

Annual Work Plan
Support to the domestication of the NEPAD/APRM process in Kenya
Phase 2: "Sustaining the Dialogue"- REVISION

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|-----------------------|---|
| UNDAF Outcome 2 | Enhanced capacity of key national and local level institutions for improved governance |
| Expected CPAP Outcome | <p>Strengthened capacity of key institutions for enhanced efficiency, effectiveness, transparency and accountability in the formulation of pro-poor policies (CPAP Empowerment Component outcome a)</p> <p>Strengthened capacity for decentralized and participatory development (CPAP Empowerment Component outcome d)</p> |
| Implementing partner: | NEPAD Kenya Secretariat through the Ministry of Planning and National Development |

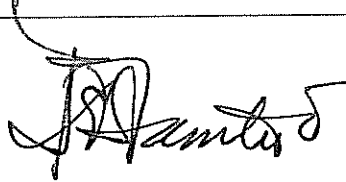
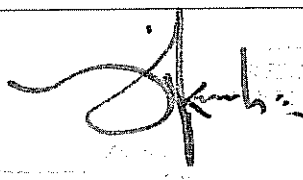
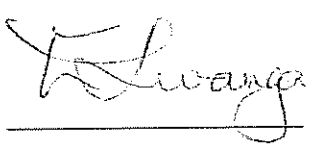
Project Summary –i) Outputs, ii) Activities, iii) Inputs:

(i) The project will have three immediate outputs to contribute to the realization of the above mentioned CPAP outcomes: (a) Strengthened Capacity of the NEPAD/APRM to implement the APRM "Sustaining the Dialogue" programme (b) Enhanced awareness and understanding of development and reform programmes by the non-state actors across Kenya, making them more empowered to participate in the planning process (c) An institutionalised platform for citizens to participate in planning processes as well as monitoring, evaluating and influencing public policy and programmes created, linking non-state actors and government bodies at provincial and district level into national planning (ii) The activities to be carried out to produce these outputs in 2008 include institutional strengthening through the provision of United Nations Volunteers to the NEPAD/APRM; recruitment of a consultant to provide operational and strategic support to NEPAD/APRM; recruitment of a National APRM Coordinator; and two UNV Research Officers; establishing linkages with the MDG programme, conducting an APRM Diagnostic assessment to collect and analyse data on the post-election crisis which will inform the production of the 2nd Annual Progress Report to be submitted at the next APR Heads of State Forum; and establishment of 4 CSO working groups to complement NEPAD/APRM process in Kenya; awareness creation through stakeholder fora/workshops to enhance reconciliation efforts, development and dissemination of IEC materials/reports to citizens; the development and implementation of an action plan for the establishment of APRM Resource Centres for citizens to be able to review the performance of the 3 arms of state on a regular and continuous basis, linking to other reform initiatives in the country; iii) The inputs required to produce the outputs above will include Programme Staff and UNVs to assist with programme implementation within the NEPAD/APRM Secretariat; an APRM Consultant, 4 short-term consultants; Diagnostic and Sectoral Fora at a district level and in Nairobi, IEC materials.

Programme Period: 2007 – 2010 (phase 2)
 Programme Component: Empowerment
 Project Title: The Domestication of NEPAD/APRM process in Kenya
 Project ID: 00039383
 Project Duration: 01/01/2008 –31/12/2010
 Management Arrangement: NEX

Budget (Basket fund): 474,500 USD
 General Management Support Fee: 24,500 USD
 Total budget: 474,500 USD
 Allocated resources:

- Government
- Regular
- Other: MDG Advisor: 55,000 USD funded by German Government

| Approved on behalf of | Signature | Date | Name/Title |
|---|---|----------|--|
| Ministry of Planning and National Development |  | 5/6/08 | Dr Edward Sumbi Permanent Secretary |
| Ministry of Finance |  | 10/6/08 | Joseph King'ara Permanent Secretary |
| UNDP |  | 19/06/08 | ELIZABETH LWANGA Resident Representative - UNDP Kenya |

PART I. SITUATION ANALYSIS

I.0 BACKGROUND

This project is formulated and targeted within the context of the United Nations Development Assistance Framework (UNDAF) Outcome on the "Promotion of Good Governance and the Realization of Rights" and two targets of the Empowerment Components of UNDP's programme of support to Kenya, specifically, namely;

- 1) "Strengthened capacity of key institutions for enhanced efficiency, effectiveness, transparency and accountability in the formulation of pro-poor policies" (CPAP Empowerment Component outcome a)
- 2) "Strengthened capacity for decentralized and participatory development (CPAP Empowerment Component outcome d).

The overall objective is to support country level processes that will lead to the domestication of the NEPAD/APRM processes in Kenya and increase the participation of all key stakeholders in this process. NEPAD recognizes that good governance is a basic requirement for peace, security and sustainable political and socio-economic development. In this light, African Heads of State came up with the African Peer Review Mechanism (APRM) which is a voluntary instrument of self-monitoring open to all member states of the African Union (AU). The APRM is designed to audit the progress and performance of member states in their quest for good governance.

This self-assessment tool is intended to ensure that the policies and practices of participating states conform to NEPAD's agreed principles and standards on democracy, political, economic and corporate governance. These principles and standards were approved in *The Declaration on Democracy, Political, Economic and Corporate Governance* by the AU summit in Durban, South Africa on 8th July 2002.

