How can the private sector effectively partner with civil society to promote good governance in Kenya?

Prepared for: Kenya Private Sector Alliance (KEPSA)

Prepared by: Raphael Obonyo
Master of Public Policy candidate
The Sanford School of Public Policy
Duke University

Faculty Advisor: Judith Kelley

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EXECUTIVE SUMMARY

The Client
Kenya Private Sector Alliance (KEPSA) is the national umbrella body of the private sector in Kenya. KEPSA was incorporated in 2003 as the official voice of the private sector in the country. In its efforts to influence policies within government, KEPSA partners with different stakeholders including government agencies, development partners, media, and civil society. KEPSA, however, has encountered many problems in its endeavors to partner with civil society to promote good governance in Kenya.

Policy Question
How can the private sector effectively partner with civil society to promote good governance in Kenya?

Background
The private sector-civil society partnerships have gained prominence particularly in developing countries over the last two decades. Also, the private sector continues to contribute towards development, and to influence government policies and programs. Since the 1990s, the private sector is considered important in both development circles and governance at different levels: local, national and international. The increased prominence of the private sector is partly attributed to the diminishing capacity of governments and development partners particularly in developing countries. Governments lack adequate resources to effectively tackle the growing socio-economic problems including poverty, HIV/AIDS pandemic, illiteracy, and unemployment. Also, the global, financial, and economic crisis of 2007-2008 adversely impacted the official development assistance (ODA), remittances, trade and financial flows to developing countries.

Equally important, poor governance in some of the developing countries has caused civil society and social movements to rise and demand policies and institutions that can promote good governance. As Weiss (2000) discusses, the definition, meaning, scope, and benefits of good governance are largely a subject of debate. In terms of definition, however, there are some key elements that are associated with good governance, including transparency, responsibility, accountability, participation, and responsiveness. Others elements of good governance include, democratic institutions, rule of law, service delivery, human rights, and anti-corruption. A number of civil society organizations across the world particularly in developing countries have been engaged in advocacy for good governance with mixed results. Civil society, however, have had to contend with enormous constraints that include lack of adequate resources and frustrations from governments.

In some developing countries, including Kenya, the private sector is starting to work with civil society particularly in initiatives that seek to influence government policies and programs. For example, in Kenya, KEPSA, partners with civil society to advocate for sound policies. This study looks at the private sector-civil society partnerships in the context of advocacy for good governance. Specifically, it examines partnerships and joint advocacy projects between KEPSA and civil society.
Summary of Observations
Available literature largely discusses private sector-civil society partnerships in development and not necessarily good governance. Nonetheless, there are cases whereby private sector and civil society have partnered to promote good governance. This study examined private sector-civil society partnerships that are formed to promote good governance. The study analyzed the level of capacity and interest alignment in the KEPSA-civil society partnerships to establish how they might have affected implementation and outcome of joint advocacy projects. The study looked at two joint projects that KEPSA implemented together with the civil society to promote good governance in Kenya. The analysis indicates the possibility that misalignment of partners’ interests and lack of capacity in the KEPSA-civil society partnerships adversely affected operations of partnerships.

Recommendations
1. Establish common sets of shared interests before partnering with civil society
2. Improve capacity development in the partnership
3. Create a civil society support fund
4. Establish and coordinate a private sector-civil society engagement forum
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1. INTRODUCTION

Policy Question
How can the private sector effectively partner with civil society to promote good governance in Kenya?

The Client
Kenya Private Sector Alliance (KEPSA) is the national umbrella body of the private sector in Kenya. KEPSA was incorporated in 2003 as the official representative of the private sector in Kenya.

Project overview
Creation of cross-sectorial collaborations to tackle socio-economic and political issues has been on the rise especially in recent years as a result of growing problems in society. Kolk (2012) explains that partnerships across sectors have been growing because they have the potential to address societal problems such as unemployment, climate change, HIV/Aids, poverty and poor governance. In a study carried out in Lebanon, Jamali (2009) explains that interest in partnerships in the context of corporate social responsibility (CSR) is attributed to the realization that strategic partnering can yield benefits for businesses, non-governmental organizations (NGOs) and communities.

The decline in funding from traditional donors has made civil society turn attention to the private sector to fill the gap. For example, the European Union (EU) proposed a EUR 34 billion cut in its 2013 spending, a move that would adversely affect foreign aid budget. Faced with the threat of funding cuts, civil society organizations are turning to the private sector for financial and technical support.

The purpose of this study was to examine private sector-civil society partnerships. The focus was mainly on joint advocacy initiatives that seek to promote good governance in Kenya. The study reviews literature on business-civil society partnerships in the context of development and good governance. The literature section focuses on factors that make partnerships work. The study also examines two joint advocacy projects that KEPSA has implemented together with civil society in Kenya-the Mkenya Daima/My Kenya campaign, and the Community Empowerment to Access and Demand Justice project (CEADJ). In particular, the study looks at three aspects of KEPSA-civil society partnerships. The first aspect is the quality of the partnership in terms of existing capacity and interest alignment. Second is the success of the partnerships in implementing planned activities. The third aspect is the success of the joint projects in terms of impact. Also, the study suggests strategies that KEPSA could apply to build effective partnerships with the civil society.
Figure 1. Impact made in relation to quality of partnership and activities implemented

Figure 1 above shows the relationship between the quality of private sector-civil society partnership, the activities they implement, and the impact made. In this case, the quality of partnership depends on the level of capacity development and interest alignment.
2. WHAT MAKES PARTNERSHIPS WORK?
Murphy (1999) points out that business-nongovernmental organizations (NGOs) partnership have been on the rise amidst criticism and opposition. He notes that the range and scope of business-non-profit partnerships have been growing significantly at the local, national, and global levels. According to Dahan (2010), business and civil society, can provide potential solutions to some of the challenges in developing countries. As Austin (2012) points out, there is no individual organization or sector that can handle the ever growing and complex socio-economic problems that are facing the world today. He supports cross-sector partnership as an important strategy to enhance value creation. To firmly state his case, he has made reference to the C & E survey (2010) that reported that 87% of NGOs and 96% of businesses consider partnerships as important in tackling some of the development challenges.

