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CHAIRMAN'S REMARKS FOR THE 4th EIK REGIONAL FORUM – WESTERN REGION ON 6TH JULY, 2017 AT SIRIKWA HOTEL, ELDORET

The Director General NEMA, EIK Management Committee, the EIK members who are the rightful environmental experts, invited guests, all protocols observed.

Ladies and Gentlemen,

Good Morning,

On behalf of the EIK Management Committee, I take great pleasure to welcome and appreciate each one of you for joining us today to mark this important occasion of our 1st Official Western Kenya Regional Forum of the Environment Institute of Kenya (EIK) here at the Sirikwa Hotel, Eldoret.

This occasion indeed being our 4th Forum following one held in Mombasa, Nyeri and Nairobi, is as a result of a commitment made to experts at the 2nd A.G.M on 15th July, 2016 at Bomas of Kenya. The aim of the forum is to provide for information dissemination, understanding of emerging issues and challenges faced by experts and to develop strategies for better environmental management practice.

EIK is the recognised environmental professional body that champions the interests of the qualified environmental assessment experts and as well as improving the information dissemination parameters for sustainable development. Undeniably, this forum stands out to be the unique of all regional forums that precedes the 2017 A.G.M to be held on 14th July, 2017 at College of Insurance, South C in Nairobi.

Ladies and Gentlemen,

In view of the strides of the EIK achievements, the institute has been able within short time from its inauguration in the year 2015 to deliver the initial prospects and promises earlier made. The achievements are:

1. **Regional Forums:** This being the 4th of all regional forums, it is posed to deliberate on emerging issues that generate positive discussion amongst experts and seek areas of improvement as far as EIK is concerned. The idea of regional forums is no exception to the idea of devolution. The benefits of it all is to enhance service delivery while engaging the general public at a close range.

We are working towards making the regional forums mandatory as provided by the law to act as the platform where members attain the points that determine and improve the professional expertise. This is with regard to the **General conditions** of the annual practicing license.

2. **Registered Members:** The institute has managed to register **2,549** up from last year of **2,212** professional members who are all EIA/EA Experts. The members who have dutifully subscribe for the year 2017 are **1,710 (Associate, Lead & Firm of Experts)**. As matter of fact, it is indeed a good number considering the operation of EIK since it was officially launched in the year 2014. This absolutely depicts the growth of the membership number which will aid in strengthening the body professionally.

3. **Communication Strategy:** The institute has an able secretariat that has handled the communication issues which indeed provides the linkage between the institute management committee and the entire EIK membership. This has so far influenced

and improved on the information dissemination on emerging issues which is a pillar among the EIK guiding principles. The ongoing regional forums, government policies, institutional conferences, member's opportunities and all matters that directly and indirectly affect the members have been channelled to all the members on timely basis. Of this, varied views have been raised mostly verbally and electronically. We appreciate them as a guiding force to enhance high sound decision making to the good of the experts, development and environmental management.

4. Quarterly meetings with NEMA: Upon signing of the MOU with NEMA, we focused on ensuring that the objects of the MOU are achieved. The implementation of this document is now operational and will be implemented fully. This has been focused by having quarterly meetings between EIK & NEMA to oversee not only the objects of the MOU but also the emerging environmental issues that call for the shared response mechanisms. However, the meetings also focus on ensuring that professionalism is adhered in the field of environment at large. In so doing, the signing of Code of Practice and Professional Ethics shall be mandatory during the **annual membership and license renewal** to ensure that the **Unprofessional Experts (Quacks)** are not allowed to practice.

EIK recognizes immensely and greatly appreciates the work of the Environmental regulatory body (NEMA) and has moved boldly to engage it in the following ways;

1. The MOU between NEMA & EIK that we promised to be finalized and signed before end of last year. I am delighted to inform you that, the public signing was done during the 2nd EIK Forum – Central Region and EIK is implementing the Memorandum of Understanding (MOU) signed with NEMA accordingly.
2. Through working together, NEMA did invite the participation of EIK to contain ever growing list of the emerging issues. This is nonetheless, includes: the support of the ban of plastic bag as for the Gazette notice No. 2356 issued by the CS Environment and natural resource; discouraging the

approval of consumption of GMO's products in Kenya; reversing installation of the coal plant in Lamu County; re-reviewing the ESIA report for the SGR phase II; and other issues that drew our mutual responsibility.

