

Catalysing development: towards enabling rules for advocacy

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Research focus: 2 - the Aid Chain

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Introduction

The aid chain is generally understood as the chain of funding that flows from North to South (from institutional donors to international NGOs then to local civil society organisations [CSOs]). How this aid chain is organised (its institutional design) shapes the way in which development work, including the political roles of CSOs, is undertaken. The research project 'Catalysing development: towards enabling rules for advocacy in Kenya' defines the aid chain as the institutionalised network of actors who, in their capacity as donor, recipient or both, seek to achieve certain (advocacy) goals. Moreover, it conceptualises the institutional design of aid chains as consisting of interrelated rules that define the structural opportunities and constraints regarding actors' ability to act within the aid chain. These rules regulate, for example, inclusion (i.e. who is in and who is out), roles and responsibilities, decision making and information sharing.

The study asks the following questions:

- How does the way in which civil society aid is organised (its institutional design) strengthen and/or obstruct the political role(s) of CSOs in LLMICs for inclusive sustainable development?
- How is power distributed in the aid chain in terms of accountability procedures, relationship models and role division between various actors?
- To what extent does the institutional design of the aid chain reflect social transformative and/or managerial principles? Why is aid organised in this way?

These research questions address the core assumptions of the Theory of Change underlying Dialogue & Dissent, including the tensions between the social transformative and managerial approaches to civil society aid. In answering the questions, the research employs a comparative analysis of the institutional rules of the Strategic Partnership (SP) and Accountability Fund (AF), which are the two main lobby and advocacy instruments of the Dutch government. Based on research in Kenya, we scrutinize the similarities and differences of the rules of these instruments, their application and their influence on political roles. Our SP case involves a programme implemented by Hivos on working conditions in the horticulture sector. Our first AF case concerns a programme of the Centre for Rights Education and Awareness (CREAW) on gender-based violence (GBV) while our second AF case is a programme of United Disabled Persons of Kenya (UDPK) on the rights of women with disabilities (see Table 1). Appendix 1 offers visuals of the aid chains of the three cases.

	Hivos	Centre for Rights Education and Awareness (CREAW)	United Disabled Persons of Kenya (UDPK)
1. Instrument	Strategic Partnership (SP)	Accountability Fund (AF)	Accountability Fund (AF)
2. Project	Women@Work Campaign	Haki Yetu, Jukumu Letu	Amplifying Voices of Women with Disabilities in Kenya
3. Focus / objective	Improved working conditions for women in the horticulture sector and gender inclusiveness in global horticultural value chain. Increased awareness and publicity on the promotion of living wage for flower workers in the global North.	Improved protection of women and girls against violence and enhanced capacity for exercising their rights	Improved capacity of women with disabilities to organise and advocate for their rights at county and national level
4. Aid chain participants	7 Southern CSO partners	No specific co-implementing local partners; works via consultants and local community-based organisations (CBOs)	Co-implementing the project with 1 INGO and 1 national CSO; local groups are women-led grass-roots disabled persons' organisations (DPOs)
5. Core activities	 (1) empowering women workers regarding working conditions; (2) lobbying and training horticultural growers and farm management; (3) building capacity of CSOs to tackle labour rights violations; (4) 	 (1) Strengthening capacity of women led CBOs to demand for greater accountability of public authorities on GBV service delivery. ; (2) sensitising and generating awareness in local communities 	 (1) mobilising women with disabilities to join DPOs and sensitising them on their rights; (2) building the capacity of DPOs; (3) lobbying and training government officials

Table 1. Comparative overview plus simplified aid chain diagrams of the Hivos, CREAW and UDPK Projects

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	lobbying government officials; (5) awareness campaign general public	around GBV issues; (3) lobbying and training government officials.	
	in the Netherlands		
6. Levels	Local, national, international	Local, county, national	Local, county, national
7. Target groups	Broad range including national government, trade unions and private companies in the field of horticulture and demand side of Kenyan horticulture products in Europe	Broad range including national and county governments, duty bearers, women's rights CBOs, families and communities, and religious leaders and village chiefs	Broad range including national and county governments, women-led DPOs, women's rights groups, individuals

