AMKENI WAKENYA II

JANUARY - DECEMBER 2021 WORK PLAN

Country:	ΚΕΝΥΑ
Project Title:	Civil Society Democratic Governance Facility (Amkeni Wakenya II)
UNDAF Outcome(s):	Contributing Outcome (UNDAF):
	 Strategic Priority 1: A democratic political system that is issue-based, people-centred, results-oriented and accountable to the public. Outcome 1.3: By 2022, people in Kenya enjoy improved governance, access to justice, respect for rule of law, human rights and gender equality
Expected CPD Outcome(s):	Outcome 2 : By 2022, people in Kenya live in a secure, peaceful, inclusive and cohesive society
Expected Output(s):	
	Output 2.5. Rule of law, justice and legislative institutions have technical and financial capacities to deliver normative inclusive, accountable, equitable services
Implementing Partner:	United Nations Development Programme
Responsible Parties:	Civil Society Organizations working in Nairobi, Kisumu, Mombasa, Uasin Gishu, Nakuru, Kitui, Kilifi Turkana, Wajir, Mandera, Garissa, Tana River, Lamu, Kwale, Isiolo, Marsabit Counties, Law Society of Kenya, Non-Governmental Organizations Coordination Board, National Legal Aid Service, Council for Legal Education, National Council for Administration of Justice, The Judiciary, Registrar of Tribunals, Paralegal Support Network.

Brief Description

The Civil Society Democratic Governance Facility (Amkeni Wakenya) is a civil society strengthening project of UNDP. It was established in 2008 to provide coordinated support to Civil Society Organizations (CSOs) in the democratic governance sector in Kenya to enable them to participate more effectively in reform processes in the country. In the last two years, the Facility has implemented projects in 16 counties with support from the Embassy of the Kingdom of the Netherlands (EKN) and the European Union (EU).

This is the third Annual Work Plan (AWP) following the extension of Amkeni Wakenya's Phase II programme to align to the Country Programme Document (CPD) 2018- 2022, by entrenching rights-based approach towards enhancing access to justice and promotion of rule of law. The AWP is in line with and is based on the UNDP Global Strategic Plan 2017-2021 which prioritizes promotion of effective and inclusive accountable governance key signature solutions. It is guided by the Government's priorities as outlined in Medium Term Plan (MTP)- III, which has identified provision of legal aid by non-state actors as one of the flagship interventions. The Programme will contribute to UNDAF Outcome 1.3 by promoting civil society engagement in promotion of rule of law and citizen participation in devolution.

Overall Objectives and Expected Outcomes

The overall objective of Amkeni WaKenya project is to promote human rights- centered governance in Kenya by empowering civil society organizations (CSOs) to advocate on matters relating to civic engagement on human rights, democratic governance and enabling environment for civil society. The Facility pursues this by providing financial and technical assistance to CSOs particularly those working at the county-level and with the grassroots. Through such assistance, the target CSOs are in turn able to empower citizens to demand their rights and influence public policies, laws and institutions in respective thematic areas of focus. Amkeni also seeks to support CSOs in improving their own institutional, technical and financial capacities, as well as the enabling environment (policy and regulatory frameworks). Amkeni Wakenya's Project Document for Phase II was adopted in 2015 and now has been extended to 2022. The revised project document seeks to address the denial of basic rights and barriers to access to justice, particularly among the marginalized and the poor in at least 16 counties of Kenya (Nairobi, Kisumu, Mombasa, Uasin Gishu, Nakuru, Kitui, Kilifi Turkana, Wajir, Mandera, Garissa, Tana River, Lamu, Kwale, Isiolo and Marsabit). The project also seeks to promote citizen engagement and participation in the devolved system of governance underpinned by the human rights-based approach to development. Key actions contemplated in this project are to be implemented through CSOs. However, capacities of CSOs in Kenya are uneven, disproportionately spread thinly in rural areas and operating in an inadequate enabling environment. The capabilities of these organizations to respond to evolving governance issues is limited due to financial and technical constraints.

In 2021, Amkeni Wakenya will focus on four (4) outcome areas:

- 1. Enhancing Access to Justice and Realization of Human Rights;
- 2. Promoting organizational performance, sustainability an enabling environment for CSOs;
- 3. Enhancing capacity of CSOs to respond to emerging contemporary governance issues; and
- 4. Strengthening Amkeni Wakenya's Project capacity to effectively and efficiently support CSOs in Kenya.

