TOWARDS HUMAN RIGHTS-CENTERED & TRANSFORMATIONAL GOVERNANCE IN KENYA: EMPOWERING CIVIL SOCIETY FOR CHANGE

PROJECT DOCUMENT

Empowered lives.
Resilient nations.

TABLE OF CONTENTD

ABBREVIATIONS

ADR	Assessment of Development Results
AG	Attorney General
CAJ	Commission on Administrative Justice
CBO	Community- Based Organisation
CPD	Country Programme Document
CRA	Commission on Revenue Allocation
CSO	Civil Society Organisation
EITI	Extractive Industries Transparency Initiative
ESCRs	Economic, Social and Cultural Rights
GJLOS	Governance Justice Law and Order Sector
HRBA	Human Rights- Based Approach
IBEC	Inter-Governmental Budget and Economic Council
KNCHR	Kenya National Commission on Human Rights
LKM	Learning and Knowledge Management
MTP	Medium Term Plan
MTR	Mid- Term Review
NGEC	National Gender and Equality Commission
NGOs	Non-Governmental Organizations
OCoB	Office of the Controller of Budget
PBO	Public Benefits Organisations
UN	United Nations
UNCDF	United Nations Capital Development Fund
UNDAF	United Nations Development Assistance Framework
UNDP	United Nations Development Programme

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Country: KENYA
Project Document

Project Title:	**"Towards Human Rights Centered and Transformational Governance in Kenya: Empowering Civil Society for Change"**
UNDAF Outcome:	*Outcome 1.2 – Democratic participation and human rights:* *By 2017 Kenya has a democracy in which human rights and gender equality are respected; elected officials are responsive and accountable;* **citizens and civil society are empowered, responsible and politically/socially engaged;** *equitable representation is achieved through affirmative action; and the electoral processes are free, fair, transparent and peaceful*
Expected CP Outcome	*Same as UNDAF Outcome 1.2 above*
Expected Project Outcomes	i) *Access to Justice and Realization of Human Rights Strengthened* ii) *Rights- Centered Devolved System of Governance Entrenched* iii) *Improved Enabling Environment for Civil Society* iv) *Capacity of Civil Society to Effectively respond to contemporary governance issues enhanced*
Implementing Agency	United Nations Development Programme (UNDP)
Responsible Partners:	Civil Society Organizations
Collaborating Partners:	Government Ministries, Constitutional Commissions and Independent Offices, Donors, Civil Society Organizations, Private Sector and other UN Agencies

BRIEF DESCRIPTION

This Amkeni Wakenya 2015-2018 programme is designed to support the civil society sector in Kenya to effectively impact the society through promotion of democratic participation and human rights including access to justice through civic education and promoting citizen engagement at national and decentralized levels of governance.

This programme intervention is in line with and is based on the UN Delivering as One, UN Strategy on Devolution and further guided by the Government's MTP II. The programme will contribute to UNDAF Outcome 1.2 and CPD Outcome 2 on Democratic Participation and Human Rights namely: By 2017 Kenya has a democracy in which human rights and gender equality are respected; elected officials are responsive and accountable; citizens and civil society are empowered, responsible and politically/socially engaged; equitable representation is achieved through affirmative action; and the electoral processes are free, fair, transparent and peaceful.

Programme Period: 2015- 2018	**Total Resources Required: USD 45,239,000**
Key Result Area (Strategic Plan): Democratic Governance	Total allocated resources: **USD 250,000**
ATLAS: 2KEN014/236	• UNDP Core Resources: **USD 250,000**
Project ID: 00093740	• UN Agency: _____
Award ID: 00086485	• UN Agency: _____
Start Date: 1st January 2015	• UN Agency: _____
End Date: 31st December 2018	• Other:
PAC Meeting Date: 23rd July 2014	• Donor _____
Management Arrangements: Direct Execution	• Donor _____
	• Donor _____
	• Donor _____
	• Government: _____
	Unfunded budget: **USD 44,989,000**
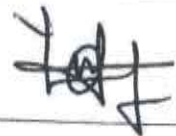
Institution	Signatory	Signature	Date
United Nations Development Programme	Ms. Nardos Bekele-Thomas **Resident Representative UNDP Kenya**		26 MAR 2015
The NGO Coordination Board	Mr. Fazul M. Yusuf **Chief Executive Officer/ Executive Director**		20/08/15.
Ministry of Devolution and Planning	Ms. Anne Waiguru **Cabinet Secretary**		

INTRODUCTION

1.   The role of civil society organisations (CSOs) in service delivery, and promoting human rights, public education and awareness and accountability in all spheres of life has long been recognised. For instance, the UN recognised the importance of working with and through NGOs as far back as 1946 when the Department of Public Information (DPI) was first established. The General Assembly, in its resolution 13 (I), instructed DPI and its branch offices to "...*actively assist and encourage national information services, educational institutions and other governmental and non-governmental organizations of all kinds interested in spreading information about the United Nations. For this and other purposes, it should operate a fully equipped reference service, brief or supply lecturers, and make available its publications, documentary films, film strips, posters and other exhibits for use by these agencies and organizations.*"

2.   In 1968, the Economic and Social Council, by Resolution 1297 (XLIV) of 27 May, called on DPI to associate NGOs, bearing in mind the letter and spirit of its Resolution 1296 (XLIV) of 23 May 1968, which stated that an NGO "...shall undertake to support the work of the United Nations and to promote knowledge of its principles and activities, in accordance with its own aims and purposes and the nature and scope of its competence and activities".[1]

3.   UNDP takes a broader view of civil society which goes beyond the definition of NGOs and conceptualizes it as a third sector which operates alongside and interacts with the state and profit-making entities.[2] UNDP takes cognizance of the fact that CSOs are diverse, sometimes holding views and values contradictory to those of the United Nations, but nevertheless providing a critical space for collaboration and contention, dependent on a nation's setting and history.[3] It has been argued in some academic writings that the concept of civil society as it is known today became prominent or received impetus following the political events in Eastern and Central Europe beginning in the late 1980s that saw the diminishing of communism and the collapse of the Soviet Union.[4] This has largely influenced the conception of civil society as essentially anti- authoritarian and confrontational in its operations but can also be progressive or reactive.[5]

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[1] UN Economic and Social Council Resolution 1296 (XLIV) of 23 May 1968 cited in
http://www.un.org/en/civilsociety/1297.shtml
[2] UNDP, *UNDP and Civil Society: A practice note on engagement*, infra
[3] Ibid
[4]. See for instance, Matanga, Frank, K. (2000) "*Civil Society and Politics in Africa: The Case of Kenya*", a paper presented at the Fourth International Conference of the ISTR, Trinity College, Dublin, Ireland, July 5- 8, 2000
[5] There exists a rich body of literature on the nature and role of civil society in politics and development in Africa and elsewhere. See for instance, Bayart, J. F. (1986) "Civil society in Africa" in, Chabal, P. (Ed). *Political domination in Africa: Reflections on the limits of power* (Cambridge: Cambridge Univ. Press, 1986), pp.109- 125; Ndegwa, S. *The two faces of civil society: NGOs and politics in Africa* (Connecticut: Kumarian Press, 1996);

4. Kenyan civil society has been recognised as one of the most vibrant and progressive in the East African region[6]. The sector has had significant impact in agitating for and contributing towards reforms in the constitutional order, governance and human rights in the country since the 1980s. During this period, CSOs teamed up with pro-democracy activists to push for political and legal reforms that saw the country return to multiparty democracy in the early 1990s.

5. The role of civil society organisations (CSOs) in promoting issue- based politics, respect for the rule of law and protection and promotion of the rights and freedoms of every individual in Kenya has also been acknowledged in the Kenya Vision 2030 and the Second Medium Term Plan (MTP II) 2013-17[7]. The political pillar of Vision 2030 recognizes that "the people themselves, Parliament, *civil society* and a vigilant press are the ultimate defence against abuse of office".[8] The MTP-II notes "…*development of strong partnerships with the NGO sector will strengthen implementation of MTP II and enhance the country's development agenda*"[9].

6. In recognition of the aforementioned role played by civil society in democratic governance, UNDP Kenya Country Office brought together several like-minded development partners[10] into establishing the Civil Society Democratic Governance (CSDG) Facility in 2007-8. The facility was initially meant to provide financial and technical support to CSOs that engaged in advocacy on implementation of the various reforms that were being undertaken within the framework of Governance, Justice, Law and Order Sector (GJLOS). The CSDG facility later rebranded as Amkeni Wakenya and it broadened its scope to include support for CSOs engaging in implementation of reforms within the context of the National Accord on Peace and Reconciliation that was adopted by the Kenya Government in addressing the calamitous post-election violence of 2007/8.

7. In 2009-10, Amkeni Wakenya developed a strategic plan (2011-2015) which prioritized interventions in promoting public participation in devolution, human rights, access to justice. This led to more focused and targeted support to CSOs, based on multi-year funding around the aforesaid themes. Amkeni has rendered support to over 250 CSOs by providing grants amounting to over $33 million over a period of 5 years. The year 2014 marked the end of the first phase of Amkeni Wakenya project, owing to expiry of the UNDAF 2008-14, as well as the funding closure by all the contributing development partners. This has necessitated the development of a new programme document, which shall guide the next phase of the Facility in line with the

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[6] See the Kekic Lazic, *The Economic intelligence unit's index of democracy*: the world in 2007 accessed from http://www.economist.com/media/pdf/DEMOCRACY_INDEX_2007_v3.pdf on 5th July 2014
[7] Vision 2030 is Kenya's development blueprint that aspires to make the country a middle- income country by the year 2030.
[8] Government of Kenya (2007), *Kenya Vision 2030*. Nairobi: Government Printers (Emphasis added)
[9] Ibid pg 114
[10] These were The Embassy of the Kingdom of the Netherlands, Embassy of Sweden, the Royal Norwegian Embassy, the European Union and later the Embassy of Japan.

UNDAF 2014-2018 as well as the emerging priorities in support for civil society in the country.

8. In the next programming phase, Amkeni Wakenya will ensure CSOs remain professional, cutting edge, providing alternative voice and agenda that is pro-poor, supporting particularly women, youth, persons with disabilities and marginalised societies. In turn, this is expected to result in a more democratic society where freedoms and rule of law are respected and upheld.

1. SITUATION ANALYSIS

9. The adoption of the 2010 Constitution of Kenya ushered in one of the most progressive constitutional regimes on the African continent. The Constitution introduced a number of transformative provisions into the country's governance system: It reaffirms that sovereignty belongs to the people of Kenya thereby giving the notion of inherent dignity of the human person, on which human rights are founded, an overt normative impetus; outlines national values and principles of governance and recognises, for the first time since independence in the bill of rights, economic, social and cultural rights as well as civil and political rights. Most of these gains can be attributed largely to the work and agitation of civil society. In spite of this phenomenal progress in the country's constitutional arrangement, a number of governance challenges persist that call for attention.

1.1 Emerging threats to civil and political rights

10. The Bill of Rights evinces a broad scope of civil and political rights, economic, social and cultural rights and the group rights. It provides a good constitutional basis for civil society to fight for the protection and promotion of human rights particularly amongst the poor and marginalised.

11. Whereas significant gains appeared to have been made in the area of civil and political rights following the introduction of multipartism in the early 1990s, the same are increasingly at risk of being eroded. Human rights CSOs have particularly raised concerns regarding the state of human rights in the country. According to the Kenya Human Rights Commission (KHRC), for example, over the last one year, 'democratic principles and the rule of law have been regularly violated under the new regime: freedom of association and freedom of peaceful assembly have been constantly under threat, freedom of expression and of the press have been seriously infringed and fundamental rights of non-discrimination have been jeopardized in various ways[11].

12. In recent years, the country has witnessed a sharp rise in the number of extra-judicial killings and forced disappearances that have sometimes been blamed upon the authorities including by none other than the Kenya National Commission on Human

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[11] FIDH/ KHRC (2014) *Kenya: One Year in Office for Uhuru Kenyatta and William Ruto* at p. 4

Rights (KNCHR).[12] At the same time, new challenges of terrorism are now a threat to enjoyment of fundamental freedoms. While acts of terrorism threaten all human rights of the victims, responses by state agencies have sometimes themselves led to abuse or allegations of abuses of human rights. The recent rounding up of persons of Somali decent led to many Kenyans being denied their fundamental freedoms of association, movement and belief. Kenyans of Somali decent were subjected to arbitrary arrest, harassment, extortion, ill-treatment, forcible relocation and expulsion.[13]

13.   In spite of sustained efforts to reform the police and other security organs in line with the Constitution and human rights principles, reports of deaths attributed to illegal use of force still remain high. According to the Independent Medico-Legal Unit (IMLU), for instance, one hundred and forty three (143) people were killed by the police in the 2013 alone, 98 of who were summarily executed.[14] This example and many more point to the need for civil society to sustain focus on security sector reforms with a view to protecting rights and freedoms.

14.   The passage of media laws that curtail freedom of press signaled a real possibility of reversal of gains contained in the constitution. Attempts to impose undue restrictions on funding to CSOs and make the regulatory environment more stringent have been viewed as an affront to the freedom of association.

1.2   Inadequate fulfilment of economic, social and cultural rights

15.   Nearly half of Kenyans (44%) are poor or unable to meet their daily food requirements. A third of city dwellers live below the poverty line.[15] This means that they cannot access basic human rights such as the right to an adequate standard of living, including food and housing, the highest attainable standard of physical and mental health, and education. In addition, people living in poverty are often socially excluded and marginalized from political power and processes and their right to effectively participate in public affairs is often ignored. The elimination of extreme poverty is not a question of charity, but a pressing human rights issue which States are obligated to fulfill[16].

