



FINAL REPORT

**MID-TERM EVALUATION OF THE AMKENI WAKENYA
PROJECT 2015-2020**

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1.0 EXECUTIVE SUMMARY

Amkeni Wakenya (hereinafter Amkeni) is a UNDP project set up in July 2008 and is currently in the second phase (2015-2022) of implementation. Domiciled in UNDP-Kenya's Governance and Inclusive Growth (GIG) Unit, the project provides technical and financial support to civil society organisations (CSOs) to contribute to the following outcomes:

- a. Access to justice and realization of human rights.
- b. A rights-responsive devolved system of governance entrenched.
- c. Promoting an enabling environment for CSOs.
- d. Capacity of civil society to respond to contemporary governance issues enhanced.
- e. Strengthened capacity of Amkeni to support CSOs and stakeholders efficiently, effectively, and sustainably.

The project links to other UN and Government of Kenya policy priorities. It was designed to contribute to the United Nations Development Assistance Framework (UNDAF) Strategic Priority 1, Transformational Governance, focused on CPD Outcome 2: By 2022, people in Kenya live in a secure, peaceful, inclusive, and cohesive society; and CPD Output 2.5: Rule of law, justice and legislative institutions have technical and financial capacities to deliver normative inclusive, accountable, equitable services.

Additionally, the project was aimed at: (a) strengthening the internal capacity of Amkeni Wakenya to achieve these results and contribute to the UNDAF objectives, and (b) effectively supporting CSOs in their efforts to improve democratic governance in Kenya.

The Mid-Term Evaluation

Phase II of the project covers the 2015-2022 period. This mid-term evaluation assesses progress and achievements made against planned results from 2015 to 2020. The evaluation has paid attention to evidence, value-based analysis, stakeholders' participation, as well as explored best practices. Specifically, the evaluation focuses on relevance, effectiveness, efficiency, sustainably, design and focus, and impact of the project.

The evaluation team has combined various methods of data collection to address the evaluation questions. These methods include review of documents, focus group discussions (FGDs), a survey of CSOs that have benefited and/or are benefiting from the project, national opinion survey (in 18 counties) and key informant interviews (KIIs) with people knowledgeable about the project. The information obtained was triangulated for purposes of clarity and corroboration. The issues covered in each of the data collection methods was informed by the UNDPs review criteria and the programming principles.

Key findings

The project remains relevant given the unique governance conditions in the country. There are structural challenges constraining citizens' access to justice in the counties and in the country in general. The abuse of rights and freedoms in the target counties remains salient. The challenges of service delivery under the devolved governance in the target counties and the country stand out as important issues of concern in national and local level debates. The capacity of 'duty bearers' (national and county government agencies) is not commensurate with the growing levels of awareness on rights and freedoms in the country.

These challenges combine to undermine human development and the potential for citizens to improve their wellbeing. It is important, therefore, that the project remains focused on contributing to the key outcomes agreed upon at inception.

Some of the most important achievements under the programme include improving access to justice in the target counties and improving awareness on rights and freedoms. The legal aid interventions through the paralegals, and the training of elders and communities on rights and responsibilities, combined, have

played an important role in addressing the challenge of access to justice among the vulnerable groups and in the marginalized counties.

Table 1: Progress made on Outcome 1 and 2

Expected Outcomes	Outcome Level Indicators	Baseline (2017)	Progress made to date (MTR 2021)
Outcome 1: Improved respect, enjoyment and promotion of access to justice, human rights and freedoms for Kenyans	1.1 Number of Amkeni Wakenya supported counties with CIDPs that are HRBA compliant.	None ¹ 11	3 (Kwale, Kitui and Turkana) ² 15
	1.2 Percentage of Kenyans accessing justice in the target counties	14.3%	29% ³
Outcome 2: A rights-responsive devolved system of governance entrenched.	2.1 Number of target counties that have functional mechanisms for citizen engagement	11	14
	2.2 Percentage of citizens in target counties satisfied with engagement mechanisms employed by the county government	42.1%	47%

There is slow progress in entrenching the devolved system of government. Not all the county governments under the project have actively engaged in the project activities. Some of the county governments lack the self-drive to engage with the project activities. All the same, the percentage of citizens engaged in the baseline has increased from 42.1 per cent to 47 per cent, and this can be attributed to other programmes focusing on devolution. In addition, there are successful cases of partnerships between grantees and county governments under the project that bring out important lessons on how to improve relationships. These should be documented for more discussion and sharing with other programmes.

Capacity building for CSOs within the project is consistently underlined as an important aspect of the project. Most of those interviewed noted that their capacities had improved from the time they began training under the programme. Accountability, M&E, and the grants management system processes are isolated as some of the important capacity building interventions that have benefited CSOs.

¹ MTP II has integrated HRB; 15 CIDPs use HRBA language

² Amkeni Wakenya, End of Project Report 2016 – 2020, p. 14

³ No specific data that responds to this indicator. This 29% is cited from the TIFA survey carried out in 2021 with the question: “in the recent past, have you and/ or any of your close relatives had a dispute/case requiring the intervention of a third party to resolve”? Out of this 29%, a majority (86%) of those who reported their cases to third parties were given an opportunity to be heard. Further, when asked to “Kindly rate your satisfaction with the outcome of the above mentioned dispute resolution”, 58% responded in the affirmative.

Table 2: Progress made on Outcome 3, 4 and 5

Expected Outcomes	Outcome Level Indicators	Baseline (2017)	Progress made to date (MTR 2021)
Outcome 3: Improved organisational performance, sustainability and enabling environment for CSOs in Kenya	3.1 Rating of the enabling environment for CSOs in Kenya (CIVICUS Index)	0.43	No data available
	3.2 Number of target CSOs whose Capacity Performance Index (CPI) score has improved	50	No data available
Outcome 4: Capacity of civil society to respond to contemporary governance issues enhanced	4.1 Number of emerging governance issues responded to	0	1
	4.2 Percentage of key stakeholders perceiving civil society response to contemporary governance issues as effective	34.2%	69% ⁴
Outcome 5: Strengthened Capacity of Amkeni to support CSOs and stakeholders efficiently, effectively and sustainably	5.1 Rating of Amkeni by CSOs on service delivery to them	Good	Very Good (46%) and 42% (Good) ⁵

The evaluation has noted that the duty bearers' responsiveness is lagging behind the demand-side, where citizens' improved knowledge and awareness have increased demand for rights. Duty bearers and especially the police, and other governmental bodies, have not been effectively responsive to demands for accountability or even respect for rights.

While engagement with all duty bearers does not fall under the mandate of UNDP Amkeni Wakenya programme, the findings of this evaluation show that the duty bearers lagged in satisfying the rising demands for rights and justice by ordinary citizens. The findings reveal that capacity of duty bearers to responds to demands was not in tandem with the growing level of awareness of rights and increased demands for justice especially among the marginalized communities.

Recommendations

Project relevance

The challenges of access to justice, respect for rights and freedoms, and entrenching a devolved governance system cannot be addressed through technical solutions only. There are political challenges that require constant assessment of the political and the governance environment in which the project is operating.

- It is recommended that the project embed regular Political Economy Analysis (PEA) in its work in the counties. There is a need to undertake regular local level analysis to help in 'thinking and working politically'.
- 'Why things work the way they do' should be a key question to guide reflections, especially because the year 2022 is an election year.

⁴ In the TIFA survey, respondents were asked: *In your opinion, how effective are civil society organisations in responding to emerging governance issues such as Corruption and terrorism?*

⁵ This is from the CSOs survey question on: *how would you rate the Amkeni Wakenya programme in comparison of programmes supporting CSOs in the area of governance and human rights?*

Effectiveness

The project has been effective in building capacity of CSOs to address the challenges of access to governance. There is increased awareness of right among citizens in all the areas where the projects are carried out. Citizens are also acting in their own ways to demand rights and/or justice. Furthermore, they are also demanding that the duty bearers become accountable and transparent in the conduct of local public affairs. Furthermore, the project has facilitated the improvement of relations between the government and the CSOs. There were initial challenges in this relations especially towards the end of Phase One and the beginning of the phase two (the focus of this evaluation), but through various initiatives, the relationship has improved. There is constructive engagement between the government and the governance and human rights CSOs at both the national and the county level.

There is steady progress in the achievement of all outcome areas except with regard to entrenching the devolved system of governance, where progress is relatively slow compared to other outcome areas. More than 11 counties have integrated the HRBA in their CIDPs. There is a need to establish relationships with the Council of Governors (CoG); and the Ministry of Devolution; as well as the relevant constitutional commissions and independent offices. This high level of engagement would provide the required political and policy support.

Efficiency

The project leveraged UNDP's good offices to reach national level governments at its inception. However, this was not extended to other relevant national level institutions and county governments. Nonetheless, grantees have made a deliberate effort to engage county governments. It is recommended that the project develops a new robust strategy of working with the relevant duty bearers at all levels. The project should also aim to develop a framework for networking and partnerships.

The **collaboration** between the project and other UN programmes at the county level is not strong. Findings from the evaluation do not show any strategic and coherent linkages between Amkeni and other relevant UN programmes (such as the UNODC PLEAD programme and the UNDP governance programme).

Project management arrangements – collaboration between the PMU and other UN agencies and other programmes is not strong enough given the size of the project. There are no structured technical and policy meetings between PMU at both the policy and technical level as required by the project.

The project has not developed a clear **resource mobilisation** strategy and efforts to mobilise resources are not systematic or including linkages with other UN agencies. The targeted total resource requirement in the revised 2018 ProDoc was USD 22,845,672. So far USD 4,485,287 has been raised or about 20 per cent of the target amount. There were, therefore, inadequate resources for Outcome 2. The result was that some project outcomes did not have sufficient resources to achieve expected results. This therefore calls for the development of a resource mobilisation strategy and close collaboration to address the funding gap.

Some of the cost minimising strategies adopted by the project include the utilization of office services from UNDP's Kenya country – this includes auditing, security as well as linking reporting to UNDP's reporting structure. The establishment of regional offices has also reduced costs and improved efficiency.

In terms of project delivery, the establishment of regional offices with oversight provided by Senior Project Associates has reduced implementation costs as well as enhanced oversight and capacity building support to grantees.

Sustainability

While CSOs appreciate the grants and capacity building interventions by Amkeni Wakenya, many of them have not developed strategies for sustaining their interventions (and replications of gains) without the Amkeni Wakenya project.

- a. The project should support the development of a CSOs sustainability index.
- b. It is recommended that the Amkeni Wakenya project provide an opportunity for elaborate discussion of strategies for sustainability of CSOs working on governance, access to justice and human rights issues in the country. Where possible, the discussions can take place in collaboration with other projects.
- c. The project should develop a methodology for graduating grantees. Each grantee should have good knowledge of how long they can be funded and therefore plan to sustain their interventions without funding from Amkeni Wakenya.
- d. Sustainability considerations should be built into programming from the beginning. Some of the areas of focus include the specific aspects a grantee will need help with, and how Amkeni Wakenya can work with grantees to achieving this through the life of the project.

Design and focus: Results framework

A revised log-frame was developed in 2018 in alignment to the changes in the project. However, the log-frame does not have an impact statement and corresponding indicators. In addition to that, while the outcome indicators are clear, data on the same has not been systematically collected during the life of the project. The results framework as presented does not facilitate ease in tracking progress at outcome level. Some indicators at output level also present challenge of measurement. It is recommended that:

- a. Alignment/refinement of indicators be undertaken at the earliest opportunity, and that the indicators be refined to ensure they are the same from year to year to enhance reliability and increase precision.
- b. Consider reporting results cumulatively for ease of tracking or have a consolidated results framework as an annex for tracking progress from year to year.
- c. Document the changes that have taken place in the results framework over time and have a clear audit trail for clarity.
- d. Future Amkeni Wakenya projects should effectively align to the Sustainable Development Goals; identifying and acting on relevant indicators would be sufficient in this regard.

Theory of Change and Impact statement

The project does not have a Theory of Change (ToC) and an impact statement. These should be developed as soon as possible to guide regular tracking of contribution to the outcomes and even the impact on the broader environment in which the project is operating. The Theory of Change and Impact statement should also be jointly developed with the CSOs and other relevant programmes so that the outcomes are not reviewed in isolation of what other programmes are doing.

Synergy between UN programmes in the counties

The findings show limited coordination among UN programmes in the counties - UNODC is carrying out the Programme for Legal Empowerment and Aid Delivery (PLEAD); while UNDP is implementing a programme on Strengthening Devolved Governance in Kenya among others. However, there is no clear strategy as to how all these programmes intentionally collaborate to deliver as one.

- a. Exploit existing opportunities for joint collaboration with other UN bodies working in the same programmes. Intentional collaboration on specific initiatives between Amkeni Wakenya Project and UNODC under PLEAD are encouraged to identify specific activities that can be conducted to demonstrate results in specific output areas. E.g., Opportunities exist in the coming electioneering period to demonstrate peaceful demonstrations/campaigns with the joint efforts of duty bearers to demonstrate improved respect for human rights, among others.
- b. There is a need to enrich partnership at the local level. Amkeni Wakenya should lead consultations at the county level on how to ensure structured engagement and interaction

between/among actors benefiting from UN programmes that are based in the same county.

- c. It is recommended that where possible, Amkeni Wakenya supported CSOs should synchronise the implementation of their activities with those by PLEAD and the UNDP programme on devolution.

Impact

A rapid assessment of the results achieved so far point to numerous gains being made. However, communities complain of lack of tools to translate knowledge into action; how to claim rights is an issue to be prioritised.

- Amkeni should consider undertaking a rigorous ‘outcome harvesting’ between now and the end of the project to maintain momentum and sustain/consolidate the gains made.
- The granting strategy should be guided by value for money; a critical analysis of where gaps still exist in order to accelerate the achievement of results. In addition to this, the project should consider providing a higher allocation of resources to marginalised areas that are achieving commendable results and demonstrable changes in the lives of targeted beneficiaries despite limited funding.

Knowledge management

The UNDP Amkeni Wakenya delivery model consists of Grant Making, Capacity Building and Knowledge Management. Significant attention has been placed on grant making and capacity building and less on the knowledge management component.

- There is a need to embed knowledge management within the project and address how this gap can be filled. In the interim, (in the absence of an officer in charge of the task due to lack of funding), various strategies should be put in place to address the gap prior to completion of the project. These include compiling all the knowledge products developed throughout the life of the project; and developing a repository.
- The academic institutions in the project should analyse available data and information. They should convene periodic symposia to discuss some of the important lessons and changes taking place through the support of the project. Owing to budgetary constraints, these symposia can be e-based. The interlocutors should include teams of researchers and practitioners in order to blend theory and actual practice.
- The researchers should also document relevant lessons from elsewhere that can inform and improve the project.

Resource mobilisation

The global COVID-19 pandemic will make the environment even more challenging as many partners become inward looking to address economic recovery in their respective countries. Furthermore, there are instances where some development partners pledge resources but fail to honour them. This tends to impact on programming and reduces the scope of projects by beneficiaries.

It is recommended that Amkeni Wakenya develops and implements a resource mobilisation plan to avoid ad hoc approaches to fundraising, as these can have unpredictable results. This will allow the project to predict the volume of resources and scope of projects to fund. Diversification of sources of funding and partnerships is an imperative to reflect in the strategy.

2.0 INTRODUCTION

Amkeni Wakenya (hereinafter referred to as Amkeni) is a UNDP project set up in July 2008 to promote democratic governance in Kenya. The facility is currently in Phase II (2015-2022) of project implementation. Domiciled in UNDP-Kenya's Governance and Inclusive Growth (GIG) Unit, the project provides technical and financial support to civil society organisations (CSOs) that promote human rights and democratic governance. The project supports, among others, Community Based Organisations (CBOs), Faith-Based Organisations (FBOs), Non-Governmental Organisations (NGOs), Trusts, research institutions, and academia to contribute to the following outcomes:

- a. Access to justice and realisation of human rights.
- b. A rights-responsive devolved system of governance entrenched.
- c. Promoting an enabling environment for CSOs.
- d. Capacity of civil society to respond to contemporary governance issues enhanced.
- e. Strengthened capacity of Amkeni to support CSOs and stakeholders efficiently, effectively, and sustainably.

The project links to other UN and government of Kenya policy priorities. The project was designed to contribute to: the United Nations Development Assistance Framework (UNDAF) Strategic Priority 1, Transformational Governance, focused on CPD Outcome 2: By 2022, people in Kenya live in a secure, peaceful, inclusive, and cohesive society, and CPD Output 2.5: Rule of law, justice and legislative institutions have technical and financial capacities to deliver normative inclusive, accountable, equitable services.

The project was also designed to strengthen the internal capacity of Amkeni to achieve these results and contribute to the UNDAF objectives. This is in addition to strengthening Amkeni to effectively support CSOs in their efforts in improving democratic governance in Kenya.

Phase I of the project covered 2008-2014. The end-term evaluation report of this phase noted that by the end of the project, citizens' knowledge of the Constitution still required improvement. The report underlined several findings that would form the basis for the next phase of the project. One, the low levels of knowledge of the constitution and rights required innovative approaches in civic engagement so that citizens could effectively use knowledge from civic education to better their lives. Two, the increased focus on access to justice matters. Legal aid and building paralegal infrastructure were important. Three, the partnership in policy and legislative development was an imperative especially in relation to improving the environment for CSOs operations. Four, building CSOs capacity to improve, among others, access to justice and human rights, and provision of legal aid on a long-term basis was important.

Phase II of the project covers the 2015-2022 period. The project incorporated the lessons from Phase I and integrated the recommendations resulting from that period of implementation. This mid-term evaluation examines the progress made from 2015 to the present (2020).

2.1 Mid-Term Evaluation: scope and objective

The mid-term evaluation is a joint venture of the UNDP/Development partners conducted in close collaboration with other UN agencies and key duty bearers including the National Legal Aid Services and the NGO Coordination Board. The evaluation covers the period from January 2015 to December 2020.

This evaluation seeks to:

- a. Provide an overall assessment of progress and achievements made against planned results from 2015 to 2020.

- b. Assess and document challenges, and lessons learnt over the past six years of the project's implementation, from 2015 to end of 2020.
- c. Make key recommendations to inform the remaining period of the project.

This mid-term evaluation takes place at a time of significant developments in the programming environment, national and global dynamics. The post 2015 agenda, the Sustainable Development Goals (SDGs), and ongoing UN reforms such as the delinking of the UN coordination function from UNDP have had implications for various programmes. The evaluation, therefore, pays attention to these developments and their implication for Amkeni Wakenya.

The national and global contexts have had an impact too. These contextual issues are examined in greater detail hereunder. Suffice to mention that success of governance programmes is contingent upon broader national democratic governance reforms. Broader political changes themselves impact on governance projects in a significant manner and need to be reflected in this evaluation. For this reason, the evaluation has documented key lessons learnt from these contexts and how the remaining phase of implementation should adjust.

2.2 Approach and Methodology

2.2.1 Approach and evaluation questions

In undertaking this mid-term evaluation, attention was paid to evidence, value-based analysis, stakeholders' participation, and exploring best practices.

- i. **Evidence-based approach:** the evaluation has been rigorous and systematic in collecting and analysing data. The evaluation has used data that is well grounded and informed by the depth and breadth of evidence. This was obtained by using detailed and mixed methods including use of secondary sources, interviews with a wide range of individuals, organisations, and other players relevant to the project under review. The data used here reflect the experiences and the voices of the stakeholders involved in the project.
- ii. **Context and value-based analysis:** to ensure that the mid-term evaluation communicates certain preferences of good governance, the evaluation has undertaken analysis of global and national contexts. The context usually shapes institutions and determines the scope of success.
- iii. **Participatory approach:** The evaluation has been carried out in a participatory manner. Weekly meetings between the consultants and the Amkeni Wakenya project staff helped to track progress and identify important nuances emerging during the interviews. Meetings provided opportunities for sharing experience, views, and reflections. This method also encouraged learning and reflection on issues in order to facilitate the identification of local and international best practices.
- iv. **Best practices:** The team also sought information from other related institutions as well as new programme units and organisations that perform similar work so as to inform the mid-term review.

Evaluation questions

The overall approach was further guided by the stated evaluation criteria. The key issues under the evaluation criteria were:

- i. Relevance of the project:
 - a) Do the set of project results address a) the rights of the communities being targeted; b) the relevant sectoral priorities identified at a national level; and therefore, c) the objectives of the MTP-III and Vision 2030? Are the stated project objectives consistent with the requirements of rights-holders, in particular, the requirements of most vulnerable populations?

- b) How relevant and appropriate is the project to the devolved levels of government?
 - c) Are all target groups appropriately covered by the stated project results?
- ii. Effectiveness of the project:
 - a) To what extent has the costed six-year rolling work-plan contributed to effective implementation of the project?
 - b) To what extent are the outcomes being achieved to date? What is the likelihood of them being achieved by 2022?
 - d) To what extent have effective partnerships and strategic alliances (e.g. national partners, development partners and other external support agencies) been promoted around the project outcomes?
- ii. Efficiency of the project:
 - a) Have adequate financial resources been mobilised for the project?
 - a) Is there a discernible common or collaborative funds mobilisation strategy?
 - b) To what extent have administrative procedures been harmonised?
 - c) Are there any apparent cost-minimising strategies that should be encouraged?
 - d) Are the implementation mechanisms (M&E, resource mobilisation and communication) effective in managing the project?
- iii. Sustainability of the project:
 - a) How have the CSOs embedded sustainability in their respective projects?
- iv. Design and focus of the project:
 - a) To what extent is the current project designed as a results-oriented, coherent and focused framework?
 - b) To what extent are the indicators and targets relevant, realistic and measurable? Are the indicators in line with the Sustainable Development Goals (SDGs) and what changes need to be done? Are the baselines up to date or do they need adjusting?
 - c) Are expected outcomes realistic, given the project timeframe and resources?
 - d) To what extent and in what ways have risks and assumptions been addressed in the project design?
- v. Impact of the project:
 - a) Whether there is any major change in the project indicators that can reasonably be attributed to or be associated with the project, notably in the realisation of goals in the applicable frameworks of development cooperation (PLEAD, UNDAF, CPD, and SDG 16).

2.2.2 Methodology

In delivering this mid-term review, a mix of methods was employed. These methods for data collection include documents review, focus group discussions (FGDs), civil society organisations survey, a national opinion survey, and key informant interviews (KIIs). The information obtained was triangulated for purposes of clarity and corroboration. The issues covered in each of the methods of data collection was informed by the UNDPs review criteria and the programming principles. What follows is an overview of each of the methods that was used to collect data for the review.

2.2.2.1 Documents review

This was one of the initial tasks undertaken in this review. The goal was to deepen understanding of the conceptual basis for the project and design. Broadly, the documents reviewed include project documents (e.g. results framework for the period 2015–2022; towards human rights-centered and transformational governance in Kenya: empowering civil society for change), project reports (e.g. project baseline report, annual reports, consultancy reports linked to Amkeni Wakenya project (e.g. Mid-Term Evaluation

Report 2012, final baseline survey for Phase II of Amkeni Wakenya Project (2015–2018) as well as other documents that informed the project design (e.g. CPD, GoK MTP II).

From the project annual reports, the team paid particular attention to achievements per outcome, key challenges, lessons learnt and risks within the implementation period. Any recurring challenges, lessons and risks were noted. The team reviewed all the annual project reports and other relevant documents.⁶ The review of documents also included examining the baseline data/report and how the findings informed the design and various interventions under the project.⁷ The desk review informed the development of specific evaluation questions that guided interviews with various target audiences such as the CSOs and individuals, as well as the FGDs.

2.2.2.2 Focus Group Discussions

FGDs were conducted with target project beneficiaries. The selection of the counties from which participants for FGDs were drawn was informed by the need to reflect the diversity of the country. It also paid attention to the counties where the project was being implemented.

Overall, FGDs were conducted in 10 counties distributed in line with the following proportions: PLEAD (70%), EKN (20%), Japan (10%). The counties selected for the FGDs are: Nairobi, Mombasa, Kisumu, Wajir, Isiolo, Marsabit, Kilifi, Nakuru, Kwale and Kitui.

Participants for the FGDs were identified from among the beneficiaries of the project. Each of the FGDs targeted at least 10 participants, both female and male, and a representation of persons living with disabilities. In view of the prevailing Covid-19 situation in the country and the associated containment measures, the FGDs were conducted online. Among the issues discussed in the FGDs were:

- a. Knowledge of rights and freedoms: the kind of rights that they are aware of, how they came to know about those rights, views on training that they had attended on rights, community knowledge of rights, how people are claiming their rights in the community.
- b. Access to justice, e.g., key disputes in their areas and how these are resolved, satisfaction with the various mechanisms of dispute resolution.
- c. Accountability and devolution: views on how citizens are involved in decision making by the government, satisfaction with service delivery by government, views on corruption and how it can be tackled.

2.2.2.3 Civil society organisations survey

Data were collected from among the implementing civil society organisations using the Survey Monkey data collection platform. The survey tool was sent out to 132 CSOs implementing the project, out of which 56 (42%) CSOs completed the survey. This is a fair response rate and above a 30 per cent threshold, especially because the questions were the same for everyone.

The CSOs survey focused on the following (Annex 1):

- a. Impact of Amkeni Wakenya on the capacity of the CSOs.
- b. Level of satisfaction with the Amkeni Wakenya project.
- c. Impact of Amkeni Wakenya on access to justice.
- d. Rating of Amkeni Wakenya project vis-a-vis other programmes supporting CSOs in the area of governance and human rights.
- e. Views on working with county governments.
- f. The issue of sustainability.

⁶ Annual reports - 2015, 2016, 2017, Peace Grants Report 2017, 2018, 2019, 2020, EKN Final Report 2016 – 2020, revised EKN 2020 Annual Report, and Japan end of project report March 2016 – 2017.

⁷ The evaluation examined the tools to identify the issues covered by the baseline survey. The tools include Final Amkeni Wakenya II Baseline Survey Household Questionnaire; Final FGD Guide -- Amkeni Wakenya Phase II Baseline Survey; Final Key Informant Interview Guide -- Amkeni II Baseline; and Survey Report -- Assessment of Reasons Behind the Low Response Rate to Amkeni Wakenya Call for Proposal Requests by Civil Society organisations, 2018-2020.

- g. What can be done to improve on CSOs integrity and funding?
- h. CSOs views on comparison between Amkeni Wakenya and other grant making organisations that fund civil society in Kenya.
- i. Key achievements of Amkeni Wakenya project.
- j. Views on the design and delivery of the Amkeni Wakenya project.
- k. Lessons learnt in implementing the Amkeni Wakenya project.

2.2.2.4 Key informant interviews

To supplement data from the desk review, CSOs survey and the FGDs, the team also conducted around 26 key informant interviews. These were spread across the national and county levels. Specifically, the key informants comprised of among others: Amkeni Wakenya staff, county level interlocutors, development partners as well as a limited number of CSOs (Annex 2: Key Informant Interviews Guide)

2.2.2.5 18 counties survey

The survey was conducted in all the 18 counties covered by the project. The survey sought public opinion on issues relevant to the mid-term review (Annex 3: Survey Tool). The survey sought opinion from Kenyans on a broad range of issues that were covered at the time the baseline survey for the project was carried out. The survey generally covered all the issues that were covered in the baseline. The aim of the survey was to find out the extent to which there is change – and the nature of change – from the time of the baseline study to the present.

The survey targeted Kenyans of voting age population (18 years and above) in the 18 counties -- both those living in rural and urban areas. Computer Aided Telephonic Interview (CATI) was used to collect the data. The respondents were randomly identified from a contact database representing all the 47 counties and comprising national representation of various demographics namely, County, Region, Gender, Age, Location (rural and urban), Education level, marital status and Religion.

The sample size for the survey was 1,050 and was distributed across the target counties on the basis of county proportion to voting age population of 18 years and above. The sample was distributed using the official 2019 Kenya Housing and Populations Census data as the sampling frame.

The precision or the margin of error for this sample size -- because of the sample design and other random effects -- was +/-3.00% at 95% confidence level. The sample was designed to provide estimates at cluster level and urban/rural domains. The margin of error was higher for subsample estimates. The sample size was further distributed to sub-regions using probability proportional to population size (PPS), which acted as the quotas in the database.

Table 3: Sample size distribution by county

County	18+ Popultaion			n=1000 (n=200)					Total + Boost
	Rural	Urban	Total	Total	Boost	Rural	Urban	Total	
Nairobi	-	2,858,239	2,858,239	270		-	270	270	270
Mombasa	-	756,932	756,932	71		-	71	71	71
Nakuru	569,806	627,531	1,197,337	113		54	59	113	113
Kisumu	359,385	257,490	616,875	58		34	24	58	58
Kilifi	498,564	233,276	731,840	69		47	22	69	69
Tana River	102,273	39,744	142,017	13	10	9	4	13	23
Lamu	55,892	22,562	78,454	8	10	6	2	8	18
Kitui	555,417	35,626	591,043	56		53	3	56	56
Kwale	342,140	76,267	418,407	39		32	7	39	39
Turkana	358,967	72,496	431,463	41		34	7	41	41
Garissa	284,720	96,237	380,957	36		27	9	36	36
Wajir	242,498	78,853	321,351	30		23	7	30	30
Mandera	210,407	109,237	319,644	30		20	10	30	30
Isiolo	61,595	64,602	126,197	12		6	6	12	12
Marsabit	153,898	51,766	205,664	19		14	5	19	19
Nyeri	387,798	100,306	488,104	46	10	37	9	46	56
Laikipia	207,137	79,919	287,056	27	20	19	8	27	47
Uasin Gishu	341,012	311,611	652,623	62		32	30	62	62
Total	4,731,509	5,872,694	10,604,203	1,000	50	447	553	1,000	1,050

Table 4: Clusters for analysis

Cluster	County	Sample	Total
Cities	Nairobi	270	399
	Kisumu	58	
	Mombasa	71	
Rift Valley	Nakuru	113	175
	Uasin Gishu	62	
Central	Nyeri	56	103
	Laikipia	47	
Coast and Eastern	Kitui	56	205
	Kilifi	69	
	Tana River	23	
	Lamu	18	
	Kwale	39	
North Eastern	Mandera	30	168
	Garissa	36	
	Marsabit	19	
	Turkana	41	
	Wajir	30	
	Isiolo	12	
Total			1,050

3.0 AMKENI WAKENYA PHASE II: THE ENVIRONMENT OF IMPLEMENTATION

Amkeni Wakenya Phase II (2015-2022) began about four years after the promulgation of the 2010 Constitution. Therefore, the project began at a time of high public expectations on what the Constitution could deliver in terms of contributing to service delivery, access to justice, and promoting rights and freedoms. The significance attached to the Constitution provided impetus to the project outcomes on access to justice and human rights, among others. This is because citizens expected a clear break with the past and hoped that governance interventions would expand the space for justice and enjoyment of rights and freedoms.

At the global level, several developments were taking place and impacting governance programmes in many countries. Global terrorism, constrained space for democratic rights and freedoms, and reduced funding for governance reforms marked global trends.

This section of the evaluation report examines the global and national context of the Amkeni Wakenya project. The discussion also examines the implications of these developments for the project and governance in general.

3.1 Global context of governance reforms: democracy in decline

3.1.1 Global democratic trends

The September 11, 2001 terror attacks in the United States marked a watershed period for governance reforms because it ushered a period of dilemma on how to respect and protect rights and freedoms and, at the same time, fight global terrorism and rising violent extremism. What began as a simple dilemma grew to impact space for enhancing democracy in many ways. The global war on terror and the rise of violent extremism in different parts of the world impacted on justice, rights, and freedoms, where many countries experimented with measures to fight terrorism while respecting fundamental rights and freedoms.

The need to enhance physical security of citizens by governments resulted in instances of constrained enjoyment of rights and freedoms. The quality of democracy in many countries was on the decline and the number of countries that were becoming democratic was also reducing. The number of countries where freedoms were deteriorating tended to outnumber those with improvements. By 2015, prominent scholars were paying attention to the phenomenon of ‘democracy on the decline’. They pointed at democratic breakdowns, the poor performance of new democracies -- especially on good governance and rule of law, and democratic backsliding in the Western countries. To them, the emerging evidence was sufficient proof that democracy was on the decline.⁸

The latest report by Freedom House provides compelling evidence that the year 2021 marked 15 years of decline in global freedoms (House, 2021).⁹ The report notes that there was marked deterioration of freedoms across the world; the number of countries where there was deterioration outnumbered those with improvements. The deterioration of democracy had become global: it was felt even by citizens living in the world’s most stable democracies. In some of these countries, democratic decline was marked by the weakening of institutions that sustain democracy, and even the rise of a culture of intolerance as witnessed in debates over the migration crisis in Europe.

This context shows that Amkeni Wakenya was operating in an environment in which key global developments were constraining the space in which governance programmes are carried out. The declining quality of democracy was felt even in the West, among the most established democracies.

⁸ This was a comprehensive debate in the *Journal of Democracy* by renowned academic see (Platter, 2015)

⁹ Freedom in the World 2021: Democracy Under Siege. Freedom House.

The global voices of democracy were, therefore, not as audible as was the case in the 1990s, or in the first decade of the 21st century. The global environment for the project was, therefore, different from what was in place when the first phase of the project was launched.

3.1.2 Programming context

The context of development programming also changed. Phase I of the project was implemented in the context of the global Millennium Development Goals (MDGs) of the 2000 period following the United Nations Millennium Summit, where nations of the world committed to achieve certain goals that were not fully realised by 2015. Key among these is the challenge of security, enhancing the rule of law and social justice, which remained blockages to the realisation of human development, as well as general sustainable growth in all countries. The realisation that the MDGs were narrow in focus and formulated without the substantive participation of civil society led to the clamour and eventual adoption of a new set of global goals. The Sustainable Development Goals (SDGs) were designed to comprehensively respond to challenges of development by paying attention to people-centered, rights-based and gender sensitive solutions to development challenges. Among others, rule of law, peace, and security were identified as important goals to which nations of the world would commit.

Amkeni Wakenya Phase II, therefore, resonates well with an important global development. This on its own framed the foundation for the project and for partners implementing projects at the local level. How well this broad environment of rights enhanced the work of the Amkeni project is evaluated here, too.

At the onset, the project leveraged UNDP's strategic position and status to engage with national government and create opportunities for a more conducive environment for its implementation, even though other governance programmes were facing problems. Following the changes in the broader governance context and changes in the UNDP at the country office at the time, this momentum and space for high-level engagement was not adequately maintained. There was a change management process at UNDP Kenya Country Office (KCO), which was necessitated by the sustainability of the office, which would have an adverse impact on the project. The resulting restructuring impacted staffing and reduced the support that the KCO could give to Amkeni.

Within the UN system itself, there were significant developments. Reforms within the UN included delinking UN coordination from UNDP. There were reforms to create a more stable funding mechanism to support the realisation of SDGs. What these developments implied for Amkeni Wakenya is an issue that is also examined here.

All these issues highlight the need to regularly analyse the context within which the project operates. There is a need to conduct PEA on a regular basis, preferably on quarterly basis, in order to adapt the project and activities to the evolving dynamics.

3.2 The national governance context

Project implementation began against the backdrop of the March 2013 General Election and the conclusion of the intervention by the International Criminal Court (ICC) in Kenya over the post-2007 election violence. Many CSOs in the human rights and governance sector supported the ICC intervention in Kenya and, therefore, opposed the candidacy of the President and the Deputy President whom the ICC indicted for the post-2007 election violence.¹⁰ CSOs demanded accountability for the post-2007 election violence but the election of the President and Deputy President stymied effective

¹⁰ See for instance: Jacqueline Wood (2016) Unintended consequences: DAC governments and shrinking civil society space in Kenya, *Development in Practice*, 26:5, 532-543, DOI: [10.1080/09614524.2016.1188882](https://doi.org/10.1080/09614524.2016.1188882). Kanyinga, Karuti. (2010). 'Stopping the Conflagration: The Response of the Kenyan Civil Society to the post-2007 Election Violence' in David Everatt (ed), *South African Civil Society and Xenophobia*. Johannesburg: The Atlantic Philanthropies. Hillebrecht, C., & Straus, S. (2017). Who pursues the perpetrators: State cooperation with the ICC. *Human Rights Quarterly*, 39(1), 162-188.

entrenchment of accountability and even enforcement of the rule of law in public affairs.¹¹ In the course of time, this spilled over to affect relations between the Executive and the Judiciary after the courts boldly ruled against decisions by the government, which the court found to be unconstitutional.¹² This resulted in a strained relationship between the Executive and the Judiciary.

As observed later, this political context impacted on the governance programmes in various ways. Notably, many partners adopted a ‘wait and see’ attitude. It was not apparent what the new government would priorities in terms of governance and human right. Because of this, some partners would not commit immediate funding on governance and human rights issues. Relatedly, this impacted on funding to CSOs too. Their projects were contingent upon funding by partners whose ‘wait and see’ approach meant reduced engagement of CSOs on governance and human rights. Significantly, the country adopted a new constitution in 2010 with provisions on devolution of power and resources under newly established 47 county governments. This led to increased focus on delivery of services at the county level. This drew attention away from governance issues for a while

3.2.1 Economic constraints

The economic context had challenges, too. Economic growth in 2015 and 2016 had remained at a high of about 5.8 per cent, without major shocks. Nonetheless, the government borrowed domestic and international loans to support infrastructure projects. At the same time, the public wage bill was on the rise; the government did not rationalise devolution and human resource management after the establishment of county governments. Some of the county governments retained huge numbers of staff they did not need.

The wage bill for the counties and the national government strained the national budget but there was no solution owing to political sensitivity of retrenching staff -- the most viable solution. Public debt share of GDP increased by 5 percentage points within one year: from 49 per cent in 2015 to 54 per cent in 2016. Public debt as a share of GDP increased throughout the period of the project implementation for this Mid-Term Review, 2015-2020. Debt share of GDP increased by 5 percentage points in the first year of implementation, 2015-16; it increased from 48.8 per cent in June 2015 to 53 per cent in 2016. By 2018, the share had risen to 65.6 per cent.¹³

In 2020, the Covid-19 global pandemic resulted in a deepening crisis that continues to unfold to date. It has caused poor performance of the economy, job losses, and increased the costs of living for all citizens. The lockdowns and restrictions on movement between counties have impacted on project implementation not only by Amkeni but also by all implementing partners.

These challenges have implications for implementation and progress towards project outcomes. A review of each aspect of this context follows. This report presents this review not as a finding but an overview of context in which the project has been operating. It helps to cast into perspective some of the constraints of implementation well in advance.

¹¹ Susanne D. Mueller (2014) Kenya and the International Criminal Court (ICC): politics, the election and the law, *Journal of Eastern African Studies*, 8:1, 25-42, DOI: 10.1080/17531055.2013.874142

¹² This began first in 2011 when the courts ruled that judicial nominations by President Mwaki Kibaki were unconstitutional (<https://www.reuters.com/article/kenya-parliament-idAFLDE7121YJ20110203>). In 2014, the courts also nullified recruitment of police officers and ruled that this was not in line with the law (<https://www.standardmedia.co.ke/counties/article/2000140061/high-court-nullifies-police-recruitment>). Other cases included nullification of procurement processes for some national government projects that the courts ruled that these were not done in line with the law (<https://qz.com/africa/1653947/kenya-court-stops-china-backed-lamu-coal-plant-project/>).

