



**NATIONAL ENVIRONMENTAL COMPLAINTS COMMITTEE (NECC)**  
**The Environmental Ombudsman**  
**STRATEGIC PLAN**  
**2018 – 2023**



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## ACRONYMS

ADR	Alternative Dispute Resolution
AG	Attorney General
ASAL	Arid and Semi-Arid Lands
CBO	Community Based Organisations
CP	Central Planning
CPPMU	Central Planning and Project Monitoring Unit
CS	Cabinet Secretary
EIA	Environmental Impact Assessment
EMCA	Environmental Management and Coordination Act (1999)
ERS	Economic Recovery Strategy
FBO	Faith Based Organisations
GDP	Gross Domestic Product
GMO	Genetically Modified Organisms
ICT	Information Communication Technology
JKUAT	Jomo Kenyatta University of Agriculture and Technology
KEFRI	Kenya Forestry Research Institute
KFS	Kenya Forest Service
KWS	Kenya Wildlife Service
M&E	Monitoring and Evaluation
MEAs	Multilateral Environmental Agreements
ME&F	Ministry of Environment and Forestry
MOV	Means of Verification
MTEF	Medium Term Expenditure Framework
MTP	Medium Term Plan
NEMA	National Environment Management Authority
NETFUND	National Environment Trust Fund
NET	National Environment Tribunal
NGO	Non-governmental Organisation
OVI	Objectively Verifiable Indicators
NECC	National Environmental Complaints Committee
PELIS	Plantation Establishment & Livelihood Improvement Scheme
PESTEL	Political, Economic, Social, Technological, Environment and Legal
PIL	Public Interest Litigation
PPEs	Personal Protective Equipment
PS	Principal Secretary
SDGs	Sustainable Development Goals
SWOT	Strengths, Weaknesses, Opportunities and Threats
UNCCD	United Nations Convention to Combat Desertification
UNEA	United Nations Environment Assembly
UNFCCC	United Nations Framework Conventions on Climate Change
UPOP	Unintentional Persistent Organic Pollutants
URTI	Upper Respiratory Tract Infections
W.H.O	World Health Organization
WRM	Water Resources Management



## FOREWORD

The National Environmental Complaints Committee (NECC) is an important institution in the assessment of the condition of the environment in Kenya. Apart from carrying out its traditional role of listening to and investigating complaints and allegations on environmental degradation, it plays an important role in the facilitation of Public Interest Litigation (PIL) and Alternative Dispute Resolution (ADR) mechanisms relating to environmental matters. NECC makes recommendations to the Cabinet Secretary (CS) and thus contributes significantly to the formulation and development of environmental policies. NECC was established under Environmental Management and Coordination Act (EMCA) of 1999 (No.5 of 2015).

In the fulfillment of its mandate, NECC has developed its Strategic Plan to cover the period 2018-2023. The Plan lays the foundation on which the NECC will realize its projected objectives for this period. It defines the NECC's vision, mission, strategic goals and objectives. Further, it builds on the national priorities of *KenyaVision 2030*, "*Big Four*" *Agenda*, *MTP III* and among other international, national, sectoral and stakeholders' considerations. The Plan will enable NECC to:

- examine the new contextual environment in which it operates,
- explore the factors and trends that affect the way it performs its core functions,
- examine its mandate and fulfill its vision and mission.

This was done through identifying strategic issues which must be addressed and implemented through strategic initiatives. Lessons learnt from the implementation of the previous strategic plan have been incorporated in order to improve on delivery of the goals.

The Constitution of Kenya, 2010 outlines that every person has the right to a clean and healthy environment, a provision that creates the right to have the environment protected for intergenerational benefits. The State has the core responsibility of ensuring sustainable utilization, management and conservation of the environment and natural resources.

In implementing the Plan, the NECC shall be guided by its core values. These values are grounded on professional integrity, personal orientation, team work, equity, transparency, accountability, commitment to excellence, learning, applying best environmental practices, public service, and sustainable environmental management activities.

I commend the National Environment Complaints Committee for its valuable contribution to environmental management in Kenya. Its timely response to the numerous challenges in the environment sector have proved to be a great asset to the Ministry, despite the challenges it faces of lacking autonomy and the limited budget. These are some of the issues that my Ministry is addressing to ensure that the Environmental Ombudsman will be supported to enhance its independence and it will be equipped with adequate resources as envisaged under the revised EMCA, 1999 (No.5 of 2015) and to facilitate the implementation of the Plan.

**Keriako Tobiko, CBS, SC.**  
Cabinet Secretary,  
**Ministry of Environment and Forestry**

## **PREFACE**

The Strategic Plan articulates the shared Vision, Mission and core functions, strategic objectives and resource requirements of the National Environmental Complaints Committee (NECC). It is part of the ongoing Government reforms to align programmes to correspond with aspirations of the Kenya Vision 2030, the Third Medium Term Plan, The Transformative Agenda of the ‘Big Four’ and the SDGs.

The development of this Strategic Plan was achieved through an elaborate and consultative process involving key stakeholders. The NECC Members and staff have held several workshops and consultative meetings with technical experts each playing a role in mapping out the strategic direction that the NECC is to take in order to effectively execute its mandate of investigating allegations or complaints relating to the environment. It provides a link between NECC’s strategies and national policies. The execution of this Plan will assist NECC effectively respond to emerging national environmental issues and challenges.

About 42 per cent of Kenya’s GDP annually is derived from natural resource-based sectors of agriculture, forestry, tourism, mining, water and energy that are otherwise closely related to the state of the environment. Sound environmental conservation results in preservation of natural resources thus, assuring continuous supply of environmental goods and services. In addition, proactive management of the environment pre-empts serious calamities and occurrences namely drought, floods, loss of biodiversity and global warming that would otherwise take up a lot of resources to deal with their eventualities.

NECC has a significant role to play in the “Big Four” transformative agenda sectors in view of the nature of its role and involvement in national development. The role of NECC as the Environmental Ombudsman provides an enabling environment and platform through which all stakeholders can be brought together to learn and to share their experiences on balancing between development, environmental protection and sustainability. The Ministry is committed to ensuring that NECC is strengthened structurally and financially to be able to deliver its assigned mandate.

**Ali Noor Ismael**  
Principal Secretary,  
**Ministry of Environment and Forestry**

## **STATEMENT BY THE CHAIRMAN**

The National Environmental Complaints Committee (NECC) is established under Section 31-36 of the Environmental Management and Co-ordination Act, 1999 (No.5 of 2015) with the mandate of investigating allegations or complaints regarding the condition of the environment in Kenya, or on its own motion, suspected cases of environmental degradation. This makes NECC, the Environmental Ombudsman. NECC prepare reports of its findings and recommendations thereon and submits the same to the Cabinet Secretary in charge of Environment. According to the Act, every person is entitled to a clean and healthy environment.

The Committee is composed of seven members appointed by the Cabinet Secretary in charge of Environment as follows: A Chairperson who is qualified to be appointed as a judge of the Environment and Land Court of Kenya; A Secretary of the Committee who is deemed competent in environmental matters, provided by the Council of Governors ; A representative of the Attorney General; A representative of the Law Society of Kenya; A representative of the Private Sector, provided by KEPSA and two other members who are appointed by the Cabinet Secretary for their active role in environmental management.

The Strategic Plan is a result of critical synergies and integration of the mandate of NECC. The Plan identifies key strategic issues and assesses NECC strengths, weaknesses, threats and opportunities, culminating into specific strategies and objectives which will be pursued during the Plan period. It is hoped that with the right funding levels and institutional regeneration and transformation, NECC will contribute immensely to the *Kenya Vision 2030*, Sustainable Development Goals, The African Agenda 2063 and the Third Medium Term Plan and the transformative agenda of the “Big Four”. It will be implemented through annual work plans and Performance Contracts.

NECC will ensure the successful implementation of the Strategic Plan through continuous self-improvement. Through its operations, NECC will provide a platform for partners and stakeholders to engage with the policy makers so as to improve on the delivery and open avenues for all voices to be heard, especially on public litigation issues. In executing this mandate, the Environmental Ombudsman takes into consideration gender issues and how each concern that is raised affects the different genders.

It is my hope that the successful implementation of this Plan will make a positive contribution to the overall performance of the Environment Sector.

**Isabella A. Masinde**  
**Committee Member,**  
**Chair, Strategic plan**

## **ACKNOWLEDGEMENT**

Several individuals and organizations have greatly contributed in bringing this work to its present form. On behalf of myself and NECC staff may I take this opportunity and appreciate the effort spent in reviewing the NECC Strategic Plan.

First, I acknowledge my fellow members namely Ms.Felicity Biriri, Ms.Isabella Masinde, Ms. Sylvia Kone, Ms. Caroline Khasoa and the late Mr. John Tuta who consistently contributed to the process tirelessly. Their useful comments and constructive criticism are immensely appreciated. Secondly, I am very grateful to all our partners and stakeholders, particularly the Ministry of Environment and Forestry, Central Planning project Monitoring Unit (CPPMU) for guidance and contribution during the preparation of this Strategic Plan.

It is my hope that the successful implementation of this Plan will enhance the performance of the NECC, enable its guidance accordingly for next five years and generate good lessons that can be replicated elsewhere.

**Dr. John Chumo**  
**Committee Secretary**



**Table 1: LIST OF WORLD ENVIRONMENTAL DAYS**

<b>Name</b>	<b>Date</b>
World Wetlands Day	February 2
World Wildlife Day	March 3
International Day of Action for Rivers	March 14
Global Recycling Day	March 18
International Day of Forests	March 21
World Water Day	March 22
Earth Day	April 22
World Biodiversity Day	May 22
World Environment Day	June 5
World Oceans Day	June 8
World Day to Combat Desertification and Drought	June 17
International Day for the Preservation of the Ozone Layer	September 16
World Cleanup Day	September 15
World Rivers Day	September 23
World Environmental Health Day	September 26
World Habitat Day	First Monday in October
International Day of Climate Action	October 24

## EXECUTIVE SUMMARY

This Strategic Plan has been aligned with the aspirations of the *Kenya Vision 2030*, the Sustainable Development Goals (SDGs), the parent ministry's (Ministry of Environment and Forestry) Strategic Plan (2018 – 2023) and development strategies, national and regional initiatives that have a bearing on Kenya's development. It also aligned to the Third Medium Term Plan (MTP III) which expounds and brings together environment, water and sanitation sector for purposes of creating and strengthening linkages to enhancing *Vision 2030*.

Chapter one gives the background information on NECC. It shows establishment and NECC anchoring in the EMCA 1999(No.5 of 2015), Kenyan Constitution, 2010, Kenya Vision 2030, the big four transformative agenda and all other relevant legal framework. It provides the justification for this Strategic Plan and outlines the mandate, vision, mission and core values of the institution. Chapter two assesses the situational analysis of NECC. It depicts the current and proposed organizational structure, SWOT analysis, PESTEL analysis and a stakeholder's analysis. It provides an in-depth look at how NECC operates and indicates areas for expansion and improvement.

Chapter three reviews the performance of the last plan period. It discusses the achievements, categorized into various themes namely awareness creation strategies adopted, investigated complaints, public interest litigation environment, and capacity development. It also discusses the challenges faced as well as emerging issues identified by the institution. The last part addresses the lessons learnt as well as proposes best practices to be emulated and bench marking. Chapter four addresses the key strategic goals, objectives and initiatives identified to be implemented within the next five years. It provides an implementation matrix with corresponding outputs, objectively verifiable indicators, means of verification and budgetary estimates.

Resource mobilization is critical to the implementation of this Plan. This is depicted in Chapter five. Estimates of the resources required to implement this Plan have been provided for tentatively. NECC expects to finance this budget mainly through the Exchequer (Treasury) and source for additional funds from development partners. It clearly lay emphasis on efficient utilization of available financial resources on prioritized activities. In order to gauge the performance of the institution, NECC is dedicated to implement an inbuilt monitoring and evaluation system as indicated in Chapter six. The system will employ various effective analysis mechanisms, budgetary control and progress reports to enable the overall implementation of this plan a success.