16.   In the Second Medium Term Plan (MTP II), the Government commits to reduce the proportion of Kenyans living in poverty to the MDGs target of 28 % by 2017. Over the same period, it aims to raise the level of Human Development Index from 0.55 to 0.65. These ambitions will count for nothing unless government policies are sufficiently aligned to objectives that incorporate human rights principles. The extent

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[12] See for instance, KNCHR (2008), *Extrajudicial Killings and Disappearances: Follow- up Report,* (August 2008); MUHURI, *We are tired of taking you to court: Human rights abused by the Kenya Anti-Terrorism Police Unit,* Open Society Foundation, Nairobi 2013 which attributes the killing and disappearance of 21 individuals to the security agencies between 2007 and 2013, ostensibly for links to terrorism
[13] Amnesty International: http://www.amnesty.org/en/news/kenya-somalis-scapegoated-counter-terror-crackdown-2014-05-26
[14] See http://www.imlu.org/2011-08-04-18-06-26/news/item/82-police-killings-from-jan-2013-feb-2014.html
[15] Medium Term Plan 2 of the Vision 2030
[16] For more information on extreme poverty and human rights, visit the OHCHR website for the Special Rapporteur on Extreme Poverty and Human Rights: http://www.ohchr.org/EN/Issues/Poverty/Pages/SRExtremePovertyIndex.aspx

to which the MTP II has embraced the human rights based approach (HRBA) to development is debatable. This provides a good opportunity for civil society actors to engage the government more on ensuring that national and county government policies and programmes designed from MTP II are geared towards fulfilment of human rights and poverty alleviation.

1.3 Challenges faced by independent constitutional commissions and offices

17. Recent developments in the political arena have caused concern that the authority and roles of independent constitutional commissions and offices could be challenged. For instance, Parliament's recent decision to effect huge budgetary cuts to the Kenya National Commission on Human Rights (KNCHR), the National Gender & Equality Commission (NGEC) and Commission on Administrative Justice (CAJ) is likely to weaken the ability of these commissions to enforce their respective human rights mandates. The Executive arm of government is also increasingly being accused of serial violation of court orders in respect of decisions made against the government. This does not bode well for democracy in Kenya.

1.4 Elections and human rights

18. Elections are vital processes that enable citizens to exercise their political rights and express their political choices and preferences. By subjecting leaders to scrutiny by voters, they provide an opportunity for ensuring political accountability, which is critical for the entrenchment of a culture of human rights promotion. Elections in Kenya have in the past, however, served as triggers of grave human rights violations as evidenced by past killings, evictions, peddling of hate speech, gender-based violence among others.[17]

19. The 2010 Constitution provides a good normative framework for addressing some of these challenges by elaborating principles and standards of electoral management. The 2013 general elections, the first to be held since promulgation of the Constitution, thus provided a test for these standards. Even though those elections were generally peaceful, they were still fraught with challenges that called into question the extent to which they were free and fair. To avoid regression to political crisis and give effect to citizens' political rights, there is need to continuously support electoral reforms, strengthen institutions such as the Independent Electoral and Boundaries Commission (IEBC), conduct continuous monitoring of elections with human rights lenses, and carry out continuous civic education. This will go a long way in entrenching democracy and ensuring peace and stability in Kenya.

1.5 Inadequate access to justice

20. Access to Justice, which is the ability of citizens to seek and obtain a remedy for a justice problem through formal or informal institutions of justice and in conformity

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[17] The Kenyan cases on crimes against humanity before the ICC are attributed to the events before and after the 2007 elections. However, serious election violence has attended to elections in Kenya since independence.

with human rights standards, is important.[18] The link between rule of law and sustainable development has been established and its importance acknowledged in the Millennium Declaration.[19] The Government of Kenya, has in its Vision 2030, committed itself to the provision of equal justice for all. Several reform initiatives have been implemented with the objective of improving access to justice for all Kenyans. For instance, in 2009, a Taskforce on Judicial Reforms was appointed to look into ways of creating a judicial system that is independent and effective. Following its recommendations, far-reaching legal and institutional reforms have been put in place to address the structural causes of inefficiency and ineptitude, promote ethics and integrity within the judiciary, and ultimately promote effective dispensation of justice.

1.6   Extractive industries and their potential impact on human rights

21.   Extractive industries are the new economic frontiers for Kenya. The country has embarked on unprecedented activity in the extractive sector leading to discovery of substantial oil deposits in Turkana County, coal deposits in Kitui County, iron ore deposits in Taita Taveta and titanium and other rare minerals at the Coast. Yet there is always the fear of the "resources curse", where countries that are endowed with vast natural resource wealth are afflicted by low levels of economic and human development, violent conflicts, huge inequalities, serious human rights violations and environmental degradation. Kenya has an opportunity to avoid these pitfalls if it learns from experienced by the countries whose extractive industries have resulted This grim situation is avoidable if the resource-endowed countries have in place strong institutions that are able to develop and implement policies that ensure equality, prudent use of natural resource wealth, protection of rights and sustained economic development.

22.   Kenya has an opportunity to join and implement the Extractive Industries Transparency Initiative (EITI) and ensure, among other things, that extractive industries resource revenue information is published in a proactive, timely and comprehensive manner; and also ensure all operating resource companies disclose project by project production volumes, costs, revenues and payments to the state.[20] What however is lacking in this discussion is how to incorporate the human rights principles in the policy frameworks and institutions that will govern the extractive industries. CSOs and communities should ensure these human rights principles are established and adhered to in Kenya, especially at this nascent stage of growth in the extractive industries.

1.7   Devolution and human rights- opportunities and challenges

23.   The Constitution ushered in a devolved system of government and allocated functions between the National government and 47 County governments. It mandates county

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[18] ICJ-Kenya, *A report on perceptions of court users on judiciary reforms in Kenya, September 2012*, (unpublished)
[19] UNDP Rule of Law and Development: Integrating Rule of Law in the Post- 2015 Development Framework
[20] Transparency and Accountability Initiatives (2011), Extractive Industries: A guide to best practice in transparency, accountability and civic engagement across the public sector

governments to deliver services such as water, health, sanitation, pre-primary education, recreation and clean environment to residents. Article 43 recognises economic, social and cultural rights such as the right to adequate standard of health, education, social security and a clean environment. This means, therefore, that county governments have a significant role in contributing to the realization of economic, social and cultural rights. This is best achieved if they can prioritize efficient and effective service delivery infused with human rights principles. Proper management of resources to avoid wastage becomes critical.

24. All county governments have developed County Integrated Development Plans (CIDPs). However, most of these Plans were hurriedly developed with minimal public participation and without due regard to human rights standards and principles. The upshot of this is that development processes that flow from these CIDPs such as county budgets, county investment plans, laws and policies etc. would be lacking in human rights principles and approaches that are necessary for delivery of economic, social and cultural rights. Evidence is already emerging that some county governments have misapplied resources that could have been applied to realizing economic, social and cultural rights. The Auditor General's 2013/2014 report, for instance, revealed that considerable resources had either been spent on non-priorities or had not been satisfactorily accounted for. These and more reports indicate malpractices and shed light on the importance of greater oversight role to be played by the Office of Controller of Budget (OCoB), Parliament, county assemblies as well as CSOs.

1.8 Weak and uneven capacities of CSOs

25. Capacities of Kenyan CSOs in undertaking their mandates are fairly well- developed. Amkeni Wakenya has since inception implemented assorted capacity building interventions that have enhanced the capacities of CSOs in project design, monitoring and evaluation as well as financial management. However, these capacities are unevenly distributed, with the urban and better- funded CSOs exhibiting better abilities than their rural counterparts. Even though considerable investments have been made towards strengthening the capacities of rural- and urban- based CSOs alike, capacity gaps persist.

26. Perhaps one critical challenge facing majority of Kenyan CSOs is weak sustainability. Most CSOs are chronically dependent on foreign funding despite the growing potential of local philanthropy.[21] This situation impairs their ability to think long-term and perhaps compromises their independence. With the emergence of county government as new duty- bearers, CSOs working at county-levels are faced with capacity gaps on how best to engage the new authorities. Due to high turnover within CSOs (as an incidence of weak sustainability and therefore limited ability to retain professionals), there is a constant need for skills development among NGO workers.

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[21] See, UNDP, *Towards best practices in Kenyan CSOs; a report on benchmarking exercise for Amkeni Wakenya partners,* Nairobi, UNDP 2013- Out of the CSOs surveyed in this report, only 10% are able to raise 10% (or more) of their annual budget from local sources.

1.9 Inadequate enabling environment for civil societies

27. Civil society organisations need an enabling environment to perform effectively. The environment depends on internal and external factors that either assist or constrain civil society including the legal and regulatory framework, the political and governance context, socio-cultural characteristics, and economic conditions. Other enabling elements that are critical include freedom of citizens to associate, ability to mobilize financial resources to fulfil their objectives, ability to formulate, articulate and convey opinion, access to information; and the existence of spaces and rules of engagement for negotiation and public debate. On a scale of 0-1- where optimality moves towards 1- Kenya is ranked at 0.43 in terms of Civicus' Enabling Environment Index. This reflects a sub-optimal ranking which can be attributed to a legal framework that is inappropriate to the evolving complexities and dynamics of civil society. The nature of self-regulatory mechanisms within civil society appears inadequate, given the persistence of wrangles, poor perceptions of accountability and impact of CSOs.

28. The recently-enacted Public Benefits Organisation Act, 2013 provides the administrative and legislative framework that would promote the enabling elements such as ability to mobilize resources and to exercise voice and to influence the management of public affairs[22]. The CSOs have to take advantage of the enabling factors provided in the law while guarding against reversals that would constrict space and access to resources and ability to voice public/community views and interests particularly of the poor and marginalised communities, youth and women. However, there are other segments of civil society that continue to thrive under antiquated regulatory frameworks. The situation is also compounded by the fact that the policy framework governing the sector was last reviewed in 2006 and remains more focused on NGO, to the exclusion of other equally vibrant sectors (CBOs, FBOs and charitable trusts).
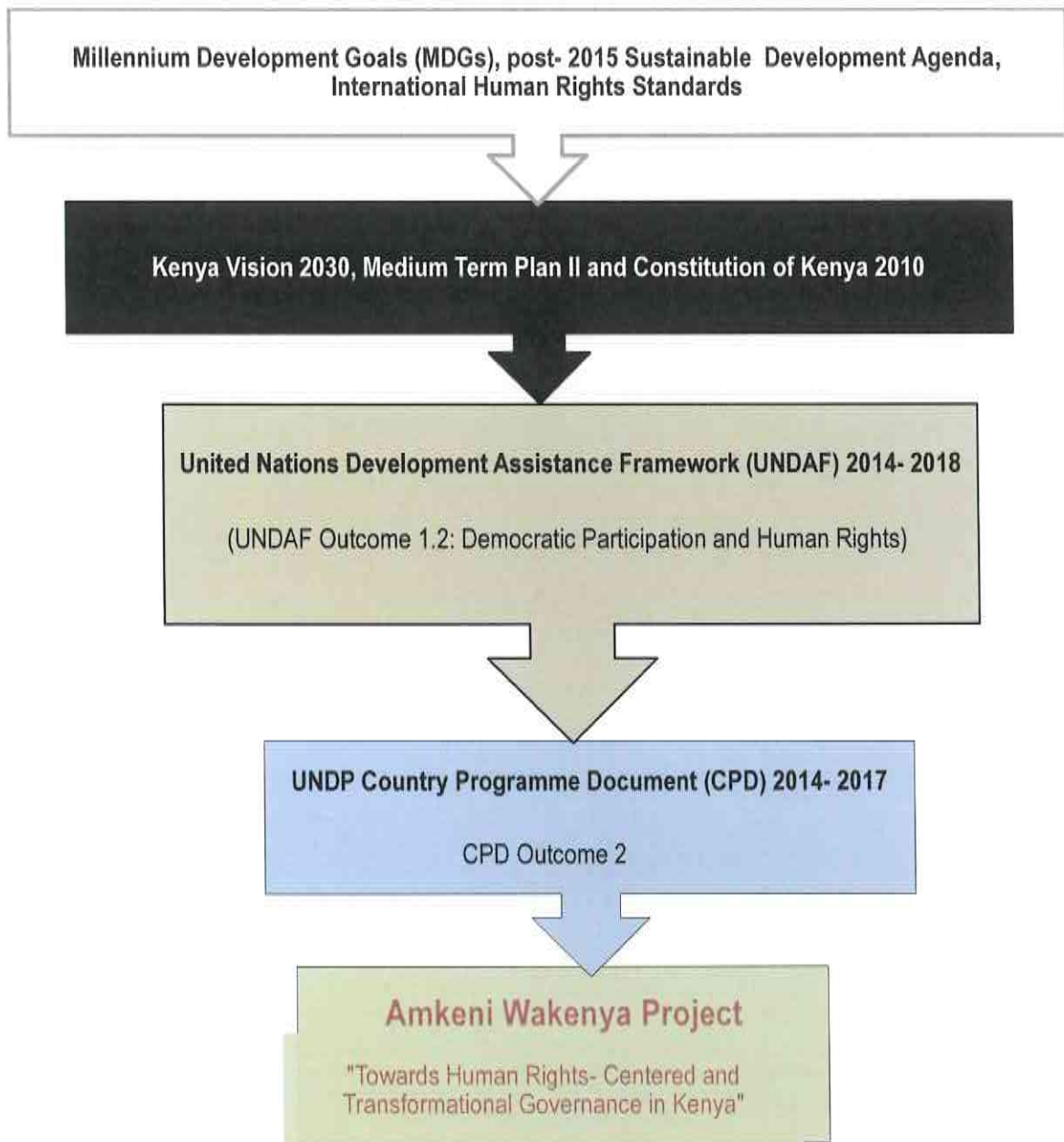
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[22] The Public Benefit Organisations Act 2013 is available on the Kenya Law website at
http://www.kenyalaw.org:8181/exist/kenyalex/actview.xql?actid=No.%2018%20of%202013

2. PROGRAM STRATEGY

2.1 Amkeni Wakenya Approach

29. Amkeni Wakenya's work is anchored in the UN's global policy of engaging civil society as part of its mandate to facilitate dialogue between citizens and governments. At the Agency level, it speaks to UNDP's Global Strategic Plan (2013-8) which gives prominence to citizen participation in governance processes. At a country level, the program is linked to UNDP's Country Program Document (CPD 2014-8) and UNDAF (2014-8). In specific terms, the programme resonates with UNDAF Strategic Result No. 1 on Transformational Governance first priority area which is to improve governance and the realization of Human rights and specifically outcomes 1.2. The program also fits into the UN's "Joint One UN Strategy on Devolution" to support the Government in devolution. The strategy aims to maximize the UN's developmental impact on the devolution process.