¹³ National Treasury and planning (2020). Public Debt Management Report 2019/2020. Nairobi: National Treasury and Planning.

3.2.2 Challenges of access to justice and rights

The Constitution of Kenya, 2010, provides for access to justice for all persons. Article 48 of the Constitution provides that ‘the State shall ensure access to justice for all persons and, if any fee is required, it shall be reasonable and shall not impede access to justice’. Despite this constitutional provision, access to justice remains a challenge for many citizens, especially those in marginal areas.

Several factors constrain access to justice. One, people travel long distances to reach the courts and other formal state institutions. This implies high costs, especially for the poor. Two, there is inadequate ‘financing of key government institutions such as the National Legal Aid Service and the Judiciary, which are charged with the core responsibility of implementing the Legal Aid Act, 2016, and the Alternative Justice Systems policy’.¹⁴ This constrains access to justice because funding adversely impacts staffing, investments in Judiciary’s physical infrastructure, and prevents adequate automation of court processes to enhance efficiency in access to justice. Finally, there are costs incurred. This limits the extent to which the poor can access justice.¹⁵

Challenges continue to limit access to justice for many. Citizens’ limited awareness of rights and freedoms, and slow progress in embedding values of accountability by duty bearers at both the national and the county level continue to constrain access to justice.¹⁶ Indeed, economic survey data show that the number of cases filed in Kenyan courts continue to increase faster than the rate at which they are disposed of. Pending cases remain high compared to numbers disposed. For instance, the number of cases in courts increased by 20.4 per cent -- from 402,243 in 2017/18 to 484,349 in 2018/19 (Table 1).¹⁷

The number of cases being disposed of is on the rise but the pace is not fast enough to reduce backlog or pending cases. In 2017/18, the number of cases that were disposed of went up by 26.7 per cent -- from 370,488 to 469,359 in 2018/19.¹⁸ Over the same period, the number of pending cases increased.¹⁹ A majority of these cases are at the magistrates’ courts (438,154), followed by the High Court (101,588).

¹⁴Source: <https://www.opengovpartnership.org/members/kenya/commitments/KE0030/>, accessed on 17 July 2021.

¹⁵ Other factors include inaccessibility of the courts, language of court proceedings, public participation in administration of justice, accessibility to persons with disability and availability of information. Kariuki Muigua, ‘Improving Access to Justice: Legislative and Administrative Reforms under the Constitution’, <http://kmco.co.ke/wp-content/uploads/2018/08/A-Paper-on-Improving-Access-to-Justice-2.pdf>

¹⁶ Kariuki Muigua, ‘Improving Access to Justice: Legislative and Administrative Reforms under the Constitution’, <http://kmco.co.ke/wp-content/uploads/2018/08/A-Paper-on-Improving-Access-to-Justice-2.pdf>

¹⁷ Kenya Economic Survey Report 2020, p. 312.

¹⁸ Kenya Economic Survey Report 2020, p. 312.

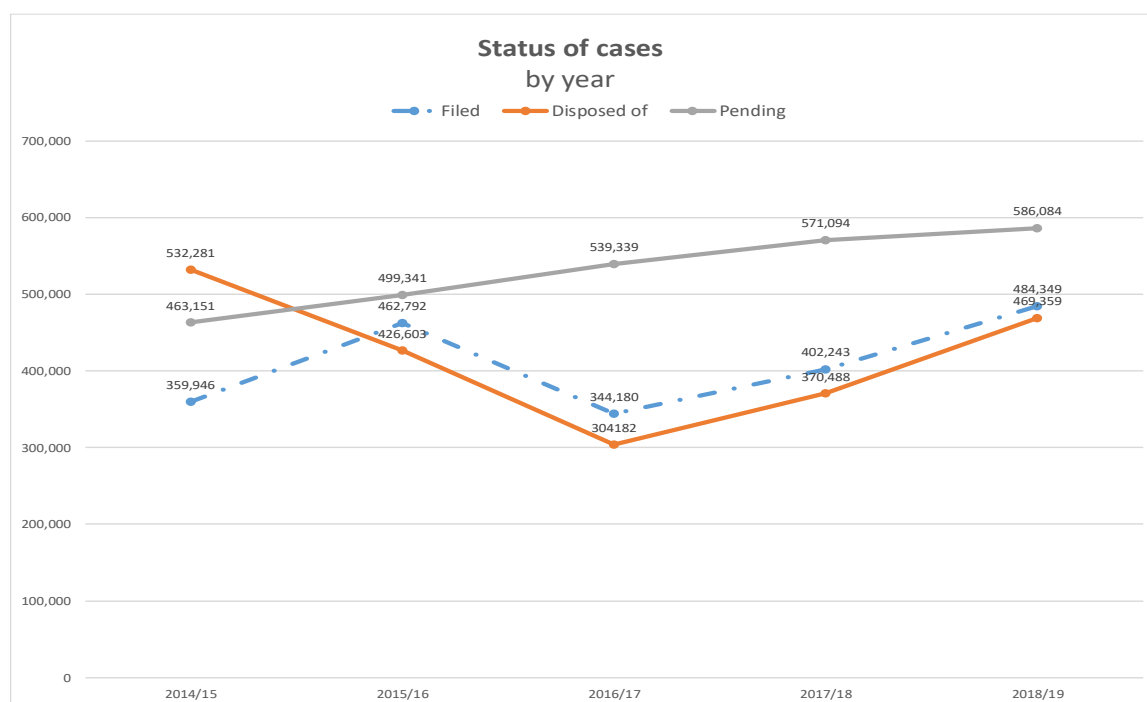
¹⁹ Kenya Economic Survey Report 2020, p. 312.

Table 5: Cases filed, disposed of and pending by various courts, 2015/2016–2018/2019

Year	Status of cases	Total
2014/15	Filed	359,946
	Disposed of	532,281
	Pending	463,151
2015/16	Filed	462,792
	Disposed of	426,603
	Pending	499,341
2016/17	Filed	344,180
	Disposed of	304,182
	Pending	539,339
2017/18	Filed	402,243
	Disposed of	370,488
	Pending	571,094
2018/19	Filed	484,349
	Disposed of	469,359
	Pending	586,084

Source: Economic Survey 2020, Kenya, p. 312.

Figure 1: Status of cases



The high number of pending cases in the country is an impediment to justice. With such a backlog, parties involved must wait much longer to get justice. This undermines the quality of justice in the country.

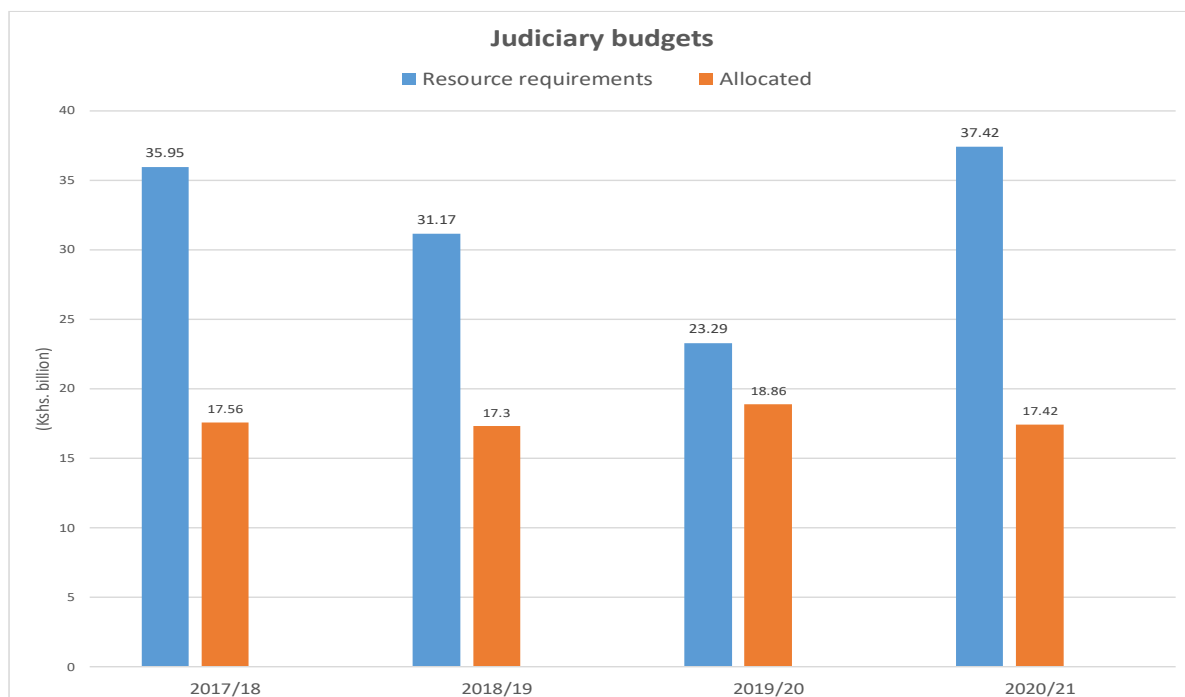
Limited progress in accessing formal justice is the result of several factors. The problem lies with limited funding for the Judiciary, which in turn limits opportunities to hire judicial officers and invest in decentralisation of court stations. Budgetary allocations to the Judiciary show large variations between the institution's stated resource requirements and what is actually allocated (Table 2). Addressing the funding gap in the Judiciary is a critical step in improving access to justice in the country given the potential impact on pending cases.

Table 6: Judiciary's resource requirement vis-à-vis allocation

Fiscal year	Resource requirements (Kshs. billion)	Allocated	Gap between judiciary requirements and parliamentary allocation
2017/18	35.95	17.56	51%
2018/19	31.17	17.30	44%
2019/20	23.29	18.86	19%
2020/21	37.42	17.42	53%

Source: Institute of Economic Affairs, (March 2021), *The Case Backlog Problem in Kenya's Judiciary and the Solutions*, Policy Brief, p. 2.

Figure 2: Judiciary's resource requirement vis-à-vis allocation

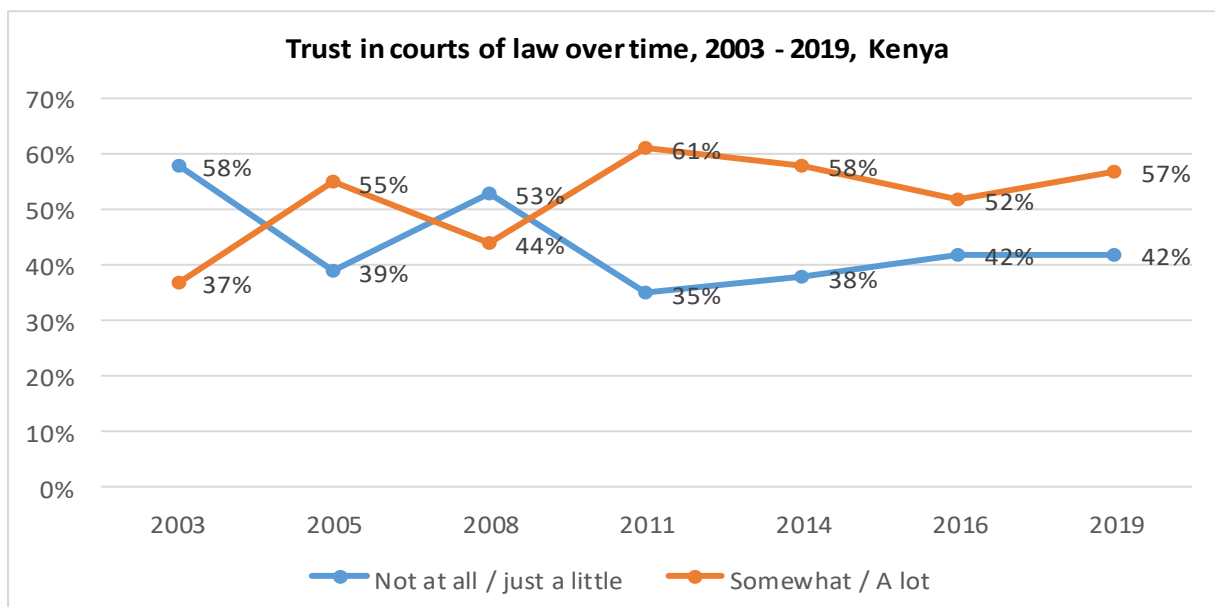


3.2.3 Public views on access to justice

Data from an Afrobarometer survey show that close to six in 10 Kenyans (57%) trust courts of law somewhat or a lot (Figure 1). The same data show that a third (35%) of Kenyans think judges and magistrates are involved in corruption. Between 2003 and 2019, the proportion of Kenyans who trust in the courts of law has improved from a low of 37 per cent in 2003 to 57 per cent in 2019. As outlined in Figure 1, there is an improved level of trust in courts after the promulgation of the Constitution of Kenya, 2010.

The Amkeni Wakenya baseline survey data also shows similar levels of trust in courts: four out of every 10 Kenyans have confidence in courts to provide justice.²⁰ This translates to around 43.9 per cent of the study respondents. However, respondents report very low levels of confidence (64%)²¹ in the police. They do not have confidence that the police can promote human rights standards and fundamental freedoms. These are important aspects of access to justice in the country and, therefore, signal that limited confidence in institutions that promote access to justice is a constraint.

Figure 3: Trends in trust in courts of law over time, 2003 – 2019, Kenya



Source: Afro barometer Survey Round 8

The high number of pending cases undermines access to justice and is indicative of the challenges that Kenyan courts grapple with. About 50 per cent of Kenyans list the challenge they experience in courts as delays in handling or resolving the cases. Up to 40 per cent of respondents cite inability to obtain legal counsel/advice, and 33 per cent identify failure to understand legal processes and procedures. Another 32 per cent point to failure by the judge or magistrate to listen to one's side of the story while 28 per cent cite inability to pay costs and fees as a challenge.²²

Besides courts, Kenyans embrace alternative dispute resolution mechanisms in seeking justice. These alternative avenues for dispute resolution present an opportunity to further enhance access to justice in the country. People embrace them because they are based on local values of justice. Their outcomes are also more binding because communities sanction those who do not abide by the outcome.

²⁰ Baseline survey for phase II of AMKENI Wakenya programme (2015-2018), p. 51

²¹ Baseline survey for phase II of AMKENI Wakenya programme (2015-2018), p.48

²² Afrobarometer Survey Round 8,

The Afrobarometer Survey Round 8 shows that around 2 per cent of the disputes are settled in courts or tribunals, 6 per cent were settled by the intervention of the police, 18 per cent were settled among parties, 19 per cent through use of traditional leaders or community support, while 24 per cent settled their dispute through arbitration involving family or a friend.²³ These statistics show a general preference to alternative dispute resolution mechanisms as compared to the courts of law.²⁴

The Amkeni Wakenya baseline survey also showed a high preference for alternative dispute resolution mechanisms. Many citizens in the project areas prefer the local administrators (chief or assistant chief) for dispute resolution (83.9%).²⁵ This finding reflects data by KNBS Kenya Integrated Household Budget Survey (2015/2016). The KNBS survey found that most households in the country resort to chiefs and assistant chiefs to resolve their disputes. These officials are readily available and know the parties involved in disputes. Furthermore, most of the disputes concern succession and inheritance cases, particularly where some relatives are in conflict over the management or control of property of a deceased person.

Irrespective of the avenue that one used to seek justice, the Afrobarometer Survey data of 2019 shows that 86 per cent of respondents were satisfied/very satisfied with the outcome.²⁶ However, this figure is high as compared to the estimate for the baseline survey for the Phase II of the Amkeni Wakenya project, where 62.7 per cent of the respondents reported being somewhat satisfied or very satisfied with the outcome of a settled dispute,²⁷ irrespective of the institution involved in resolving the dispute.

3.2.4 Weakening governance institutions

From 2013, the institutional context for governance programming has considerably changed. Kenya proclaimed a new constitution in 2010 and provided for constitutional commissions and independent offices. However, the constraints discussed earlier, among others, have witnessed continued weakening of these institutions.

Amkeni Wakenya project has been operating in a context where people's confidence and trust in critical institutions has been low. Throughout the period of this phase of the project, for instance, less than 50 per cent of Kenyans have expressed satisfaction with the police. Many people are not satisfied with the performance of the police; they do not trust the police to deliver justice for them.

Findings from national surveys show that since 2011 public confidence in the police has not improved. Confidence in the Judiciary (the courts and how people perceive determination of cases) has improved compared to the police. Figure 4 shows the trend in public confidence (those "very" confident) in the judiciary and the police.²⁸

²³ Afrobarometer Survey Round 8, https://afrobarometer.org/sites/default/files/ken_r8_access_to_justice_presentation_12sep20_fin.pdf

²⁴ Afrobarometer Survey Round 8, https://afrobarometer.org/sites/default/files/ken_r8_access_to_justice_presentation_12sep20_fin.pdf

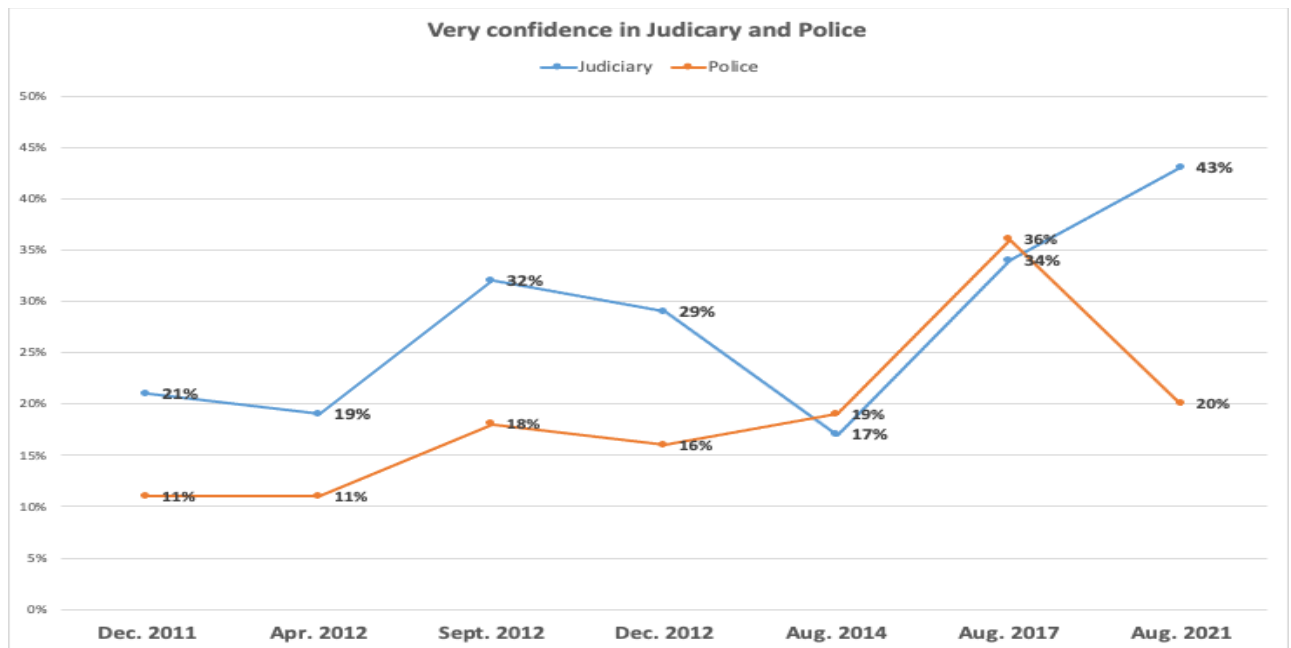
²⁵ Baseline survey for phase II of AMKENI Wakenya programme(2015-2018), p.41

²⁶ Afrobarometer Survey Round 8,

²⁷ Baseline survey for Phase II of AMKENI Wakenya programme (2015-2018), p.49

²⁸ Compiled from South Consulting survey data over of the years

Figure 4: Confidence in Judiciary and Police



3.3 Rights-Responsive Devolved System of Governance

Devolution places people at the centre of the country's governance system. In the Kenyan context, the devolution seeks to 'bring government and services closer to the people; provide spaces for citizens' participation in decision making; and enable people to have their own representatives address local problems and development challenges'.²⁹ Thus, people are central to the devolution of power and resource distribution. The county governments oversee key service delivery functions, including health, water, sanitation, agriculture, and pre-primary education.

All the 47 counties receive their equitable share of the national revenue through an objectively agreed division of revenue formula.³⁰ Across the country, there are notable changes in key service delivery sectors such as improved rural access roads, health facilities, pre-primary education facilities and general improvement in water provision.

Citizens' engagement and participation in making decisions on delivery of services at the national and county levels of government is provided for under the Constitution. Article 10 of the Constitution identifies the issue of 'participation of the people' and 'human rights' as some of the national values and principles of governance. To be meaningfully involved in the affairs of the county governments, it is important that the citizens are empowered to improve their understanding of devolution as a form of governance. However, the Amkeni Wakenya project baseline survey revealed that only 16.8 per cent had received civic education on devolution.³¹ However, a significant proportion (75%) of citizens were aware of the roles of the devolved units.³²

²⁹ Karuti Kanyinga and Michuki George, 'The Political Economy of Devolution and Service Delivery in Kenya' in Wanyande, P., Kibara, G. and Kosure, J. (eds.). *Deepening Devolution and Constitutionalism in Kenya: A Policy Dialogue*, p. 97 – 126, Intergovernmental Relations Technical Committee, p. 97.

³⁰ Karuti Kanyinga and Michuki George, 'The Political Economy of Devolution and Service Delivery in Kenya' in Wanyande, P., Kibara, G. and Kosure, J. (eds.). *Deepening Devolution and Constitutionalism in Kenya: A Policy Dialogue*, p. 97 – 126, Intergovernmental Relations Technical Committee, p. 97.

³¹ Baseline survey for Phase II of AMKENI Wakenya programme (2015-2018), p. 102

³² Baseline survey for Phase II of AMKENI Wakenya programme (2015-2018), p. 94

Counties have embraced the notion of ‘public participation’ but there are questions around how they are implementing ‘participation’ as a national value and principle of governance. Whether counties implement public participation as a legal requirement or out of the constitutional imperative raises concern about the extent to which they place people at the centre of their governance systems. This explains the relatively low level (42.1%)³³ of citizens’ level of satisfaction with the extent of public participation in the operations of their county governments.

Meaningful public participation remains elusive in close to 10 years of devolved system of governance in Kenya. At the time of project inception, 80.3 per cent of citizens found it difficult participating in county budget and planning forums. Up to 81.3 per cent found it difficult to influence their county government decision making, while 73.6 per cent reported that they did not access information on their county budgets, legislation, and project plans.³⁴ Furthermore, getting feedback after public engagement was a key concern.

Amkeni Wakenya project was an important entry point at this time owing to these challenges. There was a need to improve civic awareness at the county level, and promote public participation through informed citizenry. Working with a broad array of organisations at the local and the national level was also important given the new space of operation. It is a space that required combining different approaches to have the required impact. How this evolved over the implementation period is one issue we examine in this evaluation.

3.4 CSOs regulatory environment

Civil society organisations have been at the forefront of struggles for democratic change and national development in Kenya. The services provided by these organisations cut across the various sectors. In the governance sector, civil society organisations have been instrumental in influencing the country’s democratic reforms, especially in the 1990s during the struggle for multiparty democracy in the country. Civil society organisations acted as the ‘conscience of the society’ and provided an important voice against political repression.

CSOs continued to play this important role and influenced constitutional reforms in many ways. However, the impact of CSOs waned from the mid-2000s and especially after the coming to power of a new government. The new government -- the National Rainbow Coalition government (2003–2007) – campaigned on a platform of democratic governance and many CSOs allied with the government. This contributed to the reduced visibility and traction of CSOs.

A further challenge to the influence of civil society in the country was the adoption of the Constitution of Kenya, 2010, and the subsequent devolution of power and resources. Establishment of county governments and improved space for delivery of basic services at the county level rapidly shifted attention for accountability from the national government to the counties. Many CSOs did not move in tandem with this shift. Many did not change tact nor did their strategies change to focus on vigilance and demand increased forms of accountability.

With the introduction of a devolved system of government, many national CSOs, unexpectedly, remained focused on the national space. Devolution became a centerpiece of national development and governance and, therefore, public attention shifted to the counties. This space is dominated by Community Based Organisations (CBOs). They operate with strategic focus on local level issues but lack organisational capacity to effectively hold the new county governments to account over new operations.

³³ Baseline survey for phase II of AMKENI Wakenya programme(2015-2018), p. 85

³⁴ Baseline survey for phase II of Amkeni Wakenya programme(2015-2018), p. 81

Overall, the transition to a devolved system of governance in 2013 provided an opportunity for the civil society organisations to rethink their strategies and redefine new frontiers of engagement. Devolution provided these CSOs with new issues for engagement. But it also posed a challenge for them. There was a clear division between national and local -- but the division was not one of labour; it was not a division of responsibilities but a division of hierarchy. This reduced the potential to impact change.

Finally, in 2013, a new government came to power. The new government had strained relations with the CSOs from the outset. This was because of the position that many human rights and governance CSOs took on the post-2007 election violence. Some of them supported the intervention of the ICC in Kenya through the indictment of the President and his deputy. Engagement with the new government was difficult from the outset.

3.4.1 Regulatory framework

These issues notwithstanding, the CSOs and the government had previously carried out consultations to improve the regulatory environment for civil society organisations. The government developed the Public Benefits Organisations Act, 2013, for this purpose. Despite having been finalised way back in 2013, operationalisation of this law has not commenced. CSOs continued to press for enforcement but the strained relationship with the government made it difficult to bring the law into effect. Although CSOs challenged this in court and obtained orders for enforcement, the government has shown little commitment to this law.³⁵

There were other challenges, too. Between 2013 and 2017, there were indications of shrinking space for governance-related civil society organisations in the country. Several CSOs were threatened with deregistration for reasons relating to these strained relations. In view of the shrinking civic space in Kenya prior to the 2017 General Election, the Office of the Human Rights Commissioner at the United Nations observed that “elections are a time when governments should give people more space – not less – to organise, voice their concerns and express their collective will,” the experts concluded. “We call on the Government of Kenya to expand this space, not to contract it.”³⁶

The operational environment for governance-related civil society organisations in Kenya remains fluid. There are concerns over government attempts to use the PBO Act, 2013, to control funding to the non-governmental actors.³⁷ Despite the regulatory challenges that civil society organisations face in Kenya, citizens have a relatively high level of trust for CSOs. Up to 65.8 per cent of respondents said they had trust in the effectiveness of CSOs interventions in responding to emerging governance concerns. But to sustain their interventions in the governance sector and remain effective, many CSOs rely on donor funding. However, this is not the case with most local level efforts – the community-based groups that thrive on finding solutions to local level problems. This is what makes it important for national level CSOs to collaborate with grassroots-based groups.

3.5 The development partners and funding context

The environment in which development partners operated also changed with the coming to power of a new government in 2013. The new government campaigned on a platform of improving service delivery and promoting mega infrastructure developments. But the government’s relationship with Western development partners appeared lukewarm at the outset, owing to the ICC intervention in Kenya (see discussion earlier) and the role the development partners played. The government began by showing an inclination towards China rather than the traditional Western development partners. Secondly, the government showed increased attention to devolution of services in the counties. The issues of governance, access to justice and human rights were not a top priority of the government compared to

³⁵ International Federation for Human Rights, <https://www.fidh.org/en/issues/human-rights-defenders/kenya-last-warning-from-the-court-to-implement-the-pbo-act-2013>

³⁶ United Nations, Office of the Human Rights Commissioner, <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=21172&LangID=E>

³⁷ Baseline survey for Phase II of AMKENI Wakenya programme (2015-2018), p. 110

the past. The Ministry of Constitutional Affairs that guided the promulgation of the 2010 Constitution was not among the ministries when the new government came to power in March 2013. A department of justice was established in the Attorney General's office

A combination of these issues meant reduced attention to governance issues. Development partners also started giving more attention to service delivery in the counties. Some of the informants interviewed for this report indeed noted that donors were themselves worried about supporting traditional civil society groups and those that carry out governance and human rights work. Some of them adopted a 'wait and see' attitude and could not commit funding for human rights and governance projects. Furthermore, there were significant changes taking place in the north, too. Kenya acquired lower middle-income status. This compelled some of the development partners to change their approach to funding programmes in Kenya.

These issues constrained the governance environment, more so for CSOs and the Amkeni Wakenya project. It also meant reduced funding for CSOs. How CSOs related with the government would have implications for donor relations with the government, too. These dynamics had implications for the broader environment in which governance programmes would be implemented by development partners and CSOs.

Table 7: Development partners and funding context

The Context: findings	Observation
The project is operating in a constrained governance context. Global momentum for democratic governance has declined and the quality of democracy even in the most democratic countries is facing challenge	Partnerships for collective action in support of democratic governance reforms may not be a priority as in yesteryears.
Covid-19 pandemic has diverted the attention of many governments away from governance to recovery and social development.	The consequence of the pandemic will impact on the governance sector and the economy for a long time. It will impact the amount of resources for governance.
National governance context for reforms has mixed behavioural features. It is not all easy and not all challenges.	How to navigate and influence change requires innovative strategies, including identifying who to work with and where.
There were changes within the governance and the project context, which impacted on project delivery. This would have been noted early enough if there were regular PEA undertaken to inform the project.	Carrying out regular PEA studies to examine the various dynamics will add value to the project. The political environment requires that the project monitor the dynamics and their implications for it to make adjustments in good time. Undertake a Political Economy Analysis of the project to identify actors with power and influence to block or facilitate reforms at national and county level

4.0 Findings: Results and discussion

4.1 Assessment of Outcomes and Indicators

This evaluation has attempted to compare baseline survey data from the beginning of the project with progress to date. An attempt has also been made to compare progress from year to year by use of annual reports. This section briefly discusses progress in each outcome area.

A point of note, however, is that the language for indicators and outputs in the various documents is yet to be harmonised. Although the details of this are spelt out under findings on design and focus, it suffices to note that the conception of outputs and indicators varies in some of the documents. Some of the indicators pose challenges in measurement and will require revision. Despite the changes noted in the log-frame from 2018, inconsistencies have been noted in some of the indicators. For instance, one of the output indicators under Outcome 1 is different from year to year. In one year, it reads: “Number of rights whose enforcement is attributable to CSO engagement”, while for a different year, it reads: “No. of policies enforcing rights attributable to CSOs engagement”. These measures are different and hence not comparable. It is also important to improve the reporting for some measures, such as those that track progressive change such as policy or legal changes to clearly distinguish what has been accomplished and what is still in progress. This helps not only in accurate reporting and monitoring progress but also in tracking and reporting value for money. There is, therefore, a need to review the log-frame to ensure consistency in reporting and improve accuracy for decision making.

The outcomes are clearly stated and address some of the pertinent issues identified as the development challenges that the UNDP Amkeni Wakenya project aimed to contribute to. Table 8 provides an analysis of the outcomes and indicators.

Outcome 1: Improved respect, enjoyment and promotion of access to justice, human rights and freedoms for Kenyans

Table 8: Analysis of Outcome 1

Expected Outcomes	Outcome Level Indicators	Baseline (2017)	Progress made to date (MTR 2021)
Outcome 1: Improved respect, enjoyment and promotion of access to justice, human rights and freedoms for Kenyans	1.1 Number of Amkeni Wakenya supported counties with CIDPs that are HRBA compliant.	None ³⁸ 11	3 (Kwale, Kitui and Turkana) ³⁹ 15 ⁴⁰
	1.2 Percentage of Kenyans accessing justice in the target counties	14.3%	29% ⁴¹

Project data as well as data collected during the MTR show significant progress under Outcome 1. Access to justice has improved, hence contributing to the outcome on respect for human rights. In the baseline, only 14.4 per cent of respondents had indicated that they had access to justice.

³⁸ MTP II has integrated HRBA, yet CIDPs in the counties are not compliant.

³⁹ Amkeni Wakenya, End of Project Report 2016 – 2020, p. 14

⁴⁰ This is from a quick review of the CIDPs of the counties that the Amkeni WaKenya Project was working in.

⁴¹ No specific data that respond to this indicator. The 29% is cited from a TIFA survey carried out in 2021 with a question: “in the recent past, have you and/ or any of your close relatives had a dispute/case requiring the intervention of a third party to resolve”? Out of the 29%, a majority 86% of those who reported their cases to third parties were given an opportunity to be heard. Further, when asked: “Kindly rate your satisfaction with the outcome of the above mentioned dispute resolution”, 58% responded in the affirmative.

The baseline report underlined the objective that the promotion of Alternative Dispute Resolutions (ADR) would help increase access to justice for the targeted communities. An analysis of progress made over the lifespan of the project shows that ADR and Alternative Justice Systems (AJS) have been strengthened in the targeted counties. For instance, four ADR and AJS mechanisms were strengthened and over 205 cases documented as resolved through ADR in several counties.⁴² The initiatives to address access to justice for special interest groups also are in place. Eight (8) legal aid centres have been established and paralegal staff have been equipped with the knowledge to support citizens. Through project efforts, targeted beneficiaries have been empowered: these include 338 (197M, 141F) community paralegal staff, 1,626 religious leaders, and 1,202 council of elders' members to strengthen the existing community structures.⁴³ The project is generally contributing to Chapter 4 of the Constitution to entrench a culture of rights and enjoyment of freedoms -- the respect, enjoyment, and promotion of access to justice, human rights and freedoms.

During the baseline survey, 85 per cent of respondents indicated that they were aware of places for resolving issues around access to justice, while the MTR survey found only 79 per cent of respondents asserting such awareness. However, 14 per cent of respondents said they were not aware of places to resolve disputes compared to 19 per cent in the review. The responses to the question on the places used for dispute resolution were also lower during the MTR survey than the baseline figures as shown in Table 9.

Table 9: Places used for dispute resolution

Q) Are you aware of any place (s) for resolving disputes/ cases arising among members in this community? If yes in question above, which place (s) for dispute resolution are you aware of? [Multiple answers allowed]			
		Baseline Survey	MTR survey
1.	Local administrators, i.e. chiefs and their assistants	83.9%	71%
2.	Courts of law	44%	28%
3.	Council of elders	52.7%	26%
4.	Police	70.9%	47%
5.	Lawyers	13.5%	0%
6.	Arbitrators/mediators	11.6%	2%
7.	Religious leaders	26%	7%

These differences can be attributed to the methodologies used for baseline and the MTR surveys. In the MTR survey, this question was asked specifically of those who mentioned that they were aware of any place(s) for resolving disputes/cases arising among members in their community, i.e. out of the 79 per cent who gave an affirmative answer to the previous question.

The decline in percentages from the baseline findings is attributable to the fact that the results are not based on a longitudinal survey in which the same respondents would be have been interviewed. All the same, the survey carried out in the same regions as the baseline provides insights on the overall changes taking place in the regions.

The findings show that there is an increase in the number of people utilising the law courts. This is attributable to increased levels of awareness, and the ability of citizens to distinguish between cases that can be resolved within the courts and the ADR/AJS systems. This was also reported through the FGDs. The number increased from 12.9 per cent in the baseline survey to 14 per cent in MTR. Those who

⁴² These include Uasin Gishu, Tana River and Garissa.

⁴³ UNDP Amkeni Wakeni, End of Project Report, 01 January – 31 December 2020, p. 23.

sometimes utilize the informal justice systems such as the council of elders, mediators and religious leaders slightly increased as noted in Table 10.

Table 10: Utilisation of institutions to resolve disputes

Q) How often do people in your locality utilise the services of the following institutions/persons to resolve disputes								
	Never		Sometimes		Always		Don't Know [DNR]	
	Baseline survey	MTR survey	Baseline Survey	MTR survey	Baseline survey	MTR survey	Baseline survey	MTR survey
a) Judiciary/Courts of law	25.6	24%	49.7	57%	12.9	14%	11.8	6%
b) Police	9.4	12%	38.7	56%	48.8	29%	3.1	3%
c) Local administrators i.e., chiefs and their assistants	5.2	6%	26.9	46%	65.0	46%	2.8	2%
d) Council of elders	13.8	16%	34.4	44%	42.7	34%	9.2	5%
e) Arbitrators/Mediators	24.5	26%	35.5	47%	22.3	20%	17.7	7%
f) Lawyers	35.2	38%	37.6	48%	11.1	9%	16.1	6%
g) Religious leaders	15.2	12%	46.5	49%	31.0	35%	7.3	4%

Findings from the MTR survey also confirm that there is an increase in the number of people reporting their disputes/cases to religious leaders from 4 per cent during the baseline to 10 per cent in the MTR, while those reporting to the Council of Elders increased from 10 per cent to 19 per cent, respectively (see Table 11). This is a testament to the contribution the UNDP Amkeni Wakenya project and its interventions have made to strengthen the informal justice system.

Table 11: Dispute/case requiring the intervention of a third party to resolve

Q) In the recent past, have you and/ or any of your close relatives had a dispute/case requiring the intervention of a third party to resolve.			
		Baseline Survey	MTR survey
If yes, what action did you take ?	Reported the matter to a third party	60.6%	81%
	Resolved the dispute among ourselves	34.3%	17%
	Took no action	4.8%	2%
	Don't know	0.3%	0%
If reported to a third party, where did you report the dispute/case ?	Police Station	32%	32%
	Local administrator i.e. chief/ass. chief	44%	33%
	Court of law	9%	15%
	Lawyer	2%	5%
	Religious leader	4%	10%
	Council of elders	10%	19%
Were you and/ or your relative given an opportunity to be heard?	Yes		86%
	No		14%
On a scale of 1 to 5; where 1 is very dissatisfied, 2 is somewhat dissatisfied, 3 is neither satisfied nor dissatisfied, 4 is somewhat satisfied and 5 is very satisfied, kindly rate your satisfaction with the outcome of the above-mentioned dispute resolution?	Satisfied	58%	58%
	Dissatisfied	42%	32%
	Don't know	0%	4%
	Neither Satisfied nor Dissatisfied		6%
Are you aware of any legal aid programme ?	Yes	34%	21%
	No	66%	79%
In the recent past, have you or any of your household members benefitted from a legal aid programme ?	Yes	10%	29%
	No	84%	70%
	Don't know	6%	1%

In response to the question: "If reported to a third party, where did you report the dispute/case?" Five per cent of respondents mentioned lawyers. This question was not linked to previous ones on awareness of place(s) for resolving disputes/cases arising among members in the community, but it was linked to the number who indicated they reported any dispute to a third party for resolution.

The level of awareness of legal aid programmes is lower in the baseline survey than in the MTR. Again, this is attributable to the fact that the baseline was not a longitudinal survey. The target samples are different; and so are the individuals interviewed.

