

THE COMMISSION ON ADMINISTRATIVE JUSTICE

“Office of the Ombudsman”



*Hata Mnyonge ana Haki*

STATELESS IN KENYA

AN INVESTIGATION REPORT

ON

THE CRISIS OF ACQUIRING IDENTIFICATION DOCUMENTS IN KENYA

AUGUST 2015

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## Foreword

Pursuant to its mandate under Section 8 of its constitutive Act, the Commission on Administrative Justice (CAJ), undertook investigations into the systemic issues inherent in the issuance of vital documents (Birth and Death Certificates, National Identity Cards, Passports, Permits, Passes and Dual Citizenship Status).

The Commission continues to receive many complaints on unresponsiveness, delay, discourtesy, inefficiency, delay, non-issuance/denial, discrimination and abuse of power by Civil Registration, National Registration Bureau and Immigration Departments on the issuance of the vital documents.

CAJ undertook the investigations based on the complaints received by the Commission, presentations made to the Commissioners by members of the public during County visits and *suo motu* based on media reports.

In particular, the Commission sought to look into issues that constitute malfeasance on the part of those public officials who are entrusted with the issuance of the documents as well as the systemic issues that affect the issuance of the vital documents.

Pursuant to Section 37 of the CAJ Act, the Commission wrote to notify the then Permanent Secretary, Ministry of State for Immigration and Registration of Persons before the investigations commenced.

The preparation of this report was informed by information obtained through interviews with members of the public including some of the complainants, public officers from the three departments, officers from Provincial Administration and identified key informants. The report also benefited from insightful information gathered through examination of various documents.

The Commission has made recommendations herein to the relevant authorities that will assist in improving the processes of issuing vital documents. Some of the recommendations have direct bearing on service providers while others target policy issues. CAJ is confident that the adoption and implementation of the recommendations will go a long way in improving service delivery in the issuance of vital documents.

**Signed this.....day of August, 2015**

**Dr. Otiende Amollo E.B.S**  
**Chairperson of the Commission on Administrative Justice**  
**(Office of the Ombudsman)**

## Preamble

The Commission on Administrative Justice (Office of The Ombudsman) is a Constitutional Commission established under Article 59 (4) and Chapter Fifteen of the Constitution, and the Commission on Administrative Justice Act, 2011.

The Commission on Administrative Justice (CAJ) has a mandate, *inter-alia*, to investigate any conduct in state affairs or any act or omission in public administration in any sphere of Government and complaints of abuse of power, unfair treatment, manifest injustice or unlawful, oppressive, unfair or unresponsive official conduct.

In addition to Article 252 (1) (a) of the Constitution of Kenya 2010, Sections 26, 27, 28 and 29 of the CAJ Act give the Commission powers to conduct investigations on its own initiative or on a complaint made by a member of the public, issue summons and require that statements be given under oath, adjudicate on matters relating to Administrative Justice, obtain relevant information from any person or Governmental authorities and to compel production of such information.

Under Section 31 of its Act, CAJ has powers not limited by other provisions to investigate an administrative action despite a provision in any written law to the effect that the action taken is final or cannot be appealed, challenged, reviewed, questioned or called in question.

After concluding an investigation/inquiry, the Commission is required under Section 42 of its constitutive Act, to make a report to the state organ, public office or organization to which the investigation relates. The report shall include the findings of the investigation, remedial actions recommended by the Commission and reasons thereof.

CAJ may upon an inquiry into a complaint, undertake such other action as it may deem fit against a concerned person or persons where the inquiry discloses a criminal offence as provided for under Section 41 of the CAJ Act.

Section 8 (g) of the CAJ Act gives the Commission power to recommend compensation or other appropriate remedies against persons or bodies to which the Act applies.

As stated in Section 42 (4) of the CAJ Act, if there is failure or refusal to implement the recommendations of the Commission within the specified time, the Commission may prepare and submit to the National Assembly a report detailing the failure or refusal to implement its recommendations for the National Assembly to take the appropriate action.

Further, Article 59(2) (j) of the Constitution of Kenya, 2010 empowers the Commission to report on complaints investigated under paragraph (h) and (i) and take remedial actions.

Section 52 (b) and (d) of the CAJ Act 2011, provides that a person who knowingly submits false or misleading information to a member of staff of the Commission commits an offence and is liable on conviction to a fine not exceeding five hundred thousand shillings or imprisonment for a term not exceeding two years or both.

This report has addressed the following:

- Introduction to the investigations.
- Investigations strategy.
- Normative framework.
- Analysis and findings.
- Consequential observations.
- Conclusion and recommendations.

Specifically, the report is compiled into 10 Chapters; Chapter 1 gives an introduction to the investigations, Chapter 2 reviews the existing legislation and policies relating to the issuance of vital documents, Chapters 3, 4 and 5, details the findings of the investigations with respect to the three Departments, namely, Civil Registration, National Registration Bureau and Immigration Services. Chapter 6 covers the problems and challenges facing the three departments while Chapter 7 discusses the role of Provincial Administration in the issuance of vital documents. Chapter 8 discusses the complaints handling mechanisms in the three departments while Chapter 9 is on the general and consequential observations made during the research. Chapter 10 gives a summary of the key findings, conclusions and key recommendations.

## Acronyms

<b>CAJ</b>	Commission on Administrative Justice
<b>CRB</b>	Civil Registration Bureau
<b>ICCPR</b>	International Covenant on Civil and Political Rights
<b>ICESCR</b>	International Covenant on Economic, Social and Cultural Rights
<b>ID</b>	Identity Card
<b>NIS</b>	National Intelligence Services
<b>NRB</b>	National Registration Bureau

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## Executive Summary

The right to acquire identification and travel documents as well as the rights and privileges of citizenship are entrenched in the Constitution of Kenya, 2010. These documents are vital in many ways to Kenyans and the government has entrusted the responsibility of their issuance to the Civil Registration Department, National Registration Bureau and Immigration Department.

The Commission on Administrative Justice, while exercising its mandate to undertake investigations in any sphere of government as provided for under the Constitution and the Commission on Administrative Justice Act, 2011, undertook investigation into systemic issues inherent in the issuance of vital documents, including, birth and death certificates, identity cards, passports, passes and permits, and the granting of dual citizenship.

The systemic investigation was undertaken by the Commission based on the increasing number of complaints and presentations received by the Commission relating to the issuance of the vital documents.

## Analysis, findings and conclusions

### Counties sampled

The investigations were conducted in 14 counties representing 30% of the 47 counties. The sample of the study was drawn from members of the public and public officers from relevant departments.

### Sample size drawn from members of public

A total of 1594 respondents from the public were interviewed out of whom 921 (57.8%) were males. The remaining respondents numbering 673 (42.2 %) were females.

### Respondents' characteristics

- One thousand five hundred and forty six (1546) representing 97.0% of the respondents were Kenyans, thirteen (n=13) 0.8% were Tanzanians, six (n=6) (0.4%) were Ugandans and seven (n=7) (0.1%) were British.
- Thirty five point seven percent (35.7%) of the respondents were male aged between 18-25 years. Female respondents in the same age bracket were 41.8%. Those over 55 years of age constituted 6.7% males and 3.5% females.
- Out of the respondents, 28% males and 29.1% females had primary education. 40.8% male respondents and 39.5% female respondents had attained secondary education while 7.6% males and 6.6% females had university education.
- Out of the respondents interviewed, 891 were male Kenyans and 655 female Kenyans. The remaining 30 male and 18 female participants were from other nationalities making a total of 1594 participants.
- Nairobi County had a total of 234 respondents representing 14.68% of the total study population. Ten point zero four percent (10.04%) of the respondents from Nairobi County were male while 4.64% were female. Kilifi County had the least number of respondents represented by 0.82% males and 0.06% females. Overall, female respondents were lower at 43.86%.
- Three (0.19%) respondents below the age 18 had attained primary education, 11 (0.69%) secondary education and only one (0.06%) had tertiary education. Majority of the respondents (n=572) representing 35.88% were within the age bracket of between 18 and 25. Out of this, 17.31% had secondary education, 6.52% tertiary education and 2.76% university education. Those in this age group with primary education were (n=128) 8.03%. Majority of those above the age of 55 years 2.32% (n=37) had primary education.
- On the level of education, majority of the respondents (37.58%) had secondary education. Among these, 15.24% (n=243) male and 11.36% (n=181) female

respondents had attained primary school education level, 22.21% (n=354) males and 15.37% (n=245) females had attained secondary school education, 9.97% males and 7.47% female respondents had attained Tertiary/College education. 4.14% male and 2.57% female respondents had attained University education. 2.89% male and 2.20% female respondents had attended other forms of education such as madrassas

### Findings based on responses from members of the public

- Respondents drawn from the public reported cases of inefficiency and ineffectiveness in the issuance of the vital documents by the departments of Civil Registration, National Registration Bureau and Immigration Services.
- Cases of corruption were also reported in the three departments, where service providers are reported to demand bribes in order to offer services. Such cases are rampant at the Civil Registration and National Registration Bureau departments, with bribes ranging from KSh. 500 – KSh. 43,000. In Garissa for example, it was reported that members of the public know the bribe amounts which are fixed at KSh. 40,000 for an ID card, KSh. 15,000 for a passport and KSh. 1,500 for a Birth Certificate.
- Undue delays in processing and issuance of vital documents were also reported in the Civil Registration and NRB departments. The service charters outlining timelines for delivery of various services are barely adhered to by the two departments. Some of the respondents stated that they had to follow up on their vital documents up to 20 times and some had to wait, in some isolated cases, for as long as 3 years for the vital document to be issued.
- Applicants of vital documents also contribute to the delays by not furnishing the relevant or pre-requisite supporting documents.
- High level of ignorance on the application requirements was observed amongst a majority of the applicants/ respondents.
- A large proportion of the respondents drawn from the public complained of inaccessibility of the services, with a majority having to travel for long distances and spend a lot of money on transport to access the services. Immigration department is worst hit as there are very few Immigration centers in the country. In Northern Kenya, some respondents stated that they had to travel distances of over 245 kilometers to access the services.
- Absenteeism by public officers in reporting to work was cited by members of the public to be rampant among staff of the three departments. A total of fourteen complaints were raised in Nairobi, Mombasa, Garissa, Nakuru, Uasin Gishu and Bungoma. Most of the offices are said to open later than 9.00 am, with long lunch breaks. Fridays are the worst, as many of the offices close in the afternoons.

- Some of the service providers informed the Commission that it is an unwritten rule within the public service that officers working upcountry are entitled to Friday afternoons off to enable them travel to their respective homes.
- The complaints handling mechanisms put in place in the three departments seem to be ineffective, as many respondents complained of delay or inaction in resolving complaints.
- According to the service providers, the rate of declaration of dual citizenship as a Constitutional entitlement is still slow. Majority of the members of the public were not aware of dual citizenship and the procedure involved. The few applicants who have applied for the granting of dual citizenship have complained that the process is slow.
- A majority of the respondents drawn from the members of the public stated that they mostly obtain information regarding the requirements and application processes through service charters and from members of the provincial administration especially the Chiefs and Assistant Chiefs during public *barazas*. CAJ however observed in some offices, the service charters were put up in the Registrars' and clerical offices, as opposed to open notice boards, as members of the public would allegedly deface the service charters. This defeats the purpose of having a service charter as it is meant for the public.
- The Provincial Administration officers in all counties were accused by members of the public of absenteeism, unresponsive official conduct and at times, demand for bribes in order to offer services, specifically the signing of documents and participation in the vetting of certain groups of applicants.

#### **Issues raised by members of the public relating to the three Directorates**

- 41.77% of the respondents stated that they were denied the documents based on lack of government materials
- 9.873% mentioned lack of supporting documents
- 4.937% were not allowed to apply due to lack of legal requirements.
- Other reasons given were reference to their districts of birth while others were told to wait for the vetting committee meetings which were held at a further date.
- Further, 25.82% of the respondents were not given reasons for denial / non-issuance and delays in the issuance of the vital documents.

#### **Effects of the denial/non-issuance of vital documents:**

- 35.09% of the respondents felt unfairly treated based on their nationality and ethnicity.
- 21.21% felt they were unfairly treated based on their gender.
- A further 28.15% felt frustrated, and 8.11% of the respondents got angry.
- Other cited unfair treatment based on ancestral origin.
- It is worth mentioning that 2.8% of the respondents were happy with the good service offered by the 3 Directorates.

## General and Consequential observations

- Most residents of Samburu do not apply for vital documents as they are mainly pastoralists and state that they do not see the importance of acquiring documents such as birth certificates and identification cards.
- An Interview with some citizens revealed that some officials were rude and discourteous and need training on customer care and relations.
- Corruption is rampant with officials demanding bribes from 100 to 500/- for applications to be send to Nairobi especially from Samburu.
- Some public officers were said to be unresponsive

## Recommendations by members of public interviewed

1. Members of the public interviewed recommended the recruitment of new, energetic and more qualified members of staff in the three Departments that are not corrupt (13%). Some respondents further suggested the need to overhaul the entire system so as to ensure better service delivery.
2. Eight point three percent (8.3%) of the respondents recommended that the services need to be decentralized and devolved up to the chief's level and increased staffing levels in the Departments.
3. The respondents recommended for increased efficiency in the issuance of vital documents especially in the issuance of ID cards.
4. The members of public recommended a one-stop shop for processing and issuance of vital documents in order to reduce inconveniencing applicants who have to travel to various and at times, vastly located offices for signatures and other approvals.
5. The respondents recommended the adoption of modern technology, networking and interlinking the three Departments so as to enhance efficiency in service delivery and to enable ease of access of information.
6. The respondents recommended a review of the required supporting documents in the processing of the vital documents with a view to making it easier for applicants to obtain vital documents.
7. The members of public recommended a review of the cost of processing Immigration documents downwards to enable many applicants to obtain them.
8. They further recommended decentralization and devolution of Immigration offices in the country for applicants to access the services easily.

9. The respondents recommended urgent training of staff of the three Departments in matters of public relations, customer care, time management and servant hood.
10. The respondents recommended efficient supervision of staff in the three departments emphasizing the need for vetting of staff, undertaking impromptu audits and inspections.
11. The respondents recommended review of working hours within the Departments so that services are offered over lunch hour and to extend past 5.00 p.m. This will enable working applicants who may not manage during normal working hours as well as those who have to travel for long distances to access the services.
12. They recommended increased sensitization of members of the public on the importance and requirements for processing of the vital documents.
13. The respondents recommended that officers found involved in corruption and other malpractices be prosecuted and dismissed from the service so as to deter other officers from taking part in the vice.
14. The respondents recommended installation of CCTV Cameras to help in identification and prosecution of brokers and cartels involving public officials operating within government offices.
15. Some respondents recommended improvement of the deplorable state of public offices in the three Departments and to address office space and provide public utilities.
16. They recommended special consideration and assistance for the elderly, disabled, women in need of help and the illiterate applicants so as to enable them process the applications without undue suffering. A proposal that Forms be written in Swahili was also made.

## Recommendations by Service Providers

### Immigration Officers recommended the following:

1. The full implementation of the Integrated Population Registration System (IPRS) which will capture and synchronize all data with respect to an applicant from birth hence minimizing possibilities of fraud, irregular or multiple issuance of vital documents.
2. Participatory and informed decision-making processes, especially at the top level management.
3. Expansion of the staffing levels within the Immigration Department.
4. Establishment of an effective platform for sharing of information and intelligence by crucial agencies. These include the NIS, Police and Provincial Administration.
5. Improved networking and effective use of ICT within the Departments mandated in the issuance of vital documents as well as with partner agencies. The departments need to be integrated to enhance the sharing of information and enhance inter-agency relations.
6. Issuance of passports that are secured with an electronic chip in compliance with International Civil Aviation Organization (ICAO) Standards.
7. Provision of modern and adequate working equipment such as Biometric equipment, cameras, computers, scanners, document readers and vehicles to facilitate the officers while undertaking their duties.
8. Staff development and motivation through training opportunities, improved working conditions and remuneration.

## Recommendations by National Registration Bureau Officers

### National Registration Bureau Officers recommended the following:

1. Expedition of the automation process of the of NRB services to enhance its efficiency and effectiveness.
2. Streamline the human resources management processes to ensure promotions, transfers, training and deployments are effected in a prompt, efficient and transparent manner.
3. Investigation of reported cases of selective promotions and deployment.
4. Legal amendments should be effected on the applicable laws to ensure that the constitution and operations of the vetting committees are transparent
5. There is need for in-house capacity building through training and continuous education of NRB officers to empower them with necessary skills to effectively discharge their duties.
6. Data of all Kenyans needs to be captured at birth so as to avoid incidences of issuance of IDs erroneously to non-Kenyans, compromising the security situation in the country.
7. Erroneously and illegally issued IDs should be cancelled and legal action be taken against the applicant as well as all officers involved in the said issuance.
8. The quality of IDs should be secure and fool-proof and not easily forged by fraudsters.
9. NRB should undertake civic education of members of the public on the importance of obtaining identification cards upon attainment of the legal age of 18.

## Recommendations from Civil Registration Officials

1. The mandatory registration of all births should be enforced at the point of contact with a government official. This will minimize the chances of non-registration of births and in turn decrease instances of irregular issuance of subsequent vital documents, such as IDs and passports.
2. The department should undertake civic education of members of the public on the importance of obtaining birth certificates upon birth.
3. There is urgent need to improve the facilities and infrastructure hosting the offices of civil registration.

## Recommendations from Provincial Administration

Following are the Recommendations proposed by officials at the Provincial Administration

1. Applicants to be allowed to use alternative supporting documents in the event that the primary document such as parents' ID cards are missing. This will help reduce the number of rejected applications.
2. The Departments (Civil Registration, National Registration Bureau and Immigration) should automate their systems so as to increase efficiency and effectiveness in service delivery.
3. The Departments should produce and issue enough processing Forms so as to prevent incidents of service providers running short of Application Forms.
4. The Government should put in place mechanisms to enforce the issuance of Birth Certificates immediately after birth.
5. There should be enhancement of civic education to members of the public on the importance and requirements for processing of vital documents.
6. The Government to put in place more effective and innovative ways of reaching targeted groups required to process vital documents.
7. There is need to decentralize and devolve the services such as issuance of birth certificates and Identification cards to the County, District and even Divisional levels.
8. Hefty penalties should be imposed on applicants who furnish false information to the service providers to act as a deterrent measure to other applicants.
9. There is need to overhaul and establish appropriate mechanisms for the vetting of applicants at border Districts as the current system of vetting applicants is reported to be discriminatory and marred with corruption.
10. There should be provision of training, security and allowances, such as sitting and airtime allowances for members of the Vetting Committees.
11. There is need for establishment of effective complaint-handling mechanisms within the service providers' offices so as to enhance prompt and effective resolution of complaints.

## Recommendations regarding members of the public

1. Members of the public should keep abreast on the requirements and timelines for processing of the vital documents. They can raise their awareness levels through the internet, attending Chief's *barazas* and other fora where civic awareness on these issues is raised.
2. The public should be encouraged to register births upon the birth of a child so as to avoid last minute rush during registration of national examinations such as KCPE and KCSE.
3. The public should desist from giving out bribes to officers and should also report all cases of bribery to the relevant authorities.

4. The public should be aware of the consequences of giving false information to officers of the three Departments. This may deter the high number of applicants who furnish false information during the application process.

### **Recommendations to the Director of Public Prosecutions**

1. The office of the DPP should ensure speedy prosecution of those who give false information to the service providers in order to deter this malpractice by members of the public.
2. The DPP, in conjunction with the EACC, should investigate and prosecute officers engaged in corrupt practices from the three Departments to deter other officers from engaging in the same malpractices.
3. The police and EACC should identify and prosecute brokers who masquerade as officers of the three departments and swindling members of the public of their monies.

## CHAPTER 1

### 1.0 Introduction

#### 1.1 Introduction to the investigations

Chapter three of the Constitution of Kenya, 2010, contains progressive provisions that guarantee the rights, privileges and benefits of the citizens of Kenya, with specific reference to obtaining documentation of registration and identification<sup>1</sup>. Further, Chapter four on the celebrated Bill of Rights entrenched in the Constitution guarantees the freedom of movement, residence and socio-economic rights.

Vital documents are important and necessary for the facilitation of most everyday transactions. The process of acquiring these documents has remained a serious challenge for many Kenyans, both young and old.

The Commission on Administrative Justice (CAJ) had so far received 76 complaints relating to the issuance of these vital documents. Further, the Commission took cognizance of the many other complaints raised by members of the public relating to the issuance of these vital documents via the media and other fora.

These complaints include, *inter alia*, inaccessibility of the services by applicants, complicated and bureaucratic application procedures, delays in the issuance of the vital documents, discourteous and corrupt and unresponsive officials mandated to process the documents. The complaints received by CAJ point to internal systems weakness coupled with human factors as the main impediments to the processes. These impediments constitute systemic issues that are the main focus of this investigation.

The investigations, therefore, aimed at interrogating both systemic and human factors affecting the delivery of services within the aforesated government agencies while giving appropriate recommendations to ensure efficiency and effectiveness in the provision of the issuance of vital documents.

The investigation also sought to understand the public perception on the current performance level of the services offered by the three departments, as well as determine the level of knowledge among the public on the importance and requirements of vital documents.

Members of the public, being users of the services offered by the three departments, provided an assessment regarding the efficiency and effectiveness of the said offices, while citing the challenges and problems they face in the processing of the documents, both attributed to human and systemic factors.

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<sup>1</sup> Article 12 (a) (b) of the Constitution of Kenya

Finally, the key role played by the Provincial Administration could not be downplayed. Interviews were therefore conducted with officers at the levels of the Assistant Chiefs to Deputy County Commissioners (former District Commissioners). The investigations inquired into the role played by the Provincial Administration, and as was the case with the other respondents, the challenges and problems posed to these officers, together with proposed recommendations.

### **1.1.1 The Question**

The question that the investigation sought to answer is whether there are systemic issues inherent in the processing and issuance of vital documents; what the factors that affect the processing and issuance of vital documents in Kenya. Is it due to legal gaps in the normative structure and policies regulating the issuance of the vital documents, or the administrative procedures and human factors that hamper the vital documents issuance processes?

### **1.1.2 Objectives**

The objectives of the investigations were to establish the veracity of the following with respect to the organs mandated to issue the vital documents:

- Allegations of issuance of vital documents to non-citizens
- Allegations of delays in the issuance of the vital documents
- Assertions of discrimination in the issuance of the vital documents to certain communities
- Allegations of abuse of power by public officials involved in the issuance of the documents.
- Allegation of corruption
- Allegations of unresponsive official conduct, administrative injustice, discourtesy, misbehaviour and inefficiency of the public officials concerned.
- Claims of inefficient and non-transparent issuance of diplomatic passports and work permits
- The level of implementation of the Constitutional entitlement of dual citizenship
- Extent of implementation of Article 14 (4) of the Constitution with respect to children found in Kenya under the age of 8 years.

## 1.2 Scope of the Investigations

The exercise involved interviewing members of staff from Civil Registration, National Registration Bureau and Immigration Services and other government officers who play a role in the processing and issuance of vital documents as well as members of the public who are the primary consumers of the services.

Among the issues inquired into are the procedures and processes involved in the issuance of the vital documents; timelines, as stipulated in the service charters *vis-à-vis* the actual timelines on the ground; the challenges and problems faced in the said processes and proposed recommendations to mitigate the said challenges.

Further, the public perception on the current performance of the aforesaid offices in terms of the services offered was also sought. The level of knowledge among the public on the requirements for obtaining the vital documents and their importance was gauged.

Members of the public, being users of the services offered by the three Departments, gave their assessment regarding the efficiency and effectiveness of the said offices, while citing the challenges and problems they face in acquiring the documents, attributed these to human and systemic factors. Recommendations were also suggested.

Finally, investigations inquired into the role played by the Provincial Administration, and as was the case with the other respondents, the challenges and problems posed to these officers, together with proposed recommendations.

Specifically the investigations focused on the following:

- ✓ Non-issuance and delays in the issuance of vital documents to citizens and foreigners.
- ✓ Discrimination in the issuance of the vital documents to certain groups of people and communities.
- ✓ Lack of transparency in the issuance of diplomatic passports and work permits.
- ✓ Number of Kenyan citizens and foreigners who have defeated justice by absconding judicial processes.
- ✓ Extent of implementation of Article 14 (4) of the Constitution with respect to children found in Kenya under the age of 8 years.

## **1.3 Investigative Process**

In order to investigate the complaints, CAJ invoked the relevant provisions of its enabling statute, the Commission on Administrative Justice Act, 2011. Section 8 (b) and (d) specifically gives the Commission the mandate to investigate complaints of abuse of power, unresponsive official conduct, allegations of maladministration such as delay, discourtesy, incompetence, misbehaviour inefficiency or ineptitude within the public service.

### **1.3.1 Notification of Investigations**

The Commission on Administrative Justice wrote to notify the then Permanent Secretary (PS), Ministry of State for Immigration and Registration of Persons, of the investigations, in line with Section 37 of the CAJ Act 2011. The letter also requested the PS to furnish information relating to the areas under investigation.

### **1.3.2 Data collection**

The investigations team interviewed the target audience using three sets of structured interview schedules to collect information. Observations, Focus Group Discussions and in-depth interviews with key informants were also useful in the data collection exercise.

The Commission undertook the field exercise in two phases, covering 14 Counties (30%) out of the 47 Counties. Phase I covered Nairobi and Kajiado Counties between 15<sup>th</sup> and 17<sup>th</sup> May 2013 while Phase II covered the remaining 12 counties between 19<sup>th</sup> and 25<sup>th</sup> May 2013, grouped into 5 clusters. Questionnaires were administered on three sets of individuals, citizens and foreigners, members of the provincial administration and finally on the service providers, drawn from the Departments Civil Registration, National Registration Bureau and Immigration Services.

The following are the regions covered during the investigations:

**Table 1: Regions covered during the research**

<b>Region</b>	<b>County</b>	<b>Town</b>
Lower Eastern	Machakos, Makueni, Meru and Embu	Kitui Wote Mbeere & Mwingi
Central	Kirinyaga, Murang'a, Kiambu, & Nyeri,	Githunguri Kinangop Thika, Njabini, Engineer
Nairobi East	Nairobi	Eastleigh, Pumwani, and Makadara
Nairobi West	Kajiado,	Ngong Namanga & Loitoktok Kibera and Kawangware
Coast	Mombasa,	Lamu, Taita/Taveta , Kwale & Kilifi
South and Central Rift	Kericho, Bomet \$ Narok,	Sotik, Kilgoris Naivasha, Rongai, Subukia(Mbogoini), Molo, Marigat
North Eastern	Garissa,	Ijara, Hola & Dadaab
Upper Eastern	Isiolo, & Marsabit	
Nyanza	Kisumu, Migori Kisii, Siaya, Bondo, Kuria	(Isebania), Usenge & Rusinga
Western	Busia, Kakamega & Bungoma	Malaba,
North Rift	Nakuru, Uasin Gishu, Samburu, West Pokot	Iten & Mt. Elgon

## CHAPTER 2

### 2.0 Review of the legal framework governing the acquisition/issuance of vital documents.

#### 2.1.1 The Rights and Privileges under Domestic Laws in Kenya

The rights, privileges and benefits of citizenship in Kenya have been guaranteed under the **Constitution of Kenya, 2010**. Chapter three of the Constitution provides for, among others, the entitlement to, acquisition, retention and revocation of citizenship. One notable feature of the Constitution is the provision of dual citizenship. A citizen therefore does not lose their citizenship by virtue of acquiring citizenship of another country.<sup>2</sup>

#### **Article 12 of the Constitution provides that:**

*12 (1) Every citizen is entitled to-*

*The rights, privileges and benefits of citizenship, subject to the limits provided or permitted by this Constitution; and*

*A Kenyan passport and any document of registration or identification issued by the State to citizens*

*A passport or other document referred to in clause (1) may be denied, suspended or confiscated only in accordance with an Act of Parliament that satisfies the criteria mentioned in Article 24.*

The right to citizenship is anchored in the elaborate Bill of Rights, as entrenched under Chapter 4 of the Constitution, where the State, being a duty bearer, is under obligation to observe, respect, protect, promote and fulfil the rights and fundamental freedoms. Of specific importance is the non-discrimination clause<sup>3</sup>, which guarantees the right to equal protection and equal benefit of the law. This is important as many complaints received with respect to the issuance of vital documents are grounded on allegations of profiling and discrimination of certain communities or ethnic groupings.

The application of these laws were elucidated in the High Court decision of HERSI HASSAN GUTALE & ANOTHER V ATTORNEY GENERAL & ANOTHER, Petition 50 of 2011[2013]eKLR , where Majanja J stated:

In essence, Article 12 entitles every citizen to a Kenyan passport and any document of registration and this document may only be denied by an Act of Parliament that satisfies the criteria referred to in Article 24. Article 24 deals with

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<sup>2</sup> Article 16 of the Constitution of Kenya, 2010

<sup>3</sup> Article 27 of the Constitution of Kenya, 2010

limitation of fundamental rights and freedoms and provides that fundamental rights and freedoms may only be limited by a law of general application and only to the extent that the limitation is reasonable and justifiable in an open and democratic society based on human dignity, equality and freedom.<sup>4</sup>

The Judge further stated this:

Citizenship of any person is a very serious matter and that is why the provisions of Article 24 are applied to any Act that is enacted to take away any person's right to citizenship. I would hasten to add that the citizenship of a natural born citizen cannot be taken away or privileges or benefits of citizenship taken away by refusal to provide documents of identification.<sup>5</sup>

The procedures for registration of persons and issuance of related documentation of identification and travel are anchored in both substantive as well as subsidiary legislation. The Kenya Citizenship and Immigration Act, 2011 stipulates in its preamble, that it provides for matters relating to citizenship; issuance of travel documents; immigration and for connected purposes, while spelling out the procedure of acquiring Kenyan citizenship either by registration or naturalization.

The Act provides that the right to citizenship is not absolute, and can be limited only to the extent that is provided under the Constitution or other written law, in line with the provisions of Article 24 of the Constitution, which spells out the conditions under which rights and fundamental freedoms may be limited. Further, Section 22(1) of the Kenya Citizenship and Immigration Act enumerates the documents of registration or identification issued by the State to citizens as:

(i) a birth certificate; (ii) a certificate of registration, (iii) a passport; (iv) a national identification card; and (v) a voter's card, where applicable.

## **2.2 The legal Framework governing the Issuance of Birth and Death Certificates**

The functions and operations of the Civil Registration Department are regulated through an Act of Parliament, the Births and Deaths Registration Act, Chapter 149 of the Laws.

The Births and Deaths Registration Act, is described, under its preamble, to be an Act of Parliament to provide for the notification and registration of births and deaths and other matters incidental thereto.

The period prescribed for the registration of births and deaths is within 6 months of the occurrence of a birth or death, as stipulated under Section 8 of the Act. Any registration beyond this period ought to be with the written authority of the Principal Registrar or upon payment of the prescribed fee.

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<sup>4</sup> At Para 20, **HERSI HASSAN GUTALE & ANOTHER V ATTORNEY GENERAL & ANOTHER** Petition 50 of 2011[2013]eKLR

<sup>5</sup>*Ibid*, para 24

Registration of births and deaths is compulsory as stated in Sections 9 and 15 of the same Act respectively.

Rule 23 of the Births and Deaths Registration Rules provides for the fees to be charged under the Act as contained in the service charter, see extract below:

**Table 2: Service Charter**

S/No.	Item	Amount
1.	<i>Registration of a birth more than six months after the date of birth where registration was compulsory</i>	100.00
2.	<i>The registration of the name or alteration in the name of any child whose birth has previously been registered</i>	40.00
3.	<i>Registration of a death, more than six months after the date of death, where registration was compulsory</i>	100.00
4.	<i>Inspection of any register, return or index in the custody of the registrar or the Registrar-General</i>	20.00
5.	<i>Certified copy of any entry in any register or return in the custody of the registrar or the Registrar-General</i>	50.00
6.	<i>Birth certificate in the short form prescribed by Rule 11</i>	5.00
7.	<i>Making a correction in any entry in a register or index</i>	40.00
8.	<i>Authenticating the seal of the Registrar-General by the Attorney-General</i>	100.00
9.	<i>Preparing copies of documents on request by means of photographic process, xerography or any other copying process</i>	<i>such fees as may be determined by the registrar</i>

### 2.3 The Legal framework for issuance of National identity cards

The Registration of Persons Act, Chapter 107 of the Laws of Kenya makes provision for the registration of persons and for the issuance of identity cards to Kenyan citizens who have attained the age of eighteen (18) years.<sup>6</sup>The Act further provides, under its Rules<sup>7</sup>, for the documentary requirements for proof of age.

<sup>6</sup>Section 2 of the Registration of Persons Act, Chapter 107 of the Laws of Kenya.

<sup>7</sup>Rule 4(2) (a) of the Registration of Persons Rules, subsidiary legislation of the Registration of Persons Act, 2011.

These include the birth certificate or an age assessment certificate issued by a Government medical officer, or a baptismal certificate issued by a minister of a recognized religious organization, or some other evidence acceptable to the registration officer.

*Section 6(1) of the Registration of Persons Act stipulates that:*

*Every person who attains or has attained the age of eighteen years and is unregistered shall be liable to registration under this Act and shall within ninety days of attaining that age present himself before a registration officer and register himself by giving to the registration officer the particulars specified in subsection (1) of section 5, and for that purpose shall permit his finger and thumb or toe or palm impressions to be recorded in any manner prescribed.*

Rule 4 of the Registration of Persons Rules stipulates the requirements for application of a National identity card:

*(a) demand proof of his date of birth or apparent age by production of the birth certificate or age assessment certificate issued by a Government medical officer of health or a baptismal certificate issued by a minister of a recognized religious organization immediately following his birth or some other evidence acceptable to the Principal Registrar, and shall pay the authorized officer a sum of forty shillings for initial registration.*

*(b) demand proof of his Kenyan citizenship; and*

*(c) record in the form set out in the Second Schedule the particulars of that person specified in section 5(1) of **the Act** and shall forward the form when completed to the Principal Registrar.*

*(d) his finger and thumb or toe or palm impressions to be recorded in any manner prescribed.*

Following are some other manuals and guidelines used at the National Registration Bureau:

Registration procedure manuals

Guidelines on registration and issuance of identification cards to Kenyans in border areas

Guidelines for registration of persons previously confirmed to have registered as refugees.

