever-changing healthcare industry. The MES model ensures that public hospitals are equipped with modern healthcare infrastructure and equipment over a period agreed in the Public-Private Partnerships, with the two levels of government making regular pre-negotiated payments anchored on agreed performance parameters and targets.

The pandemic accelerated the use of technology, thus changing the way workers perform their work. Moreover, various innovations have been witnessed in recruitment of staff, conduct of meetings, among other areas, despite the digital skills gaps in the country. Innovations using technology have been witnessed in many areas, ranging from case tracing apps (applications) to virtual meetings. This has resulted in the upscaling of digital skills at workplaces.

Building and Sustaining a Resilient Public Sector

The Public Service Commission (PSC) and the Kenya School of Government have a major role to play in building capacity for public service employees at the National and County Government levels. The dynamics generated by the pandemic create the need to re-look the public sector training programmes with a view to bringing all public servants to speed with the transforming work place. To support remote working, new communication and information technologies, platforms for agile workforce redeployment, and providing appropriate infrastructure will be critical pillars for the public service to manage during the crisis. In addition is the need to review the human resource policies and regulations to ensure they support the new dynamics in the labour market. Transformative leadership in public service will serve to drive the transformation process in public service by harnessing opportunities that advance a vision that is forward-looking, flexible, and fulfilling.

Promotion of national values and principles of governance will lead to socio-cultural, economic, and political transformation; this is key towards building a resilient public sector that is responsive to the needs of citizens and communities. Transformation in public service is critical because it ensures that employees can adapt faster in a constantly changing environment. An effective and efficient public service requires public servants who are responsive to the needs of the citizenry even in crises periods. As the country strives to build a public service anchored on principles of good governance, patriotism, ethics, and integrity, it is critical to ensure that there is a vibrant public service ecosystem and environment that is harmonious, inclusive, diverse, and sustainable, and leveraging on the changing and dynamic science, technology, and innovation.

COVID-19 Emerging Issues in the Public Sector

Mental health

COVID-19 has seen increased mental health needs. In fact, mental health awareness creation and institutionalization of psychological counselling is becoming a critical part of the public sector workforce. Kenya's Mental Health Policy 2015-2030 is a commitment to pursuing policy measures and strategies for achieving optimal health status and capacity of each individual. The major goal of this policy is to ensure the attainment of the highest standard of mental health to all employees in the public and private sector.

Whereas guidelines for the management of mental health conditions during the COVID-19 pandemic have been developed, implementation remains a big challenge because the country is under-resourced in terms of mental health systems and professionals. There is need to scale up mobile mental health to increase access to mental health and psychosocial support for the public during the COVID 19 pandemic.

Aging work force

During the pandemic, vulnerable employees, those aged over 50 years, and those with underlying health conditions were required to work from their domiciles. Currently, a large proportion of the Kenya public workforce is composed of individuals aged above 45 years. The Government in 2009 revised the retirement age to 60 years, up from 55 in a move to ensure skilled people remain in service longer. One of the biggest concerns is to ensure there is a talent pool to replace the current workforce as they approach retirement.

> "Promotion of national values and principles of governance will lead to socio-cultural, economic, and political transformation"

The COVID-19 pandemic has disproportionately affected the ageing population, with those with underlying conditions such as diabetes, hypertension and cancer comprising the largest fraction of fatalities. The Government has frozen recruitment of new public sector employees except for critical ones such as teaching, security and health to stem the wage bill, thus constraining the infusion of young blood into the public workforce.

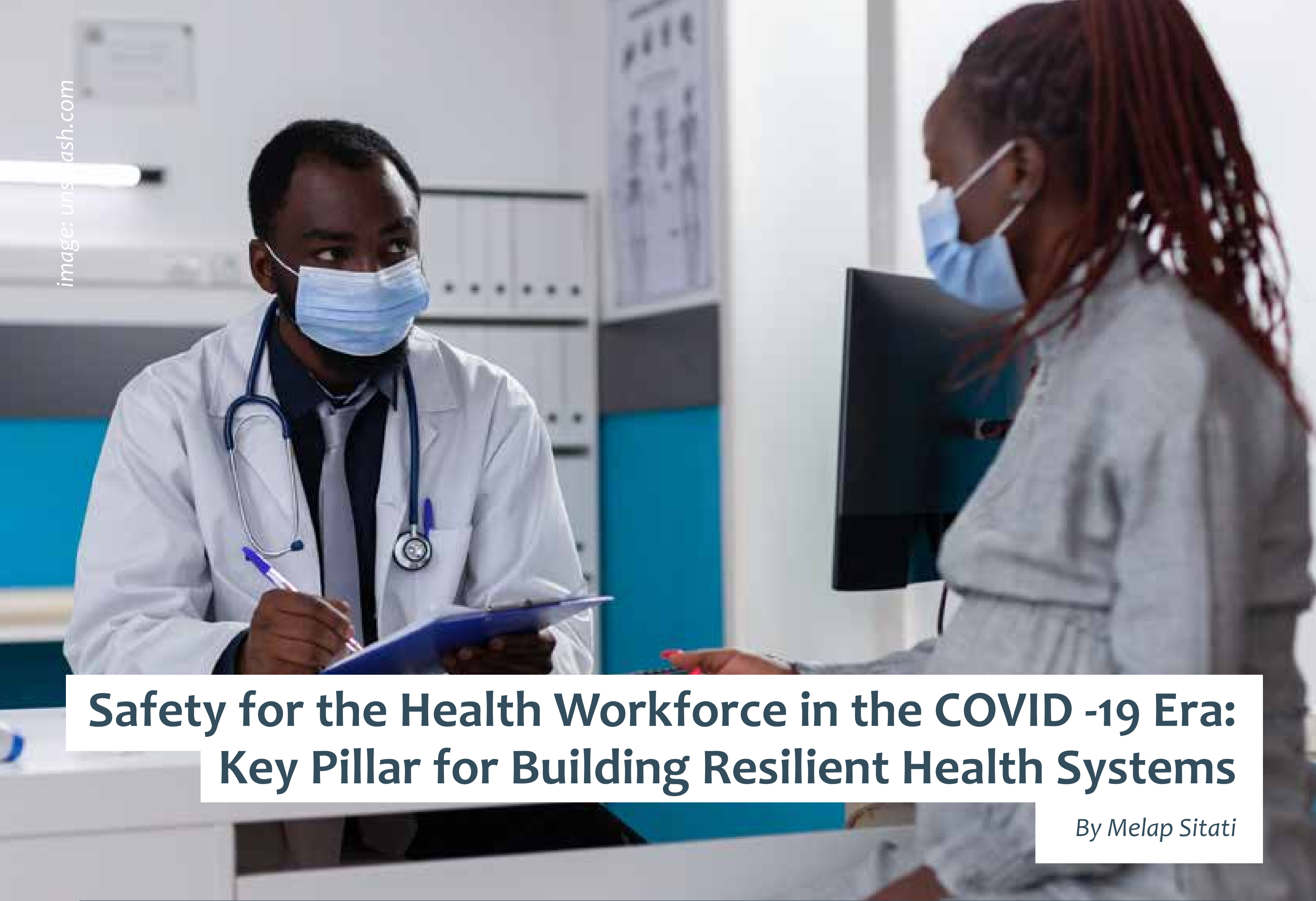
To build a resilient public service requires a clear understanding of recruitment, progression and retention processes that are all inclusive, taking into consideration demographics such as age, gender and to some extent ethnicity. It is a wakeup call to focus on future workforce composition, with a detailed succession planning and talent management.

