

Access Rights Programme

Project Annual Report 2009/2010

Republic of Kenya



Kenya



UNITED NATIONS DEVELOPMENT
PROGRAMME



Statement to:
Swedish International Development Agency
SIDA/UNDP Trust Fund Agreement
Nairobi

Date: 30th of July 2010

Summary of Resources for Access to Rights Programme 2009/2010***
As of 30 July 2010 (in USD)

Income & Expenditure		Reporting period 2009/2010
<i>Contributions</i>		
Income SIDA	1,301,369	1,301,369
<i>Total Income</i>		1,301,369
<i>Project Budget*</i>		
KHRC	200,000	200,000
ICJ (putting communities together)	150,000	150,000
IRF	100,000	100,000
IAAK	100,000	100,000
ICJ (administration of Justice)	100,000	100,000
Kituo Cha Sheria	200,000	200,000
Clarton	200,000	200,000
National Council for People w. Disabilities**	105,772	105,772
NEPAD/APRM**	350,000	350,000
URAI/NCEPII**	1,088,534	1,088,534
Total Programme budget	2,594,306	
<i>Project Expenditures</i>		
KHRC	185,158	138,888
ICJ (putting communities together)	46,90	46,90
IRF	92,508	92,508
IAAK	92,592	92,592
Kituo Cha Sheria	140,740	140,740
ICJ (administration of Justice)	103,032	103,032
Clarton	101,802	101,802
National Council for People w. Disabilities**	15,574	15,574
NEPAD/APRM**	101,233	101,233
URAI/NCEPII**		
Total Programme costs	2,218,434	
Project Budget Balance		

UNITED NATIONS DEVELOPMENT
PROGRAMME



85.5
Delivery rate: %

* Exclusive of ISS and GMS and only considers the IPs actual advances
** Note that these project run till December 2010 (AWP 1st Jan – 31st Dec 2010).
*** Note that the final combined delivery report has not be finalized yet from UNDP HQ so the amounts should still be viewed as tentative.

Reporting Agency: United Nations Development Programme
Country: Kenya

ANNUAL PROGRESS REPORT

No. and title: Access to Rights Programme – Award 36888
Reporting period: June 2009 – July 2010

1. PURPOSE

The Access to Rights Programme is funded by the Swedish International Development Agency (Sida) and managed by the United Nations Development Programme (UNDP). The programme combines nine different individual projects that all focus its interventions in the area of human rights, promotion of equality and access to justice;

Implementing partners under the Access to Rights Programme:

- Kenyan Human Rights Commission (KHRC)
- International Commission of Jurists (ICJ)
- Legal Resources Foundation (LRF)
- Action Aid International Kenya (AAIK)
- Kituo Cha Sheria
- Centre for law and Research International (Clarion)
- National Council for People with Disabilities
- NEPAD/APRM (New partnership for Africa's development/ African Peer review Mechanism)
- URAIA – NCEP II (National Civic Education Programme)

The key objective of the programme is to: Strengthen the Access to Justice in Kenya. The Programme is a core part of the 'Governance' component of the UNDP CPAP. The Access to Rights Programme contributes to UNDPs Country Programme Action Plan (CPAP) outcome through Gender equality, empowerment of women and realization of human rights enhanced. Consequently the programme add to CPAP output Capacities of Non-State Actors (NSAs) for inclusive, participatory, rights-based approaches strengthened and specifically target UNDAF Outcome Democratic Governance and Human Rights, including Gender Equality Progressively Enhanced.

This report will display the main achievements for each implementing partner during the reporting period on an outcome basis and an overall assessment of success will be attributed on each project for the implementation period. Also, the challenges experienced and the lessons learnt will be highlighted for each organization. The report has done an attempt to systematize the indicators for each organization and report on how each organization is contributing to the attainment of the indicators.

Analysis and recommendations

During the implementation period the different organizations that form part of the Access to Rights Programme have been working on diverse human rights issues, from devolved funds to monitoring of local budgets. This gives the programme a very wide scope but some conclusions can be made and recommendations that can serve as lessons learnt for the future.

On policy level several of the implementing partners have contributed to the drafting and/or formulation of different policies. They have reached different stages in the adoption process but one can clearly state that these organizations have made significant contributions to legal documents such as: the Internally Displaced Persons policy, the National policy on human rights, the Legal Aid bill, the National equity policy, and the housing bill. Two implementing partners have also contributed to the formulation of the Shadow report to the UPR.

Working with networks has been a clear strategy for many of the implementing partners and has been a tool on how to best reach grass-root communities and create awareness on various human rights issues. Community paralegals have contributed to raising the awareness to the public on issues of access to justice. Legal aid community justice centers have been set up as an alternative to the formal justice system and they give grass root communities the opportunity to access the justice system. The networks and partnerships have contributed to an increase participation and mobilization of the local population on issues of human rights, equity and devolved funds and have empowered citizens to get involved and participate in the political, social and economical agenda of Kenya. Significant contribution and citizens participation can be demonstrated in the work of devolved funds, where the local residents have been able to develop a solid relationship with the local administration and they together they have been able to increase the transparency and the accountability on how devolved funds are being managed.

It can also be stated that the implementing partners under the Access to Rights Programme have been substantially involved in the formulation and/or dissemination of the previous proposed constitution (now the constitution). Partners have gotten involved by submitting recommendations to the CoE and/or conducted awareness raising campaigns in order to create inform the public on the facts and contents and the implications of the proposed constitution was to be adopted. Hence the implementing partners have significantly contributed to the process of the new Kenyan constitution by bringing the perspective of civil society in to the discussions.

Many lessons learnt can be drawn from the experiences the partners have had when implementing their projects. For future programmes of this magnitude it is recommended that:

- A comprehensive M&E framework needs to be developed for the entire programme, including the individual projects. This, in order to be able to measure the combined impact of the projects.
- Importance should lie on the importance of partnership building and partnering with existing networks should be a priority in order to create synergies with partners on grass-root level.
- Implementing partners have experienced difficulty when it comes to access remote areas, specifically in the rural areas. Here, partnering with already existing local

- networks would be an advantage that could serve project implementation.
- Documentation strategies should be a continues activity in any development programme and it should be incorporated in framework.
- Several partners have highlighted that they have experienced a lack of political will when it comes to supporting their issues. UNDP could play a vital role here and act as "broker" and facilitate the communication between the government and civil society.
- Media outreach activities should be a joint effort between the implementing partners and should be incorporated in the programme framework from the inception phase.

II. RESULTS

In continuations a summary of each of the eight individual projects will be presented.

Rights and Justice

The Rights and Justice project is implemented by UNDP through direct implementation. The project is set up as a basket/funding mechanism that implementing partners can tap into in case they would experience a shortage of funding, or if unexpected event would occur that would require additional funding for activities. Hence the project is dependent on separate request from implementing partners on a very ad-hoc basis. During the implementing period the project has contributed to the following outcome.

Outcome: Capacities for Non-state Actors (NSAs) for inclusive, participatory and rights based approach strengthened.

Under this outcome two international UN events where implemented; the International Day for Democracy implemented on the 15th of September and the International Human Rights Day implemented on the 10th of December, both in 2009. Both events received national coverage and the issues of good governance and human rights where promoted. In both events senior official from the UNDP and the government of Kenya participated and the event noted a broad media coverage.

A National Human Rights officer was recruited to UNDP. The officer will contribute to the development of Amkeni wakenyas activities as well as developing a new human rights programme.

A joint monitoring field visit was coordinated with donors to validate achievements under the Access to Rights programme, Amkeni wakenya and Uraia. The field visit turned out very successful and the activities that our partners carry out were very impressive. The field mission also served to identify linkages and strengthened the relationship and the coordination between the three programmes.