The APRM has been described as the most innovative aspect of the NEPAD process which is unprecedented anywhere else in the world. It requires African states to subject themselves to self-assessment by their own citizens, followed by external review through a panel of distinguished African leaders, called the African Peer Review Panel of Eminent Persons.

The objective of the APRM is for African countries to peer review and advice each other, rather than be reviewed by outsiders. The core thematic areas that the APRM focuses on are:-

- 1) Democracy and Political Governance
- 2) Economic Governance and Management
- 3) Corporate Governance
- 4) Socio-economic Development.

Unique Strengths of the APRM Process:

- Constitutes an African-owned process anchored on broad based partnerships at all levels

- Can easily be identified as a domestic initiative
- Utilizes both indicator-based approaches as well as qualitative/perception-based analysis
- Is based on a participatory approach
- Uses national expertise, institutions and knowledge
- Culminates in a national programme of action with clear budgetary provisions, implementation responsibilities, and verifiable and monitorable indicators for tracking progress
- Depends on local resources
- Requires, and elicits, political commitment on the part of the Government
- Has a regular cycle
- Offers Peer learning and sharing experiences to participating countries on best practices, challenges and constraints
- Is unprecedented anywhere else in the world both in its detail, depth and approach
- Serves as a useful early warning system

Kenya was among the first four African states to accede to the African Peer Review Mechanism (APRM) in March, 2003 in Abuja Nigeria and among the first four along with Ghana, Rwanda and Mauritius to start the APRM process. This process involved both a self assessment and an external assessment. As part of its self assessment, Kenya engaged in a long and rigorous national consultative process, and the survey of ordinary Kenyans, using five methods:

- i. Open forums in all the provinces, and with many interest groups, e.g. youth, women, farmers, businesses, pastoralists;
- ii. A national survey of households conducted by the Kenya National Bureau of Statistics;
- iii. Focus Group Discussions;
- iv. Experts panel; and
- v. Desk Research.

This process culminated in the development of a comprehensive Kenya Country Self Assessment Report and a National Programme of Action covering four thematic areas of the review. The APRM Self-Assessment Report was validated by a wide cross section of stakeholders drawn from every district in the country.

Subsequently, Kenya hosted a team of external reviewers led by a member of the APR panel of eminent persons, Dr Graça Machel. The team traveled to all the Provinces in the country and met and gathered views from various stakeholder groups in Government, Private Sector and Civil Society. On the basis of these interactions, and borrowing heavily from the Country Self Assessment, the team developed the final Country Review Report of the Republic of Kenya.

The APRM in Kenya proved to be a unique framework which has allowed civil society and Kenyan citizens to be informed about, and voice their opinion on the performance of the three arms of State (Judiciary, Executive and Legislative). The NEPAD Kenya Secretariat receives and disseminates information from the Government to Kenyan citizens, whilst also channelling back the opinion of Kenyan citizens to the Government.

In addition, and in line with the requirements and obligations of the APRM, Kenya is expected to submit Annual Progress Reports on the implementation of the APRM National Programme of Action. The NPoA spells out the major objectives, problems

or concerns identified, expected outputs, indicators, ongoing initiatives, estimated budget, time frame, implementing institution, stakeholders and monitoring and evaluation institutions. The aim is that implementation of the NPoA will be undertaken as a collaborative effort between the Government of Kenya, the private sector and the civil society.

In order to further institutionalize the dialogue created with citizens throughout the APR, Kenya developed the "Sustaining the Dialogue" programme, which looks specifically at ensuring that the discourse with CSO's and Kenyan citizens is sustained and that Kenyans have a structured platform from which to monitor, evaluate and influence public policy and programmes on a regular and continuous basis. In the aftermath of the post-election violence witnessed in Kenya, concerted efforts are being channeled towards ensuring that the implementation of the Kofi Annan brokered National Accord which led to the formation of the first ever Grand Coalition Government in Kenya takes centre stage.

The 'Sustaining the Dialogue' programme will seek to contribute towards this process of national healing, reconciliation and reconstruction. It will do so through monitoring the way the overarching issues identified within the APRM Country Review Report for Kenya, which were at the very core of the unprecedented violence witnessed in the country, are being tackled by the Government and other key stakeholders. This will be done through the establishment of a strengthened platform that will enhance inter-ethnic harmony, foster constant dialogue on issues relevant to the implementation of the accord, mainstreaming of the citizenry participation in enhancing peaceful co-existence and monitoring and evaluating the performance of the coalition Government in entrenching the letter and spirit of the National Accord in the execution of its daily functions.

2.0 THE APRM "SUSTAINING THE DIALOGUE" PROGRAMME

Overall Objective of the Programme

"Improved governance through providing Kenyans with a structured platform from which to monitor, evaluate and influence public policy and programmes".

The Programme Implementation Strategy

The "Sustaining the Dialogue" Programme seeks to respond to several challenges observed during the APRM self assessment, namely:

- Challenges in participatory development
- Challenges in representative democracy
- Challenges in making service providers more accountable to citizens.