Real-time data collection and sharing

The pandemic has shown the importance of providing real-time data for quick decision-making. For example, the regular and timely announcement of COVID-19 cases by the Cabinet Secretary for Health has been instrumental in providing information necessary for policy action. Civil servants in delivery of services generate administrative data that can be collected and stored in a usable format that can be easily retrieved for analysis. This can be achieved by developing frameworks and building capacity of civil servants to collect, organize and segregate administrative data with support of the Kenya National Bureau of Statistics, which is the custodian of official data.

Future working spaces

The pandemic is influencing the future of working spaces. Flexibility in the workplace, including working from home for categories of workers especially those approaching retirement, and those whose tasks can be undertaken from home can be institutionalized with a review of the current workplace policies. Virtual office space is now a reality that may not go away soon. It is prudent that the public sector invests more in e-governance and strengthen ICT infrastructure that will support emerging trends in the work environment. Continuous training and capacity building of public sector employees is critical in acquiring digital capabilities and proficiency, but if the young generation is to continue joining the public sector, acquisition of such skills may be much easier, hence have a seamless continuance to public service.



Safety for the Health Workforce in the COVID -19 Era: Key Pillar for Building Resilient Health Systems

By Melap Sitati

The health workforce is a fundamental pillar of an effective health system[1]. The health workforce includes those that provide technical health services such as physicians, doctors, nurses, midwives, clinical officers, and those that support the health services, such as hospital managers, ambulance drivers, among others. The Kenya Vision 2030 identifies investment in the health workforce as a key strategy for developing an efficient and effective health system in Kenya. In the same breath, the Sustainable Development Goal (SDG) target 3(c) aims at recruitment, development, training, and retention of the health workforce as a key intervention for developing countries. Availability of an adequate, qualified, and well-motivated health workforce is necessary for a functional health system. In addition, safeguarding the safety and welfare of the health workforce is essential for enhanced service delivery.

The outbreak of the COVID-19 pandemic unmasked the health and safety concerns that face health workers around the globe. During the pandemic, health workers were exposed to various hazards that put them to risk and, in some cases, proved fatal. The hazards include exposure to the COVID-19 virus, stigma, increased workload, long working hours, discomfort from long use of protective clothing and equipment, pressure from patients, among others. Notwithstanding the safety protocols in health facilities, COVID-19 posed an aggravated threat to health workers because it is highly contagious, mutating and presented unprecedented emergency situations that, inadvertently, compromised existing safeguards.

Cognizant of this additional risk, the World Health Organization (WHO), issued a guidance note[2] in March 2020, which provided key

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[1] *Health systems refers to all activities whose primary purpose is to promote, restore and maintain health.*

[2] *https://apps.who.int/iris/bitstream/handle/10665/331510/WHO-2019-nCov-HCWadvice-2020.2-eng.pdf*

consideration for the occupation safety of health workforce. The guidelines accorded employers and managers of health facilities the obligation to ensure that all necessary preventive and protective measures are taken to minimize occupational safety and health risks. This includes provision of adequate personal protective equipment (PPE) and safety disposal mechanisms, refresher training, safe working environment, access to mental health and counseling resources, providing appropriate compensation to health workers, maintaining appropriate working hours with breaks, advice and facilitating health workers on self-assessment, symptom reporting, isolation, and treatment.

Even though institutions implemented the measures that were much needed for health workers, the evolving and protracted COVID-19 situation took a toll on the health system in Kenya, which might have had implications on the safety of health workers. Amid rising COVID-19 infections and related morbidities in 2020, public health workers went on strike, lamenting poor and risky work environment, rising infections and deaths among their colleagues and delayed poor remuneration. According to the Ministry of Health, at least 30 doctors, 26 nurses, and 10 clinical officers lost their lives after contracting COVID-19 as of August 2020. A survey conducted by Human Rights between March and July 2021 found that health workers were not provided with adequate personal protective equipment (PPE) to ensure that they could safely and effectively respond to the COVID-19 pandemic. To safeguard health care workers responding to COVID-19 pandemic, the Government distributed 24,283 PPE kits in 2020, which only covered a small proportion of the health workforce population, leaving them vulnerable (Health sector MTEF report 2021).

The provision of PPEs needs to be enhanced to enhance safety of health workforce against COVID-19. The gravity of this situation is reflected in the sheer numbers of the health workforce, which in 2020 stood at 58,000 registered nurses, 12,000 registered doctors, and 12,000 clinical officers (Ministry of Health 2020 data). Out of this, approximately 18,000

> "The shortage and high variability in the distribution of healthcare workers stand in the way of the achievement of the Kenya health outputs and outcomes"

nurses and 7,200 doctors work in public health facilities and were the most affected.

Although the number of health workers has increased in recent years, health workers are very unequally distributed across counties (Figure 14). In 2020, Kenya had 16.8 technical health workforce per 10,000 population. The technical workforce comprises of doctors, nurses and midwives. Further, the results reflect a highly skewed distribution of technical health workforce across counties, for example 7.0 for Garissa, Narok 9.5, Kajiado and Mandera 9.1 each. The large disparity in health workforce distribution across the counties could be attributed to demographics, the number of health care facilities and epidemiological profile of individual counties, among others. However, these estimates are well below the World Health Organization (WHO) density threshold of 23 doctors, nurses, and midwives per 10,000 population derived as the basic density needed to achieve the health-related SDG targets 3, in particular target 3 (c) targets to support health workforce in developing countries. There is need to have adequate numbers of technical workforce for efficient service delivery and ensuring fair workload distribution.

In Kenya, the 2020 technical health workforce is 82,808. Based on WHO norms, the required technical workforce in Kenya in 2020 was