Outcome 2: A rights-responsive devolved system of governance entrenched

Outcome 2 has made the least progress, as shown in Table 12. This is mainly because of inadequate funding for this component. It is unlikely that the targets will be met by the end of the project period.

Table 12: Analysis of Outcome 2

Expected Outcomes	Outcome Level Indicators	Baseline (2017)	Progress made to date (MTR 2021)
Outcome 2: A rights-responsive devolved system of governance entrenched.	2.1 Number of target counties that have functional mechanisms for citizen engagement	11	15
	2.2 Percentage of citizens in target counties satisfied with engagement mechanisms employed by the county government	42.1%	47%

It bears mentioning that there is another UNDP programme on strengthening devolution. While collaboration between Amkeni Wakenya and the UNDP Integrated Support Programme on devolution was noted, it was neither regular nor adequate. Amkeni Wakenya and the programme ought to have synchronised their efforts or at least operated in reference to each other, especially because some of their programmes are in the same counties. The integration of the Human Rights Based Approach (HRBA) at the UN level would also have been more visible if Amkeni and other programmes effectively utilised the integrated programming and “Delivering as One” approach. This then raises the need to establish stronger linkages across all programmes that operate in the same counties. This will leverage the strengths of each project and increase efficiency in programming.

Outcome 3 focusing on “Improved organisational performance, sustainability and enabling environment for CSOs in Kenya” is making some slow and steady progress despite the constraints in the broader socio-political context, and some indicators indicate some good progress. Although the data for indicators is not available, the CSOs survey for this evaluation shows high levels of appreciation of capacity building efforts under the project.

Table 13: Analysis of Outcome 3

Expected Outcomes	Outcome Level Indicators	Baseline (2017)	Progress made to date (MTR 2021)
Outcome 3: Improved organisational performance, sustainability and enabling environment for CSOs in Kenya	3.1 Rating of the enabling environment for CSOs in Kenya (CIVICUS Index)	0.43	No data available
	3.2 Number of target CSOs whose Capacity performance index (CPI) score has improved	50	No data available / data not collected

Outcome 4 on the Enhanced capacity of civil society to respond to contemporary governance issues has recorded some progress with four indicators having been achieved to date out of six.

Table 14: Analysis of Outcome 4 and 5

Expected Outcomes	Outcome Level Indicators	Baseline (2017)	Progress made to date (MTR 2021)
Outcome 4: Capacity of civil society to respond to contemporary governance issues enhanced	4.1 Number of emerging governance issues responded to	0	1
	4.2 Percentage of key stakeholders perceiving civil society response to contemporary governance issues as effective	34.2%	69% ⁴⁴

Expected Outcomes	Outcome Level Indicators	Baseline (2017)	Progress made to date (MTR 2021)
Outcome 5: Strengthened capacity of Amkeni to support CSOs and stakeholders efficiently, effectively and sustainably	5.1 Rating of Amkeni by CSOs on service delivery to them	Good	Very Good (46%) and 42% (Good) ⁴⁵

4.2 RELEVANCE

4.2.1 The context of governance

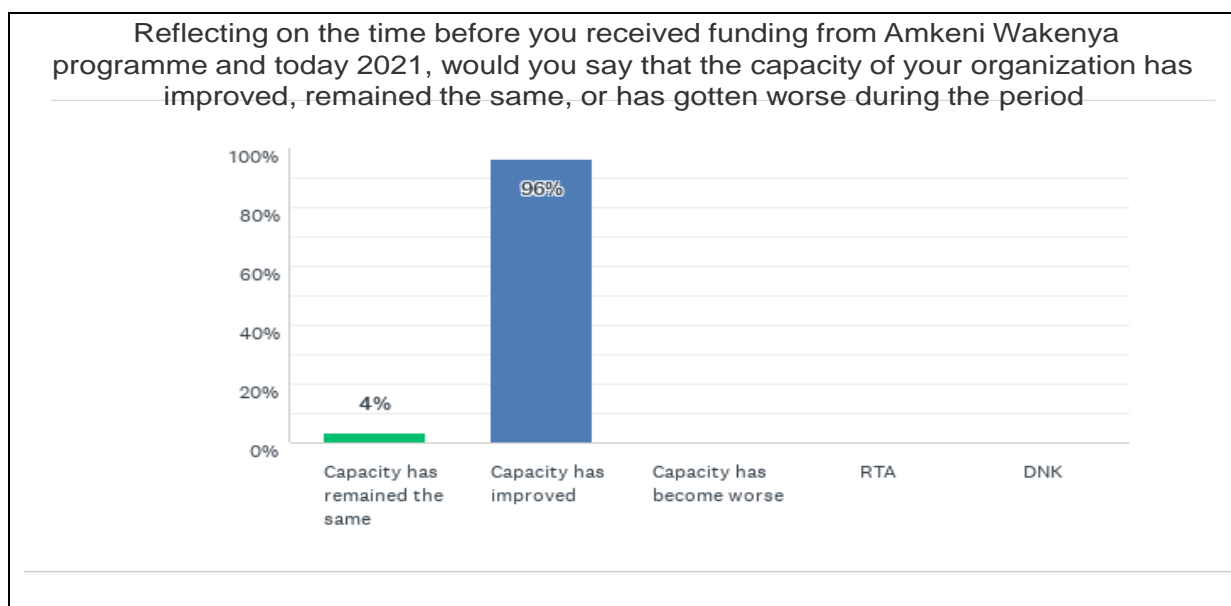
The relevance of the Amkeni Wakenya project ties to the governance context in the country. The challenges of access to justice, limited engagement in devolved services, and weak protection of rights and freedoms, especially in marginal areas, require continuous interventions so that citizens can build strong capacity for sustainable engagement in public affairs, among others.

Amkeni was rolled out when it was needed most: to repair deep societal fractures and ensure service provision for the most marginalised populations. As demonstrated hereafter, CSOs that participated in the project attested to the relevance of the project and confirmed that participation vastly improved their organisational capacity.

⁴⁴ In the TIFA survey, respondents were asked: “In your opinion, how effective are civil society organisations in responding to emerging governance issues such as Corruption and terrorism?”

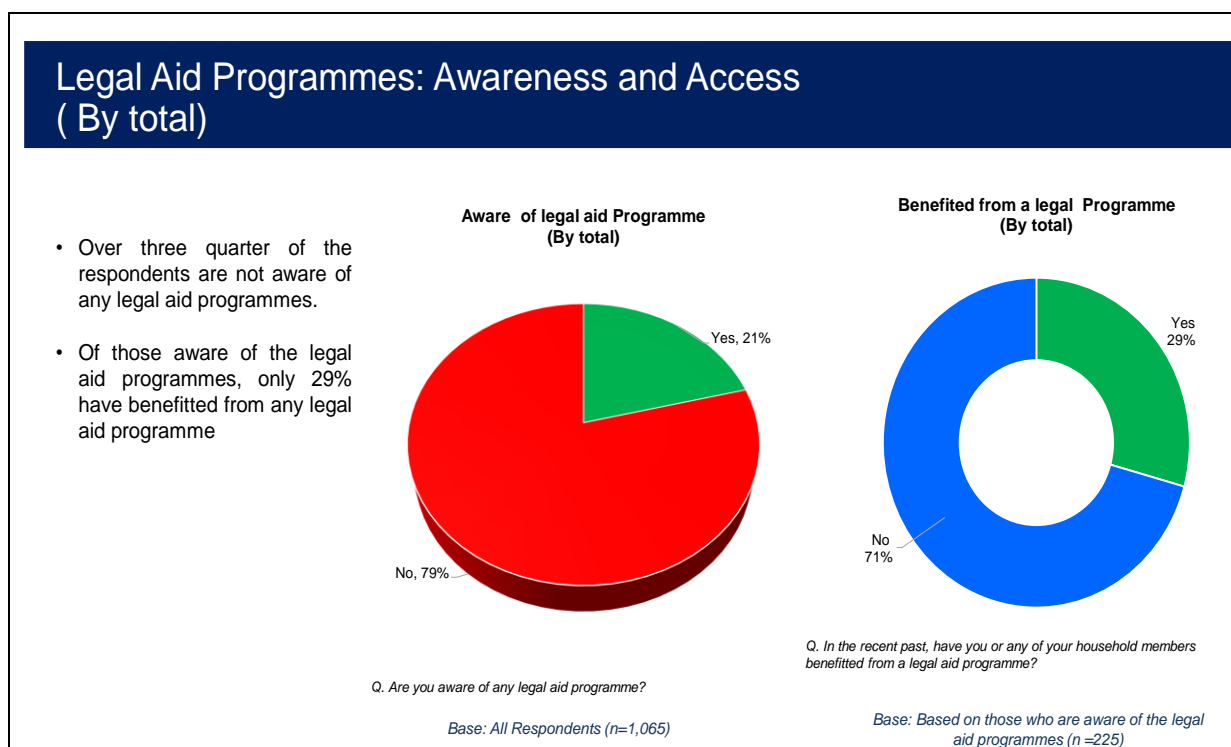
⁴⁵ This is from the CSOs survey question: “how would you rate the Amkeni Wakenya programme in comparison to programmes supporting CSOs in the area of governance and human rights?”

Figure 5: Capacity of the organisations



The project also sought to improve and increase the number of people accessing justice in the 12 focal counties. Specifically, the project sought to support non-state actors to provide legal aid and awareness; strengthen community-based informal justice systems; and human rights interventions. Unfortunately, over three quarters of survey respondents were still not aware of any legal aid programmes.

Figure 6: Awareness and access to legal aid programmes



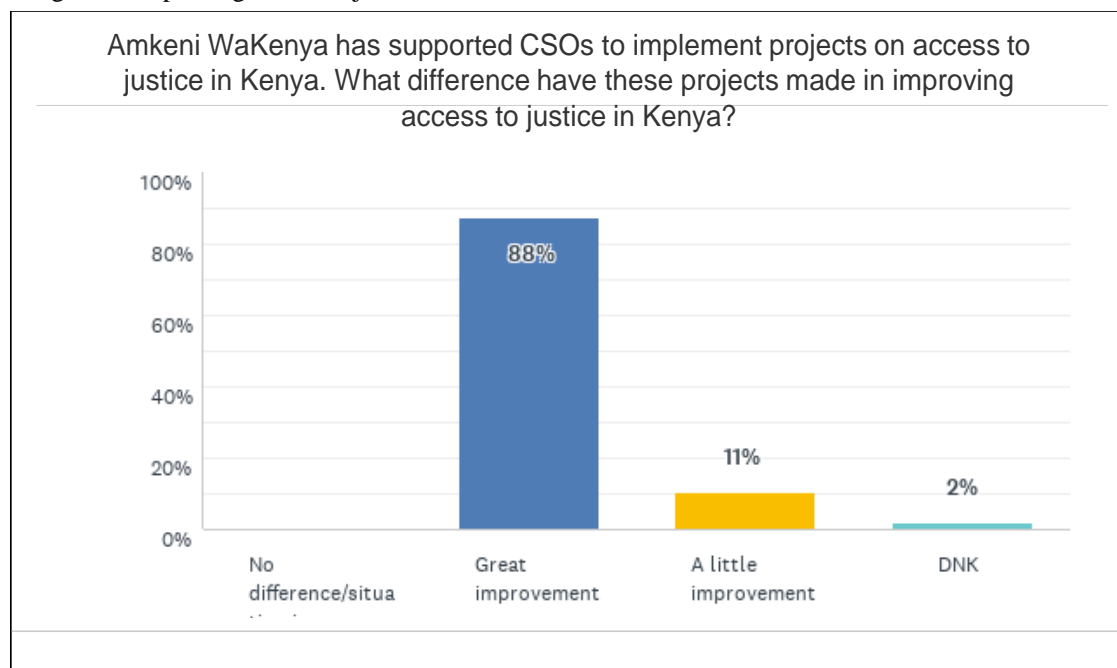
Of those who had the opportunity to interact with legal aid programmes, and Amkeni Wakenya in particular, the provision of legal aid confers a direct benefit on the intended project beneficiaries. Some people said they gained awareness to protect themselves from injustices by the police.

“Amkeni Wakenya is a project that is helping the community on justice and other things. I am talking on behalf of the area I’m from, the project that we were doing with this organisation has brought a lot of changes in the community. We as youths now understand the law in depth and we know our rights. This has reduced oppression from the police, and it has built a good relationship between the community and the police.” -- Participant, FGD, Kilifi County.

The situation is even more pronounced in remote areas where access to information and justice is a greater challenge. The review revealed that in circumstances where access to basic resources and amenities presents a problem (counties such as Wajir), challenges with respect to access to justice are more pronounced. Both non-state actors and the populations themselves have the additional hurdle and concern of the provision of basic services.

The stated project objectives are in keeping with the requirements of the target group, namely, the most vulnerable populations. The Constitution of Kenya, 2010, while articulating the National Values and Principles of Governance,⁴⁶ contemplates social justice, human rights, and protection of the marginalised among those national values and principles that should be applied in the exercise of law and policy making. The Constitution goes on to state that “... justice shall be done to all, irrespective of status”,⁴⁷ and that “... alternative forms of dispute resolution shall be promoted”.⁴⁸

Figure 7: Improving access to justice



Amkeni Wakenya seeks to embed constitutionalism in the target counties, which would entail promoting access to justice for those with the least access. As illustrated in Figure 11, significant efforts have been made on the demand side (building the capacity of citizens). The grantees have effectively raised awareness among the target populations with regard to access to justice. Indeed, 88 per cent of

⁴⁶ Constitution of Kenya, 2010, Art 10(2)(b)

⁴⁷ Ibid, Art 159(a)

⁴⁸ Ibid, Art 159(c)

CSOs respondents noted that because of the support from Amkeni Wakenya, they noted a ‘great improvement’ in their ability to access justice.

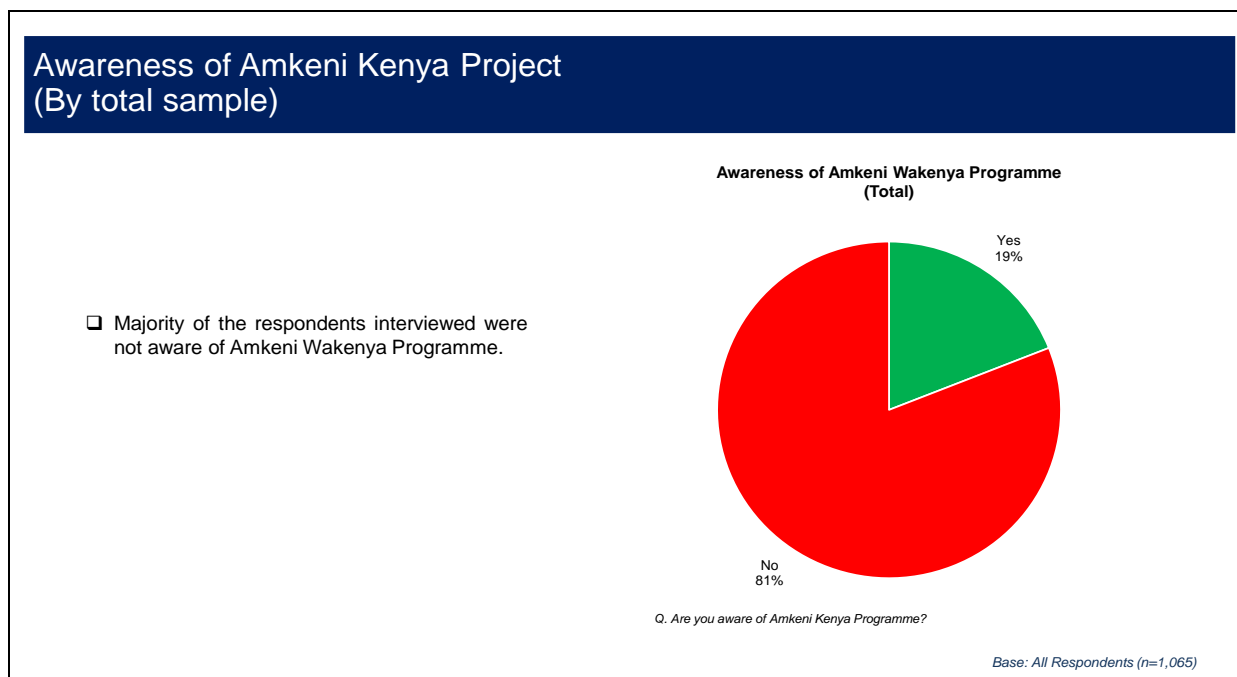
This evaluation recognises that the Amkeni Wakenya project focuses on strengthening the capacity of rights holders. This has indeed been strengthened as discussed earlier, and reiterated in FGDs and key informant interviews. Nonetheless, the evaluation finds that on the supply side (duty bearers including national and county government officials and offices), signs of progress are less visible. This is not the responsibility of the facility but the gap would have been addressed had there been effective synergies with other UN programmes focusing on duty bearers. On the whole, the findings show that while the capacity of rights-holders is improving, that of duty bearers does not appear to be keeping pace.

Even though the facility did not aim to build the capacity of duty bearers, it bears mentioning that the variance between the capacity building on the demand and supply side results from a number of factors. These include expectations of hefty allowances by county officials (per diem). This tended to undermine the delivery of the project especially when some officials would not take part in activities if they did not receive an allowance. This is a significant challenge since it has been noted throughout the life of the project and in this review that the buy-in from county officials and their participation are critical to the success of the project, especially in human rights and access to justice programming.

Nonetheless, some CSOs based in the counties were able to foster partnerships with duty bearers. These CSOs are optimistic about the longevity of the interventions, which they felt would live beyond the lifespan of Amkeni Wakenya. This demonstrates and reinforces the relevance of the project, from both the county and the national perspective.

Awareness and visibility of the project is still low. Majority of those who were aware of the project knew about it from broadcast media (41%), word of mouth (19%), and social media (12%). Only a small minority of survey respondents became aware of Amkeni Wakenya through CSOs (3%), despite the fact that civil society organisations are the key interlocutors of the project. Additionally, some of the interlocutors did not have any knowledge about the project and declined to be interviewed. Furthermore, some development partners pointed to the need for improving the visibility of the project. The project needs to develop a multifaceted approach to improve its visibility.

Figure 8: Awareness of the Amkeni Kenya project



The project began operations in a challenging environment. The levels of trust between civil society and the new government that came to power in 2013 were low. The new political leadership adopted a hostile attitude towards CSOs in the governance sector because some of them were supportive of the ICC intervention in Kenya, a process which implicated the President and his deputy. There was a possibility that the two sectors would be unable and/or unwilling to collaborate, thus exacerbating the hostilities experienced at the height of the electioneering period. The ultimate loser in such a scenario would have been the millions of rights holders unable to access justice because of a breakdown in the governance chain.

One major gap in the project is the absence of a theory of change reflecting on the broader context on which it is operating. The Amkeni ProDoc provided the basis for the project, especially because it laid the framework for the operation. However, a robust theory of change, reflecting the governance environment on which the project is operating, should have been developed. This is still imperative because it will help the CSOs and development partners to cohere their strategies and make it easy to evolve collective action.

4.2.2 UN programmes and reforms

Amkeni is also aligned to UNDP's Global Strategic Plan 2018-2021, and in particular, the strategic pillar on accelerating structural transformation for sustainable development.⁴⁹ It seeks to build more effective governance systems characterised by inclusive and accountable governance as one of the key pathways for developing countries to accelerate their own structural transformation. This is being achieved through strengthening the informal justice system as well as ADR mechanisms.

The project contributes to the UNDAF Outcome, which states that by 2022, people in Kenya live in a secure, peaceful, inclusive and cohesive society. Amkeni has contributed to this through the Strategic Communication on Peaceful Elections Intervention (SCOPE), which aimed to strengthen the conflict prevention and mitigation infrastructure. Specifically, the project resulted in the establishment of conflict mitigation mechanisms in 30 counties, and one conflict early warning indicators and response mechanism established.⁵⁰

The project also contributes to CPD Output 2.5: Rule of law, justice and legislative institutions have technical and financial capacities to deliver normative inclusive, accountable, equitable services. In this regard, Amkeni's contribution is measured through Indicator 2.5.1 – "Proportion of the marginalised population who have access to the formal justice system".

So far, the project is making steady progress towards achieving this target. By the end of the project, 40 per cent of marginalised populations are expected to access formal justice, and so far, the project has reached 34.56 per cent⁵¹ in the targeted counties. Some 731,288 (308,664M; 422,624F) citizens were reached directly and an estimated 6,577,567 indirectly.

Amkeni Wakenya's engagement with grassroots level CSOs and targeting of marginalised counties with a large percentage of marginalised communities also aligns well with UNDP's global signature solution of strengthening effective, inclusive and accountable governance, which requires ensuring the inclusion of women, youth, people with disabilities and other traditionally marginalised groups. The project has made a deliberate effort to engage women, youth and Persons Living with Disabilities. The project's focus on youth out of school also aligns with the Country Office's deliberate youth-centric policy in its current programming. However, more efforts need to be placed on engaging the youth since

⁴⁹ UNDP, "UNDP Strategic plan, 2018-2021" Approved on 28th November 2017 in New York and available at <http://strategicplan.undp.org/>

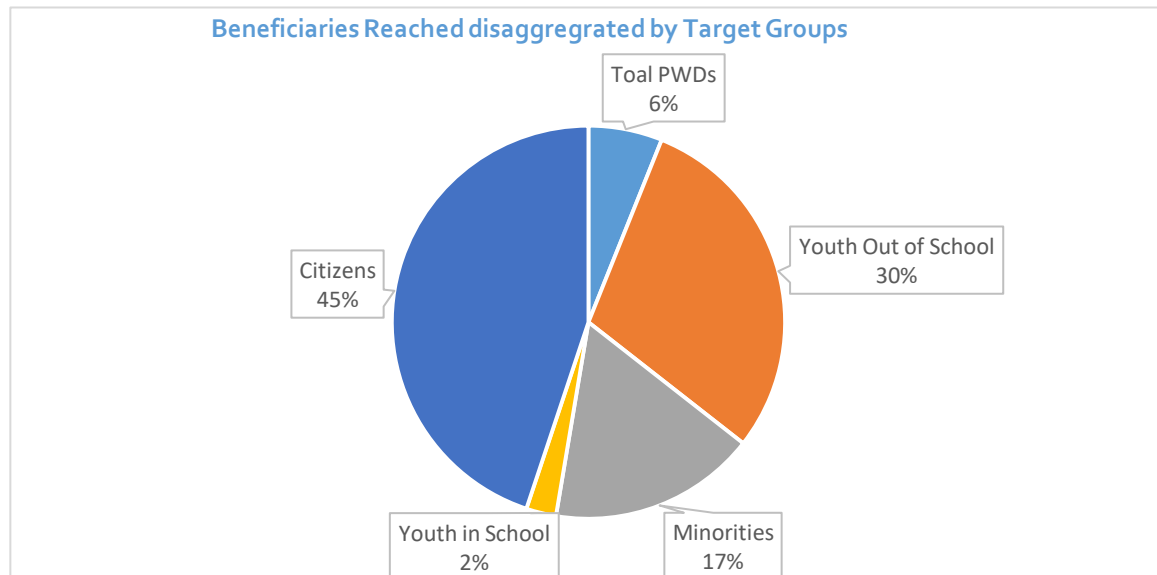
⁵⁰ Amkeni Wakenya 2017 Peace Grant Report.

⁵¹ Includes EKN and PLEAD supported counties

only 2 per cent of the targeted beneficiaries are youth (as shown in Figure 9). This is a very small percentage bearing in mind that 75 per cent of Kenya's population is youth under the age of 34 years.

Figure 9 shows the proportion of the targeted marginalised population who had access to formal justice and human rights information by 2020.⁵²

Figure 9: Beneficiaries reached (by target groups)



These are categorized as follows in the project:-

- 1) **PWD's** – These are persons with disability, both male and female.
- 2) **Youth out of school** – These are young adults under the age of 35 years, both male and female.
- 3) **Minorities** – These are both male and female persons who are less than the dominant community.
- 4) **Youth in school** – These are primary and secondary school going children, both male and female.

The project's contribution to the transformative Governance Framework of UNDAF 2018-2021⁵³ is anchored in its focus on the promotion of rule of law and strengthening the capacity of CSOs, which play a critical role, especially in the targeted counties, by raising citizens' awareness of their rights, and strengthening the ADR and AJS mechanisms. There has been good progress in this regard as indicated in Chapter 5 on results. While devolution was a critical component in the design of the project under Outcome 2, this has not been achieved in whole, mainly due to funding limitations.

Amkeni WaKenya also fits within the framework of UNDP's Country Programme Document 2018-2022 and is contributing to Pillar 1 of the CPD -- Governance, Peace and Security in two main ways: One, by integrating a rights-based approach to enhancing access to justice and promotion of rule of law; and two, through proposed its electoral component through civic and voter education in the run-up to the 2022 elections. This will build on lessons from its previous elections work under the Strategic Communications on Peaceful Elections (SCOPE), which strengthened the conflict prevention and mitigation infrastructure in 30 hotspot counties previously identified by the Ministry of Interior and Coordination of the National Government, and the National Steering Committee on Peacebuilding and Conflict Management (NSC). More efforts should be made to develop this strategic engagement in the run-up to the 2022 elections.

⁵² Amkeni Wakenya, End of Project Report, 01 April 2016 – 30 September 2020 pg 20

⁵³ 17 Republic of Kenya & United Nations in Kenya, "United Nations Development Assistance Framework (UNDAF) 2018-2022" 2018

At the national level, Amkeni contributes to the national development plans specifically to the political pillar of Vision 2030, which prioritised the enactment and implementation of a new constitutional dispensation with the participation of the people. Amkeni's work under human rights and devolution is a continuation of the project to implement the Constitution of Kenya, 2010. Under Vision 2030's political pillar, the Third Medium Term Plan (MTP-III) has prioritised provision of legal aid to 200,000 vulnerable members of the society and the programme is playing a critical role towards addressing this in urban as well as rural areas, and especially in the marginalised regions of Kenya - with some promising results as outlined below.

Finally, there are several UN related programmes in the counties where Amkeni is operating. These programmes appear not to have an effective coordination structure. PLEAD is operating in some of the counties where Amkeni-supported CSOs are also working. The UNDP devolution programme is also in some of these counties. These and other programmes regularly share information at the high level, but there are no structures to foster collaboration on the ground. They would add value if they worked together or synchronised their efforts to ensure, among others, that the duty bearers do not lag behind.

Table 15: Summary of findings and recommendations on relevance

Relevance: Summary of findings	Recommendation
The project is relevant and provides important and strategic interventions on access to justice, protection of rights and freedoms; as well as entrenchment of a devolved governance system. However, the project does not have a robust Theory of Change reflecting on the broader context and the change that the project would contribute to	Develop a robust and coherent theory of change to guide the next phase towards the end of the project. Efforts should also be made to develop a new TOC during the next phase of the project.
There are gaps in knowledge management in the project. Lessons learning should be a regular feature of the project. Political dynamics in the broader context will require regular monitoring so that the project can adapt appropriately	Establish a framework and develop requisite capacity for distilling and documenting major lessons. Convening e-forums with experts to discuss some of the lessons and findings will add value to the work of CSOs.
There is still a lack of awareness on legal aid programmes in general. (Three quarters of survey respondents were unaware of ANY legal aid programmes.)	The project needs to articulate its approach on the legal aid programme, and work closely with relevant stakeholders in the Judiciary, national and county governments, and CSOs to scale up awareness on legal aid.
There is noted progress on the demand side to access to justice, but less notable progress on the supply side (duty bearers, national and county government officials).	Best practices have emerged from some areas in respect to working with county governments (Mombasa). These should be replicated, while at the same time continuing the good work on the demand side.
Visibility of Amkeni Wakenya is low; not many people are aware of the project in the 12 counties it is operating in.	Scale up communication capacity by including a Communication Officer. It is also possible to work with IPs to improve visibility. This should be done for the purpose of profiling the projects and their contributions in the context of Theory of Change when developed.

4.3 EFFECTIVENESS

The data assembled from various sources confirm progress towards the realisation of project outcomes, and there is evidence that outputs are being achieved. The baseline data showed 14.3 per cent of Kenyans accessing justice in target counties. This was projected to increase by 10 per cent at the end of the implementation period. At the time of conducting the MTR, 29 per cent of Kenyans in these counties were accessing justice.

Citizen awareness has improved. So has engagement on human rights and the use of innovative approaches. The baseline data revealed that 39.2 per cent of respondents were aware about basic human rights. Again, this number was expected to increase by 40 per cent. MTR findings show that the project has almost achieved this target.

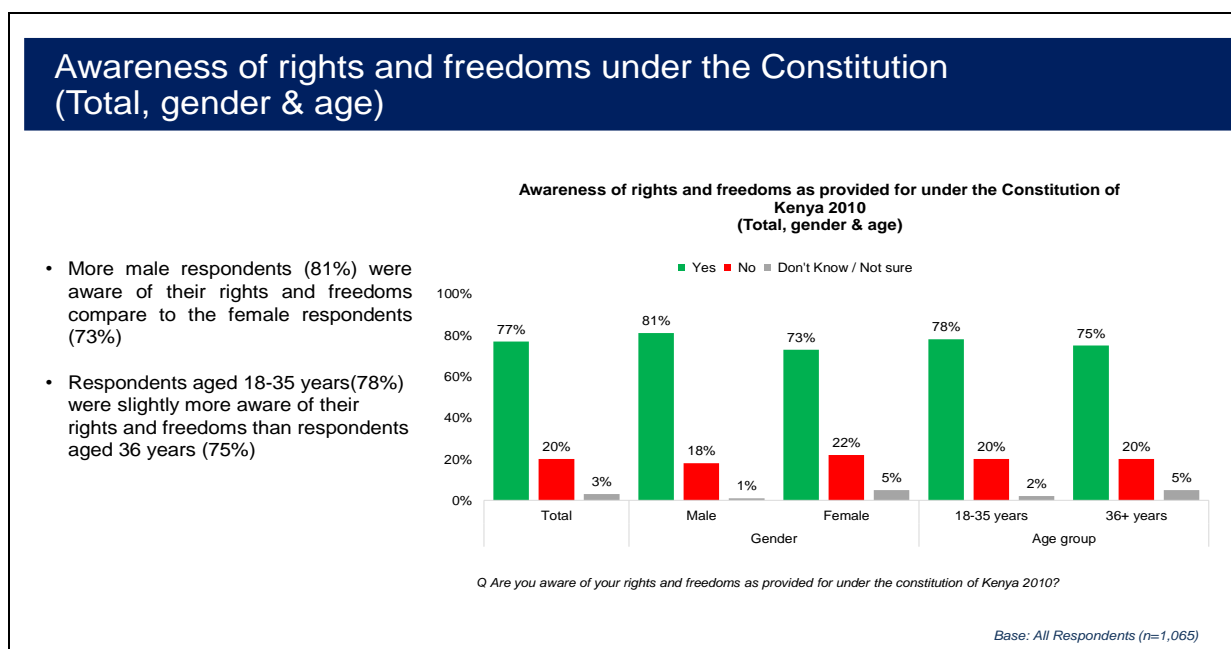
There is major progress in enhancing access to justice. The baseline data showed that only 15 per cent of the marginalised and vulnerable groups were accessing justice. The number has increased beyond the baseline target.

Table 16: Progress in Outcome 1: on effectiveness

Expected Results (Outcomes & outputs)	Indicators	Baseline Survey (2017)	Target (by 2018)	MTR Survey
Outcome 1: Improved respect, enjoyment, and promotion of access to justice, human rights and freedoms for Kenyans	% of Kenyans accessing justice in target counties	14.3%	10% above the baseline	29%
Output1.1: Enhanced citizen awareness and engagement on human rights using innovative CSO approaches	% of citizens' aware of basic human rights (Water, health, sanitation education).	39.2%	40	77%
Output 1.2: Enhanced access to justice [2] for the marginalised and vulnerable communities using innovative CSO approaches	% of the marginalised and vulnerable communities accessing Justice	15%	40%	81%

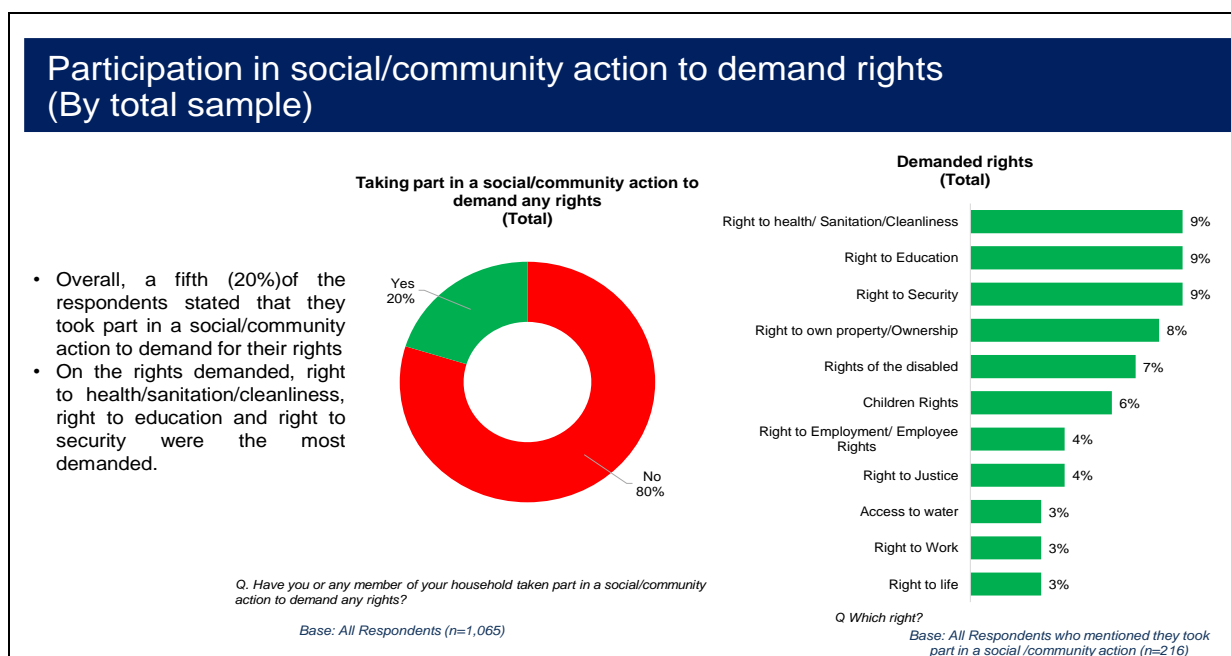
Regarding progress in access to justice and promoting rights and freedoms, there is evidence that the project has largely achieved the outcome indicators. Subsequent sections will discuss in detail the impact of the project. It suffices to mention that increased awareness led to people defending their rights and effectively engaging with duty bearers. 77 percent were aware of their rights and freedoms. This was high in all regions of the target counties.

Figure 10: Awareness of rights and freedoms under the Constitution



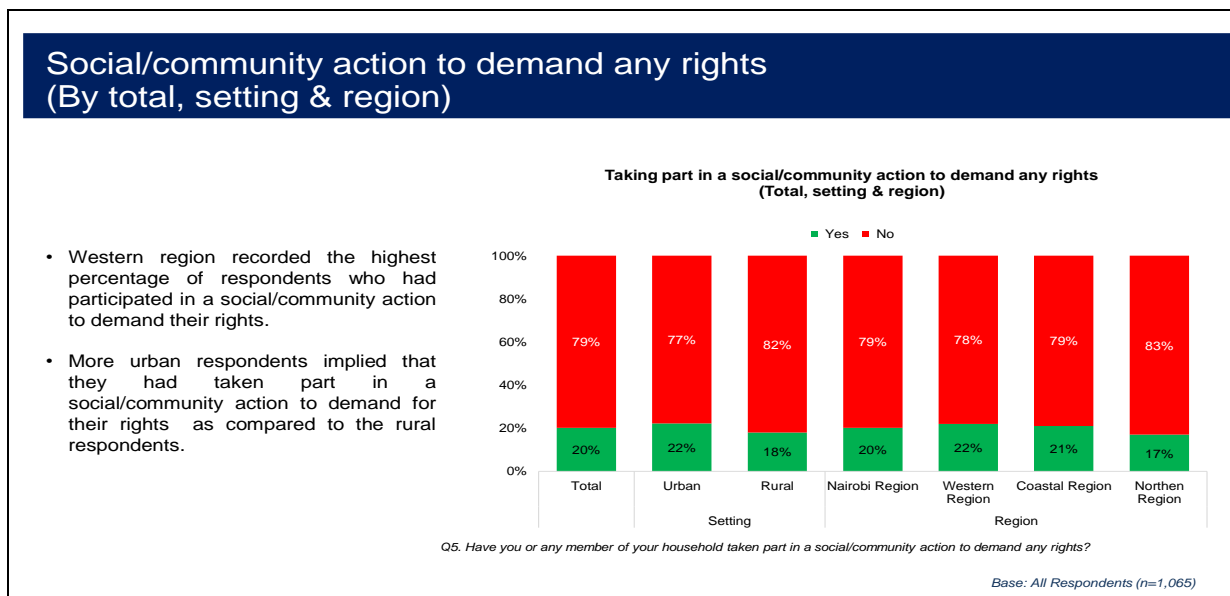
It is noteworthy that up to one fifth of the population has participated in demanding respect for rights. When asked whether they or members of their household had participated in demanding rights, 20 per cent of respondents said they had done so. Important here is that they had participated in demanding rights concerning access to basic services, hence a link to the project. They had participated in demanding access to health services, education and security, among others (these are discussed in detail under devolution). The community actions were evident in all counties and regions, too.

