

# Promoting Women's Human Rights and Enhancing Gender Equality in Kenya

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**Sida Evaluation 06/25**

**Department for Africa**

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This report was written and compiled by Atsango Chesoni, Salome Muigai and Karuti Kanyinga.

31st July 2006

# 1. Acronyms

AAK	Action Aid Kenya
CCGD	Collaborative Centre for Gender and Development
CIDA-GESP	Canadian International Development Agency's Gender Equity Support Project
COVAW	Coalition On Violence Against Women – Kenya
CSO	Civil Society Organisation
CREAW	Centre for Rights Education and Awareness
CSW	United Nations' Commission on the Status of Women
DC	District Commissioner
DSC	Donor Steering Committee
DTM	Development Through Media
ECWD	The Education Centre for Women in Democracy
ERS	Economic Recovery Strategy for Wealth and Employment Creation in Kenya
FGD	Focussed Group Discussion
FIDA Kenya	The Federation of Women Lawyers in Kenya
GGP	Gender and Governance Program
GOK	Government of Kenya
KEWOPA	The Kenya Women Parliamentarians' Association
KWPC	Kenya Women's Political Caucus
LKWV	League of Kenya Women Voters
MDGs	Millennium Development Goals
M&E	Monitoring and Evaluation
MYFF	Multi Year Funding Framework
NIWDA	Ndia Integrated Women's Development Association
NOWADEN	Noomayiana Women's Advocacy Development Network
PFMA	Program Fund Management Agency
Sida	Swedish International Development Cooperation Agency
TASU	Technical Advice Support Unit
TOT	Training of Trainers
UN	United Nations
UNDAF	United Nations Development Assistance Framework
UNDP	United Nations Development Program
UNICEF	United Nations Children's Fund
UNIFEM	The United Nations Development Fund for Women
VAW	Violence Against Women
WK	Womankind Kenya
WPA-K	Women's Political Alliance Kenya



## 2. Executive Summary

In September 2004 the Swedish International Development Cooperation Agency (Sida) and the United Nations Development Fund for Women (UNIFEM) entered into an agreement for UNIFEM to technically backstop and administer Swedish funding to women's human rights institutions in Kenya. As a consequence of this agreement, Sida support for women's human rights and gender equality in Kenya is administered through a re-granting or indirect funding system under UNIFEM's 'Promoting Women's Human Rights and Enhancing Gender Equality in Democratic Governance' Program. Commenced in September 2004, the Promoting Women's Human Rights and Enhancing Gender Equality in Democratic Governance Program (2004–2007) was scheduled for an external mid-term evaluation in 2006. The program was formulated to play an important role in creating an enabling environment and accountability to women especially those living in poverty, in order for them to enjoy their rights.

The Promoting Women's Human Rights and Enhancing Gender Equality in Democratic Governance Program has four support areas:

- Protecting and promoting women's rights through capacity building of women's civil society organisations (CSOs) working in the human rights sector for training of paralegals, legal aid and advocacy;
- Supporting CSOs in the Gender and Governance Program (GGP). A multi-donor program run through Action Aid Kenya (AAK) the Program Fund Management Agency (PFMA)<sup>1</sup>
- Complementary support to key government institutions to enhance the space for gender and governance
- The Technical Advice Support Unit (TASU) providing technical support for quality implementation and monitoring; including technical support for the PFMA (AAK) and the Donor Steering Committee (DSC)

The program commenced in September 2004 and was scheduled for an external mid-term evaluation in 2006 to find out, among other things, the extent to which the program was meeting the stated objectives. This is the report of the mid-term evaluation which has been conducted from 12th June–31st July 2006.

### 2.1 Key Findings

The evaluation focused on UNIFEM as the executing agency. In undertaking this evaluation the fundamental question the evaluation team has sought to answer is: *'in what ways have the program objectives, activities, outputs and outcomes promoted women's human rights, enhanced gender equality and democratic governance in Kenya?'* The evaluation examined the comparative advantage of UNIFEM to effectively and efficiently manage Sida's funds and programme. At the programme level, we were required to examine relevance, added value and impact of UNIFEM as the executing agency. In particular UNIFEM's technical capacity to enhance the promotion of women's human rights, gender equality and democratic governance in Kenya was assessed. The key findings in the areas of performance, success, relevance, partnership principles, sustainability, management modalities, challenges and lessons learned are contained immediately below.

- *Performance:* Our findings show that the program document states clear objectives, outputs and indicators for the Promoting Women's Human Rights and Enhancing Gender Equality in Democratic Governance program. Secondly, the stated objectives of the program are absolutely relevant

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<sup>1</sup> Action Aid Kenya ceased to be the PFMA during the course of the evaluation.

to Kenya today – given that the country is in transition and in a stage of key institutional and legal reform, which provides opportunities and challenges for those advocating for women’s human rights and gender equality. Thirdly, the program is being implemented as designed. Although program objectives and outcomes were clearly stated, the program outcomes were not linked to particular objectives. This is problematic given that the program is co-funded by four different agencies and – Sida funding is designated towards the first two objectives.<sup>2</sup> Since state institutions were co-funded by the Canadian International Development Agency (CIDA) it is difficult to specifically attribute Sida funded results in respect of the state institutions. The team recommended that outcomes and activities be reviewed and tied to particular objectives. The findings also show that the program’s indicators are not time bound other than setting the overall date in 2007. This has resulted in a lack of short term targets, benchmarks and milestones. Therefore there is need to smarten program indicators by having clear target dates for activities. This would enable prioritisation of activities and lay a framework for effective monitoring and planning. UNIFEM had noted this particular short-coming and the monitoring and training expert has instituted in-house training with the intention of ensuring that indicators are smartened and targeted milestones and benchmarks specified for particular dates.

- *Success:* Many partners and beneficiaries expressed great satisfaction with the UNIFEM partnership. Those that had direct funding from Sida before preferred the direct mode of funding but were also quick to point to the advantages of the UNIFEM connection. Many spoke of the added clout of being seen to collaborate with UNIFEM (Womankind). Others said that UNIFEM ‘*opened doors*’ that they would not have had access to especially when dealing with the Government at ministerial and permanent secretary levels which are the policy-making echelons. Other achievements of the program included the passing of the Sexual Offences Bill; the enhancement of the networking capacity of partners; enhanced monitoring and evaluation capacity of partners including training in results based management and clarification of the roles of the TASU, DSC and PFMA of the GGP. 32,875 women have received legal aid, whilst 18,500 have been reached through training in devolved funds all as a consequence of the Promoting Women’s Human Rights and Enhancing Gender Equality in Democratic Governance Program.<sup>3</sup>
- *Relevance and Partnership Principles:* It is the evaluation team’s findings that the Promoting Women’s Human Rights and Enhancing Gender Equality in Democratic Governance program is absolutely relevant, timely and firmly grounded within Kenya’s political, social and economic context. The country has the lowest incidence of women’s representation in Parliament in the Eastern African region – 8.1% of Kenya’s Parliamentarians are women; while Tanzania has 28% women MPs and Rwanda’s 48% women MPs. Women’s access to decision making at the community and national levels is a cogent issue in Kenya today. Partners largely felt that the program was relevant. However there was a concern with respect to the integration of HIV/AIDS particularly for partners who had not made proposals to work on this area. The integration of HIV/AIDS as a cross cutting concern therefore needs further exploration.
- *Sustainability:* Although there is community and beneficiary ownership, the projects funded under the program are still heavily dependent on donors. Only one implementing partner had an exit plan. There is need for sustained and continued dialogue on the question of sustainability of initiatives for the advancement of women and gender equality. Many implementing partners have produced concrete results and transformation in the lives of women however this work is the result of many years of consistent work. This implies, and is consistent with a growing body of research and

<sup>2</sup> Other agencies co-funding the program include: the Canadian International Development Agency (CIDA), the United Nations Development Program (UNDP) and UNIFEM itself.

<sup>3</sup> These are figures for FIDA’s Legal Aid Clinic and the Kenya Women’s Political Caucus’ Regional Assemblies two of the programs funded through the Sida/UNIFEM re-granting arrangement.

evidence, that attitudinal change is a long-term development concern. Ownership is also about communities taking ownership of the concerns – which only happens over a period of time however once it occurs the community will then propel organic growth of the issue.

- *Management modalities:* the management approach for the program is through a UNIFEM team. Partners commended this approach which they said offered them access to a variety of expertise and skills. The team was found to be accessible. However there was a concern with respect to consistency in the team approach.
- *Challenges:* the main challenges and constraints that arose in respect of the program were: delays in disbursement of funds; and the rigidity and inflexibility of the indirect and basket funding mechanisms and attribution. Several partners had experienced an eight months to one year delay in the disbursement of funds. In respect of Sida/UNIFEM re-granting programs this challenge is being addressed by UNIFEM seeking a higher threshold for funds that can be authorised by the Nairobi office. Rigidity and inflexibility of the GGP basket funding mechanism was a particular hindrance to the efficiency of the GGP. The fluidity of the transition period that Kenya is in calls for capacity to respond to evolving dynamics. There were by-elections scheduled to take place during the evaluation period and the GGP was in abeyance and therefore could not respond to a real need on the ground. Most partners who are members of the GGP expressed concerns about the technical capacity of the PFMA and were of the opinion that the program particularly its structure needs to be reviewed and re-conceptualised. As the technical support unit of the GGP, UNIFEM will have a key role to play in addressing these challenges.
- *Lessons learned and Insights:* This programme needed to have both long term and short term goals. The long term should have dealt with attitudinal change while the short term should have taken opportunities offered by unexpected happenings e.g. by-elections. The basket funding mechanism in place is rigid and a long term funding modality; there is need for a short term dynamic and a rapid response funding mechanism for women in leadership and governance.

## 2.2 Recommendations

- Link particular outcomes to specific objectives. This would help in addressing the challenge of attribution.
- Develop short and long term goals for the program as well as smarten the program indicators by the inclusion of target dates. Also identify specific target groups for the indicator on “high level officials.”
- Document best practises particularly those emerging around culture shift such as the ECWD, Abantu and COVAW experiences. Technology such as voice or videotaping should be used to help women groups document ‘lessons learnt’ and best practices. Useful information is lost because women are overwhelmed and intimidated by the need to convert from an oral to a writing culture.
- The program should design clear strategies for the integration of HIV/AIDS and environmental concerns.
- Link HIV/AIDS work to the work on harmful and discriminatory practises.
- Commission and/or conduct research into sustainability and develop a strategy for the engendering of the national development strategy (the ERS).
- Designate specific members of UNIFEM staff to deal with particular aspects of the program and make that clear to implementing partners and DSC members.

- Provide training to implementing partners in the New Aid modalities and the Paris Declaration so that they understand the global context of the Promoting Women's Human Rights and Enhancing Gender Equality in Democratic Governance Program.
- Provide training to implementing partners on policy and law making processes (partners are supposed to be influencing these processes but there is need for training on these processes themselves).
- Target Kadhis as partners in paralegal training. Whilst paralegal training deliberately targeted provincial administration as partners there is need to also target Kadhis given their judicial role and the significance of the Kadhis in Muslim areas such as the coastal and the northern Kenya regions.
- Develop a strategy for and ensure the inclusion of organisations that represent women facing multiple forms of exclusion in particular women with disabilities; older women; girls and women living with HIV/AIDS. Multiple forms of marginalisation call for multiple interventions in this case one size does not fit all.
- Provide sustained and continuous gender training particularly to those holding leadership positions in gender equality mechanisms and women's rights CSOs, and their board members. Also, training should seek to impart skills to embed gender equality approaches and adapt them to the ever changing social-political contexts.
- Use UNIFEM support to Sida to dialogue with sectoral line ministries such as the Ministry for Agriculture (NALEP), Ministry of Water, and Health etc. as an entry point for gender responsive law and policy reform. UNIFEM is strategically placed to deepen the discourse on gender mainstreaming and link Sida CSO implementing partners to relevant GOK policy reform processes. However for CSO partners to also be able to take advantage of these opportunities their own capacity to understand policy making processes needs to be built so that they can identify and seize opportunities.
- Create and have periodic fora for CSO, KEWOPA and the state partners such as the National Commission on Gender and Development as well as the Gender Department to strengthen linkages between these two arms of the women's movement. This would also create a facilitative and supportive environment for the Gender Department as the Government gender equality machinery.
- Explore the option of partnering between Government of Kenya and CSO partners in creating a national baseline survey on the incidence of violence against women.
- Engage a financial assistant to specifically review CSO reports – currently periodical reviews of CSO progress are biased towards non-financial aspects.

*Recommendations pertaining to the GGP:*

- The program needs to be flexible enough to benefit from the unexpected opportunities e.g. by-elections that offer the surprise advantage to women. The Programme should have taken advantage of the surprise element.
- Within the consortium monitoring needs to be adequately funded and each agency to carry out its own. This exercise would address the minor issues early enough and enhance the evaluation. There is also need to have a strategy to enhance team building and team building exercises.
- There is need to target and address the gender mainstreaming of political parties as well as focus on law reform pertaining to political parties. Currently, political parties are bottlenecks for women; they need to be converted into facilitative institutions.
- There is also need to consider an independent funding mechanism for women aspirants.

- Decrease the information loops as well as the layers between the money and program. There are multiple structures in the indirect funding mechanism particularly in the basket funds which tend to occasion delays in disbursement of funds.
- Review the M&E framework for the PFMA based on the new and clarified TOR for the PFMA, TASU and DSC.
- Develop formalised periodical fora that facilitate interactions and dialogue between implementing partners and the members of the DSC.

### 3. Introduction

In 2003, an evaluation of the Swedish Government’s support to civil society in Kenya indicated the need to identify strategic partners that had relevant experience and knowledge who could efficiently administer and technically backstop Swedish funding.<sup>4</sup> The evaluation argued that the Swedish Embassy did not have the human resource capacity to backstop grant making in the human rights sector in an adequate manner. Sida therefore shifted from a direct funding arrangement with most of its Kenyan implementing partners to a re-granting indirect funding arrangement. UNIFEM was identified as one of the organisations through which support to civil society could be channelled.



Figure 1: Direct Funding: Original Sida Funding Arrangement (Pre – September 2004)

In September 2004, Sida and UNIFEM entered into a 3-year support agreement in which the two formulated a programme on: ‘Promoting Women’s Human Rights and Enhancing Gender Equality in Democratic Governance in Kenya.’ The programme has four support areas:

- Protecting and promoting women’s rights through capacity building of women’s civil society organisations (CSOs) in the human rights sector for training of paralegals, legal aid and advocacy;
- Supporting CSOs in the Gender and Governance Program (GGP). A multi-donor program run through Action Aid Kenya (AAK) the Program Fund Management Agency (PFMA)<sup>5</sup>.
- Complementary support to key government institutions to enhance the space for gender and governance.
- The Technical Advice Support Unit (TASU) providing technical support for quality implementation and monitoring; including technical support for the PFMA (AAK) and the Donor Steering Committee (DSC).



Figure 2: Re-granting: Current Sida Funding Arrangement (Post September 2004)

<sup>4</sup> See Mutahi Ngunyi, Helena Kithinji and Simon Matsvai, *Review of Swedish Support to Human Rights and Democracy Through Partnership with CSOs in Kenya* (Swedish International Development Cooperation Agency (Sida) Sida Evaluation 2004) <http://www.sida.se/publications>.

<sup>5</sup> Action Aid Kenya ceased to be the PFMA during the period of the mid-term evaluation. As this change occurred at the end of the evaluation period, the evaluation team had already conducted interviews with them and we believe that their comments remain relevant.

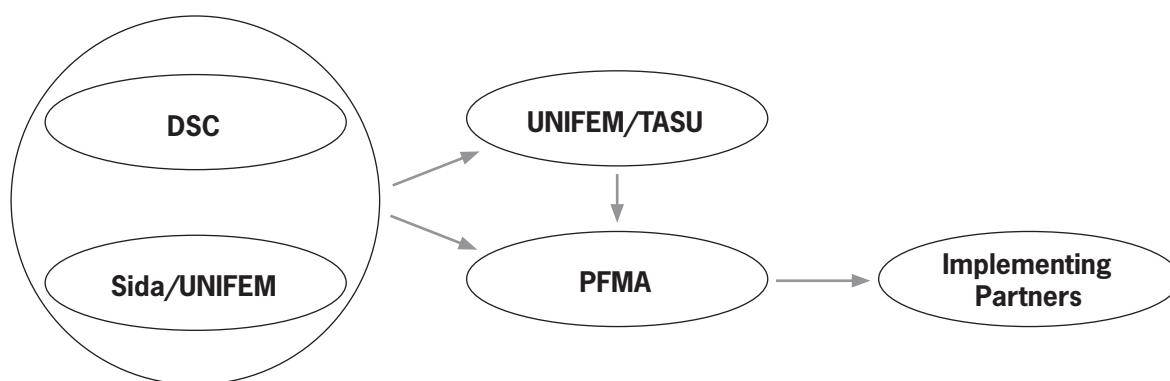


Figure 3: Sida and UNIFEM in Relation to the GGP<sup>6</sup>

A Mid-Term Review of the programme on ‘Promoting Women’s Human Rights and Enhancing Gender Equality in Democratic Governance in Kenya’ was planned to take place two years after inception of the programme. This is the purpose of the current evaluation and the subject matter of this report.

### 3.1 Purpose, Focus and Scope of the Evaluation

The evaluation undertaken over the period of 12th June–31st July 2006 has focussed on UNIFEM as the executing agency; and the programme. In undertaking this evaluation the fundamental question we have sought to answer is: *‘in what ways have the program objectives, activities, outputs and outcomes promoted women’s human rights, enhanced gender equality and democratic governance in Kenya?’*

The overall goal of the evaluation was to assess progress towards achievement of results and identify key lessons to guide future programming by Sida and UNIFEM. Specifically the evaluation focussed on:

- Progress towards achievement of planned results; general performance; main achievements; relevance and sustainability of the programme as well as potential for replication of the initiative.
- Drawing key lessons from the project; and
- Making important recommendations to improve on programme management and implementation, among others.