Similarly, Rondinelli (2003) explains a survey that showed that 99% of the more than 600 business leaders surveyed by the Pew Partnership for Civic Change acknowledged the growing importance of business partnerships with civic, community, and non-profit organizations. He also notes that the growing socio-economic challenges have led to the increase in corporate relationships with non-profit organizations and corporate involvement in initiatives that seek to address some of the development challenges.

Although businesses are reaching out to civil society for partnerships, Ashman (2001) points out that businesses tend to mainly get involved in direct-impact partnerships such as environmental sustainability, education, health, and entrepreneurship. Businesses are usually hesitant to get involved in indirect impacts initiatives such as advocacy, to promote good governance. Part of the reason for lack of involvement is that indirect impact partnerships are controversial, intangible, and time consuming.

There are, however, a growing number of businesses that are creating partnerships with non-profit organizations to engage in advocacy on different issues. Global institutions like the United Nations have been calling on the private sector to get involved in development initiatives that enhance business and human development. Additionally, there is increased awareness of the need and importance of business-civil society partnerships. For example, corporate-NGO’s partnerships have complimentary capabilities. Businesses can contribute technical and financial skills. On the other hand, civil society has expertise, networks, and legitimacy with communities and governments.

Business-civil society partnerships can be difficult to manage because they involve parties from different sectors. In a study about partnerships between corporations and non-governmental organizations, Damlamian (2006) discusses some of the factors that create problems in the partnerships. The “problem-creation” factors include power imbalances between partners, differences on the organizational structures, lack of commitment from business leaders, and failure to align interest to desired outcomes.

Stuart (2011) further explains ways of assessing partnership effectiveness. First is the need to look at the internal outcomes like the cohesiveness and the strength of partnership. Second is to establish the external outcomes, mainly the changes in terms of impact of partnerships. Stuart
asserts that increased levels of capacity\textsuperscript{vi} could enhance partnerships’ ability to effectively achieve its goals. As defined by United Nations Development Programme (2006), capacity is the ability of individuals and organizations to carry out their functions effectively, efficiently and sustainably. Further, capacity development is the process of strengthening the ability of individuals, organizations and systems to perform core functions sustainably, and to continue to improve and develop over time.

Building upon the “problem creation” factors in a partnership, Bryson (2006) explains that conflict in cross sector partnerships emerge from differences in aims and expectations of the partners. Related to the difference in aims, is the exclusion of other partners and the dominance and influence of some partners in the partnership’s governance and operations. Also, he argues that the success of a partnership depends on the alignment of interests.

Dolan (2011) explains that differences in the interests of partners can lead to conflicts in a partnership. She argues that the success of partnerships depend on the ability to align interests of the stakeholders with each other and with the long term interest of the partnership. The study points out that lack of interest alignment can cause significant problems in a partnership, as it complicates relationships, makes conversations and negotiations difficult and derailed partners from their goals and objectives. The study shows that aligning the interests of different stakeholders could be beneficial because it allows partners to develop a common understanding, move in one direction and fulfill its mission. To align interests, the study proposes formation of a leadership and governance structure that has representation and approval of all stakeholders. According to Dolan, a governance structure that is widely accepted by partners would help in the reconciliation of personal interests, speed up negotiations, incorporate views of all stakeholders and aid in consensus building.

To emphasize the importance of interest alignment, Covey (2001) argues that constructive engagement can only be realized when the interests of the actors are aligned. He explains that converging interests tends to minimize conflict and give partners opportunity to focus their energies and resources in the pursuit of the objective of the partnership. Covey does not, however, explain the effect on capacity to performance and success of cross-sector partnerships.

**Hypothesis**

The study seeks to establish if a relationship exists between capacity development of joint initiatives, interest alignment of partners, and the performance and success of the private sector-civil society partnerships.
3. RESEARCH AND METHODS

Sources of information for case studies
I conducted desk research about partnerships that bring together private sector and civil society. In particular, I researched journals, books and scholarly materials. I consulted with my Master project’s committee who provided enriching feedback and guidance. I reviewed KEPSA’s strategic plans and reports to establish implementation of activities, programs, and projects. Additionally, I examined reports from mainstream media and other media reports about the joint advocacy initiatives between KEPSA and civil society to establish the possible impact of the project.

I developed two case studies about joint advocacy projects between KEPSA and civil society in Kenya. The first case study was about KEPSA-civil society’s partnership implementing a two phased project: Mkenya Daima and My Kenya campaigns. The second case is about a joint advocacy project that sought to empower communities, small-scale traders, to access justice in Kenya.

Components assessed
I analyzed the two case studies for the following components:
- i. Quality of partnership. The study looked at a KEPSA-civil society partnership in terms of the level of capacity and alignment of partners’ interest.
- ii. The activities implemented to fulfil the mission.
- iii. Impact of the activities that were implemented in the joint projects by the partners.

Combination of interest alignment and capacity development
Overall, the study is aimed at contributing to the understanding of ways for creating successful private sector-civil society partnerships. The study argues that the level of capacity and interest alignment affect the quality and performance of partnership. The study seeks to show that the greater the level of interest alignment and capacity development, the higher the chances of success.

Figure 2: Capacity development and interest alignment

![Diagram showing capacity development and interest alignment](image)
The matrix in Figure 2 shows different situations that could emerge when partners from different sectors interact based on the levels of interest alignment and capacity in the partnership. Each cell represents the type of relationship in terms of conflict levels that are expected depending on the degree of interest alignment and capacity development.

a) **Cooperate**: Partnerships in this quadrant have high capacity in terms of skills, knowledge and human, technical and financial resources required carrying out joint advocacy projects. In addition, there are high levels of shared interests and understanding about the goals, objectives, and operations of the partnership and joint project under review. In this case, conflict is minimized, and more time and energies are channelled towards the implementation of the project.

b) **Friction**: Partnerships in this quadrant are prone to conflict because partners have different interests and they pull in different directions, thus relationships in the partnership are strained. Although partnerships in this case have high capacity development in terms of skills and resources, there is no harmony, and the capacity is not utilized accordingly. Friction makes it difficult for staff to effectively carry out their tasks and for the partnership to utilize resources effectively.

c) **Non-engagement**: In this quadrant, parties don’t have any shared interests, and it is unlikely that they would work together. Also, the partnership lacks the capacity and initiatives required to successfully carry out any joint projects. Since the partners’ interests are not aligned and the partnership lacks the requisite capacity, partners are likely to be withdrawn from any activities of the partnership.

d) **Critical cooperation**: Partnerships in this quadrant are usually uncertain. Since partners have shared interests, they are likely to work passionately to fulfill the mission of the partnership. In this case, the commitment level of partners is high and they are all moving in one direction. Partnerships in this quadrant lack the capacity required to effectively implement activities in the project. For example, partnerships of this nature might not have adequate staff and finances. Although passion and commitment are important, capacity in terms of resources are required to achieve the objectives of a partnership.