Figure 11: Participation in social/community action to demand rights



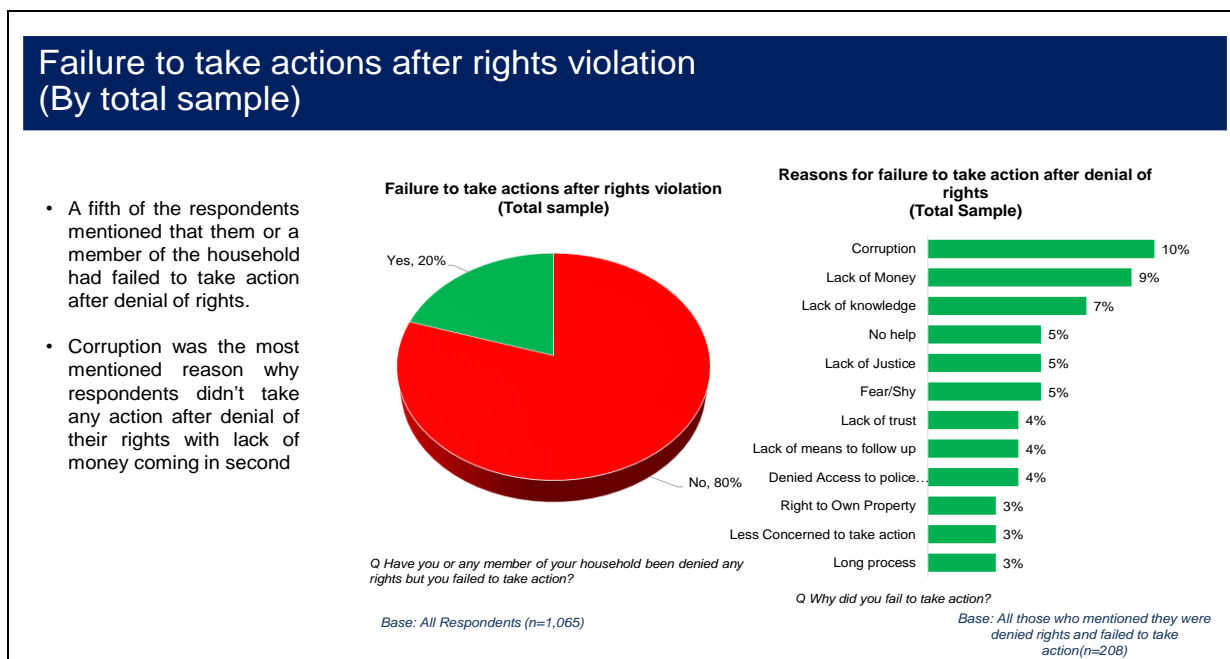
Regional patterns are not radically different apart from the North Eastern counties where there is a slightly lower number of respondents stating that they had taken part in demanding their rights. This owes much to how the population is sparsely spread as well as the long distances to administrative and county offices where many duty bearers operate from. Distances travelled in the other counties are relatively shorter than those in these regions.

Figure 12: Social/community action to demand any rights



Up to 20 per cent of respondents said they had been denied their rights but failed to take action. Their reasons for failing to take action included fears that there was corruption and/or their lack of money to pursue the matter. Another 7 per cent did not have knowledge on how to take up the matter while 5 per cent were fearful or shy. Yet another 5 per cent did not take any action.

Figure 13: Failure to take actions after rights violation



A point worth making, then, is that the project has been effective in meeting the targets in Outcome 1: *Improved respect, enjoyment, and promotion of access to justice, human rights and freedoms for Kenyans*. There is evidence that citizens in all the regions were aware about their rights. About one fifth of the people were taking action to demand rights. This matches the low number of people who also say that they were denied rights. All the same, there is a need for improved civic engagement to spur action among those who are denied their rights to begin taking action.

Table 17: Outcome 2: A rights-responsive devolved system of governance entrenched

Expected Results (Outcomes & outputs)	Indicators	Baseline Survey (2017)	Target (by 2018)	MTR Survey
Outcome 2: A rights-responsive devolved system of governance entrenched.	% of citizens in target counties satisfied with engagement mechanisms employed by the county government.	42.1%	Improve baseline by 80%	46%
Output 2.2: Rights-responsive county public participation laws, frameworks and platforms established and institutionalised.	% of citizen participating in county legislation processes in target counties.	18.3%- `	Increase baseline by 50%	23%
Output 2.3: Citizens' knowledge and skills in devolved governance and policy processes enhanced.	% of citizens who are aware of devolved governance processes.	75.3%	Increase baseline by 80%	71%
	% of citizens reached with civic education on devolution.	16.8%	6.9%	12%
	% of citizen participating in extractive industries in target counties.	11.7%	Increase baseline by 10%	5%
Output 4.2: Effective citizen participation in electoral processes and political accountability mechanisms using innovative CSO approaches.	% citizens reached by CSOs during voter education.	5%	6%	13%
	Level of public awareness on corruption and integrity in key governance institutions in target counties (county govts, courts and police).	49.7%	Improve baseline by 5%	72%

The findings on entrenchment of a rights-responsive devolved system of governance are not as impressive as in Outcome 1. The proportion of residents in these counties who are satisfied with engagement mechanisms employed by their governments during the baseline survey was 42 per cent. This was meant to increase to 82 per cent. However, at the time of the MTR, only 46 per cent (increment of 4 percentage points) were satisfied with the engagement mechanisms.

Civic education on devolution did not have the required reach. The number of citizens reached through civic education reduced from 16.8 per cent to 12.0 per cent. Those participating in awareness campaigns on extractives declined, too.

This finding is in line with other studies on public engagement in Kenya. Findings of the 2019 Afrobarometer show that only 21 per cent of community members said they attend meetings often. A

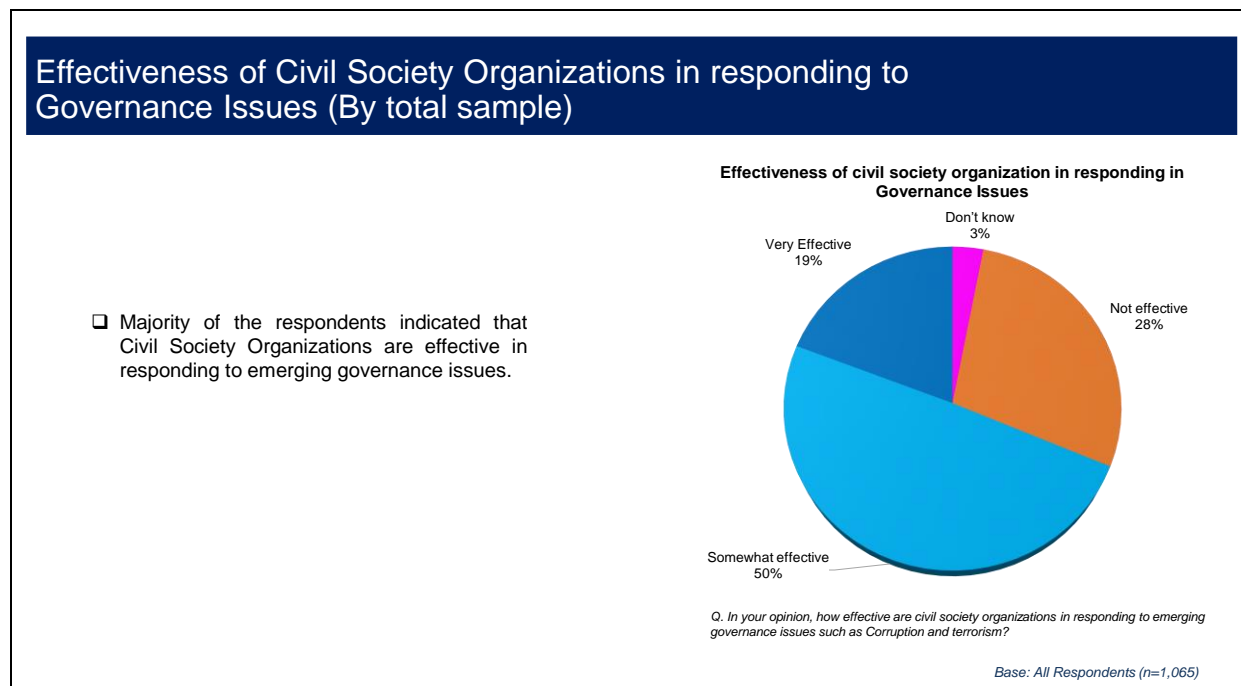
meagre 4 per cent attended protests or demonstrations concerning community matters. Only 21 per cent confirmed that they would join in collective action to present a community issue.⁵⁴

The reasons for constrained space for civic engagement on devolved services vary from county to county. First, is the absence of coherent and sustained civic education by the Ministry of Devolution. The law provides for the ministry to support a nationwide programme on civic education. The ministry was required to develop a curriculum and/or a programme on civic education with a focus on devolution, but this programme is yet to be initiated.

Second, county governments do not have effective civic education programmes. They conduct public participation meetings for the purpose of legitimising their budgets, but this is not preceded by civic education. Participants in these events often receive technical documents, which are difficult to follow. This has reduced interest for people to participate in public forums.

Finally, the project was supporting CSOs to be effective in addressing governance issues. The survey finds that the general public is satisfied with the work of CSOs in this regard. Close to 70 per cent of citizens in the 18 counties expressed satisfaction with the work of CSOs; and rated CSOs as effective in their work on governance.

Figure 14: Effectiveness of CSOs in responding to governance issues



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Outcome 3: improved organisational performance, sustainability and enabling environment for CSOs

Expected Results (Outcomes & outputs)	Indicators	Baseline Survey (2017)	Target (by 2018)	MTR Survey
Outcome 3: Improved organisational performance, sustainability and enabling environment for CSOs in Kenya	Rating of the enabling environment for CSOs in Kenya (CIVICUS Index)	0.43 ⁵⁵	- No data available	
	Number of target CSOs whose Capacity Performance Index (CPI) score has improved	50%	• No data available	60%
Output 3.1: Enabling policy and legal frameworks on civil society adopted and implemented with adequate PBOs participation.	Percentage of supported CSOs participating in policy development discourses	0	The % is not provided. There was sustained advocacy to operationalise PBO Act	25%
	Number of laws and policies on PBOs adopted ⁵⁶	0	2020 ⁵⁷	2
Output 3.2: Capacity of PBO Authority to discharge its mandate to PBO sector enhanced	% of supported CSO annual returns submitted and reviewed by the CSO regulator	0	2020 100% of Amkeni Wakenya CSOs submitted annual returns	100% of supported
	Rating of the PBO Authority as an enabler for CSOs	Poor	2020 (rating not provided but narrative on capacity building is provided below) narratives suggest improved relationship with CSOs	Satisfactory
Output 3.3: CSO self-regulation mechanisms established and supported	Number of CSO self-regulation mechanisms established and maintained on an annual basis	0	2020 Five (5) County PBO Forums strengthened and sustained by CSRG in 2020	1
	Level of CSO satisfaction with the role of CSO self-regulation	Good	2020 CSRG held five (5) regional consultative forums on self-regulation	Good
Output 3.4: Critical capacities for organisational development, impact and sustainability among CSOs enhanced	% of CSO's fulfilling their contractual obligations to Amkeni	0	2020 Data on this indicator is not provided. By 2019, 84% of the IPs had operational systems in place	100

Outcome 3 on improvement of CSOs shows that the operating environment improved as a result of better relationships with the NGOs Board and also following the Board's involvement in hosting

⁵⁵ Last assessment was in 2013

⁵⁶ The project made significant efforts to have the PBO Act enacted; however, there were blockages to the adoption of amendments to the PBO Act.

⁵⁷ There is improved preparedness by the NGO Board for the transition to the PBO Act, 2013: transition study of the NGO Board to the PBO Authority was finalised.

regional forums. Although baseline data were not available for a majority of outputs, there is evidence of good progress here.

When asked about the effectiveness of CSOs, many respondents in all the regions observed that the organisations were effective in addressing governance challenges.

Figure 15: Effectiveness of CSOs in responding to governance issues

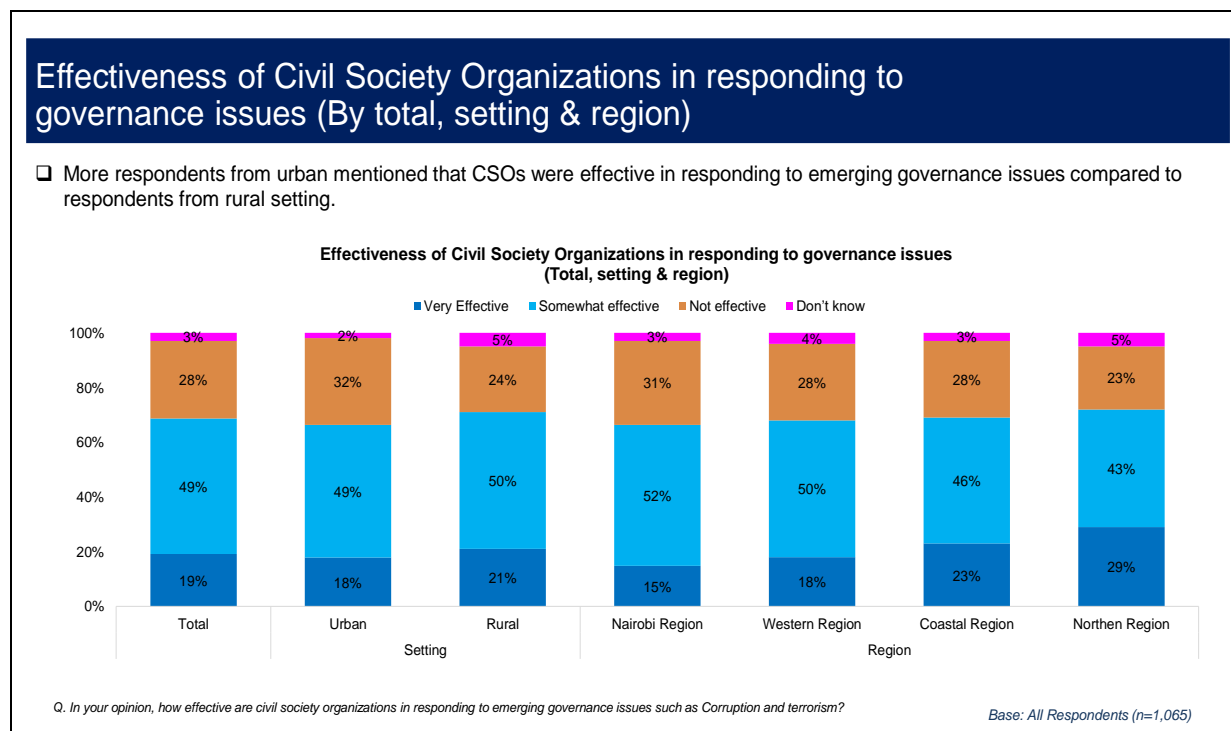


Table 18: Summary of findings and recommendations on effectiveness

Effectiveness: Summary of findings	Recommendation
Achievements were limited in entrenching the devolved system of governance. Many CSOs had challenges working with the national and county governments. There was limited funding to support CSOs engagement with the national and county governments. The project did not make any strategic engagements with the county governments to enhance the work of CSOs. Nonetheless, over time, some CSOs worked well with the county governments.	<p>There is a need to establish relationships with the Council of Governors (CoG) and the Ministry of Devolution at the national level even as CSOs work with individual county governments. This will help to create a framework for effective entrenchment of the devolved system.</p> <p>There is a need for strategic engagement with government at both levels using lessons learnt, independent bodies, and constitutional commissions.</p>

4.4 EFFICIENCY

4.4.1 Comparative Advantage of UNDP

The project leveraged the good offices of the UNDP and ability to work with the national government to reach national level institutions at the beginning of the project. This was enhanced by the relationship between the UNDP leadership in office and the government at the time. It made it possible for the project to roll out with minimal disruptions from the external environment. However, this was not extended to other relevant national level institutions and county governments. Nevertheless, grantees made deliberate efforts to engage county governments in an innovative manner. It is recommended that the project develops a new strategy of working with the duty bearers at all levels. The project should also consider developing a framework for networking and partnerships.

The **collaboration** between the project and other UN programmes is not strong at the county level. Findings from the evaluation do not show deliberate strategic linkages between Amkeni and other relevant UN programmes (such as the UNODC PLEAD programme and the UNDP governance programme).

4.4.2 Resource Mobilisation

The project does not have a clear **resource mobilisation** strategy and the efforts put in place to mobilise resources are not systematic in including linkages with other UN agencies. The targeted total resources required in the revised 2018 ProDoc was USD 22,845,672. The total amount raised from 2016 is USD 4,485,287. This includes amounts for the 6 round of calls and the emerging issues. This represents about 4 per cent of target resource. Accordingly there were inadequate resources for Outcome 2. This also resulted in some outcomes not having adequate resources to achieve and track results. This, therefore, calls for an innovative strategy to fill the funding gap.

4.4.3 Scope and reach

Between April 2016 and September 2020, the project reached at least 264,227 (146, 894 females; 117,256 male) people directly, and at least 5,648,546 individuals indirectly.⁵⁸ Thus, 5,912,773 individuals were reached with information and assistance to enable them to claim their rights.⁵⁹ This represents 56.2 per cent of the total population in the target counties. The target at baseline was 40 per cent.⁶⁰ Within the same period, the project spent a total of USD 22,845,672.⁶¹ The question is whether the project would have reached more people given the resource envelope. However, as noted in the end of the project report (2016 – 2020), the number of beneficiaries reached (directly and indirectly) is proof of the efficiency and effectiveness of Amkeni Wakenya as a basket fund.⁶²

It is noted that recurrent violent inter-ethnic conflicts, natural disasters and climate-change shocks in project areas could have undermined effective and timely implementation.⁶³ Appropriating new technology platforms (i.e., virtual engagement platforms) ensured a larger reach among the beneficiaries during the Covid-19 period.⁶⁴ However, the pandemic equally disrupted implementation of the project activities both at Amkeni and grantee level.

The operating context for CSOs during the Covid-19 pandemic has necessitated a rethink of delivery methodologies for civic education and engagements. CSOs have embraced virtual engagement platforms⁶⁵ to reach the people, as well as tapping into remote-based monitoring tools⁶⁶ to keep track of

⁵⁸ Amkeni Wakenya, End of Project Report 2016 – 2020, p. 13.

⁵⁹ Amkeni Wakenya, End of Project Report 2016 – 2020, p. 13.

⁶⁰ The Project Document; Amkeni Wakenya, End of Project Report 2016 – 2020, p. 13.

⁶¹ Amkeni Wakenya, End of Project Report 2016 – 2020, p. 13.

⁶² Amkeni Wakenya, End of Project Report 2016 – 2020, p. 13.

⁶³ Amkeni Wakenya, End of Project Report 2016 – 2020, p. 24.

⁶⁴ Amkeni Wakenya, End of Project Report 2016 – 2020, p. 24.

⁶⁵ Amkeni Wakenya, Annual Project Report, p. 72.

⁶⁶ Amkeni Wakenya, End of Project Report, 01 April 2016 – 30 September 2020, p. 16.

project activities. These tools (including use of social media) have enabled CSOs to reach out to more beneficiaries.⁶⁷

4.4.4 Cost efficiency and project delivery

The project has adopted several cost efficiency approaches to enhance delivery. First, area programming resulted in the opening of three regional offices in Mombasa, Garissa and Kisumu although Kisumu is currently being coordinated from Nairobi. Apart from reducing the operating costs of travelling from Nairobi to the various counties, this has also resulted in closer proximity to the grantees and the targeted communities. This has improved the ability of the project to offer more hands-on and timely support to the grantees through the SPA's overseeing these regional offices.

Secondly, there is also undertaking of joint monitoring visits with development partners. Other UN agencies also benefit from the logistical support offered by Amkeni's regional offices when visiting counties in the region. As a result, savings are made when Amkeni initiates cost recovery on the days the staff members are engaged in supporting such activities hence reducing overhead costs for Amkeni.

Thirdly, Amkeni is a Direct Implementation Modality (DIM) project of UNDP, and rides on the economies of scale and policies of UNDP procurement processes thus reduced operational cost. The project utilizes UNDP's procurement Unit for all its procurement needs making savings in the process. Other costs savings are accrued by utilizing the UNDP's services in ICT, Security and human resource management.

Fourth, there is Joint Programming efforts under the auspices of the United Nations Programming. This has also helped Amkeni reduce its operating costs and make some savings. The UNDP Country Office has identified Amkeni as a one-stop shop on Civil Society Engagement and other projects are encouraged to engage Amkeni in case when the need arises to have a CSO component in their Annual Work Plans (AWPs). Examples where the project has been engaged during the current phase of Amkeni include the FCDC grant by Norway through the Integrated Support to Devolution project, the SPAIS project, Cross Border project and JSB grants project.

Finally, the findings show that the Covid-19 pandemic provided space for increased innovation and networking, thereby reducing and impacting on the costs for many CSOs. A number of CSOs developed online monitoring platforms to continue with their work. The project also employed innovative monitoring of the grants by adopting e-approaches (virtual monitoring) in which each region organized virtual grantees' activities. This ensured that implementation was not adversely affected. While this has its own corresponding challenges, it served as a stop gap measure to ensure the project sustained implementation of activities especially on access to justice with the increased incidence of various human rights abuses that arose during the pandemic.

4.4.5 Governance and Management Arrangements

The Amkeni Wakenya project is implemented by a Project Management Unit (PMU). The project is anchored under the Governance and Inclusive Growth portfolio of UNDP. The governance body is the Project Steering Committee (PSC), which provides overall strategic guidance, key oversight and quality assurance. The UNDP Senior Management team, on the other hand, provides oversight and quality assurance while at the same time ensuring integrated programming takes place to enhance the "Delivering as One" principle.

The Project Management Unit located in Nairobi serves as the secretariat and helps to manage the project and oversee implementation across the country. The PMU oversees the day-to-day management of the project and is adequately staffed with personnel who have the requisite skills to support the project. However, there is a need to review the personnel in grants management as well as the important role of knowledge management. Despite the absence of a substantive office holder for this position,

⁶⁷ Amkeni Wakenya, End of Project Report, 01 April 2016 – 30 September 2020, p. 16.

efforts need to be made to determine how gaps in this area can be filled within the remaining period of the project. Overall, the project leveraged UNDP legitimacy and the achievements of the previous phase to mobilise funds as activities proceeded. Nonetheless, the challenge of funding meant that only a few CSOs would be supported. This had the effect of limiting the reach of the project.

Project management arrangements: Collaboration between the PMU and other UN agencies and programmes is not strong enough, given the size of the project. There are no structured technical and policy meetings between PMU as required by the project. Efforts should be made to improve this for efficiency and achievement of results.

4.4.6 Implementation Mechanisms

The project is implemented through the joint efforts of the Project Management team in Nairobi under the leadership of the Project Manager. The entire team works in a concerted effort to ensure that the project is managed efficiently and effectively. These include the finance and grants management team; M&E and a capacity-building officer who oversees the capacity building efforts in the project. The PMU is supported by four Senior Project Associates (SPA's), who head the three regional offices established to support the Coast, Western, Nairobi (also covering contiguous counties) and Northern regions.

These regional offices have helped to enhance the project's efficiency and play a key role in offering timely capacity building support to the implementing partners due to their strategic locations near the grantees. The roles of the SPAs need to be broadened to include review of various data sets submitted by grantees. This review should not only be for quality checks but also to enhance concurrence between data submitted and what is reported on. Efforts should also be made to attend as many field activities as possible to identify any issues that require immediate support, do context monitoring and offer timely support if and when needed.

The Project Management Unit (PMU) strengthened engagement with CSOs and built the latter's capacity to contribute to the achievement of results and outputs. The regional offices play a strategic role in this, especially because of their proximity to areas where the grantees work. We note later that a majority of CSOs are indeed in favour of the capacity-building element of the project. In addition, if the project had not been funded, many said that they would lose out on capacity building aspects that has helped to strengthen the institutional capacity to deliver the project as well as start addressing sustainability. This is an acknowledgement of the project's supported capacity development support. CSOs also say that this project compares favourably with other programmes.

4.4.7 Grants Management

Amkeni has a rigorous and transparent grants management process that also involves the donors in the decision-making process by engaging them in the Project Approval Committee. The project awards Low Value Grant Agreements and Responsible Party Agreements. The project utilizes the Low Value Grant Agreements (LVGA) – a UN system used for sub-granting the CSOs. This system has guidance in terms of the monies to be allocated to CSOs. For instance, for the project can't issue a grant that exceeds 300,000 USD to one organization over the life of a project. Amkeni Wakenya is recognized in UNDP as one of the programmes that has the lowest value grants awarded to CSOs in the region and efforts are made to ensure that the project is managed efficiently and in adherence to all the rules and regulations put in place for grants management.

Inclusivity is identified as a key element in project implementation. The Amkeni Wakenya PRODOC identifies women and youth as part of the marginalized groups that the project seeks to focus on. At project inception, Amkeni undertakes scoping missions to identify key stakeholders as well as create networks to support civil society engagement. During these missions, all stakeholders are identified to ensure inclusivity once implementation commences. In terms of solicitation, Amkeni has in the past ensured that the call for proposals is inclusive enough to attract all members of the communities targeted, including the marginalized. Further, Amkeni ensures that there is nationwide awareness about

the call for proposals by placing an advert in the daily newspapers directing potential applicants, where relevant, to websites where information related to a specific call can be accessed. To enhance access to organizations that may not have access to newspapers on a daily basis, Amkeni has also organized for Public Information Forums (PIFs) under call 5 and 6. These are carried out in targeted localities to ensure that the potential applicants with limited access to the newspapers can directly interact with the relevant team and know more about the call and the application process. In the unlikely scenario where a call does not attract the marginalized groups (after the assessment checks), another call for proposals is designed to cater specifically to the marginalized and special interest groups only.

Efforts have been made to improve the grants management process in various ways. Under Call 3, two capacity-building workshops were held that resulted in the submission of high-quality proposals. To improve accountability, ODK was introduced after noting some integrity issues where a few grantees had indicated that they held activities while nothing had taken place on the ground. Hence, to avoid this in future, Amkeni introduced ODK, which helps input activities into the database in real-time. This includes the GPS coordinates, hence enabling the PMU to follow activities closely. Other issues related to grants management include leadership and governance challenges and delayed reporting, which are attributed to the delayed release of funds and subsequently affect timely implementation. These issues are addressed through conflict resolution mechanisms and capacity building.

One of the requirements that causes a lot of delays is the award of annual contracts, even for implementing partners that have three-year grants. The need to complete closeouts before issuing new grants for subsequent years is time consuming but a necessary requirement to ensure compliance. When awarding new grants, closeouts cease to be a priority as focus shifts to ensuring that there is no lag in project implementation. In terms of the PMU staff, the project has a lean staff profile. At the beginning of the project, there was only one grants associate supporting all the grantees in the project. This was not an easy undertaking for one office given that the grantees range between 24 and 30 in number in each year. Some of them have multiple grants in a year. This was therefore challenging for one person.

The situation improved significantly when the finance officer began supporting the process. The project should revisit previous plans to increase staffing for the role or consider reallocating roles to ensure more effective grant management.

4.4.8 Monitoring and Evaluation

The project uses the Results Based Management approach and has a log-frame against which reports are developed and report progress along the outcomes and output indicators. The log-frame has gone through various iterations. The first was developed in 2015 at the start of the project. Due to funding challenges experienced during the first two years, a revised Project Document (PRODOC) was developed in 2018 to refocus the project. Subsequently, a revised log-frame was developed, which also made the results more measurable. The project also developed a log-frame for the EU-funded component of its work.

Project staff carry out regular monitoring and evaluation visits among the grantees to assess progress and offer mentoring support in identified areas of need. The M&E specialist performs this role, assisted by the Senior Project Associates based in the regions, who are strategically located closer to the counties. Periodic M&E visits create an opportunity to validate what the grantees report on as well as offer guidance on areas of improvement. The project has recently also begun carrying out joint monitoring visits with UNODC, which is also implementing the PLEAD programme, a commendable step in enhancing collaboration, building synergies and addressing any bottlenecks to delivering results.

An online M&E system was developed in 2015 and became fully operational in 2016. This was later strengthened in 2020. The implementing partners use the online portal to write their quarterly and annual reports, which are submitted to the Senior Project Associates for review and comments for the partners. Once completed, these reports are forwarded to the M&E specialist. While this has made it easier to access the reports in a consolidated manner through the portal, a number of challenges have

been noted. First, is the activity-based reporting by the partners, late submission of reports and limited capacity in developing good reports, which continues to present a challenge. Second, the reporting is still done at activity level, thus calling for the need to support partners in results-based reporting.

Capturing activities was made easier with the development of “Form D” (ODK). This was initially developed in 2018 to capture the activities conducted by the CSOs. This data was previously collected manually but in 2020, it was converted into an open data system where partners enter information in real time, activity by activity. This report still needs to be strengthened since not all partners are able to utilise ODK due to capacity gaps. The Form D should also be improved to allow for the capture of success stories.

At partner level, challenges are also noted in some of the organisations which use paralegals to carry out various activities. There is a need to ensure that they are equipped with the skills to provide the information related to all activities implemented to ensure comprehensive and complete reporting. While the capture of real time data from activities has been commendable, there is a need to connect the online system with ODK so that data captured in ODK is linked to the online system. The other challenge is that once data is submitted to the UNDP server through the ODK, the information technology team has to upload the files for review. This needs to be revised to allow data checks by relevant project staff, especially the SPAs and the M&E specialist. The MTR recommends a review of this data management process to explore having the SPAs play a role in verification and quality assurance. Stringent data management standards should be encouraged and adhered throughout all the processes with the project with a special focus on verification and quality standards.

4.4.9 Learning, and Knowledge Management

Learning is a key component of the project and formally occurs in quarterly learning forums. Prior to the learning forums, the PMU conducts a capacity needs assessment to identify gaps and then develops key thematic areas to be addressed, based on challenges/opportunities identified by grantees. UNDP Amkeni Wakenyi’s PMU subsequently develops a package on the same with knowledgeable facilitators invited to engage with the implementing partners. Annual review meetings are held for partners to reflect on the project strategies, report on achievements, share and generate lessons learnt as well as address any emerging issues. Respondents in the MTR expressed satisfaction with the learning component of the project. CSOs specifically noted that they interact with, and learn from, one another through the available spaces for learning.

The project has developed some knowledge products that constitute a foundation for knowledge management. Some were initiated directly from the project and many more were developed by the project partners. While the project refers to the UNDP knowledge Management Strategy, there is no clear link on how this is translated and implemented at project level. While the UNDP knowledge Management Strategy offers general strategic direction, the project should translate this to project level into an implementable plan to enable it to capture knowledge across all levels of implementation.

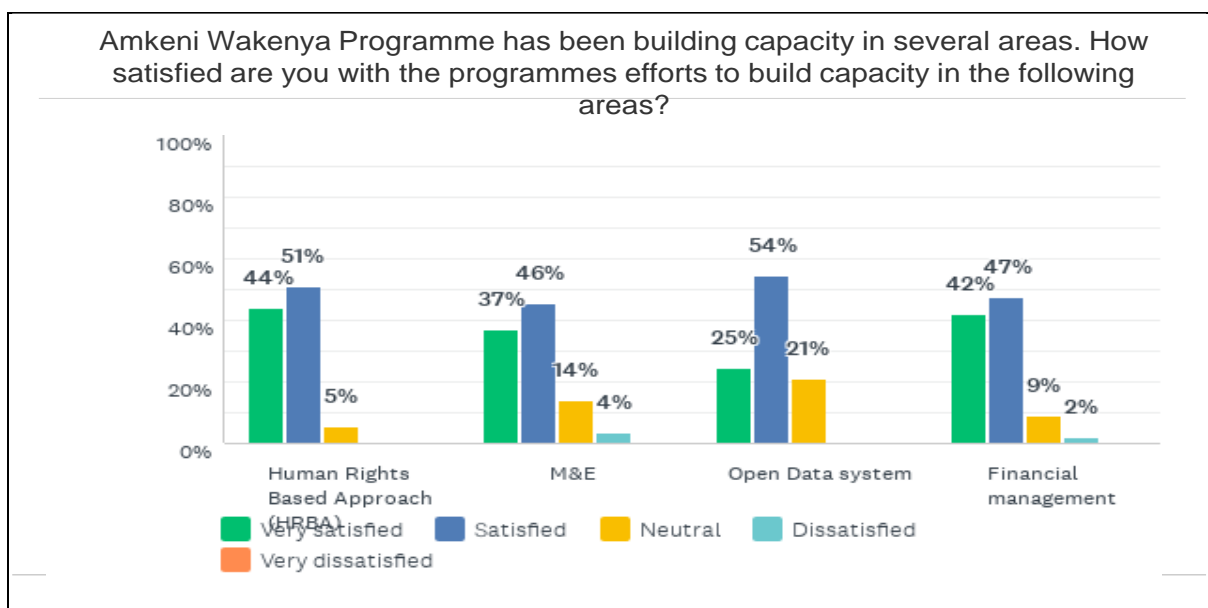
Although academic institutions were brought in to ostensibly help in knowledge management, the actual results are limited. The projects by individual CSOs in different counties provide very important narratives and ideas on what is working and what is not working. There are narratives about what can be scaled up – or avoided – and many other experiences that require a multidisciplinary analytical approach.

The gaps in knowledge management raise a need to develop a systematic approach to effectively utilise data and other information by CSOs in order to generate dialogue and implications for the society. Strengthening the link between research, capacity building, M&E, learning and knowledge management can provide opportunities to harvest the gains from the project.

4.4.10 Capacity Building

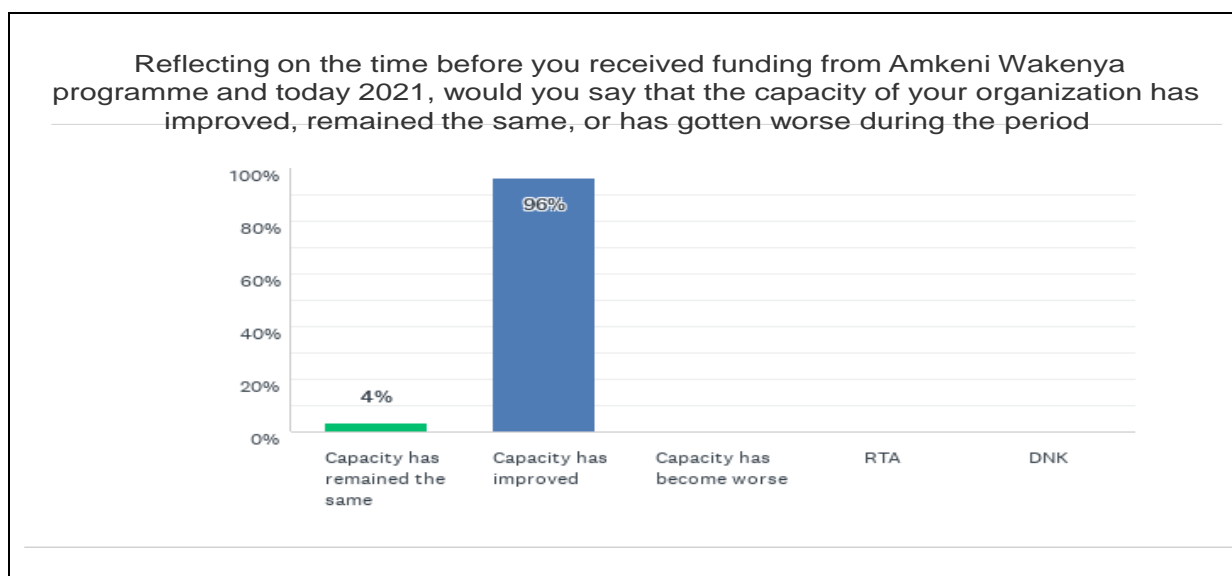
Due to the low capacity of most of the implementing partners, capacity building is a core component and one of UNDP Amkeni Wakenya's delivery mechanisms to equip the organisations with the requisite skills for managing resources and delivering results while strengthening the capacity within the organisations. As mentioned above, capacity building is highly valued by partners as revealed during the CSO survey conducted during the MTR. A high level of satisfaction was noted in all the capacity areas where the CSOs were trained on as indicated in Figure 16 below.

Figure 16: Satisfaction with the project efforts to build capacity



Furthermore, the CSOs also indicated that they were pleased with the implementation of the project, with 96 per cent of respondents expressing satisfaction (49% very satisfied, 47% satisfied). CSOs also appreciate the support provided especially in capacity building, which has strengthened their ability to implement the project as well as contributed to sustainability by strengthening their systems and processes to enable them to work more effectively with other partners.

Figure 17: Improvement of organisation capacity based on funding received from Amkeni Wakenya



Partnerships

The Amkeni Wakenya project continues to leverage the strategic position of UNDP in addressing pertinent issues in the country. During the 2017 elections, the project issued grants through the Strategic Communications on Peaceful Elections (SCOPE) to strengthen the conflict prevention and mitigation infrastructure in 30 hotspot counties, which had been identified by the Ministry of Interior and Coordination of the National Government and National Steering Committee on Peacebuilding and Conflict Management (NSC). Additionally, the project implemented the Strengthening Public Accountability and Integrity Systems (SPAIS) project jointly with UNDP.

The project sought to contribute to efforts by the government and non-state actors to prevent and combat corruption for improved service delivery and inclusive governance, by pursuing targeted interventions at both national and county-level, with a particular focus on the health sector. A few targeted CSOs carried out Covid-19 interventions such as the “Improved accountability through frequent reporting on administration of the Covid-19 Emergency Response Fund” (Youth Agenda); “Improved accountability and service delivery of national and county governments in delivery of the Covid-19 programmes” (Human Rights Agenda (HURIA)); and “Conducting social audits of the health care system of Mombasa county in the wake of the Covid-19 pandemic” (HAKI Africa).

The Covid-19 interventions in the Frontier Counties Development Council (FCDC) region was supported by the Norwegian Embassy through the Joint Devolution Project. Subsequently, the devolution project partnered with Amkeni, which used the existing grantees to address the initiative by providing additional resources not exceeding USD 12,000 per organisation. The initiative was aimed at safeguarding human rights and support to survivors of gender-based violence to access justice. This was achieved through training of local structures (Nyumba Kumi, Women CBOs and male champions) on GBV and referral mechanisms (justice pathways), sensitization of senior security officers on GBV survivors in sub-counties, and supporting paralegals to record and support survivors' access to justice.

UNDP's comparative advantage continues to be demonstrated through the utilization of its strategic position to help address the frosty relations between the CSOs and the NGO Coordination Board. As a result, a more conducive relationship now exists, and the Board has begun implementing a strategy to re-engage with CSOs. This is especially critical since the CSOs play a crucial role in addressing community level peace initiatives during every electioneering period. The project results also demonstrate that the sector continues to bridge the gap in many areas where the government is still not able to address access to justice especially amongst the most vulnerable members of society and ADR.

The project has developed good working relationships with service providers in some regions. However, this does is not done in a coherent manner across the project. It's ad hoc and done on a need-to basis. For instance, there was a case where a minor was defiled repeatedly over a long period of time (since 2018) by a well-known person in a community in Uasin Gishu County. Upon identification of the need to address this, a process that was led by a paralegal trained by Amkeni, the grantee, the Court Users Committee (CUC) and the Amkeni Wakenya project was able to work with the Moi Referral and Teaching Hospital for the child to undergo reconstructive surgery. The fees were waived and the child's health is now restored and he no longer needs to use diapers.

This is a good example of the benefits of working in collaboration with like-minded institutions to address challenges in the society. The development of such strategic relationships can also address the sustainability of various initiatives, especially in instances where the institutions are in close proximity of project locations and when initiatives are aligned with the mandates of targeted partner institutions. The major gap noted so far is the lack of strategic engagement with the county governments at a leadership level. That notwithstanding, many of the CSOs have developed good working relations with the county governments where they operate increasing their legitimacy. Efforts should be made to identify any bottlenecks that may hinder or catalyse the achievement of results and a strategy developed to address this. Amkeni should also build on/leverage the strategic position of the UNDP Integrated Governance Programme to develop the relations needed. Any follow-on Amkeni Wakenya project

should also address this gap in the project design and create a clear understanding on how to strategically work with the UNDP Governance Programme. One notable area of overlap is in Outcome 2, which focuses on devolution. Lack of funds is a major gap noted in implementing this component of the project. In order to enhance the achievement of results under the EU-funded PLEAD programme, efforts should be made to leverage the unique position that the UNDP Amkeni Wakenya and UNODC have as UN agencies to identify areas of synergy to accomplish greater results.