With regard to UNIFEM, the evaluation concerned examining the comparative advantage of UNIFEM to effectively and efficiently manage Sida’s funds and programme. At the programme level, we were required to examine relevance, added value and impact of UNIFEM as the executing agency. In particular UNIFEM’s technical capacity to enhance the promotion of women’s human rights, gender equality and democratic governance in Kenya was assessed.

### 3.2 Expectations of Evaluation

The external assessment of the programme seeks to report on:

- Progress in implementation
- Effectiveness of implementation
- Strategy development

<sup>6</sup> Sida is represented on the DSC by UNIFEM which is the secretary to the DSC. UNIFEM is also the technical adviser to the PFMA.

- Capacity development of implementing partners
- Leadership and coordination by UNIFEM of the program
- Issues of human rights, women's human rights including principles of transparency and participation.
- Integration of cross-cutting themes such as HIV/AIDS, environment and public accountability.
- Technical capacity to deliver gender responsive capacity building that enhances the promotion of women's human rights, gender equality and democratic governance.

## 4. Context and Rationale

### 4.1 Overview

#### 4.1.1 Background

In September 2004, the United Nations Development Fund for Women (UNIFEM) and the Swedish International Development Cooperation Agency (Sida) entered into an agreement to “Promote Women’s Human Rights and Enhance Gender Equality in Democratic Governance” in Kenya.

The objectives of the program are to:

- (1) Engender the legal and policy framework for securing women’s human rights especially through the constitutional, legislative and policy measures (National Government, National Gender Machinery/ Commission, Parliament, Local Authorities Association and Electoral Commissions).
- (2) Increase options, choices and capacities for Kenyan women in order to enhance women’s organising, influencing and participation for gender equality, human rights and democratic governance.
- (3) Support actions for gender responsive budgeting, resource planning, allocation and expenditure for gender equality, women’s human rights and women’s empowerment (economic governance and gender equality)<sup>7</sup>.

Swedish support is for objectives (1) and (2) and is directed to:

- Organisations working to promote women’s human rights;<sup>8</sup> and
- The Gender and Governance Program including a) technical support to CSOs receiving funds from the joint donor basket fund managed by Action Aid Kenya and technical support to Action Aid Kenya; b) support to key government counterparts and c) support to networking between CSOs and GOK.<sup>9</sup>

Swedish contribution for this program is Fifty Four Million Swedish Kronor (SEK 54,000,000) and the program period is May 2004 to 31 December 2006.

The objectives of the Promoting Women’s Human Rights and Enhancing Gender Equality in Democratic Governance program are consistent with both UNIFEM’s global and regional multi year funding

<sup>7</sup> Whereas the agreement between Sida and UNIFEM has this objective stated in this way the final Program Document reads as follows: “Support actions for gender responsive budgeting, resource planning, allocation and expenditure for gender equality, women’s human rights and women’s empowerment in the context of HIV & AIDS.”

<sup>8</sup> The Canadian International Development Agency (CIDA) funded the Government component.

<sup>9</sup> UNIFEM is the Technical Advice Support Unit (TASU) of the Gender and Governance Program (GGP).

frameworks (MYFFs). The goal of UNIFEM's African regional MYFF for 2004–2007 is to: “contribute to the realization of African women's empowerment towards the elimination of poverty, gender inequality and all forms of human insecurity.”<sup>10</sup> The intended outcomes of this goal are to:

- Increase resources, capabilities, options and choices for African women to overcome poverty and human insecurity; and
- Increase accountability of state and other institutions to transform their policy processes and practises to eliminate poverty, inequality, insecurity and exclusion.

The goals of the global UNIFEM MYFF for the period 2004–2007 are:

- Reducing feminized poverty and exclusion
- Ending violence against women
- Halting and reversing the spread of HIV/AIDS among women and girls
- Achieving gender equality in democratic governance in times of peace and recovery from war.

Both the UNIFEM regional and global MYFFs are consistent and compatible with the aim of Swedish development cooperation in Kenya as articulated in the *Country Strategy for Development Cooperation Kenya, January 2004–December 2008*, which states:

The primary objective of Swedish development cooperation with Kenya during the 2004–2008 strategy period will be to contribute to Kenyan efforts to reduce poverty ... Within the context of this overall objective, development cooperation efforts will focus on four programme areas on the basis of the recently launched ERS.

This is analysed and described under the following programme areas: pro-poor growth, social development, sustainable management of natural resources and democratic governance.

Furthermore the Country Strategy identifies several principle dialogue issues namely:

- Equality, including:
- growth based on a distribution policy aimed at benefiting the poor and
- gender equality, with special focus on women's rights to participation, land, property and other productive resources
- Sustainable management of natural resources,
- The rights of children,
- National prioritisation and implementation of measures to combat HIV/AIDS

Thus the objectives of the Promoting Women's Human Rights and Enhancing Gender Equality in Democratic Governance program are consistent with and complementary to the UNIFEM MYFFs and Sida's Country Strategy for Kenya.

Finally Sweden, Kenya and UNIFEM are all signatories to the *Paris Declaration on Aid Effectiveness: Ownership, Harmonisation, Alignment, Results and Mutual Accountability*. Furthermore, UNIFEM has shared responsibility to ensure the engendering of the New Aid Modalities. The *Paris Declaration* articulates five guidelines to enable aid effectiveness these are: ownership; alignment; harmonisation; results and mutual accountability. It is consistent with the Paris Declaration, commitment on alignment, that

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<sup>10</sup> See, United Nations Development Fund for Women (UNIFEM) Multi Year Funding Framework 2004–2007 at page 11.



Sweden's chosen program areas for its Country Strategy for Kenya should be based on the Kenyan *Economic Recovery Strategy (ERS)*, which is the country's national development strategy. The Promoting Women's Human Rights and Enhancing Gender Equality in Democratic Governance program therefore offers a unique opportunity to operationalise the new aid modalities in a gender responsive manner.

#### **4.1.2 Expected outcomes**

There are four expected outcomes for the Promoting Women's Human Rights and Enhancing Gender Equality in Democratic Governance:

- *Legislation and policies in Kenya formulated and implemented to promote and protect women's human rights* and in particular a new Constitution guaranteeing equality and protection for women, the Sexual Offences Bill, the HIV/AIDS Prevention and Control, Affirmative Action & Funding of Political Parties Bills, and precedent setting public interest cases on women's human rights (citizenship, violence against women (VAW), disinheritance etc).
- *Mainstream institutions demonstrate leadership, commitment, technical capacity and accountability mechanisms to support gender equality and women's empowerment.* This would be demonstrated by a strengthened Ministry of Gender to set guidelines for policy changes for the empowerment of women and a National Commission on Gender and Development that monitors the implementation of national and international commitments to gender equality and the empowerment of women and also the allocation of resources. Mainstream government institutions would have been strengthened to adequately prioritise targets supporting women's empowerment in key areas such as water, health, agriculture, roads, youth etc.
- *Gender Equality Advocates have the knowledge and are positioned to spearhead and transform policies, programs and resource allocation* as well as provide direct empowerment support actions to women in Kenya.
- *Harmful and discriminatory attitudes and practises change to promote and protect the rights of women and girls* and this will include the promoting of human rights values, especially women's human rights, promoted within communities in Kenya.

#### **4.1.3 Management**

The program document provides for the program to be managed through a team of seven led by the UNIFEM Regional Program Director who provides overall strategic direction. The program document provides for a Program Specialist (to provide technical and management support to project/program activities on mainstreaming gender); and a Program Officer (to provide technical expertise and advice to the Government of Kenya).

In addition the Sida/UNIFEM agreement provides for a P: 4 international staff member and an L: 3 local staff member and other consultants as may be required.<sup>11</sup> The international staff member was hired in March 2006. A local staff member was on board, from the onset, and several consultants deployed.<sup>12</sup> The international staff member is responsible for the GGP and for providing technical support to the Donor Steering Committee. The program document also designates the post of monitoring and evaluation consultant. Currently one regional staff member and national consultant fulfils this role.<sup>13</sup> There is also provision for a program assistant responsible for the integration of the results of the MDG program and the National Facilitation Initiative (NFI). The post has also been filled.<sup>14</sup>

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<sup>11</sup> These UNIFEM program staff members have been providing support to the GGP, with the international staff member Funmi Balogun-Alexander, being responsible for the GGP and the tasks in respect of TASU.

<sup>12</sup> Mary Mbeo is the local staff member.

<sup>13</sup> Given UNIFEM's sub-regional office at the regional level Lynette Miriti-Ocholla is responsible for monitoring and evaluation within the East and Horn of Africa sub-region, whilst Cecilia Kimemia is the national consultant.

<sup>14</sup> Fred Ochieng is responsible for the MDG and NFI.

Both donor and implementing partners articulated advantages and challenges in having a team management approach. Donor and implementing partners were of the opinion that the team comprised people with a variety of relevant skills and experience, all which were useful to the program. They also spoke of the accessibility of the various members of the team. The implementing partners were particularly appreciative of the ease with which they could reach the UNIFEM Regional Director. Some argued that this had actually transformed their perception of the UN – the Regional Director had “*demystified the UN*” for them.

All partners were of the opinion that the filling of the international staff post had definitely strengthened UNIFEM’s capacity. They stated that there was a qualitative positive benefit that had been experienced as a consequence of having a UNIFEM staff member dedicating at least 50% of her time to the Program. In respect of the DSC this had resulted in the formalisation and documentation of interactions with the PFMA.

The challenge of a team approach lies in maintaining continuity, cohesion and consistency. It requires team members to be familiar with each others tasks and the overall progress of the various aspects of the program. Partners did refer to some experience of inconsistency. Some cited instances where they received contradictory information from different staff members. Others also cited a moment of disconnect in the program during the period of transition when the international staff member came on board and the local staff member was away. These challenges can be addressed through designation of specific areas of the program to particular staff members.

*Strategies to ensure integrity in program management and implementation:* An earlier assessment of UNIFEM’s capacity to administer Sida’s funds, undertaken by KPMG, had made several recommendations with respect to ensuring the integrity of program management. Namely that:

- All financial reports submitted by recipients be fully supported by original relevant supporting documentation such as invoices and receipts etc.
- UNIFEM draw up a detailed annual audit plan for projects and incorporates this into agreements.
- The UNIFEM Executive board develop a specific anti-corruption policy and attendant guidelines in order to keep up with best practice and donor expectations.<sup>15</sup>

The evaluation team found that UNIFEM had undertaken several measures in order to address the afore mentioned concerns namely:

- In respect of the 2006 grants, CSOs are being asked to submit original relevant supporting documentation including certifying that they have not been claimed under any other funding source in order to avoid duplication of claims.
- UNIFEM is no longer being audited through UNDP and is using the UN’s standard audit manual. UNIFEM now has the authority to initiate an audit by itself.
- A GGP anti-corruption and conflict resolution policy was prepared by TASU in April 2006.

However, the evaluation team also found that whilst the UNIFEM program officers and Finance Assistant periodically review progress reports, these periodical reports are currently biased towards programmatic aspects and little time is devoted to the vouching of the accounting documents. At present the Finance Assistant has too much on his docket. It is recommended that more time be devoted to the actual vouching of CSO financial reports and an extra person be engaged to specifically do so.

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<sup>15</sup> See, KPMG Kenya, *United Nations Development Fund for Women (UNIFEM) Limited Review of Financial Management and Quality Control Mechanisms at UNIFEM, Kenya Final Report* (KPMG Kenya, 14 August 2004).

## 4.2 Achievements

Our findings in respect of the achievements of UNIFEM during the period under review were that:<sup>16</sup>

- UNIFEM is supportive of partners. The accessibility, variety of expertise and availability of UNIFEM's team was commended by partners. Implementing and donor partners as well as the GGP PFMA spoke of the ease with which they could call on UNIFEM staff and gave examples of instances where the team were of assistance. UNIFEM was identified as having a comparative advantage in facilitating access to and dialogue with high level policy and law makers such as permanent secretaries and parliamentarians. UNIFEM had also played a conflict resolution role within the GGP. For implementing partners, UNIFEM provided advice and guidance in respect of advocacy and "*pointed*" them in "*the right direction*" in instances where they needed funding for unexpected events. The participatory and consultative nature of UNIFEM's approach was evident in their approach towards the mid-term evaluation itself. UNIFEM was not willing to embark on the evaluation without a briefing meeting with all partners to let them know that the evaluation was taking place. All Sida/UNIFEM partners received the evaluation terms of reference.
- UNIFEM trained partners on M&E: The training of partners in the use of the *UNIFEM Monitoring and Evaluation Framework for Africa*, which had enhanced the partners' monitoring and evaluation capacity, was named by implementing partners as one of the advantages of partnering with UNIFEM.
- A Results Based Management approach was introduced: The provision of training in results based management for implementing partners was cited as an important benefit by partners.
- Roles were clarified: The development of terms of reference and clarification of roles of TASU, the DSC and PFMA as well as the formalisation of the relationship between the PFMA and DSC was named as a benefit by DSC members.
- Number of organisations and range of activities increased: The expansion of the number and range of organisations that Sida is funding was also identified by Sida as one of the ways in which its capacity had been enhanced by partnering with UNIFEM. Specifically Sida is now funding organisations whose mandate lies specifically in addressing violence against women (VAW). They include the Coalition on Violence Against Women – Kenya (COVAW) and the Centre for Rights Education Awareness (CREAW).
- The program was visible: Funding and implementing partners also identified UNIFEM's comparative advantage as the "*globally recognised lead agency in advancing women's rights and gender equality*" to be providing credibility, visibility and clout to the program. For implementing partners it was "*affirming and assuring*" to know that their work was "*contributing to the global agenda for women's equality.*" Implementing partners also perceived the program as an opportunity for them to provide solidarity to enhancing the United Nations' own gender responsiveness by having their work contribute to directly fulfilling the mandate of the only UN agency dedicated to working for and advancing women's rights and gender equality. In essence, to many partners, UNIFEM is a trusted and credible partner in the advancement of women's rights.

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<sup>16</sup> More of the achievements during the period under review can be found itemized under the success section in 6.1.2 below.

## 4.3 Performance Measurement Information

### 4.3.1 Monitoring

The monitoring framework provided for in the program document consists of provision for:

- A monitoring and evaluation consultant (as mentioned in section 4.1.3 on Management above). This has been addressed through the regional monitoring and evaluation officer working with a national monitoring and evaluation consultant.
- A logical framework containing indicators for the program is contained within the program document.

The agreement between Sida and UNIFEM is also made subject to the UNIFEM regional MYFF which provides for the use of the *UNIFEM Monitoring and Evaluation Framework for Africa*. UNIFEM is also working within the context of its global MYFF which contains a “strategic results framework” for the period 2004–2007 the four goals and indicators of which constitute the context within which the Promoting Women’s Human Rights and Enhancing Gender Equality in Democratic Governance program was developed.<sup>17</sup>

The intended outcomes of the global UNIFEM MYFF are exactly the same as those of the regional MYFF and the Promoting Women’s Human Rights and Enhancing Gender Equality in Democratic Governance program.

A draft monitoring and evaluation framework for the GGP was commissioned by UNIFEM in its capacity as technical support to Action Aid Kenya, the PFMA for the GGP.<sup>18</sup> In May 2006, refined terms of reference were developed for UNIFEM as the Technical Advice Support Unit (TASU) of the GGP; the DSC and the PFMA.

### 4.3.2 Assessments

Prior to the conclusion of the agreement between UNIFEM and Sida, Sida commissioned an independent assessment of UNIFEM’s administrative and financial management capacity to handle the Sida funding.<sup>19</sup> This assessment which was undertaken by KPMG in August 2004 found that UNIFEM had “adequate administrative and financial management capacity to handle the intended funding from Sida.” The monitoring framework for the Promoting Women’s Human Rights and Enhancing Gender Equality in Democratic Governance program was enhanced as a consequence of the KPMG assessment. A draft monitoring and evaluation framework specifically for the GGP has been developed by a consultant and is to be reviewed by UNIFEM.<sup>20</sup>

A semi-annual review of the GGP was undertaken by Deloitte Consulting Limited in October 2005, in which UNIFEM was evaluated in its capacity as the Technical Advice Support Unit (TASU) of the

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<sup>17</sup> These goals are to:

- Reduce feminised poverty and exclusion
- End violence against women
- Halt and reverse the spread of HIV/AIDS among women and girls
- Achieve gender equality in democratic governance in times of peace and in recovery from war.

See, *United Nations Development Fund for Women Multi-Year Funding Framework, 2004–2007* at page 23

<sup>18</sup> The *Gender and Governance Program Monitoring and Evaluation Framework* developed by Connie Ngondi – Houghton provides inter alia for:

- A semi-annual performance, assessment, review and learning session.
- A quarterly implementing partners’ reflections session
- An annual programs review
- A mid-plan review
- A summative evaluation to be conducted at the end of the program plan period.

<sup>19</sup> See, KPMG Kenya, *United Nations Development Fund for Women (UNIFEM) Limited Review of Financial Management and Quality Control Mechanisms at UNIFEM, Kenya Final Report* (KPMG Kenya, 14 August 2004).

<sup>20</sup> See Connie Ngondi-Houghton, *A Monitoring and Evaluation Framework* (Gender and Governance Program).