It seeks to do so through:

- Raising awareness on the APRM report (downstream awareness creation and information-sharing)
- Disaggregating and disseminating APRM Reports (upstream awareness raising, lobbying, advocacy and focused fora/workshops)
- Empowering Non-State Actors (NSAs) to participate in planning processes (downstream – seeking to involve NSAs in national development planning in a sustainable way through (i) setting up APRM resource centers with a multidisciplinary team to engage stakeholders - NSAs and citizens - at a provincial and district level, (ii) support aggregation of specific stakeholder

- groups (youth, pastoralists, women, Persons with Disabilities (PWDs), Persons living with HIV/AIDS (PLWHAs), (iii) support dissemination of information on the development agenda (iv) support greater citizens oversight over devolved funds (v) encourage peer learning and sharing among NSAs in Kenya
- Creating linkages with learning institutions – (i) the provincial citizens resource centers to develop schools outreach programmes packaging governance messages to students at primary through to tertiary levels)
 - The programme envisages greater coordination within the MoPND with programmes such as MDGs, National Integrated Monitoring and Evaluation System (NIMES) and with Public Sector Reform (PSR) and Ministry of Youth Affairs

"Sustaining the Dialogue" Programme Implementation 2007

2007 saw a number of activities taking place which have laid the foundation for further programming in 2008. SIDA and UNDP through a basket fund arrangement supported a number of these activities, including (i) strengthening the capacity of the NEPAD/APRM Secretariat to implement the programme (ii) holding of provincial and sectoral fora to assess the progress made towards the implementation of the APRM NPoA and raising awareness on the APRM report under the "Sustaining the Dialogue" Programme (iii) the implementation of a Needs Assessment in 23 districts aiming at assessing human, financial and resource capacity requirements in the various districts. The needs assessment will be used to guide the setting up of APRM resource centres in 2008/2009.

Lessons learned in 2007

Systemic Challenges in implementing the APRM "Sustaining the Dialogue" Programme

- Realigning the NPoA to Government initiatives and institutionalizing the process;
- Translating political will into action;
- Lack of a coherent donor policy for funding the APRM and slow mobilization of donor funds;
- Production of shadow reports undermines the mainstream APRM process;

2.1 "Sustaining the Dialogue" Programme in 2008 – the APRM and the Post-elections Crisis

The post-electoral violence and current reconciliation and mediation efforts in Kenya, along with a number of lessons learned from this project's implementation in 2007, have called for a revision of the activities under this project. Whilst the overall outcome of the "Sustaining the Dialogue" Programme and the intended outputs as described in the results and resources framework in Annex 1 remain the same, the output targets and activities for 2008 have been revised according to current requirements.

The APRM Country Review Report identified a number of overarching issues, which relate to areas of deficiency or shortcomings in the Kenyan systems that are of a recurring or cross-cutting nature. The APRM Country Review Report called for these more general problems, seemingly interlinked, to be given a holistic, and perhaps more urgent approach because of the wider impact they have on the quality of

governance in the country. In the post-election crisis, these same issues brought civil conflict, which threatened to tear the country apart.

The overarching issues identified in the APRM Country review report are the following:

- *Managing Diversity in Nation Building* : The need to adopt measures to strengthen inter-ethnic harmony, national cohesion and spur renewed patriotism among the different Kenyan communities
- *Implementation Gaps*: Kenya has many good laws, commissions, programmes and institutions that could make it the best run democracy in Africa. These policies have been poorly put into action.
- *Poverty and Wealth Distribution*: Poverty is rising in Kenya and it presents a problem in all the four thematic areas in which the country was assessed.
- *Land*: It is crucial to attaining economic growth, poverty reduction and gender equity but the country is faced with large scale landlessness and there also exist a lot of recurrent disputes over land.
- *Corruption*: Kenya has continually had a problem with corruption. It has been constantly ranked as amongst the lowest countries in combating corruption.
- *The Constitution*: Constitution reform has assumed great urgency in Kenya, given the post election crisis.
- *Gender Inequality*: Many policies have been created to address gender inequality but more still needs to be done.
- *Youth Unemployment*: Young people form the greatest number of the unemployed in Kenya and are the most discontented urban dwellers.
- *Transformative Leadership*: Kenya needs a change in leadership at all levels:- Executive, Judiciary, Parliament, business, political parties, religious organizations and non-governmental organizations – to focus on common values and goals

Objective of the "Sustaining the Dialogue" Programme in 2008

- Entrenching the APRM as a governance tool for enabling national dialogue, reconciliation and reconstruction at all levels in the aftermath of the post election crisis
- Strengthening decentralized local capacities for stakeholder participation in the APRM "*Sustaining the Dialogue Programme*"

Specific activities in 2008 include:

1. Raise awareness on APRM Report with special emphasis on the overarching issues and the "Sustaining the Dialogue" Programme with the specific aim of educating the different stakeholders on the APRM putting emphasis on using the APRM as a tool for national reconciliation and reconstruction and providing support to civil society initiatives;
2. Seeking high-level political support and support from key Government Ministries/departments (upstream activities in programme): Organize meetings with Parliamentarians and political groupings to brief them on the APRM process in Kenya and engage them in NPoA implementation, including enactment of appropriate legislation;
3. Engaging Government focal points to enhance linkages with Government planning, budgeting, implementation and monitoring of NPoA;

