

USAID/OTI Kenya Quarterly Report

January - March 2009

Program Description

USAID's Office of Transition Initiatives (OTI) Kenya program started in June 2008. The program seeks to be a U.S. Government asset contributing to a stable Kenya centered on a national identity rather than ethnicity. In pursuit of this goal, the program will assist Kenyan state and non-state actors to more fully exercise their capacities and, thereby, support the following broad objectives:

- Enabling broad-based recovery from the 2007–08 election-related violence
- Taking prompt steps to address the underlying causes of instability

OTI has two implementing partners for the Kenya program: Development Alternatives Inc. (DAI), which is implementing a quick-impact small-grants program, and the State University of New York (SUNY), which is supporting the work of the Kenyan Parliament.

Country Situation

The Grand Coalition Government – The Government of Kenya (GOK) continues to rule, although confidence in its ability to govern is waning within the general population. This lack of confidence is the product of the government's inability to deal with the food crisis, control rising fuel costs, initiate minimum reforms, or bring charges against corrupt political figures.

Progress has stalled on implementation of reforms recommended by the National Peace Accord, signed in February 2008, as GOK leadership has failed to take any decisive action. The Constitutional Review Committee was recently sworn in, and a new constitution is expected in March 2010. Parliament, however, has not yet agreed on appointments to the interim body, which should be spearheading electoral reforms and compiling a new voters' register in preparation for the constitutional referendum later this year.

The National Peace Accord – The second year of Grand Coalition Government rule began on February 28, 2009. Civil society organizations and religious leaders renewed their pressure on the government to expedite implementation of the Agenda 4 recommendations of the Peace Accord. The issues addressed by Agenda 4 include youth unemployment, the resettlement of internally displaced persons, and the formation of a local tribunal to try perpetrators of post-election violence.

In February, Parliament voted on a bill to establish a Kenya-based tribunal to try those responsible for the post-election violence. There has been a significant rift between key players on the appropriate court for the prosecutions: some want a local tribunal while others prefer the International Criminal Court (ICC) in The Hague. The prosecutions are seen as a way to end the sense of impunity that pervades the country; however, many Kenyans lack confidence in the ability of a local tribunal to independently try the suspects, and thus believe that the ICC is a better option.

The Alston Report – During February, Professor Phillip Alston, the U.N. Special Rapporteur on Extrajudicial, Summary, or Arbitrary Executions, visited Kenya on a fact-finding mission. The subsequent report revealed "the existence of systematic, widespread, and carefully planned extrajudicial executions undertaken on a regular basis by the Kenyan police." The Alston report stated that the Kenyan police are a law unto themselves and often act with impunity. In addition, the report notes that "the judiciary has become a stumbling block in achieving justice both in relation to accused criminals and to police accused of killing unlawfully."*

Among its recommendations, the report called for the dismissal of the Police Commissioner and the resignation of the Attorney General. The GOK dismissed the report, sparking protests from those supporting its findings as well as from those backing the government. Protests culminated in the killing of two human rights activists who were campaigning for implementation of the report's recommendations. The police and the state have come under heavy criticism, locally and internationally, for the killings.

Food Crisis Worsens, Inflation Rising – The post-election crisis in January and February 2008 adversely affected farming activities in the Rift Valley. Displaced people were unable to return home in time to cultivate crops. In addition, the price of agricultural inputs rose dramatically, preventing the majority of farmers from restarting their farming activities. The crisis was not limited to the Rift Valley; uncommonly long seasonal rains and a prolonged drought caused crops to fail throughout Kenya, further compounding the food crisis.

The GOK imported maize and subsidized its price in an effort to meet demand, but politicians and marketers hiked the price of maize flour and made private deals for personal gain. At the end of January 2009, it was estimated that more than 10 million Kenyans faced starvation.

According to the country's central statistics office, the inflation rate rose from 21 percent in January 2009 to 25 percent in February 2009.**

* *The full text of the Special Rapporteur's statement is available at <http://www.unhcr.ch/hurricane/hurricane.nsf/view01/52DF4BE7194A7598C125756800539D79?opendocument>.*

** *Yves Horent, the head of the Kenya office at the European Commission's Humanitarian Aid department (ECHO), confirmed that findings from the Kenya Food Security Steering Group show that 9.8 million Kenyans are food insecure and 3.5 million of these need food aid to survive. See <http://www.reliefweb.int/rw/rwb.nsf/db900SID/SODA-7R6MSX?OpenDocument>.*

OTI Highlights

A. Narrative Summary

In January 2009, OTI and DAI held a Strategy Review and Planning Session intended to strengthen OTI operations and assess the current program strategy in light of the prevailing situation in Kenya.

The primary programmatic focus continued to move away from reconciliation activities. OTI made a strategic adjustment to focus efforts on supporting grants that address the lack of government accountability—the fundamental cause of instability in Kenya—and provide economic opportunities for youth. In addition, to ensure the maximum return on available resources, each OTI regional team developed a four-month plan for its geographic focus area.

B. Project Activity

During the quarter, 13 grants with a total value of \$851,605 were cleared. The table below summarizes grants cleared by sector.

Sector	Number of Grants	Total Amount
Civic Education	4	\$63,066
Human Rights/Justice	4	\$129,063
Institution Strengthening	1	\$30,118
Livelihoods	1	\$10,000
Media	2	\$594,237
Reconciliation - Infrastructure	1	\$25,121
Total	13	\$851,605

C. Grant Activity Highlights

Grants awarded this quarter focused primarily on supporting efforts by civil society and religious organizations to push for greater transparency and accountability in the government amid the rise in corruption scandals. Ensuring accountability requires not only lobbying but also education at the grassroots level. Civic education has helped

prevent the kind of information manipulation and distortion that led to increased tensions in communities and the resulting violence witnessed in early 2008.

