Support to Electoral Reform and the Constitutional Referendum Process in Kenya

PROJECT DOCUMENT

Phase One -Referendum

(October 2009 - December 2010)

Phase Zero: Project Initiation – 1st October 2009 – 31st March 2010 (Annex 2)

Phase 2: General Elections 01 January 2011 – June 2013 (To be developed)

Project Title:

Support to Electoral Reforms and the Constitutional

Referendum Process in Kenya

UNDAF Outcome:

Democratic governance and human rights including gender

equality progressively enhanced.

CPAP Expected Outcome:

More efficient, effective and equitable public service delivery

by institutions and systems of democratic governance and rule

of law enhanced.

Expected CPAP Output(s)/Project Outcome:

Enhanced capacity of the IIEC to deliver on its constitutional mandate including the successful implementation of the

referendum on the draft Constitution.

Implementing Partner:

HEC

Collaborating parties:

Development Partners, International and National Electoral NGOs

Programme Period; CPAP 2009 - 2013

Programme Component: Governance

Project Title: Support to Electoral reforms in

Kenya

Project ID: 00073426

Project Duration: 15 months

Management Arrangement: NIM

Budget USD: 8,750,067

General Management Support Fee:

USD: 612,505

Total budget:

USD: 9.362,572

Allocated resources:

USD: 4,145,500

• UNDP core resources: USD 230.000

UNEAD: USD 53,000

Others ***

o Donor Norway: USD 267,500 o Donor SIDA: USD 300,000

| Donor | SIDA: USD 300,000 | Donor | Finland: USD 575,000 | Donor | DFID: USD 300,000 |

o Donor CIDA
o Donor USA

CIDA: USD 350,000 USAID: USD 500,000

Donor Denmark: USD 1,600,000

	Signature	Date	
	1Mmmy	26/4/2010	Ahmed Issack Hassan Chairperson, IIEC
OP .		6-5-2010	Tomoko Nishimoto Country Director
stry of nce	Jkuh,_	6-5-2010	Joseph Kinyua Permanent Secretary
	THE PERMANENT SECRETARY		

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1. Purpose

The purpose of this project work plan is to provide the framework of support to meet the needs of the Interim Independent Electoral Commission (IIEC), as far as the implementation of its mandate is concerned, up to and including the referendum on the proposed constitution drafted under the terms of the 2008 Constitution of Kenya Review Act. It highlights the areas of support and activities as identified by the IIEC for the period October 2009 – December 2010. The aim of this support is to ensure that the IIEC has the required capacity to roll out its activities taking into account the limited time it has before the expiry of its mandate, primarily to include the forthcoming referendum on the draft Constitution. Furthermore, this support allows for the finalization of a longer-term "Programme of Support to the Electoral Reforms Process in Kenya" through consultations with key stakeholders and partners, leading up to the general elections of 2012. The longer-term programme of support is expected to roll-out by December 2010.

2. Background and Justification

The IIEC was formed following recommendations by the Independent Review Commission of the 2007 Post-Elections (IREC) and subsequent enactment of the Constitution of Kenya (Amendment) Act No. 10 of 2008. It replaced the defunct Electoral Commission of Kenya. The mandate of IIEC as described under Section 41A of the Constitution includes:

- Reforming the electoral process and management of elections in order to institutionalize free and fair elections;
- Establishment of an efficient and effective secretariat;
- Promotion of free and fair elections;
- Creation of a new voter register;
- Efficient supervision of elections and referenda;
- Development of a modern system for the collection, collation, transmission and tallying of electoral data;
- Facilitation of the observation, monitoring and evaluation of referenda;
- Promotion of voter education and a culture of democracy;
- Settlement of minor electoral disputes during an election as may be provided for by law.

By any standards, the mandate is wide and has to be achieved within 24 months from December 2008. The IIEC has nine (9) commissioners including the Chairman. The IIEC did not inherit any staff from the disbanded Electoral Commission of Kenya and was, from its establishment until December 2009, operating with a skeletal secretariat with staff seconded from Government. Senior and middle-level management have only been in place since January 2010. This also means that the commissioners have been hands-on in terms implementing policy decisions. It is worth noting that the process of recruiting senior and middle management staff commenced in September 2009 with the support of this project in its initiation phase.

Justification

The next major electoral event expected in Kenya is the referendum on the proposed draft constitution drafted under the terms of the 2008 Constitution of Kenya Review Act. The IIEC has the constitutional mandate to manage the referendum. Although the exact date for the referendum has not been determined, the IIEC is working towards a referendum polling date of late August 2010. In addition, the IIEC is planning to conduct a Parliamentary by-election in South Mugirango no later than June 14, 2010, as well as civic council by-elections in several local authorities across the country during the same timeframe. The IIEC has been commended for the successful management of the Bomachoge and Shinyalu by-elections in August 2009. However, the two by-elections were on a small scale compared to the referendum which is national and the IIEC is likely a number of challenges running up to the referendum.

In order to conduct the referendum, the Commission must conduct a national voter registration drive. This process commenced on 22March, 2010 in 192 of the 210 parliamentary constituencies, using Optical Mark Reader technology to construct the electronic register, in approximately 19,000 voter registration centres. The two main reasons why the register used in the 2007 general elections was discredited, as identified by the report of the Krieger Commission were: (a) deceased voters appearing on the register, and (b) the problem of double registrants. Construction of a new register allows the IIEC to tackle the former problem. The Commission is also piloting biometric voter registration in 18 electoral constituencies (approximately 1,500 centres), an important experiment that will allow the IIEC to tackle the crucial issue of double registrants. Successful piloting of the biometric voter registration will allow for a national roll-out of the process for the 2012 general elections.