Amkeni Wakenya will use grant making, capacity building, learning and knowledge management methodologies to channel financial and technical support to CSOs.

In addition to the 16 target counties, the project will establish subnational presence in 3 field offices in Eldoret, Garissa and Mombasa in 2019 through which project interventions will be administered in a decentralized manner.

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Project Period:	2015- 2022
Key Result Area (Strate	gic Plan): Governance
Atlas Award ID:	00086475
Start Date:	2015
End Date:	2022

2021 AWP budget:	USD 3,359,158
Total resources required:	USD 3,359,158
Total allocated resources:	USD 3,359,158
• Regular (TRAC)	USD nil
Other	
Embassy of Kingdom of the Netherlands	USD nil
European Union Delegation	USD 3,359,158

AGREED BY UNDP

02-Apr-2021

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Project Context

Amkeni Wakenya is now in its seventh year of the second Phase of the project which commenced in 2015. The project is domiciled in UNDP's Governance and Inclusive Growth (GiG) Unit. Whereas the project management unit (PMU) of Amkeni is based within the UNDP Kenya Country Office (KCO) in Gigiri Nairobi, field offices of are now operational in Mombasa and Wajir, serving the coastal and Northern Kenya regions respectively. Amkeni is at the tail-end of establishing the Kisumu field office to cover western region.

The following key developments characterize the broader context for the Amkeni project in

2021:

The Building Bridges Initiative (BBI) and Referendum

The Government of Kenya (GoK) launched the Building Bridges Initiative (BBI) report in July 2020, which recommended far-reaching constitutional and administrative reforms aimed at ensuring lasting peace and cohesion undergirding the 2018 rapprochement (commonly known as the "Handshake") between H.E. President Uhuru Kenyatta and former Prime Minister Rt Hon Raila Odinga. The GoK further signalled its intention to implement the BBI Report by publishing a constitutional amendment bill¹ that would require ratification by way of a referendum. Therefore, political mobilization for the referendum and the contests between proponents and opponents of the BBI Bill are key events likely to dominate the operating environment of the Amkeni Wakenya project. It is also likely that the referendum will be conducted in 2021, once the Bill is ratified by majority of County Assemblies and requisite budgetary and logistical preparations are made in good time.

Therefore, the need is evident for intensified civic education across the country, to enable citizens understand the content and implications of the BBI Bill before the proposed plebiscite. Amkeni could respond to this need by repurposing its activities on legal awareness and sensitization towards civic education on aspects of BBI Bill that impact on human rights, access to justice and rule of law. If the political mobilization around the referendum is characterized by deep polarization and antagonisms that preceded the 2017 elections, it is likely that the project activities of Amkeni Wakenya will be adversely affected. It will be necessary for Amkeni and its partners to adopt a conflict-sensitive approach to programming during the intervening period.

Abatement of COVID-19 Pandemic

In 2020, Kenya experienced the unprecedented public health restrictions and other measures that were aimed at curbing the spread of the COVID-19 virus. These measures caused serious disruptions to the operations of UNDP, its partners and public at large. Amkeni project staff were compelled to work from home as UNDP took measures to safeguard its personnel while striving

¹ The Constitution of Kenya (Amendment) Bill, 2020, accessed <http://kenyalaw.org/kenyalawblog/wpcontent/uploads/2020/10/Constitution-of-Kenya-Amendment-Bill-25-11-2020.pdf> on 29 Jan 2021

to ensure business continuity. This notwithstanding, implementation of the project and disbursement of grants to grantees slowed down resulting in numerous no-cost extensions to funding agreements of Amkeni partners. On the other hand, travel restrictions and social-distancing requirements initially made it difficult for Amkeni partners to delivery project activities that would require public interactions, thus compounding slow implementation. With time however, Amkeni adopted measures that enhanced project delivery (e.g. procuring zoom licenses for grantees to support online interactions and virtual meetings), virtual monitoring of activities and accelerated procurement processes. Amkeni project advised CSO grantees to integrate COVID-response interventions aimed at promoting respect for human rights, protection of vulnerable communities and active engagement with state-led COVID response mechanisms at the national and county level to promote integration of rights-based approaches.