## **2.4 Laws governing Immigration matters: Issuance of Passports, Permits and Passes**

The Immigration Services Department derives its mandate from Chapter Three of the **Constitution of Kenya**, the **Kenya Citizenship and Immigration Act**, 2011 and the **Kenya Citizens and Foreign Nationals Management Service Act**, 2011. The

Department is also guided by the Visa Regulations and international conventions such as the Geneva Convention on immigration requirements that Kenya is a signatory to.

The Kenya Citizenship and Immigration Act No 12 of 2011, for matters relating to citizenship; issuance of travel documents; immigration and for connected purposes. The Act, prescribes for matters relating to, *inter alia*, citizenship, passports and other travel documents, immigration controls and foreign nationals management.

Further, section 8 of the Act gives effect to Article 16 of the Constitution by providing that:

*8. (1) A citizen of Kenya by birth who acquires the citizenship of another country shall be entitled to retain the citizenship of Kenya subject to the provisions of this Act and the limitations, relating to dual citizenship, prescribed in the Constitution.*

*(2) A dual citizen shall, subject to the limitations contained in the Constitution, be entitled to a passport and other travel documents and to such other rights as shall be the entitlement of citizens.*

As citizens of a country, Section 22 of the Act stipulates the rights, privileges and benefits that every citizen may enjoy, subject to limitations provided for or permitted under the Constitution, under Article 24. These are:

*(a) the right to enter, exit, remain in and reside anywhere in Kenya;*

*(b) the right to be registered as a voter without unlawful restriction;*

*(c) the right to participate in free, fair and regular elections based on universal suffrage and subject to the Constitution, to vote and vie for-*

*(i) any elective body or office established under the Constitution;*

*(ii) any office of any political party of which the citizen is a member;*

*(iii) vote in any referendum;*

*(d) the right to own land and other property in any part of the country, in accordance with the law;*

*(e) the right to be appointed to a public office subject to the Constitution and other relevant laws;*

*(f) if the person is a citizen by birth and does not owe allegiance to any other state, the right to vie for any elective office as President or Deputy President subject Article 78 and 137 of the Constitution; and*

*(g) the entitlement to any document of registration or identification issued by the State to citizens including-*

*(i) a birth certificate; (ii) a certificate of registration, (iii) a passport;*

*(iv) a national identification card; and (v) a voter's card, where applicable.*

## **2.5 International and Regional Legal Framework**

The application of international and regional treaties and conventions in the legal system of Kenya is well grounded under Article (6) of the Constitution. According to the provisions, the general rules of its law and treaties conventions ratified by Kenya form part of the domestic laws.

At the regional level, the African Charter on Human and Peoples' Rights (Banjul Charter), provides under Article 12 for an individual's right to freedom of movement and residence within the borders of a State provided he abides by the law.

On the international front, the International Covenant on Civil and Political Rights (ICCPR), provides under Article 12, the right to liberty of movement, choice of residence and freedom to reside in any country. This provision is relevant in this study as the rights entrenched herein are closely tied to the issuance of vital and travel documents such as passports and passes. Article 12 states:

*Everyone lawfully within the territory of a State shall, within that territory, have the right to liberty of movement and freedom to choose his residence.*

*Everyone shall be free to leave any country, including his own.*

*The above-mentioned rights shall not be subject to any restrictions except those which are provided by law, are necessary to protect national security, public order (ordre public), public health or morals or the rights and freedoms of others, and are consistent with the other rights recognized in the present Covenant.*

*No one shall be arbitrarily deprived of the right to enter his own country.*

## Chapter 3

### 3.0 Analysis and Findings

#### 3.1 Demographic background of respondents

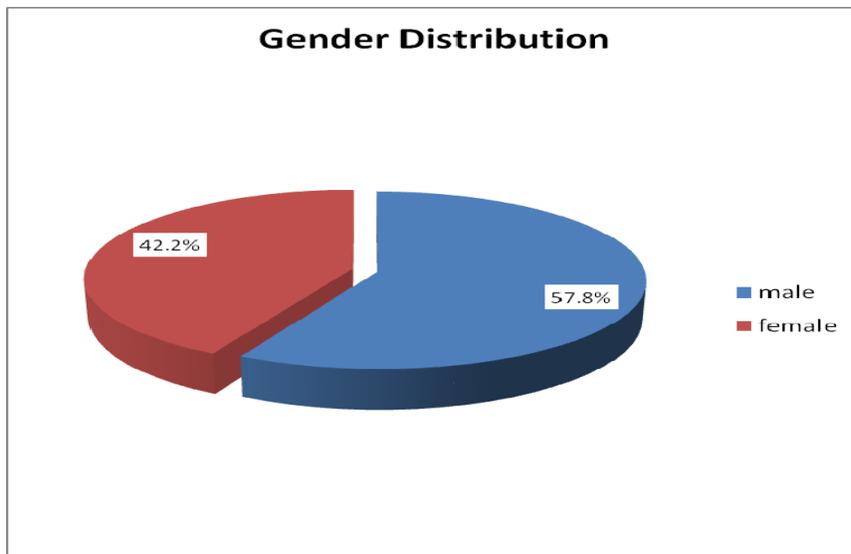
##### 3.1.1 Gender Distribution

A total of **1,594** members of the public participated in the study, out of whom 921 (57.78%) were males while 673 (42.22%) were females as shown in table 3 and the figure 1 below:

*Table 3: Gender distribution*

SEX	FREQUENCY	PERCENT
Male	921	57.8
Female	673	42.2
<b>Total</b>	<b>1594</b>	<b>100.0</b>

*Figure 1: Gender*



##### 3.1.2 Nationality

Out of the respondents interviewed, 891 were male Kenyans and 655 female Kenyans. The remaining 30 male and 18 female participants were from other nationalities making a total of 1594 participants as shown in table 4 below:

## Nationality by gender

*Table 4: Nationality of respondents by gender*

Nationality	Male		Female		Total
	No.	%	No.	%	
Kenyan	891	55.9	655	41.1	1546
Tanzanian	8	0.5	5	0.3	13
Ugandan	2	0.1	5	0.3	7
British	0	0.0	2	0.1	2
German	2	0.1	1	0.1	3
Somali	2	0.1	1	0.1	3
Australian	1	0.1	2	0.1	3
Zambian	1	0.1	0	0.0	1
Ghanaian	1	0.1	0	0.0	1
Rwandese	2	0.1	0	0.0	2
Malawian	1	0.1	1	0.1	2
Sudanese	3	0.2	0	0.0	3
Japanese	2	0.1	0	0.0	2
Mexican	0	0.0	1	0.1	1
Southern Sudanese	2	0.1	0	0.0	2
Indian	2	0.1	0	0.0	2
Italian	1	0.1	0	0.0	1
<b>Total</b>	<b>921</b>	<b>57.8</b>	<b>673</b>	<b>42.2</b>	<b>1594</b>

### 3.1.3 Distribution of respondents' nationality per county

*Table 5: County of residence by Nationality*

County of Residence	Nationality																Total	
	Kenyan	Tanzanian	Ugandan	British	German	Somali	Australian	Zambian	Ghanaian	Rwandese	Malawian	Sudanese	Japanese	Mexican	Southern Sudanese	Indian		Italian
Nairobi	217	4	2	0	0	0	0	1	1	0	2	2	1	1	2	1	0	234
Kiambu	63	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	63
Mombasa	151	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	152
Lamu	35	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	35
Kilifi	12	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	1	14
Garissa	240	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	241
Embu	64	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	64
Nakuru	144	0	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	146
Samburu	71	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	71
Uasin gishu	57	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	57
Kakamega	120	0	2	0	0	1	0	0	0	1	0	0	0	0	0	0	0	124
Bungoma	21	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	21
Busia	89	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	89
Kisumu	69	0	0	1	3	0	1	0	0	0	0	0	0	0	0	0	0	74
Migori	92	7	1	1	0	0	2	0	0	0	0	0	0	0	0	0	0	103
Kisii	53	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	53
Nyamira	17	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	17
<b>Total</b>	<b>1515</b>	<b>12</b>	<b>7</b>	<b>2</b>	<b>3</b>	<b>2</b>	<b>3</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>2</b>	<b>2</b>	<b>1</b>	<b>1</b>	<b>2</b>	<b>2</b>	<b>1</b>	<b>1558</b>

*Table 6: county of residence by gender*

County	Gender				Total	
	Male		Female			
	No	%	No	%	No	%
Nairobi	160	10.04%	74	4.64%	234	14.68%
Kiambu	29	1.82%	34	2.13%	63	3.95%
Mombasa	80	5.02%	72	4.52%	152	9.54%
Lamu	18	1.13%	17	1.07%	35	2.20%
Kilifi	13	0.82%	1	0.06%	14	0.88%
Garissa	114	7.15%	127	7.97%	241	15.12%
Embu	32	2.01%	32	2.01%	64	4.02%
Nakuru	94	5.90%	52	3.26%	146	9.16%
Samburu	39	2.45%	32	2.01%	71	4.46%
Uasin Gishu	45	2.82%	12	0.75%	57	3.57%
Kakamega	77	4.83%	47	2.95%	124	7.78%
Bungoma	14	0.88%	7	0.44%	21	1.32%
Busia	51	3.20%	38	2.38%	89	5.58%
Kisumu	30	1.88%	44	2.76%	74	4.64%
Migori	57	3.58%	46	2.89%	103	6.47%
Kisii	30	1.88%	23	1.44%	53	3.32%
Nyamira	12	0.75%	5	0.31%	17	1.06%
Missing score					36	2.25%
<b>Total</b>	<b>895</b>	<b>56.14%</b>	<b>699</b>	<b>43.86%</b>	<b>1594</b>	<b>100%</b>

Nairobi County had a total of 234 respondents representing 14.68% of the total study population. Ten point zero four percent (10.04%) of the respondents from Nairobi County were male while 4.64% were female. Kilifi County had the least number of respondents represented by 0.82% males and 0.06% females. Overall, female respondents were lower at 43.86%.

### 3.1.4 Age Distribution

The respondents below 18 years of age constituted 0.38% (n=6) male and 0.56% (n=9) female. Nineteen point nine five percent (19.95%)(n=318) of the respondents were male aged between 18-25, while females in the same age bracket were 17% (n=271). Between 26-35 years, 17.50% (n=279) were male and 12.99% (n=207) were female while for those above 55 years old were 3.76% (n=60) male and 1.44% (n=23) were female as shown in Table 7 below.

*Table 7: Distribution of respondents by age*

Age	Gender				Total			
	Male		Female		Missing score		No	%
	No	%	No	%	No	%		
Below 18	6	0.38	9	0.56			15	0.94
18-25	318	19.95	271	17.00			589	36.95
26-35	279	17.50	207	12.99			486	30.49
36-45	146	9.16	90	5.65			236	14.81
46-55	82	5.14	48	3.01			130	8.16
Above 55	60	3.76	23	1.44			83	5.21
<b>Total</b>	<b>891</b>	<b>55.90</b>	<b>648</b>	<b>40.65</b>	<b>55</b>	<b>3.45</b>	<b>1594</b>	<b>100.00</b>

### 3.1.5 Level of education according to age

**Table 8: Level of education according to age**

Age	Education											
	Primary		Secondary		Tertiary		University		Others		Total	
	No	%	No	%	No	%	No	%	No	%	No	%
Below 18	3	0.19	11	0.69	1	0.06	0	0	0	0	15	0.94
18-25	128	8.03	276	17.31	104	6.52	44	2.76	20	1.25	572	35.88
26-35	122	7.65	155	9.72	113	7.09	42	2.63	26	1.63	458	28.73
36-45	79	4.96	72	4.52	34	2.13	16	1.00	10	0.63	211	13.24
46-55	47	2.95	43	2.70	12	0.75	2	0.13	14	0.88	118	7.40
Above 55	37	2.32	26	1.63	4	0.25	1	0.06	9	0.56	77	4.83
Missing											143	8.97
Total	416	26.10	583	36.57	268	16.81	105	6.59	79	4.96	1594	100

Three (0.19%) respondents below the age 18 had attained primary education, 11 (0.69%) secondary education and only one (0.06%) had tertiary education. Majority of the respondents (n=572) representing 35.88% were within the age bracket of between 18 and 25. Out of this, 17.31% had secondary education, 6.52% tertiary education and 2.76% university education. Those in this age group with primary education were (n=128) 8.03%. Majority of those above the age of 55 years 2.32% (n=37) had primary education.

### 3.1.6 Level of Education by gender

On the level of education, majority of the respondents (37.58%) had secondary education. Among these, 15.24% (n=243) male and 11.36% (n=181) female respondents had attained primary school education level, 22.21% (n=354) males and 15.37% (n=245) females had attained secondary school education, 9.97% males and 7.47% female respondents had attained Tertiary/College education. 4.14% male and 2.57% female respondents had attained University education. 2.89% male and 2.20% female respondents had attended other forms of education such as madrassas as shown in table 9 below.

**Table 9: Level of Education by gender**

Education level	Gender				Total	
	Male		Female		No	%
	No	%	No	%		
Primary	243	15.24	181	11.36	424	26.60
Secondary	354	22.21	245	15.37	599	37.58
T/College	159	9.97	119	7.47	278	17.44
University	66	4.14	41	2.57	107	6.71
Others	46	2.89	35	2.20	81	5.08
Missing					105	6.59
<b>Total</b>	<b>868</b>	<b>54.45</b>	<b>621</b>	<b>38.96</b>	<b>1594</b>	<b>100.00</b>

### 3.2 Interviews held with officials from the Departments of Civil Registration, National Registration Bureau and Immigration Services.

A total of **248** respondents drawn from Civil Registration, National Registration Bureau and Immigration Services were interviewed.

Thirty one point four six percent (31.46%) (n=78) were drawn from Civil Registration, 44.35% (n=110) from National Registration Bureau and 20.56% (n=51) from Immigration Services as shown in table 10 below.

*Table 10: Distribution of Service Providers department*

DIRECTORATE/ DEPARTMENT	FREQUENCY	PERCENTAGE
Civil Registration	78	31.46
Immigration Services	51	20.56
National Registration Bureau	110	44.35
Spoiled	9	3.63
<b>TOTAL</b>	<b>248</b>	<b>100.0</b>

#### 3.2.1 Designation of officers interviewed

Majority of those interviewed were clerical officers at 37.1% (n=92). Registrars of Persons 16.5% (n=41), Civil Registrars 15.3% (n=38) and Immigration Officers were

15.7% (n=39). Other officers were Public Relations officers 1.6% (n=4) while 0.81% (n=2) were drivers.

**Table.11: Designation of officers**

DESIGNATION	FREQUENCY	PERCENTAGE	VALID PERCENTAGE
Registrar of Persons	41	16.5	19.0
Civil Registrars	38	15.3	17.6
Immigration Officers	39	15.7	18.1
Clerical Officers	92	37.1	42.6
Drivers	2	0.81	0.9
Public Relations Officers	4	1.6	1.9
<b>Total</b>	<b>216</b>	<b>87.1</b>	<b>100.0</b>
Missing System	32	12.9	
<b>Total</b>	<b>248</b>	<b>100.0</b>	

### 3.2.2 Interviews held with officials from the County Administration

A total of fifty four (54) County Administrators including two (2) Deputy County Commissioners (DCs), nine (9) Assistant County Commissioners (District Officers), sixteen (16) Chiefs, twelve (12) Assistant Chiefs and one (1) clerical officer were interviewed on the role they play in the processing and issuance of vital documents.

**Table 12: Distribution of County Administrators**

COUNTY	DESIGNATION					TOTAL
	D/County Commissioners	Ass/County Commissioners	Chiefs	Asst/ Chiefs	Clerical officer	
Nairobi	2	2	1	1	0	6
Mombasa	0	2	2	1	0	5
Embu	0	2	5	1	0	8
Nakuru	0	1	1	5	0	7
UasinGishu	0	0	4	0	0	4
Kakamega	0	1	0	1	0	2
Bungoma	0	1	1	1	1	4
Busia	0	0	0	2	0	2
Kisumu	0	0	1	0	0	1
Missing						14
<b>S/total</b>	<b>2</b>	<b>9</b>	<b>16</b>	<b>12</b>	<b>1</b>	<b>40</b>
<b>G/total</b>						<b>54</b>

### 3.2.3 Focus Group Discussions (FGDs)

Focused group discussions were also held with service providers including Provincial Administration as well as service seekers in Kisumu, Kuria and Mombasa

Further, interviews were held with **5** key informants who were senior officers from the National Registration Bureau and Immigration Directorate.

### 3.3 Department of Civil Registration Services

The Department of Civil Registration Services, a department under Interior and Co-ordination of National Government is charged with the responsibility of the compulsory registration of all births and deaths occurring in Kenya irrespective of nationality. It also provides for the optional registration of the births and deaths of

Kenya citizens occurring outside the country. The department also registers deaths of Kenyan Nationals occurring outside Kenya but whose bodies are brought to Kenya for internment.

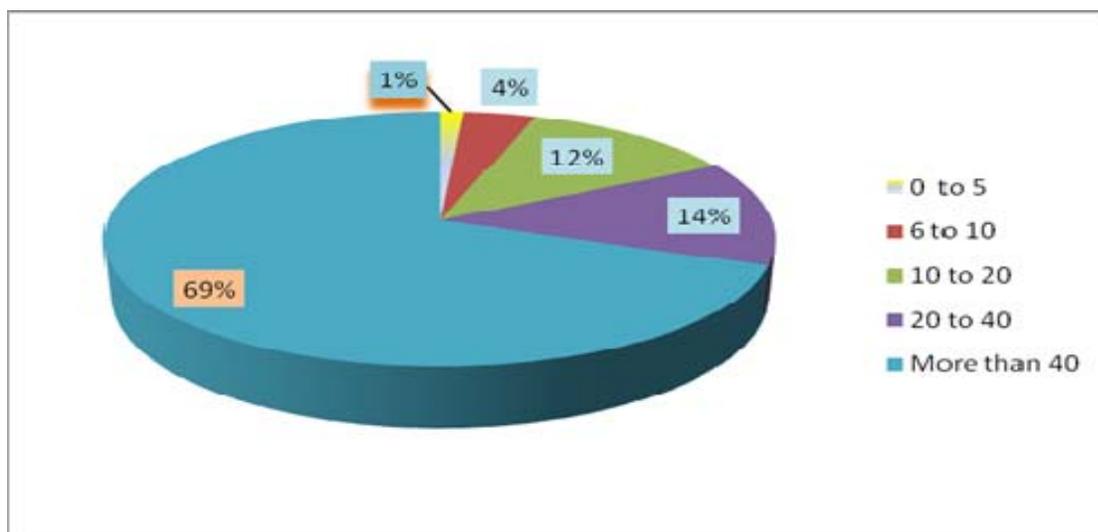
The core functions of the Department are outlined as<sup>8</sup>:

- Registration of births and deaths
- Preservation, security and custody of births and deaths records.
- Issuance of births and deaths certificates
- Processing of vital statistics – both natality (birth statistics) and mortality (death statistics)
- Re-registration upon legitimation and recognition

The officials from the Department of Civil Registration who took part in the study stated that they work during the official working hours, from Monday to Friday. However, mobile registration services are offered on certain days of the week, depending on the jurisdiction and accessibility of the services.

According to the service providers interviewed, most registration centers (69%), processes over 40 applications a day, as shown in the Figure 2 below.

**Figure 2 : Average number of cases handled per day**



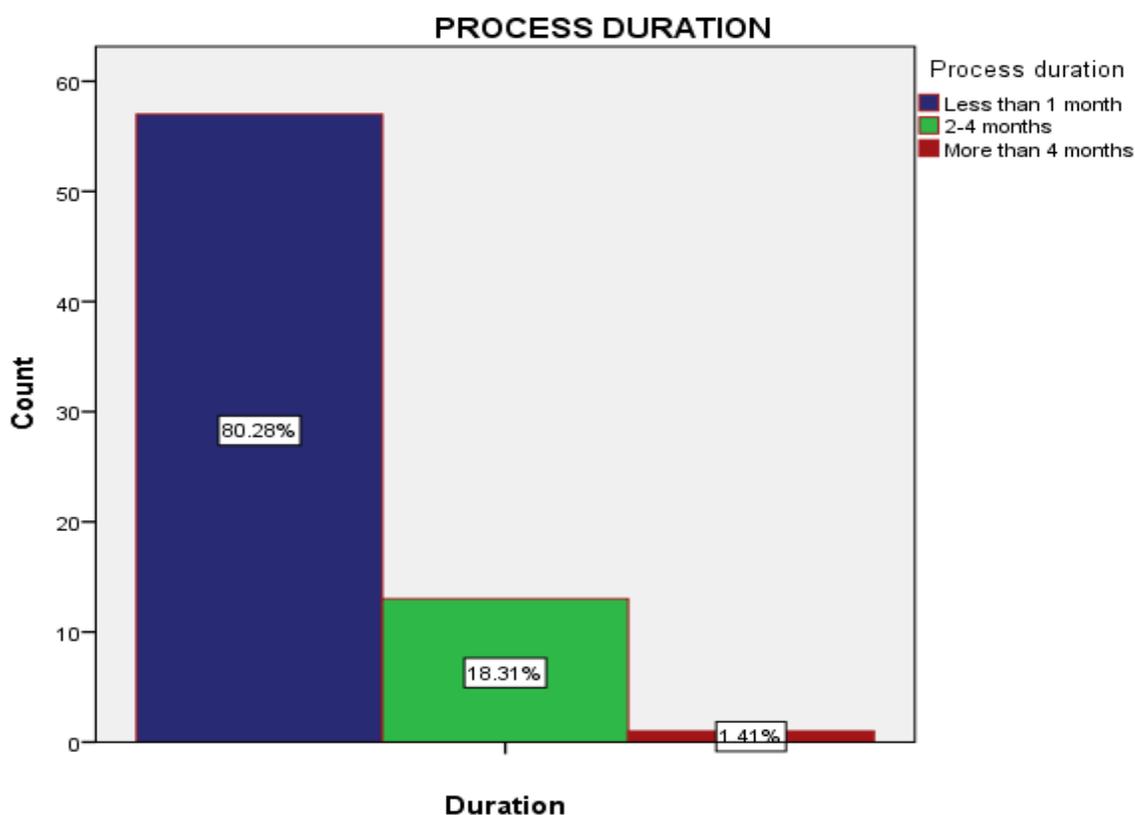
<sup>8</sup> Reference from the official website of the Ministry of Interior and Co-ordination of National Government, Immigration and Registration of Persons.

<http://www.mirp.go.ke/index.php/departments/civil-registration>

An examination of the Service Charter of the Department indicates that birth and death certificates should be issued immediately upon application. There are no charges for cases registered within the first 6 months from occurrence. Late registration of births is issued within 2 days at a fee of KSh. 50 – 150. The Births and Deaths Registration Act CAP 149 provides for KSh. 100/= as the chargeable fee for late registration of birth.

Most of the service providers interviewed, 80.3% stated that the birth and death certificates are issued within a month while 18.31% gave the duration of 2-4 months. A further 1.4% stated that it might take more than 4 months to issue birth and death certificates. The findings indicate that the Department of Civil Registration does not follow the time lines provided in the Service Charter for the Department as shown in Figure 3 below.

**Figure 3: Duration of Issuance of Birth & Death Certificates**



### 3.4 Findings on Acquisition of Births Certificates by members of the Public

Whereas Section 9 (2) and 15 (2) of the Births and Deaths Registration Act 2012 makes registration of births compulsory, investigation revealed that a significant number of Kenyans have not been registered.

### 3.4.1 Acquisition of Birth Certificate

Fifty nine point one percent (59.1%) of the respondents had acquired birth certificates while 30.7% had not. 10.2% did not indicate whether they had birth certificates or not as shown in table 13 below.

*Table 13: Those who have acquired Birth Certificates*

Respondents with a birth certificate	Frequency	Percent
Yes	942	59.1
No	489	30.7
Not Indicated	163	10.2
Total	1594	100.0

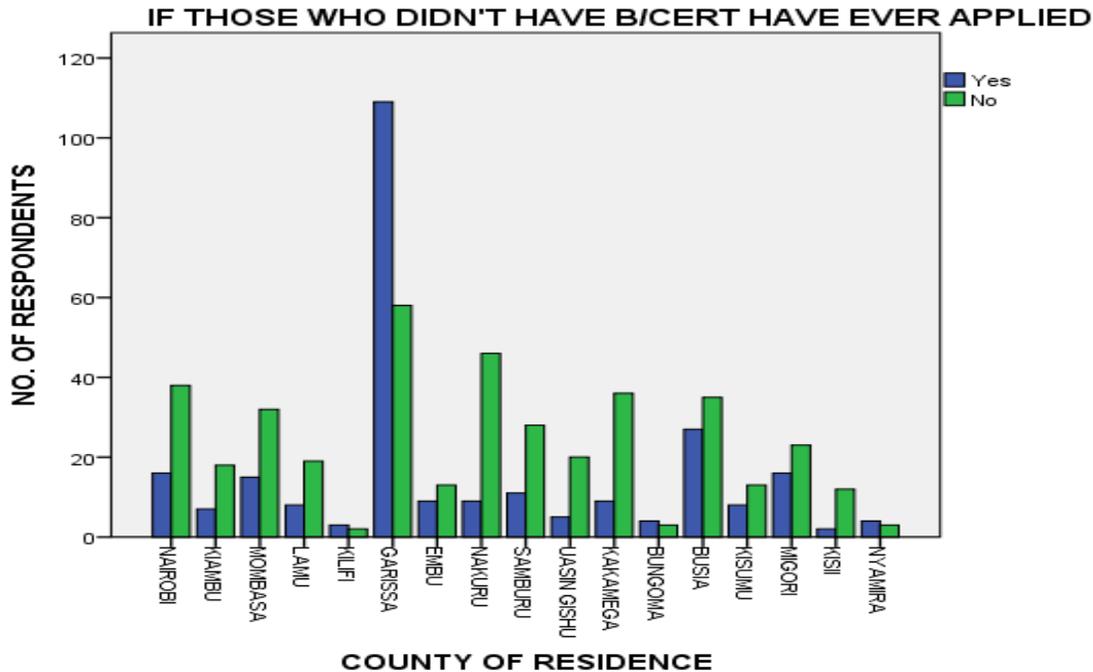
*Table 14: With or without a birth certificate by County of residence.*

County of residence	Do you have a Birth Certificate				Total	
	Yes		No		Number	%
	Number	%	Number	%		
Nairobi	143	8.97	55	3.45	198	12.42
Kiambu	48	3.01	13	0.82	61	3.83
Mombasa	113	7.09	30	1.88	143	8.97
Lamu	13	0.82	20	1.25	33	2.07
Kilifi	2	0.13	5	0.31	7	0.44
Garissa	160	10.04	76	4.77	236	14.81
Embu	50	3.14	13	0.82	63	3.95
Nakuru	96	6.02	47	2.95	143	8.97
Samburu	38	2.38	31	1.94	69	4.33
Uasin Gishu	31	1.94	26	1.63	57	3.58
Kakamega	67	4.20	40	2.51	107	6.71
Bungoma	14	0.88	3	0.19	17	1.07
Busia	44	2.76	44	2.76	88	5.52
Kisumu	47	2.95	21	1.32	68	4.27
Migori	36	2.26	36	2.26	72	4.52
Kisii	19	1.19	13	0.82	32	2.01
Nyamira	7	0.44	7	0.44	14	0.88
Missing Score				11.67	186	11.67
<b>Total</b>	<b>928</b>	<b>58.22</b>	<b>480</b>	<b>(30.11) 41.78</b>	<b>1594</b>	<b>100.00</b>

The study established that 58.22% (n=928) had a birth certificate while 30.11% (n=480) did not have.

Among the 14 counties studied, Garissa County had the majority of respondents with birth certificates at 10.04% (n=160). Kilifi County on the other hand had the least respondents (0.13%) with birth certificates as shown in table 14 above.

**Figure 4: Those who applied for Birth Certificates**



The highest number of respondents who had applied and not been issued with birth certificate were from Garissa County while the least number of applicants who had applied but had not been issued with birth certificates were from Kisii County as shown in the figure 4 above.

### 3.4.2 Reasons for not applying for Birth Certificate per age group

Majority of respondents (13.17%) cited lack of need of birth certificate as the reason for not applying. The age group 18-25 were the most at 4.96% (n=79) of those who had no need for the document. Lack of need for the document was followed by complex process at 5.08% as a reason for not applying. Lack of information at 3.51% and long distance at 0.63% were other reasons that contribute to lack of application for birth certificate as cited by respondents. See table 15 below.

*Table 15: Reasons for not applying for birth certificate per age group*

Reasons for not applying	Age												Total	
	Below 18		18-25		26-35		36-45		46-55		Above 55		No	%
	No	%	No	%	No	%	No	%	No	%	No	%		
Lack of need	3	0.19	79	4.96	69	4.33	29	1.82	17	1.07	13	0.82	210	13.17
Lack of information on how and where	0	0	21	1.32	22	1.38	6	0.38	4	0.25	3	0.19	56	3.51
Complex process	0	0	30	1.88	28	1.76	8	0.50	11	0.69	4	0.25	81	5.08
Lack of documents	0	0	11	0.69	7	0.44	5	0.31	0	0.00	2	0.13	25	1.57
Long distance	0	0	2	0.13	3	0.19	3	0.19	1	0.06	1	0.06	10	0.63
Competition in the process	0	0	3	0.19	2	0.13	0	0.00	0	0	0	0.00	5	0.31
Other reasons	0	0	29	1.82	15	0.94	4	0.25	2	0.13	1	0.06	51	3.20
Missing score													1156	72.52
<b>Total</b>	<b>3</b>	<b>0.19</b>	<b>175</b>	<b>10.98</b>	<b>146</b>	<b>9.16</b>	<b>55</b>	<b>3.45</b>	<b>35</b>	<b>2.20</b>	<b>24</b>	<b>1.51</b>	<b>1594</b>	<b>100</b>

### 3.4.3 Reasons for not applying for Birth Certificate per gender

Thirteen point three six percent (13.36%) respondents cited lack of need for the document. Among these, 7.78% were male and 5.58% were female respondents.

Complex process in the application for the birth certificate was the second reason for not applying for the document at 5.21% where 2.89% were males and 2.32% were female respondents. Lack of information on how and where to apply was cited at 3.51% as shown in table 16 below.

*Table 16: Reasons for not applying for birth certificate per gender*

Reasons for not applying	Gender				Total	
	Male		Female		No	%
	No	%	No	%		
Lack of need	124	7.78	89	5.58	213	13.36
Lack of information on how and where	31	1.94	25	1.57	56	3.51
Complex process	46	2.89	37	2.32	83	5.21
Lack of documents	12	0.75	15	0.94	27	1.69
Long distance	9	0.56	1	0.06	10	0.63
Competition in the process	3	0.19	2	0.13	5	0.31
Other reasons	38	2.38	14	0.88	52	3.26
Missing score					1148	72.02
<b>Total</b>	<b>263</b>	<b>16.50</b>	<b>183</b>	<b>11.48</b>	<b>(446) 1594</b>	100.00

#### 3.4.4 Reasons for not applying for Birth Certificate per county

Majority of respondents in all the counties cited lack of need at 13.2% as a main reason for not applying for birth certificate. In particular, Mombasa County had the highest number of respondents (n=31) 1.9% citing lack of need for birth certificate. On the overall, Garissa County had the highest number of respondents (n=84) 5.3% citing all the reasons attributed to lack of application for birth certificate as illustrated in table 17 below.

**Table 17: Reasons for not applying for Birth Certificate per county**

County	Reasons for not applying for Birth Certificate														Total	
	Lack of need		Lack of information on how and where		Complex process		Lack of documents		Long distance		Corruption in the process		Other reasons			
	No	%	No	%	No	%	No	%	No	%	No	%	No	%	No	%
Nairobi	23	1.4	5	0.3	5	0.3	4	0.3	4	0.3	1	0.1	23	1	65	4.1
Kiambu	14	0.9	2	0.1	8	0.5	1	0.1	0	0.0	0	0	0	0	25	1.6
Mombasa	31	1.9	7	0.4	0	0.0	3	0.2	0	0.0	0	0	5	0	46	2.9
Lamu	2	0.1	2	0.1	2	0.1	0	0.0	1	0.1	0	0	0	0	7	0.4
Kilifi	0	0.0	0	0.0	1	0.1	0	0.0	1	0.1	0	0	0	0	2	0.1
Garissa	29	1.8	21	1.3	29	1.8	3	0.2	1	0.1	1	0.1	0	0	84	5.3
Embu	0	0.0	1	0.1	4	0.3	0	0.0	0	0.0	0	0	0	0	5	0.3
Nakuru	22	1.4	3	0.2	3	0.2	3	0.2	0	0.0	0	0	6	0	37	2.3
Samburu	26	1.6	0	0.0	0	0.0	0	0.0	0	0.0	0	0	0	0	26	1.6
Uasin Gishu	6	0.4	4	0.3	0	0.0	1	0.1	0	0.0	0	0	5	0	16	1.0
Kakamega	16	1.0	1	0.1	0	0.0	1	0.1	2	0.1	3	0.2	2	0	25	1.6
Bungoma	6	0.4	1	0.1	0	0.0	0	0.0	0	0.0	0	0	2	0	9	0.6
Busia	6	0.4	1	0.1	2	0.1	0	0.0	0	0.0	0	0	5	0	14	0.9
Kisumu	5	0.3	2	0.1	2	0.1	2	0.1	0	0.0	0	0	1	0	12	0.8
Migori	11	0.7	3	0.2	22	1.4	5	0.3	0	0.0	0	0	0	0	41	2.6
Kisii	8	0.5	2	0.1	4	0.3	3	0.2	1	0.1	0	0	0	0	18	1.1
Nyamira	6	0.4	0	0.0	1	0.1	0	0.0	0	0.0	0	0	0	0	7	0.4
Missing Score															1155	72.5
<b>Total</b>	<b>211</b>	<b>13.2</b>	<b>55</b>	<b>3.5</b>	<b>83</b>	<b>5.2</b>	<b>26</b>	<b>1.6</b>	<b>10</b>	<b>0.6</b>	<b>5</b>	<b>0.3</b>	<b>49</b>	<b>3.1</b>	<b>1594</b>	<b>100</b>

### 3.4.5 Knowledge on Birth Certificate

The investigation sought to assess the level of the respondents' knowledge of Birth Certificates. Majority of the respondents at 81.9 % understood what a birth certificate is. See table 18 below.