Methodology

Data for this study, which mostly involved qualitative methods, were collected over a six-month fieldwork period in Kenya from June to December 2018. The majority of data collection took place in the capital city of Nairobi, which is the location for the three national head offices of Hivos, CREAW and UDPK. Furthermore, the researchers also collected data in different counties where the three projects are being implemented. All three researchers were provided with desk space by the respective organisations, allowing them the opportunity to conduct extensive participant observation and informal conversations with staff. In addition, the researchers carried out semi-structured interviews and focus groups with stakeholders inside and outside the respective aid chains, as well as document analysis and other methods as they felt appropriate. More information can be found in appendix 2. Towards the end of the data collection phase, a learning event was organised in Nairobi with about sixty representatives from academic institutions, government and civil society organisation to share preliminary findings and discuss implications of the study.

Several methodological strategies were used to strengthen the validity and reliability of the findings. First, by using a comparative case study design which included two different policy instruments, patterns in the aid chain's institutional design could be established with greater certainty, while allowing a more systematic analysis of the factors underlying the instruments' similarities and differences. Second, the researchers spent many weeks working within the offices of their 'case organisations'. This enabled them to build up relationships with staff-members and see and hear things that are impossible to learn from single visits or interviews. Third, to limit concerns regarding the consequences of the disclosure of potentially sensitive information, all respondents were promised that the reporting would avoid direct attribution of comments to names or organisation. Fourth, data and methods triangulation was used to both confirm and to improve the reliability of the findings. The study draws upon different data-sources (respondents' perceptions and experiences and documents) which originate from different methods of data-collection (in-depth interviews, gathering of documents). Findings were consistently compared and contrasted with each other. Fifth , the study made use of respondent validation. At the end of the fieldwork period the team organized a learning which included the organisations and individuals that participated in the study. Amongst other things, respondents were asked to provide additional information, identify errors and challenge what are perceived as (potentially) wrong interpretations. Also, a draft version of this report was discussed with Hivos Netherlands.

In terms of limitations, one issue stands out. The research confirmed the importance of individuals for the nature and quality of the relationship between donor and recipient. This issue is particularly relevant for the relationships managed by the Royal Netherlands Embassy as these, due to the Embassy's capacity limitations, are essentially managed by a single civil servant. At the time of research, the Royal Netherlands Embassy had a particularly capable civil servant working on civil society issues. As such, the range of positive role(s) played by the Dutch embassy in Kenya that was identified by this study may not be representative of what is happening in other countries. Consequently, it makes sense that follow up research would not only include Embassies with a strong track record in managing civil society relations.

Contribution to assumptions and literature

When examining our research findings in light of the assumptions underlying Dialogue and Dissent and our literature review, three points stand out:

- Generally, the study **confirms the validity of the assumptions** underlying Dialogue and Dissent pertaining to the aid chain.
- Both the literature study and the research conducted in Kenya highlight **a range of positive** roles that the Ministry and (mainly Northern) CSOs can play to strengthen local CSOs' political roles which go beyond funding and capacity strengthening. This finding is relevant as the Theory of Change currently pays considerably more attention to (mitigating) the potential negative effects of external aid as compared to (strengthening) the potentially positive roles it can play.
- This study illustrates that the **environment in which DSO operates offers major limitations** in terms of realizing its social transformative vision on change. Such limitations first of all exist at the Ministry level where the social transformative vision is not mainstream. For example, the accountancy department adds managerial rules. Limitations also come from the overall aid system which, by and large, has a strong managerial focus. The actors within the aid chains studied also interact with, and are affected by, this broader aid system.