The COVID-19 pandemic has persisted in 2021 and public health restrictions (curfews and bans on large public gatherings) remain in place. It is concerning that the COVID-19 virus has undergone mutations, producing more lethal versions that have increased transmission and mortality rates in parts of Europe, South America and South Africa. The regulatory approvals that were rendered in late 2020 for various COVID-19 vaccines raise optimism that the effective control of the pandemic is now within reach. Developing countries like Kenya however must overcome great financial and logistical obstacles to roll-out universal vaccination programmes that will guarantee a return to normalcy. Amkeni therefore will continue promoting continuity of the project activities and lookout for risks that may occasion reintroduction of drastic public health restrictions witnessed in 2020. Amkeni project will also continue to operate with the UN/UNDP's framework for COVID-19 responses, ensuring integration of human rights approaches to emergency response, building resilience and promoting recovery.

Economic recovery from COVID-19 disruptions

The Kenyan economy is widely believed to have receded in 2020 from an initial projection of 6.0% growth rate to the range of -0.5% to 1.4% on account of economic disruptions occasioned by COVID-19 restriction and containment measures.² The economic impacts of the pandemic were strongly felt at the household level, with the World Bank reporting job losses (one in three Kenyan workers risked losing jobs) and damaged livelihoods especially for women, youth and refugees.³ Nevertheless, the IMF estimates that the economy will rebound and grow by 4.7% in 2021, even though the impacts of COVID-19 disruptions are likely to linger for longer period.⁴ Inflation is

² African Development Bank, *Africa economic outlook 2020 supplement amid COVID-19* (2020) 79 accessed < <u>https://www.afdb.org/sites/default/files/documents/publications/afdb20-</u>

<u>04_aeo_supplement_full_report_for_web_0705.pdf#page=60</u>> 29 Jan 2021

³ World Bank, *Kenya economic update: covid-19 erodes progress in Poverty reduction in kenya, increases number of poor citizens*, (November 2020) accessed

⁴ See <<u>https://www.imf.org/en/Countries/KEN</u>> accessed 29 Jan 2021

expected to rise in the year due to removal of various relief measures in early 2021, possible increase in interest rates and chances of poor rains.⁵ The GoK is expected to launch the National Socioeonomic Recovery Plan in response to COVID-19 within theyear. This blueprint will outline measures to promote economic recovery and build resilience as the country emerges from the pandemic.

The risk of high prices in 2021 may escalate the cost of doing business for Amkeni grantees. However, since the Amkeni grants are denominated in USD, the favorable prevailing exchange rates may mitigate such risks. Nevertheless, Amkeni should ensure prudent management of financial resources (including optimized procurement processes) by grantees to further address these risks. Depressed economy is also likely to reduce government spending, thus occasioning budgetary cuts to administration of justice sector. Amkeni grantees therefore should monitor the situation and provide stop-gap measures to ensure provision of access to justice services particularly for the vulnerable and poor. There is need for civil society to interrogate the anticipated socioeconomic recovery plan with rights-based approach lenses to ensure the blueprint delivers for the poor and vulnerable in society.

Challenges in CSO operating environment

In 2018, the GoK made key changes in the leadership of the NGO Coordination Board, heralding a new period or reengagement between civil society and the regulator. The new leadership moved quickly to reassure civil society and key stakeholders following sustained negative regulatory actions that had been taken against NGOs in the run-up to 2017 elections. There was optimism that the GoK would operationalize the Public Benefits Organizations (PBO) Act of 2013⁶ after years of sustained advocacy by civil society.

In 2020, Amkeni project continued supporting the NGO Board in its reengagement processes, while strengthening its institutional capacity to respond better to the needs of NGOs. This entailed supporting the digitization of operations of NGO Board, supporting change management processes and staff capacity building. Amken Project continued to support CSO advocacy efforts towards operationalization of the PBO Act, 2013.

With GoK's attention diverted away from the PBO Act agenda by the COVID-19 crisis, there is need for sustained advocacy in 2021 for operationalization of the said law. There is also need for sustained institutional development support for the NGO Board, in light of impending leadership changes thereat.

