REPUBLIC OF KENYA

Kenya Diaspora Policy

June, 2014

FOREWORD

This Policy has been developed in recognition of the urgent need to mainstream the Kenyan Diaspora into our national development process in line with the aspirations and goals of the Kenya Vision 2030. The Kenya Vision 2030 recognises Diaspora contribution as a major enabler to the growth of our economy and critical factor in the achievement of our overaching vision of a globally competitive and prosperous Kenya by the year 2030. It is in recognition of this imperative that development of a Diaspora Policy was identified as one of the Kenya Vision 2030 flagship projects. Furthermore, Diaspora Diplomacy is now one of the pillars of the Kenya Foreign Policy.

According to the Central Bank of Kenya statistics, inward formal remittances from the Kenya Diaspora stood at Kshs 113 billion in 2013, accounting for 2.98% of the country's Gross Domestic Product (GDP). Further there exists enormous potential in skills, knowledge and expertise by the Kenyans abroad which is not being utilized in the country. This is an indication that the Diaspora has a huge and untapped potential to positively contribute to the growth of our economy.

As a Government we have an obligation to engage and facilitate our citizens not only locally, but also abroad as stipulated in the Constitution of Kenya. The Consitution also provides for the right to vote as well as the right to dual citizenship for all Kenyan citizens living abroad. This policy has therefore been developed to facilitiate a mutually beneficial relationship between the country and its Diaspora.

Some of the key interventions proposed in this Policy Paper are: curbing the high cost of remittances, improving consular services to address issues of Kenyans abroad, using the Kenyans abroad to promote tourism, tapping into Diaspora talents to reverse the current brain drain and designing a dedicated web portal to facilitate collection of data and profiles of Kenyans abroad for proper planning and engagement.

The succesful implementation of this policy, proposed programmes and projects will involve several actors. The execution of the proposed programmes and projects therefore, calls for a multi-sectoral and collaborative approach from all the stakeholders.

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ACKNOWLEDGEMENT

The Kenya Diaspora Policy is a product of a highly participatory and consultative process which brought together all stakeholders with concrete and longstanding expertise and knowledge on Diaspora issues. The Policy therefore benefited from views and input from relevant Government Ministries, Departments and Agencies, Diaspora Associations, private sector, civil society, NGOs and development partners. The Ministry of Foreign Affairs and International Trade and the Ministry of Labour, Social Security and Services played a lead role in the development of the Policy. Kenyans abroad were ably represented by Diaspora Associations such as the Kenya Diaspora Alliance (KDA) and the Kenyan Community Abroad (KCA) . The contribution of partner organizations such as the World Bank and the International Organzation for Migration (IOM) towards building the institutional capacity of the Ministry in the management of labour migration and Diaspora issues are invaluable. It is expeceted that all the stakeholders will continue to actively engage and contribute to the successful implementation of this Policy.

The Ministry is strongly indebted to officers from the Ministries in charge of Labour, Social Security and Services, Devolution and Planning, Information, Communication Technology, Immigration and Registration of Persons, East African Community, Trade and Tourism, Education and Health. Similarly, we received very valuable contributions from experts at the the Capital Markets Authority,Central Bank of Kenya, Kenya National Bureau of Statistics, Kenya Institute of Public Policy and Research, Independent Electoral and Bounderies Commission, Kenya Investment Authority, the Federation of Kenya Employers and the Kenya Association of Private Employment Agencies. Their contribution in the finalisation of this policy was not only timely and welcome, but was instrumental in shaping its content.

Finally, I wish to thank the Ministry staff both at the headquarters and Kenya Missions Abroad for spearheading the successful completion of this policy.

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ACRONYMS

AIR	-	African Institute for Remittances
AUC	-	African Union Commission
AU	-	African Union
BLA's	-	Bilateral Labour Agreements
CBK	-	Central Bank of Kenya
CBO	-	Community Based Organization
CMA	-	Capital Markets Authority
COMESA	-	Common Market for Eastern and Southern Africa
COTU	-	Central Organization of Trade Union
EAC	-	East African Community
FBO	-	Faith Based Organization
FKE	-	Federation of Kenyan Employers
GDP	-	Gross Domestic Product
ICT	-	Information and Communication Technology
IEBC	-	Independent Electoral and Boundaries Commission
ILO	-	International Labour Organization
IOM	-	International Organization for Migration
IRA	-	Insurance Regulatory Authority
ITES	-	Information Technology Enabled Services
KAPEA	-	Kenya Association of Private Employment Agencies
KDA	-	Kenya Diaspora Alliance
KCA	-	Kenyan Community Abroad
KNBS	-	Kenya National Bureau of Statistics
KenInvest	-	Kenya Investment Authority
KIPPRA	-	Kenya Institute for Public Policy, Research and Analysis
KRA	-	Kenya Revenue Authority
KTB	-	Kenya Tourism Board
MDAs	-	Ministries, Departments and Agencies
M & E	-	Monitoring and Evaluation
MSE	-	Micro and Small Enterprises
NADICOK	-	National Diaspora Council of Kenya
NESC	-	National Economic and Social Council
NGO	-	Non-Governmental Organization
NRK	-	Non-Resident Kenyans
PKO	-	Persons of Kenyan Origin
ODA	-	Overseas Development Assistance
RBA	-	Retirement Benefits Authority
TOKTEN	-	Transfer of Knowledge through Expatriate Nationals
UN	-	United Nations

EXECUTIVE SUMMARY

This Diaspora Policy is a response to the urgent need for mainstreaming the Kenyan Diaspora into national development process in line with the aspirations and goals of the Kenya Vision 2030 development blue print. The Kenya Vision 2030 recognizes Diaspora contribution as a critical component to the growth of our economy and in the achievement of our overarching vision of a globally competitive and prosperous Kenya by the year 2030.