4. Conduct an in-depth analysis of the overarching issues identified in the APRM Country Review Report and their relationship to the post election crisis in Kenya through carrying out an APRM Rapid Diagnostic Assessment. This will guide the preparation of the 2nd Annual Progress Report to be submitted by Kenya in the forthcoming APR Heads of State Summit in June 2008
5. Develop and implement an Information Education and Communication strategy (IEC) to effectively communicate and engage with all stakeholders in the process of healing and national reconciliation in the aftermath of the post election crisis in Kenya ;
6. Seeking to strengthen the NEPAD Kenya Secretariat to carry out its responsibilities under the APR process and the NPoA: Address capacity needs and resource requirements for implementation of the project.
7. Identify and establish a framework to effectively incorporate, monitor and evaluate the implementation of the NPoA;
8. Establish a mechanism to effectively incorporate the voices of the people into the Truth, Justice and Reconciliation Committee and other Committees established as part of the mediation process in Kenya;
9. Identify modalities of implementing early warning systems for future intervention.
10. Engaging donors in a systematic way through management structures of NEPAD Kenya Secretariat
11. Establishing linkages between APRM and other Government reform programmes (NIMES,PSR, Democratic Governance, Non-State Actor facility etc)

Methodological Framework

The success of the APRM process in Kenya can be attributed to a rigorous and sound methodological framework that employed the use of four instruments namely desk research, expert panel interviews, household surveys, and focus group discussions. This ensured that the findings of each of the instruments could be cross referenced and validated against the findings of the other three. This is the same methodological framework that will be employed in the conduct of the APRM Rapid Diagnostic Assessment. In addition to the methodological framework, stakeholder mobilization and public awareness forums were vital to enhancing the process of conducting the APRM in the country.

Sectoral Diagnostic Workshops will now be organised in all the provinces to enhance the process of reconciliation, while establishing the problems at the core of the inter-ethnic disharmony. Inter-ethnic Committees will also be identified and deployed in different regions with the aim of educating communities and promoting peace and good neighbourliness. To enhance the level of awareness about the APRM Rapid Assessment exercise, an Information, Education and Communication (IEC) strategy will be developed to ensure that the different stakeholders are informed of key issues. To validate the findings of the APRM Rapid Diagnostic Assessment before the tabling of the 2nd APRM Annual Progress Report at the forthcoming AU/NEPAD Heads of State Summit, sectoral forums will be held in Nairobi with representatives of the civil society, professional organisations, youth, women and marginalised groups.

Risks

1. Political environment that is highly unpredictable to the APRM "Sustaining the Dialogue" process

2. Lack of sufficient funding to carry out all the activities in the AWP

Risk Log

| # | Description | Category | Countermeasures | Owner | Date Identified |
|---|---|----------------|--|--|-----------------|
| 1 | Adherence to project time lines in the prevailing political environment | Organizational | Ensure timely submission of reports and advance of disbursements, Monitor the implementation of the National Accord for Peace in Kenya | NEPAD Kenya Project Assurance structures | 31/03/2008 |
| 2 | Ensure clear communications and management lines | Organizational | Ensure communications within project are transparent and open. Task division with clear cut and time bound outputs | NEPAD Kenya Secretariat, UNDP Kenya | 31/03/2008 |
| 3 | Clear production and review of monitoring actions | Organizational | Revise PID listing exact documents to be received from activities and ensure clear monitoring reports from meetings, etc received | NEPAD Kenya Secretariat, UNDP Kenya | 31/03/2008 |
| 4 | Sufficient budget is not secured | Financial | Renewed efforts to donors to make contributions to the APRM Basket Fund, with down sizing of budget items to within reasonable amounts | NEPAD KENYA, UNDP Kenya | 31/03/2008 |
| 5 | Timely recruitment of Programme personnel | Organizational | ToR Preparation, Recruitment | NEPAD Kenya Secretariat, UNDP Kenya | 31/03/2008 |

3.0 DEVELOPMENT PARTNERS IN THE PROGRAMME

UNDP worked in partnership with the NEPAD Kenya Secretariat through the 'Domestication of NEPAD/APRM process in Kenya' project since 2004. For a successful and sustained implementation of NEPAD/APRM processes and the implementation of the "Sustaining the Dialogue" Programme, there is need for coordination and collaboration with other partners interested in supporting governance-related issues in Kenya. In the first phase of the "Domesticating NEPAD/APRM Processes in Kenya" project, the development partners involved in supporting the NEPAD/APRM programme were DFID, SIDA and UNDP.

DFID funded APRM activities directly in 2006 and 2007, including the production of the popular version of the Kenya Country Review Report as well as the production of television documentaries and newspaper advertisements) and holding of a number of stakeholder workshops. GTZ South Africa also supported the APRM programme through direct funding, including the production of the popular version of the Kenya Country Review Report and participation of NEPAD staff in relevant regional workshops.

SIDA and UNDP contributed to the implementation of the "Sustaining the Dialogue" Programme in 2007 and will continue to do so in 2008 through a basket fund arrangement described in more detail in Part II of this document.

4.0 Link to other UNDP supported programmes in the area of governance

1) The Millennium Development Goals Project

The UNV MDG advisor based at the NEPAD Kenya Secretariat will actively search for links with the MDG programme in Kenya, carryout an analysis of UNVs based in the districts under the MDG programme; their workload, ToRs and activities in the field, vis-à-vis the requirements for the APRM programme. This work will be supported by the UNDP Empowerment Unit.