Main findings

- The three organisations having a financial relationship with the Dutch government (Hivos with the MFA and CREAW and UDPK with the Embassy) have a **relatively high degree of autonomy** in designing their advocacy programmes. Still, there is a considerable difference in the level of engagement between the two back donor (MFA / Embassy). While Hivos asked input from the MFA and local stakeholders the final decision about the programme was made unilaterally. In the case of AF, the Dutch Embassy played a much more active role leading to a joint decision-making. In none of the cases, MFA played a decisive role in designing the programme.
- The rules set during the design phase of advocacy programmes largely determine the range of political roles that are subsequently undertaken by CSOs: The rules most influential for the type of advocacy work performed in the aid chains are those dealing with the strategy of the programme (as they establish who will be targeted and what activities will be undertaken), the various roles of the aid chain participants, and the selection of implementing partners (each with their own track record and skillset). The rules for selecting partners are of particular importance. Partners are selected for their ability to implement certain activities. In choosing partners, certain political roles are included while others are excluded.
- The Southern CSOs in the study the seven partners of Hivos, CREAW and UDPK perform a mix of political • roles: Most prominent is the external educational role with an orientation towards awareness raising and capacity building. Hivos' partners organise trainings on the working conditions of women in the cut flower sector (including sexual harassment issues and labour rights violations), targeting businesses and other stakeholders. For instance, they educate duty bearers including judges, magistrates and labour officers at the county level on sexual harassment policies and rights of workers. Similarly, CREAW organises trainings for duty bearers in the health, judiciary, security and education sector in Meru and Kilifi counties to ensure they become more gender sensitive and efficient in their handling of GBV cases. Both CREAW and UDPK strengthen the capacity of grass-roots groups, enabling them to engage their county governments. This involves a communicative role, linking citizens and the state. In addition, CREAW has worked together with the local government to draft the Sexual and Gender Based Violence (SGBV) policy at the county levels in both Meru and Kilifi. This forms a key a policy advocacy outcome of the project that illustrates the collaboration of the CSOs with the government (cooperative role). All Kenyan CSOs share their knowledge and expertise with advocacy targets (cooperative role) by training businesses and other stakeholders including the Kenyan Flower Council (KFC) and Fair-Trade Africa (in the case of Hivos) and government officials (in the cases of CREAW and UDPK). Finally, a representative role (resistance/watchdog) was observed among Hivos' partners, as the programme monitors the behaviour of businesses in relation to working conditions and sexual harassment.

The idea that donors and INGOs are merely channels of funding is incorrect. By fulfilling a number of roles
in their respective aid chains, both Hivos (Netherlands and Kenya) and the Dutch Embassy add to and
strengthen the advocacy roles undertaken by their local CSOs. As Table 1 (presenting the most important
added values) below shows there is substantial similarity between Hivos and the Dutch embassy in this field.
In essence, both largely add the same value to the local CSOs.

Added value	Hivos	Embassy
Providing funds otherwise not available	Х	Х
Brokering between stakeholders	Х	Х
Enhancing credibility partners	Х	Х
Co-creating advocacy strategy	Х	х
Providing security		Х
Capacity strengthener	Х	х
Linking to international level	Х	

Hivos Kenya, for instance, adds value by playing a brokering role (providing CSOs access to flower farms and initiating round table discussions at International Flower Trade Expo (IFTEX) on conditions of flower workers. Hivos Netherlands also is able to link local CSOs to international platforms like the United Nations Forum on Business and Human Rights with the aim of influencing the Kenyan and Dutch governments. CREAW and UDPK also recognise the added value of their cooperation with the Embassy, including the enhancement of their credibility, possibly opening the door to other donors, and opportunities for networking with other CSOs with whom they might be able to partner in future. Furthermore, both CREAW and UDPK appreciate the Embassy's open-door policy and their role in providing security for activists through their partnership with the National Coalition of Human Rights Defenders. Both CREAW and UDPK appreciate the Embassy's input in co-creating the advocacy agenda at the design phase of the project. This co-creation process – also with Hivos – contributes to strengthening the capacity of local CSOs; for which both Hivos and the Embassy make funding available. Unsurprisingly, in both the AF and SP aid chains, Southern CSOs recognise the added value of funding, as it might not have been available otherwise. For UDPK, the funding for this project is the largest single amount the organisation has ever received and it has given them a significant boost, allowing them to hire new employees and make use of new laptops and an office vehicle. Likewise, the funding has enabled CREAW to get new staff members not only for the project sites in Meru and Kilifi county but also at the organisational level, including new communication and monitoring and evaluation officers. Similarly, Hivos is the only source of funding for some local CSOs which makes the Women@Work Campaign the lifeblood for the survival of these CSOs.