NECC will play a significant role in supporting the functioning of the parent Ministry in terms of environmental management and policy implementation and formulation. This Plan is aimed at facilitating the organization achieve its vision of becoming the leading environmental ombudsman in the world.

## **CHAPTER ONE: INTRODUCTION**

### **1.1 BACKGROUND INFORMATION**

National Environmental Complaints Committee (NECC) is established under section 31-36 of EMCA 1999. The Committee was formerly known as the Public Complaints Committee (PCC). The Act was amended in 2015 when the name was changed to NECC. The first Committee was inaugurated in August 2001 and started full operations in January 2003. Its mandate is to investigate allegations of environmental degradation and public interest litigation.

Kenya strives towards the achievement of its development agenda encompassing the social, economic and political spheres, through the strategies, programmes and projects proposed in the Vision 2030 and its various MTPs. The development activities will subsequently have some negative environmental impacts. This then calls for proper measures and interventions to either mitigate or adapt to the impacts. For example there exists overwhelming evidence of climate change globally as evidenced by rise in sea level, increase in frequency of extreme events and natural disasters like floods, landslides, prolonged droughts, hurricanes and earthquakes. In Kenya one of the apparent signals is the rapid and drastic disappearing of glaciers on Mt. Kenya with scientists projecting that the ice cap on the mountain could disappear by the year 2020. Further, there have been widespread changes in extreme temperature in the country. Data from the meteorological departments show that cold days and cold nights have become less frequent, while hot days and hot nights have become more frequent.

Climate change is a serious challenge in the economic development, human life and on the environment. Kenya is most vulnerable to climate change since the key drivers of the economy namely transport, agriculture, livestock, tourism, forestry, and fisheries are climate-sensitive. Coupled with the country's low adaptive capacity to climate change, the country experiences a high level of vulnerability. Scientific evidence exists that global warming is leading to reduced snow caps with negative environmental implications.

The Constitution of Kenya in Articles 42 outlines that every person has the right to a clean and healthy environment which includes the right to have the environment protected for the benefit of the present and future generations. Further, the State has a responsibility under Articles 69 and 70 of the Constitution, to ensure sustainable exploitation, utilisation, management and conservation of the environment and natural resources.

### **1.2 KEY DEVELOPMENTAL BLUEPRINTS**

NECC's strategic plan is developed and anchored on the following development blueprints:

1. Sustainable Development Goals
2. African Agenda 2063
3. East African Community vision 2050
4. Kenya Vision 2030

## 5. The Big four Agenda

### 1.2.1 Sustainable Development Goals

The Sustainable Development Goals are the blueprint to achieve a better and more sustainable future for all. They address the global challenges we face, including those related to poverty, inequality, climate, environmental degradation, prosperity, and peace and justice. In 2015, countries adopted the 2030 Agenda for Sustainable Development and its 17 Sustainable Development Goals. In 2016, the Paris Agreement on climate change entered into force, addressing the need to limit the rise of global temperatures. Over the next fifteen years, with these new Goals that universally apply to all, countries will mobilize efforts to end all forms of poverty, fight inequalities and tackle climate change, while ensuring that no one is left behind.

This strategic plan is particularly keen on ensuring that the SDGs are realized with specific emphasis on the following goals: No poverty, zero hunger, good health and wellbeing, clean water and sanitation, affordable clean energy, decent work and economic growth, industry, innovation and infrastructure, sustainable cities and communities, responsible consumption and production, climate action, life below water, life on land, and partnerships for goals.

### 1.2.2 African Agenda 2063

The African agenda is a strategic framework for socio economic transformation of the continent over the next 50 years. It builds on and seeks to accelerate the implementation of past and existing continental initiatives for growth and sustainable development. The guiding vision of the agenda 2063 is the AU vision of 'an integrated, prosperous and peaceful Africa, driven by its own citizens and representing a dynamic force in international arena'. The aspirations include:

- A prosperous Africa based on inclusive growth and sustainable development
- An integrated continent, politically united and based on the ideals of Pan-Africanism and the vision of Africa's Renaissance
- An Africa of good governance, democracy, respect for human rights, justice and the rule of law
- A peaceful and secure Africa
- An Africa with a strong cultural identity, common heritage, shared values and ethics
- An Africa whose development is people-driven, relying on the potential of African people, especially its women and youth, and caring for children
- Africa as a strong, united and influential global player and partner

### **1.2.3 East African Community Vision 2050**

The East African Community (EAC) is an inter-governmental organization mandated by the governments of Burundi, Kenya, Rwanda, Uganda and Tanzania to spearhead the East African economic, social and political integration agenda.

The *EAC Vision 2050* lays out a broad perspective in which the region optimizes the utilization of its resources to accelerate productivity and the social wellbeing of its people. It portrays a future East Africa with rising personal prosperity in cohesive societies, competitive economies, and strong inter-regional interaction. The pillars outlined include the following:

- Infrastructure Development
- Agriculture
- Food Security and Rural Development
- Industrialization
- Environment and Natural Resource Management
- Tourism
- Trade and other Services Development
- Good Governance, Defence, Peace and Security

### **1.2.4 Kenya Vision 2030**

*Kenya Vision 2030* is an economic blueprint whose aim is to transform the Country into a modern, globally competitive, middle-income country, offering a high quality of life for its citizens by the year 2030. To achieve this goal, the Government intends to put in place measures that will raise the national Gross Domestic Product (GDP) growth rate from the current to beyond 10% by 2018; create more employment opportunities; and bring more equitable development in all regions of the Country.

The Third Medium Term Plan (MTP) of the *Kenya Vision 2030* identifies the key policy actions and reforms as well as programmes and projects that the Government intends to implement in the period 2018 – 2022 to achieve set national targets. In order to achieve these targets, the Government has identified the big Four priority areas namely Food and Nutrition, Manufacturing, Universal health care and Development of affordable housing in which it intends to concentrate its efforts and resources.

Development activities planned under *Kenya Vision 2030* will have different impacts on the state of the environment. Some could lead to increased pollution levels and others larger quantities of waste. Activities in the manufacturing sector are also expected to give rise to an increase in effluents discharged, which will require effective and efficient management. In line with the country's global commitment towards the sustainable development objective, targeted socio-economic development initiatives towards the *Kenya Vision 2030* targets will take into account environmental considerations.

### **1.2.5 The “Big Four” Agenda**

The President, in his inauguration speech, identified 4 key sectors that his administration will dedicate time, energy and resources in the achievement of four pillars for development. The four pillars are;

- i. Expansion of the Manufacturing Sector
- ii. Affordable Housing
- iii. Universal Healthcare Coverage and
- iv. Food Security.

#### **i. Expansion of the Manufacturing Sector**

This sector contributes 9.2% of the overall national GDP. The vision of the Government is to raise this to 20%. The industries that have been prioritized towards achieving the target are:

- a. Textiles and apparels
- b. Leather processing
- c. Construction material
- d. Fish processing
- e. Oil, gas and mining
- f. Iron and steel

#### **ii. Affordable Housing**

The housing sector has a deficit of 200,000 units per year. The Government aims at bringing the gap by building one million affordable houses for Kenyans using the following strategies:

- a. Unlocking public land
- b. Utilizing idle private land
- c. Setting up PPP models
- d. Embracing creativity and innovation in construction to minimize costs

#### **iii. Universal Healthcare Coverage**

The government envisions a Kenya with every person has access to decent health care. It targets to achieve 100% universal healthcare coverage and improve the overall health sector through;

- a. A multi-tier health insurance model
- b. Introduce ‘Robin Hood’ tax
- c. Attract private sector investments
- d. Promote medical tourism

#### **iv. Food Security**

The Government aims at improving value addition to promote food security and raise export earnings. Kenya’s economy is agricultural based and only 16% of agricultural exports are processed. The governments’ vision for this sector is to process at least 50% of Kenya’s agricultural output. The strategies will be undertaken through the following sub pillars:

- a. Agropolis



- b. Commercial and irrigated agriculture
- c. 1,000 SMEs companies
- d. Branding

The mandate of NECC covers all the key aspects of the environment. The complaints received include cases of pollution (air, water and noise), deforestation, EIA and licensing, waste management and land use planning.

NECC carries out investigations on all reported cases of environmental degradation and makes a report of recommendations to the cabinet secretary in charge of environment who directs intervention. The recommendations focus on the gaps in policy that make the complaints recur. These recommendations also inform policy for the different sectors of the environment therefore making the mandate of NECC relevant to the 4 main pillars highlighted

In order to implement *Kenya Vision 2030* and the Third Medium Term Plan all government Ministries, Departments and Agencies are required to formulate strategic plans which anchor their goals and objectives from the national development blueprints. This Strategic Plan will enable the NECC to examine the new contextual environment in which it operates; explore the factors and trends that affect the way it will perform its core functions; seek to meet its mandates and fulfill its vision and mission; identify strategic issues which must be addressed; and craft and implement strategies for responding to the pertinent issues.

In doing the above, the NECC will pay special attention to the parent Ministry's role in contributing towards the development agenda of Kenya as contained in *Kenya Vision 2030* and the Medium Term Plan (2018 – 2022).

### **1.3 JUSTIFICATION**

NECC is established under Section 31-36 of the Environmental Management and Co-ordination Act, 1999 (No. 5 of 2015). According to Section 31 of the Act, the membership of NECC is drawn from key stakeholders in environmental management. The Committee consists of seven members headed by a Chairperson, who is appointed by the Cabinet Secretary and qualifies to be a judge of the Environment and Land Court of Kenya. Other members are; a representative of the Attorney General, a representative of the Law Society of Kenya, one person who has demonstrated competence in environmental matters to be nominated by the Council of Governors and who is the Secretary to the Committee, a representative of the business community and two members, appointed by the Cabinet Secretary for their active role in environmental management.

What gets conceptualized clearly gets implemented too with a lot of clarity. This strategic plan unravels the various interwoven activities to simple well thought implementable

strategies with some precise activities and expected environmental outcomes to be enjoyed by all citizenly. Development of strategies and their spread over the plan period shows a whole picture of NECC future direction. This fosters prudent use of resources and achievements flow choreographed effectively.

The dynamic nature of the environment in which NECC operates poses numerous and complex challenges which call for clearly articulated management tools. This strategic plan is one of such critical tools that will guide NECC towards achieving the set goals in the MTPIII (2018 - 2023) and in contributing towards the aspirations of the Kenya Vision 2030. The plan identifies key strategic issues and assesses NECC internal strengths and weaknesses, threats and opportunities. This culminates into specific strategies which will be implemented during the Plan period.

NECC operates under the Ministry of Environment and Forestry (MEF). The MEF mandate is to protect, conserve and manage the environmental and forestry resources through exploitation for socio-economic development. The development aimed at eradication of poverty, improved living standards and ensuring that a clean environment is sustained now and in the future in line with the country's aspirations as outlined in Constitution of Kenya 2010 and Kenya Vision 2030.

#### **1.4 MANDATE**

According to Section 32 of the Act, the mandate of the Committee is:-

- (a) to investigate:-
  - (i) any allegations or complaints against any person or against the Authority in relation to the condition of the environment in Kenya;
  - (ii) on its own motion, any suspected case of environmental degradation, and to make a report of its findings together with its recommendations thereon to the Cabinet Secretary;
- (b) to prepare and submit to the Cabinet Secretary, periodic reports of its activities which report shall form part of the annual report on the state of the environment under section 9(3);
- (bb) undertake public interest litigation on behalf of the citizens in environmental matters; and
- (c) to perform such other functions and exercise such powers as may be assigned to it by the Cabinet Secretary.

