

**Amkeni Wakenya**

**Civil Society Democratic Governance Facility**

**Quarterly Report for Q2**

**(1 April to 30 June 2015)**

**Project Context**

The second quarter of 2015 saw an increased partnership between the facility and other UNDP supported project in the Kenya country office especially extractives projects. This quarter also saw the initial design of a project to address integrity and corruption in the governance process as a result of the President’s state of the nation address in May 2015.

The end of project evaluation for phase one and audit of all the supported implanting partners in phase one were completed and presentations made to the project management unit, UNDP Senior Management and Development Partners.

**Progress towards Results**

The project still continued to focus on the following five outcomes in quarter 2:

1. Access to Justice and Realization of Human Rights
2. Promoting people-centered Devolution and Local Governance
3. Conducive regulatory framework for CSOs
4. Capacity of civil society to effectively respond to contemporary governance issues enhanced
5. Efficiency and effectiveness of Amkeni Wakenya to provide support to civil society organizations in the Democratic Governance sector in Kenya increased.

During this quarter, the project got the second advance authorization to allow continued operations pending approval of the project document by the host government.

**Project Beneficiaries**

During this reporting period, the facility worked directly with civil society organizations, county governments, private sector, and key stake holders in the national government involved in extractives industry in Kitui and Turkana Counties.

**Project Results**

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| **OUTCOME 1: Improved respect, enjoyment and promotion of access to justice, human rights and freedoms for Kenyans** |
| **Output 1.1: Enhanced citizen awareness and engagement on human rights awareness using innovative CSO approaches** |
| **Progress towards result:** | Amkeni was invited by the IEG Unit to prepare a Concept Paper to jointly undertake workshops on Extractive Industries in Machakos, Kitui and Turkana counties. The workshop in Machakos had participants from other counties within the catchment of Mui river basin coal mining belt in Kitui county who are also directly or indirectly affected by the mining in Kitui county. The participating representatives of 55 CSOs were taken through the module “Entrenching Human Rights Based Principles in Extractives Sector: Challenges and Prospects”. Some of the issues emanating from the session were: knowledge on HRBA among CSOs remains limited and should be enhanced. UNDP as part of the UN is the institutional home of HRBA and therefore has a responsibility in promoting the approach. The UN-Guiding Principles on Human Rights and Business as well as the constitution of Kenya provide a good normative framework for promotion of HRBA in the extractives sector. There is need for UNDP to conceptualize further how it can effectively promote HRBA in building capacities of civil society, investors and governments (national and county) within the context of extractives industries. |
| **Output 1.2: Enhanced Access to justice for the marginalized and vulnerable communities using innovative CSO approaches** |
| **Progress towards result:** |  |
| **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** |
| **Progress towards result:** |  |
| **OUTCOME 2: A rights- responsive devolved system of governance entrenched** |
| **Output 2.1: Capacity of CSO to engage county governments & duty bearers on planning, budgeting, project management and service delivery using HRBA enhanced and applied** |
| **Progress towards result:** | The extractives workshop in Turkana county were focused on the extractives industry with the main theme of “let us get it right”. The main agenda of the workshop revolved around; extractives industries best practice; land issues; governance issues; the role of the civil society in engaging the county government, private sector and national government on issues surrounding the oil industry. Among the key issues discussed in the workshop were; benefit sharing formula, conflict with the traditional way of life, environmental pollution and conservation issues including environmental impact assessment, civic education programme and issues on displacement.In Kitui County, the extractives workshop focused on the coal mining in Mui river basin. The key achievements of the workshop included:* Discussions on key issues surrounding coal extraction in Mui river basin between the County Government of Kitui, Civil Society Organizations and the community.
* Concise articulation on laws, legislation and policies related to coal extraction in Kitui as stipulated in the constitution and Kitui County laws and policies and how they will affect the community along Mui river basin.
* Development of an action plan with objectively verifiable indicators on key steps to be achieved jointly by the community, the county government, the national government and the private sector invo9lved in coal extraction.