The Kenyan Diaspora consists of people of Kenya origin and non-resident Kenyans residing outside the country. It is well documented that Diaspora account for significant share of the Kenyan GDP. Similarly, the contribution of the Diaspora in terms of skills, expertise and transfer of knowledge to Kenya is invaluable though this potential is not yet fully developed or harnessed.

Despite the huge potential of the Kenyan Diaspora, there are challenges hindering its contribution to national development. Some of the challenges include; the high cost of remitting money, inadequate capacity to offer consular services, inadequate mechanisms of protecting Kenyans in the Diaspora, weak structures to inform Kenyans in the Diaspora of investment opportunities, untapped skills and expertise and lack of an integrated database on Kenyans abroad.

The broad objective of this policy is to empower Kenyans abroad to effectively make greater contribution to the development of the country. To actualize this objective, the following strategies have been identified: enhancing capacity to offer consular services, reducing the high cost of money remittance, developing an incentive framework for promoting Diaspora participation in national development, tapping into Diaspora skills, knowledge and expertise, and encouraging participation of Kenyans citizens abroad in the democratic processes in the country among others.

The successful implementation of this policy will require the involvement and active participation of Government Ministries, Departments and Agencies, Kenyans Diaspora Associations, Development Partners, Private Sector, Civil Society, Non-Governmental Organizations, Community Based Organizations and Faith Based Organizations (FBOs). A National Diaspora Council of Kenya will be established to promote consistency and better coordination as well as strengthen support for the role of this Ministry

Monitoring and evaluation of this Policy will be undertaken within the framework of the National Integrated Monitoring and Evaluation System (NIMES). The Framework

will provide for regular consultation and feedback between Agencies entrusted with the implementation of this Policy.

CHAPTER ONE

INTRODUCTION AND BACKGROUND INFORMATION

1.0 Introduction

The Government of Kenya recognizes the key role that Kenyans abroad play in the development of our nation. However, this huge potential remains largely untapped. To successfully harness this potential the government is committed to involving Kenyans abroad in the national development agenda. The role of the Diaspora in the realisation of the Kenya Vision 2030 is recognised especially in driving investments in the priority sectors of the economy such as education, financial services, health, housing, ICT enabled services, Business Process Outsourcing (BPO), manufacturing and tourism. This policy therefore contains strategies aimed at effective deployment and utilisation of the expertise, technical know-how and the entrepreneurial skills of the Kenyans abroad. Similarly, the importance of Kenyans abroad has been fully recognised in the Constitution of Kenya.

The International Organization for Migration (IOM) defines Diaspora *as members of ethnic and national communities who have left, but maintain links with their homelands.* The African Union on the other hand, defines the African Diaspora as, "*Consisting of people of African origin living outside the continent irrespective of their citizenship and nationality and who are willing to contribute to the development of the continent and the building of the African Union".*

For the purpose of this policy, Kenyans Abroad are defined as *consisting of Persons of Kenyan Origin (PKO) and Non-Resident Kenyans (NRK's). PKO status designates foreign citizens of Kenyan origin or descent. On the other hand, NRK status is for Kenyan citizens holding a Kenyan passport and/or having dual citizenship and residing outside the country whether for employment, business, vocation, education or any other purpose.*

1.1 The Kenyan Context

Kenyans have been migrating in large numbers to different parts of the world since the 1960s to acquire better training, education, job opportunities and for political reasons. To date Kenyans continue to migrate in search of better economic opportunities, resulting in a major brain drain. The number of Kenyans abroad is estimated to be about three (3) Million and is continuously on the rise. Indeed the Diaspora possesses immense resources which can greatly contribute to the transformation of our country as envisaged in the Kenya Vision 2030. Part of these resources include inward formal remittances, which according to the Central Bank of

Kenya stood at Ksh. 113 billion (USD 1.29 billion) in the year 2013, accounting for 2.98% of the Gross Domestic Product .

Despite the critical role played by Kenyans abroad in the transformation process of the country, Kenya continues to face many challenges in harnessing their potential due to lack of a comprehensive framework to fully integrate them in national development.

1.2 Global Outlook

Over the last 45 years, the number of persons living outside their country of birth has more than doubled from an estimated 75 million in 1960 to nearly **215 million (UN, 2009) representing 3%** of World population. About **30 Million Africans** are living outside their home country (IOM and KNBS). These figures clearly indicate how crucial the management of international migration is, especially in view of the magnitude of the movement of people across borders for employment. The issue has now moved to the top of policy agenda in many countries of origin, transit and destination. Governments at both ends of the migration spectrum are increasing their capacities to manage labour migration for the mutual benefit of society, migrants and the state. This has therefore necessitated the need for policy, legal and institutional mechanisms to manage and control the movement of people regionally and internationally.

