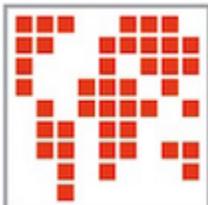


# **Voiceless Voices Made Loud: Opening Open Governance**

A Case Study from the Constitution and Reform Education Consortium (CRECO)



**GLOBAL INTEGRITY**

Data, Learning & Action for Open Governance

This case story was produced as part of the Learning to Make All Voices Count Program, an initiative supported by Making All Voices Count and implemented in partnership with Global Integrity. For more on L-MAVC, please visit [our website](#).



MAKING ALL  
VOICES COUNT

A GRAND CHALLENGE  
FOR DEVELOPMENT

## About Making All Voices Count

Making All Voices Count is a programme working towards a world in which open, effective and participatory governance is the norm and not the exception. It focuses global attention on creative and cutting-edge solutions to transform the relationship between citizens and their governments. The programme is inspired by and supports the goals of the Open Government Partnership.

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# Constitution and Reform Education Consortium (CRECO)

Zipporah A. Abaki and Joshua K. Changwony

## Setting the scene

The 2010 Constitution of Kenya specifies two levels of government, i.e., a national government and 47 county governments. Civil society organizations (CSOs) and private sector groups engage with both levels of government on public affairs to safeguard citizen interests. International development agencies have supported both the government and CSOs in efforts to open governance processes.

### OGP in Kenya

Kenya joined the Open Government Partnership (OGP) in December 2011. The first National Action Plan (NAP) (2014–2016) was developed without substantial public participation, though some non-government actors, including the World Bank, influenced the process to an extent. The Information and Communication Technology Authority was responsible for implementing the action plan, though it lacked the weight of an official government ministry. Nonetheless, most of the commitments of the first NAP were at least partially implemented, with commitments on open data, open budgets and public participation achieving notable progress. Kenya is currently implementing its second NAP (2016–2018), although it has not made substantial progress in this regard.

If effectively operationalized in Kenya, OGP could enable citizens to demand government accountability and assist state actors in receiving feedback on their services to citizens. OGP may also become a platform to facilitate public–private partnerships in service delivery to citizens, and to promote global interaction and adoption of international best practices. Furthermore, OGP’s international nature provides leverage for domestic reformers seeking to hold the government accountable.



### **The problem motivating our work**

Kenya has developed a well-defined second National Action Plan (2016–2018). However, much like the crafting of the first NAP, poor public participation and limited general awareness weakened its drafting process. The government’s failure to fully implement the first NAP can be attributed to, among other reasons: rampant corruption in government institutions, poor leadership and integrity, tribalism, poor policies and lack of political will and public faith in implementation of the Constitution of Kenya 2010. The constitution affirms public participation as a national value and governance principle in order to enhance service delivery and accountability; however, these aspirations have yet to be fully met as envisioned. The OGP provides an opportunity to address, at least in part, these issues; however, to date, there is scant awareness of, engagement with, and monitoring of OGP by CSOs, county officials and even national government officials<sup>1</sup>.

As a result, mismanagement and inefficient use of resources continue, with counties being cited for questionable expenditure and spending very little of their budget—less than the legally mandated 30 percent—on development and service delivery.

To address these shortcomings, the Constitution and Reform Education Consortium (CRECO), a group of 23 CSOs with membership across the country sought to create awareness on OGP and the National Action Plan, and to improve public participation in the NAP’s implementation at the county level, with a specific focus on Commitments 7 and 3<sup>2</sup> in Makueni and Elgeyo Marakwet<sup>3</sup> counties. Given Kenya’s thriving tech ecosystem, CRECO had envisioned using technology in project implementation and planned to develop a monitoring platform for public engagement on OGP.

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<sup>1</sup> See this [power matrix](#), and [this chart](#), for some preliminary analysis on the relevance of this issue from the perspective of different stakeholders.

<sup>2</sup> Commitment 3 aims to enhance transparency in in the legislative process in the parliament and county assemblies, while Commitment 7 is about improving access to government budget information, and creating wider and more inclusive structures for public participation.