#### **1.5 VISION**

To be the leading environmental ombudsman in the World

#### **1.6 MISSION**

To facilitate access to environmental justice to the public through investigation of complaints on environmental degradation and offering a platform for Public Interest Litigation (PIL),

### **1.7 CORE VALUES**

The NECC shall commit to the following core values;

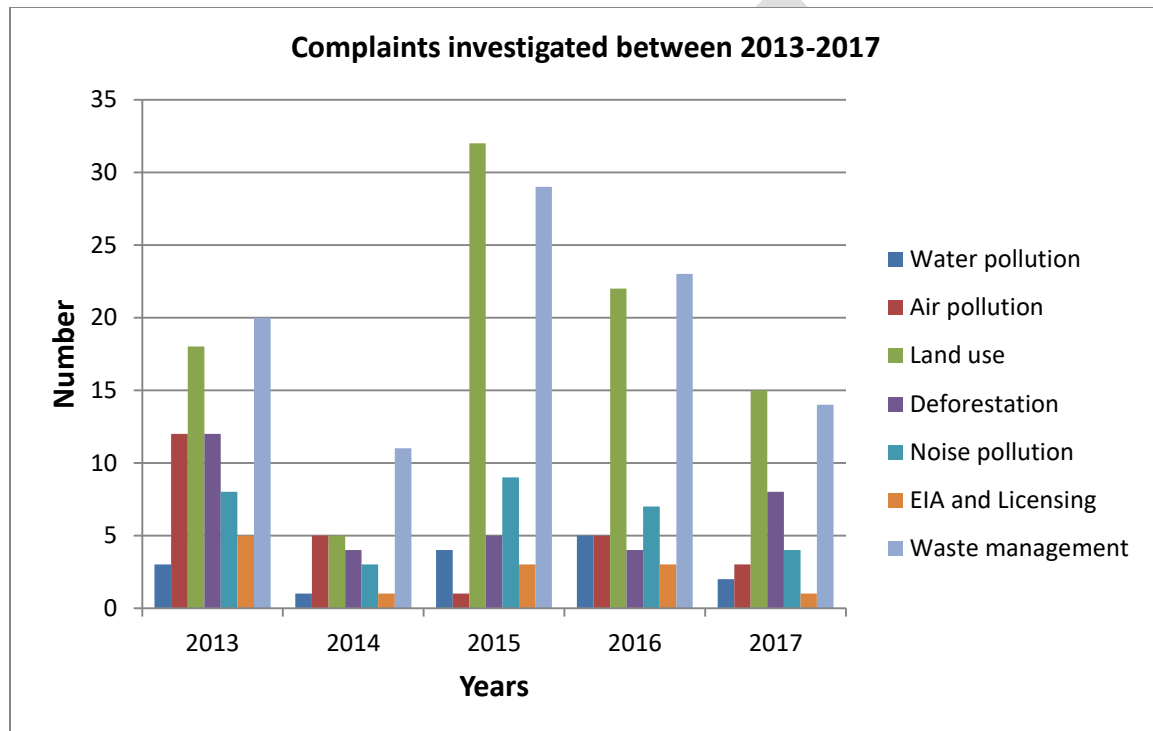
- Practice professional integrity
- Build and maintain team work
- Show transparency and accountability
- Practice equity within and outside the organization
- Commitment to environmental justice
- Commitment to excellence and timely responsiveness;
- Continual learning and staff development
- Effective and efficient service delivery

## **CHAPTER TWO: SITUATION ANALYSIS**

### **2.1 STRATEGIC ENVIRONMENT AND NECC ORGANISATION STRUCTURE**

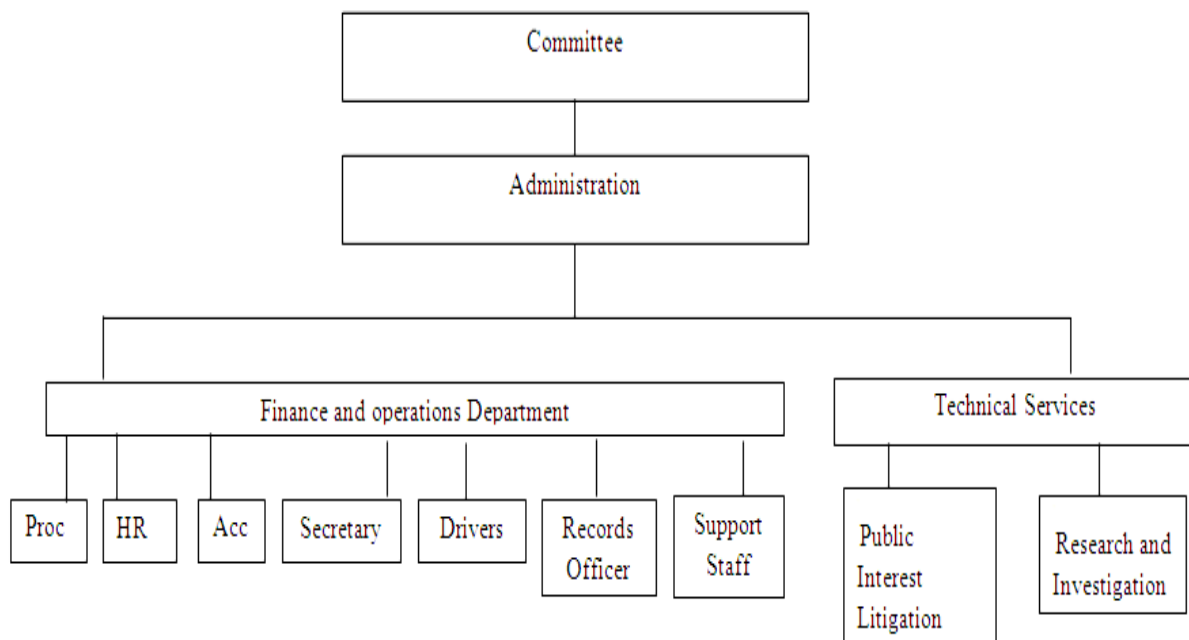
Environmental complaints can be made against any person, public or private institutions including against factories and industries, as well as any other organizations that may be degrading the environment through their activities. A complaint may be made either orally, in writing or social media (by letter or filling in a complaint form). The Committee keeps a register of complaints in which all complaints are entered. NECC, upon receipt of a complaint, then issues a notice to the concerned parties informing them of the intended investigation. The Committee may undertake further investigation on a complaint through site visits, summoning of witnesses, conduct consultative forums, barazas, hearings and undertake scientific sampling where necessary. Upon conclusion of an investigation, the committee submits its recommendations to the Cabinet Secretary and copies of the same to the relevant lead agencies for implementation and concerned parties.

The Committee has received, investigated, proactively initiated and assisted in resolution of the 1,152 environmental complaints from all parts of the country since its inception in 2003. In its investigations, the committee has managed, in some cases to reverse the ill-effects of environmental degradation. In the case of air pollution, the Committee has managed to investigate and intervene where factories have been accused of causing air pollution (emissions). As a result, such factories have put in place emission control measures which have significantly improved the level of air quality.

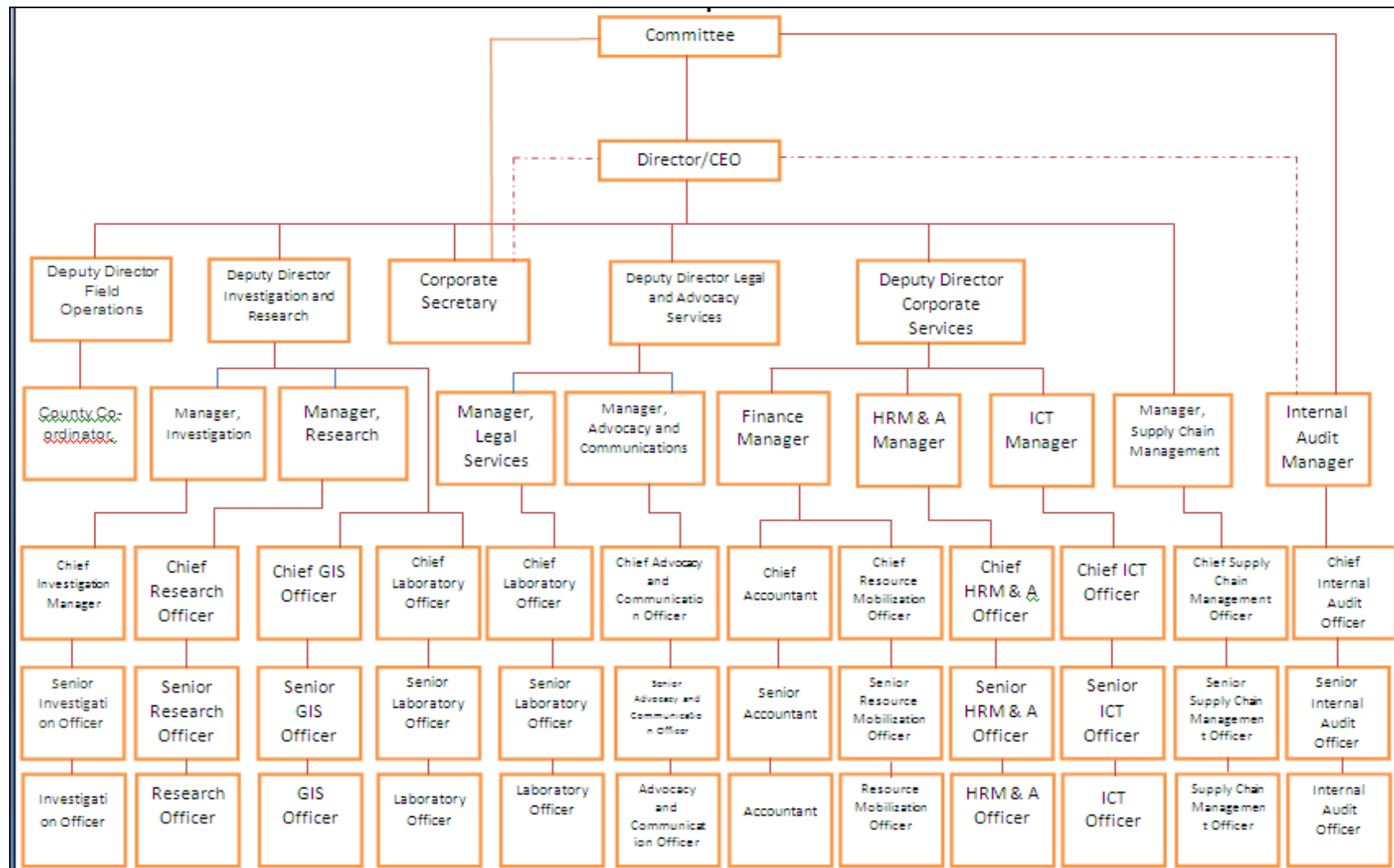


**Figure 1: Complaints registered between the year 2013 and 2017**

The Committee has worked in partnership with other environmental organizations, government departments, and stakeholders, especially the National Environment Management Authority (NEMA) in the preparation of the State of Environment reports, as well as participating in national and international environmental events and conferences. As an environmental ombudsman, the Committee intends to intensify its operations nationwide and to enhance the public interest of environmental justice. To achieve this, the NECC needs to enhance its current establishment to the proposed structure as indicated in figures 2 and 3 below:



**Figure 2: NECC Current Organo-gram**



**Figure 3: NECC Proposed Organo-gram**



## 2.2 SWOT ANALYSIS

The Analysis assesses NECC internal strengths and weaknesses; external opportunities and threats. This is best understood by examining the NECC strategic environment. A summary of the SWOT analysis is provided below.