I developed a Partnership Evaluation Tool (PET) based on conceptual framework of capacity development that emphasizes interconnection between three components-individual, organizational and systems, and asserts that capacity development is essential in partnerships to improve performance. I used the PET to evaluate the strength of the KEPSA-civil society’s partnership based on the level of capacity development and shared interest.

The scores in each category were allocated based on the following criteria;
1. All partners were in involved in the conception of the item under review
2. Ownership and commitment by all stakeholders
3. Adherence and agreement on the implementation of item under review

The findings from the two projects helped to establish whether joint advocacy projects between the private sector and civil society have any significant impact on good governance. I looked at some of the survey studies carried out in Kenya to establish the effect of the joint advocacy project and other related issues. Also, I looked at the media reports and comments about the joint advocacy project and related issues.
4. CASE STUDIES

Case ONE: Mkenya Daima and My Kenya campaigns

Brief description
On January 30, 2011, KEPSA launched a two phased nationwide initiative to advocate for credible and peaceful 2013 general elections in Kenya. The campaign brought together the civil society, religious groups, the media, musicians, students, and other Kenyans of goodwill. Some of the civil society organizations that were involved in the project include national civil society congress, NGO Council, Youth Initiative Kenya, the Youth Congress, Ujamaa Kenya, PeaceNet, Ufadhili Trust, and Usalama Forum. Other partners included Oxfam, Inuka, Ni Elect, and Ni Mimi Initiative. The Mkenya Daima and My Kenya campaigns were anchored in KEPSA’s governance sector reforms. The campaigns were carried out to promote nationhood and prevent electoral violence similar to what was witnessed in Kenya in 2007-08.

The main goal of the Mkenya Daima and My Kenya campaigns was to promote peace during the 2013 general elections and to take part in building a better Kenya as envisaged in the new constitution. The joint project had three main objectives:

i. To inspire all Kenyans towards a peaceful elections and a better Kenya for all.
ii. To disseminate positive messages that would ensure cohesion among Kenyans.
iii. To get feedback from Kenyans before the 2013 elections and strategize on ways of preventing negative impacts.

To achieve the objectives of the project, KEPSA worked with civil society to disseminate messages about non-violence and tolerance, and to proactively respond to any incidences of post-election violence.

Analysis

a) Execution of activities
Success in the KEPSA-civil society project is measured at two levels. First it is measured in terms of the planned activities that were implemented. Second success is measured in terms of the level of partners’ involvement in the project and whether all the planned activities were executed.

Planned activities under Mkenya Daima and My Kenya Campaigns

- Prepare communication packages
- Disseminate messages in meetings with opinion leaders
- Support presidential debates
- Hold music concerts
- Support music festivals, drama festivals and sporting activities
- Conduct road shows
- Support town hall meetings
- Share messages through mainstream media and other media
- Support community and county conflict management structures
- Work together with the workers organizations and resident associations
**Implemented activities**

As part of Mkenya Daima and My Kenya campaigns, the operation team developed and disseminated information and education materials with messages focused on credible and peaceful elections in 2013. Dissemination was done through musicians, brochures, newsletters, posters, social media, mainstream media, and organization websites. They also held town hall meetings, county forums, road shows, trade fairs, peace marches, peace conferences, peace concerts, and other public events to relay peace messages.

According to Carole Kariuki, Chief Executive Officer of KEPSA\(^x\), the activities in Mkenya Daima and My Kenya campaigns were implemented in partnership with civil society. Kariuki notes that that was the first time that KEPSA partnered at a large scale with civil society to promote good governance\(^xi\). As part of the campaigns, KEPSA disseminated peace messages across the country with the help of civil society, including grass root organizations, non-governmental organizations, faith based organizations, and the media.

According to KEPSA, the Mkenya Daima had reached an estimated population of 17, 360 people in 50 towns in Kenya by July 2012. A number of advertisements were run on the media to spread messages developed under the Mkenya Daima and My Kenya campaigns. KEPSA also disseminated t-shirts, caps, fliers, brochures and posters with messages that inspired patriotism. Messages were also spread through the social media, town hall meetings, road shows, television and radio, street events, organizations websites, monthly bulletins and newsletters, music concerts and meetings with opinion leaders across the country. Also, in February 2013, KEPSA supported two presidential television debates\(^xii\).

**b) Key Outcome Indicators**

There are a number of indicators that can be used to assess the impact of the joint advocacy projects, Mkenya Daima and My Kenya campaigns that KEPSA and civil society implemented together to advocate for peaceful elections and good governance. The indicators include a national survey on the impact of Mkenya Daima, comments on social media and reports on election violence.

- **National survey on the impact of Mkenya daima**
  According to an Ipsos synovate survey that was conducted in August 2012, the Mkenya Daima campaign led to an increase in awareness about peaceful elections and good governance. In particular, the report indicates that as a result of the campaigns and other similar campaigns, 33% of Kenyans, (approximately 10 million) Kenyans heard patriotic messages\(^xiii\).

