

Case study:
Supporting advocacy
efforts of local civil society
in land and natural resource
governance in Kenya



The advocacy landscape for civil society:

At the national level in Kenya, progressive constitutional provisions are in place regarding public participation (articles 10, 118 and 196) and an expanded bill of rights. However, public authorities remain inconsistent and unpredictable in providing space for engagement of civil society and accommodating public voice. For many CSOs, particularly smaller ones, the operating context is described as a confusing labyrinth of potential opportunities to navigate to forge relationships with authorities and participate in advocating for change. Inconsistent and complex relationships between government and CSOs at the national level is mirrored at the county/local government level where CSOs reported the dynamics between government and CSOs as complicated. Furthermore, weak internal administrative government structures, systems and processes, and the limited capacity of some policy makers means that windows of opportunity for influencing open and close rapidly before CSOs have an opportunity to get their foot in. In some cases, CSOs reported their ability to make progress in influencing policy change depended purely on the specific individuals involved in the decision making. In the KESSUGET project, the larger CSOs – TUPADO, HUB and APAD, were able to navigate these challenges more successfully by investing in understanding the system of land governance in the county, gathering intelligence about the system, its key influences, and spaces where power is concentrated in policy circles.







Key learning from the case study

The partnership with local civil society

The type of partnerships that aim at furthering the objectives of governance programming such as with the KESSUGET project, require going beyond the limitations of traditional “implementing partnerships”. DRC’s partnership with the three primary CSOs under the KESSUEGT project developed over a longer period of time, before project design; with TUPADO being an existing strategic partner approached to be a co-applicant for the project. The partner identification process for the remaining partners was initiated through a landscape analysis to understand civil society actors who would be key catalyst in being able to drive forward change. DRC’s strategy in identifying partners for the KESSUGET was to consider legitimacy and credibility of local partners as most important. Utilizing the DRC Partner Assessment Tool, if capacity scores were the primary determinants for selection, APAD and The HUB would have not qualified. Rather, strengthening compliance requirements was embedded within the objectives of the project through a planned capacity development approach. Cultivating trust while managing power imbalances was also identified as a key success factor in the partnerships. The CSO partners concurred that DRC made great effort to cultivate trust with the partners, avoiding interference, acknowledging internal systems that differed from those of DRC, and providing support where mutually agreed.

Capacity development support to local civil society

In Turkana County, there is limited public access to information on legal and customary rights to own, use, and manage land and natural resources. This lack of information presented a challenge to local civil society actor’s ability to have a clear understanding of the land and resource tenure situation in order to contribute to conflict mitigation and management around natural resources. DRC’s capacity development approach focused on strengthening the capacity of CSOs in advocacy towards improving the policy environment for land and natural resource management at the county level and at the national level where CSOs such as the Refugee Consortium of Kenya (RCK) operate (see footnote 1).

To make advocacy a success, the CSOs recognized that community needs – complex and wide ranging, were beyond the remit of any one government agency. In Lokichar, for example, community demands on proper compensation on their land once registration is complete means that both the national and county levels of government have to be involved. The CSOs targeted civil servants both at the local and national levels with training on conflict mitigation and management approaches to reduce chances of causing additional conflict triggers in the communities they serve - an area of capacity development for the CSOs that DRC invested intensively. Engaging authorities at both levels was more effective in pushing through change and ultimately opened new lines of communication, information exchange, and engagement to raise and address community grievances.

Illustrative examples of capacity development outcomes

RCK has been working with the national government in line with Comprehensive Refugee Response Framework (CRRF) on having policies in place for documentation of refugees and asylum seekers as well as advocating for the right to work (including issuing of work permits) and movement passes.

RCK contributed in the preparation of the Garissa County Integrated Development Plan (CIDP) 2018-2022 mainly in ensuring the County government of Garissa has plans for providing basic services to refugees including plans for socio-economic development.

RCK also supported the County Assembly of Garissa in legislative work in Sexual and Gender Based Violence (SGBV).

DRC's investment in capacity development of CSOs in conflict mitigation and management and advocacy skills building was complimented with data collection and analysis, so that CSOs are equipped with evidence to inform advocacy strategies and to take that evidence to relevant authorities to push through advocacy agenda items. The approach to capacity development includes both formal learning through trainings and learning by doing through accompaniment in research initiatives. For example, in the KESSUGET project, formative research was undertaken at the start of the project jointly with the 3 CSOs and DRC. In addition to building skill sets on reach methodology, the research identified triggers of land and natural resource conflicts, actors in the conflict, land governance structures – building contextual knowledge of civil society actors working on advocacy, generate evidence to be used in advocacy campaigns, and as a baseline for the project.

While the CSOs in the KESSUGET reported positive improvement in technical skills and knowledge in land and natural resources governance as a direct result of the partnership with DRC, it is with the longer term capacity development support and strategic partnership with RCK where significant outcomes were observed. A strategic partnership with RCK meant continuous funding through multiple funding sources, with a budget for capacity development spanning across multiple projects. In order for capacity development to lead to change a longer term vision is required and a balance between implementing project activities on the ground and investing in partner capacity development support.

Local civil society participation in influencing decision making

When it comes to participation, DRC sees its role as one of facilitating the participation of civil society to strengthen their voice and role in influencing decision making. One approach is to develop or strengthen linkages across civil society organizations through networks, coalitions, alliances or through more informal collaboration forums. Coalitions, alliances, networks, and even less formalized forums can provide a platform for organized collective action through coordination, strength in numbers, and resource sharing. This collective action can be harnessed into stronger voice, legitimacy in representation, and access to decision makers². This approach is reflected in the learning coming from the case study where DRC worked with the HUB as one of the strategic partners in the KESSUGET project, recognizing that this network of civil society actors as a pathway to enable citizens to collectively amplify their voices and achieve greater influence on policy and change in natural resource governance.

