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QUARTERLY ACTIVITY REPORT

Parliamentary Strengthening Program in Kenya

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INTRODUCTION

SUNY is pleased to present its Quarterly Activity Report for January through March 2008 for the Parliamentary Support Program (PSP) in Kenya, funded by the US Agency for International Development through IQC Task Order No. DFD-I-802-04-00128-00 and by the UK Department for International Development through Accountable Grant Arrangement AG4809. This report offers a brief summary of the results achieved and activities conducted by the PSP for the first quarter of the calendar year. It describes the PSP's overall progress to date based upon the indicators of the USAID/Kenya PMP, relates SUNY's accomplishments and our progress during the first quarter of 2008, presents information on key PSP activities, and highlights problems that affect the conduct or timing of our activities. Press clippings and information on outreach will be forwarded with the hard copy of this report.

PROGRAM PROGRESS TO DATE BASED UPON PMP INDICATORS

As noted in our 2007 Annual Report, Kenya's Parliament has made very significant progress towards the achievement of USAID Strategic Objective 6, *Sustainable Reforms and Accountable Governance Strengthened to Improve the Balance of Power between Institutions of Government* since the start of the second phase of the PSP in 2005. The PSP's progress in terms of its current indicators was described in detail in our recently-submitted 2007 Annual Report. The data provided therein has remained virtually unchanged during the hiatus between the 9th and 10th Parliaments. The only legislation reviewed and enacted during the reporting period was the National Accord and Reconciliation Act, 2008, which is discussed below.

ACCOMPLISHMENTS, PROGRESS, AND KEY ACTIVITIES DURING THE QUARTER

Although the Parliament has not been in regular session, the PSP's accomplishments during the quarter have been significant. The following are brief descriptions of our accomplishments and key activities in the order in which they appear in SUNY's 2008 work plan.

1. IR 6.2: INCREASED EFFECTIVENESS OF SELECTED GOVERNANCE INSTITUTIONS

Support for the Induction of the 10th Parliament

- The induction conference for the Members of the 10th Parliament was successfully conducted 27th to 29th March 2008 at the Safari Park Hotel in the outskirts of Nairobi. The conference was a huge success. The attendance was very impressive with nearly the entire Parliament in attendance for the duration of the conference. A full report on the induction is being prepared and will be forwarded to USAID and DFID under separate cover.
- The official opening was conducted by the Vice-President, Hon. Kalonzo Musyoka, and the official closing was performed by the Prime Minister-designate, Hon. Raila Odinga. The conference was resourced by local and international resource persons including the Secretary General of the Commonwealth Parliamentary Association (CPA), Dr. William Shija; the former Speaker of the Kenya Parliament, Hon. Francis Ole Kaparo; current and a former MPs from the UK House of Commons, Ms. Karen Buck and Mr. Tony Worthington respectively, and the chair of the Media Council of Kenya, Mr. Wachira Waruru, among many others.
- The USAID Mission Director to Kenya, Ms. Erna Kerst, addressed the Parliament on behalf of the international development partners. At a cocktail reception hosted by the Speaker in honor of the resource persons, both the USAID Mission Director and the British High Commissioner to Kenya, Mr. Adam Wood, spoke positively about SUNY and its work with the Kenya Parliament and reiterated their continued support to Parliament through SUNY.

Support to Parliament in the Creation of an Inter-party Parliamentary Group (IPPG)

- An Inter-party Parliamentary Group (IPPG) was formed in January, partly with the help of SUNY, to help provide a framework within which Parliament could be involved in a structured way in the process of mediating the political crisis in the country. The IPPG draws membership from both sides of the house and is coordinated by the office of the Speaker of the Kenya National Assembly. It has already brought all MPs together to discuss the crisis and plan a program of activities in response to it.

Organize the Parliamentary Internship Program

- The 2008 internship class has been selected and has begun to work in Parliament. After a rigorous review of paper credentials conducted on 25-26 February, 55 of the 176 applicants reviewed were selected to proceed to the oral interview stage. Twenty finalists were selected for fifteen placements during interviews that took place 4-5 March. The 2008 class is as diverse as it is highly-qualified: seven of the twenty finalists are women, all Kenya's regions are represented, and a number have graduated with distinctions.
- Following their formal orientation in Parliament on 13 March, the interns have settled into their new positions and have spent the first month getting acquainted with Parliament as they await the formation of committees in mid-April 2008, when Parliament resumes its sessions. In the meantime, we have drawn a schedule of policy lectures for the interns. The first lecture, by Mr. Patrick Gichohi, Senior Deputy Clerk of Parliament, is scheduled for April 17.