*Table 18: knowledge on Birth Certificate by respondents*

Respondents knowledge on birth certificate	Number	Percent
Document showing where a person was born	437	27.42
Document showing place of birth	146	9.16
Legal birth document	230	14.4
Document showing date of birth	107	6.71
Document showing birth details	352	22.08
A document used to support other documents	34	2.13
Sub total	1306	81.9
Missing score	288	18.1
<b>Total</b>	<b>1594</b>	<b>100.0</b>

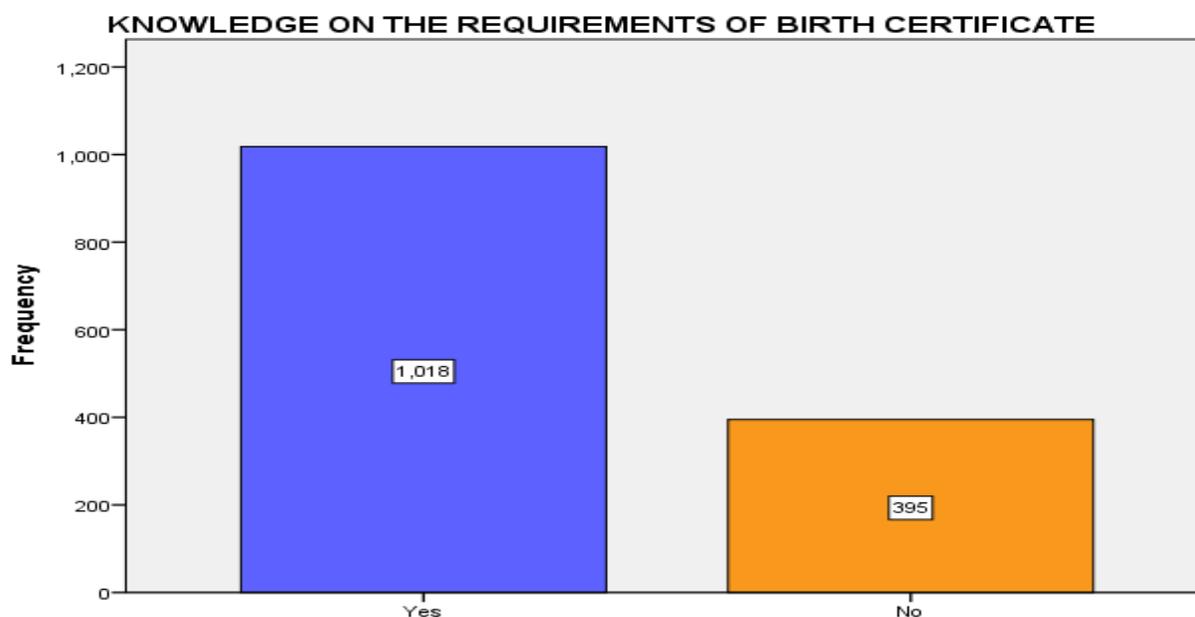
### 3.4.6 Requirements for acquiring a Birth Certificate

Asked whether they knew the requirements for obtaining birth certificates, majority of the respondents (63.9%) knew the requirements. Twenty four point eight percent (24.8%) did not know the requirements as illustrated in table 19 and Figure 5 below.

*Table 19: Knowledge of the requirements for obtaining a Birth Certificate*

Requirements for obtaining a birth certificate	Number	Percent
Yes	1018	63.86
No	395	24.78
<b>Total</b>	<b>1413</b>	<b>88.64</b>
Missing	181	11.36
<b>Total</b>	<b>1594</b>	<b>100.0</b>

**Figure 5: Knowledge on the requirements for obtaining Birth Certificate**



### 3.5 Knowledge on the requirements for obtaining Death Certificate per age

Majority of the respondents 40.2% (n=640) did not know the requirements for obtaining death certificate. Five percent (5%) of the respondents within the age group 18-25 knew the requirements followed by those in the age group 26-35 at 4.5% as illustrated in table 20 below

**Table 20: Knowledge on the requirements for obtaining Death Certificate by age**

Requirements of death certificate	Age												Total	
	Below 18		18-25		26-35		36-45		46-55		Above 55		No	%
	No	%	No	%	No	%	No	%	No	%	No	%		
Yes	3	0.2	80	5.0	72	4.5	56	3.5	46	2.9	21	1.3	278	17.4
No	7	0.4	267	16.8	203	12.7	95	6.0	37	2.3	31	1.9	640	40.2
Missing													676	42.4
<b>Total</b>	<b>10</b>	<b>0.6</b>	<b>347</b>	<b>21.8</b>	<b>275</b>	<b>17.3</b>	<b>151</b>	<b>9.5</b>	<b>83</b>	<b>5.2</b>	<b>52</b>	<b>3.3</b>	<b>1594</b>	<b>100</b>

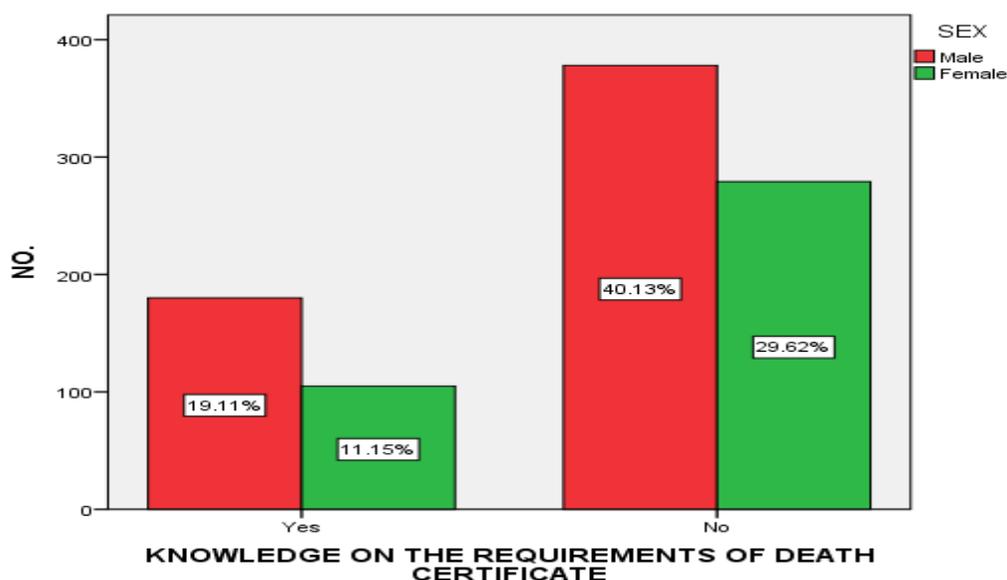
### 3.5.1 Knowledge on the requirements of death certificate per gender

A higher number of respondents at 41.2% did not know the requirements for acquiring death certificate. Male respondents who had knowledge on death certificate were 11.3% (n=180) and females 6.6% (n=105) as shown in table 21 and figure 6 below.

*Table 21: knowledge on the requirements of death certificate per gender*

Requirements of death certificate	Gender				Total	
	Male		Female		No	%
	No	%	No	%		
Yes	180	11.3	105	6.6	285	17.9
No	378	23.7	279	17.5	657	41.2
Missing		0.0		0.0	652	40.9
<b>Total</b>	<b>558</b>	<b>35.0</b>	<b>384</b>	<b>24.1</b>	<b>1594</b>	<b>100.0</b>

*Figure 6: Knowledge on the requirements of death certificate*



### 3.5.2 Sources of Information

Majority of the respondents (17.7%) stated that they got information on the requirements for processing death certificates from persons close to them (parents, friends or relatives). The offices of the Registrar of Births and Deaths came second at 14.4% as a source of information. The role of the local Chief in giving information on birth certificates stood at 9.2%. Other sources of information mentioned by the respondents included the Religious organizations and the Non-Governmental Organizations (NGOs) at 1.6% as illustrated in table 22 below.

*Table 22: Source of information on requirements*

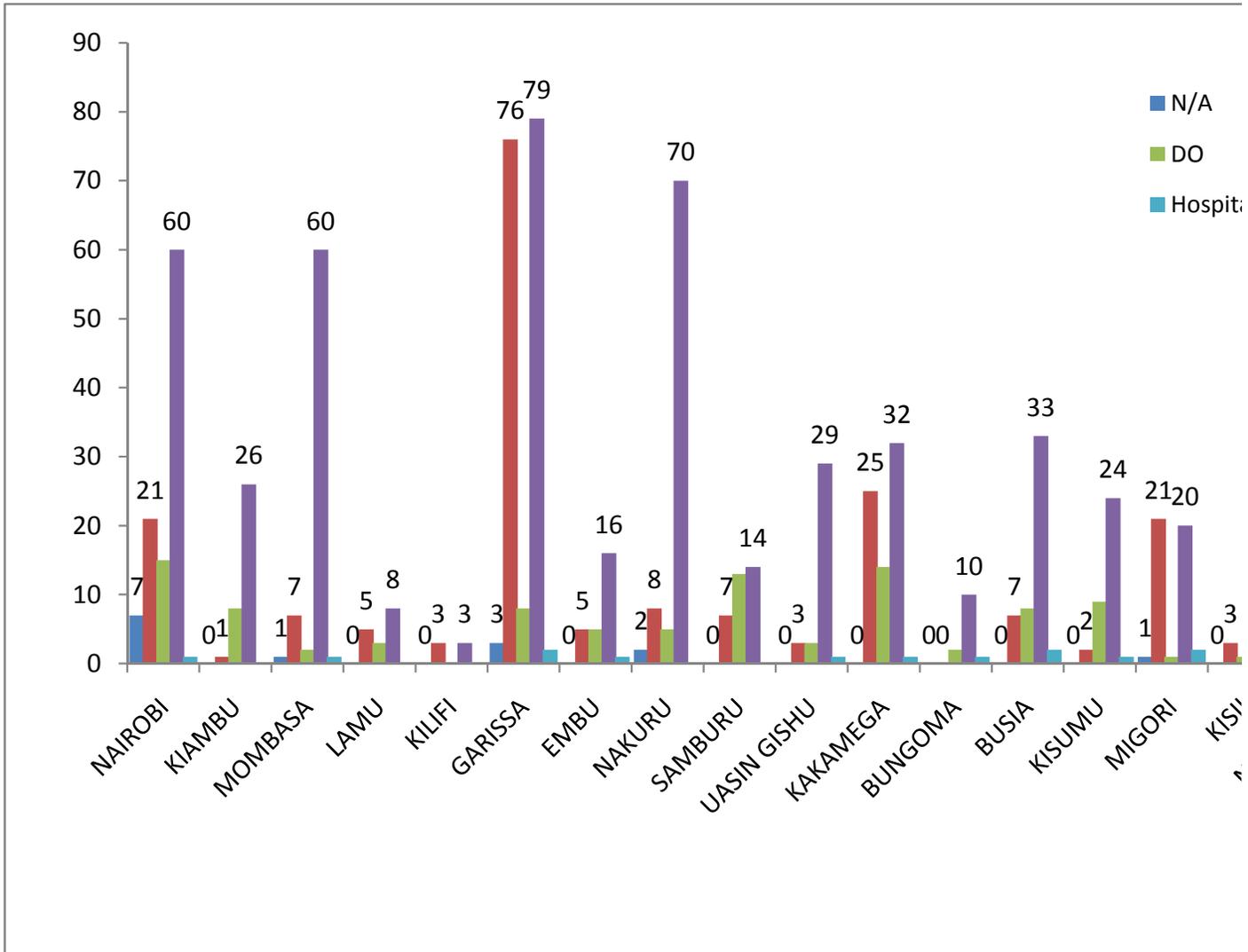
Sources of information	Number	Percentage
District Officers	77	4.8
Local Chief	146	9.2
Media	32	2.0
Registrar of births and deaths	229	14.4
School	82	5.1
Parents/Friends/Relatives	282	17.7
Nurses	84	5.3
Others (Religious organizations and NGOs)	25	1.6
N/A	11	0.7
<b>Total</b>	<b>968</b>	<b>60.7</b>
Missing	626	39.3
<b>Total</b>	<b>1594</b>	<b>100.0</b>

Information from respondents drawn from the service providers within the Civil Registration Department stated that the majority of the members of the public obtained information on birth and death certificates from the Service Charter. In contrast, no respondent from the members of public mentioned or made reference to the Service Charter, hence creating a disconnect between the responses by the two categories of respondents.

### 3.5.3 Offices/ officers involved in the issuance of Birth Certificates

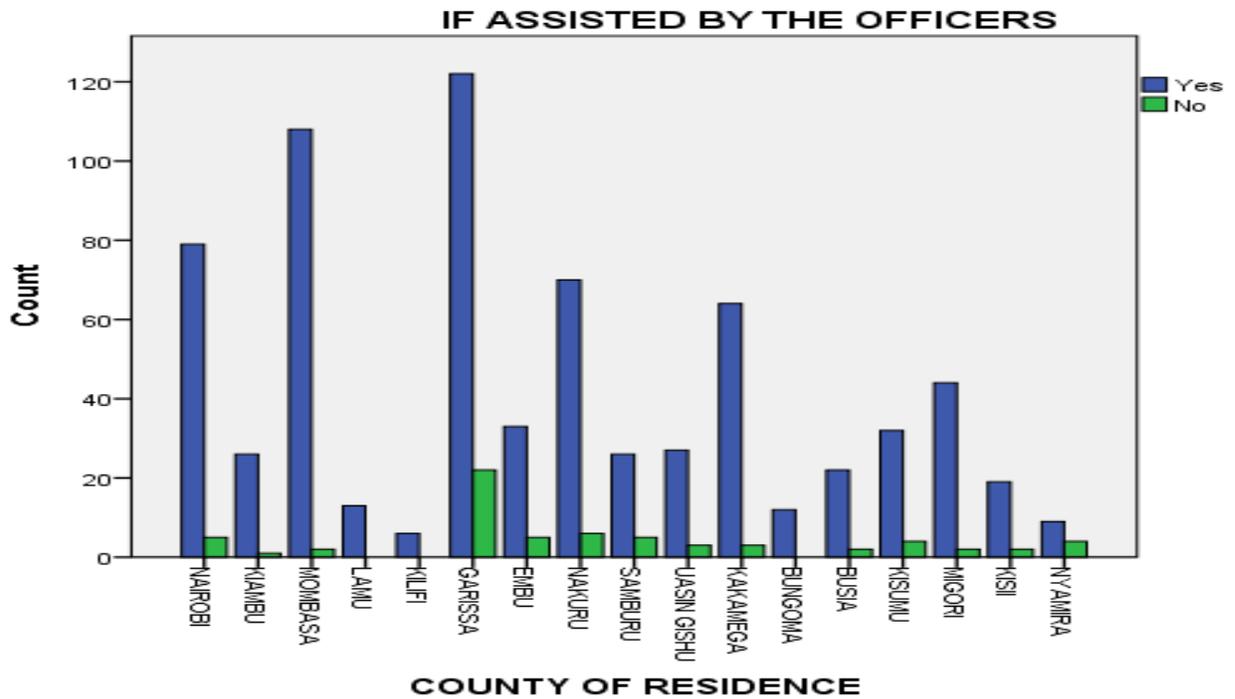
The offices of the Registrar of births and deaths, the local Chiefs and the District officers were cited as the most visited offices by applicants seeking assistance in the processing of birth certificates as illustrated in figure 7 below.

*Figure 7: Offices/officers involved in the issuance of Birth Certificates*



Most of the respondents indicated that they were assisted by the officers they visited as shown in figure 8 below covering the 17 counties under study.

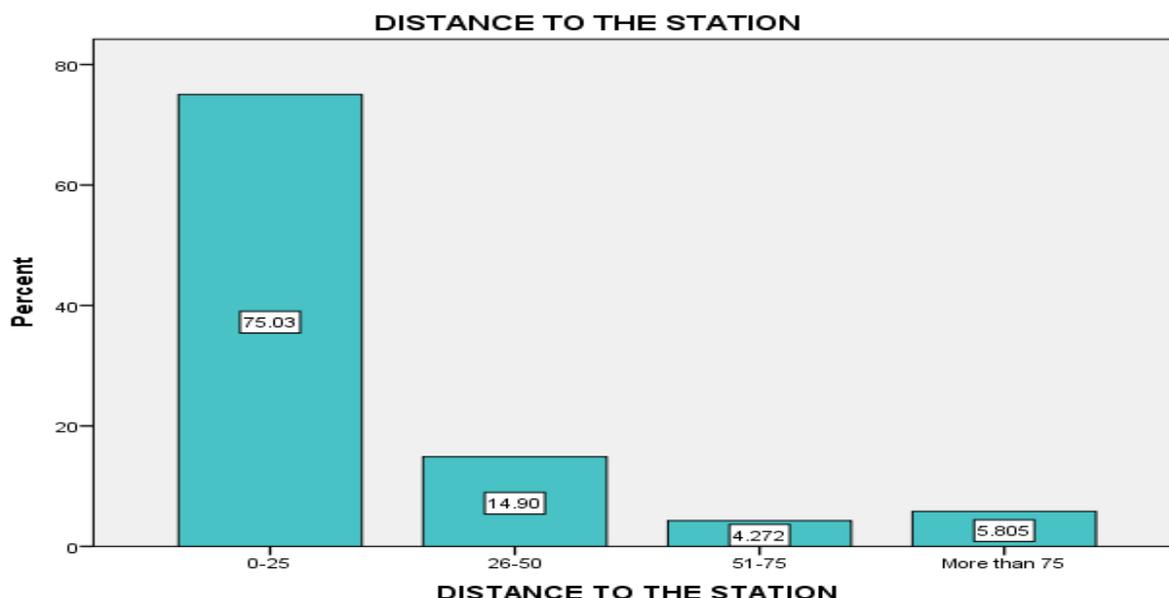
**Figure 8: Whether applicants were assisted by the officers they visited to obtain Birth Certificate**



### 3.5.4 Distance travelled to access services

The majority of the respondents travelled for less than 25 kilometres (75.03%). Fourteen point nine percent (14.9%) travelled between 26 to 50 kilometres while 5.80% respondents stated that they travelled between 75 kilometres and 200 kilometres as shown in figure 9 below.

*Figure 9: Distance travelled by applicants*



During focus group discussions in Nyandarua, a respondent stated that he had to follow up the processing of his birth certificate at the Civil Registration Headquarters in Nairobi for over 1 year and had to travel over 400 Km each time he came to Nairobi.

### 3.5.5 Cost of transport per county

The cost of transport incurred while seeking for birth or death certificates was higher in Nairobi and Mombasa Counties at 3.1% in both cities. These were followed by Nakuru, Kakamega and Busia at 1.6%, 1.5% and 1.4% respectively. Majority of service seekers (9.7%) spent between KSh. 100 and KSh. 200 across all the counties. Those who spent more than KSh. 1,000 were from Garissa County (0.3%) as shown in table 23 below.

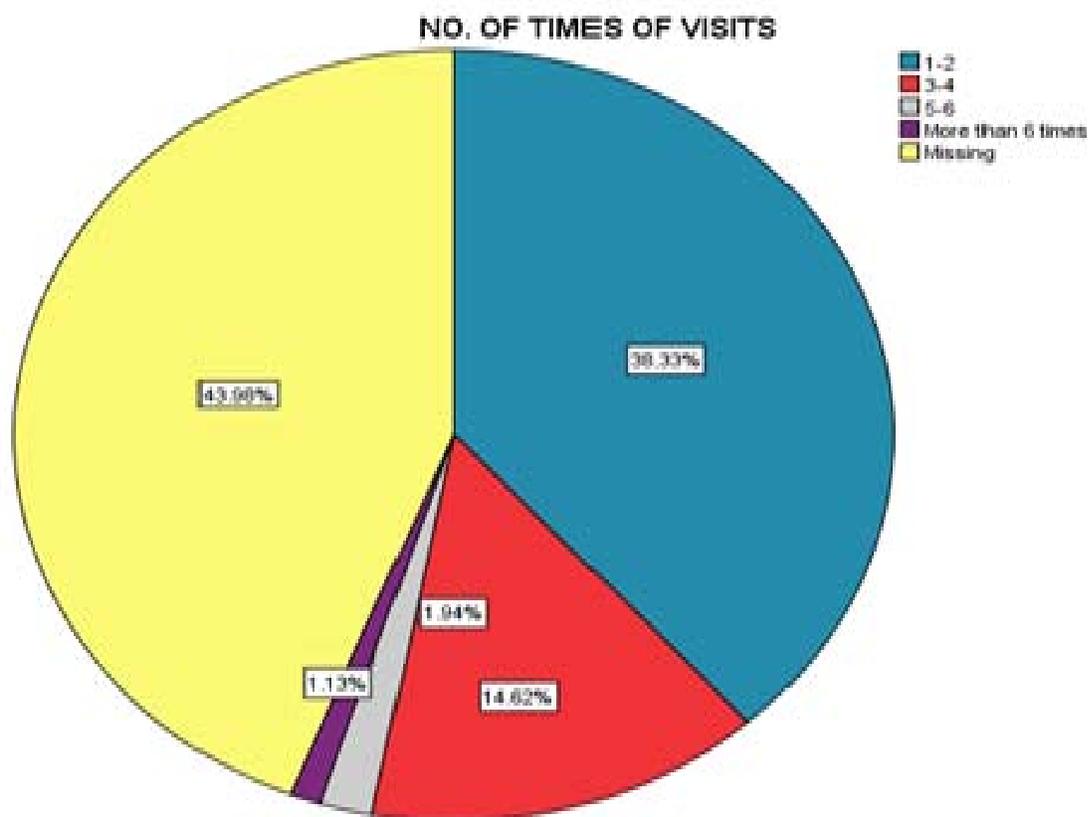
Table 23: Transport cost of seeking for a birth or death certificate per county

County	Transport cost (KSh.)										Total	
	Less than 100		100-200		201-500		501-1000		More than 1000			
	No	%	No	%	No	%	No	%	No	%	No	%
Nairobi	8	0.5	4	0.3	2	0.1	0	0	0	0	50	3.1
Kiambu	1	0.1	3	0.2	5	0.3	3	0.2	0	0	12	0.8
Mombasa	3	0.2	46	2.9	0	0.0	0	0	0	0	49	3.1
Lamu	0	0.0	1	0.1	0	0.0	3	0.2	0	0	4	0.3
Kilifi	0	0.0	1	0.1	1	0.1	0	0	0	0	2	0.1
Garissa	3	0.2	5	0.3	3	0.2	4	0.3	4	0.3	19	1.2
Embu	0	0.0	2	0.1	1	0.1	1	0.1	1	0.1	5	0.3
Nakuru	6	0.4	18	1.1	1	0.1	0	0	0	0	25	1.6
Samburu	0	0.0	3	0.2	2	0.1	1	0.1	0	0	6	0.4
Uasin Gishu	5	0.3	0	0.0	1	0.1	0	0	0	0	6	0.4
Kakamega	13	0.8	11	0.7	0	0.0	0	0	0	0	24	1.5
Bungoma	0	0.0	3	0.2	0	0.0	1	0.1	1	0.1	5	0.3
Busia	10	0.6	11	0.7	2	0.1	0	0	0	0	23	1.4
Kisumu	1	0.1	1	0.1	1	0.1	0	0	0	0	3	0.2
Migori	1	0.1	4	0.3	2	0.1	0	0	0	0	7	0.4
Kisii	1	0.1	3	0.2	2	0.1	3	0.2	0	0	9	0.6
Missing		0.0		0.0		0.0		0		0	1345	84.4
<b>Total</b>	<b>52</b>	<b>3.3</b>	<b>154</b>	<b>9.7</b>	<b>21</b>	<b>1.3</b>	<b>16</b>	<b>1.0</b>	<b>6</b>	<b>0.4</b>	<b>1594</b>	<b>100</b>

### 3.5.6 Number of visits to service centers

While the Service Charter provides that both Birth and Death Certificates are to be issued on the spot (save for late registrations which take 2 days), 38.33% of the respondents indicated that they had visited the service centers for less than 2 times. Some had made 3 to 4 visits while others (1.13%) had been to the centers for 6 or more times as shown on Figure 10 below.

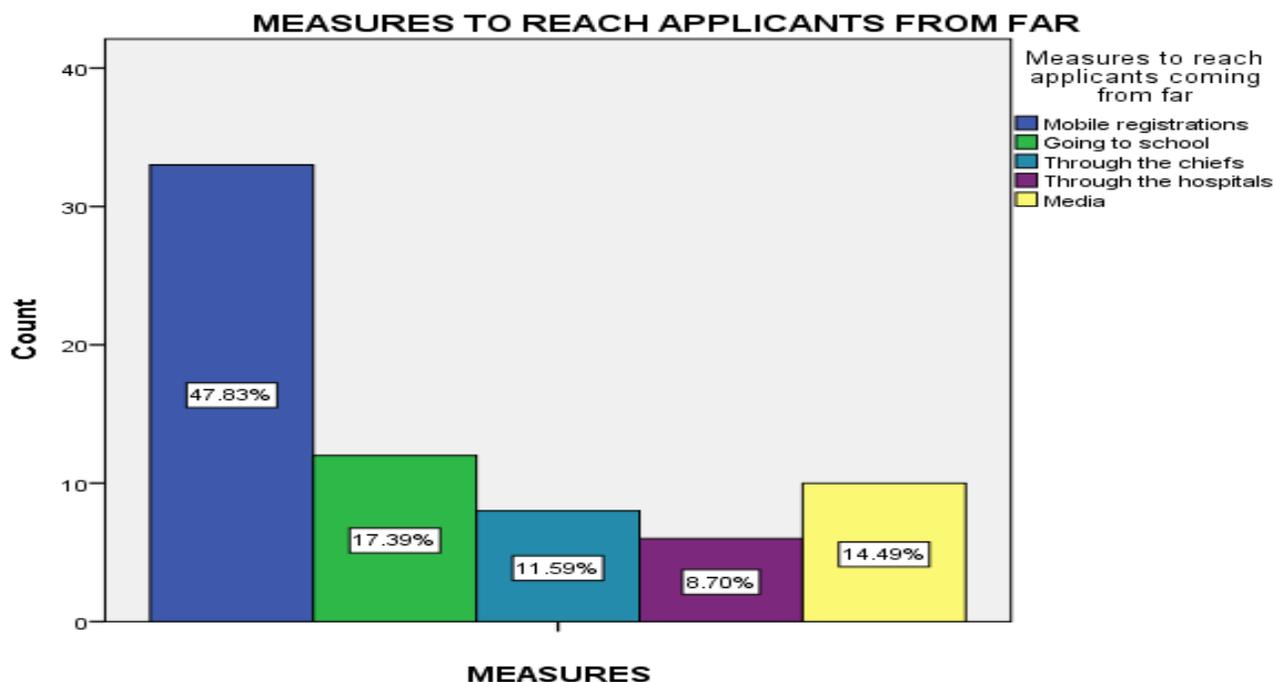
Figure 10: Number of times of visits



### 3.5.7 Measures to enable accessibility of services

With reference to accessibility of the services, the service providers stated that certain measures had been put in place to reach applicants in far flung regions. These include the establishment of mobile registrations (47.83%), registration in schools (17.39%) and hospitals (8.70%), through chiefs (11.59%) and use of the media (14.49%) to inform applicants as shown on Figure 11 below.

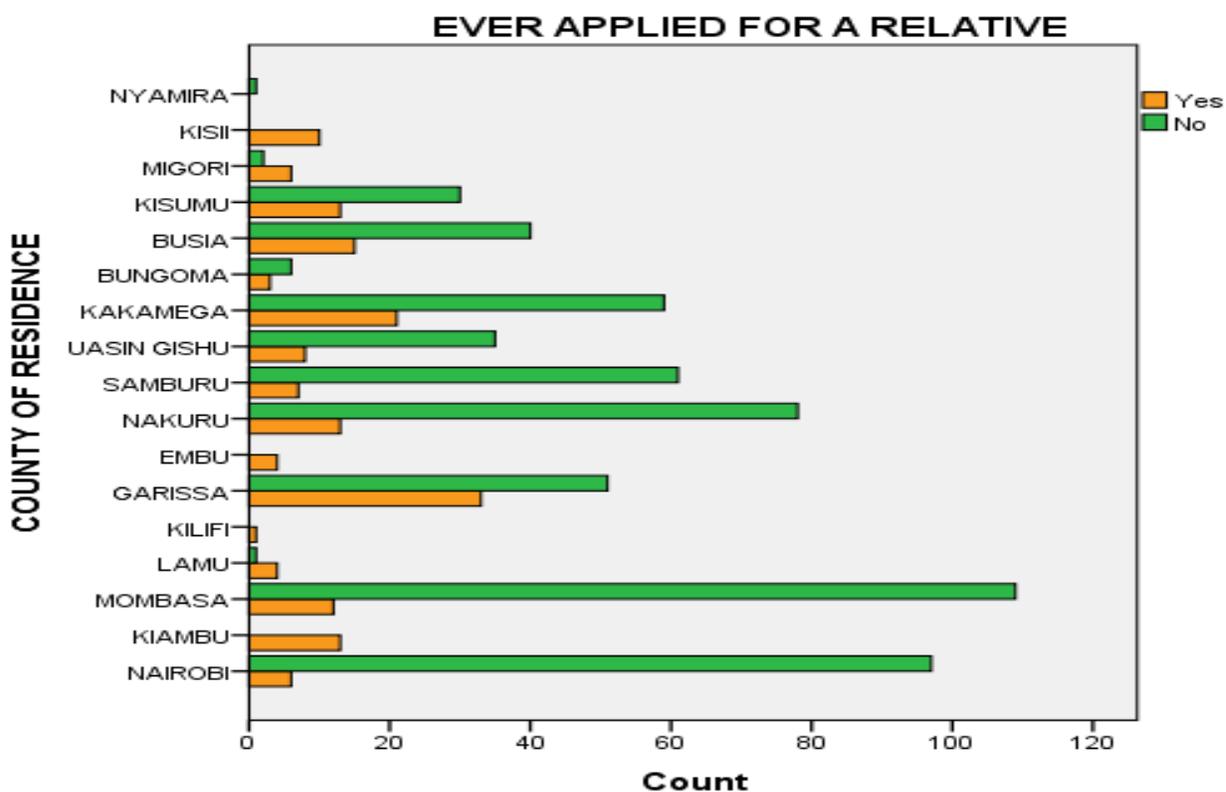
Figure 11: Measures to reach applicants from far off regions



### 3.6 Ever applied for Death Certificate

Majority of the respondents had never applied for a Death Certificate for a relative or kin. In Nairobi, for example, only 6 out of 103 had applied for a death certificate whereas in Migori, all the 10 respondents in the study had applied for death certificates as shown on Figure 12 below.

Figure 12: Ever applied for a death certificate for deceased relative or kin



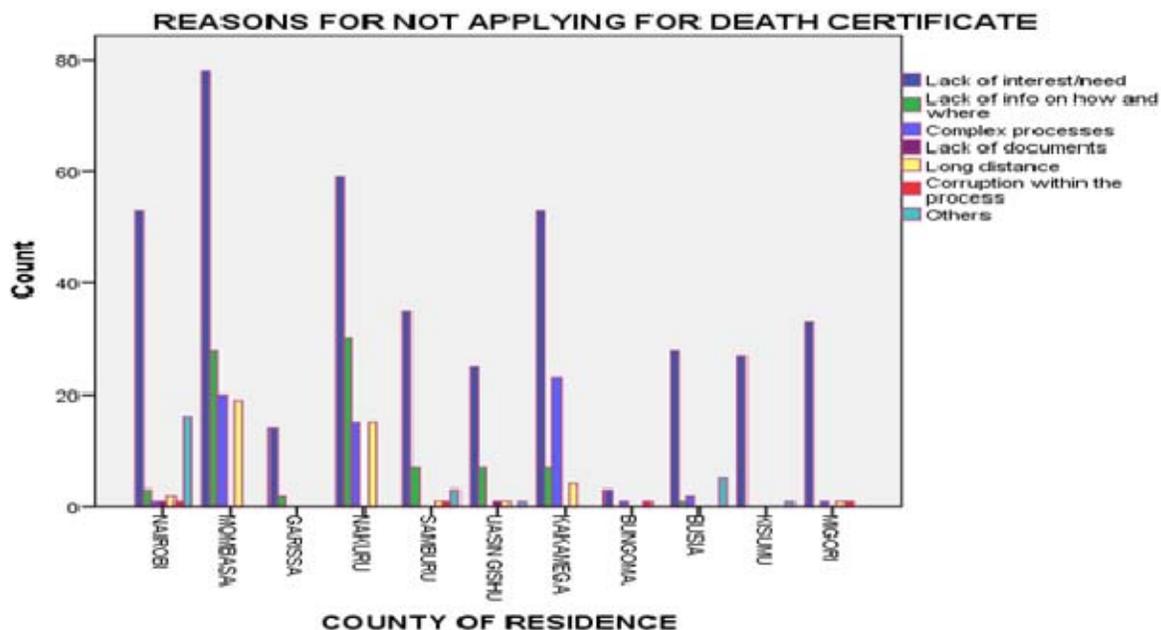
### 3.7 Reasons for not applying for death certificates

Majority of respondents cited lack of need for death certificate at 19.1% (n=305) with 3.5% respondents being from Nairobi. Lack of information on how and where and complex process followed both at 1.1%. Other reasons cited included lack of supporting documents, long distance and corruption in the process at 0.4%, 0.2% and again 0.2% respectively.