At the same time, one of the lessons learned is that building effective and sustainable networks can be complicated and requires time and resources. The HUB members reported that the history of collaboration among the civil society groups had been fraught with frustrating experiences with several formal and informal attempts at cooperation that went back six to seven years during the formation of the Turkana Civil Society Consortium, the Turkana Civil Society Reference Group, Turkana Development Trust which eventually paved way for the formation of the HUB as a consortium of civil society groups. Members admitted that coalescing to build a cohesive network has been a major challenge with each life cycle facing the same lack of funding and limited capacity to manage the complex demands of a functional network. The partnership with DRC contributed to the HUB working towards overcoming these challenges. The network has become better and collaborating across members, information sharing, and has a secretariate in place who is able to undertake a functioning coordination role.³

Equally as important to facilitating strong links across civil society actors to enable increased participation, is the link between civil society and duty bearers. The KESSUGET project formed stronger links between the civil society partners and duty bearers by brokering relationships. DRC leveraged its own relationships to bring along civil society partners to relevant meetings with government officials, the private sector, and the media. In addition, trainings targeting local government officials on citizens rights, roles and responsibilities in land and natural resource governance, and conflict management and mitigation techniques also contributed to forging better relationships between local authorities and the civil society partners running the trainings. This in turn enabled civil society organizations to access new arenas for decision making, citing more productive engagement with local authorities in coordination forums, technical working groups, and joint advocacy meeting with the private sector. The HUB, for example, reported increased confidence among its members and a decrease in incidences of intimidation by government officials. HUB members also confirmed that local government officials now invite them to input on policy issues.

² Refer to [DRC Global CS Engagement Strategy.pdf](#) for more details on DRC's strategic approach to facilitating participation of civil society.

³ See [DRC Case Study #1 Brief Supporting Refugee led Networks.pdf](#) for similar experiences supporting civil society networks in other DRC country operations.

Advocacy efforts of local civil society

As a rights-based organization, advocacy is a key component of DRC's work towards ensuring that duty bearers protect, respect, and fulfill the rights of people affected by conflict and displacement; while at the same time encouraging and supporting rights-holders to claim and enjoy their rights. In our work with local civil society, we look for opportunities for joint advocacy efforts with local partners, as well as take a “behind the scenes” approach through support that puts civil society at the forefront of advocacy efforts. As a means of determining the effectiveness of DRC's advocacy support under the KESSUGET and other programming in Kenya, the case study looked at the extent to which civil society partners' advocacy efforts influenced policy change at the local, national, and global levels. Illustrative achievements resulting from advocacy efforts include:

- Increased awareness among local communities on various land governance policies has equipped them with the necessary knowledge to push the Turkana County government to finalize the preparation of a land inventory to the National Land Commission, which will facilitate a more predictable and organized land registration process
- Several youth and women led CBOs have been at the forefront in engaging with the private sector in community dialogues, awareness raising activities, and regular participation in policy discussions alongside local and national government officials in Turkana South County.
- Due to ongoing engagement with the National Land Commission, the Commission has now set up a registrar in Turkana County to address issues of land administration and to directly engage with local community in the process
- Local civil society led advocacy for the reform of the National Land Value (Amendment) Act 2019 which provides that valuation of land for purposes of compensation, based on the Land Value Index. Local civil society actors have engaged the National Government on the inadequacies of the Act, which does not recognize livestock keeping and pastoralism as critical land use practices

Under other programming in Kenya, DRC's longer term and strategic partnership with RCK contributed to RCK emerging at the forefront of local civil society participation in refugee reform in Kenya – particularly in Garissa and Turkana, two counties hosting the majority of refugees in Kenya. RCK has been vocal in various discussions and meetings that culminated in the development of both the Internally Displaced Persons (IDP) Act (2012) as well as the Refugee Bill (2019). The development of the Refugee Bill (2019) involved a number of public participation processes targeting county assembly members and executives; national and international organizations; human rights agencies; refugees, asylum seekers and members of host community in major refugee hosting areas in both Garissa and Turkana Counties; as well as robust engagements with Members of Parliament.

One of the key learnings on coming out of the case study, noted by the civil society partners, was the importance of sustained engagement with policy makers in yielding positive advocacy outcomes. Relationship building, ongoing engagement and discussions, and clear advocacy messages were all key factors in contributing to change.

Another key learning is on the importance of local voice and legitimacy in advocacy efforts. At the start of the KESSUGET project, DRC conducted a mapping to identify civil society groups and organizations that proven membership of local community residents, have leadership positions held by local residents, and are registered and/or physically present in the local community. This would ensure that the groups would be in a position to mobilize community members and when required, to serve as the legitimate voice as representatives on behalf of the community. For CSOs, having the support of and being seen as legitimate representatives both by the community they serve and by the local authorities they engage with has been key in influencing policy reform. Positioning local CSOs in a more advantageous and empowered position to influence change over that of externals.

An area of growth for DRC identified from this case study worth noting is the need to invest more in measuring outcomes of advocacy work. Positive change resulting from advocacy work does not always necessarily relate to or result in a clear output such as policy reform. When it does, policy reform can take a long time, possibly years. Spanning beyond the lifecycle of any given DRC project. While this makes it difficult to measure progress and advocacy achievements, it is worth exploring unconventional methods to evaluate effectiveness, as well as proven methods used by peer organizations.





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