<sup>3</sup> Our project intended to tackle this problem in two counties: Makueni, where an OGP subnational action plan is being implemented, and Elgeyo Marakwet, because the county is an OGP pioneer, and to use the work done in these counties to inform OGP processes at the national level.



## Our theory of change

We envisioned that enhanced participation by CSOs and citizens, in particular in our two selected counties, on OGP and the second NAP would increase the transparency and openness of OGP processes, improve the government's sharing of information and data, and contribute to better, more accountable public service delivery.

Our plan was to:

- Form and strengthen County Oversight Committees (COCs) to provide a platform for engagement between the government and citizens.
- Conduct public awareness and hearing meetings on the status of the second NAP, especially at the county level, with regards to OGP and local participation.
- Mobilize local CSOs and citizenry to pressure the government in these counties to implement the second NAP and participate in the Open Governance Processes.
- Lobby and advocate for the implementation of OGP and the second NAP and ensure value for money towards citizens' priorities.

We identified the following indicators of significant progress towards achieving our goal:

- Strong partnerships would be built between state and non-state actors for engagement on OGP and the second NAP.
- Citizen awareness would be created on OGP and the second NAP to enable them to hold duty bearers to account for open governance, particularly in our two target counties.
- OGP processes and the implementation of the second NAP would be monitored. Findings and recommendations would be shared with relevant stakeholders, particularly in our two target counties.

### **Project logic model**

#### **Inputs:**

- Holding of public awareness meetings on the status of the second NAP as per OGP, at both the county and national level.
- Development and deployment of OGP and NAP monitoring tools.
- Training and deployment of Community Oversight Committees and the establishment of communications channels to strengthen their coordination and information sharing.



### **Outputs:**

- Findings from monitoring analyzed and used to inform interventions, advocacy and track progress of the second NAP at national and subnational levels.
- Capacity building awareness meetings held with officials responsible for the implementation of OGP commitments.

**Outcome:** Increased collaboration between the state and citizens; more effective government implementation of OGP and the National Action Plan; and increased participation of citizens and CSOs in county governance processes linked to OGP and the second NAP.

**Impact:** A conducive environment where national and county governments ensure accountability, transparency and service delivery through citizen participation.

## Practicing adaption in context

### **Inflection points: key changes in political context**

In 2017, regional insecurity due to cattle rustling in Elgeyo Marakwet and persistent drought in Makueni made it difficult for the public to attend community engagement forums in the respective areas. This affected our project plans, as public participation and response to these forums was a crucial part of our project plans. So, alongside our partners in the Community Oversight Committees, we adjusted our plans, forming social media groups via WhatsApp in which COC members could share information on the OGP process and communicate issues.

As a result of the August 2017 national and county elections in Kenya, which shifted the attention of political leaders to electoral campaigns and primaries, we altered our planned engagement with political leaders. Through our COCs, implementing partners and other networks in the target counties, we continued to engage citizens on OGP values and the second NAP through public forums and awareness raising efforts. This allowed citizens to vet the electoral candidates based on integrity and performance records, especially concerning the implementation of OGP commitments at the county level, and on county governance and issues regarding representation to the county government.



### **Reflective learning moments**

We had initially planned to broadcast radio talk shows, focused on OGP implementation, via local radio stations. The aim was that the representatives of a media partner, the Kenya Correspondence Association (KCA), who report for community FM stations in counties, would also be part of the COCs, and would participate in project activities at the county level. This would enable them to have a good understanding of the project, in order to report on the advancement of the OGP agenda at the county level, therefore providing an avenue for citizen engagement and awareness on OGP. However, we failed to secure radio airtime due to high costs.

During regular reflection sessions, we reviewed our planned activities and considered alternative ways to share the results from the monitoring tool. CRECO developed a monthly online newsletter with information on OGP and the second NAP. We shared these links through existing CRECO media platforms including our [website](#), Twitter (@CRECOKenya), Facebook and blogs. We also shared these links via the COC WhatsApp groups. The newsletter facilitated information sharing on OGP and the implementation of Commitments 3 and 7 at the county level between CRECO and COCs. In addition, it has been an avenue for other CSOs working on OGP—such as the Open Institute, the International Commission of Jurists, and the International Budget Partnership—to share their stories and work at the county level and beyond.