⁵ Economic Intelligence Unit, 'Things to watch in Kenya in 2021' (January 05 2021) accessed <

https://country.eiu.com/article.aspx?articleid=1550573738&Country=Kenya&topic=Economy> 29 Jan 2021 ⁶ The PBO Act promises a better regulatory framework for civil society, characterized by enhanced self-regulation, streamlined registration processes, ease of reporting, promotion of self-sufficiency through income generating activities and structured engagement

Overview of 2021 AWP

Amkeni's flagship interventions for 2021 will continue to entail promoting human rights and access to justice as well as an enabling environment for civil society. With funding from the EU, Amkeni will support 34 CSO projects in 12 counties for the third year of programming. Through this project, Amkeni will continue engaging with duty bearers on access to justice such as the National Legal Aid Service, the Council for Legal Education, the NGO Board, the Judiciary and its tribunals, and the National Council or Administration of Justice with a view to promoting policy dialogue and partnerships with CSO beneficiaries.

Amkeni will continue supporting the NGO Board towards finalization of its digitization process and deployment of the enterprise resources planning (ERP) system designed for that purpose. This will also include building capacity of NGO Board staff to run the system, and sensitization of NGOs on how to access services from the ERP system as well.

Amkeni will sustain efforts towards building the capacity of its grantees by organizing training interventions focused on organizational sustainability, gender mainstreaming and various aspects of project management (monitoring & evaluation, reporting, communication etc). Amkeni will also continue holding quarterly learning platforms to foster sharing of experiences and emerging lessons. The mid-term review of Amkeni Wakenya project will be undertaken this year and the outcomes will inform the review of the Facility and its operations, while also providing pointers for the design of the next phase of the project (2023-2028).

Amkeni will seek to strengthen the project management unit (PMU) and field offices with new recruitments and capacity development for staff. The procurement of field offices in Kisumu and deployment of staff shall be a priority. Amkeni will continue enhancing the ccommunication and visibility components of the programme to improve on the profile of the project and enhance resource mobilization prospects. Governing structures of the project will be supported to ensure adequate stakeholder engagement and accountability during implementation.

With EKN's financial support to Amkeni coming to an end in September 2020, Amkeni will followup on the new commitment made to UNDP for a new financing agreement expected to run until 2024. Amkeni will also explore and exploit funding opportunities for civil society strengthening from bilateral and multilateral agencies.

The overall budget for 2021 is estimated at \$ 3,359,158 out of which \$ 3,359,158 shall be sought from the EU. Below is a tabular and graphical representation of how the AWP budget is spread out against key activities and cost items:





Quarterly workplan-Budget Analysis by Activity and Donor (USD)													
			2021				DO	NOR					
EXPECTED OUTPUTS	QTR 1	QTR 2	QTR 3	QTR 4	TOTAL	EKN	EU	UNDP	TOTAL				
OUTCOME 1	1,356,000	32,500	661,500	-	2,050,000	-	2,050,000	-	2,050,000				
OUTCOME 2	-	-	-	-	-	-	-	-	-				
OUTCOME 3	86,000	98,500	33,000	18,000	235,500	-	235,500	-	235,500				
OUTCOME 4	80,100	83,600	98,600	78,600	340,900	-	340,900	-	340,900				
OUTCOME 5	143,250	140,750	143,250	85,750	513,000	-	513,000	-	513,000				
TOTAL PROGRAMME COSTS	1,665,350	355,350	936,350	182,350	3,139,400	-	3,139,400	-	3,139,400				
GMS	116,575	24,875	65,545	12,765	219,758	-	219,758	-	219,758				
TOTAL COSTS	1,781,925	380,225	1,001,895	195,115	3,359,158	-	3,359,158	-	3,359,158				



