

Regional Democracy and Human Rights Cooperation in Greater Eastern Africa – Lessons Learned and the Road Ahead

**Part I: Evaluation of the overall Framework
for Democracy and Human Rights**

**Part II: Evaluation of the Projects/Programmes
Supported under Sida's Regional Democracy
and Human Rights Programme**

**Arne Svensson
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Department for Africa

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Sida Evaluation 07/01

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Acronyms and Abbreviations

ACCORD	The African Centre for the Constructive Resolution of Disputes
ACFODE	Action for Development
AISA/EISA	Africa Institute of South Africa/Electoral Institute for Southern Africa
AMWA	Akina Mama wa Afrika
APN	African Parliamentary Network
AU	African Union
AWEPA	The Association of European Parliamentarians for Africa
CIDA	Canadian International Development Authority
(CPNA) CPC	Canadian Parliamentary Centre
CREAW	Center for the Rehabilitation and Education of Abused Women
Danida	Danish International Development Assistance, now Danish Ministry of Foreign Affairs
DEEP	Democracy, Equality, Empowerment and Peace
EACODEV	East African Centre for Constitutional Development
EALA	East African Legislative Assembly
EALS	East African Law Society
EC	European Commission
ECWD	Education Centre for Women in Democracy
EPNA	European Parliamentary Network for Africa
FOWODE	Forum for Women in Democracy
FWRP	Forum of Women in the Rwandan Parliament
Finnida	Department for International Cooperation (Finland), now Finnish Ministry of Foreign Affairs.
HIV/AIDS	Human Immunodeficiency Virus/Acquired Immunodeficiency Syndrome
HRM	Human resources management
IAT	International Aids Trust
ICRW	International Centre for Research on Women
IPU	Inter-Parliamentary Union
KCK	Kituo Cha Katiba
KEWOPA	Kenya Women's Parliamentary Association
LFA	Logical Framework Analysis
M&E	Monitoring and Evaluation
MDGs	Millennium Development Goals
MP	Member of Parliament
NEPAD	New Partnership for African Development
NGOs	Non-Governmental Organisations
OECD/DAC	Organisation for Economic Co-operation and Development Countries/ Development Assistance Committee
PAP	Pan African Parliament
RFPAC (French acronym)	Network for Women MPs in Central Africa
RWN	Rwanda Women's Network.

Sida	Swedish International Development Cooperation Agency
SMART	Specific, Measurable, Achievable, Relevant, Time-bound
SPICED	Subjective, Participatory, Interpreted, Cross-checked, Empowering, diverse/ Disaggregated
STFP	Somali Transitional Federal Parliament
SWOT	Strength, Weakness, Opportunity, Threat
TAPAC	Tanzania Parliamentarians AIDS Coalition
UN	United Nations
UNDP	United Nations Development Programme
UNICEF	The United Nations Children's Fund
UNIFEM	United Nations Development Fund For Women
UWOPA	Uganda Women's Parliamentary Association
WB	World Bank
WBI	World Bank Institute
WLAC	Women's Legal Aid Center
(WBPN-A)	Parliamentary Network on the World Bank
PNoWB	

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**Part I: Evaluation of the overall Framework
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1. Executive Summary

Sida commissioned Professional Management AB to evaluate its programme for Regional Democracy and Human Rights based on the “*Swedish Strategy for the Support to Regional and Sub-regional Development Cooperation in Sub-Saharan Africa 2002–2006*”.

The evaluation took place in two phases: i) an evaluation of the overall Framework for Regional Democracy and Human Rights and ii) an evaluation of organisations and projects/programmes supported under Sida’s Regional Democracy and Human Rights Programme. Both evaluations were conducted in consultation with four organisations funded under the regional framework strategy: Amani Forum, the East African Law Society, Kituo Cha Katiba and Education Center for Women in Democracy (ECWD)/Women Direct.

Professional Management AB presented the evaluation of the supported organisations in a separate report¹. Below are: (1) The summary of Evaluative Conclusions and (2) the Recommendations pertaining to Sida Africa Regional Framework Strategy (2002–2006).

1.1 Summary of Evaluative Conclusions

Sida’s Regional Approach to Democracy and Human Rights is relevant and, in our view, has exceeded its mandated objectives. It has, in a relatively short period of time, produced several positive direct and indirect synergies at both the regional and national levels. The regional approach has opened up dialogue between concerned parties; enabled regional (transnational) empowerment in issues that would most likely meet resistance at the national level; provided opportunities to expose national actors regionally; and considering the array of programmes activities undertaken so far, its programmes have proven to be cost-effective in terms of public goods and whether these should be conducted per partner organisation per country.

Substantively, the regional approach has contributed some commendable democracy and human rights promotion and availed space for like-minded organisations, public interested individuals with political clout and special public interest associations. Procedurally and technically, cost effectiveness and efficiency are positive value added elements.

Sida’s current regional framework criterion (see tables 2 & 3) is comprehensive and could be treated as an integrated set of principles linked to its overall strategic concerns and priorities in programme-wide processes that traverse several other policy elements (e.g. information and the media).

The evaluated organisations operate well within Sida’s regional framework and all of them satisfy several of Sida’s strategic concerns, framework priority areas of intervention and principles. However, as the individual reports and our analysis of the extent of their compliance with the Framework illustrate, some organisations are less compliant than others, due to factors we explain below.

The Evaluation Team’s assessment is that the Framework objectives are met to a large extent. In particular, judging by the results the Team investigated across the evaluated organisations, the relevance and compliance of their activities and programmes with the regional framework programme is high (tables 1, 2, & 3). The overall objective to “*promote democratic governance, and thereby management of conflicts, in the East African countries*” is met by all organisations, although in reality, Amani Forum and Women Direct stand out as the ones that have developed programmes and activities working with agents of change; engendered politics through the empowerment of women (Women Direct); and

¹ “Evaluation of Projects/programmes supported under Sida’s Regional Democracy and Human Rights Programme” (Professional Management AB, September 2006)

developed programmes and activities working with conflict management mechanisms (Amani, EALS and KCK). All to a large extent have created synergies with their partners and chapters in a genuine attempt to promote democratic governance in Greater East Africa.

However, it is not evident that the regional approach has a direct focus on the ongoing policies and activities geared towards enhancing *African regional integration, reducing poverty, managing conflict and empowering women*. Obviously, indirect linkages are discernable. In this sense alone, the evaluation indicates that the activities undertaken provided a mix of support modalities to regional and/or sub regional *cooperation* and regional integration programmes, including Sida support for a number of independent organisations under the Framework. However, no mechanisms have yet been established to link or make these organisations aware of possibilities for cooperation with each other in limited joint interventions or create synergies between the organisations and their programmes.

The Regional Framework is lacking a clear procedure for institutionalising its core values, identity and objectives. The evaluated organisations are not fully aware of the existence and efficacy of Sida's Regional Framework. And without an inception regional workshop for all partners with the objectives of explaining (and even re-explaining) Sida's Regional Framework, its identity, core values, objectives, parameters and expected outcomes, it is difficult to see how harmonization and effectiveness from within could be attained. Furthermore such a workshop would be of great benefit both for the Africa partners and the development of collaborative flagship activities for regional cooperation.

Some of the evaluated organisations are not aware of the existence of donor aid management packages and methods (e.g. SWOT, Logframes, results-based management and programming, monitoring and evaluation methodologies, action planning, programme cycle management techniques, financial and narrative reporting requirement and format, etc).

Sida's current system of result tracking of the programmes and activities is inadequate and needs to be improved and Sida's desk should be given the time and resources in order to be proactive and carry out some result tracking efforts.

1.2 Recommendations

Objectives of the Regional Framework: We recommend that Sida should (1) establish mechanisms for linking organisations and programmes under the Framework in order to get synergies out of a deeper cooperation; (2) Sida should bring together all grantees at least once a year to have a dialogue, share experiences and discuss views on the regional framework strategy under which they are funded; and (3) Sida should familiarize the organisations funded under Sida Regional Framework with the objectives, identity and values of the strategy, donor aid management instruments and requirements in a deliberate and systematic manner.

The Strategy: (1) Sida should consider having a dialogue with the NGOs and the Civil Society Organisations on the new draft strategy; (2) Sida should consider involving relevant CSOs in presenting position papers, reviews and other input in the ongoing regional framework policy processes on drafting a new strategy in order to achieve more acceptance; and (3) The new strategy should clearly define the role of the organisations supported under the Regional Framework in assisting the countries in meeting their own objectives and criteria for regional integration.

The Regional Approach: Despite its several advantages, the regional approach requires more efforts to coordinate and for the networks to be active in strategising, exchanging experiences and up-scaling positive results. This determines that: (1) Coordination resources should be an integral part of the proposed regional programmes; (2) Sida should make time and provide resources to its desk to visit the supported organisations at least once a year, for example, in connection with a board meeting, seminar or annual

review; and (3) the Sida desk should be proactive in supporting organisations funded under its Regional Framework to cooperate amongst themselves.

Composition of the Framework: (1) Sida should consider integrating the following three thematic areas and respective partners within the next Sida Regional Framework: (i) regional (transnational) cross-political party cooperation, specifically aimed at familiarizing opposition and political parties of different countries of their role (as government or opposition and potential governments) in furthering the cause of democracy and human rights; (ii) Information providers and the independent or alternative media in the area of democracy and human rights such as indigenous journalists and alternative (non-governmental) media with clearer and effective messages; and (iii) Regional research and training institutions in the field of democracy and human rights as capacity building trainers and impact assessment services providers for regional activists/policy dialogue and policy influencing organisations such as or similar to Women Direct and Amani Forum. (2) Sida should think further on how to create trade-offs and interfaces between the current programmes and Sida's Policy for Culture and Media in Development Cooperation, in particular *freedom of expression and human rights* and the *Internationalization* component, among other Sida overall policy directives.

Results and Effectiveness: (1) Sida should bring all the grantees under the programme together to present and discuss the requirements of narrative reporting; Sida should establish a competence within the Framework to create a Monitoring and Evaluation system for all organisations supported under the Programme; and Sida should consider contracting out a yearly survey of stakeholders in the region on their view of the supported organisations and the results achieved. (2) Sida should improve (and some instances develop) its result tracking methods and the Sida desk should be more proactive in ensuring that organisations funded under its Regional Framework actually cooperate a) for the sake of cost effectiveness; b) for exchange of experiences and mutual learning; and c) for instilling the ethos of regional cooperation outlined in the regional strategy principles.

In addition we have some Regional Approach-specific recommendations:

1. Sida should not treat the regional approach and bilateral programmes as two separate sets of policy options. The more the regional framework strategy is implemented with the aim of bringing together like-minded organisations, the more the boundaries between the two are blurred and the more the bilateral programmes find themselves cooperating with regional partners. It is recommended that Swedish Embassies also take interest and visit regional programmes with bilateral partners in their respective countries.
2. Sida should anchor its regional framework strategy in regional policies and priorities set by the regional institutions within which its partners operate (AU, NEPAD, SADEC, EALA etc.). We recommend that the reference point in the regional framework strategy should be regional and not national, because the subsidiary rule of the thumb had it that programmes implemented nationally do not necessarily exclude regional dividends in terms of spill over effects of the activities and programmes with regional partners.
3. We recommend that Sida devise a fund to be available for holding an annual workshop to be attended by all its funded organisations under the regional framework programme. The mechanism could be that 2–4 organisations operating within the regional framework could apply for joint funds to hold a joint strategising workshop in crosscutting issues of relevance and significance to their core regional objectives.
4. The Evaluation Team recommends that the composition of the framework should be enlarged and up-scaled. Three potential areas have been explicitly mentioned: cross-political party support as well as transnational political party networks, alternative (non-governmental) media and information providers in the field of democracy and human rights, regional research and training institutions in

the field of democracy and human rights as capacity building trainers and impact assessment services providers for regional activists/policy dialogue and policy influencing organisations.

5. The Evaluation Team proposes that Sida use multiple result tracking indicators aggregated in terms of short, medium and long-term. In this respect the evaluation team argues that the distinction between process-based and results-based indicators is a useful methodological metaphor, however, in actual reality a combination of both could be used depending on the degree of the maturation of the project – i.e. implemented long enough to warrant result tracking and even impact assessment.
6. Sida should improve its tracking of results by its desk being more field visits oriented rather than doing office visits which are often limited in scope, time and range of issues to be discussed. The organisations' Sida Office visits are expensive for organisations located outside Nairobi and often deal with procedural rather than content issues. Instead, Sida desk should be given the time and resources to be proactive, as we have alluded to earlier. Swedish Embassies in the respective countries could also adopt similar procedures and refrain from the procedural distinction between regional and bilateral framework activities, particularly in cases where national chapters and partners are cooperating with regional-based organisations.

2. Introduction

2.1 Background

2.1.1 Swedish International Development Agency (Sida)

Sida is the Swedish government agency for bilateral international development cooperation.

The overall goal of Swedish development cooperation is to contribute to making it possible for poor people to improve their living conditions. Sida supports activities in almost 120 countries. Most of the resources are allocated to the twenty or so countries with which Sida has extensive, long-term programmes of cooperation. The framework of cooperation is specified in special country strategies and regulated in agreements between Sida and the government of each partner country.

Sida operates through some 1,500 partners in cooperation. These are companies, popular movements, non-governmental organisations (NGOs), universities, regional bodies (including the United Nations), parliaments, local governments and government agencies that possess the expertise to make Swedish development cooperation successful. In the long run Swedish development cooperation should lead to wider economic and social cooperation with the cooperation countries, to the benefit of all parties concerned.²

2.1.2 Programme for Regional Democracy and Human Rights

The programme for Regional Democracy and Human Rights is based on the “*Swedish Strategy for Support to Regional and Subregional Development Cooperation in Sub-Saharan Africa 2002–2006*”.

The underlying thought for the Regional Democracy and Human Rights Programme is essentially that some challenges to development in the Greater East African countries (Kenya, Tanzania, Uganda, Burundi, Rwanda, Ethiopia and to a lesser extent Zambia, Sudan, Somalia and Democratic Republic of Congo) must or can benefit from a regional approach. Although some challenges are perhaps better addressed at a local/national level, it is evident that a regional approach is sometimes necessary and that it often adds value.

² For more information, please see Sida's homepage: www.sida.se.

Democratisation in Greater East Africa is characterised by slow and difficult processes with a high degree of vulnerability to armed conflicts. The political institutions and the norms underpinning democratic development are still being shaped, while conflict management mechanisms are still weak.

Governments are responsible for promoting, respecting, protecting and fulfilling Human Rights. Likewise, democracy, as a system of ensuring the will of the people through political processes, will have different attributes in different countries. However, countries (especially neighbouring ones) will heavily influence each other's processes of democratisation in general. Armed conflicts and disrespect for rule of law, human rights and democratic procedures hence seem to be contagious and vice versa.

The current strategy³ claims that while conflict management often needs to be addressed regionally, a regional approach to Democracy and Human Rights often *adds value*, and is not necessarily less relevant. It is believed that there is need and room for increased collaboration between civil society actors in the region, as well as between respective governments. A new strategy is underway⁴. In the results analysis of the Support to Regional Development Cooperation in Sub-Saharan Africa 2002–2006 the Framework for Regional Democracy and Human Rights is not analysed.⁵

The overall objective of the current programme is to “*promote democratic governance, and thereby management of conflicts, in the East African countries*” with a view to Sida’s goal of contributing to “*an environment supportive of poor people’s own efforts to improve their quality of life*”. To this end, the programme focuses on activities related to:

- i) developing and/or working with agents of change
- ii) engendering politics through the empowerment of women
- iii) developing and/or working with conflict management mechanisms
- iv) creating synergies between attempts to promote democratic governance in Greater East Africa

2.2 Purpose and Objectives

This evaluation took place in two phases:

- i) Evaluation of organisations supported under the overall Framework for Regional Democracy and Human Rights; and
- ii) Evaluation of the overall Framework for Regional Democracy and Human Rights.

Because it is a two-phase evaluation, the purpose of the evaluation is also two-fold:

- i) Help Sida and its partners make sure that the interventions are well on track and likely to reach their objectives, and guide Sida in decisions regarding continued support to some of the organisations.
- ii) Guide Sida on decisions regarding the pursuance of a regional approach to Democracy and Human Rights and thus further assist in the formulation of strategies in the same regard.

This report is on the second purpose⁶ i.e. the evaluation will generally be used by the Regional Democracy and Human Rights Advisers at the Sida office in Nairobi, the evaluated partner organisations,

³ Sida: Swedish Strategy for Support for Regional and Subregional Development Cooperation in Sub-Saharan Africa (2002–2006)

⁴ Sida, Draft strategy for support to regional development cooperation in Sub-Saharan Africa, 2006-07-12.

⁵ Sida, Support to Regional Development Cooperation in Sub-Saharan Africa 2002–2006 Results Analysis, May 2006, SPM Consultants

⁶ The first report is also finalized in August 2006 “Evaluation of Projects/programmes supported under Sida’s Regional Democracy and Human Rights Programme” (Professional Management AB, August 2006)

Programme Officers in the other Sida offices/Swedish Embassies in the region, the Africa Department (AFRA) and Division for Democratic Governance (DESA) at the Sida Head Office in Stockholm and potentially other Regional Advisers at Sida offices around the world.

The Terms of Reference are given in full in Annex 1.

2.3 Evaluation Questions

According to the ToR the following questions shall be considered during the evaluation, although the list is by no means exhaustive:

- To what extent are the Framework's and Sida's overall objectives being met?
- What are the reasons for achievement or non-achievement of objectives?
- How does the Framework fit in with the "Swedish Strategy for Support for Regional and Sub-regional Development Cooperation in Sub-Saharan Africa January 1 2002–December 31 2006" and the draft strategy for 2007 onwards?
- How can the Framework be made more effective?
- Are there other thematic areas and/or partners that would benefit from being included in the Framework?
- How can the composition of the portfolio be improved?
- Should the desk proactively seek projects/programmes to support?
- What relevance does the regional approach have on a national level?
- What is the value added by taking a regional approach to Democracy and Human Rights?
- Can better results be yielded with a still regional, but different, approach?
- How can synergies with the bilateral strategies be developed and strengthened?
- Should Sida draw up specific criteria for decisions on whether to support projects/programmes?
- In what way can Sida improve its tracking of results yielded in the short, medium and long term?

2.4 The Evaluation Team

Sida has commissioned the Swedish company Professional Management AB to carry out the evaluation. The Evaluation Team consists of four senior consultants – Mr. Arne Svensson (team leader), Professor Mohamed Salih, Dr. Paschal Miho and Ms. Stina Waern.

Dr. Mohamed Salih is a Professor at the University of Leiden, and the Institute of Social Studies in the Netherlands. Professor Salih has conducted field research and consultancy in Africa, the Middle East and the Caribbean. In addition he has undertaken policy and advisory research and numerous assignments for national governments, NGOs, and bilateral, regional and multilateral institutions. These include institutional assessments, strategic planning and evaluations of sector programmes. Professor Salih has recently published the book *African Parliaments: Between Governments and Governance* (Palgrave/Macmillan, New York 2005).

Ms. Stina Waern is Senior Consultant with long experience in i.e. financial management, process analysis, result based management, etc. She has worked in Kenya, Mozambique, El Salvador, Guatemala, Honduras, Nicaragua, Malaysia and some other countries. Before she became a management

consultant she was the Director General of IMPOD (The Import Promotion Office for Products from Developing Countries) under the Ministry of Foreign Affairs.

Dr. Paschal Buberwa Mihyo is a Professor of Politics and Administrative Studies at the University of Namibia and Executive Director at the African Institute for Development Initiatives (AIDI), Dar es-Salaam. He has published several books on governance issues in Africa, and is well known for his book on Parliamentary Accountability. He has conducted several evaluations for national governments, bilateral and multilateral organisations, on democracy promotion, human rights and the rule of law.

Mr. Arne Svensson, President of Professional Management AB, has been a senior consultant for more than 600 public and private organisations, including the United Nations, the European Commission, international NGOs and governments around the world. He has 30 years of substantive experience in the administrative reform process of central, regional and local government, including decentralization, democracy and governance, legislative and parliamentary development, citizens' participation, governmental relations, state and local governments, civil society, devolution, organisational development, and management and public administration. He has performed more than 100 evaluations, institutional assessments and management reviews. He has published more than 15 books on management issues.

2.5 Methodology

The evaluation was carried out during the period of June–August 2006. The Evaluation Team has applied a mix of evaluation techniques utilizing institutional performance assessment methods to evaluate the four organisations (Institutional assessment/evaluation) and conduct in-depth outcome evaluations of individual programmes.

Prior to the actual commencement of the evaluation, the Evaluation Team conducted a thorough review of the available documentation on the four organisations, including their mission, vision and objectives, development strategies, implementation methods, and monitoring and evaluation methods. The Evaluation Team also reviewed recent programme and project documents, annual reviews and financial statements, supporting publications and statements by the organisations, Sida or third parties.

The validity of the initial findings is ensured through reviewing vast amounts of material (cf. Annex 2 for documents consulted). The four organisations and the Swedish Embassy in Nairobi submitted these materials and documents as requested. The team has reviewed all relevant written documentation.

The Evaluation questions are centered on five major well-treaded organisation and programme performance evaluations sub-themes: Effectiveness (the organisations ability to achieve the objectives of the programmes and activities in which it is verified in terms of outputs, outcomes and impact), efficiency (value for resource deployment, both human resources and financial), results (verifiable outputs, outcomes and impact), relevance (the organisations programmes and activities relevance to Sida regional framework approach, its efficacy and objectives) and sustainability (the ability of the organisations to maintain their activities over time, with or preferably without donor support after years of interventions).

With this general understanding of the sub-themes and the questions posed by ToR, the Evaluation Team has developed a practical matrix to help it in 1) obtaining the required materials using the mix of methodologies described above and 2) explaining how the evaluation results will be verified. We have gone further to apply the same methodology to the question guiding the Evaluation of the overall Framework Questions. These are presented, in detail, in our work plan.

Mr. Svensson made inception visits to the four organisations headquarters in Nairobi, Arusha and Kampala and the Swedish Embassy in Nairobi in June 2006. Dr. Salih made assessment visits to Women Direct and Amani Forum in Nairobi in July 2006. Dr. Mihyo made assessment visits to EALS in Arusha and KCK in Kampala in July 2006. Dr. Mihyo also made field visits in Uganda (all the four

organisations) and Tanzania (EALS). Ms. Waern conducted field visits in Rwanda (Women Direct, Amani Forum and KCK).

Finally Mr. Svensson, Dr. Salih and/or Dr. Miho made validation visits to the four organisations headquarters and the Swedish Embassy in August in order to further validate the findings and also to strengthen the diagnostic and summative bases of the Report and its findings. Executive Directors/ Executive Secretaries, Deputies, Programme Officers, Programme Assistants, Finance Officers and other relevant staff attended the validation meetings. In addition Hon. Samuel Poghio, Treasurer, Regional Executive Committee Member, Hon Amina Abdalla, Regional Executive Committee Member and Hon Joseph Nkassery, Chairperson, AMANI Kenya Chapter participated in the validation visit to Amani Forum at the Kenya Parliament precinct.

Various members of the Evaluation Team also met or conducted interviews with relevant: a) people in other countries in the region where the four organisations are active b) Sida staff at the HQ and at relevant embassies in order to gauge Sida's experience with the four organisations; and c) people at other major donor agencies. A list of people interviewed is attached (Annex 3). We have met with some of the key people (i.e. the Executive Directors and Executive Secretaries) several times.

These interviews offered invaluable insights on the contributions the major stakeholders make towards the fulfilment of the four organisations' mission. All the organisations have been very open, not only on pros and cons in its work so far, but also when it comes to ongoing discussions on future challenges.

2.6 This Report and How To Read It

This report is divided into five sections. The "Summary of Evaluative Conclusions" in section ONE is derived from the set of "Evaluative Conclusions" placed at the end of each sub-section in Section 4. Section TWO is introductory; Section THREE contains a brief description of the evaluated interventions; Section FOUR discuss the Salient Features of Sida Regional Framework and its Relevance to the Evaluated Organisations; and Section FIVE elaborates on the evaluation questions. Thus it is summarising findings, conclusions, lessons learnt and recommendations regarding the Framework.

3. The Evaluated Intervention

3.1 Intervention Background

Currently, five organisations, and hence, five projects/programmes are being funded under the overall Regional Democracy and Human Rights Programme. Two additional projects/programmes are about to be closed pending final reports and there is no intention of continued support at this stage.

Phase one of the evaluation looked at four organisations: Amani Forum, Education Centre for Women in Democracy, East African Law Society and Kituo Cha Katiba. The AWEPA/EALA component was evaluated last year in a study commissioned by NORAD and likewise AWEPA's whole organisation was reviewed in early 2006 by Sida/Professional Management AB⁷. The evaluators shall focus on the current project/programme that each organisation is implementing, although reference may be made to other projects/programmes previously implemented by the same organisations and supported by Sida.

Phase two of the evaluation regards the overall Framework for Democracy and Human Rights.

⁷ Professional Management AB: Organisational Review of The Association of European Parliamentarians for Africa – AWEPA, 2006-04-30

3.2 Brief of Supported Organisations

3.2.1 Amani Forum

Since its creation in 1998, Amani Forum has been able to establish itself as a respected regional network in the Great Lakes Region concerned with the peace building and conflict mitigation in one of Africa's most protracted conflicts. In this regard, Amani has thus far been able to mobilize a large pool of parliamentarians, using their unique position in society and relation to government to implement its vision, mission and objectives. These could be verified, noting that a regional interparliamentary network has been established and seven National Chapters have been created and enabled to operate in Burundi, Democratic Republic of Congo, Kenya, Rwanda, Tanzania, Uganda and Zambia⁸.

Amani network members have undertaken a wide range of peace building initiatives at the national and regional levels, including fact-finding visits to conflict zones, inter-parliamentary dialogues, inter-party dialogue, exchange visits of parliamentarians in conflict zones and election observation. The programmes contributing to these activities could be summed up as follows:

1. Training in Conflict Resolution and Peace building;
2. Training in Parliamentary Practice;
3. Fact-finding Missions to Conflict-Affected Areas;
4. Exchange Visits between Parliamentarians;
5. Inter-Parliamentary Dialogue;
6. Inter-Party Dialogue;
7. Election Observation.

Amani Secretariat is relatively small and efficient. There is need to strengthen Amani Secretariat and Chapters to realize their objectives and provide the level of services required to empower parliamentarians to discharge their responsibilities as conflict managers and peace builders.

It is hard to measure results of activities in the area of Human Rights and Democracy; on the whole, Amani's narrative reporting is lacking information on outcomes and impacts. The absence of a workable methodology and instruments for measuring outputs, outcomes and impacts is part of the problem. Due to the absence of studies undertaken with the main objective of measuring how and whether improvement in the parliamentarians skills to deal with the legislative process, budgets, hearings, debates, media and constituency work for conflict (social and violent) management it is difficult to verify results, outcomes and impacts.

However, parliamentarians, governments, NGOs and civil society organisations' increasing interest in Amani activities, the large number of members and their engagement in its activities must have improved their skills and capacity to deal with conflict management issues, and is a clear indication that there have been some positive outcomes of Amani programmes and activities.

There is no doubt that the skills imparted on MPs from issues emanating from and relevant to peace building and conflict prevention are sustainable at the individual MP level. This however, is at odds with the harsh reality that there is high MP turnover. The only consolation is that these skills will not be lost to society and that it is not inevitable that MPs will in some circumstances be re-elected and resume their public duties in these and other capacities.

⁸ For more information see www.amaniforum.org.

3.2.2 East African Law Society (EALS)

The East Africa Law Society (referred to thereafter as The Society) was established in 1995. Its mission is to enhance professional standards in the delivery of legal services and to promote constitutionalism, good governance, the just rule of law and the advancement, promotion and protection of human rights.

The objectives of the Society are to promote the role of lawyers in policy dialogue, popular participation and capacity development in the context of the East African Community and the integration of its communities⁹.

A team of experienced and competent staff resource the Secretariat. It is small and well organized. It has developed, over the past two years, reliable systems of financial and performance management and it is currently developing manuals to guide financial management and procurement.

The Society has a set of core programmes, most of which are relevant to the mission and the needs of the members. However, there are some issues, such as ensuring high standards in the delivery of legal services in the region, the need to harmonize curriculum and legal education standards of the law schools, and the issue of decline in ethics among practicing lawyers that, if addressed, would enhance the role and relevance of the Society.

The Society has a good comparative advantage over other organisations active in the field of democracy and human rights in terms of being membership based and governed. It should look for more creative ways to increase the benefits members get from its activities and in turn this should help it to get more financial support from the members through user charges and higher fees.

3.2.3 Education Centre for Women in Democracy (ECWD)/Women Direct

Women Direct emerged as an autonomous entity within the Education Centre for Women in Democracy (ECWD) as a result of an Evaluation mission's recommendation 2004, which stipulated that Women Direct should detach (or rather become autonomous) itself. The network is built on four pillars: Democracy, Equality, Empowerment and Peace.

Women Direct is an effective organisation. After the recruitment of new staff in the spring 2005 the organisation has been catching up. In the beginning there was no system for following up and updating work plans in place. Women Direct efficiency stems from its ability to be active both locally and regionally. Thus, the regional experience will also feed into the local work with the poor and marginalized. These are supposed to be synergies between the efforts to share views and lessons learnt between the partners and increased efficiency in each partner organisation's local work.

Due to the absence of methodologies for measuring outcomes and results, narrative reporting does not offer conclusive evidence. Having examined Women Direct range of activities and interviewed some of its Core Partners (in Ethiopia, Uganda, Rwanda and Burundi), it became clear that some positive impacts in terms of women connecting regionally, sharing views and best practices, lobbying national and regional institutions to influence policies that change women human rights situations for the better is impacting positively on women participants and beyond.

The educational and capacity building and training activities often impart life-long skills that are sustainable by the individual woman participant in Women Direct programmes. The same applies to lobbying and advocacy which, in the case of influencing parliamentarians, would produce policies, legal and administrative instruments that are gender conscious and would, therefore, have long-lasting positive impacts on women lives beyond Women Direct partners and programme participants.

Women Direct programmes and activities are highly relevant not only to Sida Regional Framework in Democracy and Human Rights, but also for the six partner countries and also in countries such as

⁹ For more information see www.ealawsociety.org.

Somalia and Southern Sudan. However, such expansion of coverage and range of programmes may entail a shift in strategy and work style. The pros and cons for the existing mission and vision as well as the current level of programme consolidation should be assessed before entering into expansion or an up scaling of activities. Moreover, expanding the programme is dependent on financial resources as well as increased human resources.

3.2.4 Kituo Cha Katiba (KCK)

Kituo Cha Katiba was established in 1997. Its mission is to promote constitutionalism, good governance and human rights in the contexts of the East African region as a whole. It brings together leaders from government, academic institutions and civil society and provides them with opportunity to share ideas and experiences on how to promote democracy, constitutionalism and human rights in the region.

KCK is a regional NGO based in Kampala. The organisation's mission is to protect and promote constitutionalism, good governance and democratic development in East Africa. Its vision is to promote the active participation of civil society in good governance and to inspire a culture of democratic practice that reflects the inspirations and needs of the common people and democratic governance as applied to everyday life situations, starting from home and extending to the work place, community, nation and East Africa at large.

The development goal of this project is to influence the active participation of citizens in ensuring a people-centred East African Community that is responsive to democratic development, rule of law and the protection of human rights. The two primary activities of this project are (i) deepening dialogue and consultations on civil society participation in rebuilding Rwanda and the promotion of human rights and democracy and (ii) strengthening human rights commissions' collaboration at a regional level in relation to the EAC.¹⁰

"Towards a People Driven East Africanness" is a one-year project, which commenced in September 2005 with a total amount of SEK 850,000. Previously, KCK successfully implemented another project funded by Sida, entitled *"Enhancement of Civil Society Participation in Democratic Development and Rule of Law in East Africa"*.

3.2.5 AWEPA

When East African Legislative Assembly (EALA) was inaugurated in 2001, most of its Members had very little political experience and found the Parliamentary system adopted by EALA unique. With the support of AWEPA, members and staff of the Assembly have been empowered to carry out their specific mandates through capacity building seminars, study visits and exchange programmes to similar institutions. Objectives are categorised in terms of support to all members of EALA, support to staff of EALA and support to committees of EALA.

The regional AWEPA office is based in Nairobi.¹¹ Support to EALA through AWEPA started in March 2005 and spans a three-year period. Funding is agreed at SEK 6 million. NORAD also funds EALA through AWEPA. The AWEPA/EALA component was evaluated last year (2005) in a study commissioned by NORAD.¹² An organisational review of AWEPA was carried out by Sida/Professional Management AB 2006¹³.

¹⁰ For more information, see www.kituoachakatiba.co.ug.

¹¹ For more information see www.awepa.org.

¹² Royal Norwegian Embassy, Report to the EALA/AWEPA/NORAD Project, for the Royal Norwegian Embassy Prepared By, T. L. Maliyamkono of ESAURP, 2005.

¹³ Professional Management AB: Organisational review of The Association of European Parliamentarians for Africa – AWEPA (2006-04-30)

4. The Salient Features of Sida Regional Framework and its Relevance to the Evaluated Organisations

4.1 The Salient Features of Sida Africa Regional Strategy

The Programme is informed by three strategic considerations, which we summarise as follows:

1. In the implementation of the Swedish strategy for support to regional cooperation in Africa, the international discussion on global public goods should be taken into account. Swedish support for regional cooperation should therefore be shaped in such a way that poverty reduction, the overall objective of Sweden's development cooperation, coincides with African priorities for combating poverty in a regional perspective.
2. There should be active, responsible and committed African ownership of the organisations in question. However, a strong organisation at regional level is not enough. Cooperation must be based on commitment and ownership on the part of national member institutions. Concentrating efforts in this manner may result in erosion of national competence. Thus, it is important for regional cooperation to have direct positive repercussions on national skills and capacity.
3. These organisations should not be made the primary starting point for cooperation. The point of departure should be an analysis of areas and functions suitable for, or requiring, regional cooperation for development and, in particular, preconditions for regional involvement. In the preparation of activities, identification of areas for regional cooperation should go hand in hand with an analysis of ownership and potential implementation organisations. In principle, intergovernmental alliances, other organisations with regional mandates and organisations in individual countries belonging to a regional network may be considered eligible for Swedish support.

The five evaluated organisations fall within and respond to the broader strategic considerations developed by Sida therein, albeit using different programme focus, regional approaches and methods of implementation – we dealt with these separately in the Evaluation Report of the organisations supported under the programme. However, below we provide a synoptic illustration of the relevance of the programmes and activities of the five organisations to Sida's three strategic considerations:

Table 1: Relevance to Sida Strategic Considerations

No	Organisation	Relevance to strategic consideration I	Relevance to strategic consideration II	Relevance to strategic consideration III
1	Amani	Amani activities are highly relevant to Sida strategic considerations pertaining to supporting regional organisations on global public goods and the poverty reduction dividend of conflict management and peace building.	Amani membership is regionally focused without eroding national competences. Its programmes are driven by its membership and chapters created in its countries of operation, with dialogue and capacity building at the core of its activities.	Amani Interparliamentary dialogue for peace building and capacity building is a form of intergovernmental cooperation at a regional level. The activities are identified, and acted upon by the parliamentarians while the Secretariat operates as a coordinating and regional networking formalizing body.

2	Women Direct	Women Direct activities are highly relevant to Sida strategic considerations. Its work on empowering women, capacity building for leadership and society, HIV/AIDS and gender violence at the regional level is within the overall purview of poverty reduction and social equality between men and women.	Women Direct collaborating partners are regionally drawn from all the countries of its operations. Some of these partners existed well before Women Direct was established and it is only through Women Direct that they began to cooperate regionally. Their regional cooperation is as deliberate as it is systematic in annual strategizing for a number of workshops and programmes in areas of significance for women empowerment.	The collaborating organisations are the primary starting point with Women Direct and its Service centre actually working as a service centre for these organisations. The partnerships, and the exchange of skills and experiences through an Internship programme to impart skills on the weaker partners, is a strong indicative of the capacity building roles of Women Direct. This is, of course, in addition to empowering its partners in general.
3	Kituo Cha Katiba	Relevant. It works closely with groups that address core issues related to poverty and poverty reduction. The Centre, however, needs to sharpen this focus more.	The regional ownership of the programmes in terms of design, management and implementation is very high. The Centre works closely with highly competent and accomplished researchers and policy analysts. It needs, however, to strengthen the ownership by adopting a membership structure so that more stakeholders can join and contribute to the shaping of the programmes and outcomes.	Highly relevant in that the results on the ground are measurable. The Centre plays a key role in acting as a broker between government departments in each country as they have no national frameworks for negotiation over how they affect each other. Hence ownership at national and regional level is strengthened as the various stakeholders find in the centre a neutral ground on which to engage in dialogue.
4	East African Law Society	Implicitly poverty reduction is at the heart of the activities of EALS. However, this is not explicit from its activities and programmes. It needs to sharpen the focus on poverty and at least give an indication of their awareness of the poverty issues and how it shapes governance, democracy and conflict.	EALS is very strong on ownership in terms of being membership based and membership driven. It has a strong organisational structure headed at all levels by competent professionals. It is a democratic organisation and can boast of practicing what it preaches.	EALS has relevant programmes whose regional ownership is unquestionable. It may want to consider addressing issues that touch on the legal profession such as standards of education and ethics among practicing lawyers, which may increase its relevance to regional issues and may further the process of cross border legal practice. Such issues, though addressed now, are not at the core of the programmes of the Society.