The CORAT publication on succession planning was launched. This book is a result of the different workshops that UNDP and Sida have financed several years back. The book will be used in the future to train leaders in the NGO sector on how they can plan for succession in order to strengthen their organization so they can handle staff turnover in an effective manner.

Challenges

- The project has strict governing principals, agreed upon with Sida at the project initiation phase, to adhere to. These governing principals sometimes is limiting in terms of granting other partners and activities funding to promote good governance and human rights.

General Challenges for the Access to Rights Programme

- Partners have been working and focusing their work on agenda 4 issues and the proposed constitution. This has taken a lot of time and efforts, which in some cases have impeded the reporting requirements. Progress reports and financial reports have been submitted late and hence the following advance has been affected, which in turn has affected the implementation phase of the activities in the agreed work plans.
- There has been a high turnover of staff in some organizations, which has affected the reporting requirements. New staff has not had the experience nor the knowledge to report in a quality and timely manner UNDP.

Lessons Learnt

- In April a joint field visit was undertaken to visit Amkeni wakenya, Uraia and Access to Rights partners. The field visits are successful mechanisms both in terms of cost-effectiveness and in terms of identifying synergies and linkages between projects.
- When managing a programme of this size its crucial to have both individual meetings with the partners on a regular basis as well as joint partners meetings to coordinate activities and discuss bottleneck in reporting and implementation.

Kenyan Human Rights Commission (KHRC) – Towards Reform, Accountability and Justice

KHRC achieved its main goal under this project which was to support the implementation of their Strategic Plan.

Outcome: Contribute to reform, accountability and justice by consolidating interventions initiated following the PEV.

The KHRC, on its own and through KPTJ (Peace with Truth and Justice), contributed data, analysis and contacts to various parts of the ICC process. Primarily ensuring that any potential investigation covered all forms of violence as well as, enabling the participation (and protection) of survivors during the process.

KHRC conducted fact-finding missions on insecurity in Mathira (insecurity related to Mungiki), Kuria and Samburu (insecurity related to 'cattle rustling'). Reports from these missions enabled the Human Rights Networks (HURINETs) KHRC work with at the local level to constructively input into justice and peace processes at the community level, as well as with local level Provincial Administrators and state security agents.

KHRC made recommendations about disaggregating data and gender of internally displaced and ensured resettlement were in line with regional and international standards. This has now found reflection in the drafting of the Internally Displaced Persons (IDPs) policy, to which the KHRC contributes.

The KHRC sat on the Reference Group for the Committee of Experts (CoE) and they began the process of civic education, preparing the HURNETS they work with for participation in the constitutional reform process through training on the same.

In partnership with the Equality Rights Trust (ERT) and the Federation of Women Lawyers (FIDA Kenya), KHRC produced an audit of all related regional and international commitments Kenya is bound by and how they find reflection in the related legislation in Kenya. KHRC convened a roundtable and training session for State and non-State stakeholders on the same, out of which was born an *ad hoc* coalition and a working group to pursue the legislation.

Finally, on accountability and transparency, the KHRC, in partnership with the Social and Public Accountability Network (SPAN), which brings together eight civil society organizations monitoring Kenya's devolved funds, completed research into the governance and management of the devolved funds drawing from the accountability work done by the HURNETS across the country on participation and human rights (service) delivery by these funds.

KHRC sits on the 15 member National Policy on Human Rights (NAP) committee and was able to influence through meetings and papers the harmonization of the NAP.

In preparation for Kenya's Universal Periodic Review (UPR) in Geneva, KHRC prepared the advocacy charter which included the questions and recommendations that CSOs had compiled to be put to the State at the review.

Challenges

- Internal governance problems among CBO members.
- Timely delivery on activities to partners.

Lessons Learnt

- Need for a comprehensive M&E framework to be able to evaluate and monitor the implementation of activities.
- Need to continuously evaluate the risk in the project that might impede its implementation due to changes in the immediate environment.

International Commission of Jurists (ICJ) – Putting Communities to Rights through National Human Rights Processes

ICJ achieved its main goal under this project which was to establish sustainable linkages between national human rights processes and the local beneficiaries at the grassroots level.

The project focused on strengthening community paralegals and their capacity to engage in the political process at the national level.

Outcome: Establish sustainable linkages between national human rights processes and their local grass-root beneficiaries.

ICJ Kenya trained Community Paralegals from different sites in the regions of Rift Valley, Embu and Coast provinces on Agenda Item 4 and the broader transitional justice issues in Kenya. ICJ Kenya developed a Training Kit on Agenda 3 and 4 for Community Paralegals jointly with other partners. ICJ Kenya also had the opportunity to train representatives of the various sites on the Proposed Constitution of Kenya at the National Constitutional Forum held in the month of July 2010 held in conjunction with Action Aid Kenya.

The Kenyan Transitional Justice Network was enhanced, strengthened and interlinked with the Paralegal Support Network PASUNE. ICJ Kenya is the lead organization in criminal prosecutions on legal issues concerning the TJRC. To this end meetings were held by the Kenyan Transitional Justice Working Group as convened by Kenya Human Rights Commission and hosted by ICJ Kenya. Closer networking links have been established and collaborative efforts manifested between national human rights processes on agenda 3 and 4 and the grass-roots beneficiaries. The Community paralegals have the capacity to carry out their roles in the community as civic educators and peace builders.

Continuous outreach activities on Agenda 4 and dispute resolution by community paralegals have been undertaken. Media outreaches by community paralegals, media sessions, IEC material (brochures on the Proposed Draft Constitution) printed have been implemented by ICJ. A Transitional Justice Toolkit containing a popular version of the TJR Act, a Survivors' Users Manual to engage the TJRC has been developed.

There has been enhanced organizational development for the community based organizations and increased capacity to mobilize resources and implement activities. There is also clear and documented sustainability strategy for each partner organization who are now utilizing their skills for resource mobilization for independent funding from donors. The formation of the Kenya Paralegal Society is also an achievement under this outcome. This organization was registered by paralegals from different areas, is now based in Thika town. It will now be mainly concerned with pursuing community paralegals issues such as recruitment and training of more paralegals and advocacy for their recognition by Government.

This project vigorously reviewed the human rights situation in Kenya by participating in the United Nations Human Rights Council Universal Peer Review process and writing on the Rule of Law Report 2009/2010 Kenya's Constitutional Moment. The publication of Final Civil Society Shadow Report on UPR Process was completed. The project surpassed its expectations for consultation and advocacy for creation of an enabling legal access to justice framework for community paralegals and informal justice systems in Kenya. It drafted a Legal Aid Bill that recognizes community paralegals which has won the support of the Ministry of Justice. There is not only increased demand for formal recognition of community paralegals and their integration in the Kenyan legal system but a concurrence from the Ministry of Justice that such a demand is timely and consistent with their own vision of a legal aid scheme. ICJ Kenya is working closely with the Ministry towards ensuring a good Bill gets to Parliament by 2010.

Challenges

- Challenges have included the continued non functional nature of the Paralegal Support Network PASUNE and the lack of adequate and sustainable funding.
- Significant challenges were faced in mobilizing local leaders and opinion shapers in the community due to weak mobilization by development partners.

Lessons Learnt

- The project needs to have a stronger monitoring and evaluation of community paralegal focus. These may require allocation of funds to monitor these activities and ensure that they are taking place.

International Commission of Jurists (ICJ) – Promotion of Impartial and Transparent Administration of Justice

The objective of this project was to enhance and strengthen the administration of justice in Kenya through an independent, corrupt-free, efficient and effective judiciary equipped to advance the Millennium Development Goals.