**Table 2: SWOT Analysis**

<b>STRENGTHS</b>	<b>WEAKNESSES</b>
<ul style="list-style-type: none"> <li>• The NECC is established under Sections 31 to 36 of EMCA, 1999. The NECC has a professional multi-disciplinary board of Committee members and staff in terms of professionalism.</li> <li>• Financial facilitation and support from the exchequer through MEF</li> <li>• Fixed term of Committee permitting planning and organization</li> <li>• Efficient management structure that enhances decision-making</li> <li>• Enjoys basic/embryonic synergies with key stakeholders (NEMA, among others)</li> </ul>	<ul style="list-style-type: none"> <li>• Inadequate financial resources</li> <li>• Inadequate skilled staff, offices and equipment</li> <li>• Lack of devolved offices or facilities outside Nairobi headquarters</li> <li>• None ISO-Certification</li> </ul>
<b>OPPORTUNITIES</b>	<b>THREATS</b>
<ul style="list-style-type: none"> <li>• Revise amendments to make NECC autonomous</li> <li>• Increased public goodwill over environmental issues</li> <li>• The Constitution has provided an opportunity under Article 72 to amend existing legislation relating to environment.</li> <li>• Enhanced budgetary allocation Potential sourcing from external funding</li> <li>• Enhanced awareness-creation on environmental justice</li> <li>• Use of traditional institutions in conflict resolutions</li> <li>• Use of indigenous knowledge in environmental conservation</li> <li>• Enhance the capacity of the NECC to carry out on-the-spot diagnostics testing and analysis</li> </ul>	<ul style="list-style-type: none"> <li>• Conflict with other legislations dealing with environment,</li> <li>• Political interference on environmental justice.</li> <li>• Other institutions usurping the NECC mandate</li> <li>• Inadequate budgetary allocation</li> <li>• Delays in financial disbursements and unexpected budgetary cuts</li> <li>• Insecurity in areas where investigations are being conducted</li> <li>• People's lack of awareness on their environmental rights</li> <li>• Inadequacy in technical/technological capacity</li> <li>• Lack of efficient data management systems</li> <li>• Increased safety and occupational hazards</li> <li>• Overlapping of mandates and functions,</li> </ul>

<ul style="list-style-type: none"> <li>• Improved communications, data and information systems</li> <li>• Sharing of global and regional environmental data and information for better management</li> </ul>	<p>leading to institutional conflicts</p> <ul style="list-style-type: none"> <li>• Competition for resources</li> <li>• Climate change effects resulting to community conflicts from natural resources use and sharing</li> </ul>
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## 2.3 PESTEL ANALYSIS

The analysis describes the environment in which NECC operates and is therefore an indication of the factors that may positively or negatively impact on the implementation of the Strategic Plan.

**Table 3: PESTEL Analysis**

Political	Political dispensation	Increasing political goodwill over environmental issues. Enhancing environment to be protected for the benefit of the present and future generations while at the same time providing the right and duty to a clean and healthy environment.
	The Constitution, 2010	The Constitution has elevated environmental issues to the status of fundamental rights. It has also imposed a duty upon the state to ensure sustainable exploitation, utilization, management and conservation of the environment.
	Governance	Poor governance has affected the conservation and management of the environment. There is need to address this issue in order to improve on the image of the public institutions.
Economic	Kenya Vision 2030	The <i>Kenya Vision 2030</i> has the potential to focus national effort and facilitate the achievement of significant progress on environment such as increased forest cover, efficient solid waste management, and protection of the water towers.
	The “Big Four” Agenda	Expansion of manufacturing sector, affordable housing, universal health care and food security will only be realized with sound environmental conservation and practices for economic development
	Goodwill from development partners	There is potential for sourcing funds from development partners and therefore a need for increased economic freedom.
	Globalization	Kenya is a fast growing business hub that has led to increased development therefore necessitating environmental protection to prevent degradation.

	Growing public-private partnership forces	There exists opportunities within the public and private sectors to work together for environmental conservation and the mutual benefit of the present and future generations.
	Lack of adequate funds	The implementation of the Constitution requires additional funds to cater for realization of the thresholds as stipulated in Articles 42 and 69, which might not be met adequately by the Treasury.
Social	High population	Increased population has caused encroachment and unplanned human settlements which leads to poor sanitation and lack of basic needs.
	Increased Awareness	There is need for more awareness creation on issues of environment. it is a constitutional right to a clean and healthy environment.
	High poverty levels	A combination of weak social welfare structures, climate change, prolonged droughts, poor governance and over exploitation of natural resources have resulted in high poverty levels.
	Insecurity	Insecurity in the neighbouring countries has caused an influx of refugees into an already fragile ecosystem causing a further strain on the scarce natural resources.
Technological	Information and communication technology	Improved communications and information systems have enabled the exchange of environmental information such as early warning systems to enhance disaster preparedness.
	Legal framework	Critical legal frame work is important to ensure regulation of the use of information and communication technology.
Environment	Climate change and global warming	There is need to implement the National Climate change response strategy to address the issue of unsustainable livelihoods. Climate change mitigation and adaptation activities.
	Environmental governance	Fast track the ratification of MEAs for the effectiveness of global environmental governance.
	Green growth strategy	Provides a framework for achieving economic growth and development while on the same time preventing costly environmental degradation, climate change and inefficient use of natural resources
	Blue economy	Focuses on opportunities that control the growth of the economy on sectors such as fisheries, maritime transport and offshore mining
Legal	Constitution dispensation	The Constitution has elevated environmental issues to the status of fundamental rights. It has also imposed a duty upon the state to ensure sustainable exploitation, utilization, management and conservation of the environment.

## 2.4 STAKEHOLDER’S ANALYSIS

The strategic plan recognizes the many stakeholders that NECC works with and in collaboration. The Matrix below presents a stakeholders’ role and Committee’s expectations.

**Table 4: Stakeholder’s Analysis**

STAKEHOLDER	STAKEHOLDER ROLE	NECC EXPECTATIONS
Ministry of Environment and Forestry	Facilitation of good governance in the protection, restoration, conservation, development and management of the environment and natural resources for equitable and sustainable development	Support during the execution of NECC mandate
Government ministries / agencies / institutions	Proper management of the environmental resources, licensing and supervision of environmentally significant activities	Ensure strict adherence to the requisite legal framework
County Governments	Development and enforcement of by-laws on environmental issues; facilities and infrastructure.	Efficiently manage solid and liquid waste; Unintended Persistent Organic Pollutants (UPOP) emissions and regulate developments in their jurisdiction
Non –state actors (NGOs, CBOs and FBOs)	Compliment the NECC in development and implementation of programmes	Environmental advocacy
Research Institutions	Collaboration in environmental research activities	Applied research technologies, replication and dissemination
Media	Disseminate information and set up public platform for participatory.	Sensitize the public on environmental matters
Private sector	Enhance partnership in implementation of environmental projects and programmes	Increased Public Private Partnership on environmental conservation.
Political leadership	Promotion of good image and reputation	Create an enabling environment for the public and the NECC
Public	Cooperate in conserving and protection of the environment. Community environmental policing	Ensure sustainable development and use of natural resources. Practice participatory role in environmental management and conservation.
Academic Institutions	Conduct research and provide environmental insight, education and awareness	Develop technologies and dissemination of environmental information. Impart environmental knowledge.
International Bodies	Collaboration in the development and implementation of Multilateral Environmental Agreements.	support the ratification of Multilateral Environmental Agreements

<b>STAKEHOLDER</b>	<b>STAKEHOLDER ROLE</b>	<b>NECC EXPECTATIONS</b>
Development Partners	Support funding for environmental activities	Provide funding and guide on utilization

The stakeholders expect the NECC to;

- a) Receive complaints and investigate allegations or complaints regarding the condition of the environment,
- b) Facilitate access to environmental justice by providing a forum for environmental conflict resolution and Public Interests Litigation (PIL),
- c) Contribute to environmental policy development and reviews, and
- d) Provide feedback and create awareness on environmental issues to the affected community.

## CHAPTER THREE: PERFORMANCE REVIEW

### 3.1 NECC ACHIEVEMENTS

#### 3.1.1 Awareness Creation

The NECC conducted awareness campaigns throughout the 47 counties. This was done by distributing 20,000 brochures, 2000 posters, 10 banners 400 T-shirts and carrying out 240 public *barazas*. The awareness emphasized on its role and mandate by participating in national environmental events, ASK shows and Trade Fairs. During investigation , NECC collaborates with stakeholders such as the County Administration, County Governments, NEMA, National Land Commission, Water Resources Authority, KEFRI, Kenya Maritime Authority, KEMFRI, and Kenya Forest Service among others.

NECC participated in the 17 awareness creation world environmental days events annually to sensitize residents on the existence of NECC as an environmental ombudsman as well as the necessity of environmental conservation in the countries. The NECC team visited Naboisho conservancy in an effort to create awareness on the ban of plastic bags. They conducted a clean-up exercise at Ole Sere centre before addressing members of the public at Naboisho Conservancy, Masai Mara in Narok County. NECC also held similar awareness creation activities in Gilgil, in Nakuru County, Shinyalu area in Kakamega and Inyanzaa area of Machakos County. The Committee also takes every opportunity to enhance its public profile and promote environmental conservation.



(NECC Photo 10/11/2017)

A public *baraza* in Gilgil, Nakuru County.



### **3.1.2 Publicity**

This is aimed at increasing the institution visibility to the citizens as well as other stakeholders in the field of environment conservation and management. An enhanced public profile for NECC helps in improving service delivery and feedback to the Kenyan citizens. The following are some of the publicity events that NECC has held in the past.

- a) Attended the UN Environment Assembly (UNEA-3) in 2017. It sensitized the attendants by having an exhibition booth at the venue and the Committee Secretary made a presentation at a Side Event on Kenya's Experience in implementing Plastic Carrier Bags Ban. Operationalization of the NECC website, acquisition of a NECC postal address Box 36256 -00200 and a Hotline +254-722-510-510.
- b) Creation of an interactive online platform for the institution and linkages with various stakeholders and partners. NECC has a strong presence on social media to keep track of trending events in the environmental sector
- c) NECC has been covered on 17 television shows and monthly print media where it has expressed its opinions on several topical issues. Such appearances and coverage has helped to enhance its visibility. Such events include the degradation of Ondiri Swamp in Kikuyu, forest degradation in Kakamega, Bungoma, Makueni and Mau forest, sand harvesting in Machakos, Busia and Makueni, stone quarrying in Nyeri and Nandi, use of harmful chemicals in gold mining in Kakamega, Nandi and Migori, solid waste in almost all urban centres in Kenya and poor effluent treatment in sugar cane milling factories in Kwale, Kakamega, Transmara and Kisumu.

### **3.1.3 Investigations**

The Committee's core function is to investigate environmental complaints against any person or the Authority. It also investigates on its own motion suspected cases of environmental degradation. Additionally, the committee is tasked to undertake public interest litigation on behalf of the citizens in environmental matters. For the Committee to be an effective environmental ombudsman in support of a clean and healthy environment as a right for all, the Committee provides a simple avenue for access to environmental justice by all persons regardless of age, gender, race or any form of discrimination. The Committee encourages written complaints. However oral complaints can also be received and complainants may submit their complaints through third parties. The Committee does not investigate complaints that are not of environmental nature.

The Committee has carried out 385 investigations across the country. The high incidence of complaints received by NECC is from the major cities and towns namely Nairobi, Mombasa, Kisumu, Nakuru, Eldoret, Meru and Thika. The complaints are partially attributed to rapid development, urbanization and industrialization and, consequentially high population density. It may be observed that Nairobi and its satellite towns, with an estimated population of about 5 million people records the highest number of 257 complaints.

In the course of its investigations, the NECC has witnessed a lot of un-reported environmental degradation in counties. This was attributed to the challenges of following up complaints outside Nairobi and inadequate awareness of the process involved in filing complaints.



(NECC Photo 28/07/2017)

**An aluminum factory with severely corroded iron sheets roofing and walls.**

The floor is unpaved and workers are not provided with Personal Protective Equipment (PPEs). The factory was causing environmental pollution by discharging factory effluent into neighbouring farms. It caused the corrosion of neighbouring roofs, negatively impacting on the health of area residents.

The impacts of this kind of pollution costs Kenyans taxpayer money in treatment and roof replacement. This money can be used in other sectors of development. NECC worked to ensure such polluters are identified consultatively and urged to comply with the law.