GGP. The Deloitte Consulting Semi Annual Review identified three challenges in respect of UNIFEM's role as TASU namely:

- Lack of a formal scheduled feedback mechanism between UNIFEM, the PFMA and DSC.
- Lack of clarity in respect of UNIFEM's multiple roles within GGP (TASU, Sida's deputy and implementing partner).
- Delays in the development of a monitoring and evaluation framework for the GGP.<sup>21</sup>

Actions to address two of the three concerns raised by the Deloitte Consult Semi-Annual Review have been taken. As noted under 4.2 above one of the benefits of having enhanced UNIFEM's personnel capacity by having an international staff member who could spend 50% of her time on TASU/GGP tasks was the formalisation of TASU, DSC and PFMA communications. In addition she has undertaken a clarification and review of the terms of reference of the TASU, DSC and PFMA. These clarified terms of reference now provide for UNIFEM to:

Participate at the DSC as the organisation representing Sida and to abstain when issues concerning TASU's role as an implementing partner is to be discussed.<sup>22</sup>

The monitoring and evaluation framework for the GGP is still in draft form and has therefore not been implemented. It is currently under review. Given that the GGP operates on the basis of a one year grant, it may be necessary for UNIFEM as TASU to address the question of whether the monitoring and evaluation framework is flexible enough for a one year program.

## 5. Evaluation Design

### 5.1 Methodology

The evaluation team combined both secondary and primary methods of data collection. Secondary sources of information comprised a review of relevant literature while primary methods comprised interviews with different stakeholders. We also had focus group discussions with beneficiaries in different places. An entry point to all this was a stakeholders' workshop that was convened to explain the purpose of the mid-term evaluation and how the exercise would be carried out. Interviews were conducted through use of a checklist of issues drafted to ensure collection of relevant information (see annex 9.3). Finally field visits were made to five provinces where implementing partners have projects.

#### 5.1.1. Literature review<sup>23</sup>

A literature review and desk study of relevant documentation was undertaken. Four categories of documents were reviewed:

- *Sida and UNIFEM documents*: including past reviews of the organisations; contractual agreements between the two organisations; Terms of Reference and logical frameworks.
- *Implementing partner documents including*: contract agreements; mid-term and/or final project reports; log frames; memoranda of understanding; capacity building plans and Strategic Plans.

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<sup>21</sup> Deloitte Consulting Limited, *United Nations Development Fund for Women (UNIFEM) Semi-Annual Review of Gender and Governance Program (GGP) Draft Final Report* (Nairobi: Deloitte Consulting Limited October 2005) 25–26.

<sup>22</sup> See, *Terms of Reference Technical Advisory Support Unit (TASU/UNIFEM)*, May 2006.

<sup>23</sup> A list of documents reviewed in the course of this evaluation is contained at Annex 9.1 below.

- *Relevant policy documents including: the Family, Affirmative Action and Sexual Offences Bills, the Constitution of the Republic of Kenya; Sessional Paper No. 2 of 2006 on Gender Equality and Development; and the Economic Recovery Strategy for Wealth and Employment Creation Kenya*
- UN development reports: United Nations Development Assistance Framework (UNDAF) Kenya 2004–2008 and Promoting Gender Equality: in New Aid Modalities (UNIFEM).

### 5.1.2 Interviews<sup>24</sup>

Interviews were conducted with implementing partners, members of the DSC and beneficiaries of the program. The implementing partners were categorised into two: institutions that used to receive funding directly from Sida and are now funded through UNIFEM; and members of the GGP who do not receive any other funding from Sida. (See Figures 2 and 3 in section 1.3 above).

Institutions and individuals interviewed were identified in consultation with Sida and UNIFEM. There was also a briefing meeting held with implementing partners to inform them that the evaluation was taking place. All implementing partners were provided with the terms of reference for the evaluation.

A focused group discussion (FGD) was held in Oloitokitok, Kajiado District, with some beneficiaries.

An interview was conducted with one of the women aspirants in the recently held by- elections and is contained in the case studies.

### 5.1.3 Sampling frame

Five main categories of institutions were sampled:

- UNIFEM and Sida.
- Institutions receiving technical support and which operate with Sida as part of basket funding initiatives – in this category are Action Aid Kenya (the PFMA for the GGP) and members of the DSC.
- Implementing partners of Sida/UNIFEM – these are the CSOs, Government/Parliamentary institutions that are receiving funding from Sida by virtue of having successfully applied for funding under one of the four program support areas that the Sida/UNIFEM program supports.
- Institutions that are indirect beneficiaries of Sida by virtue of being members of the GGP.
- Beneficiaries of projects that are funded by Sida/UNIFEM implementing partners or through the GGP.

### 5.1.4 Evaluation tools<sup>25</sup>

Five tools were used in undertaking detailed engagements with partners and beneficiaries. These tools were in two categories:

- Tools to assess UNIFEM's effectiveness, efficiency, program management and technical context consisted of checklists for interviews with four groups of institutions: UNIFEM, Sida, Action Aid Kenya (the PFMA) and members of the DSC. These tools enabled an assessment of how UNIFEM's technical support is promoting women's human rights, gender equality and democracy and governance in Kenya.
- Tools to assess the impact of the program on partners and beneficiaries. These checklists guided conversations with the CSOs, Parliament (KEWOPA) and Government of Kenya institutions (particularly the National Commission on Gender and Development and the Gender Department of the Ministry of Gender, Sports, Culture and Social Services) that are funded under the Promot-

<sup>24</sup> Lists of categories of meetings and interviewees are contained at 9.4 and 9.5 below.

<sup>25</sup> Samples of evaluation tools are contained at annex 9.3 below.

ing Women's Human Rights and Enhancing Gender Equality in Democratic Governance in Kenya Program as well as their beneficiaries.

#### **5.1.5 Shadowing UNIFEM**

The evaluation team accompanied UNIFEM staff to some activities in order to observe them in action.

#### **5.1.6 Stakeholder workshop**

The purpose of this workshop was to facilitate feedback, verification, clarification and ownership of findings.

#### **5.1.7 Site visits**

The evaluation team made site visits to five provinces: Central, Coast, Eastern, Nyanza and Rift Valley.

### **5.2 Key Questions<sup>26</sup>**

The key questions that guided the evaluation focused on the areas of:

- Performance
- Success
- Relevance
- Sustainability
- Partnership principles
- Program management modalities
- Attitude shift
- Lessons Learned and Recommendations

### **5.3 Methodological Constraints and Challenges**

The evaluation team had intended visiting the North Eastern Province however this was not possible during the time period allowed for the evaluation.<sup>27</sup>

## **6. Evaluation Findings and Analysis**

### **6.1 Results**

#### **6.1.1 Performance**

In examining the performance of UNIFEM the terms of reference required that the evaluation team:

- Assess whether the program objectives were clearly stated in the project document.
- Assess whether provisions had been made for indicators and if so, whether they were SMART i.e. specific, measurable, attainable, relevant and timely.
- Report on the extent to which the program has achieved its stated objectives and its effectiveness in terms of both qualitative and quantitative results.

<sup>26</sup> See annex 9.3 below which contains the detailed checklists on questions asked under each one of these areas.

<sup>27</sup> One of the directors of the North Eastern Province partner was taken ill during the evaluation period, whilst the other senior staff member was away on study leave.

- Assess the efficiency of UNIFEM in respect of the optimal transformation of inputs into outputs and their timeliness.

The evaluation found that the program document states clear objectives, outputs and indicators for the Promoting Women's Human Rights and Enhancing Gender Equality in Democratic Governance program. The stated objectives of the program are absolutely relevant to Kenya today – given that the country is in transition and in a stage of key institutional and legal reform. Kenya is currently undergoing a transition of its governance systems including a transition from a one party to a multi-party state and a constitutional reform process. The transition has been characterised by increased demands by citizens for greater accountability from the state and control over national resources. The transition presents opportunities and challenges for the advancement of women's human rights and gender equality.

The transition has for example birthed new mechanisms for strengthening the national machinery for gender equality. All of this coincided with the 2002 elections producing the highest number of women parliamentarians ever in the history of the country. The results were a direct consequence of initiatives of the country's women's movement and women's rights CSOs. The review of the history of the GGP and other initiatives that sought to foster gender equality indicate that UNIFEM has been part of that process. UNIFEM was one of the agencies providing support to the Engendering the Political Process (EPP) program – which was the pro-genitor of the GGP – and UNIFEM also serves as the secretariat to the Gender Roundtable to advance women's issues and concerns on democracy, governance and human rights. UNIFEM's regional MYFF actually identifies the process in Kenya as one of the areas targeted for support during the 2004–2007 period based on its experiences and lessons learnt from its 2000–2003 Africa Strategic Framework.<sup>28</sup> The Promoting Women's Human Rights and Enhancing Gender Equality in Democratic Governance Program is therefore an opportunity for UNIFEM to concretise solid gains pertinent to the advancement of women's human rights.

The creation of institutions such as the National Commission on Gender and Development and the establishment of a new Gender Department in the Ministry enhanced and reinforced the national machinery for gender equality. But these institutions are new; they require support for capacity building and operations – all of which the objectives and intended outcomes of the Sida/UNIFEM Program are intended to achieve. Indeed one of the findings of the evaluation has been that it is through the support of UNIFEM that these institutions' operational costs are being met. Furthermore UNIFEM has supported the strategic planning processes of these institutions and will be providing technical back-stopping through the positioning of gender experts within these institutions.

Although the Program Document states clear objectives and outcomes, these outcomes are not linked to particular objectives. This is problematic as the program is co-funded by four agencies: Sida, the Canadian International Development Agency (CIDA), the United Nations' Development Program (UNDP) and UNIFEM itself. While the Sida-UNIFEM agreement underlines that Sida support will go towards the first and second objectives of the program, the outcomes are not linked to specific objectives in the Program Document. This poses a challenge of attribution; given the re-granting arrangement between Sida and UNIFEM, none of the state institutions attributed assistance they had received to Sida. All of them had UNIFEM as a point of reference. Since UNIFEM has received funding from both CIDA and Sida at different times, to support the state agencies, it is difficult to identify the results that are the outcome of which source of funding. There is need to review the program documents and designate particular outcomes and activities to different objectives and funding agencies (see sections 8.2 and 8.4 on Challenges and Recommendations below).

<sup>28</sup> One of the Key Results identified in UNIFEM's African Strategic Framework with respect to the 2000–2003 period in the area of Governance and Leadership is: "*an increase in the number of women parliamentarians in Kenya after the 2003 elections.*"



It is also the evaluation team's finding that although the program has indicators they were not time bound as they do not contain time frames beyond the overall project completion date of 2007. This was problematic in terms of assessing the program's progress because there are no clearly demarcated short term goals. There is therefore need to smarten the indicators by setting dates within which individual activities would be completed. This would enable prioritisation of activities and enhance monitoring and planning. Although annual work plans exist, a timeframe for individual activities would give an overarching framework within which the annual work plans can be evolved. Several outputs have been achieved: such as the passing of the Sexual Offences Bill into law and the ongoing debate on the HIV/AIDS Prevention and Control Bill, however, the absence of target dates in the indicators makes it difficult to authoritatively determine the extent to which the program is on course.

In respect of the first outcome: "*Legislation and policies in Kenya formulated and implemented to promote and protect women's human rights,*" there were three intended outputs:

- HIV/AIDS Prevention and Control, Affirmative Action and Sexual Offences Bills presented, debated and passed into law.
- Kenya Constitutional Review Process includes commitment to gender equality in content and process.
- Kenya ratifies the Additional Protocol to *CEDAW* and the Additional Protocol on Women's rights on the *African Charter on Human and People's Rights*.

The Sexual Offences Bill, one of the bills cited in the first output has been passed into law whilst a second, the HIV/AIDS Prevention and Control Bill is under debate.<sup>29</sup> There is an attempt to move a motion that will allow an amendment to the *Constitution* to allow for Affirmative Action. Therefore the fulfilment of the first output is fully on course. There is need to examine the process pertaining to the Sexual Offences Bill as it may provide several insights that would be relevant for other "gender bills." The passing of the Sexual Offences Bill also presents the challenge of attribution as there were several actors involved in the lawmaking process (for specifics on how UNIFEM contributed to the Sexual Offences Bill see section 6.1.2 Success).

In respect of the second output, that is intended to ensure the engendering of the constitutional process there has been a challenge as the Constitutional Review Process itself is in abeyance (see constraints in 8.1 below). UNIFEM's intended outcome in respect of this process has been to not only ensure gender equality in the content but also processes pertaining to constitutional reform. One of the key actions that UNIFEM took to address the issue of content vis a vis the Proposed New Constitution was to support one of its partners, the National Commission on Gender and Development to ensure a national debate between women's rights organisations on the Proposed New Constitution. This debate was focused on the gains for women in the Proposed New Constitution. This was one of the only events during the National Referendum process that brought women together across party lines to focus on the gender equality concerns at stake in the constitutional review process. In this way UNIFEM has ensured the continued visibility of women's human rights concerns within the constitutional reform debate.

An indirect benefit of this continued visibility of the gender equality agenda may have been the continued respect for the one third principle in emerging constitutional reform processes. There were four women on the fifteen members Committee of Eminent Persons appointed by the President to "*undertake an evaluation of the constitutional review process and provide a road map for the conclusion of the process.*"<sup>30</sup> Women therefore constituted 27% of this committee and the vice-chairperson of the Committee was also a woman. Thus although the 30% requirement was not fully met, the attempts to do so indicate recognition of the one-third principle. Lobbying to ensure that the women's rights gains were retained in the

<sup>29</sup> The President assented to the Sexual Offences Bill on Friday 14th July 2006. See, Nixon Ng'ang'a, *Kibaki Assents to the Sexual Offences Bill*, *The Saturday Standard* 15th July 2006, 2.

<sup>30</sup> GOK the Kenya Gazette Vol. CVIII – No. 14, Nairobi, 24th February, 2006.

Proposed New Constitution was undertaken by members of the GGP with the support of the PFMA. It is one of the new Sida/UNIFEM partners, CREAW that is seeking to bring a motion to entrench affirmative action in the Constitution. Kenya has not ratified either of the Optional Protocols to CEDAW or the African Charter on Human and People's Rights – although lobbying efforts by one of the Sida/UNIFEM partners – COVAW, continue.

The second outcome: *“Mainstream institutions demonstrate leadership, commitment, technical capacity and accountability mechanisms to support gender equality and women's empowerment,”* has eight intended outputs:

- The Department of Gender, Ministry of Gender, Sports, Culture and Social Services, provides national leadership to effectively contribute to the promotion and protection of women's human rights, mainstreaming gender into development and supporting equitable resource allocation to women's priorities.
- Enhanced capacity of the National Commission on Gender and Development on the monitoring and provision of guidelines to government, Parliament, private sector, donors on improving the status of women.
- Key ministries able to deliver on national commitments to gender equality, including on resource allocation
- Strengthened capacity of the Kenya Women Parliamentarians' Association (KEWOPA) to critically influence legislation, public policy and discourse and promote parliamentary accountability to the promotion of women's rights and priorities.
- Non traditional partners promote gender equality and the empowerment of women
- Gender resource allocation and gender responsive instruments of revenue collection contribute to the improvement of women's lives
- Administration of justice in Kenya is gender sensitive and responds to the needs of women whose rights have been violated including women living with HIV/AIDS
- High level officials engage in policy dialogues on pertinent issues within the country

The mainstream institutions such as the National Commission on Gender and Development, the Gender Department and KEWOPA credit UNIFEM with having been one of the only institutions to *“provide concrete support”* to them.

However fulfilment of the second outcome has been slow. Many of the institutions being supported to fulfil on this outcome are new and therefore lacked even basic facilities such as bank accounts. Only one of the five indicators pertaining to output 1 of the second outcome had been fulfilled, namely *Sessional Paper 2 of 2006 on Gender Equality and Development* was published in May 2006, through the assistance of UNIFEM and is to be submitted for debate in Parliament. A half day workshop for representatives of Units of Gender Issues (UGIs) is planned. Strengthening staff capacity of the Gender Department by providing funding for an in-house gender expert is planned for. There is therefore still much to be done in respect of output one of the second outcome.

Also, Sida's assistance to the Promoting Women's Human Rights and Enhancing Gender Equality in Democratic Governance Program is geared towards civil society partners. This poses a significant challenge to this outcome because some of the institutions targeted are not necessarily within the targeted grant group.

There is also need to smarten the first indicator for this output which is currently: *“Greatly enhanced expertise available in the Department on Gender and takes leadership within gender for all other government ministries and regional organisations.”* It is not clear what *“greatly enhanced expertise”* would be – it is not specific. In respect

of the second output of the second outcome – pertaining to the National Commission on Gender and Development, again UNIFEM funded and supported the operational costs of the Commission and intends complimenting the staff by supporting a gender expert at the Commission as well. In addition, the Nairobi +21 conference one of the indicators in respect of the second output is scheduled for September 2006. The holding of Nairobi +21 concretely links the work of the Kenyan women’s movement to the global movement. At least one of the three indicators for the second output has been achieved. It is not clear whether any actions have been taken towards meeting the third output, pertaining to ensuring gender mainstreaming of key ministries.

In respect of the fourth output pertaining to the strengthening of KEWOPA some progress has been made. Cross party support for bills on gender and women’s human rights is evident. Members of KEWOPA came together across party lines to support the Sexual Offences Bill and to champion other women and gender concerns in public. The KEWOPA secretariat has not yet been established, this is one of the three indicators under this output. Women parliamentarians are scheduled to visit Sweden on a study/training tour from 29th August to 8th September 2006. It is also not clear what headway has been made in respect of outputs 5 and 6 on non traditional partners such as COTU, KNUT and FKE and gender resource allocation and gender responsive instruments of revenue collection. UNIFEM plans to work with the judiciary in the next phase of the agreement; this will ensure the fulfilment of the seventh output. In respect of the eighth output, pertaining to “high-level officials” engaging in policy dialogue on gender, there is need to smarten the output indicators as it is not clear in respect of the first indicator who the “*high level officials*” being targeted are. It is not clear whether they are cabinet ministers; permanent secretaries; chief executive officers of multi-nationals and parastatals; or media owners. This indicator needs to be made specific; the activities listed refer to both private sector and Government officials.