The Commission faces time and capacity constraints to deliver on its mandate. Since the enactment of the law establishing the Commission, 5 of the 24 months were lost because of delays in appointing the commissioners. Most of the appointed commissioners had limited previous electoral management experience. Further, new staff was recruited very close to operational deadlines and thus unable to settle into their functions through an induction programme. Instead, on short notice, the senior staff and Commissioners must ensure that the voter registration exercise commences on time and the referendum is managed professionally.

UNDP, as recognized by the UN General Assembly and the DPA-UNDP Note of Guidance on electoral assistance, plays a leading role at the country level in the provision of electoral support programmes. The UN provides electoral assistance upon request by a member state. The Focal Point for Electoral Assistance Activities, Under-Secretary-General for Political Affairs, ensures consistency and coherence in the provision of UN electoral assistance, providing policy guidance and ensuring coordination at the global level.

UNDP has been requested by the IIEC to assist in coordinating and implementing financial and technical support to the electoral reform process, including support for the referendum process. In cognizance of the enormous task of spearheading reforms of the electoral processes in Kenya and tight timelines towards the referendum, the IIEC expressed the need for technical, financial and material support for the period running between October 2009 and December 2010. This period will cover two major events: the national voter registration and the referendum on the draft constitution.

3. Implementation Strategy

3.1 Electoral Cycle Approach

This assistance forms part of UNDP's long-term vision of support to the electoral reform process in Kenya, running up the General Elections in 2012. In engaging and supporting the IIEC from the establishment of its permanent Secretariat, the project conforms to the "electoral cycle approach" increasingly used in the UNDP electoral assistance framework and elaborated in the 2007 UNDP Electoral Assistance Implementation Guide. The cycle approach aims to encourage UNDP and development partners to look beyond mere support to an individual electoral event, and instead focus on the development of both the electoral management body, the electoral and legal framework, and the stakeholder coordination process, so that the long-term institutionalization of both the bodies conducting the elections and the electoral process that leads to the elections are viewed as a cornerstone of the democratic governance health of a country. Supporting the establishment of the IIEC and the referendum would represent the implementation of the electoral cycle approach leading to the 2012 elections.



The IIEC and UNDP divided this project into three different phases. The period between October 2009 – March 2010 marked the initiation phase of the project (Phase Zero – see annex 1). The period between April 2010 – December 2010 will be the referendum phase (Phase One – see annex 2). The final phase will focus on the 2012 elections.

In line with the above, during this project period, the IIEC and UNDP, together with development partners and other (strategic) stakeholders will be working towards the finalization of a long-term Programme Document for the Support to the Electoral Reforms Process in Kenya which will encompass required support in the period after the referendum, leading up to the Presidential and Parliamentary elections in 2012. In order to ensure full ownership, buy-in and commitment to the later programme of

support, the IIEC has underscored the importance of having Senior Staff of the IIEC Secretariat, including its Chief Electoral Officer and Deputy Chief Electoral Officer, input and comment on the proposed strategy of support.

As reiterated by the General Assembly resolution adopted in November 2009, all UN electoral assistance projects, particularly those conducted under the "electoral cycle approach" must be based on a needs assessment bearing in mind sustainability and cost-effectiveness.

3.2 Project Strategy

The aim of this support is to ensure that the IIEC has the required capacity to roll out its activities taking into account the limited time it has before the expiry of its mandate and the referendum on the draft constitution. Furthermore, this support allows for the finalization of a longer-term "Programme of Support to the Electoral Reforms Process in Kenya," to support the IIEC up to and including the 2012 Presidential and Parliamentary elections, through consultations with key stakeholders and partners.

The expected result for this support is: "Enhanced capacity of the IIEC to deliver on its constitutional mandate including the successful implementation of the referendum on the draft Constitution." The project will focus on three main components: (1) technical support to the IIEC; (2) stakeholder coordination and participation in the electoral reform process, and (3) project monitoring, evaluation and audit. Each of these components has key outputs that are highlighted below.

UNDP will work with IIEC and other stakeholders to ensure that a strategy to promote gender equality and inclusion of all vulnerable groups such as IDPs, marginalized communities and persons with disabilities is integrated into electoral reforms.

UNDP and the IIEC will initiate and support strategic linkages between the IIEC activities and other gender related programmes as a means of mainstreaming gender in the electoral reforms. The IIEC and the National Civic Education Programme (NCEPII) have signed a MoU that will allow NCEP's Gender Advisor to ensure that civic education for the elections integrates gender issues. The project will also build linkages with UNIFEM and its Gender and Governance programme.

Furthermore, UNDP will work with IIEC to identify existing programmes and agencies representing and supporting marginalized communities, IDPs and persons with disabilities to ensure that their issues are effectively addressed during the period of voter registration and referendum.

Finally, UNDP Kenya will draw on its Regional Service Centre in South Africa and its boarder network throughout this period for provision of technical and policy level input for programme development and implementation.

A. Component 1: Technical Support to the HEC

This component will focus primarily on providing support to the following outputs:

- Strengthened overall capacity of the IIEC;
- Improved voter identification and registration mechanisms;

- Strengthened legal electoral framework;
- Enhanced civic awareness on voter registration and the referendum;
- · Enhanced capacity of the HEC to manage a free and fair referendum
- Established observation mechanism;
- Strengthened Office of the Registrar of Political Parties.

I. Strengthened overall capacity of the HEC:

A key objective of this support is to strengthen the capacity of the IIEC to manage the electoral reforms and processes both in the short-term and long-term. The project will support the IIEC in establishing its secretariat. Once the IIEC has the required number of staff on board the project will facilitate capacity building seminars, study and exchange visits with other electoral management bodies. The project will also provide direct technical assistance as requested under each output.