The African Union recognizes the role played by the Diaspora in the development of the continent. The Extra – Ordinary Summit of the Assembly of Heads of State and Government of the African Union in its meeting held in February, 2003, declared the African Diaspora as the sixth development region of the continent. The declaration was based on the recognition of the African Diaspora as an important part of the continent whose potential needs to be fully exploited in building the African Continent. Similarly, the Declaration of the Global Africa Diaspora Summit of May, 2012 underscored the need to build sustainable partnerships between the African continent and the African Diaspora through sustainable dialogue and effective collaboration with governments and peoples of different regions of the world in which the Diaspora populations are located. Kenya ratified the Amendment to the AU Constitutive Act Article 3(q) that "*invites and encourages the full participation of the African Diaspora as an important part of our continent in the building of the African Union*".

To underscore the importance of remittances to African countries, the Executive Council of the Africa Union through its decision of January 2013 accepted Kenya's offer to host the African Institute for Remittances. The Institute is expected to assist

in capacity building of member states of the AU, remittance senders and recipients, and other stakeholders, to manage remittances.

Similarly, the Treaty for the establishment of the East African Community (Article 104) provides for free movement of persons, labour, goods, services and the right of establishment and residence of their citizens within the Community. This is further reiterated in the Common Market for East and Southern Africa Protocol on the free movement of labour.

Countries such as China, India, México, Philippines and Israel have significantly benefited by capitalizing on their links with their Diaspora. Other countries have also initiated measures to design policies and legislation to create an enabling environment for the Diaspora to participate fully and contribute to the development of their countries especially through remittances. According to the World Bank, remittances to developing countries are three times the Official Development Assistance. The remittances are estimated to be about $406 Billion (World Bank, 2012). The World Bank estimates that remittances sent through informal channels could add up to at least 50 per cent of the official estimate, making it the largest source of external capital in many developing countries.

1.3 Challenges to the effective contribution of the Kenyan Diaspora in national development

It is recognised that Kenyans abroad have and continue to make significant contribution back home. Despite this, there still remain many challenges that have impaired their effective contribution to the National Development agenda. First and foremost are the in-adequate capacity constraints in terms of both budgetary allocation and personnel at the diplomatic missions abroad to offer effective and efficient consular services to Kenyans abroad, especially where we have high concentration of Kenyans. The Government has a constitutional responsibility to protect its citizens and their property both within and outside the country. However, some Kenyans working abroad, both skilled and unskilled, are exposed to unsuitable working conditions due to lack of a national labour migration legal framework. Non-registration by Kenyans abroad with the Kenya diplomatic missions abroad has also hampered their protection and this further constraints effective delivery of consular services.

The adoption and uptake of Information Technology Enabled Services (ITES) by government has been low. This has resulted in underutilisation of online services thus inhibiting the efficient and effective provision of services to Kenyans Abroad.

In addition, sourcing and management of data on Kenyans Abroad has been a challenge to the Government for a long time. The current situation is characterised by existence of fragmented and uncoordinated data bases from different government ministries, departments and agencies. This has hampered effective planning, engagement and support for Kenyans Abroad. Further to this, the Constitution of Kenya guarantees Kenyans dual citizenship and participation in democratic process whether within or outside the country. However due to an inadequate database and difficulties in registration of Kenyans abroad, a number of Kenyans could not participate in the general elections held in March 2013.

Kenyans abroad continue to play an important role in the development of the country through remittances. However, the cost of remitting money back home through the existing formal channels remains high leading to the use of informal channels. This makes it difficult for government to track remittances and to advise Kenyans appropriately. Weak structures and uncoordinated mechanisms to create awareness for Kenyans Abroad on the investment opportunities available in different sectors of the economy is also another challenge, coupled with lack of incentive framework to promote Diaspora investments.

Kenya continues to witness migration of its citizens and the attendant brain drain to other countries, notably, to the developed world. A large population of Kenyans Abroad possess critical skills, expertise and technical know-how that can positively be utilized for the development of the country. The Government is also unable to attract qualified and skilled human resource from Kenyans Abroad due to lack of a mechanism and financing for skills transfer and capacity building, thus inhibiting reverse transfer of intellectual capital.

Moreover, effective co-ordination is critical in the formulation and implementation of policies as it is also a pre-requisite for enhanced monitoring and evaluation. Currently, various initiatives targeting Kenyans Abroad are scattered in various Government Ministries, Departments and Agencies (MDAs). There are no clear co-ordination and linkage mechanism between various government agencies to enhance harmonization of their policies and initiatives. This has resulted in disjointed policy actions, duplication of efforts and wastage of scarce resources. This is also compounded by the uncoordinated and disjointed nature of the Kenyan Diaspora community where there is a clear lack of cohesion amongst them.