Outcome: Enhance and strengthen the Administration of Justice in Kenya through an independent, corrupt free and efficient and effective judiciary equipped to advance the realization of the MDGs.

A comprehensive research on the interface between the administration of justice and the Millennium Development Goals was undertaken and a report was published. The report concluded and argued that the notion of good governance and the Rule of law have been presented as the missing link to successful growth and economic 'reform' which bears a knock on effect on the attainment of the MDGs and by extension administration of justice and judicial reforms.

An audit report was produced whose features included how the members of the public could engage with the judiciary in the achievement of MDG's as well as provide a basis to discuss ongoing efforts on judicial reforms. Furthermore, specific and additional content focused on how actors could engage with the proposed Special Tribunal of Kenya as it dealt with gender concerns during the post election violence. Also; Community paralegals where sensitized on the Content of the Popular Version of the Audit Report, one validation workshop of the draft version of the Popular Report was held, community paralegals engaged in Judicial Reform debate to promote accountability as agents for change was also implemented.

Many members of the judiciary revealed that many judges and magistrates have not been exposed to the concepts of MDGs, such as the Gender and Environmental perspectives. A regional training was held as part of the ICJ Kenya's 50th Anniversary conference. It was attended by jurists from all over the world. The overall discourse sought to assess the effect of Conflict and the attainment and/or realization of the MDGs. The conference provided the programme with an opportunity to formally engage the East African Judges and Magistrates Association in the Kenyan process. ICJ-Kenya sought to engage the Judicial Training Institute with the intention of providing technical support in mainstreaming and embedding MDGs discourse in the institute's curriculum. The newly established Kenyan Judicial Training Institute is meant to operate and if its curriculum and training programmes are

targeted towards creating a society which is able to achieve the Millennium Development Goals.

Challenges

- Linking the discourse on MDGs in the popular version of the Agenda 4 items particularly the discussions on the special tribunal. This failed as the issue became remote and redundant for members of the public to appreciate its importance in the attainment of justice for victims of post election violence, this attributed to a lack of political will and appreciation of the role of the proposed special tribunal for Kenya.
- Whilst the judicial officers were positive to participate in the training, it was noted that the Chief Justice still held a firm hold on all external activities of judicial officers. In addition the delayed authorization to secure their attendance was huge challenge given all the logistical plans had been completed.
- Due to the aftermath of the Post Election Violence and its political and economic affect, the advocacy efforts on Constitutional and Legislative Reform of the Judiciary was placed on hold. This has meant that no constitutional reforms could be undertaken until the recommendation of the Agenda Item 3 and 4 implementation/action plans had been agreed upon.
- Due to the lack of effort targeting reform in the judiciary, progress has been very slow. An example of this, is that whereas ICJ Kenya is working on building the capacity of Judicial Officers, there is also need to improve the delivery of Judicial Officers as this will act as an incentive therefore enhance their quality of work.

Lessons Learnt

- Re-prioritization and re-conceptualization of the MDGs discourse. Since the MDGs covers a wide scope, in order for the Judiciary to effectively appreciate its own role in promoting the realization of the MDGs, a narrowing of the focus would perhaps be prudent.
- Relevance of any undertaking must have linkages and always be established with existing national processes in order to see the contribution to which the project makes in the long term.
- The regional consultation which provided networking opportunity for sharing best practices unified the paralegal network towards achieving the same goal
- Uses of existing networks provide the opportunity to engage at possible platforms such as the engagement of East African Magistrates and Judges Association provided an opportunity to advance advocacy for judicial reforms at a regional level.

Legal Resources Foundation (LRF) – Enhancing governance and the administration of justice through strengthening paralegalism

This project is aimed at enhancing governance and administration of justice through strengthened paralegal networks, such as the Paralegal Support Network (PASUNE); advocacy on poor policies and transitional justice through community awareness sessions and policy dialogue forums; paralegal participation in national policy through consultative forums and legal aid days.

Outcome: Enhanced governance and Administration of Justice through strengthened paralegalism.

An Access to Justice Committee was established with the mandate to increase public awareness between the Judiciary, Police, Prisons, Provincial administration and paralegals. The major challenge discussed was on the lack of information sharing. Recommendations made included information sharing, provision of treatment cards for prisoners. Paralegal awareness to the community on the importance of plea bargaining, out of court settlements and alternative dispute resolution was enhanced.

LRF focused its work on strengthening various networks and discussions revolved around the sustainability of the network. Participating organizations included ICI, ECWD, ECJPC, Kituo Cha Sheria and COVAW. Monitoring visit where also conducted with a purpose to evaluate the impact of paralegals and how they interact with the Provincial administration.

The role of the paralegals in the communities has showed very successful and they have continued to educate the community on legal issues and human rights. A legal aid day was conducted in Katangi Division. This involved paralegals, advocates and community members. Legal aid days remain to be completed. LRF has sought a non cost extension ending September 2010 to complete remaining activities.

Challenges

- Difficulty to access certain remote areas.

Lessons Learnt

- LRF is improving on their policies and internal systems to enhance effectiveness in program planning. A new software Sage Pastel has now been installed. It will improve data accuracy, planning and enhance compliance.

International Action Aid Kenya – Peoples Participation Project

AAIK's key role within this project was to strengthen public policy on poverty reduction to reduce social, economic and political inequalities in Kenya through enabling depended community participation at the local and sub-national levels, with special focus on the participation of marginalized groups among them indigenous peoples, persons with disability, women and youth.

Outcome: Monitor the attention accorded issues of equity in the constitutional and institutional reforms in Kenya with the background of Agenda 4 of the National Accord for Dialogue and Reconciliation.

AAIK has worked on the draft National Equity Policy since the National Conference on Equity and Growth (NCEG) was held in 2006. Actual planning and budgeting for the Policy happened in the 2008. Development of the Draft Policy is currently under way and should be concluded soon after project closure likely in August 2010. Regional forums on equality where implemented and agendas were generated during the community forums on inequality. The regional agendas on inequality that were used to inform the Draft National Equity Policy currently being developed.

AAIK has focused its work on working closely with Trainer of Trainers (TOT) at community

level in order to raise public awareness in regards to the tracking of and compliance towards issues of equity by local budgets at the sub national level. The first batch of reports from the TOTs have been received and compiled into a booklet that shall be used to inform advocacy on resource allocation. TOTs are using the result of the monitoring exercise to carry out evidence-based advocacy especially targeting resource allocation to deal with inequality at the sub national level. The report was timely since they provided a means with which to influence budgets and decisions to deal with inequalities. The tools have been cost effective by providing simplified means by which communities can engage in evidence-based advocacy without having to rely on external support.

The project provided the TOTs with their own forums to mobilize communities and raise awareness on equity. TOTs were remobilized during the period, given refresher training and being redeployed to carry out awareness campaigns amongst their communities. Due to reform processes that are ongoing including constitutional, boundaries and institutional reforms, TOTs tailored the awareness campaigns to influence the drafting of the proposed new constitution to address issues of inequality.

IAAK has also conducted research activities; these include an audit of redistributive policies in Kenya and how effective the policies are in dealing with inequality. The new research has provided timely evidence with which to advocate on issues of equity. The research has built up on the previous research that had been produced on issues of equity. Due to publication of the research just before closure of project, the research reports are set to be launched after PPE project closure.