The table below details grants cleared during the quarter. Most of these grants focus on building awareness at the grassroots level on issues related to government accountability and responsibility.

Focus Area	Grant Title
Accountability	Ending Impunity - Pay Your Taxes
Accountability	Fostering Coordination and Accountability among Peace Actors
Accountability	Legal Awareness for Victims of Post Election Violence
Accountability	Marshalling People Power Against Impunity
Accountability	End Impunity - Pay Tax
Accountability	Nyanza Strategic and Recovery Forum
Accountability	Peace through Interactive Theatre
Accountability	Art for Peaceful Co-existence
Accountability	Inter-community Public Dialogue for Reconciliation
Accountability	TV Broadcast Equipment for the Kenyan Parliament
Accountability	Establishment of a Parliamentary Media Center
Youth	Feasibility Study for Empowering and Training Kenya's Idle Youth
Youth	Capacity Building for Kisumu Joint Bunge and Boda-boda Initiatives

Accountability – Building on first quarter success, OTI extended its grassroots civic-education program on the Kriegler and Waki Commission Reports to the North and South Rift Valley as well as to Nyanza and Western provinces. By providing unbiased information about the reports, OTI generated public support and demand for the implementation of their recommendations. Taking advantage of the public outcry over the refusal to pay taxes by Members of Parliament, OTI developed an Ending Impunity – Pay Your Taxes grant. Another grant focused on mapping public opinion on sensitive issues for early response. The grants sought to raise public awareness and stimulate discussions around the culture of impunity among Kenyan politicians. These grants covered the cost of printing 20,000 stickers with different messages about accountability. The stickers are being distributed to small organized groups for use on vehicles and in public locations in the Kisumu and Eldoret regions.

Art is one of the most effective communication mediums for providing a voice for the voiceless, especially on issues that people would rather not discuss. During the quarter, OTI awarded two grants (i.e., Kenya Burning Book Publication and Kenya Burning Travelling Exhibition) for the dissemination of a collection of photographs of Kenya's contested 2007 elections and the violence that followed. The book *Kenya Burning* and the corresponding photo exhibition were successfully launched on February 27, 2008, coinciding with the first anniversary of the signing of the peace accord. The launch was extensively covered by the media and the exhibition was attended by more than 1,500 people.

OTI hopes to achieve similar public-awareness successes on issues related to the post-election violence with two additional art grants. Peace through Interactive Theatre will raise awareness of the issues that lead to post-election violence, and Art for Peaceful Co-existence aims to achieve the same objective through songs, dance, and poetry. The performances are expected not only to increase audience awareness of recommended reforms but also to generate public pressure on the political leadership so it will take action to end the culture of impunity and address the underlying causes of election-related violence in Kenya.

Five new activities are supporting civil society efforts to lobby the GOK to deliver on its promise to address the issues underlying the post-election violence. The lobbying efforts are focused on implementation of Agenda 4, the National Accord, and the recommendations of the Waki and Kriegler Commissions. The National Council of Churches of Kenya has been particularly successful in stirring debate over government accountability. Religious

leaders, speaking in the presence of both President Mwai Kibaki and Prime Minister Raila Odinga during the national prayers on February 19, criticized the GOK for its failure to punish corruption in high places, to deal with judicial killings by the police, and to resettle thousands made homeless by election violence. The event was featured prominently by all of Kenya's major media organizations.

Two additional grants—Legal Aid for Post Election Violence Victims and Legal Awareness for Victims of Post Election Violence—focus on lobbying for justice, both as a response to the post-election violence and as an essential function of a government accountable to its people. These grants are being implemented as legal awareness programs in Uasin Gishu and Nyanza by the Center Against Torture and the Centre for Education and Rural Development. The programs will allow victims of the conflict to seek justice and will increase the demand for accountability from Kenyan law enforcement and security institutions.

Youth Empowerment – Kenyan youth have long been frustrated and angry over the lack of economic opportunities in the country. Young people were hoping that the December 2007 elections would bring improved opportunities, which were promised by candidates during the election campaigns. As these promises have failed to materialize, youth have turned to violence to vent their dissatisfaction. With the deteriorating economy, food crisis, and high inflation rates in Kenya, the numbers of disenfranchised youth are growing. These circumstances set the stage for the country's youth to act as a catalyst for igniting future violence.

OTI funded the Feasibility Study for Empowering and Training Kenya's Idle Youth grant to explore programming and funding options for youth empowerment centers. The grant also evaluated sustainability issues. In addition, OTI is focusing on Kisumu youth who operate boda-bodas (bicycle taxis) in the informal economy, supporting the efforts of the Civic Societies Organization Network (CSON) to establish a boda-boda savings cooperative society. The project will train the young entrepreneurs in money management and seek to promote a culture of saving. CSON is also working to empower the Kisumu Joint Bunge (community parliament) in its efforts to establish functional and legitimate youth information exchange forums. The grants will empower the organizations to implement and manage the new initiatives fostering economic and social independence.

D. Indicators of Success

The national media and Kenyan politicians responded to OTI activities during the quarter:

- Television, radio, and print coverage of the book *Kenya Burning* has been extensive, helping to promote book sales and the travelling photo exhibit.
- Print media has credited religious leaders, supported by OTI, with firing the "first shot" in a recent round of criticism against the government accusing it of not paying attention to the fight against hunger and corruption.

Program Appraisal

OTI continues to operate in three high-priority areas of the country that saw significant election-related violence, Eldoret, Kisumu, and Nairobi. Program teams are currently rolling-out new regional strategies that focus on government accountability and youth.

Next Steps/Immediate Priorities

In the coming quarter, OTI will continue to develop regional and national strategies that respond to local needs and national-level political developments.