**Table 24: Reasons for not applying for death certificate per county**

County	Reasons for not applying for Death Certificate														Total	
	Lack of need		Lack of information on how and where		Complex process		Lack of documents		Long distance		Corruption in the process		Other reasons			
	No	%	No	%	No	%	No	%	No	%	No	%	No	%	No	%
Nairobi	56	3.5	5	0.3	5	0.3	2	0.1	0	0	1	0.1	0	0	69	4.3
Kiambu	10	0.6	0	0.0	1	0.1	0	0.0	0	0	0	0.0	0	0	11	0.7
Mombasa	9	0.6	0	0.0	0	0.0	0	0.0	0	0	0	0.0	0	0	9	0.6
Lamu	0	0.0	0	0.0	0	0.0	0	0.0	0	0	0	0.0	0	0	0	0.0
Kilifi	1	0.1	1	0.1	0	0.0	0	0.0	0	0	0	0.0	0	0	2	0.1
Garissa	12	0.8	0	0.0	5	0.3	2	0.1	1	0.1	0	0.0	0	0	20	1.3
Embu	1	0.1	0	0.0	0	0.0	0	0.0	0	0	1	0.1	0	0	2	0.1
Nakuru	14	0.9	0	0.0	0	0.0	0	0.0	0	0	0	0.0	0	0	14	0.9
Samburu	48	3.0	1	0.1	0	0.0	0	0.0	1	0.1	0	0.0	0	0	50	3.1
Uasin Gishu	31	1.9	2	0.1	0	0.0	0	0.0	0	0	0	0.0	1	0.1	34	2.1
Kakamega	15	0.9	0	0.0	0	0.0	0	0.0	0	0	0	0.0	0	0	15	0.9
Bungoma	5	0.3	3	0.2	0	0.0	0	0.0	0	0	0	0.0	0	0	8	0.5
Busia	38	2.4	1	0.1	4	0.3	0	0.0	1	0.1	0	0.0	0	0	44	2.8
Kisumu	38	2.4	1	0.1	1	0.1	1	0.1	0	0	0	0.0	0	0	41	2.6
Migori	27	1.7	4	0.3	1	0.1	2	0.1	0	0	1	0.1	0	0	35	2.2
Kisii	0	0.0	0	0.0	0	0.0	0	0.0	0	0	0	0.0	0	0	0	0.0
Nyamira	0	0.0	0	0.0	0	0.0	0	0.0	0	0	0	0.0	0	0	0	0.0
Missing		0.0		0.0		0.0		0.0		0		0.0		0	1240	77.8
<b>Total</b>	<b>305</b>	<b>19.1</b>	<b>18</b>	<b>1.1</b>	<b>17</b>	<b>1.1</b>	<b>7</b>	<b>0.4</b>	<b>3</b>	<b>0.2</b>	<b>3</b>	<b>0.2</b>	<b>1</b>	<b>0.1</b>	<b>1594</b>	<b>100</b>

Figure 13: Reasons for not applying for death certificate

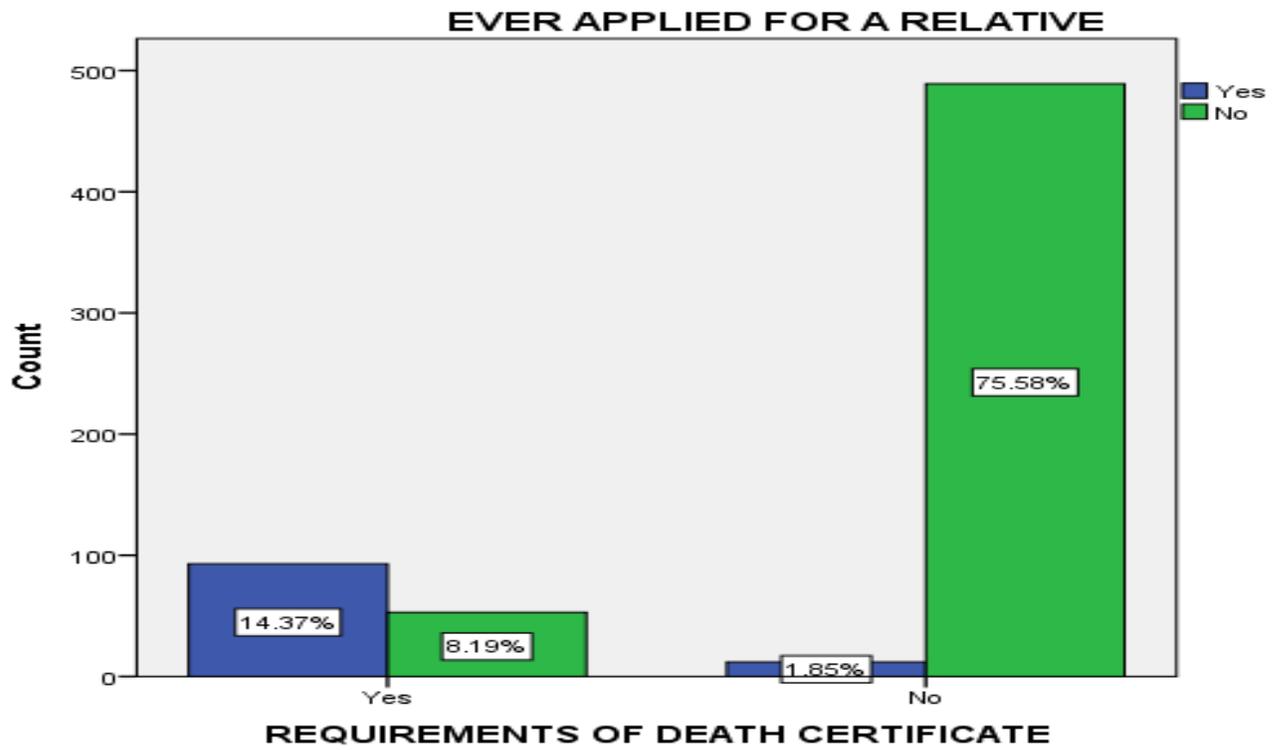


### 3.8 Knowledge of requirements *vis-à-vis* rate of application

Fourteen point four percent (14.4%) of the respondents who had knowledge of the requirements had applied for a death certificate. 1.9% of those with knowledge had never applied for a death certificate. Seventy five point five eight percent (75.6%) of the respondents did not know the requirements for processing a death certificate and had never applied for the document.

Results of cross tabulation gave a significant correlation between knowledge and applications for the death certificates as shown in figure 14 below.

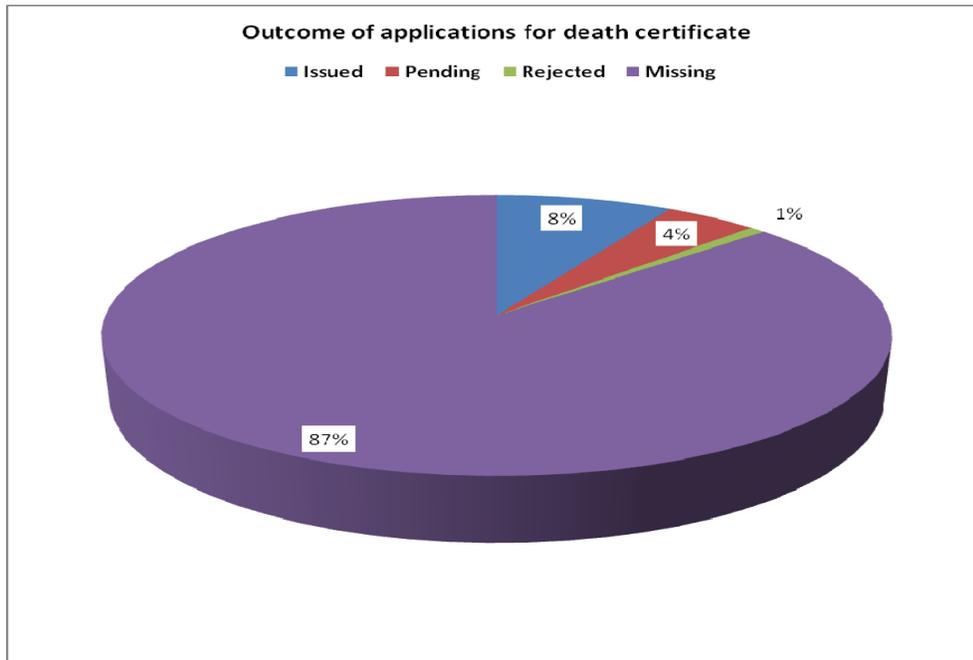
Figure 14: Ever applied for a relative's death certificate



### 3.9 Outcome of application for Death Certificates

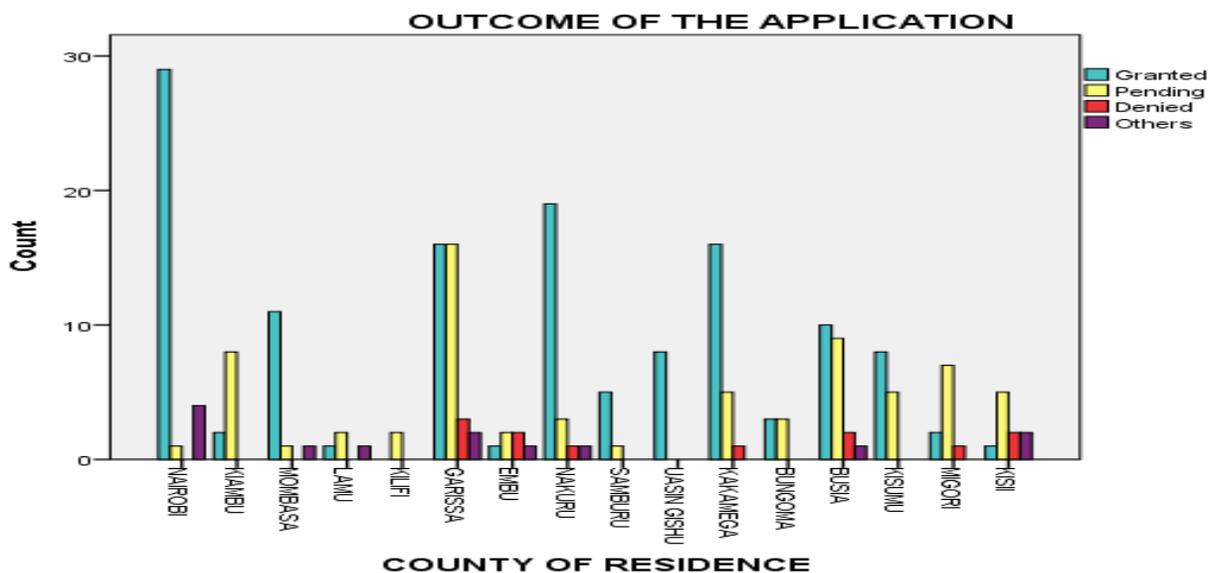
Most of the respondents (8%) who had applied for death certificates had been issued with the document while 4% were pending at the time of this investigation. One percent (1%) had been rejected and a significant number (87%) did not respond to this item as illustrated in figure 15 below.

**Figure 15: Outcome of applications for death certificates**



The rejected cases were from Garissa, Embu, Nakuru, Kakamega, Busia, Migori and Kisii registration centres. Respondents stated that those whose applications had been rejected were referred to the district where the death had occurred. See figure 16 below.

Figure 16: Outcome of the application

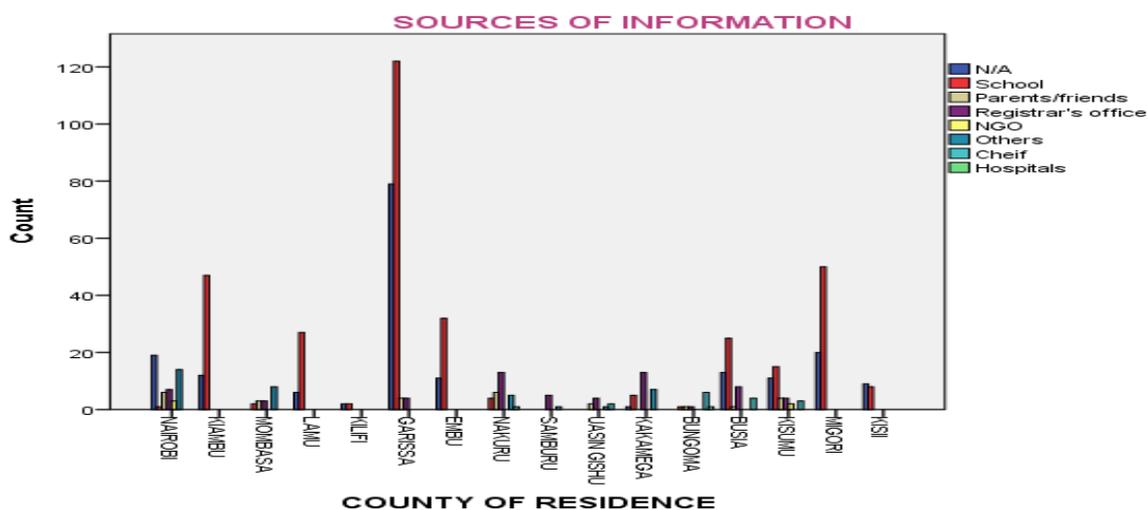


### 3.10 Source of Information on the Requirements of Death Certificates

Most of the respondents indicated that they got information on the requirements for processing death certificates from schools. This was the highest source in all the Counties.

Other sources mentioned included hospitals, mortuaries, the media and Internet. It is worth noting that the office of the Registrar of Births and Deaths was not mentioned as a source of information in 6 out of the 17 Counties as shown on figure 17 below.

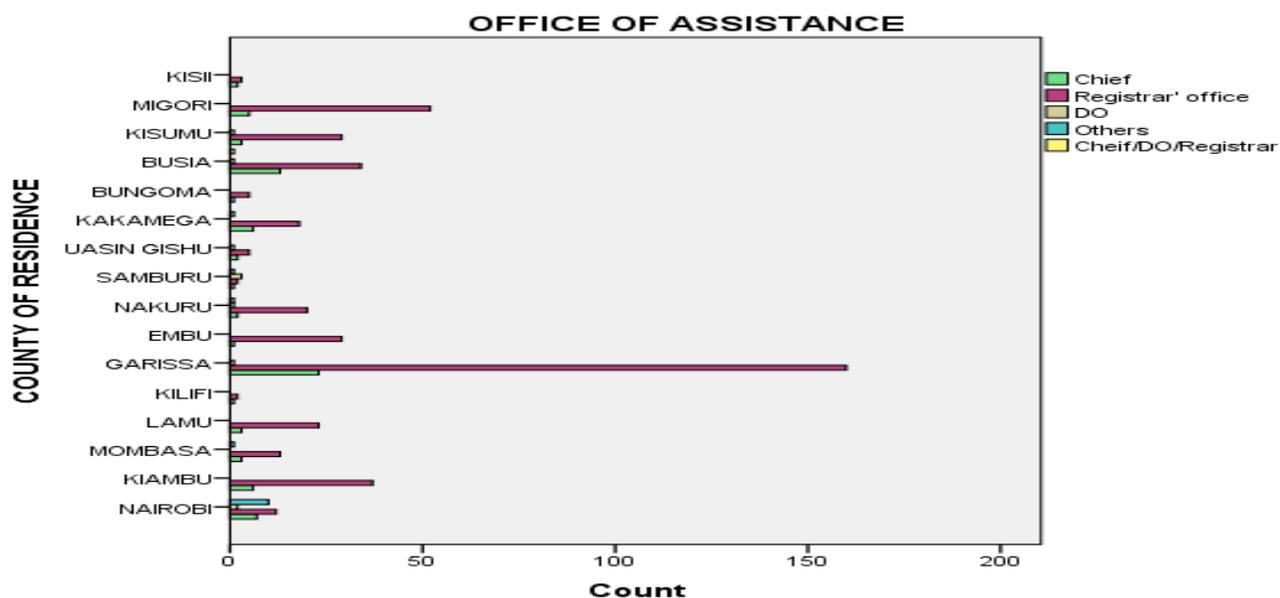
Figure 17: Source of Information



### 3.11 Offices involved in the processing of Death Certificates

Majority of the respondents mentioned the office of the Registrar of Births and Deaths as being of assistance in all the Counties. Other respondents stated that the offices of the local Chiefs, DOs, and Registrars combined were of assistance in the processing of the certificates.

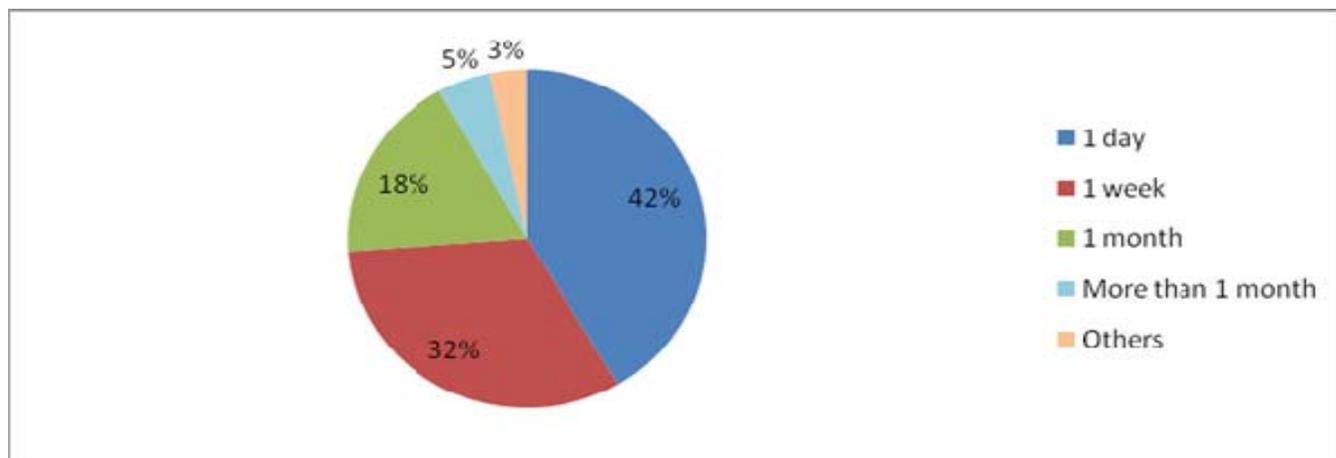
Figure 18: Office of assistance to applicants



### 3.12 Processing period for Death Certificates

Forty two percent (42%) of the respondents stated that they obtained death certificates within one (1) day of application. Another 32% and 18% obtained death certificates within 1 week and 1 month respectively. Five (5%) mostly drawn from Nakuru and Nairobi waited for more than 1 month while others in Kiambu waited for 2 months, 4 months and more than 6 months as illustrated in figure 19 below.

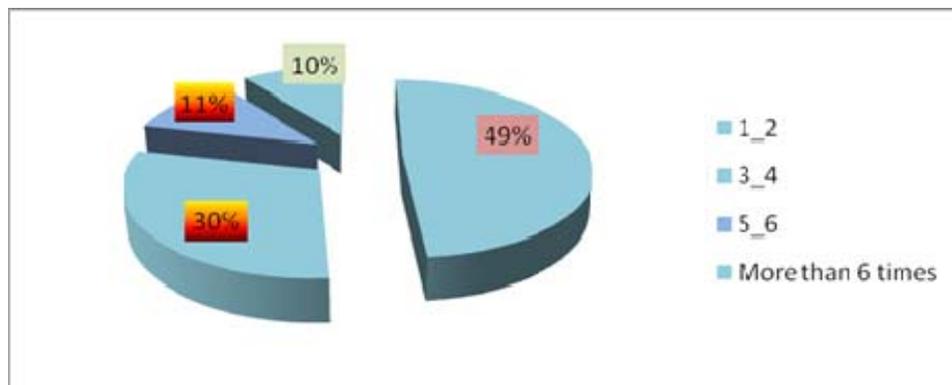
Figure 19: Processing period for death certificate



### 3.13 Number of visits to the Registration Centres

Forty nine percent (49%) of the respondents visited the Registrars' offices once or twice to follow-up on the death certificates. 30% had made between 3 and 4 visits to registration centres. 11 % of the respondents made 5 to 6 visits to obtain the certificates. 10% applicants, mostly from Garissa, had visited the centres for more than 6 times. In Mombasa, 22 out of the 25 respondents stated that they obtained the death certificates with one to two visits as shown in figure 20 below.

*Figure 20: Number of visits made to the offices*



### 3.14 Duration between Application and Issuance of death certificates per County

In most of the counties (28.9%), issuance of death certificates was done in less than a month followed by duration of 2-4 months at 28.6%. While Nairobi County performed well in terms of issuing death certificates in less than a month to 2 months at 4.5% and 3.5%, there was a delay of up to 5 months at 1.6%. In Mombasa County, there was delay of up to 2-4 months recorded at 5.2% as shown in table 25 below.

**Table 25: Duration between application and issuance per county**

County	Duration between application and issuance								Total	
	Less than 1 month		2-4 months		more than 5 months		Others			
	No	%	No	%	No	%	No	%	No	%
Nairobi	72	4.5	56	3.5	26	1.6	11	0.7	165	10.4
Kiambu	33	2.1	0	0.0	0	0.0	0	0.0	33	2.1
Mombasa	56	3.5	83	5.2	0	0.0	0	0.0	139	8.7
Lamu	3	0.2	6	0.4	0	0.0	0	0.0	9	0.6
Kilifi	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
Garissa	49	3.1	41	2.6	4	0.3	0	0.0	94	5.9
Embu	35	2.2	4	0.3	1	0.1	0	0.0	41	2.6
Nakuru	55	3.5	72	4.5	1	0.1	0	0.0	128	8.0
Samburu	43	2.7	17	1.1	0	0.0	0	0.0	60	3.8
Uasin Gishu	12	0.8	30	1.9	6	0.4	0	0.0	48	3.0
Kakamega	50	3.1	26	1.6	0	0.0	0	0.0	76	4.8
Bungoma	2	0.1	14	0.9	2	0.1	0	0.0	18	1.1
Busia	20	1.3	44	2.8	10	0.6	1	0.1	75	4.7
Kisumu	18	1.1	18	1.1	2	0.1	0	0.0	38	2.4
Migori	4	0.3	29	1.8	17	1.1	0	0.0	50	3.1
Kisii	9	0.6	9	0.6	1	0.1	0	0.0	19	1.2
Nyamira	0	0.0	6	0.4	1	0.1	0	0.0	7	0.4
Missing		0.0		0.0		0.0		0.0	594	37.3
<b>Total</b>	<b>461</b>	<b>28.9</b>	<b>456</b>	<b>28.6</b>	<b>71</b>	<b>4.5</b>	<b>12</b>	<b>0.8</b>	<b>1594</b>	<b>100</b>

### 3.15 Reason for visiting the Centres

Most of the respondents visited the centres as either to apply or to pick the document or to check for the progress. The reasons cited are shown in the Table 26 below.

*Table 26: Reasons for visiting the Registration centres*

County of residence	Reasons of the visits			Total
	Applying and checking	Checking and Picking	Just applying	
Nairobi	6	14	14	34
Kiambu	7	5	0	12
Mombasa	7	7	7	21
Lamu	3	1	0	4
Kilifi	2	0	0	2
Garissa	11	6	1	18
Embu	3	2	0	5
Nakuru	7	6	3	16
Samburu	0	0	1	1
Uasin Gishu	1	0	0	1
Kakamega	7	8	4	19
Bungoma	1	0	0	1
Busia	8	5	0	13
Kisumu	1	1	1	3
Migori	6	2	0	8
Kisii	6	2	0	8
<b>Total</b>	<b>76</b>	<b>59</b>	<b>31</b>	<b>166</b>

## CHAPTER 4

### 4.0 Analysis and Findings relating to the Department of National Registration Bureau

#### 4.1 Introduction

The National Registration Bureau (NRB) was established in 1978 with the mandate to enforce the Registration of Persons Act.

The core functions and operations of the Department<sup>9</sup> include:

- Identification and registration of all Kenyan citizens who have attained the age of eighteen (18) years and above.
- Production and issuance of secure identification documents
- Management of a comprehensive database of all registered persons
- Detection and prevention of illegal registration.

#### 4.2 Provision for acquisition of Identity Cards by Kenyan citizens

Section 6 (1) of the Registration of Persons Act provides that all Kenyans must obtain an identity card upon attaining the age of 18 years.

##### 4.2.1 Acquisition of National Identity Cards

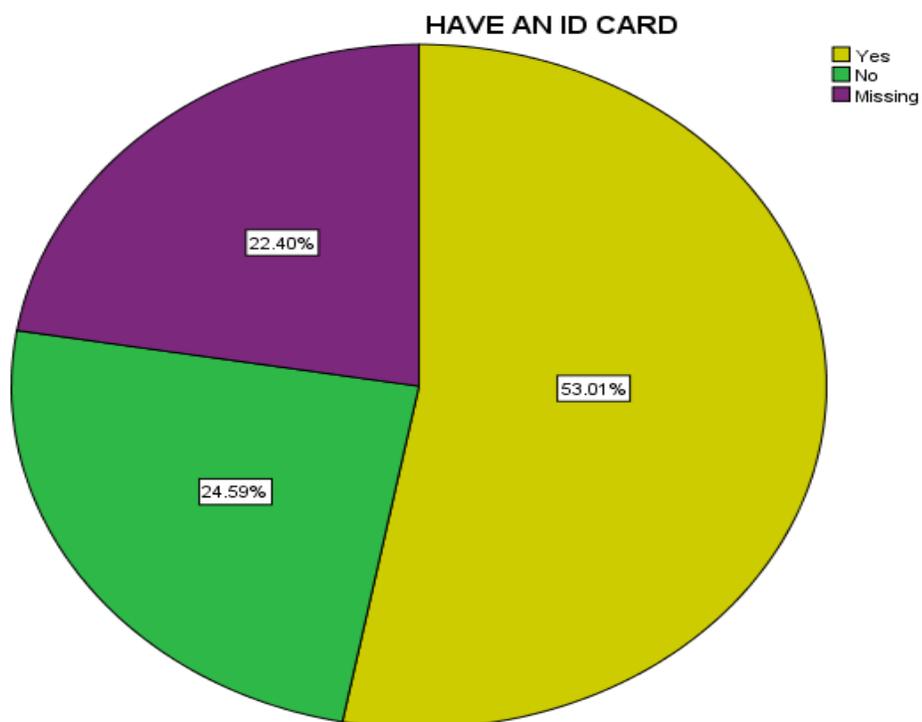
Fifty three point zero one percent (53.01%) (n=845) of the respondents had identification cards, 24.59% (n=392) did not have IDs while 22.39% (n=357) of the respondents did not respond as shown in figure 21 below.

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<sup>9</sup> See Ministry's official website, available online at:

<http://www.mirp.go.ke/index.php/departments/national-registration-bureau>

Figure 21: Have an identity card



#### 4.2.2 Reasons for rejection of applications for IDs

Applicants, whose applications for IDs had been rejected, gave the following reasons for the rejection, as shown in the table 28 below:

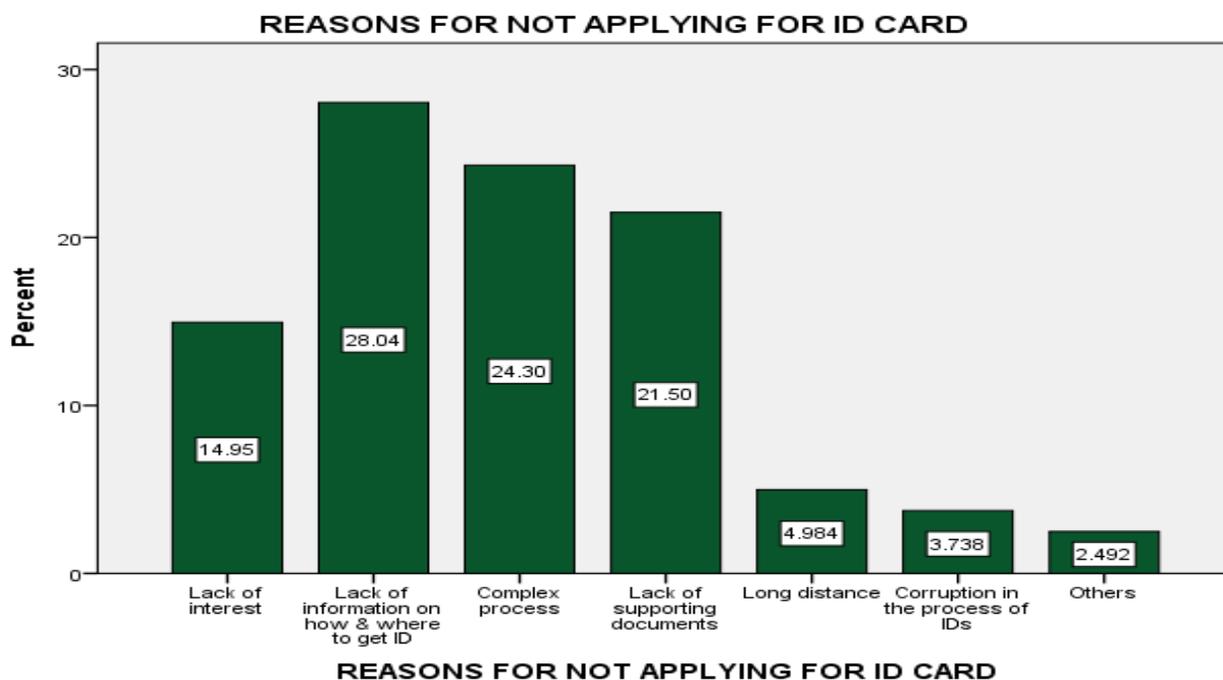
Table 28: Reasons for rejection of applications for IDs

Reasons for denial	Frequency
Chief told me to give him a bribe first	1
Errors in information	1
Lack of supporting documents	2
Officers were busy	1
Registration of persons officer absent	1
Told to go and apply at ancestral home	1
Told to reapply	1
<b>TOTAL</b>	<b>8</b>

### 4.2.3 Reasons for not applying for ID Card

The respondents who had never applied for IDs gave the main reasons for not applying as lack of information, complex process and lack of supporting documents (28.04%, 24.3% and 21.5%) respectively. Other reasons given by the respondents included long distances that they had to travel to the registration centres to process IDs and corruption, while some respondents were not yet of age. See Figure 22 below:

Figure 22: Reasons for not applying for ID card



The National Registration Bureau provided statistics<sup>10</sup> of rejected applications from the counties between 1<sup>st</sup> January 2012 and June 2013, with a total of **200,447** rejected applications.

<sup>10</sup> Letter from the office of the Director of the National Registration Bureau, dated 7<sup>th</sup> August 2013 giving a summary of the rejected applications.

#### 4.2.4 Understanding the meaning of IDs

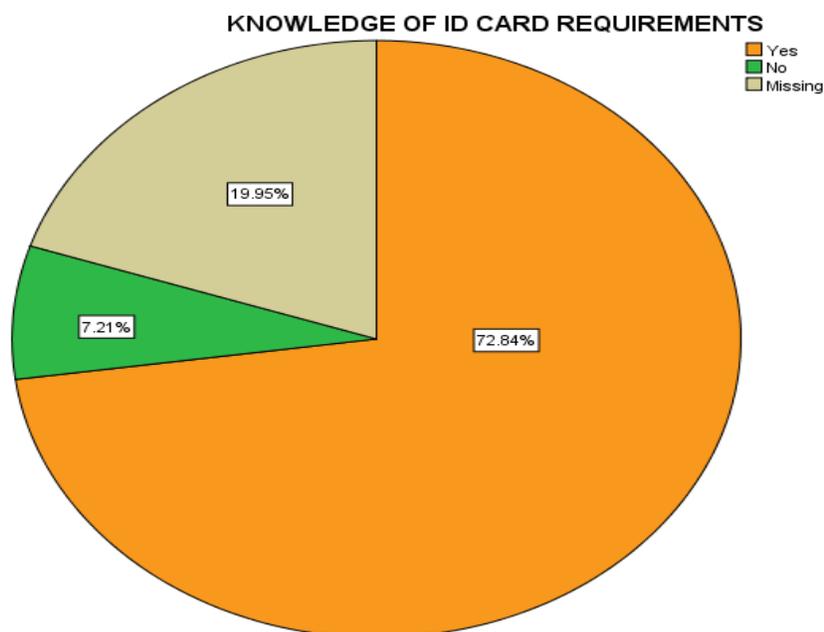
Table 26: Respondents understanding of what an ID is

Description	Percentage
Document that shows if one is a Kenyan	42.2%
Personal Identification document	11.5%
Document that ascertains one's nationality	10.9%
Document that helps one to be served in offices	0.9%
Document issued to every person over 18 years	2.6%

#### 4.2.5 Knowledge on the requirements for obtaining an Identity Card

On the requirements for obtaining of an Identity Card, 72.84% of the respondents confirmed having knowledge of the requirements for processing an ID while only 7.21% did not know the requirements. The other 19.95% did not answer the question as shown in figure 23 below.