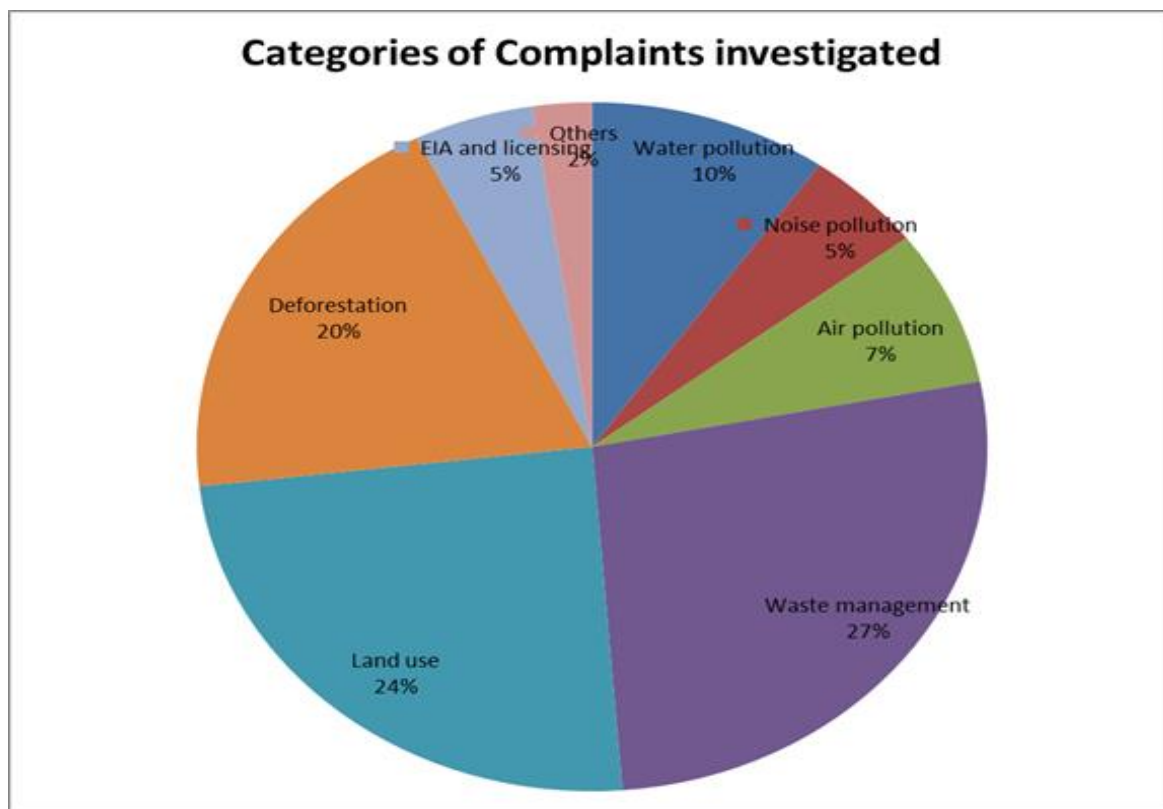
(NECC Photo 09/11/2017)

**Poor disposal of offal's at a donkey slaughterhouse in Baringo County**

NECC played a major role in highlighting the plastic menace in Kenya and called for a ban. It continues to support such activities that safeguard the environment.

During the review period, the Committee received and investigated several complaints in different categories. The numbers of complaints reported countrywide relating to environmental degradation were:

- 104 cases on poor waste management
- 92 cases on poor land-use practices.
- 77 cases on deforestation
- 39 cases of Water pollution
- 27 cases of Air pollution
- 19 cases on Noise pollution
- 19 cases of EIA and Licensing
- 8 cases on Others(e.g. over abstraction and obstruction of water, BTS)



In the investigatory process, NECC has encountered several common environmental degradation issues in nearly every part of the country. These include:

### **Water Pollution**

NECC has investigated 39 cases of water pollution from effluent emanating from industries, poor disposal of solid waste and sewage from households. This kind of pollution impacts directly and negatively on the health of the people and the environment. If unchecked, it triggers water borne diseases like cholera and typhoid

Pollution and waste management are some of the leading environmental problems in the country both in the rural and urban populations. Pollution includes 85 cases of water, air and noise pollutions especially in high population density areas. These must be well managed in order to create a clean, healthy and habitable environment for all. Water pollution is mainly as a result of poor sewerage management leading to untreated sewage ending up in rivers or water bodies. In Mombasa, for example, only 15% of the residents are connected to a sewer system and 30% to clean piped water. In addition, factories and industries are also major causes of water pollution in cases where untreated effluent is released to water bodies. Air pollution of 27 cases are mainly from emissions by the industries whereas 19 cases of noise pollution are from entertainment facilities, quarrying and industrial activities among others. These problems are worsened by the lack of zoning in urban areas leading to mushrooming of factories in residential areas and vice versa, which have become a primary source of complaints.

Majority of urban areas experience poor effluent disposal due to the absence of infrastructure such as modern and efficient sewerage systems as well as integrated water provisions.



Responsibility for the repair and expansion of the infrastructure is therefore unclear, thus leading to breakdown of infrastructure, non-maintenance or lack of expansion in deserving areas. This generally results in essential services not being provided and people resorting to haphazard and unplanned methods of resolving these problems including discharge of raw effluent into storm drains or the water bodies. The problem is exacerbated by lack of coordination between the main actors. The water and sewerage infrastructure is said to be owned by the County Government while the water services are provided by water and sewerage companies under the Water Act.

### Statistics

- Nairobi is 48% connected to the central sewerage system. The other 52% depend on septic tanks and disposal into the environment.

In Mombasa sewerage infrastructure coverage is limited, in disrepair, dysfunctional or lacking space for expansion and the necessary treatment plants. These concerns are however reflected in majority of our towns across the country.

### EIA and licensing

For any project to commence, an Environmental Impact Assessment must be done according to the EMCA Act, Cap 387. Despite the clearly stipulated regulations, some proponents carry out development without acquiring an EIA license from NEMA. These results in poor planning, environmental degradation and in worst scenario, accidents occur such as evidenced in the collapse of residential and commercial buildings. Discharge of effluent into the open affects the healthcare of the population.



(NECC Photo 01/09/2017)

This is an example of blocked storm drainages in most urban areas.

Some households direct untreated sewage into the storm drains which poses a grave health risk to residents. Garbage, plastic, restricts the storm drain like this one in Imara Daima, creating a breeding site for vermin and in other cases, food vendors are known to operate along these drainages.



(NECC Photo 10/07/2017)

#### Discharge of sewage into storm drainage in Juja Town

There are several high rise buildings to meet the growing demand on housing for JKUAT and the area lacks a central sewerage system. There exist a rampant grazing of livestock in Juja centres and the attendant health risks.

### Poor Waste Management

NECC investigated 104 cases on Poor waste management. Poor waste management has become one of the biggest challenges that Government institutions tasked with the same are grappling with. Poor servicing of municipal solid waste collection vehicles, inadequate funding and the poor state of infrastructure are some of the challenges faced in waste management. Migration from the rural areas to the urban has resulted in unplanned settlements. Poor waste management interferes with every Kenyan's right to a clean and healthy environment as provided for in Article 42 of the constitution.

Poor waste management impacts the health of the population as well as the environment. Leachate flowing from waste dumps and disposal sites can cause serious pollution of surface and underground water. Flies and mosquitoes breed in the constituents of solid waste and are vectors that spread diseases. Dangerous items such as broken glass, razor blades, hypodermic needles and other healthcare wastes pose risk of injury and poisoning. Burning wastes in disposal sites cause air pollution, affect climate change through the increase of greenhouse gases and affect human health by causing respiratory diseases. Many urban centres have poor solid waste management. The 47 counties operate unlicensed dumpsites which are unfenced, unmanned and the waste is scattered haphazardly. Medical, hazardous and municipal waste are unsegregated in



the dumpsite. The dumpsites are readily accessible to both human beings and livestock for foraging and thus posing a grave public health hazard.

### Observations

- A worrying trend observed in Elgeyo Marakwet was that of unscrupulous waste handlers disposing of solid waste in Kaptagat forest
- There is uncontrolled and excessive littering on the major highways in Kenya
- Coloured glass bottles from the liquor industry remain uncollected for recycling in many dumpsites across the country
- Nairobi and Mombasa leads in poor solid waste management with ----- and ----- cases respectively (please insert number).



(NECC Photo 29/08/2017)

Poorly managed waste collection point in Kawangware, Nairobi County.



Most of the waste is plastics and it has accumulated over time, spreading over the area. It produces a foul stench, attracts vermin, blocks access roads at the site and diminishes the aesthetics of the area.



(NECC Photo 06/11/2017)

Poor waste disposal from a market, Eldoret town.



(NECC Photo 09/11/2017)

**Burning waste material at a donkey abattoir, Baringo.**

The company known as Goldox Kenya Ltd slaughters over 800 donkeys per day and there is a lot of offal, bones and such other material that is considered as a waste product. The company lacks the capacity to handle this waste which was left in the open, attracting carrion birds and

wild animals. Apart from the resultant foul smell from the rotting meat and environmental pollution, the donkeys roam the area and cause zoonotic diseases to residents and their livestock. Through the intervention of the NECC, the facility was temporarily closed over this non-compliance.

### **Air Pollution**

Air pollution of 27 cases especially from factories and motor vehicles has been linked to increased cases of mortality. Research conducted on the air quality in the Nairobi city showed that the concentration of particulate matter is significantly high and exceeds the WHO 24 hour guidelines of 150-230 grams per cubic meters of ambient air. Chemicals emitted from vehicles are acidic and corrosive in nature and they react with body tissues and hence increase cases of asthma and respiratory diseases.

### **Noise Pollution**

Noise pollution of 19 cases are generated from worship and entertainment places which impacts negatively on the aesthetic value of the surrounding area. The health problems resulting from pollution results in the government spending resources on healthcare which if preventive measures were taken; the same would be diverted to other sectors. Additionally, poor health of the people affects the manufacturing sector which mainly relies on the workforce.

### **Deforestation**

NECC has investigated 77 cases of deforestation. Kenya's forests provide a range of foods, fibers and fodder that are critical for rural households' basic livelihood needs. They protect communities against erosion and landslides, and maintain local climate stability in the face of erratic rainfall, wind gusts and increased temperatures. These areas host remnant populations of plants and animals. Kenya five main water towers supply and regulate hydrological flows on major rivers. This has a major impact on agricultural economies, lake fisheries, and hydropower among others. At global level, forests cycle nutrients help to regulate climate change through carbon sequestration.

Cases of encroachment into forested areas have become rampant due to the increased demand for land in agriculture. Forest destruction also occurs from forest fires which are triggered by climate change (naturally), burning or honey harvesting within the forest. This results in destruction of water catchment areas, habitats for wildlife and also carbon sinks. Forests are the second biggest sinks for carbon after oceans. Lack of it results in an increased concentration of carbon dioxide in the atmosphere leading to climate change. Climate change effects results in loss of biodiversity, extinction of species, drought and flooding that affects the country's food production. Kenya specifically has experienced erratic weather patterns causing prolonged drought and frequent floods which affects the manufacturing sector that relies on agriculture for raw materials.

One cross-cutting complaint in the forest sector is that area residents cannot differentiate between licensed harvesting of mature plantations and illegal logging. There is a need to sensitize the public on the procedure followed by KFS in managing the gazetted forests, especially in regards to plantation management. The PELIS programme of growing plantation is poorly managed and therefore has been a source of forest destruction.



(NECC Photo 23/02/2017)

#### **Burning vegetation in the indigenous section of Kibiri Forest, Vihiga County**

##### **Poor land use practices**

These are widespread in the counties and majorities are not licensed. They are a major source of noise and air pollution, land degradation and destruction of riverine ecosystems. Gaping quarry sites pose grave danger to both human beings and their livestock. It is also to be noted that rarely if ever do operators in the mining, quarrying and sand harvesting activities rehabilitate the sites after exhaustion.

There is consensus amongst the stakeholders that the County Government should spearhead the regulation of these activities instead on concentrating on cess collection only. The regulatory framework should incorporate a fund for the restoration of the degraded sites.