Table 20: Summary findings and recommendation on efficiency

Efficiency: Summary of findings	Recommendation
The project leveraged the good offices of UNDP to reach the national and county governments. This remains a very good approach but there is no coherent strategy for working and coordinating with other UN programmes and other governance programmes.	Improve coordination with other UN programmes and similar programmes outside the UN.
The project built the capacity of citizens and local CBOs to improve access to justice and promote human rights. The capacity of duty bearers lagged for many reasons, including low commitment of national and county governments to governance and access to justice related issues.	Develop an engagement strategy of working with the relevant duty bearers at all levels. This should also aim at developing a framework for networking and partnerships.
Knowledge management is still lagging behind despite numerous opportunities to strengthen this component in the project.	Develop a strategy for knowledge management to cover the remaining project implementation period and ensure this receives sufficient attention in any follow-up UNDP Amkeni Wakenya project.
The project does not have a clear resource mobilisation strategy to fill the funding gap.	Concerted efforts utilizing innovative strategies and linkages are needed to fill the funding gaps to ensure that the project outcomes are delivered prior to project completion.

4.5 SUSTAINABILITY

The operating environment for CSOs has been challenging since 2013, and this has had an effect on Phase II of Amkeni Wakenya. Following an acrimonious election in 2013, the incoming administration was very much at odds with civil society. This was because of the perceived opposition by some civil society organisations to the incoming administration, and the role civil society played in opposing the Jubilee regime during the electoral campaigns. On assuming power, the new government set about systematically constraining the space for civil society to operate within the country. Just before that, the Public Benefits Organisations Act was enacted in 2013, creating a new legal, regulatory, and institutional framework for CSOs and NGOs in Kenya. The operationalisation of the Act was held in abeyance for reasons that remain unclear. This intervening period was characterised by more uncertainty and mistrust between the government and CSOs, especially given the lack of information on the delay in bringing the legislation into operation.

4.5.1 Grantee Sustainability

With regards to the issue of sustainability, a few key questions require consideration. What interventions have been put in place to build the capacity of the CSOs during the life of the project? Will the CSOs be able to continue to work sustainably beyond the life of the project? In the interest of fairness, how long is it appropriate for a single CSO to remain a grantee (how many cycles)? These questions are important because they raise the need to reduce dependence of CSOs on external funding. Furthermore, CSOs seeking assistance should also establish conditions to replicate activities elsewhere, and to demonstrate not only sustainability but also institutional growth. Indeed, it has also been suggested that

it is necessary to consider a definitive programme to ‘graduate’ grantees who have received multiple grants over several funding cycles. Furthermore, it would be prudent that such a programme should be clear on its parameters, and should be discussed with grantees during the on-boarding process.

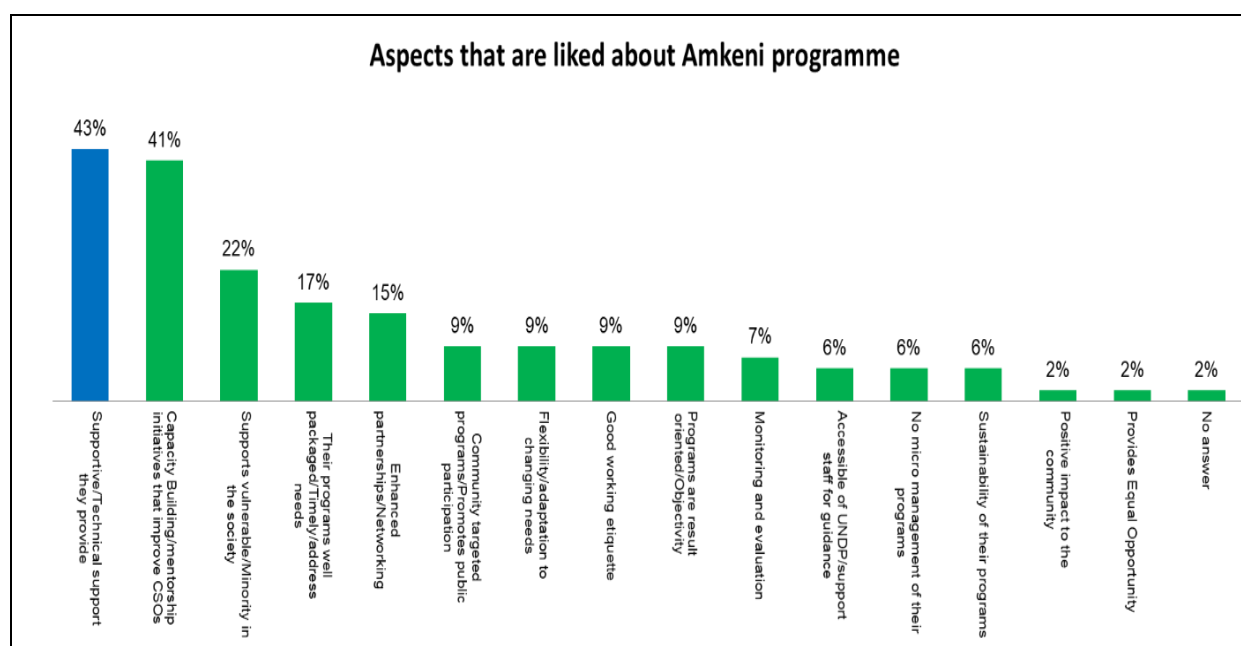
The ability of the CSO grantees to continue their work remains central to the *raison d’être* of Amkeni Wakenya. This facility has engaged in a number of interventions in an effort to build the capacity of grantee CSOs, which has been one of the key focus areas during Phase II. First, grantees were permitted to spend up to 5 per cent of their budget on assets that contribute to sustainability. This is an important consideration, and one which has been greatly appreciated by CSOs.

Capacity building activities have been conducted across various disciplines, including but not limited to human rights, finance, communications, and monitoring and evaluation. Grantees have also engaged in the establishment of legal aid clinics, as well as assisting marginalised groups to access justice.⁶⁸

“This is how the project benefited the community. As earlier mentioned, it is through this project [that] I came across and interacted with fellow persons with disability and it is through the same that I learnt the different challenges that we encounter, so this motivated me to come up with a disability persons organisation, which is an extension of the project so that when the project ends, at least we have what we call sustainability. So I came up with a DPO called Outstanding Abilities, which among other things advocates for the rights of persons with disabilities, ... ranging from education, to governance, health and others. And that's one way in one year that we've operated. We have really helped many persons with disabilities, at least 350 of them in different services that helped to improve their livelihood”. (Participant, FGD, Kwale County)

As a result of training received through Amkeni, some grantees have also been able to in turn build the capacity of paralegals working within the community to provide access to justice.⁶⁹ According to the grantees, the technical assistance offered by Amkeni Wakenya has been one of the most important benefits that have accrued from participating in the project.

Figure 18: Aspects that are liked about the Amkeni project

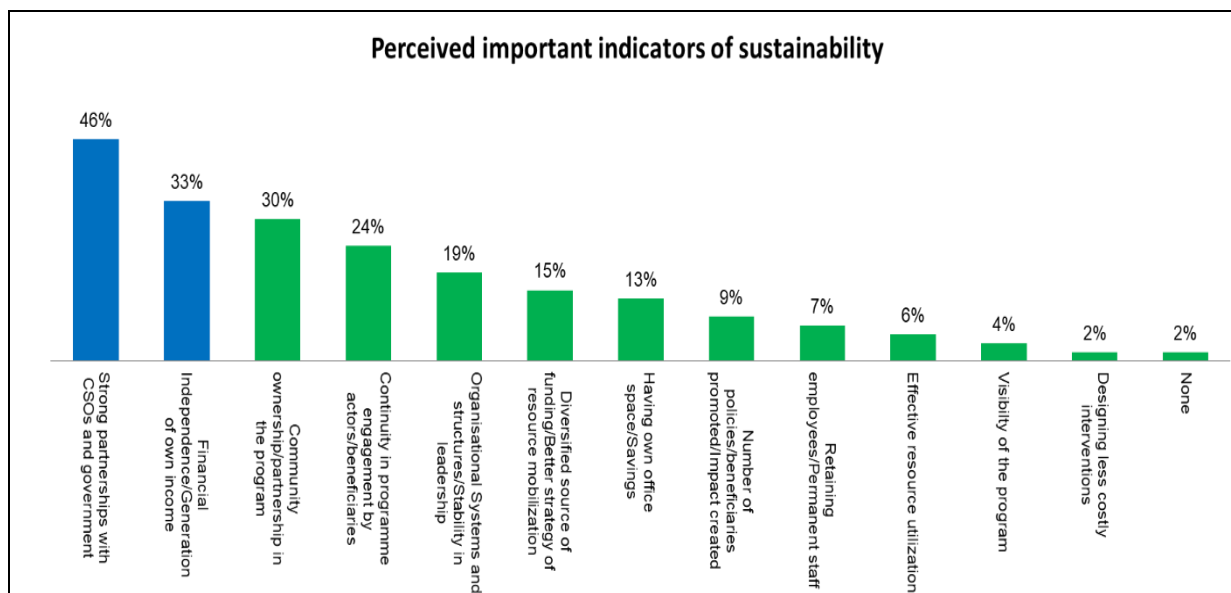


⁶⁸ Centre for Human Rights & Mediation (CHRM), Uasin Gichu

⁶⁹ Nomadic Assistance for Peace and Justice (NAPAD), Mandera

Despite the strained relationship between government and civil society from 2013, there are very clear indications that currently, the situation has improved significantly. This is to the benefit of CSOs across the country. It is likely that the interventions by Amkeni have played a critical role in the re-establishment of this key relationship between stakeholders.

Figure 19: Perceived important indicators of sustainability



As evidenced by the foregoing, CSOs see their relationship with the government as key to their sustainability. This is not only due to the fact that the government is the regulator: more importantly, the involvement of government in their work is of critical importance in achieving their objectives. In fact, some argued that the better the relationship with the government, the more likely they are to achieve their objectives. It is instructive that grantees viewed the relationship with government as even more important than their financial independence, and ability to generate their own resources.

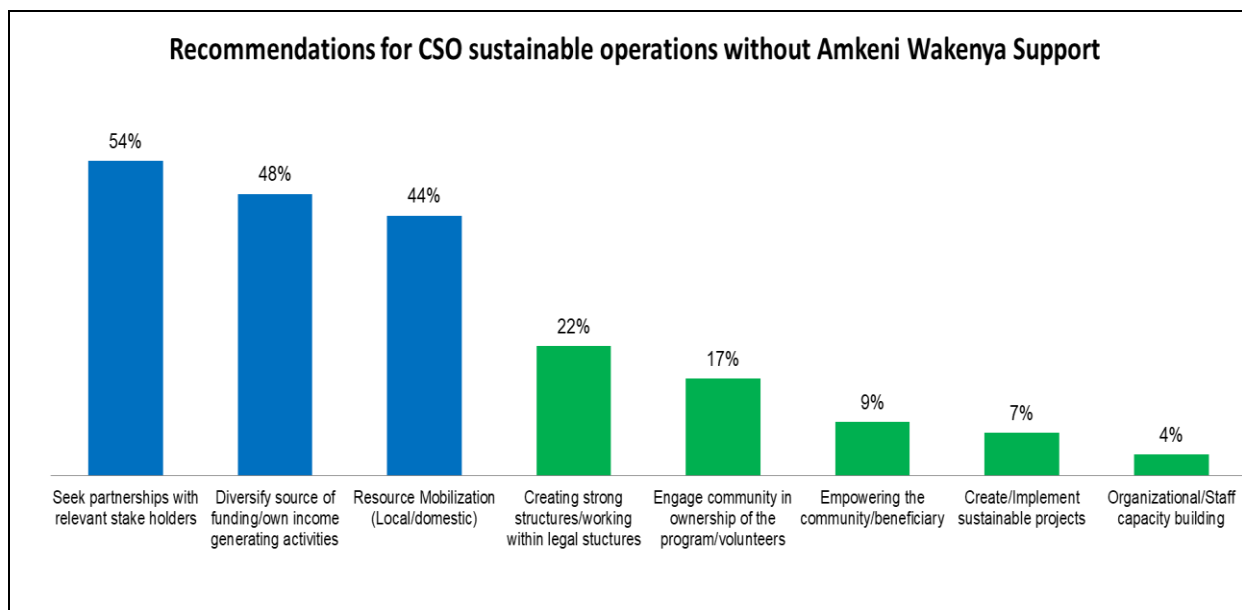
The Amkeni Wakenya project has also been able to play a role in building the capacity of the regulator, the NGO Board. The board, too, recognises that there has been a turnaround in the relationship between the sector and the government, and is on an upward trajectory. This has made it possible to address compliance matters more effectively. Support from Amkeni Wakenya to develop a strategic plan as well as with the process of automation has been integral to the work of the board. As a result of improved capacity at the board level, the regulator has become more effective in the execution of its mandate. CSOs and beneficiaries, therefore, ultimately benefit from improved levels of service delivery.

4.5.2 Future Sustainability

For all grantees, it is necessary to think beyond the Amkeni Wakenya project and, indeed, reliance on donor funding. There may, perhaps, be merit in building in this component as a consideration from the beginning of the project. The grantees play a critical role within their respective communities, and this is not lost on the communities themselves, who find that CSOs are effective when it comes to responding to emerging governance issues.

With future planning in mind, grantees were interviewed on their approach to sustainable operations beyond the Amkeni project. A majority of respondents (54%) felt that in order to continue with their operations sustainably, it would be necessary to forge partnerships with relevant stakeholders. A significant number (44%) also thought it important to diversify their sources of funding and undertake income generating activities.

Figure 20: Recommendations for CSOs sustainable operations without Amkeni Wakenya support



4.5.3 Amkeni Wakenya Project Sustainability

The sustainability of the Amkeni Wakenya project is also an important consideration as, based on the foregoing, it is addressing a critical need within marginalised communities that few other institutions are involved in. Having established the need and the ability of Amkeni Wakenya to provide CSOs with support in the provision of access to justice services, it is necessary to consider the sustainability of Amkeni Wakenya as a project. The most critical consideration in this regard is resource mobilisation.

Various donors have been involved in Amkeni Wakenya from its inception. The EU, Embassy of the Kingdom of the Netherlands, and UNDP have provided funds for Phase II. The Covid-19 pandemic will certainly impact on resources development partners provide because it has slowed economic performance in many countries. This may be further complicated by the need for infrastructure development in development partner nations after a series of natural disasters destroyed infrastructure in many countries in Europe. The need for recovery may crowd out resources for supporting governance reforms in developing countries, and especially low middle income nations such as Kenya. This raises the need to rethink resource mobilisation strategies even before the current phase of the project is completed. Developing this strategy for resource mobilisation will require addressing several questions:

- 1) Why did some donors discontinue their support to Amkeni Wakenya? How can this be avoided in future?
- 2) How can a comprehensive resource mobilisation plan be put in place and effectively implemented? It should be based on various scenarios including impact of the Covid-19 pandemic and changing donor priorities for low middle income countries.
- 3) What effects have resource shortfalls had on staffing requirements thus far? Can these shortfalls be plugged in the next phase of the project?
- 4) What would it take to involve local philanthropies in supporting CSOs based at the county level? How can the national and county governments as well as other agencies be influenced to support some of the work by CSOs in the counties?

Adaptability and Flexibility

A discussion on sustainability would be incomplete without considering the extent to which the project is flexible and able to adapt. This is important because rigidity could stifle innovation and erode the commitment of grantees. Interviews revealed that the project has continued to demonstrate adaptability

over time. In the second quarter of 2020, after the onset of the Covid-19 pandemic, the project was quick to support grantees to adapt to the changing operating context.

Leadership in adapting programming to respond to the Covid-19 pandemic began at the global level and trickled down to the country and programme level. At the global level, UNDP formulated a three-by-three integrated global response framework. This included enhancing capabilities of countries to prepare for and protect people from the pandemic and its impact; responding during the outbreak; and recovery from the economic and social impacts. At the country level, UNDP provided leadership under the Transformative Governance Pillar of the UN Development Assistance Framework (UNDAF) to identify key Covid-19 responses.⁷⁰

At project implementation level, the Amkeni Wakenya project responded to this in two ways. First, the project ensured implementation without disruption. UNDP supported implementing partners to enhance their ability to communicate through online platforms. From then on, CSOs embraced virtual engagement platforms⁷¹ to reach out to the beneficiaries. The project also introduced remote-based monitoring tools⁷² to track project activities. These tools (including use of social media) have enabled the CSOs to reach more beneficiaries.⁷³ The adaptation also resulted in opportunities for innovation. Grantees became innovative and embraced technology to engage with citizens. Beyond the use of social media, grantees have built digital justice platforms, offered online psychosocial support to GBV, and used toll free lines for business continuity.

Second, Amkeni was flexible enough to allow implementing partners to reallocate 10 per cent of their resources towards human rights monitoring and documentation. At the same time, the project implemented various initiatives with funding from the Governments of Japan and Norway.

These issues on adaptability raise a need for the project to develop a comprehensive note on key lessons learnt during the pandemic among the grantees and by the project management unit. The innovative approaches adopted should be identified for sharing with others working on governance programmes. This is important because few countries and communities were prepared to face the pandemic. How to prepare for the future is an imperative lesson.

⁷⁰ Amkeni WaKenya End of Project Report 01 January – 31st December 2020, pg. 16

⁷¹ Amkeni Wakenya, Annual Project Report, p. 72.

⁷² Amkeni Wakenya, End of Project Report, 01 April 2016 – 30 September 2020, p. 16.

⁷³ Amkeni Wakenya, End of Project Report, 01 April 2016 – 30 September 2020, p. 16.

4.5.4 Sustainability: Summary of findings and recommendations

Table 21: Summary of findings and recommendation on sustainability

Sustainability: Summary of findings	Recommendation
It is unclear how long a grantee should retain support from Amkeni Wakenya. Hence it is possible to create dependence on the project.	Collectively develop sustainability indicators for the project and CSO sector in Kenya.
Though the relationship between civil society and government has been strained for some time, this has improved.	Both government and civil society need to acknowledge their respective relevance. Amkeni Wakenya has been able to facilitate engagements between the two and should continue to do so and thus build on progress made.
There is a need for grantees to think beyond Amkeni Wakenya.	Sustainability considerations should be built into programming from the beginning. Where/what specific aspects does a grantee need help with in this regard? How can Amkeni Wakenya work with them towards achieving this through the life of the project? It is also necessary to forge strategic partnerships and diversify sources of funding.
Amkeni Wakenya has faced resource mobilisation challenges. These include unforeseen shocks such as the Covid-19 pandemic, as well as donor retention (some donors withdrawing support).	Develop and effectively implement a resource mobilisation plan. Avoid ad hoc approaches to fundraising as these can have unpredictable results. Develop scenarios on which to anchor resource mobilisation.
Partnerships with national and county governments require strengthening. They are useful for resource mobilisation. The same is true for local philanthropies. They potentially can resolve the sustainability challenge of county-based CSOs.	Motivate local philanthropies and state actors to support the work of CSOs in the counties.
The project adapted to the pandemic environment. The grantees were also innovative in their approach to the implementation of activities during the pandemic. There was implementation without disruption.	The lessons learnt by PMU during the pandemic and by CSOs on implementation should be documented for broader sharing and/or discussion with other programmes.

4.6 DESIGN AND FOCUS

4.6.1 Lessons from Phase I End Term Evaluation

Several lessons were drawn from the End Term Evaluation of Phase I of the project in 2014/15. These are summarised in Table 22. A preliminary analysis of these lessons has been done to assess the extent to which they fed into the design of the project and influenced implementation. The current Amkeni Wakenya project integrated the recommendations made at the end of Phase I. The outcomes and outputs for this project generally reflect the recommendations in the final evaluation report of Phase I. Table 22 provides a summary of these recommendations and the extent to which they have been integrated into the project.

Table 22: Lessons from Phase I and integration into the project

	Issue *	Taken up at Phase II design? **	Being implemented now? ***
1	Access to justice programming should be long term as success is not immediate. <u>Status at Phase I end-term (2015):</u> Not addressed/resolved.	This was considered. Emphasis on educating citizenry on rights and freedoms, and supporting constitutional awareness and sensitisation activities.	Partly being implemented in Phase II, although long term planning is not clear owing to resource constraints.
2	Legal Aid Bill and policy has still not been adopted yet the timing is critical, and funding needs to be made available to ensure the process reaches a favourable conclusion. <u>Status at Phase I end-term (2015):</u> Attention was paid to this issue, but it still remains unresolved.	There is reference to strengthening and supporting organisations providing legal aid but limited progress in implementation of the relevant law.	Supported advocacy initiatives for effective implementation of the Legal Aid Act, 2016.
3	There is still a need for legal empowerment of communities as most citizens are still unaware of their rights and the changing legal frameworks. <u>Status at Phase I end-term (2015):</u> Serious attention was paid to addressing this issue, but it still remains unresolved.	There is emphasis on educating citizenry on rights and freedoms, and supporting constitutional awareness; and sensitisation activities.	Yes. Citizen awareness and engagement on human rights. 37 NSAs have been facilitated to provide legal aid services in 12 focal counties. Legal aid clinics conducted, and 8 legal aid centers established.
4	There is a need for synergy between state and non-state actors in the justice sector to realise the Judiciary Transformation Framework. <u>Status at Phase I end-term (2015):</u> A number of projects focused on strengthening justice sector institutions, especially CUCs, were found to be using this approach.	Partly. Though little in the way of direct efforts to enhance synergy between state and non-state actors.	Yes. CSOs supported to engage with national level duty bearers. Held meetings for relevant stakeholders in the justice sector.
5	There is need for national guidelines on ADR as each and every organisation seems to be coming up with its own hence no uniformity. <u>Status at Phase I end-term (2015):</u> Unclear if this was addressed.	Partly. Not much emphasis on uniformity of approach.	Yes. Consultative forums on ADR & AJS held.

4.6.2 Design and focus

The second phase of Amkeni Wakenya was approved on August 20, 2015 with the aim of supporting CSOs to effectively impact the society through promotion of democratic participation and human rights, including access to justice through civic education and promoting citizen engagement at national and decentralised levels of governance.

However, there were delays in implementation due to limited funding, resulting in a review of the project in July 2018 with the major thrust being on prioritising the focus areas and alignment to the new County Programme Document (CPD). This revised project document seeks to address the denial of basic rights and barriers to access to justice, particularly among the marginalised and the poor in at least 16 counties of Kenya, six of which are in marginalised areas.⁷⁴ The project also seeks to promote citizen engagement and participation in the devolved system of governance, underpinned by the human rights-based approach to development. The project interventions are implemented through civil society organisations.

Linkage of the Amkeni Wakenya project results to higher level UNDP Results

At the UN level, the project is designed to contribute to UNDAF's Outcome 1: "By 2022, people in Kenya live in a secure, peaceful, inclusive and cohesive society"; and UNDAF's Output 2.4: Rule of law, justice and legislative institutions have technical and financial capacities to deliver normative inclusive, accountable, equitable services. The project is contributing to this by specifically contributing to the peace, inclusive and cohesive parameters of the outcome. One of the measures of this outcome is Indicator 2.5.1 "Proportion of the marginalised population who have access to the formal justice system", and there is steady progress towards this as explained earlier, and the target is likely to be surpassed by the end of the project.

While this is a good indicator, there is an assumption made that reaching the targeted beneficiaries in the selected counties with the necessary information is sufficient to enable them access the formal and informal justice system. Additionally, the data collected under Amkeni combines "access to both the formal and informal justice system". There is no disaggregation of those accessing formal and informal justice systems. The peace grants of 2017 contributed to peace in the targeted counties through the implementation of the Strategic Communications on Peaceful Elections (SCOPE) intervention to strengthen the conflict prevention and mitigation infrastructure. The project has a strong focus on access to justice, and Outcome 1 has made significant progress towards the attainment of this specifically by addressing inclusion through its strong focus on access to justice. Subsequently, in the long run, it is anticipated that once inclusion is achieved by addressing the identified gaps in the project, a cohesive society is more attainable.

One of the UNDAF indicators measuring Output 2.2 is Indicator 2.5.1 "Proportion of the marginalised population who have access to the formal justice system". So far, the target has been fully achieved with 60.2 per cent⁷⁵ of marginalised populations accessing formal justice in the targeted counties. Some 443,399 (178,988F; 264,411M) citizens were reached directly and an estimated 9,900,244 citizens were reached indirectly. While this is a good indicator, there is an assumption that reaching the beneficiaries in the targeted counties with the necessary information is sufficient to enable them to access the formal and informal justice systems. Further, the data collected under Amkeni combine "access to both the formal and informal justice system". There is no disaggregation of those accessing formal and informal justice systems as outlined above

The outcomes outlined in the results framework also factor in some of the development challenges⁷⁶ that were identified during the project design and which are clearly outlined in the revised Project

⁷⁴ Marsabit, Isiolo, Mandera, Wajir, Garissa, Tana River, Lamu

⁷⁵ Includes 6 EKN and 12 PLEAD supported counties.

⁷⁶ Emergent threats to civil and political rights; inadequate fulfillment of economic, social and cultural rights; elections and human rights; inadequate access to justice; extractives industries and their potential impact on human rights; devolution and

Document of 2018. While the progress in the achievement of results is different for all of them, it is clear that these were guided by the design of the project, making it easy to measure progress. The project interventions are also aligned to the UNDP Global Strategic Plan of 2017-2021 and guided by Government of Kenya MTP III by addressing the socio-political challenges that would hamper the progress and economic growth of the country.

The consolidated results framework is designed to include the focus of all development partners supporting the project. The reporting framework is designed along the results framework and is consistent with the idea of basket funding and harmonisation of UNDP's reporting obligations with those of development partners. For instance, it is easy to collate the results and indicators of the development partners from the comprehensive results framework, which is commendable. The annual reports also help to emphasise what different donors have supported, thus making it easy to track the specific results and indicators relevant to the various development partners.

One of the major gaps in the results framework is the lack of an impact statement and its corresponding indicators. The review also revealed that reporting is only done along the output indicators, hence a major gap in the data used for decision making on higher level results. This implies that the results of the project are based on an analysis of the sum of the output indicators. Subsequently, as a result of this gap in indicator and outcome level data, the MTR has assessed the impact of the project based on the aim outlined in the revised Project Document of 2018. This was combined with the data collected over the life of the project and corroborated with findings from interviews conducted during the MTR.

The MTR proposes that subsequent projects need to develop a comprehensive and well-articulated Theory of Change (ToC) to accompany the results framework. It is also advisable to review the results framework in order to determine the most appropriate indicators for measuring the outcome level results. The project has a total of nine (9) outcome level indicators, however data on most of these indicators has not been collected during project implementation. While some of the data can be collected through surveys, some of the indicators are amenable to regular data collection, e.g. Number of Amkeni-supported counties with CIDPs that are HRBA compliant under Outcome 1; and Number of targeted counties that have functional mechanisms for citizen engagement under Outcome 2. Some of the indicators, like Number of targeted CSOs who's Capacity Performance Index (CPI) score has improved, can only be collected in a new phase of the project since it is not feasible to collect that kind of data at the moment. More detailed comments are found in **Annex 4** on Assessment of Outcomes and Indicators. In the absence of some of the outcome level data, the project can use the findings from the MTR and build on them for the remaining period of implementation. However, subsequent projects should establish a rigorous M&E system that collects data at both outcome and output level to ensure that decisions are not made purely on data at output level.

The results framework as presented does not allow ease of tracking progress. This creates a challenge of harmonising and analysing data. This evaluation proposes:

- Alignment/refinement of indicators – it is important to ensure that the indicators are the same from year to year. In some instances, a slight modification in wording may mean very different things in terms of measurement. Without harmonisation, the project may collect different data sets for the same indicator, making it difficult to measure progress since these cannot be added. For example, Indicator 1.3.2 reads as follows in the 2019 Annual Report: “Number of policies enforcing rights attributable to CSOs engagement”. In the 2018 Annual Report, the same indicator is phrased as follows: “Policy and legal changes on human rights attributable to CSO engagement”. The same applies to indicator 1.3: “No. of policy and legal changes on human rights attributable to CSOs engagement”
- Review and align results indicators because some of the output indicators under Outcome 3 in 2018 are different from 2019 and 2020, hence the need to ensure coherence.

- a) It is advisable to add a column on the end of project target so as to have a quick glance at the progress to date for ease of reference.
- b) Consider reporting results in a cumulative manner for ease of tracking or have a consolidated results framework as an annex, tracking progress from year to year.
- c) Document the changes that have taken place in the results framework over time and have a clear audit trail for clarity. For instance, some of the indicators are missing, e.g., Indicator 1.3.2 is not included in the 2017 Annual Report.
- d) Any future Amkeni Wakenya project should ensure that it aligns itself to the Sustainable Development Goals and provides a cumulative figure of the achieved targets to date after the achievements made in the year for ease of tracking progress.

4.6.3 Relevance, measurability, and alignments to SDG Indicators

The indicators in the project are relevant and measurable. However, there is need for the project to align itself with the SDG indicators so as to ensure that the project contributes to the United Nations Sustainable Development Cooperation Framework ('Cooperation Framework') to more accurately reflect the nature of the contemporary relationship between the Government and the UN development system in their collaboration to achieve the Sustainable Development Goals, moving from assistance to cooperation.

4.6.4 Risks and Assumptions

The risks and assumptions of the project are clearly articulated and still valid. However, in the project document, these have been combined. An assessment of the risks is conducted on an annual basis and the risk mitigation measures outlined in the Annual Report. While this is commendable, during the remaining period of time, it will be advisable to review these on a more regular basis due to the rapidly changing context as the county draws closer to the 2022 General Election, and to ensure that the project continues to monitor the social, cultural and economic impacts of Covid-19 and its impact on programming. These can be reviewed during the regular lesson learning events and will benefit from the vetting of partners, who bring rich perspectives from the different regions as well as experts who are often invited to the meeting to share their expertise.

4.6.5 Capacity Development and Ownership

Amkeni Wakenya was designed to be implemented through civil society organisations. However, at the onset of the project, there was a realisation that the sector's capacity is weak and there are uneven capacities with a notable disparity between urban and rural CSOs. Devolution also resulted in the mushrooming and rapid growth of many Community Based Organisations and Non-Governmental Organisations (NGOs) at the county level with a strong focus on addressing challenges in their regions.

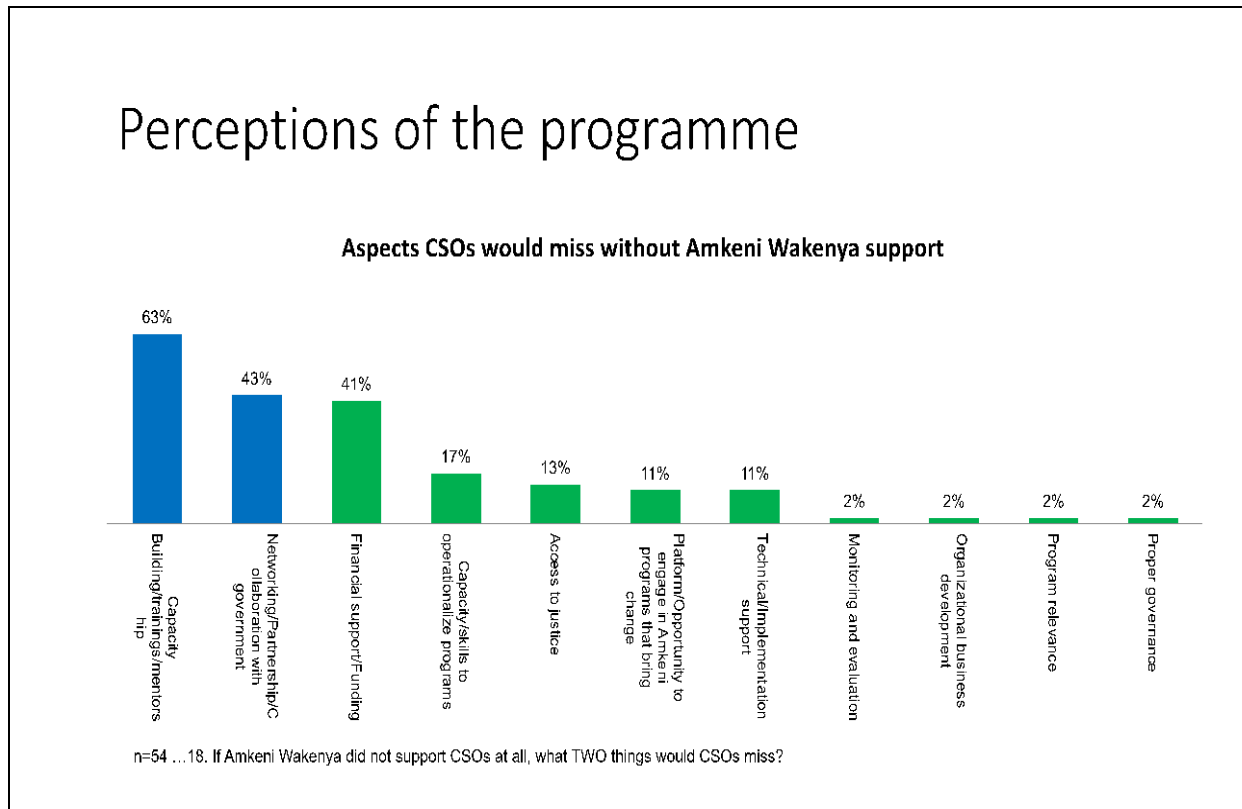
However, many had inadequate capacity to manage and implement projects effectively. In response to this, the third project outcome focuses on addressing these capacity gaps to improve the organisational performance, sustainability and enabling environment for CSOs in Kenya. This is achieved through a two-pronged approach. One, by addressing the capacity gaps within the targeted CSO to enhance their organisational, technical, and institutional capacity; and two, to bridge the gap in the sector by supporting the operationalisation of the PBO Act as well as strengthening the capacity of the preeminent NGO regulator - the NGO Coordination Board.

On their part, CSOs like the project especially because of its capacity-building component. When asked what they liked most about the project, 43 per cent said they like the technical support that the project provides. 41 percent said they liked the capacity-building element of the project.

Capacity building for implementing partners begins during the pre-award sessions where they are engaged and provided with skills to ensure that their proposals meet all the requirements. This is followed by rigorous capacity building sessions that cover a wide range of technical areas such as finance, monitoring and evaluation and communication for development (C4D), through training on new communications technologies for dissemination of project information, drafting evidence-based

stories and enhancing project visibility through social media, among others. Capacity is also strengthened and entrenched in the learning forums where the Implementing partners also get to learn from their peers and topical issues addressed. All this is aimed at ensuring the project is well implemented as well as leaving improved capacity within the CSOs. In line with the need for adaptability because of the Covid-19 crisis, in 2020, the project held a virtual forum to discuss business continuity on access to justice and legal aid while still ensuring business continuity in project implementation.

Figure 21: Aspects CSOs would miss without Amkeni Wakenya support



In order to address the poor operating environment for CSOs, the project also works towards developing an enabling policy and legal framework for civil society. While the progress in this area has been hampered by inadequate financing as well as limited government commitment, some progress has been made towards addressing some of the gaps and weaknesses in the sector. These include a study that documented all policy and regulatory requirements, implications, and imperatives towards enabling the board and the sector to strategically plan for implementation, and a successful transition to the PBO Act regime. Support has been provided to the NGO Board to enhance its capacity to discharge its mandate. Efforts carried out under this outcome are also meant to foster development and adoption of legal and policy frameworks by the government that will guarantee and sustain an enabling environment for civil society as well as address risks that may lead to weakening or undermining the existing progressive frameworks that foster an optimal regulatory environment for civil society.

4.6.6 Design and focus: summary of findings and recommendations

Table 23: Summary of findings and recommendation on design and focus

Design and focus: Summary of findings	Recommendation
The project has a coherent results framework that builds on the anticipated results to address the development challenges identified during the design of the project. However, the results framework does not have an impact statement and collection of most outcome level data is missing.	<ul style="list-style-type: none"> Consider developing a Theory of Change and revising the results framework and strategies to address how outcome level data can be collected during the remaining period of the project.
Some of the output level indicators are not consistent and vary slightly in their wording, resulting in inconsistency and inaccuracy.	<ul style="list-style-type: none"> Review the log-frame and revise the indicators to enhance precision and accuracy.
Risks and assumptions are well articulated in the PRODOC and log-frame while risks are reviewed on an annual basis.	<ul style="list-style-type: none"> Consider separating risks from assumptions and assess the validity of assumptions regularly during the learning forums.

4.7 IMPACT OF THE PROJECT

The project was set up to promote democratic governance through provision of technical and financial support to CSOs. The CSOs were in turn expected to enhance access to justice and promote human rights and democratic governance in general. These are important ends because they lay a firm foundation for improving human development. They align with the SDGs and therefore a commitment to their fulfillment contributes to greater achievement in the society.

The stated outcomes of the project are clear. However, there is no impact statement. The impact statement is missing from the consolidated log-frame that the project reports against. However, the PLEAD log-frame (see **Figure 16: Satisfaction with the project efforts to build capacity**) has a Specific Objective which states, ‘Access to justice (legal aid and assistance) is enhanced, particularly for an estimated 10 million poor and marginalised persons (men and women) in 12 focal counties in Kenya’. This focuses more on the concept of access to justice. Hence this cannot be used for the entire project since the project also has a component on promoting people-centered devolution and local governance through entrenching a rights responsive devolved system of governance.

In the absence of an impact statement, the evaluation draws on the 2018 revised Project Document which states that “Phase II aimed to support the civil society sector in Kenya to effectively impact the society through promotion of democratic participation and human rights, including access to justice through civic education and promoting citizen engagement at national and decentralised levels of governance”. It further states

Enhanced Access to Justice – Moyale

In Moyale, one of the grantees Alliance of Local Communities in Hardship Areas (ALCHA) has been instrumental in supporting mothers get child support for their children upon getting divorced. The office handles a lot of child negligence and parental upkeep matters. Whenever such an issue arises, the mothers report to the office where the fathers are summoned by the paralegal officers trained by Amkeni WaKenya and the upkeep agreed upon. The organization has developed Child Maintenance Recording sheets where they record the details and amounts to be paid. These monies are paid in the office and both parents sign – fathers upon payment and mothers upon collection. The center supports approximately 30 mothers monthly. If the father’s default in payment and are not agreeable, the matter is handed over to formal justice system.

that “the revised project documents seeks to address the *denial of basic rights and barriers to access to justice, particularly among the marginalised and the poor in at least 16 counties of Kenya*” as well as “*promoting citizen engagement and participation in the devolved system of governance underpinned by the human rights-based approach to development*”.⁷⁷ The evaluation also drew guidance from the Terms of Reference of this MTR and its subsequent findings.

