

REGIONAL CSO CONSULTATIVE FORUMS

INSIDE

<i>Regional issues</i>	2
<i>Coast and Central</i>	2
<i>Nyanza</i>	3
<i>Rift Valley</i>	4
<i>Conclusion</i>	8

Special points of interest:

- Each region has unique characteristic with different issues to be tackled by CSOs.
- Individualism in the sector is unwarranted and defeat the purpose the sector exists in the first place
- CSO is losing the war out of disunity and infighting; who really is representing the sector?
- With the establishment of devolved governments the CSO sector is actually behind schedule; there is need for regional forums now to keep county governments in check
- We need to build leaders who serve the sector selflessly. Where are the Njoyas and Karua's? Is there need to establish a national CSO leadership academy?

REPORT SUMMARY

The CSO dialogue forums were held in four regions in Kenya – Mombasa for Coast region; Kisumu for Western and Nyanza; Nyeri for Central and Eastern and Nakuru for Rift valley attended by 129 participants (an average of 32 per region).

Attendance was more than 90% by those who had confirmed. The participants were largely representing all civil society actors including NGOs, CBOS, the academia and faith sector from nearly all the 47 counties in Kenya.

However the current dialogue does not fully cover issues from North Eastern Kenya (particularly Mandera, Wajir and Garissa) and it is one anomaly that should be addressed through further consultation and secondary information sources.

The objectives of the workshops were to help participants to discuss, analyze and come to conclusion on the status of



Dialogue Forum in Nakuru for Rift Valley Civil Society Organizations

Civil Society sector in their regions: to identify challenges, Opportunities, including threats and propose way of reengaging the sector in wave of new constitutional order in Kenya.

The forums were facilitated by PEN with regional persons discussing key dynamics of their regions.

Thereafter the workshops were broken into groups to discuss both the challenges, opportunities and way forward for the sector within the regions.

REGIONAL ISSUES AND CHALLENGES



Group work meeting for the Coast Dialogue Forum. Land grabbing, marginalization civil spare and radicalism emerging as real challenges at the coast

The fight against terror and land grabbing were mentioned as destabilizing factors at the coast that may turn the region into a hot bed of radicalism.

Finding varied from region to region as informed by historical and current issues.

Coast: The key challenge at the coast was the feeling of marginalization by citizens and by implication civil society. This was to an extent that many felt that they were not part of Kenya.

There were views that ethnicity was a key factor shaping vibrancy of the sector. There were views that corruption, land grabbing and poor performance were condoned so long as the person came from the region. Anybody from outside region would be viewed with suspicion even if he or she presented a credible agenda and demonstrated results.

Poor performance on exams were blamed on marginalization and lack of adequate teacher training facilities and the feeling that exams were set with mainland Kenya in mind and not coast.

The fight against terror and land grabbing was mentioned possible destabilizing factors that are likely to inflame the

coast further. It may turn create radicalism and Kenya and CSO sector in particular need to act with urgency on these matters. In fact there were fears that CSOs activists were being unfairly targeted as part of campaign against terror. Under such situation it would be impossible to speak out on matters that concern both the National and County government. The fears are real, going by perceived assassination of some people in the recent past.

Central and Eastern: Abuse of drugs, poverty and break down of family values were cited as key challenges facing central provinces.

The CSO sector has not been vibrant in central although it has produced some of the most influential leaders such as Wan-



Zainab Roba of Isiolo Women Advocacy Organisation in Nyeri forum

gare Maathai, Rev. Timoth Njoya, Martha Karua and Kiraitu Murungi among others, There were also views that the

Regional Issues Continued

CSO sector in the region is highly muted due to the fact that they are viewed as opposition forces by the last and current government, whose presidents come from Central Kenya.

The ongoing ICC cases against the president and his deputy have put the civil society in bad light as they are viewed as the ones responsible for the incarceration of the two. In fact it was becoming more of a security risk to advocate or highlight the governance challenges facing both national and county governments because you would be viewed as anti-government and an enemy. The freedom of expression for civil society was shrinking by the day.

One aspect of civil society that was highlighted is the role of non-state actors such as Mungiki and several other cultural and non-formal movements in Kenya that the speaker called “green movements”. This has also been called the invisible sector of civil society in that organizations in this sector exist more in form of sporadic activities that are held together by some simple structures.

These activities are not formally recognized and in analyzing civil society in Kenya, they remain invisible and do not attract any support from any quarter. The impact of activities of the green move-



Chris Mbiti of PEN overseeing discussion on CSO sector in Central and Eastern region forum in Nyeri.

ments can be far reaching as it has been witnessed by Mungiki, Soboat Self Defense Forces (SLDF) and several other vigilantes at the coast, Nairobi and western province. What should be our response to such as sector to these powerful citizen forces?