(NECC Photo 08/11/2017)

**A sand quarry in Pipeline area of Nakuru County**

Land use involves management and modification of natural environment into built environment such as settlements and semi natural habitats such as arable fields, pastures, and woodlands. Significant effects of land use include urban sprawl, soil erosion, soil degradation, salinization, landslides and desertification. This directly affects crop production and the health of the population.

Some of the complaints NECC investigated on the various aspects of environmental degradation are:

1. Construction of Itare and the proposed construction of BostoDam water project within the Mau Forest; the northern water collector project in Murang'a County
2. Mismanagement of the PELIS program within Kibiri, Kakamega, Marmanet forest in Laikipia and Koibatek forests
3. Poor waste management at the Kachok dumpsite, Kisumu County, Nyeri County, Busia and several urban centres across the country
4. Degradation of Lake OlBolosat, Nyandarua County, SioSiteko Swamp in Busia and Ondiri Swamp in Kiambu County
5. Oil spill at Thange River, Makueni County
6. Gold mining at Rostaman that resulted in air and water pollution as well as land degradation, Kakamega County, Migori and Nandi counties that also touched on the use of Mercury and Cyanide
7. Poor waste disposal of untreated effluent by OshwalAluminium Industries, Kiambu County as well as in several industrial areas in Kenya
8. Poor disposal of asbestos in Nakuru, Kitui and Machakos Counties
9. Encroachment of riparian areas of Kathita River, Imenti, Meru County as well as several buildings in Nairobi, Lake Olbolosat in Nyandarua, Kiambu and Kisumu.
10. Poor waste disposal of waste at a donkey slaughterhouse (Goldox Kenya Ltd) in Mogotio, Baringo County.

Despite the expansion in urban settlements, there are no coordinated urban development mechanisms such as Master Plans for major towns resulting in;

- a) Unmerited land user change without regard to the land use, the concerns of the neighbourhood and the need for greenery and essential supporting infrastructure / public utilities
- b) Crowded boroughs<sup>1</sup> (neighborhoods)
- c) Conflicts between land owners because of the mixture of commercial, residential, industrial, high rise buildings and single storied buildings in the same neighborhoods
- d) Mushrooming of small hotels, hostels, kiosks, clinics, and recreational facilities in supposedly exclusive residential areas thus exposing residents to insecurity
- e) Excessive land fragmentation leading to low productivity or usage of such land due to its small size. We have even noted people carrying out quarrying and sand harvesting activities in their small plots
- f) Encroachment on road reserves, land reserved for public utilities such as; water, sewer systems, schools, hospitals, play grounds, railway lines, oil pipelines, as well as high security areas including airports and military installations. This leads to conflicts between Government institutions, private individuals and occasionally, in-fighting between Government institutions. This encroachment has led to difficulties in expansion and protection of these utilities with disastrous consequences
- g) Overstretching of water and sewerage services and other public utilities in places such as Karen and Kajiado have high concentration of water boreholes<sup>2</sup> which deplete the water table thus affecting bio-diversity
- h) Proliferation of illegal and informal settlements
- i) Destruction of tree cover because of maximum use of the land for development purposes and as a result green zones in all urban areas are disappearing very fast. Areas like Kileleshwa, Milimani, Hurlingham, Westlands, Eastlands and part of Lavington have lost their tree cover
- j) The users of some of the most arable land especially in Kiambu and Thika have been changed into residential and commercial use to accommodate the rapidly expanding population which may contribute to food insecurity.
- k) The demand for construction materials has a negative impact on the environment. This is an abandoned stone quarry in Bahati area of Nakuru County. Several houses are in the neighbourhood threatened with collapse after the unregulated quarrying. NECC is initiating calls for the development of regulations on all quarrying activities in Kenya.

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<sup>1</sup> For example, Eastleigh, OngataRongai and Umoja estates in Nairobi and several estates in Mombasa have no space for construction of public utilities, road expansion and creation of green zones due to illegal allocation.

<sup>2</sup> The high concentration of boreholes is a consequence of laxity in enforcement of regulations governing the drilling of boreholes as well as the failure on the part of the Ministry of Water and local authorities to provide essential water services in urban areas.



(NECC Photo 10/11/2017)

**Nakuru county; an abandoned stone quarry where a grave has been left hanging precariously**

### **3.1.4 Adhoc Assignment**

The committee undertook and submitted reports of findings and recommendations for the following cases:

- The Solai dam tragedy
- Poor waste management at West Kenya Sugar Co. Ltd.
- Improper management of the Kibarani Dumpsite leading to marine pollution
- Encroachment of riparian zones in Mombasa by hotels in Mombasa like Mombasa Dolphin Resort and Sheheena Marine apartments
- Degradation of the Maasai Mau forest
- 2 No. leaking dams in Kwale International Sugar Company
- Quarrying activities by Sinohydro Company in Thika
- Effluent discharge by Transmara Sugar Company





(NECC Photo 20/06/2017)

**Environmental degradation after the burst of Solai Dam in Nakuru County**



(NECC Photo 20/06/2017)

**Leachate emanating from the heap of bagasse at West Kenya Sugar Company**

### **3.1.5 Capacity development**



NECC carried out 21 capacity building trainings for its staff on various subjects including: environmental investigations, compliance and enforcement, legal perspectives of environmental management, linkages between stakeholders and government, report writing, code of conduct and performance contracting, HIV AIDS and drug abuse, financial management, introduction to EIA, Climate Change, Public Interest Litigation among others.



(NECC Photo 20/11/2017)

During the review period, NECC conducted training for its staff to streamline the operations and ensuring that the team continue to bond and work smartly.



(NECC Photo 21/09/2017)

NECC held induction training for new members. This was to introduce them to the duties of the NECC and strategize on the best methods to enhance service delivery to the citizens

### **3.1.6 Public Interest Litigation (PIL)**

In pursuant to NECC mandate under EMCA act, the committee has developed the PIL manual to;

- Guide the committee in preparation and institution of environmental public interest cases
- Reference training tool on matters of PIL
- NECC PIL consultative meeting that laid the ground for the development of the PIL manual
- New reporting format developed in line with PIL objectives

The PIL was an additional mandate to NECC after the review of EMCA Act in 2015.

### ***Contribution to Policy Formulation***

- a) Gazettement of Regulations (Environmental Management and Co-ordination (Public Complaints Committee) Regulations, 2012)
- b) Preparations of reports and recommendations of 27 volumes of concluded investigations.
- c) Support and contribution of the 2 reports on the state of environment by the National Environment Management Authority and submission of 5 annual reports to the Cabinet Secretary
- d) Participation in national and international environmental conferences and events namely the 7<sup>th</sup> Conference of Parties of the United Nations Convention to Combat Desertification (UNCCD COP 7); the 12<sup>th</sup> session of the United Nation Framework on Climate Change (UNFCCC COP 12); the 8<sup>th</sup> session of the Basel Convention; World Environment Day, World Day to Combat Desertification and National and International Trade Fairs including Nairobi, Mombasa, Meru, Eldoret, Nakuru and Embu.
- e) Support and participation in the Review of EMCA and the EIA regulations
- f) Participation in the formulation of the National Solid Waste Management Policy

### **3.2 CHALLENGES**

The National Environmental Complaints Committee faces challenges in its endeavour to perform its functions. These include;

- a) Delay in approval on implementation of NECC establishment plan
- b) Inadequate legislation to establish NECC independence.
- c) Operationalization of NECC staff below optimal
- d)
- e) Inadequate budgetary allocation to enable environmental investigations country wide.
- f) NECC lacks;
  - (i). adequate office space and facilities;
  - (ii). requisite equipment for air, noise, soil and water sampling for scientific testing and analysis;

- (iii). adequate number of vehicles to enhance mobility noting that investigations are carried out in the field.

The elevation of environmental rights into fundamental rights under Articles 42 and the right to quick and fair administrative action under Article 47 of the Constitution places a great responsibility on NECC to serve all citizens with urgency. The lack of facilitations as outlined above has inhibited NECC ability to meet its role and responsibilities in upholding environmental rights enshrined in the Constitution.

### **3.3 EMERGING ISSUES**

#### **3.3.1 Operationalization of NECC to the Counties**

The Kenya Constitution, 2010, brought about the devolution of services through the County Government that started operations in 2013. This helps to bring services close to the people. It is important that NECC is decentralized to the Counties to make its work of investigation on environmental complaints more effective and responsive.

#### **3.3.2 Extractive Sector; Minerals, Oil, Coal and Gas**

Kenya is endowed with oil and mineral wealth with a potential to transform the economy positively. Poor governance and neglect in environmental sectors could be injurious as this sector expansion directly affects the environment. The mining of Coal in Kitui County and mega Coal mining expected to be commissioned in 2020 at Lamu, major environmental effects are expected. In Kwale County, ongoing titanium and silica sand is causing land degradation. In Taita Taveta County, mining of gemstones and industrial minerals (copper, cobalt and manganese) residents are complaining of inadequate public involvement as elephant migratory patterns have been affected leading to increased human-wildlife conflicts in the area. In Turkana County, oil was discovered in 2012 and its transportation began in May 2018. NECC has received an influx of environmental degradation complaints resulting from the extractive sector including; biodiversity loss, industrial accidents, pollution, contamination of water resources, air pollution and a challenge in managing industrial and E-waste.

#### **3.3.3 Polythene and plastic ban**

Kenya has joined the list of countries across the world that have banned the use and manufacture of plastic flat and carrier bags. The ban, which took effect on 28<sup>th</sup> August 2017, is aimed at reducing the negative effects of the plastics on the environment. Plastics are harmful to livestock and wildlife which are a source of livelihood and revenue to the economy. Plastics clog storm drainages, forming breeding grounds for mosquitoes and affect the aesthetic value of the environment. The ban was also meant to improve waste management in the country. Of the many environmental complaints received by NECC, a big percentage is on waste management and specifically plastic waste. It constitutes 26% of the total complaints received. The Committee therefore commends efforts made by The Ministry of Environment and Forestry for the ban and fully supports the good work done by NEMA on enforcing the ban. NECC joins the Ministry and other Stakeholders in pushing for the total ban of other types of plastic like the disposable bottles. The Committee has been actively involved in clean-ups and awareness creation exercises on solid waste management in the 47 Counties with special attention to the following Counties; Busia, Kisii, Kisumu, Mombasa, Machakos, Gilgil in Nakuru County and Masai Mara Game Reserve in Narok County.

Most of the issues relating to environmental degradation affect devolved functions. As a result, NECC works closely with the County Governments across the country to address the challenges. It is also worth noting that these devolved units are grappling with inherited challenges from the local authorities such as dilapidated and overstretched sewerage systems, expanding urban centres, low water supply and increased generation of garbage. NECC continues to engage county governments in its investigations and has scheduled to meet several of them, starting with Nairobi County, for structured discussions on environmental issues.

#### **3.3.4 Land uses**

Land use and land use changes are one cross-cutting area of concern. NECC has noted that practically all environmental complaints have an aspect of planning. Incompatible land uses are usually licensed in an area or in some cases, land use changes are done un-procedurally. Factories get licenses to operate in residential areas and agricultural land has reduced significantly. NECC intends to robustly engage with the Ministry of Lands and Physical Planning, National Land Commission, urban planners and other Stakeholders to help in alleviating this concern.

#### **3.3.5 Sand harvesting**

Sand harvesting continues to pose a grave risk to environmental management. This is an issue that has been experienced in the eastern region but has started being experienced in other regions. Most rivers in Makueni, Kitui and Machakos as well as TaitaTaveta are severely degraded and their riparian zone destroyed. This makes water scarcity a grave reality. The activity has also been extended to people's farms, usually without their consent. Criminal elements appear to be controlling the activity and they have discovered several loopholes to defeat the judicial system. Sand harvesting has also been experienced along the shores of Lake Victoria, leading to erosion of landing bays. In Busia, sand harvesting along the dykes exposes the residents of Budalangi to the risk of flooding and in some areas in Teso, a lot of agricultural land has been degraded from on-farm sand harvesting.