The third outcome: “*Gender Equality Advocates have the knowledge and are positioned to spearhead and transform policies, programs and resource allocation as well as provide direct empowerment support actions to women in Kenya;*” has only one intended output:

- Women’s leadership capacities strengthened within public and private sectors and at all levels, especially building up to the 2007 general elections and beyond.

All the women’s rights organisations engaged in training on devolved funds, MDGs etc, reported increased assertiveness in women and ability to hold politicians accountable and representation in respect of management organs for development funds here are a few examples:

- In Wajir, women have demanded that they have at least 30% representation in all district development committees and one woman wants to be a chief.
- In Mbeere six women are vying for the post of councillor and one for the post of MP.
- In Kajiado South Constituency four women now sit on the Constituency Aids Control Committee (they are 29% of the membership as the Committee has 14 members) whilst two of the fifteen members of the Constituency Development Fund (CDF) Committee are women. One of the women on the CDF Committee is the treasurer.

These are just some of the results consistent with outcome three.

The key challenges in respect of the third outcome pertain to the implementation of the GGP program (see insights and Challenges (8.2) below) and the integration of cross –cutting concerns in particular HIV/AIDS and the environment. UNIFEM has entered into a dialogue with Help Age – Kenya on the issue of home based care. In our view, partnering on the environment occurred by accident – in Isinya, Kajiado District, for example, COVAW found that environmental groups were a good entry point in working with communities.

The fourth outcome: *“Harmful and discriminatory attitudes and practises change to promote and protect the rights of women and girls and this will include the promoting of human rights values, especially women’s human rights, promoted within communities in Kenya.”* There were three intended outputs for this outcome:

- Direct support available to women to claim their rights.
- Human rights values, especially women’s human rights promoted within communities in Kenya.
- Faith based religious and cultural institutions to promote women’s human rights.

Funding to women’s rights organisations that provide legal aid, paralegal training and support services for women survivors of violence against women has continued with UNIFEM actually expanding the organisations that Sida is providing support to under this rubric to include COVAW and CREAM. This is both a numerical and programmatic expansion of Sida’s funding capacity – as the two organisations specialise in providing services to survivors of gender based violence. The continued funding has enabled deepening of the program approaches of the organisations all of which report success in the sectors in which they work (see section 6.1.2 Success below). UNIFEM is also fully on course in respect of fulfilling on the fourth outcome.

The disbursement process was observed as not being efficient. Many partners felt that the delay between submission of their annual work plans and requests for funding and the time of disbursement was too long. Some took as long as 11 months. For a program taking three years a delay of eleven months is long enough to negatively affect effectiveness of the program. However, Sida did explain that there was delay from their end which in turn caused delays elsewhere. For its part, UNIFEM has enhanced its internal capacity in order to improve the efficiency of the grant making process by ensuring that the Regional Director can now sign for grants and raising the threshold on the maximum amount that she can sign for. It is hoped that these measures will address the challenges that have been experienced with respect to the delays in disbursement.

Overall therefore, UNIFEM is on course towards fulfilling three of its intended outcomes, with three of the four outcomes fully on course. Delays with respect to the second outcome on gender mainstreaming in respect of mainstream (largely state) institutions, appear to have been a consequence of bureaucratic processes within the institutions.<sup>31</sup> Unlike CSO partners GOK partners attributed delays in implementation partly to the fact that they were new institutions and partly to internal bureaucracy.

### **6.1.2 Success**

In this part of the evaluation, we were required to:

- Examine the strategy adopted to support partners as well as identify the results emanating from this success.
- Examine how UNIFEM has contributed to the success (if at all) and how this contribution was done.
- Analyse the benefits accruing to members because of their engagement in the programme.

There have been several results that illustrate success on the part of the UNIFEM program namely:

- The passing of the Sexual Offences Bill and the subsequent assenting of the same to an Act of Parliament is hailed as a great success in dealing with violence against women. There may be need for amendments but the parent law is a good start. Despite the challenges in attribution pertaining to the Sexual Offences Bill, partners were able to identify some specific interventions made by

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<sup>31</sup> Outcome 2 pertains mainly to Government of Kenya institutions and in interviews with both the Gender Department and the National Commission on Gender and Development as well as KEWOPA, the fact that these were new institutions that either lacked the mechanisms for disbursement – the Commission and KEWOPA initially did not have accounts, or due to GOK internal bureaucracy were factors in delays in implementation of the projects under this outcome.

UNIFEM that had contributed towards advocacy for the passing of the Bill. Firstly the women's human rights CSOs that met and began to advocate for the passing of the Sexual Offences Bill, were all Sida/UNIFEM partners who organised themselves under the auspices of the Women's Agenda. The suggestion to organise in respect of the Bill emerged out of a request made by Honourable Njoki Ndung'u at a learning platform on violence against women.<sup>32</sup> CREAM, which hosted most of the CSO meetings on the Bill, attributed the choice to request and meet with members of KEWOPA to UNIFEM's advice. UNIFEM not only encouraged civil society/KEWOPA dialogue on the Bill, but went further and actually linked the CSOs to KEWOPA. The CSO media partners who ensured articles that supported the Bill and advocacy activities, received coverage in the mainstream media were Sida/UNIFEM partners – AMWIK and AWC. UNIFEM also sent a communiqué expressing concern about the quality of debate on the Bill. There were also indirect linkages as the Bill had originated out of an initiative of the Juvenile Justice Network – implementing partners through Sida's re-granting to the children's rights sector that is facilitated through the United Nations Children's Fund (UNICEF) such as the CRADLE and CLAN. This link however does not appear to have been maximised.

- Many partners and beneficiaries expressed full satisfaction with the partnership with UNIFEM. Those that had direct funding from Sida before tended to prefer the direct mode of funding but were also quick to point to the advantages of the UNIFEM connection. Many spoke of the added clout of being seen to work with UNIFEM (Womankind). Others said that UNIFEM '*opened doors*' that they would not have had access to especially when dealing with the Government at ministerial and permanent secretary levels which are the policy-making echelons.
- A woman in Mombasa said she had been supported by FIDA to represent herself in court in a matrimonial case where the determination was in her favour. She felt empowered and was able to tell other women where to go for help. Another one was represented by FIDA in court. She appreciated the support and commended FIDA staff very highly for maintaining high levels of integrity in a field where justice was perceived to be for sale and only available to the rich and powerful people like her estranged husband. So delighted with the services was this woman that she decided to offer volunteer services at FIDA's Mombasa office. Some 32,875 women have received support from FIDA's legal aid services between 2004 and 2006. 10,643 of those women have been in the Mombasa area alone.
- Support to the Gender Commission and the Gender Department has made them operational. However there is need for capacity building and back stopping services.
- Partners have also had enhanced networking capacity as a consequence of their relationship with UNIFEM. The Women's Agenda emerged out of a meeting that occurred on partners' return from attending the CSW in 2005 and a decision to disseminate the reports. The Women's Agenda has subsequently gone on to advocate for the Sexual Offences Bill and also collaborated to ensure the Learning Platform on Violence Against Women.
- Both implementing partners who were in the GGP and Sida/UNIFEM re-granting partners say that they have expanded the scope of institutions that they are now networking with – COVAW, which is working in Isinya, Kajiado District, says that they are now partnering with environmental organisations and mainstream development organisations which they would not traditionally be partnered with.<sup>33</sup> The program has enabled FIDA to partner with organisations that work in other sectoral areas such as those focused on HIV/AIDS which are not the traditional domain areas of

<sup>32</sup> The Learning Platform on Violence Against Women, was organised by members of the GGP including COVAW, DTM and AWC.

<sup>33</sup> There are no other women's rights organizations working in Isinya. The other organizations on the ground were mainstream development organisations such as World Vision, which COVAW says they would not traditionally partner with.

FIDA.<sup>34</sup> Also there are indigenous Maasai institutions such as the group ranches which are very powerful and which historically do not allow women's membership and yet they determine the use of resources such as land. Both COVAW and Abantu – which also works in Kajiado District (Abantu are in Oloitokitok) have had to find ways to partner with indigenous male only cultural institutions. Thus the implementing partners report an expansion of both programmatic and geographical scope as a consequence of the Sida/UNIFEM partnership. Sida itself has been able to expand the number and scope of institutions it was funding as a consequence of its partnership with UNIFEM.

- Some implementing partners also reported enhanced technical capacity as a result of their partnership with UNIFEM. COVAW cited their improved monitoring and evaluation capacity – saying that the UNIFEM monitoring and evaluation framework had strengthened their own monitoring and evaluation capacity. Part of UNIFEM's own strategy to enhance partners' technical capacity includes three annual meetings to in build their capacity.

### 6.1.3 Relevance and Partnership Principles

In examining the relevance of the program and partnership principles, the evaluation team was required to:

- Address consistency of the program within the country context, ownership, questions of the technical adequacy of UNIFEM and potential for replication of strategies used.
- Assess the complementarity of the program with initiatives supported by other donors and the identification process of beneficiaries.

It was our finding that the Promoting Women's Human Rights and Enhancing Gender Equality in Democratic Governance program is absolutely relevant, timely and firmly grounded within Kenya's political, social and economic context. The country has the lowest incidence of women's representation in an Eastern African Parliament – 8.1% of Kenya's Parliament is female as compared to 28% of Tanzania's and a whopping 48% of Rwanda's Parliament (the highest such ratio in the world). 6% of Kenya's Cabinet is female as compared to 24% of Tanzania's. Thus the issue of women's access to decision making is germane at this time. The recently passed Sexual Offences Bill makes provisions for offences that have been recognised in Tanzanian law since 1998 – in fact, whereas Kenya's Parliament rejected the clauses prohibiting marital rape, it has been a recognised offence in Tanzania since 1998.<sup>35</sup> While Uganda's *Constitution* recognises the constitutional equality of Ugandan women with their country men. Kenya is yet to reach this stage; it is a right that Kenyan women are still fighting for. The question of devolution and the accountability of law and policy makers to communities particularly on the question of the use of public resources is also a germane issue in Kenya today – thus the third outcome of the program which seeks to ensure that women have the capacity to hold their leaders accountable for the use of development resources is extremely relevant. The Kenya Women's Political Caucus which has reached 18,500 women through its regional assemblies provides training on the issue of devolved funds such as the Constituency Development Fund.

Partners largely felt that the program was relevant. However there was a concern with respect to the integration of HIV/AIDS particularly for partners who had not made proposals to work on this area. While UNIFEM and Sida perceive HIV/AIDS as a cross cutting issue, partners did not appear to be able to understand how to integrate work on HIV/AIDS into their work and in some instances pointed out that the nature of their work is one in which they would not be able to assess a client's status and could only find out if they chose to reveal the fact. In such instances, they were of the opinion that they

<sup>34</sup> FIDA is not a GGP implementing institution, thus this expansion in networking is an experience of all implementing partners.

<sup>35</sup> See, The United Republic of Tanzania, *The Sexual Offences Special Provisions Act, 1998 (Act No. 4 of 1998)*.

could not monitor the number of people who are receiving support from them who are HIV infected or affected. This suggests a limited interpretation of mainstreaming HIV/AIDS by both UNIFEM and implementing partners.

There is a need to carefully identify the challenges that partners face in integrating cross cutting issues into their program work. This should be done with a view to developing approaches to facilitate partners' attempts to integrate cross cutting issues in their work. Furthermore this was the only area in which partners felt that their mandate, identified and chosen area of work was not taken into consideration in support. In an instance a partner had not identified most of the areas to be worked on and perceived the suggested areas as prescriptive.<sup>36</sup> Whilst most strategies being used appear to be replicable there is need for documentation of the approaches and strategies being used. All projects observed in the field are innovative and could provide learning points for other parts of the country and the region. Given UNIFEM's regional status this is an unexploited advantage.

*Complementarity with initiatives supported by other donors:* As noted in 6.1.1. (Performance) above, the program is co-funded by several other agencies including CIDA, UNDP and UNIFEM itself it is therefore complementary to other donor initiatives. In fact one component of the program, the technical advice provided by UNIFEM to the GGP PFMA is actually intended to support other donor initiatives in the GGP basket fund. The clarification of the terms of reference of the DSC, PFMA and TASU has assisted in this respect. The benefit of having a technical support unit came to play during the midterm evaluation as AAK ceased to be the PFMA. UNIFEM was designated the interim body responsible for ensuring the continued smooth running of the program during the intervening period. Donor partners cited as some of the areas that UNIFEM has provided support is in strengthening the GGP strategic plan with other stakeholders. They were of the opinion that UNIFEM had added value and in particular having personnel with at least 50% time dedicated to the TASU which has enabled the formalisation of the TASU addressing a concern that had been raised by a previous evaluation.<sup>37</sup> UNIFEM's capacity to bring the gender agenda to the attention of high level policy and law makers such as permanent secretaries and parliamentarians was also commended by donor partners.

The criteria for choosing program beneficiaries varied some Sida/UNIFEM implementing partners such as COVAW chose their area of focus on the basis of a baseline survey and needs assessment. They were also guided by their area of expertise, the fact that the forms of violence against women occurring in the area were areas that they had developed comparative advantage and strengths in addressing. In respect of the older Sida/UNIFEM partners the choice of partners tended to be based on areas that they had been working in over a long period of time as well as the desire to expand their programmatic capacity within areas they had specialised in. The choice of Mombasa for FIDA-Kenya's legal aid program, for example, offers the opportunity to not only ensure greater geographic spread but also reach a larger number of Muslim women – the predominant religious group in that part of the country. Whilst ECWD has exploited experience gained in its long standing paralegal training program to deepen service provision in respect of addressing women's property rights in Nyanza. This aspect of their paralegal program is enhanced through funding from the Finnish Embassy.

*Choice of beneficiaries in relation to the GGP:* The GGP requires geographic diversity in the choice of program locale. However there was a concern expressed by various GGP partners that in addressing the concern of geographic spread the need to also ensure programmatic expertise may have been lost, especially given that there was no uniform training approach and manuals thus the opportunity to deepen training in some areas may have been lost and there was a risk of large variations in the quality

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<sup>36</sup> KEWOPA were appreciative of the support given to them but stated that they would prefer a situation where they were funded on the basis of sectors and concerns that they had identified.

<sup>37</sup> The Deloitte Consulting Evaluation had raised a concern about the absence of documentation with respect to PFMA, TASU and DSC relations – this has now been addressed.

of training provided.<sup>38</sup> The concern pertaining to the lack of uniformity vis a vis training approach used in the GGP has been addressed in phase two of the program through the provision for harmonised training materials.

*Diversity a general comment:* In examining the choice of program beneficiaries there is need to also examine the issue of diversity. The capacity to reach diverse groups of women has been one of the strengths brought on board by UNIFEM. There is need to deepen this approach in order to realise gains. Attempts to address the needs of diverse groups of women was addressed in two ways: firstly through partnering with institutions that represent groups of women who are doubly marginalised: for example UNIFEM is exploring the possibility of partnering with Help Age Kenya, in order to work with older women in respect of the issue of home based care on the issue of HIV/AIDS. The second way has been through various thematic consortia within the GGP such as those for young women and persons with disabilities. However in respect of Help Age Kenya and the organisations representing persons within the relevant consortia in the GGP these are not women's rights organisations. There is therefore the risk that women who suffer multiple forms of exclusion are marginalised even within the very institutions that are meant to represent them. There is need to therefore deliberately seek to partner with and/or work with organisations for older women, women with disabilities, girls or living with HIV/AIDS or seek a strategy that ensures that they represent themselves.

#### **6.1.4 Sustainability**

On the issue of sustainability the evaluation team was to examine the:

- Consistency of programs with beneficiary priorities and demand.
- Support of the program by local institutions and its integration with local social and cultural conditions as well as the satisfaction of local ownership requirements.
- Participation of partners in planning and the implementation of the intervention.
- Capacity of partners to sustain program results from the intervention when donor support has been withdrawn or upon cessation of such support.

Most respondents stated that within the first year of partnership their priorities had been respected. However there was a concern that the budgeting rationalisation process did not respect pre-existing agreements for some partners who had been in partnership with Sida prior to the re-granting arrangement. There was also a concern raised in respect of integration of areas that were not part of original strategic plans but important in respect of UNIFEM's own mandate.

In respect of the preferred funding mechanism, most partners stated that they would prefer direct funding. However in the absence of that option, partnering through UNIFEM was the preferred option. Implementing partners however, do not seem to make the link between the New Aid Modalities and the emerging funding frameworks which emphasise harmonisation and ownership. The fact that national development strategies such as the ERS are now the basis of aid was not mentioned in discussions with any of the implementing partners. In fact there appeared to be no connection made by the Sida/UNIFEM partners between the shift towards harmonisation and the emergence of re-granting and basket funding mechanisms. The fact that the ERS is not gender responsive also did not feature. There is therefore a need to address engendering responsive national development plans and to deepen

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<sup>38</sup> There was an agreement under the PFMA that not more than two organizations would work in one district, in order to ensure that all 210 constituencies in the country were covered. An exception was made for the Youth consortia and the one working with women with disabilities. The concern expressed by various partners is that there are institutions that have developed expertise in certain areas of leadership training whilst there were partners who had no background in leadership training and they were treated on the same scale. Three provinces also had fewer organizations willing to work in them: North Eastern Province; Nyanza and Western. See Betty Wamalwa Muragori and Justus Nyang'aya, *Gender and Governance Program Mapping Workshop*, November 1 and 2, 2004.



partners' understanding of the New Aid Modalities to ensure a better understanding of their global operational context.

There was a consistency between implementing partner mandate, UNIFEM's MYFF and the Sida's country strategy. FIDA for instance provides legal aid and monitors women's human rights in keeping with *CEDAW*; whilst ECWD hosts Women Direct a regional initiative that has proven an excellent partner for UNIFEM in respect of the implementation of Resolution 1325 in the Eastern and Horn of Africa Sub-Region. The League of Kenya Women Voters (LKWV) and Kenya Women's Political Caucus (KWPC) both have a strong presence on the ground and have through such programs as the Regional Assemblies succeeded in reaching large volumes of women. 18,500 women in four districts and three provinces have been mobilised and sensitised on governance and human rights issues through KWPC's regional assemblies alone.