Poverty, youth crisis, drug and substance abuse and break down of family values and life require urgent attention in Central and Eastern Kenya.

Nyanza and Western: These re-



Humphrey Buradi presents in Kisumu

The role of green movements such as Mungiki and several other cultural and non-formal movements in Kenya, which themselves are civil society are not recognized or supported in any way; they remain invisible and do not attract any support from any quarter. The impact of activities of the green movements can be far reaching on the county and the sector as a whole

Regional Issues Continued



John Batten, the Chairman of PEN board of directors, leading discussion on the status of Civil Society in Kenya .

Engaging or cooperating with 48 governments in Kenya is a nagging matter to all civil society.

What level of cooperation would be healthy? Is it right to receive funds from governments and yet be able to speak out against ills pervading them?

How far should the blanket of cooperation cover?

Regions have been opposition hotbeds in Kenya for many years and the feeling of marginalization, victimization and oppression fills the civil society space. Due to this they expressed a much open ability to speak out against shortcomings of the government; were in support to move to curtail impunity and curtail states power; were in support of an ongoing push for referendum and ICC cases against the president and his deputy.

However as in other region, the civil society felt constrained for civic space to engage with leaders. The feelings of insecurity, victimization and persecution were apparent. The ICC cases on the other hand have made the suspicion between CSOs and government worse, with CSOs being viewed as witch hunting local leaders on behalf of foreign governments.

There is however a challenge on how to protect the NGOs' intellectual property rights. Experience has shown that county governments are adopting CSO agenda and even tag lines, making it difficult for NGOs to share openly with government. CSOs are also being taken advantage of, with different people visiting CSOs and engaging them on certain agenda, only for them to go and use that information for their own personal gain such as for their research and university thesis.

Rift Valley: The dominance of Moi's politics for 24 years as president in Kenya will preoccupy Rift Valley for many years



Rift Valley is a home to many indigenous communities in Kenya. A CSO participant in Nakuru

to come. During Moi’s regime, the civil society in Rift Valley was complacent and not active in agitating for the second liberation as in other regions of the country.

Rift valley region/province was until the emergence of the devolved governments regarded as the single biggest voting bloc in Kenya’s political landscape. The region was associated with the dictatorial KANU regime then led by the retired president Daniel Moi. Because of many years of single party domination in the region, the emergence of multi-party politics and the fight for democratic reforms through civil society initiatives was highly resisted.

With the emergence of multiparty politics, the region has suffered perennial politically instigated ethnic conflicts in the years 1997, 2002, and the infamous PEV of 2007 that led to massive displacement of population and death of nearly 1200 people in the country.

There were feelings that the rest of Kenya often lump the blame on Moi’s errors and omission on the region and subsequent governments particular that of Kibaki discriminated against the region and that is why they overwhelmingly voted for opposition in 2007/08.

The feeling that the election was stolen from them was the prime cause of post-election violence that rocked the country particularly the Rift Valley.



Rift Valley is viewed by many as the bread basket of Kenya yet large pockets of hunger and poverty pervade several counties including Turkana the poorest county in Kenya, Baringo, Pokot and Elgeyo Marakwet. The region has also had its share of ethnic violence and violent cattle rustling

The blame to the civil society for contributing to the incarceration of the President and his deputy (who comes from Rift Valley) in ICC cases is much felt among citizens and civil society organizations as a whole. Second to the central region, Civil Society experience shrinking

The dominance of Moi’s politics and influence will continue for many years to come in kenya, particularly in great Rift Valley where the president came from.

There is predominant view that CSOs are muted and suppressed more in regions where heads of state come from because they are associated with opposition politics.



Mr. Tek, the secretary of Kaburua, the Nandi council of elders participating in Rift Valley forum

Regional Issues Continued



Mr. George Karanja of PEN supporting a group in Nakuru CSO forum on the future of Civil Society sector in the region.

With many civil society actor appointed to government positions after second liberation struggles in early 2000., the CSO sector is missing critical leadership. The critical Question in every mind was how do we bring back that which we have lost. -vision, fearlessness and selflessness

civil space in the Rift Valley and any criticism against the national government is not taken kindly.

Food Production: Despite housing the grain basket of the Kenyan agricultural based economy, the region is also prone to perennial drought and famine in areas such as the Baringo, West Pokot and Turkana counties where relief operations is a common phenomenon. The ground has only been favorable for the international relief agencies that are perceived not to harbor reform agenda.