There is also no specific Theory of Change for the Amkeni project. These two gaps prevent an understanding of how effective change under the project will occur. They prevent the development of a comprehensive conceptual framework of what is required to achieve the desired change.

The project’s implementation was delayed due to a shortfall in funding. Most of the activities were conducted from 2016. In 2020, the Covid-19 pandemic also impacted on the broader context of implementation. This invited different operating modalities. Despite delayed funding and the challenges associated with the pandemic, the project has achieved significant intermediate results and outcomes in various strategic focus areas. While the aim/impact of the project to improve access to justice cannot be stated as fully achieved at this stage of the project, the following section outlines the impact in relation to enhancing access to justice.

Training of elders and improving knowledge of rights is bridging the gap in access to justice for the marginalised communities: The survey in the 18 counties shows an increase in the number of people accessing justice in the target regions. From 18 per cent during the baseline survey, the number increased to 29 per cent. This is an important achievement. The focus of the project in the marginalised areas, especially in FCDC counties, has bridged the gap in access to justice by strengthening the community-based informal justice systems and bringing justice closer to the people. The ratio between courts, legal officers and the population is low in the FCDC counties. Wajir, for instance, has one law court; Garissa has three; and one each in Moyale, Marsabit and Mandera.

Some of those interviewed noted that the project has enlightened the community “who did not believe that justice can be delivered” according to one respondent. This progress began by breaking barriers and starting the conversation on access to justice. This has been achieved through increasing levels of knowledge on access to justice by communities as well as elders (Maslaah, Kipgaa, Luo council of Elders). There is increased knowledge of their rights and the role of the formal justice system. Training of paralegal staff and enhanced capacity for those involved in the Alternative Dispute Resolution (ADR) mechanisms have contributed to improving access to justice. Combined, these interventions have improved people’s knowledge on rights and facilitated access to justice.

Access to justice has improved especially among communities living far from town/urban centres, especially in the marginalised counties of Northern Kenya by bringing justice closer to the people. Paralegals have provided services and improved the capacity of the council of elders to expense justice. The elders can now make a distinction between the cases to resolve at their level and what needs to be channeled to the formal justice system. As a result, justice is also dispensed more quickly. One respondent noted, for instance, that in the region, “Elders refused to handle some rape cases and refereed them to the formal justice system”. In the past, “the elders would have addressed these matters at the local level.”

The project has also been critical in strengthening the county government’s ability to attend to legal aid issues. In Mandera, for instance, the county offices did not have officers in charge of legal aid. The CSOs did not know where to report some of the matters within the county government. They would engage with the county attorney, but this would end there. However, as a result of engaging the County Government, a Legal Aid Services office has been established and the partners are now working closely with it to address legal aid matters.

⁷⁷ (2015) Amkeni Wakenya Project Document

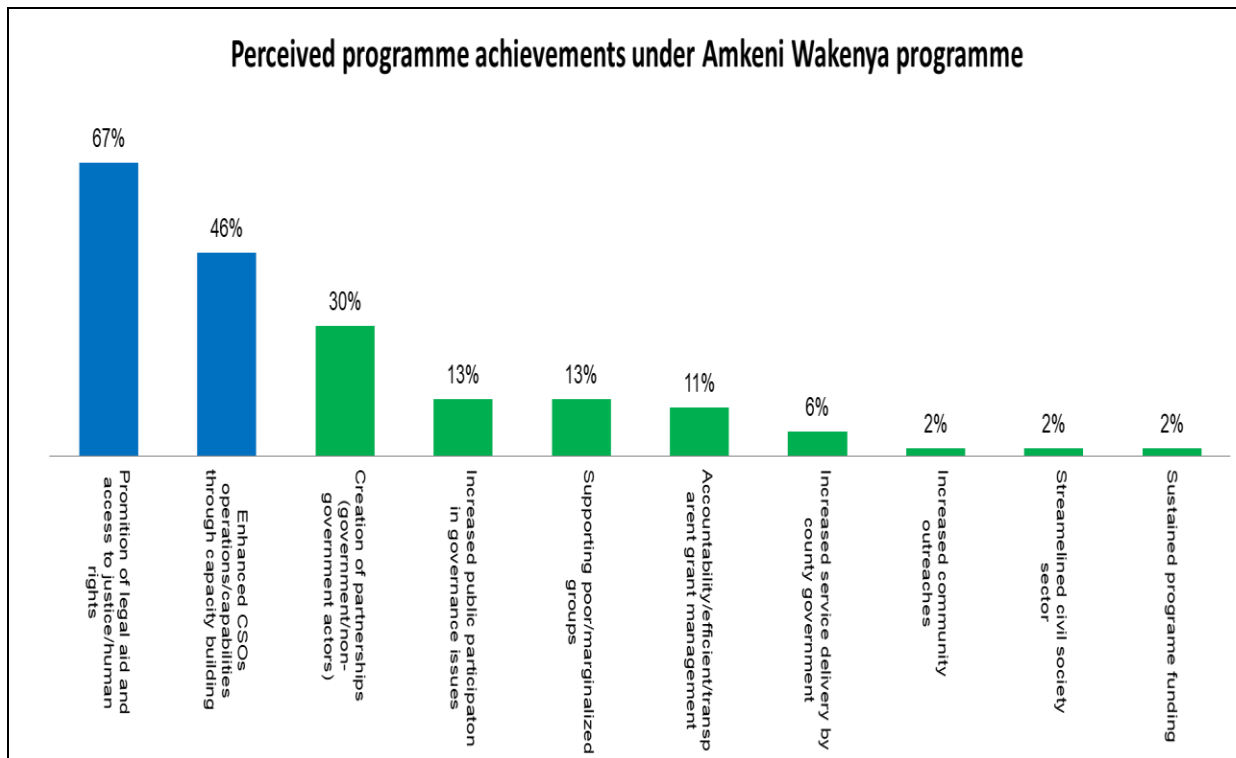
Establishment of legal aid centres increases access to justice and lays the foundation for sustainability of initiatives – the project has established Legal Aid Centres in Tana River, Mombasa, Isiolo, Wajir, Nairobi, Nakuru, Mandera, and Garissa, among others. The increased capacity of the trained paralegals who oversee the provision of services in these centres has resulted in better monitoring and tracking of cases. Improved documentation has helped them to establish a more systematic method of following up on how cases are addressed and resolved. The presence of the Legal Aid Centres is appreciated by citizens, as confirmed during an FGD in Wajir County, where one participant said: *“There is a big change, actually, not only in establishment of paralegal centres but we have centres at the Sub County and gender-based violence centres where FGM cases are addressed. Those are the cases which are rampant and are very high in this area. We now have a place to raise them.* (Participant, FGD, Wajir County).

Legal aid centres focus on previously underserved communities; the Judiciary and county governments have recognised their role and support them. In the FCDC counties of northern Kenya, the long distances to urban centres where the formal courts are located, lack of knowledge, and courage to engage in legal processes has made access to justice difficult to achieve. The Legal Aid Centres now serve a previously underserved community. These also double up as GBV and ADR centres. Some of these have been established in partnership with the county governments. In Garissa, one has been established with the support of the Judiciary while the Children Department has provided space for a second. In Mandera County, on the other hand, one legal aid centre is located in the Deputy County Commissioner’s office, and another in the chief’s office.

The legal aid centres have improved the quality of services, too. All these results are a demonstration of the confidence the government has in the project. In one of the monitoring visits to Garissa County in early September, a Resident Magistrate’s in the county had this to say: *“This is the best idea that has come up - people have stopped going to cyber cafes for legal support. The quality in reporting and case management has improved for those seeking legal aid. The people would get substandard support from the cybers in plea writings, etc.”* This statement was corroborated by another Resident Magistrate, who said that the pleas reaching his desk were of better quality and made it easier for him to write his judgment and saved time. These results have been achieved within a span of two months of the centre’s establishment, a notable achievement.

Promoting legal aid and access to justice remain the most important achievements under the programme. The CSO survey corroborates the view that legal aid centres have been effective in service delivery. It showed what the implementing partners/grantees thought that the legal aid component has had the greatest achievements in the projects. As Figure 24 shows, promotion of legal aid and access to justice and human rights had the highest scores. The foregoing section and the one after show how increased levels of knowledge on access to justice and human rights have been translated into a change in behaviour and thus improved access to services resulting from citizens demanding their rights.

Figure 22: Perceived project achievements



Citizens have increased demand for protection and promotion of rights by duty bearers – Increased levels of knowledge on rights and skills to engage with duty bearers has resulted not only in a rise in demand for services from duty bearers but also enhanced social accountability to realise those rights among communities in some of the targeted counties such as Turkana, Marsabit, Mandera and Kitui. Increased levels of knowledge and enhanced citizen capacity to engage with county governments has yielded results. One Amkeni grantee interviewed during the MTR said: “The Mandera County Government is now more responsive to various issues raised by citizens and the PPP office is more engaging.”

The paralegals now support the communities to demand their rights at the county government. Trained paralegals also work as interlocutors between the community and county government in advocating for the rights in the decision-making processes, an unintended result of the project. Turkana County has also reported enhanced social accountability resulting from the grassroots mechanisms the project put in place. Other counties with notable results include: Marsabit, which has recorded increased demand for reproductive health rights from duty bearers and is attributable to the project’s advocacy interventions; and Kilifi, where enhanced protection of vulnerable children from sexual abuse, pregnancies and early marriages in Ganze sub-county has been noted.⁷⁸

Increased responsiveness of government(s) to needs of access to justice. The sustained engagement between CSOs and duty bearers is beginning to yield results. This is demonstrated, first, by the operationalisation of the county disability laws in Nairobi and Machakos counties. Second, the integration of a rights-based approach in the delivery of maternal health services in Marsabit is also evidence of success. Third, Kisumu County has witnessed enhanced transparency and responsiveness on use of resources allocated to the health budgets. Fourth, some grantees created opportunities for the appointment of officers to support alternative justice systems.

⁷⁸ (2019) UNDP Amkeni WaKenya Annual Report. pg. 7.

Those trained utilise the knowledge gained to demand rights. In Nairobi, PWDs reached by the project used the knowledge acquired under the project to demand the registration of services from the National Council for Persons with Disabilities (NCPWD) at the community level. The council responded by conducting mass registration of PWDs in Nairobi's informal settlements (Dandora and Mathare areas). This means that PWDs can now access essential services from the government.⁷⁹ In Turkana County, there is enhanced accountability by the county government towards the realisation of basic rights after a citizen-driven social accountability desk was established and operationalised by TUBAE, one of the Amkeni grantees.

The excerpt from an interview conducted with one of the officers from the organisations (in the section that follows) shows not only improved government responsiveness but also improved working relations amongst all actors. The number of completed projects captured in the County Integrated Development Plan (CIDP) in Turkana County has increased and service delivery to citizens has improved as a result of the completion of projects related to basic services like water. Kitui County also recorded a responsive allocation and accountable implementation of budgets for improved service delivery resulting in the enjoyment of rights to water and health (2018 Annual Report). In 2018, Kwale county residents noted improved relationships and constructive engagement between the rights holders and duty bears as well as improvements in the attitude of state and non-state actors' handling of PWD issues in Kwale County (2018 Annual Report).

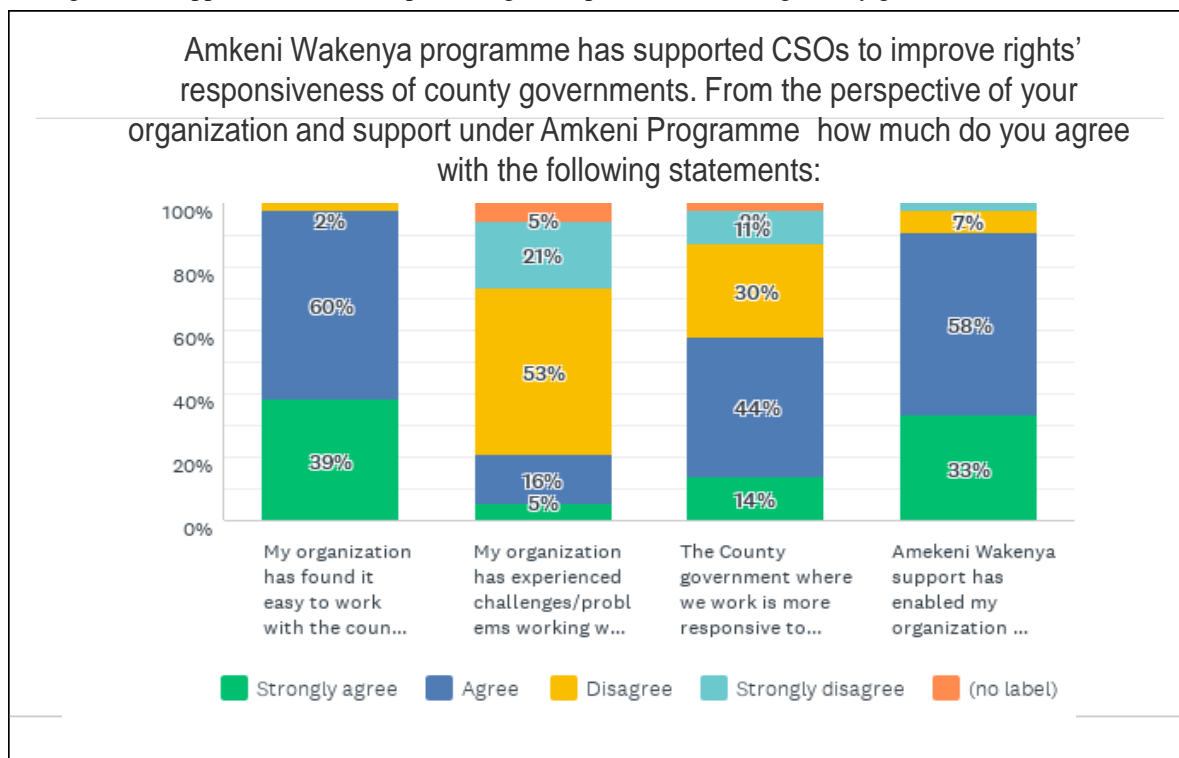
In 2019, the organisation was trained on Social Audits, which helped the officers to start tracking the County budget as well as well as monitoring its implementation. The organisation requested information on projects in the approved Annual Development Plans (as per the CIDP) and the monies allocated for each. After analysing the information, they realised that a lot of projects were incomplete and began a process to verify the status of each through engagement with different stakeholders -- which also included liaison with the Ward Administrators and village elders. After putting pressure on the county government in the 2018/19 financial year, they recorded better results in 2020. At the beginning the organisations faced a lot of opposition from the County Government of Turkana, who thought that the CSO was witch-hunting and as a result getting information was not easy due to their work on budget monitoring and demanding accountability from the relevant government offices. Over time, the county government noted that they were keen on development and since then, they have better relations with the County Government and have held two roundtable meetings with the governor and all stakeholders (including the finance and appropriations office). Government officials now appreciate their services and have realised that they play an important role in the development of the county. Eventually they had this to say – “Kweli nyinyi ndio macho ya wananachi” (You are the eyes of the people).

Excerpt from an Interview with Naspaan Gabriel, Turkana County Interlocutor, August 21, 2021

These results correspond to the CSO Survey conducted during the MTR where 58 per cent of those interviewed said that the counties where they work are now more responsive.

⁷⁹ Bursaries, trade support, mobility and accessibility aids, health covers for persons with severe disabilities as well as other social protection benefits.

Figure 23: Support to CSOs to improved rights responsiveness among county governments



Improved service delivery – Some areas are now recording improvement in the delivery of basic services as a result of citizens demanding their rights and as a responsiveness by county governments to the demand for improved services. The citizens' demands are not only resulting in provision of services but also in a reduction of payments for these services as outlined in some of the examples harnessed from citizens interviewed in the FGDs.

In Kitui County for instance, one FGD participant said: *“According to me, people are now able to fight for their rights. In the Mwitika water project, the community had many problems, especially the need for power to pump water from the water source to the main community area. As a result of citizens pushing for their rights, the county is now pumping water for the citizens, thus increasing access to water; and the cost of buying water has gone down. Before the community was buying 20 litres at Ksh5, but now they are buying 20 litres at Ksh3. This has also increased access to water for their animals. The citizens are getting their right, they have the right to get clean water, and the government has the right to supply them with water, it's not just a request. Due to this positive result in access to water, the citizens are now demanding their rights in the health sector. Another [participant in the FGD] also indicated that the community she comes from is also demanding power connections to homesteads in their community.*

In Zombe area of Kitui County, another participant had this to say: *“There is great change, people are now able to demand for their rights. In Zombe Sub-county Hospital, the services were very poor but the situation has now improved. People have demanded that additional services be offered at the hospital. A good example is the provision of x-ray services, which has reduced expenses for seeking that service at the Kitui County Referral Hospital. In areas like Mwitika Ward, people are now getting clean water. People are now able to fight for other rights.”*

In Turkana County, citizens have also benefited from improved access to basic services as a result of the social accountability mechanisms established. In Mokowe, Hindi Ward of Lamu County, after awareness raising on legal aid and human rights by MUHURI, the citizens carried out a mass civic action to demand water. The county government responded by dispatching water bowers to the residents and allocating Ksh20 million in its FY 2020/21 budget to erect a water

desalination plant as a long-term solution to the water crisis in the area.^{80,81} Other examples of improved service delivery include increased access to health services by PWDs at Miatzani Dispensary in Kwale County, and improved delivery of health services in Kitui County, (Amkeni Wakenya, Annual Report 2018).

Notable behaviour change by Councils of Elders in addressing injustices – The promotion of Alternative Dispute Resolution mechanisms as well as strengthening existing structures has resulted in significant changes in the manner in which the targeted Councils of Elders dispense justice. This is notable among the Kipgaa Elders, the Maslaah and the Council of Elders in Tana River. The notable achievements in these instances include the ability to distinguish between what cases to address and which ones to refer to the formal court system; changes in their processes; recognising the role of women and documentation of cases.

One of the implementing partners engaged during the MTR indicated that elders and community members in the target counties in Northern Kenya are now following different norms and rules that were not previously in place, hence behavioural changes are beginning to take place. For instance, there was a lack of willingness to share information on cases both from the elders (Maslaah) as well as clans. Many hid details of what was happening at the local level and the feelings of those affected were never taken into consideration. However, since the engagement with the project, the elders are now explaining the issues they handle to paralegals and they have identified several cases which need to be addressed through the formal justice system. They have also recognised that women have a role in decision making, and now take part in the cases and are now also not shying away from engaging in the process. The elders are also keen on documentation, thus making it easier to hand over matters to courts and improve case tracking.

The foregoing results demonstrate that substantial progress has been made in the targeted counties in contributing to access to justice for the marginalised. However, these results are more notable in the marginalised areas, especially in the north compared to the urban counties. The project has also supported the operationalisation of the Legal Aid Act, 2016, through the provision of legal aid services and strengthening community-based informal justice systems. The results from the survey conducted with CSOs also tally with these findings. Those interviewed identified the topmost achievement of the programme as the promotion of legal aid and access to justice/human rights, followed by enhancing CSO operational capabilities through capacity building.

While the project has started recording the impact of its efforts in increasing the citizens' awareness on their rights, with various impacts being felt in the lives of citizens, a lot still needs to be done to fully reap the benefits. It appears that sustaining these efforts through additional granting, close monitoring of the results with a focus on assessing how the citizens have translated knowledge into tangible trackable actions, and how government and other duty bearers are responding to citizen demands would be the next steps.

However, limited results have accrued so far from monitoring of rights and freedoms. More efforts need to be made in this area in the remaining period, especially with the upcoming elections in 2022. The FGDs showcased several examples where the youth reported police harassment and brutality even when there was no crime committed. These results can be attained more quickly through a joint effort with UNODC, a PLEAD partner working with duty bearers. Efforts should be made to consider a joint implementation strategy in specific regions whose results can then be applied to other regions within the project and beyond - before, during, and after the elections.

⁸⁰ UNDP Amkeni Wakenya 2020 Annual Report.

⁸¹ <https://www.nation.co.ke/kenya/counties/lamu/lamu-residents-hold-demos-over-prolonged-water-shortage-256784>.

4.8 WHAT IS WORKING WELL

4.8.1 Working with community institutions and local CSOs in the counties

Throughout the project period, Amkeni Wakenya has partnered with national CSOs and local CBOs based in the targeted counties. In the marginalised counties, elders and administrative chiefs have also been working with the CSOs to address challenges around access to justice. These institutions, administrators, and local level organisations are familiar with the issues, and citizens in the area easily identify with them. They have knowledge of the local context in which the Amkeni project is implemented. Thirdly, they are good for the sustainability of impact from the Amkeni Wakenya intervention. They are part of the local community and will, therefore, continue efforts after the completion of the programme. They are likely to retain capacity for greater impact in the community. Examples of these local level groups include Friends of Nomads International in Isiolo; the Human Rights Agenda in Kwale at the Coast; and the Diocese of Kitui.

In FGDs, participants spoke passionately about these local level civil society organisations and how their interventions through Amkeni Wakenya have helped them to resolve some of the challenges in their communities. They have helped communities to address, among others, land disputes in Isiolo and Kwale; create awareness on retrogressive practices such as female genital mutilation; and initiate discussions on the place of women in decision making in the society. These issues have local level nuances that only locally-based groups would appreciate and be able to deal with. As explained in one FGD:

I am a beneficiary of FONI (Friends of Nomads International). We thank FONI for coming to our community. Our area has around 20,000 people. We were almost removed from that land we live in by the Kenya Army. We were given an eviction letter and were to leave without notice. We were told that after three days we were to leave the place. We carried out demonstrations, and after that we tried to look for an organisation that would help us. We got FONI, which helped us in the process. FONI gave us a lawyer and the case is at Meru High Court. As a community we shared all our problems and they took us for training and empowered us on how to demand our rights. Our case is not yet through, so we want FONI to help us get to the end of the case. (Participant, FGD, Isiolo County).

4.8.2 Local CBOs putting knowledge of rights into practice

The knowledge and awareness of governance issues and solutions that participants get through Amkeni Wakenya-supported CSOs is used for public good. In both Kisumu and Kitui counties, for instance, participants noted that this knowledge has inspired some of them to carry out activities to solve problems in their communities. They address local level challenges using the knowledge acquired in their interaction through Amkeni Wakenya. In Kitui, it was noted that:

As a community, we have come up with a CBO (community-based organisation) which is dealing with cases of defilement and rape. We do civic education on how to handle a child if defiled. We are trying to educate people in those marginalised areas on how to handle the matters when rape happens, what they are supposed to do, the procedures that they are supposed to follow. The CBO is handling matters to do with rape cases in Zombe/Mwitika Ward and beyond, especially in Malalani area. (Participant, FGD, Kitui County).

Similar sentiments were expressed in Kisumu:

Yes, I can say that I'm still getting more knowledge in terms of rights. But I have also gained some knowledge and that is why we started the CBO, the Mambo Leo Information and Justice Centre, in our community because we realised that it is not all about us, but it is about the community, and that is why we decided we need to organise our people for

them to realise their equal rights in the community, their mandate in the community. For us, we have a hashtag saying, 'Tekeleza katiba' (implement the constitution). We want the community to implement the Constitution and interpret it as a whole so that they can follow in the footsteps of our foot soldiers that left us. (Participant, FGD, Kisumu County).

In Kwale, PWDs were able to come together to form organisations to address their challenges:

Through this project, I came across and interacted with fellow persons with disability and it is through the same that I learnt the different challenges that we encounter, so this motivated me to come up with a disability persons organisation, which is an extension of the project so that when the project ends, we can have sustainability. So I came up with a DPO (disability persons organisation) called Outstanding Abilities, which among other things advocates for the rights of persons with disabilities, ... ranging from education to governance, health and others. And that's one way. In the one year that we've operated, we have really helped many persons with disabilities, at least 350 of them in different services that helped to improve their livelihood. (Participant, FGD, Kwale County).

4.8.3 Promotion of human rights and access to justice

Amkeni Wakenya has enhanced citizens' understanding of rights as well as issues around access to justice. Citizens in the 18 counties are not only aware of their rights but are also claiming those rights. Examples of platforms established by grantees after sensitisation of communities include Haki Yetu Action Groups and Collaborative Legal Aid Framework for Persons with Disabilities. These continue to strengthen and sustain human rights advocacy at the local level.⁸²

Training citizens on alternative dispute resolution is having an impact at the local level. It has enabled citizens to resolve disputes arising in communities. In Marsabit, Wajir, Isiolo, Kitui, Nakuru, and Kilifi respondents narrated the benefits of alternative dispute resolution, pointing out that this had been made possible by the project. Relatedly, citizens are aware of the type of disputes to process through different mechanisms.

The project has trained paralegals who are now helping their communities. A total of 338 (197M; 141F) community paralegals have been trained and approximately 150 individuals trained on human rights-based approaches.⁸³ By adopting the paralegal approach, the CSOs expanded their reach to the communities. They were able to organise legal aid clinics, door-to-door legal aid campaigns, and identify and assign advocates to follow up cases *pro bono*.⁸⁴ On the whole, the legal aid clinics as well as pro-bono lawyers enhanced citizen's access to justice in several ways. In Isiolo, for instance, participants in FGDs noted that:

The first thing is to thank FONI (Friends of Nomads International) because ... we didn't know our rights, we didn't know what was going on in Isiolo, but now we know our rights... They have trained us as paralegals and they have also taught us what kind of cases to take to courts, and which one goes to the 'kangaroo' courts. In the past, we did not know that it is unlawful to marry a young girl (under age of consent -- 18 years) ...we also now know FGM is bad ... and has very bad consequences ... Right now, we solve problems in our community. We know things like insults we don't take to courts, but defilement, rape cases we take to courts. So they have taught us many things. Abuse against women, inheritance issues we take to court. They have taught us a lot of things. We thank FONI and we want the project to continue and reach every area of Isiolo. (Participant, FGD, Isiolo County).

In Marsabit, women expressed satisfaction with the project since it has enabled the local community to value women and to give them an opportunity to lead:

⁸² Amkeni Wakenya, End of Project Report, 01 April 2016 – 30 September 2020, p. 14.

⁸³ Amkeni Wakenya, Annual Report 2016.

⁸⁴ Amkeni Wakenya, End of Project Report, 01 April 2016 – 30 September 2020, p. 5.

Amkeni Wakenya has really helped our community, it has helped us with information.... on leadership and governance, women are coming up, they have known that they have a role to play The community is giving them respect and the opportunity to be involved. Initially, the community did not respect them Some women are now village elders. (Participant, FGD, Marsabit County).

Some participants also indicated that the communities they live in are more cohesive than they were previously. . The number of petty disputes has reduced, there is a higher level of tolerance within the community and people respect others' opinions. There was also an appreciation of their rights and how to engage with duty bearers. The youth in Kilifi indicated that they now know how to interact with police:

When this project started, in our village, we as youth were scared of the police. When the police would come to our village because we didn't know our rights, we would be worried. But when I went to the training, we were told how the laws are and how you are supposed to handle the police, the police are not bad people. ... We should not run like we are guilty and yet we aren't. We should also stop petty issues because they are human as well, we should live with them in peace. They understood that and now we live well in the community. (Participant, FGD, Kilifi County).

4.8.4 Easing relations between CSOs and the government

The project also supported interventions to strengthen the regulatory environment for civil society.⁸⁵ The support also enabled the Non-Governmental Organisations Coordination Board to implement a strategy of reengaging with civil society and reposition itself as a responsive regulator.⁸⁶ The project's financial and technical support to the Civil Society Reference Group (CSRG) is also noteworthy, and especially towards advocacy efforts for the operationalisation of the Public Benefits Organisations Act, 2013.⁸⁷

4.8.5 Leveraging technology during the Covid-19 pandemic facilitated continuous implementation

The operating context for civil society organisations during the Covid-19 era has necessitated the need to rethink delivery methodologies for civic education and engagements. CSOs have embraced virtual engagement platforms⁸⁸ to reach citizens, as well as tapping on remote-based monitoring tools⁸⁹ to track project activities. These tools (including use of social media) have enabled CSOs to reach more beneficiaries.⁹⁰ The implementation continued without disruption. This happened at all levels, including in the remote parts of the counties. However, lessons learnt during this period have not been effectively documented for further discussion among partners.

4.8.6 A focus on People Living with Disabilities (PWDs)

Amkeni Wakenya's intentional focus on addressing the needs of People Living with Disabilities is bearing fruit. This has broadened the support beyond only people living with physical disabilities, who are often the ones who receive support in many projects. This is especially important for those with other disabilities since there has been a notable increase in the number of cases reported of abuse against PWDs. This has been addressed in various ways. First, in partnership with the Kenya Union of the Blind (KUB), a framework and structure for effective provision of legal aid to PWDs was developed. This was made possible through a collaborative Memorandum of Understanding with Kituo Cha Sheria, who provide *pro bono* legal service. Some 17 legal aid awareness clinics were held and 1,360 PWDs and caregivers informed on the framework and how to access justice. In another initiative in Nairobi, where KUB raised awareness on rights with PWDs, beneficiaries demanded for registration of services from the National Council of Persons with Disabilities (NCPWD) at community level. As a result of their demands, the council carried out mass registration of PWDs in two informal settlements (Dandora and

⁸⁵ Amkeni Wakenya, End of Project Report, 01 April 2016 – 30 September 2020, p. 5.

⁸⁶ Amkeni Wakenya, End of Project Report, 01 April 2016 – 30 September 2020, p. 5.

⁸⁷ Amkeni Wakenya, End of Project Report, 01 April 2016 – 30 September 2020, p. 16.

⁸⁸ Amkeni Wakenya, Annual Project Report, p. 72.

⁸⁹ Amkeni Wakenya, End of Project Report, 01 April 2016 – 30 September 2020, p. 16.

⁹⁰ Amkeni Wakenya, End of Project Report, 01 April 2016 – 30 September 2020, p. 16.

Mathare), Nairobi. It is anticipated that this will increase access to essential services for the PWDs. The project should keep an eye on these results and assess the possibility of replicability in other counties.

Second, in an effort to serve those with hearing disabilities. FEDWEN developed visual aids to train and raise awareness on sexual and reproductive health for deaf learners in Murang'a and Laikipia counties targeting eight schools and reaching 1,600 learners, these visual aids have also been used by healthcare workers and the police to enhance service provision for youth with hearing disabilities. Efforts should be made to replicate this in other counties, many of which have similar needs as noted in the FGDs conducted during the MTR. This is an excerpt from one participant from Kisumu County.

In my community ...most of the partners that I used to meet there were not aware of people with hearing impairment and that they have their rights and that such persons can go to school and learn with other people ... become clever and even fight for the rights of others and they can use an interpreter to bridge the gap ... Also everywhere you go in a forum ... When a person with disability is invited, the physical disability will be there, but some categories are left out ... those with hearing impairment who need an interpreter and a blind person who needs a guide are always left out. So for us to fit into the community, a lot should be done for persons with disabilities. (Participant, FGD, Kisumu County).

4.9 What Is Not Working Well

4.9.1 Duty bearers/weak supply side of access to justice

The project has improved citizens' awareness and knowledge about rights and built their capacity to demand rights and to access justice, resulting in better services under the devolved system of government. The duty bearers, however, are lagging behind in terms of responding to these demands. Their reform to accommodate these changing contexts is not commensurate with the increased awareness among citizens. This has constrained their effectiveness in responding to the demand for rights. This requires the concerted effort of all stakeholders (government, development partners and relevant institutions) to address the imbalance.

While knowledge of rights has increased significantly among the citizens in the targeted areas, how to claim those rights and compel duty bearers to account requires different approaches. Creating awareness on rights should be accompanied with equipping citizens with the tools to claim those rights. As noted by participants, equipping citizens with the requisite skills to enable them claim those rights is critical:

It is not enough to tell people you have a right to healthcare ... it matters the steps you take, and how you empower these people to improve their health ... and right to healthcare is not just accessing hospitals, it is also about preventing disease and seeking healthcare early ... We know you have a right to life, but how to secure that is what leaves people feeling helpless and you get this anger and angst in the media and not-so proactive steps to ensure we can create and realise our rights. (Participant, FGD, Nairobi County).

4.9.2 Limited progress in entrenching a responsive system of government

Entrenching a responsive system of government shows relatively limited progress from the time of the baseline survey. At the national level, the project has not effectively engaged with the Council of Governors and/or the Ministry of Devolution. These are important entry points for helping to achieve the outcome and outputs on the entrenchment of a devolved system of government. Further, engagement with relevant national level agencies, such as the Ombudspersons and other Semi-Autonomous Agencies, has been limited. These agencies would add value in supporting the project at this level.

Working with the county governments has not been very effective and the challenges are well documented in all the project annual reports. The county officials appear to have little incentive to take part in meetings organised by CSOs. This is a common theme in not only this project but many other programmes by non-state actors. The self-interests of government officials often override their responsibility to provide public goods. Where government officials do not have individualised incentives, they become a blockage in implementation of the programmes or give lukewarm support.

4.9.3 Sustainability of interventions

Many grantees appear not to have thought out how to sustain their interventions after the end of the project. Many hope to continue under the project without paying attention to the funding situation. Not many have attempted to identify local sources of funding. Furthermore, there is limited collaboration among CSOs working in the same counties and regions. Networking and collaboration are generally ad hoc and not effectively structured to add value.

4.9.4 Impact: summary of findings and recommendations

Table 24: Summary of findings and recommendation on impact

Impact: Summary of findings	Recommendation
The project is achieving notable impacts as communities utilise knowledge gained in access to justice by demanding for their rights, ensuring sustained advocacy and development of social accountability mechanisms that sustain the advocacy (improved responsiveness by duty bearers, behaviour changes and improved service delivery).	<ul style="list-style-type: none"> • The granting strategy should be guided by a critical analysis of where gaps still exist to bridge the gap in gaining results. • Consider a rigorous outcome harvesting process between now and the end of the project so as not to lose the momentum and gains made so far.
A rapid assessment of the results achieved so far points to numerous gains in marginalised areas despite the limited resources allocated to this region.	<ul style="list-style-type: none"> • Granting process should be guided by, among others, value for money. Consider providing a higher allocation for marginalised areas that are achieving high results and showing demonstrable changes in the lives of targeted beneficiaries despite limited funding.
Opportunities exist for joint collaboration with other UN bodies working in the same programmes.	<ul style="list-style-type: none"> • Intentional collaboration on specific initiatives between Amkeni Wakenya and UNODC under PLEAD is encouraged to identify specific activities that can be conducted to demonstrate results in certain output areas, e.g., opportunities exist in the electioneering period to showcase peaceful campaigns with the joint efforts of duty bearers to demonstrate improved respect for human rights etc.

5.0 CONCLUSIONS AND RECOMMENDATIONS

Several conclusions and recommendations have been made at the end of each section of this report. This section reiterates the key findings and provides a summary. It suffices to note that the project remains relevant given the unique governance conditions in the country. There are structural challenges preventing citizens from access to justice in the counties and the country in general. The abuse of rights and freedoms in the target counties remains salient. The challenges of service delivery under the devolved system of governance in the target counties and the country stand out in national and local level debates. The capacity of duty bearers is not commensurate with the growing levels of awareness of rights and freedoms in the country. The challenges combine to undermine human development and the potential of citizens to improve their wellbeing. It is important, therefore, that the project remains focused on contributing to the key outcomes agreed upon at the inception.

Some of the most important achievements under the project include improving access to justice in the target counties; and improving awareness on rights and freedoms. The legal aid interventions through the paralegals; and the training of elders and communities on rights and responsibilities have played an important role in addressing the challenge of access to justice among the vulnerable groups and in the marginalised counties.

Notwithstanding these achievements, the progress in entrenching the devolved system of government has been limited. The county governments have not been actively engaged and appear to lack the self-drive to engage with the project activities. This is a notable experience of governance programmes in the country. Projects that seek partnership with government departments and institutions at all levels often run into obstacles for several reasons, including failure to provide for individuals' interests, such as per diem. All the same, there are successful cases of partnerships under the project that bring out important lessons on how to improve relationships with the county governments. These should be documented for more discussion and sharing with other programmes.

Capacity building of CSOs within the project is consistently underlined as an important aspect of the project. Most of those interviewed note that their capacities have improved from the time they began training under the project. Accountability, M&E systems, and grants management processes are identified as some of the important capacity building interventions CSOs single out as benefiting them. Working with community-based groups and CSOs has added value to the project. It creates a strong foundation for sustainability, especially because the capacities are built among local groups and area residents. However, this has not been accompanied by a deliberate attempt to develop an index of sustainability. This index would guide CSOs in assessing the extent to which they can sustain their efforts without the support of Amkeni Wakenya.

The evaluation has noted that the responsive nature of the duty bearers is lagging behind the demand-side in which citizens' increased knowledge and awareness have increased demand for rights. Duty bearers, and especially the police, and other governmental bodies, have not been effectively responsive to demands for accountability or even respect for rights. While there is a need for sustained awareness creation of citizens in this respect, this should be synchronised with the interventions to build response capacity of the relevant duty bearers. In the next round of call for proposals, this synergy should be deliberately embedded to ensure there is effective partnership.

The section that follows presents a list of recommendations to integrate into implementation in the remaining period of the project. These should be read alongside the detailed recommendations at the end of each section.

5.1 Summary of recommendations

Project relevance

The project remains relevant given the governance context in the counties and also because entrenching the devolved system of government in Kenya remains a work in progress. The challenges of access to justice, respect of rights and freedoms, and entrenching a devolved governance system cannot be addressed through technical solutions only. They require constant reading of the political and governance environment in which the project is operating. It is recommended that the project embed regular Political Economy Analysis (PEA) in its work in the counties. There is a need to undertake regular local level analysis to help in ‘thinking and working politically’.

Despite the relevance, this review has noted that there is still a general lack of awareness of legal aid programmes. In addition, visibility of the Amkeni Wakenya project remains low, with only 19% of survey respondents being aware of the project. Thus, the project should develop a multifaceted approach to improve its visibility. Using existing strategies:

- i) 41% of those who were aware of the project knew about it from broadcast media. This is positive and indicative of the fact that broadcast media has provided the greatest visibility thus far from the project, and greater effort and resources should be applied to this effort.
- ii) Further efforts to increase the visibility of the project require the rededication of internal resources within the team. It would be prudent to be pro-active and engage the services of a communications consultant to develop a put in place a project-specific communications strategy that would incorporate word of mouth, social media, and a CSO strategy with a view to scaling up and maximizing these existing communications channels:
 - Word of mouth (19% of survey respondents)
 - Social media strategy (12% of survey respondents).
 - CSOs (3% of survey respondents).

The consultant would also be responsible for training Amkeni team members on the strategy, and defining their specific roles therein.

Effectiveness

The project has been effective in building capacity of CSOs to address the challenges of access to governance. There is increased awareness of right among citizens in all the areas where the projects are carried out. Citizens are also taking action in their own ways to demand rights and/or justice. Furthermore, they are also demanding that the duty bearers become accountable and transparent in the conduct of local public affairs.