Figure 14: Technical staff county distribution per 10,000 population

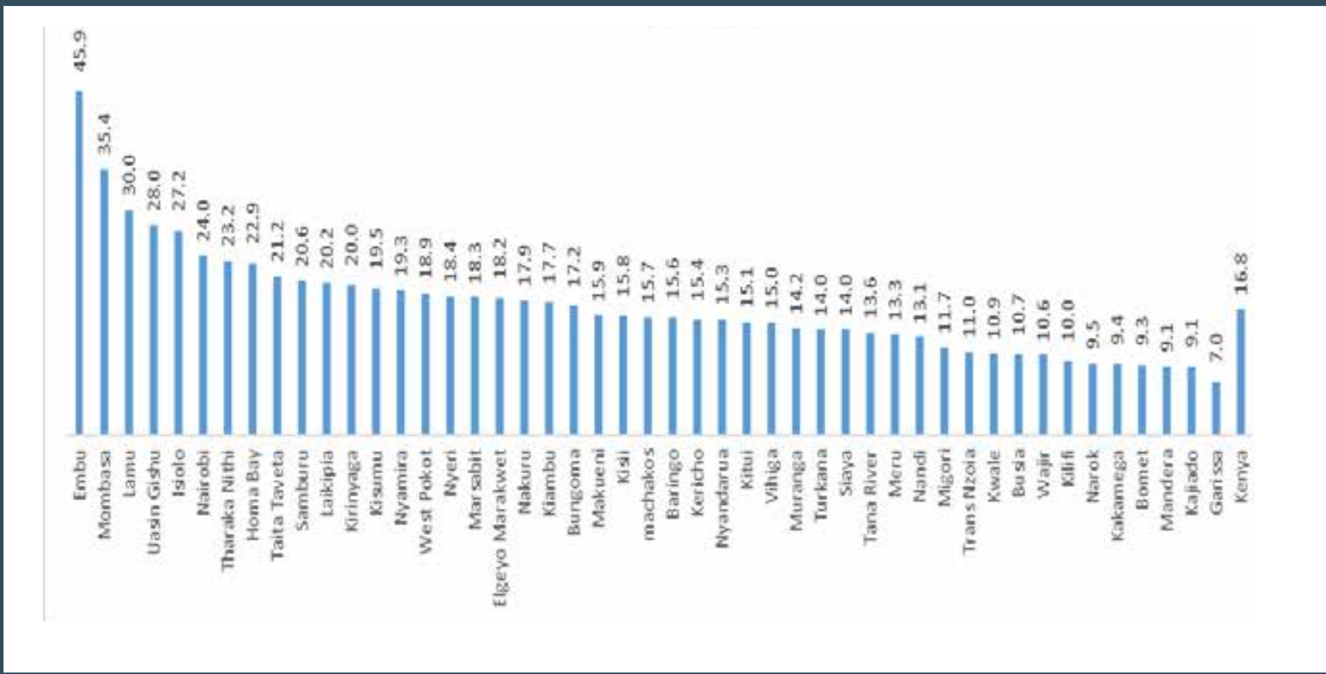
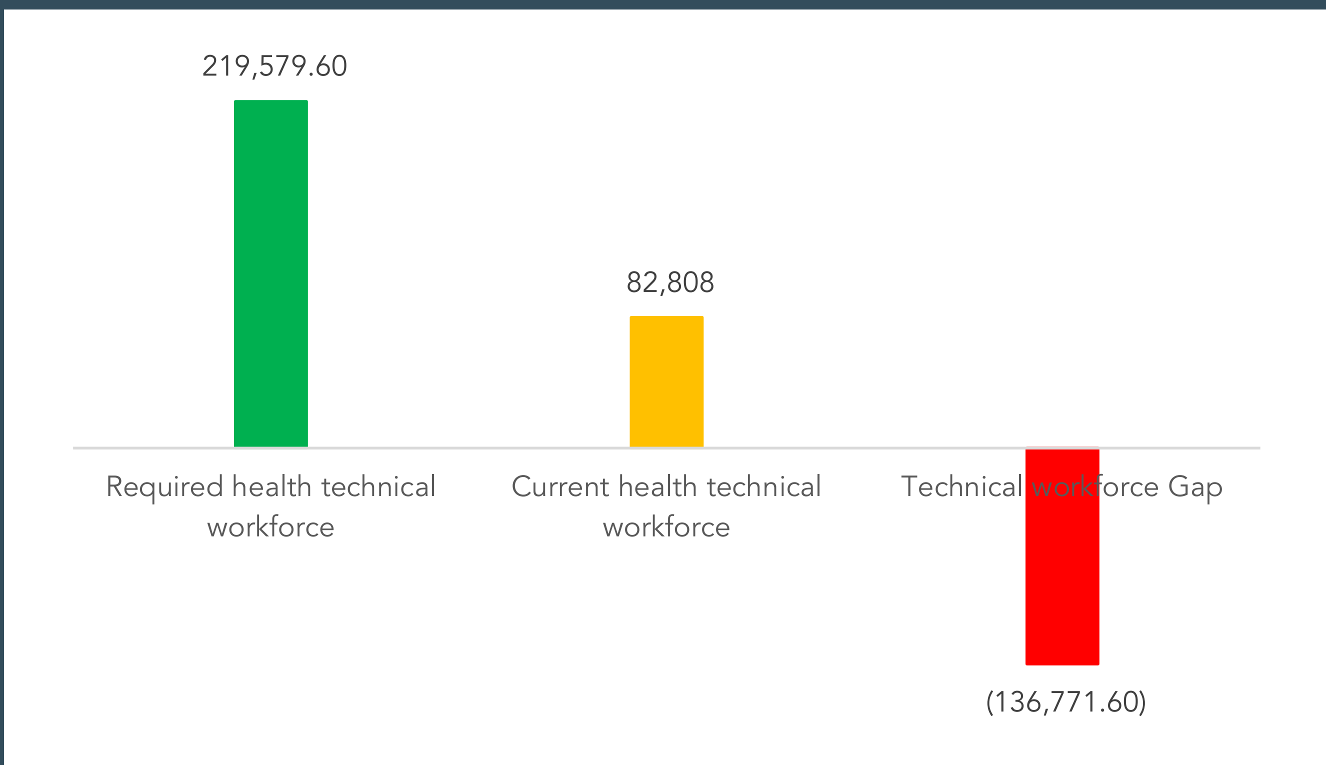


Figure 15: Status of technical health workforce in Kenya in 2020



219,580 (Figure 15). Thus, it is estimated that an additional 136,772 doctors and nurses will be required to bridge the gap. The shortage and high variability in the distribution of healthcare workers stand in the way of the achievement of the Kenya health outputs and outcomes. This calls for strengthening the health workforce through adequate financing, policy, recruitment, training, and retention to ensure everyone has access to a qualified health worker, thus improving the ability of health systems to achieve the SDG targets and prioritized national health goals.

The health workforce drives health performance and commands a large share of the health budget. Table (2) provides trends for the health workforce wages in the national referral hospitals in Kenya. The analysis reveals that a significant proportion of the health system budget is allocated to the health workforce pillar at 73 per cent, save for the upcoming Kenyatta University Teaching Referral and Research hospital.

The Government of Kenya instituted various measures that were aimed at ensuring and enhancing the safety of health workers after the emergence of COVID-19. The Ministry of Health in resonance to the WHO guidelines issued case management guidelines that were to be implemented hand in hand with the occupational safety guidelines and policy for the health sector in Kenya and the Health Act No. 21 of 2017, which provides the rights and duties of healthcare providers, including the right to their safety.

In addition, the Government provided a budget allocation of Ksh 2.7 billion earmarked for the Kenya COVID-19 Emergency Response Project to facilitate COVID-19 testing and treatment, and support COVID-19 response, including the provision of PPE for frontline health workers through the Kenya Medical Supplies Agency. Moreso, health workers were granted priority in accessing the vaccination against COVID-19 as a measure to safeguard them.

Despite this effort by the Government, concerns about the well-being and safety of health workers still exist in both public and health facilities. Key concerns touch on staff shortage, inadequate equipment and shortage in medical supplies and medicines - all these are necessary for health workers to perform effectively. For instance, the Kenya health sector report 2021 identified

Table 2: Health workforce wages in selected national referral hospitals (Ksh million)

Facility	Economic Classification	2018/19	2019/20	2020/21
Kenyatta National Hospital (KNH	Total Gross Expenditure	13,578	16,533	18,718
	Compensation to employees	9,527	11,630	13,601
	share of wages	70%	70%	73%
Moi Teaching and Referral Hospital (MTRH)	Total Gross Expenditure	9,555	10,230	11,384
	Compensation to employees	6,751	7,221	8,287
	share of wages	71%	71%	73%
Kenyatta University Teaching Referral and Research Hospital	Total Gross Expenditure	-	1,438	3,046
	Compensation to employees	-	516	1,496
	share of wages	-	36%	49%

inadequate human resources for health, both in numbers and skills mix. Further, the country had not met the WHO density threshold of 23 health care workers per 10,000 population. Inspection of health facilities showed that 78 per cent of facilities met the basic patient safety and quality standards in 2020.

