

# **PUBLIC ENGAGEMENT IN AIR QUALITY MANAGEMENT IN KENYA**

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*Presented by*

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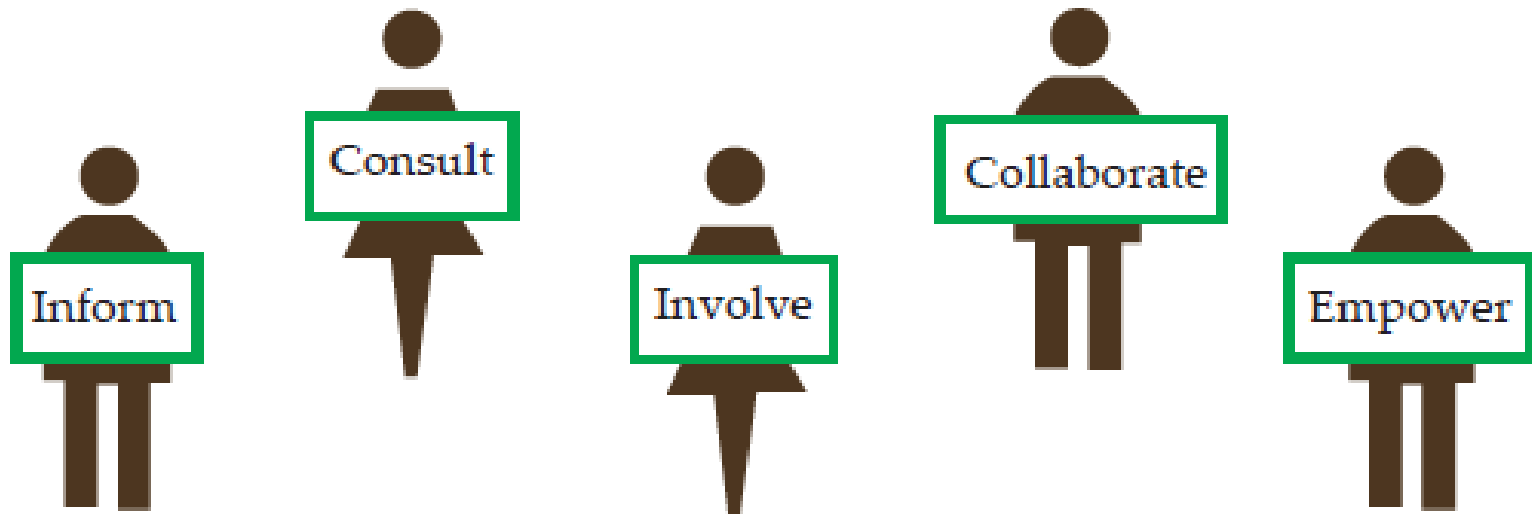
# Outline

- Background
- Public participation spectrum
- Kenyan Situation
- Challenges
- Opportunities

# Background

- Public engagement is integral to effective management of air
- Nature of public engagement influence compliance and enforcement on air quality regulations
- Policies, laws, plans and established institutions play significant role in AQM
- Involvement of public in air quality monitoring influences their attitudes and behavior

# Public participation spectrum



Inform



Consult/Listen



Discuss/Involve



Dialogue/Collaborate



Empower

# Kenyan Situation

- Constitutional provision on right to clean and healthy environment (Article 42)
- Public participation enshrined in the Constitution as part of principles and values of national governance (Article 10)
- Currently no legislation/ Act of parliament on public participation
- Procedures of legislative processes in county, national assemblies and senate provides for public participation – to meet the constitutional requirement

# Kenyan Situation

- Pressure from litigations in courts on public participation led to inclusion of this provisions in standing orders of assemblies and senate
- Bills or draft policies are subjected to public participation before debate in assemblies/ senate
- They are posted on websites of the assemblies/ senate and an advert inviting public memoranda published in widely circulating newspaper and the Kenya gazette

# Nairobi City Air Quality Management Plan

- Technical working group entailing relevant stakeholders formed
- Stakeholders involved in validation of the management plan. However no clear indication of “public representation”
- Comments from stakeholders incorporated, final plan presented for discussion in county executive board and adopted as County Action Plan – led to formulation of policy

# Nairobi City Air Quality Policy

- Follow same procedure as the bills introduced in the County Assembly
- Undergoes public participation – public memoranda invited (**what's the nature of this participation?**)
- Sessional paper No.2 of 2020 on Nairobi city county Air quality policy passed by the assembly



# Nairobi City Air Quality Act

- Bill introduced in the County Assembly through 1<sup>st</sup> reading
- Public participation (60 days) – document posted on website, advertisement on public memoranda on news papers (**what's the nature of participation/ engagement?**)
- Second reading (report on public opinion & the bill is debated in county assembly)
- Third reading – Bill passed, Governor assents to it, becomes an Act

# Public engagement in air quality monitoring

- No clear framework for engagement of public at national & county level
- Limited citizen science research in informal settlement to enhance awareness on air quality monitoring undertaken by researchers
- Use of LCS readings by some resident associations to raise complaint on air pollution to the regulators – very limited
- Regulators are reactionary in nature – inadequate investment in monitoring devices limits compliance & enforcement

# Challenges in Public Engagement Processes

- Lack of air quality management public engagement plan by both National and County Authorities
- Gap between researchers and regulators – data collected by researchers minimally benefits regulatory process of compliance & enforcement
- Unclear/ conflicting roles between NEMA & County governments on air quality management – weakens public engagement
- Low awareness on issues of air quality influence participation

# Opportunities

- Available communication channels – National and County Governments to explore use of most effective and efficient combination to reach wider public
- Funding in related areas such as climate change that can be leveraged on for multiple benefits including public awareness on air quality management
- Ongoing short term research/ communities of practice projects which authorities can benefit from by establishing robust engagement framework with research institutions and other like minded partners

**Thank you!**