There was limited achievement in terms of entrenching the devolved system of governance compared to other outcomes. Many CSOs faced challenges in working with the national and county governments. Nonetheless, over time some of them worked well with the county governments. At the national level, the project has not effectively engaged with national level ministries and agencies.

- a. There is a need to establish relationships with the Council of Governors (CoG); and the Ministry of Devolution; and the relevant constitutional commissions and independent offices. This high level of engagement provides the required political and policy support.

Efficiency

The project leveraged the good offices of UNDP to reach out to the national and county levels of governments and also built the capacity of citizens and local CBOs to improve access to justice and promotion of human rights. While this remains a very good approach, there is need to develop a coherent engagement strategy for working and coordinating with the UN and other governance programmes to enhance achievement of results. While Amkeni’s mandate does not include capacity for duty bearers in the enforcement agencies, the County Governments are the duty bearers that the program engaged with.

However, it was noted that they lagged behind for various reasons, including low commitment to governance and access to justice issues. The MTR recommends that the engagement strategy is broadened to include a networking and partnerships strategy for working with duty bearers at all levels.

Sustainability

Sustainability of CSOs interventions after the completion of this project, or any other programme, remains a question everywhere. While CSOs appreciate the grants and capacity building interventions by Amkeni Wakenya, many have not developed strategies to sustain their interventions (and replicate gains) without the Amkeni Wakenya project. Recommendations, therefore, are as follows:

- a) *Sustainability Index* – It is recommended to develop and put in place a sustainability index that would guide CSOs on progressively and continually enhancing their organizational sustainability. The index would gauge the sustainability of CSOs at the onset (on-boarding), and identify gaps or challenges that need to be addressed during the life of the engagement with Amkeni Wakenya. Using a set of sustainability indicators, it would be possible for the project and individual CSOs to assess progress over time. It would also be prudent to forge other strategic partnerships in order to diversify sources of funding.
- b) *Resource mobilization plan* – With no current resource mobilization plan in place, efforts have been largely ad hoc so far. This approach to resource mobilization poses an inherent danger to the project as it produces undesirable and unpredictable results, and provides little in the way of resilience to shocks such as Covid-19. It is, therefore, recommended to utilize a structured approach to develop and effectively implement a comprehensive resource mobilization plan that takes into account scenarios upon which to anchor resource mobilization.

NOTE: Given the timing of this review, these recommendations should be conceptualized and implemented so as to take effect during the next phase of the project.

- c) The project should develop a methodology to graduate grantees. Each grantee should have good knowledge of the funding cycle, and therefore, plan to sustain their interventions without Amkeni funding. Sustainability considerations should be built into programming from the beginning. Where/what specific aspects does a grantee need help with in this regard? How can Amkeni Wakenya work with them towards achieving this through the life of the project?

Theory of Change and Impact statement

The project does not have a Theory of Change (ToC) and an impact statement. These should be developed as soon as possible to guide regular tracking of contribution to outcomes and even the impact on the broader environment in which the project is operating. The Theory of Change and Impact Statement should also be jointly developed with the CSOs and other relevant programmes so that the outcomes are not viewed in isolation from what other programmes are doing.

Design and focus: Results framework

The results framework does not allow for ease in tracking progress at outcome level. This creates a challenge of harmonising and analysing data. The phrasing of indicators and outputs appears not to be uniform in some of the documents reviewed. Some indicators also present a challenge for measurement. The evaluation recommends a review of the theoretical framework of the program beginning with the development of Theory of Change and an impact statement and a review of the results framework which will also include a refinement of some of the indicators. Future programs should also ensure a closer alignment with the relevant SDG indicators.

Synergy between UN programmes in the counties

The findings show limited coordination among UN programmes in the counties. At the national level, there are high-level regular meetings where lessons are shared but this level of interaction and learning is not replicated in the counties. There would be great value in working together to harmonise efforts at all levels. For instance, the UNODC Programme for Legal Empowerment and Aid Delivery (PLEAD) is working with duty bearers in some of the counties where Amkeni Wakenya project activities by CSOs take place. On the other hand, UNDP is implementing a programme on Strengthening Devolved Governance in Kenya, also in some of the counties covered by Amkeni Wakenya CSOs. The MTR

recommends the development of a comprehensive and collaborative strategy of engagement at all levels from planning to M&E to enhance synergy, maximize utilization of resources and to achieve impact. These can include but not be limited to the following:-

- a) There is a need to enrich partnership at the local level. Amkeni Wakenya should lead consultations at the county level on how to ensure structured engagement and interaction between and among actors benefiting from UN programmes and are based in the same county.
- b) The high-level meetings between Amkeni Wakenya and UN agencies should prioritise the development of an approach to deepen interaction of project activities in the counties. The consultations should drive collaboration between those receiving support from the UN agencies.
- c) It is recommended that, where possible, Amkeni Wakenya supported CSOs should synchronise the implementation of their activities with those by PLEAD and the UNDP programme on devolution. Building awareness in local communities can take place simultaneously with support to the courts or the police or even devolved structures. This will provide an opportunity to harmonise capacity development for both 'demand side' and 'supply side' among duty bearers as well as rights holders.
- d) Tied to the foregoing, there is a need to exploit existing opportunities for joint collaboration with other UN bodies working in the same programmes. Intentional collaboration on specific initiatives between the Amkeni Wakenya project and UNODC under PLEAD are encouraged to identify specific activities that can be conducted to demonstrate results in specific output areas, e.g., opportunities exist in the coming electioneering period to showcase peaceful demonstrations/campaigns with the joint efforts of duty bearers to demonstrate improved respect for human rights, among others.

Impact

The project is achieving notable impacts as communities utilise knowledge gained in access to justice, by demanding for their rights, ensuring sustained advocacy and development of social accountability mechanisms that sustain advocacy (improved responsiveness by duty bearers, behaviour change and improved service delivery). A rapid assessment of the results achieved so far points to numerous gains being made. However, communities complain of lack of tools to translate knowledge into action; how to claim rights is an issue to be prioritized. The MTR proposes the adoption of a rigorous outcome harvesting process between now and the end of the project to avoid losing momentum and dissipating the gains made so far. In addition to this:-

- a. The granting strategy should be guided by a critical analysis of where gaps still exist to bridge those gaps in achieving results.
- b. Granting processes should be guided by, among others, value for money. Consider providing a higher allocation for marginalised areas that are demonstrating achievement of high results and demonstrable changes in the lives of targeted beneficiaries despite limited funding.

Knowledge management

There are important lessons coming up in the counties. Some of these should be documented and shared widely within and outside the project. For instance, how to effectively work with county governments, and how to leverage local paralegals to improve on access to justice are important lessons that many can learn from.

- a. There is a need to embed knowledge management within the project. The academic institutions already working in the project should take up the responsibility of identifying key lessons and documenting these for sharing within and outside the project. In addition to this, they can support the analysis of available data and information and convene periodic symposia to discuss some of the important lessons and changes taking place through support from the project. Owing to budgetary constraints, these symposia can be e-based.

- b. Relatedly, the project should intensify use of social media to broadcast the lessons and/or findings from the key interventions. Partnering with other UN programmes to disseminate findings and/or discuss the emerging lessons should be emphasised at the outset.

6.0 ANNEXES

6.1 Annex 1: CSOs survey

MID-TERM EVALUATION OF THE AMKENI WAKENYA PROJECT 2015 – 2020

SURVEY TOOL FOR THE CIVIL SOCIETY ORGANISATIONS

Dear Sir/Madam,

We are conducting research to inform the mid-term evaluation of the Amkeni Wakenya Project, 2015 – 2020. The main objective of the evaluation is to assess the extent of implementation and extent of achievement of project objectives during the period 2015 – 2020.

Your responses will remain anonymous and we shall not cite you in any way. The survey will take around 25 minutes. Kindly let us know your opinion on the Amkeni Wakenya project thus far.

Your time and interest in this survey is highly appreciated. Your response will add value in shaping recommendations on implementation of the programme to the end.

Thank you.

The survey will be closed on August 24, 2020.

If you have any questions about the survey, please email us: elizabethwachamba@gmail.com

1. In which year were you funded by the Amkeni Wakenya project?

- 2015
- 2016
- 2017
- 2018
- 2019
- 2020

2. Which call for proposal did you respond to and got funded for? (multiple responses)

Call 1	
Call 2	
Call 3	
Call 4	
Call 5	
Call 6	
EIF	
SPAIS	
Peace	
Other specify	

3. Reflecting on the time before you received funding from the Amkeni Wakenya project and today 2021, would you say that the capacity of your organisation has improved, remained the same, or has gotten worse during the period.

- 1. Capacity of my organisation has remained the same
- 2. Capacity of my organisation has improved
- 3. Capacity of my organisation has become worse
- 4. RTA
- 5. DNK

4. Now think about how you can compare to other CSOs, those that are the same as your organisation. How would you rate the 'wellbeing' of your organisation from the time you got into Amkeni Wakenya project

1. My organisation is better off than other similar CSOs
2. My organisation is the same as these other CSOs
3. My organisation is worse off compared to these other CSOs
4. I am not able to compare with other CSOs
5. RTA
6. DNK

5. How satisfied are you with implementation of the Amkeni Wakenya project?

1. Very satisfied
2. Satisfied
3. Neutral
4. Dissatisfied
5. Very dissatisfied

6. Thinking about Amkeni Wakenya, what two **things** do you like most about the programme?

1.
2.

Capacity Building

7. The Amkeni Wakenya project has been building capacity in several areas. How satisfied are you with the project's efforts to build capacity in the following areas?

	Very satisfied	Satisfied	neutral	Dissatisfied	Very dissatisfied
Human Rights Based Approach (HRBA)					
M&E					
Open Data system					
Financial management					
Other (specify...)					

8. Amkeni Wakenya has supported CSOs to implement projects on access to justice in Kenya. What difference have these projects made in improving access to justice in Kenya?

1. No difference/the situation is the same
2. Great improvement
3. A little improvement
4. DNK

9. Assuming that Amkeni Wakenya did not support any project on access to justice in the area where you operate, which of the following statements would you say would apply today:

1. Problems of access to justice would be the same
2. The situation of poor access to justice would have worsened
3. There would be no difference because other CSOs work in the area

10. On a scale of 1 to 5 where 1 is the lowest difference and 5 is the highest level of difference, how much difference has that Amkeni Wakenya Programme made in improving awareness on access to justice and human rights?

1	2	3	4	5
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11. How would you rate the Amkeni Wakenya project in comparison to programmes supporting CSOs in the area of governance and human rights?

1. Very good
2. Good
3. Fair
4. Poor

5. Very poor

12. How would you rate the relationship between your organisation and the Amkeni Wakenya project?

1. Very good
2. Good
3. Fair
4. Poor
5. Very poor
6. RTA
7. DNK

Funding and sustainability

13. Let us discuss a situation without funding. Which of the following statements is close to your view if the Amkeni Wakenya project had not given funding to your organisation?

1. Nothing would have happened
2. My organisation would have closed down
3. My organisation would have scaled down operations
4. My organisation would have found another donor/partner to implement the projects

14. The Amkeni Wakenya project has supported CSOs to improve the rights' responsiveness of county governments. From the perspective of your organisation and support under Amkeni Programme how much do you agree with the following statements:

	Strongly agree	Agree	Disagree	Strongly disagree
My organisation has found it easy to work with the county government on issues of human rights and access to justice				
My organisation has experienced challenges/problems working with the national government officers in the counties				
The County government where we work is more responsive to projects on human rights and access to justice than the national government				
Amkeni Wakenya support has enabled my organisation to work better with the county government officers				

15. Let us now discuss the sustainability of your organisation. Supposing the Amkeni Wakenya project does not have sufficient funds to support all CSOs under the programme in the next two years from now, which of the following statement is close to your view:

1. Many organisations will close the programmes supported by Amkeni Wakenya project
2. My organisation will remain in place and continue to work with their own resources
3. My organisation will mobilise local resources and continue to work in the community
4. I do not know what will happen to my organisation.

16. What two things should CSOs do to ensure continued operations without support by programmes such as Amkeni Wakenya?

1.

2.

17. Thinking broadly about sustainability of CSOs and their operations in Kenya, please identify TWO indicators of sustainability that you consider important

1.
2.

18. If Amkeni Wakenya did not support CSOs at all, what TWO things would CSOs miss?

1.
2.

19. How do you compare Amkeni Wakenya with other organisations that fund CSOs in Kenya?

1. There is no difference – they are all the same
2. Amkeni is better
3. Amkeni is worse
4. There is no comparison
5. Others (specify)

20. If there, are aspects that you would want changed in the design and delivery of the Amkeni Wakenya programme, what would these be? At most TWO?

1.
2.

21. What would you say are three main lessons that you learnt in implementing the Amkeni Wakenya project?

1.
2.

22. In Kenya, there are CSOs that work at the national level and others that work at the county level. To what extent do you agree or disagree with the following statements:

1. It is better to support the work of County based CSOs only
2. It is not necessary to support county based CSOs because they lack capacity
3. Donors should NOW condition funding on effective partnership between national and county based CSOs
4. Funding should be based on integrity-based parameters

23. On a scale of 1 -5 where 1 is very poor and 5 is Excellent how would you rate following aspects of Amkeni Wakenya project:

	Very poor	Poor	good	Very good	Excellent
1. Relevance of Amkeni Wakenya project					
2. Efficiency of grant making from call to disbursement of funds					
3. Capacity building of CSOs					
4. Transparency in awarding of grants					
5. Networking with CSOs					

6. Facilitating an enabling regulatory environment for CSOs					
7. Enabling CSOs to work with county governments					
8. Amkeni Wakenya M&E system					
9. Use of lessons learnt in the project					

24. There have been concerns about the integrity of some CSOs. What TWO things should be done to improve the integrity of CSOs in Kenya?

1. ...
2.

25. Thinking about Amkeni Wakenya, what would you say are **TWO important achievements** of the programme?

1. ...
2. ...

26. What other comment – if any – would you like to make to improve on implementation of the programme?

6.2 Annex 2: Key Informant Interview Guide

6.2.1 UNDP AMKENI WAKENYA SENIOR STAFF

Relevance

1. From the perspective of senior management what are the key objectives of the project?
To what extent do you believe these objectives have been achieved?
2. To what extent does the Project respond to the MTP-III and Vision 2030? (Sectoral Priorities)
3. How relevant and appropriate is the project to the devolved system of Government?

Adaptability & Flexibility

4. What emerging priorities not factored during the project design have been/are being addressed? (COVID-19, Drought, UN Reforms). How?

Alignment & Compliance to National & DP Priorities

5. Has the project responded to the challenges of national capacity development and do they promote ownership of programmes by the national/county partners?
6. How has the project aligned with development cooperation strategies and frameworks of the respective development partners contributing to the Amkeni WaKenya basket?

Alignment to UN Programming Principles

7. Broadly speaking, to what extent do you feel UNDP programming principles have been integrated in Amkeni programming principles.
 - a. Human Rights-Based Approach (HRBA),
 - b. Leave No One Behind (LNOB) - approach
 - c. Gender equality and women empowerment
8. What do you consider to be the most significant challenges in respect of the alignment to UN programming principles?

UNDP Amkeni Wakenya Integrated Programming Approach

9. Kindly expound on the Integrated Programming Approach used by the UNDP Amkeni Wakenya Project?
 - a) To what extent do you think it has been well implemented?
 - b) What hampers its effective implementation if any and why?
 - c) What recommendation would you make for it to be more effectively and efficiently implemented to ensure the delivery of project results for the remaining period of time?

Lessons Learnt

10. What do you consider to be the most important lessons learned in respect of the alignment to UN Programming Principles?

Efficiency

11. Have adequate financial resources been mobilised for the project?
12. Is there a discernible common or collaborative funds mobilisation strategy?
13. To what extent and in what ways have the comparative advantages of the UNDP been utilised in the national context (including universality, neutrality, voluntary and grant nature of contributions, multilateralism, and the special mandates of UNDP)?

Sustainability

14. What measures/further activities can be put in place to improve the sustainability of the programme?
15. What measures has UNDP put in place to ensure that CSOs embed sustainability in their respective projects?

Programme Management

16. How are roles and responsibilities defined within the programme to ensure efficient and efficient delivery of the project?
17. Has the project responded to the challenges of national capacity development, and do they promote ownership of Programmes by the national/county partners?

Collaboration and Linkages with Other UN Programmes

18. What measures have been put in place to collaborate with other relevant UN agencies?
19. In light of the above, how do you reduce duplication and maximise efficiency?

6.2.2 UNDP AMKENI WAKENYA PROJECT STAFF

1. Relevance–responsiveness of implementation mechanisms to the rights and capabilities of the rights-holders and duty-bearers of the programme (including national institutions, communities, and the related policy framework).
 - a) How does the Project respond to the following:
 - The objectives of the MTP-III and Vision 2030? (Sectoral Priorities)
 - The rights of the communities being targeted;
 - b) How relevant and appropriate is the project to the devolved levels of government?
 - c) Are the stated project objectives consistent with the requirements of rights-holders, in particular the requirements of most vulnerable populations?
 - d) Are all the target groups appropriately covered by the stated project results?

Adaptability and Flexibility

- e) What emerging priorities not factored during the project design have been/are being addressed? (COVID-19, Drought, UN Reforms)
- f) What measures have been put in place to ensure the project keeps track and responds to the rapidly changing context?

Alignment and compliance to National and DP Priorities

- g) How has the project contributed to the achievement of CPD Outcome 2, which aims to ensure that people in Kenya live in a secure, inclusive and cohesive society and more specifically Output 2.5: Rule of law, justice and legislative institutions have technical and financial capacities to deliver normative inclusive, accountable, equitable services?
 - h) Has the project responded to the challenges of national capacity development and do they promote ownership of programmes by the national/county partners?
 - i) How has the project aligned with development cooperation strategies and frameworks of the respective development partners contributing to the Amkeni WaKenya basket?
2. Effectiveness – the extent to which specific project results are being achieved
 - a) To what extent has the costed six-year rolling work-plan contributed to effective implementation of the project?
 - b) To what extent are outcomes being achieved to date? What is the likelihood of the outcomes being achieved by 2022?
 - c) To what extent have effective partnerships and strategic alliances (e.g., national partners, development partners and other external support agencies) been promoted around the project outcomes?
 - d) What programming approach is used in implementation within UNDP, UNODC, NLAS?
 - e) Is there a visibility strategy for the programme? If yes, please share and explain the extent to which the strategy has been implemented? What works well, what does not and how it can be improved?
 - f) Recommend adjustments, if any, to programme strategies and directions for remainder of the programme.

3. Efficiency – Is the implementation mechanism the most cost-effective way of delivering this programme?

- a) Have adequate financial resources been mobilised for the project?
- b) Is there a discernible common or collaborative funds mobilisation strategy?
- c) What cost-minimising strategies are in place in the programme?
- d) How efficiently resources/inputs (funds, expertise, time, etc.) have been converted to the project results at output level?
- e) Are the implementation mechanisms (M&E, resource mobilisation and communications effective in managing the project?
- f) Is there a Project Management Unit (PMU) and how does it function?
- g) How efficiently resources/inputs (funds, expertise, time, etc.) have been converted to
- h) The project results at output level.
- i) To what extent and in what ways have the comparative advantages of the UNDP been
- j) Utilised in the national context (including universality, neutrality, and voluntary and grant nature of contributions, multilateralism, and the special mandates of UNDP)?

Grants Management

- k) Please provide an overview of the grants management system within the programme from the call for proposals to the close-out stage?
- l) How effective is the grants management mechanism in place?
- m) What efforts are made to strengthen the capacity of grantees to deliver on project results?
- n) Are there any indications of leakages and how effective is use of domestic resources?
- o) Are there challenges in effective use of resources, given by development partners (DPs) restrictions on funding?

Programme Governance, Management and Administration

- p) What governance and management arrangements have been put in place for the project? How effective are they?
- q) What administrative procedures have been put in place to ensure the programme is implemented efficiently across all programme areas? What are the key challenges and what measures have been put in place to address them?
- r) What measures have been put in place to ensure harmonisation of administrative procedures across the different UN agencies working together with the Amkeni WaKenya project?

4. Sustainability – the extent to which these implementation mechanisms can be sustained over Time?

- a) Suggestions that can be made on further activities to improve sustainability of the programme.
- b) How have the CSOs embedded sustainability in their respective projects?

5. Design and focus of the project, the quality of the formulation of results at different levels, i.e., the results chain:

- a) What is the UNDP integrated programming approach? What works well and how can it be improved?
- b) Are there any linkages with the previous UNDP Amkeni Wakenya project? What lessons did you learn from the previous programme and how have they been incorporated in the new project?

Results/ M&Es

- c) Please provide an overview of the project's Theory of Change.
- d) Please provide an overview of the M&E system in the programme? To what extent is the current project designed as a results-oriented, coherent and focused framework?

- e) To what extent are the indicators and targets relevant, realistic and measurable? Are the indicators in line with the Sustainable Development Goals (SDGs) and what changes need to be done? Are the baselines up to date or do they need adjusting?
- f) Are expected outcomes realistic given the project timeframe and resources?
- g) To what extent and in what ways have risks and assumptions been addressed in the project design?
- h) What system has been put in place to ensure an effective and efficient M&E system for the grantees in the programme?

Project Management

- a) How are roles and responsibilities defined within the project to ensure efficient and efficient delivery of the project?
- b) Has the project responded to the challenges of national capacity development, and do they promote ownership of programmes by the national/county partners?

Integration of UNDP Programming Principles

- a) How have human rights principles and standards been reflected or promoted in the project? To what extent and in what ways has a human rights approach been reflected as one possible method for integrating human rights concerns into the project? How are these measured in the programme?
- b) To what extent and in what ways are the concepts of gender equity and equality and other cross-cutting issues reflected in programming? Were specific goals and targets set?
- c) How is progress on gender equality and equity measured/assessed? Are there any indicators to assess progress in gender equity and equality? To what extent and how is special attention given to girls' and women's rights and empowerment? What needs to be done to further integrate these dimensions?
- d) Have any best practices emerged as a result of the integration of UNDP programming principles?

Collaboration and Linkages with other UN Programmes

- a) What measures have been put in place to collaborate with other relevant UN agencies
- b) How do you reduce duplication and maximise efficiency?

5. **Impact:** To the extent possible, assess the impact of the project to targeted project beneficiaries and contribution to national and DP priorities.

- a) In your opinion what has been the highest impact/outcome of the project to the targeted beneficiaries so far? To what extent can this be attributed to the UNDP Amkeni WaKenya Programme?
- b) What has been the contribution of the project to the realisation of specific sectoral priorities in MTP II and Vision 2030?
- c) How has the project led to the realisation of the goals in the applicable frameworks of development cooperation (PLEAD, UNDAF, CPD, SDG 16)?
- d) To what extent has engagement with other UN agencies helped achieve the results of the project?

6. What have been the main challenges and what measures have been put in place to address these?

7. Key lessons learnt.

8. In your opinion, what would you need to do differently to help the programme achieve its results?

Integration of UNDP Programme Principles in Amkeni Project Interventions

- 1) Broadly speaking, to what extent do you feel UNDP programming principles have been integrated in Amkeni programming principles.
 - a. Human Rights-Based Approach (HRBA)?
 - b. Leave No One Behind (LNOB) approach?
 - c. Gender equality and women empowerment?
- 2) Would you classify the integration of these programming principles as:
 - a) Largely successful?
 - b) Partly successful/unsuccessful?
 - c) Largely unsuccessful?Why?
- 3) More specifically, how would you characterise the integration into Amkeni activities of:
 - a) HRBA?
 - b) LNOB?
 - c) Gender equality & women empowerment?
- 4) What do you consider to be the most important lessons learned in respect of the integration of:
 - a) HRBA?
 - b) LNOB?
 - c) Gender equality & women empowerment?
- 5) What do you consider to be the greatest challenges in the integration of:
 - a) HRBA?
 - b) LNOB?
 - c) Gender equality & women empowerment?
- 6) Did your organisation provide funding to Amkeni? (Yes/No)
Why was it important for your organisation to participate in the funding of Amkeni?
- 7) To what extent do you believe the integration of programming principles has led to the success of Amkeni during the programming period?
- 8) Did you regularly meet the programme partners? (Yes/No). If so, how often did you meet them?
 - a) Monthly
 - b) Quarterly
 - c) Every 6 months
 - d) Never
- 9) How often did you conduct field visits?
 - a) Monthly
 - b) Quarterly
 - c) Every 6 months
 - d) Never
- 10) In your opinion, has the overall integration of UNDP programming principles been:
 - a) Beyond expectations
 - b) Satisfactory
 - c) Unsatisfactory
 - d) Below expectations

Why (Explain)?

- 11) What best practices have emerged as a result of the integration of UNDP programming principles?
- 12) What recommendations would you have for the next phase, including the issue of sustainability?

6.2.3 Guide for Key Interlocutors

We are conducting research to inform the mid-term evaluation of the Amkeni Wakenya Project, 2015 – 2020. The main objective of the evaluation is to assess the extent of implementation of the project and extent of achievement of project objectives during the period 2015 – 2020.

Your responses will remain anonymous and we shall not cite you in any way. The brief discussion should last no more than 20 minutes. Kindly let us know your opinion on the Amkeni Wakenya project thus far.

Your time and interest in this process is highly appreciated. Thank you.

1. For how long have you been associated with Amkeni?
2. What is the nature of your association with Amkeni?
3. How have you/others in your region benefited from the Amkeni Wakenya project?
4. What are the key lessons learnt?
5. What has worked well?
6. What has not worked well?
7. What advice would you have for the programme management team to improve the programme going forward?

6.3 Annex 3: Survey Tool

INTRODUCTION AND CONSENT			
<p>Good morning/ afternoon? My name is from TIFA Research. We are currently conducting a survey in this locality with regard to people's experiences and opinions on access to justice, human rights, and devolution among other governance and democratic issues. I am interested in knowing people's sincere opinions about these issues and I would like you to participate in this survey.</p> <p>This is a voluntary survey and if you don't know how to answer a question or you don't want to answer it, there is no problem in doing so. Before we start the interview, which will take about 20 minutes, I want to assure you that any information you provide me with will be kept strictly anonymous & confidential and will be used solely for the purposes of this survey. That is, we will not disclose what you tell us and no response will be directly attributed to your name. Would you like to participate in this survey?</p> <p>YES . . . 1 [Thank Respondent and Continue] NO . . . 2 [Thank Respondent and Terminate]</p>			
SCREENER			
Q	QUESTION	CATEGORIES	
S1	In the recent past, have you participated in any survey touching on justice, human rights, governance and democratic matters?	1. Yes [Terminate] 2. No [Continue]	
SURVEY REGION			
REGION: Enter name & code:		Enumeration Area: Enter name and Code	Interviewer name & code:
COUNTY: Enter name & code:		Respondent Name: Respondent Contact ⁹¹ :	Supervisor name & code:
SUB-COUNTY: Enter name & code		WARD: Enter name & code	Date:/...../2021
		RESIDENCE: 1. Urban 2. Rural 3. Peri-Urban	Start time: _____ End time: _____
RESPONDENT/ INTERVIEWEE DEMOGRAPHICS			
Highest level of Education	Marital Status	Religion	Gender
1. Primary 2. Secondary 3. College 4. University 5. None	1. Single 2. Married 4. Divorced/ Separated 5. Widowed	1. Catholic 2. Protestant 3. Muslim 4. Hindu 5. Traditional 6. Other (Specify)	1. Male 2. Female
EMPLOYMENT STATUS OF RESPONDENT		AGE OF THE RESPONDENT (Years)	

⁹¹ Respondent contact details will not be shared but are for our own records, to back-check (track) who has been interviewed.

1. Self-employed Professional (Formal) 2. Self-employed Jua Kali (informal) 3. Employed 5. Casual Laborer 6. Student 7. Unemployed 8. Retired 9. Refused to answer		1. 18-20 2. 21-25 3. 26-30	4. 31-35 5. 36-40 6. 41- 45	7. 46-50 8. 51+
(i) What is your relationship to the head of the household (HH)?	I am the head of the HH I am husband/wife to the head of HH I am mother/father to the head of HH I am son/ daughter to the head of HH I am brother/ sister to the head of HH I am an employee in the HH Distant relative to the head of HH Don't know/ No answer Others (Specify)		1 2 3 4 5 6 7 88 99	
(ii) Whether you are the main income earner or not, what is the main source of income for this household as a whole?	Family business Employment in the Government Employment in a private company Agriculture (Crop Farming/ Livestock Keeping) Fishing Pension Don't know/ Not sure Others (Specify)		1 2 3 4 5 6 88 99	
(iii) How long have you lived in this area?	Less than a year 1 - 2 years 3 - 5 years 6 – 10 years Over ten years		1 2 3 4 5	
iv) Do you or any of your household members work in an extractive industry? Extractive industry is defined as any process that involves the extraction of raw materials (e.g. oil, gas, minerals, quarrying, sand harvesting) from the earth.	Yes No		1 2	
v) Do you have any disability?	Yes No		1 2	
Vi) If yes above, have you registered with any disability organisation network?	Yes No		1 2	
Vii) If Yes, which disability organisation network?	Kenya Association for the Intellectually Handicapped United Disabled Persons of Kenya Action Network for the Disabled Association for the Physically Disabled of Kenya Albinism Society of Kenya The Kenya Society for the Blind		1 2 3 4 5 6	

	Kenya National Association of the Deaf Other specify	7 8
4		
AWARENESS OF HUMAN RIGHTS AND FREEDOMS		
1.	A right may be defined as a lawful entitlement to have or do something. On the other hand, a freedom is that which is lawfully allowed for people in a society. Are you aware of your rights and freedoms as provided for under the constitution of Kenya 2010?	Yes No Don't know/ Not sure
2.	On a scale of 1 to 5, where 1 is very well informed; 2 is well informed; 3 is somewhat informed; 4 is little informed and 5 is not informed at all. How informed are you on your rights and freedoms?	1 2 3 4 5
3.	Which rights and freedoms, if any, are you aware of? [DON'T READ OUT FOR TOM]	
	Right/Freedom	TOP OF MIND AWARENESS
	Right to life	1
	Equality and freedom from discrimination	2
	Respect and protection of one's dignity	3
	Freedom and security of the person	4
	Freedom from slavery, servitude and forced labor	5
	Right to privacy	6
	Freedom of conscience, religion, belief and opinion	7
	Freedom of expression	8
	Access to information	9
	Freedom of association	10
	Right to assemble, demonstrate, picket or petition	11
	Political rights i.e. right vote, join a political party etc.	12
	Freedom of movement and residence	13
	Right to own property	14
	Right to fair labor/employment practices	15
	Right to clean and healthy environment	16
	Social economic rights such as health, education, food, water, housing and social security	17
	Right to establish a family	18
	Fair administrative action	19
	Access to justice	20
	Fair hearing	21
	Children rights	22
	Right to tax exemption of persons living with disability	23
	Right to access educational institutions and facilities for persons with disabilities	24
	Right to reasonable access to all places, public transport and information for person living with disability	25
	Right to use Sign language, Braille or other appropriate means of communication	26
	Rights for the youth	27
	Rights for the elderly	28
	None	98

	Others (Specify)	99	99
4.	Do you know it's your constitutional right to? [Read out the listed rights, one at a time].		
	Right	Yes	No
	a) Have the highest attainable healthcare service, including reproductive health	1	2
	b) Access adequate housing, and reasonable standards of sanitation	1	2
	c) To be free from hunger, and have adequate food of acceptable quality	1	2
	d) Have clean and safe water in adequate quantities	1	2
	e) Social security	1	2
	f) Access to Education	1	2
	g) To be treated with dignity and respect and to be addressed and referred to in a manner that is not demeaning	1	2
	h) To use Sign language, Braille or other appropriate means of communication	1	2
	i) To access materials and devices to overcome constraints arising from the person's disability.	1	2
5.	Have you or any member of your household taken part in a social/community action to demand any rights?	Yes No Don't know	1 2 3
6.	If yes, which right?		
7.	Have you or any member of your household been denied any right but you failed to take action?		
8.	If yes, why did you fail to take action?		
9.	What are your sources of information on your rights and freedoms? (Multiple answers allowed)		
	1. Radio	9. Word of mouth	
	2. Newspapers	10. Social media i.e Facebook, Twitter	
	3. Television	98. Don't know/ Not sure	
	4. Internet	99. Others (Specify)	
	5. Community libraries		
	6. Civic education forums		
	7. Community forums		
	8. The Constitution		
ACCESS TO JUSTICE			
10.	Are you aware of any place (s) for resolving disputes/ cases arising among members in this community?	Y es N o D on	1 2 3

		Don't know	
11.	If yes in question 10 above, which place (s) for dispute resolution are you aware of? <i>[Multiple answers allowed]</i>		
	1.	Local Administrators i.e. Chiefs and their assistants	7.
			8.
	2.	Courts of Law	99.
	3.	Council of Elders	
	4.	The Police	
	5.	Lawyers	
	6.	Arbitrators/mediators	
12.	On a scale of 1 to 3, where 1 is never, 2 is sometimes and 3 is always, how often do people in your locality utilise the services of the following institutions/persons to resolve disputes?		
	Institution/ Organisation	Never	Sometimes
		Always	Don't know/Not sure
	Judiciary/Courts of law	1	2
	Police	1	2
	Local Administrators i.e., chief and their assistants	1	2
	Council of elders	1	2
	Arbitrators/Mediators	1	2
	Lawyers	1	2
	Religious leaders	1	2
13.	In the recent past, have you and/ or any of your close relatives had a dispute/case requiring the intervention of a third party to resolve?		Yes No Don't know
14.	If yes, what action did you take?		Reported the matter to a third party Resolved the dispute amongst ourselves Took no action Don't know
15.	If reported to a third party, where did you report the dispute/case?		Police station Local administrator, i.e chief/ass. chief Court of law Lawyer Religious leader Council of elders/Other (Specify)
16.	Were you and/ or your relative given an opportunity to be heard?		Yes No Don't know/ Not sure
17.	On a scale of 1 to 5; where 1 is very dissatisfied, 2 is somewhat dissatisfied, 3 is neither satisfied nor dissatisfied, 4 is somewhat satisfied and 5 is very satisfied, kindly rate your satisfaction with the outcome of the above-mentioned dispute resolution?		Very dissatisfied Somewhat dissatisfied Neither Satisfied nor Dissatisfied

		Somewhat satisfied Very satisfied Don't know	5 99				
18.	How much do you trust the following to give you justice in case you have a dispute?						
	Institution/ Organisation Chief Police Religious leader Courts Arbitrators/Mediators Lawyers	No trust at all 1 1 1 1 1 1	Little trust 2 2 2 2 2 2	Neither Trust nor Distrust 3 3 3 3 3 3	Quite a bit of trust 4 4 4 4 4 4	A lot of trust 5 5 5 5 5 5	Don't know/Not sure 6 6 6 6 6 6
19.	Are you aware of any legal aid programme?		Yes No	1 2			
20.	In the recent past, have you or any of your household members benefitted from a legal aid programme?		Yes No Don't know	1 2 3			
21.	Which challenges, if any, do you encounter in seeking justice from courts? <i>[Multiple answers allowed]</i>						
	1.	Not easy to reach them	5.	Corruption			
	2.	Complicated procedures	6.	Unaffordable costs			
	3.	Language barrier	7.	No interaction			
	4.	Inadequate courts	99.	Others <i>(Please specify)</i>			
	5.	Inadequate access to legal services					
22.	What are your sources of information on justice? (Multiple answers allowed)						
	1.	Radio	9.	Word of mouth			
	2.	Newspapers	10.	Social media, i.e Facebook, Twitter			
	3.	Television	11.	Police			
	4.	Internet	12.	Religious leaders			
	5.	Community libraries	13.	Local administrators i.e., chief and their assistants			
	6.	Civic Education forums	14.	Legal Aid Centres			
	7.	Community forums	98.	Don't know/ Not sure			
	8.	The Constitution	99.	Others (Specify			
KNOWLEDGE OF DEVOLVED GOVERNANCE AND POLICY PROCESSES							
23.	On a scale of 1 to 3 where 1 is very informed, 2 is somewhat informed and 3 is not informed at all, how informed are you with regard to...?						
	Aspect	1. Well informed	2. Somewhat Informed	3. Not informed at all			
	Devolved Governments (Role and functions of the county governments)	1	2	3			
				4			

24.	<p>In your opinion, how important to you is the implementation of devolution for Kenya today? Is it... [READ OUT] //</p> <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <tr> <td style="width: 80%; text-align: right;">Very important //</td> <td style="width: 20%; text-align: center;">1</td> </tr> <tr> <td style="text-align: right;">Somewhat important //</td> <td style="text-align: center;">2</td> </tr> <tr> <td style="text-align: right;">Not important //</td> <td style="text-align: center;">3</td> </tr> <tr> <td style="text-align: right;">Not important at all //</td> <td style="text-align: center;">4</td> </tr> <tr> <td style="text-align: right;">(Don't know //</td> <td style="text-align: center;">-8</td> </tr> <tr> <td style="text-align: right;">(Refuse to answer //</td> <td style="text-align: center;">-9</td> </tr> </table>	Very important //	1	Somewhat important //	2	Not important //	3	Not important at all //	4	(Don't know //	-8	(Refuse to answer //	-9																																															
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25.	<p>Which functions, if any, of your county government are you aware of? [DO NOT READ OUT, LET THE RESPONDENT NAME AS MANY SERVICES AS THEY CAN]</p> <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <tr><td style="width: 5%; text-align: center;">A.</td><td style="width: 75%;">Agricultural development in the county</td><td style="width: 20%; text-align: center;">1</td></tr> <tr><td style="text-align: center;">B.</td><td>Animal control and welfare</td><td style="text-align: center;">2</td></tr> <tr><td style="text-align: center;">C.</td><td>Control of pollution (air, noise, etc)</td><td style="text-align: center;">3</td></tr> <tr><td style="text-align: center;">D.</td><td>Control of drug and alcohol abuse</td><td style="text-align: center;">4</td></tr> <tr><td style="text-align: center;">E.</td><td>County transport</td><td style="text-align: center;">5</td></tr> <tr><td style="text-align: center;">F.</td><td>County planning and development</td><td style="text-align: center;">6</td></tr> <tr><td style="text-align: center;">G.</td><td>County roads</td><td style="text-align: center;">7</td></tr> <tr><td style="text-align: center;">H.</td><td>County health services</td><td style="text-align: center;">8</td></tr> <tr><td style="text-align: center;">I.</td><td>Drainage and sewerage systems in the county</td><td style="text-align: center;">9</td></tr> <tr><td style="text-align: center;">J.</td><td>Engaging local communities in governance of the county</td><td style="text-align: center;">10</td></tr> <tr><td style="text-align: center;">K.</td><td>Pre-primary education in the county</td><td style="text-align: center;">11</td></tr> <tr><td style="text-align: center;">L.</td><td>Providing enabling environment for county investment</td><td style="text-align: center;">12</td></tr> <tr><td style="text-align: center;">M.</td><td>Firefighting services and disaster management</td><td style="text-align: center;">13</td></tr> <tr><td style="text-align: center;">N.</td><td>Other 1 (Specify)_____</td><td style="text-align: center;">14</td></tr> <tr><td style="text-align: center;">O.</td><td>Other 2 (Specify)_____</td><td style="text-align: center;">15</td></tr> <tr><td style="text-align: center;">P.</td><td>Other 3 (Specify)_____</td><td style="text-align: center;">16</td></tr> <tr><td style="text-align: center;">Q.</td><td>None</td><td style="text-align: center;">97</td></tr> <tr><td style="text-align: center;">R.</td><td>(Don't know</td><td style="text-align: center;">98</td></tr> <tr><td style="text-align: center;">S.</td><td>(Refuse to answer)</td><td style="text-align: center;">99</td></tr> </table>	A.	Agricultural development in the county	1	B.	Animal control and welfare	2	C.	Control of pollution (air, noise, etc)	3	D.	Control of drug and alcohol abuse	4	E.	County transport	5	F.	County planning and development	6	G.	County roads	7	H.	County health services	8	I.	Drainage and sewerage systems in the county	9	J.	Engaging local communities in governance of the county	10	K.	Pre-primary education in the county	11	L.	Providing enabling environment for county investment	12	M.	Firefighting services and disaster management	13	N.	Other 1 (Specify)_____	14	O.	Other 2 (Specify)_____	15	P.	Other 3 (Specify)_____	16	Q.	None	97	R.	(Don't know	98	S.	(Refuse to answer)	99		
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26.	<p>Have you received any civic education on devolution?</p>	<p>Yes No</p>	<p>1 2</p>																																																									
27.	<p>If yes, who was the facilitator of the civic education activity?</p>	<p>NGO/ Civil society organis atios County Gover nment Nation al Gover nment</p>	<p>1 2 3 4 99</p>																																																									