AMKENI WAKENYA DRAFT 2021 AWP.													
EXPECTED OUTPUTS	PLANNED ACTIVITIES	ACTIVITY DESCRIPTION			2021					NOR			
			QTR1	QTR 2	QTR 3	QTR ₄	TOTAL	EKN	EU	UNDP	TOTAL		
Output 1.2: Enhanced Access to justice [1] for the marginalized and vulnerable communities using innovative CSO approaches % of the marginalized and vulnerable Baseline 15% Target 40%													
Number of laws and policies on ADR adopted at national level	1.2.1 Undertake research on topical access to justice themes	b) Support conference on access to justice (convene National Legal Aid Conference etc)			25,000		25,000		25,000		25,000		
Baseline o Target 1		c) Support 4 regional conferences and learning platforms		20,000	20,000		40,000		40,000		40,000		
		b) Grants to 14 legal aid CSOs in 7 rural counties @50,000 (Year 3) while integrating COVID-19 interventions	490,000		210,000		700,000		700,000		700,000		
	1 2 2 Provide 27 drants	c)Grants to 10 legal aid CSOs in 5 urban counties @100,000 (Year 3) while integrating COVID-19 interventions	700,000		300,000)	1,000,000		1,000,000		1,000,000		
		d)Grants to LSK on advocacy	40,000				40,000		40,000		40,000		
	level of innovation in approaches to promotion of access to justice.	e) Grants to PASUNE on advocacy @40,000 per year while integrating COVID-19 interventions			40,000)	40,000		40,000		40,000		
		f) Provide short term grants to 15 NSAs (6 CSOs) to conduct advocacy on special interest groups (@30,000 USD per grant)=Yera3 while integrating COVID-19 interventions	126,000		54,000		180,000		180,000		180,000		

EXPECTED OUTPUTS	PLANNED ACTIVITIES	ACTIVITY DESCRIPTION			2021				DC	NOR	
			QTR1	QTR 2	QTR 3	QTR 4	TOTAL	EKN	EU	UNDP	TOTAL
RESULT AREA 1: Improved respect, enjoyn	ent and promotion of ac	cess to justice, human rights and freedo	ms for Kenyan	15							
Dutput 1.3: Enhanced CSO engagement with national level duty bearers on policy and egislative development as well as enforcement and monitoring of rights and reedoms Number of policy and legal changes on numan rights attributable to CSO engagement baseline of arget Number of policies enforcing rights htributable to CSOs engagement baseline											
Farget	1.3.4 High level policy dialogue for HR and Access to Justice	a) Facilitate CSO engagement with NLAS, DoJ, National Environmental Complaint Committee (NECC), Council for Legal Education, Commission on Administrative Justice, etc		7,500	7,500		15,000		15,000		15,0
		 b) Support to the accredition process for paralegals in Kenya 		5,000	5,000		10,000		10,000		10,0
TOTAL OUTCOME 1			1,356,000	32,500	661,500		2,050,000		2,050,000		2,050,0

EXPECTED OUTPUTS	PLANNED ACTIVITIES	ACTIVITY DESCRIPTION			2021		DONOR				
			QTR 1	QTR 2	QTR 3	QTR4	TOTAL	EKN	EU	UNDP	TOTAL
RESULT AREA 3. organizational performanc	e, sustainability and ena	bling environment for CSOs									
Output 3.2: Capacity of PBO Authority to discharge its mandate to PBO sector Indicator % of supported CSO annual returns submitted Baseline o Target 100% Rating of the CSO Regulator as an enabler for CSOs Baseline Poor Target Satisfactory	3.2.1 Support NGO Board/PBO Authority implement strategic plan with focus on capacity development for compliance; efficient registration of PBOs	d)Strengthening regulatory Compliance of CSOs in the context of COVID-19 pandemic	50,000	50,000			100,000		100,000		100,000
Output 3.4 Critical capacities for organizational development, impact and sustainability among CSOs enhanced Indicator:		a) Induction and training of new grantees etc	3,000				3,000		3,000		3,000
% of supported CSOs having operational systems in place (e.g. financial, project management, administrative and HR)	3.4.1 Conduct capacity development (on technical skills, organizational	b) Training of CSOs on new innovations on access to justice (Facilitate online moderated engagements along identified themes on access to justice, strengthening the regional knowledge networks and Communities Of Practise {COPs}, generate and disseminate knowledge products etc)	20,000	20,000	15,000		55,000		55,000		55,000
Baseline o, Target 100%		c)Training of CSOs on sustainability including Financial Management, Resource Mobilisation development/review of Strategic Plans, coaching on social entrepreneurship etc	10,000	15,000	15,000		40,000		40,000		40,000
% of supported CSOs generating at least 10% of their annual budget internally Baseline 50%	3.4.3 Develop learning materials; knowledge management and IEC strategy	a) Development (Design and publishing) of knowledge materials including newsletter, peer reviewed, CSO Finance manual, CSO Business Continuity Plan publications	3,000	3,500	3,000	3,000	12,500		12,500		12,500
Target 100%		Support quarterly/annual review meetings for access to justice working group		10,000		15,000	25,000		25,000		25,000