Challenges

- Most of the research available on inequality was only targeting the national level and hardly ever explained the situation at the grass-roots.
- The resources allocated to support TOT grass-roots activities were inadequate and thus compromised the quality of activities undertaken. In particular, lack of own forums to comprehensively discuss issues of inequality limited the time and scope of topics available to the TOTs to deliver on PPE objectives.
- The number of TOTs was inadequate to cover the expected areas, with a number of them dropping out of the project. Related to this, areas of coverage were vast and overwhelming to the TOTs.
- There was no adequate media involvement in PPE work, leading to perception that nothing was happening.

Lessons Learnt

- To be effective in terms of delivery of actions planned to communities, there is need for flexibility in terms of budgeting.
- Sharing information with communities on the underlying causes of poverty and inequality is a form of social mobilization that can catalyze the emergence of a vibrant critical mass of citizen accountability groups out to challenge injustices and adverse power relations. However, for this to be realized there is need to plan to support the emerging groups to conclusively work on the agenda for which they are formed.
- Organizing poor and marginalized people to claim rights in fragmented and polarized societies requires a great deal of patience since the daily preoccupation of the poor is mainly their survival and thus mobilizing them to claim rights takes time. This

requires adequate patience and development of M&E tools that recognize this fact.

Centre for Law and Research International (CLARION) – Community Empowerment for Management of Decentralized Funds

The CEMDEF project was intended to contribute towards achievement of efficient, effective and equitable service delivery by institutions and systems of government to the people. It was also to ensure the rule of law is adhered to and followed, as well as equality observed among men and women, youth and marginalized groups, and in so doing lead to the realization of the fundamental human rights.

Outcome: More efficient and effective and equitable public service delivery by institutions and systems of democratic governance, rule of law enhanced and gender equality, empowerment of women and youth and realization of human rights enhanced.

In the course of the implementation period, service delivery in the various public institutions and accountability by the relevant officers has been seen to improve. There has been concerted effort also to ensure women and other vulnerable groups are included in the forums and sensitized as well, leading to equity in access to decentralized funds as well as participation in decision making by all members of the society including those who were initially marginalized like the People Living With HIV/AIDS and People Living With Disabilities.

Further capacity building of the communities made a significant impact in strengthening the local organizations and communities. CLARION developed a simple brochure on devolved funds. The brochures have been used over the project period for further awareness creation among communities in the two districts. The materials will also continue being distributed to communities for awareness in the period after CLARION's exit.

District network meetings and public accountability forums were held. The continued advocacy activities have led CLARION to being recognized by development funds committees at the local level and being invited to attend planning meetings. A lot of progress was realized in formation of Networks like Hamisi Civil Society Organization Network (HACSON) and the Community Engagement for Peace and Development (CEPED), both in Vihiga district. The networks have gone further to register as CBOs and have so far reported impressive follow up of community projects.

Monitoring visits took place in the 4 constituencies. This enabled checking on the project progress and addressing of emerging issue. It also aided in ensuring that as the project was nearing completion, implementation was on course and exit strategies to sustain the activities after CLARION's phase out were being put in place.

Challenges

- There was reluctance by most devolved fund managers to attend the CEMDEF community awareness forums, caused by suspicion that they could be attacked by community members on various issues. This caused the community members to dwell on speculation instead of having someone to directly address their concerns.
- Illiteracy levels, in the community interfered with effective engagement between the fund managers and community members.
- The poor infrastructure in Narok District is also a big problem for the community members who have to travel to attend the awareness forums.
- Culture has also been a big risk to the CEMDEF project. In both Narok and Winga, the patriarchal nature of the communities hinders women from fully participating in forums and decision making with regards to development.

Lessons Learnt

- In the course of implementation of this project, it has been evident that the local leaders can easily be a hindrance to development initiatives especially if they deem them a threat to their own survival as leaders. CLARION's has thus strived to involve leaders at all stages of planning and implementation of the project, which has aided in creating harmony and even reduced incidences of sabotage of the meetings and incitement of community members not to attend the forums.
- The community forums and their outcomes have revealed how ignorance pulls back development. The many steps that communities have been able to take in terms of development are a clear indication that development had stagnated due to lack of awareness.

Kituo Cha Sheria – Access to Justice for the Marginalized

During this period, KITUO has been focusing its project work on activities that enhances human rights and access to justice. KITUO has established Community Justice Centers in partnership with its respective network. They have also supported the rights of inmates to participate in the 2010 referendum, and hosted discussion on the proposed Housing Bill.

Outcome: Enhanced equitable public service delivery and strengthened institutions and systems for democratic governance and rule of law.

In the period under review, KITUO cemented its partnership with community networks through the launching of four Community Justice Centers. The fifth Community Justice Center at Shimo La Tewa Prison is a special case as it a centre within the prison system that serves inmates in ensuring that while in incarceration they can also access the judicial system. KITUO also continued to work with existing community groups/networks in building their capacity to be able to advocate for their rights. In doing this, KITUO worked with the housing coalition to lay a foundation for collaboration around issues of economic and social cultural rights,

KITUO conceptualized the Community Justice Centre initiative and two community centres in marginalized communities were established. The Community Justice Centre initiative is an innovative approach to legal empowerment that places the community at the centre. It is in this light that KITUO has conducted two comprehensive capacity building workshops for community networks in both paralegalism and Human rights monitoring & mobilization.

KITVO collaborated with the Minority Rights Consortium (MCR) with the aim of promoting the Rights of Minorities and Indigenous Peoples. With this objective in mind the two organizations organized a national constitutional forum for representatives of the minorities and indigenous peoples. The objective of the conference was to obtain clarity on the status of minority and indigenous rights as contemplated by the CoE and to validate the recommendations of the MRC reform team, the team of lawyers who met to review the various draft constitutions and consolidate the position of the minorities.

Advocacy towards the domestication of the right to Adequate Housing through radio talk show on housing, fast tracking of the housing bill and use of relevant avenue to influence the parliamentary debates was undertaken.

Challenges

- The slow pace of reforms in spite of the relentless calls for reforms. Political interference and wrangles have for a long time hindered this process causing slack in reforms.
- The government continues to lack coordination on implementation of the reforms as reported and recommended by the many inquests.
- Long distance of Community Justice Centers that are far off the City. Due to long distance some justice centers could not be reached in good/ real time and this disrupted qualitative advocacy.
- Insecurity and threats to the lives of Human Rights Defenders remains an open wound that also continues to impede Human Rights advocacy.
- Having People with Disabilities and other special needs group in mind it is still hard to access resources that quite cater for their needs.

Lessons Learnt

- Media strategies need to be incorporated to ensure the continuity and documentation of the programme on access to justice.
- So far there is need to have more justice centers established in rural areas, in order to increase access for the rural poor.

Uraia – NCEP III¹

The Uraia project aims at strengthening issues of national priority. These include enhanced national reconciliation among Kenyans, towards the formulation of a new Constitution and consolidation of national reform processes, enhanced inclusion of youth and marginalized groups and communities in socio-economic issues, increased leadership accountability.

Outcome: Strengthen the process and implementation of the National Accord

¹ See Uraia NCEP III project report for 2009/2010 for more detailed information

Uraia has facilitated a CSO forum on Truth Justice and Reconciliation Process led by CRECO and CEDMAC and also engaged engagement with cultural workers and artists to promote reforms and dialogue on a national level.

Uraia has succeeded in mobilizing civil society organizations and networks to participate effectively in constitutional reforms through funding and technical support to individual CSOs as well as collectives such as the *Katiba Sasa Campaign* and the National Civil Society Congress. They have also engaged and supported national reform institutions such as the IIBC, COE, TJRC and National Cohesion and Integration Commission by entering into structured partnerships with them that enabled both Uraia and these institutions to positively influence each other's work and the reform agenda.