II. Improved voter identification and registration mechanisms:

Registration of all eligible voters is a core activity of the IIEC and must be done before the referendum is held. The project will support a number of activities that will include: development of clear guidelines and procedures for voter registration; drafting training materials with regard to voter registration, including for the electronic registration; assessing training needs; training of registration officials; developing communications plans; providing logistical support and warehouse management. In addition, the project will provide technical assistance in the area of operation planning in relation to the national voter registration drive and the referendum.

III. Strengthened legal electoral frameworks:

The IIEC will advocate for the enactment of laws that will strengthen the electoral process in the country. The IIEC will present bills to the government on electoral reform such as an Election Bill, a Permanent Election Management Body Bill, and a Registration Bill. The project will support consultations with stakeholders on the proposed bills.

IV. Enhanced civic awareness on voter registration and referendum:

In order to mobilize Kenyans to register afresh as voters so that they participate in the referendum, a massive civic education and awareness programme must be implemented by the IIEC. The project will focus on several activities which will include: awareness campaigns through TV, radios and newspapers; development of voter and civic education materials; establishment of consultation and coordination activities with CBOs/CSOs; establishment of peace committees; training and deployment of voter education volunteers at regional and community level; and support bulk SMS alerts on voter education. In order to limit threats of violence and actual violence, Peace Committees will be facilitated to intervene where necessary during the voter registration and referendum period.

V. Established observation mechanism:

For the results of the planned referendum to be credible there is need for an effective observation mechanism and structure to be put in place. More critically, there is the need for a credible and efficient

domestic observation unit to coordinate observation activities. To achieve this result, the IIEC will establish an Observation Unit within the Secretariat, develop forms, observer accreditation procedures, codes of conduct and produce Observer Identification Cards.

VI. Enhanced capacity of the HEC to manage free and fair referendum:

The IIEC needs to prepare and manage the referendum as part of its constitutional mandate. The referendum on the draft constitution is slated for August 2010. Support will concentrate on logistical and communication planning; development of training materials and training of polling officials/clerks and security personnel. Communications devices will be procured to enhance coordination between IIEC HQs and its regional offices.

VII. Strengthened Office of the Registrar of Political Parties:

Recognizing the importance of political parties, this project will support the development and roll-out of a communication strategy to create awareness of the office of the RPP and provide technical assistance to strengthen the management of the Political Parties Fund.

B. Component 2: Stakeholder Coordination and Participation in the Electoral Reform Process

This component will focus on one main output; namely, enhanced leadership and coordination of electoral processes. The output will provide planning and coordination support to the IIEC with a view of establishing coordination mechanisms between the IIEC HQ and its regional offices; assisting with the establishment of sustainable donor and partner coordination mechanisms led by the IIEC; supporting the finalization of an operations plan; the finalization of the phase 2 programme; and enhancing coordination among key national electoral reform institutions. In addition, UNDP will work (through existing coordination platforms) with other ongoing reforms programmes such as URAIA, UNIFEM's Gender and Governance Programme, Peace and Conflict Prevention programmes, and AMKENI Wakenya, to ensure that electoral support initiatives within these programmes are included within these coordination mechanisms.

C. Component 3: Project Monitoring, Evaluation and Audit

The output for this component is to ensure that the project is monitored, evaluated and audited in accordance to UNDP standards, rules and regulations of project management.

I. Monitoring:

Tracking of the achievement of benchmarks/indicators for each activity will monitor the performance of the project. Monitoring of the activities will be the responsibility of the IIEC together with UNDP. The aim will be to provide timely information about the progress, or lack thereof, in the production of the outputs and achievement of planned activities. The mechanisms that will be used to monitor this phase will include:

 Quarterly progress reports, technical and financial reports prepared by the Implementing Partner (IIEC), with support of the Electoral Specialist/UNDP Elections Team; the format of the report shall follow UNDP standards. The reports will also be presented at the Steering Committee meetings.

- Final progress report, technical and financial report prepared by the UNDP at the end of phase 1; and
- Field visits undertaken jointly by IIEC and United Nations Development Programme according to an agreed upon schedule and a report from the mission generated as appropriate.

II. Evaluation:

At the end of the Project UNDP and IIEC in consultation with stakeholders will evaluate the project performance. Lessons learned will be used to feed into the next stages of electoral assistance programmes in Kenya. An external evaluation firm will be contracted to carry out the evaluation.

III. Audit Requirements:

The objective of the audit is to provide the UNDP and other development partner's assurance that project resources are being managed in accordance with UNDP rules and regulations, more specifically:

- UNDP's financial regulations, rules, practices and procedures for the Work Plan or project;
- The Work Plan activities, management and implementation arrangements, monitoring evaluation and reporting provisions; and the requirements for implementation in the areas of management, administration and finance.

Thus an audit of this project must confirm and certify that:

- Disbursements are made in accordance with the Work Plan;
- Disbursements are valid and supported by adequate documentation;
- An appropriate system for internal control is maintained by the Implementing Partner and can be relied upon;
- Work Plan financial reports are fair and accurately presented;
- The Work Plan monitoring and evaluation reports are prepared as required;
- Work Plan disbursements are duly verified by the implementing partner and
- The procurement, use control and disposal of non-expendable equipments are in accordance with Government and UNDP requirements.

UNDP takes the responsibility to audit the basket funded portion of the project only. A reputable firm sub-contracted by UNDP will conduct the audit as per UNDP rules and regulations. In the event of such an audit, the Implementing Partner will ensure that auditors are given all records and information that they will need to perform a meaningful performance audit.

It is the responsibility of the Implementing Partner to ensure that all audit observations within its control are attended adequately. The implementing partner may include the activities of this project in the normal audit for their use. UNDP activities for procurement of goods and services shall be subjected exclusively

to the internal and external auditing procedures provided for in the financial regulations, rules and directives of UNDP.