The following are the key observations, recommendations and suggested actions: * Serious sentiments were expressed by the community regarding the following issues among them: displacement as a result of the coal extraction; land grabbing; environmental pollution; cash compensation to the local community due to the possible displacement; and a breakdown in the already established social networks.
* It was agreed that as opposed to total cash compensation, the community will negotiate for a leasehold agreement with the private sector involved in the extraction.
* The agreement signed between the government and the private sector needs t go back to parliament for discussions and approval before any coal mining begins.
* Laws, legislation and institutional reforms both at county and national level needs to be reviewed and enacted in order to safeguard the interests of all the stakeholders.
* Expectations and benefit sharing formula needs to be agreed upon at the onset (Action: Community representative, County Government, National Government and Private Sector)
* A communication strategy needs to be developed and agreed upon between all the stakeholders which will allow open and honest sharing of all the information.
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| **Output 2.2: Rights responsive county public participation laws, framework and platforms established and institutionalized** |
| **Progress towards Result** | * **Support for development of Monitoring and Enforcement of ECSR Bill:** Amkeni supported a technical meeting to discuss the revised draft of the Human Dignity and Enforcement of Socio-economic Rights Bill. This was held at the Southern Sun Hotel and was attended by 15 CSO representatives and Senator Hassan Omar. The Bill was adopted by the meeting with a few amendments. A roadmap detailing the next steps towards enactment were also discussed. The bill is critical in aligning the functions and decision-making processes of county and national governments towards the realization of ESCRs.
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| **Output 2.3: Innovative CSO partnerships with county and national institutions (involved in the devolved government reforms) in enhancing rights and freedoms** |
| **Progress towards Result:** |  |
| **OUTCOME 3: Improved organizational performance, sustainability and enabling environment for CSOs in Kenya** |
| **Output 3.1: Enabling policy and legal frameworks on civil society adopted and implemented with adequate PBOs participation** |
| **Progress towards Result:** | **Monitoring the PBO Taskforce** – Amkeni continued to monitor the PBO Act process. The CSO-Reference Group (CSO-RG) invited the UNDP Resident Representative to officiate the launch of the shadow report on the PBO Taskforce. Amkeni was tasked to prepare a brief to the RR, explaining the rationale for the event, UNDP’s positioning and talking points. The brief was prepared accordingly. However, due to sensitivity of the issue, the RR was advised to stay away from the event. |
| **Output 3.2**  **Capacity of PBO Authority to discharge its mandate to PBO sector enhanced** |
| **Progress towards result:** |  |
| **Output 3.3 CSO/PBO self-regulation mechanisms established and supported** |
| **Progress towards result:** |  |
| **Output 3.4 Critical capacities for organizational development, impact and sustainability among CSOs enhanced** |
| **Progress towards result:** | **Enhancing organizational sustainability capacity of CSOs:** Conducted capacity assessment for Society for International Development which is to be funded under the EIF facility. The assessment revealed no major capacity risk. However, the need to strengthen the M&E framework of the project was identified and a discussion was subsequently held with the organization on 10th June, where the team was inducted into Amkeni’s new online M&E system which SID is also expected to use during their quarterly reporting session.As part of the extractive workshops held in Kitui, Turkana and Machakos, mentioned above, the workshops also made deliberate effort to equip CSOs with critical skills necessary to engage different stakeholders in the extractive sector. Some of the areas covered include: benefits that communities can derive extractives, benefit sharing, how communities can be engaged in natural resource management and use, sharing of experiences, problems associated with natural resources, legal frameworks on mining, place of civil society in the extractives industry, challenges county government face with extractive resources, land ownership and tenure issues in relation to the extractive industries; and compensation issues. |
| **OUTCOME 4: Effective Civil Society Response to contemporary Governance Issues** |
| **Output4.1: Adequate integration of human rights principles in laws, frameworks and operations governing extractive industries with meaningful CSO participation.** |
| **Progress towards result:** | **Building CSO capacity on human rights-based approach to extractives:** In partnership with UNDP- IEG unit, Amkeni held two workshops on extractives targeting Turkana, Kitui and neighboring counties. The first was held on 16-10 June 2015 in Kitui and brought together over 50 stakeholders from the mining sites in Kitui. In the Turkana, Amkeni facilitated participation of CSOs in a conference organized by the county government on extractives. This was held in the last week of June 2015. |
| **Output 4.2 Effective citizen participation in electoral processes and political accountability mechanisms using innovative CSO approaches** |
| **Progress towards result:** |  |
| **Output 4.3 Integrity and political accountability addressed effectively** |