		Don't know Other (Specify)																																									
28.	Would you say your county government has observed the following values and principles?																																										
	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 70%;">Value/ Principle</th> <th style="width: 10%;">Yes</th> <th style="width: 10%;">No</th> <th style="width: 10%;">Don't know</th> </tr> <tr> <td>Involvement of the people/ citizenry in its activities</td> <td style="text-align: center;">1</td> <td style="text-align: center;">2</td> <td style="text-align: center;">3</td> </tr> <tr> <td>Transparency and accountability in its affairs</td> <td style="text-align: center;">1</td> <td style="text-align: center;">2</td> <td style="text-align: center;">3</td> </tr> <tr> <td>Equality/inclusion of people from all diversities into the government</td> <td style="text-align: center;">1</td> <td style="text-align: center;">2</td> <td style="text-align: center;">3</td> </tr> <tr> <td>Equitable distribution of county resources</td> <td style="text-align: center;">1</td> <td style="text-align: center;">2</td> <td style="text-align: center;">3</td> </tr> <tr> <td>Recognition and inclusion of women into the government</td> <td style="text-align: center;">1</td> <td style="text-align: center;">2</td> <td style="text-align: center;">3</td> </tr> <tr> <td>Recognition and inclusion of youth into the government</td> <td style="text-align: center;">1</td> <td style="text-align: center;">2</td> <td style="text-align: center;">3</td> </tr> <tr> <td>Recognition and inclusion of persons with disability into the government</td> <td style="text-align: center;">1</td> <td style="text-align: center;">2</td> <td style="text-align: center;">3</td> </tr> <tr> <td>Taking service provision closer to the people</td> <td style="text-align: center;">1</td> <td style="text-align: center;">2</td> <td style="text-align: center;">3</td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </table>	Value/ Principle	Yes	No	Don't know	Involvement of the people/ citizenry in its activities	1	2	3	Transparency and accountability in its affairs	1	2	3	Equality/inclusion of people from all diversities into the government	1	2	3	Equitable distribution of county resources	1	2	3	Recognition and inclusion of women into the government	1	2	3	Recognition and inclusion of youth into the government	1	2	3	Recognition and inclusion of persons with disability into the government	1	2	3	Taking service provision closer to the people	1	2	3						
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29.	In your opinion, to what extent have citizens been involved (consulted) in decision making in this county by the county government? [READ OUT] //?																																										
	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">They have not been involved at all //</td> <td style="width: 40%; text-align: center;">1</td> </tr> <tr> <td>They have been involved to some extent//</td> <td style="text-align: center;">2</td> </tr> <tr> <td>They have been fully involved //</td> <td style="text-align: center;">3</td> </tr> <tr> <td>(Don't know//</td> <td style="text-align: center;">-8</td> </tr> <tr> <td>(Refuse to Answer//</td> <td style="text-align: center;">-9</td> </tr> </table>	They have not been involved at all //	1	They have been involved to some extent//	2	They have been fully involved //	3	(Don't know//	-8	(Refuse to Answer//	-9																																
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30.	How does your county government get views from the citizenry on its policy and legislative matters?	Through public participation forums Open petitions Governor round tables Village/Ward committees Interactive websites/portals Other (specify) Don't know	1 2 3 4 3 4 99																																								
31.	Thinking about public participation as enshrined in the constitution; how easy or difficult would you say it is: [Interviewer: Probe for strength of opinion]																																										
	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 33%;"></td> <td style="width: 16.5%; text-align: center;">Very Easy</td> <td style="width: 16.5%; text-align: center;">Easy</td> <td style="width: 16.5%; text-align: center;">Difficult</td> <td style="width: 16.5%; text-align: center;">Very difficult</td> <td style="width: 16.5%; text-align: center;">Don't Know [DNR]</td> </tr> </table>		Very Easy	Easy	Difficult	Very difficult	Don't Know [DNR]																																				
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					It	
	A. To participate in your county budgeting and planning//	1	2	3	4	9
	B. To influence your county decision making//	1	2	3	4	9
	C To access information on your county budgets, legislation and project plans//	1	2	3	4	9
	d) To participate in enactment/amendment of your county laws//	1	2	3	4	9

32.	<p>a) Has your county government ever obtained your opinion on how your county should be run?</p> <table style="width: 100%;"> <tr> <td style="width: 5%; text-align: center;">1</td> <td style="text-align: center;">Yes//</td> </tr> <tr> <td style="text-align: center;">2</td> <td style="text-align: center;">No//</td> </tr> </table> <p>b) Through invitation of your County Government, have you ever attended any meeting or forum to give your views on county laws/legislation?</p> <table style="width: 100%;"> <tr> <td style="width: 5%; text-align: center;">1</td> <td style="text-align: center;">Yes //</td> </tr> <tr> <td style="text-align: center;">2</td> <td style="text-align: center;">No//</td> </tr> </table> <p>c) If no, what would make you attend/participate in county public participation forums?</p> <table style="width: 100%; height: 20px;"> <tr> <td></td> <td></td> </tr> </table>	1	Yes//	2	No//	1	Yes //	2	No//		
1	Yes//										
2	No//										
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2	No//										

33.	<p>Overall, how satisfied are you with the extent of public participation in the operations of your county government? Are you: <i>[Read out options. Only one option to be chosen]</i></p> <table style="width: 100%;"> <tr> <td style="width: 85%;">Very satisfied</td> <td style="width: 15%; text-align: center;">1</td> </tr> <tr> <td>Fairly satisfied</td> <td style="text-align: center;">2</td> </tr> <tr> <td>Not very satisfied</td> <td style="text-align: center;">3</td> </tr> <tr> <td>Not at all satisfied</td> <td style="text-align: center;">4</td> </tr> <tr> <td>There is no public participation <i>[Do not read]</i></td> <td style="text-align: center;">5</td> </tr> <tr> <td>Do not know <i>[Do not read]</i></td> <td style="text-align: center;">9</td> </tr> <tr> <td></td> <td style="text-align: center;">8</td> </tr> </table>	Very satisfied	1	Fairly satisfied	2	Not very satisfied	3	Not at all satisfied	4	There is no public participation <i>[Do not read]</i>	5	Do not know <i>[Do not read]</i>	9		8
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	8														

PARTICIPATION IN ELECTORAL PROCESSES & POLITICAL ACCOUNTABILITY	
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34.	<p>If there was an election tomorrow. Which of the following statements would best apply to you? [READ OUT]//</p> <table style="width: 100%;"> <tr> <td style="width: 85%;">I would not vote no matter what //</td> <td style="width: 15%; text-align: center;">1</td> </tr> <tr> <td>I probably would not vote //</td> <td style="text-align: center;">2</td> </tr> <tr> <td>I probably would vote //</td> <td style="text-align: center;">3</td> </tr> <tr> <td>I would vote no matter what //</td> <td style="text-align: center;">4</td> </tr> <tr> <td>(Don't know //</td> <td style="text-align: center;">98</td> </tr> <tr> <td>(Refuse to answer //</td> <td style="text-align: center;">99</td> </tr> </table>	I would not vote no matter what //	1	I probably would not vote //	2	I probably would vote //	3	I would vote no matter what //	4	(Don't know //	98	(Refuse to answer //	99
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35.	<p>Over the recent past, have you been reached by any civil society organisation conducting voter education?</p>	<p>Yes</p> <p>No</p> <p>Don't Know</p>
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36.	If yes, which civil society organisation conducted the said voter education?																																										
37.	<p>Below is a list of actions people sometimes take as citizens. For each of these, please tell me whether you have personally been involved or not over the PAST ONE YEAR? If Yes, please tell me whether you have been involved often, a few times or once. If No, please tell me whether you would, if you had the chance or you will never. [READ OUT ALL] //</p> <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <thead> <tr> <th rowspan="2"></th> <th colspan="3">Yes</th> <th colspan="2">No(La)</th> <th rowspan="2">DK/RT A</th> </tr> <tr> <th>Often/ /</th> <th>A few times//</th> <th>Once/ /</th> <th>But would if had a chance//</th> <th>Would never//</th> </tr> </thead> <tbody> <tr> <td>A. Got together with others in your community to raise an issue with the authorities</td> <td style="text-align: center;">4</td> <td style="text-align: center;">3</td> <td style="text-align: center;">2</td> <td style="text-align: center;">1</td> <td style="text-align: center;">0</td> <td style="text-align: center;">-9</td> </tr> <tr> <td>B. Attended a demonstration or protest march //</td> <td style="text-align: center;">4</td> <td style="text-align: center;">3</td> <td style="text-align: center;">2</td> <td style="text-align: center;">1</td> <td style="text-align: center;">0</td> <td style="text-align: center;">-9</td> </tr> <tr> <td>C. Attended a civic education meeting //</td> <td style="text-align: center;">4</td> <td style="text-align: center;">3</td> <td style="text-align: center;">2</td> <td style="text-align: center;">1</td> <td style="text-align: center;">0</td> <td style="text-align: center;">-9</td> </tr> <tr> <td>D. Contacted an elected leader to raise an issue of concern //</td> <td style="text-align: center;">4</td> <td style="text-align: center;">3</td> <td style="text-align: center;">2</td> <td style="text-align: center;">1</td> <td style="text-align: center;">0</td> <td style="text-align: center;">-9</td> </tr> </tbody> </table>		Yes			No(La)		DK/RT A	Often/ /	A few times//	Once/ /	But would if had a chance//	Would never//	A. Got together with others in your community to raise an issue with the authorities	4	3	2	1	0	-9	B. Attended a demonstration or protest march //	4	3	2	1	0	-9	C. Attended a civic education meeting //	4	3	2	1	0	-9	D. Contacted an elected leader to raise an issue of concern //	4	3	2	1	0	-9		
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38.	<p>In your opinion, how often is corruption practiced in the following institutions, or haven't you heard enough about them to say? [Read out options]</p> <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <thead> <tr> <th>Institution</th> <th>Never</th> <th>Rarely</th> <th>Sometimes</th> <th>Always</th> <th>Don't know/ Haven't heard [DNR]</th> </tr> </thead> <tbody> <tr> <td>A. Office of the Governor and Executive Officers</td> <td style="text-align: center;">0</td> <td style="text-align: center;">1</td> <td style="text-align: center;">2</td> <td style="text-align: center;">3</td> <td style="text-align: center;">99</td> </tr> <tr> <td>F. County Assembly offices//</td> <td style="text-align: center;">0</td> <td style="text-align: center;">1</td> <td style="text-align: center;">2</td> <td style="text-align: center;">3</td> <td style="text-align: center;">99</td> </tr> <tr> <td>G. Police//</td> <td style="text-align: center;">0</td> <td style="text-align: center;">1</td> <td style="text-align: center;">2</td> <td style="text-align: center;">3</td> <td style="text-align: center;">99</td> </tr> <tr> <td>H. Courts of law //</td> <td style="text-align: center;">0</td> <td style="text-align: center;">1</td> <td style="text-align: center;">2</td> <td style="text-align: center;">3</td> <td style="text-align: center;">99</td> </tr> <tr> <td>H.</td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>I. J.</td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>	Institution	Never	Rarely	Sometimes	Always	Don't know/ Haven't heard [DNR]	A. Office of the Governor and Executive Officers	0	1	2	3	99	F. County Assembly offices//	0	1	2	3	99	G. Police//	0	1	2	3	99	H. Courts of law //	0	1	2	3	99	H.						I. J.					
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39.	<p>Now I would like to talk to you about experiences that some people have in accessing certain essential government services or evading justice. In the past one year ?//</p> <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <thead> <tr> <th></th> <th>Never</th> <th>Once or twice</th> <th>A few times</th> <th>Often</th> <th>Don't Know [DN R]</th> </tr> </thead> <tbody> <tr> <td>A. Did you pay a bribe, give a gift to a public officer in order to get the services you needed from him/her or evade the law?//</td> <td style="text-align: center;">0</td> <td style="text-align: center;">1</td> <td style="text-align: center;">2</td> <td style="text-align: center;">3</td> <td style="text-align: center;">99</td> </tr> </tbody> </table>		Never	Once or twice	A few times	Often	Don't Know [DN R]	A. Did you pay a bribe, give a gift to a public officer in order to get the services you needed from him/her or evade the law?//	0	1	2	3	99																														
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	B. Do you know someone who had to pay a bribe or give a gift to a public officer in order to get the services he/she needed or evade the law?//																
	1. Yes																
	2. No																
40.	Please tell me whether you agree or disagree with the following statement																
	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td colspan="2" style="text-align: center;">Ordinary people can make a difference in the fight against corruption // <i>[Interviewer: Probe for strength of opinion.]</i></td> </tr> <tr> <td>Strongly disagree</td> <td style="text-align: center;">1</td> </tr> <tr> <td>Disagree</td> <td style="text-align: center;">2</td> </tr> <tr> <td>Neither agree nor disagree <i>[Do not read]</i></td> <td style="text-align: center;">3</td> </tr> <tr> <td>Agree</td> <td style="text-align: center;">4</td> </tr> <tr> <td>Strongly agree</td> <td style="text-align: center;">5</td> </tr> <tr> <td>Don't know <i>[Do not read]</i></td> <td style="text-align: center;">9</td> </tr> </table>			Ordinary people can make a difference in the fight against corruption // <i>[Interviewer: Probe for strength of opinion.]</i>		Strongly disagree	1	Disagree	2	Neither agree nor disagree <i>[Do not read]</i>	3	Agree	4	Strongly agree	5	Don't know <i>[Do not read]</i>	9
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41.	In your opinion, what action should be taken against public officers involved/mentioned in corruption?																
	1. Step aside 2. Resign 3. Prosecuted immediately 4. Banned from holding any office 5. Return the loot/freezing his/her accounts 6. Stay in office 7. Others (specify)_____																
42.	In your opinion, how effective are civil society organisations in responding to emerging governance issues such as Corruption and terrorism?																
	1. Very Effective 2. Somewhat effective 3. Not effective 4. Don't know																
AMKENI WAKENYA PROGRAMME																	
43.	Are you aware of the Amkeni Kenya project?	Yes	1														
		No	2														
44.	If yes, how did you know about the Amkeni Wakenya Project?	Through print media (Newspapers, booklets)	1														
		Through broadcast media (TV, Radio)	2														
		Through Civil Society Organisations	3														
		Through word of Mouth	4														
		Through the internet	5														
		Through social media	6														
			9														

		Others (Specify)	
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THANK RESPONDENT AND END INTERVIEW

6.4 Annex 4: Assessment of Outcomes and Indicators

Assessment of Outcome and Indicators

The outcomes are clearly stated and address some of the pertinent issues identified as the development challenges that the UNDP Amkeni WaKenya project aimed to contribute to. The table below provides an analysis of the outcomes and indicators

Expected Results (Outcomes & outputs)	Indicators	Baseline	Progress to date (Dec 2020)	End of Project Target (by 2018)	Remarks
Outcome 1: Improved respect, enjoyment and promotion of access to justice, human rights and freedoms for Kenyans.	Number of Amkeni supported counties with CIDPs that are HRBA compliant.	11		<u>18⁹²</u>	<ul style="list-style-type: none"> The outcome is well stated. However, enjoyment is quite a subjective measure so not very measurable. The assessment of the outcome can only be deduced from a collation of the output measures since there is no data collected for the outcome level indicators.
	% of Kenyans accessing justice in target counties.	14.3%		10% above the baseline <u>(15.3)</u>	
Output1.1: Enhanced citizen awareness and engagement on human rights using innovative CSO approaches	% of citizens' aware of basic human rights (Water, health, sanitation education).	39.2%	<p>2020 - 2,251,319 (85,319 (33,169M; 52,150F) direct⁹³ and 2,166,000 indirect⁹⁴) beneficiaries reached. This represents 26.9% of total population in the target counties versus a target of 40%.</p> <p>-Capacity to access to justice and awareness on human rights to PWDs and the Indigent Population enhanced in the target counties.</p> <p>-Capacity of 60,000 vulnerable women to access Universal Health Care (UHC) services in Kisumu County enhanced</p> <p>-Enhanced monitoring and response to human rights violations related to COVID-19 restrictions</p> <p>-Enhanced Social Accountability for realisation of basic rights through grassroots mechanisms in Turkana County.</p> <p>2019</p> <ul style="list-style-type: none"> A total of 1,514,028 (50,384 (23,089m; 27,295f) 	40%	<ul style="list-style-type: none"> It's likely that the target will be met

⁹² Amkeni plans to work in 18 counties

⁹³ Direct beneficiaries are defined as those who participated directly in the project, and thus benefitted from the interventions.

⁹⁴ Indirect beneficiaries are defined as beneficiaries reached through radio programmes, social media and TV shows

			<p>direct⁹⁵ and 1,463,644 indirect⁹⁶) beneficiaries reached. This represents 17.5% of total population in the target counties versus a target of 40%.</p> <p>2018</p> <ul style="list-style-type: none"> The programme reached 44,524 citizens directly and 1,212,776 indirectly with enhanced awareness on basic human rights in Kwale, Turkana and Kitui counties during the reporting period through conventional civic education initiatives and innovative media outreach. <p>2017</p> <ul style="list-style-type: none"> 64,498 (34,399 female and 30,159 male) citizens directly and 605,423 indirectly equipped with knowledge on their basic human right in Kwale, Turkana and Kitui Counties 		
	Number of innovative CSO approaches adopted.	0	<p>Total to date - 15</p> <p>2020 – 5</p> <p>2019 - 4</p> <p>2018 - 2</p> <p>2017 - 4</p>	15	<ul style="list-style-type: none"> Target Met
<p>Output 1.2: Enhanced access to justice [2] for the marginalised and vulnerable communities using innovative CSO approaches.</p>	% of the marginalised and vulnerable communities accessing justice.	15%	<p>2020 – 36.2</p> <p>2019 – 21.8%</p> <p>2018 –</p> <ul style="list-style-type: none"> 12 legal aid clinics for PWDs conducted in Kwale. -300 marginalised citizens assisted to access legal aid. <p>2017 -</p> <ul style="list-style-type: none"> 31,923 citizens were equipped with legal Knowledge and skills. 413 beneficiaries assisted to access legal services through legal aid and assistance at the courts of law, police stations and through ADR through mediation 50% of the cases have been resolved. 	40%	<ul style="list-style-type: none"> Target will be achieved.

⁹⁵ Direct beneficiaries are defined as those who participated directly in the project, and thus benefitted from the interventions.

⁹⁶ Indirect beneficiaries are defined as beneficiaries reached through radio programs, social media and TV shows.

	Number of laws and policies on ADR adopted at national level.	0	2020 - AJS policy finalised and two (2) training sessions on AJS to CuCs in Nairobi County conducted with technical support from Amkeni Wakenya. 2019 – 0 (One AJS policy being developed with input from Amkeni WaKenya). 2018 – 0 (Draft Alternative Justice Sector Policy developed) 2017 – 0	1	<ul style="list-style-type: none"> ● Achieved
Output 1.3: Enhanced CSO engagement with national level duty bearers on policy and legislative development as well as enforcement and monitoring of rights and freedoms.	Number of policy and legal changes attributable to CSO engagement.	0	2020- 1 policy change 2019 – 4 policy changes 2018 – process on going 2017 <ul style="list-style-type: none"> ● CSO in Kitui facilitated to participate in developing the public participation Bill. ● Increased community participation in the development of the 2nd Generation CIDPs in the three counties. ● Functional mechanisms created to expand debates on observance of the Mining Act (2016), 2016 community land law and community land leasing in Kitui County. 	2	<ul style="list-style-type: none"> ● Achieved ● When reporting the narrative should make a distinction between the policy changes and the processes that are ongoing advocating additional/new policy and legal changes. This will make it easier to track progress. ● Review and state it correctly – in the 2019 AR, the indicator reads as follows: No. of policy and legal changes on human rights attributable to CSOs engagement (need to clarify the indicators)
	Number of rights whose enforcement is attributable to CSO engagement.	At least 2 rights PBO and Media Bills	2020 <ul style="list-style-type: none"> ● TUBAE provided technical support in the development of the Turkana County Fiscal Strategy Paper for 2020/21 which was approved in June 2020. ● Improved responsiveness of Government of Kenya on demands for public participation prior to adoption of the Huduma Bill, 2020. ● Adoption of the Turkana County Fiscal Strategy Paper (CSFSP) 2020 using rights-based approach ● Enhanced transparency and responsiveness on use of resources allocated to county health budgets in Kisumu. 2019 Four (4) key policy and legal changes attributable to Amkeni grantee's engagement were as follows: -a) Development of Rules to operationalise aspects of	At least 4 rights attributable to the CSO engagement.	Reported as fully achieved ; however the following should be addressed: <ul style="list-style-type: none"> ● Review the indicator – reads differently in different reporting periods -- in 2020, it reads as 'No. of policies enforcing rights attributable to CSOs engagement' ● It's important to define what policies are in the project to ensure that only the right documents are tracked. ● Make a distinction between what has been achieved and what is still in the process of being achieved.

			<p>Protection Against Domestic Violence Act (PADV) of 2015; b) operationalisation of the county disability laws in Nairobi and Machakos; c)- enhanced engagement and responsiveness of land officials in Malindi, leading to fast-tracking of issuance of land titles for poor; d) integration of human rights-based approach in delivery of maternal health services in Marsabit.</p> <p>2018</p> <ul style="list-style-type: none"> Increased citizen engagement in county government participation in legislative processes. 19% of PWD's enjoying access to social protection funds as drawn from the number of the registered PWD's. <p>2017 Indicator not included in reports.</p>		
Expected Results (Outcomes & outputs)	Indicators	Baseline		Target (by 2018)	
Outcome 2: A rights-responsive devolved system of governance entrenched.	Number of target counties that have functional mechanisms for citizen engagement.	11	2017 (3) Three counties established functional mechanisms for citizen engagement.	15	<ul style="list-style-type: none"> The outcome is well articulated, with good indicators. However there is no data collected so far. Indicator reported as an output indicator.
	% of citizens in target counties satisfied with engagement mechanisms employed by the county government.	42.1%	2017 -There was considerable turnout by citizens for public participation forums convened on the budget-making process in Kitui and Kwale. This can be viewed as satisfaction with citizen engagement mechanisms in the two counties.	Improve baseline by 80%	Indicator reported as an output indicator.
Output 2.1: Capacity of CSO to engage county governments & duty bearers[3] on planning, budgeting, project management and service delivery using HRBA enhanced and applied.	Number of supported CSOs participating in planning and budgeting at the county level.	0		14 ⁹⁷	
	Number of target CSO and county Government staff trained on HRBA approaches.	0		4,700 ⁹⁸	

⁹⁷ At least 1 CSO in each of the 14 target counties.

⁹⁸ Assuming 50 people per county for 14 target counties

Output 2.2: Rights-responsive County Public Participation laws, frameworks & platforms established and institutionalised.	% of citizen participating in county legislation processes in target counties.	18.3%-	2019 2018 <ul style="list-style-type: none"> A LOA was signed between the Speaker of Turkana County supported development of the SGBV Bill. -Kitui CSOs Network involved in advocacy for adoption of a new public participation law. 2017 <ul style="list-style-type: none"> -2 platforms for youth established in Kwale and Turkana to champion youth involvement in devolution processes. -2 memoranda presented by the Youth Oversight Committee in Kwale to the County Assembly and Executive on youth demands for changes in the Sports and internship policy. -Youth-responsive budgeting guidelines published and distributed in Kwale with 25% of proposals by youth. 	Increase baseline by 50%	
	No. of laws on citizen participation adopted with demonstrable citizen participation at the county level.	0		4	
Output 2.3: Citizens' knowledge and skills in devolved governance and policy processes enhanced.	% of citizens who are aware of devolved governance processes.	75.3%	2018 <ul style="list-style-type: none"> TBD 2017 <ul style="list-style-type: none"> 75% of citizens are aware of devolved governance processes. 	Increase baseline by 80%	
	% of citizens reached with civic education on devolution.	16.8%	2018 <ul style="list-style-type: none"> 44,524 citizens directly and 1,212,776 indirectly with enhanced awareness on basic human rights in Kwale, Turkana and Kitui. 2017 <ul style="list-style-type: none"> 16.8% of citizen reached d with civic education on devolution in Kwale and Turkana counties. 	6.9%	
Output 2.4: Innovative CSO partnerships with county duty bearers	Number of relevant institutions	1 state and 1 non-state institution engaged.		state and 2 non-state institutions engaged.	

and national processes/institutions (involved in the devolved government reforms) in enhancing rights and freedoms.	engaged at the national levels.				
	Number of CSOs initiatives supported by the county duty-bearers.	0	2018 <ul style="list-style-type: none"> 3 Initiatives CSO initiatives supported by the county duty bearers. 2017 <ul style="list-style-type: none"> 7 CSO initiatives supported by the county duty bearers. 	3	
	Number of Changes arising from the successful partnerships in the devolution landscape.	0		3	
Expected Results (Outcomes & outputs)	Indicators	Baseline		Target (by 2018)	
Outcome 3: Improved organisational performance, sustainability and enabling environment for CSOs in Kenya.	Rating of the enabling environment for CSOs in Kenya (CIVICUS Index).	0.43 ⁹⁹	- No data available.	>0.43	
	Number of target CSOs whose Capacity Performance Index (CPI) score has improved.	50%	<ul style="list-style-type: none"> No data available. 	60%	
Output 3.1: Enabling policy and legal frameworks on civil society adopted and implemented with adequate PBOs participation.	Percentage of supported CSOs participating in policy development discourses.	0	2020 – the % is not provided. <ul style="list-style-type: none"> Report indicates - Sustained advocacy by CSOs for operationalisation of PBO Act 2013: Civil Society Reference Group (CSRG) supported in development of PBO ACT Rules & Regulations. 2019 <ul style="list-style-type: none"> Transition to PBO Act study was commissioned in Q3 to inform advocacy and CSO engagement towards operationalisation of the Act. 2018 <ul style="list-style-type: none"> Indicator not in 2018 – 	25%	For 2018, some of the indicators are different and read as follows: Number of target CSOs whose Capacity Performance Index (CPI) score has improved. Number of laws and policies on CSOs adopted % of supported CSO annual returns submitted reviewed by the CSO Regulator. Fully Achieved
	Number of laws and policies on PBOs adopted.	0	2020 <ul style="list-style-type: none"> AJS policy adopted. <ul style="list-style-type: none"> Improved preparedness by the NGO Board for the transition to the PBO Act 2013: Transition study of 	2	

⁹⁹ Last assessment was in 2013

			the NGO Board to PBO Authority finalised.		
			2018 <ul style="list-style-type: none"> (Process) Even though the PBO Act is yet to be operationalised, advocacy efforts towards the same increased in 2019. 		
Output 3.2: Capacity of PBO Authority to discharge its mandate to the PBO sector enhanced.	% of supported CSO annual returns submitted and reviewed by the CSO Regulator.	0	2020 <ul style="list-style-type: none"> 100% of Amkeni Wakenya CSOs submitted annual returns to the NGO Board. 2019 <ul style="list-style-type: none"> 34% of active registered NGOs submit annual returns in 2018/9 FY. 2018 <ul style="list-style-type: none"> 	100% of supported	Achieved
	Rating of the PBO Authority as an enabler for CSOs.	Poor	2020 (rating not provided but narrative on capacity building is provided below) <ul style="list-style-type: none"> NGO Board staff capacity in public policy analysis enhanced through training. Stakeholder engagement capacity of NGO Board enhanced. Knowledge management capacity of NGO Board enhanced: Annual NGO Sector Report launched. 2019 <ul style="list-style-type: none"> -NGO Board supported in successfully convening 5 regional forums to hear 2018 - Poor <ul style="list-style-type: none"> Poor; however, Amkeni supported the NGO Board to hold consultative meetings with CSOs in Mombasa County aimed at addressing concerns over poor stakeholder relations. 2017 <ul style="list-style-type: none"> 	Satisfactor y	<ul style="list-style-type: none"> A rating has not been provided. The data used to measure the indicator does not directly correspond to what needs to be measured. Capacity building processes for the NGO board are used to measure the indicator.
Output 3.3: CSO self-regulation mechanisms established and supported.	Number of CSO self-regulation mechanisms established and maintained on an annual basis.	0	2020 <ul style="list-style-type: none"> Five (5) County PBO Forums strengthened and sustained by CSRG in 2020. 2019 <ul style="list-style-type: none"> Five (5) county CSO networks established under auspices of CSO Reference Group. 1,540 CSO leaders trained on self-regulation mechanisms under PBO Act in five (5) counties. 	1	Achieved

			2018 <ul style="list-style-type: none"> Kitui County CSO Network established and continuously supported as a self-regulatory platform. 		
	Level of CSO satisfaction with the role of CSO self-regulation.	Good	2020 <ul style="list-style-type: none"> CSRG held five (5) regional consultative forums on self-regulation. 2019 <ul style="list-style-type: none"> TBD in 2020. 2018 <ul style="list-style-type: none"> Indicator not included and not reported on. 	Good	<ul style="list-style-type: none"> Evaluation findings during the CSRG should have been used to assess the level of satisfaction with the role of CSO self regulation.
Output 3. 4: Critical capacities for organisational development, impact and sustainability among CSOs enhanced.	% of CSO's fulfilling their contractual obligations to Amkeni.	0	2020 Data on this specific indicator is not provided, however, data exists for several PLEAD indicators. 2019 -84% of the IPs found to have operational systems in place with good project management capacity. 2018 Indicator not included in the report.	100	<ul style="list-style-type: none"> Reported as fully achieved Data on this indicator as stated is not provided however PLEAD Indicator 3.1.1: % of supported CSOs having operational systems in place (e.g. financial, project management, administrative and HR) can be used as a proxy. In 2018, this indicator is not included in the Annual Report. The report included reads as % of supported CSOs generating at least 10% of their annual budget internally.
Outcome 4: Capacity of civil society to respond to contemporary governance issues enhanced.	Number of emerging governance issues responded to.	0	2020 <ul style="list-style-type: none"> 2019 <ul style="list-style-type: none"> One, coal mining. 	2	Likely not to be achieved unless a rigorous strategy of implementation is developed.
	% of key stakeholders perceiving civil society response to contemporary governance issues as effective.	34.2%	2018 <ul style="list-style-type: none"> 16% 	20% above baseline	<ul style="list-style-type: none"> Likely not to be achieved unless a rigorous strategy of implementation is developed.
Output4.1: Adequate integration of human rights principles in laws, frameworks and operations governing extractive industries with meaningful CSO participation.	Number of laws and frameworks governing extractive industries with CSO participation.	0	2018 <ul style="list-style-type: none"> Compensation, relocation and resettlement draft guidelines formulated in Kitui County. 	At least two laws and one framework	
	% of citizens participating in extractive	11.7%	<ul style="list-style-type: none"> 10,000 citizens engaged in the extractives sector in Kitui County. 	Increase baseline by 10%.	

	industries in target counties.				
Output 4.2: Effective citizen participation in electoral processes and political accountability mechanisms using innovative CSO approaches.	% citizens reached by CSOs during voter education.	5%	-	6%	
Outcome 4.3: Integrity and political accountability addressed effectively through innovative anti-corruption initiatives.	No. of integrity and accountability laws and policies reviewed.	0	2020 No number has been given. However, the following is provided:- <ul style="list-style-type: none"> Enhanced capacities of the beneficiaries on promoting Social Accountability, public Participation, and development of position papers, memos and use of virtual engagements. Development of tools that support social accountability. Relevant partnerships forged between the CSOs and county government departments. Enhanced capacities of the CSOs and Media on how to work together as they promote Social accountability for health. Well-coordinated County Chapters: jointly engage and advocate for improved health service provision. Strengthened Advocacy Work by the Civil Society Organisations. Free Anti-Corruption Reporting and Advisory Call Platform (FACRAPs) developed. 2018 <ul style="list-style-type: none"> None 	2 ¹⁰⁰	Reported as fully achieved.
	Level of public awareness on corruption and integrity in key governance institutions in target counties (county govts, courts and police).	49.7%	2020 <ul style="list-style-type: none"> Monthly monitoring reports on Covid-19 response resource allocations and utilisation compiled and widely disseminated. Public awareness and engagement on transparency in Covid-19 response by government. Research studies on social accountability conducted. Improved information sharing in the sector: 	Improve baseline by 5%	Reported as fully achieved.

¹⁰⁰ Integrity Act and EACC Acts reviewed

			<ul style="list-style-type: none"> Improved media engagement: 		
Outcome 5: Strengthened Capacity of Amkeni to support CSOs and stakeholders efficiently, effectively and sustainably.	Rating of Amkeni by CSOs on service delivery to them.	Good		Very good	
Output5.1: Adequate and professional human resources recruited and managed.	Performance management rating for staff.	Satisfactory rating of staff.	<p>2020</p> <ul style="list-style-type: none"> Recruitment of project diver for Mombasa and Kisumu ongoing. Recruitment of the 3 senior project officers finalised. Performance rating for project staff fully satisfactory (range from exceeded to fully-met expectations). <p>2019</p> <ul style="list-style-type: none"> Three Amkeni core staff recruited (Project Manager, Project Specialist and Grants Associate). <p>2018</p> <ul style="list-style-type: none"> The rating of Amkeni performance by the CSOs was good. The performance management rating for staff was satisfactory. 	Good rating of all staff.	
Output 5.2: Internal capacity of staff and governance structures of Amkeni enhanced.	Quality of governance structures in place.	Good	<p>2020</p> <ul style="list-style-type: none"> 12 monthly Amkeni staff meetings held with participation of UNDP senior managers. Weekly grants management meetings held with PMU. 4 Project Approval Steering Committee meetings held. 3 DP meetings held. <p>2019</p> <ul style="list-style-type: none"> 6 monthly Amkeni staff meetings held with participation of UNDP senior managers <p>2018</p> <ul style="list-style-type: none"> 5 SRG meeting held -Consultative meeting held with Norway, Netherlands and the European Union Delegation 	Very good	
	Capacity of staff		<p>2020</p> <ul style="list-style-type: none"> Amkeni staff trained on Anti-Fraud e-learning: Fraud and Corruption Awareness and 	High calibre staff	

			<p>Prevention and Greening the Blue.</p> <ul style="list-style-type: none"> • M&E Specialist trained on Introduction to Evaluation in UNDP and UNDP Evaluation Certified Course. <p>2019</p> <ul style="list-style-type: none"> • Amkeni staff trained on C4D in access to justice. • - All Amkeni staff undertook mandatory courses. 		
Output 5.3: Internal governance processes of Amkeni supported.	Number of SRG and DP meetings held in accordance with the programme policies.	4	<p>2020</p> <ul style="list-style-type: none"> • 4 Project Approval Steering Committee meetings held. • 3 DP meetings held. <p>2019</p> <ul style="list-style-type: none"> • 2 Project Steering Committee (PSC) meetings held. • 4 Development Partners Group (DPG) meetings were held. 	At least one meeting per quarter.	
Output 5.4: Internal M&E, Reporting and knowledge management process of Amkeni enhanced.	Number of M&E recommendations from ETE implemented.	0	<p>2020</p> <ul style="list-style-type: none"> • Enhanced knowledge and understanding of the context, risks and emerging Programme results by Amkeni Wakenya and Development Partners: One joint monitoring mission with development partners conducted in Mombasa and Kilifi counties. • Enhanced knowledge sharing among Amkeni project stakeholders: One annual review done and 3 quarterly learning platforms held. • Internal M&E capability of Amkeni PMU enhanced: Virtual monitoring via Zoom/Teams and mobile phones conducted in the 4 regions. Amkeni Wakenya online reporting system upgraded. • Amkeni M&E data collection tool (Form D) digitised and uploaded to the ODK Platform being hosted by UNDP Servers <p>2019</p> <ul style="list-style-type: none"> • -4 M&E quarterly visits conducted. • -5 capacity building sessions held. • -1 project review sessions with grantees held. 	14 ¹⁰¹	

¹⁰¹ ETE has 18 recommendations, target is 75% of this which is about 14

			2018 <ul style="list-style-type: none"> All the ETE recommendations were implemented. 		
Output 5.5: Visibility and profile of Amkeni as a critical actor in democratic governance enhanced.	An interactive Amkeni website in place.	0	2020 <ul style="list-style-type: none"> Enhanced Visibility of Amkeni Wakenya Project using multimedia approach: Amkeni Wakenya microsite operational. Presence of social media platforms for Amkeni including a Twitter page. 2019 <ul style="list-style-type: none"> The Amkeni page on the UNDP website is regularly updated with recorded 1104 interactions on the site. Amkeni microsite developed and operationalised. 2018 <ul style="list-style-type: none"> Amkeni is now hosted on the UNDP website and the site is very interactive. 	1	
	Number of knowledge products developed and disseminated.	0	2020 <ul style="list-style-type: none"> One joint monitoring article developed. -Documentary on the state of legal aid in Nairobi County. -2019 Annual Report fact sheet produced. -40 IP fact sheets produced. -40 CSO profiles produced. -One PLEAD Brochure developed and disseminated online. 2019 <ul style="list-style-type: none"> One communication and visibility strategy developed and implemented in accordance with UNDP and EU guidelines. 2018 <ul style="list-style-type: none"> -CHRCE successfully produced and disseminated a thousand (1000) copies of Mwangaza wa Haki Mashinani newsletter and a thousand 1,000 stickers touching on various issues of human rights and women land. 	10	