Uraia has supported participation of representatives of PWDs in the National Electoral Reforms Conference and also organized a national conference for PWDs to interrogate the Harmonized Draft Constitution. Uraia developed a memorandum by PWDs to the Committee of Experts on Constitution review and organized a capacity building forum for leaders of various Disabled Persons Organizations on the work of various reform commissions.

In addition to the above programmatic achievements, Uraia also implemented the following:

- Strategic Planning: The Strategic Plan for 2010-2014 was finalized during the reporting period and shared with the Programme Steering Committee (PSC) and the Donor Group. The launch is expected in the coming weeks.
- Transition arrangements: Uraia plans to change its legal personality from a donor-run programme to a Trust are at an advanced stage. A draft trust deed is under discussion by stakeholders.
- Recruitment of a Gender and Governance Advisor: Terms of Reference were developed jointly with the Gender Sector Donor Coordination Group. A technical team comprising of Uraia, KPMG, Gender and Governance Programme and CIDA are is developing selection and short-listing criteria for the applicants.

Challenges

- Insufficient funds to enable contracting of all the short-listed organizations;
- Operational challenges including insufficient co-ordination between programme (Uraia PMU) and finance (FMA) components of the Programme;

Lessons learnt

- The need to incorporate advocacy work in the programming;
- The need to cover the entire nation;
- The need to identify Uraia's core business and strength where it has comparative advantage;
- The importance of building partnerships beyond the Uraia structures e.g. the *Katiba Sasa* Campaign;
- The importance of streamlining programme and finance components to ensure timely response.

The project aims at strengthening the National Council for People with Disabilities, mainstream disabilities into programming and advocate for the rights of people with disability and increase awareness.

Outcome: Capacity support to the National Council for persons with disabilities strengthened

The rules and regulations for the Disability Act 2003 have now been approved and gazette by the Attorney General. Matters pertaining to the needs of Persons with Disabilities have now been included in the Constitution that the nation passed in the recent referendum. A week long awareness raising workshop was held in Turkana district, which is in the North West part of the country. The PWD's were educated on the following areas:

- UN Convention on the Rights of Persons with Disabilities
- The National Special Needs Education Policy Framework
- National Plan of Action, African Decade
- Proposed draft constitution (Articles on Disabilities & Marginalized groups)
- Partially - The Social Strategy of Vision 2030 dealing with PWDs

Additionally, out of this event an organization was birthed, the Turkana Disability Network, which they hope will enhance their access to their rights. It is hoped that more such events will be undertaken in support of enhancing the understanding and ownership of what is available to PWDs in Kenya.

The UN Day for Persons with Disability was celebrated on December 3rd, 2009 at the Jomo Kenyatta Grounds, Kisumu City. The public turnout was very good indeed, with participation of local PWDs, and PWDs from across the country that had been bussed to Kisumu for this event. It received good media coverage, thus enhancing the awareness of the plight and rights of persons with disabilities. One week later, on December 10th, 2009, International Human Rights day was celebrated, and the theme was the Rights of Persons with Disabilities. This was celebrated in Mombasa at Fort Jesus Museum. There were several other guests who included persons with disabilities, and members of civil society in Kenya. This was a high profile event, and through the vast media coverage it received, also served to raise the awareness of the plight and rights of persons with disabilities. It came to our attention the Performance Contracts that each and every civil servant is expected to complete at the end of each financial year has included a section on mainstreaming disabilities. This has been very effective in raising the awareness of profile of the rights of PWDs in a very

UNDP supported the participation of a disabled woman, Councilor Muthoni, in the Conference on Women (CEDAW) held in New York in March 2010. She was once an elected councilor in the Nairobi City Council, and is currently the representative for Disabled Women in the largest national women's organization in Kenya, Maendeleo ya Wanawake.

Challenges

- Lack of capacity of the key implementing partner, the National Council of Persons with Disabilities (NCPWD). This has caused enormous delays in rolling out of planned activities.

- Lack of capacity within the parent ministry. The Ministry is not equipped with adequately trained staff to be able to provide the support required for PWDs in the country.

Lessons learnt

- One of the key lessons has been the need to have good capacity in the implementing partner. They are the ones on the ground, and it is for them to get the programme moving. However, as the implementing partner has not had enough staff, and especially not had enough with the right skills to take on particular activities, there has been a huge delay in implementing the programme.
- Another lesson learned is that although there have been a number of situations requiring urgent responses in the media, it must really be managed carefully as we have spent time and money addressing issues, which may serve to increase awareness of the issues surrounding PWDs, may have also taken away from the work that we set out to do.

NEPAD/APRM

The project aims at strengthening the NEPAD secretariat in Kenya and its activities related to the APRM.

Outcome: Country level processes that lead to domestication of the NEPAD/APRM processes in Kenya strengthened and supported and participation of all key stakeholders in this process is increased.

During this past year, UNDP has continued to support the NEPAD/APRM Secretariat by contracting the National Coordinator, the Procurement Officer, the Finance Officer, the Research Assistants and the ICT officer. The contract of the national Coordinator lapsed in February this year, and the position hasn't been filled since.

An IEC strategy was developed by a consultant. It is expected that this strategy will be implemented by the end of this year.

The second country review for Kenya was postponed twice in this time period. One of the reasons for the delay has been the end of the term of Dr. Graga Machel, the immediate former Eminent Person assigned to Kenya. She has since been replaced by Mr. Sawyer, a former President of Liberia, who has already met with Dr. Ongile the CEO of the NEPAD Kenya Secretariat to discuss a number of matters, including the second country review, which is now scheduled to take place in September or October 2010.

Challenges

- Major challenge the lack of political will in supporting the NEPAD/APRM process. A significant portion of the funding is sourced from the development partners. Lack of staffing support from government. The Secretariat is not supported sufficiently, in that the staff are almost all on UNDP contract.

Lessons Learnt

- The key lesson learned has been that this programme is not sustainable if the support is drawn solely from the development partners. It is not feasible to consider extending the programme without securing the government's commitment to supporting it.

III. CONCLUSION

The implementing partners have overall reach substantial result from its projects. They have achieved the majority of what they set out to do. Referendum activities and also late start in implementation impeded some organizations to finalize on time and they where given a no cost extension. Documentation of the Access to rights programme and its best practices will be a great contribution to the knowledge management of the organizations to be able to review best practices from the programme that later can be used when formulating new initiatives. The Access to Rights is ending in December 2010 and a new integrated human rights programme in pipeline. The ambition is to draw from the lessons learn from the Access to Rights Programme and incorporate in the new Human Rights programme. Several of the partners will continue to have a relationship with UNDP and Sida through Amkeni wakenya

IV. RESOURCES & FINANCIAL STATEMENT

See annex 1

V. INDICATORS

See annex 2

Table of Contents

I. PURPOSE.....	2
Analysis and Recommendations.....	2
III. RESULTS.....	2
Rights and Justice.....	2
Kenyan Human Rights Commission (KHRC) – Towards Reform, Accountability and Justice.....	2
International Commission of Jurists (ICJ) – Putting Communities to Rights through National Human Rights Processes.....	2
International Commission of Jurists (ICJ) – Promotion of Impartial and Transparent Administration of Justice.....	3
Legal Resources Foundation (LRF) – Enhancing governance and the administration of justice through strengthening paralegalism.....	3
International Action Aid Kenya – Peoples Participation Project.....	3
Centre for Law and Research International (CLARION) – Community Empowerment for Management of Decentralized Funds.....	4
Kituo Cha Sheria – Access to Justice for the Marginalized.....	4
Uraia – NCEP11.....	5
National Council for People with Disabilities – Mainstreaming Disabilities.....	5
NEPAD/APRM – New partnership for Africa’s development/ African Peer review Mechanism.....	6
IV. CONCLUSION.....	6
V. FINANCIAL IMPLEMENTATION.....	6
VI. REPORTING ON INDICATORS.....	6

1. PURPOSE

Analysis and Recommendations

III. RESULTS

Rights and Justice

Main activities undertaken and achievements.