Source: Compiled by the Evaluation Team, July 2006

From the perspective of the Evaluation Team, all four organisations implement programmes and activities relevant to Sida strategic considerations. However, some organisations (Kituo Cha Katiba and East African Law Society) have more to do in order to reach the high congruency levels of Amani and Women Direct. This requires working towards creating partners and a sense of ownership not centred on the organisations themselves, but rather driven by direct collaborating partners to ensure that their “products/outputs” find their way to the targeted “populations”.

4.2 Mutual Relevance of Sida Regional Strategy Objectives

The overall objective of support for regional and subregional development cooperation is to help fight poverty in Sub-Saharan Africa. In addition, the international development objectives, defined at various UN conferences in the 1990s and by the OECD Development Assistance Committee (DAC) and summarised in the Millennium Declaration of the year 2000, should form the basis of the content of regional development cooperation.

Direct efforts to reduce poverty take place mainly at local and national level. Conditions for achieving this can, however, be improved and long-term obstacles removed through regional cooperation. The regional strategy deals with these matters and proposes areas for Swedish activities.

The aim is that, by the end of the five-year period, Sweden's support for regional cooperation should have helped to increase African capacity to cope with the following tasks:

1. Reducing the spread of HIV/AIDS in a region, and strengthening other regional cooperation in this respect;
2. Managing and preventing regional conflicts;
3. Achieving sustainable economic growth through regional economic cooperation and integration for development of trade, investments, etc.;
4. Engaging in cooperation regarding natural resources that require joint management, and sustainable utilisation of cross-border ecosystems;
5. Supporting networks and regional institutions for exchange of knowledge and joint policy development in healthcare, education and culture, and also in relation to democracy, human rights and gender equality;
6. Developing regional infrastructure to link transport, energy and ICT systems;
7. Promoting professional skills and institutional capacity in various sectors, both as a basis for national development and to carry out negotiations on international conventions and agreements and their implementation.

In Table 2 below we use more raw scores (1–4):

0. Not relevant (0): This score means that the organisation is actually not active at all or currently has no programmes and activities within Sida regional framework programme objectives;
1. Minimally relevant (1): The programmes and the activities the organisation currently is undertaking would have an indirect impact (e.g. linkages between women empowerment and reduced violence against women or the likely positive impacts of peace building on reducing HIV/AIDS or human rights abuses);
2. Indirectly Relevant (2): The programmes and activities undertaken by the organisation are relevant to the regional framework;
3. Relevant (3): The programmes and activities undertaken by the organisation are relevant to the regional framework programme and are directly relevant; and
4. Strongly relevant and meeting the objective (4): The programmes and activities undertaken by the organisation are relevant to the regional framework programme and are directly relevant, as well as meeting the objective.

If an organisation obtained the highest scores in all seven objectives of the regional framework programme, it will get 28 (i.e. 7 x 4), which is the maximum total score. However, in reality no organisation could attain 28 because the objectives and areas of intervention of the organisations differ.

These scores were obtained from the individual Reports of the organisations beforehand in order to indicate the extent to which there is a mutual relevance not only of Sida Africa's Regional Framework for the four organisations, but also for the four organisations themselves. In this sense the scores could be confirmed with reference to integrative aspects of the Regional strategy, some of which might not have been a major consideration in the initial stage of programme funding.

Table 2: Mutual Relevance to Sida Regional Strategy to the evaluated organisations and vice versa

Sida Regional Framework Objectives	Amani Forum	Women Direct	Kituo Cha Katiba	East African Law Society	African Legislative Assembly/AWEPA
1. Reducing the spread of HIV/AIDS in the Region	1	4	1	1	2
2. Managing and preventing regional conflicts	4	1	2	2	4
3. Achieving sustainable economic growth through regional economic cooperation	2	2	1	1	4
4. Engaging in cooperation regarding natural resources that require joint management	2	1	0	0	4
5. Supporting networks and regional institutions for exchange of knowledge and joint policy development	3	4	2	2	2
6. Developing regional infrastructure to link transport, energy and ICT systems	3	1	1	1	0
7. Promoting skills and institutional capacity in various sectors	4	4	1	1	4
Scores	19	17	8	8	20

Source: Compiled by the Evaluation Team, July 2006

Although we can read a lot from this table, its major purpose is not the quantitative scores (which could be subjective, but probably within a narrow margin of one point at the most) it gives, but rather an indication of how Sida supported programmes fit into its overall strategy with direct and indirect linkages and relevance in an integrative manner.

Two conclusions can be drawn from the Table: 1) all supported organisations operate within the objectives of the Regional Strategy Framework because they plug an important grey area where non-governmental regional networks and organisations fail to meet this need or operate within it. 2) Despite the diversity of the programmes in which these organisations are involved, each has its regional comparative advantage in terms of target group (women, parliamentarians, think tanks, governments and civil society-cum-NGOs and individuals, groups, regional and national populations).

The implications of this for Sida's future work is to re-visit its strategic concerns and intervention areas in order to sort out what organisations operate within an integrative mode i.e. directly or indirectly support a variety of its global/regional objectives.

The very nature of the public goods in which these organisations are involved necessitate that some results and relevance of the regional framework programme cannot be easily quantified. For example, the immediate impression one gets from objective 6 is of an economic cooperation nature, although on the other hand, the framework description of the Areas of Support goes further to mention broader areas of concern such as governance and capacity building, with which the five organisations invariably deal.

4.3 Mutual Compliance with the Framework Parameters

Based on the Regional Framework strategic considerations, objectives, framework and implementation modalities, the areas eligible for regional development cooperation (coined the essential category) are identified as follows:

1. Conflict prevention and management
2. Economic cooperation and integration
3. Joint infrastructure and natural resources

The following parameters are treated as important when it comes to deciding on applications for support for African regional cooperation:

1. Clear indications of members' ownership through their own commitment in the form of resource contributions for cooperation
2. The existence of robust and transparent financial systems
3. Content of cooperation that is relevant to Sida's action programme to combat poverty
4. Application of the subsidiary principle
5. Long-term programme-oriented support in consultation with other donors.

Here again we use the same methodology used in the case of mutual relevance i.e. we use raw scores 1–4:

0. Non-compliant (0): The organisation does not comply with this criterion at all
1. Minimum compliance (1): The organisation applies the minimum denominator, with strong centralized organisational structure
2. Medium compliance (2): The organisation complies with this criterion, but there are some elements that should be improved;
3. Very good compliance (3): The organisation complies fully with this criterion; and
4. Maximum compliance (4): The organisation complies fully with this criterion and is required to consolidate the gains it has made by implementing new partnerships and/or networking strategies already in place.

The maximum score an organisation can attain is 16 (i.e. 4 X 4) i.e. it has maximum compliance with all four parameters. (Parameter (5), not mentioned here, is about long-term programme-oriented results in consultation with other donors support). It is more oriented for Sida in terms of compliance with undertaking long-term interventions, considering the nature of this particular type of public goods entrusted with the regional framework programmes.

Table (3) below is based upon the Evaluations of the organisations at hand in respect to mutual compliance with the framework parameters:

Table 3: Mutual Compliance with the Framework Criterion

Sida Regional Framework Parameters	Amani	Women Direct	Kituo Cha Katiba	East African Law Society	African Legislative Assembly/AWEPA
1. Clear indications of members' ownership through their own commitment in the form of resource contributions for cooperation	3	4	1	3	3
2. The existence of robust and transparent financial systems	3	4	3	4	4
3. Content of cooperation that is relevant to Sida's action programme to fight poverty	3	4	2	2	3
4. Application of the subsidiary principle	2	3	2	2	2
Scores	11	15	8	11	12

Source: Compiled by the Evaluation Team, July 2006

In applying these parameters to the evaluated organisations, Table 3 shows that all the four organisations work within the parameters set-forth by the regional framework, although Kituo Cha Katiba appear to be weaker in terms of membership ownership and also in terms of strong relevance to Sida's action programme to fight poverty, although an indirect relevance exists.

Second, all organisations apply weak subsidiary principle (i.e. delegating decisions to the lowest level of the organisations), except for Women Direct which operates with a large number of direct collaborating partners, each with its own programmes and activities enhanced by participating in its activities.

Third, obviously, those organisations with the highest level of compliance with Sida parameters are also those whose programmes are of the highest level of relevance to Sida's Regional Framework. It is unfortunate that among the four organisations assessed, the East Africa Law Society is the only one that has no other donors than Sida and could be described as a chronically Sida-dependent organisation (i.e. Sida is the only funding agency which supports it). Amani is equally Sida dependent but has a few other funding donors, which contribute far less than Sida. KCK has one of the lowest levels of compliance with both Sida regional framework strategy objectives and parameters.

5. Responding to the Evaluation Questions: Findings, Conclusions, Lessons Learnt and Recommendations

5.1 Objectives

The Regional Frameworks objectives are to *“promote democratic governance, and thereby management of conflicts, in the East African countries”* with a view to Sida's goal of contributing to *“an environment supportive of poor people's own efforts to improve their quality of life”*.

Two questions are raised in the ToR: To what extent are the Framework's and Sida's overall objectives being met? What are the reasons for achievement or non-achievement of objectives?

The ToR states that the underlying thought for the Regional Democracy and Human Rights programme is essentially that certain challenges to development in the Greater East African countries (Kenya, Tanzania, Uganda, Burundi, Rwanda, Ethiopia and to a lesser extent Zambia, Sudan, Somalia and Democratic Republic of Congo) must or can benefit from a regional approach. Although some challenges are perhaps better addressed at a local/national level, it is evident that a regional approach is sometimes necessary and that it often adds value.

The evaluation team's assessment is that the objectives are met to a large extent. However, the success of the programme might have been even bigger if the following issues had been elaborated on from the outset:

1. It is not evident that the regional approach has a focus on the ongoing *integration* in the region. The evaluation of the four organisations supported under the programme indicates that it has been a mix of support to regional and/or sub regional *cooperation* and regional integration.
2. Sida is supporting a number of organisations independently under the Framework. However, there is no mechanism established to link these interventions to each other or to create synergies between the organisations and their programmes.

5.2 The Strategy

The following question is raised in the ToR:

How does the Framework fit into the Swedish Strategy for Support for Regional and Subregional Development Cooperation in Sub-Saharan Africa 2002–2006 and the draft strategy for 2007 onwards?

5.2.1 The 2002–2006 Strategy

The evaluation team's assessment is that the Framework fits in very well with the Swedish Strategy for Support for Regional and Subregional Development Cooperation in Sub-Saharan Africa 2002–2006. The overall objective of the current programme is to *“promote democratic governance, and thereby management of conflicts, in the East African countries”* with a view to Sida's goal of contributing to *“an environment supportive of poor people's own efforts to improve their quality of life”*. To this end, the programme focuses on activities related to:

- developing and/or working with agents of change
- engendering politics through the empowerment of women
- developing and/or working with conflict management mechanisms
- creating synergies between attempts to promote democratic governance in Greater East Africa

According to the Swedish Strategy for Support for Regional and Sub regional Development Cooperation in Sub-Saharan Africa 2002 – 2006, areas that should be particularly eligible for Swedish support for regional development cooperation to prevent and manage conflicts include:

- cooperative mechanisms that can mediate between parties in conflict
- post-conflict measures to stabilise agreements
- co-ordinated efforts to combat cross-border criminality, terrorism, ‘warlordism’, trade in small arms, etc, primarily through police and customs cooperation
- cooperation to analyse trends with the potential to threaten security in a region and propose preventive measures
- cooperation on migration issues, which is also connected with HIV/AIDS.

The areas covered by the Framework are relevant to the ones particularly mentioned in the Strategy.

Most inputs for regional development cooperation currently embodied in the Strategy require them to be channelled through regional and subregional organisations of an intergovernmental or private nature, and also non-governmental organisations. More or less informal networks and centres of excellence will also play a significant part. All organisations supported under the Framework meet these requirements.

Regional cooperation in Africa should, to a large extent, take place through intergovernmental organisations. Examples of possible actors and areas in this category mentioned in the Strategy include the East African Community (EAC) for coordination of poverty-alleviating measures in the Lake Victoria area. EAC is targeted by the interventions under the Framework by:

- The objectives of the EALS promoting the role of lawyers in policy dialogue, popular participation and capacity development in the context of the East African Community and the integration of its communities
- The development goal of the KCK project, which is to influence the active participation of citizens to ensure a people-centred East African Community that is responsive to democratic development, rule of law and the protection of human rights. One of the two primary activities of this project is to strengthen human rights commissions' collaboration at a regional level in relation to the EAC.

Table 3 (page 20) illustrates a high degree of mutual compliance with the parameters set forth in the 2002–2006 Strategy, an apparently important fact that pertains to deciding on which applications to support for African regional cooperation.

The Strategy states that in the identification of channels the organisations that receive Swedish support can serve either to implement programmes, on the one hand, or to lay down norms and create policy on the other. The organisations supported under the Framework meet this in a suitable combination.

One ambition for the design of a Swedish support portfolio measures over the period covered by the framework strategy is that, within the framework of priorities in terms of content, the emphasis should be shifted from individual projects to an integrative programme approach relating to the above-mentioned strategic categories. As noted in section 5.1 Sida is supporting a number of organisations independently under the Framework. However, there are no mechanisms established to link and integrate these interventions to create synergies between the organisations and their programmes.

5.2.2 Draft new strategy for support to regional development cooperation in Sub-Saharan Africa

Sida is in a process of formulating a new strategy. A first draft has been circulated recently¹⁴. Although it is too early to assess the impact of the new strategy on the future programmes in the region, some comments in lieu of the experience of the outgoing strategy (2002–2006) are important.

The existence of only one (instead of four) guiding document regarding regional and subregional development cooperation will facilitate the interaction and enhance the coherence between the different subregional programmes.

The Swedish regional and subregional development cooperation in Sub-Saharan Africa should consider as its guiding principle the application of a right-based perspective expressed through participation, non-discrimination, openness and transparency and accountability. This means that the human rights of the most disadvantaged in society (poor men, women, boys and girls, and their needs, experiences and capabilities) and giving them voice through regionally cooperating NGOs and CSOs should be at the centre of Swedish analysis, dialogue, financing, monitoring and evaluation. In a regional context, it is more likely that elected representatives and for that matter NGOs and civil society organisations will represent the political voice of the political, economic and social elite rather than those of the poor.

In the draft strategy, four main goals are identified:

- Achieving peace and security
- Combating HIV/AIDS, Malaria and Tuberculosis
- Achieving agricultural led pro-poor-growth and food security
- Improved regional governance and architecture

The following goals are suggested in the draft:

1. The goal for peace and security is to increase capacity of African institutions to prevent conflicts and to mitigate the effects of humanitarian crisis and migration.
2. The goal for combating HIV and AIDS, Malaria and Tuberculosis is to increase African capacity to handle the pandemic of AIDS, Malaria and Tuberculosis through the joint development of a framework between African actors and International Cooperating Partners, i.e. donors.
3. The goal for agricultural led pro-poor growth and food security is to address agricultural growth in a wide perspective addressing necessary preconditions from the perspective of the poor.
4. The goals for regional governance are participation for poor men, women, boys and girls through democratically elected representatives, the non-discrimination of individuals, population groups or opposition, transparency and accountability.

¹⁴ Sida: Draft strategy for support to regional development cooperation in Sub-Saharan Africa (2006-07-12)

The embassies in Abuja, Addis Ababa, Dakar, Dar-es-salaam, Gaborone, Lusaka, Nairobi and Pretoria are suggested as key players in the dialogue and follow-up of regional development cooperation.

The new strategy also emphasises that Sida should increase its efforts on developing effective methods to measure results from regional and subregional programmes at the beneficiary level.

It is the evaluation team's assessment that the recommendations we provide in this report as well as the recommendations in the report on the evaluation of the organisations supported under the Regional Framework Strategy are in accordance with the new draft strategy.

5.3 The Regional Approach

The following questions are raised in the ToR concerning the regional approach:

- What relevance does the regional approach have on a national level?
- What is the value added by taking a regional approach to Democracy and Human Rights?
- Can better results be yielded with a still regional, but different, approach?

Each question is dealt with in a section below:

5.3.1 What relevance does the regional approach have on a national level?

The question of when and whether a regional approach is preferable over a national approach has been proven to be valid. Some advantages to a regional approach have been identified:

- i. As a result of the sensitivity of certain Democracy and Human Rights related issues, a regional approach may open up dialogue between concerned parties (Amani Forum Peace dialogue, inter-parliamentary visits to conflict areas and Women Direct regional strategizing on violence against women in sensitive policy initiatives in the male-dominated African society). The latest strategising held by Women Direct is *"beyond numbers and empowering women in public life and decision making positions"*, which is equally sensitive and would have been met with resistance if it was not part of a regional programme. East African Law Society has been publishing special issues of its magazine on issues pertinent to human rights across the region, with the last issue on gender and the law in East Africa.
- ii. When national Human Rights organisations are unable to report on Human Rights abuses, organisations in other countries may do so. For example, East African Law Society is able to deal with sensitive issues in Rwanda, which would be difficult for Rwanda based human rights organisations to deal with. Another case in point is Progynist in Ethiopia, which took over issues related to democracy and peace, within the Women Direct programmes. Progynist has recently boosted its women and children's human rights awareness activities with a formal paralegal/human rights education programme. Amani fact finding missions conducted by parliamentarians from more than one country report on conflict, human rights abuses and possibilities for dialogue as peace building measures.
- iii. A regional approach has provided opportunities to expose national actors (governments as well as civil society) to experiences from other countries. We are informed by Burundi Human Rights League "Iteka" that its partnership with Women Direct has strengthened its resolve to work under difficult situations. It works to defend and promote human rights as well as keep communities informed on human rights issues. Its programme areas are human rights monitoring, legal assistance, and campaigns for peace and reconciliation and refugee repatriation. Iteka have a programme on gender violence and a rape crisis centre.
- iv. It is cost effective to conduct studies and/or engage in training and the like in a regional forum as opposed to conducting identical/similar activities in several countries.

The evaluation shows several examples of the first three advantages. However, what is not obvious from the lessons learnt so far is that regional approaches are not less costly when integration, coordination, cooperation and synergies have not yet been created.

5.3.2 What is the value added by adopting a regional approach to Democracy and Human Rights?

The four evaluated organisations illustrate (in addition to the advantages outlined above) that there are at least two value added elements; one substantive and the other technical/managerial:

- i. Substantively, the regional approach has contributed some substantive measure in availing space for like-minded organisations (Women Direct), public interest individuals with political clout (Amani Forum, AWEPA), special public interest associations (EALS) and human rights organisations (KCK).
- ii. Procedurally and technically, cost effectiveness and efficiency are positive value added elements. We also allude to this in point 5.3.1 above.

5.3.3 Can better results be yielded with a still regional, but different, approach?

The organisations supported under the Framework have their contact with the Swedish Embassy in Nairobi. They claim the other Swedish Embassies in the region have shown little or no interest in their work. None of them have visited any of the organisations from the other Embassies. However, when it comes to e.g. Women Direct there has been some contact between Embassies and the partner organisations at the local level.

The contacts between the Swedish Embassy in Nairobi and the HQ of the four organisations have been mainly on email and telephone. Each one of the four organisations has been invited to meet with the relevant programme officers at Sida in Nairobi several times and these meetings have been appreciated by all parties. The Embassy has invited all organisations to an informal meeting once and that was also highly appreciated. However, it is rare that someone from the Swedish Embassy visits the organisations.

5.3.4 How can synergies with the bilateral strategies be developed and strengthened?

As this is a regional framework we do not support the idea of linking it with national policies. Our view would remain within the current framework i.e. *“Not to make these organisations the primary starting point for cooperation. The point of departure should be an analysis of areas and functions suitable for, or requiring, regional cooperation for development and, in particular, preconditions for regional involvement. In the preparation of activities, identification of areas for regional cooperation should go hand in hand with an analysis of ownership and potential implementation organisations”*.

Because all of these countries have signed regional (as well as global) policies on democracy and human rights (AU, NEPAD, SADEC, EALA etc.) we are of the opinion that the reference point should be regional and not national policies. Naturally, the programmes will be implemented nationally and their national contribution to national policies is a matter of fact (that is if they succeeded in achieving their regional objectives).

5.3.5 Mechanisms on linking organisations and synergies

Our suggestion in the area of linking organisations and creating synergies is far less ambitious than that of requiring the organisations to develop a joint comprehensive programme, because of such factors as legal and administrative, as well as ethical foundations (i.e. using resources to ‘coerce’ organisations to work together with the likelihood of several internal squabbles over resources, organisation and coordination aspects).

We propose that Sida avails the necessary resources for holding an annual workshop to be attended by all its funded organisations under the regional framework programme. This workshop should/could at least aim at the following:

1. Annual information sharing workshop for the organisations to be organised by Sida under the new regional framework strategy. It would be informative for Sida, who could interact with a large number of partners and exchange views with them on recent developments within the organisation;
2. The annual regional workshop would also be informative for the organisations i.e. an opportunity for the organisations to introduce their regional programmes, objectives, method and achievements. This would also encourage the organisations to be transparent and amenable to comments in self-peer reviewing, thus creating a community of like-minded organisations with the common aim of advancing their own regional agenda in tandem with Sida;
3. The workshop would allow the sharing of experiences, particularly for new-comers to benefit from old-timers and exchange views on reporting, programme development, planning, monitoring and evaluation etc.;
4. The workshop would enhance cooperation between organisations that have much in common, who could invite each other to their activities, coordinate efforts such as holding joint workshops in areas of mutual interest or cross-cutting issues e.g. gender, poverty alleviation, conflict (both social and violent); and
5. It would provide capacity building for the organisations, particularly by organising a training programme in tandem with the annual workshop for imparting to the organisations knowledge on development aid management tools, reporting (narrative and financial) techniques, donor harmonization policies and any areas where the Embassy offices experienced poor or inadequate partner responses to requests, etc.

5.4 Composition of the Framework

Four questions are raised in the ToR on the composition of the Framework:

- Are there other thematic areas and/or partners that would benefit from being included in the Framework?
- How can the composition of the portfolio be improved?
- Should Sida draw up specific criteria for decisions on whether to support projects/programmes?
- Should the desk proactively seek projects/programmes to support?

We answer these questions with reference to the individual reports and Table (2) on the matrix of the Mutual Relevance to Sida Regional Strategy to the evaluated organisations and vice versa.

5.4.1 Are there other thematic areas and/or partners that would benefit from being included in the Framework?

Three thematic areas and respective partners could be considered within the Sida next regional framework:

- i Regional (transnational) and cross-political party cooperation, specifically aimed at familiarizing opposition and political parties of different countries of their role (as government or potential governments) in furthering the cause of democracy and human rights. In recent years, more attention has been given to parliaments and less to political parties, although at the onset of the democratisation process during the 1990s, philanthropic democracy organisations spent commendable time, efforts and resources to promote political parties. There is need to strengthen the functioning of multi-party democracy by encouraging cross-party cooperation both at the national and regional levels.

At the national level cross-party cooperation and capacity building pertaining to political party (internal and external) regulations, managing coalitions, electoral systems reforms, government and opposition in dominant party system (South Africa, Mozambique, Ethiopia, Namibia to mention but a few of the 16 dominant party systems in Africa) is crucial for democratic consolidation.

Regionally, there are currently transnational African party-to-party networks and associations linked to party internationals: African Christian Democrat Union (10 parties in 10 countries), Democrat Union of Africa/African Dialogue Group (31 parties in 16 countries); Africa Liberal International Group (14 parties in 12 countries); Africa Socialist International Members (22 political parties in 19 countries); and the Green Party Federation of Africa (14 parties in 14 countries).

Some of the party members of these networks and associations are in government (individually or in coalition with other political), while others are in opposition. Because of their national and regional democratic and human rights significance, improving their organisational and networking capacities across ideological lines, it is also important to support them outside the party internationals. Their regional nature (not alone but also in addition to other major political parties), make them more independent defenders of human right (also considering their global outreach) than the current parties represented in Africa's regional and sub regional organisations which are inter-governmental by nature. It is also evident that a network of non-partisan political parties enhances cross-party cooperation at the national level.

As to who leads this type of effort, what comes to mind is an international independent democracy promotion institute such as IDEA (with its track record and experience in political party promotion) or any regional institution such as IDSA (South Africa), or Democracy Institute (Ghana).

- ii. Information providers in the area of democracy and human rights such as indigenous journalists and alternative (non-governmental) media with clear and effective messages (this will be elaborated in 5.4.2 below) in terms of developing an integrative regional framework. Having known that Sida currently supports ECONews, which works with community based radio stations in three countries, we still strongly advise in strengthening this aspect of human rights and democracy. We can add that MISA in Southern Africa, International Centre for Journalist, Africa, Institute for the Advancement of Journalism (South Africa), International Women's Media Foundation (Africa) are possible candidates;
- iii. Regional research and training institutions in the field of democracy and human rights as capacity building trainers and impact assessment services providers for regional activists/policy dialogue and policy influencing organisations such as and similar to Women Direct and Amani Forum. There are three aspects to this proposal, two of which are outlined below:
 - 1) Hire a consultancy firm or a training centre to conduct biennial training workshops for Sida regional partners in areas where there is demand for capacity development, and
 - 2) Promote a role for ELAS and KCK to become trainers for special category actors within the organisations funded through the regional framework (women leaders on democracy and human rights, members of parliament on conflict management; democracy and human rights promoters, etc). These targeted training programmes differ from those offered by others in a sense that they should be tailor made with the possibility of tracking those who benefited from them to evaluate their efficacy in improving the quality of the trainees' interventions in their respective programme areas.

The Evaluation Team's assessment is that these suggestions do not contradict the guiding principles presented in the new draft regional framework strategy. However, the draft strategy is not directly targeting interventions at this detailed level, an aspect that could be improved.

5.4.2. How can the composition of the portfolio be improved?

The current composition of the portfolio could be improved if:

- i. Trade-offs and interfaces between the current programmes and Sida's Policy for Culture and Medicin Development Cooperation are created, in particular the freedom of expression and human rights components and the Internationalization component. This will sharpen the focus on two significant developments: first, better facilitation and enhancement of the use of information and the media for serving human rights and democracy aspects of the current and future programmes. Second, up-grade the current networking capabilities and exchange of information in alliance with regional information and media networks;
- ii. Some more organisations could be added to the current partners. In particular we recommend that research and training institutions in the area of democracy and human rights (independent, university and tertiary) should be included and effectively used for informed and up-graded capacity building programmes for the respective organisations. As mentioned in 5.4.1 there is the possibility of prompting organisations such as East Africa Law Society and Kituo Cha Katiba (almost overtaken by current development in the democracy and human rights industry) to become providers of targeted regional research and training programmes of direct relevance to partner organisations such as Women Direct and Amani Secretariat, who are currently overwhelmed with the myriad of demands made by their national chapters and partners. One positive effect of this would be the creation of mutual interdependence between regional organisations as providers of mutually needed services;
- iii. Multiple stakeholders' regional capacity development training on democracy and human rights is conducted for the police, the army, liberation movements and major social forces (political parties, NGOs, civil society and the private sector) in post-conflict situations for peace building. Parliamentarians could play a pivotal role in facilitating such processes, which strengthen the drive towards peace.

5.4.3 Should Sida draw up specific criteria for decisions on whether to support projects/programmes?

Sida's current criteria (see tables 2 & 3) is comprehensive and could be treated as an integrated set of principles linked to its overall priorities in programme-wide process that should integrate other policy elements (e.g. information and the media).

5.4.4 Should the desk proactively seek projects/programmes to support?

One of the weakest points in the regional framework is that it does not allow the desk sufficient time to be proactive. For instance, three areas where the desk should be proactive follow:

- i. The evaluated organisations are not fully aware of the existence and efficacy of Sida's regional framework programme. An initial workshop should be offered for all partners to explain (and even re-explain) the regional framework, its identity, core values, objectives, parameters and expected outcomes both for the benefit of Africa and the development of the organisations as flagship organisations for regional cooperation;
- ii. The evaluated organisations are not aware of the existence of donor aid management packages and methods (SWOT, Logframes, result-based programming, the significance of Monitoring and Evaluation methodologies, action planning, programme cycle management techniques, financial and narrative reporting requirement and format, etc). We propose that it is very important that the desk commission professional firms with the knowledge of these important aspects of donor policies and requirements to impart this knowledge on the funded organisations. This will yield significant results: 1) make the organisations aware of donor requirements and 2) save the desk time and effort, particularly reducing paper trail and heightened emotions when the financed organisations complain that they are made aware of these requirements very late in the process of project implementation, audits and evaluations.

- iii. Although the programmes and activities of the evaluated organisations command several compelling areas of synergy, and by this very fact their compliance with the regional framework strategy is generally high; they do not cooperate with each other. Systemic and deliberative Sida desk proactive contribution could change the current mode from disjointed to integrative programme development. Such proactive dialogue will not only further the strategies impacts, but also ensure the implementation of needed improvements in Sida result tracking methods.

5.5 Results and Effectiveness

Finally, ToR raised two questions on results and effectiveness:

5.5.1 How can the Frameworks be made more effective?

As an independent governmental body Sida's working methods and approaches are more related to cooperation with governments than NGOs and Civil Society Organisations. However, it is also known to be flexible in working with small NGOs and Civil Society Organisations which have limited administrative resources and practice. In some instances, some NGOs and Civil Society Organisations applaud the working methods and approaches of Foundations, such as the Ford Foundation. The Ford Foundation, for instance, visits all the grantees a couple of times every year and also are assessed more flexibly in meeting the CSOs need for institutional support and institutional strengthening. The counter argument is that Sida has developed methods and a code of conduct for civil society organisations and a Civil Society Centre, which should be applauded, although unfortunately CSOs and NGOs are not adequately integrated into the draft Regional framework strategy.

The new draft strategy seems to be even more oriented towards governments and intergovernmental organisations. Sida should consider the importance of developing working methods and a code of conduct that also meet the conditions of small CSOs.

5.5.2 In what way can Sida improve its tracking of results yielded in the short, medium and long term?

Result Tracking

It is difficult (almost near impossible) to develop indicators that would satisfy all partners due to their programmes diversity, size, objectives, targeted audiences, capacities and implementation modalities. On the other hand, partners' result-tracking indicators also vary considerably and should be taken (1) at their face value, (2) in conjunction with a set of Sida specific indicators derived from its overall strategic consideration and (3) with the partners being aware of the thresholds implicit in these indicators.

While the idea of HQ visiting partners is an excellent one, it would be more effective if the Embassies in the region also do the same so that they do not see themselves only as agencies. Embassy visits do not imply any contradiction between the idea of a regional based programme and bi-lateral programme because some of the chapters constituted an element of subsidiary by operating at the lowest level of the regional spectrum. In the latter instance, the partners conception of the Embassies are as if they are disinterested in their work at worst and interested only in technical and not the human aspects of their work at best. Embassy apathy could also reinforce the conception that as holders of the purse, they are positioned as leaders of development power structures – a conception that we do not share, but has been mentioned off the record as a matter of concern.

The existing surveys (Afrobarometer and World Value Survey) cannot be used as substitutes to result tracking indicators developed specifically to deal with programmes funded under the regional framework strategy. These surveys are somewhat helpful to the academic world but have really limited value for policy makers because the very nature of these materials collected for the purpose of opinion gathering, is not programme based or immediately policy relevant. While the findings of some these surveys are statistically reliable (i.e. they are based on accurate statistical analysis and research methods)

their resonance with real life situations is far from valid (for example, while the Afrobarometer claims that there is high level of support for democracy in Mali, depending on the sample interviewed, in actual reality, Mali has the lowest voter turn out (VTO) in the World, (just over 26%)). Although this is not meant to discredit these surveys, they have been used by the academic world (particularly political scientists) with limited effects only to be criticised by those who have deeper knowledge of how some organisations work. With all honesty, their impact on shaping (or rather reshaping) public opinion (by enthusing the public takes action) or enticing politicians to respond directly or indirectly (Government responsiveness) is too meagre to say the least.

The quick surveys developed by Sida Civil Society Centre/ITP will do, and the surveys could be conducted by a range of candidates:

1. Contracted Swedish research institutions (in collaboration with or individually) and African research centres, based on small research grants on the impact of NGOs and civil society activities, synthesized for comparative purposes at the sub-regional and regional levels;
2. Consultancy firms; and
3. Non-partner African and non-African democracy promotion institutions

Process or result-oriented Indicators

Our view is that disaggregated reporting indicators dependent of the period since the programme was implemented will serve different purposes for Sida and the funded organisations. Disaggregated reporting indicators are not about whether to use result or process-oriented ones.

1. The indicators should be process-oriented in the first three years (short-term). The questions such as those often asked by Sida about the capacity of Sida-funded organisational and financial management to implement the programme (financial transparency and accountability through thorough auditing earlier on), quality of reporting to donors, meeting reporting deadlines etc. are important considerations. For example, this type of indicators will apply to Amani and Women Direct;
2. Medium-term indications will include a combination of (limited) result (with emphasis on outputs) and process-oriented indicators. These will help Sida and will also be fair to the organisations enabling them to verify whether Sida comments on and concerns of subsequent narrative reports are followed through and reflected in the organisations programme planning and implementation; and
3. Long-term result-oriented indicators with the view that certain organisations have been under multi-annual funding arrangements and results could/should therefore be tracked in a more robust manner. If procedural and limited result-oriented indicators (in the short and medium-terms) are satisfactory, which justifies proceeding with funding the organisation, then 6 – 9 (10) years should provide sufficient time for the use of result-oriented indicators. EALS and KCK fall within this category, but because they have not developed result indicators, working with Sida indicators alone, the results are one sided and grossly not productive as these should have been built into the programme documents or the organisations strategic plan (which are new inventions for both of them).

Systematic and deliberative Sida desk proactive contribution could change the current mode from disjointed to integrative programme development (5.54). This statement is elaborated in terms of the following actions, which should be taken by Sida:

In conclusion, Sida could improve its tracking of results by its desk being more field visits oriented rather than doing office visits which are often limited in scope, time and range of issues to be discussed. The organisations' Sida Office visits are expensive for organisations located outside Nairobi and often deal with procedural rather than content issues. Instead, Sida desk should be given the time and resources to be proactive, as we have alluded to earlier.

Sida could also improve its result tracking of the organisations supported under the Regional Framework i. e. by using the same method as used by Sida for (1) its tracking of results at the Sida's Civil Society Center and (2) tracking results of Sida's International Training Programmes (ITP). Sida has, for these two programmes, developed a systematic approach based on web-based surveys. The web-based surveys are seen as a specific component of the Programme and are contracted out for a three year period to an independent evaluator (Professional Management AB). The web-based survey is distributed electronically to the stakeholders and the answers are anonymous. Web-based surveys give a wider base for an assessment on the work carried out by the organisations. The organisations are given the opportunity to nominate stakeholders for the surveys. From each of the relevant countries a number of respondents should be selected. In the survey, a representative sample of politicians, senior public officials, legislators and/or other beneficiaries should be asked about their views on the organisations, the outcome of workshops and seminars, what they have learnt, how they use their new insights, to what extent the organisation has been successful in achieving their objectives, their influence on legal provisions, etc.

This suggestion fits well with the new strategy that emphasize the importance of Sida increasing its efforts to develop effective methods to measure results from regional and sub regional programmes at the beneficiary level.

Regional Democracy and Human Rights Cooperation in Greater Eastern Africa – Lessons Learned and the Road Ahead

**Part II: Evaluation of the Projects/Programmes
Supported under Sida's Regional Democracy
and Human Rights Programme**

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1. Executive Summary

1.1 Summary of Evaluative Conclusions

1.1.1 Introduction

The overall objective of *Sida's Regional Democracy and Human Rights Programme* is to “*promote democratic governance, and thereby management of conflicts, in the East African countries*” with a view to Sida’s goal of contributing to “*an environment supportive of poor people’s own efforts to improve their quality of life*”. To this end, the programme focuses on activities related to:

- i) developing and/or working with agents of change
- ii) engendering politics through the empowerment of women
- iii) developing and/or working with conflict management mechanisms
- iv) creating synergies between attempts to promote democratic governance in Greater East Africa

Below we introduce the organisations in order to enable the reader to acquaint himself/herself with the rationale behind the conclusions and recommendations:

1.1.2 Amani Forum

Since its creation in 1998, Amani Forum has been able to establish itself as a respected regional network in the Great Lakes Region concerned with the peace building and conflict mitigation in one of Africa’s most protracted conflicts (in Burundi, Democratic Republic of Congo, Kenya, Rwanda, Tanzania, Uganda and Zambia). Amani network members have undertaken a wide range of peace building initiatives at the national and regional levels, including fact-finding visits to conflict zones, inter-parliamentary dialogues, inter-party dialogue, exchange visits of parliamentarians in conflict zones and election observations. Amani Secretariat is relatively small and efficient. There is a need to strengthen Amani Secretariat and Chapters to realize their objectives and provide the level of services required to empower parliamentarians to discharge their responsibilities as conflict managers and peace builders.

1.1.3 East African Law Society

The East Africa Law Society (referred to thereafter as The Society) was established in 1995. Its mission is to enhance professional standards in the delivery of legal services and to promote constitutionalism, good governance, the just rule of law and the advancement, promotion and protection of human rights. The objectives of the Society are to promote the role of lawyers in policy dialogue, popular participation and capacity development in the context of the East African Community and the integration of its communities.