3. Furthermore, on matters affecting experts and the EIA process, two nominees from the EIK management committee sit on the Environmental Experts Advisory Committee (EEAC) pursuant to the Code of Practice and Professional Ethics (COPPE) section 15 (2 & 3) and section 16. This is in line with the Regulation 13(3) of the Environmental (Impact Assessment and Audit) Regulations, 2003.
4. EIK as a professional body has been fully recognized by NEMA and therefore became entrenched in the Experts Registration and Licensing process. To this end, it marked the journey of ensuring that qualified, professional and genuine members are engaging in integrated environmental assessments and audits duties.

5. EIK-NEMA County Consultative Meetings: We are grateful to the CDE Nairobi County and we commend her on allowing to initiate the first County Consultative meetings. The same meetings will follow suit to all the 47 counties. The schedule will be available in the EIK website the moment the structured plan is finalized. The fundamental point to this course is to ensure the setting up of the County Environmental Committees (CEC) where two experts will be nominated by EIK through a merit process to serve for a specified time. This is to warrant that the environmental agenda (resolving the environmental concerns like; waste management, pollution effects, environmental degradation, county environmental legislation, grassroots environmental awareness, climate change and other related concerns.) is pushed and taken care of in the county level.

Ladies and Gentlemen,

To increase our visibility and contribute to the National environmental agenda, EIK continues to engage other environmental concerned stakeholders through dialogues and conferences. Notably, EIK has participated in:

- Engaging the CS of Treasury through submission of its commentary on the budget for the 2017/2018 to consider the environmental issues economically. With this, Mr. Suresh Patel one of the EIK committee members was commended by the CS Treasury for his write up regarding the budget gaps on fundamental sectors that plays a critical role as far sustainable development is concern.
- National Climate Change Steering Committee as convened by the Ministry of Environment and Natural resources. Mr. Suresh Patel, a committee member of EIK and an EIA Lead expert sits in the national board that deliberates on the national Medium Term Plan III (2018-2022) on climate change as per the vision 2030 aspirations. The COP 21 Paris Agreement though voluntary for countries to implement in capping greenhouse gas emissions must form part of our national climate change agenda. As a country we have more to lose if we do not prioritise matters climate change at a national and as well as at a county level.
- The Multi-stakeholder forum on the 1st Devolution on Sustainable Development Conference by **Serano Africa**. This was in ***Enhancing Institutional Arrangements for Sustainable Development in the Counties***. The key goal was to establish frameworks for creating and delivering scalable value for sustainable development within the devolved system. The conference was part of the wider activities aimed at the implementation of the SDGs Road Map – The Transition Strategy in Kenya.
- The Presidential Round Table discussion convened by the Kenya Private Sector Alliance (KEPSA). This was a forum by the public and private

institutions to present what the government needs to prioritize in ensuring that the current challenges that cut across all sectors are addressed accordingly.

- The Waste Management Conferences; i.e Industrial Symbiosis by KNCPC, NEMA & SME's, Waste Management for Industrial and Urban Stakeholders, Environmental Impact Reduction and Business Models by "German Embassy Green Economy Cycle (GEGEC)", and others that aimed at ensuring that Article 42 of the constitution of Kenya is taken into consideration.

Ladies and Gentlemen,

The tremendous strides cannot be achieved at the initial stretch, rather, the encounters have to be identified and tackled head on. Some of the identified contests to be keenly focused are:

1. Review of EIA curricula and vetting process: This is a concern that most of EIA/EA Experts have been assertive for the institute to respond on the same. The issue requires a concerted effort to arrive at the most favourable resolution. The institute indeed has taken the right path in by getting the divergent views across the board for final determination.

This will be achieved through continuous consultations with the department of Environmental Education and Public Participation of NEMA. Universities that offer Environmental Degree course studies will be engaged as a priority as well. This is to consider the changing environmental modalities that includes not only an impact but also the policy integrated assessment.

2. MOU with Wangari Mathai Institute of Peace and Environmental Studies:

According to the object (b) of the EIK constitution, we are in the process of finalizing the MOU with WMI to offer environmental related courses and Continuous Professional Development (CPD's) to consider the knowledge on the current environmental emerging issues. This is to be considered with other

institutions of interest to make certain that the environmental agenda is taken into consideration across the sector.