#### **3.3.6 Wetlands**

Kenya is endowed with wetlands which provide water for agricultural, industrial and domestic use as well as act as flood buffers. These wetlands are also a home for a large range of aquatic life. In recent times, they have faced challenges of pollution from agricultural activities that have also resulted in siltation. The agrochemicals used in farming have modified the aquatic ecosystem. Waste from industries and households which are not connected to the central sewerage system end up in wetlands. These wetlands also face encroachment from the fast growing developments. Demand for housing has gone up and urban spaces are getting smaller. This has forced private developers to put up structures on wetlands. NECC continue to work with all Government agencies in highlighting the threats facing our wetlands, especially where complaints have arisen like in the Yala swamp in Siaya, Ondiri swamp in Kikuyu and Saiwa swamp, the home of the endangered Sitatunga antelope.

#### **3.3.7 Illegal logging**

Another environmental emerging issue facing the country is illegal logging. According to the National Forest Programme (2016-2030), about 7% of Kenya total land area is forest. Trees are

fallen indiscriminately both in gazetted and community forests for timber and firewood. Misuse of the Plant Establishment and Livelihood Improvement Scheme (PELIS) in gazetted forests like Kibiri in Vihiga County has led to destruction of tree plantations against the backdrop of the constitutional requirement of 10% tree cover. Gold mining activities in some forests have also led to environmental degradation. This affects habitats and breeding grounds for wildlife, with the hardest hit areas being the Mau complex, a crucial water tower in the region. NECC conducted investigations into the degradation of our forests and has shared its reports and recommendations. Indeed, it supported the establishment of the task force on forest management and has shared its recommendations with the task force. NECC participated in tree planting in Kakamega Forest, Matierio Primary School (Nyamira County) and Lambwe Forest (Homa Bay County).

### **3.3.8 Air Pollution**

The Committee has managed to investigate and intervene where factories have been accused of causing air pollution due to their emissions. As a result, such factories have put in place emission control measures which have significantly improved the level of air quality in those affected areas. Air pollution results mainly from industries. Even though the quality of air in Kenya is not regularly monitored, it is estimated to be below the World Health Organization (WHO) recommended levels. Air pollution is responsible for increasing cases of Upper Respiratory Tract Infections (URTI) which is the second highest cause of morbidity in Kenya. Incidences of URTI morbidity are 6.0 per cent in urban areas compared to 5 per cent in rural areas and affect women more (6.2 per cent) than men (5.7 per cent).

## **3.4 LESSONS LEARNT**

1. During field investigations and public engagements NECC has learnt to involve the National Government Administration for safety, identification of stakeholders, communication, information gathering, public education and follow up
2. Most of the environmental complaints can be resolved through the involvement of the local communities by applying indigenous knowledge
3. NECC needs to procure plant and equipment for scientific analysis of samples collected during investigations
4. Capacity building for the staff on critical skills such as handling of sensitive evidence, research ethics, investigations, report writing and paralegal trainings
5. After submission of investigation report to CS, NECC should disseminate the findings to the stakeholders.
6. NECC requires to build structured partnerships with critical governmental agencies to strengthen the institutional capacity to deliver the mandate these includes Government Chemist, NEMA, AG, commission on administrative justice research institutions among others
7. It is critical to sensitize the communities and the stakeholders on the NECC mandate and environmental conservation and management
8. Over the years, NECC has observed many factories release their waste to the riverine ecosystem more especially during rainy seasons. This is shown by the increase in the number

of complaints received at that time. This situation is similar to the increased number of incidences on noise pollution reported during the festive seasons.

9. Large infrastructure developments have corresponding negative impacts on the environment such as clearing of vegetation, water pollution, land use changes and resource extraction

### **3.5 BEST PRACTICES**

1. NECC will learn and bench-mark with other environmental ombudsman e.g. China, South Africa, Rwanda, Australia, Sweden, Norway, Finland, France, United Kingdom, USA and Japan.
2. NECC will initiate ISO-Certification for efficient documentation and service delivery.
3. NECC will endeavour to create synergies with other environmental bodies for effective service delivery.
4. NECC shall hold bi-annual stakeholders round table to review and build on progress.
5. NECC will enlist the service of relevant expertise to leverage performance.

## **CHAPTER FOUR: IMPLEMENTATION OF STRATEGIC PLAN**

### **4.1 STRATEGIC OBJECTIVES, STRATEGIES AND GOALS**

The NECC has identified five key strategic goals to become a leading ombudsman. This will contribute to the achievement of national goals as outlined in policy documents such as Vision 2030, the SDGs and the Medium Term Plan (2018-2022). The five strategic goals are:-

**Strategic Goal 1:** Resolved environmental degradation complaints.

**Strategic Objective 1:** To investigate complaints on environmental degradation

#### **Strategic Initiatives**

- a) Register the complaint/issue
- b) Categorize the complaints into themes and regions
- c) Present the cases to the committee for approval
- d) Carry out the investigations
- e) Compile and submit the findings and recommendations

**Strategic Goal 2:** Informed policy formulation and implementation on Environmental Issues

**Strategic Objective 2:** To develop and submit periodic documents to the Cabinet Secretary as part of the State of the Environment report

#### **Strategic Initiatives**

- a) Collect, collate and compile the periodic documents
- b) Strengthen stakeholders involvement in review and validation
- c) Prepare and present hard and soft copy for publication

**Strategic Goal 3:** Promoted environmental justice and advocacy

**Strategic Objective 3:** To undertake public interest litigation on behalf of the citizens in environmental matters

#### **Strategic initiative**

- a) Identify and resolve cases through Alternate Dispute Resolution (ADR)
- b) Identify and file cases for Public Interest Litigation(PIL)
- c) Create awareness on PIL for the community and stakeholders

**Strategic Goal 4:** Enhanced NECC human and institutional capacity

**Strategic Objective 4:** To enhance NECC capacity both human and institutional

**Strategic Initiatives**

- a) Strengthen NECC institutional capacity
- b) Strengthen NECC human capital
- c) Propose the review on establishment Act

**Strategic Goal 5:** Scaled-up public awareness of environmental justices process and governance

**Strategic Objective 5:** To raise public awareness on environmental ombudsmanship and governance issue

**Strategic initiatives**

- a) Develop NECC communication strategy
- b) Mounting displays and exhibition
- c) Develop signage and bill board on NECC activities
- d) Production of reports on NECC findings, Recommendation and dissemination
- e) Participate in all world environmental days

**Table 5: STRATEGIC OBJECTIVES, STRATEGIES AND GOALS**

STRATEGIC GOALS	STRATEGIC OBJECTIVES	STRATEGIC INITIATIVES
Resolved environmental degradation complaints	To investigate complaints on environmental degradation	<ul style="list-style-type: none"> <li>a) Register the complaint/issue</li> <li>b) Categorize the complaints into themes and regions</li> <li>c) Present the cases to the committee for approval</li> <li>d) Carry out the investigations</li> <li>e) Compile and submit the findings and recommendations</li> </ul>
Informed policy formulation and implementation on Environmental Issues	To develop and submit periodic documents to the Cabinet Secretary as part of the State of the Environment report	<ul style="list-style-type: none"> <li>a) Collect, collate and compile the periodic documents</li> <li>b) Invite stakeholders for review and validation</li> <li>c) Prepare and present digital copy for publication</li> </ul>
Promote environmental justice and advocacy	To undertake public interest litigation on behalf of the citizens in environmental matters	<p>Identify cases for PIL and ADR</p> <ul style="list-style-type: none"> <li>a) Identify and resolve cases through Alternate Dispute Resolution (ADR)</li> <li>b) Identify and file cases for Public Interest Litigation(PIL)</li> <li>c) Create awareness on PIL for the community and stakeholders</li> </ul>



Enhanced NECC human and institutional capacity.	To enhance NECC capacity both human and institutional	<ul style="list-style-type: none"> <li>a) Strengthen NECC institutional capacity</li> <li>b) Strengthen NECC human capital</li> <li>c) Propose the review on establishment A</li> </ul>
Scaled-up public awareness of environmental justices process and governance	To raise public awareness on environmental ombudsmanship and governance issue	<ul style="list-style-type: none"> <li>a) Develop NECC communication strategy</li> <li>b) Mounting displays and exhibition</li> <li>c) Develop signage and bill board on NECC activities</li> <li>d) Production of reports on NECC findings, Recommendation and dissemination</li> <li>e) Participate in all world environmental days</li> </ul>

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## CHAPTER 5: RESOURCES MOBILIZATION, RISK MANAGEMENT AND MITIGATION MEASURES

### 5.1 RESOURCES MOBILIZATION

Budget allocation to NECC has over the years been inadequate for its purposes. It is important therefore to enhance and increase the level of funding to NECC. The successful implementation of this strategic plan, therefore, will depend not only on the quality and commitment of the staff but also on the availability and efficient utilisation of the resources.

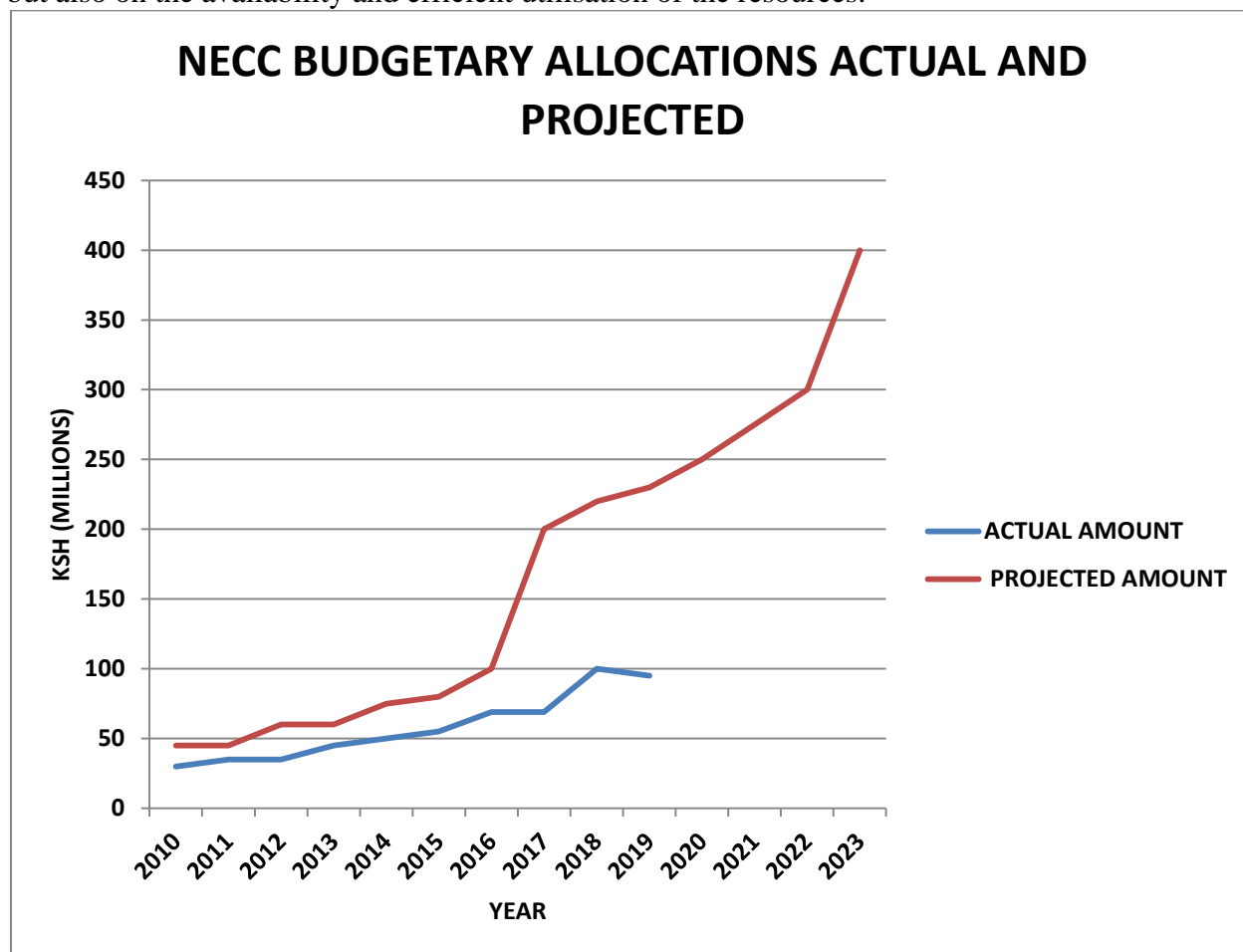


Figure 4: NECC's budgetary allocation *vis a vis* budgetary request

**NOTE:** NECC was inaugurated in 2001 and got its own budget in 2010. Its operations were initially being funded through NEMA.