30. The Vision 2030 and Medium Term Plan 2013-17 (MTP-II) has to some extent anticipated the role of CSOs in the various development programmes that are envisaged therein. Civil society organizations played a pivotal role in the enactment of the constitution 2010, an acknowledged success under the first Medium Term Paper (2008-2012). Implementation of the supreme law remains for now a key governance priority under MTP-II, in which the government has identified as key priorities, extensive legal audit and reforms as well as civic education aimed at making citizens understand their rights and duties under the constitution well enough to actively engage the government and governmental processes as part of civic engagement[23]. The MTP-II envisages more awareness creation opportunities in for instance anticorruption campaigns, legal aid and awareness, implementation of bill of rights and entrenchment of HRBA, civic education on election processes and promotion of alternative dispute resolution and alternative justice systems. These are processes that create demand and opportunities for CSO programming as envisaged in Amkeni Wakenya's new programme.

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[23] GoK, 2013 supra pg. 103

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│  Millennium Development Goals (MDGs), post- 2015 Sustainable          │
│  Development Agenda, International Human Rights Standards              │
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│  Kenya Vision 2030, Medium Term Plan II and Constitution of Kenya 2010│
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│  United Nations Development Assistance Framework (UNDAF) 2014- 2018   │
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│  UNDP Country Programme Document (CPD) 2014- 2017                     │
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│  Amkeni Wakenya Project                                               │
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│  Transformational Governance in Kenya"                                │
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Lessons learnt- 2008-2014

31.   Since establishment in July 2008, Amkeni Wakenya has managed to reach out and provide support to more than 220 civil society organisations (CSOs) across the country. This support in the form of grants, capacity building and learning and knowledge management has targeted, and benefited, small grassroots-based CBOs as well as medium size and bigger national-level CSOs/NGOs. At its inception (between 2008-10), Amkeni sought to support CSO and citizen participation in the governance reforms that were conceptualized and implemented with the framework of the

Governance Justice Law & Order Sector (GJLOS) and the National Accord on Peace and Reconciliation.

32. The work of Amkeni Wakenya from 2011 has been guided by its Strategic Plan for 2011- 2015, which makes implementation of the 2010 Constitution of Kenya the central framework on the basis of which all CSO projects are supported. It also places the citizen- through civic education, citizens' engagement, accountability and protection of marginalized groups- at the heart of all its projects and programmes and identifies three (3) main strategic themes for the period were: i) Enhancing Access to Justice for all especially the poor and marginalized; ii) Promoting people-centred Devolution; and iii) Realization of Human Rights, especially economic, social and cultural rights. This strategy was pursued through grant-making (raising of funds and disbursement of the same as grants to CSOs), capacity development (empowering CSOs with skills, knowledge and competencies at individual and organizational level) and knowledge management (harnessing and disseminating knowledge on topical discourse, good practices and lessons learnt within the wider civil society).

33. In 2010, Amkeni Wakenya commissioned a mid-term review (MTR) which sought to evaluate the progress and achievements made by the facility since inception. The Review, for instance, confirmed that considerable progress had been achieved in:

- Creating awareness among citizens on governance reforms generally and, in particular, on national healing and reconciliation following the post-election crisis in 2007/8, GJLOS reforms and constitutional reforms before and after 2010 referendum;

- Mobilizing citizens to participate in legal and policy reforms aimed at implementing the Constitution especially in respect of improving access to justice, establishment of people-centered devolved governments and promotion of human rights;

- Strengthening institutional, technical and networking capacities of CSOs;

- Building/ sustaining linkages among CSOs and between CSOs and other stakeholders in the reforms spaces including, but not limited to, Agenda 4 Commissions, Government ministries, departments and agencies and donors; among others.

- The Review also revealed that Amkeni Wakenya had contributed significantly to providing coordinated support to CSOs thereby minimizing incidences of double/multiple funding to the same organisations and ensuring that donor support goes beyond urban areas.

34. The review also identified the following as the key lessons that were learnt during the period under review:

- Maintain focus on current strategic priorities and seek to build on successes of the national healing and reconciliation project implemented in 2008/9 period.

- Continue deliberate targeting of women, youth and persons with disabilities.

- Facilitate strategic dialogues on the future desired state of civil society and explore possibilities of supporting community networks and establishing an alumni network to enhance experience-sharing and knowledge management.

- Review its capacity development strategy to make greater use of existing capacity that has been developed over the years while addressing sustainability issues.

- Scale-up knowledge management capabilities of Amkeni and engage more in policy analysis and engagement on areas that are pertinent to the work of CSOs and the new agenda of the facility

- Development partners should consider long-term investment in the Programme to facilitate long-term planning, implementation and provision of multi-year funding to CSOs for sustainable results. They should also consider availing more resources to support programs in marginalized areas such as Northern Kenya.

35. Apart from the Mid- Term Review, other assessments conducted to determine the impact and effectiveness of results achieved by Amkeni Wakenya have revealed important lessons. The Assessment of Development Results (ADR) for Kenya study, which was commissioned by UNDP Evaluation Office and was conducted in 2013, is one such process. The ADR report highlighted, among other things, the need to strengthen coordination among CSOs that are supported by Amkeni Wakenya, disburse funds in a timely manner, and sustainability of initiatives.

Amkeni Wakenya's new strategic focus

36. Since the MTR, Amkeni has undertaken a series of consultations and internal reflections aimed at positioning the facility to effectively addressing the above issues as well as emergent challenges that come in the aftermath of 2013 general elections. The regulatory developments regarding civil society and the need to link this with enabling environment for performance and impact of CSOs is a critical development which merits attention in the new period. The formulation of the UN Development Assistance Framework (UNDAF) for 2014-18 and a Country Programme Document (CPD) with focus on human rights has to be taken into consideration as Amkeni charts it way forward. The strategic focus therefore for 2015 to 2018 shall be:

i) Access to justice and realization of Human Rights;

ii) Promoting rights-responsive Devolution and local governance and

iii) Promoting an enabling environment for CSOs.

iv) Enhance capacity of civil society to effectively respond to contemporary governance issues

37. Amkeni Wakenya will seek to provide coordinated support, on behalf of all UN Agencies and where possible other development partners to CSOs working both upstream to engage in policy making and legislative processes and downstream to

demand for improvement of services and accountability by the duty bearers. Upstream work will also involve strengthening of key CSOs institutions and initiatives that will enhance CSOs engagement with the duty bearers such as development of the national framework for public participation, supporting national civic education through Kenya National Integrated Civic Education (KNICE), judiciary reforms amongst others.

38. Amkeni Wakenya will be guided by the following engagement principles:

- Human rights based approaches, gender equality and environmental sustainability;

- Knowledge generation and dissemination to support policy analysis and engagement around CSO work in the above-mentioned thematic areas

- Triangulation: linking research organization with national advocacy organization and county-based community mobilization actors in a triangular relationship.[24]

- Capacity development for CSOs in organizational performance, sustainability and critical capacities; and

- Capacity development for CSO regulator (NGO Board/PBO Authority).

2.2 Target Groups

39. Amkeni Wakenya will essentially support CSOs focused on/ working in democratic governance. As part of implementing the recommendations of the mid-term review, Amkeni Wakenya will give priority to the CSO partners that have received support from it in the early phase of the programme. This is because considerable investment has been made in building their capacities and, in order for those CSOs to contribute to transformation, those capacities should be harnessed.

40. However, through the flexible/emergency funding window, Amkeni will reach out to new strategic partners and new CSOs with outstanding ideas of innovative programming in the aforementioned thematic areas. Special attention will also be paid to CSOs working with youth, women and other marginalised groups. The notion of CSOs is not restricted to NGOs or related typologies but also professional bodies, trade unions, academic institutions and private sector bodies.

41. Amkeni will also work with the NGO Coordinating Board, which hopefully will transit into the Public Benefit Organizations Regulatory Authority (PBORA). This partnership will aim at enabling the regulator attain requisite capacity to discharge its responsibilities towards the CSOs. This will also ensure the PBORA become more responsive to CSOs and their needs.

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[24] This approach was piloted in 2011-4 period with grantees supported by the EU- grant with limited success. It links research organization (which collects evidence required for policy advocacy) with national advocacy organization (which engages with national –level duty bearers using evidence generated by the research body) and county-based CSOs (who identify local issues for scaling up for research and advocacy)

42. In order to up-scale its policy analysis and engagement work, Amkeni will sustain existing and forge new partnerships with independent statutory and constitutional bodies as indicated below:

Thematic area	Potential partner (thematic policy audiences)
Human Rights and access to justice	National level CSOs (including FBOs, CBOS, NGOs,Trade Unions, Academia and private sector organizations), Article 59 Commissions, Judiciary Service Commission, Judicial Training Institute; National Environment Management Agency; National Police Service Commission; Independent Policing Oversight Authority
Devolution	National level CSOs, Transition Authority, Commission on Revenue Authority, Office of Auditor General, Office of Controller of Budget; Council of Governors, Intergovernmental Technical Committee and other organs as set up in the Intergovernmental Relations Act
Elections	National level CSOs, Independent Elections & Boundaries Commission, National Cohesion and Integration Commission; Kenya National Integrated Civic Education Programme
Extractive industries	National level CSOs, National Environment Management Agency; National Land Commission; Energy Regulatory Commission
Capacity development	National level CSOs, Kenya School of Government; Kenya Curriculum Development Institute, Institute of Development Studies
Cross-cutting issues	National level CSOs, Kenya Law Reform Commission; Constitution Implementation Commission;

2.3 Coordination Mechanisms

43. Within UNDP, Amkeni Wakenya is part of the Governance Unit. In line with delivering-as-one (DaO) principle, various units within the country office are working on a one-stop model for ensuring coordinated civil society support by UNDP. Amkeni is part of this initiative, which for now entails sharing of information, joint planning and interventions on common issues e.g. peace and conflict, extractive industries and devolution. Amkeni will use this mechanism to promote internal synergy with regard to support for CSOs within UNDP.

44. UNDP is part of the Civil Society and Media Donor Group (CSMDG) which is the sector coordination group at the Development Partners (DP's) level. The CSMDG normally meets on a quarterly basis except when key issues arise. Amkeni will participate in this Group with a view to share information and scale-up issues that merit attention by development partners and the international community. Amkeni is part of the PMUs Coordination Forum, which brings together organizations involved in grant-making and capacity development for CSOs in democratic governance. It meets once a quarter to exchange information, map out interventions and promote synergies and joint action.

3. Results Framework

45. In the implementation period, Amkeni will pursue results within 5 pillars, namely; Access to justice and realization of human rights; Rights-centered devolution; enabling environment for CSOs; Civil society response to contemporary governance issues and; Internal Capacity development Amkeni will retain the methodological pillars of grant-making, capacity development and knowledge management though

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emphasis will gradually shift more towards the qualitative aspects of the latter two. This is in line with Amkeni's ambitions of positioning itself as a knowledge-based facility for support civil society in Kenya.

3.1 Outcomes, Outputs and Activities

Result Area 1: Access to Justice and Realisation of Human Rights

Outcome 1: *.Improved respect, promotion and enjoyment of access to justice, human rights and freedoms in Kenya*

46. Amkeni Wakenya seeks to provide support to transformative initiatives that aim at translate the normative framework of the Bill of Rights into a reality characterized by respect, fulfilment and promotion of rights and better access to justice for all. This speaks with Outcome 1 (strengthening governance and realization of rights) of UNDAF. This also builds in previous work done in the first four years where significant support was channelled towards human rights education and policy advocacy particularly on socio-economic rights. Amkeni also invested significantly in promoting rights of marginalized and vulnerable groups.