| **Progress towards result:** | Amkeni has issued a grant of Kshs 900,000 to Society for International Development (SID) through the emerging Issues Fund window. The Grant request was responding to the President’s state of the nation address in March 2015 where he highlighted the high prevalence of corruption in the public service and handed over a list to the speaker of the national assembly implicating 175 public officers including cabinet secretaries, permanent secretaries and heads of parastatals, in several cases of corruption. Through this support, SID intends to strengthen knowledge-base of public dialogue on integrity, increase citizens’ in-direct/direct action to promote integrity; and publicly shadow the Ethics and Anti-corruption Commission (EACC) and the Integrity Action Taskforce. |
| **Output 4.4 Internal M&E , reporting and knowledge management processes of Amkeni enhanced** |
| **Progress towards result:** | The annual consultations between UNDP, the Royal Netherlands Embassy and the Embassy of Sweden were held during this reporting period. Amkeni Wakenya was part of the deliberations and the facility presented the key achievements during phase one and also the main flagships in phase two. The facility was also requested to compile the final report of the consultations which has since been shared with the two development partners.The new M&E tracking system begun rollout and SID was inducted on how to use the system. SID will be used as the pilot implementing partner of this new M&E System. |
| **Output 4.5: Visibility and profile of Amkeni as critical actor in Democratic governance enhanced.** |
| **Progress towards result:** |  |
| **OUTCOME 5: Efficiency and Effectiveness of Amkeni Wakenya to provide support to civil society organizations in the Democratic Governance in Kenya enhanced.** |
| **Output5.1: Adequate and professional human resources recruited and managed.** |
| **Progress towards result:** | **Recruitment and induction of staff:** The position of programme specialist was filled during the quarter. Recruitments for other senior positions (i.e. Learning and Knowledge Management Specialist, Operations Manager & Finance Specialist, Procurement Specialist and Programme Finance Associate) were underway.**Performance management:** UNDP Country office provided TRAC funds in the amount USD 100,000 for start-up activities. |
| **Output 5.2: Internal capacity of staff and governance structures of Amkeni enhanced** |
| **Progress towards result:** |  |
| **Output 5.3: Internal governance processes of Amkeni supported** |
| **Progress towards result:** | **Holding of Developing Partner meetings**: Amkeni Wakenya organized its second development partner’s meeting in May 2015 at the Southern Sun Hotel, Nairobi. The Royal Netherlands Embassy, the European Union Delegation in Kenya, Embassy of the Kingdom of Sweden, Embassy of Japan and UNDP were represented. During this meeting, the final Amkeni Wakenya end of project report for phase one was presented to the development partners and SRG. After the meeting with the development partners, the second SERG meeting for the year was held. The meeting discussed SRG work plan and also possibilities of getting SRG team members involved with the work of SID |
| **Output 5.4: Internal business processes of Amkeni continuously enhanced** |
| **Progress towards result:** | During the quarter, an external Audit for Amkeni IPs was finalized. A total of 276 grants were audited and out of the 276 grants, 262 grants representing 95% received unqualified audit opinion. However, various recommendations were given under each IP on various areas of that required improvement and for which UNDP take them positively to inform the programming and improvement of phase II of the Amkeni Wakenya programme. Each of these IPs will also receive a copy of their audit report for which some of the IPs have already started requesting for in order to support their resource mobilization proposals being submitted to other donors.A total of 14 grants representing 5% received qualified audit opinion. These 14 cases were due to inability of the auditors to access the IP’s offices due to various reasons including: Inaccessibility of office locations due to insecurity arising from terrorism. This was mainly the case for organizations based in Northern Kenya; Unavailability of the grantees’ officials to meet with the audit team on appointed dates. Various reasons were given for this including emergence of other engagements. Even though the PMU managed to reschedule these visits subsequently, it was not possible for the auditors to make return visits because of limited time for the assignment as well as financial implications of the rescheduling; Changes in information regarding the physical location of the grantees’ offices from the information provided to the PMU; Loss of project records by grantees. This was the case for grantees that implemented shorter projects (Call 5- WRIP and QRF- SODNET.); In one case, Centre for Human Rights and Democracy (CHRD) the officials of the organization declined to meet with the auditors claiming that they had not received official communication about the audit from UNDP.Amkeni has prepared a Management Response Report on the Audit. |
| **Output 5.5: Adequate resources for Amkeni’s work generated in a sustainable manner** |
| **Progress towards result:** | A concept paper for the Embassy of Japan was developed and shared with the embassy for a total estimated cost of USD 2 million. The main focus of this concept note was devolution, public participation in legislative, planning and budgeting. The facility is currently discussing this concept note with the embassy of Japan. Discussions are ongoing with Sweden, Netherlands and the European Union delegation in Kenya, with Netherlands indicating that funding could be available earliest in January 2016. |

**Cumulative Financial Summary**

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| Approved Budget :  | USD 100,000 |
| Total Expenditure :  | USD 74,199.27 |
| Balance of Funds :  | USD 25,800.27 |
| Delivery : % | 74% |