3.3 Key Activities and Deliverables

See Annex 1 and 2. Annex 1 refers to the entire programme of support, which runs from October 2009 – December 2010. Annex 2 highlights activities as envisioned in the initiation phase of this programme of support (Phase zero), which ran from October 2009 – 31st March 2010.

4. Risk Management

The period of this project work plan will be used to monitor key risks to the implementation of the activities, as well as monitor and further engage stakeholders in discussions on possible risks (political fragmentation, delay in passing of necessary legislation, tight legal deadlines for the holding of the constitutional referendum) to the longer term programme of Support to the Electoral Reforms in Kenya leading to the 2012 elections. Key risks are captured in the Risk Log below:

Risk Log : Electoral Reform	Risk Log: Electoral Reform and Constitutional Referendum Support Project risks	apport Project risks	
Description	Effects on Process and Project	Preventive Measures	Action Plan
Slow release of funds by funding donors to basket fund	Potential lack of funds at required periods to effect payments. Potential knock-on effects in terms of IIEC to implement operational tasks.	UNDP CO to liaise closely with funding donors to prioritise signing all funding agreements in adequate time.	 UNDP to prioritise signing of funding agreements with donors. Donors to speed up process as much as possible on their end.
Lack of clarity on payment procedures for IIEC- procured items earmarked for basket fund financing	Inability of UNDP to effect payments to suppliers due to lack of transparency in implementation of public procurement guidelines.	Close liaison required between UNDP CO and IIEC at CEO/DCEO level and Finance and Procurement Directorate	UNDP Electoral Specialists in finance and procurement, as well as a project coordinator, to be engaged as soon as possible in order to work closely with IIEC on payment procedures for items funded by the basket fund
Project Coordination structures not adhered to	Potential lack of cohesion and clarity on funding arrangements and implementation of project activities.	Further institutionalise the coordination arrangements	 UNDP CO to focus on need to provide regular and detailed progress reports to all donors as a means to build consensus on project implementation. UNDP and development partners work through agreed project coordination procedures.
Potential setback in project staff/advisor recruitment/availability	Potential delay in provision of support and/or payment/implementation of project activities	Work with UNDP Regional Service Centre (RSC), UNEAD, ITEC and other stakeholders to anticipate and take action on potential staffing gaps	 STA and UNDP to work closely with IIEC, UNDP RSC, UNEAD and other stakeholders in this regard.
Late commencement of voter registration in some centres due to procurement delays	Late commencement of VR in some areas may negatively affect public confidence in the HEC. It may also lead to certain regions/people, etc., to suspect discrimination on the part of the HEC.	IIEC Voter Registration Directorate to closely monitor all constituencies to identify centres that do not successfully commence voter registration on time.	 UNDP Electoral Specialists to draft VR Communications Plan in consultation with IIEC VR Directorate. Comms Plan to highlight importance of reporting on VR progress, including commencement of VR in all areas. IIEC VR Directorate to prioritise importance of VR items and to ensure delivery of most

Support to Electoral Reforms and Constitutional Referendum in Kenya — Oct 2009 – Dec 2010

			important items (required to open the registration centres) to all regions.
Late requests for additional funding items by IIEC.	Lack of funds, lack of time for IIEC to implement proper procurement procedures	Close liaison required between IIEC and UNDP to avoid "last minute" funding addition requests	Close liaison required between IIEC and UNDP to avoid "last minute" funding addition requests
Insecure transmission of referendum results	Referendum results are compromised, public confidence in the referendum outcome is damaged/lost, due to breaching of the results transmission system	Close liaison required between the IIEC, in particular the IT Directorate, and the IFES project developing the proposed results transmission system. Liaison also required with the Voter Registration Directorate and the UNDP specialists to ensure each element in the planning process is understood by all stakeholders	 IT Directorate, VR Directorate, Voter Education and Partnerships and Directorate of Legal and Public Affairs to be fully aware of all elements of the planned results transmission system. Dir Legal and Public Affairs to accurately explain, along with Dir Voter ED and Partnerships, elements of the system to the Kenyan public and referendum stakeholders so that public confidence in the system is built.
Legal deadlines for the referendum are not altered to match operational constraints	Referendum held outside the legal deadline and legitimacy of the vote called into question leading to legal disputes, etc.	IIEC to liaise closely with Parliament on implementation of the Constitution of Kenya Review Act	Provide support, where requested, to the IIEC to liaise with Parliament on implementation of the Constitution of Kenya Review Act
Political interference in the registration and wider electoral process (unofficial "vetting" of voters for eligibility, etc.)	Increased tensions at local level, risk of electoral-related violence,	Close liaison required at all levels of Kenyan society between IIEC officials, and, in particular, local village elders, to explain IIEC procedures and regulations and importance of allowing registration and implementation of referendum to be an IIEC-led process.	IIEC to establish "peace committees" at the regional and constituency level to engage local leaders in dialogue process. UNDP to ensure the work of the IIEC link up to its efforts in Peace building and Conflict Prevention
Political disagreement on the final draft Constitution.	Potentially acrimonious referendum campaign period, potential political conflict over use of public funds for campaigning either for or against the draft constitution.	Close liaison required between the IIEC and Parliament regarding the necessity to focus the campaign on voter education and information matters rather than partisan campaigning for or against the draft constitution.	 IIEC Voter Education and Partnerships Directorate to develop strong message regarding referendum campaigning to focus on importance of the vote and the rights of Kenyan citizens to decide on the draft rather than to engage in partisan campaigning. IIEC to liaise closely with the Registrar of Political Parties regarding the development of guidelines surrounding the use of public