Environmental conservation: Encroachment of Mau, Lakes and other natural resources. The region is home of one of Kenya's water catchment area (the Mau complex) and a number of lakes along

the rift valley e.g. lake Naivasha, Nakuru, Bogoria and Baringo. Due to population pressure and poor enforcement of the environmental laws and regulation the Mau complex and the lakes have taken the toll. Recent government's attempts at rehabilitating the Mau complex have resulted in both political and socioeconomic challenges. The CSOs in the region have a unique opportunity to supplement government efforts in environmental conservation while also playing an oversight role in the implementation of the conservation programmes.

Ethnic minorities- promotion of rights, culture and heritage:



The sector needs selfless and revamped leadership, Said Peter Macithi of Kivuli Cha Haki in Nyeri

The region is home to some of Kenya’s ethnic minorities and indigenous communities such the Ogiek, Ilchamus, Nubians, Sengwer and the Endorois. These communities continue to face marginalization despite the constitutional affirmative provisions for their consideration in socioeconomic and political processes within the national and county government framework. The CSOs in the region have a unique opportunity to advocate for the rights of the marginalized communities, conservation of their unique culture and heritage.

Natural resource exploitation: Oil exploration in Turkana, geothermal in Nakuru and Baringo. With the recent discoveries in oil and natural gas in parts of the region, there is already indication of a looming crisis pitting local communities and the international oil drillers over sharing of the resources accruing from the oil and geothermal.

There are also concerns that without progressive and comprehensive legal framework to guide the exploration and ultimate drilling, the local communities are likely to lose on the potential development opportunities presented by the recent discoveries. The CSOs should develop capacity to provide oversight on the formulation and execution of exploration and drilling agreements involv-



Discovery of Mineral wealth—it is bane or a boon? Many are of the view that it may create weakened civil society and make the state less accountable to its citizens

ing the government and the multi-national oil companies.



Civil Society needs to relive its old ideals that contributed one of the world bloodless revolution, said Rev. Timothy Njoya (with Regina Opondo)

Will mineral wealth make the state less accountable to its citizens because it will rely less on taxes to fund its activities?

CONCLUSIONS: TAKING BACK THE CIVICSPACE

Unity in the Sector: There was general consensus that the non-cooperative nature of civil society is actually defeating itself. Having competing umbrella CSO organizations like the NGO councils, does not auger well for the sector.

There was strong support for the 2013 PBO act. Many felt that it would streamline many issues facing the sector. However it is important to establish effective county and sub-regional forums that would help strengthen cooperation within the sector and to give it muscle and voice to advocate for citizens agenda.

Legitimacy, transparency and accountability: There was general view that CSO society also lacks legitimacy because it has not cleaned its house. You cannot talk of transparency when you are not transparent yourself. For this, there were calls quickly set up and enforce a code of conduct that many in the sector would adhere to. The sector needs urgent self-regulation.

Capacity to engage was another challenge: This is due to weak leadership, inability to carry out effective research and to communicate and advocate.

Branding of the sector: Many felt that the CSO sector is not understood and the scale of what it has achieved is not shared widely. This is because the Civil society normally shares its reports with donors (what was called upward reporting) and less with citizens (downward accountability). The sector needs to have support from citizens that they



MPigs Campaign of 2012, revived the sector but quickly died, what happened?

represent, otherwise they will lose critical support and legitimacy.

Dependency: This coupled by high dependence on donor funding, with key development agenda being determined by donors and not by citizens. The CSO is found playing to the tune of donors instead of deciding on development priorities of the sector and the needs of its key constituents – the citizens.

The widened democratic space presented through the COK 2010: The Constitution of Kenya (COK 2010) in article 10 provides for public participation. Chapter 4 on the bill of rights provides for fundamental freedoms and rights. Even though the implementation of the constitutional principles is still a challenge, the COK 2010 does provide a fundamental foundational principle for CSO initiatives.

Engaging and Partnership with County governments: Engaging and partnership with counties in delivering services to the people is a principle that were mentioned in all forums. The establishment of the county government presents the CSOs in Kenya with a unique opportunity to engage in and influence policy, legislation and implementation of government programmes due to their proximity. Part V of the County Government Act 2012 on public participation provides for 'recognition and promotion of the reciprocal roles of non-state actors' participation and governmental facilitation and oversight'.

However civil society is not united, focused and organised to engage the government. Many are approaching issues with individualistic and opportunistic way; undercutting others etc.

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Strengthening Citizens Participation