- **Social Media**
  At the time of this writing this study, the Mkenya Daima’s Facebook page had 3,835 people who liked the page. Similarly, the Mkenya Daima Twitter account had 1,688 followers and 1277 tweets. Although the number of people who liked both the Mkenya Daima’s Facebook page and twitter account was relatively small, the comments posted indicate that Mkenya Daima’s messages about peace and good governance resonate with many Kenyans.
iii. **Election related violence**

According to reports attributed to the Kenya Red Cross, election violence was widespread between October and December 2007. For example, in Rift Valley, 22 people were killed, 200 houses were burned, and 8,000 persons were displaced. In December 2007, the European Union Chief Election monitor reported that 300 people had died and 60,000 people were displaced in pre-election related violence. In the pre-election period of 2013 elections, reports indicated that in Tana River Delta alone, 200 people died and 36,000 were displaced in election related skirmishes. During the post-election violence of 2007-2008, about 1500 people were killed, and over 600,000 people forced out of their homes. The stakes in the 2013 elections were quite high and people were afraid that chaos would erupt. Although there were incidences of violence before the elections, there was a general state of peace, during and after the 2013 elections. The peace experienced during and after the 2013 elections is partly attributed to the joint efforts of the private sector and civil society.

**c) Quality of partnership with civil society**

This section seeks to analyze the quality of partnership in terms of capacity and level of interest alignment in the KEPSA-civil society partnership to implement Mkenya Daima and My Kenya campaigns. In this case, I used the Partnership Evaluation Tool (PET) to assess two broad aspects of partnership. The first aspect is whether there was interest alignment in terms of mission and vision in the KEPSA-civil society partnership. The second aspect of partnership was capacity development in terms of staff, skills, and financial resources in the partnership. For each of the categories, I assessed and scored four sub-categories based on criteria that looked at three elements: partners involvement in the conceptualization, ownership, and adherence to plans and agreement.
Alignment of interest

*Figure 3: Alignment of interest*

<table>
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<th>Sub category-B</th>
<th>Sub category-C</th>
<th>Sub category-D</th>
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<td>Mission statement</td>
<td>Strategic plan</td>
<td>Conflict management mechanism</td>
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*Figure 4: Key: Score*

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<td>2</td>
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</tbody>
</table>

The scores are allocated based on the following criteria:
1. All partners were involved in the conception of the item under review
2. Ownership and commitment by all stakeholders
3. Adherence and agreement on the implementation of item under review

*Explanation about alignment of interest*

*Category: Partnership mission and vision statement*  
*Sub-category A: Vision statement*
KEPSA and civil society came together in 2011 to implement the two phased project, the Mkenya Daima and My Kenya campaigns. The vision of the project was to build a better and prosperous Kenya. KEPSA led in developing the vision in consultation with civil society organizations and the media. Those interviewed in this study confirmed that all partners were somewhat involved in the crafting of the vision. To achieve the vision, a number of programs and activities were implemented under the Mkenya Daima and My Kenya campaigns. Interviews with representatives from KEPSA and civil society show that the partners had different interests and approaches on how to implement the project in order to achieve the vision. The interviews revealed that partners were moving in different directions and there was lack of agreement on
how to execute the project. For example, KEPSA claims that the joint advocacy was successful, but some of the civil society organizations that were involved in the project view the efforts as unsuccessful.

**Sub-category B: Mission statement**
The mission of the project was to promote peaceful elections for continued growth of business and the Kenyan economy. Just like the vision, KEPSA developed the mission in collaboration with civil society. Evidence gathered from those interviewed confirms that all partners were somewhat involved in crafting the mission statement. Interviews revealed that partners were committed to the promotion of peaceful 2013 elections, but KEPSA and civil society had different approaches. Civil society was more interested in dealing with historical injustices, integrity and human rights issues. On the other hand, KEPSA was interested in creating awareness through a variety of methods to promote peaceful elections. KEPSA wanted to avoid issues like human rights which they thought would cause more problems. The differences in approaches and interests made KEPSA and civil society pull in different directions.

**Sub-category C: Strategic plan**
There is no strategic plan for the joint project. KEPSA, however, has a strategic plan for the organization, but not for the partnership. KEPSA’s strategic plan outlines priority areas and programs such as advocacy and partnerships with other actors including civil society. In addition, KEPSA also developed a proposal and a plan that outlines the activities to be implemented in the Mkenya Daima and My Kenya campaigns. Civil society was not involved in the development of the strategic plan nor the Mkenya Daima and My Kenya campaigns proposals. From KEPSA’s point of view, the joint project has been successful, as all of the planned activities have been implemented. Civil society, however, claims that the activities were implemented without their full involvement.

**Sub-category D: Conflict management mechanism**
Although the project brought together two different sectors-business and civil society, the partnership lacked a conflict management mechanism. There was no way of resolving conflict that arose in the partnership. For example, some of the steering team members representing civil society walked out from the partnership because they felt that their interests were ignored. Because the partners did not have a conflict management mechanism, thus, making it difficult to resolve the differences. Partners need to put in place an effective conflict resolution mechanism to deal with disagreements that usually emerge in cross-sector partnerships. Conflict resolution mechanisms can deepen relationships as they create space for partners to dialogue whenever they have differences regarding interests.
## Capacity

*Figure 5: Capacity Development*

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Figure 6: Key: Score

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</tbody>
</table>

The scores are allocated based on the following criteria;

The scores in each category were allocated based on the following criteria;
1. All partners were in involved in the conception of the item under review
2. Ownership and commitment by all stakeholders
3. Adherence and agreement on the implementation of item under review

Analysis

Staff
Category A: Staff recruitment strategy
KEPSA has a recruitment strategy for the organization. However, KEPSA does not have a staff recruitment strategy for the partnership and the joint advocacy projects. Due to lack of recruitment strategy for the partnerships, the perspectives and input of civil society are not integrated in the recruitment of staff for the joint projects. The joint project has three staff members. Two of the staff members are from KEPSA’s secretariat and one staff member is from Oxfam. Civil society representatives interviewed in the study expressed concerns about the recruitments in the joint advocacy teams and claim that they were not fully involved in the development and execution of the recruitment strategy that KEPSA is using. Nonetheless, the agreement between KEPSA and Oxfam Kenya is being applied in the recruitment of staff to the project.

Category B: Staff development strategy
KEPSA has a staff development strategy that is utilized in the joint project. The joint project however, does not have a staff development strategy. Moreover, civil society was not involved in crafting the staff development strategy that KEPSA is using. This has led to a lack of ownership by civil society. Involvement of civil society in crafting and implementation of the staff development strategy would have improved the content of the strategy. Greater and broader ownership of the strategy would also enhance commitment of all partners and motivate them to fundraise and ensure its success.