Although there is community and beneficiary ownership the projects funded under the program are still heavily donor dependent. Also many of the organisations that have witnessed change have consistently been in the geographical areas they work in for a long period of time – FIDA, LKWV and ECWD for example have worked in the communities that they are in for over five years in some instances a decade.

*Ownership and project cycle in respect of the GGP:* Although most of the interventions under the GGP are ones that require long term intervention, the GGP project cycle is one year. Abantu had been able to locate its GGP project in geographical areas where it has worked for a long time and therefore deepen its programming. This however was not a common experience for GGP partners. Given that the GGP is addressing women's access to leadership which involves attitude change and is therefore a long term concern and the one year project cycle of the GGP, there is need for UNIFEM as TASU to take on board the impact of imposing a short term framework on processes that require a long term approach. Whilst appreciating the high risk concerns in respect of the GGP and the sensitivities of supporting a politically sensitive area, 2007 is an election year – and as was pointed out consistently by GGP implementing partners there is need to begin preparations early – in fact these preparations needed to have begun in 2002. Although the GGP concept note factors in timing and the need to begin supporting the capacity of women aspirants early, the program and financial arrangements took longer than planned. Furthermore the interview with a woman candidate indicated that whilst training was useful at this point one of the critical unmet needs is financial resources and that there is therefore need for an independent funding mechanism for women candidates.

*Donor Dependency and Financial Sustainability:* Only one organisation interviewed had an exit plan (COVAW). The program is still therefore heavily donor dependent. In respect of the state institutions, given that they are new institutions the support had gone into operationalisation costs and/or "seed money." The national gender equality machinery does not enjoy the same kind of resources as similar institutions. An example is that the Kenya National Human Rights Commission has permanent commissioners; the chairperson enjoys the status of a Justice of the Court of Appeal; and it draws its funds as a charge on the Consolidated Fund.<sup>39</sup> Whereas the National Commission on Gender and Development does not have a single permanent commissioner – not even the chairperson. In short there is still a perception of gender equality mechanisms, whether state or non-state – as not being a responsibility of the Kenyan state and as "donor initiatives." There is therefore need to have a sustained dialogue with women's rights and gender equality advocates, as well as senior policy and law makers on the issue of sustainability.

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<sup>39</sup> Section 6(10) of the *Kenya National Commission on Human Rights Act (2002)* provides that:

The chairperson and the commissioners shall, upon appointment hold office on a full time basis and shall enjoy –

- (a) in the case of the chairperson, the status of a judge of appeal; and
- (b) in the case of the commissioner, the status of a judge of the High Court.

## 6.2 Changes in the Lives of Women and Progress Towards Gender Equality<sup>40</sup>

*Who will save me from traditions?  
Who will shed some light in my life?  
Who will give me hope in my life?  
I need a shoulder to lean on.  
I cannot go to school  
Just because I am a girl  
Daddy preferred marriage  
But, why and I need education  
In marriage, I have no voice  
Just because I am a woman  
Mine is to cook and give birth  
Until when will it be so?  
Rise and fight for your rights  
Untie the ropes of traditions  
Say yes to education*

*By Elizabeth Awuor<sup>41</sup>*

The terms of reference required the evaluators to examine attitude change in respect of gender equality and changes in the lives of women attributable to the program. This was achieved by asking beneficiaries and implementing partners whether they had observed changes and also assessing what instruments partners had for documenting attitude change.

Although all implementing partners had observed attitude change and indeed there were several concrete results illustrating this – the evaluators found that few partners had mechanisms for measuring and documenting attitudinal change. It is important to address this gap as it is key to the replicability and sharing of programs. Furthermore documentation of attitude change provides the evidence of the capacity of gender equality work to transform societies. The narratives and quantitative data on the impact of the programs is also important as it illustrates the positive impact of gender equality. In Nyanza, for example, a Chief who had been trained by ECWD stated that in his observation, the children whose mothers had been allowed to inherit were healthier than those whose mothers had not. If such data could be tracked and investigated further it could be utilised in advocating for women's property rights.

An unexploited opportunity for the measuring and documentation of attitude change may lie in potential partnering between GOK and CSO partners. UNIFEM has been working with UNAIDS in the area of developing a national strategy to address violence against women however this work is yet to be linked to the work of Sida/UNIFEM CSO partners. GOK partners such as the Gender Department and the National Commission on Gender and Development are better placed to create a baseline survey on the incidence of violence against women. Already the statistics provided by the Ministry of Planning and the Kenya Police on gender based and in particular sexual violence were key in lobbying for the Sexual Offences Bill. One of the ways parliamentarians who were opposed to the Bill had

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<sup>40</sup> See Appendix 9.2 Stories, for case studies.

<sup>41</sup> Elizabeth Awuor is a 19 year old orphan who has attended some of the training on women's rights offered by ECWD's paralegals in Kisumu. She scored a B in her Kenya Certificate of Secondary Education (KCSE) exams, but has not been able to obtain her certificate due to the fact that she could not afford the school fees for her last term in school. She sang this song, which she composed, at the beginning of the training session and it was used as a talking point by the paralegals.

challenged it was by claiming that statistics were exaggerated. A national mapping of the incidence of violence against women, for example, would be an excellent tool for CSOs in the process of identifying locations and planning the nature of interventions.

The change in attitude towards women was visible in Nyanza where the Chiefs who were interviewed by the team were ready to uphold widows’ right to inheritance of the matrimonial property even though the culture dictated otherwise. This was as a result of the paralegal training. A woman trained as a paralegal by the Education Centre for Women in Democracy, reported how confident she had become as a consequence of the training. Before the training, she said, she lacked the confidence to speak in public – the evaluation team witnessed her providing rights training to over sixty five people. In Oloitokitok in the Rift Valley Province the women were able to make demands to the Divisional Officer (DO) as well as the local police to help them save girls from early marriages. What is more, through the training and work with women’s groups in Oloitokitok, some of the Group Ranches are allowing women to be registered as share holders.<sup>42</sup> In Eastern and Central Province the team met women who were ready to stand for elections at both the local and parliamentary levels. This study would need a research to establish the number of such women and follow them through to establish how many of them succeed in their venture.

UNIFEM has also contributed towards strengthening the collective voice of women particularly through providing linkages between women’s human rights CSOs and women parliamentarians. UNIFEM has also enhanced the networking of women’s rights organisations by facilitating partnering through its periodical partners meetings which have produced networks such as the Women’s Agenda. As well as providing access for women’s rights organisations to senior policy and law makers. This has contributed to enhanced visibility of the women’s movement. There is need however to concretise and deepen these linkages – this could be done through for example linking Sida/UNIFEM CSO implementing partners to senior policy makers such as Permanent Secretaries in line ministries that are particularly key to consolidating gains in respect of women’s rights such as the Ministries of Agriculture, Health, Water and Justice and Constitutional Affairs. UNIFEM already plays an advisory role to Sida in respect of these ministries and this provides an excellent entry point into discussions on various areas of policy and law that are key to the work that is being undertaken on women’s rights by Sida/UNIFEM CSO implementing partners for example the issues of HIV/AIDS, agriculture and property rights link ECWD’s work in Nyanza, FIDA-Kenya’s legal aid and policy/law reform work, COVAW and CREAM’s work to end violence against women and the work of the Ministries of Agriculture, Health, Water, Justice and Constitutional Affairs. Women’s control over and access to productive resources also links CSO partners with KEWOPA and could be a basis of a deepened dialogue between the two.

Table 1: Number of Women Receiving Assistance Through FIDA Kenya's Legal Aid Clinics in the Period 2004–June 2006

<b>Year</b>	<b>Nairobi</b>	<b>Kisumu</b>	<b>Mombasa</b>	<b>Total</b>
2004	8302	3568	3056	14926
2005	4200	2876	5031	12107
2006	1724	1562	2556	5842
<b>Total</b>	<b>14226</b>	<b>8006</b>	<b>10643</b>	<b>32875</b>

<sup>42</sup> Traditionally only older men are included on the registers for the group ranches some men are now willing to have their wives registered. Men are allowed to have up to four sons registered so rather than register one son a few choose to put down their wives names.

Table 2: Output of KWPC's Women's Regional Assemblies Supported by Sida/UNIFEM

Assemblies supported by Sida/UNIFEM	Number of women mobilized and sensitized on governance & human rights issues <sup>43</sup>	Number of officials trained- TOT
Migori	Approx 5,500 women	12
Vihiga	Approx 5,000 women	11
Mbeere	Approx 3,000 women	9
Meru South	Officials awaiting training	Officials awaiting training
<b>Total</b>	<b>18,500 women</b>	<b>31</b>

### 6.3 Insights

- *Identity:* GOK partners as well as most partners who do not have a program that is directly funded through the Sida/UNIFEM agreement did not know that Sida was a contributor to their funding. Most GGP partners only found out that Sida and other members of the basket fund were contributors to the GGP when they were asked to put the basket fund members' logos on their publications and in December 2005 during the review they found out about UNIFEM in relation to the TASU.
- *Attitude Change:* Many partners and beneficiaries report success in respect of this area and concrete results were named. It is important to note though that change benefits from consistency, close monitoring, building on achievements and avoidance of re-inventing the wheel. Some partners took advantage of their previous work in the field to accelerate results in this programme.
- *Ownership:* there is need to address the issue of ownership of the HIV/AIDS component. Since this is not an area of speciality for partners and yet is related to their work, there is need to formulate a strategy that would ensure that HIV/AIDS is addressed and yet without it being perceived in a prescriptive way. Perhaps initially through an exploration of how HIV/AIDS links to the other issues being addressed by program implementing partners such as violence against women, property rights etc. This can be used as an entry point for discourse on how it can be addressed in an integrated approach. Also the prospect of partnering with organisations representing women living with HIV/AIDS and/or addressing the rights of orphans etc. needs to be explored. Although there are such organisations within the GGP consortia the possibility of further partnership for other Sida/UNIFEM implementing partners who are not part of the GGP does not appear to have been fully exploited.

In addressing the issue of ownership there is also the need to address citizenship ownership and the gender responsiveness of national development strategies (specifically the ERS) which in the context of the New Aid Modalities form the basis of interventions at the donor level including the Sida Country Strategy. Although Sida/UNIFEM partners such as the KWPC were providing training in respect of the Constituency Development Funds and Womankind on the MDGs, the issue of community ownership was not linked to ownership of national development plans and strategies.

- *Gender training:* A few Chief Executives Officers in the Partner CSOs as well as Government did not have adequate knowledge and skills in gender issues *'to apply to ever changing dynamics.'* One or two did not even know that they did not possess the skills and were not ready to out-source. In addition, whereas boards play a critical policy making role in implementing partner institutions there are no requirements that they be trained in gender or other partnership principles that the agreements are

<sup>43</sup> Thematic areas that the regional assemblies aim to address include: Governance, Economic empowerment and poverty reduction; HIV/AIDS and negative cultural practices.

subject to. One of the interviewees representing a Sida/UNIFEM implementing partner attributed the institutions capacity to respond to emerging needs to the fact that the board members for her organisation were young, dynamic and had received gender training which enabled them to respond effectively to the needs of the institution. In strengthening institutional capacities of implementing partners the capacities of boards therefore need to also be enhanced. The political transition has resulted in new actors at board levels which presents a new opportunity to create new gender responsive leadership.

*Insights pertaining to the GGP:* Several insights that were specific to the GGP also emerged during the interviews with partners that had GGP programs.

- *GGP mapping:* Some of the opportunities for complementarity in the GGP mapping have not been fully exploited, for example there was an instance of two organisations in one district that are in the same consortium and could actually complement each others work but were unaware of the fact that they were in the same district. There is need to review the rationale for mapping, is it to ensure maximum geographic coverage or intensify programming capacity. What are the pros and cons of having a new agency working on an untried programming terrain? Even in geographical scope was there any needs assessments conducted in respect of new institutions going into particular areas? Many GGP programs were conceptualised as long term projects (based on the original call for proposals) and revised into one year programs – what has been the impact on the consolidation of gains that had been made in this sector? In the second call for proposals for GGPII the consortia have not been allowed, there are therefore geographical or programmatic areas that may not be covered how will this be addressed?
- *Lack of a uniform training approach:* There was a lack of a uniform training approach, manual etc for GGP1 (e.g. everyone could be doing leadership training but no harmonisation of what approach was used). This concern has however been addressed with respect to GGP2 through the development of harmonised training materials. This could be deepened through exploiting the availability of organisations with specialised skills in leadership training amongst the GGP partners.
- *Networking and consortia:* whilst there were partners that came together under the GGP for the purpose of accessing funds there have been unexpected benefits in some instances whereby organic networks such as the Women’s Agenda have been born. Some of the benefits of networking and working in a team were identified as greater geographical and programmatic scope. This has also been an unexpected result since FIDA which is one of the Women’s Agenda partners is not a GGP implementing institution but due to the Sida/UNIFEM partnership partners with other Sida/UNIFEM partners who are members of the GGP. There is need for the incorporation of targeted team building components in the GGP.
- The implementing partners under the GGP were not given the criteria for budget rationalisation by the PFMA. Furthermore the budgetary ceilings were introduced after they had applied for the program resulting in radical realignments e.g. from five year to one year programs.

## 7. Lessons Learnt

In examining lessons learnt the evaluators had two objectives:

- To draw out lessons learned; and
- Establish what worked or did not about the program.

Most of the lessons learned were in respect of funding mechanisms and the GGP

- *Impact of indirect funding on timeliness, decision making and communication:* Indirect funding has certain implications in respect of timeliness and efficiency. Whereas many partners appreciated the benefits of partnering with a UN agency several raised concerns about the shift from a direct to indirect funding mechanism and the implications for their relationship with Sida (and other donors for GGP partners). In some instances the shift from direct to indirect funding was described as the creation of a “disempowering,” relationship with a funding partner which in an indirect relationship shifts from one in which one has direct access to a mediated dialogue. Partners expressed reservations about their representation in such a relationship given that one has no knowledge of and limited control over their presentation to the funding partner. This has resulted in caution with respect to raising concerns particularly where problems are experienced as there is concern that the mediator in an indirect funding relationship may not take them well and this has implications for the relationship with the funding partner. Indirect funding therefore has implications for the relationship of trust between the donor and implementing partner.

The need for donor/implementing partner fora in the basket funding mechanism was particularly observed in respect of the GGP funding mechanism where there had been a lapse in communication between the PFMA and partners with regards to delays between GGP1 and the implementation of GGP2. Prompting immense concern from implementing partners about the future of the program and ultimately resulting in implementing partners bypassing the PFMA as they made inquiries about the lapse. The DSC requested UNIFEM to convene partners for a meeting on Friday 21st July 2006 to discuss the planned appointment of UNIFEM to act in an interim capacity. GGP implementing partners applauded the initiative as an important step in creating a forum for the DSC and implementing partners to meet.

Implementing partners also expressed concerns that as a result of the distance in an indirect and/or basket funding mechanism, donor partners also lose out on the benefit of experiencing the joy of the success of their own contributions.

- This programme needed to have both long term and short term goals so that the former dealt with attitudinal change while the latter takes opportunities offered by unexpected happenings e.g. by-elections.

### **Lessons learned in respect of the GGP:**

- In a consortium the stronger and older partners act as mentors for the weaker and newer ones. The challenge is that whereas the latter group values the association the former felt held back. Coming together brought the strength of each one to the table but there was need to synthesise the needs and processes of consortia-making thus dealing with challenges and enhancing gains by all.
- The nascent conflict resolution policy was recently effectively applied by UNIFEM over an issue of PFMA selection of partners. The policy provided a forum for implementing partners to discuss their concerns with the DSC.

- The monitoring mechanism for the GGP which provides for quarterly meetings in what appears to be a one year program may be too burdensome – the monitoring framework was not utilised in GGPI there is need to address the issue of flexibility within the GGP mechanisms if the program is going to be limited to one year grants.
- Interviews with a prospective candidate afforded insights that are not obvious from a theoretical perspective. There is need for independent funding for women candidates this would give them leverage in negotiating with political parties.

## 8. Conclusions and Recommendations

### 8.1 Constraints

The evaluators sought to establish structural issues and/or external constraints that may have hindered the implementation of the program. These constituted:

- Delayed disbursements and the number of levels of consultation levels that exist in an indirect and basket funding mechanism. Indirect and basket funding mechanisms have two or more levels of consultation unlike a direct funding mechanism. Thus all implementing partners (Sida/UNIFEM re-granting partners and GGP) had experienced delays in disbursement as a consequence of the shift from direct to indirect funding and this was identified as the single greatest constraint and reason for them not wanting to be in an indirect funding arrangement. UNIFEM has responded to this concern by enhancing its own capacity to facilitate the grant making process. The threshold of grants which the Regional Program Officer can authorise has been raised.
- The constitutional review process has gone into abeyance which has implications for one of the key outputs of the program which was engendering the constitutional process. A constitution that recognises gender equality is key to addressing many of the legal reforms such as affirmative action for parliamentary seats.
- *GGP Constraints:* There were several concerns raised about the GGP ranging from the small size of grants to the management of the program and the decision not to allow consortia to apply for GGP2. Whereas there are institutions that came together specifically as consortia for GGP1 there were also consortia that had pre-existed GGP1 and for such organisations working in a consortium was actually described as enriching. The decision therefore to only allow individual organisations to apply for GGP2 has actually weakened the networking capacity of such institutions. Furthermore given the nature of policy making working as institutional teams is actually an advantage hence the evolution of what can be referred to as the “organic” women’s rights networks in Kenya such as the Kenya Women’s Political Caucus, the Women’s Political Alliance and COVAW the origins of which can be traced directly to advocacy for legal and policy reform. There is therefore need to ensure that networking organisations are not locked out simply by virtue of their consortium like nature. These are all areas that UNIFEM as TASU may be called on to provide leadership and guidance to the PFMA.