3. IR 6.2.2: STRENGTHENED PARLIAMENTARY COMMITTEE SYSTEM

Facilitate and Strengthen Parliament's Linkages with Other Key Stakeholders

- The new leadership of Parliament, led by the Speaker, agreed to meet the PIN membership for a breakfast meeting on 14th Feb 2008 where SUNY made a presentation on PIN that explained PIN's vision, mission and objectives. The Speaker and his team welcomed the idea of partnership with PIN and described it as a unique opportunity. He stated that the key areas of priority that would require PIN and other partners' support are completing the revision of the Standing Orders, technical support to facilitate live coverage of house proceedings and electronic voting, and greater participation of various stakeholders in the work of the departmental and watchdog committees.
- A PIN debriefing session was held on 19 February in the SUNY offices, when members discussed concrete strategies of engaging with Parliament and defined clear areas of intervention for member organizations.
- A meeting was held on 19 March to establish a framework of engagement among PIN members. It was resolved that a Memorandum of Understanding (MOU) would be drawn up to facilitate stronger institutional relations among PIN members that will describe the co-ordination among PIN members in their effort to work with Parliament. It was further agreed that a consultant would be hired to facilitate the finalization of the PIN strategic plan and to draft the two MOUs, one between PIN members and another between PIN members and Parliament.

Train Committee Clerks & Researchers, Development of a Style Manual for Committee Staff; New York State Senate Fellowship

- SUNY, with funding from DFID, is facilitating advanced training for two KNA staffers, Mrs. Lucy Wanjohi and Mr. Zakayo Mogere. They arrived in Albany on January 6 to participate in the prestigious New York State Legislative Fellows Program, a training opportunity that combines academic study with practical experience through placement on a Member's staff. They have been participating in weekly seminars with their academic mentor, Dr. Edward Schneier, and attending a course offered through the Senate Internship Program (Wanjohi) and at

Rockefeller College (Mogere). They plan to return to Kenya at the beginning of May following the completion of their academic programs in order to resume their duties in Parliament.

ISSUES/PROBLEMS AFFECTING THE CONDUCT OR TIMING OF PROGRAM ACTIVITIES

The greatest challenge Kenya has encountered in several decades began to unfold just before the beginning of the reporting period. Serious irregularities in the tally of the 27 December 2007 ballot cast doubt on the validity of the officially-announced presidential results, leading to a political stalemate as President Mwai Kibaki, and Raila Odinga, his main challenger, each proclaimed himself the victor. By January 2008, the political conflict had deepened into a social crisis and ethnically-based violence had broken out in several regions, leaving hundreds dead and many thousands displaced from their homes and livelihoods, forced to seek shelter with relatives, in safe houses, and in camps.

An international team of mediators led by Kofi Annan managed to break the political impasse. Their efforts culminated in the signing on 28 February of 'Acting Together for Kenya: Agreement of the Principles of the Coalition Government,' which in turn resulted in the enactment of a bill called 'The National Accord and Reconciliation Act, 2008' when Parliament returned for a special session in mid-March. This Act provides for the formation of a coalition government and the establishment of the Offices of the Prime Minister and two Deputy Prime Ministers, and outlines the functions of these new offices and various other matters connected with the reconciliation process.

At the close of the reporting period the two key principals in the reconciliation process, President Mwai Kibaki and the Prime Minister-designate Hon. Raila Odinga, were continuing to discuss how the ministerial posts would be shared between the various parties in the grand coalition. The process has taken longer than had been anticipated. It is quite clear now that the implementation of the National Accord and Reconciliation Act will be quite complex and will require extensive consultation among the various stakeholders; much more thought will need to be put into the nuts and bolts of how the institutional arrangements will be designed to facilitate the new governance structures.

These developments have had the following implications for the PSP:

- Early in the quarter, SUNY/Kenya staff exerted every possible effort to facilitate Parliament's positive role in resolving the post-election crisis. SUNY continues to support the parliamentary aspects of the implementation of the National Accord by facilitating bipartisan meetings among MPs from across the political divide to reflect on the impending governance changes.
- In the coming months we anticipate providing significant assistance in the development and review of legislation to implement the Accord. The PSP also stands ready to provide technical expertise to help Committees handle the added legislation needed to address the humanitarian, economic, and social issues caused by the crisis, as well as to resolve its underlying causes. These and other post-crisis efforts undertaken by the PSP will require additional resources, and we have engaged our partners in discussions on how best to secure them.
- SUNY has begun discussions with USAID on facilitating the set-up and ongoing development of the parliamentary liaison function of the proposed Office of the Prime Minister, once the OPM is established.
- The crisis caused serious disruptions and delays in the selection of the Parliamentary interns and forced the rescheduling of the General Induction of Parliament. As noted above, SUNY/Kenya did an outstanding job of accelerating work on both activities to deliver exceptionally high-quality programming while ensuring that the activities were conducted in a timely way to support Parliament's changing schedule.