Figure 23: Knowledge of requirements for obtaining ID card



#### 4.2.6 Knowledge of requirements for obtaining ID Cards per county

Knowledge of requirements for obtaining ID Cards at the county level is high at 71.3%. It is high in Nairobi County at 12.5% followed by Garissa and Mombasa Counties at 9.5% and 8.1% respectively. Kilifi had the least level of knowledge on the requirements at 0.4% as shown in table 27 below.

**Table 27: Knowledge of requirements for obtaining ID Cards**

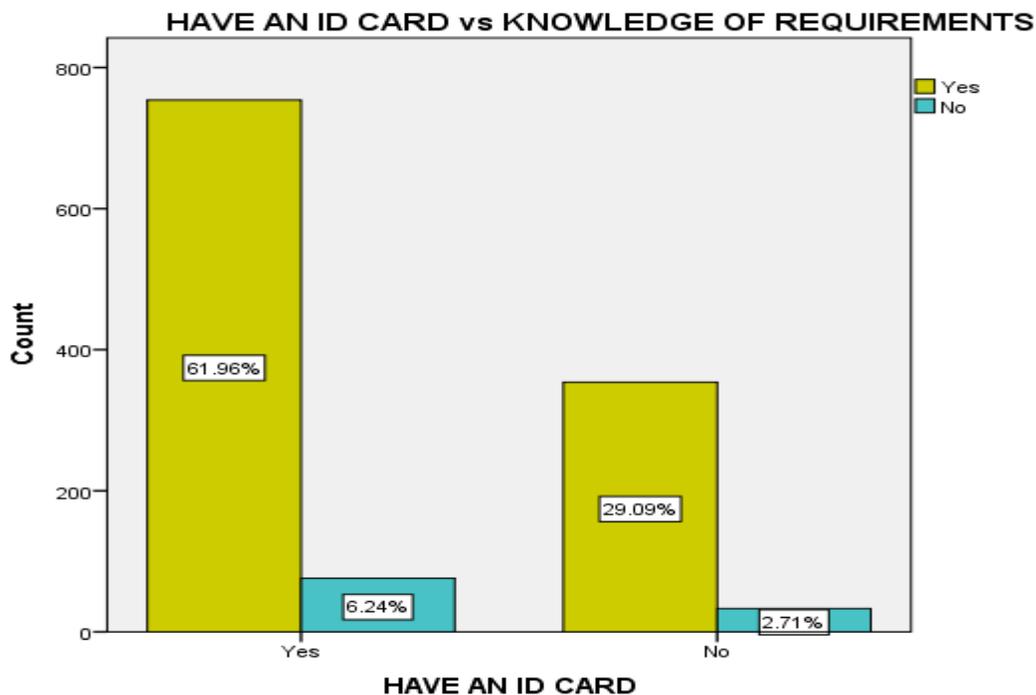
County	Knowledge of requirements for obtaining ID				Total	
	Yes		No		Number	%
	Number	%	Number	%		
Nairobi	199	12.5	4	0.3	203	12.7
Kiambu	32	2.0	29	1.8	61	3.8
Mombasa	129	8.1	11	0.7	140	8.8
Lamu	23	1.4	10	0.6	33	2.1
Kilifi	6	0.4	0	0.0	6	0.4
Garissa	151	9.5	5	0.3	156	9.8
Embu	62	3.9	0	0.0	62	3.9
Nakuru	119	7.5	16	1.0	135	8.5
Samburu	46	2.9	25	1.6	71	4.5
Uasin Gishu	54	3.4	3	0.2	57	3.6
Kakamega	84	5.3	4	0.3	88	5.5
Bungoma	18	1.1	0	0.0	18	1.1
Busia	81	5.1	4	0.3	85	5.3
Kisumu	40	2.5	1	0.1	41	2.6
Migori	55	3.5	2	0.1	57	3.6
Kisii	29	1.8	0	0.0	29	1.8
Nyamira	8	0.5	1	0.1	9	0.6
Missing					343	21.5
<b>Total</b>	<b>1136</b>	<b>71.3</b>	<b>115</b>	<b>7.2</b>	<b>1594</b>	<b>100</b>

#### 4.2.7 Acquisition of an ID vis-à-vis knowledge on processing of an ID

On the co-relation between acquisition of an ID and the level of knowledge on the processes of acquiring one, 61.96% of those who had the ID cards knew the requirements and process of acquiring an ID whereas 29.09% knew the requirement and did not have an ID despite being eligible to acquire one.

On the contrary, 6.24% of those who had the ID cards did not know the requirements compared to the other 2.71% who neither had the IDs nor knew the requirements as shown in figure 24 below.

Figure 24: Have an ID vs Knowledge of the requirements.

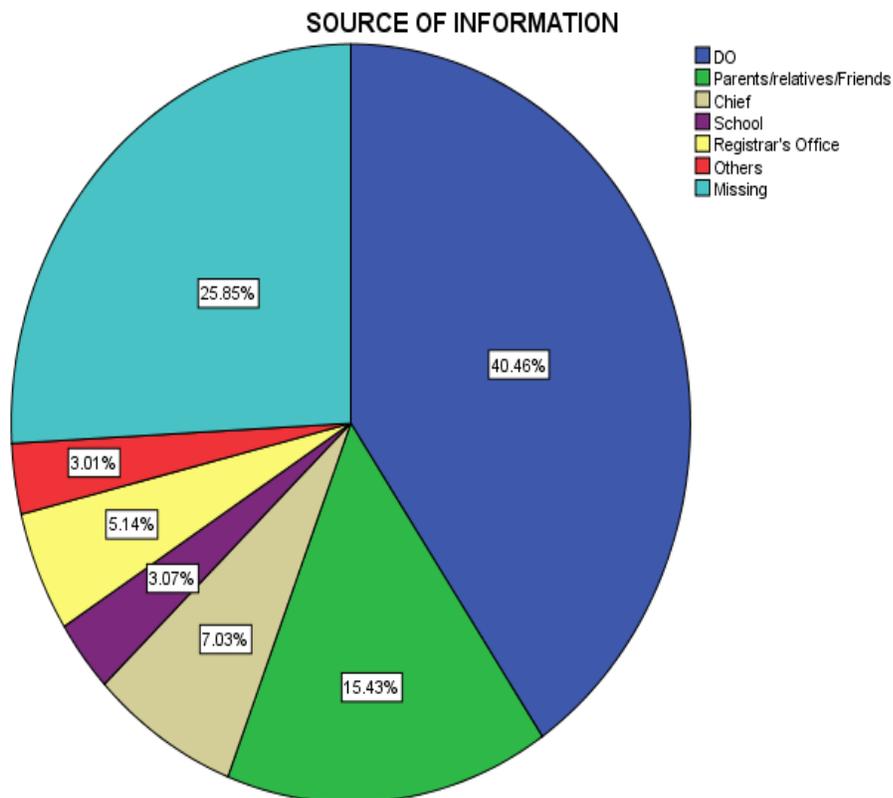


#### 4.2.8 Source of information on the requirements of an ID.

Forty point four six percent (40.46%) of the respondents stated that they obtained information from the Assistant County Commissioners (former DOs).

Parents, relatives and friends were another source of information comprising of 15.43%. Chiefs, Registrar's offices and schools were mentioned by 7.03%, 5.14% and 3.07% of the respondents respectively. Other sources of information mentioned included vetting committees, NGOs and village elders, as shown in figure 25 below.

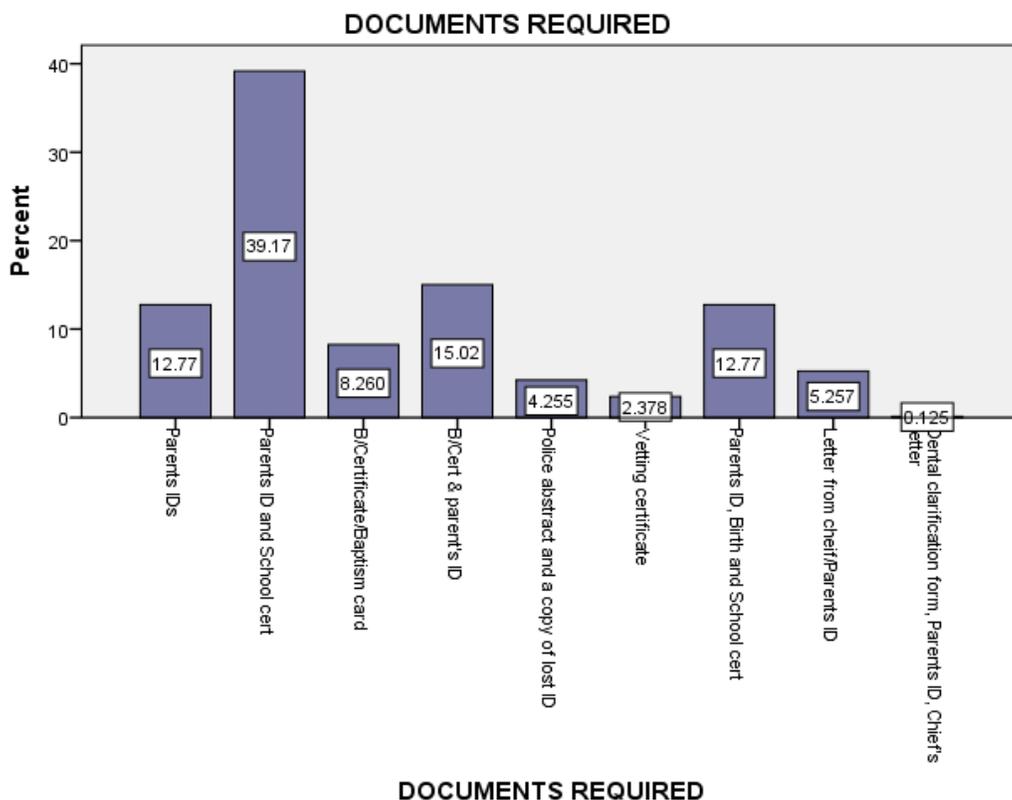
Figure 25: Source of Information



#### 4.2.9 Documents required for processing Identification Cards

In responding to the question as to the requirements for processing IDs and supporting documentation, the respondents enumerated the following documents as listed in figure 26 below.

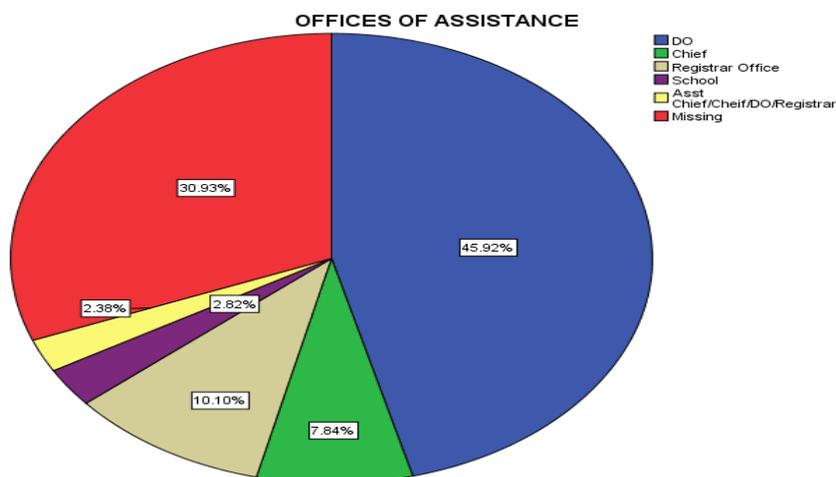
Figure 26: Documents required for obtaining an ID



#### 4.2.10 Offices that offered assistance to applicants for IDs

The respondents stated that they obtained assistance from various offices, including the County Administration and Registrars at the National Registration Bureau. Forty five point nine two percent (45.92%) of the respondents indicated that they obtained assistance from the DO's office, while 10.1% named the Registrar's office figure 27 below.

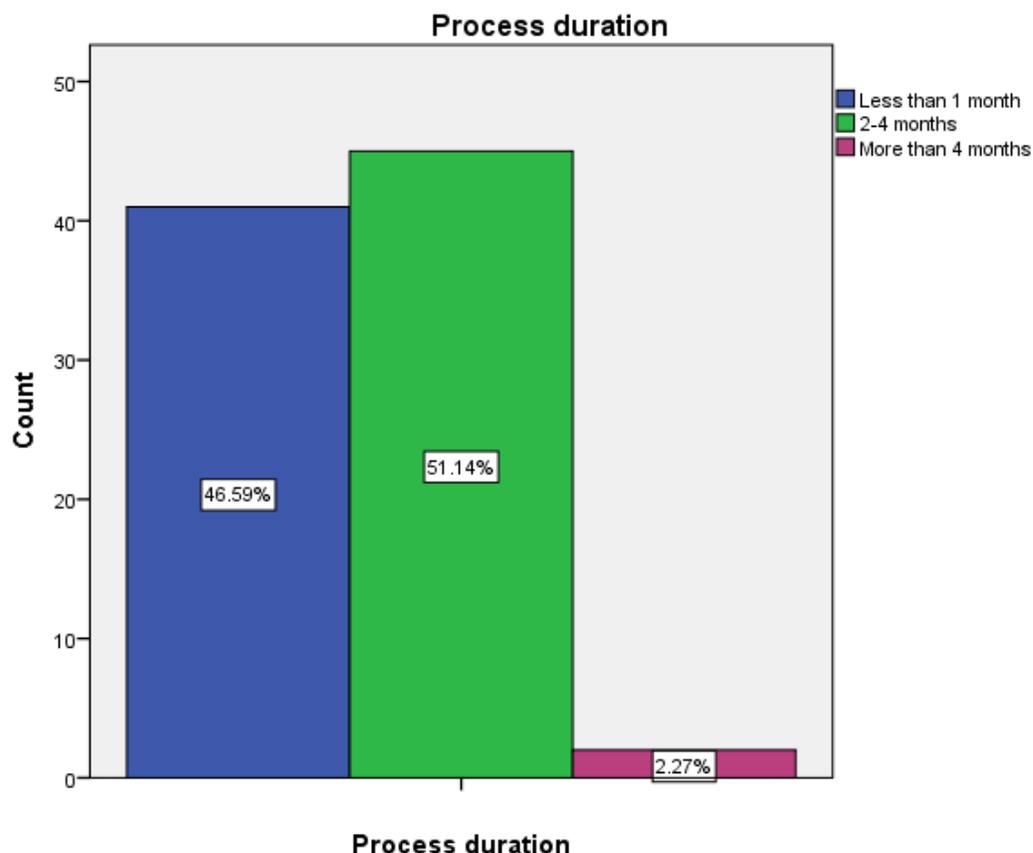
Figure 27: Office of assistance



#### 4.2.11 Processing duration according to NRB officials

Interviews with NRB officials indicated that 46.6% of the applicants received IDs within 1 month, 51.1% between 2-4 months while 2.27% took more than 4 months to get their IDs as shown in figure 28 below.

*Figure 28: Process duration*



Considering that 51.14% respondents received their IDs within 2-4 months and 2.27% in more than 4 months and based on the timelines given in the department's service charter, it is inferred that there is delay in the issuance of identity cards as shown in figure 28 above.

#### 4.2.12 Number of visits to the registrars' offices

Majority of the respondents stated having visited the registrars' office 1-2 times at 30.8% before getting their IDs. 14.2% visited the registrars' office 3-4 times while 8.9% made over 6 visits. Nairobi County had the highest number of respondents visiting the registrars' office 1-2 times only at 7.4% followed by Mombasa, Samburu and Garissa at 2.9%, 2.8% and 2.4% respectively.

In Garissa, 3.1% (n=49) visited the registrars' office for over 6 times following up on their IDs as illustrated in Table 28 below.

**Table 28: Number of visits to the registrars' offices**

County	Number of visits						Total	
	1-2 visits		3-4 visits		Over 6 visits			
	No	%	No	%	No	%	No	%
Nairobi	118	7.4	43	2.7	21	1.3	182	11.4
Kiambu	30	1.9	8	0.5	6	0.4	44	2.8
Mombasa	46	2.9	1	0.1	0	0.0	47	2.9
Lamu	1	0.1	6	0.4	7	0.4	14	0.9
Kilifi	2	0.1	2	0.1	1	0.1	5	0.3
Garissa	38	2.4	40	2.5	49	3.1	127	8.0
Embu	21	1.3	22	1.4	8	0.5	51	3.2
Nakuru	35	2.2	10	0.6	2	0.1	47	2.9
Samburu	44	2.8	7	0.4	0	0.0	51	3.2
Uasin Gishu	26	1.6	14	0.9	14	0.9	54	3.4
Kakamega	22	1.4	0	0.0	0	0.0	22	1.4
Bungoma	5	0.3	8	0.5	5	0.3	18	1.1
Busia	27	1.7	34	2.1	18	1.1	79	5.0
Kisumu	17	1.1	14	0.9	2	0.1	33	2.1
Migori	30	1.9	14	0.9	7	0.4	51	3.2
Kisii	25	1.6	0	0.0	1	0.1	26	1.6
Nyamira	4	0.3	3	0.2	1	0.1	8	0.5
Missing							735	46.1
<b>Total</b>	<b>491</b>	<b>30.8</b>	<b>226</b>	<b>14.2</b>	<b>142</b>	<b>8.9</b>	<b>1594</b>	<b>100</b>

#### 4.2.13 Reasons for each visit

When asked about the reasons for each visit, 22.1% of the respondents stated that they visit to apply and pick IDs while 18.1% went to apply and check status of their applications. 4.0% of the respondents had just applied as shown in Table 29 below.

*Table 29: Reasons for each visit*

County	Reasons for each visit						Total	
	Applying and picking		Applying and checking		Just Applied			
	No	%	No	%	No	%	No	%
Nairobi	47	2.9	0	0	0	0	47	2.9
Kiambu	31	1.9	23	1.4	4	0.3	58	3.6
Mombasa	28	1.8	71	4.5	17	1.1	116	7.3
Lamu	15	0.9	8	0.5	3	0.2	26	1.6
Kilifi	3	0.2	3	0.2	0	0	6	0.4
Garissa	96	6.0	46	2.9	8	0.5	150	9.4
Embu	34	2.1	24	1.5	2	0.1	60	3.8
Nakuru	40	2.5	45	2.8	14	0.9	99	6.2
Samburu	19	1.2	1	0.1	2	0.1	22	1.4
Uasin Gishu	2	0.1	0	0	0	0	2	0.1
Kakamega	9	0.6	47	2.9	11	0.7	67	4.2
Bungoma	1	0.1	2	0.1	0	0	3	0.2
Busia	9	0.6	11	0.7	0	0	20	1.3
Kisii	17	1.1	6	0.4	3	0.2	26	1.6
Nyamira	2	0.1	1	0.1	0	0	3	0.2
Missing							889	55.8
<b>Total</b>	<b>353</b>	<b>22.1</b>	<b>288</b>	<b>18.1</b>	<b>64</b>	<b>4.0</b>	<b>1594</b>	<b>100</b>

The National Registration Bureau introduced a short messaging system (SMS) code no. 20031 for tracking the status of one's ID application in 2013, the high rate of respondents visiting the offices to check their application status is an indication that there exists low awareness of the existence of this SMS system.

#### **4.2.14 Distance travelled by applicants to process IDs**

Majority of the respondents (39.3%) travelled for less than 25 kilometres to the Centres, 10.7% travelled for 25-50 kilometres while 8.5% travelled for more than 75 kilometres as shown in Table 33 below.

*Table No. 33: Distance to the offices*

County	Distance to the registration centre										Total	
	Less than 25 kms		25-50Kms		51-75Kms		More than 75Kms		Others			
	No	%	No	%	No	%	No	%	No	%	No	%
Nairobi	162	10.2	21	1.3	7	0.4	0	0	1	0.1	191	12.0
Kiambu	1	0.1	7	0.4	22	1.4	26	1.6	2	0.1	58	3.6
Mombasa	82	5.1	31	1.9	7	0.4	0	0	0	0.0	120	7.5
Lamu	1	0.1	2	0.1	9	0.6	10	0.6	1	0.1	23	1.4
Kilifi	1	0.1	0	0.0	1	0.1	1	0.1	1	0.1	4	0.3
Garissa	19	1.2	19	1.2	32	2.0	73	4.6	1	0.1	144	9.0
Embu	1	0.1	1	0.1	26	1.6	29	1.8	0	0.0	57	3.6
Nakuru	82	5.1	15	0.9	5	0.3	2	0.1	4	0.3	108	6.8
Samburu	38	2.4	27	1.7	2	0.1	0	0	0	0.0	67	4.2
Uasin gishu	46	2.9	7	0.4	3	0.2	1	0.1	0	0.0	57	3.6
Kakamega	21	1.3	27	1.7	18	1.1	5	0.3	2	0.1	73	4.6
Bungoma	15	0.9	2	0.1	0	0.0	0	0	0	0.0	17	1.1
Busia	70	4.4	1	0.1	1	0.1	1	0.1	0	0.0	73	4.6
Kisumu	32	2.0	3	0.2	0	0.0	1	0.1	1	0.1	37	2.3
Migori	51	3.2	1	0.1	0	0.0	0	0	0	0.0	52	3.3
Kisii	0	0.0	0	0.0	3	0.2	21	1.3	0	0.0	24	1.5
Nyamira	5	0.3	2	0.1	0	0.0	0	0	1	0.1	8	0.5
Missing											481	30.2
<b>Total</b>	<b>627</b>	<b>39.3</b>	<b>166</b>	<b>10.4</b>	<b>136</b>	<b>8.5</b>	<b>170</b>	<b>10.7</b>	<b>14</b>	<b>0.9</b>	<b>1594</b>	<b>100</b>

#### 4.2.15 Measures to reach applicants from far flung areas

NRB officials cited use of mobile registrations, using schools, using chiefs, hospitals and the media as the measures put in place to enable applicants from far flung areas to access services at 28.63%, 0.40%, 4.03%, 2.02%, 0.81% respectively as shown on Table 30 below.

**Table.30: Measures to reach applicants from far flung areas**

Measures to reach applicants coming from far flung areas					Missing	Total
Mobile registrations	Going to school	Through the chiefs	Through the hospitals	Media		
71	1	10	5	2	159	248
28.63%	0.40%	4.03%	2.02%	0.81%	64.11%	100.00%

#### **4.2.16 Cost of transport to registration centres**

In determining the cost implication on the applicants to access the services, 61.98% of the respondents stated that they spent less than KSh.. 100 while 25.90% indicated that they spent between KES 100 to 200. 0.6% of the respondents stated that they spent KEHs. 1,000. The maximum amount indicated by respondents was KSh.. 4,000.

Other means of transport used by the respondents included riding bicycles and walking to the respective offices, both of which did not have cost implications. Some drove their personal vehicles to the centres. The highest amount used was KSh.. 4,000 in some parts of North Eastern. See table 31 below.

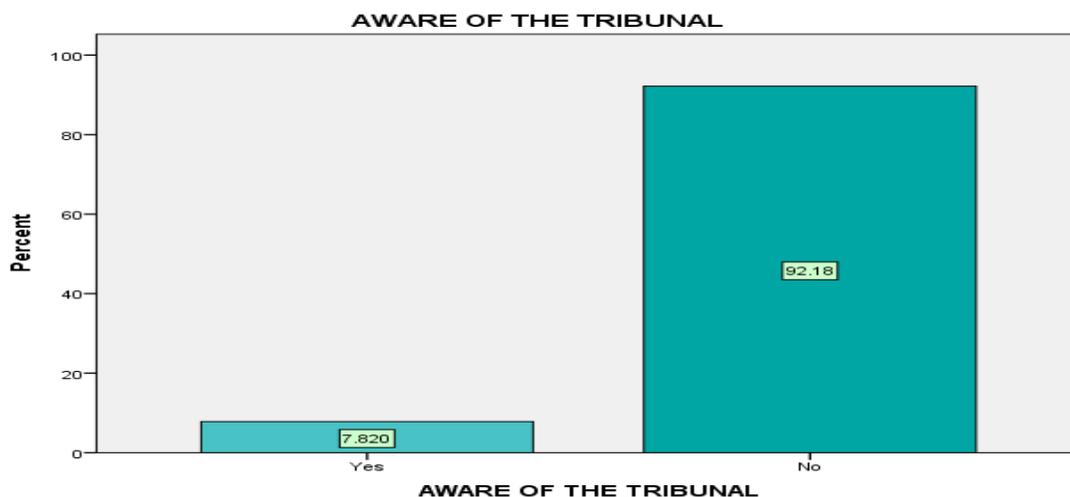
*Table 31: Transport amount by county*

County	Transport amount						Total
	less than 100	100-200	201-500	501-1000	more than 1000	Walked	
Nairobi	72	40	11	3	1	0	127
Kiambu	55	4	0	0	0	0	59
Mombasa	84	45	5	0	0	0	134
Lamu	18	5	0	1	0	0	24
Kilifi	6	0	0	0	0	0	6
Garissa	97	24	4	9	3	0	137
Embu	56	4	1	0	0	0	61
Nakuru	77	35	11	0	0	0	123
Samburu	4	28	18	9	0	1	60
Uasin Gishu	33	10	9	0	1	0	53
Kakamega	26	32	19	0	0	0	77
Bungoma	11	4	1	0	0	1	17
Busia	51	16	6	1	0	0	74
Kisumu	21	5	2	1	0	0	29
Migori	26	16	7	0	0	0	49
Kisii	23	1	0	2	0	0	26
Nyamira	1	5	0	1	0	1	8
<b>Total</b>	<b>661</b>	<b>274</b>	<b>94</b>	<b>27</b>	<b>5</b>	<b>3</b>	<b>1064</b>

#### 4.2.17 Right of appeal to the Kenya Citizenship and Immigration Service Appeals Tribunal

The Kenyan legal framework provides for the establishment of the Appeals Tribunal for applicants to appeal in the event their applications have been rejected or delayed. However, the investigations revealed that only 7.82% of the respondents were aware of the existence of the Tribunal. The rest (92.18%) were not aware of its existence, hence did not respond to the question, as shown in the figure 29 below:

*Figure 29: Aware of the Tribunal*



When asked whether they had lodged an appeal with the Tribunal, only 3.45% of those who stated they were aware of the Tribunal's existence (equivalent to 1.8% of all the respondents) indicated that they had ever made an appeal. When further asked about the outcome, none of them responded to the question.

## CHAPTER 5

### 5.0 Analysis and Findings relating to the Department of Immigration Services.

#### 5.1 Introduction

Immigration Services Department is both a security arm and a service department of Government, charged with the responsibility of controlling entry and exit of persons seeking to live temporarily or permanently in Kenya.

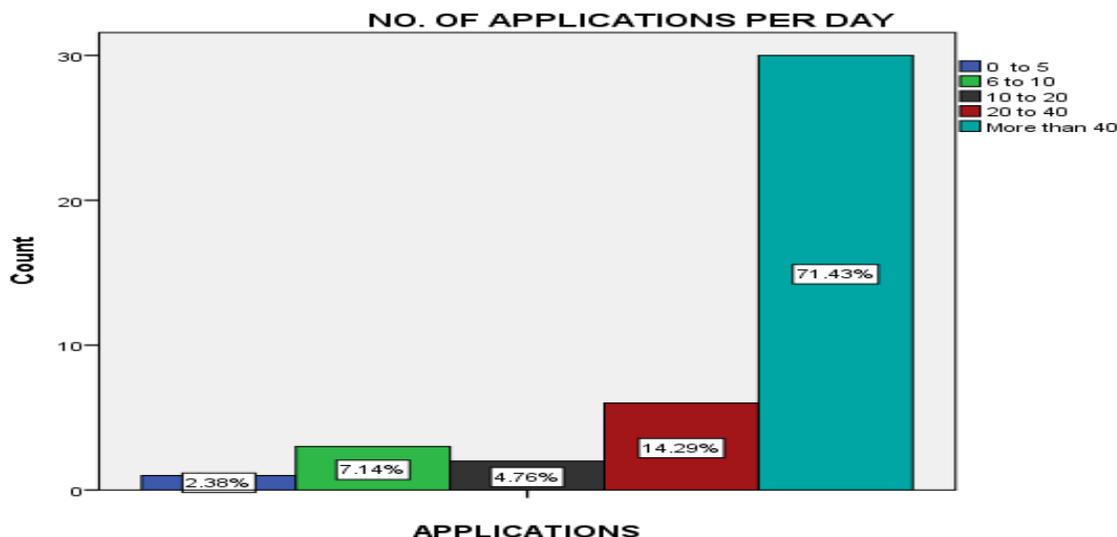
The core functions of the Department include:

- Formulation of national migration policy, regular review of immigration laws and regulations and advice to the Government on national migration issues.
- Control and regulation of entry and exit of all persons at the country's airports, seaports and land border posts and the declaration and removal of prohibited immigrants.
- Issuance of Kenya passports and other travel documents including United Nations Travel Document (UNTD) in conjunction with the United Nations High Commissioner for Refugees (UNHCR).
- Control and regulation of residency through issuance and renewal of entry/work permits and other passes as provided by the Kenya Citizenship and Immigration Act, issuance of entry visas as provided under the Kenya Visa Regulations, the granting of Kenya citizenship to qualified foreigners under the Citizenship Act and the Kenya Constitution and the registration of all non-citizens resident in Kenya under the Aliens Restriction Act and Orders.
- Provision of consular services to nationals and foreigners at the Kenya missions abroad and the offering of quasi-consular functions to Commonwealth countries who are not represented in Kenya and have requested the Kenya Government for the service.
- The enforcement of the Kenya Citizenship and Immigration Act No. 12 of 2011, the Aliens Restriction Act, the Visa Regulations and the investigation and prosecution of persons who contravene these laws and regulations.

The Department has 36 border controls and 5 passport centres with a work force of about 800 officers. The Department has main offices in Nairobi, Mombasa, Kisumu and Garissa with sub-regional offices in Nakuru, Eldoret and Embu.

In determining the workload of the immigration offices, 71.43% of the respondents stated that they processed, on average, more than 40 immigration documents in a day. However, some of the immigration offices stated that they processed not more than 5 immigration documents in a day, as shown in the figure 30 below:

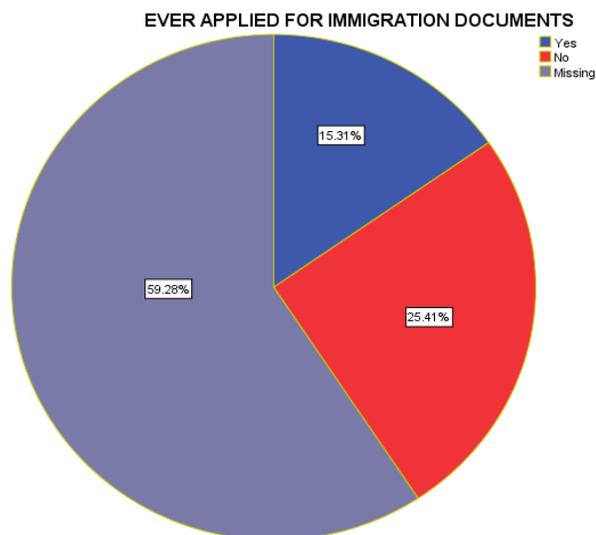
Figure 30: Number of applications per day



## 5.2 Acquisition of Passports, Permits and Passes

The investigations sought to establish the number of members of the public who have ever applied and acquired passports, permits or passes. The investigations revealed that out of the 1594 respondents who took part in the exercise, only 244 (15.3%) had ever applied for immigration documents, 405 (25.4%) indicated they had never applied while 649 (59.3%) respondents did not respond to this question. The same is shown in Figure 31 below:

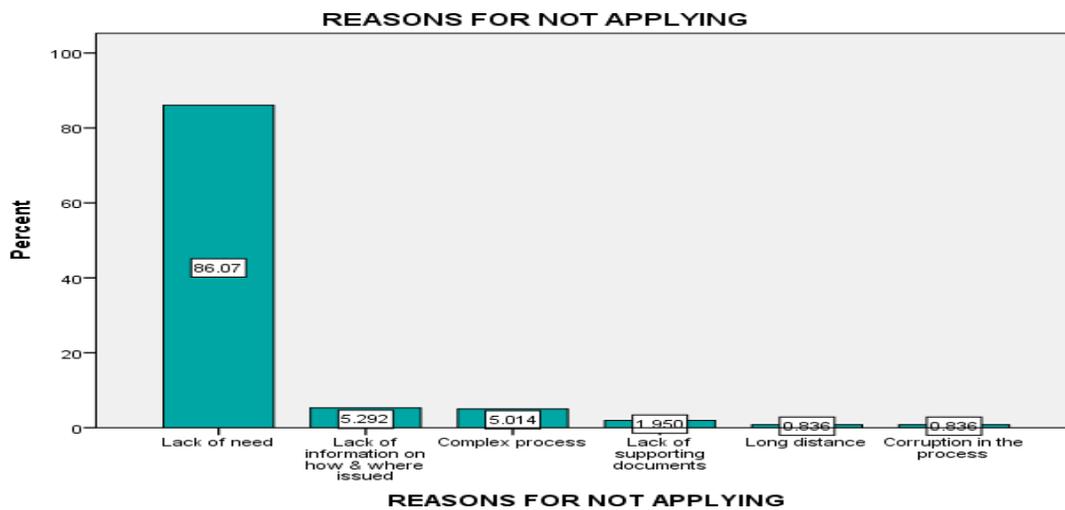
Figure 31: Participants who have applied for Immigration document



### 5.3 Reasons for not applying

When asked why they have never applied for immigration documents, (86.07%) of the respondents cited lack of need as the main reason for not applying for not applying for immigration documents. Other reasons given were lack of information on how and where the documents were issued (5.3%), complex process of acquiring the documents (5.01%), lack of supporting documents (1.95%), long distance to the immigration offices (0.83%) and corruption in the process of acquiring the documents (0.83%), as shown in figure 32 below.