Kenyans abroad contribute to various social security services in their countries of residence. On termination of their services, there are no bilateral agreements or formal framework to facilitate transferability and portability of Social Security Benefits to Kenya. In addition, there is need to ensure full integration of returnees into society.

1.4 Lessons learnt from global best practices

In developing this Policy, the Ministry of Foreign Affairs and International Trade, Ministry of Labor, Social Security and Services together with the Department of Immigration and Registration of Persons, undertook a study visit to India and Morocco in 2012. The two countries were selected based on the successful policies put in place in engaging their Diasporas in the development agenda of their countries of origin and the strategies used to achieve this. Relevant lessons learnt from the study visit were used to enrich this policy and will further be applied in its implementation.

This policy further draws from lessons and experiences learnt during the Diaspora Ministerial Conference held in June, 2013 in Geneva Switzerland where the Ministry was represented. During the Conference, the Ministry learnt best practices geared towards developing strategies to better engage and empower Diaspora communities and promote them as development actors. The lessons learnt were used to enrich this policy and will be central in the implementation of various initiatives outlined in this policy.

CHAPTER TWO

POLICY OBJECTIVES AND STRATEGIES

2.1 Rationale for developing the Policy

The Constitution of Kenya and the Kenya Vision 2030 recognise the potential of Kenyans Abroad in contributing to national development. This potential has not been fully exploited, partly due to the absence of a policy to engage them. This policy, therefore, contains specific measures and interventions, including, the requisite legal and institutional framework that will be put in place to address past weaknesses that have impeded full participation and contribution of Kenyans Abroad in the development of the country.

Moreover, Kenyans Abroad are passionate about their homeland and are eager to share positive information about their country in their respective countries of residence, making it easy to leverage on their presence with a view to promoting Kenya's tourism, export, image, culture and goodwill.

Further, it is noted that Kenya has a well-trained labour force. Past experience has shown that Kenyans who have gone to work in other countries have performed very well. With a constrained labour market in Kenya, it is imperative that Kenya plans to deliberately export its labour, and hence, put in place, the necessary regulatory framework that will protect Kenyans who migrate abroad under this arrangement. This will generate the highly needed foreign exchange.

2.2 Policy Objectives

The broad objective of this policy is to mainstream and empower Kenyans Abroad to effectively make a significant contribution to the development of the country. The main thrust of the policy, therefore, is to harness and maximize the potential of Kenyans Abroad to contribute to Kenya's transformation agenda while at the same time meeting their needs and expectations through a mutually beneficial and lasting partnership.

The specific objectives of this Policy are to:-

1. Develop and implement strategies to engage, empower and mainstream Kenyans Abroad into national development process;
2. Mobilize Kenyans Abroad to form town, city or country specific umbrella associations which have a national outlook as well as regional and global umbrella associations for effective engagement and representation;

3. Develop measures to enhance protection of Kenyans Abroad;
4. Develop mechanisms for dialogue and partnership with Kenyans Abroad; and
5. Establish the necessary institutional mechanism for co-ordination and administration of issues affecting Kenyans Abroad.

2.3 Guiding Principles

This policy is based on the following principles:-

a) **Recognition** of the important role played by Kenyans Abroad in the socio-economic development of the country and the need to synergise the efforts of all stakeholders in the Diaspora issues;

b) **Participation.** All the stakeholders will be involved and fully participate in policy formulation together with all the issues that directly affect them, to enable appropriate responses that specific expectations into account;

c) **Engagement:** Kenyans abroad will continuously be engaged in the implementation, monitoring and evaluation to provide feedback and facilitate timely policy interventions;

d) **Empowerment** -through this policy, Kenyans Abroad will be empowered to invest in Kenya, leverage remittances and deepen knowledge and technology transfer;

e) **Coordination.** This policy will provide a mechanism where all the activities relating to Kenyans abroad will be well coordinated among all the stakeholders to eliminate overlaps and duplication;

f) **Gender and youth responsiveness**- this principle will seek to recognize that a gender-balanced Policy can lead to appropriate responses that take spec**i**fic expectations into account;

g) **Decentralisation**-in conformity with the Constitution of Kenya critical functions of the national Government have been devolved to the County Governments. Initiatives aimed at harnessing the potential of Kenyans Abroad will be facilitated for the mutual benefit all Kenyan, in and outside the country. The Ministry will work closely with County Governments to facilitate mutually beneficial engagements with Kenyans Abroad.

2.4 Strategies

The following strategies will be implemented to achieve the above objectives.

2.4.1 Promote continuous dialogue with Kenyans Abroad

For a long time, there has been mistrust amongst Kenyans Abroad, Kenyans at home and the Government. This is due to inadequate efforts to create an ideal

platform through which Kenyans Abroad, Government and other stakeholders can dialogue on issues of mutual benefit.

The government will implement strategies aimed at enhancing constructive dialogue and conducting civic education between Kenyans Abroad and other stakeholders to create better understanding and a common ground as the basis for mutual engagement.

2.4.2 Enhance capacity to offer Consular Services

The Government will strengthen and enhance the capacity of Kenya missions abroad through deployment of additional staff to missions in countries with a high concentration of Kenyans in order to effectively deal with diverse issues affecting Kenyans Abroad. The Government will further expand its diplomatic presence in strategic locations to take consular services closer to Kenyans residing in those areas.