Support to Electoral Reforms and Constitutional Referendum in Kenya — Oct 2009 – Dec 2010

resources (vehicles, buildings, printed materials, etc.) by political leaders during the referendum campaign.	1. IIEC RECs to focus on implementation of communications plan to inform Directorate VR during registration of progess to date. 2. IIEC Directorate VE and Partnerships to liaise closely with Directorate VR during both voter registration and lead up to polling on regions experiencing greater voter apathy to focus efforts to inspire high turnout. 3. International partners to take opportunities to call on Kenyans to both register to vote and to vote.	-i	Droject staff to support the overall IIEC budgeting process and directorates - specific budgeting for activities. Lobby and advocacy activities with stakeholders	STA/UNDP to support the IIEC with the identification of gaps/reach in VR drive and VE exercise Project to bring together CSO's to coordinate targeted civic and voter education.
	Redoubled efforts of voter education strategy to attract voters to register	Develop strong liaison with Administrative Police at all levels. IIEC VR Directorate, with Director Risk Compliance, to develop a Security Plan template.	IIEC to continue engaging closely with treasury and Parliament to lobby for sufficient funding and enhance understanding on IIEC requirements among stakeholders.	Voter and civic education target vulnerable and minority groups. IEC to use mobile registration/polling centres to enable them to reach target groups.
	Legitimacy of voter register called into question, legitimacy of constitution questioned if passed with small number of Kenyans voting for it.	Loss of materials, potential attempts to fraudulently use stolen items, loss of public confidence in process.	Potential effect on the success of Voter Registration and the Referendum	Weak "voice" by minority and vulnerable groups and, potentially, further marginalisation in future.
	Low turnout of voters during both the voter registration and polling exercises.	Theft of IIEC materials, in particular critical items (completed, non-completed OMR forms, electors' cards, EVR kits, ballot papers, polling materials, voters lists, etc.)	Insufficient funding for voter registration and referendum received by IIEC from treasury	Minority and vulnerable groups are not sufficiently reached during the VR exercise and unable to vote during the referendum

5. Management arrangements

The implementation of activities will follow UNDP rules and regulations as stipulated in UNDP's Programme and Operations Policies and Procedures Manual.

The senior management of both IIEC (Chairman, CEO and Deputy CEO) and UNDP (UNDP Country Director, the UNDP Deputy Country Director for Programmes, the UNDP Deputy Country Director for Operations) will be closely involved in the management of this project. Additional staff will be responsible for the daily management of the project as follows:

I. Senior Technical Advisor

An IIEC based Senior Technical Advisor will have overall responsibility to assist the IIEC in the implementation of project activities. The STA will be based at the IIEC and maintain a close working relationship with the IIEC Secretariat Directors in order to anticipate the scope and timing of their needs as outlined in the project matrix (Annex 2). The STA will also provide general electoral operational advice. He/she will be the chief focal point of the project for Project Coordinator, senior staff in UNDP, and the senior staff of the IIEC.

II. Project Coordinator

A UNDP based Project Coordinator will oversee implementation of all the commitments outlined in Annex 1 and 2, assist with Secretariat functions under the coordination mechanisms, ensure the quality and support the development of regular reports to stakeholders, liaise and coordinate the dissemination of information to development partners, United Nations Electoral Assistance Division (UNEAD) and other stakeholders, and finalize and monitor agreements with donors to the programme among other responsibilities. The Project Coordinator will work from the UNDP Country Office and work in close liaison with the IIEC and in particular the IIEC Chair, the CEO, the Deputy CEO and the Senior Technical Advisor (please see below).

III. Finance and /Procurement Officer and a Finance Assistant

A Finance/Procurement Officer and a Finance Assistant will assist the IIEC in the arduous tasks that are allocated to the IIEC's Directorate of Finance and Procurement. The two officers will also assist the Directorate in drawing down funds allocated to the IIEC under the project, through liaison and coordination with both a UNDP Project Coordinator and UNDP finance and procurement staff. Additional accounting/financial support may be required under the project during this period.

6. Project Management and Coordination Arrangements:

Project management and coordination arrangements will include: a project steering committee, technical coordination committee and international dialogue forum. UNDP will also continue working with UNEAD throughout the management of this project.

I. Project Steering Committee

Objectives: The Steering Committee is the project management oversight body. The purpose of the committee is to monitor project activity implementation as per the matrix and adjust activities according to needs within the broader context of electoral reforms, the referendum and the (General) Elections. The Committee also monitors the delivery of project results and justifies these within the electoral context. The meeting will review quarterly narrative and financial reports as per UNDP formats.

Chairmanship: The committee will be chaired by the IIEC.

Membership: Members will include: IIEC; donors to the UNDP basket fund; donors contributing to the implementation of the matrix but funding the IIEC directly; UNDP.

Membership of the Steering Committee will be subject to continuous review.

Decision-making: Decisions will be reached by consensus. Formal decisions on basket fund implementation will be taken by the basket fund donors only.

UNDP/IIEC Team: A UNDP/IIEC meeting will be organized a few days before each SC meeting to prepare items on the agenda. They will include issues put forward by the members. Both teams (UNDP and IIEC) will present issues to the steering committee, related to both programme and finances.

UNDP will perform the Secretariat function. There will be minutes taken which will be circulated to the members.

Frequency of meetings: Meetings will be held every two months, with more frequent gatherings closer to key events as necessary.

Duration: The duration of the meeting should be no longer than 1.5 hours.

Venue: The IIEC will be the venue for such meetings.

II. Technical Coordination Committee

Objectives: To ensure that donor assistance to electoral processes and key milestones (referendum, elections) is consistent and applied towards meeting priority activities in Kenya, the IIEC will set up and lead a coordination mechanism to optimize the efficient use of resources, eliminate double allocations of funds to projects and initiatives and minimize potential differences among donors and other stakeholders. Besides coordination, the committee will:

- Keep stakeholders informed on technical developments
- Track Referendum/Elections related activities/ budgets
- Coordinate stakeholder activities (such as Uraia/GGP/Amkeni) as appropriate
- Mobilize needed resources
- Assist the IIEC in new areas requiring support
- Identify challenges and risks that may impact the process

Chairmanship: The committee will be chaired by the IIEC.