Category C: Supervision and coordination system
KEPSA hosts the two phased project: the Mkenya Daima and My Kenya campaigns. The governance structure has three tiers. At the top of the tier is the general assembly composed of individuals and representatives from the private sector and civil society. The joint project also has a steering team composed of representatives from business, youth, religious groups, media and civil society. Charged with the day to day running of the partnership activities is the operations team composed of three staff members. Representatives of civil society interviewed in the study expressed dissatisfaction with the governance structure which they said is dominated
by KEPSA. Civil society members claim that they do not have much space to influence operations and outcomes of the Mkenya Daima and My Kenya campaigns. KEPSA needs to review representation in the governance structures to address the concerns of the civil society.

*Category D: Performance management system*
KEPSA carries out performance appraisals in the project. Civil society is not involved in the conceptualization and implementation of the staff appraisals. As a result, no feedback is received from civil society about the performance of the staff in the joint project. The performance management system only involves KEPSA and Oxfam. According to civil society representatives interviewed in the study, they feel that it would be mutually beneficial to come up with a system that would give civil society an opportunity to provide feedback on the appraisals. Engagement of civil society in the management of the performance of the staff through formal feedback channels is crucial for growth and development of the partnership.

**Skills**

*Category A: Advocacy and mobilization training*
KEPSA does not have an advocacy and mobilization training program for its staff. Most of the staff members rely on their skills and experience. Staff members depend on civil society networks and partners to carry out advocacy. For example, staff members provide information, education and communication materials to civil society whenever they organize activities. Civil society representatives who were interviewed claim that in some cases they were only called to collect materials and disseminate them through their networks instead of holding joint events. Staff in the Mkenya Daima and My Kenya campaigns need skills in advocacy and mobilization that would make it easier for them to reach out to local communities as well as policy makers. As such, KEPSA must devise an advocacy and mobilization training for staff engaged in advocacy campaigns.

*Category B: Partnership and collaboration training*
There is no plan for training staffs members on how to build partnerships. KEPSA argues that the project is a short term initiative with limited resources and there are no resources to facilitate training of the staff, but the whole project requires interaction and collaboration with different stakeholders within and outside of the partnership. Although KEPSA and civil society are the main partners, there are other stakeholders like the media, donors, and government agencies. It is not possible to run the program and activities effectively without essential skills such as networking and alliance building. To effectively interact and collaborate within and outside of the partnership, the staff members in the project need to be trained in these skills.

*Category C: Project management training*
The partnership has no plan for training the staff on project management. This is noteworthy because project management training would equip the staff with important skills that they need to effectively carry out their work. Some of the project management skills required include stakeholders’ analysis, capacity building, risk management skills, budgeting and fundraising.
Also, knowledge and expertise in project management would enable the team to effectively plan and implement projects using the logical framework approach.

**Category D: Leadership training**
There is no plan specifically for training staff on leadership in the joint project. KEPSA, however, has trained the staff members of the joint project on team building, but civil society was not involved in the conceptualization or implementation of the team building exercise. Because of this, civil society has not taken ownership of any leadership training. Some of the civil society representatives interviewed said that had they been consulted about the kind of leadership training that staff should be given, they would have suggested that it should have a blend of corporate as well as non-corporate aspects.

**Financial resources**

**Category A: Fundraising strategy**
KEPSA has a fundraising strategy for the two phased project: the Mkenya Daima and My Kenya campaigns. The strategy was developed as a joint effort with civil society, which led to some level of ownership by all stakeholders. KEPSA and civil society organized fund raising events to raise finances for the campaigns. The public also contributed to the Mkenya Daima and My Kenya campaigns. The fundraising strategy, however, has not been so effective. For example, KEPSA had anticipated raising 2 billion, but they only collected less than KES 100 million.

**Category B: Financial management system-reporting**
The project has a financial management system that specifically involves reporting to stakeholders. The team responsible for daily management of activities also has an accountant who develops financial reports on a regular basis. Price Waterhouse Coopers (PWC) offered to audit the finances. While civil society supports the financial management system including the involvement of PWC, they claim that there has not been regular financial reporting to all of the stakeholders, and that the reports are only accessible to KEPSA.

**Category C: Partners contribution agreement**
KEPSA and civil society agreed that all partners in the joint project should make contributions to the Mkenya Daima and My Kenya campaigns. All the partners were in agreement that it is vital to make contributions, but interviews with representatives from civil society and KEPSA revealed that only the private sector contributes to the Mkenya Daima and My Kenya funds. For example at one of the fund drives, the team managed to raise KES 33 million and the main contributors to the My Kenya fund were Safaricom, Kenya Commercial Bank and BIDCO who each gave KES 10 million. Other contributors included the Kenya Association of Manufactures which gave KES 1 million, and the Chandaria Foundation which gave KES 2 million. Civil society did not make any financial contribution. This is an indication that the agreement for joint contribution is not being implemented.
Category D; Resource allocation-expenditure strategy
Resource allocation is largely decided by KEPSA. Occasionally, civil society is consulted on activities and budgetary matters in the joint advocacy project. Civil society claims that in most cases, they are only informed about activities and not resource allocation leading to lack of ownership of the resource allocation strategy. At the moment, resources are inadequate for the huge mission of the My Kenya project. KEPSA had expected to raise KES 2 billion for My Kenya project but they were not able to even reach KES 100 million in their fundraising. The funds that were raised were insufficient for the project. Partners should agree on how to fundraise and allocate resources in the joint projects.

Nature of partnership in case ONE
Figure 6: Capacity development and interest alignment in the Mkenya Daima/My Kenya project

Alignment of interest

<table>
<thead>
<tr>
<th></th>
<th>High</th>
<th>Low</th>
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<tbody>
<tr>
<td></td>
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<tr>
<td>Non-engagement</td>
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</tbody>
</table>

NB: Level of interest alignment and capacity in the Mkenya Daima/My Kenya project
Scale
Low (0%) | (100%) High

Computations of interest alignment and capacity
Interest alignment: 19 (scores)/36 (total scores)* 100 =52.2%
Capacity development: 36 (scores)/108 (total scores)* 100 =33.3%
According to the analysis, the partnership is in the critical cooperation quadrant as the interest alignment is at 52.2% (High) and the capacity development is 33.3% (low).
Case TWO: Community Empowerment to Access and Demand Justice (CEADJ)

In October 2010, KEPSA partnered with civil society to implement a three year joint advocacy project to enhance community empowerment and access to justice. The project sought to advocate for the rights of small scale urban traders in order to reduce poverty and inequality in Kenya. The campaign called on the government to uphold the rights of traders enshrined in the constitution and formulate policies that facilitate the operations of small scale traders. The joint advocacy called on the government to develop policies that reduce license fees, recognize traders association, and enhance access to loans and micro-credit. The campaign was also meant to create awareness among people in the urban slums about their rights, legal processes and policies.