1.1.4 Education Centre for Women in Democracy – “Women Direct”

Women Direct emerged as a semi-autonomous entity within Education Centre for Women in Democracy (ECWD) as a result of an Evaluation mission’s recommendations 2004, which stipulated that Women Direct should detach (or rather become autonomous) itself from the Kenya National office to provide for autonomy. The network is built on four pillars: Democracy, Equality, Empowerment and Peace (acronym DEEP). Women Direct is an effective organisation. After the recruitment of new staff in the spring 2005 the organisation has been catching up. The regional experience will also feed into the local work with the poor and marginalized. These are supposed to be synergies between the efforts to share views and lessons learnt between the partners and increased efficiency in each partner organisation’s local work.

1.1.5 Kituo Cha Katiba

Kituo Cha Katiba was established in 1997. Its mission is to promote constitutionalism, good governance and human rights in the contexts of the East African region as a whole. It brings together leaders from government, academic institutions and civil society and provides them with opportunities to share ideas and experiences on how to promote democracy, constitutionalism and human rights in the region. The research, dissemination, networking and capacity building outputs and outcomes are substantial and have contributed to raising awareness on constitutionalism, governance and human rights in the region. On the whole the resources have been efficiently used and the programmes are effective on the ground. The sustainability of the programmes will depend on the increased focus of the programmes and the resource acquisition strategies the Centre will adopt.

1.2 Recommendations

1.2.1 Introduction

In response to the overall purpose of the evaluation it should be stated from the outset that the interventions, programmes and activities of the four organisations are within Sida Africa Regional Framework Programme and are well on track and likely to achieve the intended objectives.

The Evaluation Team recommends that Sida continue to support the evaluated organisations. However, some imperative improvements should be made in order to maximise the outcome and impact of the work carried out by the individual organisations. In addition, the programme as a whole as well as each individual organisation would benefit from closer cooperation between the organisations.

The recommendations are deliberately written with that stated objective that the evaluation shall aim to recommend ways in which the projects/programmes can be improved, from an implementation perspective as well as a support perspective. The recommendations are detailed below for each organisation.

1.2.2 Amani Forum

It is recommended that

- Amani need to strengthen the Secretariat, particularly in respect to vacant positions and a senior professional knowledgeable of the prevalent development aid management instruments, donor policies and result based methodologies and approaches to assist the Executive Secretary to comply with donor requirements vis-à-vis reporting and proposal development;
- Amani should strengthen its monitoring and evaluation capability, knowledge and practice of donor aid management instruments and reporting requirements;
- Amani should improve its monitoring and evaluation strategy and establish a proactive follow-up procedure;
- Amani should clarify what it means by full, associate and affiliate membership, define function, duties and responsibilities of each and provide a classification of its current membership;
- Amani should implement its Chapters strategy and enable them to attain further ownership of the programmes and effective national monitoring and contribution to peace building and conflict prevention;
- Amani should develop a twinning of its Chapters whereby members of the Advisory Committee are appointed Convenors to support the National Coordinators and mobilize Amani parliamentarians;
- Amani should empower the Advisory Committee so that it has tangible impacts on its operations and give the Advisory Committee a budget towards supporting the activities and reports;

- Amani should clarify who is responsible for the management of its finances: The Executive Secretary or the Treasurer;
- Amani should harmonise the organisation's and Programme financial year, which is also consistent with its Constitution;
- Amani should shift the quality and orientation of the debate with Sida from procedural issues to content and objectives realisation, while seriously addressing the pending issues on high costs;
- Amani should develop an implementation methodology informed by the prevalent development aid management instruments (chain of assumptions-objectives-input-indicators-sources of verification-output-results/impact; Logical Framework Analysis (LFA); and Strength, Weakness, Opportunities and Threats (SWOT) as well as indicators for measuring outputs, outcomes and impacts and identifiable programme-based results);
- Amani should diversify its donor base which has been kept almost constant since its establishment with the entry and exit of only a few donors; and
- Amani should exert some effort to increase the number of its affiliate members as well as cooperation in areas of mutual interest with regional based Sida funded and other organisations.

1.2.3 East African Law Society

East African Law Society is recommended to

- Focus the programmes and activities more towards its proclaimed mission and vision of the organisation.
- Select a strategic niche that gives the Society a competitive edge over other networks.
- Seek the possibility of linking up with institutions of legal education to ensure common standards in curricula so as to fast track cross border legal service provisions.
- Consider the possibility of creating a regional forum of CEOs with the aim of increasing programme synergies, reduce duplicity, facilitate resource sharing and joint resource mobilization and promote East African-ness of these programmes.
- Ensure sustainability by developing, together with like minded organisations, a regional programme that can attract more donors and ask Sida to take the lead in getting more donors to join the regional programme as partners;
- Conduct needs surveys and tracer studies to strengthen the demand orientation of the programmes and activities; and
- Develop a fund raising strategy in order to reduce dependence on Sida and become financially more sustainable.

1.2.4 Education Centre for Women in Democracy – “Women Direct”

It is recommended that

- Women Direct should continue its assertion to develop into a semi-autonomous entity within ECWD and further strengthen its identity by completing and fully implementing the organisational, legal and institutional instruments (Constitution, Strategic Plan and Communication Strategy) contributing to this endeavour;
- Women Direct should strengthen its current organisational structure and autonomy, with the possibility of it operating under the leadership of a Deputy Director empowered by its partners to devote 100 percent of his/her time to Women Direct programmes and activities;

- Women Direct should clarify the division of labour between Direct Collaborating Partners, Associate and Individual Partners and make clear classification of its current partners in respect to these categories;
- The roles of different types of membership should be articulated further;
- Women Direct/ECWD should make serious efforts to create partnerships with other Sida supported organisations in the region, with the possibility of creating an overarching collaborative scheme in matters of mutual interest;
- Women Direct should deliberately encourage partner-to-partner collaboration and make partner-to-partner visits, exchange of experiences and best practices possible;
- Women Direct leadership should find creative ways of energizing its partners' efforts to own the agenda and become more proactive rather than reactive to "centralized communication system";
- Women Direct should conduct needs surveys and tracer studies to strengthen the demand orientation of the programmes and activities;
- Women Direct should improve and strengthen its implementation methods and make use of conventional development aid management instruments such as Logical Framework Analysis (LFA); and Strength, Weakness, Opportunities and Threats (SWOT); and use measurable indicators of results (outputs, outcomes and impacts) in identifiable programme-based results. We acknowledge that it has already commenced using a fraction of conventional methodologies;
- Women Direct should develop a Fund-raising Strategy, and exert extra effort to diversify its financial resource base by attracting new donors and also revisit some ECWD's earlier donors for support; and
- Women Direct should embark in a need assessment effort to help it identify more prudently the relevance of its activities to its partners and vice versa.

1.2.5 Kituo Cha Katiba

Kituo Cha Katiba is recommended to:

- Transform the Centre from a think tank to a network based on institutional and individual membership;
- Create categories of membership and use members for core activities;
- Adopt systems of leadership elected by a broad based membership;
- Empower partners to have a say and voice in the design of programmes and activities;
- Broaden activities to lower levels of society, especially young people in institutions of higher learning who are the future leaders and researchers;
- Establish a forum for CEOs of all regional programmes under the Framework supported by Sida and use the forum to design a regional programme, maximise synergies and minimise duplication of activities;
- Develop a capacity development programme to strengthen research and inter and intra-generational leadership skills;
- Continue dialogue with Sida on the issue of payment of honoraria, create a membership based organisation and use members in Centre's activities to reduce misunderstandings over issues of honoraria and other emoluments;

- Integrate economic, social and cultural rights and issues of entitlement systems and poverty in activities on human rights and governance;
- Conduct needs surveys and tracer studies to strengthen the demand orientation of the programmes and activities; and
- Develop a Fund raising strategy in order to reduce dependence on Sida and become financially more sustainable.

2. Introduction

2.1 Background

2.1.1 Swedish International Development Agency (Sida)

Sida is the Swedish government agency for bilateral international development cooperation.

The overall goal of the Swedish development cooperation is to contribute to making it possible for poor people to improve their living conditions. Sida supports activities in almost 120 countries. Most of the resources are allocated to the twenty or so countries with which Sida has extensive, long-term programmes of cooperation. The framework of cooperation is specified in special country strategies and regulated in agreements between Sida and the government of each partner country.

Sida operates through some 1,500 partners in cooperation. These are companies, popular movements, non-governmental organisations (NGOs), universities, regional and global bodies (including the United Nations), parliaments, local governments and government agencies that possess the expertise to make Swedish development cooperation successful. In the long run Swedish development cooperation should lead to wider economic and social cooperation with the cooperation countries, to the benefit of all parties concerned.¹

2.1.2 Programme for Regional Democracy and Human Rights

The programme for Regional Democracy and Human Rights is based on the “*Swedish Strategy for Support to Regional and Sub-regional Development Cooperation in Sub-Saharan Africa 2002–2006*”. The current strategy² claims that while conflict management often needs to be addressed regionally, a regional approach to Democracy and Human Rights often adds value, and is not necessarily less relevant. It is believed that there is need and room for increased collaboration between civil society actors in the region, as well as between respective governments.

A new strategy is underway³. In the results analysis of the Support to Regional Development Cooperation in Sub-Saharan Africa 2002–2006 the Framework for Regional Democracy and Human Rights is not analysed.⁴

The underlying thought for the Regional Democracy and Human Rights programme is essentially that certain challenges to development in the Greater East African countries (Kenya, Tanzania, Uganda, Burundi, Rwanda, Ethiopia and to a lesser extent Zambia, Sudan, Somalia and Congo) must or can benefit from a regional approach.

¹ For information, please see Sida’s homepage: www.sida.se.

² Sida, Swedish Strategy for Support for Regional and Subregional Development Cooperation in Sub-Saharan Africa

³ Sida, Draft strategy for support to regional development cooperation in Sub-Saharan Africa, 2006-07-12

⁴ Sida, Support to Regional Development Cooperation in Sub-Saharan Africa 2002–2006 Results Analysis, May 2006, SPM Consultants

The overall objective of the current programme is to “*promote democratic governance, and thereby management of conflicts, in the East African countries*” with a view to Sida’s goal of contributing to “*an environment supportive of poor people’s own efforts to improve their quality of life*”. To this end, the programme focuses on activities related to:

- i) developing and/or working with agents of change
- ii) engendering politics through the empowerment of women
- iii) developing and/or working with conflict management mechanisms
- iv) creating synergies between attempts to promote democratic governance in Greater East Africa.

Democratisation in Greater East Africa is characterised by slow and difficult processes with a high degree of vulnerability to armed conflicts. The political institutions and the norms underpinning democratic development are still being shaped, while conflict management mechanisms are still weak.

Governments are responsible for promoting, respecting, protecting and fulfilling Human Rights. Likewise, democracy, as a system of ensuring the will of the people through political processes, will have different attributes in different countries. However, countries (especially neighbouring ones) will heavily influence each other’s processes of democratisation in general. Armed conflicts and disrespect for rule of law, human rights and democratic procedures hence seem to be contagious and vice versa.

Although some challenges are perhaps better addressed at a local/national level, it is evident that a regional approach is sometimes necessary and that it often adds value. Nevertheless, the question of when and whether a regional approach is preferable over a national approach, is always valid. Some advantages to a regional approach were identified in initial discussions:

1. As a result of the sensitivity of certain Democracy and Human Rights related issues, a regional approach may open up dialogue between concerned parties.
2. When national Human Rights organisations are unable to report on Human Rights abuses, organisations in other countries may do so.
3. A regional approach may provide opportunities to expose national actors (governments as well as civil society) to experiences from other countries.
4. At times it may be more cost effective to conduct studies and/or engage in training and the like in a regional forum as opposed to conducting identical/similar activities in several countries.

One aim of the evaluation is to analyse whether or not these advantages can be validated.

Currently, five organisations, and hence, five projects/programmes are being funded under the overall Regional Democracy and Human Rights Programme. Two additional projects/programmes are about to be closed pending final reports and there is no intention of continued support at this stage.

2.2 Purpose and Objectives

This evaluation took place in two phases:

- i) Evaluation of organisations supported under the overall Framework for Regional Democracy and Human Rights; and
- ii) Evaluation of the overall Framework for Regional Democracy and Human Rights

Because it is a two-phase evaluation, the purpose of the evaluation is also two-fold:

- i) Help Sida and its partners make sure that the interventions are well on track and likely to reach their objectives, and guide Sida in decisions regarding continued support to some of the organisations.

- ii) Guide Sida on decisions regarding the pursuance of a regional approach to Democracy and Human Rights and thus further assist in the formulation of strategies in the same regard.

This report is on the first purpose⁵.

The evaluation will generally be used by the Regional Democracy and Human Rights Advisers at the Sida office in Nairobi, the evaluated partner organisations, Programme Officers in the other Sida offices/Swedish Embassies in the region, the Africa Department (AFRA) and Division for Democratic Governance (DESA) at the Sida Head Office in Stockholm and potentially other Regional Advisers at Sida offices around the world.

The Terms of Reference are given in full in Annex 1.

2.3 Evaluation Questions

According to the ToR the following questions shall be considered during the evaluation, although the list is by no means exhaustive:

Effectiveness

- To what extent have the projects/programmes so far achieved their goal(s), objectives and planned outputs?
- What are the reasons for achievement or non-achievement of the above?
- How can the interventions be made more effective?
- To what extent are any identified developments the result of the intervention?

Efficiency

- What measures have been taken during planning and implementation to ensure that resources are efficiently used?
- Could interventions have been implemented with less resource and still maintain the desired level of results?
- Could a different type of intervention have yielded the same or better results?
- Are the interventions economically worthwhile?
- Are internal monitoring and evaluation mechanisms satisfactory?
- How are lessons learnt and knowledge gained institutionalised?
- How can the interventions be made more cost-efficient?

Results

- What are the intended or unintended results (positive or negative) of the interventions on beneficiaries?
- How have the interventions affected different groups, beneficiaries and stakeholders?
- What do those affected by the interventions perceive to be the results of the interventions on themselves?
- To what extent can changes that have occurred during the project/programme period be identified and measured?

⁵ The second report is also finalized in September 2006 "Evaluation of the overall Framework for Regional Democracy and Human Rights" (Professional Management AB)

Relevance

- Are the individual interventions providing an adequate solution to the development problems at hand?
- Are the interventions consistent with Sida policies and priorities, including Sida's ultimate objective of poverty reduction?
- Are the interventions consistent and complementary with activities supported by other donors?
- Given increased demand for organisations' expertise, would the organisations have the capacity to expand their mandate to include other countries?

Sustainability

- Are the interventions consistent with partners' priorities and effective demand?
- Are the interventions supported by relevant institutions, stakeholders, etc?
- How committed are staff and members of the organisations to the interventions?
- Are the relevant partner institutions characterised by good governance including effective management (also financial) and organisation?
- Do the organisations have the financial and institutional capacity to maintain intervention benefits after donor support has come to an end?
- Do the organisations have a broad and diverse enough group of donors in order not to risk over-dependency on Sida?

2.4 The Evaluation Team

Sida has commissioned the Swedish company Professional Management AB to carry out the evaluation. The Evaluation Team consists of four senior consultants – Mr. Arne Svensson (team leader), Professor Mohamed Salih, Dr. Paschal Mihyo and Ms. Stina Waern.

Dr. Mohamed Salih is a Professor at the University of Leiden, and the Institute of Social Studies in the Netherlands. Professor Salih has conducted field research and consultancy in Africa, the Middle East and the Caribbean. In addition he has undertaken policy and advisory research and numerous assignments for national governments, NGOs, and bilateral, regional and multilateral institutions. These include institutional assessments, strategic planning and evaluation of sector programmes. Professor Salih has recently published the book *African Parliaments: Between Governments and Governance* (Palgrave/Macmillan, New York 2005).

Ms. Stina Waern is Senior Consultant with long experience in i.e. financial management, developing countries, results-based management, etc. She has worked in Kenya, Mozambique, El Salvador, Guatemala, Honduras, Nicaragua, Malaysia and some other countries. Before she became a management consultant she was the Director General of IMPOD (The Import Promotion Office for Products from Developing Countries) under the Ministry of Foreign Affairs.

Dr. Paschal Buberwa Mihyo is a Professor of Politics and Administrative Studies at the University of Namibia and Executive Director at the African Institute for Development Initiatives (AIDI), Dar es-Salaam. He has published several books on governance issues in Africa, and is well known for his book on Parliamentary Accountability. He has conducted several evaluations for national governments, bilateral and multilateral organisations, on democracy promotion, human rights and the rule of law.

Mr Arne Svensson, President of Professional Management AB, has been a senior consultant for more than 600 public and private organisations, including the United Nations, the European Commission, international NGOs and governments around the world. He has 30 years of substantive experience in the administrative reform process of central, regional and local government, including decentralization, democracy and governance, legislative and parliamentary development, citizens' participation, governmental relations, state and local governments, civil society, devolution, organisational development, and management and public administration. He has performed more than 100 evaluations, institutional assessments and management reviews. He has published more than 15 books on management issues.

2.5 Methodology

The evaluation was carried out during the period of June–August 2006. The Evaluation Team has applied a mix of evaluation techniques utilizing institutional performance assessment methods to evaluate the four organisations (Institutional assessment/evaluation) and conduct in-depth outcome evaluations of individual programmes.

Prior to the actual commencement of the evaluation, the Evaluation Team conducted a thorough review of the available documentation on the four organisations, including their mission, vision and objectives, development strategies, implementation methods and monitoring and evaluation methods. The Evaluation Team also reviewed recent programme and project documents, annual reviews and financial statements, supporting publications and statements by the organisations, Sida or third parties.

The validity of the initial findings is ensured through reviewing vast amounts of material (cf. Annex 2 for documents consulted). The four organisations and the Swedish Embassy in Nairobi submitted these materials and documents to the evaluation team as requested. The team has reviewed all relevant written documentation.

The Evaluation questions are centered on five major well-treaded organisation and programme performance evaluations sub-themes: Effectiveness (the organisations ability to achieve the objectives of the programmes and activities in which it is involved verified in terms of outputs, outcomes and impact), efficiency (value for resource deployment both human resources and financial), results (verifiable outputs, outcomes and impact), relevance (the organisations programmes and activities relevant to Sida regional framework approach, its efficacy and objectives) and sustainability (the ability of the organisations to maintain their activities over time, with or preferably without donor support after years of interventions).

With this general understanding of the sub-themes and the questions posed by ToR, the Evaluation Team has developed a practical matrix to help it in 1) obtaining the required materials using the mix of methodologies described above and 2) explaining how the evaluation results will be verified. We have gone further to apply the same methodology to the questions guiding the evaluation of the overall Framework. These are presented, in detail, in our work plan.

Mr. Svensson made inception visits to the four organisations headquarters in Nairobi, Arusha and Kampala and the Swedish Embassy in Nairobi in June 2006. Dr. Salih made assessment visits to Women Direct and Amani Forum in Nairobi in July 2006. Dr. Mihyo made assessment visits to EALS in Arusha and KCK in Kampala in July 2006. Dr. Mihyo also made field visits in Uganda (all the four organisations) and Tanzania (EALS). Ms. Waern conducted field visits in Rwanda (Women Direct, Amani Forum and KCK).

Finally Mr. Svensson, Dr. Salih and/or Dr. Mihyo made validation visits to the four organisations headquarters and the Swedish Embassy in August in order to further validate the findings and also to strengthen the diagnostic and summative bases of the Report and its findings. Executive Directors/

Executive Secretaries, Deputies, Programme Officers, Programme Assistants, Finance Officers and other relevant staff attended the validation meetings. In addition Hon. Samuel Poghiso, Treasurer, Regional Executive Committee Member, Hon Amina Abdalla, Regional Executive Committee Member and Hon Joseph Nkaissery, Chairperson, AMANI Kenya Chapter participated in the validation visit to Amani Forum at the Kenya Parliament precinct.

Various members of the Evaluation Team also met or conducted interviews with relevant: a) people in other countries in the region where the four organisations are active b) Sida staff at the HQ and at relevant embassies in order to gauge Sida's experience with the four organisations; and c) people at other major donor agencies. A list of people interviewed is attached (Annex 3). The evaluation team have met with some of the key people (i. e. the Executive Directors and Executive Secretaries) several times.

These interviews offered an invaluable insight on the contributions the major stakeholders make towards the fulfilment of the four organisations mission. All the organisations have been very open not only on pros and cons in its work so far but also when it comes to ongoing discussions on future challenges.

2.6 This Report and how to read it

This report is divided into seven sections. The “Summary of Evaluative Conclusions” in section ONE is derived from the set of “Evaluative Conclusions” placed at the end of section 4–7. Section TWO is introductory. Section THREE contains a brief description of the evaluated interventions.

Each one of the four organisations focused in this evaluation is described and evaluated in one separate section (section four to seven). Each section contains four parts – findings, conclusions, lessons learnt and recommendations.

Section FOUR elaborates on findings, conclusions, lessons learnt and recommendations on Amani Forum – “Parliamentarians & Peace-Building”.

Section FIVE describes and evaluates East African Law Society (EALS) – “Phase Two of the East African Community Law Project (CLP)”.

Section SIX is concerned with Education Centre for Women in Democracy (ECWD) – “Women Direct”.

Section SEVEN elaborates on Kituo Cha Katiba (KCK) – “Towards a People Driven East Africanness”.

3. The Evaluated Intervention

3.1 Intervention Background

Phase one of the evaluation looked at four organisations: Amani Forum, Education Centre for Women in Democracy, East African Law Society and Kituo Cha Katiba. The AWEPA/EALA component was evaluated last year in a study commissioned by NORAD and likewise AWEPA's whole organisation was reviewed in early 2006 by Sida/Professional Management AB⁶. The evaluators shall focus on the current project/programme that each organisation is implementing, although reference may be made to other projects/programmes previously implemented by the same organisations and supported by Sida.

Phase two of the evaluation regards the overall Framework for Democracy and Human Rights.

⁶ Professional Management AB: Organisational Review of The Association of European Parliamentarians for Africa – AWEPA, 2006-04-30

3.2 Brief of Supported Organisations

3.2.1 Amani Forum

In 1998, the Amani Forum was an initiative of African parliamentarians in the Great Lakes region. Its membership comprises 624 members (see Table 1 below) drawn from Burundi, Kenya, Rwanda, Tanzania, Uganda, Zambia and the Democratic Republic of Congo (DRC). Recognising that the protracted conflicts in this area are interlinked, and parliamentarians are in a unique position to contribute to peace building, a group of parliamentarians decided to create a regional structure to enable them to work in a co-ordinated manner for sustainable peace.

Table 1: Amani Forum Membership: Classification by Gender

No	Country	Females		Males		Total	%
		No.	%	No.	%		
1	Burundi	44	30	102	70	146	23
2	Democratic Republic of Congo	44	33	89	67	133	21
3	Kenya	14	18	65	82	79	13
4	Rwanda	25	51	24	49	49	8
5	Tanzania	27	34	53	66	80	13
6	Uganda	44	42	61	58	105	17
7	Zambia	9	28	23	72	32	5
Total		207	33	417	67	624	100

Source: Amani, July 2006.

The table shows that one member out of three is a woman. Table (1) also shows that Amani has established National Chapters, with a measure of membership in all countries where it operates, thus forming a regional inter-parliamentary forum made up of cross-party divides and affiliations in each member country. Within this perspective, Amani objectives are:

1. To build relationships of solidarity and cooperation between parliamentarians in the region;
2. To strengthen the capacities of parliamentarians to maximise their parliamentary role for peace;
3. To undertake targeted peace interventions by national and regional groups of parliamentarians;
4. To support new parliamentarians in the Democratic Republic of Congo (DRC), and connect them with their counterparts in the region;
5. To develop links with other regional structures and processes in East and Central Africa;
6. To maintain and consolidate the capacities of the Amani Forum.

The programme includes peace-building activities and capacity-building for parliamentarians⁷.

Amani Forum is funded by Sida, DFID, International Alert and IDRC. Sida is funding the programme “Parliamentarians & Peace building” and is coming up to the end of its two-year support, during which Sida has provided SEK 4.8 million. Amani Forum is keen for Sida to support its initial new Programme Proposal. However, it is stated in the ToR that any future support will be based on, among other things, the outcome of this evaluation.

⁷ For more information see www.amaniforum.org.

3.2.2 East African Law Society (EALS)

EALS, based in Arusha, is the regional Bar Association in East Africa and the pre-eminent civil society organisation with a permanent and programmatic focus on the East African Community. It brings together six thousand-plus lawyers from Kenya, Uganda, Tanganyika and Zanzibar and also the four national Bar associations in the region, including the Zanzibar Law Society.

The objectives of the project are (i) to promote constitutional and human rights-focused litigation at the East African Court of Justice, (ii) to promote comprehensive law and policy-making at the East African Legislative Assembly, (iii) to advance the cause of gender equity and representation at the EAC, its organs and its policies and (iv) to catalyse effective, vibrant and broad civil society engagement with the EAC and its organs. EALS activities include training and dialogue sessions, solidarity missions, the production of litigation manuals and briefs as well as a Community Law Digest and quarterly newsletters⁸.

Sida is supporting the East African Community Law Project (CLP), which aims to catalyse a deeper understanding of and interaction with the organs of the EAC, in order to deepen and extend the just rule of law and respect for all human rights of all people by directly engaging with and monitoring the said EAC organs. Sida is the principle donor in this programme and also supported phase one of the CLP. Sida entered into another two-year agreement with EALS in November 2005, for a total of SEK 7.75 million.

3.2.3 Education Centre for Women in Democracy (ECWD) – “Women Direct”

ECWD’s mission is to increase the presence of women in leadership, with a focus on quality and capacity and also to work towards the creation of a more conducive social, political and democratic environment for the full and equal participation of women.

Women Direct is a regional network of likeminded individuals and organisations with a commitment to promoting women’s higher participation in leadership and decision making in Africa. It draws its membership from Burundi, Ethiopia, Kenya, Rwanda, Tanzania and Uganda.

Its overall objectives are intended to support the collective voice and equal participation of women in leadership and decision making towards shaping national, regional and international policies, to strengthen the capacities and raise the profile of partners and to link partners with strategic national, regional and international bodies. ECWD is based in Nairobi.⁹

Support to the programme follows an ECWD-implemented Start-Up programme, with Sida funding, from March 2003 to May 2004. Sida now supports the three-year programme, which commenced in September 2004 with a total of SEK 9 million.

3.2.4 Kituo Cha Katiba (KCK)

Kituo Cha Katiba (KCK) is a regional NGO based in Kampala. The organisation’s mission is to promote constitutionalism, good governance and democratic development in East Africa.

The mission of KCK is to promote the active participation of civil society in good governance and to inspire a culture of democratic practice that reflects the inspirations and needs of the common people and democratic governance as applied to everyday life situations, starting from home and extending to the work place, community, nation and East Africa at large.

The development goal of this project is to influence the active participation of citizens in ensuring a people-centred East African Community that is responsive to democratic development, rule of law and the protection of human rights. The two primary activities of this project are (i) deepening dialogue and consultations on civil society participation in rebuilding Rwanda and the promotion of human

⁸ For more information see www.ealawsociety.org.

⁹ For more information see www.womendirectafrica.org.

rights and democracy and (ii) strengthening Human Rights Commissions' collaboration at a regional level in relation to the EAC.¹⁰

“Towards a People Driven East Africanness” is a one-year project which commenced in September 2005 with a total amount of SEK 850,000. Previously, KCK successfully implemented another project funded by Sida, entitled “Enhancement of Civil Society Participation in Democratic Development and Rule of Law in East Africa”.

3.2.5 The Association of European Parliamentarians for Africa – AWEPA

When East African Legislative Assembly (EALA) was inaugurated in 2001, most of its Members had very little political experience and found the Parliamentary system adopted by EALA unique. With the support of the Association of European Parliamentarians for Africa – AWEPA, members and staff of the Assembly have been empowered to carry out their specific mandates through capacity building seminars, study visits and exchange programmes to similar institutions. Objectives are categorised in terms of support to all members of EALA, support to staff of EALA and support to committees of EALA. The regional AWEPA office is based in Nairobi.¹¹

Support to EALA through AWEPA started in March 2005 and spans a three-year period. Funding is agreed at SEK 6 million. NORAD also funds EALA through AWEPA. The AWEPA/EALA component was evaluated last year (2005) in a study commissioned by NORAD.

4. Amani Forum

4.1 Findings

4.1.1 Background

Since its creation in 1998, Amani Forum has been able to establish itself as a respected regional network in the Great Lakes Region concerned with the peace building and conflict mitigation in one of Africa's most protracted conflicts. The vision and purpose of the Forum is to have its Great Lakes region free of conflict and its mission is to “*to get organised to achieve that purpose*”. In this regard, Amani has thus far been able to mobilize a large pool of parliamentarians, using their unique position to implement its vision, mission and objectives. These could be testified to by the fact that a regional interparliamentary network has been established and seven National Chapters have been created and enabled to operate in Burundi, Democratic Republic of Congo, Kenya, Rwanda, Tanzania, Uganda and Zambia.

Amani members have undertaken a wide range of peace building initiatives at the national and regional levels, including fact-finding visits to conflict zones, dialogue between parliamentarians in conflict zones, region-wide inter-parliamentary dialogues and election observation. These could be summed up as follows:

1. Training in Conflict Resolution and Peace building;
2. Training in Parliamentary Practice;
3. Fact-finding Missions to Conflict-Affected Areas;
4. Exchange Visits between Parliamentarians;

¹⁰ For more information see www.kituoachakatiba.co.ug.

¹¹ For more information see www.awepa.org.

5. Inter-Parliamentary Dialogue;
6. Inter-Party Dialogue; and
7. Election observations.

These activities fall within the broad rubric of Sida's conflict management, governance and democracy, with parliamentarians active in National Chapters operating both at cross-national borders and regionally.

In as far as its legal entity is concerned; Amani is not a registered NGO, but rather a registered non-profit 'company limited by guarantee'¹². The liability of the Members is limited. There are several types of membership; namely full membership, associate membership and individual and honorary membership. Full membership shall be open to any person who is or has been a Member of Parliament (MP). However, in practice full membership has required the person to be an active MP. Amani membership comprises more than 600 parliamentarians drawn from the seven national parliaments mentioned above¹³. A yearly fee is taken out on all members to cover some administrative costs.

Amani by-laws address five major issues: Chapters, the Secretariat, the Budget and Finance Committee, the Partners Roundtable and the Advisory Committee. However, Amani by-laws do not allude to the idea of a Planning Committee responsible for overseeing programme development, planning, implementation and monitoring and evaluation.

4.1.2 Objectives

The objectives of the Programme on Parliamentarians and Peace building were (i) to build relationships of solidarity and cooperation between parliamentarians in the region, (ii) to strengthen the capacities of parliamentarians to maximise their parliamentary role for peace, (iii) to undertake targeted peace interventions by national and regional groups of parliamentarians, (iv) to support new parliamentarians in the DRC, and connect them with their counterparts in the region, (v) to develop links with other regional structures and processes in the region and (vi) to maintain and consolidate the capacities of Amani Forum.

4.1.3 Amani Organisation

The organisation of Amani Forum consists of an Annual General Assembly, a Regional Executive Committee (REC), National Chapters in each member country and a Regional Secretariat based in Nairobi. These are shown in Figure 1 below:

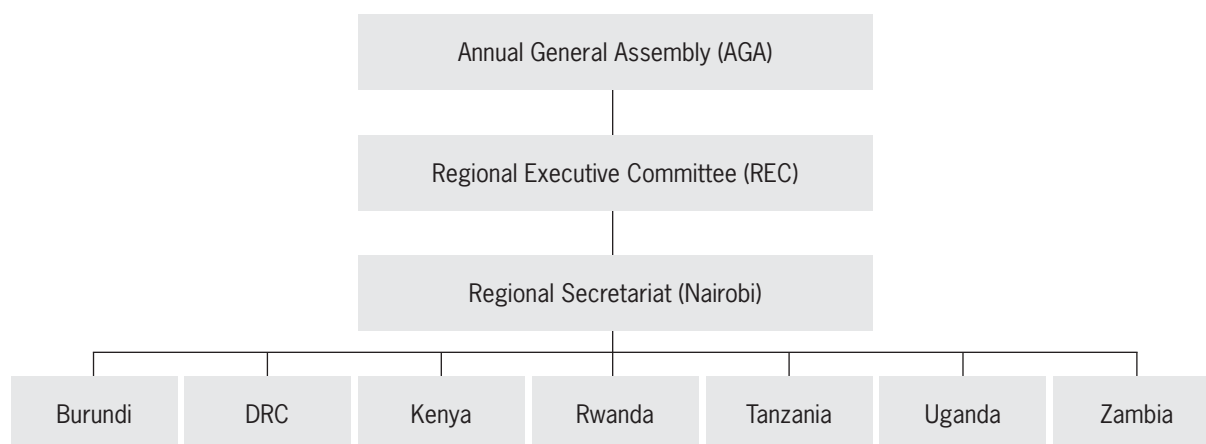
The Annual General Assembly (AGA) is responsible for setting the general policy and direction of Amani and a) considers Amani report on programmes and activities; and b) considers the report and annual audit of Amani finances and operations and evaluations of the general political and peace situation in the region.

The Executive Secretary is directly responsible to the Regional Executive Committee (REC). The Executive Secretary and the members of the REC have established regular and frequent communication through the Internet and face to face, particularly with Nairobi-based members and infrequently with others.

¹² The Companies Act: Company Limited by Guarantee Memorandum and Article of Association of the Great Lakes Parliamentary Forum on Peace Limited, 26 March 2003

¹³ The number of members is varying in different documents. According to the table in chapter 3.2.1 the number of members of Amani Rwanda is 49. When meeting with Rwanda chapter during the field visit the number of members today is 80, out of which probably some 20 are former MPs.

Figure 1: Amani Organisation



Source: Compiled by Evaluation Team from documents provided by Amani, June 2006

The REC is composed of 14 parliamentarians, 2 from each member country. It meets four times a year hosted by different Chapters. The REC considers and approves the Secretariat's work plan and budget and supervises the development and activities of Amani. It is charged with the general supervision and direction of Amani Chapters and the Regional Secretariat. There is no direct communication between the REC and the Chapters except through the Chapter Chairperson.

One major highlight of the By-Laws (April 2005) is the establishment of an Advisory Committee entrusted with promoting brainstorming and discussion by the Amani Forum on matters of long-term concern or on issues referred to the Committee by the REC. The Committee shall have no official powers beyond making recommendations to the REC and the Amani Forum as a whole. The Chair of the Advisory Committee is appointed by the Chairman of the Amani Forum, with the advice and consent of the Regional Executive Committee. In lieu of the proposed Advisory Committee, it is stipulated that the REC appoints up to seven people of high standing to the Advisory Committee ensuring that the Committee is representative. Once established, the Advisory Committee shall serve for a period of two years and it shall be eligible for re-appointment and produce an annual report of its activities and to follow-up on previous recommendations of this Committee to the REC.

The National Chapters provide a space for Parliamentarians to analyse, debate and mobilize their efforts for conflict management, and generate peace initiatives at the national level. Each Chapter has an office, either within or close to parliament, and is staffed by a National Coordinator who facilitates in-country activities and liaises with the Regional Secretariat. The Secretariat maintains links with the Chapters primarily through their coordinators. The Secretariat maintains regular contact with all chapters through the telephone, fax and e-mail.

The Chapters are required to keep the Secretariat abreast of their activities through the submission of monthly reports, annual and quarterly plans. Those Chapters with full time coordinators meet this requirement more regularly and after less prompting than those with part time coordinators. So far, Rwanda, Burundi and Uganda have fully complied with these requirements.

Chapters with full time coordinators are also better able to plan and organise activities, maintain contacts with members, carry out research and maintain effective links with the Secretariat. Amani Chapters in Uganda, Rwanda and Burundi have full time coordinators operating the national offices. In Kenya, Tanzania and Zambia, however, parliamentary officers have been given the additional responsibility of coordinating national Amani activities. The Secretariat observes that the development and success of a Chapter largely depend on the effectiveness of both the Chair and the Coordinator.

The Amani Secretariat is charged with the co-ordination and planning of all aspects of Amani's work at regional and inter-Chapter level. The Secretariat is also responsible for driving the programme work, originating ideas for approval by the REC, partner liaison including fulfilling reporting requirements, overseeing of Amani standards and overseeing of Chapter activities. With the Executive Secretary playing a lead role, the Secretariat staff comprises of two Regional Programme Officers¹⁴, one Finance and Administration Officer, one Programme Assistant and one Driver cum Office Assistant.

In terms of activities, Amani Regional Secretariat is responsible for planning, implementation and monitoring of Amani's programme work at regional level. Such monitoring is carried out through reporting and meetings (to the REC, Advisory Committee and donors/partners).

In addition to internal monitoring and evaluation, these activities are also carried out through external entities contracted the by REC or by the Secretariat to Amani National Chapters. The Secretariat plays a central coordinating role within Amani organisation, serving as a contact and focal point for the organisation. The Secretariat also consults and collaborates with peace-related organisations in the region, and relates to donors and other international partners.

4.1.4 Amani Management

We make the distinction between organisation and management as a matter of convenience and not a methodological imperative meant to deal with Amani and its wider environment. REC is the policy-making organ. There is a Management Committee consisting of the three officials of the REC, i.e. the Chairperson, Secretary General, the Treasurer. There is also a Finance Committee comprising REC members (the Treasurer and Secretary General plus two other members). The Executive Secretary and Finance and Administration Officer assist both committees. The Management Committee is charged with the role of overseeing the operations of the organisation.