47. However, Amkeni Wakenya will increasingly focus on consolidating and safeguarding civil and political rights owing to threats identified above. Human rights research and monitoring to assess the level of threats and compliance by the State is necessary given the possibility of regression. To ensure success of this strategy, it will be necessary to support broad-based civil society platforms on human rights that can aggregate situational information and analyses on a large scale and with limited political risks. Amkeni Wakenya will rely on UNDP's unique role as interlocutor of civil society to facilitate channelling of monitoring reports to the relevant duty bearers for action. To ensure rapid and flexible response to human rights emergencies, Amkeni Wakenya will make available the Emerging Issues Fund (EIF) to civil society initiatives that demonstrate innovative and strategic interventions. This approach will become more critical as the country nears the 2017 elections and as political tensions rise. The forthcoming elections provide yet another chance to revive discourse on leadership and integrity, with a view to promoting political accountability.

48. Access to Justice is the ability of citizens to seek and obtain a remedy for a justice problem through formal or informal institutions of justice, and in conformity with human rights standards. The nexus between access to justice and rule of law, on one hand, and human rights, peace and prosperity, on the other, has long been established. In his 2005 report to the UN General Assembly, *In Larger Freedom: Towards development, security and human rights for all*, the United Nations Secretary-General observed that "the Millennium Declaration (had) reaffirmed the commitment of all nations to the rule of law as the all-important framework for advancing human security and prosperity. Yet in many places, Governments and individuals continue to violate the rule of law, often without consequences for them but with deadly consequences for the weak and the vulnerable... The rule of law as a mere concept is

not enough. New laws must be put into place, old ones must be put into practice and our institutions must be better equipped to strengthen the rule of law[25].

49. Access to justice is a human right and has been recognised as such in Article 48 of the Constitution of Kenya. Accessing justice is essential to communities and individuals, especially the poor and the marginalized. In the absence of access to justice, people are unable to have their voice heard, exercise their rights, challenge discrimination or hold decision-makers accountable.[26]

50. Amkeni Wakenya's support in this area will focus on addressing obstacles to access to justice at the community level through providing services that deliver justice mechanisms to the marginalized and vulnerable in society. Upstream, access to justice programs will support development of policies, regulations and institutions that are inclusive of poor and marginalised people. Access to justice reforms must encompass all sectors, not only the police, prosecutors, courts and legal aid, but also legal education and government departments providing public services, as well as civil society and community-based organisations with a role in community empowerment in promoting human rights, justice and legal empowerment of the poor.

51. The main **outputs** for this pillar are:

- Enhanced citizen awareness and engagement on human rights and access to justice[27] using innovative CSO approaches

- Enhanced Access to justice for the marginalized and vulnerable communities using innovative CSO approaches

- Enhanced CSO engagement with county- and national- level duty bearers on policy and legislative development, enforcement and monitoring of human rights and access to justice

Result Area 2: Entrenching rights-responsive devolved system of governance

Expected Outcome 2: *Devolved governance structures contributed effectively to realization of human rights*

52. Through Amkeni Wakenya support, CSOs will be facilitated to monitor and advocate that Human Rights Based Approach (HRBA) are built into county plans and budgets, and in promoting maximum citizen participation in policy making processes to respond to special needs including women and marginalized groups. Amkeni

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[25] United Nations Secretary-General (2005) *In Larger Freedom: Towards development, security and human rights for all*, (A/59/2005), Para 133
[26] UNDP website on Access to Justice and Rule of Law
http://www.undp.org/content/undp/en/home/ourwork/democraticgovernance/focus_areas/focus_justice_law.html
[2727] This includes both formal and traditional justice mechanisms as envisaged by Article 159 of CoK(2010)

Wakenya will build on the work done so far by the Kenya National Commission on Human Rights especially with regard to training of government officials on HRBA and development of knowledge materials. Mainstreaming of HRBA, gender issues and HIV/AIDS in development processes will particularly be essential at county levels. In order to ensure sustainability, CSOs will be supported to advocate adoption of county laws and policies that integrate human rights principles.

53. Realization of human rights has budgetary implications. The manner in which national and county budgets are developed has a direct and significant effect on *which* human rights are realized and *for whom*. Budget analysis is a critical tool for monitoring gaps between policy and action, for ensuring the progressive realization of human rights, for advocating alternative policy choices and prioritization, and ultimately for strengthening the accountability of duty-bearers for fulfilment of their obligations. Therefore support to CSOs to conduct budget analysis will be crucial.

54. County governments have institutional mechanisms that can be used to promote civil and political rights. For instance, county governments have established County Policing Authorities (provided under Section 41 of National Police Service Act) for various purposes *inter alia* to enhance public participation in policing work and ensure police accountability. Amkeni will for instance support CSOs in forging innovative partnerships (either based on advocacy, capacity development or networking) with CPAs with a view to influencing these mechanisms to adopt human rights approach to policing.

55. Amkeni Wakenya will support the establishment of public participation mechanisms, legal and policy frameworks as part of entrenching HRBA. Mechanisms for public participation in the county government decision-making (in identification and prioritization of public policy choices and planning and development) are in the process of being developed and institutionalised. The institutionalisation of public participation as a right in County governance is critical output of this result area.

56. The ability of the county governments to discharge their mandates largely depends on support and facilitation by the national government. County financing and oversight is the responsibility of National Treasury and the Senate respectively, whereas the Ministry of Devolution and Planning as well as the Transition Authority have obligations relating to policy oversight and capacity development respectively towards the counties. This programme therefore will support engagement between Civil Society and these national-level duty bearers with a view to realizing empowerment of county governments to fulfil their rights mandate.

57. The **outputs** of the program will be:

- Capacity of CSOs to engage county govt & duty bearers[28] on planning, budgeting, project management and service delivery using HRBA enhanced and applied

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[28] This includes national government ministries, agencies & departments operating at county levels (police, line ministries, parastatals, independent commissions and offices etc) and private sectors actors

- Rights- responsive public participation laws, frameworks & platforms developed and institutionalised at the County levels

- Innovative CSO partnerships forged and strengthened with county governments and duty bearers as well as national processes/institutions involved in the devolved government reforms in enhancing rights and freedoms

Result Area 3: Enabling environment for civil society in Kenya

Outcome 3: Improved organizational performance, sustainability and enabling environment for CSOs in Kenya.

58. Amkeni Wakenya will build on the experiences gained in developing capacities of civil society for improved institutional performance and impact. This will entail continuous strengthening of individual capacities of staff working for partner CSOs, in recognition of the fact that these organization experience unprecedented levels of staff turnover. Amkeni Wakenya will also focus on strengthening critical organizational capacities relating to governance, programme management, financial management and human resources management as well as knowledge management. Special attention shall be paid to promotion of financial and organizational sustainability through promotion of such approaches as strategic planning, HRBA, gender mainstreaming and social entrepreneurship.

59. Existence of an enabling environment is a precondition for effective performance of civil society organisations. Enabling environment depends on external factors that assist or hinder civil society in promoting the interests of the poor. These factors are the legal and regulatory framework, the political and governance context; socio-cultural characteristics, and economic conditions. In addition, enabling elements such as: freedom of citizens to associate; ability to mobilize financial resources to fulfil the objectives of their organizations; ability to formulate, articulate and convey opinion; access to information; and the existence of spaces and rules of engagement for negotiation and public debate are critical.

60. The Public Benefits Organisation Act, 2012 provides the administrative and legislative framework that would promote the enabling elements such as ability to mobilize resources and to exercise voice and to influence. The CSOs have to take advantage of the enabling factors provided in the law while safeguarding against reversals that would constrict space and access to resources and ability to voice public/community views and interests particularly of the poor and marginalised communities, youth and women.

61. From inception, Amkeni has always supported the creation of a conducive regulatory framework for CSOs with emphasis on self- regulation. In 2011-2012, Amkeni supported the NGO Council to develop a Strategic Plan. In 2012, it supported the process of formulation of the PBO Act in 2012 by facilitating the CSO Reference Group and Parliament's Departmental Committee. Amkeni will therefore continue to support advocacy and capacity development efforts towards implementation of the

Act. This will include support towards establishment of self-regulation mechanisms such as the Public Benefits Organization Federation and self-regulating forums.

62. Existence of a capable and responsive regulator is also a critical factor in ensuring an enabling environment. However, the current regulator, the NGO Co-ordination Board continues to lack adequate capacity to enable it effectively monitor and regulate the NGO sector; competently advice the government on its activities and facilitate an enabling environment for the sector to thrive and effectively contribute to national development. Some of the challenges identified during the Strategic Plan period 2008-12 such as inadequate capacity for research and policy analysis as well as monitoring still remain largely unaddressed. In addition, as the Board's compliance and enforcement work has evolved, the demand for investigation services has increased due to increasing number of reports and complaints lodged with it. These demands have severely stretched the Board's limited human and financial resources. The capacity shortfalls, continue to undermine the Board's capacity effectively discharge its responsibility of protecting the public interest in the governance and management of NGOs and will also affect the rolling out of the PBO Act. This has in turn affected NGOs and other PBO capacity to more effectively contribute to the country's development goals and specifically, Kenya Vision 2030 and the MDGs.

63. The outputs include:

- Enabling policy and legal frameworks on civil society adopted and implemented with adequate CSO participation.

- Capacity of PBO Authority to discharge its mandate to PBO sector enhanced

- CSO self-regulation mechanisms established and supported

- Critical capacities for organizational development, impact and sustainability among CSOs enhanced.

Result Area 4: Effective Civil Society Response to Contemporary Governance Issues

Expected Outcome 4: *Capacity of civil society to effectively respond to governance issues enhanced*

64. Amkeni Wakenya has, over the years, effectively provided support to CSOs to address emerging or topical governance issues using flexible grant making and capacity development mechanisms. The Emerging Issues Fund (EIF) is one mechanism that has been used effectively to enable CSOs to respond to crucial governance issues such as national healing and reconciliation in 2008/9, the referendum on the Constitution in 2010 and, more recently, the 2013 general elections. In the next phase, Amkeni Wakenya will continue to deploy EIF in addressing human rights emergencies and governance challenges that pose risks to consolidation of a democratic culture in the country.

65. Given the increasing importance of extractive industries sector in Kenya today, and the unprecedented interest in exploitation of minerals and mineral oils in most parts of the country, Amkeni Wakenya will support CSOs wishing to engage in research, policy advocacy and awareness-raising on the implications of this sector. In line with UNDP's focus on Extractive Industries in Africa, Amkeni will work to infuse human rights principles (using the HRBA) in the planning and management of EI at county level, and support community driven initiatives for peaceful and sustainable dispute resolution. Amkeni will also support citizen empowerment through civic education on extractive industries and facilitate their participation in the development of laws and policies on EI at the national and county levels. Policy dialogue bringing together civil society and policymakers to discuss the natural resource curse and other contemporary issues will be supported. Amkeni will link CSO actors with duty bearers by leveraging on the ongoing UNDP's County Office's initiative aimed at building capacity of government to better manage extractive industries sector.

66. Apart from the foregoing, Amkeni Wakenya will also build on its past work in the field of electoral reforms and promote greater citizen participation in the forthcoming general elections. Electoral reforms advocacy will seek to ensure that the process takes into account the political rights of women, youth and marginalized groups, and that highest standards of election management in accordance with the Constitution are met. Compliance of the electoral process with human rights standards through monitoring and advocacy will be critical as will be processes and mechanisms that will promote political accountability of leaders.

67. Corruption remains a big challenge in Kenya. It is reflective of a long-entrenched culture of impunity.

68. Key outputs under this outcome will include:

- Adequate integration of human rights principles in laws, frameworks and operations governing extractive industries with meaningful CSO participation.

- Effective CSO participation in electoral processes using innovative approaches

- Integrity and political accountability addressed effectively through innovative anti-corruption initiatives

Result Area 5: Internal Capacities of Amkeni Strengthened

Outcome 5: Amkeni able to support CSOs and stakeholders efficiently, effectively and sustainably

69. To realize its ambition of providing world-class support to civil society, Amkeni Wakenya will continue to strengthen its internal capacity. This will entail improving internal capabilities through appropriate recruitment, retention and motivation systems.

70. Secondly, Amkeni believes that it cannot support devolution while maintaining a centralized character itself. It is desirable to have a physical presence in the Counties

and move Amkeni's services closer to the people and improve proximity to county institutions. This will improve effectiveness of advocacy and other initiatives and make monitoring and evaluation more efficient and effective. While it may appear demanding and costly at the beginning, decentralization will, in the long run, reduce operating costs associated with frequent travel to and from the Counties. This will entail a gradual roll-out, initiating presence in the eight regions of the country and using existing UN infrastructure in counties, including UNVs and later working out mechanisms for full-blown decentralization.

71. Thirdly, Amkeni will adopt modern technology to facilitate effective and efficient monitoring of its programmes and operations. ICTs to enhance knowledge management and learning within Amkeni's partnership base will be identified and utilized accordingly.

72. Fourthly, UNDP will continue to spearhead fundraising efforts for Amkeni with a view to achieving financial sustainability for the Facility. This will entail reaching out to non-traditional donors from emerging economies and as well as traditional western donor countries not currently contributing to the basket.