Policy Implications

The Kenya Health Policy 2014-2030 acknowledges that although there has been an increase in the number of healthcare professionals, reaching an average of 20.7 doctors and 159.3 nurses for every 100,000 persons, this is below the WHO-recommended average of 21.7 doctors and 228 nurses per 100,000 people, which is the required standard for optimal delivery of services. In addition to the shortage, the policy identifies unequal distribution of workers as a major challenge, compounded by lack of adequate tools and equipment. The policy recommends manpower development programmes through the Ministry of Education as essential to ensure a continuous supply of quality health workers to the sector.

Without doubt, what is emerging as a lesson since the advent of COVID-19 is that providing adequate and quality infrastructure and equipment, employing the required number of health workers, and equal distribution of these resources across all health facilities provides the best option at ensuring the well-being of health workers. Innovative service delivery strategies such as telemedicine, mobile clinics, outreach programmes, or community-based services can also ease pressure on health facilities, minimize exposure and motivate health workers.

Another critical issue that has impacted health workers in Kenya is agitation for improved remuneration across the cadres of medical workers. This has occasioned perennial industrial action in both national and health facilities. Provision of salaries and wages has massive financial resource implications. However, there is need for flexibility and prioritization to ensure that the right mix of health human resources are recruited. Continuous investment in staff development and training regarding safety and emerging issues that touch on safety is paramount.

Finally, it is important for the National Treasury and County Governments to increase the public resources dedicated to improving the availability, distribution and performance of health workers and fill the existing gap on availability. The COVID-19 pandemic has not only indicated the critical importance of having an adequate and well-prepared health workforce to respond to health emergencies, but also the need for continued upskilling of health workers to effectively tackle emerging health shocks while ensuring their safety.

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A. Demand-Driven Projects

Petroleum Products Demand Forecasting Economic Model

KIPPRA was contracted by the Energy and Petroleum Regulatory Authority (EPRA) to develop an economic model that has an objective of forecasting demand for petroleum products in Kenya. The main concern was to forecast the short-term and long-term consumption of regulated petroleum products, which included Liquefied Petroleum Gas (LPG), kerosene, fuel oil, petrol, and diesel. The model is finalized together with its handbook for use by the wider public. Capacity building to the stakeholders in the petroleum sub-sector was undertaken, and the model can now be used in the processing of petroleum development plans in Kenya. As much as Kenya is a price taker for petroleum products, it was found that the key elements that drive the consumption of petroleum products is the price, and the income of the consumers.

NSSF Pension Contribution Forecasting Macro Model

KIPPRA signed a Memorandum of Understanding (MOU) with the National Social Security Fund (NSSF) in June 2021 to collaborate in matters of policy research and economic modelling. NSSF expressed an urgent interest in the development of a forecasting economic model for the NSSF pension contributions. To address the interest, KIPPRA undertook a two-week training in June 2021 on basic steps in building macro models, and the experience in Kenya on working with macroeconomic models. This was followed by NSSF engaging KIPPRA in developing an NSSF contribution forecasting model for short-term to medium-term analysis. The economic model is currently under construction and is undertaken in a collaborative approach where both technical teams assemble periodically to work and brainstorm on the model. The economic forecast from the model will also be expected to be cascaded to the NSSF branches for optimal operations of the Fund.

Kisumu Local Economic Development Plan

KIPPRA is currently supporting the County Government of Kisumu to develop a Kisumu Local Economic Development Plan. The Local Economic Development Plan will bring together all pre-existing visions and plans to attain the SDGs while considering Kisumu's strengths and assets. Among other developmental aspects, the Local Economic Development Plan aims to analyze the major trends and opportunities of an integrated local economic development, considering the significant impact of COVID-19 and consolidate all opportunities for private sector investment for city development.

A Cost-Benefit Analysis of a Research Reactor Project in Kenya

KIPPRA is supporting the Nuclear Power and Energy Agency in conducting a Cost-Benefit Analysis of a research reactor project in Kenya. The objective of the study is to provide information that will be useful for determining the economic and financial feasibility of the project. The analysis will inform budgetary considerations for the project, considering overall lifetime costs and expected revenue based on the planned utilization of the research reactor.

B. Collaborative Projects

The Domestic Savings Shortfall in Sub-Saharan Africa: What Can Be Done About It?

KIPPRA in collaboration with UNU-WIDER is working on a book on savings titled *"The Domestic Savings Shortfall in Sub-Saharan Africa: What Can Be Done About It?"* This is motivated by the need to increase domestic savings rates in Sub-Saharan Africa for economic growth to be realized. The book intends to close a gap in knowledge about drivers of domestic savings rates in Sub-Saharan Africa; whether alternative approaches, such as pension funds or fintech, could provide new solutions to increase domestic savings; and lessons learnt from the experiences so far in different countries in Sub-Saharan Africa and other regions, which have been more successful in raising savings rates. The findings of the research will be in tandem with the Addis Ababa action agenda of the United Nations on financing for development, which provides a new global framework for financing sustainable development by aligning all financing flows and policies with economic, social and environmental priorities.

KIPPRA-AERC Institutional Partnership Grant

KIPPRA has received an Institutional Partnership Grant from the Africa Economic Research Consortium (AERC) towards building capacity to conduct research and support human capital development in Africa (HCA) through institutional partnership. The grant aims to build capacity that involves systematic mentoring of young researchers by international resource persons who are experts in their fields of research. This project presents an opportunity from a research perspective to establish priority research and investment areas for the government, aimed at ensuring that fundamental rights, including right to highest attainable standard of health; quality education, training, and skills development; and freedom from hunger and access to safe clean water are attained. The institutional support will cover the following components: thematic research on provision and financing human capital investment in Kenya; capacity building of researchers, strengthening KIPPRA ICT institutional systems; strengthening partnerships and

collaborations in human capital; capacity building (internal and external); and knowledge management, dissemination, holding joint workshops and policy uptake of recommendation emanating from human capital country case studies. Under this grant, KIPPRA will also implement studies on human capital development. These include: i) The contribution of school and non-school environment on pupil performance: A case for teacher development; ii) Do social assistance interventions foster education attainment in Kenya? An empirical perspective; among others.

Implications of COVID-19 on Essential Health Services in Kenya

KIPPRA, in collaboration with Africa Economic Research Consortium (AERC), is conducting research on Understanding the Short and Long-term Effects of COVID-19 on Kenya's Health System. KIPPRA is developing a research paper addressing the following objectives: assess the implications of the COVID-19 on the delivery of healthcare services, including availability and distribution; the level of preparedness with essential equipment, health workers, medicines; information in the crisis period. The impact of COVID-19 on the provision of public health services amidst the pandemic will be tackled while identifying strategies of adequately and appropriately providing public health services amidst the pandemic.

Children Sensitive Planning and Budgeting, Public Finance for Children (PF4C): From Evidence to Policy Project

KIPPRA in collaboration with UNICEF is providing technical assistance to county governments to implement recommendations of the county budget briefs, Public Expenditure and Financial Accountability (PEFA) and poverty profiles for improved service delivery. The Institute is also supporting transitioning UNICEF County level support to be fully reflected on plans and budgets (including UN Women and UNDP support). The Institute is planning to develop the seven (7) National Budget Brief (2017/18-2021/22) and set up a virtual policy centre platform for supporting county governments. The seven national budget briefs will focus on macro public finance management; education and training; health; child protection; nutrition; water, sanitation and hygiene; and social protection. The programme is being implemented in partnership with CoG, CAF, UNICEF, Un-Women and UNDP.