The Executive Secretary together with the staff handles the day-to-day running of the secretariat. In total Amani Secretariat is operated by the following Staff:

1. Executive Secretary
2. Finance and Administration Officer
3. Communication Officer
4. Programme Assistant
5. Office Assistant/Driver

A sixth position of Administration and Finance Assistant is vacant. A senior position of an officer charged with regional co-ordination and planning is currently vacant. The Secretariat employs an optimal number of staff charged with coordinating and implementing Amani programmes and activities as described earlier. All are capable of discharging their responsibilities and competent in meeting the demands of their portfolio.

The overall management structure of the organisation is shown in Figure 2 below. Although the structure is similar to the one in Figure 1, which we deduced from Amani documents, it clearly shows the relationship between the REC and the Secretariat and their respective relationship with the Chapters.

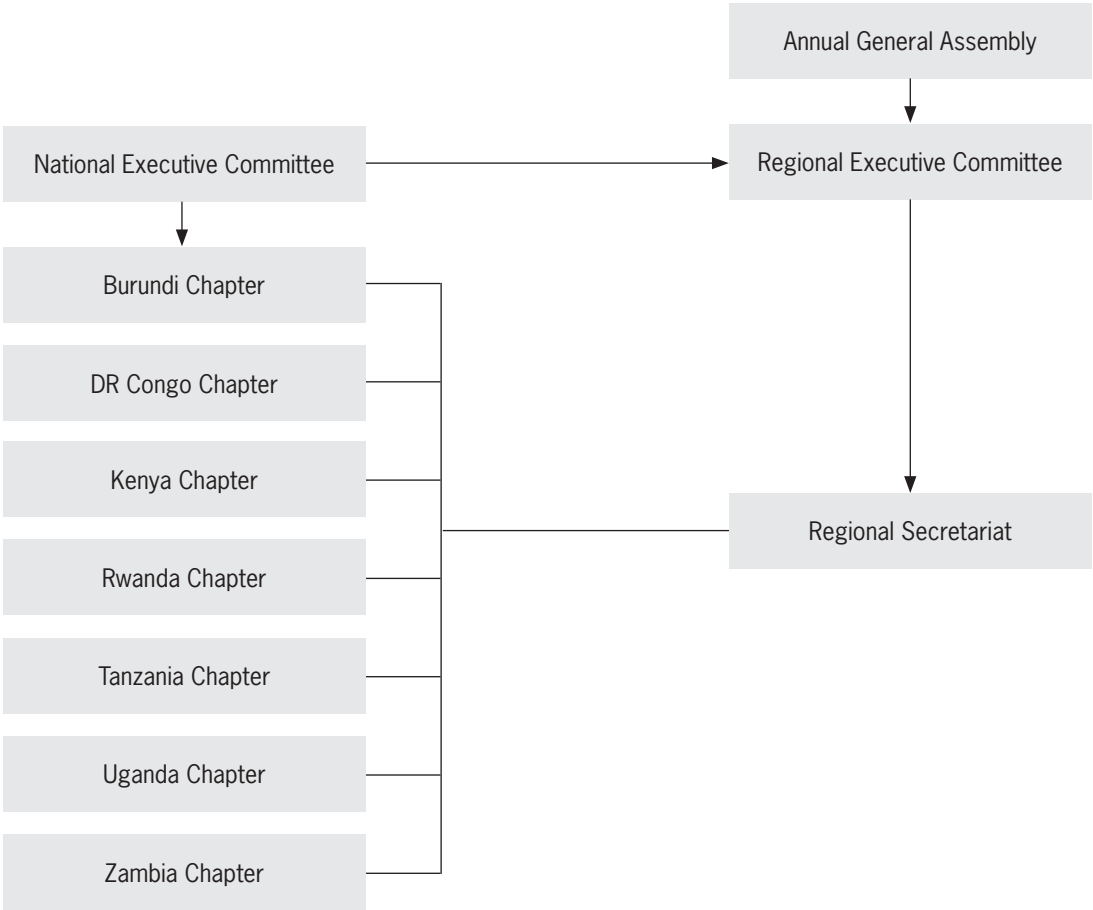
The Chart provided by Amani drew our attention to a potential conflict between the National Executive Committees and the Regional Secretariat as to who is responsible for monitoring and evaluating the performance of the Chapters' Offices, particularly in matters related to compliance with financial reporting (a matter alluded to in Sida 2005 Draft Audit Report).

¹⁴ The post of Regional Programme Officer – Planning and Co-ordination is vacant

The evaluation team is also astonished by the absence of any reference to the Advisory Council in this Chart, thus raising questions about whether it has actually been active or has consequently produced a positive impact on how Amani performs today relative to the years before the establishment of the Advisory Committee.

Another question is the division of labour between the Executive Secretary and the Chair of the Regional Executive Committee in terms of representation and voice vis-à-vis public and external relations, expanding the organisations affiliate members and the number of parliamentarians per country.

Figure 2: Amani Management Structure from Amani Secretariat Perspective



Source: Amani 2006

4.1.5 Amani Chapters

While the Secretariat coordinates activities under the guidance of the Regional Executive Committee and the Advisory Committee, Amani National Chapters are the most important pillars of its activities. The Chapters are inclusive, comprised of cross party members, and divided into Full Members and Associate Members.

The main objective of the Chapters is to mobilise parliamentarians at the national level to play a more active role in peace making. As such they are responsible for developing and implementing a programme of activities for their own countries.

The National Chapters develop their own Constitutions, which subscribe to Amani’s mission and vision, and register with the appropriate authorities the Chapter’s Constitution with a copy deposited with the Regional Secretariat in a timely fashion. As democratic bodies, the National Chapters elect a

National Executive Committee headed by a Chairperson. The Member of the National Executive Committee serves for not more than two terms of two years each.

The Chairperson of the Executive National Chapter is supported by a National Coordinator, responsible for facilitating the national activities and liaises with the Regional Secretariat. Each National Chapter shall be entitled to nominate five (5) members as delegates to represent the Member Country at the General Assembly, and is entitled to nominate two (2) members to represent the Member Country at the Regional Executive Committee.

Chapter Annual General Assemblies meet once a year. In addition, the Chapter holds meetings, including planning meetings by the National Executive Committee, for planning purposes and programme activities (for an example of Amani Activities at the Chapter level see Annex 4). However, considering the importance of the National Chapters, the Evaluation Team is of the opinion that Amani is not making full use of its greatest asset (the MPs in the national context and polity). This is supported because, according to its Financial Report (2006), Amani has under spent its Sida funds, where, in agreement with Sida, some resources should have been made available for the Chapters¹⁵.

Chapter-to-Chapter communication and activities are non-existent apart from meetings at the Amani Forum Level or the General Assembly. This also means that communication takes place through Amani Regional Secretariat, which does not make a good impression for future sustainability and the Chapters being pro-active in responding to matters that require a sense of urgency.

Amani leadership acknowledges, in the discussion with the Evaluation Team, that it is currently exerting some efforts to strengthen the role of the National Chapters in order to make them more active and visible. More decentralisation and a change of Amani approach towards national ownership of activities will yield better results, both at the regional and national levels, considering the organic nature of the Great Lake Conflicts.

The discussion on the role of former Members of Parliament, and the fact that some of them insist on completing mandates as serving members in the National Chapters and Amani bodies, has been given some serious thinking as we will explain in the following section.

4.1.6 The role of former Members of Parliaments

The Amani Forum is very well organised on the local level in the countries we have visited and has achieved much in terms of parliamentary diplomacy. The main weakness is that its members are supposed to be active MPs. Given the high rate of turnover of MPs following the general elections, there is a chance that the Forum will always be composed of new members and this deprives it of continuity in terms of leadership as well as membership. It has been suggested that a second window should be established to enable those members who pull out of parliament or are not re-elected to continue being members if they wish and if they are accepted by others. The final decision on the discussion on former MPs resolved that:

Former MP's are invited to continue being part of Amani Forum. They are eligible to be part of the Advisory Committee, and/or members of fact-finding and election observation delegations. They can on occasion be contracted to carry out specific activities that may require expert skills which some may possess.

Members of Parliament are often too busy to attend to all public duties, including, for example, committing much time and effort to an organisation such as Amani, despite their knowledge of its significance. It is for this reason that the Evaluation Team envisages a greater role for former Parliamentar-

¹⁵ AMANI Forum clarified in its July 20th, 2006, 'Detailed Response to Sida Audit Queries', the excess funds, as at 31st March 2006, were as a result of the late disbursement (December 2005) of UK Foreign Office funds. These funds were used in the implementation of activities that had been carried forward (beyond March 31st, 2006)

ians whose experience and knowledge is invaluable for the historical and institutional memory of Amani as well as the possibility that they could probably devote more time and effort than active parliamentarians – this is not to lessen the important role played by the latter.

4.1.7 Peace and Security

Amani activities are based on building the capacities of regional Parliamentarians to Peace and Security as primary components of the conflict resolution debate. In this regard, security should be seen in its totality. This implies not only state security and stability but also human security. State stability entails promotion of rule of law, good governance, respect for human rights and fundamental freedom and access to basic necessities for all people.

Amani Parliamentarians continue to encourage their governments to initiate and sustain processes that guarantee peace and security to all citizens.

4.1.8 Democracy and Governance

Amani work has recognized and hence supports the existence of a strong correlation between Peace and Security, and Democracy and Good Governance. The existence of free, fair and democratic elections is pivotal in legitimising political leaders, establishing and maintaining democratic principles and averting violence.

Similarly, transparency and openness in transacting national business by the state, particularly on matters of peace and security improves citizen's confidence in their government. Amani work advocates the need for the opening of a space for parliamentarians to effectively use their roles in parliament to scrutinise the defence budgets, allocation of resources and promotion of rule of law to guarantee peace and security and stimulate economic development.

Inter-parliamentary dialogue, inter-party dialogues and training of MPs on parliamentary theory and practice have been core areas that Amani Forum has engaged Parliamentarians in, while delineating key areas in which they can maximise their roles for promotion of peace, security and democratic governance.

4.1.9 The Humanitarian and Social Issues

Amani's Refugees/Returnees project between Zambia and Rwanda provides an angle for MPs to be engaged in advocating for safe repatriation of refugees. The challenge of repatriation of refugees has presented itself differently to all the three parties involved; the refugee host country, the UNHCR and the country of origin. Most Rwandan refugees have been reluctant to return to their countries even on voluntary basis. They have often cited among other issues, the existence of unfavourable conditions back home.

Members of Amani Zambia and Amani Rwanda have had initiatives including visiting the refugees and taking some of their representatives to Rwanda to carry out situational analyses of their home country with a view to returning under the Voluntary Repatriation Programme. For examples of Amani activities at the Chapter level in Kenya, Uganda, DRC and Rwanda refer to various documents and narrative reports (Annex 2).

4.1.10 Training in Peace building and Conflict Resolution

In order for Parliamentarians to contribute towards resolving conflicts, they need to understand the issues, the actors and the underlying causes. This entails developing their capacities to analyse conflicts in all different aspects. Such capacity building is achieved through training in relevant skills and methodologies and by learning about specific aspects of conflicts. The skills learnt are used in Parliament, constituencies and in fact finding missions.

The trainings also focus on constituency representation. This is because a better understanding and more active practice of the constituency role of a MP will help increase the participation of the mass of people in the political process towards peace. All the Chapters except DRC have undergone thorough basic training in conflict resolution.

In the period up to December 2004, over three hundred parliamentarians have been equipped to assess and intervene under the project titled: “*Conflict Transformation and Peace-Building Skills Training*”, with a focus on Understanding, Preventing, Resolving and Transforming Conflict (these are well documented, see Annex 2).

4.1.11 Fact-Finding Missions

Amani members undertake fact-finding missions to conflict-afflicted areas. During these missions, members observe the effects of conflict firsthand, engage in discussions with the affected populace and thereafter, prepare and present their findings and recommendations to parliament, other relevant actors and governments. The missions are not one-off activities, and in each case, financial provisions are made for follow-up activities. These may involve lobbying on recommendations arising from the Amani Mission or arranging for mediation between parties of the conflict.

During the missions, parliamentarians are able to relate the problems faced by the people in the local community with the policies propagated at the national level and pinpoint key roles that they can play in influencing the policies to reduce conflicts.

The fact-finding missions also provide an opportunity for the legislators to compare explanations provided by the Executive on the nature of the conflicts with those provided by the victims. As a repository and custodian of democratic ideals, parliament performs the task of holding the government and other public bodies accountable to it, and ultimately to the public. Through this, their overseeing role in peace building will be enhanced more. The missions have been carried out regionally as well as at the Chapter levels.

4.1.12 Inter-Parliamentary Dialogue

Inter-parliamentary dialogue has been one of the ways through which Amani works to mitigate conflict and reduce tensions between neighbouring countries.

Amani strongly believes that Inter-parliamentary dialogue between Members of Parliament is a very useful strategy for dispelling misperceptions, reducing tensions and opening up communication channels between parliamentarians and parliaments in the Great Lakes region.

The aim of such meetings is to create space for Members of Parliament, through Amani Forum to engage in dialogue and build relationships of solidarity and cooperation between parliamentarians on issues of peace and security in the region.

From the dialogue, Amani is able to build a critical mass of parliamentarians from the Great Lakes Region countries who understand the issues and are committed to effectively use their capacities as parliamentarians to work for peace.

During the dialogue, divisive issues are tabled and discussed with a view to achieving consensus. The MPs from these countries delineate key issues in the areas of peace and security where they can lobby their national governments for action and support (for samples on Inter-parliamentary dialogue refer to documents cited in Annex 2).

4.1.13 Cooperation with other organisations

Unlike other regional framework organisations (for example, Education Centre for Women in Democracy (ECWD) – “Women Direct”) which cooperate with already existing NGOs called partners, Amani has established National Chapters in all seven parliaments of the Great Lake. This arrangement makes

Amani all inclusive, yet collaborating with a number of partners outside its own network (for example, International Alert, Parliamentary Forum for Small Arms, Regional Centre for Small Arms, International Conference for the Great Lakes, Inter-Parliamentary Centre which gave Amani an observer status, Parliamentary Network on the World Bank, All Parliamentary Group, Africa Peace Forum, Saferworld, UNDP at all National Chapters level, AWEPA, East African Legislative Assembly). Cooperation with these organisations is pragmatic, facilitating the Great Lake parliamentarians' participation on activity-based programmes of relevance to Amani mission and vision.

Given the fact that Amani and Education Centre for Women in Democracy (ECWD) – “Women Direct” interest in democracy and peace coincides, ECWD does not feature as a major partner and vice versa, although both are recipients of Sida financial support. There is great potential here for the two organisations to cooperate on issues pertaining to profiling the contribution of women parliamentarians to peace and democracy.

4.1.14 Follow up and reporting

The absence of Amani awareness and proactive usage of development aid management instruments and the absence of a written programme cycle methodology are amongst its weakest points. Amani narrative reporting of programmes and activities is rather descriptive, with particular absence of indicators of measurable results (output, outcome and impact, success or failure). The indicators of success are anecdotal and rather magnified, while failures are not mentioned. Amani monitoring and evaluation methodology leaves much to be desired and is grossly ill-informed of current development and donor requirements, in particular the need for effectively monitored and evaluated results-based programmes activities. This also applies to the need for proper follow-up of activities, correcting implementation mishaps and consolidating success with a clear view of sustainability of outcomes and impacts.

4.1.15 Amani consolidation and reform process

The Evaluation Team recognizes that as a relatively new organisation, Amani has already begun what could be termed a “silent” consolidation and reform process. However, the leadership of Amani never took up the recommendations in the evaluation of International Alert (IA), because the evaluation was not carried out in a participatory way. The consolidation process, seen from the vantage point of the evaluation team, consists of revisiting its establishment rules of the game. These include the following: 1) Amani Forum By-Laws (April 2005); 2) Amani Communication Strategy (2005); 3) Amani Constitution and MoU with International Alert; 4) “Strengthening Amani Forum Chapters” (April 2006); and 5) Amani Technical Strategic Plan 2006.

We comment in this section on only two of Amani consolidation strategies as the other three have been dealt with in various parts of the report: Amani Technical Strategic Plan and Amani Communication Strategy. We take these in turn:

First, after taking stock of Amani 1999–2005 work on “*Strengthening the Engagement of Parliamentarians in Peace building and Conflict Mitigation in the Great Lakes Region*” the Strategy is to: (a) review Amani’s experiences in the peace building and conflict field over the past seven years; (b) outline the rationale for the continued existence of Amani; and, (c) to discuss the strategic direction of Amani’s work for the 2006–2009 fiscal years.

The Strategy is good in detailing Amani’s background, context, objectives and strategies (probably meant inputs). However, there is glaring absence of chain of assumptions-objectives-input-indicators-sources of verification-output-results/impact; Logical Framework Analysis (LFA); and Strength, Weakness, Opportunities and Threats (SWOT). Absent yet still are indicators for measuring outputs, outcomes and impacts or identifiable programme-based results.

Amani Technical Strategic Plan (2006–2009) is in need of re-thinking so that it can respond to its mission, vision and objectives in a more professional manner. The use of some of the commonly used develop-

ment aid management instruments will go long way to assure the reader of what outputs, outcomes and impacts the Strategy will leave behind after implementation. The three years time frame (2006–2009) is too short, given the fact that we are already past mid-2006 (for example, a five years Technical Strategic Plan seems more plausible) and that peace building and conflict management are long processes.

Second, while commending Amani for having developed a Communication Strategy, the Evaluation Team envisages the need for the ensuring that it is implemented and the instruments mentioned therein put to practical use. This spacious endeavour could be attested only when the implementation of the Communication Strategy has become a prominent component of its Programme Proposal for Strengthening and Consolidating the Engagement of Parliamentarians in Peace building and Conflict Mitigation (April 2006). Amani may also think creatively of cutting cost (for example its costly Newsletter USD 18,400; 19,320 and 20,286 for 2004, 2005 and 2006 budgets), while, of course utilizing more effective communication forms and delivery vehicles/carriers. Another priority area is to support Chapter-to-Chapter communication and increase the flow of information among Chapters so that they can follow each other's activities and benefit from best practices.

4.1.16 Financial Management

The architecture of Amani financial management system consists of the following: Amani has a Finance and Administrative Officer (the highest ranking officer after the Secretary General) at the Secretariat level and a Treasurer at the Regional Executive Secretariat level, also a member of the Regional Executive Committee. The Treasurer is also the chair of the Budget and Finance Committee.

The Treasurer is the custodian of the funds and financial records of the organisation; who prepares and presents the budget and accounts of the organisation; prepares and presents the annual audit report of the organisation; is a mandatory co-signatory to the bank accounts of the organisation and carries out any other duties delegated by the Regional Executive Committee or the General Assembly in overseeing Amani finances.

However, the Evaluation Team has observed that Amani Financial Statement and other budget related documents are signed by the Executive Secretary, leading to the question what the Treasurer actually does. We wonder if it is a ceremonial position or a position held by someone described by the Amani By-Laws as: *“The Treasurer is the custodian of the funds and financial records of the organisation; prepares and presents the budget and accounts of the organisation; prepares and presents the annual audit report of the organisation”*.

The Evaluation Team is impressed with Amani financial instruments and the elaborate By-Laws governing the work of the Budget and Finance Committee specifying budget approval procedures, direct and indirect sources of income, expenditure sections (organisational and administrative), description of the balance sheet content in terms of income, property, grants, expenditures, audit requirements, etc.

However, Amani has not used these instruments to their full potential. For example, Amani claims that *“in line with the Amani Constitution, the Amani financial year end remains at June”*. In contradiction to this, Amani By-Laws (Article 2, page 8) stipulates clearly that:

“The Annual budget shall be drawn in for the fiscal period of January 1–December 31 of the respective year”.

If Amani is to follow its own By-Laws, it will not be difficult for it to meet the donors (Sida Draft Audit Report, 2005) requesting Amani to harmonise the organisation's and Programme financial year.

Another example of By-Laws not been fully utilized is Sida's criticism of Amani for high costs for hotel accommodation, meals and per diem. The Swedish Embassy has continued to follow up on the audit findings (in meetings, telephone conversations and email correspondence) to ensure that the issues

brought up by the auditors are being addressed¹⁶. At a meeting in November 2005 Sida made note of the need of keeping costs down and discussing the budget and prioritisations. However, costs are still too high in the new proposal submitted to Sida in June 2006. Sida suggested that Amani should note in its forthcoming Technical Strategic Plan its intention to decrease the current high levels of travel, lodging and per diem cost, etc.

Table 3 below shows the type of requests Amani has received in Sida's Draft Audit Report, 2005 and the extent to which Amani has or has not complied with some of these requests. In our view, these are not issues of political principles or opinions that should be contradicted or refuted, but general common sense audit and account procedures which any organisations aware of the current donor derive towards development aid effectiveness should comply with.

Table 3: Amani Level of implementation of Sida request for improvement of Financial Management

No.	Sida request	Action taken by Amani
a)	End of Financial Year: The organisation's year-end is June, whereas the programme year-end is March. Thus there is a mismatch between the two audit reports. As a result the programme will have to be audited separately. The original programme proposal was for the period January–December. The auditors recommended that the organisation's and Programme financial year be harmonised.	Insisted on June as the end of the financial year, with donors carrying out Audits in March.
b)	Accounts of National Chapters: The auditors recommended that National Chapters of Amani should submit their financial returns on a regular basis to allow for monitoring and auditing.	Done: Amani has established standard reporting format. National Chapter file a quarterly financial return without receipts and a half-year financial report accompanied by expenditure receipts.
c)	Return of Excess income: The auditors observed that there was a net excess income of \$ 33,784, which should be returned to the donors for re-budgeting or repayment.	Amani claims that there was no excess income. ¹⁷ The Evaluation Team consulted with the Swedish Embassy on this, and apparently there is no further correspondence confirming that this money was refunded; equally there is no written decision to reallocate the money.
d)	Treatment of Salaries: The auditors observed that while salaries have been allocated to each project in the budget, the same is not reflected in the accounts. As a result, they noted, it becomes difficult to compare budgets with actual expenditure. They therefore recommended that salaries be reflected separately in the budget	Implemented in the 2005–2006 budget, presented to Sida under "Regional Secretariat Operation Cost".
e)	Cost of flight tickets: The auditors recommended that flight tickets be attached to the accounts documentation to verify that they were not refunded.	Amani confirmed that, Parliamentarians, Ministers etc. who travel on Amani cost use economy class tickets.
f)	Fuel claims: The auditors recommended that the distance travelled be clearly stated in the documentation for fuel refunds	Done
g)	Costs of laundry, telephone and drinks from the mini-bar: The auditors recommended that the allowances paid to Amani MPs be reduced for costs such as laundry, telephone and drinks.	Clarified. The final outcome depends on Sida final response in terms of acceptance or rejection of the explanations given therein.
h)	Per Diem: Sida and the UK Foreign Office considered the out-of-pocket allowance of \$ 60 per day to MPs as excessive and they also said that the payment was discriminatory because MPs get \$60 while other participants get \$30.	Not resolved, still under consideration

¹⁶ Audit Exercise for the Regional Democracy and Human Rights Programme by Ernst & Young Stockholm – 2005. (Embassy of Sweden: Management Response)

¹⁷ According to Amani, the actual excess income is \$ 5,522 which was as a result of the exchange gain from the Sida grant. The other balance represents an IDRC grant of \$ 14,602 for the Zambia/Rwanda refugee project which has not yet been utilised and a grant from International Alert of \$ 18,000 to meet its obligations.

No.	Sida request	Action taken by Amani
i)	Final Recommendations on Sida Audit: The auditors recommended that several areas of internal control and routines within the organisation need to be improved. They also recommended that Sida may arrange a seminar for the organisations it funds to discuss these issues.	An informal meeting has been held. Amani explained to Sida and showed readiness to optimise cost per unit.

Amani Executive Secretary informed the Evaluation Team that the participation cost of MPs was in accordance with the budget submitted which was difficult to change at the time, but will be changed in the next proposal submission. Because Amani is financially transparent, all members of its Regional Executive Council (and by default National Chapters) and Advisory Council know the exact amounts budgeted for each activity, including per diem rates, etc., which makes it difficult for the Secretariat to reduce per diem without seeking the approval of the Executive Committee and by extension the National Chapters.

However, at the field trip in Rwanda we learnt that UNDP solved this issue by direct payment for all costs (hotel, transport etc). NORAD uses the UNDP services.

Regrettably, while Sida and other donor agencies hail Amani as an innovative inter-parliamentary regional organisation, which plays an important role in peace building and conflict mitigation, it is these minor financial management problems that come to haunt the organisation. Therefore, our recommendations will have to address this as a matter of urgency for the sake of the survival of an organisation whose work is noted by UNDP and other organisations for the importance of its work.¹⁸

4.1.17 Reporting to Donors

International Alert (IA) still supports Amani and is working on building a new relationship through a MoU. An evaluation has taken place around the transition from support through IA directly to Amani.

DFID still supports Amani and there is nothing in writing to this effect. DFID differ from Sida in that it does not have an agreement with Amani and its arrangements are programme-based i.e. DFID supports the programme once it is convinced of its efficacy.

Sida has informed Amani that continued support from Sida after April 2006 will benefit from the evaluation. The last agreement is based on the first two years of Amani 2004–2007 proposal. According to Amani Secretary General its priorities have not changed and that they have expanded Amani activities to the Democratic Republic of Congo at the suggestion of Sida and in agreement with its objectives.

Sida has also expressed the need for following up on getting more partners on board. The Evaluation Team discussed with Amani leadership (Regional Executive Council and Executive Secretary), whether Amani will expand from a sub-regional to a pan-African organisation with the possibility of bringing on board larger number of parliamentarians.

It became obvious, after discussions within Amani executive and advisory bodies that Amani does not wish to expand its current activities before deepening its current work in the Great Lakes Region. However, Amani leadership has debated on whether it should expand in war-stricken (Somalia) or post-conflict regions (South Sudan) so that the lessons learnt from the Great Lakes could be adapted and applied there.

The Evaluation Team was also informed that Amani prefers to have a few efficient partnerships instead of just increasing the number of partners. It has strong ties with and prefers to participate or hold joint activities with its partners in a regular and active manner (see sub-section on cooperation).

¹⁸ See UNDP: Parliaments, Crisis Prevention and Recovery 2006, pp. 9 & 10.

4.1.18 Donor Diversity

The table below shows that Amani donor base is thin. Amani acknowledges this anomaly and currently Amani has approached several donors such as the European Commission and the Dutch Government (apart from Sida and the UK Government) to support the 2006–2009 proposed Programmes. Additionally, with a view to securing organisational sustainability, the Regional Executive Committee during its May 2006 sitting mandated the Finance Committee to develop and concretise a Trust Fund Plan for Amani. The discussions and activities leading to the commencement of these processes are yet to be completed.

Table 4: Donor Support to Amani Forum for the period 2003–2006.

Donor	2003	2004	2005
International Alert	318,161.36	79,000.00	–
Sida	–	312,271.68	326,475.61
UK Foreign Office	–	400,000.00	400,000.00
IDRC	–	14,601.71	3,843.83
Totals	318,317.36	805,873.39	730,319.44

Notes on funding provided to Amani:

The Amani funding year is April to March; therefore some funds reflected in 2004 from International Alert were for the financial year 2003–2004. This applies to the funds from both Sida and UK Foreign office where the fund reflected as grants for 2004 and those for 2005 were to fund the programmes for 2004–2005 & 2005–2006, respectively.

Amani's thin donor diversity base poses serious financial risk and will make it susceptible to any serious decline of donor funding, particularly from its current to major supporters – Sida and the UK Government. In short, Amani's inadequate donor diversity undermines its long-term financial sustainability.

4.2 Evaluative Conclusions

The mission assessed the Amani Forum on five key issues according to the ToR: effectiveness (the extent to which it had managed to achieve its goals), efficiency (the extent to which it had managed to achieve its goals within the available resources), results (the output, outcome and impact of the activities), relevance (the extent to which its activities relate to the expectations of its stakeholders) and sustainability (the extent to which its activities are viable).

4.2.1 Effectiveness

Sida complaints about financial management in general and especially on high costs incurred in the course of carrying out Amani activities and programmes should reflect within it the ultimate goal of poverty reduction. Amani political and executive leadership (Regional Executive Committee and Advisory Committee and the Secretariat) should redress questions of cost effectiveness as a matter of urgency. Amani should intensify its efforts to decrease the unit costs, for example, by optimising the size of delegations, getting lower prices for tickets, by better planning and, among other things, also choosing hotels in a cost effective manner, etc. Amani explained the costs in terms of the special category and nature of its members (i.e. parliamentarians) whose positions require higher security level for venues and special treatment different from that of activists and other civil society organisations.

4.2.2 Efficiency

Amani Secretariat is relatively small and efficient. It is supported by active National Chapters. However, the National Chapters operate with less than full capacity considering their proximity to where conflicts and peace building processes take place. There is need to strengthen Amani Secretariat and Chapters to realize their full potential and Amani objectives.

4.2.3 Results

It is hard to measure results of activities and effectiveness in the area of Human Rights and Democracy¹⁹. The narrative reporting is lacking information on outcomes and impacts. The absence of a workable methodology and developed instruments for measuring outputs, outcomes and impacts is part of the problem. For instance, Amani could have alluded to its achievements in terms of measurable results in its new proposal, which is also lacking in references to results achieved during the last period.

The objective of Monitoring and Evaluation processes is to make visible an array of programme/project results at different levels. Assessment of results often includes four areas: output, outcome, impact and sustainability.

Output: the number of capacity building activities Amani has implemented, the level of participation, and the quality of content is adequate and commensurate with the norms associated with such interventions.

Outcome: Due to the absence of study on how and whether improvement in skills in dealing with the legislative process, budgets, hearings, debates, media and constituency work, it is difficult to verify this point. However, the increasing interest in Amani activities, the large number of members and their engagement in its activities must have improved their skills and capacity to deal with conflict management issues, and is a clear indication that there have been some positive outcomes of Amani programmes and activities.

Impact: There is faint knowledge of what changes have actually taken place as a result of Amani and subsequent parliamentary action, in terms of legislating for peace, considering the proximity of MPs to government as well and their ability to influence policies as the various reports submitted by Amani illustrate. Impact assessments require among other things the use of monitoring and evaluation methods currently not available to Amani or rather lacking in the current Secretariat human resources structure and capacity.

Sustainability: There is no doubt that the skills imparted on MPs on issues emanating from Amani programmes/projects are relevant to peace building and conflict prevention and are sustainable at the individual MP level. This however, is at odd with the harsh reality that there is high MP turnover. The only consolation is that these skills will not be lost to society and that it is not inevitable that MPs will in some circumstances be re-elected and resume their public duties in these and other capacities.

Amani has not developed a methodology for result-based programme reporting, measurement of outputs, outcomes or impact. The methods used for reporting results are inadequate, anecdotal and require serious rethinking and further development.

4.2.4 Identity and Relevance

Amani Forum has, in a relatively short period, established clear mission, vision and objectives. Its work is relevant and consistent with the Sida democracy and social development objectives and current Parliamentary Strengthening Approaches.

4.2.5 Sustainability

It is difficult to ascertain Amani financial sustainability given its over dependence on two major donors who between them provide more than 90% of its total programme and administrative cost. Its other sources of income (membership fees, sales of publications, income generating activities, interest from banks and others, if any) are too meagre to form any measure of financial sustainability.

¹⁹ In 2005, Sida completed a mapping and evaluation exercise of all its assistance directed towards parliaments and parliamentary networks. The evaluation may be found on Sida's website: K. Scott Hubli and Martin Schmidt: Approaches to Parliamentary Strengthening: A Review of Sida's Support to Parliaments. Department for Democracy and Social Development. Sida Evaluation 05/27.November 2005.

However, the most important sustainability element in Amani work is sustainability of results (i.e. cementing and consolidating peace within its mandated regional space), which cannot be maintained without long-term donor support. Peace and conflict issues are often unpredictable and hardly manageable within a short time frame.

4.3 Lessons Learnt

By Amani's own reckoning, it has learnt the following lessons, on which we will comment in order to highlight this in respect to Sida approaches to parliamentary strengthening and regional approach:

1. Through its educative, empowerment and transformational capacity, training constitutes an invaluable instrument for peace building and conflict mitigation.
2. Building sustainable peace requires leveraging of efforts and embracing of partnerships among dynamic individuals, institutions and structures at all levels.
3. All institutions and actors are important in peace building and conflict management. Sustainable peace is founded on institutions and structures trusted by parties to the conflict.
4. Parliaments and parliamentarians have a pivotal role to play in peace building and conflict mitigation.
5. Conflicts in the Great Lakes are inter-linked and constitute a system. Resolving them requires a regional approach and framework.
6. The Democratic Republic of Congo (DRC) is the geo-strategic epicentre of conflict, and, potentially, is also the geopolitical nucleus of peace in the Great Lakes region.
7. Peace building is not a linear process. Flexibility, creativity and responsiveness in implementation of peace building programmes are of essence.
8. Governance deficit is at the root of majority of conflicts in the Great Lakes region.

The Evaluation Team recognises that these are pertinent lessons, which are also applicable to Sida's Regional Democracy and Human Rights Programme in issues such as conflict management and peace building. However, results-and/or evidence-based results should have given these lessons some context which would enable the reader to attest to their applicability and critical adoption in similar situations.

However, even in their nascent formulation, and without reference to Sida's Regional Framework, the lessons Amani has learnt from its work on parliamentarians and peace building are within that concern.

One unfortunate lesson learnt is that Sida supported organisations within its Regional Framework arrangement do not cooperate or even interact with each other. On the one hand, this is understandable as these organisations compete for Sida funds; on the other hand it is not understandable at all given the fact that this is also a part of Sida regional cooperation framework priority. For example, organisations that are located in the same city (Amani and Women Direct) and which have undertaken activities for women parliamentarians could/should have collaborated for the sake of mutual benefits by creating partnerships, as both call for affiliate or associate partnerships. It could also contribute to efficient use of resources and effective ways to learn from each other's programme implementation methods. The onus is also on Sida to be proactive in directing its funding policies to induce such collaborative behaviour amongst organisations operating under the regional framework dispensation.

4.4 Recommendations

Amani Secretariat: Amani Secretariat operates at a breaking point and need to be strengthened, particularly in respect to vacant positions (Administration and Finance Assistant) and a senior professional

knowledgeable of the prevalent development aid management instruments, donor policies (Paris Declaration on Aid Effectiveness March 2005) and result based methodologies and approaches to assist the Secretary General to comply with donor requirements vis-à-vis reporting and proposal development (e.g. Programme development, implementation and monitoring and evaluation officer). Essentially, Amani Secretariat should strengthen its monitoring and evaluation capability, knowledge and practice of donor aid management instruments and reporting requirements.

Advisory Committee: The creation of an Advisory Committee is an important step taken in the By-Laws. However, there is no budget towards supporting the activities and reports of the Advisory Committee. The Advisory Committee (although still at the establishment phase) also does not appear in Amani Organisation Chart and is not mentioned in most documents and reports. If the Regional Executive Committee does not heed the advice given by the Advisory Committee, one wonders what effect its activities have in respect to improving Amani performance and direct it to better ways to implement its vision. Amani should empower the Advisory Committee so that it has tangible impacts on its operations.

National Chapters: It is a matter of urgency that Amani should implement its Strengthening Amani Forum Chapters Strategy (April 2006), which is to empower the Chapters for further ownership of the programmes, for effective national monitoring and contribution to peace building and conflict prevention.

National Coordinators: The issue of National Coordinators was discussed at length. A view has emerged that a twinning process could be developed whereby members of the Advisory Committee are appointed Convenors to support the Coordinators and mobilize Amani parliamentarians.

Financial Management: Amani should clarify who is responsible for the management of its finances: The Secretary General or the Treasurer. Amani should make full use of its financial instruments and abide by its By-Laws (Article 2, page 8) which stipulate clearly that: “*The Annual budget shall be drawn for the fiscal period of January 1–December 31 of the respective year*”. If Amani is to follow and implement its own By-Laws, it will not be difficult for it to meet the donors (Sida Draft Audit Report, 2005) request that Amani harmonise the organisation and Programme’s financial year.

MPs Participation costs: Although it has been highlighted for a number of years, the issue of high parliamentarians’ participation cost keeps coming back in almost every audit and evaluation mission. Amani should sort this issue out within its governance structures and in consultation with Sida once and for all because: a) it undermines its work which has been highly acclaimed and appreciated by Sida and the Evaluation Team; b) if not solved amicably, this trivial issue will put Amani in the wrong light vis-à-vis not only with Sida, but also other donors; c) it gives an air of unease both for the MPs and Amani leadership as overseers of accountability and committed partners in the poverty reduction endeavour and d) Amani should shift the quality and orientation of the debate with Sida from procedural issues to content and objectives realisation.

Membership: Full, associate and affiliate membership: Amani should clarify what it means by these categories of members as well as provide a full classification of its current membership both by membership type and gender. The function, duties and responsibilities of each should be further articulated and sorted out.

Programmatic planning and design, implementation, follow-up and reporting methods: Amani should develop a methodology informed by the prevalent development aid management instruments (chain of assumptions-objectives-input-indicators sources of verification-output-results/impact; Logical Framework Analysis (LFA); and Strength, Weakness, Opportunities and Threats (SWOT) as well as indicators for measuring outputs, outcomes and impacts and identifiable programme-based results. In particular Amani should improve its monitoring and evaluation strategy and establish a proactive follow-up procedure.