73. Key outputs hereunder include:

- Adequate and professional human resources recruited and managed

- Internal capacity of staff and governance structures of Amkeni enhanced

- Internal M&E, reporting and knowledge management within Amkeni enhanced

- Visibility and profile of Amkeni as critical actor in democratic governance enhanced

- Internal business processes of Amkeni continuously enhanced

- Adequate resources for Amkeni's work generated in a sustainable manner

Table 1: Results and Resources Framework

UNDAF(or other relevant framework) Outcome:									
Joint Programme Outcome:									
JP Outputs (Includes corresponding indicators and baselines)	**Participating UN organization-specific Outputs**	**Participating UN organization corporate priority**	**Implementing Partner**	**Indicative activities for each Output**	**Resource allocation and indicative time frame* (USD)**				
					Y1	Y2	Y3	Y4	Total
Outcome 1: Improved respect, enjoyment and promotion of access to justice, human rights and freedoms for Kenyans	Enhanced Citizen awareness and engagement on human rights using innovative CSO approaches	UNDP, OHCHR & Amkeni Wakenya	Amkeni CSO partners*	Grants and technical support	2.035m	2.035m	2.035m	2.035m	**8.140m**
	Enhanced Access to justice[29] for the marginalized and vulnerable communities using innovative CSO approaches	UNDP & Amkeni Wakenya	Amkeni CSO partners*	Grants and technical support; knowledge generation and policy advocacy	980,000	980,000	980,000	980,000	**3.920m**
	Enhanced CSO engagement with national level duty bearers on policy and legislative development as well as enforcement and monitoring of rights and freedoms	UNDP, OHCHR & Amkeni Wakenya	Amkeni CSO partners*	Grants and technical support; knowledge generation & policy advocacy	530,000	530,000	530,000	530,000	**2.120m**
	Adequate integration of human rights principles in laws, frameworks and operations governing extractive industries with meaningful CSO participation.	UNDP, OHCHR & Amkeni Wakenya	Amkeni CSO partners*	Grants, technical support and knowledge generation & policy advocacy	880,000	880,000	880,000	880,000	**3.520m**

[2929] This includes both formal and traditional justice mechanisms as envisaged by Article 159 of CoK(2010)

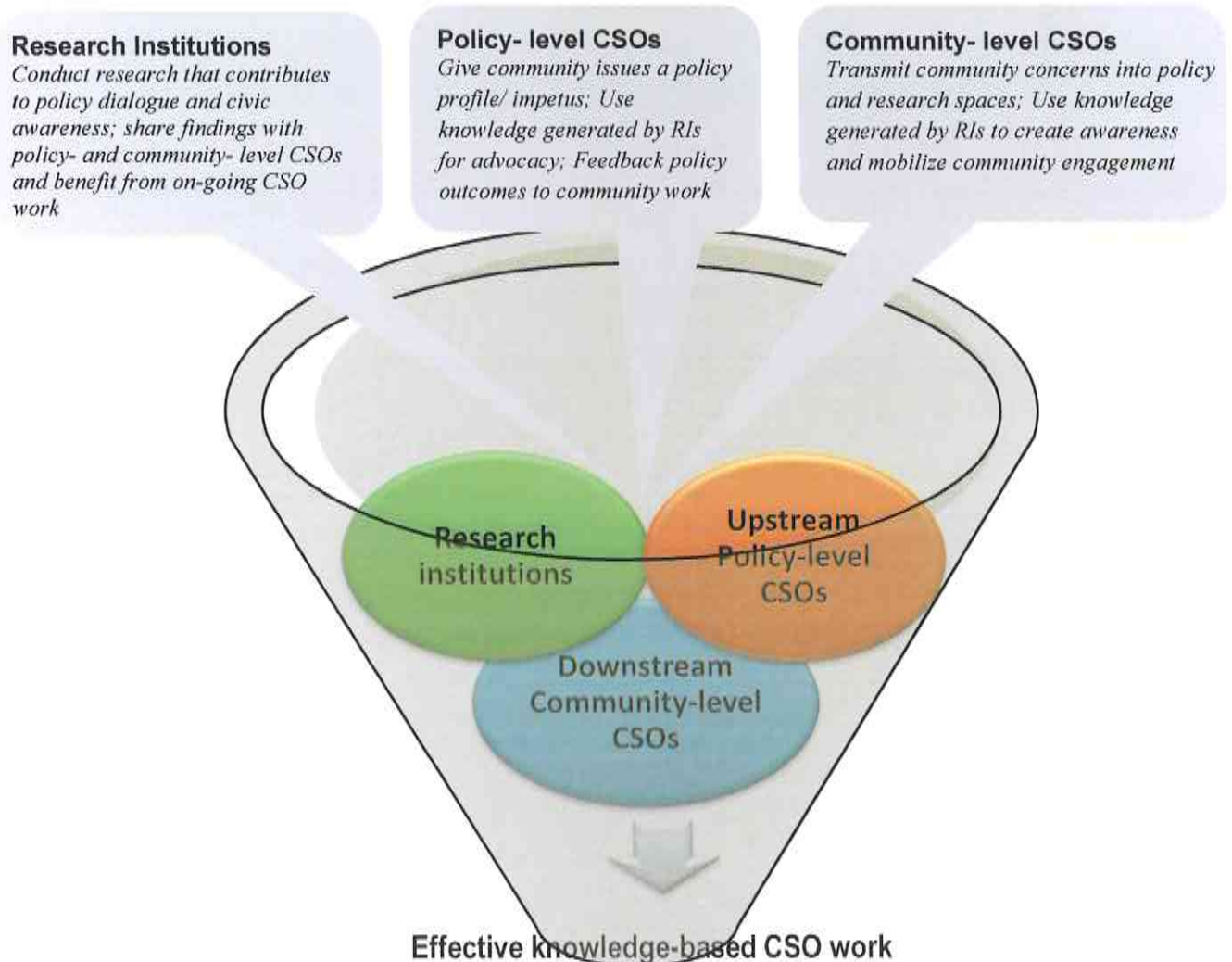|									
	Effective CSO participation in electoral processes and political accountability mechanisms using innovative approaches	UNDP & Amkeni Wakenya	Amkeni CSO partners*	Grants, technical support and policy advocacy	50,000	50,000	50,000	50,000	0.200m
	TOTAL BUDGET (OUTCOME 1) USD				**4.475m**	**4.475m**	**4.475m**	**4.475m**	**17.900m**
Outcome 2: A rights-responsive devolved system of governance entrenched	Capacity of CSO to engage county govt & duty bearers[30] on planning, budgeting, project management and service delivery using HRBA enhanced and applied	UNDP & Amkeni Wakenya	Amkeni CSO partners*	Training, production of training materials, Technical support	105,000	55,000	55,000	30,000	0.245m
	Rights- responsive County Public participation laws, frameworks & platforms established and institutionalised.	UNDP, OHCHR, Amkeni Wakenya	Amkeni CSO partners*	Knowledge generation, policy advocacy, technical and grants support	1.375m	1.375m	1.375m	100,000	4.225m
	Innovative CSO partnerships with county government and duty bearers in enhancing rights and freedoms	UNDP,UNMC & Amkeni Wakenya	Amkeni CSO partners*	Grants support; technical support and knowledge generation	1.683m	1.683m	1.683m	100,000	5.149m
	TOTAL BUDGET (OUTCOME 2) USD				**3.163m**	**3.113m**	**3.113m**	**230,000**	**9.619m**
Outcome 3: Improved organizational performance, sustainability and enabling environment for CSOs in Kenya	Enabling policy and legal frameworks on civil society adopted and implemented with adequate CSO participation.	UNDP & Amkeni Wakenya	Amkeni CSO partners*	Grants, technical support and knowledge generation & policy advocacy	330,000	330,000	330,000	120,000	1.110m
	Capacity of PBO Authority to discharge its mandate to PBO sector enhanced	UNDP & Amkeni Wakenya	NGO Board/PBO Federation	Grants and Technical Support	200,000	200,000	200,000	200,000	0.800m

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[30] This includes national government ministries, agencies & departments operating at county levels (police, line ministries, parastatals, independent commissions and offices etc) and private sectors actors

Outcome	Output				Yr1	Yr2	Yr3	Yr4	Total
	CSO self-regulation mechanisms established and supported	Amkeni Wakenya	Amkeni CSO partners*/ PBO Federation	Grants and Technical Support	150,000	150,000	150,000	150,000	0.600m
	Critical capacities for organizational development, impact and sustainability among CSOs enhanced	Amkeni Wakenya	Amkeni CSO partners*	Grants and Technical Support; knowledge generation	240,000	240,000	240,000	240,000	0.960m
	TOTAL BUDGET (OUTCOME 3) USD				920,000	920,000	920,000	710,000	3.470m
Outcome 4: Effective Civil Society Response to Contemporary Governance Issues	Adequate integration of human rights principles in laws, frameworks and operations governing extractive industries with meaningful CSO participation.	UNDP, OHCHR & Amkeni Wakenya	Amkeni CSO partners*	Grants, technical support and knowledge generation & policy advocacy	880,000	880,000	880,000	880,000	3.520m
	Effective CSO participation in electoral processes and political accountability mechanisms using innovative approaches	UNDP & Amkeni Wakenya	Amkeni CSO partners*,	Grants, technical support and policy advocacy	100,000	100,000	1m	100,000	1.300m
	Integrity and political accountability addressed effectively through innovative anti-corruption initiatives	UNDP/ UNODC	Amkeni CSO Partners	Grants, technical support and policy advocacy	100,000	100,000	100,000	100,000	0.400m
	Internal M&E, Reporting and knowledge management process of Amkeni enhanced	UNDP & Amkeni Wakenya	UNDP/ Amkeni Wakenya	Internal M&E activities; periodic evaluations	100,000	100,000	150,000	200,000	0.550m
	Visibility and profile of Amkeni as critical actor in Democratic governance enhanced	UNDP & Amkeni Wakenya	UNDP/ Amkeni Wakenya	IEC materials; media engagement	550,000	550,000	550,000	550,000	2.200m
	TOTAL BUDGET (OUTCOME 4) USD				1.73m	1.73m	2.68m	1.83m	7.970m
Outcome 5: strengthened Capacity of Amkeni to support	Adequate and professional human resources recruited and managed.	UNDP & Amkeni Wakenya	UNDP/ Amkeni Wakenya	Recruitment, performance reviews	1m	1.2m	1.2m	1.2m	4.6 m

CSOs and stakeholders efficiently, effectively and sustainably.	Internal capacity of staff and governance structures of Amkeni enhanced	UNDP & Amkeni Wakenya	UNDP/ Amkeni Wakenya	Staff training	35,000	35,000	35,000	35,000	0.140m
	Internal governance processes of Amkeni supported	UNDP & Amkeni Wakenya	UNDP/ Amkeni Wakenya	SRG and DP meetings and reviews	30,000	30,000	30,000	30,000	0120m
	Internal business processed of Amkeni continuously enhanced	UNDP & Amkeni Wakenya	UNDP/ Amkeni Wakenya	Audits, Business process reviews	350,000	350,000	350,000	350,000	1.400m
	Adequate resources for Amkeni's work generated in a sustainable manner	UNDP & Amkeni Wakenya	UNDP/ Amkeni Wakenya	Donor roundtables	5,000	5,000	5,000	5,000	0.020m
	TOTAL BUDGET (OUTCOME 5) USD				**1.42 m**	**1.62m**	**1.62 m**	**1.62 m**	**6.28m**
	GRAND TOTAL (ALL OUTCOMES)								**45.239m**

3.2 Sustainability of results

74. Amkeni Wakenya will continue to pursue sustainability of results within its programmes and interventions in the following ways: First, Amkeni's capacity development strategy will continue strengthening the capacities of individuals and institutions alike to ensure that they attain own sustainable levels of capability and are able to secure sustainability of the results that they work for.

75. Secondly, Amkeni Wakenya will during this period invest more time and resources in learning and knowledge management (LKM). This will entail, among other things, deliberately supporting CSOs to generate, share, transfer and otherwise manage knowledge in their areas of interest and work and build their civic education and policy engagement work upon sound knowledge bases. As much as possible, CSOs engaged in upstream policy work and downstream community work will be linked with research institutions including universities and think tanks conducting research in their fields of work. Such an approach will secure a measure of longevity and permanence of results and change that arises from such knowledge-based engagement.

Research Institutions
Conduct research that contributes to policy dialogue and civic awareness; share findings with policy- and community- level CSOs and benefit from on-going CSO work

Policy- level CSOs
Give community issues a policy profile/ impetus; Use knowledge generated by RIs for advocacy; Feedback policy outcomes to community work

Community- level CSOs
Transmit community concerns into policy and research spaces; Use knowledge generated by RIs to create awareness and mobilize community engagement

Effective knowledge-based CSO work

76. Thirdly, Amkeni Wakenya will build on the past successes of HRBA and results-based management approach that will seek to empower citizens and groups as right-holders to continuously demand rights in a constructive manner while also ensuring that vulnerable and marginalized groups are not left behind. The approach will also seek to empower duty-bearers to through CSO-engagements to effectively meet challenges that constrain their ability to fulfil rights. Entrenchment of a culture of integrating human rights principles will make such CSO engagements sustainable through into the future.

77. Fourthly, Amkeni will leverage on the Delivery as One (DaO) strategy of UN to marshal a coordinated support to CSOs from all UN agencies in Kenya. Through networking with other PMUs that are currently engaged in grant-making for civil society, Amkeni will forge partnerships that embrace a long-term perspective to support for civil society. This will ensure a broader catchment of support to CSOs which could off-set any risks that may emerge should Amkeni's support come to an abrupt but unlikely end.

4. Management and Coordination

78. The institutional framework for management and coordination of Amkeni is provided for in the Joint Statement of Intent (JSI) 2010, which is the agreement that binds the development partners that have subscribed to the Facility. The framework is described hereinbelow:

Programme Management Unit- PMU

79. Amkeni is a Project Management Unit (PMU) managed by UNDP on behalf of the development partners. As a PMU, Amkeni has a responsibility to manage, coordinate, and provide oversight of all activities, approve and fund CSOs, provide information from the Facility and manage its dissemination to other project units, manage capacity building services to CSOs, and coordinate collaborators' work so that progress in outcomes is attained.