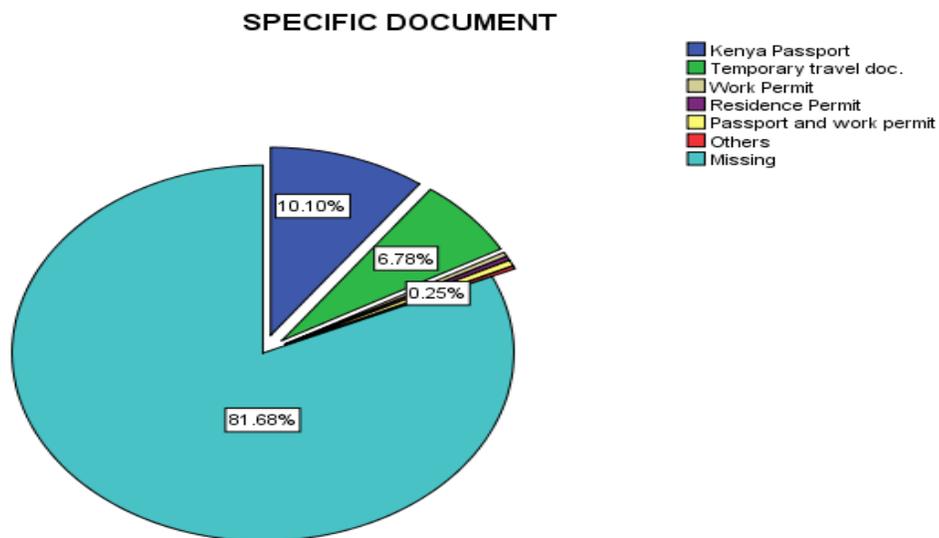
*Figure 32: Reasons for not applying*



### 5.4 Specific Documents applied for

The respondents who had applied for documents from the Immigration Department listed them to include; the Kenyan Passport, Temporary travel documents, Work permits, and Residence Permits. 10.1% and 6.78% of the respondents stated that they had applied for the Kenyan Passport and Temporary travel document respectively as shown in figure 33 below.

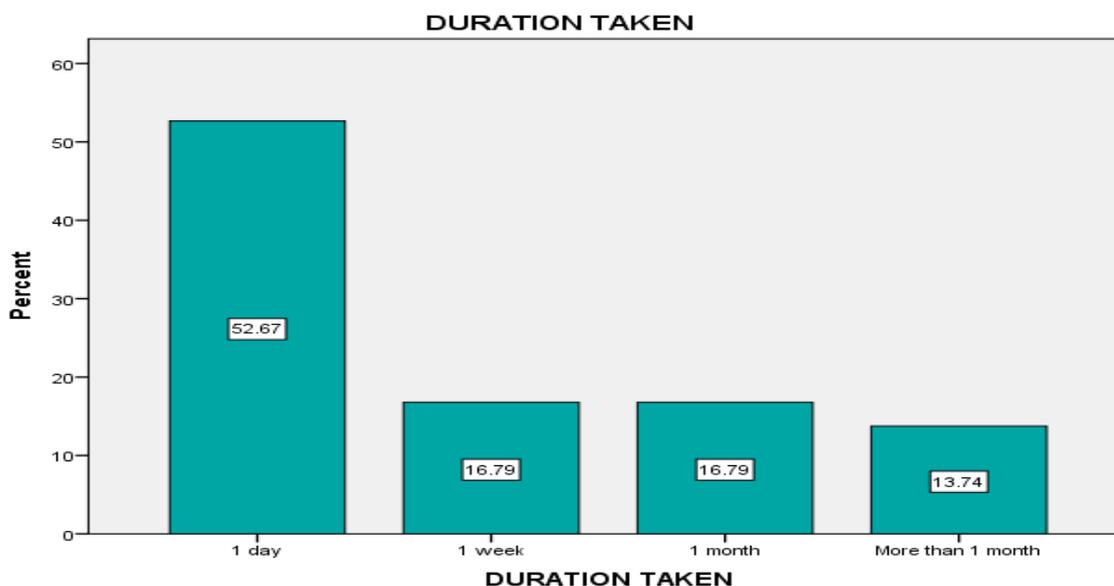
Figure 33: Specific Documents



### 5.5 Duration taken processing Immigration Documents

The majority (52.67%) of the respondents stated that they got the services within one (1) day. Those who got the documents within one week and one month tied at (16.79%). While those whose documents took more than 1 month were 13.74%, as shown in figure 34 below:

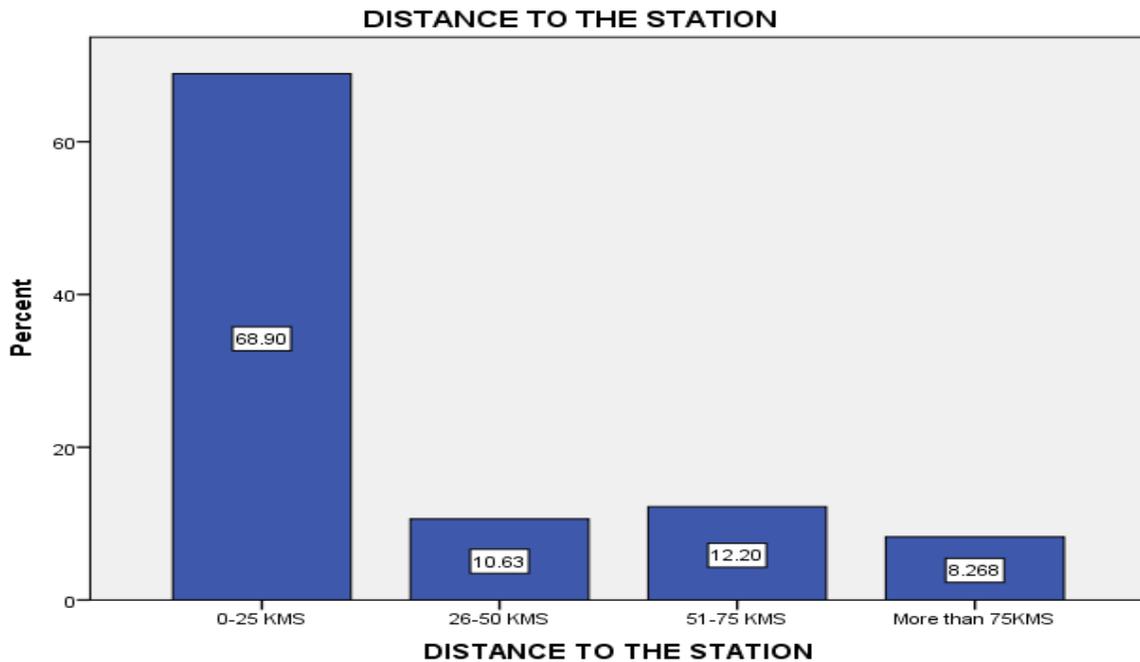
Figure 34: Duration taken processing Immigration Documents



## 5.6 Distance travelled by applicants to process Immigration documents and cost of transport

Sixty eight point nine percent (68.90%) travelled for less than 25 kilometres. More respondents travelled for between 51 kilometres to 75 kilometres compared to those who travelled for between 26 and 50 kilometres (12.2% and 10.63% respectively). 8.27% travelled for more than 75 kilometres to access Immigration services, as shown in the figure 35 below:

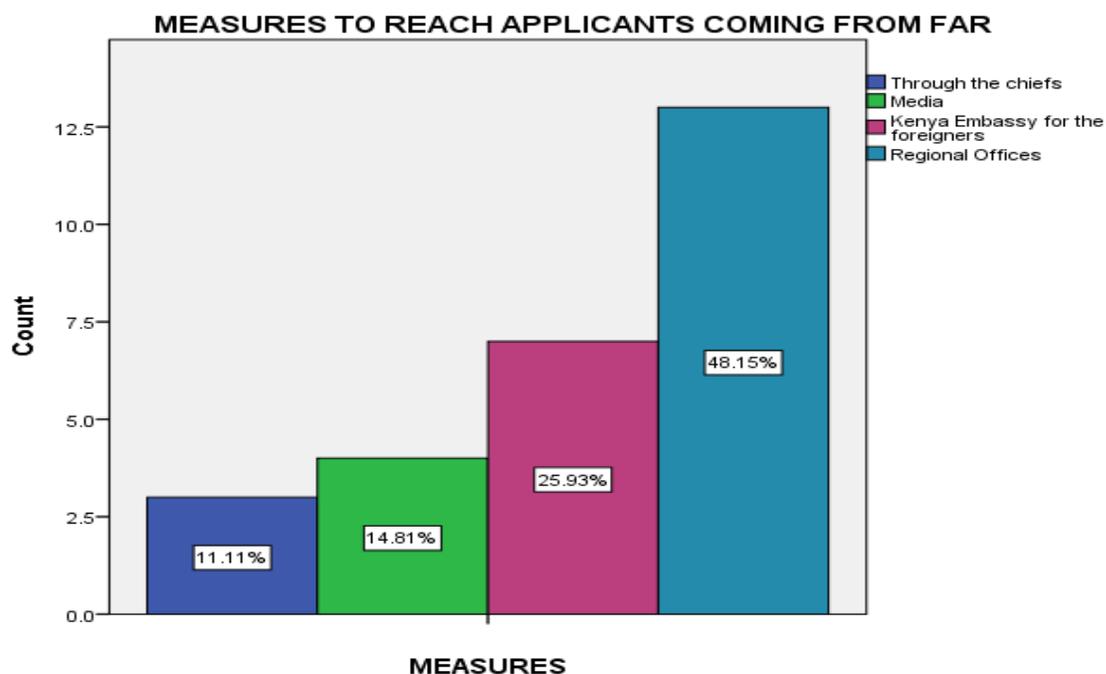
*Figure 35: Distance to the centres*



## 5.7 Measures to reach applicants from far flung areas

The measures put in place by Immigration officials to reach the far flung areas included the presence of the regional offices at 48.15% and the Kenyan embassies abroad at 25.93%, use of the media at 14.81 % and use of chiefs at 11.11% as shown in figure 36 below.

Figure 36: Measures to reach applicants from far flung areas



### 5.8 Number of visits made by applicants and reasons for each visit

Majority of the respondents went to the stations only once or twice (11.4%). Only a few (1.2%) visited for more than 6 times, as shown in the Table 32 below:

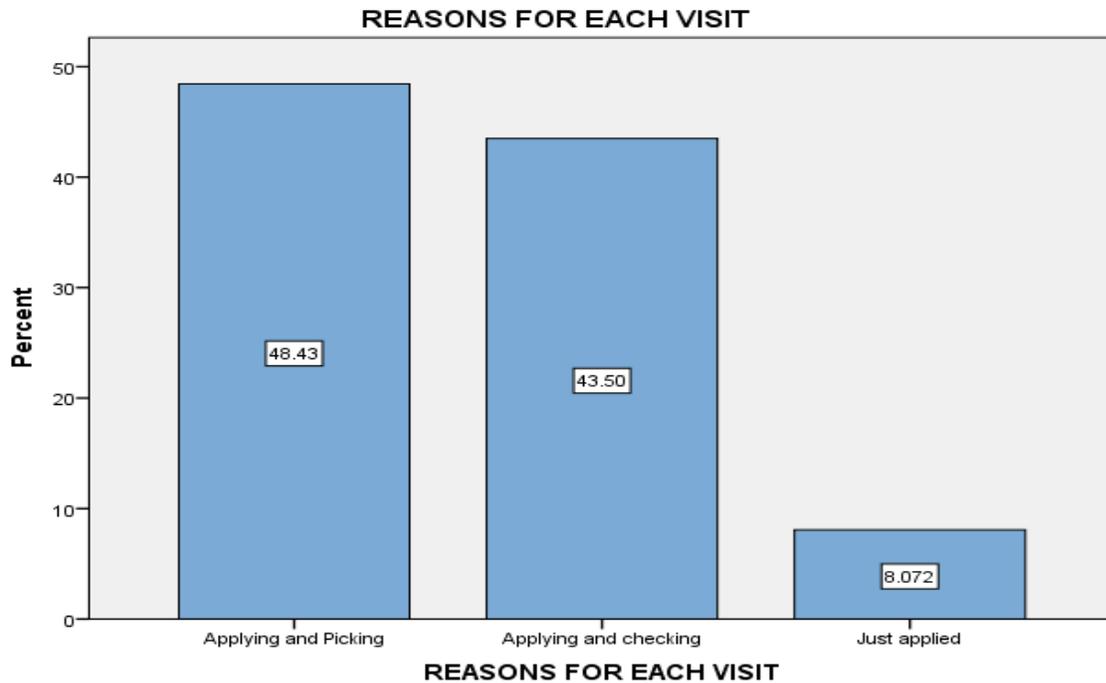
Table 32: Number of visits

Number of visits	Frequency	Percent
1-2	182	11.4
3-4	35	2.2
5-6	26	1.6
More than 6 times	19	1.2
Total	262	16.4
Missing System	1332	83.6
<b>Total</b>	<b>1594</b>	<b>100.0</b>

## 5.9 Reasons for each visit

The reasons given by the respondents for visiting the stations were mostly for applying and picking the documents, at 48.43%. Others had visited the stations to check the progress of their documents at 43.5% while other had just applied for the document representing 8.07%. See figure 37 below.

*Figure 37: Reasons for each visit*



## 5.10 Knowledge on documents required to process Immigration documents

It is worth noting that the processing of various immigration documents require different supporting documentation. Most of the respondents were looking for the Kenya Passport and were required to have a birth certificate, own ID card and copies of the Parents' ID cards. Others on the same document were required to have the ID card and the old passport. Most of those who were looking for temporary travel documents were asked for a birth certificate, ID card and a photograph. Applicants for work permits were asked for IDs or old passports.

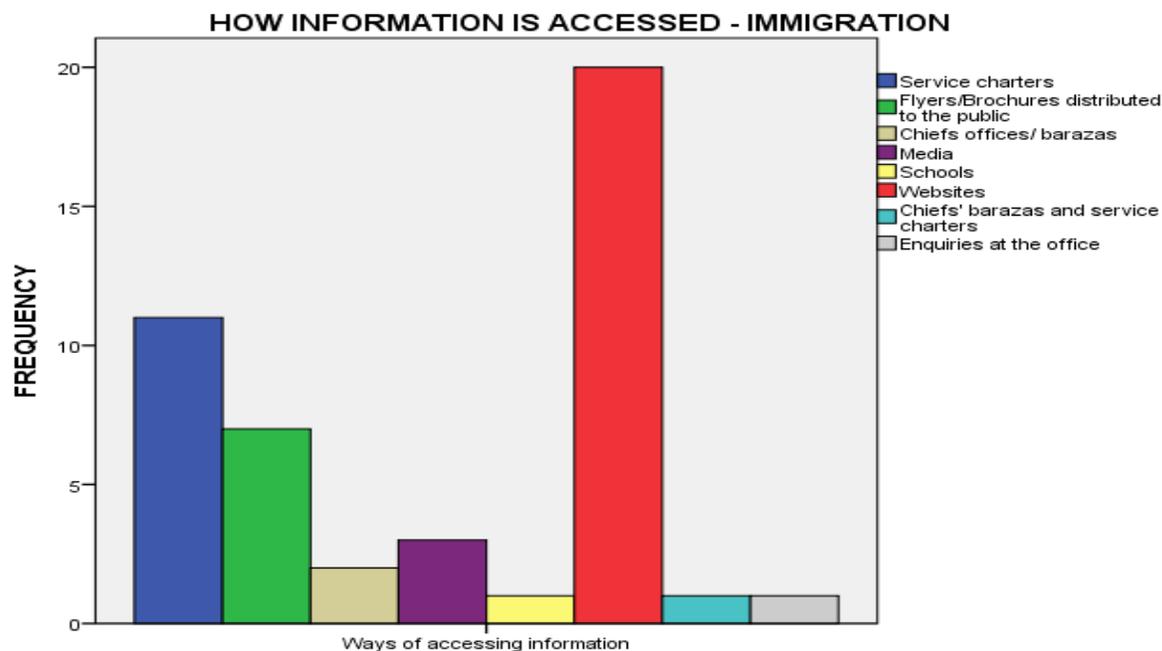
*Table 33: Specific Documents*

Specific document	Documents required				Total
	B/cert, ID card and Parents' IDs copies	ID/Old passport	Passport	Photo/B/cert /ID	
Kenya Passport	36	60	2	10	108
Temporary travel document	9	45	5	26	85
Work Permit	0	5	0	0	5
Passport and work permit	0	4	0	0	4
<b>Total</b>	<b>45</b>	<b>114</b>	<b>7</b>	<b>36</b>	<b>202</b>

### 5.11 How information is accessed on immigration services

The service providers drawn from the Immigration Department, in responding to how the public accessed information cited the website as the frequently used source of information, followed by the service charter and brochures. It is worth noting that unlike birth certificates, death certificates and IDs, the website was frequently used by applicants of immigration documents due to the fact that majority of them were literate. The figure below, illustrates the sources of information as given by the immigration officials.

Figure 39: How information is accessed on immigration



### 5.12 The Permit Determination Committee

The investigations team interviewed 1594 respondents in regard to summoning by the Permit Determination Committee. Of these, 331 (21.05%) stated that they were summoned by the said Committee for various reasons

### 5.13 Constitutional Entitlement of Dual Citizenship and level of Implementation

One of the celebrated and progressive provisions of the Constitution is the provision of dual citizenship. Article 16 of the Constitution gives provisions on dual citizenship, by stating that a citizen by birth does not lose citizenship by virtue of acquiring the citizenship of another country.

The research sought to determine the level of knowledge among Kenyans on this entitlement as well as the extent of its implementation by both respondents and the Immigration Department which is mandated to effect these provisions.

### 5.14 Knowledge and understanding of the term 'Dual Citizenship'

The Black's Legal Dictionary defines the term 'Dual Citizenship' to mean the status a person can have when he is claimed by 2 countries to be a citizen and can travel on 2 passports.<sup>11</sup>

<sup>11</sup> The Law Dictionary, Featuring Black's Law Dictionary Free Online Legal Dictionary 2<sup>nd</sup> Ed. Accessed online at: <http://thelawdictionary.org/dual-citizenship/#ixzz2cmNzbu9B>

In responding to their understanding of the term 'dual citizenship', 13.1% of the respondents stated that it is being both a Kenyan citizen and that of another country, while 24.7% stated that it is having citizenship of two countries. However, 0.5% of the respondents did not understand the term as they defined 'dual citizenship' to be a document that helps one travel to other countries without an ID. However, as seen in the Table below, the majority of the respondents who were interviewed (62%) did not respond to this question.

It can, therefore, be deduced that the majority of respondents who responded to this question had knowledge of the meaning of dual citizenship. However, the large number of respondents who did not respond might be an indication of the very low level of knowledge to this entitlement. On the level of knowledge as to the requirements for declaration of dual citizenship, the majority of Kenyans (62%) stated that they had no knowledge of the process or the requirements as shown in Table 35 below.

**Table 35: Definition of documents**

Definitions	Frequency	Percent
Having citizenship of two countries	209	13.1
Being both a Kenyan citizen and that of another country	394	24.7
Document helping one to travel to different countries without ID	3	.2
Missing	988	62.0
<b>Total</b>	<b>1594</b>	<b>100.0</b>

### 5.15 Status of Declarations of Dual citizenship applications

The research questionnaire was framed to make inquiries as to the application status of applicants to dual citizenship. However, Immigration officers clarified that dual citizenship, being an entitlement, is declared and not granted by immigration office.

### 5.16 Outcome of application

On the outcome of the applications, only 3 respondents (0.2%) had obtained dual citizenship. Some respondents (0.8%) did not know the status of their application while applications were still pending for 9.7% respondents as shown in Table 36 below.

*Table 36: Outcome of application*

Outcome of application	Frequency	Percent
Obtained	3	0.2
Pending	155	9.7
Don't know	12	0.8
Total	170	10.7
Missing System	1424	89.3
Total	1594	100.0

## CHAPTER 6

### 6.0 Analysis and findings on challenges facing the departments of Civil Registration, National Registration Bureau and the Immigration

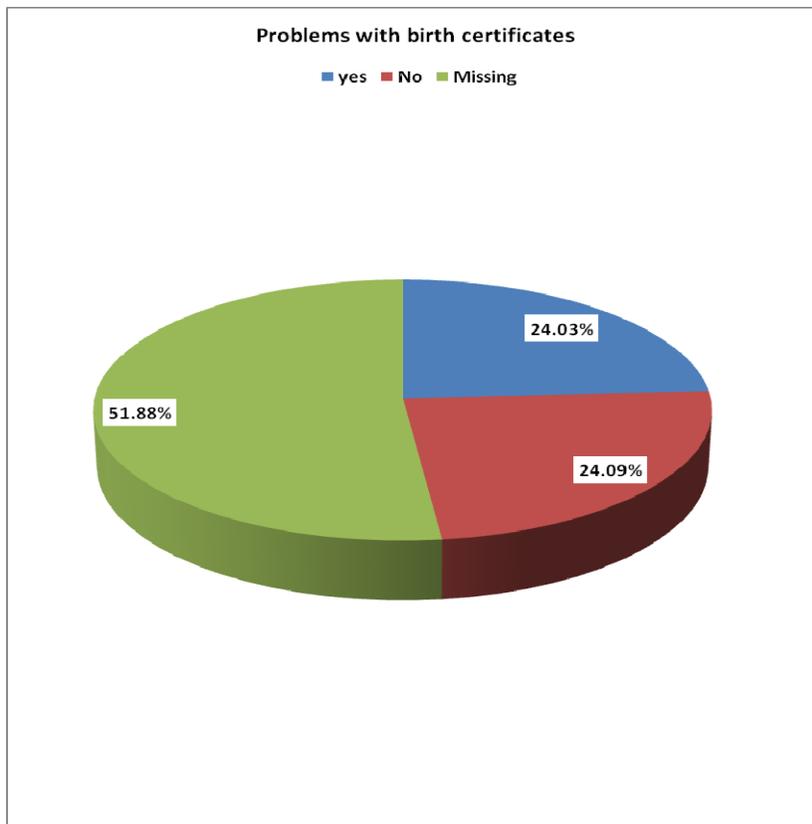
#### 6.1 Challenges in the Issuance of Birth and Death Certificates at the Civil Registration Directorate

The existence of challenges in the issuance of birth and death certificates was real, and is manifested in the many complaints raised by the public. The challenges may be attributed to system flaws or failures within the Department while other problems may be attributed to human factors.

The investigations sought to establish the root cause of the problems, both from the public and the service providers, as the same would inform the proposal of appropriate and practical recommendations for systemic reform.

In regard to the issuance of birth certificate, 24.03% of respondents from the members of the public stated that there are challenges, while 24.09% denied existence of challenges. A large percentage of respondents (51.88%) did not respond to this question as shown in figure 40 below:

**Figure 40: Existence of Challenges in the Issuance of Birth Certificates**



Thirty nine (39) out of the 40 respondents (97.5%) interviewed in Garissa County confirmed the existence of challenges in the issuance of birth certificates while in Nairobi all the 10 respondents who responded to this question answered in the affirmative as shown in table 37 below.

**Table 37: County of Residence**

County	Existence of problems		Total
	Yes	No	
Nairobi	10	0	10
Kiambu	11	2	13
Mombasa	4	0	4
Lamu	1	0	1
Kilifi	0	1	1
Garissa	39	1	40
Embu	9	0	9
Nakuru	4	4	8
Samburu	3	8	11
UasinGishu	4	20	24
Kakamega	10	1	11
Bungoma	4	6	10
Busia	7	7	14
Kisumu	4	2	6
Migori	6	3	9
Kisii	8	2	10
<b>Total</b>	<b>124</b>	<b>57</b>	<b>181</b>

## **6.2 Systems / Institutional problems**

Lack of decentralized offices hence applicants had to travel long distances to access services. The applicants took cognizance of the fact that the civil registration offices are devolved to the county and district levels. They indicated that there is need to devolve further, the services to divisional levels.

The charges for late registration deter applicants, mostly from far-flung areas, from making late applications.

### **6.2.1 Institutional delays in the issuance of birth and death certificates**

Whereas the Service Charter provides for issuance of birth and death certificates on the spot, the applicants confirmed that in some cases, it takes well over a month to acquire the birth and death certificates.

### **6.2.2 Human factors**

- Unresponsive civil registration officials who cause unnecessary delays in the processing of the applications.
- Long queues of applicants were reported in most registration centres and the applicants took long hours to be served. The long queues increase the level of desperation among applicants.
- Some civil registration officials collude with brokers to entice the desperate applicants to issue bribes to 'facilitate' their applications.
- Discourteous and unprofessional officials at the Civil Registration Department. Many applicants complained of rampant discourtesy of the officials while serving them, and refusal to offer clarifications to the applicants.

### 6.2.3 Challenges vis-à-vis the causes as discussed by the applicant-respondents

*Table 38: Causes of Birth Certificate challenges*

Challenges in the issuance of birth certificates	Causes										Total	
	personnel		Lack of requisite documents		Corruption		Poor Equipment		Limited Decentralization of the offices			
	No	%	No	%	No	%	No	%	No	%	No	%
Delay in processing	165	10.4	43	2.7	41	2.6	14	0.9	40	2.5	303	19.0
Unclear requirements	14	0.9	8	0.5	8	0.5	1	0.1	0	0.0	31	1.9
Lack of Birth Notification	2	0.1	1	0.1	1	0.1	0	0.0	0	0.0	4	0.3
N/A	3	0.2	0	0.0	0	0.0	0	0.0	0	0.0	3	0.2
Long distance	1	0.1	0	0.0	0	0.0	0	0.0	1	0.1	2	0.1
Corruption	5	0.3	0	0.0	6	0.4	0	0.0	0	0.0	11	0.7
Missing score												77.8
<b>Total</b>	<b>190</b>	<b>11.9</b>	<b>52</b>	<b>3.3</b>	<b>56</b>	<b>3.5</b>	<b>15</b>	<b>0.9</b>	<b>41</b>	<b>2.6</b>	<b>1594</b>	<b>100</b>

Eleven point nine percent (11.9%) of the respondents cited personnel issues as the causes of challenges in the issuance of birth certificates. This was followed by corruption at 3.5%, lack of requisite documents at 3.3% and limited decentralisation of offices at 2.6% as shown in Table 39 above.

From focus group discussion in **Nakuru**, some respondents stated that the Civil Registration office is too small and congested to accommodate the staff and members of the public seeking services. The clerks are also said to be few hence hampering effective delivery of services.

In **Nyamira**, the Civil Registration Officers are reported to be discourteous, corrupt and lazy in the delivery of services to the public.

Similar feedback was reported in **Kegonga**, Kuria East, where the officers were said to be discourteous. Insufficient staff and corruption were also reported as challenges in Kegonga. They also complained of long distances covered to obtain birth and death certificates, as the services are only offered in Kehancha Registration centre.

In **Kehancha**, corrupt practices were reported within the Registration Centre. The same was cited to be so deeply rooted to the extent that every client must produce a bribe ranging between KES 100 – 500 to '*facilitate*' service delivery, and avoid delays. Further, the situation was alleged to be so dire that those who were not willing to offer bribes were forced to queue at times for 2 days. Some respondents stated that this crisis had been created by the civil registration officials to increase the level of desperation of applicants, paving way for corruption. A support staff nicknamed '**Kamau**' allegedly pulled people from the queues and advised that they could assist in expediting the application process at a fee of approximately KES 600. This was, however, not confirmed by CAJ investigators. The officials were said to take advantage of the high seasons such as during registrations for national examinations (KCPE and KCSE) which had deadlines for acquiring birth certificates.

#### **6.2.4 Causes of challenges in the issuance of Death Certificates**

The investigations revealed the existence of challenges in the issuance of death certificates, as respondents in all the counties under study confirmed the same. Some of the systems challenges mentioned by the respondents included; complexity of the application processes long distance to the offices and lack of information on the requirements.

Some human factors mentioned were; corruption, delays in issuance of certificates, existence of brokers who demanded fees, long distances travelled and poor public relations by the officers, with corruption topping the list of the challenges.

In Nairobi, Mombasa, Embu and Lamu all the respondents who answered the question indicated that there were challenges. More respondents in Uasin Gishu,

Samburu and Bungoma believed that there are no challenges compared to those who believed the existence of challenges. See figure 41 below.

**Figure 41: Causes of challenges in the issuance of Death Certificates**

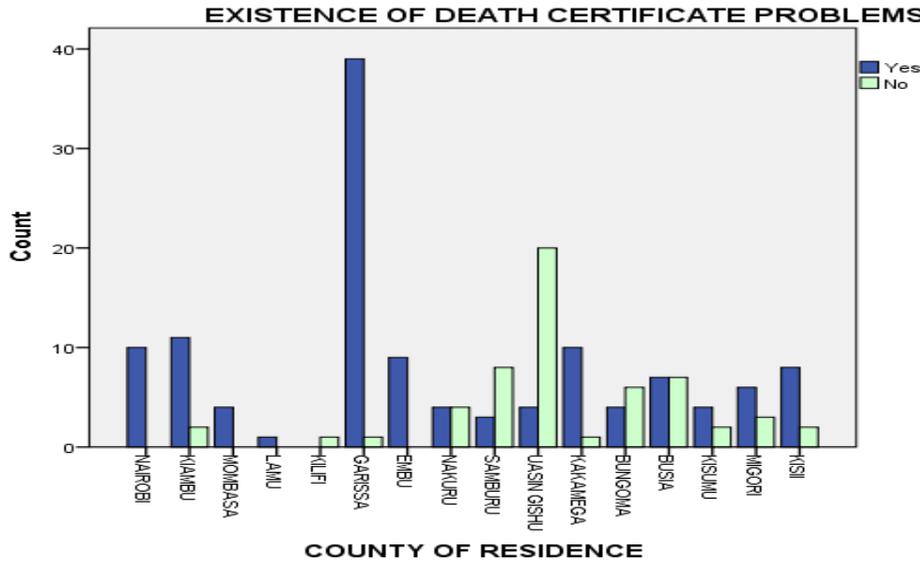
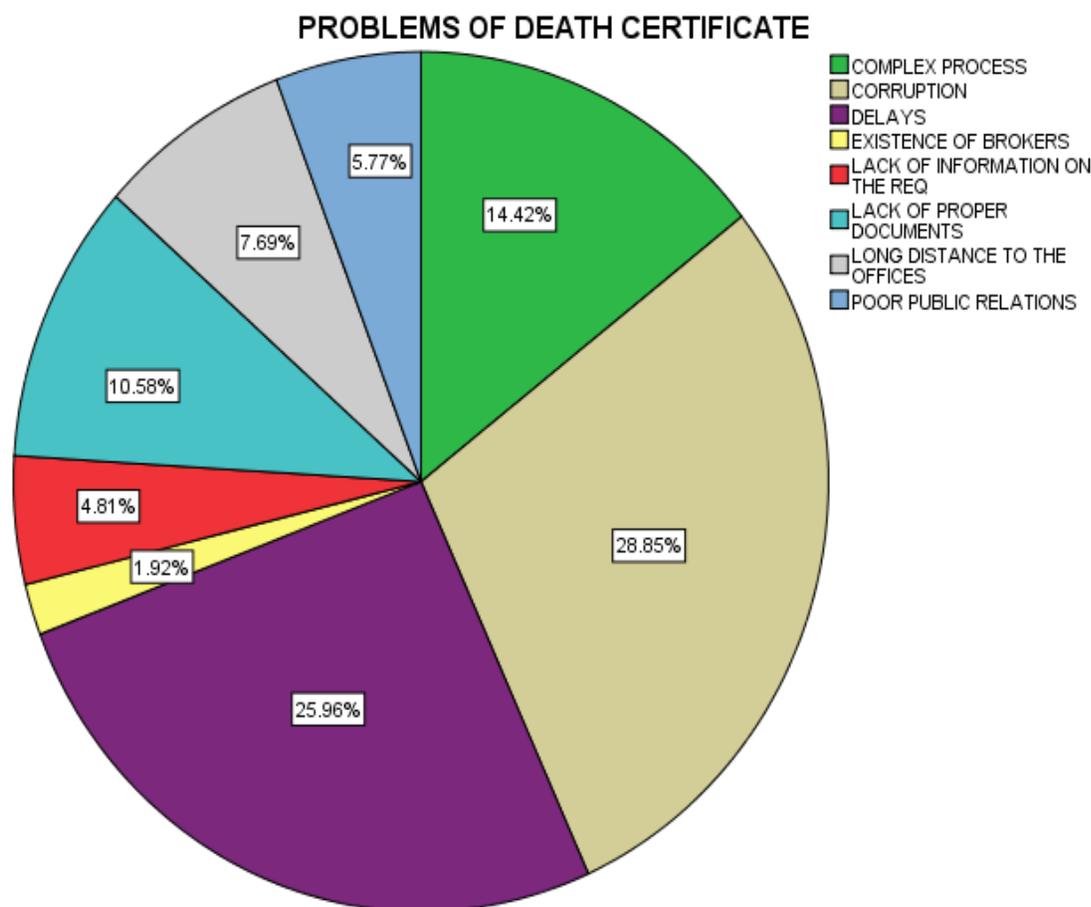


Figure 42: Problems of death Certificates



Corruption at 28.85% and delay at 25.96% are the main problems cited by majority of the respondents. Complex process at 14.42% and lack of proper documents at 10.58% were the other problems encountered as shown on figure 42 above.

### 6.2.5 Challenges faced by officials of the Civil Registration Department

The officers cited:

- Poor working conditions caused by dilapidated office buildings and inadequate supply of furniture and stationery at the civil registration offices.
- Poor remuneration hence low staff morale. Staff in the Civil Registration Department was alleged to be the lowest paid amongst the three departments, with few opportunities for promotions and career development.
- Low civic awareness by members of the public on the importance of registering births and deaths as they occurred. Late registration leads to complications and long procedures, which in turn leads to complaints by applicants.