The rules on funding can have unintended and negative effects on the general functioning of CSOs. In the case of Hivos, the regional office in Nairobi uses its discretion in allocating funding in tranches based on their risk assessment (e.g. their ability to perform and deliver project outcomes, financial management) of partners. Important to note here is that this risk assessment is shaped as well by the additional requirements of MFA's accountancy department which are managerial by nature. One consequence of all this has been a slower than anticipated transfer of funds which in turn created problems for some partners (e.g. in maintaining staff, in breakdown of relationship and trust with some stakeholders like flower farms). Regarding funding, all Southern CSOs emphasise that the relative short-term nature of the funding (reflecting managerial principles) undermines their organisational stability. CREAW, for instance, finds itself in a continues cycle of fund chasing to sustain itself at the organisational level. In addition, staff retention is another challenge that CREAW faces as a result of short-term project funding: 'You may have spent this amount of time and resources in building the capacity of those who you recruited in the project. However, when the project comes to an end [...] you lose that talent and you lose that knowledge. So project-based funding is very challenging in that way'. In the case of UDPK, given the project-based nature of employment contracts, staff turnover is problematically high, with seven out of the organisation's ten employees having worked there only since the beginning of the project. Furthermore, the time spent on the project means

that UDPK is diverted from its core work as the national umbrella organisation of all DPOs across Kenya, alienating them from the grass-roots communities they are ostensibly supposed to represent.

• The rules dealing with decision making, funding and accountability are not fixed and their application varies between Southern CSOs: Two factors play a key role here. First, the individual staff members of Hivos Kenya and the Embassy have room for interpreting rules, and even to add new ones. They do so according to their understanding of the local context, their personal relationship with, and trust in, the respective CSO, their personality and their own expertise. For example: CREAW was allowed to deviate from its original plan to train representatives from the judiciary and health sectors because elections and strikes made this impossible. Also, Hivos has accountability rules that encourage staff to differentiate between partners based on perceived risk, particularly financial risk. CSOs that are perceived as high-risk organisations often have more reporting requirements, receive funding in small tranches and adhere to strict monitoring procedures. This is often left to the discretion of the programme officers at the regional level. Overall, individual staff members can have a major impact on local advocacy. For instance, if it were not for one particular employee at the Embassy, it could be argued that the UDPK project would never have been funded at all, as this individual 'really stuck her neck out' to ensure the UDPK proposal was approved so the Embassy could support their first project on disability rights.

Second, **some Southern CSOs are better able to negotiate than others.** This depends on their organisational capacity, their credibility and whether they have alternative funding sources. For instance, the fact that UDPK is Kenya's sole national body advocating for persons with all types of disabilities gives them a monopoly from which they are in a stronger position to negotiate with the donor. Also, organisations like the Kenyan Human Rights Commission and FIDA-Kenya have established their credibility on human rights issues and have diversified funding base. This gives them the power to bargain and negotiate with Hivos with regards to unfavourable conditions compared to young organisations like Haki Mashinani, Ufahdili and Workers' Rights Watch who are highly dependent on Hivos' funding. This is captured in the following statement: "If Hivos is your only funder, then you will do everything that they want you to do, so that you don't piss them off"