Challenges

Lessons learnt

Kenyan Human Rights Commission (KHRC) – Towards Reform, Accountability and Justice

Main achievements and activities per output

Challenges

Lessons learnt

International Commission of Jurists (ICJ) – Putting Communities to Rights through National Human Rights Processes

Main achievements and activities per output

Challenges

Lessons Learnt

International Commission of Jurists (ICJ) - Promotion of Impartial and
Transparent Administration of Justice

Main achievements and activities per output

Challenges

Lessons Learnt

Legal Resources Foundation (LRF) - Enhancing governance and the
administration of justice through strengthening paralegalism

Main achievements and activities per output

Challenges

Lessons Learnt

International Action Aid Kenya - Peoples Participation Project

Main achievements and activities per output

Challenges

Lessons learnt

Centre for Law and Research International (CLARION) - Community
Empowerment for Management of Decentralized Funds

Main achievements and activities per output

Challenges

Lessons learnt

Kituo Cha Sheria - Access to Justice for the Marginalized

Main achievements and activities per output

Challenges

Lessons Learnt

Uraia – NCEP11

Main achievements and activities per output

Challenges

Lessons Learnt

National Council for People with Disabilities – Mainstreaming Disabilities

Main achievements and activities per output

Challenges

Lessons Learnt

NEPAD/APRM – New partnership for Africa's development/ African Peer
review Mechanism

Main achievements and activities per output

Challenges

Lessons Learnt

IV. CONCLUSION

V. FINANCIAL IMPLEMENTATION

VI. REPORTING ON INDICATORS

Funding Authorization and Certificate of Expenditures

UN Agency: UNDP

Date: 23rd July, 2010

Country: Kenya
 Programme Code & Title: Access to Rights-00040201
 Project Code & Title: 0004-0056 - JHRG Strategic Plan
 Responsible Officer(s): L. Muboni Wanyesi
 Implementing Partner: Kenya Human Rights Commission

Type of Request:
 Direct Cash Transfer (DCT)
 Reimbursement
 Direct Payment

Activity Description from AWP with Duration	Coding for UNDP
	Account/1400- Fund 54050 Dept 34204 Imp 001465 Donor-00555
	Account/71602
	Account/7100- Fund 54050 Dept 34204 Imp 001465 Donor-00555
	Account/74800- Fund 54850 Dept 34204 Imp 001465 Donor-00555
Total	

REPORTING			
Authorized Amount	Actual Project Expenditure	Expenditures accepted by Agency	Balance
A	B	C	D = A - B
1,500,000	1,402,801	1,402,801	
100,000.00	110,019	110,019	
3,300,000	3,481,323	3,481,323	
100,000	25,797	25,797	
5,000,000	5,000,000	5,000,000	

REQUESTS / AUTHORIZATIONS		
New Request Period & Amount (Ken M, Min 000)	Authorized Amount	Outstanding Authorized Amount
E	F	G = O + F

CERTIFICATION

The undersigned authorized officer of the above-mentioned implementing institution hereby certifies that:

-
-
-

Date Submitted: 4 August, 2010

NOTES

KENYA HUMAN RIGHTS COMMISSION
 Valley Arcade, Giunga Road.
 P. O. Box 41079,
 Nairobi, G.P.O., Kenya.
 Tel: 254-020-3876065/6, 3874998/9

Name: L. Muboni Wanyesi

Title: Executive Director

FOR AGENCY USE ONLY:

FOR ALL AGENCIES

Approved by:

Name: Shahid Najafi

Title: Signature Governance and Team Leader

Date:

AMKENI WAKENYA
BUDGET BREAKDOWN BY FUNCTIONS
PERIOD: 2011 TO 2014

	USD				
	2011	2012	2013	2014	Total
Grants ¹	7,115,300	4,310,000	40,000	-	11,465,300
Capacity Building	749,902	731,650	594,290	25,662	2,101,504
Knowledge Mgt	90,400	213,600	33,600	-	337,600
Staff	886,720	953,098	953,098	51,080	2,843,996
Office Running	423,000	174,200	188,720	81,527	867,447
IEC	514,500	514,500	304,950	-	1,333,950
M&E	139,290	109,160	129,160	28,970	406,580
Strategic partnerships (SRG, civil society week, day of PWD's, donors)	427,625	373,300	361,300	12,500	1,174,725
Others	22,000	22,000	22,000	2,000	68,000
GMS	720,341	517,094	169,469	13,520	1,420,425
TOTAL	11,089,078	7,918,602	2,796,587	215,259	22,019,526

NOTE:¹Breakdown of Grants

- 1 4th Call - Funding for two years (2011 and 2012)
- a Core Funding (15 CSOs @ 100,000 per year)
- b Project Funding (55 CSOs @ 50,000 per year)
- 2 QRF - Funding for 2011 only (20 CSOs @ 50,000)
- 3 QRF - Funding for 2011 and 2012 (2 CSOs @ 20,000)
- 4 Existing CSOs - Core and Project (32 CSOs)
- 5 Existing CSOs - 3rd Call (40 CSOs)
- 6 Existing CSOs - QRF (21 CSOs)
- 7 Innovations Grant (3 CSOs @ 40,000)

USD Amount	No. of CSOs	USD		
		2011	2012	2013
100,000	15	1,500,000	1,500,000	-
50,000	55	2,770,000	2,750,000	-
50,000	20	1,000,000	-	-
20,000	2	20,000	20,000	-
various	32	1,600,000	-	-
various	40	148,200	-	-
various	21	37,100	-	-
40,000	3	40,000	40,000	40,000
188	188	7,115,300	4,310,000	40,000

REPORTING ON INDICATOR FOR FULFILLMENT FOR THE ANNUAL REPORT FOR THE HUMAN RIGHTS AND CIVIC EDUCATION PROGRAMME, PERIOD June 2009 – July 2010

		<p>During this period a female paralegal was employed as an assistant chief hence increasing the number of women involved in governance.</p> <p>Increase in number of women participating in the project, they were still less in number than men</p> <p><i>50 women paralegals that have remained vocal during the engagement period.</i></p> <ul style="list-style-type: none"> • Increased allocation of budgetary resources for vulnerable groups <p><i>Partially achieved</i></p> <p>Training of Provincial Administration has sensitized them on the importance of involving community voice in government planning and in the use of devolved funds. The sensitisation included Human Rights Based Approach to Programming. However chiefs have complained that work plans and budgets have consistently been changed without their consultation at the national level. They therefore have no power to influence final decisions.</p> <p>The objective due to the fact that influencing budgets towards addressing issues of equity is ongoing work</p>		
--	--	--	--	--

REPORTING ON INDICATOR FULFILMENT FOR THE ANNUAL REPORT FOR THE HUMAN RIGHTS AND CIVIC EDUCATION PROGRAMME, PERIOD June 2009 – July 2010