The campaign brought together Oxfam Kenya, Umande Trust, KEPSA, and traders associations from different parts of Nairobi. Youth Initiative Kenya (YIKE) was also involved in the joint project to mobilize youth from the informal settlements in Nairobi.

According to Josiah Omotto of Umande Trust, the joint project was aimed at encouraging dialogue between small scale traders and the city council. It was hoped that through the project, city council officials would stop the harassment and exploitation of small scale traders that had become common in Nairobi.

Analysis

Execution of activities

Planned activities

i. Community based organizations and small scale traders from informal settlements in Nairobi were trained on leadership, social audits, and advocacy.

ii. Awareness on the city bylaws.

iii. Media training on the sensitization on the plight of micro traders living in Kibera Korogocho and Mukuru.

iv. Policy makers/implementers training and consultative session with local and national policy makers. For example, inspectorate, licencing, and revenue collection officers were trained on governance and human rights.

Implemented Activities

i. Survey: Part of the campaign included a survey to establish the challenges that small scale traders in the city of Nairobi experience. The survey was conducted in Korogocho, Mukuru and Kibera informal settlements in Nairobi.

ii. Sensitization forum: Partners conducted sensitization forums in the slums of Mukuru, Korogocho, and Kibera to create awareness about the rights of small scale traders and Nairobi city council bylaws. The sensitization workshops also targeted the youth who live in the slums because they constitute a significant number of small scale traders.

iii. Trainings: Partners conducted training for policy implementers including city council officials. In particular the training sought to educate the participants about sections of the
constitutions that relate to the rights of small business traders. Also, the training was aimed at informing policy implementers about some of the challenges and injustices that small scale traders in Nairobi experience.

iv. International Women’s Day: Partners marked human rights days with small scale traders to amplify their resolve for dignity. For example, partners celebrated the International Women’s Day with the small traders in Nairobi. They gathered and marched on the streets of Nairobi and presented a petition to government officials. They wanted the government to recognize their right to earn a living and do business in the city without harassment and exploitation from the city council authority.

Key Outcome Indicators
The community empowerment and access to justice project created forums for youth and small business traders to engage with local authorities and government officials at different levels: local and national. As a result, youth and small business traders presented their concerns and proposals for reforms that would facilitate their operations.

The project has made a positive impact on policies and how policy implementers relate to small scale traders. It has contributed to change in policies and policy implementation with regard to small scale traders. It has improved working relations between policy implementers such as the city council and the small scale traders. For example, city council now recognizes small scale traders as important stakeholders and invites them to the City Council Stakeholders Forum.

CEADJ project has led to change in attitude and the way policy implementers handle small scale traders when they are enforcing bylaws, collecting revenues and arresting those who do not abide by the law. Also, efforts are being made to amend some of the outdated by laws. For example, the World Bank commenced deliberations with the city council and councillors about ways of revising licencing by laws. The project has also enabled KEPSA to emerge as a sector leader on ways of developing a legal framework required to manage micro-enterprises. Noteworthy, KEPSA crafted the Micro and Small Enterprise framework that was enacted in December 2012.

Additionally, the project has enhanced human rights awareness among small scale traders. Recently traders from Mukuru Slums sued the railways corporation against unlawful eviction from their trading sites to create room for expansion of the railway line. The traders demanded alternative trading sites and respect of their rights. In some cases, aggrieved traders have sought assistance from human rights organizations including FIDA and Kituo Cha Sheria.

As a result of the project, the media has started covering stories about small scale traders. In particular, the media is presenting positive stories about small scale traders. Increasingly people are beginning to appreciate small scale traders. Also, the media has presented hawking and shoe shining as positive occupations and source of employment.
Quality of partnership with civil society

According to the respondents from the civil society, there were shared interests between civil society and the private sector in the CEADJ project. KEPSA was interested in advocating for and creating environment that are conducive to business. On the other hand, Umante Trust has a Business Development program that aims at promoting community engagement in businesses. Similarly, one of YIKE’s objectives is to support youth from the informal settlement to establish and run businesses. All the partners found the project to be quite beneficial to their work.

i. Alignment of interest

Figure 7: Alignment of interest

<table>
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<tr>
<th>Aspect</th>
<th>Category</th>
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<th>Sub category-B</th>
<th>Sub category-C</th>
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<td>Vision statement</td>
<td>Mission statement</td>
<td>Strategic plan</td>
<td>Conflict management mechanism</td>
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<td>2</td>
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Figure 8: Key: Score

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<tbody>
<tr>
<td>3</td>
<td>2</td>
<td>1</td>
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</table>

The scores in each category were allocated based on the following criteria;
1. All partners were in involved in the conception of the item under review
2. Ownership and commitment by all stakeholders
3. Adherence and agreement on the implementation of item under review

Category: Joint project’s mission and vision statements

Sub-category A: Vision statement: The objective of the project was to create an enabling business environment for small scale traders and business. The proposal for the joint advocacy was developed through a consultative process that brought together Oxfam, Kenya Private Sector Alliance, Umante Trust, and traders associations. Interviews revealed that all partners were involved in crafting the vision and development of the key components of the project, and that they were all committed to the success of the project. Additionally, those interviewed confirmed that both private sector and civil society organizations involved in the project had shared interests.
Sub-category B: Mission statement: The mission of CEADJ was to support traders to advocate for their human rights. All of the partners-Oxfam, Kenya Private Sector Alliance (KEPSA), Umande Trust and small traders associations were involved in crafting the project’s mission. Since the partnership was founded, the organizations have been working together to achieve the objectives of the project.