This has been a major challenge to the NECC in discharging its mandate. The total estimated budget to finance the implementation of this plan for the five year period is Kshs. 1,739.5 Millions. NECC expects to finance this budget mainly through the annual Treasury allocations.

In addition to the budgetary allocations, NECC will explore extra funding from various sources namely multilateral development agencies; bilateral sources; private sector and NGOs.

## 5.2 RISK MANAGEMENT

Risk management is the process of identifying, assessing and controlling threats to an organization capital and earnings. These threats or risks could stem from a wide variety of sources, including financial uncertainty, legal liabilities, strategic management errors, accidents and natural disasters. Risk assessment is the determination of quantitative or qualitative estimate of risk related to a well-defined situation and a recognized threat. Quantitative risk assessment requires computation of two components of risk: the magnitude of the potential loss, and the probability that the loss will occur.

## 5.3 MITIGATION MEASURES

Mitigation is a strategy by which we reduce the Probability and/or Impact of a risk to an acceptable level. Risk Mitigation strategy is to be **proactive in dealing with a risk before it actually occurs**. The assessment methods shall be capable of identifying and evaluating mitigation measures in order to avoid, reduce or remedy the impact, assessing the effectiveness of mitigation measures and defining the residual environmental impact, the net impact remaining with mitigation measures in place is not catastrophic.

**Table 6: RISKS AND MITIGATION MEASURES**

<b>Risk</b>	<b>Mitigation</b>
Legislation enactment adverse to NECC operations	Participation in the legislation as a principal stakeholder influence
Failure to secure adequate government funding	Downsizing operations, submit proposals to development partners for externally sourcing funds
Poor staff terms of service	Improve scheme of service for staff
Unfair competition for resources at Medium term expenditure framework process	Create an establishment for the NECC Enhance NECC public profile
Lack of public awareness	Develop and implement a NECC public awareness and communication strategy
Litigation against NECC	Discharge NECC mandate Establish a litigation fund and staff
Political interference	NECC to carry out intensive public awareness on its mandate
Insecurity during investigations	NECC to work closely with the Ministry in charge of Internal Security

## **CHAPTER SIX: MONITORING, EVALUATION AND LEARNING**

### **6.1 PREAMBLE**

NECC will apply both quantitative and qualitative techniques to monitor the planned performance of its respective departments and sections. The major techniques of monitoring and evaluation that shall be used are variance analysis, ratio analysis, and budgets.

### **6.2 VARIANCE ANALYSIS**

NECC shall compare the indicators given in the objectives with the actual results and any difference or variance will be identified, explained and justified. As a consequence of the analysis of variances and identification of causes, NECC shall take appropriate remedial actions in good time.

### **6.3 RATIO ANALYSIS**

Ratio analysis is concerned with efficiency related objectives. The ratios will be calculated quarterly, and the actual results compared with the standards (targets) that were established in the objectives. The differences between targets and actual levels will be identified and further analysis carried out to identify causes of the differences. This analysis will invoke appropriate timely remedial action.

### **6.4 BUDGETARY CONTROL**

Monitoring and evaluation process, actual results will continually be checked against planned results and variances carefully investigated. If necessary, action plans will be changed so that they are brought in line with the budgeted results or the budget will be amended to take account of new developments.

### **6.5 MONITORING AND EVALUATION FRAMEWORK**

One of the key elements of a Strategic Plan is the process for monitoring and evaluating performance. It is envisaged that NECC will institute a system of monitoring and evaluation (M&E). By having a systematic way for comparing actual performance to planned performance, the effectiveness of the actions is determined. The M&E System, which will work in tandem with the Implementation Matrix, will be designed to ensure the following: -

- a) Establishment of clear reporting schedules, channels and feedback mechanisms are a continual process.
- b) Candid specifications of the roles of individuals submitting or receiving the documents taking into consideration internal progress reports. An annual report card will be published.
- c) Clear statement and definition of action plans to be taken on specified monitoring results in terms of resource adjustment change of strategy or review of programme/activity.

## **6.6 PROGRESS REPORTS**

These will be prepared by the implementing departments and be undertaken strictly to coincide with budgetary cycles. Reports will describe actions taken by departments/sections toward achieving specific outcome and strategies of the plan and may include costs, benefits, performance measures and updates. Highlights of major achievements will be posted on the website of NECC as well as shortfalls.

## **6.7 ANNUAL REPORT CARD**

At the end of each year, a report will be produced and released to the public. It will evaluate the year's activities related to the Plan and indicate how NECC has implemented the Plan.

## **6.8 LINKING MONITORING AND EVALUATION (M&E) TO PERFORMANCE MANAGEMENT AND STAFF APPRAISAL**

### **The committee**

During the plan period the committee will be evaluated under the mwongozo code and any other relevant body.

### **The Staff**

For the implementation of the Plan to be effective, the M&E will be an integral part of NECC's performance management system and will be linked to staff appraisal and reward. Officers and units that exceed or fail in their Plan targets will be rewarded or sanctioned accordingly. During the Plan period, NECC will have established system-wide ICT networks, automated performance management systems such as Balanced Scorecard which will be explored and implemented in order to improve the effectiveness of the M&E system.

## ANNEX I. IMPLEMENTATION MATRIX DURING 2018-2023 PERIOD

### Strategic Goal 1: Resolved environmental degradation complaints.

STRATEGIC OBJECTIVES	STRATEGIC INITIATIVES	OUTPUTS	Objectively Verifiable Indicator	Means Of Verification	BUDGET (millions)					
					2018-19	2019-20	2020-21	2021-22	2022-23	TOTAL
To investigate complaints on environmental degradation	Register the complaints/Issues on software	A database of registered complaints/issues	Number of registered complaints/issues	Complaints register	6.0	0.25	0.25	0.25	0.25	7.0
	Categorize the complaints into themes and regions	Complaints categorized by region and theme	Number of categorized complaints	No of complaints registered by region and theme	10	10	10	10	10	50
	Present the cases to the committee for approval	Admitted complaints records	Number of admitted complaints	Register of complaints admitted for investigation	5	5	5	5	5	25
	Carry out the investigations	Reports of investigated complaints	Number of reports from investigations	Register of investigation reports	100	100	100	100	100	500
	Compile and submit the findings and recommendations	Findings and recommendations reports	Number of Findings and recommendations reports	Database of findings and recommendations report	2.5	2.5	2.5	2.5	2.5	12.5
SUB TOTAL OF STRATEGIC GOAL 1					123.5	117.75	117.75	117.75	117.75	594.5

### Strategic Goal 2: Informed policy formulation and implementation on Environmental Issues

STRATEGIC OBJECTIVES	STRATEGIC INITIATIVES	OUTPUTS	Objectively Verifiable Indicator	Means Of Verification	BUDGET (Millions)					
					2018-19	2019-20	2020-21	2021-22	2022-23	TOTAL

To develop and submit periodic documents to the Cabinet Secretary as part of the State of the Environment report	Collect, collate and compile the periodic documents	Periodic reports compiled	Number of periodic reports compiled	Register of periodic reports compiled	10	10	10	10	10	50
	Invite stakeholders for review and validation	Stakeholder validation fora	Number of stakeholder fora convened	Reports of stakeholder fora	15	15	15	15	15	75
	Prepare and present digital copy for publication	Camera-ready document	Number of camera-ready documents	Camera-ready documents presented	2	2	2	2	2	10
<b>SUB TOTAL OF STRATEGIC GOAL 2</b>					<b>27</b>	<b>27</b>	<b>27</b>	<b>27</b>	<b>27</b>	<b>135</b>

### Strategic Goal 3: Promoted environmental justice and advocacy

STRATEGIC OBJECTIVES	STRATEGIC INITIATIVES	OUTPUTS	Objectively Verifiable Indicator	Means Of Verification	BUDGET (Millions)					
					2018-19	2019-20	2020-21	2021-22	2022-23	TOTAL
To undertake public interest litigation on behalf of the citizens in environmental matters	Identify and resolve cases through Alternate Dispute Resolution (ADR)	Identified and resolved cases through ADR	No. of Identified and resolved cases through ADR	Report of identified and resolved cases through ADR	10	10	10	10	10	50
	Identify and resolve cases for Public Interest Litigation(PIL)	Identified and resolved cases through PIL	No. of Identified and resolved cases through PIL	Report of identified and resolved cases through PIL	25	25	25	25	25	125
	Create awareness on PIL for the community and stakeholders	Barazas Held	No. of Barazas and awareness fora	Report and a documentary	20	20	20	20	20	100
<b>SUB TOTAL OF STRATEGIC GOAL 3</b>					<b>55</b>	<b>55</b>	<b>55</b>	<b>55</b>	<b>55</b>	<b>275</b>

**Strategic Goal 4: Enhanced NECC human and institutional capacity.**

STRATEGIC OBJECTIVES	STRATEGIC INITIATIVES	OUTPUTS	Objectively Verifiable Indicator	Means Of Verification	BUDGET (Millions)					
					2018-19	2019-20	2020-21	2021-22	2022-23	TOTAL
To enhance NECC capacity both human and institutional	Strengthen NECC institutional capacity	Institutional capacity of NECC strengthened	No of institutional equipment and offices procured	List of institutional equipment and offices in operations	50	50	50	50	50	250
	Strengthen NECC human capital	NECC human capital Strengthened	No of NECC staff hired	Integrated payroll personnel data	50	50	50	50	50	250
	Propose the review on establishment Act	Establishment act reviewed	No of proposals to be reviewed in the act	Draft establishment act	10	10	10	10	10	50
<b>SUB TOTAL OF STRATEGIC GOAL 4</b>					<b>110</b>	<b>110</b>	<b>110</b>	<b>110</b>	<b>110</b>	<b>550</b>

**Strategic Goal 5: Scaled-up public awareness of environmental justices process and governance**

STRATEGIC OBJECTIVES	STRATEGIC INITIATIVES	OUTPUTS	Objectively Verifiable Indicator	Means Of Verification	BUDGET (Millions)					
					2018-19	2019-20	2020-21	2021-22	2022-23	TOTAL
To raise public awareness on environmental ombudsmanship and governance	Develop NECC communication strategy	NECC;s Communication Strategy	Reports on the development of the communication strategy	Document on Communication Strategy	10.0	0	0	0	0	10.0



issue	Mounting displays and exhibition	Exhibitions and displays	Number of exhibitions and displays conducted	Reports of the exhibitions and displays	5.0	5.0	5.0	5.0	5.0	25.0
	Develop signage and bill board on NECC activities	Signage and bill board	Number of signage and bill boards	Documentation of the signage and bill boards	10.0	10.0	10.0	10.0	10.0	50.0
	Production of reports on NECC findings, Recommendation and dissemination	Recommendations document	Volumes of recommendations	Recommendations report	10	10	10	10	10	50
	Participate in all world environmental days	Awareness created on environment	No of world environmental days attended	Report and photos	10	10	10	10	10	50
<b>SUB TOTAL OF STRATEGIC GOAL 5</b>					<b>45</b>	<b>35</b>	<b>35</b>	<b>35</b>	<b>35</b>	<b>185</b>
<b>GRAND TOTAL</b>					<b>360.5</b>	<b>344.75</b>	<b>344.75</b>	<b>344.75</b>	<b>344.75</b>	<b>1739.5</b>