Project Objective 1	Outcomes	Indicators	Verification	Timeline
<p>Strengthened national capacity for the administration of justice and promotion of human rights</p>	<p>Adoption of legislation and policies that advance the realization of human rights</p>	<p><i>Vulnerable groups have been addressed within the framework of the new constitutional thanks to the relentless efforts of continuous advocacy at the national level</i></p> <ul style="list-style-type: none"> • Bills and policies that advance human rights are passed by Parliament <p><i>Partially achieved</i></p> <p>Passage of a New Constitution of Kenya. Passage of the National Cohesion and Integration Act. Passage of the Proceeds of Crime and Anti-money Laundering Act, 2010. Passage of the Truth Justice and Reconciliation Act. Draft Legal Aid Bill ready</p> <p><i>Advocacy on the necessary additions (Bill of rights) within the new constitutional framework included in the new constitution.</i></p> <ul style="list-style-type: none"> • Government compliance with its reporting obligations under the international human rights instruments <p><i>Achieved</i></p> <p><i>Review of Kenya in the UPR process successful. Over 40 NGO and CSOs engaged in writing Stakeholders Report to Human Rights Council</i></p>	<p>Hansard Reports</p> <p>Minutes of networks and CSO meetings</p> <p>United Nations Treaty Body reports</p>	<p>2010</p>

REPORTING ON INDICATOR FULFILLMENT FOR THE ANNUAL REPORT FOR THE HUMAN RIGHTS AND CIVIC EDUCATION PROGRAMME, PERIOD June 2009 – July 2010

A judicial system that advances human rights	<ul style="list-style-type: none"> Legislation and policies enhancing judicial independence passed <i>Partially Achieved</i> <i>Proposed Constitution of Kenya contains principles that enhance judicial independence. Task Force Report on judicial reform contains similar principles . A comprehensive judicial reform framework has been worked out to foresee the institution of an expeditious and speedy administration of justice.</i> Gender equality mainstreamed in structures and processes of the judiciary <i>Partially achieved</i> <i>Proposed Constitution of Kenya contains principles that enhance gender equality .Task Force Report on judicial reform contains similar principles</i> 	<p>Hansard Reports</p> <p>CSO network minutes</p> <p>Judicial commission records</p> <p>Court Records</p>	2010
Increased access to justice and realization of rights for the marginalised and vulnerable	<ul style="list-style-type: none"> Rights of people with disabilities mainstreamed in development <i>Partially archived</i> Rules and Regulations under the disabilities Act implemented <i>Partially archived</i> Functional networks of community based paralegals 	<p>Rules and regulations</p> <p>Records of the NCPWD</p> <p>Records of CSOs</p> <p>Minutes</p> <p>Reports</p>	2010

REPORTING ON INDICATOR FULFILLMENT FOR THE ANNUAL REPORT FOR THE HUMAN RIGHTS AND CIVIC EDUCATION PROGRAMME, PERIOD June 2009 – July 2010

Activities	Outputs	Indicators	Means of Verification	Timeline
<p>1. Research and documentation on the state of administration of justice</p>	<ul style="list-style-type: none"> • Impact of judicial decisions on achievement of MDGS documented • Gender and environment mainstreaming skills among judges, magistrates and judiciary staff enhanced 	<p><i>Achieved</i></p> <p><i>Community based paralegals remain vibrant and active on the ground</i></p> <p><i>The trained 120 paralegals have been attached to their respective community justice centres.</i></p> <p>Community networks trained and involved in the process of Human rights monitoring and reporting</p> <p><i>Achieved</i></p> <p><i>35 trained Human rights monitors and community mobilisers. Another training is being undertaken presently where 22 paralegals are being tutored</i></p>	<p>Photos</p> <p>Slum herald and Kiiruo newsletter</p> <p>Paralegal badges</p> <p>Uniform</p> <p>Banners</p> <ul style="list-style-type: none"> • Court records • Lists of participants • Research reports • Case reports • Jurisprudence • Utilisation of Audit Report on the linkages between the realisation of MDGs and admin of Justice by Judicial officers 	<p>2009</p>

REPORTING ON INDICATOR FULFILLMENT FOR THE ANNUAL REPORT FOR THE HUMAN RIGHTS AND CIVIC EDUCATION PROGRAMME, PERIOD June 2009 – July 2010

		<p><i>geared towards raising awareness and sensitisation of the judicial officers on the interface between MDGs and administration of justice. It is proposed that the extent to which the MDGs are cited will be undertaken in the next phase of the project</i></p>		
<p>ii. A Public awareness and campaign foras through media and public lectures on thematic issues touching on the on going judicial sector review</p>	<ul style="list-style-type: none"> • Increased awareness on judicial reforms 	<ul style="list-style-type: none"> • Public lectures on judicial reforms <i>Partially achieved</i> 6 lectures were held on MDGs and judicial reforms in 6 different sites where ICJ ran extension sites in collaboration with the Human Rights Education Programme • No. of participants in public lectures <i>Achieved</i> <i>It was decided that the lectures would be targeted at the community paralegals as a first step towards enhancing understanding of MDGs and down streaming at a local level. 120 community paralegals were trained on MDGs.</i> 	<ul style="list-style-type: none"> ▪ List of participants ▪ Regional meetings / reports ▪ Popular version of the MDGs Reports 	
<p>iii. Provision of legal aid services and legal awareness creation</p>	<ul style="list-style-type: none"> ▪ Increased access to formal and informal legal processes 	<ul style="list-style-type: none"> • Functional legal aid network Partially Achieved <i>Draft Legal Aid Bill endorse by the minister and cabinet, is just awaiting some last revisions</i> <i>There exists a civil society and government driven initiative to</i> 	<ul style="list-style-type: none"> ▪ CSO records ▪ Court records ▪ Minutes of meetings 	<p align="center">2009</p>

REPORTING ON INDICATOR FULFILLMENT FOR THE ANNUAL REPORT FOR THE HUMAN RIGHTS AND CIVIC EDUCATION PROGRAMME, PERIOD June 2009 – July 2010

	<p><i>establish a legal aid structure. This structure is in the pilot phase. It is known as the National Legal Aid and Awareness Pilot Project headed by the National Steering Committee on Legal Aid of which ICJ Kenya is a member.</i></p> <p>Coordination of PASUNE (Paralegal Support Network) in steering meetings to discuss its membership, a draft paralegal policy, paralegal minimum standards, Training manuals, handbook and curriculum, resource mobilization for the network, joint paralegal activities including capacity gaps. 2 steering meetings remain to be conducted.</p> <p><i>Revamped and refreshed Volunteer Advocates network working with KCS on matters brought forth from the community justice centers</i></p> <p>Legal open days at community level Partially Achieved.</p> <p>5 legal aid days have not yet been done out of the 6 planned for. Paralegals continue to address emerging issues from the community and refer difficult cases to <i>probono</i> lawyers. Legal aid days are now targeted at addressing emerging policy gaps at the community level.</p>		
--	---	--	--

REPORTING ON INDICATOR FOR FULFILMENT FOR THE ANNUAL REPORT FOR THE HUMAN RIGHTS AND CIVIC EDUCATION PROGRAMME, PERIOD June 2009 – July 2010

		<p><i>Weekly legal aid clinics at the justice centers to handle cases from the community</i></p> <ul style="list-style-type: none"> • No. of legal aid cases handled Achieved. A total of 49 cases have been handled during legal aid days. 30 cases forwarded to KCS from the justice centres on matters of Land, labour, housing(land lord vs. tenant) and public interest issues • Success rate of the cases Achieved 20 cases successfully handled, for example the prisoners right to vote case KCS recorded a historic judgement allowing Prisoners in Kenya to participate during the August 4th referendum 		
<p>iv. Capacity building for paralegals</p>	<ul style="list-style-type: none"> • Regional exchanges for paralegals • Capacity enhancement for paralegals • Enhanced respect and acceptance of paralegals by community members • Joint foras for paralegals and local duty bearers established 	<ul style="list-style-type: none"> • Paralegal data base Achieved This database is constantly updated on a needs basis. The demand for paralegals has increased in the recent past. The media has recognised the importance of their work in the community. The Royal Media Services through 'Musi' and 'Mbaiti' FM which are vernacular radio stations have been offering free airtime to paralegals to discuss 	<ul style="list-style-type: none"> ▪ List of trainees ▪ Code of conduct ▪ Photos ▪ Minutes ▪ Reports ▪ Badges ▪ Uniforms 	