2) The Civil Society for Democratic Governance Facility (CSFDG) project

The CSFDG facility is a funding facility and a clearing house for information and coordination of civil society organisations in the area of democratic governance. The UNDP empowerment unit will explore linkages to this programme and discuss these with the NEPAD/APRM Secretariat. Some area of collaboration between the projects could be:

- Participatory approaches are expensive to undertake, the CSFDG facility could work together with the NEPAD Secretariat to identify key aspects of the APRM NPoA that it require citizens' input on, on a yearly/six monthly basis. The facility could target its Expression of Interest campaigns on these aspects in targeted districts.
- The CSFDG facility could look at supporting the APRM resource information centres through funding NSAs that deliver training in participatory approaches, advocacy, campaigning and/or other relevant areas to the "Sustaining the Dialogue's" main objective of ensuring increased citizens participation in the M&E of the three arms of state.
- The CSFDG Facility could serve as a platform for regular state and NSA actor dialogue around the implementation of the NPoA.
- The NEPAD Secretariat could sit on the Steering Committee for the CSFDG Facility.

3) The Public Service Reform Programme

The programme is looking at delivering training in transformative leadership and participatory development at a district level. This may be an area worth exploring in terms of aligning to the APRM. Further links and engagement will be explored by the UNDP Empowerment Unit and discussed with the NEPAD/APRM Secretariat in 2008.

PART II – "SUSTAINING THE DIALOGUE" PROGRAMME SUPPORT STRATEGY

5.0 INTRODUCTION

In order to finance the "APRM - Sustaining the Dialogue" Programme, the NEPAD Kenya Secretariat proposes a framework which provides for three modes of financing:

- Basket Funding – For partners who place funds in a common pool or basket, and do not earmark these funds to particular activities
- Direct Funding – For partners who participate in the programme through provisions of specifically earmarked funds – and may not participate in the basket for legal, strategic or management reasons; and
- "Mixed" Funding – For partners who provide funds in a mix of basket and direct funds.

The Government of Kenya makes an annual contribution of 40 Million shillings for the general administrative functions of the NEPAD/APRM Secretariat. This represents an important direct funding component to the programme while proving the commitment of the Kenya Government to enhancing the partnership between the Government and the development partners who participate in the basket fund arrangement of the APRM 'Sustaining the Dialogue' Programme.

5.1 The Joint Strategy of Support – Basket Funding

As agreed between the NEPAD Kenya Secretariat through the Ministry of Planning and National Development, and development partners contributing to the basket fund, the APRM Kenya Basket Fund will be managed by UNDP. A dedicated APRM Unit will be set up by UNDP to manage the basket fund on a day-to-day basis, under the oversight of UNDP.

An APRM National Coordinator will be responsible for managing the APRM "Sustaining the Dialogue" Programme and will report to the Chief Executive Officer of the NEPAD Kenya Secretariat. The APRM National Coordinator will be recruited as of July 1st 2008.

The APRM Procurement Officer and UNVs currently working in the NEPAD Kenya Secretariat, (1 – Documentalist/Librarian, 1 – Administration and Finance Support Officer, 1 – Information Technology Specialist, 1 MDG Advisor - funded by German Government) will support the APRM Coordinator to implement the APRM Programme, consistent with their Terms of Reference.

1 UNV Research Officer- Democratic and Political Governance (DPG/SED), 1 UNV Research Officer-EGM/CG will be recruited in 2008. Other staff could be hired in 2008 and/or 2009 or assigned from current staff to support the APRM programme including a Programme Officer – APRM and a Finance Officer - APRM.

The core competencies of the programme staff will be complemented by key staff in the UNDP Kenya Country Office.

5.2 Strategic and Operational Assistance

UNDP and development partners, through a basket fund arrangement, is committed to assisting the NEPAD/APRM programme to achieve the objectives of the "Sustaining the Dialogue" Programme by contributing to the following outputs:

1. Strengthened Capacity of the NEPAD Kenya Secretariat to implement the "Sustaining the Dialogue" Programme.

Activities in 2008 include:

- Retaining current UNVs at the NEPAD Kenya Secretariat.
- Retaining the Procurement Officer at the NEPAD Kenya Secretariat.
- Recruiting a consultant for a period of 4 months to assist the NEPAD Kenya Secretariat with (i) providing strategic and operational support to the "Sustaining the Dialogue" Programme following the post-electoral crisis, (ii) determining human, financial and infrastructural requirements for a successful implementation of the "Sustaining the Dialogue" Programme (ii) with developing the strategic vision and action plan for the APRM "Sustaining the Dialogue" programme in 2008 – 2010
- Recruiting an APRM National Coordinator to manage the APRM process and the "Sustaining the Dialogue" Programme. This person will report to, and be supervised directly by, the CEO of the NEPAD Kenya Secretariat.
- Recruiting two UNV Research Officers to assist in compiling data and other APRM requirements.
- Recruiting an APRM Programme Officer, depending on funding availability
- Participating in key capacity building and information sharing workshops relevant to the APRM for key members of the APRM team (Annex two sets out a maximum travel budget by UNDP for these activities).
- UNDP Kenya Country Office will support the NEPAD Kenya Secretariat to develop the Annual Work Plan for 2008 assist with, through the recruitment of the APRM Consultant, the development of a long term strategy and action plan (2008-2010), as well as monitor the programme's implementation and assist with resource mobilization.