Donor Diversity: Amani should work in earnest to diversify its donor base, which has been kept almost constant since its establishment, with the entry and exit of only a few donors. Donor diversity is an important aspect of risk management and long-term financial sustainability in donor-dependent organisations and should therefore be improved as a matter of urgency.

Amani and like-minded Organisations, including Sida supported organisations: Amani should exert some effort to increase the number of its affiliate members as well as cooperation in areas of mutual interest with regional based Sida funded and other organisations. This recommendation does not apply only to Amani, but also to other Sida funded organisations such as ECWD/Women Direct.

5. East African Law Society (EALS)

5.1 Findings

5.1.1 Background

The East African Law Society (EALS) brings together six thousand-plus lawyers from Kenya, Uganda, Tanganyika and Zanzibar and also the four national Bar Associations in the region, including the Zanzibar Law Society.

The East African Community Law Project (CLP) aims to catalyse a deeper understanding of and interaction with the organs of the EAC, in order to deepen and extend the just rule of law and respect for all human rights of all people by directly engaging with and monitoring the said EAC organs.

5.1.2 Organisational and Management Structure

The East African Law Society (hereafter referred to as the Society) has a relatively small establishment with a small secretariat. It has five members of the secretariat: the Executive Director, two Programme officers, an Administrative officer and a Finance officer. In addition it employs interns who come for periods of up to three months and may be sponsored by partner organisations from within or outside the region. Out of the five, three are female and two male. Three of the team members are Tanzanians while the other two are from Kenya and Uganda.

Internal Organisation

The Secretariat is small and there are no divisions of departments as such. The Executive Director is the overall in charge of the Secretariat and oversees the performance of all functions. One of the Programme officers is the direct administrative assistant to the Executive Director and oversees all the administrative matters of the Society. The other Programme officer is a lawyer who oversees the execution of the other programmes of the Society. The Administrative officer helps with administration and logistics. The Finance officer keeps the books and administers the Society's finance under the supervision of the Programme officer in charge of administration. The team, though small, is well organised and very competent.

Management Structure and Competencies

The organisational structure of the Society comprises of the Council, standing committees and the Secretariat as described above. The Council is composed of twenty two members, seven persons from each of the three countries plus the Executive Director who is an ex-officio member. The representation on the Council is still male dominated with 15 male and 7 female members. This may also be reflective of the proportion of gender ratios in the legal practice in the region.

The standing committees are programmatic and their members are drawn from the Council. The four committees are: Finance & Administration; Human Rights & Rule of Law; Professional Development; and Regional Integration. They evaluate programme activities and outputs and recommend to the Council. The Council gives policy guideline on programmes and approves of plans, budgets and activities. There is no formal monitoring and evaluation system but the function is exercised through internal controls and evaluation of activities carried out by the standing committees as mentioned earlier.

Financial Management System

The Secretariat does not have many donors or many programmes. Sida is the main donor so far and the budget is not very big. The Executive Director is responsible for the proper management of funds and the Finance officer is responsible for the keeping of books and ensuring the funds are properly managed. The Programme officer in charge of administration supervises the management of funds by the Finance officer and other officers.

For a year or so the Society was caught up in a wrangle over a cheque that was said to have been lost due to the alleged negligence of one of the Council members. This led to the person alleged to have occasioned the loss going to court and opening a suit against the Society and its officials in order to clear his name. A mediator was appointed by the Society and it was found that the loss had occurred due to weaknesses in the financial management of the Society, which have since been rectified. The mediator managed to secure an out of court arrangement under which the Society paid back the complainant the money he had paid to institute the proceedings and he agreed to withdraw the claim against the Society. The matter has been reported in the 2005 Annual Report of the Society (pages 13–14). However, the loss of the cheque was a 1999/2000 occurrence, well before the Secretariat was established. Since then a financial system has been introduced. The weaknesses identified in the case above have been rectified under the new management. The Secretariat has commissioned an expert financial firm to draw guidelines for it on how to manage its finances. Once these are in place, they will also improve further the financial management of the Society.

5.1.3 Mission, Vision and Strategic Plan

The Vision of EALS

The vision is: *“Rule of law and justice for all in an integrated East African region”*.

Mission Statement

EALS’s mission is: *“Upholding justice through advocacy for human rights, rule of law and social responsibility in political and social institutions of governance”*.

To achieve these aims, EALS shall actively lobby for enabling legislation in the EAC partner states, while insisting on the highest ethical standards in the professional practice of its members. EALS *“shall seek further support of these efforts through strategic partnerships within civil society, in order to promote people’s growing choices and ability to access legal services throughout the East African region”*.

Strategic Plan

Members of EALS, including the Governing Council and its various committees, met in Dar es Salaam, Tanzania, 22–30 August 2005, to finalise a strategic thinking process that started with an organisational survey in July 2005. The Dar es Salaam workshop included strategic planning for the next five years, i.e. 2006–2010.

Both the organisational survey and the strategic planning workshop were part of the organisational development process of EALS. The processes and structure of participation in these workshops were designed to enable members to gain deeper understanding of the questions or issues that were shaping the performance and potential of their Society.

Through an institutional relations mapping process, EALS assessed the extent to which it was working effectively with opportunities in its institutional environment. It emerged, for instance, that only 15% of organisations mapped fell within the circle reflecting strong and mutual relationships.

The strategic plan for five years (2006–2010) was the main output of the workshop. The core of the plan is a strategy map (see part 3), which includes prioritized driving forces in the environment of EALS, expected results from the strategic responses, functional areas of EALS, and indicators of results related to the total responses of EALS to each driving force.

Five strategic objectives were identified, to be pursued by EALS over the coming five years. The strategic objectives portray what EALS needs to accomplish in order to be relevant and effective in providing sustainable services or support to its stakeholders.

5.1.4 Programmes and Activities

EALS has had some major programmes on Community Law (CLP); Conflict Resolution (CRP); Human Rights and Rule of Law; and Lake Victoria & Professional Development (PDP).

Community Law Programme (CLP)

Under this programme the Society has been compiling, editing and publishing digests of laws applicable in the countries of the East African Community, quarterly newsletters and organising regional symposia. The Society produces an East African Law Magazine, *The East African Lawyer*. The digests are of very high quality and the faculties of law at the University of Dar es Salaam and Tumaini University in Iringa in Tanzania have found them very useful as reference materials.

The Professional Development Programme

This programme is devoted to the training of lawyers on the law relating to the East African Court of Justice. Two courses have already been organised and two are planned for the year 2006. The programme also organises campaigns and lobby activities for cross-border legal practice in the East African Community. As a result of these campaigns, Kenya has opened up its borders for cross-border legal practice. However, for the whole campaign to be successful, more efforts have to be made to link the law schools that train lawyers for practice in the whole region and to harmonize accreditation procedures and requirements for the registration of law schools and accreditation of universities offering law courses.

Lake Victoria Initiatives

The Society working with other bodies dealing with Lake Victoria programmes has started initiating studies on the use of Lake Victoria waters and other resources. There are some fish and other farms and town councils that in the use of Lake Victoria are causing pollution and resource degradation. The EALS is contemplating taking legal action to contribute to sustainable and environmentally friendly use of the water resources of the lake. In addition the EALS undertook some studies in collaboration with the East African Community on the regression of water levels of the lake. The report produced under this collaborative study led to the closure of the dam at Kila in Uganda.

Human Rights and Rule of Law

This programme seeks to promote democracy, good governance and the rule of law in East Africa. In pursuit of these goals the Society organised a symposium on electoral laws applicable in Uganda during the discussion of the transition process in 2005. It also participated in election monitoring in Uganda in February 2006 and submitted a report on the election process. While most observer teams said the elections had been free and fair, the Society report, while remaining impartial, brought out lots of features of what actually happened on the ground, which were never featured in other reports. The Society also got involved in Zanzibar after the elections in 2005 and gave advice on the election process. The Society has been publishing special issues of its magazine on issues pertinent to human rights; for example, the next issue will be on gender and the law in East Africa.

These programmes aim at helping the legal community in the East African region to have inputs in the on-going process of regional integration. The Society has observer status on the East African Community top decision-making body, the Council. In that capacity it gives legal advice to the Community and attends all the meetings.

In its advisory capacity the Society wrote a memorandum to the Committee dealing with issues of the East African Federation giving advice on the legal perspectives of the proposed Federation. It seems the memorandum was very well received and used by the committee in framing its recommendations to the Ministerial Council of the East African Community.

In March 2005, the Society organised a mission to Kigali. The mission met the Rwanda Bar Association and discussed with the officials the possibility of the Rwanda Bar Association becoming a member of the East African Law Society. The admission of the Rwanda Bar Association will be tabled at the next Annual Conference of the Society.

Comparative Analysis

The programmes of the Society are developed by the executive with the help of the thematic committees and approved by the Council. The Society was formed in 1995 and seems to have gone through three major phases. The first one was that of formation, which took some time as membership was being gathered, and the mission and vision being shaped. The second phase has been that of stabilisation and this seems to have been achieved under the current leadership at both the Council and the management level. The coming phase will be that of consolidation and that is where the new proposal on the Community law project becomes very significant.

During the consolidation phase the Society will need to step back and examine its mission and vision and see whether some of the activities and programmes enhance these two. There are for example many issues such as human rights, governance and democracy that are being handled also by Kituo Cha Katiba. The question the Society will need to ask itself is: what is the niche for the Society in these two areas. Where human rights are concerned the Society, being member based, will need to ask the difficult question of whether the legal profession is an instrument for the promotion and protection of all kinds of rights in the region including economic, social and cultural rights and how the legal profession could be encouraged to become an instrument of development with social justice.

The underlying assumption is that in the past two decades and with the processes of liberalisation, privatisation and commercialisation, the legal profession may not have been very supportive of collective and cultural rights and the Society's challenge could be to look for ways of making it rights oriented in order to avert possible conflicts that may arise out of the current social injustices in the region as regards the way production, distribution and governance are being re-organised. In addition, the Society is developing a programme on conflict resolution. Amani Forum has a very advanced programme on parliamentary diplomacy and conflicts in the region. Again the Society has to look for a niche that will enable it to make a value added contribution to conflict resolution initiatives and focus on, for example, the legal issues that shape systems of power, production and distribution, access, availability and affordability of services and the impact of entitlement systems on social and economic citizenship in the region, etc.

Finally, there is a rising crisis of professionalism within the legal profession, as ethics seem to have eroded over time. In addition there is the crisis of declining standards in the law faculties and law schools in the region. Some of the new law graduates are not lawyers at all and all institutions involved, including the judiciary, have recognized this. New faculties of law are emerging that have not been accredited and are churning out 'lawyers', who are not acceptable by most of the established institutions. These issues are critical to the legal profession in the region and the Society needs a programme that links the legal profession with the law faculties and law schools to ensure the problem is controlled

before it goes too far. Although the management at the EALS has initiated discussions with law schools, this is a matter that lies at the heart of the mission of the Society i.e. to enhance professional standards in the delivery of legal services, and deserves a programme of its own.

5.1.5 Network Partners' Mandate and Competencies

The Society is a membership based organisation and not a network. However it carries out some networking activities at regional and international levels. For example, it works closely with the East African Human Rights Initiative, the Southern African Development Community Lawyers' Association, The Pan-African Lawyers Union and the African Regional Law Associations, the Canadian Bar Association, etc.

5.1.6 Performance Strategy

Research, monitoring, advocacy, lobbying, commenting and sometimes directly intervening are some of the strategies that the Society uses in the performance of its activities. Research is used in the compilation of digests and the compendium. Several members contribute articles to the *East African Lawyer*, the Society's journal. Fact-finding missions are sent to countries where the Society wants to contribute to the resolution of existing problems, for example, the mission that was sent to Zanzibar after the 2005 elections whose results were being contested by the opposition parties. Lobbying and advocacy involve direct meetings with heads of state or heads of key organisations. In the year 2005, for example, the Society sent highly powered delegations to meet President Museveni, the Chief Justice and Speaker of Parliament in Uganda, on the political transition and the jurisdiction of the East African Court of Justice in Uganda. It sent another team to meet the Vice President, the Chief Justice and the Attorney General of Kenya to seek assurance that freedom of expression and the rights of the media will remain protected in the country.

5.1.7 Work Methods

The biggest advantage enjoyed by the East Africa Law Society compared to other organisations is that it espouses the values it preaches. It is a membership-based organisation, its members contribute to its funds, it has an elected and accountable leadership, and its leadership changes from time to time. Therefore, when it talks about democracy, it has the experience of what it is preaching to others. One issue that the Society needs to address, however, is the contribution it receives from its membership as fees. Most of the members are practicing lawyers and could easily contribute more than the current annual subscription of twenty US dollars a year. This issue was discussed at length with the management of the Society.

In principle there is nothing that prevents this from changing except that at the beginning the Society did not make the members meet most of their costs. There was a time the Society was paying all expenses, including air travel, and still giving the participants per diem. Changing this has been difficult because of this false start. The challenge to the Society's policy-making bodies is to look for creative ways of making members contribute to the Society's funds without de-motivating them. One encouraging development in this direction is the decision of the Society's Council in August 2006, to increase individual and institutional subscriptions by 100%. This will help increase the resource base of the society and the admission of Rwanda, once completed, will also increase the subscription base.

Additional ways of mobilizing resources may include development of programmes that can be offered to members for a fee. These have to be very interesting and relevant to their activities so that they will see the need to pay. How to negotiate natural resources utilization contracts, contracts on the transfer of genetic resources, community rights under new intellectual property regimes, the movement of toxic and hazardous wastes, international financial transactions and credit guarantees etc., remain serious issues not taught in law schools. Modern lawyers in the region ought to know about these issues, which could be taught in collaboration with law schools, thus contributing to capacity development and also to improve the Society's financial status.

5.1.8 Donor Relations

Funding Patterns

For quite some time the Society has worked almost exclusively with Sida. The choice of almost exclusively working with Sida in the initial stages was not accidental. It was deliberate, in order to minimise burdens of donor reporting and relations and concentrate on institutionalising the organisation and building strong membership support. However, diversifying donors and partners was part of the 2006/2007 Strategy, and the Society has already commenced talks with a number of donors (e.g. CIDA, DfID, Ford Foundation, Open Society) and also partners (e.g. Canadian Bar Association, Commonwealth Human Rights Initiative, International Bar Association, etc). The Society is working towards an initial donor roundtable at which it will seek the support of other donors. Sida will be asked to help in the organisation of this roundtable.

As mentioned in the previous section, the Society is now in the process of looking for ways of increasing sources of funds. A Council decision in August 2006 has doubled the individual and institutional subscription rates and after the admission of Rwanda, the subscription base is likely to become wider. These measures are likely to improve the financial base of the Society and increase the number of its partners.

The Quality of Donor Reporting

The quality of the reports is good. However, the reports seem never to have been sent in time to Sida. Annual reports contain financial statements for the previous years.

Donor diversity

Notwithstanding the plans of the Society to involve other donors and until those intentions are translated into actual reality, the current situation is that there are no other donors apart from Sida. This reveals that the Society is Sida-dependent, which raises a number of questions and comments: 1) Does this mean that the Society has failed to attract other donors and why? If other donors are not interested, should this be an issue in respect to donor harmonization and aid effectiveness policies? 2) A major implication of this is that the Society's long terms financial sustainability is in doubt; and 3) The need for donor diversity, fund-raising strategy, re-invention of identity and methods of work are paramount.

5.2 Evaluative Conclusions

The Society has developed good programmes during the earlier phases of its formative years. These programmes have served it in its struggle to develop a personality and identity of its own. The Evaluation Team assessed the EALS on five key issues according to the ToR: effectiveness (the extent to which it had managed to achieve its goals), efficiency (the extent to which it had managed to achieve its goals within the available resources), results (the output, outcome and impact of the activities), relevance (the extent to which its activities relate to the expectations of its stakeholders) and sustainability (the extent to which its activities are viable).

The Society has a good comparative advantage over other organisations in terms of being membership based and governed. The Society should look for more creative ways of increasing the benefits members get from its activities and in turn this should help it to get more financial support from the members.

The Society has a very important mission in the region. If it identifies a special niche for itself, it is likely to attract more resources from more donors and with the support of the law schools and faculties, it can easily access funds within Sida or other organisations that are set aside for support of higher education. Therefore it needs to build links with the training institutions and to define its programme further to ensure it contributes to capacity building and knowledge creation on new issues that confront the legal profession in the region.

5.2.1 Effectiveness

The programmes and activities of the Society are very effective and have attracted and retained a significant number of lawyers from private and public practices, researchers and even policy makers. The lobbying activities have helped to provide leaders and policy makers with an opportunity to discuss issues regarded as thorny in a very quiet atmosphere away from cameras or public scrutiny. Fact-finding missions in troubled areas such as Zanzibar have also provided opportunities for local lawyers in such areas to take up issues with the state officials away from the politicised scene in political parties, parliament or other public forums. Litigation manuals, and training activities and dialogue sessions have been equally effective. On the whole it can be said the programme is very effective. The major suggestion repeated from section to section is that there is need to pay more attention to issues that affect the legal profession in the region. This will have a more lasting impact on the future of the region.

EALS has, with only a few exceptions, carried out the planned activities according to the time- and work plan and within the budget. However, EALS is not meeting the deadlines for reporting to Sida.

5.2.2 Efficiency

The Society is small and efficient in terms of Secretariat and management competencies.

The funds have been efficiently used and, as suggested, if the members are provided with some services that are likely to enhance their performance in their delivery of services, they will be able to contribute more to the funds of the Society and this will increase the resources of the Society, enabling it to provide more services.

5.2.3 Results

The objective of Monitoring and Evaluation processes is to make visible an array of project results at different levels. Assessment of results often includes four areas: output, outcome, impact and sustainability. The Society celebrated ten years of existence in the year 2005. Over this period it has managed to record some achievements, although it has not systematically inventoried them over the whole period. However, in its submission of the new Community Law Project proposal, it identified its major accomplishments for the last two years i.e. 2005–2006. These include achievements in the implementation of its programmes as will be indicated below.

Output: Two dialogue and training sessions were conducted; two litigation guides, a compendium of East African laws and a guide to the East African Legislative Assembly were published. In addition two digests were published on constitutional and tax law. Four issues of the *East Africa Lawyer*, the Society's journal, were also published. The Society also organised symposia.

Outcome: The outcomes were difficult to ascertain but those interviewed, especially in the Faculty of Law at Makerere University in Uganda and the Vice President of the Society based in Uganda, were of the opinion that the publications had helped to create awareness about the Community. In addition, they were also of the opinion that joint activities between the law societies in the region had strengthened the legal community in the region in its acceptability to contribute to policy formulation if one compares it with the period ten years ago when it was seen as a political nuisance by many leaders at the top level.

Impact: When one looks at the way the mission to Zanzibar after the contested election results in the year 2005 worked out and the fact that after that mission there has been internal reflection and inter-party dialogue in Zanzibar, one notices that the interventions of the Society and others regional bodies helped to provide parties in Zanzibar with an opportunity for open dialogue. Another area where impact is obvious is in the way the East Community Secretariat has been involving the Society in its activities. Generally however, the issue of impact requires tracer studies that were beyond the scope of this evaluation exercise.

Sustainability: see 5.2.5 below

5.2.4 Relevance

The current programmes are very relevant and there are many issues that, if taken up, will still be very relevant to the organisation. But to increase the relevance of its programmes, the Society, as said earlier, needs to identify a special niche that is very closely linked to its mission and vision. One of these relates to the issue of standards across the region. The Society will continue advocating for cross-border practice. But this will not be fully realized if the standards of the law schools are not the same and if the law faculties are turning out lawyers of differentiated standards. There is a need to grab this issue by its horns and help law schools adopt similar standards, and law faculties adopt similar teaching and research standards.

5.2.5 Sustainability

In 2005 the Society celebrated its tenth anniversary. This is an indicator that it is a sustainable organisation. Within the organisation there are three areas which the mission examined when looking at the issue of sustainability. The first was membership. The membership has been growing every year and will go on rising as new programmes emerge. Therefore the membership is sustainable. The second area was management. There was a period when management was relatively weak. But in the last two years, the new management has put the organisation on course and streamlined financial management and procurement procedures. Currently, the Society is developing a manual on financial and materials management. These measures give assurances that management capacity is sustainable. The third area of focus was financial sustainability. This is one of the areas in which the Society is vulnerable. It is dependent almost exclusively on one donor. This single donor dependency can be avoided if, as planned, the Society organises a donor roundtable and uses it to get more development partners in addition to Sida. As regards non-donor sources of funds, signs are encouraging. In August 2006, the Council approved a doubling of both individual and institutional subscriptions. The admission of Rwanda will also increase internally generated income.

5.3 Lessons Learnt

Evidently, there are at least five lessons the evaluation team has learnt from EALS's active engagement:

- The East African region is a very complex region with a high preponderance of minority ethnic groups with geographical demarcations that are very arbitrary in the sense that they divide communities between nations and common resources that spread across states. These are potential factors of conflict and integration requires a proper understanding of resource utilization laws and regimes to allay fears of those not sure about the consequences of integration, and to avert conflicts based on resources and caused by cross-border movements of people, animals and goods.
- Democratization is still at its lowest stages in the region as most regimes are transforming themselves from a one party to dominant party systems. The threat of slipping back to 'majoritarian' dictatorships with weak opposition groups and crippled overseeing bodies is real. Hence efforts that seek to strengthen constitutionalism and rules of legitimate law need to be strengthened.
- The regional bodies such as the East Africa Law Society provide neutral space for state and non-state actors to sit together away from national pressures and prejudices and engage in constructive dialogue.
- Such bodies succeed because they build on African culture in which a visitor is always given ear and the privilege of becoming an arbiter in case there are problems. That is why the missions sent by the Society to Uganda and Zanzibar were able to succeed where locals had failed.
- Regional integration got stuck in the past in the region because it became linked more with the

politics of affection between the East African heads of state. The regional bodies are changing all this and taking the initiative away from the leaders and giving it to the people and communities of the region. This has the potential of fast tracking the integration process.

5.4 Recommendations

The evaluation shall aim to recommend ways in which the projects/programmes can be improved, from an implementation perspective as well as a support perspective, and shall also aim to make recommendations on whether or not Sida should enter into (new) agreements with the organisations that have been evaluated.

East African Law Society is recommended to:

- Focus the programmes and activities more towards its proclaimed mission and vision.
- Select a strategic niche that gives the Society a competitive edge over other networks.
- Seek the possibility of linking up with institutions of legal education to ensure common standards in curricula so as to fast track cross border legal service provision.
- Consider the possibility of creating a regional forum of CEOs with the aim of increasing programme synergies, reducing duplicity, facilitating resource sharing and joint resource mobilization and promoting the East African-ness of these programmes.
- Ensure sustainability by developing together with like-minded organisations a regional programme that can attract more donors and ask Sida to take lead in getting more donors to join the regional programme as partners;
- Conduct needs surveys and tracer studies to strengthen the demand orientation of the programmes and activities; and
- Develop a fund raising strategy in order reduce dependence on Sida and become financially more sustainable.

6. Education Centre for Women in Democracy (ECWD) – “Women Direct”

6.1 Findings

6.1.1 Background

The Education Centre for Women in Democracy (ECWD) was founded as a society on July 22, 1993 by women who contested in Kenya’s first multiparty General Elections in 1992, in response to the frustrations caused by women’s absence and exclusion from decision-making positions, and by the lack of vehicular support structures for women seeking such positions.

Based in Nairobi-Kenya, ECWD operates in 23 districts spread across seven provinces of Kenya.

It also operates regionally with like-minded organisations, institutions and individuals in six countries of the Greater East Africa region: Burundi, Ethiopia, Kenya, Rwanda, Tanzania and Uganda.

ECWD HQ in Nairobi, coordinates and serves all its national and regional programmes.

Since August 22, 1999, ECWD has registered as a non-profit and non-partisan Non-Governmental Organisation for women in politics, public life and decision-making. ECWD holds Consultative (Roster) Status with the United Nations Economic and Social Council (UN-ECOSOC).

6.1.2 ECWD mission, vision and objectives

As stated in its publications, ECWD's mission is: *"To increase the presence of women in leadership and decision-making positions, with a focus on quality and capacity and to work towards the creation of a more conducive social, political, economic and democratic environment for the equal participation of women"*.

ECWD's vision is for *"a well-structured society that is socially, politically and economically developed, with the full and equal participation of women and men in leadership and decision-making"*.

Priding itself on being different from other civil society organisations in Kenya and elsewhere that work at the grassroots level to improve the status and role of women and girls, ECWD claims that few such organisations have so far attempted to create the necessary link to women's leadership and their decision-making role in public life through human rights approaches. It is this link that will help to consolidate the results being achieved at the grassroots and policy level and ECWD has positioned itself as this link, as the ECWD's mission and vision inform in their stated objectives, which aim:

1. To enhance awareness about women as mainstream political players,
2. To improve public perception and reception of women rights and issues,
3. To identify and build capacity of potential women leaders,
4. To promote unity among women leaders and build their capacity as effective leaders,
5. To promote the participation of younger women in public life and leadership,
6. To promote coordination and networking among like-minded organisations nationally and regionally,
7. To intensify and strengthen women's human rights, civic and voter education initiatives for the masses.

6.1.3 Strategies

ECWD's mission, vision and objectives inform its strategies that aim at:

- Enhancing awareness about women as mainstream political players; building the self-esteem and confidence of women as leaders in society; de-mystifying politics for all women and providing support for women leaders at all levels.
- Strengthening civic education initiatives for purposes of encouraging communities to make informed choices.
- Promoting the upholding and respect for women's human rights through human rights education and legal empowerment of communities.
- Networking and forming strategic partnerships.
- Advocating and lobbying for a conducive social, political, economic and democratic society for women's equal participation.
- Supporting and lobbying for peace-building, conflict prevention and resolution as well as encouraging international cooperation and the abolition of all forms of oppression, racism, chauvinism, sexism, social bigotry, exploitation and discrimination.
- Promoting holistic approaches to civil and political rights and freedoms and social and economic rights.

As will be elaborated in the sub-section on "Organisation" below, ECWD has a small coordinating team at Nairobi HQs and a broad base of volunteers at the various sites where the programmes are being implemented. ECWD's successful track record is associated with its firmly committed and capable partners, professionals and volunteers, including interns, from local and international universities and colleges.

6.1.4 Programmes and activities

Since its inception, ECWD has designed and implemented several intervention programmes at the national and regional levels that work in symbiosis to ensure that women develop their leadership capacities and actually take up positions of leadership, decision-making and public life while ensuring that the environment within which the same women operate does not limit their effective participation. The programmes and activities outlined below are carried out among rural and urban communities and at national and regional levels. The activities include, but are not limited to, the following:

1. Capacity-building for women leaders and aspirants,
2. Women's human rights education,
3. Civic education at community level,
4. Community mobilization,
5. Training workshops and seminars (e.g. for community-based human rights educators and policy makers),
6. Development and publication of resource materials and awareness creation through the media,
7. Research and information dissemination on women's human rights issues.

ECWD's objectives and strategy are actualized through three programmes which represent its core activities. These are as follows:

1. Preventive Human Rights Education (PHRE) Paralegal Programme,
2. Civic Education for Societal Transformation (CEST) Programme,
3. Women In Public Life (WIPL) Programme.

6.1.5 ECWD Organisation

ECWD organisational structure consists of a nine member Council of National Directors (CND), elected every five years by its membership in an Annual General Meeting, who govern ECWD. An Executive Director, appointed by the CND, oversees the day-to-day running of the Secretariat and the organisation and is an ex-officio member of the CND. There is an Advisory Council of eight eminent professionals in different fields who advise the CND and the Executive Director on matters relating to the organisation. ECWD's secretariat is comprised of a team of 23 members of staff based at the Nairobi Office.

6.1.6 ECWD and Women Direct

Women Direct was born out of a series of regional capacity building and training workshops that occurred in the 1997–1999 period, known as the Horn of Africa Series (HAS) conducted under the auspices of ECWD. The HAS workshops were held for the Horn of African Women Parliamentarians and Policy Makers Caucus (HAWPPAC). The participants in the HAS workshops recommended the formalisation of the network that they had created. In 2001 the first Women Direct start-up programme was initiated. Women Direct is a relatively new network of like-minded organisations and individuals in Greater East Africa working to support the collective voice of women in leadership, policy and decision-making. Currently, Women Direct's membership is drawn from Burundi, Ethiopia, Kenya, Rwanda, Tanzania and Uganda. However, its programme interventions focus beyond National to Regional and International levels. Women Direct is an initiative of the Education Centre for Women in Democracy (ECWD), which is the service centre for the network.

Women Direct's mandate is drawn from a number of realities:

1. The need for a collective voice of women in the region at intergovernmental level to advocate for the reform of policy, that is responsive to women and children;

2. The need to expand the space in which gender and women's rights organisations can engage with regional and international human rights, democracy and governance structures;
3. The need to understand how to reshape existing decision making structures that promote the exclusion of women in order to ensure women's involvement;
4. The need for mutual capacity building through the sharing of experiences and best practice;
5. The urgent need for the documentation of expertise and achievements of women's organisations, and the need for an avenue through which these organisations can access and influence regional and global discourse with this knowledge.

It consisted of women leaders and organisations from ten countries within the Horn of Africa and Greater Eastern African regions namely: Burundi, Djibouti, Eritrea, Ethiopia, Kenya, Somalia, Sudan, Rwanda, Tanzania and Uganda. Due to funding constraints (the then funding partner cutback on funding to Kenya) the network's programmes were stopped. In April 2003, Sida funded ECWD to initiate a start-up programme for Women Direct in six of the original start-up countries, where Sida has a presence. Thus Women Direct has been re-born in the countries of Burundi, Ethiopia, Kenya, Rwanda, Tanzania and Uganda. The objectives with the programme are:

1. To shape national, regional and international policies and support the collective voice and equal participation of women in leadership and decision making towards shaping national, regional and international policies.
2. To strengthen the capacities and raise the profile of partners working with Women Direct.
3. To link partners with strategic national, regional and international bodies.

In order to fulfil the objectives Women Direct will work with advocacy and lobbying, publicity and networking. The activities, as stated in the log frame for 2004–07, include developing advocacy material, capacity building of partner organisations, developing training modules, documenting partner's experiences, regional and international networking, conducting strategizing meetings for women leaders, etc.

Most of Women Direct's partner organisations have embarked on HIV/AIDS awareness, prevention and care programmes, including partners for whom it is not part of their main mission. Organisational visions that emphasise non-discrimination shall include women and men living with HIV/AIDS and their families. There are ongoing efforts by various actors to address policy questions around HIV/AIDS, and Women Direct will contribute by ensuring that such policies are quantitatively and qualitatively gender-analysed.

Women Direct achieved most but not all of its objectives and intended activities in the start-up phase. The Sida 2004 Evaluation (contracted by ECWD) rated its achievements highly. The evaluation came up with several lessons learnt, of which most were incorporated in the current phase. The evaluation team deals with this towards the end of our evaluation of Women Direct's degree of compliance with the recommendations of that Evaluation Report (sub-section 6.1.10).

Sida supports ECWD in Kenya (a paralegal programme) and advocacy on human rights through the bilateral support, and Women Direct through the Regional Framework. ECWD has two sections; the National section, which administers the national programmes, and the Regional section, which administers the regional programme (Women Direct).

Women Direct emerged as a semi-autonomous entity within ECWD as a result of an Evaluation mission's recommendations (Sida Evaluation May 2004), which stipulated that Women Direct should detach itself from the Kenya National office to provide for autonomy. The idea was to disentangle the ECWD national (Kenya-specific) programme from its Women Direct (region-wide) focus. This was a

commendable move: (1) it rid Women Direct from the then common perception that it was an arm of ECWD's National programme, (2) it created clarity in management structure and financial management and (3) it created a semi-autonomous entity with several regionally desirable synergies, both nationally, as Kenya also has a Women Direct partner, and regionally with its partners in greater Eastern Africa.

6.1.7 Women Direct's Organisational Structure within ECWD

ECWD has made a clear distinction of the activities carried out at the national level by its national structure component operating only in Kenya (described above) and Women Direct, which operates regionally, including a Kenya office that operates as partner and with equal legal status as other partners drawn from the region.

Administratively, a temporary Deputy Director (Ms. Mary Njeri) was appointed to deal wholly with ECWD's Kenya-specific activities and release the Executive Director (Dr. Margaret Hutchinson) to oversee, steer, manage and direct the activities of both Women Direct and ECWD. The evaluation team recognises that this step is also in line with earlier recommendations (Sida Evaluation, May 2004) and worthwhile pursuing and strengthening.

The organisational structure of the service centre is shown in figure 3 on next page.

6.1.8 Women Direct's Organisational Structure

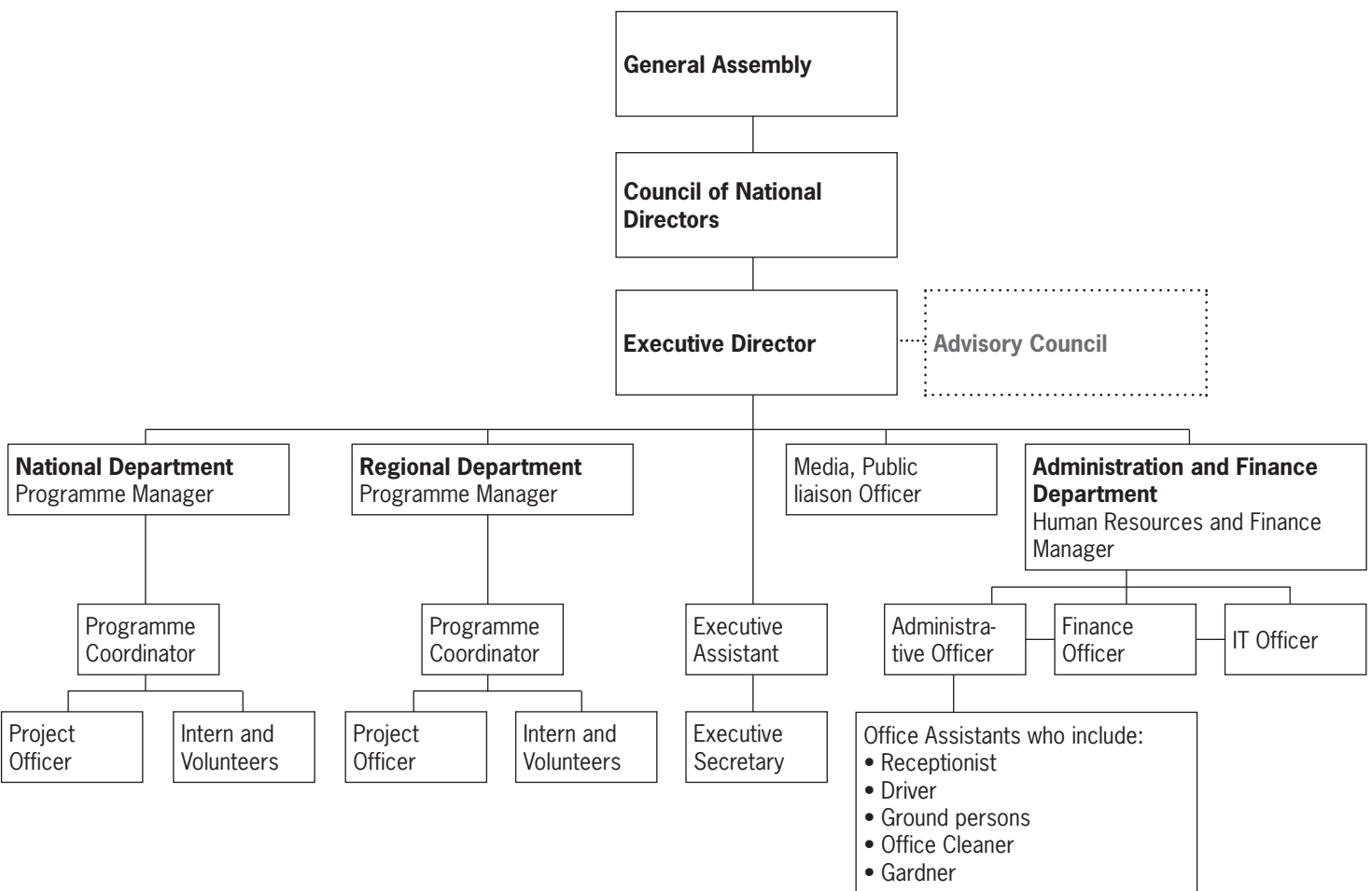
The description of the functions of the different layers and functions of the organisational structure is rather scanty. It is stated as follows (p. 2) in the document on Management Structure of Women Direct: 1) Women Direct's General Assembly consists of all Women Direct partners; 2) the Country Representatives are one Direct Collaborating Partner (organisation) chosen by partners in each country to represent them and 3) ECWD as the Service Centre is responsible for coordinating all network activities and is appropriately staffed to serve this purpose with five permanent Service Centre staff.

In the proposal for the current programme ECWD gives more details on how it will incorporate the participation of the Direct Collaborating Partners and utilise the expertise in the region. Thus, the recommendations in the evaluation that was incorporated in the new programme are followed up as a part of that.

