

2017 CIVIL SOCIETY SUSTAINABILITY INDEX – KENYA

PRESS RELEASE

The Civil Society Organization Sustainability Index (CSOSI) developed by USAID, is a tool used to study the strength and overall viability of CSO sectors around the world, it has been used in Africa, Middle East and North Africa (MENA), Afghanistan, Pakistan, and Central and Eastern Europe and Eurasia. CSOSI analyses seven dimensions that are critical to sectoral sustainability, the Index highlights both strengths and constraints in CSO development. These dimensions include: legal environment, organizational capacity, financial viability, advocacy, service provision, sectoral infrastructure and public image. The CSOSI uses a seven – point scale, with 1 representing the highest and 7 the lowest level of sustainability. These levels are clustered into three general stages: Sustainability Enhanced (1 to 3), Sustainability Evolving (3.1 to 5), and Sustainability Impeded (5.1 to 7). The index is a valuable resource for donors, local CSO advocates, development partners, researchers, and academics since they use it to understand the CSO sector.

Overall CSO sustainability (Score 4.0- Sustainability Evolving): For CSOs the year was difficult, the legal environment deteriorated significantly as the government responded vigorously to CSOs’ involvement in the elections. CSOs’ service provision and sectoral infrastructure were weaker because of inadequate funding, and their public image suffered as they became caught up in the political tensions dividing the country. However, apart from the elections, advocacy CSOs worked effectively with the government, especially on the county level, and their advocacy efforts improved. The sector’s organizational capacity was stable. Although the funding environment remained poor and forced many CSOs to deviate from their mandates in the search for funding, CSOs’ financial viability was also unchanged.

Legal Environment (*The legal and regulatory environment governing the CSO sector and its implementation- Score 4.4*): In 2017 the legal environment for CSOs worsened significantly. CSOs continued to register mainly under the NGO Coordination Act of 1990, Societies Act of 2012, or

Companies Act of 2015. Negative profiling and state harassment of CSOs increased, especially during the elections. The government was particularly harsh in dealing with organizations engaged in electoral governance and civic voter education or that it viewed as pro-opposition if they expressed concerns about the way in which the elections were conducted. New activist groups emerged that used social media effectively to mobilize the public. Overall, CSOs adopted a more confrontational approach than during past elections to holding the IEBC and the government to account. The government responded with overt hostility and increased its harassment and intimidation of CSOs during the year.

Organizational Capacity (*The internal capacity of the CSO sector to pursue its goals -Score 4.0*): CSOs’ organizational capacity was unchanged in 2017. Constituency building improved as like-minded organizations established networks and coalitions, at times with the help of donors, to identify beneficiaries for their services and map out the government agencies responsible for relevant

issues. For example, the Institute for Social Accountability (TISA) worked with residents' associations in Nairobi to mobilize citizens to undertake social accountability initiatives on environmental protection and management and budgeting.

Financial Viability (*The CSO sector's access to various sources of financial support-Score 4.7*): CSOs' funding difficulties persisted in 2017. Financial support for most CSOs came from the same foreign donors as in 2016, including USAID, Danish International Development Agency (DANIDA), United Kingdom's Department for International Development (DFID), and the Embassy of Sweden. In recent years these donors have supported many projects related to devolution, and there continued to be substantial funding for county-level activities in 2017. In addition, since 2017 was an election year, considerable funding was available for election related-activities, such as voter education. Most CSOs were able to obtain only short-term funding, which usually lasts about one year.

Advocacy (*The CSO sector's ability to influence public opinion and public policy-Score 3.1*): Although the relationship between CSOs and the national government was tense in 2017, overall CSO advocacy improved in areas unrelated to the elections, such as health and education. As the process of county-level government decision making improved in 2017, the lines of communication between the government and CSOs were also, on average, more effective. Moreover, CSOs working on county-level policy issues became more professional in their approach and had a better understanding of the technical aspects of policy formulation and dialogue.

Service Provision (*The CSO sector's ability to provide goods and services- Score 3.5*): Service provision by CSOs declined in 2017, mainly because donors shifted their already limited funding to election-related activities. The CSO service-providing sector is generally diversified, with areas of focus ranging from health and development to trade, governance, and climate change. However, during the election period, CSOs such as the Center for Human Rights and Civic Education in Mwingi County and Redo Kenya in Bungoma County

engaged in more civic and voter education projects than usual, while IDLO provided technical assistance to develop the capacity of the judiciary to improve access to justice in areas such as electoral dispute resolution and gender issues.

Sectoral Infrastructure (*Support services available to the CSO sector- Score 3.7*): The infrastructure supporting CSOs declined in 2017, largely because donors' focus on the general elections pushed CSOs away from sharing information in their traditional areas of expertise.

Public Image (*Society's perception of the CSO Sector- Score 4.3*): The public image of CSOs declined in 2017 because of the partisan orientation of the media. During the election period, the media invited CSO representatives to talk about issues related to governance, accountability, and electoral justice. However, CSO participation became more problematic as the political temperature rose. Some panelists who worked for CSOs were seen as lacking objectivity. For example, NTV's *AM Live* show hosted experts from civil society, but their opinions about electoral justice were as diverse as their number. At the same time, some media were themselves politicized or politically biased and tended to work only with CSOs that shared their political views. For example, KTN and NTV tended to host CSO representatives sharing the same political leaning.

Download the full report at:

<http://www.apr-institute.org/wp-content/uploads/2019/01/2017-Civil-Society-Organization-Sustainability-Index-Kenya-Report.pdf>

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