Membership: Members will include: IIEC (and RPP); donors to the electoral reform process/the referendum and (General) Elections in Kenya; national CSO's; international CSO's; IIBRC; UNDP; and other major stakeholders.

The Technical Committee can establish thematic working groups or can be assisted by external expertise as it deems necessary.

Frequency and duration of meetings: To be confirmed in the first meeting of the committee.

Venue: The IIEC will choose the venue for this forum.

UNDP will assist the IIEC in convening these meetings and provide secretariat support where required. Minutes will be taken and circulated to the members.

III. International Dialogue Forum

During this phase of the project, an International Dialogue Forum will be set up whose main purpose will be to ensure high-level (Head of Mission Level) political discussions and engagement on electoral issues. The terms of reference of this forum will be agreed upon at the initial meeting.

IV. UNEAD

Throughout the implementation of the project, UNEAD will play its GA mandated role, including providing policy and technical advice to ensure coherence and consistency in the provision of UN electoral assistance; assisting in providing names of qualified experts from the UN electoral assistance roster, and reporting to member states on the nature of requests and assistance.

As per the UNDP-DPA Note of Guidance on electoral assistance, regular status reports on the electoral assistance project will be shared between UNDP and UNEAD. These reports will keep the UN Focal Point on electoral assistance appraised of the political and technical status of the electoral assistance project in Kenya.

7. Financial Accountability

The IIEC and UNDP shall be responsible for ensuring that the allocated resources are utilized effectively in funding the envisaged activities. UNDP will have a tracking system through which it will maintain records and controls for the purpose of ensuring the accuracy and reliability of the financial information. The tracking system in place shall ensure that envisaged disbursements are within the approved budgets. Funds under this plan will be disbursed using the re-imbursement and direct payment modality. No advances are envisaged under this plan, unless otherwise agreed by the IIEC and UNDP.

8. Support Services

UNDP will provide the following support services to the IIEC:

• Identification and recruitment of project personnel;

- Procurement of equipment and services, where necessary.
- Secretariat support to coordination mechanisms
- Financial management of the basket fund
- Finalization and coordination of agreements with donors.
- · Project assurance and reporting

The cost of these services, calculated on the basis of the universal price list, will be recovered under this project.

9. Fiduciary Compliance

In managing the Annual Work Plan resources, the Implementing Partner has fiduciary and compliance responsibilities to the funding institutions. It also has compliance responsibility for funding institutions' reporting procedures.

UNDP, through the CTA, Project Coordinator and financial/procurement support to the IIEC, will be responsible for the monitoring of, and provision of support to, the fiduciary compliance under this project.

10. Procurement of goods and services funded by the basket fund

The Kenyan Government's established rules and procedures governing procurement may be used when items are procured using the basket funds, as long as they do not contravene UNDP's rules and procedures. However, UNDP must be informed of the procurement processes within the IP and UNDP, through the CTA and/or the Finance/Procurement Officer, must be represented in procurement committees that are held to evaluate quotations and bid offers.

Support to Electoral Reforms and Constitutional Referendum in Kenya — Oct 2009 — Dec 2010

ANNEX 1 - Work Plan

Year: 01 October 2009 -- 31 December 2010 (Phase Zero + Phase One)

EXPECTED OUTPUTS	PLANNED ACTIVITIES	TIMEFRAME	RESPONSIBLE PARTY		PLANNED BUDGET	
		Q1 Q2 Q3 Q4 Q5		Funding Source	Budget Description	Amount
Component 1: Support to Interim Independent Electoral Commission	ent Electoral Commission					
Output I.1: Strengthened capacity of the IIEC	1. Recruitment and reviewing of human resource policies		IIEC/UNDP	Basket Fund	HR firm - 120,000	120,000
:	completed					
Baseline: No secretariat in place	Actions					
New IIEC commissioners/staff with	-Contract HR consultancy firm					
limited electoral experience	2. Training/Exchange	0 15 to 10 10 10 10 10 10 10 10 10 10 10 10 10	IIEC/UNDP	Basket	Training workshops and	30,000
ECK human resource policies	programmes for staff and			Fund	study tours -30,000	
Indicators	COMMISSIONES ANGELANCIA					
Number of staff senior positions filled	Actions					
 Status of human resource policies 	-Facilitate international study					
 Number of staff/commissioners 	tours					
participated in training/exchanges	-Facilitate training seminars					
 Number of directorates receiving 	3. Fleet management, payroll	723 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 -	IIEC	Basket	Consultants/software for	20,000
additional operational support	and corporate			Fund	payroll - 10, 000	
	governance/procedures manuals					
Targets:	established				Consultants/software fleet	
 At least all requisite senior management 					management- 10,000	
positions filled by January 2010;	Actions					
 Human resource manual/policies 	-Procure consultant/software for					
reviewed and adopted by IIEC	lieet management					
 At least all mid-level and senior 	-Procure consultant/software for					
management staff participate in	payroll					
BRIDGE training/ and all senior						
management/commissioners undertake		5 =				
one study tour each.		V 1 0 1 2 1 2 1 2 1 2 1 2 1 2 1 2 1 2 1 2				

Support to Electoral Reforms and Constitutional Referendum in Kenya — Oct 2009 – Dec 2010