80. The PMU has a management team that works with the Project Approval Committee (PAC) which appraises and approves proposals from applicants who will then be funded as Amkeni IPs. Amkeni also works with a Stakeholder Reference Group (SRG) which serves in an advisory role and consolidates perspectives from IPs.

UNDP Senior Management Team (SMT)

81. UNDP is the project holder of Amkeni. For this reason, UNDP retains operational and financial supervisory responsibility over Amkeni. Within UNDP, Amkeni falls within the docket of the Governance Unit headed by a Team Leader, who is part of UNDP's SMT. Amkeni's management team holds weekly briefings with the Team Leader for purposes of agenda setting and accountability for performance. The Team Leader provides management feedback to UNDP's SMT on a weekly basis.

Development Partners Group (DPG)

82. This group brings together the Development Partners (DPs) contributing to the Facility and UNDP. The DPG meets every 6 weeks to review progress and approve plans and budgets for Amkeni. The Group also identifies risks and mitigation measures. Members of the DPG are also represented in other donor coordination mechanisms such as the Democratic Governance Donor Group (DGDG) and therefore can upscale issues that merit intervention at higher levels.

Stakeholders Reference Group (SRG)

83. The SRG comprises CSOs representatives elected by an annual meeting of Amkeni partners and stakeholders. The SRG members provide strategic advice to Amkeni and represent CSOs concerns in the decision-making processes of Amkeni. They meet on a quarterly basis. The PMU as well as the DPG are represented in SRG meetings. The structure of SRG is likely to change in the new programme phase to reflect the new strategic direction of the facility

Coordination with Government of Kenya Regulatory Bodies

83A. The mandate of regulating the Non- Governmental Organisations (NGO) sector in Kenya is vested by the Non-Governmental Organizations Co-ordination Act (Cap 19) of 1990 in the NGOs Coordination Board. The Board is a State Corporation responsible for registering, coordinating and regulating all national and international NGOs operating in Kenya; advising the Government on the contribution of NGOs to national development; providing policy guidelines for NGOs to align their activities with national priorities and receiving and analyzing NGOs annual reports; and facilitating and coordinating the work of all national and international NGOs operating in Kenya. (Article 7 of the Act)

For the Amkeni Wakenya project, enhancing national ownership of Project results, ensuring coherence and alignment of supported projects with national priorities and strengthening coordination and accountability within the sector remain overarching project principles and is part of the project's sustainability plan. This resonates with responsibilities outlined above for the Board or its successor institution(s). In this respect the NGO Board will have a key strategic role to play within Amkeni Wakenya. More specifically, the Board will be required to:

a) Participate in the process of identifying strategic focus areas of grant making and capacity building interventions of Amkeni Wakenya, including the focus of calls for proposals, and the framework for criteria and selection of potential NGO partners;

b) Partner with Amkeni Wakenya and other stakeholders in capacity development activities for the NGO sector as well as monitoring and evaluating progress of implementation of interventions;

c) Share with Amkeni Wakenya, UNDP, development partners and other stakeholders such information on the registration and compliance status of NGOs as a requirement in determining selection of partnership with potential NGO partners.

In order to support the Board to achieve this mandate, Amkeni Wakenya will provide technical, capacity building and other support to the NGO Coordination Board or its successor institution(s), to the extent permitted by available resources, within the Results and Resources Framework in the Project Document.

The specific modalities for achieving these objectives will be jointly worked out by the UNDP, the NGO Board and participating development partners in a manner that promotes better working of the sector, that is consistent with the 2010 Constitution and other laws of Kenya, and that does not contradict or in any way violate the Board's mandate as a Government institution, or undermine the distinct role and mandate of NGOs.

This structure of governance is shown below:

Figure 1: Governance Structure - Amkeni Wakenya

Management Structure of Amkeni
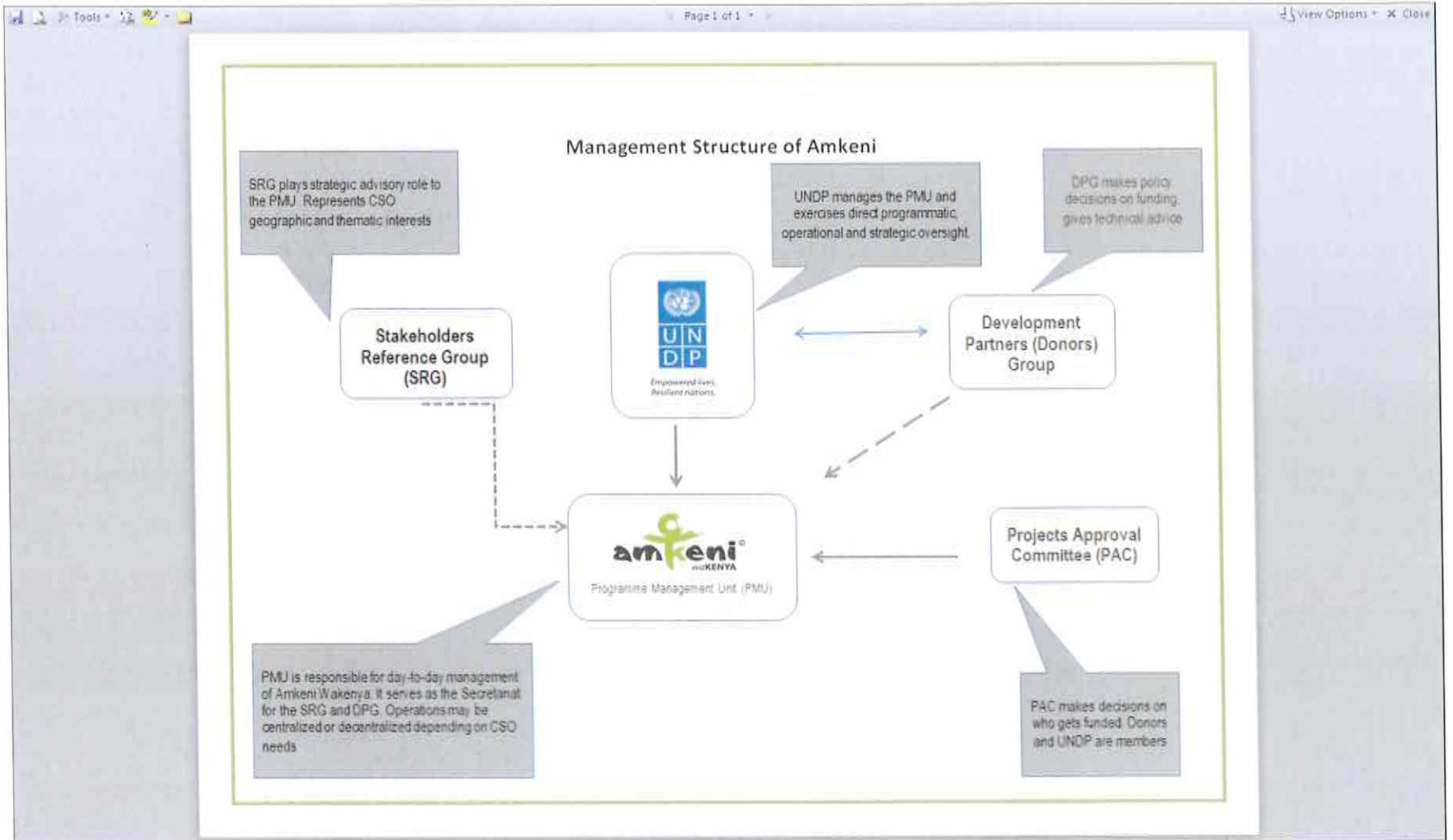
The bulk of Amkeni's *downstream* work - Civic Education, Citizen Engagement- supported through Grant Making, Capacity Building will be devolved to Eight Regions- Kisumu, Eldoret, Mombasa, Embu, Wajir etc.

The 'New Look' Amkeni Wakenya

PMU manned by PM, Finance, Procurement and Admin staff

A small dedicated team will be retained at the National level to undertake *upstream* work i.e. Policy Analysis and Advocacy, Knowledge Management and Communication

PMU

Lean staff at HQ (Nairobi)

Decentralized Functions

[Regional presence in 8 regions of the Country]

National -level functions

[Policy and Research Unit based at the PMU]

Each of the 8 regions manned by 1 Programme Officer and 1 MGE Officer

Devolution

Access to Justice and HRs
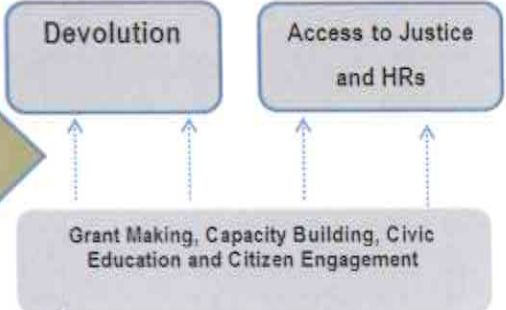
- Policy Analysis and Advocacy
- Knowledge Management- research
- Communication
- CSO Regulation law
- CSO/Govt and CSO/Private Sector Partnerships

Unit manned by 2 Prog Officers and 1 Communications Officer

Grant Making, Capacity Building, Civic Education and Citizen Engagement

Monitoring and Evaluation and Results Reporting

35
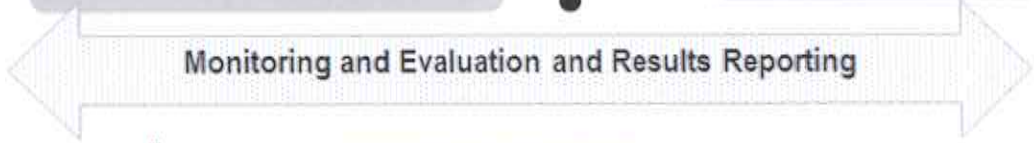
5. Monitoring and Evaluation

84. The Amkeni Wakenya Monitoring and Evaluation (M&E) framework is based on the UNDP results-based M&E and the principles of Participatory Monitoring and Evaluation. The M&E process by Amkeni Wakenya combines evidential, quantitative indicators with reflective, evocative approaches through hosting of regular learning forums, stakeholders reviews, documentation and dissemination of methodologies and good practices.

85. Amkeni Wakenya's M&E framework, intends to monitor not only the financial performance of Amkeni Wakenya's grants but also achievements of outputs and outcomes, responsiveness of Amkeni Wakenya's strategy, CSOs satisfaction and performance and added value to development partners.

86. To achieve this, Amkeni Wakenya PMU will continue to jointly develop with its partners, indicators for outcomes and outputs and also a database for baseline. M&E framework will be disseminated to partners to ensure that regular monitoring, reporting, learning, implementation and evaluations are based on the M&E framework. Mandatory training for partners and staff will take place at the start of the program phase and continuously in order to develop M&E skills among the staff and partners.

87. To ensure effective M&E roll out, an M&E Officer shall be recruited. The PMU shall also make use of technology to enhance M&E processes.

Expected Results (Outcomes & outputs)	Indicators	Baseline	Target (by 2018)	Means of verification	Collectio (with inc frame &
Outcome 1: Improved respect, enjoyment and promotion of access to justice, human rights and freedoms for Kenyans	• Level of mainstreaming of human rights in national & county governance & development processes • Level of reduction of human rights violations	➢ MTP II has integrated HRBA yet CIDPs at the counties are not HRBA Compliant	50% Of counties integrate HDBA in the CIDPs	Surveys	Annual s
Output1.1: Enhanced Citizen awareness and engagement on human rights using innovative CSO approaches	• Level of citizens' awareness on human rights (disaggregated) • Number of innovative CSO approaches adopted	➢ 22% of Kenyans aware of ECOSOC rights (SGK, Report 2012 ➢ No CSO approach identified	40% of Kenyans accessing justice Two innovative CSO approaches adopted	SGK Survey Survey Reports CSO Reports	Review Survey F Review Reports FGDs w have rec rights ec

Key Activities:

1.1.1 Develop common human rights education materials
1.1.2 Technical support for CSOs during implementation
1.1.3 Provide grants to 20 CSOs to implement innovative human rights education programmes Provide grants to consortia t

Expected Results (Outcomes & outputs)	Indicators	Baseline	Target (by 2018)	Means of verification	Collectio (with inc frame &
Output 1.2: Enhanced Access to justice for the marginalized and vulnerable communities using innovative CSO approaches	• Proportion of the marginalized and vulnerable communities accessing Justice • Number of laws and policies on ADR adopted at national	➢ 34% of citizens accessing alternative dispute resolution mechanism (IHBS,p.91) ➢ No laws on ADR	40% of Citizens accessing ADR mechanisms One law on ADR adopted	Survey Reports Amkeni Annual Reports National Assembly Hansard	Annual Survey Progres Review

outputs)					frame &
	level				

Key Activities:
1.2.1 Undertake research on topical access to justice themes
1.2.2 Provide technical support to CSOs during implementation
1.2.3 Provide grants to 10 CSOs demonstrating high level of innovation in approaches to promotion of access to justice

| Output 1.3: Enhanced CSO engagement with national level duty bearers on policy and legislative development as well as enforcement and monitoring of rights and freedoms | • Number of policy and legal changes attribute- able to CSO engagement • Number of rights whose enforcement is attributable to CSO engagement | TBD, during the Baseline study At least two, PBO and Media bills | At least 4 policies attributable to CSO engagement At least 4 rights attributable to CSO engagement | Senate and National Assembly Hansard Survey Reports | Annual Rev Senate and National As Hansard Review of / Survey rep |