Sub-category C: Strategic Plan: Oxfam, Kenya Private Sector Alliance (KEPSA), Umande Trust, and small scale traders associations worked on the joint project proposal and the implementation plan. The partners developed a logical framework for implementation of the program and activities in the project. People interviewed in the study stated that all of the partners were involved in the development of the proposal and implementation. Subsequently, all partners supported implementation of the project and made endeavors to ensure that the program and activities were implemented as planned.

Sub-category D: Conflict Management Mechanism: the project did not have a formal conflict management mechanism. The project did, however, have a joint project steering committee that addressed conflict.

ii. Capacity

Figure 9: Capacity Development

<table>
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<tr>
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<th>Sub category-B 27</th>
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<td>Supervision and coordination system</td>
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<td>Financial management system-reporting</td>
<td>Partners contribution agreement</td>
<td>Resource allocation-expenditure strategy</td>
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<th>3</th>
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</table>

<table>
<thead>
<tr>
<th>Category A: Staff recruitment strategy:</th>
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At the beginning of the project, there was a joint staff recruitment team that constituted of one representative from all the partner organizations. Later, partners divided responsibilities and components of the project. Each organization used their own internal recruitment strategy to get staff to work on the project. For example, Oxfam was responsible for the monitoring and evaluation and donor reporting. Umande Trust took lead in the community based activities. Kenya Private Sector Alliance (KEPSA) was responsible for reaching out to government agencies and local authority officials. Each partner had staff dedicated to the joint project.

<table>
<thead>
<tr>
<th>Category B: Staff development strategy:</th>
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</table>

There was no elaborate staff development strategy that targeted staff working in the joint project. According to KEPSA, the project was small and could not afford staff development. Individual organizations, however, made arrangements for staff development for some of their staff that were responsible for implementation of the project.
Category C: Supervision and coordination of the system
Partners developed an elaborate governance and coordination structure for the project. The structure integrated representatives and structures of the individual organizations and the community members. Implementing officers in the respective organizations were supervised by their project managers. Project teams in the organizations submitted reports to Oxfam as the lead agency. All partners were involved in the conceptualization of the governance structures and they have ensured effective functioning of the structure.

Category D: Performance management
Partners agreed to meet on an annual basis to review progress of the three year project including staff performance. Both Umande Trust and Oxfam have been involved in the performance appraisals as members of the civil society. Interviews showed that leaders in KEPSA and civil society provided ideas and other forms of support required for the growth and development of the project. Interviews also revealed that all the partners were committed to the organization.

Skills
Category A: Advocacy and mobilization training
The staff members were trained on advocacy and mobilization. According to KEPSA and civil society, the staff engaged in the project had skills in advocacy and mobilization. Both KEPSA and civil society organizations worked together to identify some of the advocacy and training needs. Since the project is integrated in the operations of KEPSA, Umande Trust, and YIKE, staff members attached to the project have knowledge and expertise in advocacy.

Category B: Partnership and collaboration training
All of the organizations involved in the joint project developed training programs particularly on networking and partnership for their staff. Interviews with representatives from the organizations revealed that all of the partners were committed to programs that seek to enhance capacity of the staff to engage with other organizations at the local and national levels.

Category C: Project management training
The requirement to work in the project included knowledge and experience in project management and community development. All of the staff in the project have knowledge in project management and community organizing. Both KEPSA and civil society have worked together to ensure that staff engaged in the project have the required qualification with regard to project management skills.

Category D: Leadership training
There was an elaborate plan for training staff on leadership. Both KEPSA and civil society were involved in identifying leadership training needs for the staff who were involved in the project. Interviews revealed that partners were determined to provide staff with leadership training to ensure success of the project.
Financial resources

Category A: Fundraising strategy
Fundraising strategy was a joint effort by Umande Trust, KEPSA, Oxfam and the small traders association. The organizations developed the joint proposal that was presented to the European Union (EU) to provide funding. The proposal was the only source of funding for the project. According to Omotto, partners made extensive contributions in the development of the proposal.

Category B: Financial management system-reporting
The project had an elaborate financial reporting system involving the European Union and the stakeholders. Umande Trust, KEPSA, Oxfam and the small traders association divided responsibilities and agreed to report back on quarterly basis. In particular, Oxfam was responsible for receiving financial reports and reporting to European Union (EU). Interviews revealed that partners adhered to the agreement about financial reporting as they met on a quarterly basis to present reports.

Category C: Partners contribution agreement
There was no agreement about partners’ financial contribution. The project relied solely on the three year funding from the European Union.

Category D: Resource allocation-expenditure strategy
The project had an elaborate resource allocation strategy that was used to administer funds. The resource allocation and expenditure strategy was based on the funding received from the European Union and the responsibilities that were shared among the partners. All the partners adhered to the agreement.
Nature of partnership in CASE TWO
Figure 11: Capacity development and interest alignment in the CEADJ

Alignment of interest

<table>
<thead>
<tr>
<th>Capacity Development</th>
<th>Low</th>
<th>High</th>
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<tr>
<td>Low</td>
<td></td>
<td></td>
</tr>
<tr>
<td>High</td>
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</tbody>
</table>

NB: Level of interest alignment and capacity in the CEADJ Scale

Low (0%) | (100%) High

Computations of interest alignment and capacity
Interest alignment: 28(scores)/36 (total scores)* 100 =77.7%
Capacity development: 86 (scores)/108 (total scores)* 100 =79.6%
According to the analysis, the partnership is in the cooperation quadrant because the alignment of interest is at 77.7% (High) and capacity development is 79.6% (low).
5. PROPOSED STRATEGIES FOR BUILDING SUCCESSFUL PARTNERSHIPS

The lessons from the two joint projects that are documented in this study can help to strengthen future partnerships. The lessons can assist in developing strategies for building stronger partnerships with civil society. KEPSA should make partnerships with civil society a key objective and develop joint advocacy initiatives to promote good governance. It is vital to know that cross sector partnerships are prone to many challenges, and can be difficult in many cases. Because of these difficulties, KEPSA should develop strategies to mitigate some of the problems, minimize conflict, and enhance performance. KEPSA should also pay attention to interest alignment and capacity development in partnering with civil society.