Youth and Children Dashboard

KIPPRA and Executive Office of the President Advisory and Strategy Unit (PASU) are working on the migration of the employment initiative mapping tool, the Youth and Children Dashboard to be hosted at KIPPRA. KIPPRA will develop, update and host the portal on youth and children indicators and support its

utilization by public, Ministries, Departments and Agencies (MDAs), counties, researchers, policy makers, private sector, non-state actors (NSAs) and other stakeholders.

What Works for Youth Employment in Africa: A Review of Existing Policies and Empirical Analysis Project

KIPPRA in collaboration with the Partnership for Economic Policy (PEP) and the Mastercard Foundation are conducting a comprehensive review of Youth Employment Policies and Initiatives in Kenya; and of empirical studies on their impact, while identifying and promoting best practices. The project will also involve the understanding of the functioning of formal and informal employment institutions in Kenya and to a large extent the Global South. Other participating countries are Ethiopia, Ghana, Kenya, Nigeria, Rwanda, Senegal, Uganda, Burkina Faso, Niger and South Africa. The Kenya research team was drawn from KIPPRA, National Youth Council, Ministry of Labour and Ministry of ICT Innovation, and Youth Affairs. The project will also involve capacity building and mentorship by senior researchers and policy makers on labour market issues.

Urban Economic Growth in Africa: A Case Study of Nairobi City

KIPPRA, in collaboration with Africa Growth Initiative at Brookings, is conducting research on Urban Economic Growth in Africa: A Case Study of Nairobi City. The study aims at addressing challenges faced by the urban population in Nairobi, including lack of productive jobs, inadequate housing, low levels of accessibility, and high costs relative to development. The study will develop a framework detailing the primary constraints to Nairobi city's ability to benefit from agglomeration and generate productive jobs-accessibility, business environment, and public sector governance. The official launch of the study took place on 30th September 2021 and currently conducting preliminary analysis.

Making Agri-tourism Markets Work for Sustainable Food Systems in Sub-Saharan Africa

KIPPRA, in collaboration with Agriluxe Marketing (ALM) plc South Africa are undertaking research that aims to explore the synergy between the agriculture and tourism sectors (with inputs from other sectors) and how they will contribute to transforming Africa's food systems on all the three dimensions/measures of food systems sustainability: economic, social, and environmental.

Food Systems Research Network for Africa (FSNET Africa) - ARUA-UKRI GCRF Research Excellence Project

KIPPRA, which is the country hosting Node for Agriculture, and Natural Resources Policy Analysis Network (FANRPAN), is supporting the implementation of FSNet-Africa *ARUA-UKRI GCRF Research Excellence Project*, which is a collaborative initiative between University of Pretoria (UP), the University of Leeds (UK), and the Food, Agriculture, and Natural Resources Policy Analysis Network (FANRPAN). It is a research excellence project funded by the Global Challenges Research Fund (GCRF) through the African Research Universities Alliance (ARUA) – United Kingdom Research and Innovation (UKRI) partnership.

The overarching goal of FSNet-Africa is to strengthen food systems research and the translation of evidence into interventions using systems analytical research designed and implemented in partnership with a diverse set of food systems stakeholders. The Food Systems Research Networks for Africa (FSNet-Africa) project seeks to strengthen food systems research capabilities and translate evidence into implementable policy solutions and practical interventions in support of the Sustainable Development Goal (SDG) targets for Africa. This will be achieved through leading systems analysis research on climate-smart, nutrition-sensitive and poverty-reducing food system solutions designed and implemented in partnership with relevant food systems stakeholders.

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Legislative Developments

A) ACTS OF PARLIAMENT

1. The Foreign Service Act, No. 12 of 2021 was enacted on 7th December 2021. Its objectives are to provide for the establishment management, administration, accountability and functioning of a professional foreign service of the Republic of Kenya and for connected purposes.

B) NATIONAL ASSEMBLY BILLS

1. The Elections (Amendment) Bill, 2021 was gazetted for introduction into the National Assembly on 1st October, 2021. The principal object of this Bill is to amend the Elections Act to provide that persons nominated to county assemblies by political parties pursuant to Article 177 of the Constitution, shall be persons who are registered voters in the county in which they are nominated.

2. The Petroleum Products' (Taxes and Levies) (Amendment) Bill, 2021 was gazetted for introduction into the National Assembly on 15th October 2021. The object of the Bill is to review taxes and levies on petroleum products, with a view to making the products cheaper. The global prices have been on the rise in the recent months, hence to bring the price of fuel down, there is need to reduce the taxes and levies applicable to petroleum products. Further, the bill proposes to restructure the Petroleum Development Fund, with particular reference to specifying the purposes for which the Petroleum Development Levy may be used. The Bill further makes amendments to the Statutory Instruments Act, to require that all statutory instruments that impose taxes and levies are positively or negatively approved by the National Assembly.

3. The Advocates (Amendment) Bill, 2021 was gazetted for introduction into the National Assembly on 21st October 2021. The principal object of this Bill is to amend the Advocates Act, Cap. 16 to allow the citizens of Burundi and Rwanda to be eligible for admission as an advocate in Kenya subject to them having the relevant professional academic qualifications. This is in light of the fact that these countries are members of the East African Community and should be accorded equal treatment as Uganda and Tanzania.

4. The Copyright (Amendment) Bill, 2021 was gazetted for introduction into the National Assembly on 22nd October 2021. The principal object of this Bill is to amend the Copyright Act, to provide for fair formula for sharing of revenue from ring back tunes between the artists/copyright holders and the telecommunications companies. The Bill provides that the artist should get a greater share of the revenue at fifty two percent. The Bill also proposed to repeal the provisions on takedown notices and requirements, the role of internet service providers and application for injunction. It is intended to remove the ambiguity in the role of internet service provider. Further, it is to align the Act as there are already legal remedies provided for.

5. The Petition to Parliament (Procedure) (Amendment) Bill, 2021 was gazetted for introduction into the National Assembly on 22nd October 2021. The principal object of this Bill is to amend section 3 of the Petition to Parliament (Procedure) Act, 2012 to require petitioners to file relevant evidence of the efforts made to have the matters raised in a petition addressed by a relevant body and an affidavit indicating whether the matters are pending before court. Where matters are pending before court, a petitioner is to attach evidence of the court proceedings or judgment. It further introduces the aspect of a petitioner indicating their contact information for ease of tracing and conveyance of a reply or requests for clarification through information and communications technology means such as mobile telephones and electronic mail. Additionally, the Bill proposes to amend section 4 of the Act to empower a Clerk of Parliament, or a Committee established to review petitions to reject a petition where the issues in respect of which the petition is made are pending before any court of law or other constitutional or legal body, or the petitioner fails to comply with the directions given by the Clerk of the Committee to amend the petition.

6. The Regional Development Authorities Bill, 2021 was gazetted for introduction into the National Assembly on 22nd October 2021. The principal object of this Bill is to consolidate the laws relating to regional development and to provide for the establishment, powers and functions of the six (6) existing regional development bodies. The Bill standardizes the functions of regional development authorities subject to the unique areas of operation of each regional development authority. It further standardizes the membership of the Boards of each regional development authority to eleven (11) members in line with best practices in corporate governance.