## CHAPTER 7

### 7.0 The role of the County Administration in the issuance of the vital documents

#### 7.1 The County Administration under the current Constitutional Dispensation

Under the new constitutional dispensation, the devolved system of government introduced changes within the provincial administration, creating new offices and renaming others; District Commissioners are now known as Deputy County Commissioners, District Officers are now known as Assistant County Commissioners. The role of Chief and Assistant Chiefs remained intact.

In recognition of the foregoing, the research sought to establish the role played by the various members of the Provincial Administration in the processing of vital documents.

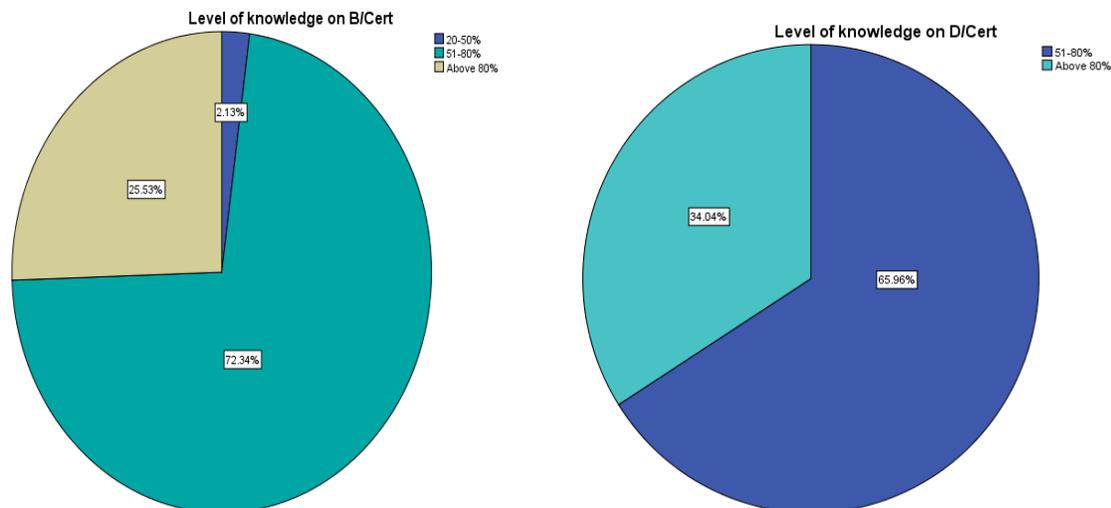
#### 7.2 Findings on the role of the County Administration

##### 7.2.1 *Level of knowledge of processing of vital documents*

The investigations established that a substantial number of the County Administration officials (97.87%), who took part in the research had general knowledge on the processes involved in the issuance of vital documents.

With respect to the processing of birth certificates, the research found that 25.5% of the County Administration officials had full knowledge of the processes involved in the issuance of birth certificates, while 72.3% had average or basic knowledge. Only 2.1% (1 respondent) had little knowledge of the said processes. Further, on the level of knowledge on the processes involved in the issuance of death certificates, 34.04% of the respondents were fully aware of the processes while 65.96% had more knowledge of the same, as shown in figures 57 and 58 below:

**Figure 43: Level of knowledge on birth certificate and Figure 44: Level of knowledge on death certificate**



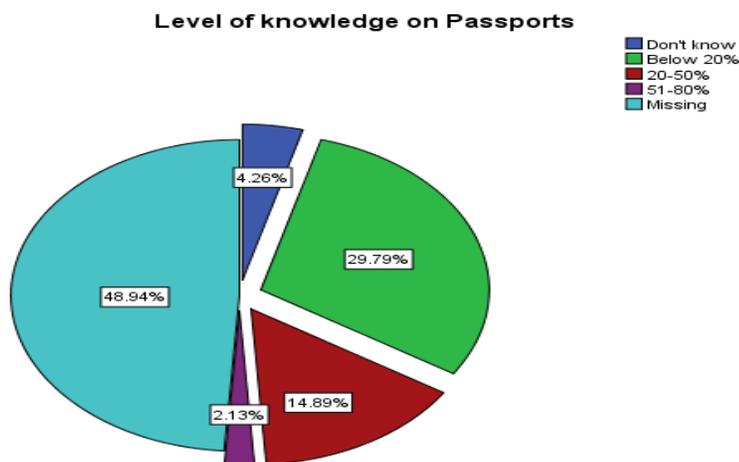
On the processing of identity cards, 59.57% of the respondents were versed on the processes while 40.43% had good knowledge of the same.

On the other hand 23 out of the 24 respondents were uncertain on the processes of issuance of passports. Two of the respondents did not have any knowledge with regard to the process involved, whereas only one officer confirmed having full knowledge. It is worth noting that almost half of the respondents failed to respond to this question, an indication of probably lack of knowledge, as illustrated in Table 45 and figure 58 below;

**Table 44: Knowledge level**

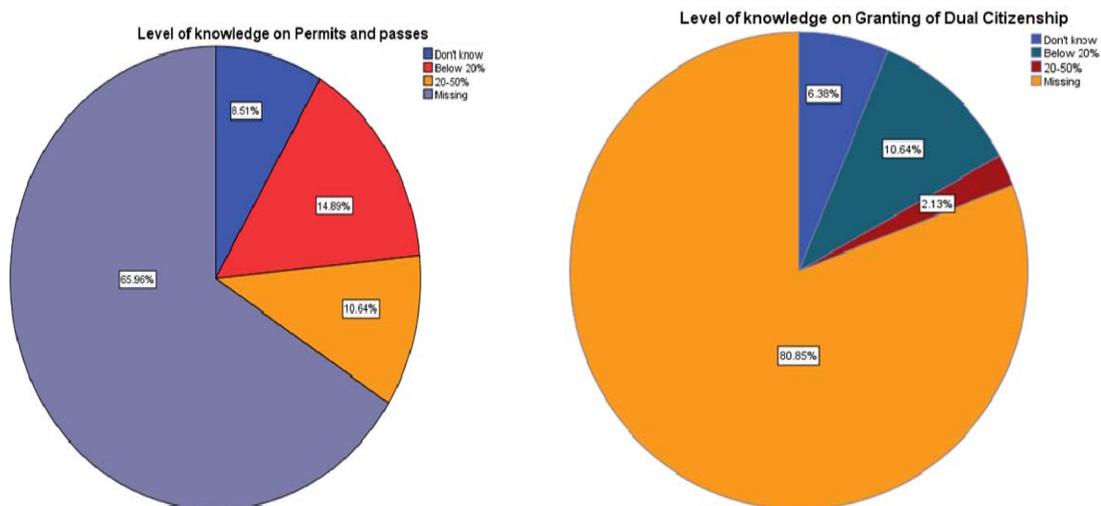
Knowledge level	Frequency	Percent
Don't know	2	4.3
Below 20%	14	29.8
20-50%	7	14.9
51-80%	1	2.1
Sub-total	24	51.1
Missing	23	48.9
<b>Total</b>	<b>47</b>	<b>100.0</b>

Figure 45: Level of knowledge on passports



A similar trend was observed in the processes of permits and passes, with all the members of the County Administration stating that they did not have a good grasp of the processes. 17 out of the 47 respondents who responded to the question all stated that they were not sure of the processes. Likewise, the respondents did not know the issuance process of dual citizenship. 80.9% of the respondents did not answer the question. See figures 46 and 47 below.

Figure 46: Level of knowledge on permits/passes Figure 47: Level of knowledge on dual citizenship



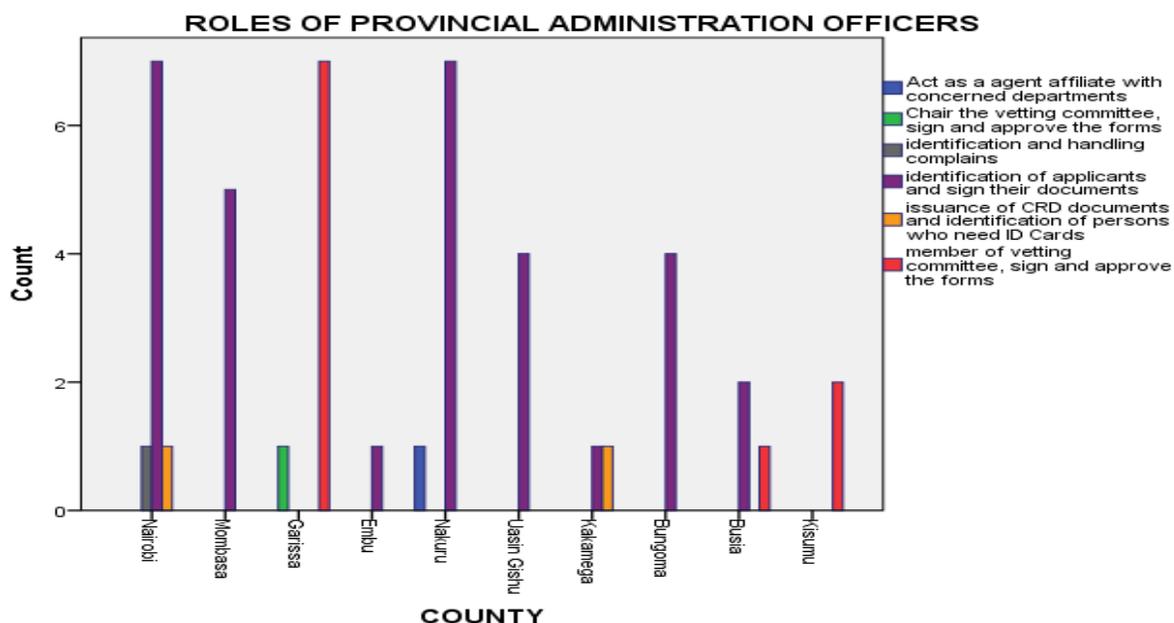
### 7.2.2 The role of County Administration

On the role played by members of the County Administration, 66.0% of the respondents in all the Counties stated that they played the role of identification of applicants and signing of the application forms. This is done starting from the Assistant Chief's level up to the Deputy County Commissioner's level. Further, for gazetted border districts such as Garissa, Kisumu and Busia districts, the provincial administration also played a critical role in the membership of vetting committees. Further, in responding to the question whether any charges were levied upon applicants, all the respondents stated that no charges were levied. Below (table 41 and figure 48) gives a summary of the roles played as stated by the respondents in the regions under study;

**Table 41: The role of County Administration**

Role	Frequency	Percent
Act as an agent affiliate with concerned departments	1	2.1
Chair the vetting committee, sign and approve the forms	1	2.1
Identification and handling complains	1	2.1
Identification of applicants and sign their documents	31	66.0
Issuance of birth certificates	1	2.1
Issuance of civil registration documents and identification of persons	1	2.1
Member of vetting committee, sign and approve the forms	11	23.4
<b>Total</b>	<b>47</b>	<b>100.0</b>

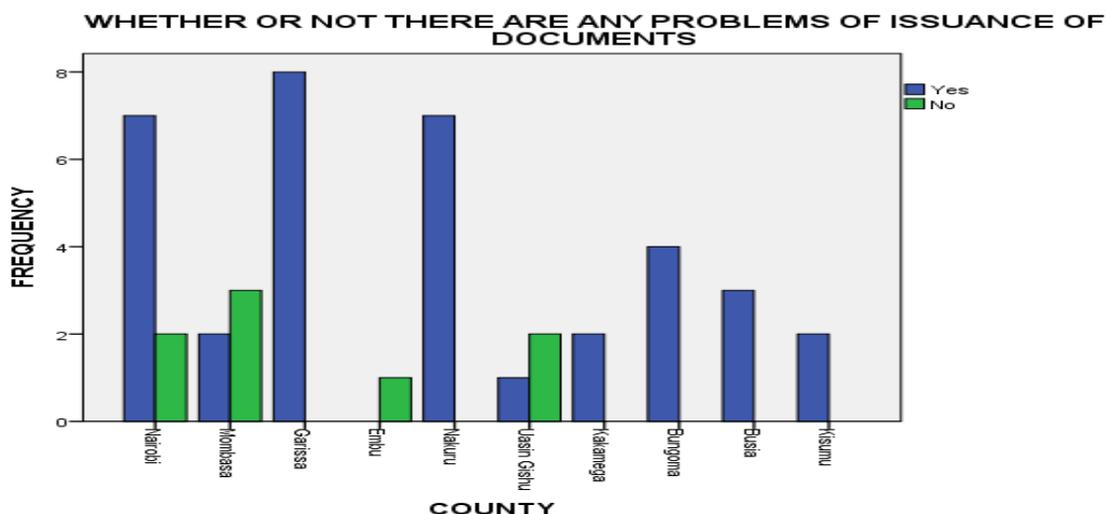
Figure 48: Roles of County Administration Officers



### 7.2.3 Challenges associated with the issuance of vital documents

On the challenges associated with the issuance of vital documents, 36 out of 44 respondents (County Administrators) from all the counties under study confirmed the existence of problems. However, only 8 officers in Nairobi, Mombasa, Embu and Uasin Gishu Counties denied the existence of challenges. See Figure 49 below.

Figure 49: Challenges in the issuance of Documents



The most common challenge raised by the county administrators is lack of supporting documentation by applicants and misinformation or submission of wrong information by applicants. Identification of genuine applicants during the vetting process was also stated as a major challenge followed by lack of government forms to process the vital documents.

Another common challenge stated in many counties was the delay in processing of identification cards, and particularly by women. In some parts of Kisumu, the respondents informed the Commission that it was customary for women to apply for IDs only upon marriage, so that the ID would bear the name of their husbands. The residents stated that they believed that if a woman obtained an ID before marriage, she would be discriminated against by society.

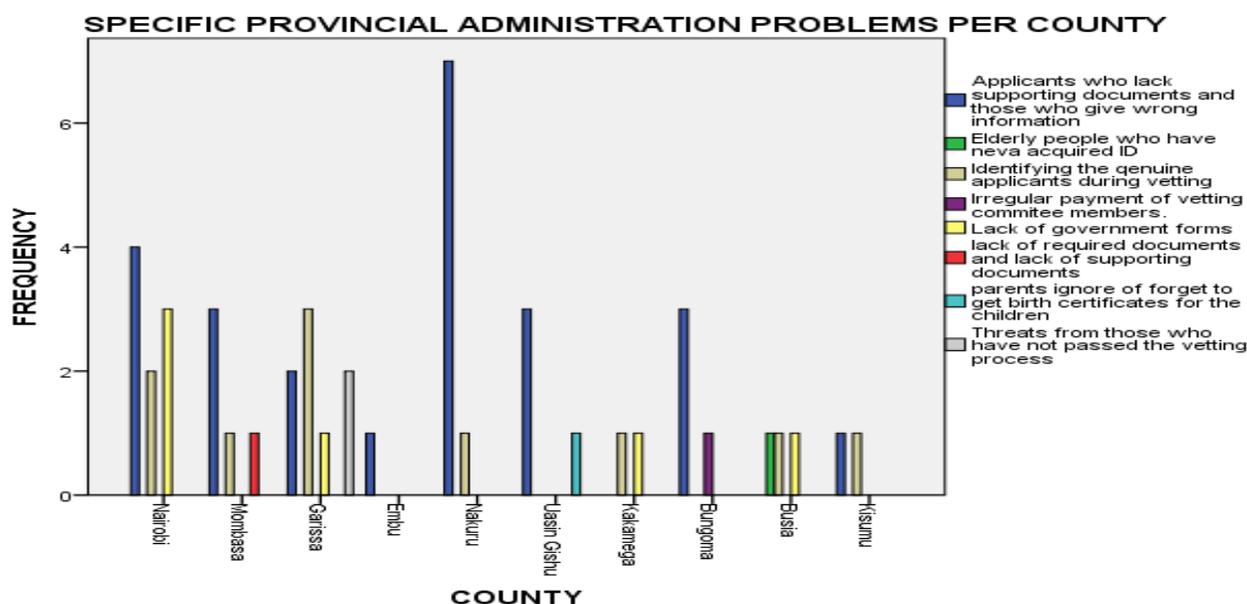
Some officers also had problems in identifying the genuine applicants during the vetting process. A challenge directly affecting officers in the county administration was the issuance of threats to them by unsuccessful applicants in areas where vetting takes place as shown in Table 42 below.

#### *7.2.4 Specific Problems identified by County Administrators*

*Table 42: Specific Problems identified by County Administrators*

Specific challenges by the County administration	Frequency	Percent
Applicants who lack supporting documents and those who give wrong information	24	51.1
Elderly people who have never acquired ID	1	2.1
Identifying the genuine applicants during vetting	11	23.4
Irregular payment of vetting committee members	1	2.1
Lack of government forms	6	12.8
Lack of required documents and lack of supporting documents	1	2.1
Parents ignorant or forgetting to get birth certificates for the children	1	2.1
Threats from those who have not passed the vetting process	2	4.3
<b>Total</b>	<b>47</b>	<b>100</b>

Figure 50: Specific Administration challenges per County



### 7.2.5 Nature of complaints lodged by members of the public

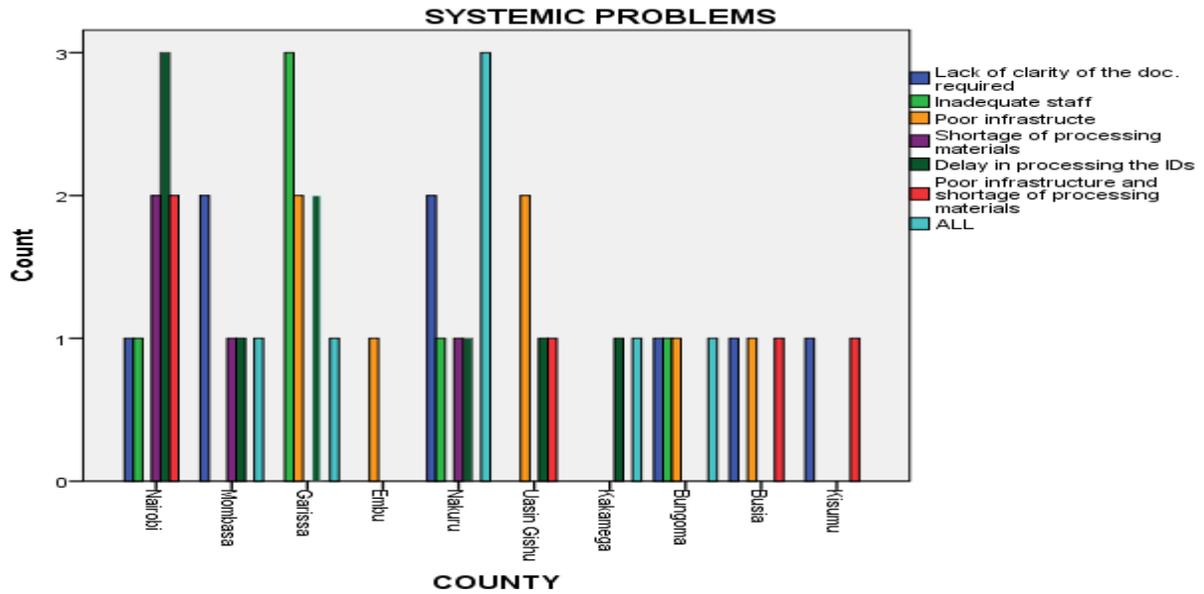
The respondents stated that members of the public would lodge complaints with them on various other matters. In most of the counties, at least 5 complaints would be lodged in a day whereas in Mombasa and Busia, the frequency was 10 in a day. The respondents in Nairobi would process on average 20 complaints while the highest was Nakuru and Garissa where about 30 complaints would be received in a day. The complaints lodged were attributed to both systemic and institutional failures as well as human causes.

The institutional complaints raised were:

- Lack of clarity by the applicants on the documentary requirements for processing
- Inadequate staff to serve the public
- Poor infrastructure to access the services
- Shortage of processing materials
- Delay in processing of identification cards

7.2.6 Breakdown of problems cited in the counties under study (see figure 51 and Table 43 below);

Figure 51: Systemic Challenges



*Table No.44: Nature of complaints – institutional/systemic*

County	Nature of Complains-Institutional/Systemic							Total
	Lack of clarity of the doc. required	Inadequate staff	Poor infrastructure	Shortage of processing materials	Delay in processing the IDs	Poor infrastructure and shortage of processing materials	All	
Nairobi	1	1	0	2	3	2	0	9
Mombasa	2	0	0	1	1	0	1	5
Garissa	0	3	2	0	2	0	1	8
Embu	0	0	1	0	0	0	0	1
Nakuru	2	1	0	1	1	0	3	8
Uasin Gishu	0	0	2	0	1	1	0	4
Kakamega	0	0	0	0	1	0	1	2
Bungoma	1	1	1	0	0	0	1	4
Busia	1	0	1	0	0	1	0	3
Kisumu	1	0	0	0	0	1	0	2
<b>Total</b>	<b>8</b>	<b>6</b>	<b>7</b>	<b>4</b>	<b>9</b>	<b>5</b>	<b>7</b>	<b>46</b>

Complaints attributed to human factors as lodged by the public to the county administration included:

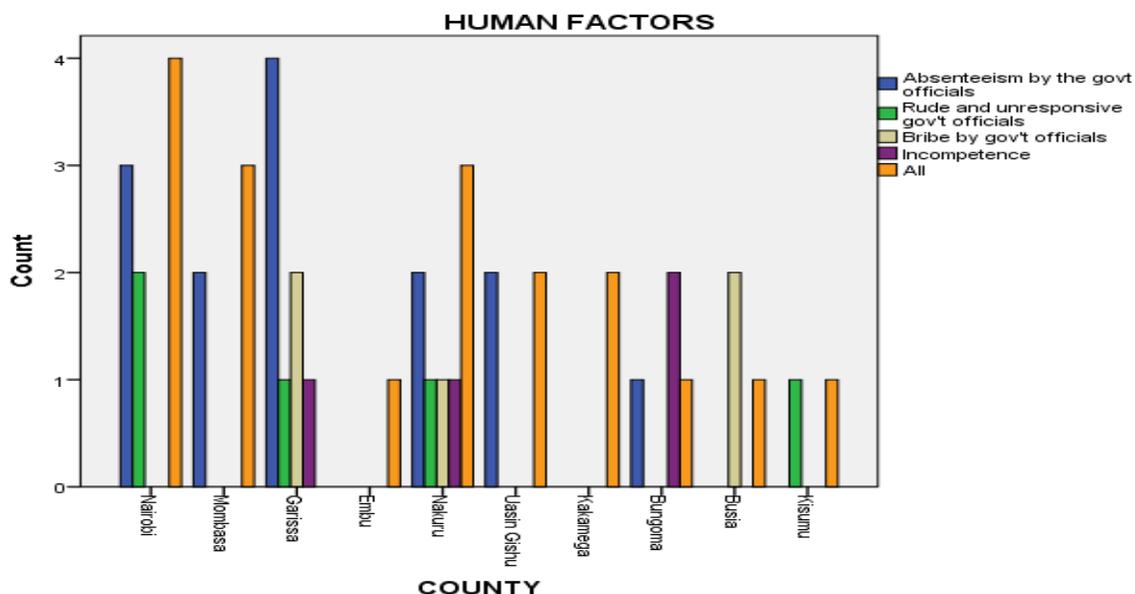
- Absenteeism by government officials
- Discourteous and unresponsive officials
- Bribery by government officials
- Incompetence of the service providers

Table 45 and Figure 52 show the nature of complaints received in the various Counties under study:

*Table 45: Nature of complaints-Human factors*

County	Nature of Complains-Human Factors					Total
	Absenteeism by the govt officials	Discourteous and unresponsive officials	Bribes	Incompetence	All	
Nairobi	3	2	0	0	4	9
Mombasa	2	0	0	0	3	5
Garissa	4	1	2	1	0	8
Embu	0	0	0	0	1	1
Nakuru	2	1	1	1	3	8
Uasin Gishu	2	0	0	0	2	4
Kakamega	0	0	0	0	2	2
Bungoma	1	0	0	2	1	4
Busia	0	0	2	0	1	3
Kisumu	0	1	0	0	1	2
<b>Total</b>	<b>14</b>	<b>5</b>	<b>5</b>	<b>4</b>	<b>18</b>	<b>46</b>

**Figure 53: Human factors**



### 7.2.7 Human factors

The analysis of the above information indicates that all the mentioned human factors were present to varying degrees in all the counties of study. Absenteeism by the government officials was mentioned in most of the counties. Discourteous and unresponsive government officials were mentioned in Nairobi, Garissa, Nakuru and Kisumu while incompetence was reported in Garissa, Nakuru and Bungoma. Bribery was mentioned in Garissa, Nakuru and Busia.

### 7.2.8 Handling of complaints by the County Administration

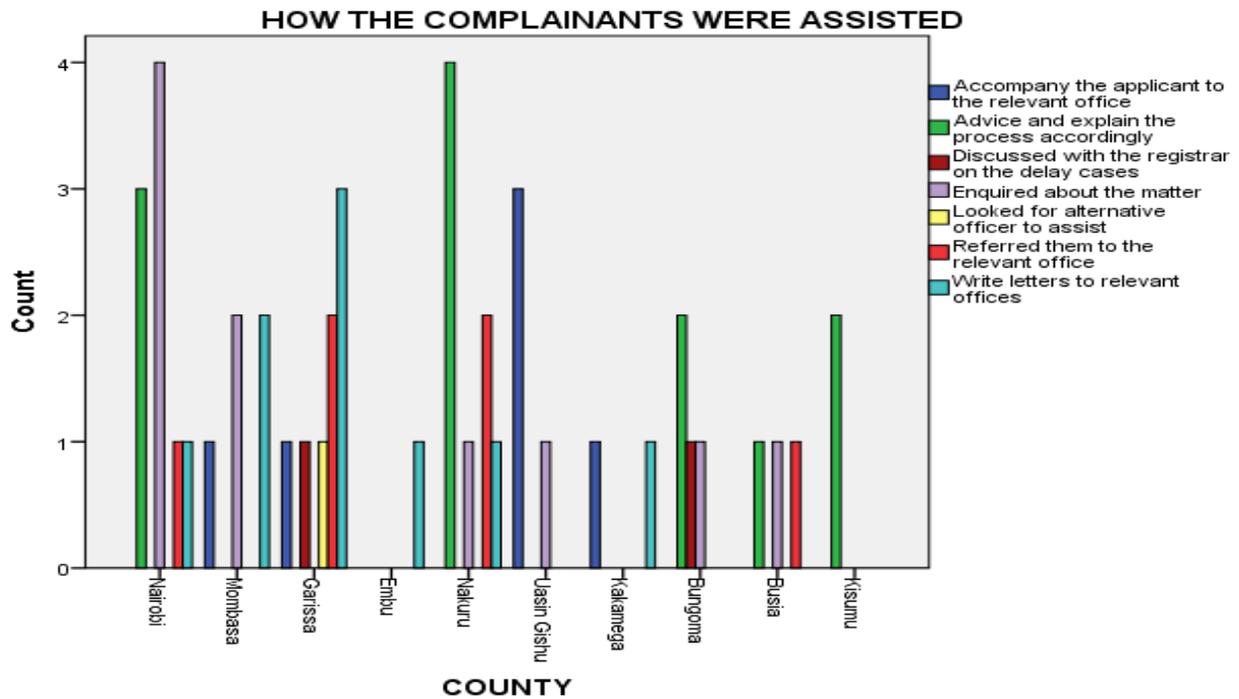
In responding to how the county administration responds to the complaints lodged by the public, the respondents discussed some of the interventions made as follows:

- They accompanied the applicant to the relevant office
- Advised and explained the process accordingly
- Discussed with the respective Registrar on the delayed cases
- Enquired about the matter
- Looked for alternative officer to assist
- Referred complainant to the relevant office
- Wrote letters to relevant offices for assistance

From the above, advice and explanation of the process to the complainants was mentioned by most county officials as an intervention.

The following (figure 54) is a summary of the region-specific interventions made:

**Figure 54: How the complainants were assisted**



## 8.0 Complaints Handling Mechanisms in the Departments of Civil Registration, National Registration Bureau and Immigration Services

### 8.1 Complaints Handling Mechanisms and the role of the Ombudsman

One of the functions of CAJ under Section 8 of the CAJ Act, 2011 is to facilitate the setting up of, and building of a complaint handling capacity in public offices.

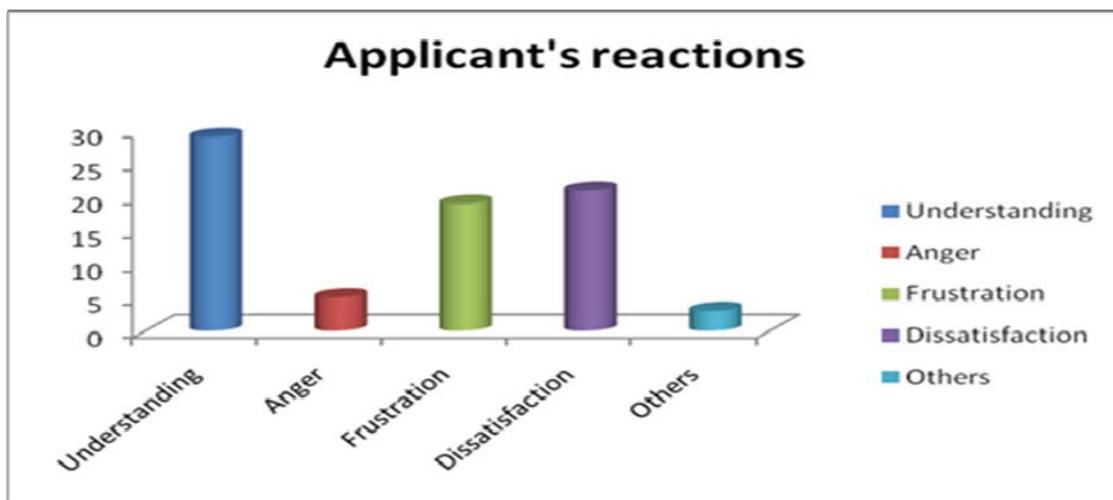
The research, sought to determine the extent to which the Departments had established mechanisms for complaints handling.

Whereas the regional Civil Registration Officers and Immigration Officers stated that they had set up complaints handling desks within their offices, the situation on the ground did not reflect the existence or efficiency of these offices. Insufficient measures, if any, have been put in place by the three Departments to ensure that receipt and resolution of complaints from the public is dealt with, to ensure efficient and prompt service delivery.

### 8.2 Complaints Handling Mechanisms within the Departments of Civil Registration

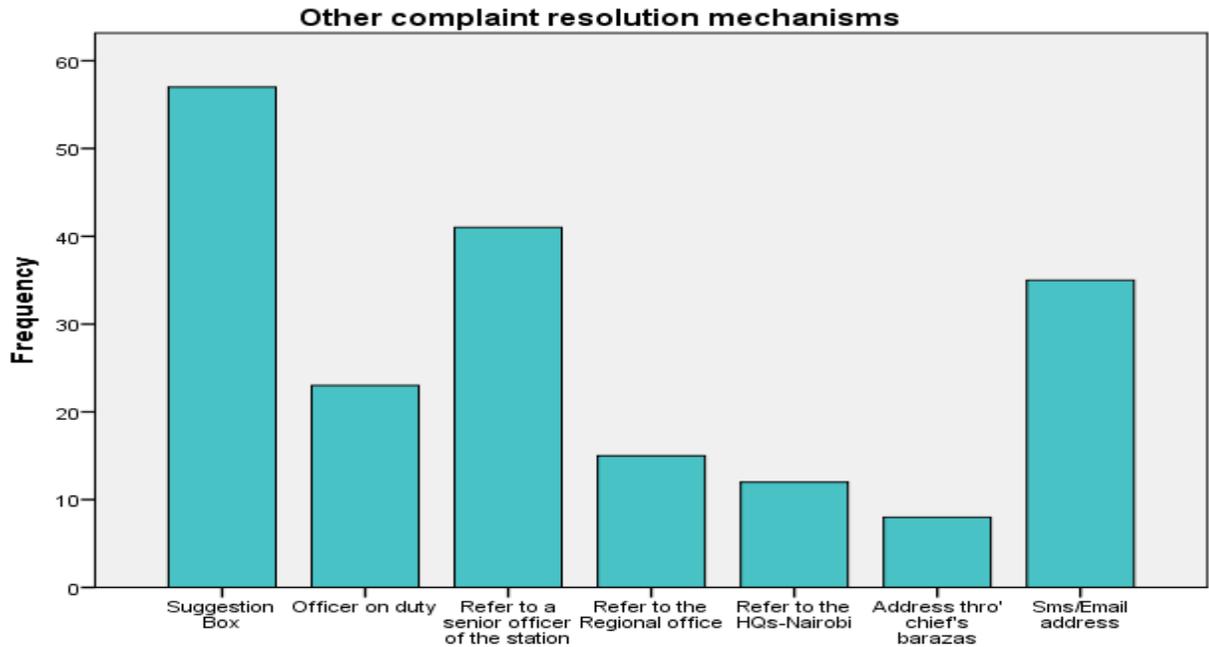
From the research undertaken, it is evident that a large section of members of the public faced a wide range of challenges in processing of birth and death certificates, Identification cards and immigration documents such as delays, bureaucratic processes, corruption, accessibility and cost of processing the documents. In seeking to know the reaction of applicants, the service providers stated that the majority of the applicants understood while others expressed anger and frustration. See figure 55 below.