*Tool for assessing capacity and interest alignment*

An important first step in a private sector-civil society partnership is to assess the level of interest alignment in terms of shared vision, mission, and goals. It is also vital to assess a broad range of capacity development initiatives that are available in the partnership. This study focused on capacity related to staff, skills, and financial resources. High levels of interest alignment and capacity development, as identified in this study, can reduce conflict between partners. KEPSA can use the tool below to anticipate the nature and consequences of partnering with civil society. Partnerships with aligned interests and high capacity are likely to have less conflict.

Figure 12: Capacity development and interest alignment

Alignment of interest

High

Low

Capacity Development

High

Low

Cooperation

Friction

Critical Cooperation

Non-engagement

Scale

Low (0%)

High (100%)
Strategies for strengthening private sector-civil society partnership

i. Establish common sets of shared interests
The private sector and civil society belong to different sectors and they might have different interests in partnerships. It is vital for KEPSA to always try to establish the different interests while forming partnerships. Most importantly, KEPSA should ensure that interests are aligned in a partnership. The overarching strategy should be to identify common interests. KEPSA should develop clear partnership vision and mission, and ensure that partners share a common understanding. KEPSA should devise methods of aligning interests to reduce conflict in partnerships. For example, KEPSA should always hold dialogue sessions with potential partners to identify some of the shared and conflicting interests, so that they can clearly develop a common understanding and principles for engagement at the beginning of the project. Additionally, collaborative planning would also streamline and enhance ownership and operations of the joint projects.

ii. Improve capacity development in a partnership
Capacity development in a partnership enhances performance and minimizes conflict. In the case of KEPSA, the strategy for capacity development should focus on three core areas of capacity development; staff, skills and finances.

a) Staff: Although KEPSA has made efforts in recruiting and retaining staff members particularly for the joint projects, it seems that civil society is not involved in the coordination or performance management of staff. There is a need to ensure considerable involvement of civil society in the recruitment and evaluation of staff in the joint projects. Collaborative assessment of staff performance would enhance ownership and support for staff in the joint projects.

b) Skills: KEPSA has concentrated almost exclusively on strengthening the staff’s organization skills. KEPSA has not done as much in facilitating staff to acquire advocacy skills. It is vital to also support staff, especially those engaged in the joint projects to develop advocacy skills.

c) Financial management: Fostering the capacity of partnership in terms of finances is crucial. KEPSA should encourage civil society and individual citizens to contribute to the joint advocacy project. There is also a need to develop a financial management system that would ensure effective reporting to all stakeholders, including civil society in the partnership. The financial management system should provide accounting and budget information to both donors and other partners including the civil society. The system should also provide incentives that encourage all partners to source and contribute funds for joint projects.

iii. Create a civil society support fund
The private sector might not have adequate time and capacity to engage effectively in the advocacy for good governance. The private sector lack skills, knowledge and expertise to carry out successful advocacy. Governments would question and challenge the legitimacy of business in advocacy for good governance. It would be more strategic for the private sector to establish a fund to support civil society to carry out advocacy. The support fund could provide an incentive for civil society to partner with the private sector. The support fund would also facilitate operations of civil society engaged in advocacy for good governance. Although part of KEPSA’s
objectives is to engage in advocacy, support to civil society to engage in advocacy put them in collision with the government. KEPSA should creatively design the fund as an initiative that seeks to support civil society to foster enabling environments for business and human development. The overall goal, however, should be to support civil society to advocate for good governance as a prerequisite for business and economic development.

iv. Establish and coordinate a private sector-civil society engagement forum
In order to build strong relationships with civil society, KEPSA should convene the private sector and civil society to engage in continuous dialogue and advocacy. Such engagements can help in the identification of common interests and initiatives. The private sector-civil society partnerships can provide partners with an opportunity to keep engaged and to develop joint advocacy program to advance their shared causes. The private sector-civil society partnerships are most effective when all partners are deeply involved in developing, managing and implementing programs.

Conclusion
Based on the analysis, community empowerment to access and demand justice (CEADJ) had higher capacity development and interests alignment than the Mkenya Daima and My Kenya campaigns. The study also established that compared to Mkenya Daima and My Kenya campaigns, CEADJ had less conflict and that partners were working in harmony. It points to the conclusion that to succeed, partnerships need to clearly define their vision, mission, and objectives. Most importantly, partnerships need to have aligned interests. Private sector-civil society partnerships also need to build capacity at the individual, organizational, and system level. In particular, capacity development should focus on staff, skills, and financial resources.

This study also asserts that the private sector has an important role to play in the promotion of good governance. This study points to the conclusion that private sector-civil society partnerships can be rewarding if they work. To effectively carry out advocacy for good governance, the private sector should partner with civil society. The four strategies proposed in this study- establish common sets of shared interests, improve capacity development in a partnership, create a civil society support fund, and coordination of a private sector-civil society engagement forums-can help KEPSA to effectively partner with civil society. Partnerships between private sector and civil society can help create a strong support for advocacy required to promote good governance.
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Interviews

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<tr>
<th>Name</th>
<th>Organization</th>
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<tr>
<td>1. Carole Kariuki</td>
<td>KEPSA</td>
<td>07 to 20 March 2013</td>
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<td>2. Rebecca Lusweti</td>
<td>KEPSA</td>
<td>07 to 20 March 2013</td>
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<td>3. Patrick Kariuki</td>
<td>KEPSA</td>
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<td>5. Jacinta Atieno</td>
<td>Youth Initiative Kenya</td>
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<td>7. Josiah Omotto</td>
<td>Umande Trust</td>
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<td>8. Stanley Ogolla</td>
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<td>10. Patrick Ochieng</td>
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<td>11. Caleb Wauga</td>
<td>Usalama Forum</td>
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Other people contacted,

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<tr>
<td>Hellen Akinyi</td>
<td>DANIDA</td>
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<td>Stephen Kirimi</td>
<td>PeaceNET</td>
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<tr>
<td>Crystal Simeon</td>
<td>Formerly of Inuka</td>
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<td>Peter Irungu</td>
<td>Inuka</td>
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<tr>
<td>Esther Owido</td>
<td>Oxfam</td>
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