7. The Penal Code Amendment Bill, 2021 was gazetted for introduction into the National Assembly on 29th October, 2021. The principal object of the Bill is to amend the Penal Code Cap. 63 in order to repeal section 182 of the Penal Code which prescribes the offence of idle and disorderly persons.

8. The Children (No.2) Bill 2021 was gazzetted for introduction into the National Assembly on 29th October 2021. The principal object of the Bill is to repeal the Children Act, 2001; to provide for parental responsibility, fostering, adoption, custody, maintenance, guardianship, care and protection of children; to make provision for the administration of children's institutions; to give effect to the provisions of the Constitution and for connected purposes. The proposed Children Act, 2019 is designed to align with the Constitution of Kenya, 2010, international and regional treaties and instrument.

9. The Geriatic Bill, 2021 was gazzetted for the introduction into the National Assembly on 5th November 2021. The principal object of the Bill is to give effect to Article 57 of the Constitution by establishing a legal framework for the treatment of older members of society. The Bill seeks to improve the living conditions of older members of society by providing for their rights to human dignity, safety and security, education, health and equality and non-discrimination. The Bill delegates legislative powers to the Cabinet Secretary to make regulations generally for the better carrying into effect of any provisions of this Act but it does not limit fundamental rights and freedoms.

10. Higher Education Loans Boards (Amendment) Bill, 2021 was gazette for introduction into the National Assembly on 11th November 2021. The principal object of the Bill is to amend the Higher Education Loans Board Act, No. 3 of 1995 to expressly provide that the Higher Education Loans Board shall not deny a loan to a student

in the Act, to be in line with the Constitution.

C) SENATE BILLS

1. The Kenya Medical Supplies Authority (Amendment) Bill, 2021 was gazetted for introduction into Senate on 6th October 2021. The principal object of the Bill is to amend the Kenya Medical Supplies Authority Act, No. 20 of 2013, by deleting the provision that requires county governments to procure drugs and medical supplies from the Authority as the first point of call. The repeal of the provision will allow county governments to procure drugs and medical supplies from suppliers other than the Authority thereby ensuring adequate fill rates for both drugs and medical supplies. Repealing of section 4 of the Kenya Medical Supplies Authority Act, No. 20 of 2013 shall not create a lacuna in the law since section 67 (3) of the Health Act provides—(3).The Kenya Medical Supplies Authority may be the point of first call for procurement of health products at the county referral level and it shall endeavor to establish branches within each county at such locations as it may determine.

Policy News

Bilateral Relations

1) Kenya-Barbados. Kenya signed three bilateral agreements with Barbados during President Uhuru Kenyatta's three-day official visit to the Caribbean country from 4th to 7th October 2021. The agreements including Trade and Investment, Bilateral Air Services and the International Section of the National Botanical Garden meant to promote and enhance bilateral trade relations between the two countries. Other areas the two countries intend to collaborate agriculture, health, education, tourism, arts and culture and Information, Communication and Technology. The agreement on Trade and Investment is critical in providing a framework for the establishment of a joint committee in trade and investment, and engagement between chambers of Commerce and Industry from Kenya and Barbados. During the visit, President Kenyatta hailed the steady cooperation between Africa and the Caribbean Community and Common Market. On her part, the Barbados Prime Minister Mia Amor Mottley was impressed with the participation of Kenya's private sector in the business forum held in Bridgetown, Barbados adding that their presence signified the quest for strengthening economic ties between the two countries.

2) Kenya-United States. Kenya and the United States held the second session of the Kenya-United States Bilateral Strategic Dialogue in Nairobi on November 16, 2021. Cabinet Secretary for Foreign Affairs Ambassador Raychelle Omamo and the US Secretary of State Anthony J. Blinken held discussion on how to strengthen the strategic partnership across all the five pillars and on the advancement of peace and security in Africa and Western Indian Ocean region. The pillars of the Bilateral Strategic Dialogue include Economic Prosperity, Trade and Investment; Defense Cooperation; Democracy, Governance and Civilian Security, Multilateral and Regional Issues; and Health Cooperation. Some of the key highlights of the discussion include renewed commitment by Kenya and the United States to deepen economic ties, expand bilateral trade and advancement of shared economic prosperity to benefit citizens of Kenya and the United States. The two leaders and their respective delegation also agreed to continue working together on counterterrorism, border security, maritime security, and professionalization of security forces. Both countries also reiterated the importance of warring parties in Ethiopia to commit to an

immediate cessation of hostilities and a negotiated ceasefire, allowing humanitarian access to population in need and to undertake an inclusive national dialogue. The two sides also expressed continued cooperation and collaboration in addressing the challenges of COVID-19 pandemic.

3) Kenya-South Africa. President Kenyatta's State visit to South Africa on 22nd – 24th November 2021 was significant in deepening bilateral ties between Kenya and South Africa. During the visit, President Kenyatta and South Africa's President Cyril Ramaphosa signed eight Memoranda of Understanding meant to enhance and broaden bilateral relations, trade, and investment between the two countries. The agreements signed included an MoU on the Establishment of Diplomatic Consultations; MoU on Diplomatic Training; agreements on Migrants Matters, Return of National Refused Entry and Illegal Entrants; Health; Bilateral Air Services Agreement (BASA); MoU on Transport Related Matters and Tourism; and Strategic Partnership Framework between South African Airways and Kenya Airways. The Establishment of Diplomatic Consultations is critical in setting guidelines for conducting diplomatic consultations and engagement on bilateral, regional, and international matters of mutual interest. Through the MoU on Diplomatic Training, Nairobi and Pretoria intend to enhance cooperation on foreign policy research and analysis, training of diplomatic personnel and exchange of information and publications between the two countries.

4) Kenya-Tanzania. Kenya and Tanzania signed eight bilateral pacts during President Uhuru Kenyatta's two-day state visit to the neighbouring country on 9th – 10th December 2021. President Kenyatta was the chief guest during Tanzania's 60th independence anniversary on 9th December. The agreements signed include border veterinary control; investment agreements; mutual legal assistance, extradition and transfer of sentenced persons; MoU on immigration, correctional services and animal health; health, housing and urban development; MoU on cooperation between Kenya Investment Authority and Tanzania Investment Centre. During the bilateral talks between President Kenyatta and his Tanzanian counterpart Samia Suluhu Hassan, the two leaders talked about the historical relations between the two countries and reiterated their commitments to work closely in fostering deeper bilateral relations for the attainment of shared vision for prosperity of citizens in Kenya and Tanzania. President Kenyatta noted that the newly signed agreements will not only help in spurring economic prosperity but also assist in cementing bilateral ties between Kenya and Tanzania. The President also commended the ongoing construction of the Malindi-Bagamoyo highway noting that it will unlock the immense commercial potential of the corridor along the vast coastal regions of the two countries. Similarly, President Suluhu highlighted the significance of cross-border connectivity and the ongoing joint infrastructure development that will enhance economic ties and development for both countries. The Tanzanian President noted that the envisaged gas pipeline from Dar Es Salaam to Mombasa will provide Kenyans with access to cheaper gas when the project is completed. The two leaders also committed to continued collaboration on addressing the COVID-19 pandemic and boosting tourism through joint promotion of the two countries' tourist attractions.