	EXPECTED OUTPUTS	PLANNED ACTIVITIES	TIMEFRAME	RESPONSIBLE PARTY		PLANNED BUDGET	
			Q1 Q2 Q3 Q4 Q5		Funding Source	Budget Description	Amount
•	At least 2 directorates receive additional operational support	4. Finance and Procurement support provided during voter registration and lead-up to referendum		IIEC	Basket Fund	8 Consultants - 40,000	40,000
		Actions -Hire consultants to support Finance and Procurement support					
Out, and	Output 1.2: Improved voter identification and registration mechanisms	1. Training of staff/commissioners trained		IIEC/UNDP	Basket Fund	BRIDGE trainers - 12,000	12,000
Basa	Baseline: Kenya has no voter register/previous	Actions -Contract BRIDGE trainers					
, ,	voter register abolished	2. Training manuals for different levels of IIEC staff		IEC	Basket Fund	Print training manuals - 30,000	30,000
Indi	Indicators: Percentage of registered voters against total cligible voter s Percentage male/female of registered	Actions -Review and print training manuals					
	voters against total eligible male/female voter s	3.Pilot biometric registration exercise supported		IIEC	Basket Fund	OMR data scanning software – 388,888	661,999
Targ	Targets: • At least 56% (10Million) of eligible	Actions -Procure OMR data scanning				100 desktops – 111,111	
0	voters registered before August 2010. At least 30% of female voters registered	software				- Procure Server processing/matching	
	by August 2010.	- Procure 100 desktops				software for captured EVR data – 162,000	
		- Procure Server processing/matching software for captured EVR data					

Support to Electoral Reforms and Constitutional Referendum in Kenya — Oct 2009 — Dec 2010

EXPECTED OUTPUTS	PLANNED ACTIVITIES	TIMEFRAME	RESPONSIBLE PARTY		PLANNED BUDGET	. A service of the se
		Q1 Q2 Q3 Q4 Q5		Funding Source	Budget Description	Amount
	4. Support to VR and operations including field co-ordination.		IIEC/UNDP	Basket Fund	VR operations expert – 53,000	68,000
	Actions -Contract VR operations expert -Establish field coordination unit				Field coordination unit – 15,000	
Output 1.3: Strengthened legal electoral framework	1.Stakeholder consultation on draft bills supported		IIEC	Basket Fund	Workshop facilitation – 20,000	20,000
Baseline:Draft Elections Bills; Referendum Bill and Draft Constitution in existence	Action Facilitate stakeholder consultations					
Indicators: Number of electoral bills validated for publication						
Targets: At least referendum regulations adopted						
Output 1.4: Enhanced civic awareness on voter registration and referendum	Awareness Campaign for Voter Registration implemented		IIEC	Basket Fund	TV/Newspaper/Radios Ads and appearance -500,000	3,330,475
Baseline: Voter apathy following 2007 post-election violence.	Action: -Development and distribution of VE materials.				IIEC Materials - 2,100,000 Packaging/Distribution - 14,	
 Indicators: Percentage of registered voters against total eligible voter s Percentage turnout at the referendum 	-Implementation of TV/newspaper /radio ads and appearances				VE info leaflet distributed to 8.6m school students - 573,333	
Percentage male/female turnout at the referendum Percentage of registration centres/polling	-Printing and distribution of VE pamphlets (8.6m school students targeted)				Installation of bulk SMS Software – 142,857	

Support to Electoral Reforms and Constitutional Referendum in Kenya — Oct 2009 — Dec 2010

	Amount			200,000		148,571			
PLANNED BUDGET	Budget Description			Participation of peace committees - 200,000		Ad in print and electronic media	Training workshops		
	Funding			Basket Fund		Basket Fund			
RESPONSIBLE PARTY				IIEC		IIEC			
TIMEFRAME	Q1 Q2 Q3 Q4 Q5								
PLANNED ACTIVITIES	:	- Send bulk SMS alerts on voter education - Profiling of the Commission and its work	- Consultation/ coordination activities with CBOs/CSOs for Civic and voter education campaign coordinators established	2. Peace Committees incorporated into civic education programme.	Action Facilitate the participation of peace committees in the voter registration and referendum process	3. Voter education Volunteers Trained and deployed	Action: - Invite volunteers to complement voter education	-Train voter education volunteers	- Deploy/monitor voter education volunteers
EXPECTED OUTPUTS		centres reporting zero incidences of violence/threats • Level of sensitivity of civic awareness strategy to vulnerable and minority groups	Targets: At least 56% (10Million) of voters registered before August 2010. At least 60 % turn out at the referendum of which at least 30% are female Over 90% of registration centres/polling centres reporting zero incidences of violence/threat	reach vulnerable and minority groups					

Support to Electoral Reforms and Constitutional Referendum in Kenya — Oct 2009 – Dec 2010

EXPECTED OUTPUTS	PLANNED ACTIVITIES	TIMEFRAME	RESPONSIBLE PARTY		PLANNED BUDGET	
		Q1 Q2 Q3 Q4 Q5		Funding Source	Budget Description	Amount
Output 1.5: Established observation mechanisms	Observation mechanism at IIEC (registration and referendum) established		IIEC/UNDP	Basket Fund	Consultant - 8,000 Observer IDs printing and	20,000
Baseline: No observation unit within IIEC; Gender neutral ECK manuals,	Action: -Set up an Observation Unit				production – 12,000	
Indicators: Observation mechanisms in place	- Contract consultant to review and update procedures/codes of conduct					
 Targets: Observation Unit set up Updated procedures/codes of conduct reflect gender needs. 	- Development and printing of Observer ID's					
Output 1.6: Enhanced capacity of the HEC to manage a free and fair referendum	1.Logistical plan for the referendum implemented		IIEC	Basket fund	Logistics (Warehouse) Expert - 20,000	64,500
Baseline:	Action: -Procurement of assembly line				Assembly line equipment - 2,500	
of electoral process GoK budget constraints to provide for referendum costs in the 2010 sumplementary budget	- Provision of warehouse and logistics technical assistance				Logistics advisor - 42,000	