Accountability rules become increasingly strict the further you go down the aid chain: Hivos imposes much stricter requirements on reporting to their partners than they receive from the Ministry, because they have a lot of donors and have thus decided to streamline the different requirements of the different donors according to the rules of the strictest donor. The consolidation of rules from different donors is informed by Hivos' own quality standards and internal procedures aimed at ensuring the efficient and effective use of donor resources. This helps them in shaping the perception of donors that they are delivering value-for money. Of relevance here is that Hivos also has to deal with a set of additional (financial) accountability rules originating from the accountancy department of the Dutch Ministry of Foreign Affairs. These rules reflect managerial thinking (e.g. measures to minimise financial risk), implying that the social transformation logic which informs the Ministry's accountability rules is not necessarily shared or upheld by all departments within the Ministry. Also CREAW and UDPK impose stricter reporting requirements down the aid chain compared to the requirements of the Embassy as a result of both their own preferences and rules set by other development partners.

The high-frequency reporting requirements carry with them the danger of shifting the focus of project officers at the expense of beneficiary relations. In the case of UDPK, for example, the need for 'professional' reports (reflecting managerial ideas), for instance, brings with it the need for professional, qualified staff. This creates problems as such staff are sometimes hard to find among persons with disabilities, who typically have lower levels of education. As a consequence, UDPK employs mostly staff without disabilities, drawing anger from the grass-roots disability community who demand representation of persons with disabilities working in leading disability organisations.

Overall, in day-to-day affairs, power in the aid chain is largely exercised indirectly by setting rules in the beginning of the relationship, as opposed to actors openly imposing their will on others. From the donor's perspective, power imbalances may not always be very visible. Once programmes are being implemented, donors rarely openly impose their will on recipients as most of the key decisions are already made at the start of the programme when the contract is drawn and signed. Moreover, the interviews made clear that recipients, especially those that have few other funding sources, may not always feel that they are in a

position to 'critique' their donor resulting in 'self-censorship'. As a consequence, CSOs may have grievances about the decision-making in the relationship, but may decide to keep these to themselves.

A relevant exception to not exercising power openly is the **pressure from the Embassy on Hivos and its Kenyan partners to refrain from focusing on a dissent strategy** with regard to Dutch companies in the horticulture sector in Kenya. According to one respondent: 'we had a meeting with [an official from the Dutch Embassy] and he was saying, if you don't stop this [dissent], I am going to recommend to the MFA to pull down the funding. That is actually operating under intimidation and threat. So it becomes very restrictive for us to do advocacy work within the environment created by the funding framework''. Another respondent stated: 'We are forced to confine ourselves more to dialogues, even when we are convinced that dialogues have not worked in this particular case'. Although the success of this pressure is unclear, the local partners have added 'dancing' to their original 'punching' strategy.

When comparing the SP and AF cases, four key differences stand out that may have wider relevance: First, unlike the SP case (Hivos; which targets Dutch businesses), the AF cases (CREAW and UDPK) target issues that **do not directly affect Dutch business interests**, in CREAW's case violence against women and in UDPK's case the rights of women with disabilities. This is understandable given that the Embassy's mission is to also support Dutch business interests. Second, compared to the AF cases, the SP programme (Women@Work) is **substantially larger in scope**, with more partners, levels and countries involved. Unlike the Embassy, Hivos has a team of staff members (including staff in the Netherlands) working on its programme, whereas the Embassy has one main individual who is responsible for four different projects. Third, as opposed to the Dutch Ministry of Foreign Affairs, which is not directly involved in the AF cases, the SP case has **Hivos Netherlands playing a key role in the programme**, which includes lobbying Dutch businesses and consumers. Fourth, the **more limited support structure** at the Embassy compared to Hivos implies that the qualities of individual staff are more crucial in AF cases. In light of staff turnover, this suggests a greater vulnerability to continuity issues.