Regional News

1) Democratic Republic of Congo set to join EAC in 2022.The East African Community (EAC) Council of Ministers has cleared the Democratic Republic of Congo (DRC) for admission to the EAC early 2022. DRC will become the seventh member of the regional bloc. Currently, the EAC Partner States include Kenya, Tanzania, Uganda, Rwanda, Burundi, and South Sudan with a combined total area of 2,467,202 km². The entry of the DRC is

through a video link from Beijing, during which he unveiled nine projects to deepen cooperation between China and Africa. In the context of the current pandemic, China will offer an aid package of 1 billion doses of COVID-19 vaccines. Other projects include poverty reduction and agricultural development, trade promotion, investment promotion, digital innovation, green development, cultural and people-to-people exchange programme and peace and security programme. FOCAC is a triennial high-level forum between China and Africa. The first FOCAC was held in China in 2000. African countries that have hosted FOCAC include Ethiopia (2003), Egypt (2009), South Africa (2015) and Senegal (2021).

KIPPRA Events

KIPPRA participates in the 7th and final annual Devolution Conference in November 2021

The KIPPRA participated in 2021 devolution conference held in Makueni County between 23rd and 26th November 2021. The conference attracted more than 3,000 participants from the national and county governments as well as private, international and non-governmental organizations. KIPPRA participated through exhibition, rapporteuring for various sessions and also the Executive Director Dr. Rose Ngugi was a presenter and a panelist for the session on : "Recovery and re-engineering of local trade and manufacturing in the wake of climate change and pandemics". During the session, the Institute also got an opportunity to display a video clip on the recovery and re-engineering of local trade and manufacturing in the wake of climate change and pandemics. The ED also got a chance to be part of a media interview at the conference where she discussed issues on trade and manufacturing in relation to the COVID-19 pandemic and climate change. The KIPPRA display stand was a beehive of activity as staff spent time to explain the Institute's mandate to the many visitors as well as respond to enquiries and get feedback. Among the key guests who visited the stand included governors from Kisumu, Vihiga, Meru and Kakamega counties. The KIPPRA Board Chair Prof. Ben Sihanya and the Executive Director were on hand to welcome some of the guests. Other KIPPRA Board Directors who were at the conference include Dr Phoebe Ayugi Josiah, Mr Zachary Mwangi and Dr Chris Galgallo. Visitors from various counties got to learn about the Institute's capacity building programmes, especially those targeting county officers. Visitors got a chance to pick publications covering themes of their interest. This enabled the Institute to disseminate 8,450 publications.

Pomp and Colour at the 3rd Edition of UHAI Festival, 5th November 2021

KIPPRA participated in and supported this year's UHAI festival. The festival, which serves as a platform to promote and nurture talents of Persons Living with Disabilities (PWDs), took place at the Machakos Peoples' Park on 5th and 6th November 2021. The event was graced by KIPPRA Executive Director Dr Rose Ngugi, Machawood CEO Mr Victor Muniafu, Signs TV CEO Mr Luke Muleka and a few KIPPRA staff.

UHAI festival is an annual event, which was started in 2018 by Signs TV in partnership with Machakos County Government. This year's event attracted 250 participants from different parts of the country. The participants showcased their talents and took part in sports namely blind football, roll ball, sitting volleyball, deaf football and amputee soccer.

Speaking at the event, Dr Ngugi, who was the chief guest, said KIPPRA supported the festival as part of its corporate social responsibility. She added that the festival provided an opportunity for KIPPRA to understand areas of policy

focus in relation to PWDs. Dr Ngugi noted that the event also acted as a platform for public participation in policy formulation, enhanced inclusion of PWDs and demonstrated that disability is not inability.

The Executive Director further outlined different ways the Institute supported PWDs, including undertaking policy research on inclusion of PWDs and organizing conferences such as the 3rd KIPPRA Annual Regional Conference, which focused on PWDs. The conference, themed "Enhancing Inclusivity through empowering Persons Living with Disability" served as a platform to discuss the welfare of PWDs and provide policy recommendations aimed at creating an enabling policy and legal environment for inclusion of PWDs.

Mr Victor Muniafu noted that the festival is one of the programmes of Machakos County Government aimed at embracing inclusion and mainstreaming of PWDs. Mr Muleka, on his part, thanked KIPPRA for agreeing to partner with Signs TV to make the festival a success.

KIPPRA was the main sponsor at the event and bought lunch for all participants.

New Board Chairperson Meets Management Staff, 3rd November 2021

The KIPPRA management conducted an induction for the new Board Chairperson, Prof. Ben Sihanya, on 3rd November 2021. The session gave the Board Chair an opportunity to get a deeper understanding of KIPPRA's mandate, including its programmes, structure and human resource management, financial status and the Institute's products and services. Prof. Sihanya also got a chance to interact with the management staff members and learn more about the departments they represent.

In her remarks, the Executive Director Dr Rose Ngugi thanked the Board Chair for making time to interact with the management staff, promising the support of management and staff towards the achievement of the board functions and activities. Prof. Sihanya, on his part, noted that he had learnt many new things about KIPPRA and that he looked forward to working with the entire board, management and staff to promote the Institute's role in contributing to and influencing public policy in the country.

KIPPRA and IDinsight to advance evidence-based policymaking in Kenya, 15th October 2021

The Kenya Institute for Public Policy Research and Analysis (KIPPRA) has signed an MOU with IDinsight — a global advisory, data analytics, and research organization — to solidify their partnership in contributing to the achievement of Kenya's national development goals through evidence-informed public policy. As part of this partnership, KIPPRA and IDinsight will undertake joint research and evaluations on areas of interest, including public finance management and empowerment of women, girls, and persons with disabilities. Together, KIPPRA and IDinsight will employ data-driven approaches, including machine learning and rapid, rigorous surveys to inform the government's Public Policy Making Process (PPMP). The two institutions will jointly hold technical and policy workshops to disseminate research and evaluation findings as well as organize policy seminars and conferences. The research findings generated from this partnership will inform public policy.

"We look forward to this partnership with IDinsight and are excited for the opportunity to jointly conduct evaluations and research that will further inform policy decisions in the country. KIPPRA is committed to providing public policy advice and capacity building towards the achievement of national development goals," said Dr Rose Ngugi, Executive Director, KIPPRA

On her part, IDinsight East Africa Regional Director, Dr Frida Njogu- Ndongwe said her team was excited to initiate a formal engagement with KIPPRA, noting: "KIPPRA has a great track record of contributing to Kenya's development by providing policy advice to the government at national and sub-national levels. IDinsight will bring our expertise in data and evidence, cutting-edge tools, and tailored support to work with KIPPRA to support government institutions."

IDinsight works with governments, multilateral agencies, foundations, and innovative non-profit organizations in Asia and Africa and has offices in Dakar, Lusaka, Manila, Nairobi, New Delhi, and the US.

A Day with Machakos School for the Deaf Fraternity, 14th October,2021

KIPPRA reached out to and spent the better part of 14th October 2021 with pupils, staff and board of the Machakos School for the Deaf. This was part of the Institute's Corporate Social Responsibility (CSR) initiatives targeting members of the community, particularly those living with disability.

Among the activities undertaken during the event include a tree-planting exercise where representatives from KIPPRA and the school planted trees. These included the KIPPRA Executive Director, Dr Rose Ngugi, the school's board chair Mr Peter Ndanga Kwinga and the headmistress Ms Betty Kiraithe. Others are representatives from the KIPPRA environment and CSR committee, the national values and principles of governance committee and the gender and disability mainstreaming committee.

As part of its initiative to promote understanding of the national values and principles of governance, KIPPRA engaged a representative from the Directorate of National Cohesion and Values to conduct a sensitization exercise. And to help the participants remember the national values of principles of governance, KIPPRA shared keyholders, pamphlets and a booklet with the national values and principles of governance. KIPPRA also shared other gifts including a projector and white board, sanitary pads, sanitizers as well as loaves of bread and milk for the pupils.