Key activities:
1.3.1 Provide technical support to CSOs during implementation
1.3.2 Undertake research on topical human rights issues at national level
1.3.3 Provide core grants to 5 national level CSOs engaged in policy advocacy (on prioritized themes) on human rights matters

| Outcome 2: A rights-responsive devolved system of governance entrenched | • Level of responsiveness of the devolved system to citizens' rights | The Constitution of Kenya 2010 provides for the rights responsive devolved system | 20 % of Citizens perceive that their county govts. respond to their rights | Mid-term and end term evaluation Reports Survey Reports | Review and end Review reports |
| Output2.1: | • Level of citizen | ➤ TBD in the Amkeni | Level of citizen | Survey Reports | Annual |

outputs)					frame &
Capacity of CSO to engage county governments & duty bearers[31] on planning, budgeting, project management and service delivery using HRBA enhanced and applied	participation in planning and budgeting at the county level • Level of adoption of HRBA principles at the county level	baseline ➢ Minimal adoption, (TBD in the Amkeni Baseline)	participation increased by 10%	Annual Reports	Annual F of survey reports a project

Key Activities:

2.1.1   Training of 4700 CSO staff on HRBA approaches in 5 years
2.1.2   Development of manuals on HRBA for CSOs
2.1.3   Support a knowledge network on HRBA
2.1.4   Document best practices in application of HRBA

Output 2.2: Rights- responsive County Public participation laws, frameworks & platforms established and institutionalized.	• Level of citizen participation in county legislation processes • No. of laws on citizen participation adopted with demonstrable citizen participation at the county level	(TBD) in Amkeni baseline survey No laws	10% increase in the level of citizen participation in county legislation 4 Laws	Surveys County Assembly hansard	Review reports Review Assemb

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[31] This includes national government ministries, agencies & departments operating at county levels (police, line ministries, parastatals, sectors actors

Key Activities:

2.1.1 Provide grants to 25 CSOs to engage in policy and legislative advocacy using HRBA at county level

2.1.2 Technical support to CSOs during implementation

Output 2.3: Citizens' knowledge and skills in devolved governance and policy processes enhanced	• Level of citizens awareness on devolved governance processes • Number of citizens' reached with civic education	30% of Kenyans aware of devolution structures and processes	20 % increase in the level of awareness on devolution processes	Survey Reports Progress Reports	Annual Rev Survey repc Review of A Progress re

Key activities:

2.3.1 Develop civic education materials on rights responsive devolved governance

2.3.2 Provide grants to 10 CSOs to undertake continuous civic education on rights responsive devolved governance

2.3.3 Provide technical support and back-stopping during implementation

Output 2.4: Innovative CSO partnerships with county duty bearers and national processes/institutions (involved in the devolved government reforms) in enhancing rights and freedoms	• Number of relevant institutions engaged at the national levels • Number of successful initiatives supported by the county duty-bearers initiated • Changes arising from the successful partnerships in the devolution landscape	➢ 1 state and 1 non-state institution engaged ➢ None	➢ state and 2 non-state institutions engaged • At least 3	Progress Reports	Review (Progress

Key Activities

2.4.1 Undertake research on devolution matters at national level

2.4.2 Technical backstopping

2.4.3 Provide grants to 5 national level CSOs engaged in policy advocacy (on prioritized themes) on devolution matters with nat

of innovation in forging partnerships (advocacy, research, lobbying or capacity development) with County-level duty bearers i

					frame &
Outcome 3: Improved organizational performance, sustainability and enabling environment for CSOs in Kenya	Rating of the enabling environment for CSOs in Kenya Proportion of CSOs recording improved organizational performance and sustainability	(TBD in the Baseline survey by Amkeni) 50% of the CSOs whose capacity has been strengthened recording improvement	(TBD) 60% of the CSOs whose capacity has been strengthened recording improvement	Survey Reports progress reports	Review c and End-Reports Review c Reports Annual F progress
Output 3.1: Enabling policy and legal frameworks on civil society adopted and implemented with adequate PBOs participation.	• Level of CSO participation in policy development discourses • Number of laws and policies on PBOs adopted	Low level of participation (TBD by the baseline survey Report to be undertaken)	(TBD) Increase by 10% the level of CSOs participation in policy development	Baseline Survey report	Review c survey re

Key Activities:
3.1.1 Conduct studies on policy and legal frameworks
3.1.2 Provide grants support to 3CSOs involved in policy and legal advocacy on CSO law (PBO Act, CBO law, CSO policy)

Output 3.2: Capacity of PBO Authority to discharge its mandate to PBO sector enhanced	• Efficiency of the PBO Authority to deliver • Rating of the PBO Authority as an enabler for CSOs	PBO Authority proposed in the PBO Act. No Rating of the new PBO Authority as of yet	Capacity of the PBO authority increased and efficient 50% rating for PBO Authority by PBOs	Survey Reports	Annual F survey r

Key Activities:
3.2.1 Support NGO Board/PBO Authority implement strategic plan with focus on capacity development for compliance; efficient

outputs)					frame &
Output 3.3: CSO self-regulation mechanisms established and supported	• Level of CSO self-regulation mechanisms established • PBO satisfaction with the role of PBO self-regulation	No CSO self-regulation mechanism established	One effective CSO self-regulation mechanism established	Survey Reports PBO Act	Review of reports

Key activities:

3.3.1 Support PBO Federation and 4 CSO self-regulatory forums

3.3.2 Conduct studies on processes that promote CSO self-regulation (institutional excellence, peer review etc)

Output 3. 4: Critical capacities for organizational development, impact and sustainability among CSOs enhanced	• Level of organizational capacities among PBOs • Level of PBOs sustainability	(TBD) in the Amkeni Baseline Survey (TBD, in baseline survey)	(TBD)	Survey Reports Benchmarking Reports	Annual F Survey r Annual F Benchm

Key Activities

3.4.1 Conduct capacity development activities on identified capacity needs relating to technical skills, organizational managemer

3.4.2 Undertake studies on capacity development- assessments, benchmarking

3.4.3 Develop learning materials

3.4.4 Support a knowledge network

Outcome 4: Capacity of civil society to respond to contemporary governance issues enhanced	• Number of emerging governance issues responded to • Effectiveness of the response to emerging governance issues addressed	➢ 2 responses on civic education for referendum ➢ 1 response to post-election violence ➢ I response to election civic	One response to the election 2017 One response on extractive industries	Annual Reports	Review Report

outputs)					frame &
		education			
Output4.1: Adequate integration of human rights principles in laws, frameworks and operations governing extractive industries with meaningful CSO participation.	• Number of laws and frameworks governing extractive industries with CSO participation • Level of citizen participation in extractive industries	➤ None ➤ Low (TBD in the baseline survey)	At least two laws and one framework Increased level of participation (TBD, based on baseline survey)	Survey Reports Survey Reports	Review (Survey F Review (Reports/

Key Activities

4.1.1 Conduct studies on topical EI and human rights issues

4.2.2 Support a knowledge network on EIs Provide grants to 8 CSOs (6 county-based and 2 national) to undertake innovative p

| **Output 4.2:** Effective citizen participation in electoral processes and political accountability mechanisms using innovative CSO approaches | • Number of citizens reached by CSOs during voter education
• Number of CSOs supported to provide civic education | ➤ 1 Million people reached directly and indirectly with voter education during the 2013 Election period
➤ 70 CSOs supported so far | 1Million people reached directly and indirectly

50 CSOs supported | Amkeni Annual Reports

CSO Reports | Annual I Annual

Quarter CSO Re |

Key Activities

4.2.1 Conduct studies on political rights, leadership and integrity

4.2.2 Provide grants to 50 CSOs to undertake voter education and monitoring during election period (3CSOs to be suppor advocacy)

| **Outcome 5:** Strengthened | Rating of Amkeni by CSOs on its efficiency and | (TBD) by the Amkeni Baseline | Amkeni rated at 50% | Survey Reports Mid-term and | Surveys Audits a |

outputs)					frame &
Capacity of Amkeni to support CSOs and stakeholders efficiently, effectively and sustainably.	effectiveness	survey		End-term evaluation Reports Audit Reports	and End
Output5.1: Adequate and professional human resources recruited and managed.	• Performance management rating for staff	Satisfactory rating of staff	Good rating of all staff	Staff Performance appraisal reports	Annual s performa

Key Activities:
5.1.1 Recruitment and induction of staff
5.1.2 Performance management

Output 5.2: Internal capacity of staff and governance structures of Amkeni enhanced	• Quality of governance structures in place • Capacity of staff	(TBD) during the Amkeni baseline survey	Well-structured governance structures High caliber staff	Survey Report Monkey Survey reports	Annual S Question

Key Activities:
5.2.1 Capacity development for staff- training, coaching, detailed assignment etc
5.2.2 Capacity development for SRG members

Output 5.3: Internal governance processes of Amkeni supported	• Levels of accountability to stakeholders	(TBD) during the Amkeni Baseline survey	High level of accountability to stakeholders	Survey Reports	Surveys FGDs

Key activities:
5.3.1 Holding SRG and DP meetings

5.3.1 Holding meetings with UNDP SMT					
Output 5.4: Internal M&E, Reporting and knowledge management process of Amkeni enhanced	• Level of uptake of M&E recommendations • Quality of M&E processes	Low level of uptake of M&E Recommendations	High level of up-take of M&E recommendations	Audit reports Mid-term and End-term evaluation reports	Surveys, Field visi
Key Activities 5.4.1 Field visits 5.4.2 Periodic reporting (ATLAS (DEX), DP, Annual etc.) 5.4.3 Internal review and planning meetings 5.4.4 Maintenance of LKM system					
Output 5.5: Visibility and profile of Amkeni as critical actor in Democratic governance enhanced	• Level of visibility and media presence of Amkeni Wakenya • Quality and reach of communication products	(TBD) during Amkeni Baseline survey	High visibility of Amkeni Good Quality of Communication products	Survey Reports Annual Progress reports	Annual F survey re Question Annual F Progres
Key Activities 5.5.1 Produce IEC materials 5.5.2 Maintenance of website .5.3 Media engagement					
Output 5.6: Internal business processes of Amkeni continuously enhanced	• Rating of Amkeni business processes	(TBD) during the Amkeni Baseline survey	(TBD)	Survey Reports Mid-term and end-term Evaluation Reports	Surveys Mid-terr evaluati intervie
Key Activities					

5.6.1 Commission studies on business processes improvement
5.6.2 Hold regular review of internal business processes

| **Output 5.7:** Adequate resources for Amkeni's work generated in a sustainable manner | • Adequacy of resources
• Level of sustainability mechanisms established
• Diversity of funding sources | (TBD) in the Amkeni baseline survey report | (TBD) | Annual progress reports | Surveys Review c progress |

Key Activities
5.7.1 Hold donor roundtables
5.7.2 Participate in CSO/DG exhibition
5.7.3 Participate in donor coordination mechanisms

6. Risk Management

88.   Amkeni Wakenya has in the past adopted a risk-based management approach to programme management. This entails integrating risks assessment and early warning into the programme's monitoring and evaluation system. As a result, risk-related information is generated and assessed as a matter of routine and fed into the decision-making processes for timely action/response. Accordingly, timely reporting on risk-relating information also constitutes part of Amkeni Wakenya's reporting obligations to UNDP headquarters, and this feeds into the organization's global risk assessment and early warning system.

A detailed risk management strategy is elaborated hereinbelow:

Risk Management Framework

Risk	Type and Impact	Probability	Mitigation
1. Decline in political support by the GoK for the programme	**Political: High** Govt support through providing enabling policy and operational environment is critical for success of CSO strengthening interventions	**High** Government has prioritized enactment of laws which if not well scrutinized, may undermine CSO enabling environment. Existing tensions between CSOs and the government lay credence to this possibility	High level engagement by the UN and development partners with GoK to maintain focus and support for CSO strengthening
2. Ethnic and regional polarization due to heightening political activities and tensions as 2017 elections approach	**Political: High** Civil society may be caught up in the ensuing tensions and thus programme activities at both national and grassroots levels may be viewed suspiciously by citizens and authorities	**Medium:** So far, civil society has conducted its affairs above board without taking any political sides. This is likely to continue into the long term	The programme will ensure the programme partners adhere to values of Amkeni which inter alia include non-partisanship and political impartiality. The programme shall strategically use the UN emblem to enhance its neutrality
3. Political apathy due to slow and discordant implementation of reforms	**Political: medium** High levels of apathy likely to keep citizens away from project activities	**Medium:** Support for the new constitution remains very high in most places. This may offset any disappointments that may accompany unsatisfactory pace and outcomes of implementation of reforms	The programme shall develop an appropriate communication and visibility strategy to prop support for reforms generally
4. Insecurity and terror attacks	**Political: high** Without adequate security, access to project sites will be difficult	**Medium:** Since 2013, the country's security situation has increasingly worsened. However, security	UNDP will rely on security analyses from UNDSS in order to make informed decisions regarding programme security

Risk	Type and Impact	Probability	Mitigation
		measures to mitigate the situation have correspondingly increased[32]	
5. Weak capacity of County governments in legislative mandate	**Political: Medium** Without capacity in legislation, some project objectives that rely on county policymaking processes may fail	**High:** County government have low capacity in legislative drafting; there are few qualified legislative drafters in the country	Amkeni will seek partnership with Kenya Law Reform Commission to alleviate this constraint
6. Economic shocks	**Economic: Medium** A fragile macroeconomic situation may result in inflation and high interest rates regime in the country that is likely to raise cost of doing business hence make programme implementation costly/disruptive	**Medium:** Macroeconomic forecasts by the Central Bank of Kenya and World Bank are favourable at least in the medium- term unless dramatic shocks hit the economy	The programme will monitor the situation carefully and advise partners on implications of any dramatic changes on their programme spending. Funding contracts will allow for 10% cost adjustments to absorb any dramatic price changes
7. Funding challenges	**Financial: High** Without steady and predictable funding from Western Development partners, it will be impossible to implement this programme effectively.	**High:** The global economic recovery is still fragile and prone to shocks that may result in overall reduction in ODA. Deterioration of development cooperation between GoK and Western countries may hamper aid flows.	The programe shall put in place an aggressive fundraising strategy aimed at diversifying funding sources. UNDP shall continue to engage the GoK with a view to ensuring a conducive policy environment for development coorperation
8. Unresponsiveness of CSOs	**Operational: high** Without CSO participation in the programme, its objectives shall not be realized	**Medium:** Stringent operational and financial requirements may discourage new and upcoming CSOs from applying from grants; CSOs may lack capacity to absorb funds	The programme's capacity development strategy shall be revised to ensure it responds to capacity gaps facing CSOs.
9. Staff turnover at Amkeni Wakenya	**Operational/management: Medium** The programme 's operations are knowledge-based. The abrupt departure of staff leads to loss of knowledge, which takes time to restore and hence is disruptive to the programme implementation	**Medium** Unplanned transition of Amkeni Wakenya to the new programme phase may lead to staff loss. UNDP is also pursuing a global staff rationalization programme that may affect Kenya Country Office adversely	UNDP is planning an orderly transition of the expiring phase of the programme to the next. The programme's knowledge management strategy will be reviewed to respond to potential knowledge loss due to unexpected staff exit.