3. Professional remuneration guidelines: Noting keenly on the concerns of the EIA/EA Experts for the professional consultancy fee on EIA/EA processes. The institute has developed a draft remuneration guidelines and in due course, will seek to carry out a wider consultative arrangements to accommodate the views of experts to determine its final stand. This should be acceptable to the experts and recommendable to other relevant stakeholders. This certainly, needs concerted efforts amongst the interested players.

4. Accredited model contract: The mechanism will serve as a binding means between the project proponents and the EIA/EA Experts. This will definitely reduce the incidences of remuneration clearance, defection of parties therein, and documents delivery. This will also be served concurrently with the remuneration guide.

5. Partnerships and Affiliations: The institute is engaging different environmental affiliate bodies to gain membership so that the local Experts can be recognized on a much wider scale due to their relevancy. Currently, we have partnered with KEPSA to drive the environmental agenda in the country. Our membership in KEPSA is a key objective to the fact that development cannot augur well without taking note of environmental concerns. And with this, matters environment will be climbing a higher notch for consideration for sustainable development.

Also, membership to Association for Professional Societies of East Africa (APSEA) is at an advanced stage in order to be recognized as a bonafide member. We were grateful to have attended the APSEA 2016 Gala Dinner on 6th November, 2016 where we interacted with members of other professional bodies. In this regard, the principle of affiliation is at its course to advance EIK agendas.

6. Public Relations & Visibility: EIK's visibility in the public and private sector is improving. Recently we were in support of the ban of the Plastic Bag and luckily what we put across as the alternative measures have been considered by KEBS. We participated in the launch of Rapid Response Initiative on Waste Management, Taskforce review for *EIA/EA Regulations, 2003 & 2012* and quite a number of agencies and counties have expressed keen interest to work with EIK. This is indeed quite a positive gesture.

For the public sector to recognize us EIK needs to meet probably all major Ministries and Public corporations. EMCA compels all Ministries to create an Environment Department. The same will be required at all lead agencies including Counties.

This will be achieved by developing a template for creation of the respective environmental department. This will include number of staff required, their qualifications, criteria for such employment, their goals and targets, etc.

Such a development will help EIK to meet its mandate and create respect for the institution.

7. Enhanced Private Sector Engagement: For the private sector, most importantly EIK can do is to re-establish and improve credibility of environmental management tools like the EIA and Environment Audit report. Private sector, for example, carry out EIA/EA's because they fear unnecessary disturbances from NEMA. We need to create ideas to change this perception in favour of our profession.

We can request all banks or financial institutions to ask for an Environmental report before approving any financial lending or guarantees. No loan will be approved unless a quality EIA/EA is conducted by a client. EIK can offer services to confirm the quality report. Such a requirement will create economic value of an Environmental Assessment.

This could see banks preferring to offer attractive interest rates when they see an enterprise with an effective EIA/EA (which includes well designed EMP). In fact, in the EMP, a Bank will notice areas of investment and may recommend the enterprise to take up a loan or other financial tool.

Insurance companies can be convinced to reduce premiums on an insurance package as a proper Environmental Assessment will reduce the risk of operations and improve sustainability.

As I conclude let me state that “**Environmental Matters are our communal everyday 24-hour concern**” and equally, EIK will have no boundary in fostering the acclaimed EIA/EA Experts. This will be done by promoting public participation through information dissemination, developing capacity building through sharing of available opportunities, enhancing ethical adherence through the sharing out of the Code of Practice and Professional Ethics (CoPPE). Issues of regulation and policy assessment through oversight and adherence to the principle of sustainable development shall bring about a cleaner, healthier and safer environment as per the article 69 of the constitution of Kenya.

As we approach the general elections next month where we as experts will be expected to vote for our choices, it is indeed noticeable that the manifestos being released and launched have virtually no input from environmental experts and that certainly is a cause of concern. I ask you to put great thought to that and if you are like me, you will be very alarmed and worried for mother nature in Kenya.

Let me leave you all with this simple quote as I conclude my remarks:

“I don’t want to protect the environment, but I want to create a world where the environment doesn’t need protecting”.

Thank you all and God bless you all!!!!

Herbert Mwachiro

Chairman.

Environment Institute of Kenya