Dr Rose Ngugi thanked the school for their warm welcome and lauded the teachers for their effort to impart knowledge to the young learners, despite their hearing impairment. The board chair, on his part, thanked KIPPRA, noting that the event provided an opportunity to understand the context and challenges faced by learners and teachers in a such an institution, which he hoped would contribute information for policy decisions. One of the key highlights of event was a traditional dance by the pupils, who are said to have won various accolades, including being invited to present during national events.

KIPPRA participates in Forest Challenge 2021 to Boost Kenya's Forest Cover

In support of forest conservation, KIPPRA staff joined East African Wildlife Society for Forest Challenge 2021.

The event took place on 27th November 2021 at Kereita Forest in Kiambu County and attracted 48 organizations who competed in different sporting activities and planted trees. The challenge aims at creating awareness on the need to protect forests and mobilize resources for the restoration of degraded water catchment areas. KIPPRA participated in the forest challenge as part of the Institute's corporate social responsibility and to support the government's effort to increase Kenya's forest cover from 7.2 per cent to 10 per cent by 2022. This will enable the country to overcome negative impact of climate change.

KIPPRA team who participated in the challenge emerged 4th best team overall and were awarded certificates.

KER 2022 Stakeholder Consultative Workshop , 8th - 9th December 2021

KIPPRA held a two-day consultative workshop to receive stakeholder input for the draft Kenya Economic Report (KER) 2022. The event was held in Nairobi on 8th and 9th December 2021 with a virtual attendance to accommodate stakeholders who were not able to attend the physical meeting. The theme for KER 2022 is 'Building Resilience and Sustainable Economic Development in Kenya'. The report reviews performance of the economy during the preceding year and provides medium term prospects on performance of the economy. Within the context of the theme, the KER 2022 seeks to provide policy insights on ways to nurture resilience at the macroeconomic level and across key sectors of the economy that include manufacturing, trade, livestock industry, and the creative economy. Further, the report covers thematic areas that serve as enablers to realization of national development goals, including Information and Communication Technology (ICT); Science, Technology, and Innovation (ST&I); shared values; and good governance.

The workshop was attended by diverse representatives from state and non-state actors; including the State Department for Trade and Enterprise Development; the State Department for Development of Arid and Semi-Arid Lands (ASALs); State Department for Livestock; the Central Bank of Kenya (CBK); the Kenya Revenue Authority (KRA); the Communications Authority of Kenya (CA); the Competition Authority of Kenya (CAK); the Kenya Association of Manufacturers (KAM); Uraia Trust; Twaweza; and the Creative Economy Working Group (CEWG). The report will be revised and shared again with stakeholders during a validation workshop to be held during the 1st quarter of 2022. Thereafter, it will be finalized and submitted to the Cabinet Secretary for National Treasury and Planning.

KIPPRA EVENT PHOTOS

KIPPRA Board Chairperson Prof. Ben Sihanya and Executive Director Dr Rose Ngugi (far right) pose for a group photo with the graduands

KIPPRA Board Chairperson Prof. Ben Sihanya (centre) presents certificate to a graduand

KIPPRA EVENT PHOTOS

The KENYA INSTITUTE for PUBLIC POLICY RESEARCH and ANALYSIS

Chairperson KIPPRA Board of Directors Prof. Ben Sihanya, KIPPRA Board Director Dr Phoebe Josiah and KIPPRA Executive Director Dr Rose Ngugi pose for a group photo with JOOUST students during KMPUs event at the university

KIPPRA Executive Director Dr Rose Ngugi addresses JOOUST students at the KMPUs event

JOOUST University Vice Chancellor, Prof. Stephen G. Agong' gives his remarks

KIPPRA EVENT PHOTOS

The KENYA INSTITUTE for PUBLIC POLICY RESEARCH and ANALYSIS

KER 2022 Stakeholder Consultative Workshop, 8th - 9th December 2021

KIPPRA Executive Director Dr Rose Ngugi (right) and IDinsight East Africa Regional Director Dr Frida Njogu – Ndongwe (left) exchange the signed MOU at the signing ceremony

KIPPRA Executive Director Dr Rose Ngugi (right) and IDinsight East Africa Regional Director Dr Frida Njogu-Ndongwe sign the MOU

KIPPRA EVENT PHOTOS

KIPPRA
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KIPPRA Board of Directors Chairperson Prof. Ben Sihanya (far right), KIPPRA Executive Director Dr Rose Ngugi (centre) pose for a photo with Meru County Governor H.E. Kiraitu Murungi during his visit to KIPPRA Stand at Devolution Conference

Kakamega H.E. Wycliffe Oparanya (centre) visits the KIPPRA stand at the conference

KIPPRA Executive Director Dr Rose Ngugi participates in a panel discussion on recovery and re-engineering of trade and manufacturing in the wake of climate change and pandemics

KIPPRA EVENT PHOTOS

KiPPRA
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KIPPRA Executive Director Dr Rose Ngugi addresses participants at the 3rd edition of UHAI festival

Men compete in sitting volleyball at the festival

Ladies compete in sitting volleyball at the festival

KIPPRA EVENT PHOTOS

KiPPRA

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KIPPRA Board Chairperson Prof. Ben Sihanya and management team keenly follow the proceedings of the induction workshop

KIPPRA Board Chairperson Prof. Ben Sihanya (left) receives a gift from KIPPRA Executive Director Dr Rose Ngugi (right)

KIPPRA Senior Policy Analyst Dr Martin Wafula makes a presentation during Kenya Economic Report 2022 stakeholder consultative workshop

KIPPRA EVENT PHOTOS

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Participants follow the proceedings of the workshop

KIPPRA Executive Director Dr Rose Ngugi hands over some of the items which the Institute donated to the school's head teacher Ms Betty Kiraithe

KIPPRA EVENT PHOTOS

KIPPRA
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A representative from the Directorate of National Cohesion and Values sensitizes the pupils on national values and principals of governance

KIPPRA staff who participated in the marathon pose for a group photo with tree seedlings which they will plant

KIPPRA staff who participated in the marathon pose for a group photo

KIPPRA EVENT PHOTOS

KIPPRA

The KENYA INSTITUTE for PUBLIC POLICY RESEARCH and ANALYSIS

KIPPRA team pose for a group photo after emerging fourth best in the challenge

KIPPRA team pose for a group photo ahead of the forest challenge at Kereita Forest

ABOUT KIPPRA

The Kenya Institute for Public Policy Research and Analysis (KIPPRA) is an autonomous institute whose primary mission is to conduct public policy research leading to policy advice. KIPPRA's mission is to produce consistently high-quality analysis of key issues of public policy and to contribute to the achievement of national long-term development objectives by positively influencing the decision making process. These goals are met through effective dissemination of recommendations resulting from analysis and by training policy analysts in the public and private sectors. KIPPRA therefore produces a body of well-researched and documented information on public policy, and in the process assists in formulating long-term strategic perspectives. KIPPRA serves as a centralized source from which the Government and the private sector may obtain information and advice on public policy issues.

Send to us your comments on the articles published in this newsletter and any other aspects that may help to make the *KIPPRA Policy Monitor* useful to you. This may include policy issues you would like KIPPRA to prioritize.

The KENYA INSTITUTE for PUBLIC POLICY RESEARCH and ANALYSIS

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