6.1.9 Women Direct's Programmes and Activities

The network is built on four pillars: Democracy, Equality, Empowerment & Peace (acronym DEEP). Notably, Women Direct complements and reinforces ECWD's mission through its objectives and activities by extending ECWD's mandate across national borders and increasing networking among like-minded organisations and individuals towards promoting and facilitating an effective link and collective voice to enforce gender equality and human rights for good governance at all levels. Its major activities comprise the following:

- *Advocacy and Lobbying:* Women Direct provides a platform for advocacy to influence sound policy that will increase women's participation in leadership at national, regional and international levels;
- *Capacity Building:* Women Direct works to build the organisational capacity of partners through various activities that include programme exchanges and leadership training;
- *Documentation and Information Sharing:* Women Direct provides resourceful information to its partners through continuous research, documentation and publication;
- *Deep Link Newsletter and Website:* Towards the objective of information and documentation, Women Direct developed a newsletter, *Deep Link*;
- *Direct newsletter:* The objective of the newsletter is to provide a forum where women leaders and women organisations can share the experiences in their countries, strengthen their advocacy efforts through information sharing, and increase the profile and visibility of the network and its partners;



- *National Forums* organised by all partners in each country. It started in 2005 with the launching of Women Direct in each of the six Partner countries through the national forums:
 1. Burundi –Thursday 14th July 2005: National Forum Themed “*Leadership for All: Men and Women*”
 2. Rwanda –Tuesday 9th August 2005: National Forum Themed “*Women’s Participation in Local Governance*”
 3. Kenya –Friday 22nd July 2005: National Forum Themed “*Breaking Boundaries, Cultivating Women’s Leadership*”

4. Ethiopia Friday 5th –Saturday 6th August 2005: National Forum Themed “*Gender Based Violence*”
 5. Tanzania – Monday 25th July 2005: National Forum Themed “*Effective Participation of Women in Parliamentary Politics*”
 6. Uganda Friday 19th August 2005: National Forum Themed “*Enhancing Capacities to Strengthen Democracies*”;
- *Regional Forum for Women Leaders* for cross-cutting the number of women leaders nominated by the regional partners;
 - *Regional and international networking* with women organisations to advance women issues within the frameworks of democracy and human rights, and
 - *Regional Internship Programme*: With the main aim of sharing expertise between the partners and the Service Centre (among other reasons) the partners agreed to send skilled interns to the Service Centre for the three-month regional internship programme. The network’s first Intern was at Women Direct premises from mid March. On 3rd April 2005, Azmach Abera Teferra, the Information Systems Officer from Progynist, arrived. The second Intern, Joseph Makanza, arrived on 14th July 2005 from Envirocare in Dar es Salaam where he is the organisation’s information expert. Makanza’s term ended in October.
 - *Women Direct Service Center*.

In concrete terms, Women Direct has been busy with the following activities outlined in correspondence with the achieving of its objectives establishing and strengthening itself as an organisation. These are as follows:

I. Objective One: To support the Collective Voice and equal participation of women in leadership and decision-making toward shaping national, regional and international policies:

- Developing advocacy and lobbying materials
 1. “*Take Action Now! A Toolkit for Safeguarding Women’s Gains in the Draft Constitution of Kenya*”
 2. “*African Women Say No to Poverty: A Toolkit on Women, Poverty and Policy*”
- Conducting advocacy and lobbying campaigns
- Conducting regional strategizing forums for women leaders
- Conducting national forums.

II. Objective Two: To strengthen the capacities and raise the profile of partners:

- Capacity building-needs audit
- Develop training modules

The Service Centre was created in order to facilitate the development of training modules for use and sharing among the network partners as part of the programme exchange process. This was to correspond with the capacity needs audit mentioned above, also relying on the contracting of a consultant, and therefore has not taken place in Year One.
- Collecting and compiling resource materials
- Documenting partners experiences
- Conducting a donor forum
- Compiling newsletter

III. Objective Three: To link partners with strategic, national, regional and international bodies:

- Regional and international networking
 1. *48th Session of the United Nations Commission on the Status of Women (UN-CSW) – February/March 2005, New York, USA* ²⁰
 2. *Gender and GCAP Consultation, 21–23 June 2005, Johannesburg, Republic of South Africa* ²¹
 3. *GCAP International Facilitation Group (IFG) Meeting, July 2005, Bangkok Thailand* ²²
- Develop publicity materials
- Develop corporate identity

Service Centre's Internal Objective: To establish and strengthen Women Direct's programme coordination and implementation structures:

- Developing staff, membership and internship guidelines
- Recruiting of Service Centre staff
- Regional Internship Programme
- Developing website and upgrading
- Recruiting network members
- Developing membership database and upgrading
- Purchasing Service Centre equipment and software
- Field Visits
- Conducting annual planning conference
- Conducting mid-year review meeting.

The documentation of activities demonstrates the commitment of Women Direct's staff to lay the foundations and commence work in the shortest possible time, benefiting from the starter activities availed to it, and to create a viable structure and a pool of partner organisations to choose from. Setting up the office, staff recruitment, discussing with potential partners and selection of viable ones took, in view of the evaluation team, an adequate time and effort, otherwise, the activities undertaken would have been undermined. The result is a careful classification of partners (collaborating, associate and individual, with each bringing to Women Direct an array of useful characteristics). The range of activities undertaken so far is within Sida's concerns and Regional Framework Programme.

6.1.10 Financial Management

Although Women Direct's finances are managed by ECWD's Financial Department, it maintains separate verifiable accounts. Two employees operate the Finance Department: the Finance Manager and the Finance Officer. The Finance Manager has worked for ECWD for the last nine years. The Finance Officer has worked for ECWD for the last four years. Both are competent and proved capable of discharging of their responsibilities diligently.

²⁰ Attended by ECWD Executive Director, Service Center Programme Coordinator (fully funded by Women Direct) and the Executive Director of Rwanda Women's Network (partially funded by Women Direct)

²¹ Attended by Executive Director of Women Direct DCP Kenya- CREAW, and Service Center Programme Coordinator, sponsored by Action Aid International; a full report on the Gender and GCAP consultation available at the Service Center

²² Attended by Service Center Programme Coordinator, sponsored by Action Aid International, with partial funding from Women Direct

The responsibilities and duties of the Finance Manager are clearly defined:

1. Ensures the Sound Financial Management of the Education Centre for Women in Democracy's Secretariat and Programmes

- a) Leads the preparation of the annual budget in consultation with the Executive Director and Deputy Executive Director or the Programme Manager, ensuring that sufficient financial resources are available to support the Centre's plans and activities.
- b) Manages the ECWD's cash flow by preparing an annual cash-flow projection and requesting transfers as necessary from contracting partners.
- c) Monitors expenditures against budget and ensures that Annual External Audits are carried out as scheduled and ensures that the Management Letter is responded to in detail, advising the Executive Director of any issues that require CND attention and input.
- d) Draws the attention of the Executive Director and the deputy on budgetary variances quarterly for remedial action to be taken.
- e) Ensures that all cash, chequebooks, contract documents and financial records are properly stored and safely secured at all times.

2. Manages the Centre's payments and procurements

- a) Receives, verifies and properly files all invoices for payment, prepares payment vouchers and cheques, and ensures timely payment.
- b) Administers the ECWD's petty cash float, verifies, prepares and records all payments and vouchers, and ensures the float is adequately funded at all times.
- c) Records all payments to ECWD's accounting software, and submits statements on a monthly, quarterly and annual basis to the Executive Director and CND.
- d) Administers the project payroll and prepares salary cheques.
- e) Ensures correct payment of income tax and other statutory deductions.
- f) Manages the procurement of all capital items, ensuring correct procurement procedures are followed and that tendering adheres to laid down procedures and approval system.
- g) Undertakes with Deputy Executive Director/Programme Manager project disbursement controls as approved by the CND from time to time.

The evaluation team checked and found that ECWD has commendable financial management instruments, including a finance and administration manual, and accounting and audit procedure manuals, all of which are subjected to meticulous routine and practice. Women Direct has recently heeded Sida's (2004) request to reduce participation cost and assured the evaluation team that it will undertake proper planning of activities to optimise cost per unit.

6.1.11 Women Direct Partners

Burundi

Direct Collaborating Partner (DCP)

- Burundi Human Rights League "Iteka" – DCP

Associate Partners (AP's)

- Collectif des Associations et ONGs Féminines du Burundi (CAFOB) – AP
- Women Association of Dushirhamwe – Burundi

Individual Partners

- Ndeberi Pascasie, President, Network Mouvement pour la Participation Politique de la Femme (MPPF)

Ethiopia

Direct Collaborating Partner (DCP)

- Progynist

Associate Partners (AP's)

- TILA – Association of Women Living with HIV
- Mary Joy Aid Through Development
- MAEDOT
- Addis Ababa Women Association

Kenya

Direct Collaborating Partner (DCP)

- Centre for Rights Education and Awareness – CREAM

Associate Partners (AP's)

- League of Kenya Women Voters – LKWV
- Education Centre for Women in Democracy – ECWD

Rwanda

Direct Collaborating Partner

- The Rwanda Women's Network

Associate Partners

- Profemmes/Tweshamwe

Tanzania

Direct Collaborating Partner (DCP)

- Envirocare

Associate Partners (AP's)

- Women Legal Aid Centre – WLAC
- Tanzania Gender Networking Programme – TGNP
- Tanzania Women's Lawyers Association – TAWL

Uganda

Direct Collaborating Partner (DCP)

- Forum for Women in Democracy – FOWODE

Associate Partners (AP's)

- Akina Mama wa Afrika – AMwA
- Action for Development – ACFODE

6.1.12 Women Direct's Partnership Agreement

Women Direct divide its partners into three categories: Collaborating Partners, Associate Partners and Individual Partners. Through ECWD, Women Direct entered in formal partnership agreements with six collaborating partners setting the terms and conditions of partnership with:

- Burundi Human Rights League "Iteka"
- Center for Rights Education and Awareness – CREAM

- Envirocare
- Forum for Women in Democracy – FOWODE
- Progynist
- Rwanda Women’s Network–RWN

The aim of the partnerships is to recognize the importance of and keen intent and practice to:

1. Ensure appreciation by citizens of the importance of women in leadership in Africa,
2. Increase transformative impact of women in leadership in Africa and beyond,
3. Increase understanding of women’s participation in leadership in neighbouring countries,
4. Establish lasting relationships among partners,
5. Foster the growth of all partners on both personal and professional levels,
6. Increase networking skills between partners, and enhance advocacy and lobbying skills of all partners; and
7. Create a vibrant network as a result of successfully networked campaigns.

The Partnership Agreement also outlines a common vision for all collaborating partners stipulating that: *“Women Direct shall promote and facilitate an effective link and collective voice to enforce gender equality and human rights for good governance at all levels. The Partnership Agreement also has a vision, Women Direct with a vibrant democracy with women at the centre of decision-making and leadership”* with a view to increasing women’s participation, and voice in leadership and decision-making in the region, with the overall objectives to support the collective voice and equal participation of women in leadership and decision-making towards shaping national, regional and international policies; strengthen the capacities and raise the profile of partners; and link partners with strategic national, regional and international bodies.

The Partnership Agreement defines the roles and responsibilities of Direct Collaborating Partners as follows:

1. Promote the Women Direct mission;
2. Act as a focal point between the Service Centre and Associate Partners and Indirect Partners;
3. Provide information and reports to the Service Centre on Women Direct activities in its country;
4. In conjunction with the Service Centre fundraise to implement the activities of Women Direct;
5. Research and share;
6. Recruit Associate Partners and Indirect Partners;
7. Integrate Women Direct activities into its existing programmes;
8. Be a primary implementing partner; and
9. Attend Women Direct meetings.

The Partnership Agreement also defines the functions and responsibilities of the Associate Partners and Individual Partners as follows: 1) promote the Women Direct mission; 2) participate in Women Direct activities; 3) participate in planning meetings for Women Direct’s activities in their countries; and 4) provide information and/or reports to the Service Centre.

The Governing Council shall consist of the Chief Executive Officer (or his or her duly authorized representative) of each of the Direct Collaborating Partners from six network countries as well as the Chief Executive Officer of the Service Centre. The Governing Council is the decision-making body

and shall direct the affairs of Women Direct. It meets at least once every year; gives strategic direction to Women Direct; plans and oversees implementation of Women Direct's activities; and sets out policies and makes decisions on behalf of Women Direct on a consensus basis. It also approves the annual budget and activity plans and receives, evaluates and approves reports, including annual audit reports.

The Direct Collaborating Partners are the lead implementing partners of Women Direct in each of their respective countries and shall act as a link between all Associate and Individual partners in their said countries and the Service Centre.

The Associate Partners and Individual Partners are partners in Women Direct and together with the Direct Collaborating Partners participate in Women Direct activities and serve as the secretariat of Women Direct, which provides administrative support to Women Direct and co-ordinate its regional activities. In particular, the Service Centre is entrusted with the task to:

1. Coordinate the Women Direct regional activities;
2. Implement decisions made at Women Direct planning meetings;
3. Monitor national activities;
4. Collect, develop and disseminate information, education and communication material to partners;
5. Organise Women Direct meetings;
6. Fundraise for regional and international activities;
7. Coordinate partner capacity strengthening;
8. Attend Women Direct's meetings;
9. Administer Women Direct and manage its finances;
10. Keep partners informed on Women Direct's activities;
11. Promote Women Direct nationally, regionally and internationally;
12. Research, share information and reports with the partners;
13. Prepare and submit financial reports for review by the Governing Council;
14. Prepare and submit activity reports for review by the Governing Council.

The Partnership Agreement also specifies the rights of Direct Collaborating Partners, the Associate Partners and the Individual Partners as well as the Service Centre together with articles on communication, reporting and accountability.

In conclusion: ECWD has complied with the Sida requirement that it should take steps to disentangle the activities of ECWD and those of Women Direct. Women Direct has been established as a semi-autonomous entity with its Programme Manager, Service Centre, Partners and Partnership Agreement as well as a Constitution, which is currently under preparation.

6.1.13 An Illustrative Case of Partner Activities and Achievements – Rwanda Women's Network

Women Direct is to a large degree dependent on the partners for carrying out activities at the regional level and for implementing activities to follow up the regional objectives on the local level. One example from our field visit to Rwanda may illustrate what kind of activities are carried out by individual organisations within the network.

The Rwanda Women's Network (RWN) has existed since 1997. It is a national humanitarian non-governmental organisation dedicated to the promotion and improvement of the socio-economic welfare of women in Rwanda. The Network caters for women survivors of sexual and gender-based violence and other vulnerable groups, including widows, children and people living with HIV/AIDS. This is in

the recognition that while it is the community as a whole that is affected, women and children bear the brunt of the genocide and remain the most vulnerable and marginalized in society. Rwanda Women's Network recognises the importance of empowering women and their families and implements the following core programmes:

- Provision of health-care and support through the Polyclinic of Hope and the Village of Hope,
- Education and awareness programmes on issues that affect women, including human rights and legal procedures, reproductive health and HIV/AIDS,
- Socio-economic empowerment, and
- Community advocacy and networking.

Among the achievements listed in the Activity Report for 2004–2005, the following may serve as an illustration:

- Women and their families comprising of 1,726 cases of different ailments were treated,
- Skills training on tailoring, greeting card-making, knitting and weaving was carried out to empower women, children and youth in income generation,
- Assistance of released prisoners to re-integrate them into their communities,
- 154 women involved in the cultivation of vegetables, maize and soy beans to improve the nutrition of their families,
- Technical support in grassroots projects to mitigate the impact of HIV and AIDS in the communities,
- Formation of a network of thirty grassroots partner associations working in the HIV/AIDS sector to promote cross-community exchange of experiences, consolidate and replicate best practices,
- 7 grassroots organisations and associations mapped and documented with the aim to strengthen information dissemination and exchanges on best practices and aid in the development of strategies towards achievement of women's equal rights to land, housing and property.

Women Direct has visited Rwanda only twice for workshops. The Rwanda Women's Network prefers cooperation with Sida on the national level. The need for capacity building is mainly in the field. The local level has to be strengthened in order to have an impact on people's lives and living conditions. Then a regional cooperation can be built upon the experience of each country.

6.1.14 Project Implementation Method

Women Direct operates within the methods developed by ECWD. The methods are documented and explained in a document entitled ECWD Programme Implementation (not dated). It identifies four stages covering programme from identification (situation analysis/baseline survey, setting priorities, implementation, and monitoring and evaluation). These four stages, which comprise the project cycle, are as follows:

Stage 1: Situation Analysis/baseline survey

Education Centre for Women in Democracy carries out a situation analysis as a way of making sure that programming will achieve the desired objectives. It involves collecting information to be able to make a sensible assessment of what needs to be done in order to improve the lives of women and eventually have them take up leadership positions. In undertaking this, the community's views and opinions are respected, especially on realisation that acceptability and ownership of a programme within a community is of the essence. The situation analysis provides ECWD with the basis for assessing progress and evaluating the long-term impact of an intervention.

“Understanding the situation of women’s rights in our community,” commented the ECWD Programme Officer, “is not a one-off process, but one that is built up over time, and one that the field workers, e.g. the paralegals, are instrumental in as entry points in a community, and give ECWD informational advantages since they have first hand information of the community need.”

ECWD uses a rights-based approach to situation analysis, which involves mapping of the level of rights violations. It also includes an analysis of the underlying *causes* of the violations of rights. The legislation and its implementation as well as cultural practices and attitudes are analysed to inform on intervention points.

ECWD’s experience illustrates that an already existing programme may inform intervention by another programme, etc. For example, the larger PHRE programme informed and formed the basis of the WP&IR programme. It is also at this stage that duty bearers and other main actors are identified.

The analysis includes the situation of women’s rights and women in leadership positions. An audit of what human rights are being violated showed:

1. The consequences of these rights being violated, and the impact;
2. The analysis of relevant government policies and actions;
3. The analysis of the general level of awareness;
4. Public attitudes, behaviour and practice;
5. Customary law;
6. Civil society organisations present in the target area.

Besides analysis, ECWD’s programme inceptions are also informed and guided by other factors e.g. donor shift to a basket funding model; political dynamics within the country, for instance, where there are by elections issues; and women’s role in leadership being felt.

Stage 2: Setting Priorities

After an analysis has been made, ECWD sets priorities and specifies in which areas it plans to intervene. Priorities for interventions usually depend on:

- Communities’ demand,
- Previous field work personnel situated in the area,
- The policy of the organisation as well as the capacity, experience, logistics, and availability of funds,
- The complementary role of other actors.

The organisational Strategic Plan document is the primary document that ECWD uses to identify priorities and design the programmes. A SWOT analysis (Strengths and Weaknesses of the organisation as well as Opportunities and Threats of the external environment) is well articulated in this particular document but not in the narrative reports.

Stage 3: Implementation

The organisation largely uses a rights-based implementation strategy as a plan to increase accountability and to advance the overall fulfilment of women’s rights and women empowerment. All approaches are dependant on relevant situation analysis. The practical actions that directly address violations and gaps are the responses, firstly to violations and, secondly, to gaps in provision or participation of women within various governing structures in the community. The communities are empowered to hold leaders accountable and women are largely encouraged to fully participate in the development processes, and more importantly, take up leadership and decision-making roles at all levels.

The organisation focuses on building support systems that ensure sustainability of the programme especially at the community level. The aim is to strengthen and entrench women's rights and empowerment in the community by creating awareness, understanding and commitment among decision-makers, opinion formers and everyone who has day-to-day roles within the community. ECWD believes that by embedding support for women in leadership and decision making at all levels, especially within the government, key professionals, the media and the general public, there will be a stronger base of support for the long-term advancement of women's rights.

One of the key components that ECWD ensures that it informs its programme design and implementation team of, is the definition of indicators to track the success of a particular plan of action.

Indicators are designed to track both the outcomes and the outputs of a programme. The organisation uses outcomes to relate to the objectives which the programme was designed to achieve, and outputs relate to the activities which were implemented. ECWD's programmes are designed with specific objectives to be achieved in a particular time sequence, with indicators showing stages realized. Gender perspective is always integrated into all interventions.

Stage 4: Monitoring and Evaluation

According to ECWD, the primary purpose of monitoring and evaluation in ECWD is designed to inform and provide learning on what is essential in achieving its objectives, overall goals and realization of its vision.

To enhance effectiveness, the monitoring and evaluation tool encompasses participation, use of information to improve and correct situations, working and accommodating diverse views, and is adoptable to changes depending on particular situations and demands of the people largely represented. The evaluation process is used as a process of reflecting on the implementation of a given programme in order to draw lessons for the future.

Depending on the goal of the intervention, the monitoring process usually includes measuring the following:

- Changes in awareness of women's human rights;
- Changes in policies, strategies and institutional capacity to respect and fulfil women's rights;
- Support systems put in place to enable women to take up leadership positions;
- Changes in the actual situation of women in the community and, especially, their participation in the governing organs within the community.

Two comments deserve noting:

1. ECWD should be commended for developing a clear method to guide its programme/activity implementation process; and
2. In conventional development aid management approaches, it is obvious that there is a missing stage between setting priorities and implementation, that is, an action plan to guide the implementation of the programme, but this is a minor omission which could subsequently be plugged in.

Despite their importance, ECWD implementation methods have not been profiled in most of its programme implementation activities.

6.1.15 Women Direct's Response to Sida's recommendations

In short, ECWD should strengthen its methodology and strive to implement its spirit and content. However, table 5 shows that Women Direct has responded adequately to most of Sida's Evaluation Recommendations (May 2004). Women Direct's institutionalization has just begun with many new instruments under discussion or ready for ratification. Table (5) also illustrates Women Direct's high level of compliance with Sida's recommendations, noting that assessing its partners' capacity building needs still remains a priority of its programmes and activities for them to be relevant, significant, effective and partner-related rather than Women Direct-driven.

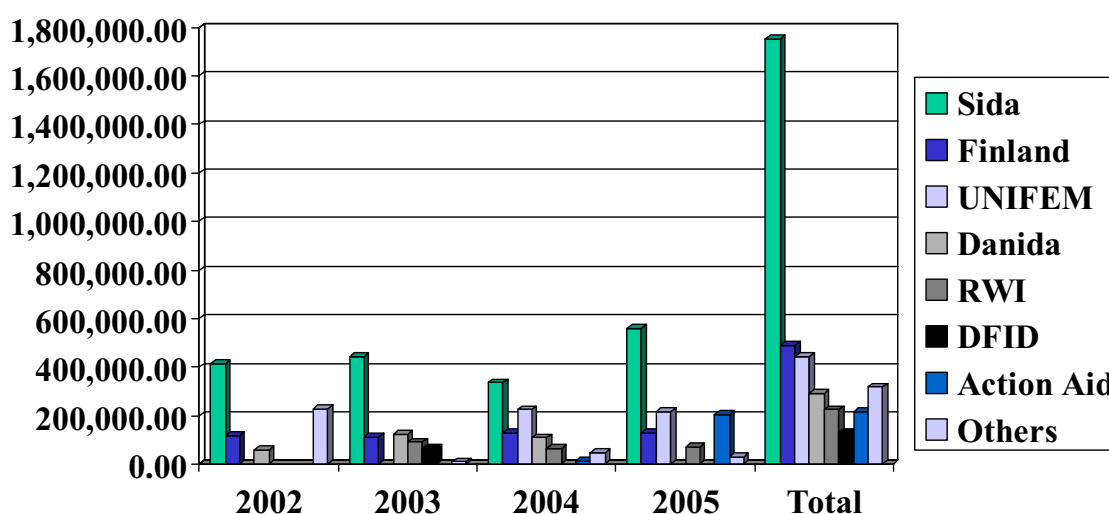
Table 5: Women Direct's Response to Sida's recommendations (May, 2004)

No	Recommendation	Women Direct's Response
1	Harmonisation of the vision, mission and objectives of Women Direct as developed in Mombasa with the original start-up objectives.	Realised in Women Direct's Constitution, awaiting enactment
2	Development of a strategic plan for Women Direct	The process is underway awaiting the ratification of Women Direct's Constitution. There is a strategic plan for ECWD, including Women Direct. At the meeting in Dar it was decided to develop a separate strategic plan for Women Direct in a participatory way.
3	Development of a plan for the transition period	Transition period has been successfully implemented
4	That a needs assessment be conducted with member organisations to identify thematic areas of focus for the next three years.	Outlined in the Partnership Agreement and the Draft Constitution, but more work needs to be done, in terms of implementation.
5	That a sound monitoring and evaluation plan be developed	Women Direct implements ECWD's method but more needs to be done in comprehending aid development management instruments.
6	That an assessment of the capacity building needs of partners be conducted	A continuous and cumulative process, urged to undertake deliberative action to assess partners' capacity needs.
7	That clear terms of reference be developed for the Women Direct Service Centre vis-à-vis the host organisation and its staff.	Outlined in the Partnership Agreement, and Constitution, where Women Direct has developed an independent identity and activities.

6.1.16 Donor Diversity and Reporting to Donors

During 2002–2006 ECWD received over US\$ 3,949,504.48 from Sida, Danida, RWI, Embassy of Finland, Action Aid, DGSP, UNDP, USAID, UNIFEM, CIDA, DFID, GTZ, NCEP, DAI, The Westminster Foundation and the Royal Netherlands Embassy (Table: 6). The table shows that ECWD has lost six of its initial donors (Danida, GTZ, NCEP, DAI, League of Women Voters and the Royal Netherlands). With the exception of Danida, which gave three grants (2002, 2003, and 2004), all the others paid only one grant. Only Sida and the Embassy of Finland supported ECWD without interruption. Sida is by far the largest donor, and has contributed an equivalent of over 44 percent of ECWD total donor contributions. Figure 4 below demonstrates this point clearly and also shows that the Embassy of Finland and UNIFEM are the second and third respectively after Sida. This fact makes ECWD vulnerable to any decline in the level of grants given by these three major donors and also calls for vigilance and the taking of donor diversity very seriously in the coming months and years.

Figure 4 ECWD Donor Diversity 2002–2006



Source: Compiled by the evaluation team from ECWD documents, July 2006.

Figure 4 also hints at the possibility that with its current level of achievement and recognition, Women Direct and ECWD should exert extra efforts to revisit these donors, explain to them how their initial funding was worthwhile, and explore whether they could re-engage ECWD.

6.2 Evaluative Conclusions

The mission assessed Women Direct on five key issues according to the ToR: effectiveness (the extent to which it had managed to achieve its goals), efficiency (the extent to which it had managed to achieve its goals within the available resources), results (the output, outcome and impact of the activities), relevance (the extent to which its activities relate to the expectations of its stakeholders) and sustainability (the extent to which its activities are viable).

6.2.1 Effectiveness

Women Direct is an effective organisation. The first year of the current programme and implementation of activities was lagging behind. After the recruitment of new staff in the spring of 2005 the organisation has been catching up. In the beginning there was no system for following up and updating work plans in place. Now, Women Direct has a planning system with quarterly updates. Given that Women Direct is really at the inception phase of establishing identity (vision, mission and objectives) and autonomy vis-à-vis ECWD, and has a Service Centre, which has effectively consolidated its activities and undertaken the necessary groundwork, the work it has achieved during 2004–2005 is commendable.

6.2.2 Efficiency

Women Direct's efficiency stems from its ability to be active both locally and regionally. Thus, the regional experience will feed into the local work also with the poor and marginalized. These are supposed to be synergies between the efforts to share views and lessons learnt between the partners and increased efficiency in each partner organisation's local work.

In order to reach out to new and not so well established organisations as the collaborating partners Women Direct is planning to diversify the membership by recruiting associate partners and partners in other sectors, for example, peace and security. However, Women Direct Collaborating Partners (six) are well-established and capable organisations with national, and some are even with regional, acclaim.

Table 6 ECWD Donors

EDUCATION CENTRE FOR WOMEN IN DEMOCRACY					
DONOR	2002 US\$	2003 US\$	2004 US\$	2005 US\$	TOTAL
Danish International Development Agency (DANIDA)	60,579.01	123,287.67	109,589.04	-	293,455.73
Raoul Wallenberg Institute (RWI)	-	91,419.62	64,380.99	70,372.96	226,173.56
Swedish International Development Agency (SIDA)	413,213.70	444,426.36	335,785.07	558,817.48	1,752,242.60
Embassy of Finland	118,997.81	112,431.51	130,547.95	129,614.04	491,591.30
Action Aid	-	-	13,698.63	204,632.71	218,331.34
Democratic Governance Support Programme (DGSP)- European Union	-	-	47,108.63	23,415.51	70,524.14
UNDP KENYA	-	-	-	6,216.44	6,216.44
AWDF	-	-	-	1,001.74	1,001.74
USAID	-	-	-	1,849.32	1,849.32
UNIFEM	-	-	226,565.14	215,875.16	442,440.30
CIDA/ GESP	34,246.58	17,260.27	21,382.88	-	72,889.73
DFID	66,885.15	66,457.32	-	-	133,342.47
GTZ	10,410.96	10,434.25	-	-	20,845.21
NCEP	90,868.47	-	-	-	90,868.47
DEVELOPMENT ALTERNATIVES Inc (DAI)	16,690.53	-	-	-	16,690.53
LEAQUE OF WOMEN VOTERS -USA	910.38	-	-	-	910.38
WESTMINISTER FOUNDATION FOR DEMOCRACY	30,846.56	-	-	-	30,846.56
ROYAL NETHERLANDS EMBASSY	79,284.67	-	-	-	79,284.67
TOTAL	922,933.82	865,716.99	949,058.32	1,211,795.36	3,949,504.48

A clear distinction between the collaborating, associate and individual partners is poorly articulated in the Partnership Agreement and therefore requires consolidating.²³

Women Direct's Financial Management complies with its internal directives, accounts, administrative and audit handbooks and manuals. Ernst and Young have subjected Women Direct to an international audit. However, the audit findings by Ernst & Young suggest that the costs are too high for per diem and consultants. Women Direct has already responded to this by reducing and in some cases optimising cost per unit.

Sida had in March 2005 suggested that ECWD considers strengthening the networking strategy by also extending networks to other organisations such as NEPAD, UNIFEM, and OAU etc. Women Direct assured the evaluation team that it is currently pursuing various channels to establish these relations and that it has already been in contacts and even organised a number of joint activities with UNIFEM (see list of documents). Contact to establish partnerships with other regional and international organisations has commenced.

6.2.3 Results

The evaluation team follows the Sida objective of monitoring and evaluation processes to make visible an array of project results at different levels. Assessment of results often includes four areas: output, outcome, impact and sustainability:

- **Output:** Women Direct's number of capacity building activities implemented, and the level of participation, is adequate, and the quality of their content is commensurate with the period that it has been actively involved in programme implementation (2004–2005).
- **Outcome:** It is too soon for Women Direct to develop a methodology for measuring improvement in the skills of the women beneficiaries from its programmes. However, outcomes such as sharing experiences, communication skills and carriers, networking and creating awareness among its programme participants is more likely to have happened than not. Due to the absence of methodologies for measuring outcomes and results, narrative reporting does not offer conclusive evidence.
- **Impact:** Having examined Women Direct's range of activities and interviewed some of its core partners (in Ethiopia, Uganda, Rwanda and Burundi), it became clear that some positive impacts in terms of women connecting regionally, sharing views and best practices, lobbying national and regional institutions to influence policies that change women's human rights situation for the better is impacting positively on women participants and beyond. Due to the absence of methodologies for measuring outcomes and results, narrative reporting does not offer conclusive evidence. Women Direct's instruments are sufficiently developed and applied, and assure the evaluation team that, in a few years time, the impacts will be measured by monitoring and evaluation processes.
- **Sustainability:** The educational and capacity building training activities often impart life-long skills that are sustainable at the individual woman participant in Women Direct's programmes. The same applies to lobbying and advocacy which, in the case of influencing parliamentarians, would produce policies, legal and administrative instruments that are gender conscious and would therefore have long-lasting positive impacts on women's lives beyond Women Direct's partners and programme participants.

6.2.4 Relevance

Women Direct's programmes and activities are highly relevant, not only to Sida's Regional Framework in Democracy and Human Rights, but also for the six partner countries and also in countries such as Somalia and Southern Sudan. However, such expansion of coverage and range of programmes may

²³ In its Dar es Salaam Planning meeting (25–27 July 2006) it was decided to review the Partnership Agreement, including the membership categories.

entail a shift in strategy and work style. The pros and cons for the existing mission and vision as well the current level of programme consolidation should be assessed before entering into expansion or up-scaling of activities. However, expanding the programme is dependent on financial resources as well as increased human resources.

6.2.5 Sustainability

The evaluation team refers particularly to financial sustainability. The collaborating partners are all like-minded, well established in their respective countries with a good track record. The prerequisites for maintaining the established relations between individuals and organisations are thus good.

However, the reality is that in East Africa all CSOs of this kind are donor reliant when it comes to activities with high costs for travelling and venue for networking face-to-face. Sida is the only donor supporting Women Direct. It should be considered to discuss with like-minded donors to assess the impact of having a basket funding of Women Direct for the next period of the programme with Sida as the lead agency. There is also a clear need for fund-raising strategies on which Women Direct is working.

6.3 Lessons Learnt

Evidently, there are at least six lessons the evaluation team has learnt from Women Direct's active engagement in a Greater East Africa-wide programme:

1. There is considerable improvement, capacity and willingness of African NGOs and CSOs to connect regionally, hold joint national meetings and strategising forums at the regional and sub-regional levels on issues relevant to women's livelihood and human rights struggles;
2. The evaluation team notes with satisfaction that Women Direct has established, in such a relatively short period of time, a range of activities consistent with its mission, vision and objectives. The lesson learnt here is that with determination and commitment, the implementation of regionally active organisations, not only for regional partners but also for Sida to achieve the objectives of its regional programme, is possible;
3. The development of a semi-autonomous Women Direct entity should be hailed as a major compliance with a sensible donor request. Complying with donor requests shows that not all donor requests for improved programme activities and calling for autonomy of minor partners is contradictory with the recipient's interests. The lesson learnt here is that institutional identity is an important aspect in the formation of Women Direct's identity and values.
4. Women Direct's programmes, methods and Partnership Agreement gives credence to the efficacy of Sida's Regional Framework approach and has potential to contribute to it in an integrative and comprehensive manner;
5. One unfortunate lesson learnt is that Sida supported organisations within its Regional Framework arrangements do not cooperate or even interact with each other. On the one hand, this is understandable as they compete for Sida funds; on the other hand it is not understandable at all given the fact that this is also a regional priority. For example, organisations that are located in the same city (Amani and Women Direct) and which have undertaken activities for women parliamentarians' could/should have collaborated for the sake of mutual benefits by creating partnerships, as both call for affiliate or associate partnerships. It also contributes to efficient use of resources and an effective way to learn from each other's programme implementation methods;
6. Another lesson that needs serious addressing is that regional cooperation requires certain levels of in-built programmatic support for coordination, first because regional programmes are network based and second because spatial proximity, regardless of the existence of ITC, requires resources, including the maintenance and delivery of network outputs and monitoring and evaluation of

outcomes and results. Operating such networks is in itself a lesson in democracy, in determining priorities and finding solutions to intricate problems through multiple scenarios for conflict management. Availing programmatic support for regional programmes coordination would also act as an incentive for regional organisations by assisting them to allay fears of resource competition amongst them.

6.4 Recommendations

Women Direct Organisation within ECWD: Women Direct should continue its assertion of a semi-autonomous entity and further strengthen its identity by completing and fully implementing the organisational, legal and institutional instruments (Constitution, Strategic Plan, Communication Strategy) contributing to this endeavour.

Women Direct Organisational Structure: Women Direct should strengthen its current organisational structure and autonomy, with the possibility of it operating under the leadership of a Deputy Director empowered by its partners to devote 100 percent of his/her time to Women Direct's programmes and activities.

Women Direct and partners: Women Direct should clarify the division of labour between direct collaborating partners, associate and individual partners and make clear classifications of its current partners in respect to these categories. Currently, only the six direct collaborating partners are identified and designated as such. The rest of Women Direct partners are lumped together and utilize the expertise in the region. The roles of different types of membership should be articulated further in order to respond to this critique;

“Women Direct/ECWD should make serious efforts to create partnerships with other Sida supported organisation in the region, with the possibility of creating an overarching collaborative scheme in matters of mutual interest. As charity begins at home, Women Direct/ECWD and Amani Forum should seek collaboration possibilities and even seek joint funding for activities of mutual interest to their constituencies.”

Women Direct partnerships: Women Direct should (1) deliberately encourage partner-to-partner collaboration and make partner-to-partner visits and exchanges of experiences and best practices possible. This requires that Women Direct's leadership find creative ways of energizing its partners' efforts to own the agenda and become more proactive rather than reactive to “centralized communication system”. (2) conduct needs surveys and tracer studies to strengthen the demand orientation of the programmes and activities.

Implementation Method: Despite its importance, ECWD's implementation methods have not been profiled in most of its programme implementation activities. Women Direct should improve and strengthen its implementation method and make more use of conventional development aid management instruments such as Logical Framework Analysis (LFA); and Strength, Weakness, Opportunities and Threats (SWOT); and use measurable indicators of outputs, outcomes and impacts in identifiable programme-based results. We acknowledge that it has already commenced using a fraction of conventional methodologies.

Donor Reporting: Although the evaluation team acknowledges Women Direct improved reporting capabilities, there is need to benefit from improvements gained by adherence to the need to use more effectively the prevalent development aid management instruments.

Donor Diversity: Women Direct should develop a Fund-raising Strategy, and exert extra efforts to diversify its financial resource base by attracting new donors and also revisit some of ECWD's earlier donors for support.