REPORTING ON INDICATOR FULFILLMENT FOR THE ANNUAL REPORT FOR THE HUMAN RIGHTS AND CIVIC EDUCATION PROGRAMME, PERIOD June 2009 – July 2010

	<p>legal issues.</p> <ul style="list-style-type: none"> • Functional community resource centres <i>Achieved.</i> <p>5 community resource centres have been identified in Kangundo, Yatta, Mwala, Masinga and Ndithini. They are legal aid and advisory centres where the community is able to access paralegal advisory services. Mwala, Yatta and Kangundo centres are functional while Masinga and Ndithini are yet to be equipped. LRF continually upgrades these centres with information and educational materials on human rights. <i>Latest Publications and other IEC materials (e.g. new constitution) have been disseminated to the resource centres.</i></p> <ul style="list-style-type: none"> • Increase in the number of cases addressed by paralegals <i>Achieved.</i> <p>On average, 5 cases are handled per paralegals on a weekly basis. These cases are identified through continuous legal aid sessions. Also, group advice is given through community groups and paralegal networks. <i>The trained paralegals attached to the centres advice clients on basic</i></p>		
--	---	--	--

REPORTING ON INDICATOR FULFILLMENT FOR THE ANNUAL REPORT FOR THE HUMAN RIGHTS AND CIVIC EDUCATION PROGRAMME, PERIOD June 2009 – July 2010

		<p><i>legal issues presented at the centres and also forward cases to KCS if complex</i></p> <ul style="list-style-type: none"> No. of cases on issues of gender, disabilities, children, PLWHA and other vulnerable groups addressed by paralegals <p><i>Partially Achieved</i></p> <p>Sensitization of paralegals on mainstreaming of gender, disability, children. PLWHAS and other vulnerable groups have assisted paralegals during outreaches in the community. Also, local community justice systems have used alternative dispute resolution mechanism to address these needs.. LRF continues to advocate for the inclusion women, youth and minorities in the membership. <i>So far the paralegals have handled about 30 cases within the pilot period in which 12 cases are related. This has also informed their local advocacy on vulnerable groups.</i></p> <ul style="list-style-type: none"> Code of conduct for paralegals Achieved <p>LRF has a draft paralegal code of conduct for community paralegals. This is yet to be presented and validated in PASUNE.</p>		
--	--	---	--	--

REPORTING ON INDICATOR FULFILLMENT FOR THE ANNUAL REPORT FOR THE HUMAN RIGHTS AND CIVIC EDUCATION PROGRAMME, PERIOD June 2009 – July 2010

	<p>An Internal code of conduct was developed and administered to 120 trained paralegals.</p> <ul style="list-style-type: none"> No. of joint foras with local leadership Achieved. <p>Paralegals conduct joint activities with the Provincial Administration during community awareness sessions and through village barazas. This has been successfully achieved where the provincial administration comprise of trained paralegals.</p> <p>Further, Community resource centers, have been donated by the Provincial administration and are situated in the chief's camp.</p> <p><i>The community networks remain Key in meeting their local leaders to chart their local governance progress.</i></p> <ul style="list-style-type: none"> % of women leadership in the paralegal networks Partially Achieved. <p>Advocacy on mainstreaming of gender in the Public Service is an ongoing agenda for LRF. There is now increased Paralegal recognition and employment in the public service commission..</p> <p><i>(The networks have a fairly progressive outlook in their</i></p>		
--	---	--	--

REPORTING ON INDICATOR FULFILLMENT FOR THE ANNUAL REPORT FOR THE HUMAN RIGHTS AND CIVIC EDUCATION PROGRAMME, PERIOD June 2009 – July 2010

		<p><i>leadership as women form a 30% representation of the network leadership).</i></p>		
<p>v. Advocacy and lobbying for policy and legislation</p>	<ul style="list-style-type: none"> • Advocacy for the passage of the Access to Justice policies and Bills • Review and prioritization of the small claims Courts Bill and Courts of petty sessions by the Law Reform Commission • Memoranda on inequalities 	<ul style="list-style-type: none"> • Draft Bill Partially Achieved. <p>Advocacy on the passage of access to justice policies and bills is ongoing. LRF has been actively engaged in advocacy on the Small Claims Court bill, National Legal Aid and Awareness bill and policy. Aftercare policy and draft bill, Policy on Community participation in the governance of devolved funds, research on Courts of Petty Sessions and review of the Chief's Act.</p> <ul style="list-style-type: none"> • Memoranda on the Bills or policy Achieved. <p>Memorandums made have been on the Proposed Constitution of Kenya. Provisions on the bill of rights, recognition of traditional justice mechanisms, alternative dispute resolution, access to justice, devolution and the recognition of Provincial administration in devolution are some of the provisions LRF advocated for that are contained in the Proposed Constitution of Kenya.</p>	<ul style="list-style-type: none"> ▪ Draft Bill ▪ Minutes of lobbying forums ▪ Memoranda ▪ Hansard records 	

REPORTING ON INDICATOR FULFILLMENT FOR THE ANNUAL REPORT FOR THE HUMAN RIGHTS AND CIVIC EDUCATION PROGRAMME, PERIOD June 2009 – July 2010

		<p><i>These processes are on going and the working group consisting of other CSOs remain vibrant</i></p> <ul style="list-style-type: none"> • Joint forums with MPS, AGS offices, Law Reform Commission on the Bill Achieved. <p><i>Joint forums to be held in August 2010.</i></p> <p>Joint forums on the above mentioned bills and memorandums have been done with policy makers including MPs, AG offices and the Kenya Law Reform Commission. These forums have been undertaken jointly as sector activities through symposiums and field activities with government, civil society and other stakeholders.</p> <p>Participation in joint forums with policy makers was also done. In December 2008, LRF presented the paralegal experience, roles, training and minimum standards in an access to justice conference Rwanda.</p> <ul style="list-style-type: none"> • Reviewed draft paralegals Policy Achieved. <p>This activity has been done jointly through PASUNE, advocacy and validation of the document are ongoing.</p>		
--	--	---	--	--

REPORTING ON INDICATOR FOR FULFILLMENT FOR THE ANNUAL REPORT FOR THE HUMAN RIGHTS AND CIVIC EDUCATION PROGRAMME, PERIOD June 2009 – July 2010

<ul style="list-style-type: none"> • Advocacy for the New Constitution 	<ul style="list-style-type: none"> • Working group on the New Constitution <i>Achieved</i> <i>IPs has been very involved in the process of developing the new constitution and has joint efforts with other partners and submitted comments to the Committee of experts.</i> Under the National Civil Society Congress, LRF has been involved in advocacy on the New Constitution of Kenya. LRF participates in the "Katiba Sasa campaign" which has been instrumental in sharing civil society voice on the new Constitution. Policy forums have been held in Nairobi and the Rift Valley. <i>Action Aid achieved the objective by being part of Katiba Sasa Campaign network that brings together all CSOs to push for enactment of new constitution</i> CLARION part of the national working group on the New Constitution under the Katiba Sasal Campaign 	<ul style="list-style-type: none"> ▪ Minutes of meetings ▪ List of participants 	
	<ul style="list-style-type: none"> • Joint CSO forums on the new constitution <i>Achieved.</i> As indicated above. 		