Policy recommendations

- The exercise of power in aid chains occurs mostly in an indirect manner through the rules that are set during the design phase of advocacy programmes. Donors and INGOs wishing to address (some of the) unequal power dynamics within the aid chain should ensure **local CSO involvement in co-drafting these rules.**
- If the Ministry of Foreign Affairs in The Hague wants to strengthen its own role(s) (and thus added value) in the Strategic Partnerships, it should be more (**pro-)active during the design phase** of advocacy programmes. Once the programmes are designed, the opportunities for the Ministry to add value beyond the funding role become more limited.
- Some of the rules that produce unintended and undesirable effects (particularly regarding accountability) are the result of **inconsistencies within the Ministry** between the policies and practices of the Ministry's Civil Society Division, its accountancy department and the Embassy. Addressing these inconsistencies should be part of any strategy seeking to mitigate the negative effects of donor involvement in aid chains.
- Some of the undesirable practices within the SP and AF aid chains are due to the managerial nature of the broader aid system in which these aid chains are embedded. In the long term, these practices can only be addressed by **convincing other donors to change their practices**. INGOs, academics and other stakeholders may also be able to play a role in this.
- In light of current (political) realities, there seem to be more opportunities to strengthen the potentially positive aspects of the aid chain, namely the added value of the Ministry, the Embassy and INGOs, rather than mitigating the chain's negative effects. Therefore, **seeking ways to enhance the added value** of the Ministry/Embassy and INGOs is just as important, or maybe even more important, than reducing the negative effects of the aid chain.
- The Strategic Partnerships and the Accountability Fund should not be seen as interchangeable. The **direct funding of Southern CSOs is not an alternative for indirect funding** via NGOs. The Accountability Fund has important limitations in terms of the organisational capacity and operational freedom of the Embassy. In addition, Strategic Partnerships have the (potential) advantage of international linkages, capacity building and scope.

Knowledge products

- Saharan, T. (2018). Shame, teenage pregnancy and gender-based violence in Kenya. INCLUDE blog post, 10 December 2018. <u>http://includeplatform.net/shame-teenage-pregnancy-and-gender-based-violence-in-kenya/</u>
- Schulpen, L. (2018). *Catalysing development: towards enabling rules for advocacy in Kenya*. Report learning event on 'Aid chains and advocacy in the Global South', 24 October 2018.
- Elbers, W., Kamau, P., & Schulpen, L. (2018). *Aid chains and advocacy in the Global South: asset, nuisance or necessary evil?* Summary literature review.
- Elbers, W., Frobisher, E., Kamau, P., Kumi, E., Saharan, T., & Schulpen, L. (2018). *Aid chains and advocacy in the Global South: asset, nuisance or necessary evil?*. Unpublished literature review.

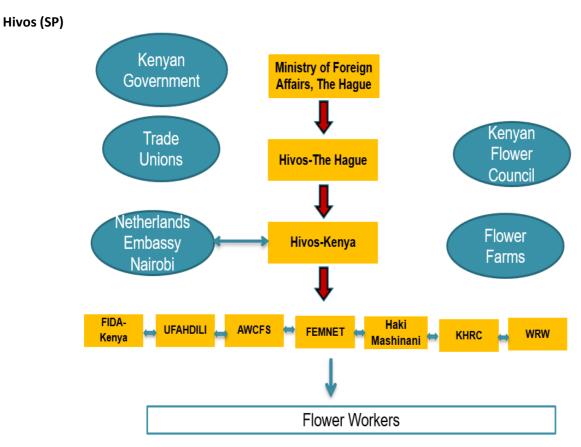
Contact

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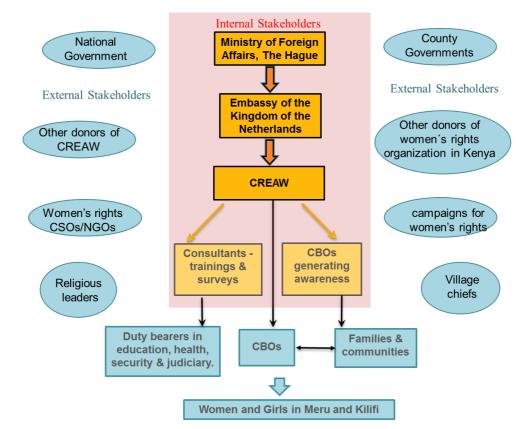
Web link

http://includeplatform.net/new-roles-csos-inclusive-development/enabling-rules-advocacy-kenya/