Donors should support Women Direct (as well as ECWD and all other evaluated organisations) to hold joint strategy meetings, training programmes for their staff on donor aid management instruments, donor harmonization and aid effectiveness policies, and initiate debates on its regional framework programmes and their efficacy.

7. Kituo Cha Katiba (KCK)

7.1 Findings

7.1.1 Background

Kituo Cha Katiba (KCK), hereafter referred to as the Centre, is a regional NGO based in Kampala and formed in 1997. It emerged in response to increasing space created for holding governments accountable. Kituo Cha Katiba's (Eastern African Centre for Constitutional Development) mission is to promote multi and inter-disciplinary communication and dialogue on constitutional making and democratic governance in the East African region. KCK was granted EAC Observer status on 13th September 2004. It also has observer status at the African Commission for Human and Peoples' Rights.

Sida is supporting the project "Towards a People Driven East Africanness". The development goal of this project is to influence the active participation of citizens in ensuring a people-centred East African Community that is responsive to democratic development, rule of law and the protection of human rights. The two primary activities of this project are (i) deepening dialogue and consultations on civil society participation in rebuilding Rwanda and the promotion of human rights and democracy and (ii) strengthening Human Rights Commissions' collaboration at a regional level in relation to the EAC.²⁴ It is a one year project (2005-09-19—2006-10-31) which commenced in September 2005 with a total amount of SEK 850,000. KCK has previously successfully implemented another project funded by Sida, entitled "Enhancement of Civil Society Participation in Democratic Development and Rule of Law in East Africa".

7.1.2 Organisational and management structure

Internal organisation

The overall responsibility for oversight and policy development and monitoring is vested in the Board of directors comprised of ten members. Three member countries are represented by three members each and Zanzibar has one representative on the Board. The day-to-day activities and functions are executed by a Secretariat of six people, the Executive Director, two Programme Officers, an Accountant, an Information Officer and an Office Assistant.

Management structure and competencies

The Board draws its membership from a wide multi-disciplinary base and it has a good number of experienced researchers and civil society leaders, some of whom are international figures, especially in the areas of governance and human rights. A competent team with experience in the management of networks and civil society organisations operates the Secretariat.

Financial Management System

The Centre has a system of reporting to donors and other stakeholders on a regular basis. It also publishes its accounts in the Annual Reports. According to the 2005 Annual Report, the Centre has

²⁴ For more information, see www.kituoachakatiba.co.ug

managed to reduce its current liabilities by 4% compared to the year before and it has also balanced its income and expenditure. The funds are properly managed. In March 2005, Sida asked for an audited financial statement on Grant No.31000133 for the ten months period that had ended in December 2004. The report was submitted in May 2005. The Evaluation Team found the report adequate and, because Sida has not raised queries on it since its submission, assumed it to have been accepted.

Comparative Analysis

The Centre has benefited from working with professionals closely linked in the region either due to their professional affiliations or their commitment to human rights, constitutionalism and good governance. This has given the Board of Directors the necessary cohesion and coherence required for such a body dealing with issues that are not necessarily pleasant to the majority of leaders in the region. In addition the Board and Secretariat have managed to steer the Centre carefully so that while addressing core issues of human rights and democracy, it has remained above the regional and national politics by not taking sides openly. This has strengthened the legitimacy of the Centre in playing the role of a brokerage between various contending forces in the region.

7.1.3 Mission, vision and objectives

Mission

The primary mission of Kituo Cha Katiba is to promote a culture of constitutionalism, and to protect and promote constitutionalism, good governance and democratic development in East Africa through multi-disciplinary research, including comparative research, information dissemination, networking, advocacy, debates and public dialogue on constitutionalism and political accountability in the Great Lakes Region. The target is to ensure that by the year 2011, when the East African Federation starts, KCK will have expanded the understanding and appreciation of constitutionalism in the region.

Vision

The vision of KCK is *“to promote the active participation of civil society in good governance and to inspire a culture of democratic practice that reflects the inspirations and needs of the common people and democratic governance as applied to everyday life situations, starting from home and extending to the work place, community, nation and East Africa at large”*.

Initial Objectives

The following were the initial objectives of KCK:

- To advance the science, processes and art of constitution making, constitutionalism and democratic governance through basic, comparative and applied research.
- To commission state-of-the-art studies on various dimensions of constitution making, constitutionalism and democratic governance in the region.
- To promote the values and an ethos of constitutionalism and gender equality and equity throughout the East African region.
- To highlight and address the plight of disadvantaged social, cultural, economic and political groups in the region, including minorities, refugees and people with disabilities.
- To collect and compile the testimonies of prominent East Africans intricately involved in the processes of constitutional evolution and development in the region and to foster the contribution of grassroots operatives to these processes.
- To host an annual lecture by a prominent East African on constitutionalism and constitutional development in East Africa, and to widely disseminate the text of the lecture throughout the region and beyond.

- To undertake information collection, data banking, archiving, publication and dissemination through the mechanism of seminars, workshops and conferences, and to promote the use of new forms of media and electronic technology in fostering public debate and dialogue.
- To create and maintain a directory of individuals and institutions committed to the ideals of constitutionalism and democratic governance.
- To encourage, support and facilitate the reform of school and university curricula incorporating aspects relating to constitution making, constitutionalism and democratic governance.
- To act as a regional watchdog for the protection, promotion and enhancement of constitution making, constitutionalism and democratic governance.

Strategic Objectives – 1999

At a Strategic Planning Workshop of KCK held in November 1999, it was agreed that KCK should identify key objectives to focus on in order to generate maximum impact:

- To educate various sections of the public in good governance and constitutionalism by strengthening civil society and social capital, through information collection, dissemination and supporting the teaching of constitutionalism in institutions of learning.
- To network with civil society organisations and governments to strengthen good governance and constitutionalism and to maintain a data bank on the activities of the stakeholders.
- To monitor the process and progress of Constitutional development in the region.
- To empower the people of East Africa to lobby and advocate for good governance, constitutional development and constitutionalism, and to use KCK's expertise and placement to access the policy makers and offer a neutral forum for dialogue.

Strategic Goals (2006–2011)

The strategic goals of KCK as contained in the Strategic Plan 2006–2011 are:

- To provide information in order to activate Eastern Africans to make constitutions and laws for constitutional development relevant to their life experiences.
- To network and advocate around constitutionalism, good governance and democratic development to empower Eastern Africans to hold governments and national and regional institutions accountable and responsive to their needs and rights.
- To strengthen the organisational development of KCK in order to enable it to implement its multi-disciplinary programmes on constitutionalism, good governance and democratic development.

Core Values

The core values of KCK as contained in the Strategic Plan 2006–2011 are:

- Inclusive participation aimed at facilitating inclusive engagement and policy dialogue between the people and their governments.
- Respect for human rights and rule of law based on fair treatment for all and constitutional protection of human rights.
- Equality and non-discrimination based on the belief that equality and non-discrimination is essential for the protection of human rights.
- Accountability aimed at facilitating the development of a culture of transparency and national integrity.

The Problems KCK Seeks to Address and Strategies Used

Kituo Cha Katiba is a regional organisation that networks with researchers, policy makers and civil society organisations. The main problems KCK identified during a strategic thinking process in which the pertaining political environment was scanned and critical issues that need to be addressed identified in the region include:

- Violation of rights of the media.
- Politicisation of the public service.
- Weakening of oversight institutions and dominance of the executive arms of the state in the region.
- The failure to change constitutions to allow more democracy.
- Abrogation of transitional justice.
- Rise in militarism and escalation of conflicts. Distortion of politics and political organisation.
- The rise of new forms of ethnicity.
- Increases in political corruption, vote buying and poverty as a core problem that allows these things to happen.
- Increasing religious fundamentalism and religious divisions.
- Intolerance to diversities.
- Increase in economic growth accompanied by a widening gap between the poor and the rich.
- The rise of corporate power with policies that are biased towards the powerful groups.
- Globalization and its impact on rights of communities.

To address these issues KCK has adopted three main strategies:

- Strengthening a culture of constitutionalism by strengthening adherence to rules and citizen participation in decision-making.
- Promoting good governance to ensure the conduct of public affairs encompasses accountability, transparency and inclusiveness.
- Promoting democratic development based on inclusive democracy.

7.1.4 Programmes and activities

The centre has four programmes: (i) research, documentation and dissemination of information, (ii) networking, advocacy and activism, (iii) capacity building and training, and (iii) institutional strengthening.

7.1.5 Research and Dissemination Activities and Outputs

The research programme of KCK aims at increasing awareness and influencing policy and democratisation processes in the region. The research activities focus on constitutionalism and democracy. Most of the research outputs are based on comparative studies of constitutional processes and progress in the countries of the region. The keys research activities include:

- Production of the *Annual State of Constitutionalism* covering constitutional developments and democratisation issues in Kenya, Tanzania, Uganda and Zanzibar. It also covers developments related to regional integration at the EAC.
- Audits of court decisions in the four countries.
- Summaries and audits of deliberations of parliaments, decisions of ministries, developments on the rights of the media and the human rights situation in the region.
- Analyses and reviews of literature related to constitutional developments and human rights.

KCK has produced a good number of publications between 1999 and 2005. These include:

a) Research Activities and Outputs

- *The Annual State of Constitutionalism 1999, 2000, 2001, 2002, & 2003* (five volumes)
- *Constitutionalism and Transition: African and Eastern Europe Perspectives*
- *Law and Access to Justice in East Africa*
- *Constitutional Review Process in Kenya*
- *Constitutionalism and Political Stability in Zanzibar*
- *Towards Political Liberalisation in Uganda*
- *Simplified Version of the Treaty for the Establishment of the East African Community*
- *Toleo la lugha Rahisi la Mkataba wa Kitabu cha Maswali na Majibu*
- *Jamil ya Kiraia Na Jumuiya ya Afrika ya Mashariki*
- *Civil Society and the East African Community: A Question & Answer Book*
- *Searching for Sense and Humanity: Civil Society and the Struggle for a Better Rwanda*
- *The Role of Political Parties in Transition*
- *Political Succession in East Africa: A Regional Discussion*
- *The Search for a National Consensus: The Making of the 1995 Uganda Constitution*
- *The Independence of the Judiciary and the Rule of Law: Strengthening Constitutional Activism In East Africa*
- *Dialogue On The Constitutional Review Process In Uganda*
- *Revisiting the Goldenberg Affair in Kenya: The Peoples Opinion*
- *Citizens, Communities and Constitutionalism in East Africa.* (A Compendium of Conference Proceedings)

In the year 2005 KCK commissioned research on *Citizenship and Identity Struggles in Eastern Africa* covering Kenya, Tanzania, Uganda and Zanzibar, which was supported by Trust Africa /the Ford Foundation, with the objective of raising issues on how the constitutional frameworks of these countries cater for various identities and how ethnicity, minorities, gender, refugees, youths and other social group interests and rights are handled. The results, together with the findings of the fact finding mission to the East African Community aimed at raising issues with the Secretariat of the Community on the need for harmonization of legislation related to the citizenship rights of the targeted groups, were presented at a workshop held in Arusha in 2005.

Another research project was on the East African Customs Union Protocol and border communities, supported by Friedrich Ebert Stiftung, Kampala. It started in November 2005. It covered communities at the borders of Kenya and Uganda, and Uganda and Tanzania. It covered issues of cross-border trade, migration and administration. The results were presented at a workshop in Kampala in December 2005.

b) Dissemination Activities

In addition to dissemination of publications, KCK has organised dissemination seminars and workshops. The seminars and workshops which help networking will be covered in the next section. The major means of dissemination, however, have been through electronic media. The website of KCK posts papers and reports of a comparative and country specific nature. The website is regularly updated. The materials published on the website include:

- The annual reports on the state of constitutionalism in the region.
- Reports submitted by fact-finding missions.
- Conference and workshop reports.
- Facts and figures on constitutional developments.
- Laws in Kenya, Uganda, Tanzania, Zanzibar and since 2005, Rwanda.
- Information on training programmes on human rights, governance and law available in various training institutions.
- Historical profiles of eminent African leaders, rights activists, development thinkers and scholars and other relevant personalities who have made significant contributions to Africa's struggles.

7.1.6 Research and Dissemination Outcomes

The outputs of the KCK have been accomplished through seminars and workshops following the completion of the research outputs indicated above. In addition materials have been distributed to stakeholders. Furthermore, the KCK website posts all research papers, reports and national laws relevant to its mission and activities. KCK has also simplified and translated into Kiswahili the East African Treaty and has produced fact sheets on the Customs Union Protocol in Swahili, English and the four main languages in Uganda. The documentation centre in Kampala also serves to disseminate information arising out of research and networking activities.

We measured outcomes by interviewing the KCK staff and their collaborating partners on what they perceived the activities had stimulated within the East African communities. Among the twelve human rights researchers, activists and lawyers interviewed in Uganda and Tanzania, there is a great appreciation of the contribution made by the KCK to their understanding of the legal issues and human rights concerns in the region. The outcomes and achievements arising out of the research activities of KCK include:

- Increasing reliance of staff and students in learning institutions on the materials produced by the Centre, especially the *Annual State of Constitutionalism* reports and the issue specific publications.
- Indications of some lecturers and researchers in Uganda using the KCK resource centre regularly for their research. Dissemination seminars seem to give room for cross-departmental government officials to interact outside their departmental confines and share ideas of mutual interest.
- Access by policy makers to unbiased research reports that they use in their policy deliberations, research and analyses.
- The increasing awareness of non-lawyers of legal issues pertaining to the constitutions of their countries and the East African Community Treaty.
- The availability of a publishing subsidy, which allows the publishers to get the best editors in the region.
- Comparative analyses of issues showing the people in the region that they have common problems and some can only be solved through regional efforts. The main examples are: constitutional stalling in Kenya, Uganda and Zanzibar, the advent of executive presidentialism in the five countries, including Rwanda, and its impact on parliaments, separation of powers and governance in general.
- Courts coming to understand their roles in the new dispensation of multi-party politics.
- KCK inspiring public officials to contribute to the debates on democracy, good governance and human rights. The best example is the initiative taken by the former Chief Justice of Uganda who, with the support of KCK, has authored his experiences in the making of the 1995 Constitution of Uganda.

- The publication – *The Independence of the Judiciary and the Rule of Law: Strengthening Constitutional Activism in East Africa*, which has given the opportunity to the judiciary to get a feel of what the public feels about the services it provides.
- The work of KCK opening up the minds of legislators and showing where legal reforms are required. In Uganda, for example, there were a series of amendments of laws, which were reflective of the need on the part of the state to accommodate new ideas. The same has been the case in Tanzania between 2002 and 2005, with the result that the amendment of laws, and promulgation of new ones, is continuing.

7.1.7 Networking, Advocacy and Activism

One of the strategic objectives of KCK is to develop capacity for various stakeholders to influence policy and processes of change in the areas of democracy, governance and human rights. The main strategies on how to achieve this include engagement of civil society in issues of constitutionalism and regional integration, initiating and supporting policy dialogue and performing what one can call the role of brokerage between various intra state, state and non-state actors. The guiding principle for KCK activities is that regional integration is not an issue of linking leaders or state institutions of the various countries but linking the people of these countries and helping them to shape the destiny of their region. It therefore provides a forum for civil society actors, and state actors. In this context it has provided a forum for leaders of the law reform commissions, political party leaders and human rights commissions in the region. Below are briefs on these networking activities:

a) Meeting with Zanzibar House of Representatives (2004)

The meeting with these representatives was meant to disseminate information about the East African Treaty. In addition it was used to provide opportunities for the representatives to comment on the status of Zanzibar in the East African Community. Most of the issues raised could not be discussed within the legislative circles of Tanzania. Such issues included what benefits accrued to Zanzibar from the East African Cooperation; equitable division of proceeds of such cooperation, comparative cooperation arrangements outside and within the African continent and the expectations of the people of Zanzibar about the East African Community. The meeting came out with good ideas, including the need to carry out more studies on these issues, the usefulness of exchange visits between members of parliament of the member countries and wider dissemination of research results.

b) Workshop on Legal Sector Reform Processes in East Africa (December 2004)

The workshop was aimed at enabling those involved in law and legal sector reforms to come together and share their experiences. It was attended by 41 participants from governments, research and training institutions and civil society organisations in the region. The workshop was used to identify the best practices on legal sector reforms, such as a sector wide approach and participatory approaches through which most stakeholders were involved in the process. It also identified the challenges facing the sector in various countries, made recommendations to government and civil society on how to go about resolving them and identified the role that the East African Community could play in supporting the reforms.²⁵

c) Workshop on Human Rights Commissions and Accountability in Eastern Africa

This workshop was organised in November 2004 with support from Sida. It was aimed at providing a forum for human rights commissioners in the region to exchange experiences and ideas on their work. The workshop noted among other things that the implementation of economic, social and cultural rights was at its weakest in the region and mechanisms were agreed upon for accelerating the promotion and protection of these rights.

²⁵ For details see the KCK Annual Report 2004, pp. 11–18

d) Workshop on Constitutional Review Commissions in East Africa

This workshop was supported by Austrian Development Cooperation and held in September 2004. It reviewed the constitutional reform process in the region. It was attended by leaders of political parties, members of the constitutional reform commissions, members of the judiciary, researchers and representatives of civil society. It emphasized the need for continuing to search for solutions to stalemates in the reform process in various countries, especially Kenya, and called for regular workshops of this kind.

e) The Role of Political Parties in Transition

The workshop was held in Kampala with the support of Friedrich Ebert Stiftung (FES). It was attended by 181 participants. It recommended that political parties in Uganda should learn from the experiences of their counterparts in Kenya and Tanzania, personal agendas should be kept out of politics, and civic education courses should be given for leaders and the general populations of the countries in the region.

f) Searching for Sense and Humanity: Civil Society and the Struggle for a better Rwanda

With the support of Sida, KCK launched a programme aimed at promoting good governance and the involvement of civil society in the democratisation process in Rwanda. Under this programme, a fact-finding mission went to Rwanda in June 2004. According to the Secretariat the mission succeeded in building bridges between Rwanda and the other East African countries. The mission's findings were disseminated for purposes of validation and fine-tuning of the final report. It is hoped that the report will help bring out information on Rwanda that was not yet available to other citizens of the region. However, in Rwanda it was hard to find any evidence of the final outcome of the programme. The reason is that the outcomes could not be visible at the time of the evaluation because the final publication for wider dissemination was only launched on 4 August 2006 and the evaluation visit to Rwanda took place prior to this event.

g) Collaborative Meeting with CODESRIA and the Centre for Policy Studies (CPS) of South Africa.

This meeting helped to initiate collaborative activities between KCK, CODESRIA and CPS. It was supported by Trust Africa and held in Nairobi in November 2004. It focused on the theme of 'citizenship and identity' in Africa and how this issue was impacting on democracy and human rights in Africa.

h) East African Community – Extending the Jurisdiction of the East African Court of Justice

This workshop was held in Arusha in October 2005 to elicit views on the jurisdiction of the East African Court of Justice. It considered a Zero Draft Protocol to Operationalise the Extended Jurisdiction of the East African Court of Justice. Only twenty two (22) participants from Tanzania, Kenya, Uganda, the East African Court of Justice, the EAC Secretariat and Civil Society attended and only three concrete recommendations were made.

i) 1st Regional Workshop for Civil Society Organisations in East Africa

Convened by the Secretary General of the East African Community, the workshop took place in Arusha in July 2005. It discussed the roles of civil society in regional integration and other issues underlining the need to build synergies and networks and chart out plans to establish an East African NGO Forum. It was agreed that an East African CSO/NGO Steering Committee and a forum for NGOs and CBOs should be established with a secretariat and an Economic and Social Committee of the East African Community should also be put in place.

7.1.8 Outcomes of the Networking Activities

The majority of those interviewed were of the opinion that KCK provided space and opportunity for many state and non-state actors in the region to meet outside the confines of their offices, political parties, academia and civil society organisations to speak freely without being constrained by the limits

imposed on them by the offices, jobs or statues. In some of the countries in the region, freedom of expression is still controlled even where it is not openly restricted. In Uganda, for example, reprisals are common for civil servants who speak out against the state while in Tanzania and Zanzibar there are issues that are assumed to be ‘sensitive’, such as the relations between the two countries, violation of rights during elections and the legitimacy of the union. The networking and advocacy activities provide neutral space of a regional nature at which independent views can be aired with immunity from reprisals or possible stigmatisation. On the whole the interviewed people felt that the activities had the following outcomes:

- Regional consciousness has been stimulated and many people in the region feel that their national problems are common to other countries and could best be handled through regional efforts.
- The activities on the independence of the judiciary have exposed the public and the judiciary itself to deficiencies in the justice system. The Acting Registrar of the High Court in Uganda said, *‘KCK provides opportunity to the judiciary to mirror itself and see how “dressed or undressed” it is’*.
- The activities provide governments with a window to assess their institutions because they have no mechanism for doing this and initiating change.
- CSOs come as disinterested parties in the partisan politics of the three countries and play a role of brokerage between contending political forces.
- Seminars provide a forum for internal debates within government institutions. For example, although the three arms of the state are supposed to be independent, the executive arm has the instruments of coercion. Parliament has the power of the purse and the judiciary has only moral authority. There is no balance of power because moral authority can be violated or restricted by lack of funds. The workshops provide bargaining space between the three arms of the state. The governments cannot provide such space.
- While democracy and good governance evolve and can deteriorate without the state institutions noting the direction of the evolution process, KCK provides instruments and space for measuring, evaluating and discussing the direction of change.
- KCK provides room for neutral dialogue. It is non-partisan and therefore all stakeholders use networking and advocacy activities to make their point because at other forums their voices may be submerged.
- Country teams and fact-finding missions have helped to bring people closer.
- The Rwanda initiative has helped to remove stereotypes of the people of Kenya, Tanzania and Uganda about the Rwandan people and societies.

7.1.9 Training and Capacity Building Activities

The KCK has organised capacity building activities in the region. Training workshops have been organised on various issues. The most significant of these have been:

- Workshops on constitutionalism
- Training workshop on democratic governance for the non-profit sector aimed at instituting democratic values in the governance of NGOs and CBOs.
- Workshop on the role of women in democratic transition mainly organised for Ugandan women in preparation for the first multiparty elections in 2005.
- Training for legal aid providers on public interest litigation and human rights.
- Workshops for civil society organisations in Zanzibar (2005) on the East African Treaty and the role of civil society in regional integration.

- Workshop for the Zanzibar House of Representatives on the Treaty and the Customs Union Protocol.
- Workshops on civil society and the private sectors in Kenya and Uganda on the rights of various groups in the regional integration process.

7.1.10 Outcomes of the Capacity Building Activities

These activities have contributed to many participants' knowledge of the instruments of the East African Community. They have helped to calm down tensions and fears of those who felt they would be left further behind if integration succeeds. They have also increased mutual recognition and respect between state and non-state actors.

7.1.11 Work methods, membership dynamics and networks

Network Partners, Mandate and Competencies

KCK operates in collaboration with a network of civil society organisations, academics, individual political leaders and researchers. These partners are not in any way institutionally or formally linked with the Centre but when opportunity for collaboration arises formal arrangements are made to facilitate this collaboration. The majority of these are human rights and other civil society organisations, judicial bodies and other key partners.

Network Strategy

The networking strategy used is to organise thematic seminars, workshops and conferences and get as many stakeholders interested in or working on the thematic area involved as possible. The seminars, workshops and conferences are used mainly to enable participants to share experiences and best practices, establish frameworks for cooperation across borders and chart out plans on how to institutionalise these frameworks. Details on network activities and their outcomes have been covered in section 7.1.7 and 7.1.8.

Network Performance

The networking activities are planned by the Secretariat and approved by the Board of Directors. As indicated in section 7.1.7 and 7.1.8, the network is activity based and not determined by members as such. There is no membership. The networking activities as discussed above have managed to bring together key actors of both state and non-state background and have fostered dialogue between them on issues of a regional nature. The Centre is one of the few organisations in the region that facilitate such dialogue. Most important also is that the networking has provided opportunities to various actors to compare notes and experiences on issues proving difficult for all countries in the region such as constitutional reforms, legal sector reforms and economic, social and cultural rights.

Comparative Analysis

KCK applies a think tank rather than a network approach. A network has a membership that shapes and determines its structures of governance. A think tank does not necessarily have to have a membership. The think tank approach has its advantages and disadvantages.

Some of the advantages are that it is insulated from politics of membership, so it can pull together like-minded people. Such people are more likely to be output oriented. Think tanks attract the best competencies on research and analysis and tend to produce more tangible results in terms of knowledge generation and intellectual production. A think tank approach has helped the Centre to attract some of the best researchers and thinkers on constitutionalism, human rights and good governance in the region and together they have managed to maintain a very high rate and level of publications on a regular basis.

The disadvantages of think tanks are that, for example, they can easily be dominated by the same group of like-minded people and become closed institutions or clubs; they can become exclusive

institutions though catering for broader sections of society; and they can easily become undemocratic in the way leadership and leadership succession issues are determined. There is need, therefore, for KCK to re-examine its structures and look for ways of opening up further in order to shake off the image of an exclusive club, which some interviewees met by the evaluation mission seemed to believe.

7.1.12 Donor relations

Analysis of Funding Patterns

Most of the core funding is provided by Sida and the Ford Foundation through grants. Out of the total amount of US\$ 480,794.82 received in the year 2004, US\$ 350,000.00, i.e. almost 50%, came from the Ford Foundation. US\$ 76,612.82 came from Sida and the remaining amount from Austria Development Corporation, Amnesty International and the Irish Embassy. The activities of the Centre have therefore attracted support from a good number of donors.

Donor Reporting Quality

The Centre has maintained a system of regular financial reports. It also publishes its financial statements in the annual reports.

Donor Diversity Reporting Requirement

The Centre reports to each donor separately on the basis of grant agreements signed with each of them.

Multi-donor Programme Synergies

There is not yet a systematic multi-donor programme funding. This can best be achieved if the five East African Programmes (Amani Forum, KCK, EALS, EWEPa and Women Direct) develop a regional programme and strategy and ask one of the donors, Sida or the Ford Foundation, to organize a joint donor forum at which the regional programme would be discussed and modalities for funding it agreed upon. Such a framework would create room for synergies between the regional networks on the one hand and donors on the other. It would reduce duplication and overlap of activities, reduce costs of the programmes and promote efficiency.

7.2 Evaluative Conclusions

The Centre is making a significant contribution to the region. It has managed to produce a good number of outputs and it is within its budget. It is the view of the mission that the resources are properly managed. One element that the Centre and its Board have to re-examine is the need for a membership, which will have a Council and the Council will in turn elect Board members. In the absence of a Council emanating from a broad based membership, the Centre may in future fail to give a good example of good governance and democracy; values at the core of its mission and functions.

KCK's programmes are novel, focused and have helped build foundations for a people- and citizen focused and led regional integration process in the Eastern African region.

KCK has a big network of civil society organisations and professionals. There is a need to look for more creative ways of utilising such a network. One of the best ways would be to create an institutional framework in which the collaborating partners have an organic relationship with the Centre and get involved in shaping its agenda and programmes in their own rights and not through unstructured consultative mechanisms. This may help not only to create a critical mass of experts on constitutionalism, governance and human rights, but it may also increase the legitimacy of the Centre by improving its governance image and structures.

The Centre seems to have managed its resources well and have delivered results that reflect the value of the money put into its activities. However, in Rwanda, KCK seems to be weak. KCK has visited

Rwanda only three times. The first time was in 2004 to collect information on a new publication on Rwanda and later, to hold a dissemination of the draft report. It also held an experts meeting in 2006 to review, page by page, the draft report prior to the production of the publication. The publication was officially launched on the 4th of August 2006.

As mentioned above, it would be more efficient if the five networks established a joint forum at which they could discuss ways of collaborating and which they could use to launch a regional programme. This would help enhance synergies, reduce programme overlaps, provide room for coordinated resource mobilization and strengthen the East African-ness, which each of the programmes seeks to promote.

7.2.1 Effectiveness

The research, dissemination, advocacy, networking and capacity building programmes have been very effective. They have created awareness among many East Africans about the intertwined and regional nature of most of the human rights, constitutional and governance problems that some thought were only of a national character. They have provided opportunity to state and non-state actors to share common platforms and exchange ideas on how to improve governance and fast track regional integration. They have also provided opportunity for intra-state dialogue between various arms of the state. It is felt, however, that these gains could be strengthened if foundations for future work were laid among the youth. It is therefore recommended that resources allowing the Centre to do this should start targeting university students in various disciplines and through involving them in workshops and research activities, train them to carry forward the objectives and mission of the Centre.

7.2.2 Efficiency

Efficiency is addressed from four angles in this report. First is the issue of technical/professional efficiency measured by the degree to which the technical capabilities available in the region were tapped and used in the implementation of the programmes of the Centre. It has been pointed out earlier that the Centre has managed to mobilise some of the best researchers and advocacy experts in the areas relevant to the programme. Some of these are people with an international reputation who are respected at all levels in the region and have played a big role in shaping the profiles and outputs of various programmes. It is, however, important to note that the majority of these experts are in their late forties and early fifties. In order to ensure that the good work they have done is not lost after they get out of the scene, there is a need to start addressing the problem of the 'missing middle'. Capacity is at the top and potential capacity is at the bottom. KCK needs to develop a programme in collaboration with other partners to build capacity for research, analysis, advocacy and leadership in the middle.

The second element of efficiency is allocative efficiency, measured by the amount of resources allocated to various themes and activities in comparative terms. It will be noted that more resources have been invested in research and dissemination on constitutionalism, independence of the judiciary and issues of citizenship. These are core issues that affect rights and entitlements in the region. In that sense therefore one can rightly say the allocation of resources has been efficient. It is important to note, however, that in the area of human rights the emphasis has been more on civil and political rights and very little has been invested in the study of economic, social and cultural rights and poverty in general, although at the workshop of the human rights commissions this omission was acknowledged. It may help to link issues of human rights and governance on the one hand, with poverty, entitlement systems and systems of social exclusion on the other.

Third is the issue of value for money or cost efficiency. There has been on-going dialogue between Sida and KCK on the rationale of paying honoraria to experts who perform key roles as resource persons or participants in workshops or consultative meetings. The argument in favour of paying such honoraria, as put by the Centre, has been that in most cases these workshops and meetings provide an opportunity for KCK to consult experts and get lots of information at a very low cost compared to what would be paid if they were hired as consultants. On the other hand, Sida has been of the opinion that such

contributions should be made voluntarily as a show of commitment by these professionals to the development cause of the region and as their contribution to the enhancement of the Centre's mission. The culture of sitting allowances that is used to top up the meagre salaries of public servants in the region has also created expectation problems for the Centre when it organises meetings and workshops. More often than not, when such allowances are not paid, it is difficult for participants to believe that they were not budgeted for. There is need for the Centre to continue dialogue with Sida on the issue of honoraria and for them to understand that sometimes when there is membership it becomes easier for an organisation to convince its members of its policies and to use members who understand such policies in its activities.

Fourth, the Secretariat is small and efficient. However, it is in practice to a large extent depending on the Executive Director. KCK could come out of this unsustainable situation by developing a fund-raising strategy in order to diversify its narrow donor base.

7.2.3 Results

The objective of monitoring and evaluation processes is to make visible an array of project results at different levels. Assessment of results often includes four areas: output, outcome, impact and sustainability.

Kituo Cha Katiba has contributed substantially to raising awareness about constitutionalism and good governance in the region. Its website and resource centre are useful information sources for researchers in the region. Its publications have filled a big gap created by decline of resources in teaching institutions and the stagnation in library acquisitions in the region. It has also provided a rare forum for government officials to break out of the departmental confines and consciousness and address issues together in an open atmosphere. As noted in the outcomes this has helped them to address imbalances in terms of power and resources between the three major arms of the state. However, the Centre operates more as a think tank than a network. Although it collaborates and involves many partners from civil society, it does not have institutional mechanisms for making these partners members in their own right so that they can have a role in shaping the core agenda of the programmes and evaluating them. It may be useful in the long run for KCK to develop a membership structure that will allow it to benefit from a wider variety of constituencies than it covers at the moment. In addition, it may be useful for the Centre to start targeting younger intellectuals and lower levels of the regional actors. In this vein it may want to look into the possibilities of building capacity for advocacy and research among university students who are the future researchers and leaders in government and civil society. Such a shift may help the Centre to develop leadership capacity for research and advocacy on human rights and constitutionalism among the youth.

While the Centre did not have clear indicators on how to measure outputs, it has a clear record of its outputs every year and through interviews it was possible to get a feeling of what the Centre's partners felt were the main outcomes of its work.

Output: A total of 52,710 visits were made to the KCK website during 2005. The number has more than doubled compared with 2004, when there were 20,105 visits. In addition to this, the Centre produced a good number of publications, including five volumes on the *Annual State of Constitutionalism* in the region, one volume on *Law and Access to Justice*, three published papers on the independence of the judiciary in three countries of the region, and seven other books.

Outcome: Improvement in skills in dealing with the legislative process, budgets, hearings, debates, media and constituency work, illustrate by concrete examples how the beneficiaries have applied their skills. KCK's networking and advocacy activities provide neutral space of a regional nature at which independent views can be aired with immunity from reprisals or possible stigma. On the whole the interviewed people felt that the activities had the following outcomes:

- Regional consciousness has been stimulated and many people in the region feel that their national problems are common to other countries and could best be handled through regional efforts.
- The activities on the independence of the judiciary have exposed the public and the judiciary itself to deficiencies in the justice system. The Acting Registrar of the High Court in Uganda said, 'KCK provides opportunity to the judiciary to mirror itself and see how "dressed or undressed" it is'.
- The activities provide governments with a window to assess their institutions because they have no mechanism for doing this and initiating change.
- CSOs come as disinterested parties in the partisan politics of the three countries and play a role of brokerage between contending political forces.
- Seminars provide a forum for internal debates within government institutions. For example, although the three arms of the state are supposed to be independent, the executive arm has the instruments of coercion, Parliament has the power of the purse and the judiciary has only moral authority. There is no balance of power because moral authority can be violated or restricted by lack of funds. The workshops provide bargaining space between the three arms of the state, which cannot be provided by governments.
- While democracy and good governance evolve and can deteriorate without the state institutions noting the direction of the evolution process, KCK provides instruments and space for measuring, evaluating and discussing the direction of change.
- KCK provides room for neutral dialogue. It is non-partisan and therefore all stakeholders use networking and advocacy activities to make their point because at other forums their voices may be submerged.
- Country teams/fact-finding missions have helped to bring people closer.
- The Rwanda initiative has helped to remove stereotypes of the people of Kenya, Tanzania and Uganda about the Rwandan people and societies.

7.2.4 Relevance

The programmes and activities of the Centre are relevant and have managed to attract support from various institutions at state and civil society level. As mentioned earlier, it would increase the relevance of the programmes if the issue of human rights was broadened into issues of poverty and the human rights deficit, entitlement systems and citizenship and if in the discussion of citizenship issues, systemic and institutional mechanisms of social exclusion from power, production, distribution and governance were incorporated. In addition it would be useful for the Centre to adopt creative and innovative ways of measuring relevance by conducting on-line needs surveys and tracer studies of participants in their activities to find out the use to which the skills gained were put.

7.2.5 Sustainability

Sustainability is viewed from three angles. First is the sustainability of the constituencies on which the Centre depends. These are mainly civil society organisations, state institutions and regional partners with which the Centre collaborates. These are stable constituencies and as long as the Centre maintains upward and horizontal linkages with them and incorporates their interests in its various activities, they will remain supportive of its programmes and activities. One way of maintaining their interest is to develop follow-up activities.

At the moment the end of one seminar does not guarantee that the same participants will be asked a year later to meet and discuss the extent to which they managed to implement their own decisions and with what success or difficulties. Lack of follow up denies the Centre of the opportunity to measure the impact of its activities while at the same time it does not create room for the development of a critical mass of expertise in a given area. Therefore efforts should be made to ensure follow-up activities and

having members may help in attaining these twin objectives-impact assessment and tracer studies to measure impact.

The second factor examined in the measurement of sustainability is the human resources capacity. Again here it is noted that there is a skill gap in terms of leadership and research capacity between the young generation of intellectuals and the older generation that is taking the lead in these two areas at the moment. This skill deficit is caused by the problems of knowledge/skill creation in the institutions of higher learning which have gone through financial crises for three decades. Now, as they struggle to get out of them, they are being forced to take in more students than the staff – student ratios, equipment and infrastructure can handle. Adding to the problem is that universities, for example, had an employment freeze for decades and are now experiencing a demographic crisis of a greying professorate, a high concentration of ill-paid junior staff, and a missing cadre of intermediate staff. This problem will not be solved by universities alone, and those regional bodies undertaking research need to develop programmes to contribute to capacity enhancement among young intellectuals while they are still in the institutions of higher learning. The Centre for Basic Research in Uganda and the Research in Poverty Alleviation and Economic and Social Research Foundation in Tanzania have started programmes for training young researchers in policy research and policy analysis. The KCK could team up with such organisations in building capacity for research in order to avert the demographic and knowledge crisis that it may face in the near future.

Finally, there is the issue of financial sustainability: as noted, the Centre enjoys the support of five major donor agencies including Sida. Hence the potential for retaining support is there. The only problem is that it is the same donors that are funding other networks and with changes in donor policies and a rise in the number of networks involved in similar initiatives, it will become necessary at one point for these networks to sit together and develop a common programme under which each will identify activities that form its niche so that each of them can optimise on activities for which they are best equipped and overlaps and duplicity can be avoided. In a broader framework report, it is suggested that a forum of the CEOs of all these networks should be formed through which a regional programme can be developed and donors can be asked to respond to it as a group. This may help joint resource mobilization, may form the basis for joint tendering for bigger resources and may strengthen the objectives of regional integration of research and other programmes.