## 8.2 Challenges

Several challenges were identified by partners mainly in respect of two areas: delayed disbursements and the performance of the PFMA for the GGP. Whilst partners were of the opinion that the PFMA had sound financial management capacity they expressed reservations about its technical capacity to deliver with respect to programmatic aspects. They recommended a review of this structure. Given that this was a new process it is critical in reviewing the GGP structure that the PFMA's technical gender capacity is taken on board. UNIFEM as TASU has a key role to play in this respect. The fact that the clarification of roles of the DSC, TASU and PFMA occurred only in May 2006 means that it is still too early to tell whether these adjustments have made a difference. The rigidity and inflexibility of the basket funding mechanism has proven to be a particular hindrance to the efficiency of the program. The fluidity of the transition period that Kenya is in calls for capacity to respond to evolving dynamics. There were by-elections scheduled to take place during the evaluation period and the GGP was in abeyance and therefore could not respond to a real need on the ground. Illustrating the need for both long term and short term goals in respect of the funding mechanisms. In the observation of the evaluators, a third area of challenges arose in respect of the attribution of results given that this is a co-funded program.

The following is a summary of challenges identified by partners:

### **Programmatic challenges:**

- There is a challenge in respect of the integration of HIV/AIDS and environmental concerns into ongoing programs. There is a need for a deliberate strategy for the integration of cross cutting concerns – perhaps initially by engaging in a dialogue with implementing partners about the relevance of these concerns and how they can be integrated into their work. This could also occur with the deliberate targeting of and partnering with credible partner institutions working in these sectors and pursuing the possibility of partnership of such institutions with Sida/UNIFEM partners. Where credible women's rights or gender equality organisations that work in these sectors exist partnership between them and Sida/UNIFEM partners may also be an option.
- Sub-regional linkages do not appear to have been fully exploited. FIDA-Kenya did mention that there had been a dialogue about them linking up with the Tanzanian Women Lawyers' Association (TAWLA) however this had not materialised. The East African Community is an unexploited opportunity (see 8.3 Opportunities below).
- *Delayed disbursement:* The delays in disbursement is also a challenge and constraint. In respect of the Sida/UNIFEM funded organisations it took more than eight months to receive funds and yet they were expected to report within the same period as if the delay had not occurred. In the case of the GGP funds were received as late as a year and two months after they had been applied for. The issue of delays of disbursement needs to be addressed as it affects the capacity of the organisations to deliver and greatly skews programs to one or two months. Implementing agencies attributed this to being one of the drawbacks of partnering through the UN although Sida attributed it to delays on their own part in the first year – however there are several partners who reported that they have also not received funding for the second year over six months after submission of requisite reports and work plans. There is therefore need for clarification to implementing partners as to the source of these delays as they are currently attributed to the fact that they are no longer in receipt of direct funding.
- *Attribution:* the Promoting Women's Human Rights and Enhancing Gender Equality in Democratic Governance Program is co-funded by CIDA, UNIFEM and UNDP. Whereas the CIDA-UNIFEM agreement is clear on the outputs that are expected out of the assistance being provided by the



Canadian Government, the same does not apply to the Sida agreement.<sup>44</sup> This is made more confusing by the fact that there is no distinction as to what outcomes are co-related to which objectives in the Program Document. So that although the Sida – UNIFEM agreement clearly designates that Sida funding shall go to objectives 1 and 2 of the program, (and mainly to women’s human rights CSOs) the outcomes of the program are not tied to particular objectives. The situation is further complicated by the fact that according to the CIDA-UNIFEM agreement, Sida funding will be used for activities taking place after 30th June 2005.<sup>45</sup>

Attribution was easier in respect of some of the CSO partners in particular COVAW and ECWD this was a consequence of the clear designation of aspects of the programs that were co-funded. COVAW’s program in Isinya for example is funded by Sida/UNIFEM, whilst ECWD is able to state what aspects of its paralegal training program are funded by Sida/UNIFEM and which ones are funded by other donors. Both attribute this to their discussions, agreement with and training by UNIFEM. This was not the case with FIDA-Kenya whose legal aid program is co-funded by Sida/UNIFEM and several other agencies. Having clearly designated aspects of the basket in co-funding arrangements enables attribution of results. UNIFEM intends reviewing agreements with the various CSO partners and the program document with this in mind – this will greatly enhance its ability to assess the impact of the various forms of support being received for the program.

### **Challenges pertaining to the GGP:**

- The performance of the PFMA was found wanting by most of the CSOs interviewed. There were numerous requests from the PFMA for budgets to be reviewed downwards and that caused delays that affected the programme timeframes and ability to deliver.
- There is a tendency to uniformise budgets under the GGP e.g. the transport for an area with different felt needs reduces areas of coverage as well as effectiveness. An area like Garissa has different transport needs from Nyanza. In Mbeere women travelled for two days to cover one administrative Division due to lack of infrastructure. Yet there was a tendency to treat geographical areas equally without regard to the particularities of a region.
- At one point budgets to a GGP project were cut during a project period making it difficult for projects to deliver planned results.
- In the GGP consortia the co-ordinating agencies were expected to monitor the activities of other member agencies. This was not practical as the coordinating agency had their own programmes to run and may not even have the technical capacity to monitor as members of a consortium may have different areas of expertise.
- Formation of consortia meant that a weak member was perceived to hold the whole group back.
- The method of feedback for the GGP is too windy for a programme with an annual work plan. (Agency to the agency co-ordinating the consortium to PFMA then to UNIFEM). This will need to be shortened to become efficient and enhance effectiveness.

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<sup>44</sup> The outcomes identified in the CIDA/UNIFEM agreement are:

- Gender Commissioners trained on gender planning and women’s human rights, with particular focus on the outcomes of the constitutional review.
- Gender Commission strategic plan is developed and adopted.
- Increased capacity for planning and advocacy by the Gender Department (in the Ministry of Gender, Sports and Culture) and gender focal points in sectoral ministries.
- Kenya women parliamentarians trained on women’s human rights advocacy, especially anticipating the pending bills arising out of the new constitution (when it is enacted).
- Strategic Plan for the Kenya Women’s Parliamentary Caucus developed and adopted.

<sup>45</sup> The agreement between CIDA and UNIFEM is for the period March 2004–July 2005.

- Some outcomes were beyond the Programme mandate e.g. the Referendum on the proposed New Constitution. However the Women Movement at that point in time seems to have been divided along the broader political lines as opposed to the gender interests.
- The GGP seemed to be dealing with structural challenges at a time when strategies are needed in preparation for the elections next year. A by-election for five posts in the country took place during the mid-term evaluation and not a single GGP implementing partner could provide funds since GGPI had come to an end. These issues need to be sorted out urgently to release the programme energy for core business.<sup>46</sup>
- The basket funding mechanism is rigid and a long term funding mechanism there is no short term/emergency funding for women in leadership and governance.

### 8.3 Opportunities

The fluidity of the Kenyan situation is both a challenge and opportunity. UNIFEM was also identified as having a comparative advantage that it is not fully exploiting in respect of some areas. The following emerged as opportunities that UNIFEM could capitalise on to strengthen the program:

- Providing training and strengthening capacity of partners in the use of the monitoring frameworks of the normative agreements namely utilisation of the CEDAW, CSW frameworks and if there is one for Resolution 1325 and the MDGs. Such training should also be linked to the accountability of the Kenyan state within the New Aid Modalities. Some options for such training also exist amongst partner institutions such as the Raoul Wallenberg Institute training on human rights that is hosted by ECWD. However UNIFEM is a recognised global lead agency in this sector and would be key to pointing implementing partners in the right direction.
- The opportunity of cross cultural exchange between various countries in the sub-region has also not been exploited. Kenya lags behind neighbouring states in the implementation of certain aspects of the normative agreements such as CEDAW's requirements for constitutional equality. Kenya has even violated the EAC Treaty itself which provides for at least three women to represent each member state. There is therefore plenty of opportunity for exchange with neighbouring states, for example how have the Ugandans and Tanzanians succeeded in getting through affirmative action and their sexual offences legislation? The opportunity of the East African Community and the sub-regional linkages that UNIFEM can make are not being exploited.
- Environment is an entry point that was identified by partners for winning new allies there is need to explore how environmental issues can be integrated.
- The experience of partnering with non-traditional institutions such as powerful indigenous institutions, for example the group ranches in Kajiado is also an unexploited opportunity. The documentation and sharing of such experiences could make a difference since women's property rights is concern for most organisations – in fact implementing partners could meet on the policy dimensions of this concern alone as it has different manifestations in different parts of the country and yet was a shared concern.
- The linkages with other members of the United Nations Development Framework (UNDAF) that are re-granting administrative partners of Sida such as UNICEF and UNDP constitute another unexploited opportunity. An example of such an opportunity was the Sexual Offences Bill, where UNICEF could have partnered with UNIFEM to support the Bill which also touched largely on children's rights and made joint statements of solidarity. Whereas there were clear statements of solidarity from UNIFEM as an agency the same was not experienced from UNICEF.

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<sup>46</sup> See Allyce Kureya Esintele's Case Study.

- Finally there is the opportunity of dialogue on women’s socio-economic rights and gender mainstreaming line Ministries through the ongoing dialogue between Sida, UNIFEM and the Ministries of Roads, Health, Water, Agriculture, Justice and Constitutional Affairs. This would afford CSO partners an opportunity to access policy and decision making at the highest levels whilst for the state partners such as the National Commission on Gender and Development and the Gender Department it enhances the work that they are already undertaking on policy and the Units of Gender Issues, and needs to be linked to these initiatives.

## 8.4 Recommendations

The Promoting Women’s Human Rights and Enhancing Gender Equality in Democratic Governance program has provided a unique and innovative opportunity to address women’s human rights. Whilst the program is being implemented in accordance with the project design and document, the following are areas in which the team believes it could be strengthened by:

- Identifying the particular outcomes expected for each objective as is done in respect of the CIDA – UNIFEM agreement. This would help in addressing the challenge of attribution.
- Developing short and long term goals for the program as well as smartening the program indicators by the inclusion of target dates. Some indicators such as those pertaining to “*high level officials*” are not smart in the sense that they are not specific. Specific target groups need to be set for this particular indicator.
- Documenting best practises particularly those emerging around culture shift such as the ECWD, Abantu and COVAW experiences. Technology such as voice or videotaping should be used to help women groups document ‘lessons learnt’ and best practices. Useful information is lost because women are overwhelmed and intimidated by the need to convert from an oral to a writing culture.
- Having a clear and deliberate strategy for the integration of HIV/AIDS and environmental concerns. Links vis a vis environmental work were happening by accident – for example, COVAW’s experience in Isinya.
- Linking HIV/AIDS work to the work on harmful and discriminatory practises.
- Commissioning and/or conducting research into sustainability and developing a strategy for the engendering of the national development strategy (the ERS).
- Designating specific members of UNIFEM staff to deal with particular aspects of the program and making that clear to implementing partners and DSC members.
- Providing training to implementing partners in the New Aid modalities and the Paris Declaration so that they understand the global context of the GGP and the Promoting Women’s Human Rights and Enhancing Gender Equality in Democratic Governance Program.
- Providing training to implementing partners on policy and law making processes (partners are supposed to be influencing these processes but there is need for training on these processes themselves).
- Targeting Kadhis as partners in paralegal training. Whilst paralegal training deliberately targeted provincial administration as partners there is need to also target Kadhis given their judicial role. This needs to be taken into consideration in respect of work with the judiciary and for paralegal training with respect to the coastal and north eastern parts of the country in particular.
- Developing a strategy for and ensuring the inclusion of organisations that represent women facing multiple forms of exclusion in particular women with disabilities; older women; girls and women living with HIV/AIDS. Multiple forms of marginalisation call for multiple interventions in this case one size does not fit all.

- Ensuring sustained and continuous gender training particularly for those holding positions of leadership and on the boards of gender equality mechanisms and women's rights CSOs so that they are sufficiently grounded in gender equality approaches to be able to apply them to the ever-changing dynamics of a transitional context.
- Using UNIFEM support to Sida dialogue with sectoral line ministries such as the Ministry for Agriculture (NALEP), Ministry of Water, and Health etc as an entry point for gender responsive law and policy reform. Women's access to and control over property, for example is an area that links the Ministry of Agriculture and NALEP with the organisations working on paralegals and women's property rights and also involves the Ministry of Health in respect of HIV/AIDS and can even be linked to the implementing partners working on VAW – ultimately the National Commission on Gender which has the responsibility of advising on policy. UNIFEM is therefore strategically placed to deepen the discourse on gender mainstreaming and link Sida CSO implementing partners to relevant GOK policy reform processes. However for CSO partners to also be able to take advantage of these opportunities their own capacity to understand policy making processes needs to be built so that they can identify and seize opportunities. Strengthening the CSOs would also enable them to recognise opportunities for UNIFEM's strategic intervention.
- Creating and having periodic fora for CSO, KEWOPA and the state partners such as the National Commission on Gender and Development as well as the Gender Department to strengthen linkages between these two arms of the women's movement. This would also create a facilitative and supportive environment for the Gender Department as the Government gender equality machinery.
- Exploring the option of partnering between Government of Kenya and CSO partners in creating a national baseline survey on the incidence of violence against women.
- Engaging a financial assistant to specifically review CSO reports – currently periodical reviews of CSO progress are biased towards non-financial aspects.

#### **Recommendations pertaining to the GGP:**

- The program needs to be flexible enough to benefit from the unexpected opportunities e.g. by-elections that offer the surprise advantage to women. The Programme should have taken advantage of the surprise element.
- Within the consortium monitoring needs to be adequately funded and each agency to carry out its own. This exercise would address the minor issues early enough and enhance the evaluation. There is also need to have a strategy to enhance team building and team building exercises.
- There is need to target and address the gender mainstreaming of political parties. As well as focus on law reform pertaining to political parties. Currently political parties are bottlenecks for women they need to be converted into facilitative institutions.
- There is also need to consider an independent funding mechanism for women aspirants.
- Decrease the information loops as well as the layers between the money and program. There are multiple layers in an indirect funding system how can these layers be managed so that they do not hinder efficiency.
- Review the M&E framework for the PFMA based on the new and clarified TOR for the PFMA, TASU and DSC.
- Review the policy to not allow consortia to apply for GGPII.
- Develop formalised periodical fora that facilitate interactions and dialogue between implementing partners and the members of the DSC.

## 9. Appendices

### 9.1 References

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### 9.2 Stories: Case Studies<sup>47</sup>

#### 9.2.1 Case Study 1: “I will never forget what FIDA did for me,” Winnie Muhia, Mombasa, Coast Province<sup>48</sup>

I was thrown out of my matrimonial home with my child because he had a physical disability. I was told to choose between my husband and my son. When I sought help at the police station I was told it was a domestic problem.

I came to FIDA and in the last two months we have been in court. My estranged husband has been ordered to give me money for medical cover (insurance) and school fees. This has been a great relief to me because my 8-year-old son can now attend a private school. He is at the top of his class.

My estranged husband is a businessman who also owns rental houses. He hails from a polygamous family and two of his stepmothers have children who suffer the same kind of disability as my son. The problem is congenital and seems to be inherited from his side of the family. Yet, he blamed me for it.

I will never forget what FIDA did for me. They helped me fight a giant. My husband used to give bribes to the police and they would in turn refuse to help me. When he came to FIDA he was kept waiting

<sup>47</sup> Real names are only used in the case studies where interviewees gave permission to do so.

<sup>48</sup> Winnie Muhia's name is used with her permission.

outside the gate like everyone else while I was let in because I was a client. That was the first time that his wealth did not buy him special favours. He said that the FIDA staff would die poor since they do not take bribes.

When I first came to FIDA I was a poor housewife. I appreciated the fact that FIDA gave a cup of tea to the clients that arrived early in the morning. Since then Kenya Women Finance Trust has facilitated me to start a hair salon where I also sell clothes, bed sheets and bed covers.

My husband has now said he will go to a lawyer and sign a consent to take to court. He has even started visiting his son.

I would like to recommend the following:

- That FIDA allows women to pay the fee in instalments
- That FIDA deals with emergencies especially when the woman has nowhere to go.
- That counselling therapy be made compulsory
- That FIDA educates women in Kiswahili on national radio
- That FIDA invites micro-financiers to meet the clients and support them start businesses.
- That FIDA gives financial support especially where a woman cannot even afford bus fare to FIDA offices.

I always tell other women to come to FIDA with their problems. If FIDA would need any help from me I will be glad to give it. When I come to the FIDA offices I sit at the reception and help new clients.

### **9.2.2 Case Study 2: “Paralegal training has opened my eyes to the problems of our women” – Gordon O Okora Chief, North Kisumu Location, Nyanza Province**

I was trained by ECWD a year ago. The training opened my eyes to the problems of our women and widows. There are local traditions that did not help women at all. Now I can deal with women’s issues effectively. These include domestic violence and land inheritance rights for women. The *Law of Succession* goes against Luo Customary Law that says that women should not inherit land. In many cases the father-in-law rejects possession of land by the widow. One father-in-law has called me all sorts of names. He claims the widow was a prostitute even though she has a marriage certificate. We are supporting the widow to benefit from the death gratuity against the wishes of the father-in-law.

We are advising our people that culture should be dynamic and that where there is written law the law supersedes culture. Once I know what the law says I abide by the law. In the kind of work we are doing (serving justice) we know that we are succeeding when we annoy majority of the people who want to oppress women and widows. I would rather go against culture and serve the law and God. I would like to see justice done.

My greatest challenge is working amongst my people and upholding the law.