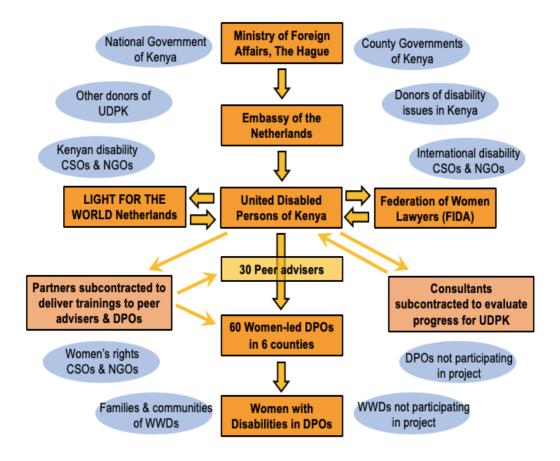




CREAW (AF)



UDPK (AF)



Appendix 2: Overview of methods and data-sources

Case Study	Semi-structured interviews	Focus groups	Types of documents reviewed	Other
Hivos	65 interviews with stakeholders inside and outside the aid chain: Ministry of Foreign Affairs (MFA), Royal Netherlands Embassy- Kenya, Hivos (The Hague and Nairobi), government representatives (e.g. Horticultural Crops Directorate), trade unions, flower farms and workers, CSOs (e.g. Fair Trade-Africa National Organization of Peer Educators (NOPE), Kenya Natural Resources Alliances (KeNRA), Business for Social Responsibility (BSR) and Oxfam International and experts in the cut flower sector.	4 focus groups discussions with 65 flower workers from 10 farms in Karagita-Naivasha County and Ngorika-Nyandarua County.	Funding contracts between MFA and Hivos; Funding proposals and contracts between Hivos and seven CSOs; Narrative and financial reports; Quarterly and annual project reports; Baseline surveys; Work Plans and risk assessment matrix.	Organisational websites (Kenyan Women- <u>http://kw.awcfs.org/;</u> Horticulture News- https://www.hortinews.co.ke/
CREAW	66 interviews with actors inside and outside the aid-chain including the donor (MFA and RNE), CREAW staff, consultants, resource persons, government officials, stakeholders trained in the project, representatives from CBOs, activists, village chiefs, and other CSOs advocating for women rights in Kenya.	2 two focus group discussions with 16 representatives (all women) of CBOs working in Meru and 14 representatives (12 women and 2 men) of CBOs operating in Kilifi.	Funding contract of the project, proposal, budget, project reports, base-line survey, contracts of the consultants hired in the project, and newsletters.	Collaborated with CREAW staff in their day to day work by reviewing their funding proposals to other donors and strategic plan of the organisation. Closely worked with the communication team. In addition, participated in staff meetings and workshop for strategic plan. Also, provided support to organise Genderthon, an advocacy event for generating awareness against gender- based violence.
UDPK	71 (with stakeholders inside and outside the aid chain: MFA, RNE, UDPK, Light for the World, Federation for Women Lawyers (FIDA- Kenya), Trainers, Consultants, Peer advisers, Government representatives, Other donors of UDPK, Disability CSOs and NGOs, DPOs who are not participating in the project)	11 (with representatives from participating DPOs in project sites)	UDPK Strategic plan UDPK Annual reports Project contract Project budget Project proposal Project reports Baseline survey Capacity assessments Project Handbooks M&E Framework, Donor meeting minutes	Social media posts (e.g. Facebook, Twitter, WhatsApp)