2. Enhanced awareness and understanding of development and reform programmes by non-state actors across Kenya, making them more empowered to participate in the planning process.

Activities in 2008 include:

- Developing active partnerships for entrenching the APRM within the current mediation and reconciliation efforts
- Developing an outreach programme encompassing the development, publication and dissemination of materials, appearances/debates on talk-shows and radio programmes in regard to the overarching issues identified in the Country Review Report to increase awareness of Kenyan citizens of the APRM, its role in current reconciliation efforts and its longer term role in governance in Kenya as well as of Government bodies and departments. This breadth and depth of this activity depends on the availability of funds.
- Development of a long-term IEC strategy and implementation plan for the APRM programme, depending on availability of funds

- UNDP will, through "soft assistance", assist the NEPAD/APRM Kenya Secretariat to entrench the APRM within the current mediation and reconciliation efforts.

3. An institutionalized platform for citizens to participate in planning processes as well as monitor, evaluate and influence public policy and programmes , linking non-state actors and government bodies at provincial and district level into national planning and implementation processes

Activities in 2008 include:

- Briefing of Parliamentarians on the APRM process and seeking to entrench it within the legislative framework
- The capacity and resource needs assessment carried out in 23 districts in Kenya in 2007, will be reviewed by the consultant and the APRM Coordinator mentioned under output 1 in 2008 and action will be taken according to findings and requirements with the aim of establishing and/or improving the capacity of current DDCs to function as APRM Resource Centres in 2008/09/10.
- The UNV MDG advisor will actively search for links with the MDG programme in Kenya. Carryout an analysis of UNVs based in the districts under the MDG programme; their workload, ToRs and activities in the field, vis-à-vis the requirements for the APRM programme.
- The collection and analysis of data and information regarding the post elections crisis relevant to the overarching issues identified in the APRM Country Review Report
- Holding of regional diagnostic workshops/ focus group discussions in Western Nyanza, the Upper Rift Valley, the Lower Rift Valley, Coast Province, Central, Eastern and North Eastern Provinces. Sectoral workshops will also be held in Nairobi to validate the findings of the regional diagnostic meetings. This will guide the preparation of the 2nd Annual Progress Report to be submitted by Kenya in the forthcoming APR Heads of State Summit in June 2008
- The NEPAD Kenya Secretariat will work closely with Civil Society Organizations to hold 96 focus group discussions.
- An expert consultative retreat for which 4 consultants (Lead Technical Agencies) will be recruited to assist in finalizing the final APRM 2nd Annual report.
- Establishment of 4 CSO Working Groups (2 meetings to track progress)

PART III. PROGRAMME MANAGEMENT ARRANGEMENTS

6.0 MANAGEMENT STRUCTURE

Below is the structure that will manage and implement the APRM programme on a day-to-day basis:

- Chief Executive Officer – General Oversight of Programme Implementation
- National Coordinator – Functional Leadership of Operational aspects of the APRM programme
- Procurement Officer - APRM
- Administration and Finance Support Officer
- Information Technology Specialist
- Research Officer (ECG/CG)
- Research Officer (DPG/SED)
- Documentalist/Librarian
- MDG Advisor

6.1 Project Executive Group (PEG)

The PEG will represent the highest decision making organ for the project and will be constituted by the Chief Executive Officer – NEPAD Kenya Secretariat, the National APRM Coordinator, and UNDP Kenya's Resident Representative (P). Representation from donor bodies who contribute to the APRM Basket Fund will be welcome as necessary.

The PEG will be responsible for tracking progress and monitoring and evaluating the implementation of the "Sustaining the Dialogue" Project as well as providing advice to the general conduct of the APRM programme. The PEG will also review funding commitments and requirements for project implementation. The PEG will meet at least every 3 months and on a needs basis.

The APRM consultant will, however, be expected to review the programme management structures in order to recommend a structure that would be efficient, effective and flexible for ease of execution of the programme.

The APRM programme management structure as described in the APRM "Sustaining the Dialogue" Programme document will be reviewed by the APRM National Coordinator and agreed upon through a consultative process in 2008.

6.2 Financial Management and Reporting

1. Basket Funding – Through project 00039383, managed by UNDP under the NEX modality. For partners who place funds in a common pool or basket, and do not earmark these funds to particular activities.
2. Direct Funding – For partners who participate in the programme through provisions of specifically earmarked funds – and may not participate in the basket for legal, strategic or management reasons; and
3. "Mixed" Funding – For partners, who provide funds in a mix of basket and direct funds.

Direct Funding and grants in kind follow the procedures of the respective development partners, without direct intervention by UNDP.

The basket funds will be disbursed in accordance with UNDP rules and regulations. The budget will be disbursed through the direct payment and re-imbursement modality upon receipt of a formal request by the NEPAD Kenya Secretariat.

In managing the annual work plan resources, the implementing partner (NEPAD Kenya Secretariat) has fiduciary and compliance responsibilities to the UNDP. It also has compliance responsibility for UNDP's reporting procedures. Thus an audit of this annual work plan must fulfil the following set of objectives:

- Disbursements are made in accordance with the annual work plan
- Disbursements are valid and supported by adequate documentation
- An appropriate system for internal control is maintained by the implementing partner and can be relied upon
- Annual work plan financial reports are fair and accurately presented:
- Annual work plan monitoring and evaluations are prepared as required
- Quarterly work plan disbursements are in accordance with Annual work plans

Within two months of the completion of the annual work plan or the termination of the present agreement, the implementing partner shall submit a final report on the annual work plan activities and include a final financial report on the use of the Basket funds, as well as an inventory of supplies and equipment.