Initially, we planned to establish an online platform for data collection on the implementation of OGP commitments at the county level, for information sharing in and across counties, and to provide a feedback mechanism for citizen use. As we explored the creation of such a platform, we had two realizations: first, developing the kind of platform we had envisaged was too costly for our project to support; and second, the people we were targeting to engage with at the county level had limited Internet access. Therefore, to ensure that the project achieved its intended results, we adapted. Instead, we developed a [Monitoring Tool](#) for use by COCs, who used the tool to collect information on the implementation status of Commitments 3 and 7, and on public awareness of OGP, via in-person interviews in their communities. We used the [findings from our monitoring](#) to inform public forums, held at the community level in our target counties, focusing on OGP's potential and relevance for citizens' lives<sup>4</sup>. Use of the tool enabled COCs and CRECO to collect data on the progress made by two county governments and the national government in the implementation of OGP Commitments 3 and 7, and to identify gaps in implementation.

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<sup>4</sup> For detailed reports detailing the forums we hosted, please see [here](#). For an account of one of our early COC meetings, see [here](#).



## Our thoughts on the adaptive learning approach

Several reflection sessions with the COCs and CRECO staff helped in shaping the implementation of the project. These sessions helped us and our partners better understand citizens' needs and priorities in the particular areas in which we worked. In particular, the participatory reflection sessions enabled us to understand that citizens' priorities vary from one area to another, even within the counties in which we were working, and that fewer citizens than we expected were aware of OGP. As a result, few citizens try to leverage OGP commitments and hold government officials accountable for the implementation of those commitments.

Regular conversations and check-ins with Global Integrity helped us dig deeper, collect evidence and reflect on our work as we implemented the project, which gave us a better sense of how things were going and how we might adapt. Inputs from the global learning community, especially on international best practices and adjusting to contextual challenges provided a useful means to identify opportunities and gaps in our project logic and implementation.

The adaptive learning approach enabled us to use new approaches in project implementation, activities and budgets, and to collaborate with like-minded CSOs, such as the International Budget Partnership.

## The future

Our work on this project has strengthened the participation and engagement on the second NAP among CSOs and citizens in the two counties. We are now part of the OGP CSO cluster working group in Kenya, and as a result of our interactions, we have collectively organized a national platform for CSOs and state actors to come together, share about the implementation progress on the second NAP, and discuss the way forward for the preparation of the third NAP.

Through information sharing on OGP and Kenya's commitments in public forums and in interactions with the community, county officials and the COC network, we have empowered citizens to hold county officials accountable with respect to the implementation of Commitments 3 and 7 of the second NAP. This is a step forward. In future, this will contribute to improved transparency and openness of government data, stronger partnerships between state and non-state actors on OGP, and other efforts to monitor the implementation of NAP commitments.



CRECO envisions using the adaptive learning approach and reflection skills in the implementation of project activities in the future, as it is vital for our ability to adapt to a changing context.

## Remaining questions

Going forward, we have the following questions about this project and our work:

- With respect to OGP, how will OGP commitments and National Action Plans in Kenya evolve over the next five years?
- How do we deploy the lessons that have emerged from this project and sustain the OGP agenda, including at the county level, in Kenya?
- With respect to the adaptive learning approach, how do we sustain the network of participating practitioners generated by this project and continue interacting with our implementing partners in Kenya once the project ends?



## **Annex 1.**

### VOICELESS VOICES MADE LOUD

*By Joshua Changwony and Zipporah Abaki*

2016 roared for calls

Our ears heard the calls

Open government was in the calls

We searched for the callers

Voiceless voices made loud

We searched our thoughts

Our thoughts loud on the calls

Counties and citizens on our thoughts

We shared our thoughts to the callers

Voiceless voices made loud

Cold morning in the city under the sun

Caller Varyanne voice heard in our inboxes

Our thoughts had been heard

Cheers beaming on all thinkers

Voiceless voices made loud

Journey of reaching out to voiceless activated

Twisted networks created across skies

Amazing findings discovered in Nairobi, Manila...

Case studies in black and white in Brighton

Voiceless voices made loud

Moses Skype calls rocking continents

The search for adaptive learning

Shared solutions to challenges and change

OGP navigated us to unknown zones

Voiceless voices made loud