7. Communication

89.   The Amkeni Wakenya Communication Strategy is embedded in the UNDP Global Communication Strategy that seeks to communicate on, and advocate for,

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[32] E.g. increased recruitment of police officers, increased budget spending for security agencies

transformative change, sustainable development and inclusive, nationally- driven growth in an enabling socio-political environment.'[33] In the context of Amkeni Wakenya, the Strategy will promote the ethos of democratic governance that will institute social change towards improving the lives of Kenyans in areas of human rights, access to justice and entrenchment of rights- responsive devolved system of governance.

90. In 2015- 2018, communication by Amkeni Wakenya will build on the achievements of the 2009-2014 Amkeni Wakenya Communication and Partnership Strategy that laid a firm foundation for incorporating communication in all aspects of the project thereby creating high visibility. It will identify specific audiences, including development partners, policy makers in National and County Government, civil society organisations, direct beneficiaries or rights-bearers, the Media and the general population and ensure they are reached with the right information, in the right formats and at the right time. It will take cognizance of the evolving Information Communication Technology (ICT) and ensure that all aspects of information and media consumption habits of the targeted audiences inform the choice of mediums of communication.

91. The Strategy will further incorporate principles of development communication that promote dialogue and engagement, emphasizing collective social change and ensure the application of the human rights based approach. In summary the Communication Strategy will seek to:

- Deepen the culture of democratic governance among Kenyans, in particular, the culture of respecting human rights

- Attract a large pool of supporters for Amkeni Wakenya programmes

ANNEXES

IMPLEMENTING PARTNERS

The list of two- hundred and seventeen (217) partners that implemented the earlier phase Amkeni WaKenya program is below. They represent all the regions in Kenya.

	ORGANISATION	REGION	FOCUS
1.	ActionAid International	NAIROBI	
2.	Africog		
3.	CLARION		
4.	ICJ Kenya		
5.	IMLU		
6.	Kituo Cha Sheria		
7.	Community Org Training Programme		
8.	Africa Community development media		
9.	Kenya Human Rights Commission		
10.	Mt Kenya Youth Empowerment CBO		
11.	The Institute for Social Accountability		
12.	Release Political Prisoners Trust		
13.	Institute for education in democracy		
14.	Consolata Catholic Mission Trustees		General
15.	Africa centre for rights and governance		
16.	Inform Action		
17.	Ufadhili Trust		
18.	Collaborative centre for gender dev		
19.	Community advocacy Awareness Trust		
20.	Community Focus Group		
21.	Change Associates Trust		
22.	Catholic diocese of Muranga		
23.	Pillars of Kibera Youth Group		
24.	Kenya Alliance of Resident Association – KARA Degonsa		
25.	Constitution and Reform Education Consortium - CRECO		
26.	Nairobi Eastland Support Centre		
27.	National Council Churches of Kenya Central		

	ORGANISATION	REGION	FOCUS
28.	Mt. Kenya Animators and Puppeteers		
29.	International Centre for policy and Conflict		
30.	I Choose life Africa		
31.	Presbyterian Church Of East Africa (PCEA)		
32.	Citizen Coalition for Constitutional Culture		
33.	Albinism Foundation of East Africa		
34.	Kazi Riziki		
35.	Merciful international guild		
36.	Dunia Moja		
37.	Kijabe Environment Volunteers		
38.	TI Kenya		
39.	Media Action for Peace Trust (MAP) & Artist For Conference Theatre (ACT)		
40.	Legal Resources Foundation		
41.	Laikipia Residence Awareness Forum (LARAF)		
42.	Human Rights and Information Forum		
43.	SODNET		
44.	Bunge la mwananchi		
45.	Governance forum		
46.	Poverty Eradication Network (PEN)		
47.	Kiini Sustainable Initiative (KISI)		
48.	Zinduka Afrika (ZAF)		
49.	Health rights Advocacy forum		
50.	Grassroots Development Initiatives Foundation -K		
51.	Christian Partners Development Agency (CPDA)		
52.	Partners in Tea Initiative (PITI)		
53.	Deaf Empowerment Kenya		
54.	Kenya Society for the Mentally Handicapped		
55.	Deaf Initiative Network- Kenya		Persons With Disabilities (PWDs)
56.	Nyeri Disability Network		
57.	Kenya Union Of The Blind (KUB)		
58.	Disability Focus Africa Kenya		
59.	UDEK		
60.	Autism Society of Kenya		
61.	FIDA		Women
62.	Centre for the Study of Adolescence		

	ORGANISATION	REGION	FOCUS
63.	Mothers lap foundation		
64.	Youth for Change Action Group		
65.	YWCA		
66.	Africa Women's Study Centre, UON		
67.	CWA Mutethia Women Group		
68.	Women in Law and Development in Africa (k)		
69.	Federation of Deaf Women Empowerment Network Kenya		
70.	Amka Space Women's Creativity		
71.	Maendeleo Ya Wanawake		
72.	Women Empowerment Link (WEL)		
73.	Foundation for Women's Rights in Kenya (FFWR-K)		
74.	League of Pastoralist Women of Kenya (LPWK)		
75.	Pastoralists Devt Network of Kenya		
76.	Institute of Kenya South Asia Hist culture- Awaaz Magazine		Minorities
77.	The East African Centre For Human Rights		
78.	Centre for Minority Rights Development (CEMIRIDE)		
79.	Africa Youth Trust (AYT)		
80.	Youth Agenda		
81.	Kenya league of young voters		Children
82.	The CRADLE		
83.	Action for children in conflict UK		
84.	Kenya Land Alliance		General
85.	Centre for Enhancement of Democracy and Good Governance (CEDGG)		
86.	Mau Development Project		
87.	Community Action Network of Africa		
88.	Laikipia Paralegals Community Based Organization (Laipars)		
89.	Langas Community Development Organization		
90.	Environmental vision group	Central Rift	
91.	Gender Equity Network		
92.	Onyx Players Group		
93.	Othaya Karima Soccer Tournament Community Group		
94.	Neighbours Peace Initiative		
95.	Nguzo Africa		
96.	Bridge Partner Organiztion		
97.	Centre for human rights and governance		

	ORGANISATION	REGION	FOCUS
98.	Centre for conflict resolution UK		
99.	AGRO Envi life impact com. org		
100.	Koibatek Socio-Environmental Org		
101.	Kampi Ya Moto Roof Water Harv.		
102.	Ogiek Peoples Devt Programme		Minorities
103.	Social Reform Centre		
104.	Bare care centre		
105.	Strengthening Peer Education Activities in Kenya (SPEAK)		
106.	Winner Women Group Peace Network		
107.	Endorois Welfare Council		
108.	REPACTED		Youth
109.	Youth Empowerment Support Service Kenya		
110.	Great Rift Valley Development Agency (GRVDA)	North Rift Region	General
111.	Centre for Human Rights and Democracy (CHRD)		
112.	Emgwen Youth for Change		
113.	Yiaku peoples association (YPA)		
114.	West Pokot District Peace Committee		
115.	God's Grace for All Nations		
116.	Smart citizens		
117.	Cheripkei Community Awareness and Education Programme (CCAEP)		
118.	Tegla Loroupe peace foundation		
119.	Greater Turkana Civil Society Network (GTCSN)		
120.	Rehema CBO		
121.	POKATUSA Peace and Development Group		
122.	Nainyoiye Community Development Organization (NCDO)		
123.	Alemun Pastoralist initiative		
124.	ECWD		Women
125.	Women's Rights Institute for Peace		
126.	Warenge Youth Initiative for Peace and Development		
127.	Rift Valley Maendeleo Ya Wanawake		
128.	Ewuaso Ang	South Rift Region	General
129.	Olosentu Dam		
130.	Dupoto E-Maa		
131.	Community Intergrated Dev. Project		
132.	Narok District Network Forum		

	ORGANISATION	REGION	FOCUS
133.	Rift Valley Development Trust		
134.	CIWOCH		Women
135.	FORUM FOR WOMEN IN DEV. DEMO JUSTICE		
136.	Mainyoito Pastoralist Integrated Development Org (MPIDO)		Minorities
137.	NOVOK	Western	General
138.	Chavakali Market Stakeholders		
139.	African Development Emergence		
140.	Nabole Disabled CBO		
141.	Grassroot Health And Self Help Network		
142.	Keeping Alive Societies Hope		
143.	Reko Enterprise Development Organization		
144.	Western Water and Sanitation forum		
145.	ACK western region CCS		
146.	Western Region Christian Community Service		
147.	Mumias Deaf Youth Group		
148.	Institute for Law and Environmental Governance (ILEG)		
149.	Jesus is Lord CBO		
150.	Kenya Oral Literature Association (KOLA)		
151.	Mwalie Health CBO		
152.	Institute for Civic Education and Development in Africa		
153.	Hamisi Civil Society Organization Network		
154.	Ebusiratsi Welfare and dev association		
155.	Community research in environment and dev ini		
156.	Abalomandala Development Foundation		
157.	Umoja Women Group		Women
158.	Kenyan Paraplegic Organization		
159.	Khalesi CBO		
160.	Eshinamwenyuli Youth Group (EYG)		
161.	CSO Network	Nyanza	General
162.	Unyolo Village Project		
163.	East Africa Collaboration for Economic, Social and Cultural Rights (EACOR)		
164.	St.Vincent Depaul Community Project		
165.	RAPADO		
166.	Stema Women group		
167.	Peer Support Self Help Group		

	ORGANISATION	REGION	FOCUS
168.	Migori Civic Local Affairs Network (Migori Clan)		
169.	Kistrech Initiative		
170.	Ugenya Community Against Hiv/Aids Youth Group		
171.	KCPA		
172.	SUCAM		
173.	Women Shadow Parliament		Women
174.	Indigenous Fisher peoples Network		
175.	Siaya Women And Youth Network For Development		
176.	KEFEADO		
177.	Programme for the Rehabilitation of Women and Children - PROWED		
178.	Help Heal Project		
179.	Chuny Thuolo Youth Group		Youth
180.	YOFAK		
181.	Tonga Parish Youth Group		
182.	Hope for Victoria children		
183.	Illishe Trust	Coast	General
184.	Institute of Participatory Development		
185.	Ngua Mlambo Development Trust (NMDT)		
186.	Coast Development Lobby Group		
187.	Ujamaa centre		
188.	Eco-Ethics International kenya		
189.	Kwetu Sustainable Development		
190.	Balm Touch International	Upper Eastern	General
191.	RIDEP		
192.	Northern Arid Lands Dev. Initiatives		
193.	Taita Taveta Paralegal Project		
194.	Saku Accountability Forum		
195.	Ndugu zangu Christian Community charitable trust		
196.	Mabingwa players theatre		
197.	Women In Need		
198.	Institute for culture and ecology		
199.	Arid Lands Development Focus – Kenya		
200.	Ahadi kenya		
201.	Strategies for northern Development		

	ORGANISATION	REGION	FOCUS
202.	Centre for Human Rights and Civic Education		
203.	Regional Institute for Social Enterprise		
204.	Pastoralist Initiative for Dev and Democracy		
205.	Mugwe CBO		
206.	Center for Human Rights and Awareness (CREAW)		
207.	Blind and Low Vision Network- Kenya (BLK)		
208.	Pastoralist Intergrated Development Initiative (PIDI)		
209.	Benevolent Institute of Development Intiatives (BIDII)		
210.	Supreme council of Kenya Muslims		
211.	Alliance of Local Communities in Hardship Areas (ALCHA)		
212.	Solidarity Goodwill Services		
213.	Wajir Peace and Development Agency		
214.	FONI		
215.	Rural Community Development Agency		Women
216.	The League Of pastoralists Women Kenya		
217.	Youth Focus Information Communication Project		Youth