My recommendation is that the ECWD should train all Chiefs and provide refresher courses to the ones trained before. They should also come and address the Chiefs Barazas (Public Meetings) so that the public can hear the provisions of the law from people other than the Chief.

Amongst the lessons learnt are the following:

- That the children belonging to families where widows are not allowed to inherit (matrimonial property) undergo a lot of suffering.

- When widows are empowered they take better care of the home than when the husband was alive.
- Sometimes when the husband dies the woman starts to gain weight and the children start attending school. The woman had been oppressed.
- Women must be empowered. Even for us still alive we should give our wives part of our salary. My children call my wife Minister for Economic Planning. Whenever I earn she carries the family basket (budget) and she is able to run the home well. When I try to run it the money gets finished very quickly.
- In the Church I belong to a group of men who are saved and are referred to as *‘those that the wife has sat on.’* Such men have dialogue with their wives and are doing well economically. You see the church encourages equality among men women.

### **9.2.3 Case Study 3: “We have seen the fruits of this Government,” Noomayiana Women’s Advocacy Development Network (NOWADEN), Oloitokitok, Kajiado South Constituency, Rift Valley Province**

Kakenia Musikeri: Chairlady –NOWADEN

Sankoi Oloibo: Member – NOWADEN

Abantu was here with us even during (Hon.) Parpai’s time.<sup>49</sup> Before this we women were ignorant of many things. Abantu taught us about the Women’s Groups and how governance works within the groups. They taught us about the roles of the Chairperson, the Secretary and the Treasurer.

We were also taught how to reduce poverty by making better use of the land near the water source. We also learnt about FGM and we are very grateful for the teaching and training. It is very important to us. It has shown us the importance of girls’ education and the harmful effects of early marriages.

Before the training the men saw their daughters as a source of wealth through bride price. The women were not able to protect the girls from their fathers. Now, the Women Group Members will not allow the fathers to give the daughters away for early marriages. We monitor the girls in school through the headmasters who are our eyes on the ground. When we learn that a girl is about to be given off in marriage we alert the Divisional Officer who works closely with the police to rescue the girl. As we speak one Mzee (elderly man) is in police custody for attempting to give his under age daughter in marriage. Abantu has incorporated men in the training. Such men act as our informers. We are aggressive because we do not want what was done to us to happen to our daughters.

Two years ago a child bride was rescued on the day of the marriage. The DO arrested the bridegroom and the father of the girl and forced the father to pay school fees for the girl. Sometimes we have used Abantu’s networks to bring some cases to the attention of the other organisations working on women and children’s rights.

The work of Abantu in this area has also affected the Group Ranches. Women are not members of the Group Ranches. When the men die the sons are meant to inherit the shares. But now we have seen the fruits of this government. The widows can now inherit the shares of their husbands. Now women can even vote at the elections of office bearers in the Ranches. The men register four sons at the Ranch office. Now men without many sons are registering their wives instead. Nowadays wife battering is reduced and a woman can get permission to attend a meeting even on short notice.

Women are now taking up public offices. The Treasurer of Constituency Development Fund is a woman and there are is another woman on the committee of 15.<sup>50</sup> Abantu has shown us the light.

<sup>49</sup> Honourable Parpai was the former MP for Kajiado South Constituency.

<sup>50</sup> The other woman is the secretary whilst there are four women on the 15 person Constituency Aids Committee.

They held a seminar for Chiefs and allowed women to articulate their problems before those Chiefs. Now even Chiefs listen to our domestic complaints and help us.

Recently one of our members was invited to advise Chiefs' Committees on the number of seats to be allocated to women. She advised that women must be at least 33% and must be in the executive committee.

When Abantu first came to this area the present Member of Parliament was a young volunteer. We used to send him around. Now he has used the training he got along with other people to form the first Co-operative Society in this region.<sup>51</sup>

#### **9.2.4 Case Study 4: "I was not respected as a mother because I did not have surviving sons" Mary Njoroge, Kirinyaga, Central Province**

This area of Kirinyaga has serious cultural aspects. I got married in 1966. Education of girls was not accepted and FGM was the order of the day. I was the only female teacher in this location. I gave birth to seven daughters and one son who passed away. I was not respected as a mother because I did not have surviving sons. When my daughters were in Class Seven and we took them to secondary schools there was hostility in the neighbourhood. My husband was a teacher and had to take so many loans that he never earned the benefits of his salary while our daughters were in school. When five of my daughters went to university I decided to encourage other women to send their girls to school. We started a group of 16 women. Then other groups were formed and now we have 50 groups with a membership of 5,000.

We did a survey to find out how many women were holding leadership positions in the community. We found out that women had token representation. Some women had even turned down offers of leadership positions afraid of what people would say.

Then Women Political Alliance Kenya held a leadership training course for 100 leaders 75% of whom were women. Since then we have seen the following changes:

- Women are now willing to sit on the high table during public occasions.
- Women are able to stand for elective posts in school committees
- Women contribute at public meetings
- Some women are ready to vie for Local Government seats as well parliamentary seats.
- Women have applied for jobs as Sub Chiefs and one is already in office.
- Women want women leadership.

We have also learnt to outsource the skills that we do not have. We invited people from the universities to teach us how to plant cultured bananas.<sup>52</sup> We hold monthly meetings to learn agriculture, livestock keeping and health education especially prevention of HIV/AIDS mother to child transmission. The men now have decided to attend the meetings and learn although the women do most of the work while the men sit at the market place and discuss politics.

I would recommend that we get more training on leadership.

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<sup>51</sup> The women noted that the current Member of Parliament, Katoo Ole Metito, had been very helpful to them. The interviews were conducted in his office. This was affirmed by Abantu staff who said that he had proven a key ally in respect of intervening with various stakeholders such as the Group Ranches leadership.

<sup>52</sup> NIWDA have been liaising with the Jomo Kenyatta University of Agriculture and Technology – the sessions are appreciated by all members of the local community as they offer opportunities for improved agricultural technology.



### 9.2.5 Case Study 5: Experiences of Allyce Kureiya Esintele in the By-Elections of Laisamis Constituency 2006

Although I have been thinking about going into politics for a very long time, it has not been easy to take the decision, not because I lack confidence in my ability to do the job, but because I did not have the necessary resources for the campaigns which usually are not only expensive for women, but are also prohibitive in northern Kenya due to the long distances, poor telecommunications and bad roads.

For a long time we Kenyans, supported by our international partners have debated hard on the need for reform and democratic space, to bring about real change in order to foster good governance, equitable representation and sharing of national resources, accountability and to uphold the rule of law. Additional issues have also been raised in regard to the rights of minorities and vulnerable groups, and especially that of pastoralists, women and children. The emergent questions out of these debates were: Why are younger and educated Kenyans not taking up the challenges? Why are women not competing for electoral positions? Are Kenyans actually willing to stand up and address the issues that are being debated in practical terms?

After reflecting on these observations I came to realize that I actually demonstrate some attributes that I can use to represent people in politics. I have always focused on rights based approaches and represented various interest groups in national processes, and that I have very good skills in mobilizing and motivating people around an issue, I understand complexities and strategy and can articulate issues very clearly. I have also realized that I cannot just sit back and hope someone else would take the risks and make things better for me and others. As one of the few people from Northern Kenya with a good education and professional experiences, I'm best placed to take that risk and responsibility for myself and the wider society.

Having considered the above, I decided to make a bid for the Laisamis Parliamentary seat for the general elections of 2007. However, after just starting preliminary preparations for the general elections, the tragic plane accident happened in which all members of parliament from upper Eastern Province died, and a by election was declared. After extensive consultations with my supporters and my campaign support working group, we decided that I should participate in the by-elections otherwise people will not take me seriously in 2007.

Since I had very limited resources myself, we embarked on a fundraising process from various sources. Meanwhile, as the team was trying to fundraise, I used my own resources to start off my campaigns. We had also counted on the fact that the political party on whose ticket I will vie will come in to supplement our efforts and resources.

On that understanding, I embarked on my campaigns, carrying out grassroots meetings and setting up campaign committees and coordinators, arranging logistics, developing publicity materials such as Posters and T-shirts. Although the teams and I were doing a good job, by mid June, we started to run out of resources. After a while, it occurred to us that the fundraising was not an easy exercise for the following reasons:

- Our primary sources for the fundraising were the civil society organizations that promote Gender and Governance. However we were unable to get any funding from them as they had not budgeted for such contingencies as the by-elections, and were therefore caught unawares.
- Our second targets were friends, family and other well wishers. Although there was a lot of good will and a genuine desire to really help, most people were just not able to give financial support, the little money that was raised from the few that made contributions was far too little for what was really required.

- The Political Party on whose ticket I was vying was of no help either. We followed them up for the whole month of June to come to our help and augment our efforts on the ground, but they dilly-dallied and did not actually do anything to help.

By the end of June, we started losing ground to the other candidates whose campaign activities had by now been taken over by their respective political parties. The team and I struggled on by ourselves until the day for the presentation of the nomination papers. It was only then that the party leaders came on the ground to escort me to present the papers. After successfully presenting the papers, we came back to Nairobi to plan for the remaining part of the campaign and also to determine the role of the party. However, the party leadership decided not to go on with the campaign because they said that they had delayed in going to the field and they felt that they were unable to catch up with the other political parties. That effectively brought my candidature to an end as I had no resources to continue on my own as I had no more resources to facilitate the process.

The team and I were devastated, and so were my supporters within the constituency and also those in Nairobi and other parts of the country. We felt that all our hard work and the resources expended had gone to waste.

I had not expected the party to make the decision it did and I was completely taken by surprise. I felt betrayed and used by an institution and people I had trusted. However, despite the pain, I learnt a few lessons:

- The single most fundamental requirement for people making a bid for political seats is that they must have resources available to them in good time before the actual commencement of the campaigns.
- It is important for the civil society organizations that support women's empowerment through gender and governance programmes to be prepared for any contingencies such as by-elections. They should also be flexible and creative enough in order to adjust to changing demands. My experience is that, as important and useful as trainings and projects are they are not appropriate during the actual electioneering in terms of winning votes.
- My other experience is that women are still sidelined when it comes to real power brokerage – first there are very few women among decision makers in political parties, which means that decisions are made by men. It is also the men who actually control resources, they are the main supporters of political parties, and therefore are able to influence what decisions are made. In spite of the progress made by the women lobby organizations, women still do not control sufficient resources to bolster the careers of up-coming women politicians. It is therefore easy for men to sacrifice the aspirations of women politicians in order to advance their own plans.

## 9.3 Samples of Instruments

### 9.3.1 Checklist for use with partners/beneficiaries: Sida/UNIFEM review

#### *Knowledge and Value added from the Project (5)*

The purpose of this section is to ascertain the level of visibility, familiarity and applicability of the UNIFEM relationship and project. This section supports section 1.6 of the ToR, bullets 3, 4 & 7 and 4.2 (b) bullet 3.

- In what ways have you participated in the UNIFEM project?

[*Comment:* need to decide what to call the initiative as beneficiaries may not be familiar with any one name, therefore need to be flexible].

- Explain how the UNIFEM project has assisted/impacted on you/your community or organisation so far?
- Through the project, have you had opportunities to discuss/work /network with other interested parties? Who are these other parties? What was the result of that interaction?
- Have you experienced direct technical support from UNIFEM and if YES, explain the type of support provided and whether you were satisfied?
- Are you aware of any other projects supported by UNIFEM? If so, please give examples

#### *Attitudinal Shifts (4)*

The purpose of this section is to document any notable changes in gendered relations at the household and national levels by direct and indirect project beneficiaries as a result of the Sida/UNIFEM intervention. This is in line with section 1.6 bullets 6, 10 & 11 and 4.2 (b)

- Did you engage in a baseline study before the project began? If yes, has there been a subsequent survey? If yes, what differences have been observed as a consequence of the project?
- In your opinion, have you observed or experienced any changes in attitudes towards men and women in your own home/community or organisation since participating in the Sida/UNIFEM project?
- Did you monitor these changes? How? Have you documented your observations?

(Examples may cover: – greater inclusion of women in decision-making fora such as community meetings; improved balance in decision-making processes e.g. discussion on the family budget, voice and inclusion of women’s views in community for a (CDF, LATIF, local elections etc...), more opportunities to speak in Parliament; improved access to Parliamentary committees and leading roles within the said Parliament).

#### *Results (process and achieved) against Objectives (5)*

The purpose of this section is to determine the level of progress made in sub-projects according to the perceptions of implementing partners and, where appropriate, project beneficiaries. The following questions support 1.6 of the ToR, bullets 1, 7 & 8 and 4.2 (a), (c) & (d):

- What are the objectives of your project supported by Sida/UNIFEM?
- Please explain what progress has been made to date to achieve those objectives?
- What are the challenges to achieving your objectives?
- Do you think the Kenyan women’s rights agenda has advanced as a result of your UNIFEM partnership? If YES please explain
- Has the project contributed to policy dialogue/change?
- This is currently a donor funded project, what mechanisms/strategy do you have in place should you no longer have funding? Have you discussed this mechanism/strategy with Sida?
- What benefits have you derived from the project?
- What lessons have you learned? Any best practises? Have you documented these lessons and practises? Are you sharing this information with others? Who are you sharing them with?
- What are the unexpected results for women and men?

### *Structure and Finance (3)*

The purpose of this section is to ascertain if implementing partners value the Sida/UNIFEM structure or find it problematic and to determine its cost efficiency in both monetary and content terms.

This supports the ToR 1.6 bullets 2 and 9 and 4.2 (c).

- In your opinion, is it advantageous or disadvantageous to partner through UNIFEM rather than Sida directly? Please provide examples.
- In your opinion, is it more efficient in terms of project costs and time to work through UNIFEM? Please give examples
- Has your partnership with UNIFEM enhanced your technical gendered skills? If YES, in what ways?

### *GGP Organisations*

- What projects are you implementing under the GGP?
- What support do you receive from AAK?
- Have you received any support from UNIFEM for the GGP projects? (be clear that this is a subjective as they may have received support they are unaware of) If so what kind of support was it?

### *Recommendations*

- Any recommendations?

### **9.3.2 Check List of Issues to Guide Interviews with DSC**

1. What support do you receive from UNIFEM in respect of the DSC?
2. In what areas does UNIFEM support you? Technical? Financial management?
  - Who identifies the needs for which you get support from UNIFEM?
  - Who requests for the support?
  - How is that support provided? What are the arrangements under which you receive the support?
3. What skills and knowledge have you acquired through UNIFEM's support?
4. What would you consider to be the achievements/benefits? What do you find most useful in relation to:
  - The support they provide to the DSC?
  - The support they provide to the GGP and its PFMA, Action Aid Kenya?
  - Why?
5. The Governance and Working Methods of the DSC under the Terms of Reference require that donors and UN agencies supporting the basket funding for the GGP sit on the DSC, yet as the technical support agency to TASU, UNIFEM is also required to provide secretarial and technical support to the DSC as per the TASU ToRs and abstain from discussions on issues concerning TASU's role as an implementing partner, are there any challenges that emerge out of UNIFEM's dual role? Are there any benefits?
6. What doesn't work about your relationship with UNIFEM?
7. How can these challenges be addressed?

8. What lessons have you learned from having UNIFEM as technical support?
9. Any best practices?
10. Are you documenting and/or sharing the best practises?
11. Any recommendations?

### **9.3.3 Checklist for Sida, UNIFEM/Sida Project**

The *purpose* of this tool is to identify macro-level issues for Sida as follows:

1. What mechanism has Sida used to ensure its Country Programme strategic objectives are met within the Sida-UNIFEM Agreement?
2. With the regime change, have you had to adjust/realign your strategic objectives in any ways? If so, how?
3. Describe the modalities of engagement with UNIFEM to ensure Sida's strategic objectives as per the Country Programme are met?
4. UNIFEM's Multi Year Funding Framework (MYFF) is sub-regional whereas you have a country specific approach – has this created any challenges or produced benefits?
5. In your view, are UNIFEM's strategic objectives compatible with Sida's?
6. In terms of an identity for the Sida-UNIFEM Agreement, to what extent is the programme branded as Sida support versus UNIFEM support? Are there advantages or disadvantages to the way in which you have been branded or not?
7. Describe the process employed by Sida to monitor UNIFEM's performance at a technical level and as a financial manager for Sida funds?
8. The Governance and Working Methods of the DSC under the Terms of Reference require that donors and UN agencies supporting the basket funding for the GGP sit on the DSC. As the technical support agency to TASU, UNIFEM is also required to provide secretarial and technical support to the DSC as per the TASU ToRs and abstain from discussions on issues concerning TASU's role as an implementing partner. In addition UNIFEM represents Sida in the DSC and TASU, are there any challenges that emerge out of UNIFEM's triple role? Are there any benefits?
9. Is Sida involved in the identification and selection of implementing partners? How so?
10. What have been the benefits of your partnership with UNIFEM?
11. What are the challenges of your partnership with UNIFEM?
12. What have been the lessons learned?
13. What recommendations do you have?

### **9.3.4 UNIFEM/PFMA Checklist**

1. Performance
  - What objectives were established for UNIFEM's relationship with the PFMA?
  - What indicators were established for these objectives?
  - What were the expected outputs?
  - To what extent have the objectives been achieved?
  - What is the time frame for outputs?

- Are UNIFEM on target for these outputs?

## 2. Success

- What is the strategy for supporting the PFMA?
- What is the strategy for assessing support to the PFMA?
- What are the results of UNIFEM's support to AAK so far?
- What has contributed to the achievement of the outcomes?
- What is hindering the achievement of intended outcomes?
- How is UNIFEM contributing to the PFMA's achievements?
- What benefits (direct and indirect) that have been derived by members of the GGP as a consequence of UNIFEM's relationship with Action Aid Kenya?
- Has the program in respect of AAK been implemented as designed?
- What measures have been taken to ensure and enhance effectiveness of support being provided by UNIFEM to AAK?