2.4.3 Develop mechanisms of reducing the high cost of remitting money

Recent developments in the information and communication technologies in the country have given birth to a mobile based payment and money transfer systems such as M-Pesa, Airtel Money, Nation Hela and Tangaza Pesa among others. The systems are now being used by Kenyans Abroad in some selected countries to send money back home. The use of mobile money transfer is one of the many alternatives to remit money back home, if expanded to other countries, it will go a long way in lowering the cost of money transfer resulting to increased remittances. The Government will explore alternative channels of remitting money and also engage financial institutions involved in money transfer to negotiate lower costs of remittances.

2.4.4 Develop an incentive framework to promote Diaspora participation in national development

The Government will develop incentives and tailor -made investment packages to encourage Kenyans Abroad to direct their remittances towards productive ventures both at the National and County levels. The Government will also: harmonize investment promotion and facilitation initiatives targeting Kenyans Abroad; undertake policy advocacy on targeted investment opportunities in partnership with umbrella bodies through the Kenya Missions Abroad; establish intermediary facilities to provide investment management services; and develop specific investment products and incentives that specifically target Kenyans Abroad such as the Government securities and Public Private Partnership (PPP) engagements and establish a mechanism of assisting and protecting the investments by the Diaspora.

Similarly, the Government will establish the Kenya Ambassadors Programme to provide a framework for empowering professional and registered associations or groups of Kenyans Abroad to promote Kenya's tourism, investment, culture, and artist among others.

2.4.5 Enhance mechanisms for protecting Kenyans abroad

Pursuant to the Constitution of Kenya, the Government commits to protect its nationals both within and outside the country. To this end, the Government will undertake the following measures: negotiate and sign bilateral labour agreements with host countries; strengthen regulatory framework for employment agencies; review the labour institutions Act, 2007; conduct pre-departure training for migrant workers and students going for further studies abroad; conduct awareness creation for Kenyans going abroad through travel advisories; and facilitate registration of Kenyans Abroad through Kenya's diplomatic missions; and, revamp the existing labour recruitment system to make it more professional and accountable.

2.4.6 Develop an integrated database on Kenyans Abroad

In order to improve access to timely and quality information on Kenyans Abroad and thereby enhance their engagement, the Government will develop and implement an Integrated Diaspora Information System. Kenya's Diplomatic missions will sensitize Kenyans Abroad to create awareness on benefits of registration.

In addition, measures will be put in place to strengthen existing institutions and documentation centres that specialize in information related to Kenyans Abroad. In this regard, the Government through the Ministry of Foreign Affairs and International Trade, Ministry of Labour Social Security and Services, Ministry of Education, Ministry of Health, Ministry of Devolution and Planning, Ministry of Interior and National Government Coordination and Kenya National Bureau of Statistics will maintain and update an integrated database on Kenyans Abroad.

2.4.7 Develop an up to date inventory of Diaspora expertise and skills

The Government will put in place structures, programmes and incentives to attract and utilize qualified and skilled Human Resource drawn from Kenyans Abroad. In this regard, the Government will on a regular basis develop and update

Similarly, the government will put in place mechanism and measures to promote transfer of knowledge and skills *virtually* through online support in order to build local capacity of the Kenyan nationals. In this regard, information will be made available to Kenyans Abroad on skills shortages and corresponding employment opportunities in Kenya. The Government will also introduce and operationalize an

award and recognition scheme for Kenyans Abroad who have excelled in their area of specialisation

2.4.8 Leverage on the use of Information and Communication Technology (I.C.T) Enabled Services

In order to enhance efficiency in engagement with the Kenyans Abroad, the Government will develop and operationalize an interactive Diaspora web portal and offer online consular services at the Ministry headquarters and diplomatic missions abroad.

2.4.9 Develop reintegration mechanisms for returnees

Kenyans Abroad returnees are often faced with the challenge of assimilation into society. In collaboration with other stakeholders, the government will implement the following interventions: develop a framework for the transferability and portability of social security benefits, negotiate bilateral instruments to facilitate the transfer of Social security benefits; formulate programs to absorb returnees; conduct debriefing and counselling of returnees (re-integration programme) especially those who have undertaken security/military training and set up help desks in government institutions and other agencies that interact with Kenyans abroad.

2.4.10 Harmonize and conduct pre-departure training

In partnership with stakeholders, the Government will develop a framework for skills upgrading and pre-departure orientation of potential emigrants in order to improve their competitiveness in the international job market. Further, public education programmes aimed at creating awareness for parents/students travelling for study abroad as well as other individuals leaving Kenya to reside abroad will be undertaken.

2.4.11 Develop Legislative Framework

The Government will review the Labour Institutions Act, 2007 to make provision for Kenyan private employment agencies to register with the Kenya Association of Private Employment Agencies (KAPEA) before receiving accreditation. The Government will further gazette Regulations and Guidelines on operations of private employment agencies and attestation of foreign contracts of service.