7.3 Lessons Learnt

Evidently, there are at least five lessons the evaluation team has learnt from Kituo Cha Katiba's active engagement:

- Kituo Cha Katiba as a regional network has no national chapters but works in collaboration with existing bodies and civil society organisations. This reduces costs for the Centre because it contracts out most of its work without having to pay fixed costs for administration.
- Although not having national chapters may be cost effective, it has the disadvantage of making a network such as KCK feel it does not require membership.
- Kituo Cha Katiba operates as a think tank without a membership. The danger of such a structure is that it may become an exclusive club of like-minded intellectuals insulated from the pressures of democratic governance as long as it delivers tangible results. In the long term such a body could lose legitimacy to talk about democracy if it inherently has a democracy deficit within its own structures.
- KCK performs roles that EALS also performs, albeit from a different angle or platform. Both would benefit from working closely together in the development of their programmes to avoid duplication of efforts and to help each other to carve out a niche that will strengthen both as complementary members of the region.

- Networks that have become respectable in the region such as KCK have managed to achieve this through performing non-partisan roles, keeping themselves above local politics, performing a role of brokerage between contending political forces and using respected and seasoned researchers who can write objectively and convincingly.

7.4 Recommendations

The programmes and activities of the Centre are novel, focused and touch on critical issues relevant to building foundations for regional integration in East Africa. The research, dissemination, networking and capacity building outputs and outcomes are substantial and have contributed to raising awareness on constitutionalism, governance and human rights in the region. On the whole the resources have been efficiently used and the programmes are effective on the ground. The sustainability of the programmes will depend on the increased focus of the programmes and the resource acquisition strategies the Centre will adopt.

Kitua Cha Katiba is recommended to:

- Transform the Centre from a think tank to a network based on institutional and individual membership,
- Create categories of membership and use members for core activities,
- Adopt systems of leadership elected by a broad based membership,
- Empower partners to have a say and voice in the design of programmes and activities,
- Broaden activities to lower levels of society, especially young people in institutions of higher learning who are the future leaders and researchers,
- Develop a capacity development programme to strengthen research and inter- and intra-generational leadership skills,
- Continue dialogue with Sida on the issue of payment of honoraria, create a membership-based organisation and use members in Centre's activities to reduce misunderstandings over issues of honoraria and other emoluments,
- Integrate economic, social and cultural rights and issues of entitlement systems and poverty in activities on human rights and governance,
- Conduct needs surveys and tracer studies to strengthen the demand orientation of the programmes and activities, and
- Develop a fund raising strategy in order to reduce dependence on Sida and become financially more sustainable.

Annex 1 Terms of Reference

(I) Evaluation of Projects/programmes Supported under Sida's Regional Democracy and Human Rights Programme and

(II) Evaluation of the Overall Programme for Regional Democracy and Human Rights

1.0 Background

1.1 Swedish International Development Agency (Sida)

Sida is the Swedish government agency for bilateral international development cooperation and most of Sweden's cooperation with Central and Eastern Europe. The Parliament and Government decide on the development cooperation budget, the countries which Sweden shall have programmes of development cooperation with and the focus of cooperation.

The overall goal of Swedish development cooperation is to contribute to making it possible for poor people to improve their living conditions. Sida supports activities in almost 120 countries, including the partner countries in Central and Eastern Europe. Most of the resources are allocated to the twenty or so countries with which Sida has extensive, long-term programmes of cooperation. The framework of cooperation is specified in special country strategies and regulated in agreements between Sida and the government of each partner country.

Sida operates through some 1,500 partners in cooperation. These are companies, popular movements, non-governmental organisations (NGOs), universities, regional bodies (including the United Nations), parliaments, local governments and government agencies that possess the expertise to make Swedish development cooperation successful. In the long run Swedish development cooperation should lead to wider economic and social cooperation with the cooperation countries, to the benefit of all parties concerned.

For more information, please see Sida's homepage: www.sida.se.

1.2 Programme for Regional Democracy and Human Rights

The Programme for Regional Democracy and Human Rights is based on the "Swedish Strategy for Support to Regional and Subregional Development Cooperation in Sub-Saharan Africa 2002–2006".

The underlying thought for the Regional Democracy and Human Rights Programme is essentially that certain challenges to development in the Greater East African countries (Kenya, Tanzania, Uganda, Burundi, Rwanda, Ethiopia and to a lesser extent Zambia, Sudan, Somalia and Congo) must or can benefit from a regional approach. Although some challenges are perhaps better addressed at a local/national level, it is evident that a regional approach is sometimes necessary and that it often adds value.

Democratisation in Greater East Africa is characterised by slow and difficult processes with a high degree of vulnerability to armed conflicts. The political institutions and the norms underpinning democratic development are still being shaped, while conflict management mechanisms are still weak.

Governments are responsible for promoting, respecting, protecting and fulfilling human rights. Likewise, democracy, as a system of ensuring the will of the people through political processes, will have different attributes in different countries. However, countries (especially neighbouring ones) will heavily influence each other's processes of democratisation in general. Armed conflicts and disrespect for rule of law, human rights and democratic procedures hence seem to be contagious and vice versa.

The current “Swedish Strategy for Support for Regional and Sub-regional Development Cooperation in Sub-Saharan Africa” claims that while conflict management often *needs* to be addressed regionally, a regional approach to democracy and human rights often *adds value*, and is not necessarily less relevant. It is believed that there is need and room for increased collaboration between civil society actors in the region, as well as between respective governments.

The overall objective of the programme is to “promote democratic governance, and thereby management of conflicts, in the East African countries” with a view to Sida’s goal of contributing to “an environment supportive of poor people’s own efforts to improve their quality of life”. To this end, the programme focuses on activities related to:

- i) developing and/or working with agents of change
- ii) engendering politics through the empowerment of women
- iii) developing and/or working with conflict management mechanisms
- iv) creating synergies between attempts to promote democratic governance in Greater East Africa.

Nevertheless, the question of when and whether a regional approach is preferable over a national approach, is always valid. Some advantages to a regional approach were identified in initial discussions:

- 1) As a result of the sensitivity of certain democracy and human rights related issues, a regional approach may open up for dialogue between concerned parties.
- 2) When national human rights organisations are unable to report on human rights abuses, organisations in other countries, may do so.
- 3) A regional approach may provide opportunities to expose national actors (governments as well as civil society) to experiences from other countries.
- 4) At times it may be more cost effective to conduct studies and/or engage in training and the like in a regional forum as opposed to conducting identical/similar activities in several countries.

2.0 Evaluation Purpose

This evaluation shall take place in two phases:

- i) Evaluation of organisations supported under the overall Framework for Regional Democracy and Human Rights and thus
- ii) Evaluation of the overall Framework for Regional Democracy and Human Rights

Because it is a two-phase evaluation, the purpose of the evaluation is also two-fold:

- i) Help Sida and its partners make sure that the interventions are well on track and likely to reach their objectives, and guide Sida in decisions regarding continued support to some of the organisations.
- ii) Guide Sida on decisions regarding the pursuance of a regional approach to democracy and human rights and thus further assist in the formulation of strategies in the same regard.

The evaluation will generally be used by the Regional Democracy and Human Rights Advisers at the Sida office in Nairobi, the evaluated partner organisations, Programme Officers in the other Sida offices/Swedish Embassies in the region, the Africa Department (AFRA) and Division for Democratic Governance (DESA) at the Sida Head Office in Stockholm and potentially other Regional Advisers at Sida offices around the world.

3.0 Intervention Background

Currently, five organisations, and hence, five projects/programmes are being funded under the overall Regional Democracy and Human Rights Programme. Two additional projects/programmes are about to be closed pending final reports and there is no intention of continued support at this stage.

Phase one of the evaluation, which regards the organisations being supported, shall only look at four organisations: Amani Forum, Education Centre for Women in Democracy, East African Law Society and Kituo Cha Katiba. The AWEPA/EALA component has been evaluated just last year (2005) in a study commissioned by NORAD and likewise AWEPA's whole organisation was reviewed in early 2006 – both studies may be provided to potential consultants. The evaluators shall focus on the current project/programme that each organisation is implementing, although reference may be made to other projects/programmes previously implemented by the same organisations and supported by Sida.

Phase two of the evaluation, which regards the overall Framework for Democracy and Human Rights shall look at all the projects/programmes supported under the Framework, including those that have not been evaluated during this process. The Framework itself has been in place since the beginning of 2003, and should be evaluated as such.

3.1 Brief of Supported Organisations and their Projects/Programmes

Amani Forum – “Parliamentarians and Peace-Building”

The Amani Forum, with a membership of 600+, is an initiative of African parliamentarians in the Great Lakes region. Recognising that the protracted conflicts in this area are interlinked, and that parliamentarians are in a unique position to contribute to peace-building, a group of parliamentarians decided in 1998 to create a regional structure to enable them to work in a co-ordinated manner for sustainable peace. It has developed a regional inter-parliamentary forum as well as cross-party branches in each member country: Burundi, Kenya, Rwanda, Tanzania, Uganda, Zambia and the Democratic Republic of Congo (DRC). Amani's objectives are (i) to build relationships of solidarity and cooperation between parliamentarians in the region, (ii) to strengthen the capacities of parliamentarians to maximise their parliamentary role for peace, (iii) to undertake targeted peace interventions by national and regional groups of parliamentarians, (iv) to support new parliamentarians in the DRC, and connect them with their counterparts in the region, (v) to develop links with other regional structures and processes in the region and (vi) to maintain and consolidate the capacities of Amani Forum. The programme includes peace-building activities and capacity-building for parliamentarians. For more information, see www.amaniforum.org.

The programme is supported by Sida and the UK Foreign Office. Sida is coming up to the end of its two-year support, during which Sida has provided SEK 4.8 million. Amani Forum is keen for Sida to support the next year of its initial programme proposal, however, any future support will be based on, among other things, the outcome of this evaluation.¹

East African Law Society (EALS) – “Phase Two of the East African Community Law Project (CLP)”

EALS, based in Arusha, is the premier regional Bar Association in East Africa and the pre-eminent civil society organization with a permanent and programmatic focus on the East African Community. It brings together six thousand-plus lawyers from Kenya, Uganda, Tanganyika and Zanzibar and also the four national Bar associations in the region, including Zanzibar Law Society. The East African Community Law Project (CLP) aims to catalyze a deeper understanding of and interaction with the organs of the EAC, in order to deepen and extend the just rule of law and respect for all human rights of all people by directly engaging with and monitoring the said EAC organs. The objectives of the project are (i) to

¹ In 2005, Sida completed a mapping and review exercise of all its assistance directed towards parliaments and parliamentary networks. The review may be found on Sida's website.

promote constitutional and human rights-focused litigation at the East African Court of Justice, (ii) to promote comprehensive law and policy-making at the East African Legislative Assembly, (iii) to advance the cause of gender equity and representation at the EAC, its organs and its policies and (iv) to catalyze effective, vibrant and broad civil society engagement with the EAC and its organs. EALS' activities include training and dialogue sessions, solidarity missions, the production of litigation manuals and briefs as well as a Community Law Digest and quarterly newsletters. For more information, see www.ealawsociety.org.

Sida is the principal donor in this programme and also supported Phase One of the CLP. Sida entered into another two-year agreement with EALS in November 2005, for a total of SEK 7.75 million.

Education Centre for Women in Democracy (ECWD) – “Women Direct”

ECWD's mission is to increase the presence of women in leadership, with a focus on quality and capacity and also to work towards the creation of a more conducive social, political and democratic environment for the full and equal participation of women. Women Direct is a regional network of like-minded individuals and organisations with a commitment to promoting women's higher participation in leadership and decision making in Africa. It draws its membership from Burundi, Ethiopia, Kenya, Rwanda, Tanzania and Uganda. Its overall objectives are to support the collective voice and equal participation of women in leadership and decision making towards shaping national, regional and international policies, to strengthen the capacities and raise the profile of partners and to link partners with strategic national, regional and international bodies. ECWD is based in Nairobi. For more information, see www.womendirectafrica.org.

Support to the programme follows an ECWD-implemented Start-Up programme, with Sida funding, from March 2003 to May 2004. Sida now supports the three-year programme, which commenced in September 2004 with a total of SEK 9 million.

Kituo Cha Katiba (KCK) – “Towards a People Driven East Africanness”

KCK is a regional NGO based in Kampala. The organisation's mission is to protect and promote constitutionalism, good governance and democratic development in East Africa. The vision of KCK is to promote the active participation of civil society in good governance and to inspire a culture of democratic practice that reflects the inspirations and needs of the common people and democratic governance as applied to everyday life situations, starting from home and extending to the work place, community, nation and East Africa at large. The development goal of this project is to influence the active participation of citizens in ensuring a people-centred East African Community that is responsive to democratic development, rule of law and the protection of human rights. The two primary activities of this project are (i) deepening dialogue and consultations on civil society participation in rebuilding Rwanda and the promotion of human rights and democracy and (ii) strengthening human rights commissions' collaboration at a regional level in relation to the EAC. For more information, see www.kituoachakatiba.co.ug.

It is a one-year project, which commenced in September 2005 with a total amount of SEK 850,000. KCK has previously successfully implemented another project funded by Sida, entitled “Enhancement of Civil Society Participation in Democratic Development and Rule of Law in East Africa”.

AWEPA – “Support to the East African Legislative Assembly (EALA)”

When EALA was inaugurated in 2001, most of its Members had very little political experience and found the Parliamentary system adopted by EALA unique. With the support of AWEPA, members and staff of the Assembly have been empowered to carry out their specific mandates through capacity building seminars, study visits and exchange programmes to similar institutions. Objectives are categorised in terms of support to all members of EALA, support to staff of EALA and support to committees of EALA. The regional AWEPA office is based in Nairobi. For more information, see www.awepa.org.

Support to EALA through AWEPA started in March 2005 and spans a three-year period. Funding is agreed at SEK 6 million. NORAD also funds EALA through AWEPA. The AWEPA/EALA component was evaluated last year (2005) in a study commissioned by NORAD.

4.0 Stakeholder Involvement

4.1 Partner Organisations

The partner organisations which are to be evaluated as part of this process, have been consulted and given the opportunity to contribute to the Terms of Reference (ToR). In as far as is possible, their contributions have been incorporated.

4.2 Beneficiaries

Individuals, groups, institutions, communities etc. which have been deemed by partner organisations, Sida or, indeed, the evaluators, to be beneficiaries of the projects/programmes should be consulted and interacted with to the extent that benefits the evaluation.

5.0 Evaluation Questions

5.1 Evaluation of Organisations

The following questions shall be considered during the evaluation, although the list is by no means exhaustive:

5.1.1 Effectiveness

- To what extent have the projects/programmes so far achieved their goal(s), objectives and planned outputs?
- What are the reasons for achievement or non-achievement of the above?
- How can the interventions be made more effective?
- To what extent are any identified developments the result of the intervention?

5.1.2 Efficiency

- What measures have been taken during planning and implementation to ensure that resources are efficiently used?
- Could interventions have been implemented with less resources and still maintain the desired level of results?
- Could a different type of intervention have yielded the same or better results?
- Are the interventions economically worthwhile?
- Are internal monitoring and evaluation mechanisms satisfactory?
- How are lessons learned and knowledge gained institutionalised?
- How can the interventions be made more cost-efficient?

5.1.3 Results

- What are the intended or unintended results (positive or negative) of the interventions on beneficiaries?
- How have the interventions affected different groups, beneficiaries and stakeholders?
- What do those affected by the interventions perceive to be the results of the interventions on themselves?

- To what extent can changes that have occurred during the project/programme period be identified and measured?

5.1.4 Relevance

- Are the individual interventions providing an adequate solution to the development problems at hand?
- Are the interventions consistent with Sida policies and priorities, including Sida's ultimate objective of poverty reduction?
- Are the interventions consistent and complementary with activities supported by other donors?
- Given increased demand for organisations' expertise, would the organisations have the capacity to expand their mandate to include other countries?

5.1.5 Sustainability

- Are the interventions consistent with partners' priorities and effective demand?
- Are the interventions supported by relevant institutions, stakeholders etc?
- How committed are staff and members of the organisations to the interventions?
- Are the relevant partner institutions characterised by good governance including effective management (also financial) and organisation?
- Do the organisations have the financial and institutional capacity to maintain intervention benefits after donor support has come to an end?
- Do the organisations have a broad and diverse enough group of donors in order not to risk over-dependency on Sida?

5.2 Evaluation of the overall Framework

The following questions shall be considered during the evaluation, although the list is by no means exhaustive:

- To what extent are the Framework's and Sida's overall objectives being met?
- What are the reasons for achievement or non-achievement of objectives?
- How does the Framework fit in with the "Swedish Strategy for Support for Regional and Subregional Development Cooperation in Sub-Saharan Africa January 1 2002–December 31 2006" and the draft strategy for 2007 onwards?
- How can the Frameworks be made more effective?
- Are there other thematic areas and/or partners that would benefit from being included in the Framework?
- How can the composition of the portfolio be improved?
- Should the desk proactively seek projects/programmes to support?
- What relevance does the regional approach have on a national level?
- What is the value added by taking a regional approach to democracy and human rights?
- Can better results be yielded with a still regional, but different, approach?
- How can synergies with the bilateral strategies be developed and strengthened?
- Should Sida draw up specific criteria for decisions on whether to support projects/programmes?
- In what way can Sida improve its tracking of results yielded in the short, medium and long term?

6.0 Recommendations and Lessons

Based on the above questions, the evaluation should aim to offer certain recommendations:

6.1 From Evaluation of Organisations

The evaluation shall aim to recommend ways in which the projects/programmes can be improved, from an implementation perspective as well as a support perspective, and shall also aim to make recommendations on whether or not Sida should enter into (new) agreements with the organisations that have been evaluated.

6.2 From the Evaluation of the Overall Framework

The evaluation shall aim to make recommendations on how the regional approach can be improved, in particular as regards the content of the portfolio in terms of relevance, effectiveness and cost efficiency.

Generally, any lessons learned as a result of this process would be a valuable contribution to the evaluation.

7.0 Methodology

The consultants will be granted access to all relevant documents and records, from both Sida and the implementing organisations. However, no documents should be released to a third party. The consultant should study any relevant background material and make a record of all data, which shall upon request be submitted to Sida at the end of the assignment.

All practical arrangements such as interviews, travel etc. shall be made by the consultants themselves.

7.1 Evaluation of Organisations

The evaluation will be carried out by means of a study of project/programme proposals, progress reports and other relevant documentation, discussions with the implementing organisations, interviews with organisations' staff, meeting beneficiaries through field visits when necessary, meeting with donors, analysis of the design and implementation of planned activities, performance analysis etc. As at least two of the organisations are based outside of Kenya, travel in the region is likely.

7.2 Evaluation of the Framework

The evaluation will be carried out by means of a review of the reports that emerged from the evaluations of individual organisations and projects/programmes supported under the Regional Democracy and Human Rights Programme, including evaluations that were not part of this process, i.e. for AWEPA/EALA. The consultants will be expected to base their views and recommendation on the objectives of the overall programme, while taking a view to the advantages that were identified in taking on a regional approach. Should the consultants find a need for complementary information, relevant Sida staff and the implementing organisations will be available for further discussion.

8.0 Workplan and Timeframe

It is expected that the evaluation team will, as part of its tender, design and present a detailed workplan including validation visits to the organisations concerned. It is estimated that both phases of the evaluation can be completed within a (perhaps combined) 12-week period. It is expected that the first phase will commence as the soonest time possible. The second phase will ideally follow directly afterwards, however, circumstances may dictate that it should take place slightly later in the year when, at least, a draft of the new "Swedish Strategy for Support for Regional and Subregional Development Cooperation in Sub-Saharan Africa" is ready.

An inception meeting with Sida and each organisation will be held on award of the contract, at suitable and mutually established times. An initial briefing meeting will take place between Sida and the consultants on commencement of the assignment.

9.0 Reporting

The evaluation will be compiled in two separate reports, one of which will focus on the evaluation of the organisations supported under the Framework, and the other which will focus on the evaluation of the overall Framework.

Draft reports shall be submitted to the Embassy, no later than one week after the completion of the evaluations. The Embassy will submit its comments, as well as those from the evaluated organisations, back to the evaluation team, no later than two weeks after receiving the draft reports. Once the comments have been incorporated to the extent possible, the evaluators will send the final reports, in one electronic copy and five hard copies for each report, to the Embassy no later than a week after receiving comments.

Dates and other details for the commencement, reporting and completion of the evaluation will be specified in the contract between Sida and the consultants.

The reports will each contain an executive summary of no more than two pages. The executive summaries shall have a particular emphasis on main findings, conclusions, lessons learned and recommendations.

A completed Data Work Sheet shall be submitted to Sida along with the final reports.

The reports will be written in English. The report pertaining to the evaluation of the organisations and their projects/programmes should not exceed fifteen pages, excluding annexes, per evaluated project/programme. In the report, the evaluation of each organisation shall start on a separate page.

The report pertaining to the evaluation of the overall Framework should not exceed twenty pages, excluding annexes.

Format and outline of the reports shall follow the guidelines in *Sida Evaluation Report – a standardised Format* (see annex 1).

A meeting may be arranged at the Embassy of Sweden for a presentation of, and discussion on, the findings before the report is finalised.

10.0 Budget

Tenders shall include a budget outline based on consultancy (hourly) fees and reimbursables.

All costs shall be given excluding VAT.

Contracts entered into will be in Swedish Kronor (SEK).

The consultancy company will be reimbursed twice. The first disbursement will be made after the first phase of the assignment is completed and approved by Sida and the second disbursement will be made after the full assignment has been completed and approved.

11.0 Evaluation Team

The evaluation will be carried out by a team of professional consultants, one of which shall be the team leader with international experience in project/programme evaluation. The team leader will work with at least one regionally-based expert.

11.1 Compulsory

- Demonstrated/documentated theoretical and practical experience in project/programme implementation, as well as monitoring and evaluation.
- Sound knowledge of current democracy and human rights affairs (including emerging issues), in the international arena, and more importantly, in the greater East Africa region, i.e. Kenya, Tanzania, Uganda, Rwanda, Burundi and Ethiopia (knowledge of DRC and Zambia would be advantageous).
- Sound knowledge of development policies and administrative systems of relevant country governments and institutions.
- Proficiency in English.
- Evidence of the consultants' adoption of a Quality Assurance System as well as description on how quality control will be implemented in the course of the assignment.
- Evidence of
 - registration by a national Registrars of Companies and a Trade Association
 - registration and payment of value added tax or a similar sales tax in accordance with national legislation
 - declaration of preliminary taxes for staff and employee contributions
 - absence of debts and/or liabilities regarding taxes and social security contributions.

11.2 Advantageous

- Knowledge of Sida policies and priorities, including Sida's ultimate objective of poverty reduction.
- At least one consultant should be proficient in French.
- At least one consultant should be proficient in Kiswahili.

It is imperative that evaluators are independent of the activities and organisations that are to be evaluated and have no stake in the outcome of the evaluations.

Annex 2 Documentation of Materials Reviewed and Cited

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Annex 3 Persons Interviewed and Consulted

ECWD/Women Direct

Dr. Margaret Hutchinson, Executive Director, Education Centre for Women in Democracy

Ms. Wangari Kinoti, Programme Coordinator, Service Centre

Mr. Francis Kiprop Kimaiyo, Finance Manager

Ms. Susan Njambi, Programme Officer, Service Centre

Ms. Ida Rob, Communication Manager, Service Centre

Ms. Anne Mitaru-Mumina, Programme Officer, Service Centre

Ms. Wangari Kinoti, Programme Coordinator, Service Centre

Ms. Lucie Nyamarushwa, Iteka, Women Human Rights and Judicial Assistance for Women, Burundi, Women Direct Collaborating Partner

Ms. Nasanet Mengistu, Executive Director, Porgynist, women empowerment and strengthening civil society, Women Direct Collaborating Partner

Amani Forum

Hon. Samuel Poghismo, Treasurer, Regional Executive Committee Member, Amani Forum

Hon Amina Abdalla Regional Executive Committee Member, Amani Forum

Hon Joseph Nkassery, Chairperson, Amani Kenya Chapter

Ms Salome Katia, Executive Secretary; Amani Forum

Ms. Fridah Kirimi, Finance and Administration Officer, Amani Forum

Mr. Joseph Hongoh, Programme Assistant, Amani Forum

Mr. Daniel Meboya Communications Officer, Amani Forum

E. S. Kona, Regional Advisor, USAID Regional Program on Peace in East and Central Africa (PEACE), Development Alternatives

Mr. Francis K. Sang, Director, Regional Centre on Small Arms and Light Weapons

Hon. Betty Amongi, Member of Parliament, Member Amani Forum Uganda Chapter

Hon. Martin Wandera, Chair, National Executive Committee, Amani Forum Uganda Chapter

Hon. Matia Kaija, Minister for Internal Affairs, Amani Forum Uganda Chapter

Hon. Isaack Musumba, Minister for Regional Affairs, Amani Forum Uganda Chapter

Hon. Edward Ssekandi, Speaker, Amani Forum Uganda Chapter

Hon. Alice Alaso, MP, Member, Amani Forum Uganda Chapter

Hon. Norbert Mao, Chairman Emeritus & Regional Executive Committee Member

Ms. Irene Kyazze, Coordinator, Amani Forum Uganda Chapter

Hon. Ambassadeur Denis POLISI, Président, Amani Forum Rwanda Chapter

Hon. RUTIJANWA Médard, Vice-président, Amani Forum Rwanda Chapter

Hon. Abdulkarim HARELIMANA, Secrétaire Général, Amani Forum Rwanda Chapter

Hon. MUKANTAGANZWA Pélagie, Trésorière, Amani Forum Rwanda Chapter

Hon. KALISA Evariste, Membre de REC, Amani Forum Rwanda Chapter
Hon. KANTENGWA Juliana, Secrétaire Général de AMANI Forum
Hon. NDUWUMWE François, Président du Comité de Contrôle, Amani Forum Rwanda Chapter
Gratien GASABA, Coordinateur National, Amani Forum Rwanda Chapter
Hon NDUWAMWE François, Président, Internal Audit Committee, Amani Forum Rwanda Chapter
Hon GAHONDOGO Athanasie, Membre, Internal Audit Committee, Amani Forum Rwanda Chapter

East Africa Law Society (EALS)

Mr Donald Deya, Executive Director, EALS
Ms. Saira Gracias, Office Administrator, EALS
Ms. Alice Nayebare, Programme Officer-Legal Affairs, EALS
Mr. Amokile Ngwewe, Finance Officer, EALS
Mr. Sean O'Neil, Intern from Canada, EALS
Ms. Agnes Kayange, Office Assistant, EALS
Mr. Andrew Kasirye, Vice President EALS (Uganda)

Kituo Cha Katiba (KCK)

Ms. Judy Kamanyi, Executive Director, Kituo Cha Katiba
Mr. Andrew Kasirye, Member, Uganda Law Society, Uganda
Mr. Alex Bangirana, Fountain Publishers, Uganda
Mr. Lawrence Gidudu, Ag. Chief Registrar, Courts of Judicature, Uganda
Mr. Benson Tusaasirwe, Human Rights & Peace Centre, Makerere University, Uganda
Prof. Fredrick Jjuko, Faculty of Law, MUK, Uganda
Ms. Jane Musoke, Executive Director, FIDA-Uganda
Ms. Jean Kyazze, Commissioner, Uganda Law Reform Commission, Uganda
Ms. Solome Kimbugwe, Coordinator, Uganda Women's Network, Uganda
Mr. Livingstone Sewanyana, Executive Director, Foundation for Human Rights Initiative, Uganda
Dr. Simon Rutabajuka, Center for Basic Research, Uganda
Mr. Warren Nyamugasira, Executive Director, NGO Forum, Uganda

Sida and Swedish Embassies

Ms Helena Bjuremalm, Regional Advisor, Sida
Ms Sarah Nginja, National Programme Officer, Kenya
Ms Rosemary Mbugua, Administrator, RRD/Regional Human Rights & Democracy desk, Kenya
Ms Malin Ericsson, Second Secretary, Development Cooperation, Rwanda

Other donors

E. S. Kona, Regional Advisor, USAID Regional Program on Peace in East and Central Africa (PEACE), Development Alternatives, Kenya
Ms Maggy Gatera Ntarindwa, Program Specialist and Head of Governance Unit, UNDP, Rwanda

Mr Stephen Kooshak, Senior Technical Advisor, Governance, UNDP, Rwanda

Yatte Jules BEDA, Administrative Officer, UNHCR (United Nations High Commissioner for Refugees), Rwanda

Valerio Iovine, Community Services Officer, UNHCR (United Nations High Commissioner for Refugees), Rwanda

Ms Caroline Vaudrey, Political Officer, Embassy of United Kingdom, Rwanda

Ms Mett Nielsen, Programme Advisor, DANIDA, Uganda

Interviews field visit in Rwanda

Rwanda Women's Network:

Ms Mary Balikungeri, Executive Director

Mr Peter Turyahikayo, Program Manager

Ms Annette N. Mukiga, Projects Officer

Ms Brenda Lindah Muteteli, Assistant Project Officer

RALGA, Rwandese Association of Local Government Authorities:

Mr Johnson A. Mugaga, Secretary General/Chief Executive

Ministry of Local Government, Good Governance, Community Development and Social Affairs (MINALOC):

Mr Fred Mufulukye, Personal Assistant of the Minister

Ministry of Family and Gender Promotion:

Mr Gad Runezerwa, Professional of Gender Training and Mainstreaming

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Gratien GASABA, Coordinateur National

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Mr Alfred MUKEZAMFURA, Président

Mr Barnabé KABASINGE, Secrétaire Particulier du Président

The New Times Newspaper:

Mr James MUNYANEZA, Journalist

Embassy of United Kingdom:

Ms Caroline Vaudrey, Political Officer

UNDP:

Ms Maggy Gatera Ntarindwa, Program Specialist and Head of Governance Unit

Mr Stephen Kooshak, Senior Technical Advisor, Governance

UNHCR (United Nations High Commissioner for Refugees):

Mr Yatte Jules BEDA, Administrative Officer

Mr Valerio Iovine, Community Services Officer

Parliament, Chamber of Deputies:

Hon. SOMAYIRE Antoine, MP

National Human Rights Commission:

Mr. Tom Ndahiro, former Commissioner

Institute of Research and Dialogue for Peace:

Ms Peace UWINEZA, researcher

Pro-Femmes:

Ms. Agnès Mujawayezu, Secrétaire Exécutive Nationale

Ms. Suzanne RUBONEKA, Chargée du programme Campagne et Action pour la Paix

National Unity and Reconciliation Commission:

Ms. Fatuma Ndangiza, Executive Secretary

Office of the Ombudsman:

Mr Bernardin Ndashimye, Deputy Ombudsman

Swedish Embassy:

Ms Malin Ericsson, Second Secretary, Development Cooperation

Interviews field visit in Uganda**Amani Forum Uganda Chapter**

Hon. Betty Amongi, Member of Parliament, Member Amnai Forum Uganda Chapter

Hon. Martin Wandera, Chair, National Executive Committee, AMANI Forum

Hon. Matia Kaija, Minister for Internal Affairs, AMANI Forum

Hon. Isaack Musumba, Minister for Regional Affairs AMANI Forum

Hon. Edward Ssekandi, Speaker AMANI Forum

Hon. Alice Alaso (MP), AMANI Forum Member

Hon. Norbert Mao, Chairman Emeritus & Regional Executive Committee Member AMANI Forum

Ms. Irene Kyazze, Coordinator, Amani Forum Uganda Chapter

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Action for Development (ACFODE)

Ms Linda Frances Nakakande, Executive Director

AWEPON

Ms Executive Director

Ms Elizabeth Eilor, Coordinator

Ms Joyce Nsubuga, Deputy Director

Forum for Women in Democracy (FOWODE)

Ms Patricia Munabi-Babiiha, Executive Director

Danida

Ms Mett Nielsen, Programme Advisor

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Uganda Law Society

Mr. Andrew Kasirye, Member

Fountain Publishers

Mr. Alex Bangirana

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FIDA-Uganda

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Ms. Jean Kyazze, Commissioner

Uganda Women's Network

Ms. Solome Kimbugwe, Coordinator

Foundation for Human Rights Initiative

Mr. Livingstone Sewanyana, Executive Director

Center for Basic Research

Dr. Simon Rutabajuka

NGO Forum

Mr. Warren Nyamugasira, Executive Director

Annex 4 Example of Amani Activities at the Chapter level

The Amani activities are rooted on the Forum's two-fold strategy: building capacity of Parliamentarians to engage in peace building and enabling them to undertake concrete peace initiatives.

The Forum pays particular attention to the interface of conflicts and governance with a view to identifying mechanisms available for parliamentarians to impact upon the politics of war and peace.

Amani Forum strives to ensure that MPs understand more about their roles and responsibilities as parliamentarians particularly on the issues of peace and security. Thus the capacity building component relates to conflict analysis/peace building and parliamentary theory/practice.

In this annex we give one example of activities carried out by the national chapter in Uganda that we have visited. Amani Programmes are summarized in the report (Section 4.1.10–4.1.14).

Activities of the Uganda Chapter

Conflict in the North

The whole country was engulfed in the North South Divide. There was generalized ignorance in the South and in the East African region about suffering in the North-Amani Forum organized a trip of Parliamentarians to the North. It was through this that many members of Parliament felt the need to pressurize government to take action on the conflict. After that several motions were tabled on the need to solve the problem. After a lot of negotiations and lobbying in Parliament an Amnesty law was passed. Before the government went to the ICC it had adopted the Amnesty law. Now the Parliament sees the Northern conflict as a national and regional problem.

The Karamajong Pokot Sabinyi Conflict in the North East

The Karamajong and Sabinyi communities have been engaged in resources conflicts for many years. Amani Forum in Uganda sent a fact finding mission and Kenya did the same. Both Chapters had a workshop on how it could be solved. This led to some kind of break in the silence. Local and national leaders on both sides saw the need to adopt a regional perspective to the conflict. Efforts have continued ever since.

The Uganda Rwanda Conflict

Strange relations between Uganda and Rwanda began surfacing while both countries were still active in the conflict in the DRC. Politicians broke off links. Even business people could not move across the boarder. Amani Forum Uganda Chapter formed a team to visit Rwanda for parliamentary diplomacy. MPs from two countries held a meeting. The Rwandese Parliamentarians visited Uganda. The Forum organized a football match between the parliamentarians of the two countries. It became clear that dialogue was the only way to thaw the relations that had become frozen and tense. The outcomes of the initiative include:

- A Joint Ministerial Committee was formed for dialogue.
- It broadened bases for consensus.
- It demystified the tensions and conflict.
- It depersonalized the conflict.

Capacity Building

The forum has organized courses and workshops for capacity building on:

- Conflict management.
- Conflict resolution.

- Conflict prevention.
- Leadership for peace and cooperation.

Building Partnerships

The Forum has forged links with programmes working on peace and development such as AWEPA. AWEPA has also included Amani Forum's activities in its plans. In addition, the Forum is building bridges across political parties in order to promote partnership for peace. Other institutions with whom AMANI has built partnerships include: Parliaments in the GLR (as formal bodies), the Parliamentary Forum on Small Arms, the Regional Centre on Small Arms, the AU/UN International Conference on the Great Lakes Region, UNDP, IANSA and UNHCR.

New Issues/Agenda of the Uganda Chapter

The Uganda Chapter is beginning to address new and emerging problems. Some are old but taking new dimensions. Some of these include:

Karamajong Conflict Arising Out of Cattle Rustling

The conflicts were initially of ethnic nature. Now they take place between districts and many unemployed youths are being sucked into the conflicts. Amani is looking for ways of helping communities to solve these conflicts.

Tanzanian Herdsmen in Uganda

Recently pastoralists from Tanzania have been entering Uganda and this has caused tension in border villages in the two countries. At the same time pastoralists from Rwanda have crossed into Western Uganda. Reaction by local communities has been that of anger and some animals have been killed. The Forum is studying the situation and it is planned that MPs from Uganda will hold meetings with their counterparts from neighbouring countries where these pastoralists are coming from to look for peaceful ways of resolving the looming conflicts.

Internal Movement of Pastoralists

In Uganda there has been a lot of internal migration and movement by local pastoralists. In the North this has led to conflicts between communities over resources such as water and grazing grounds. The government has been asked to facilitate meetings on the movements of pastoralists and the Forum is looking for ways the problems can be resolved.

Support for DRC

DRC has gone through the first national election in 40 years. The Forum would like to ensure democracy gains roots in that country. The Forum is looking into what can be done through parliamentary diplomacy to promote peace in the DRC.

The Ugandan Chapter is also involved in efforts to resolve decade's long conflict in Northern Uganda between LRA and the Government of Uganda. In addition to fact-finding missions carried out in Lira and Apac Districts by the Chapter in 2004 (which resulted in a motion, moved by an AMANI Member on the need for the Government of Uganda to declare the Northern Region a national disaster), the Chapter has carried out a number of lobbying and advocacy activities. When the Chapter, in August 2006, requested the Government of Uganda to be accredited as Observers to the Northern Uganda peace Process that is taking place in Juba, Southern Sudan, the GoU acquiesced. AMANI Forum is presently observing the Peace Process, through support from Urgent Action Fund.

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