Support to Electoral Reforms and Constitutional Referendum in Kenya — Oct 2009 — Dec 2010

	Amount	180,000	3,115,922	000009
PLANNED BUDGET	Budget Description	450 Mobile communications devices - 180,000	Training workshops and materials - 3,115,922	Communications Expert - 20,000 Newspaper ads- 30,000 IEC materials -10,000
	Funding	Basket	Basket fund	Basket fund
RESPONSIBLE PARTY		IIEC	IIEC	IIEC RPP
JE.	04 05			
TIMEFRAME	63			
TIN	1 Q2			
PLANNED ACTIVITIES	0	2. Communications planning supported Action: -Procurement of mobile communications devices (smartphones) for 450 regional staff	3. Referendum / polling personnel trained Actions: -Develop training materials. -Training polling officials at all levels including 135,640 polling clerks.	1.Communication strategy developed Actions: -Provide technical assistance in developing the communication strategy -Roll out essential newspaper ads -Develop IEC materials
EXPECTED OUTPUTS	1	 Indicators: Percentage budgetary allocation against total budgetary needs for the referendum Percentage of polling centres receiving polling materials on time Percentage of polling centres reporting complaints on referendum voting services Observer mission verdict on the referendum 	 IIEC receives at least 80% of required budget before the referendum day. Over 90% of polling centres receive polling materials on time in readiness for the referendum. Less than 20% of polling centres register complaints on referendum voting services. Positive verdict by observer mission 	Output 1.7: Strengthened Office of the Registrar of Political Parties Baseline: Complaints by political parties on modalities of distribution of the Political Parties Fund Compliance rate to PPA among political parties is low Indicators: Level of clarity of procedure on access to the Political Parties is low

Support to Electoral Reforms and Constitutional Referendum in Kenya — Oct 2009 — Dec 2010

	PLANNED ACTIVITIES	=	TIMEFRAME		RESPONSIBLE PARTY		PLANNED BUDGET	
	L	01 02	Q3 Q4	\$0		Funding Source	Budget Description	Amount
 parties Number of information requests lodged with the office of RPP by stakeholders Number of political parties complying with Political Parties Act 2007 Targets: All political parties access rules and procedures of the Office of RPP 45% increase in information requests lodged with PPB 								
Il registered political te compliance to set 2007	2. Political Party Fund Management process enhanced Actions:				IIEC RPP	Basket Fund	Political Party Financing Expert – 20,000	20,000
	-Provision of Technical Assistance to RPP in management of Political Party Fund							
ki	. Operationalization plan for the implementation of the Political Parties Act Developed				IIEC/RPP	Basket	Capacity development support – 20,000	20,000
Al Turk	Actions: Provision of assistance to RPP to develop an operationalisation plan for the implementation of							
	the PPA						Sub-Total 1	8,1161,467

Support to Electoral Reforms and Constitutional Referendum in Kenya — Oct 2009 – Dec 2010

ENPECTED OUTPUTS	PLANNED ACTIVITIES	TIMEFRAME	RESPONSIBLE PARTY		PLANNED BUDGET	
		Q1 Q2 Q3 Q4 Q5		Funding Source	Budget Description	Amount
Component 2: Stakeholder Coordination and Participation in the	l Participation in the Electoral Ro	Electoral Reform Process				
Output 2.1: Enhanced leadership and coordination of the electoral process	1.Donor and partner coordination mechanisms established		IIEC/UNDP	Basket fund	Senior Technical Advisor – 271,000 Project Coordinator –	528,600
Baseline: Weak national coordination structures Ineffective coordination mechanisms for	Actions: - Staff for project development and implementation.				•	
 electoral assistance prior 2007 No formal project document for support up to phase 1 and phase 2 electoral assistance 	 Provision of technical on coordination mechanisms 				Finance Assistant - 15,600	
ıdi	2.Program of support to electoral reforms finalized		IIEC/UNDP	Basket	As above and	As above
Existing electoral support coordination mechanisms Finalized and approved gender responsive electoral support programme documents.	Actions: -Stakeholder consultations to identify support needs					
Targets:	-Drafting and final adoption of the programme document					
National led coordination mechanism established during the project cycle Gender responsive programme of support running up to elections in 2012 approved and agreements with partners finalized.						

Support to Electoral Reforms and Constitutional Referendum in Kenya — Oct 2009 — Dec 2010

EXPECTED OUTPUTS	PLANNED ACTIVITIES	TIMEFRAME	RESPONSIBLE PARTY		PLANNED BUDGET	
S C		Q1 Q2 Q3 Q4 Q5	THE CONTRACT OF THE CONTRACT O	Funding Source	Budget Description	Amount
Component 3: Project Monitoring, Evaluation and Audit	on and Audit					
Output 3.1: Project monitored, evaluated and audited in accordance with UNDP project management standards	Project Audit and Evaluation Action:		IIEC/UNDP		Evaluators – 30,000	000'09
 Baseline: Evaluation report of 2007 electoral assistance programme Audit report of 2007 electoral assistance programme 	- Contract project evaluators to evaluate project results -Contract project auditors to audit the project				Auditors – 30,000	
 Indicators: Quality of evaluation report, including gender responsiveness of support Nature of audit findings and number of audit queries % of fund allocation towards vulnerable 						
Target: Credible evaluation report acceptable by stakeholders with clear lessons learned and recommendations, including on gender programming in electoral systems and processes						
					Sub-Irodali 2	588,600
				Tol	Total (Sub-total I + Sub-total 2)	rechelle i
			7%	General	7% General Management Services (GMS)	612,505
					Grand Total (Total ±GMS) 9,362;572	9,362,572