2.4.12 Promote participation in democratic processes by Kenyans Abroad

The Constitution of Kenya laid a firm foundation by entrenching Diaspora fundamental rights to participate in the country's democratic processes. In particular, the Constitution guarantees Kenyans Abroad Dual Citizenship and the right to vote during national elections. Holding dual citizenship provides an important and sustainable connection between Kenyans Abroad and their host country.

Similarly, dual citizenship enhances Diaspora participation in development of their motherland. .

During the 2013 general elections, Kenyans living in 4 of the East Africa Community partner States were registered and facilitated to vote. In this light, the government will, in subsequent general elections endeavour to increase registration coverage with a view to enhancing voting by Kenyans Abroad; conducting voter education ; training IEBC and mission staff on conduct of voter registration and elections exercise.

2.4.13 Promotion of Philanthropic Initiatives

A number of international forums have underscored the need for appropriate frameworks to enhance Diaspora engagement in supporting post-crisis recovery among other initiatives.

The Government will therefore encourage and facilitate Associations of Kenyans Abroad or even individual Kenyans to form non-profit making foundations to support philanthropic initiatives in the country, both at the national and county levels.

2.4.14 Develop mechanism of engagement with the Diaspora Youth

Diaspora is composed of a large population of youth which belong to the second generation born to Kenyan parents. This population will continue increasing both in numbers and generations. This population may be delinked from Kenya due to their lack of attachment to the country. The Government will therefore establish a mechanism of engaging with the Kenyan youth in Diaspora to provide continuity, linkage and a sense of belonging to their mother country.

CHAPTER THREE

INSTITUTIONAL AND IMPLEMENTATION FRAMEWORK

The Government is committed to the implementation of strategies outlined in this Policy which are meant to mainstream and ensure effective participation of Kenyans Abroad in the national development agenda. To achieve this, the Government will put in place an effective implementation, monitoring and evaluation framework.

The successful implementation of this policy will also require involvement and active participation of government line ministries, departments, agencies, Kenyans Abroad Associations, Development Partners, Private Sector, Civil Society, Non-Governmental Organizations (NGOs), Community Based Organizations (CBOs) and Faith Based Organizations (FBOs). The institutional framework therefore provides for the roles and responsibilities of various institutions and agencies entrusted with the implementation of various aspects of this Policy. The framework also facilitates reporting and regular feedback.

3.1 Coordination mechanism

The Ministry of Foreign Affairs and International Trade which has been mandated to manage the affairs of Kenyans Abroad continues to face challenges in coordination of their mandate. In order to strengthen the role of the Ministry and to eliminate overlaps and promote consistency in the management of issues of Kenyans Abroad, a National Diaspora Council of Kenya (NADICOK) will be established.

3.2 National Diaspora Council of Kenya

The Council will play an advisory role to the government on issues of Kenyans Abroad. The Council will also carry out research and benchmark with countries with best practices Diaspora policies with a view of improving policies, programmes and institutional arrangements for the mutual benefit of the country and Kenyans Abroad. Further, the Council in consultation with the Ministry of Foreign Affairs and International Trade and other stakeholders will be charged with the responsibility of organizing annual home-coming conferences by Kenyans Abroad, organizing an annual award scheme for the recognition of outstanding performance of Associations of Kenyans Abroad and individuals and any other activities, within and outside the country. The Council will operate under the Ministry of Foreign Affairs and International Trade.

3.3 Role of Government Ministries, Departments and Agencies

It is recognized that MDAs have an important role to play in support of Kenyans Abroad. In this regard, it is expected that MDAs will facilitate participation of Kenyans Abroad in development and economic oriented activities by creating a favourable legal and policy framework for their operations.

The following are specific roles of various MDAs involved in facilitation of Kenyans Abroad:-

3.3.1 Ministry of Foreign Affairs and International Trade

The Ministry will remain the apex institution charged with the overall responsibility of coordinating issues of Kenyans Abroad and in particular overseeing the successful implementation of this policy. The Ministry will therefore strengthen its institutional capacity especially the Directorate in charge of affairs of Kenyans Abroad to be able to effectively carry out this mandate. The Directorate will also serve as the Secretariat to NADICOK. In addition, the Ministry will guide Kenya Missions Abroad to effectively handle issues related to Kenyans Abroad. The Ministry working with other MDAs and Kenya missions abroad will also establish and continuously update the database of Kenyans Abroad.

Further, the Foreign Service Institute (FSI) will develop a curriculum on Kenyans Abroad to and County Governments with the necessary skills to facilitate productive engagement with Kenyans Abroad. It will also undertake research on Kenyans abroad, and keep the Ministry abreast with global best practices on Diaspora engagement strategies.

3.3.2 Ministry of Labour, Social Security and Services

The Ministry of Labour, Social Security and Services will provide the necessary legislative, policy, administrative and institutional framework for effective management of labour migration issues. To achieve this, the Ministry will review the Labour Institutions Act, 2007 to make provision for Kenyan private employment agencies to register with the Kenya Association of Private Employment Agencies (KAPEA) before receiving accreditation. The Ministry will further issue and gazette Regulations and Guidelines on operations of private employment agencies and attestation of foreign contracts of service. The Ministry will also review the Employment Act, 2007 to make it mandatory for Kenyan Recruitment Agencies engaging Kenyans to work abroad to deposit a bank guarantee as stipulated in the prevailing regulations on accreditation of private employment agencies. The Ministry

will also develop a Policy and establish a Labour Migration Unit to deal with labour migration issues.