The APRM National Coordinator through the Chief Executive Officer will be responsible for providing progress reports on physical and financial performance of the programme to UNDP.

6.3 Procurement and Asset Oversight

For the APRM Basket Fund:

- NEPAD Kenya Secretariat shall prepare an annual procurement and implementation plan which shall be reviewed by UNDP/ the PEG quarterly;
- Procurement shall be in accordance with UNDP rules and procedures.

For Direct Funding and GoK Funding:

For direct funding and Government of Kenya Funds, procurement of goods and services shall be done by the NEPAD Kenya Secretariat as per the procedures that govern Kenyan public procurement. More specifically, the procurement procedures that are prescribed by the NEPAD Kenya Secretariat which shall apply, so long as they are in line with the Kenyan Public Procurement Law. If there is any contradiction between the NEPAD Kenya Secretariat procurement guidelines, and Kenyan Public Procurement law, the latter shall prevail. The development partners funding directly shall be kept informed of the procurement process, and be consulted on major procurements.

6.4 Audit Requirements

All funds towards the APRM Programme implementation Plan shall be subject to financial audit.

Funds accessed to the APRM Basket Fund shall be subject exclusively to the internal and external auditing procedures provided for in the financial regulations, rules, and directives of UNDP.

Funds contributed by the Government of Kenya (GoK) shall be audited according to GoK auditing regulations.

Resources provided through direct funding shall be audited by the Kenya National Audit Office, and shall be reflected in NEPAD Kenya Secretariat returns to the Ministry of Finance. Partners who provide direct funding will retain the powers to appoint their own auditor if necessary.

6.5 Work Plan and Budget

The annual work plan and (basket fund) budget for 2008 is detailed in project results and resources matrix below and the budgeted activity plan in the annex. The plan covers 12 months of activities from 01/01/2008 to 31/12/2008.

The budget is based on available funds for 2008.

6.6 Publicity and Publications

The APRM process is an African owned process. Where deemed appropriate and in agreement with the NEPAD Kenya Secretariat, the implementing partner and collaborating parties may take all appropriate measures to publicize the fact that the project has been supported by UNDP and all other development partners contributing to the basket fund. Should the UNDP logo be used in any form under the project, its usage must be reviewed by UNDP before publication, and shall bear the appropriate UNDP disclaimer.

PART IV. MONITORING AND EVALUATION

Tracking of the achievement of benchmarks/indicators for each activity will monitor the performance of the annual work plan. This role will be performed by the UNDP Country Office Project Assurance focal point.

The NEPAD Kenya Secretariat will be responsible for providing progress reports on physical and financial performance of the programme. The aim will be to provide timely information about the progress, or lack thereof, in the production of the outputs and achievement of the annual work plan outputs and activities. The mechanism that will be used to monitor the annual work plan will include:

- i. Quarterly progress report, technical and financial report prepared by the annual work plan implementing partner; the format of the report is provided;
- ii. Annual progress report, technical and financial report prepared by the annual work plan implementing partner at the end of the year; and
- iii. Field visits undertaken jointly by the implementing partner and the UNDP Country Office.

An evaluation of the UNDP outcome to which the activities of this annual work plan contribute to achieve will be carried out.

PART V. LEGAL CONTEXT

This Programme Document is the instrument referred to in Article 1 of the Standard Basic Agreement between the Government of the Kenya (herein called the Government) and the United Nations Development Programme (herein called UNDP) signed by the Parties on 17th January 1991 . The project shall be implemented in accordance with the provisions of this Agreement and in conformity with the general terms and conditions applicable to UNDP assistance.

The following types of revisions may be made to this programme document with the signature of the UNDP Resident Representative only, provided he/she is assured that the other signatories of the project document have no objection to the proposed changes: -

- a) Revisions in, or addition of, any of the annexes of the programme support document;
- b) Revisions which do not involve significant changes in the capacity building targets, outputs or activities of the project, but are caused by rearrangement of inputs already agreed to or by cost increase due to inflation;
- c) Mandatory annual revisions, which rephrase the delivery of, agreed programme inputs, or reflect increased expert costs due to inflation, or take into account agency expenditures flexibility.

ANNEX I - RESULTS AND RESOURCES FRAMEWORK

Please see the results and resources framework in Annex 1.

ANNEX II - THE TOTAL WORK PLAN AND BUDGET¹

This project runs over a three year period (2008 – 2010). The Project Initiation Document sets out plans and the budget for the entire period and will be updated and reviewed by the APRM Consultant and the APRM National Coordinator in 2008. An Annual Work plan will be produced for each year.

Thus, the budgeted Activity Plan included with this document sets out activities and budget for the period running from 01/01/2008 – 31/12/2008 only.

The cost of the support services provided by UNDP Kenya will be recovered from the basket fund on the basis of the Universal Price List.