## 3. Relevance

- How were the objectives derived? (Were they jointly identified with Sida and the AAK (the PFMA) or unilaterally created?)
- In what way is UNIFEM technically backstopping AAK?
- How replicable is the work being undertaken with AAK?
- How does the work being undertaken with AAK relate to the role played as a technical advisory support unit (TASU) and UNIFEM's role within the Donor Steering Committee (DSC)?
- Is the support process being documented? Is this information about the process shared? If so how?
- How were beneficiaries of the GGP selected? To what extent were Sida's program needs taken into account in this process? Was Sida consulted in the selection of beneficiaries?

## 4. Sustainability

- How if at all were beneficiaries of the GGP's priorities and demands identified and taken into consideration?
- How if at all were the concerns of the beneficiary communities taken into consideration?
- What sustainability measures have been put in place?
- Is there an exit plan for UNIFEM/Sida from supporting the GGP? What is it? What is the time frame for it?

## 5. Partnership principles

- Who are the stakeholders in the GGP program?
- How were they identified?
- Did UNIFEM/Sida have a say in their identification? How?
- How has the partnership between UNIFEM and AAK strengthened AAK?

## 6. Program Management Modalities

- What mechanisms does UNIFEM have in place to ensure that AAK is maintaining principles of integrity in program management and implementation of the GGP?
- How often if at all are narrative and financial reports made to UNIFEM?

#### 7. Lessons learned

- What are the lessons that have been learned so far from partnering with AAK?
- What has worked about the partnership with the AAK?
- What hasn't worked?
- What arrangements are in place to document and share best practises and lessons learned?

#### 8. Any recommendations with respect to future work and the partnership with AAK?

### 9.4 List of Categories of Meetings Held

Meetings and interviews were held with eight categories of interviewees:

- Institutions that were formerly in a direct funding arrangement with Sida and are now being funded through the re-granting system through UNIFEM.
- Institutions that are part of the re-granting system through UNIFEM and are also members of the GGP
- Institutions that are only members of the GGP and receive no other funding from Sida/UNIFEM
- Members of the DSC
- Beneficiaries of Sida/UNIFEM's implementing partners' projects
- Action Aid Kenya – the PFMA for the GGP
- UNIFEM staff
- Sida staff

### 9.5 List of Respondents

Sida:

- Annika Jayawardena
- Josephine Mwangi-Mweki

UNIFEM

- Nyaradzai Gumbonzvanda
- Funmi Balogun-Alexander
- Lynette Miriti-Ocholla
- Mary Mbeyo
- Cecilia Kimemia
- Margaret Kariuki
- Junius Thara.

KEWOPA

- Betty Tett
- Christine Mango
- Cecily Mbarire
- Alicen Chelaite
- Beth Mugo
- Adelina Mwau
- Njoki Ndung'u
- Julia Ojiambo

National Commission on Gender and Development

- Jacinta Muteshi
- Peterlis Nyatuga

The Gender Department, of the Ministry of Gender, Sports, Culture and Social Services

- Mary Wambua
- Mary Kabarau
- Mary Kimani
- J A M Mutie

Abantu: Elizabeth Kamau

Action Aid Kenya: M Munawesa, David Mwangangi, Lucy Githaiga and Gakii Kiogora

AMWIK: Pamela Mburia, Jane Thuo and Rita Maingi

AWC: Rosemary Okello and Juliana Omale

CCGD: Wambui Kanyi and Francis Kimani

COVAW: Faith Kasiva

CREAW: Anne Njogu

ECWD: Margaret Hutchinson, Mary Njeri, Muchai Ndungu, Alphonse Silala and Wangari Kinoti

FIDA: Jane Onyango, Carol Katisya and Sureya Hirsi

KWPC: Debra Okumu

LKWV: Irene Oloo

WK: Hubbie Hussein Al-Haji and Abdi Omar

WPA-K: Beatrice Kizi Nzovu

Donor Steering Committee:

- Patricia Munayi of the Royal Netherlands Embassy; and
- Nyambura Ngugi of the Canadian International Development Agency's Gender Equity Support Project

Abantu: (NOWADEN, Oloitokitok): Kakenia Musikeri and Sankoi Oloibo

ECWD (Kisumu): Fred Akun, Jane Juma, Maurice Onyima and Kennedy Wanjawa (Paralegals)

- Gordon O Okora Chief, North Kisumu Location
- George G M Ojowi Sr Ass Chief Manyatta South Location
- George Olilo
- Siprose Ochieng
- Elizabeth Owuor

FIDA-Kenya (Mombasa): Victoria Mbaluka, Winnie Muhia and Sophie Chari

NIWDA (Kirinyaga): Nancy Kariuki

KWPC (Mbeere Regional Assembly)

Allyce Kureiya Esintele

## 9.6 Terms of Reference

The Sida terms of reference are attached below.



# Terms of Reference

Mid-Term Evaluation of UNIFEM-Sida Programme-‘Promoting Women’s Rights and Enhancing Gender Equality in Democratic Governance in Kenya’

## 1 Background

### 1.1 Information about Sida

Sida is the Swedish government agency for bilateral international development cooperation and most of Sweden’s cooperation with Central and Eastern Europe. The Parliament and Government decide on the development cooperation budget, the countries in which Sweden shall have programmes of development cooperation, and the focus of cooperation.

Sida supports activities in 120 countries. Most of the resources are allocated to the twenty countries with which Sida has extensive, long-term programmes of cooperation. The framework of cooperation is specified in special country strategies and regulated in agreements between Sida and the government of each partner country. Sida’s contributions are based on the changes the partner countries wish to implement and are prepared to allocate funds to.

Sida operates through some 1,500 partners in cooperation, mostly Swedish. These are companies, popular movements, organisations, universities and government agencies that possess the expertise to make Swedish development cooperation successful.

In the long run Swedish development cooperation should lead to wider economic and social cooperation with the cooperation countries, to the benefit of all parties concerned.

For more information, please see Sida’s homepage: [www.sida.se](http://www.sida.se)

### 1.2 Information about the Embassy in Nairobi

The Embassy in Nairobi is responsible for Swedish development cooperation with Kenya, Rwanda, Lake Victoria Region, Somalia, Burundi, for regional advice in rural development and democracy and Human Rights, for political reporting on Kenya, Somalia, Sudan, Burundi, Rwanda, UNEP and Habitat. The Embassy thus has a large field of work, both geographically as well as in terms of subjects. The current number of staff members is now 55.

### 1.3 Country of cooperation

Straddling the equator, Kenya is situated in eastern region of the African Continent and covers a total area of 582,646 km<sup>2</sup>. The total population of Kenya was estimated at 32 million, as at 2005, with a growth rate of 4.2 per cent in 2005. About 80% of Kenya’s population live in rural areas and are dependent on agriculture and livestock production. Agriculture dominates the country’s economy accounting for 25 per cent of the GDP, employing about 67 per cent of the labour force and accounting for 70 per cent of export earnings.

### 1.4 Co-operation partner

The United Nations Development Fund for Women (UNIFEM) is the women’s fund at the United Nations. It provides financial and technical assistance to innovative programmes and strategies to foster women’s empowerment and gender equality. Placing the advancement of women’s human rights at the centre of all of its efforts, UNIFEM focuses its activities on four strategic areas: (1) reducing feminized poverty, (2) ending violence against women, (3) reversing the spread of HIV/AIDS among women and girls, and (4) achieving gender equality in democratic governance in times of peace as well as war.

In Kenya, Sida funding to UNIFEM is for ‘Promoting Women’s Rights and Enhancing Gender Equality in Democratic Governance in Kenya’. The programme is briefly described in Section 2.

## **2 Programme Overview**

UNIFEM Regional Office for Eastern Africa has developed a country programme for Kenya within the framework of the country’s UNDAF (United Nations Development assistance Framework) covering the period 2004–2007. The UNIFEM program goal for 2004–2007 is to bring about systemic change to actualise gender equality and women’s rights in the context of poverty, violence, conflict and HIV/AIDS.

In 2003, an evaluation of Swedish Support to civil society in Kenya indicated that to be able to continue and increase support to civil society in Kenya, it was important to identify strategic organisations that had relevant knowledge and experience through which funds could be regranted as the Swedish embassy in Nairobi lacked the human resource capacity. This was to be on the understanding that these organisations would enable Sweden strengthen, promote and continue to carry out qualitative dialogue while the organisations would undertake more frequent field visits that were identified as a weak point in the evaluation. UNIFEM was one such organisation through which support to CSO’s dealing with the human rights of women could become more efficient and relevant without additional administrative costs. It was also possible to increase funds to the UNIFEM Country program office as well as enhance capacity building of the CSO’s and Kenya Government Ministries. UNIFEM was to also increase networks, linkages and synergies between the CSO’s and increase the impact of the Governance Justice law and Order Sector (GJLOS)

Sida and UNIFEM then formulated a 3-year support (2004–2007) agreement on the programme, Promoting Women’s Human Rights and Enhancing Gender Equality in Democratic Governance in Kenya. The programme was designed to play an instrumental role in creating an enabling environment and accountability to women, especially those living in poverty, in order for them to achieve equality and enjoy their rights. The programme seeks to be instrumental in increasing women’s options, capacities and resources to promote transformational leadership in governance, peace and security processes. The programme focuses on the interventions and affirmative actions at institutional levels in the areas of policies, strategies, mechanisms and processes. It is based on a collaborative approach to gender issues from national to community level interventions that enhance poor women’s political, social, legal and economic rights as a mechanism of poverty reduction.

### **2.1 Programme Support Areas**

- Protection and promotion of women’s human rights through capacity building of women’s groups for training of paralegals, legal aid and advocacy;
- Support CSO’s in the Gender and Governance Program (GGP) which is a multi-donor programme run through Action Aid Kenya – the Programme Fund Management Agency-PFMA);
- Complementary support to key government institutions to enhance the space for gender and governance;
- Technical support for quality implementation and monitoring, including technical support for the PFMA (Action Aid Kenya) and the Donor Steering Group (DSG).

### **2.2 Expected Programme Outcomes:**

- Systemic change to actualise gender equality and women’s rights in the context of poverty, violence, conflict and HIV.
- Legal and policy framework engendered to secure women’s human rights especially through the constitutional, legislative and policy measures.

- Increased options, choices and capacities for Kenyan women to enhance women’s organising, influencing and participation for gender equality, human rights and democratic governance.

### 3 Purpose of Evaluation

The overall goal of this evaluation is to assess the progress towards the achievement of results following the implementation of the activities during the last two years of the programme so that lessons are learned to guide future programming by Sida/UNIFEM. This evaluation specifically aims to:

- Assess progress made towards the achievement of planned results, the continuing relevance of the project, mechanisms to ensure sustainability, and potential for replication of the initiative;
- Draw lessons learned from the project; and
- Make recommendations on modifications of the project and its implementation to ensure achievement of planned results.

The evaluation results will be used by UNIFEM Nairobi to further improve the implementation of the project and to inform its future programming in promoting women’s human rights and gender equality in democratic governance. The evaluation will be used also by the Swedish Embassy in Nairobi to assess and decide on longer-term support to UNIFEM and its partners. To the extent possible, the evaluation results may be used as baseline data for future programming.

### 4 Scope of the Evaluation

Assess *performance* of the in regard to:

- whether the objectives, outcomes, outputs and indicators were clearly stated in the programme document;
- whether the indicators used (if any) were specific, measurable, attainable relevant, trackable
- the extent to which (progress towards) the programme achieved its stated objectives – effectiveness (the results achieved both qualitative and quantitative);
- the optimal transformation of inputs into outputs – efficiency; and the timeliness of the inputs and outputs;

The *success* of the Project will be assessed in regard to:

- Results expected as linked to outcomes spelt out in UNIFEM’s MYFF, and Programme Document
- Progress towards the achievement of outcomes
- factors contributing/hindering achievement of the results
- strategic positioning of UNIFEM, key UNIFEM contributions including outputs and of assistance (e.g. advocacy, networking)
- Assess the partnership strategy, formulation, performance and outreach.
- Assess the direct and indirect benefits to women organizations
- Determine whether or not there is consensus among UNIFEM actors that the partnership strategy designed was the best one to achieve the outcomes
- Whether the programme was implemented as designed
- Cutting strategies to enhance programme effectiveness.

Assess the *Relevance* of the Programme in regard to:

- Consistency of programme with the Country context (political, social and economic)
- Ownership and congruency of the programme to the partner mandates
- Technical adequacy of programme to address the issues identified in the programme document
- Potential for replication of strategies
- Complementarity of programme with initiatives supported by other donors
- Identification process of beneficiaries and users of the results

Evaluate the *Sustainability* of the programme

- Consistency with beneficiary priorities and demand
- Support of programme by local institutions and integration with local social and cultural conditions
- Satisfaction of local ownership requirements
- Participation of partners in planning and implementation of intervention
- Financial/programmatic capacity of partners to sustain the programme results from the intervention when donor support has been withdrawn
- Extent to which steps have been taken to ensure that activities initiated by the Programme will be completed and continued on cessation of donor support;

*Partnership Principles*

- Assess the choice of stakeholders and reasons for their involvement
- Manner of their involvement, justify meaningfulness.
- To what extent has the programme contributed to capacity development and the strengthening of Partner institutions and programmes

*Programme Management Modalities*

- How has UNIFEM adhered to partnership principles identified in programme document
- Strategies adopted to ensure integrity in programme management and implementation

*Lessons Learned*

- Lessons drawn from the implementation of the programme so far.
- What have worked or not worked?

## **5 Evaluation Methodology**

- Literature review through revisiting various reports existing at UNIFEM, Sida and partners offices. The literature review should also include but not be limited to other relevant documents including UNIFEM multi year funding frameworks, cooperation agreement, partner review meeting reports and progress reports to Sida.
- Direct observation by visiting supported organizations in the intervening areas and conducting interviews and focus group discussions. Key informants for the evaluation will include (state key agencies of government, CSOs, donors and other partners, women's groups) as well as staff of UNIFEM Nairobi. Sampling can be applied in selection of sites to be visited for meetings with beneficiaries.

## 6 Expected Deliverables

The following will be the deliverables by the consultants:

- Evaluation inception report containing
  - Interpretation of TOR
  - Design of evaluation
  - Work plan
  - Evaluation tools
  - Sampling frames
- Programme site visits
- Participation in feedback of results with Sida, UNIFEM and partners
- Evaluation report (first draft for discussion followed by a final report). The consultant should submit four hard copies and two soft copies (in CD ROM) of the final report.

## 7 Evaluation Team

The evaluation team will be composed of independent consultants who possess the following combination of skills and expertise: i) knowledge of issues concerning women's human rights and gender equality specifically in the area of democratic governance, ii) familiarity with the relevant context in Kenya, iii) experience in evaluation, especially rights, gender and results-based evaluation; iv) facilitation skills and the ability to deal with multi-stakeholder groups; and v) excellent communication skills and the ability to write succinct and focused reports. The Evaluation Team Leader will be responsible for the timely submission of the expected products.

### 7.1 Roles and Responsibilities

The role of the evaluation team is to prepare the evaluation design, identify appropriate evaluation tools, carry out the evaluation and prepare the evaluation report as well as any interim reports as required by the terms of reference. The evaluator should reflect the values of emphasis on the importance of gender analysis, an understanding of the rights-based approach to development and a commitment and skill in participatory methods when working with communities and the project partners.

## 8 Evaluation Timeframe

The evaluation is expected to start on 12th June and end by 17th July 2006. The evaluation location and partners will be identified during the inception meetings with Sida and UNIFEM.

## 9 Management Arrangements and Follow-up

Sida and UNIFEM will support the evaluation and will designate a focal point for the evaluation and any additional staff to assist in facilitating the process (e.g., providing relevant documentation, arranging visits/interviews with key informants, etc.).

Sida and UNIFEM will ensure that the report submitted by the evaluation team satisfies the TOR fully. They will also ensure that the evaluation results are disseminated strategically. UNIFEM and Sida will develop an appropriate dissemination strategy. Sida and UNIFEM will also make sure that evaluation recommendations are considered and ensure that agreed actions are implemented and monitored.

## 10 Proposed Format for the Evaluation Report

Section	Contents
Title Page	Title page to include name of programme being evaluated, geographical location of programme, dates of evaluation and name(s) of evaluators  Acronyms and definition of terms to be provided on separate page, which follows the title page.
Executive Summary	A summary of the report which highlights key findings pertaining to outcomes, recommendation, insights
Introduction	Overview <ul style="list-style-type: none"> <li>• Introduction to document</li> <li>• Reasons for evaluation</li> <li>• Scope and focus of evaluation</li> <li>• Expectations of evaluation</li> </ul>
Description of Initiative to be evaluated	Context and rationale Overview <ul style="list-style-type: none"> <li>• Background of Initiative</li> <li>• Expected Outcomes</li> <li>• Management</li> </ul> Achievements Performance measurement information <ul style="list-style-type: none"> <li>• Monitoring</li> <li>• Assessments</li> </ul>
Evaluation Design	Overview of design <ul style="list-style-type: none"> <li>• Methodology with rationale for gender sensitivity, participation, results orientation and rights based</li> <li>• Key questions</li> <li>• Sources of data</li> <li>• Methods analysis</li> </ul>
Evaluation findings and analysis	<ul style="list-style-type: none"> <li>• Findings with regards to results as per the TORs</li> <li>• Special attention should be paid to changes in the lives of women and progress towards gender equality</li> <li>• Voices of women should come through strongly in the presentation of findings</li> <li>• Insights</li> </ul>
Lessons learnt	With regard to: operations, to bringing about change in the lives of women, to relations and equality between men and women. Include any boxes with real life stories
Conclusions and recommendations	List these with emphasis on results that are rights based  Constraints, challenges and opportunities
Appendices	References Statistical results (if any) Stories Samples of instruments List of categories of meetings held List of respondents Samples of media coverage of programme Terms of Reference

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