Similarly, the Ministry will develop and maintain a skills inventory from the Manpower Survey and update it regularly with a view to facilitating online access by stakeholders, to data on labour market and other related information. . The Ministry will establish a labour migration data base which will be regularly updated and accessible to all relevant government institutions for decision making. In addition, the Ministry will facilitate knowledge and skills transfer and partner with relevant Ministries to facilitate signing of Bilateral Labour Agreements to ensure fair working conditions as well as enable Kenyans working abroad to transfer their social security benefits.

3.3.3 Ministry of Devolution and Planning

The Ministry will ensure that issues of Kenyans Abroad are mainstreamed in the national development agenda. Accordingly, the Ministry will ensure that all Government agencies will integrate in their policies and programmes the objective of maximizing the empowerment and contribution of Kenyans Abroad.

The Ministry will facilitate employment of youth in the international market as required under the Youth Enterprise Development Fund Order 2007 in collaboration with the Ministry of Labour, Security and Services; Ministry of Foreign Affairs and International Trade and employment agencies through identification and contracting accredited Kenyan Recruitment Agencies for foreign employment. The Ministry will continue to identify, source, advertise and match successful applicants with international job opportunities, including pre-departure training, profiling and carrying out monitoring and evaluation.

The Ministry will also develop indicators for monitoring and evaluation within the framework of the National Integrated Monitoring Evaluation System (NIMES).The KNBS jointly with the Ministries of Foreign Affairs and International Trade and the Department of Immigration and Registration of Persons will set up, maintain and update a database on Kenyans Abroad as part of the Integrated Diaspora Information System. Further, the Kenya Institute for Public Policy Research and Analysis (KIPPRA) will undertake research to inform public policy on issues affecting Kenyans Abroad.

3.3.4 Ministry of Interior and Coordination of National Government

The Ministry will provide a policy framework on immigration of Kenyans abroad. The Ministry will facilitate the processing of passports and other documents of

registration such as birth certificates and national identity cards to Kenyans living abroad. To be more effective in the provision of the services mentioned above, the Ministry will open up more passport issuance centres at Kenya Diplomatic missions abroad and strengthen the overseas passport issuance section at the immigration headquarters.

3.3.5 The National Treasury

The National Treasury will provide an enabling environment and facilitate incentives aimed at increasing participation of Kenyans Abroad in nation building. In this regard, the National Treasury will liaise with stakeholders such as CBK, KenInvest, CMA, RBA, IRA and KRA to enhance investor education and public awareness, reduce the high cost of remitting money and develop investment products targeting at Kenyans abroad. In addition to the foregoing, the National Treasury would be expected to provide incentives for Kenyans abroad to establish philanthropic initiatives

3.3.6 Ministry of Education

In supporting Kenyans Abroad the Ministry will undertake the following:

- Develop a sector wide Integrated Education Management Information System that will institutionalize data sharing, validation and usage across government institutions and agencies. This will profile Kenyan students abroad and keep records of those facilitated to study abroad.
- Integrate ICT in teaching and learning across all levels of education and training, and provide e-learning to enable access to information and facilitate networking between Kenyan educational institutions and Kenyans Abroad.
- Create awareness on the Ministry web portal on the educational resources available to Kenyans within and outside
- Promote Kenyan culture and heritage through national and regional sports, games, and music and drama festivals and encourage Kenyans Abroad to participate.
- Reform National Assessment and examinations, and promote exchange programmes between Kenyan institutions and those from other countries whilst marketing Kenyan institutions of higher learning.
- Engage partnerships and collaborations with Kenyans Abroad in investing in the National Education Sector support programmes.
- Advise Kenyans with an aim of seeking employment abroad on the most marketable courses to study
- Kenya missions abroad to provide information to the Ministry on skills required in their countries of accreditation in order to encourage the production for such skills for export.
- In partnership with relevant stakeholders, implement public education programmes aimed at creating awareness to parents/students travelling for further studies abroad.

3.3.7 Ministry of Information and Communication Technology

The Ministry will play a major role in creating publicity and awareness through electronic, print and social media on the events taking place abroad. The Ministry will also facilitate branding of events for Kenyans Abroad through the Brand Kenya Board. In addition, the Ministry will formulate appropriate information and communication technology policies to facilitate access of information by the Kenyan communities abroad. Further, the Ministry will enhance telecommunication infrastructure in order to facilitate universal access to information and enable Kenyan communities abroad to enhance communication and networking.

3.3.8 Ministry of East African Affairs, Commerce and Tourism

The Ministry will provide accurate information on tourism investment opportunities such as culture and heritage, home stays, agro-tourism, MICE tourism, youths and sports, medical tourism, resort cities, and accommodation facilities in emerging tourism circuits; offer investment incentives in the tourism industry; work closely with relevant bodies like Kenya National Bureau of Statistics, Brand Kenya, Kenya Tourism Board and Tourism Research Institute to provide accurate and timely information on tourism trend/performance and to provide existing and potential tourism attractions, facilities and profiling tourism related database for decision making purposes.