ANNEX 1: Projects Results framework

| Intended Outcome as stated in the Country Programme Results and Resource Framework: | | | | |
|---|--|--|---------------------|--|
| - Strengthened capacity of key institutions for enhanced efficiency, effectiveness, transparency and accountability in the formulation of pro-poor policies (CPAP Empowerment Component outcome a) | | | | |
| - Strengthened capacity for decentralized and participatory development (CPAP Empowerment Component outcome d) | | | | |
| Outcome indicators as stated in the Country Programme Results and Resources Framework, including baseline and targets. Enhanced Community level development consultations, implementation and follow up in the 8 provinces through improved access to information and strategic resources. | | | | |
| Applicable MYFF Service Line: 2.1 Policy support for democratic governance and 2.6 Decentralization, local governance and urban/rural development | | | | |
| Partnership Strategy Basket fund – NEX | | | | |
| Intended Outputs | Output Targets for 2008 | Indicative Activities | Responsible parties | Inputs |
| Strengthened Capacity of the NEPAD Kenya Secretariat to implement the "Sustaining the Dialogue" programme Overall indicators for the successful implementation of the "Sustaining the Dialogue Programme": Overall Indicator 1: 60% of Kenyans say that they feel incapable of changing major policies that affect them (80% baseline APR Kenya Self Assessment Report)) - Gender disaggregated baseline to be included, based on research and needs assessments conducted in the first year of the programmes implementation | The "Sustaining the Dialogue" programme reviewed and re-vamped following the post-elections crisis and lessons learned in 2007. APRM Secretariat Strengthened through the recruitment of the APRM Coordinator, 2 UNV Research Officers and an APRM Consultant. | Recruitment of APRM Consultant to review and re-vamp the "sustaining the dialogue programme" Recruitment of PMU - APRM National Coordinator. Recruitment of two UNV research officers. Travel by NEPAD/APRM staff travel to key regional capacity building and information sharing workshops relevant to the APRM "Soft Assistance" will be delivered to the Secretariat by the UNDP Kenya Office to | NEPAD UNDP | APRM Unit 1 APRM Coordinator, 1 Programme Officer - Procurement UNV's 1 – Documentalist/Librarian 1 – Administration and Finance Support Officer 1 – Information Technology Expert 1 Research Officer- DPG/SED 1 Research Officer- EGM/CG 1 MDG Advisor (funded by German Government) Consultants 1 APRM Consultant for 4 months Office equipment and internet connectivity APRM Unit |

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|--|---|--|--------------|--|
| | Travel to attend APRM Forums and experience sharing workshops | develop the Annual Work Plan for 2008, monitor and assist with its implementation. | | |
| <p>Enhanced awareness and understanding of development and reform programmes by non-state actors across Kenya, making them more empowered to participate in the planning process</p> | <p>Development of communication and promotional materials</p> | <p>Development of communication and promotional materials</p> | <p>NEPAD</p> | <p>IEC Materials/ activities in the media.</p> |
| <p>"Soft assistance" assistance from UNDP has contributed to entrench the APRM within mediation and reconciliation efforts.</p> <p>An outreach programme encompassing the development, publication and dissemination of materials, appearances/debates on talk-shows and radio programmes in regard to the overarching issues of the APRM developed and implemented.</p> <p>Depending on budget availability, an IEC consultant will be hired to devise a long-term IEC strategy and implementation plan for the APRM programme.</p> | | | | |

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|--|--|--|-----------------------|---|
| <p>An institutionalised platform for citizens to participate in planning processes as well as monitor, evaluate and influence public policy and programmes created, linking non-state actors and government bodies at provincial and district level into national planning</p> <p>Overall Indicator 3 Citizens are able to monitor and evaluate the implementation of the NPOA and influence national, provincial and district level decision making. (The needs assessment will provide baseline data in this regard)</p> <p>Overall Indicator 4: The views of Kenyans given to the APRM CSAR are incorporated into planning processes through effective mainstreaming of the National Programme of Action (NPOA) into existing M&E structures (NIMES).</p> | <p>Needs Assessment 2007 reviewed and follow-up action plan developed.</p> <p>Link to the MDG programme in the provinces established.</p> <p>Diagnostic Assessment conducted.</p> <p>2nd APRM Progress report produced and tabled at the AU Summit in June/July 2008</p> <p>4 CSO working groups established</p> <p>Parliamentarians briefed on APRM Diagnostic Assessment</p> | <p>1 Regional Diagnostic Workshop held in each of the following provinces: Western, Nyanza, Upper and lower rift valley, Coast, Central, Eastern and North Eastern.</p> <p>5 sectoral fora in Nairobi with special interest groups.</p> <p>2 workshops with NEPAD/APRM ministerial focal points within the Capacity Building development Strategy framework</p> <p>1 Experts consultative retreat to finalise drafting of Final APRM 2nd Annual Report.</p> <p>1 workshop with Parliamentarians to brief them on the APRM Diagnostic Assessment</p> <p>Establishment of 4 CSO working groups</p> | <p>NEPAD UNDP</p> | <p>Per Province: - 96 Focus Group discussions held in 24 districts - 20 random household surveys for 5 days. - Travel, venue, accommodation</p> <p>4 Consultants LTA's to draft final APRM 2nd Annual Report</p> <p>2 meetings for CSO working groups</p> <p>1 forum with Parliamentarians and 4 workshops/fora with special interest groups.</p> |
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