EXPECTED OUTPUTS	PLANNED ACTIVITIES	ACTIVITY DESCRIPTION			2021						
			QTR1	QTR 2	QTR ₃	QTR 4	TOTAL	EKN	EU	UNDP	TOTAL
RESULT AREA 4: Effectiveness of CSOs response to Co	ontemporary emerging issues enhanced										
Output 4.4 Internal M&E, reporting and knowledge management processes of Amkeni enhanced Indicator: Number of M&E recommendations from ETE implemented Baseline	I & A 1 MIXE FIELD VISITS	Quarterly M&E field visits (field visits, public information forums etc)	5,000	10,000	10,000	5,000	30,000		30,000		30,000
o Target	4.4.3 Internal review and planning	a)1 mid-year and 1 end year project review meeting,etc			5,000		5,000		5,000		5,000
14	meetings and scoping missions	b) Mid-term evaluation			10,000		10,000		10,000		10,000
	4.4.6 Roll out of M&E reporting system and training of staff and CSOs	Consultancy for updating and maintenance of the system, Training wshops/ Travel etc	1,000	1,000	1,000	1,000	4,000		4,000		4,000
	4.4.7 Strengthening M& E Capacities of 3 regional offices (staff, Vehicles, equipment's etc)	Support establishment of and operations of 3 regional offices	41,100	41,100	41,100	41,100	164,400		164,400		164,400
Daseline o	4.5.1 Produce IEC and publicity campaigns and materials	Publication of Evaluation report, publicity campaigns materials including project visibility; and communication strategy etc (fact sheets, summary of annual key achievements, animation of simplified version of AJS Baseline Policy, Printing of simplified Legal Aid Act)	25,000	25,000	25,000	25,000	100,000		100,000		100,000
Target 1	4.5.2 Maintenance of website/connectivity	shared/hosting services	1,500	1,500	1,500	1,500	6,000		6,000		6,000
10	4.5.3 Media engagement	Press adverts, briefings etc	6 <mark>,</mark> 500	5,000	5,000	5,000	21,500		21,500		21,500
TOTAL OUTCOME 4			80,100	83,600	98,600	78,600	340,900		340,900		340,900

EXPECTED OUTPUTS	PLANNED ACTIVITIES ACTIVITY DESCRIPTION			2021							
			QTR1	QTR 2	QTR ₃	QTR 4	TOTAL	EKN	EU	UNDP	TOTAL
Result Area 5: Effectiveness of Amkeni Wakenya to pro	ovide support to civil society o	rganizations in the Democratic Governance in Kenya en	nanced								
Output 5.1: Adequate human resources mobilized and managed Indicators Performance management rating for staff Baseline Satisfactory rating of staff Target Good rating of all staff	5.1.1 Recruitment and	Staff recruitments and induction		5,000			5,000		5,000		5,000
	5.1.2 Performance management	Staff Costs	125,750	125,750	125,750	85,750	463,000		463,000		463,000
Output 5.2: Internal capacity of staff and governance structures of Amkeni enhanced Quality of governance structures in place Baseline Good Target very good	5.2.1 Capacity development for staff- training, coaching, detailed assignment etc	Staff training	2,500		2,500		5,000		5,000		5,000
	5.3.1. Holding PSC and DP meetings	PSC Meetings and donor meeting	5,000		5,000		10,000		10,000		10,000
Indicator Number of PSC and DP meetings held in accordance to the programme policies Baseline 4 Target 4											
Output 5.4: Internal business processes of Amkeni continuouslv enhanced Indicator: Rating of Amkeni business processes Baseline Good Target	5.4.3 Office running-Rent, utilities, Stationery, vehicle running, etc.	Office Running costs	10,000	10,000	10,000		30,000		30,000		30,000
TOTAL OUTCOME 5			143,250	140,750	143,250	85,750	513,000	-	513,000	-	513,000
TOTAL PROGRAMME COSTS			1,665,350	355,350	936,350	182,350	3,139,400	-	3,139,400	-	3,139,400
GMS			114,475				212,758	-	219,758	-	219,758
TOTAL COSTS			1,779,825	378,055	999,865	194,415	3,352,158	-	3,359,158	-	3,359,158