In this regard, the Tourism Regulatory Authority will develop a framework of enabling Kenyans Abroad to leverage on tourism business start-ups. The Kenya Tourism Board will also develop a "Kenya Tourism Ambassadors Programme" aimed at empowering Kenyans Abroad to support promotion of tourism in the various countries. KTB will also provide a clear link and partnership framework on strategic partnerships through their respective agencies in the tourism source markets. KTB will also develop special Diaspora tourism packages targeting Kenyans abroad to encourage Kenyan Diaspora tourism and boost the tourism earnings, especially during the low season.

3.3.9 Ministry of Health

The Ministry of Health will contribute to the implementation of this Policy by articulating opportunities for Health Professionals abroad in order to contribute to the implementation of health related aspects of the Kenya Vision 2030.

Working with other government agencies the Ministry will maintain and share a database of qualified health professionals especially those with skills that are not

available or inadequately represented in Kenya so that whenever required, they could be called upon to contribute to improving the health of Kenyans. Through implementation of the E-health strategy the Ministry will work with relevant healthcare professionals to promote telemedicine to enhance the quality of healthcare provision in Kenya.

Further to this, the Ministry will provide direction on investment areas for the local production of essential health products and technologies such as pharmaceuticals, medical equipment and devices. The Ministry will also explore ways of working with healthcare professionals abroad to carry out clinical trials on health technologies that can improve the health of Kenyans. This will further be enhanced through health diplomacy where Kenyans Abroad in collaboration with healthcare and medical professionals both in host countries and in Kenya will promote free health camps and conferences in Kenya for the benefit of all Kenyans but more particularly targeting the poor citizens. Further, the Ministry will market the concept of medical tourism.

3.3.10 Independent Electoral and Boundaries Commission (IEBC)

The IEBC shall work towards fulfilment of constitutional provisions by providing a policy framework for the realisation of progressive registration of Kenyans Abroad. The IEBC will also work closely with the Ministry of Foreign Affairs and International Trade and Department of Immigration and Registration of Persons as well as build partnerships with stakeholders to implement the provisions of the Constitution of Kenya. In this regard, the Commission, in collaboration with the Ministry of Foreign Affairs will update the voters' database for Kenyans Abroad.

3.3.11 Ministry of Sports, Culture and the Arts

The Ministry will work to promote Kenyan talents abroad in sports and arts as well as promote Kenyan culture through Missions, Consulates and Kenyan associations abroad. Mechanisms will be put in place to work with the Africa Union to promote Kiswahili as continental and international language.

3.3.12 County Governments

The County Governments will play a central role in facilitating participation of Kenyans Abroad in county development. The Ministry of Foreign Affairs and International Trade will develop an engagement framework to facilitate closer partnerships with the County Governments to ensure that strategies outlined in this policy are realised. Counties will also be expected to come up with tailor- made

incentives and investments targeted at Kenyans Abroad such as exclusive investment zones.

3.3.13 Associations of Kenya Communities Abroad

The Government through its consular services is committed to encouraging formation strengthening the existing Associations of Kenyans Abroad so that they can they can feel motivated to support national development agenda. The Government recognizes the significance of these Associations in promoting issues of Kenyans Abroad through structured dialogue.

The Kenyans Abroad will be required to form country umbrella associations and register them with Kenyan Diplomatic missions abroad in order to enhance engagement between them and government. They will also be expected to embrace patriotism and participate in promoting and marketing Kenya.

3.3.14 Retirement Benefits Authority

The Government through RBA will establish a Diaspora Retirement Savings Scheme which will provide a structured and secure mechanism upon which the Diaspora will save and invest in opportunities to be found country. Further the channel will mobile funds through remittances for socio-economic development.

3.3.15 Development Partners

The Government recognizes the significance of a collaborative and partnership approach in mobilizing, allocating and utilizing resources for mainstreaming Kenyans Abroad in the national development agenda. In this respect, development partners will support and supplement the Government and other stakeholders in their respective roles in terms of financial, logistical and technical support within the framework of this Policy.

3.3.16 Media

The Government recognizes the critical role of media in publicizing and educating the public. Awareness creation is imperative in showcasing the development contribution of Kenyans Abroad. In this respect, the Government will collaborate with the media and Communities of Kenyans Abroad in highlighting and educating Kenyans on the important role of the Kenyans Abroad. Labour migration issues as well as keeping Kenyans abroad informed of the events and programmes at home through appropriate channels will be highlighted.

Close collaboration with the diverse Kenya owned media channels abroad will be evolved to ensure their empowerment as well as effective communication to Kenyans abroad.

CHAPTER FOUR

MONITORING AND EVALUATION

An effective Monitoring and Evaluation system is critical for successful implementation of this policy. To this end, monitoring and evaluation of this Policy will be undertaken within the framework of the National Integrated Monitoring and Evaluation System (NIMES). The Framework will provide for regular consultation and feedback between Agencies entrusted with the implementation of this Policy.