*Figure 55: Applicants' reactions*

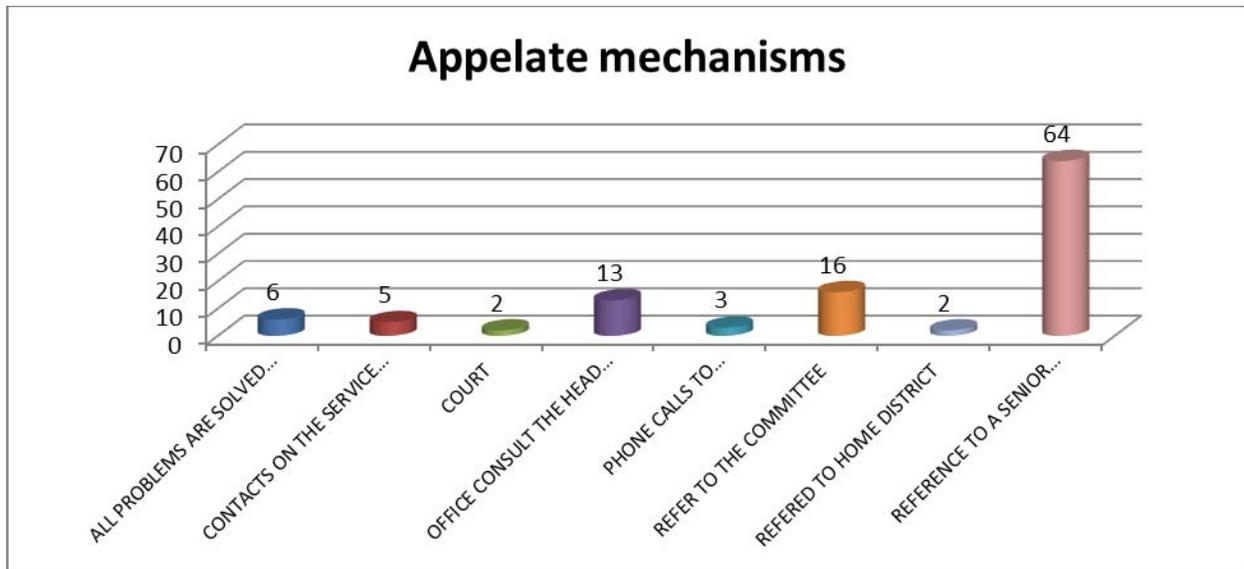


Further, the service providers stated that some of the other mechanisms adopted in the handling of complaints are through referral to other offices and through mounting of suggestion boxes outside their offices. However, the observation of the Commission showed that in many of the regional offices, the suggestion boxes were neglected and unused. The following shows some of the mechanisms adopted in the resolution of complaints by the Department of Civil Registration. See figures 56, 57 and 58 below.

**Figure 56: Complaint resolution mechanisms with Civil Registration Department**

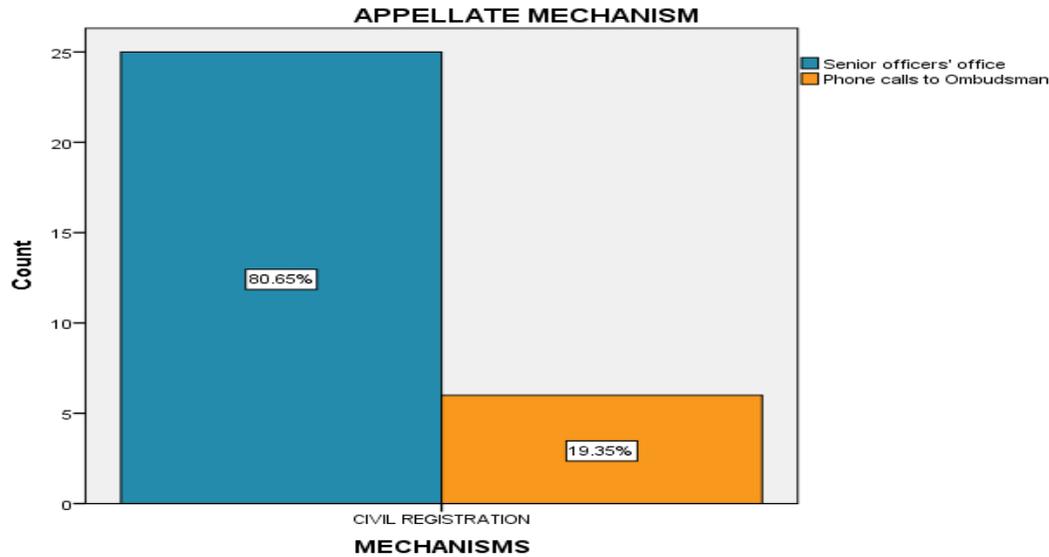


**Figure 57: Appellate mechanisms**



The service providers stated that the appellate mechanisms in existence in the event of dissatisfaction by clients on the existing complaints handling mechanisms include referrals to senior officers and recourse to the Ombudsman's office, as demonstrated below:

**Figure 58: Appellate Mechanism**

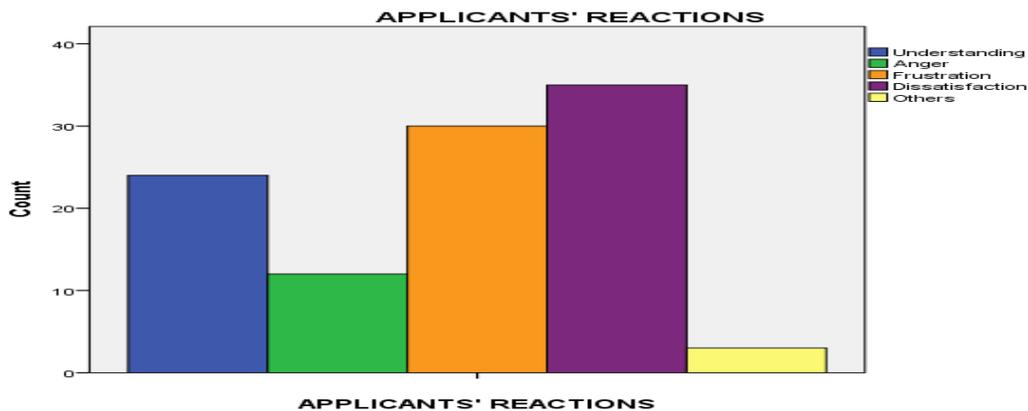


### 8.3 Complaints Handling Mechanisms within the Department of National Registration Bureau

The National Registration Bureau has received a large number of complaints and reports of dissatisfaction by members of the public seeking their services. Complaints ranging from delays, discourteous and unresponsive official conduct, presence of brokers and corruption, among others, were reported, as analyzed in detail in Chapter 7 of this report.

Officers from NRB stated that the majority of the public (33.7%) who sought services from them were dissatisfied with the services, while 28.8% were frustrated. 23.1% of the public were satisfied, as shown in Figure 59 below:

**Figure 59: Applicants' reactions**



NRB informed the study that the most used complaint resolution mechanism is the use of suggestion boxes (30.5%), referrals to other offices and use of chiefs (6.1%), as shown in Table 46 below:

**Table 46: NRB Department-Complaint resolution mechanisms**

NRB Department - Complaint Resolution Mechanisms								
Mechanism	Other complaint resolution mechanisms							Total
	Suggestion Box	Officer on duty	Refer to a senior officer of the station	Refer to the Regional office	Refer to the HQs-Nairobi	Address thro' chief's barazas	SMS/Email address	
Number	25	9	13	7	8	5	15	82
Percent	30.5%	11.0%	15.9%	8.5%	9.8%	6.1%	18.3%	100

**Figure 60: Resolution Mechanisms**

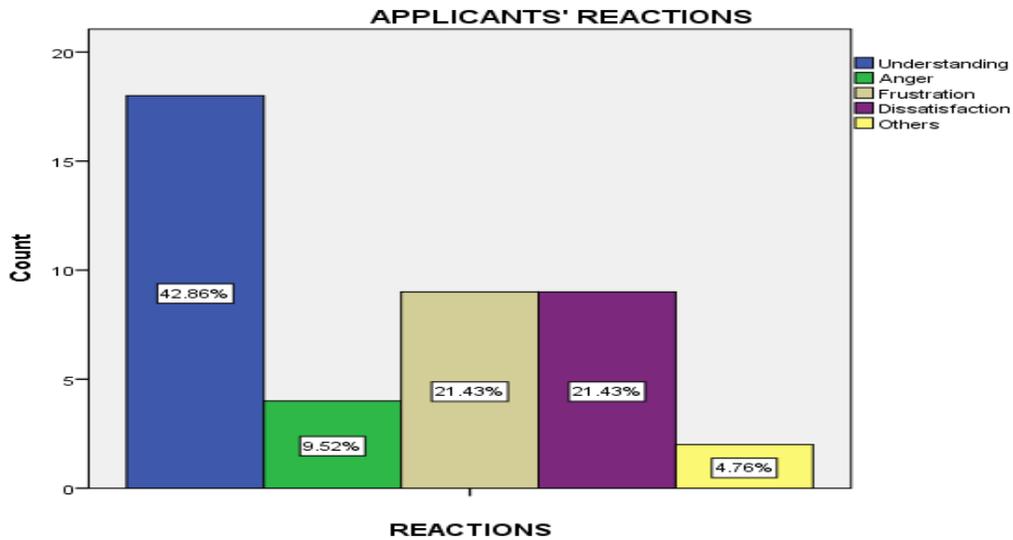


The appellate or referral mechanisms put in place by NRB were said to be referrals to the senior offices (86.8%) and referral to the office of the Ombudsman (13.2%).

## 8.4 Complaints Handling Mechanisms within the Department of Immigration Services

In determining how complaints are handled within the Department of Immigration Services and the reaction of the applicants regarding the quality of services offered, immigration officials stated that 42.86% of the applicants understood while an equal percentage (21.43%) were either dissatisfied or frustrated. See Figure 61 below.

*Figure 61: Applicants' reactions*



## CHAPTER 9

### 9.0 General and consequential observations

#### 9.1 Summary of general observations from the field

- The majority of the people in Samburu County do not have Birth Certificates and Identification cards and did not understand its importance in spite of the attempts by the Chiefs and Registrars to create awareness through mobile clinics. Most residents of Samburu do not apply for vital documents as they are mainly pastoralists and state that they do not see the importance of acquiring documents such as birth certificates and identification cards.
- An Interview with some citizens revealed that some officials were discourteous and need training on customer care and relations.
- Corruption is so deeply entrenched among the officials of the Provincial Administration in Kehancha, Kuria West District headquarters. Applicants of IDs, Birth and Death certificates who need their applications signed by Chiefs, Assistant Chiefs and DO's have to part with monies in form of bribes ranging between KES 100 – 500 for their applications to be signed.
- Uncooperative and Unresponsive official conduct

The District Registrar, Ruiru, Mr. Benson Njunge, declined to respond and/or appoint his officers to respond to the questionnaires in spite of availing a letter and contacting the Central Region coordinator, alleging that he had not received official communication of the research. He further advised that the Commission should go to Nyeri, where all other registrars were meeting on that Saturday to have the questionnaires answered.

In the absence of the DC in Thika town, the District Officer-I declined to fill the questionnaire or appoint officers to do so alleging that only the DC had that authority. Further, she assumed that the Commission was there on other matters, as she later stated, and kept the Commission staff waiting for 20 minutes as she continued to chat away with the secretary and 2 other people. After returning to the secretary's office, where she was still seated, she then asked me to return the following morning when the DC would be in.

## **9.2 Qualifications and competence of staff**

The Commission noted that the National Registration Bureau had officers holding key positions without the relevant qualification.

For instance, the Commission established that:

- I. None of 12 officers of the legal sections at NRB had a legal background. The Legal Officer in-charge, is not a lawyer by profession
- II. The officer in-charge of construction/ projects is not an architect nor a structural/building engineer.
- III. The officer-in-charge, Human Resource Management, Immigration Services, holds a Bachelor of Arts in Economics and Sociology, which is not in tandem with the required competencies for Human Resource Management.

## **9.3 Other issues**

- I. Lack of resources and equipment
- II. Innadequate and unsuitable office accomodation

## CHAPTER 10

### 10.0 Summary of key findings and recommendations

#### 10.1 Summary of Key Findings

Following is a summary of key findings from the investigations:

Respondents drawn from the public largely reported cases of inefficiency and ineffectiveness in the three departments of Civil Registration, National Registration Bureau and Immigration.

Cases of corruption and favouritism were also reported in the three departments, with the service providers reported to demand for bribes in order to offer their services. The cases are rampant at the Civil Registration and NRB departments where amount of bribes range from KSh. 500 – KSh. 43,000. In Garissa for example, it was stated by respondents that the amount to be paid as bribes for the issuance of documents - ID card KSh. 40,000, Passport KSh. 15,000 and Birth Certificate KSh.1,500.

Undue delays in processing and issuance of vital documents are reported in the Civil Registration and NRB departments. The service charters outlining timelines for delivery of various services are not adhered to by the two departments. Some of the respondents stated that they had to follow up on their vital documents up to 20 times and had to wait, in some isolated cases, for as long as 3 years for the vital document to be issued.

It is worth noting that applicants of vital documents also contribute to the delays in the issuance by not furnishing the relevant or pre-requisite supporting documents. Majority of the applicants or respondents exhibited a high level of ignorance on the application requirements.

A large proportion of the respondents from the public complained of inaccessibility of the services, with a majority having to travel for long distances and expend a large sum of transport costs to access the services. Immigration Department is worst hit as there are very few Immigration centres in the country. The worst hit region is Northern Kenya, where some respondents stated that they had to travel distances of over 245 kilometres to access the services.

Lateness in reporting to the public offices was cited by members of the public to be rampant within the three directorates. Most of the offices are said to open later than 9.00am, with long lunch breaks. Fridays are the worst hit, as many of the offices close in the afternoons. Some of the service providers informed the Commission that it is an unwritten rule within the public service that officers working upcountry are entitled to Friday afternoons off to enable them travel to their respective homes.

The complaints handling mechanisms put in place in the three directorates seem to be ineffective, as many respondents complained of delay or inaction when lodging complaints.

The rate of declaration of dual citizenship as a Constitutional entitlement is still slow, and a majority of the members of the public are unaware of its existence and procedure for registration. The few applicants who have applied for the granting of dual citizenship have complained that the process is slow.

A majority of the respondents drawn from the members of the public stated that they mostly obtain information regarding the requirements and application processes through service charters, members of the provincial administration especially the Chiefs and Assistant Chiefs during public *barazas*. CAJ investigators observed that in some offices, the service charters were put in the Registrars' and clerical offices, as opposed to displaying on the notice boards for members of the public. This defeats the purpose of having a service charter as it is meant for the public.

The Officers from the Provincial Administration were accused by members of the public for absenteeism, unresponsive official conduct and at times, demanding bribes in order to offer their services, specifically the signing of documents and participation in the vetting of certain groups of applicants.

## **10.2 Recommendations**

### ***10.2.1 Recommendations from citizens***

- i. Ministry of interior and coordination of National Government need to recruit qualified members of staff of high integrity in the three Departments. Some respondents further suggested the need to overhaul the entire system so as to ensure better service delivery.
- ii. Ministry of Interior and coordination of national Government to address the problem of delay especially in the issuance of ID cards.
- iii. Ministry of Interior and coordination of national should devolve of the processing of the vital documents to county level.
- iv. Modern technology should be adopted by the Departments to enhance efficiency in service delivery. The need for networking and inter-linking within the departments was emphasized, as a way of decentralizing the services so that information can be shared across the Departments and services can be accessed from any part of the country. Other innovative ways mentioned include the use of token numbers to guarantee the privacy of applicants.

- v. Ministry of Interior and coordination of national to consider reducing some of the documentary requirements in the processing of the vital documents, as this hinders and discourages applicants from making applications due to unavailability of supporting documents.
- vi. Ministry of Interior and coordination of national to consider reducing the cost of processing Immigration documents.
- vii. Ministry of Interior and coordination of national should urgently train the staff of the three Departments in matters of public relations and customer care.
- viii. Management of staff was also recommended to be done through vetting, auditing, carrying inspections without them being aware, strict supervision for the officers to report to work on time and staff in the offices during the working hours, monitoring using CCTV and even formation of a body that will check on their work, setting of rules and involvement of top authority in the management of staff.
- ix. The staff welfare across the three Departments needs to be enhanced, with more training opportunities, improved working conditions and remuneration. The respondents stated that this might motivate the members of staff as well as reduce incidents of corruption.
- x. Ministry of Interior and coordination of national should stagger the staff working hours within the Departments so that services are offered over lunch breaks and past 5.00 p.m. This was proposed since many applicants are unavailable during normal working hours due to work commitments and some have to travel for long distances to access the services.
- xi. Ministry of Interior and coordination of national to increase sensitization of members of the public on the importance and requirements for processing of the vital documents.
- xii. On corruption, the respondents recommended that the Ministry of Interior and coordination of national should prosecute officers involved in the abuse of power and other malpractices or to dismiss from the service as deterrence measure to other officers.
- xiii. Ministry of Interior and coordination of national government screen and prosecute brokers found in the government offices.
- xiv. Ministry of Interior and coordination of national should improve infrastructure, office space and provision of public utilities including water, seats, and public rest rooms. Ministry of Interior and coordination of national to take special consideration of the elderly and illiterate applicants so as to enable them process the applications in a timely manner without undue suffering.

### **10.3 Recommendations from service providers**

#### **10.3.1 Recommendations by Immigration Officials**

- i. Ministry of Interior and coordination of national should make full implementation of the Integrated Population Registration System (IPRS) which will capture and synchronize all data with respect to an applicant from birth hence minimizing possibilities of fraud, irregular or multiple issuances of vital documents.
- ii. Ministry of Interior and coordination of national to increase the staffing levels within the Immigration department.
- iii. Ministry of Interior and coordination of national should establish an effective platform for sharing of information and intelligence on a need-to-know basis with other security agencies. These include the NIS, Police and Provincial administration.
- iv. Ministry of Interior and coordination of national should improve networking and effective use of ICT and data base within the departments mandated in the issuance of vital documents as well as with partner agencies. The departments need to be integrated to enhance the sharing of information and enhance inter-agency relations.
- v. Ministry of Interior and coordination of national should facilitate the officers by providing working equipment such as vehicles to facilitate the officers while undertaking their duties.

#### **10.4 Recommendations by National Registration Bureau Officials**

- i. Ministry of Interior and coordination of national Government should urgently expedite the process of automation of the NRB services to enhance efficiency and effectiveness at NRB.
- ii. The NRB to investigate reported cases of selective promotions and non-promotions and streamline their processes to ensure promotions are effected in a prompt, efficient and transparent manner.
- iii. Ministry of Interior and coordination of national Government should make legal amendments on the applicable laws to make vetting committees legally accountable.
- iv. Ministry of Interior and coordination of national Government should create in house training and continuous education of public officers to empower them with necessary skills to effectively discharge their duties and mandate.
- v. Ministry of Interior and coordination of national Government should capture data of all Kenyans at birth so as to avoid incidences of issuance of IDs

erroneously to non-Kenyans, compromising the security situation in the country.

- vi. If detected, NRB should cancelled erroneous and illegally issued IDs and legal action be taken against the applicants as well as all officers involved in the said issuance.
- vii. Ministry of Interior and coordination of National Government should make sure that the quality of IDs is secure and tamper-proof hence not easily forged by fraudsters.
- viii. Ministry of Interior and coordination of national Government should provide civic education to members of the public on the importance of obtaining identification cards upon attainment of the legal age of 18.

## **10.5 Recommendations from Civil Registration Officials**

- i. Ministry of Interior and coordination of national Government should enforce mandatory registration of births, such that all new births are registered at the point of contact with a government official. This will minimize the chances of non-registration of births and in turn decrease instances of irregular issuance of subsequent vital documents, such as IDs and passports.
- ii. Ministry of Interior and coordination of national Government to offer civic education on the importance of obtaining birth certificates upon birth.
- iii. Ministry of Interior and coordination of national Government should urgently improve the facilities and infrastructure hosting the offices of civil registration.
- iv. Decentralize the services by adding more sub locations and divisions also do away with 50 KSh fee for the birth certificates.
- v. Use community leaders who are vetted to help the community in order to avoid brokers

## **10.6 Recommendations per Department**

### **10.6.1 Recommendations from County Administration**

- i. Applicants to be allowed to use alternative supporting documents in the event that the primary document is missing. This will help reduce the number of rejected applications.
- ii. Automation of the systems within the Departments so as to increase efficiency and effectiveness in service delivery.
- iii. The Departments should produce and issue enough processing forms so as to prevent incidents of service providers running short of application forms.

- iv. Ministry of Interior and coordination of national Government to put in place mechanisms to enforce the issuance of Birth Certificates immediately after birth.
- v. Ministry of Interior and coordination of national Government to enhance civic education on members of the public on the importance and requirements for the processing of vital documents. The Government to put in place more effective and innovative ways of reaching targeted groups required to process vital documents.
- vi. Ministry of Interior and coordination of national Government need to decentralize and devolve the services to the County, District and even divisional levels in some instances, such as in the issuance of birth certificates and Identification cards.
- vii. Ministry of Interior and coordination of national Government amend respective to provide hefty penalties against applicants who furnish false information to the service providers, so that the same can act as a deterrent measure to other applicants.
- viii. Ministry of Interior and coordination of national Government should overhaul and establish appropriate vetting mechanisms for applicants at the border districts as the current system is reported to be discriminative and marred with corruption.
- ix. Ministry of Interior and coordination of national Government should Provide security and allowances, such as sitting allowance and airtime to members of the Vetting Committees and enhance Continuous training for the vetting committee members.
- x. Ministry of Interior and coordination of national Government should establish effective complaint-handling mechanisms within the service provider's offices so as to enhance the prompt and effective resolution of complaints.

#### **10.6.2 Recommendations to members of the public**

- i. Members of the public should be well informed on the requirements and timelines for the processing of the vital documents. They can raise their awareness levels by interacting with the same through the internet, attending Chief's *barazas* and other forum where civic awareness on these issues are raised.
- ii. The public should be encouraged to register the birth of a child so as to avoid last minute rush during registration of national examinations such as KCPE and KCSE.

- iii. The public should desist from giving out of bribes to the officials and report all cases of bribery to the authorities, including the Police, CAJ and the EACC.
- iv. The public should be aware of the consequences of giving false information to the officials of the three directorates. This may deter the many number of applicants who furnish false information during the application process.

## Appendix 1: Summary of sampled complaints from the public

**NRB** - National Registration Bureau

**RBD** - Registrar of Births and Deaths

**CRB** - Civil Registration Bureau

S/N O	QUESTIONN AIRE.NO	REGION(COUNTY/ DISTRICT	DETAILS OF RESPONDENTS' EXPERIENCES
1.	MBA 1	MOMBASA NRB Bima Towers	Demanded a bribe of KSh.. 5000 for quick processing of birth-certificate.
2.	MBA 44	MOMBASA Immigration office and Registration of persons	Delay due to photographs where people were told to wait for 8 minimum to be photographed together.
3.	MBA 56	MOMBASA NRB Majengo	Application process for national identity card is slow should be hasten
4.	MBA 57	MOMBASA NRB	Discourtesy especially in Kilifi county where women in "buihuis" are so arrogant.
5.	MBA 103	MOMBASA Immigration and Registration of persons.	Bribe was requested to speed up the process of getting an identification card by the government officials and I offer KES 2000
6.	MBA 106	MOMBASA Immigration and Registration of persons	The identification card was lost and it took 6months for replacement
7.	MBA 111	MOMBASA Immigration and Registration of persons	They demand a bribe of KES 1000 shillings for my services.
8.	MBA 120	MOMBASA	There was delay of up-to 6monts to

		Bima Towers	obtain the identification card.
9	MBA 132	MOMBASA Immigration and Registration of persons	There was errors in my names so they told me to pay for the quick corrections or else wait government at their own cost
10	KIL 145	KILIFI NRB	Visited there several times like 7 times, people are many and officers are few so the chances of being attended are minimal.
11.	NBR 1	NAIROBI CRB Nyayo House	There was delay due to insufficient personnel and inadequate equipment.
12.	NRB 15	NAIROBI CRB Nyayo House	Corruption and delays.
13.	NRB 16	NAIROBI CRB Nyayo House	Delays due to less personnel
14.	NRB 17	NAIROBI CRB Nyayo House	I spend a lot the process took 1 year, corruption, favors', tribalism which cost me KES 10,000 as bribe.
15.	NRB 19	NAIROBI NRB Westlands	There was delay was also turned down for not having all documents.
16.	NBR 20	NAIROBI NRB Westlands	Corruption gave out KES 500
17.	NBR 21	NAIROBI NRB Westlands	Corruption to hurry my services
18.	NRB 23	NAIROBI NRB Westlands	Given out bribe of between KES 1000-2500 at district officer's office
19.	NRB 24	NAIROBI NRB Westlands	Corruption gave out KES 500 at chief's office
20.	NRB 30	NAIROBI NRB Upper-Hill	Delay up-to 1year and long distances was travelling for 400km to follow up
21.	NRB 39	NAIROBI	There was delay which forced me to

		NRB Upper-Hill	give a bribe of between KES 2500-5000 for me to get the card.
22.	NRB 45	NAIROBI NRB Upper-Hill	Was delayed for 9 months
23.	NRB 47	NAIROBI NRB Upper-Hill	Delay for 6 months for no reason
24.	NRB 48	NAIROBI NRB Upper-Hill	Delay for 6 months to get the identification card
25.	NRB 50	NAIROBI NRB Dagoreti	Officials demanded bribe of KES 500 for quick services
26.	NRB 53	NAIROBI CRB Nyayo House	Delay in processing for 6 months
27.	NRB 56	NAIROBI CRB Nyayo House	Discourtesy which lead to exchange of words, i.e "You are Sudanese what do you want here? You want to support the black person"
28.	NRB 92	NAIROBI NRB Westlands	There was lack of materials to process the documents.
29.	NRB 97	NAIROBI Nyayo House	Distance of 500km and frequent visits due to delay workers are not serious on the duties
30.	NRB 117	NAIROBI NRBNyayo House	Asked to provide documents that she was sure were not relevant to the application, influence was that she had to offer a bribe.
31.	NRB 122	NAIROBI CRB Nyayo House	Japanese national who visited the offices more than 20 times seeking to renew his alien card and is yet to obtain the document.
32.	NRB 134	NAIROBI NRB Dagoreti	Applicant seduced and told that if she gave in and became the officers friend, she would get the document

			fast (sexual harassment)
33.	NRB I56	NAIROBI NRB Kariokor	Discriminated against due to ethnicity i.e. being a Somali it is assumed he is not a Kenyan.
34.	NRB 202	NAIROBI NRB Makadara	Officers are very rude and unresponsive officials.
35.	NRB 227	NAIROBI NRB Makadara	It was delayed, officers demanded a bribe of KES 3000 and visited the centre more than 20 times.
36.	NRB 237	NAIROBI NRB Langata	Too much verification, lazy and incompetent officers.
37.	NRB 247	NAIROBI NRB Pumwani	Getting an identity card was hard as the supporting documents from needed could not be found as they had divorced a long time back.
38.	KIA 9	KIAMBU NRB Limuru	There was delay and I had to give out a bribe of KES 3000 to hasten acquisition of national identity card.
39.	KIA 17	KIAMBU NRB Thika town	The process of getting national identity card was so slow, visited the centre 4 times I also offered a bribe of KES 500
40.	KIA 21	KIAMBU NRB Ruiru	Most officers are too old and therefore incompetent.
41.	KIA 35	KIAMBU NRB Kiambu town	Should adopt the new technology to avoid paperwork which make to others getting lost.
42.	KIA 57	KIAMBU NRB Githunguri	I had a challenge because my parents died when I was young could not establish exact date of birth.
43	LA 4	LAMU NRB Lamu town	Incompetence from officers and rampant bribery.
44.	LA 16	LAMU NRB mukowe	The first identification card got burned in the house and has taken 6 months

			all in vain.
45.	LA 21	LAMU NRB mukowe	Delay, bad photographs poor management and discriminations from officials which cost me bribe of between KES 2500-5000
46.	EM 11	EMBU Gicheche	Officials wanted bribe and I denied hence held my identification card for some time
47.	EM 48	EMBU NRB Gikuri	Most of the offices are closed early, or absenteeism others leaving for lunch early and taking too long to resume.
48.	KK 1	KAKAMEGA NRB	Delay in issuance of ID cards leading to corruption. An officer by name Mr.Muturi demanded kshs.1,000/= to facilitate. The ID was issued same day.
49.	KK 23	KAKAMEGA NRB	Poor service by officers issuing ID cards. Very slow and take long lunch breaks.
50.	KK 74	BUSIA NRB	Tribalism to those who are not natives of the area leading to corruption.
51.	KK 89	BUNGOMA NRB	Muslims are harassed and asked to produce birth certificates of their grandfathers/grandmothers. They are treated like non-Kenyans.
52.	KK 104	BUNGOMA NRB	Officers are tribalists, corrupt and lazy especially old officers. Local chiefs are always out of offices whenever their services are required by wananchi.
53.	SAM 70	SAMBURU NRB Maralal	Most of the officers ask for bribes to quicken the process of ID issuance.
54.	UAS 33	UASIN-GISHU NRB Eldoret	Tribalism, favoritism and by officers who hail from the county.
55.	UAS 20	UASIN-GISHU NRB Eldoret west	The kshs.300/= fee for a replacement of an ID is unaffordable. It should be

			reduced.
56.	UAS 5	UASIN-GISHU NRB- Eldoret	The officers do not observe punctuality. They should be in the office at the right time.
57.	UAS 58	UASIN-GISHU NRB- Eldoret	The employees of the Registrar of Persons should reflect national image not one tribe in an office.
58.	NAK 118	NAKURU NRB Nakuru	The officers are very arrogant, proud and rude to applicants. They need customer care training to handle clients with dignity.
59.	NAK 119	NAKURU NRB Nakuru	Government to employ more staffs to avoid congestion and provide better services to the public.
60.	NAK 120	NAKURU CRB Nakuru	The officers are corrupt. To replace a new birth-certificate I paid kshs.1,000/= which took two months.
61.	NAK 146	NAKURU NRB Nakuru	Poor technology and incompetent staff leads to delay in issuance of ID cards and Pass-Ports.
62.	BM 6	BUNGOMA NRB	Careless in keeping records.
63.	BM 10	BUNGOMA NRB	Corruption and ethnicity are order of the day. Also too much congestion.
64.	MIG 38	KURIA NRB Kegonga	Insufficient staff and corruption practices. Also some offices do not offer services.
65.	MIG 40	KURIA EAST NRB Kegonga	One office serves two districts creating congestion at the centre of ID issuance.
66.	MIG 42	KURIA EAST NRB	Officers are not always in the offices. Some have overstayed in the station.
67.	MIG 47	KURIA WEST	Officials demand bribes and tribalism

		NRB Isibania	in the office.
68.	MIG 66	MIGORI NRB Awendo	Registrar officers lack respect for common mwananchi especially to old citizens. The clerks is very rude.
69.	MIG 2	MIGORI NRB Isibania	Clerks demand bribes to quicken the process.
70.	MIG 23	KURIA WEST NRB Kehancha	Delay in signing of permits at Isebania border immigration office due to absenteeism of the officers.
71.	NYA 1	NYAMIRA NRB	There is bias due to corruption.
72.	NYA 11	NYAMIRA RBD	The officers are corrupt, lazy and rude to mwananchi.
73.	UAS 44	UASIN-GISHU NRB Eldoret	Delay in issuance of ID/Pass-port documents. It takes even a year.
74.	KIS 11	KISII NRB	Tribalism and favouritism by some government officials.
75.	KIS 12	KISII NRB	The working environment is very dirty. Rude responses from clerks.
76.	NAK 4	NAKURU NRB	Delay in issuance of ID cards and lack of photography services.
77.	NAK 18	NAKURU NRB	Tribalism by government officials. They serve people based on their ethnic background.
78.	NAK 25	NAKURU NRB	The staffs lack knowledge of their work.
79.	NAK 38	NAKURU RBD	The work space is too small to accommodate many wananchi hence creating congestion.

80.	NAK 47	NAKURU RBD	Man-power: The clerks are very few to accommodate the population of the exercise.
81.	BUS 42	BUSIA NRB	Corruption by chiefs and village elders very high.
82.	BUS 10	BUSIA NRB Malaba	Some officers are very harsh and incompetent on duty.
83.	BUS 51	BUSIA NRB	Discrimination especially on the Somali community.
84.	BUS 58	BUSIA NRB	The Assistant Chief of Siginga frustrates people a lot. He is always out of the office.
85.	BUS 70	BUSIA NRB	People from other counties have problems in getting the ID as they are always referred to their mother counties.
86.	KIS 40	KISII RBD	Too much corruption and un-friendly staff.
87.	NAK 85	NAKURU NRB	Document has taken over 3 years to process, the applicant has given up.
88.	GAR 19	GARISSA NRB	Travelled 245 kms to be able to acquire documents.
89.	GAR 30	GARISSA NRB	Rude government officers.
90.	GAR 129	GARISSA NRB	Interviewee alleges nepotism and corruption from the vetting committees which comprise the area Provincial Administration officers (Chiefs and Assistant Chiefs).They only approve their relatives' documents. The rest have to bribe to be vetted.

91.	GAR 137	GARISSA CRB	Refugees who desire documents for purposes of acquiring citizen-ship are corrupting government officers to the detriment of Kenyans.
92.	GAR 148	GARISSA NRB	Applied for ID card twice but was never given. A bribe of KES 43,000/= was demanded by officers from the D.O's office but it wasn't given.
93.	GAR 198	GARISSA NRB Township Garissa	Treated unfairly because of his ethnicity (Somali). Rates have been fixed for documents i.e. ID cards KES 40,000/=, Passport KES 15,000/=, Birth Certificate KES 1,500/=.
94.	GAR 199	GARISSA NRB Daadab	Was forced to give KES 20,000/= as bribe in order to get document in 3 days despite having all the required supporting documents. Was not willing to give the officers name.