

# THE FIRST NATIONAL SUMMIT OF PBO LEADERS

ON EXPANDING CIVIC SPACE AND IMPLEMENTATION OF THE PUBLIC BENEFITS ORGANISATIONS ACT (2013),  
FRIDAY OCTOBER 7, NAIROBI

#PBOActNow



SID

Society for International Development



Question for an  
**ENABLING ENVIRONMENT** FOR  
CIVIL SOCIETY ORGANIZATIONS IN KENYA



The National Council of NGOs



care



*Pamoja Tutete Haki*  
KENYA HUMAN RIGHTS  
COMMISSION



people, giving and working together

trócaire



Kenya Education Trust



**INUKA**  
Ni Sisi!



TRANSPARENCY  
INTERNATIONAL  
KENYA



HENNET  
Health & NGO's Network



icj  
International Commission  
of Jurists  
KENYA SECTION



WOKWE  
WOKWE  
WOKWE



POVERTY ERADICATION NETWORK



Adeso



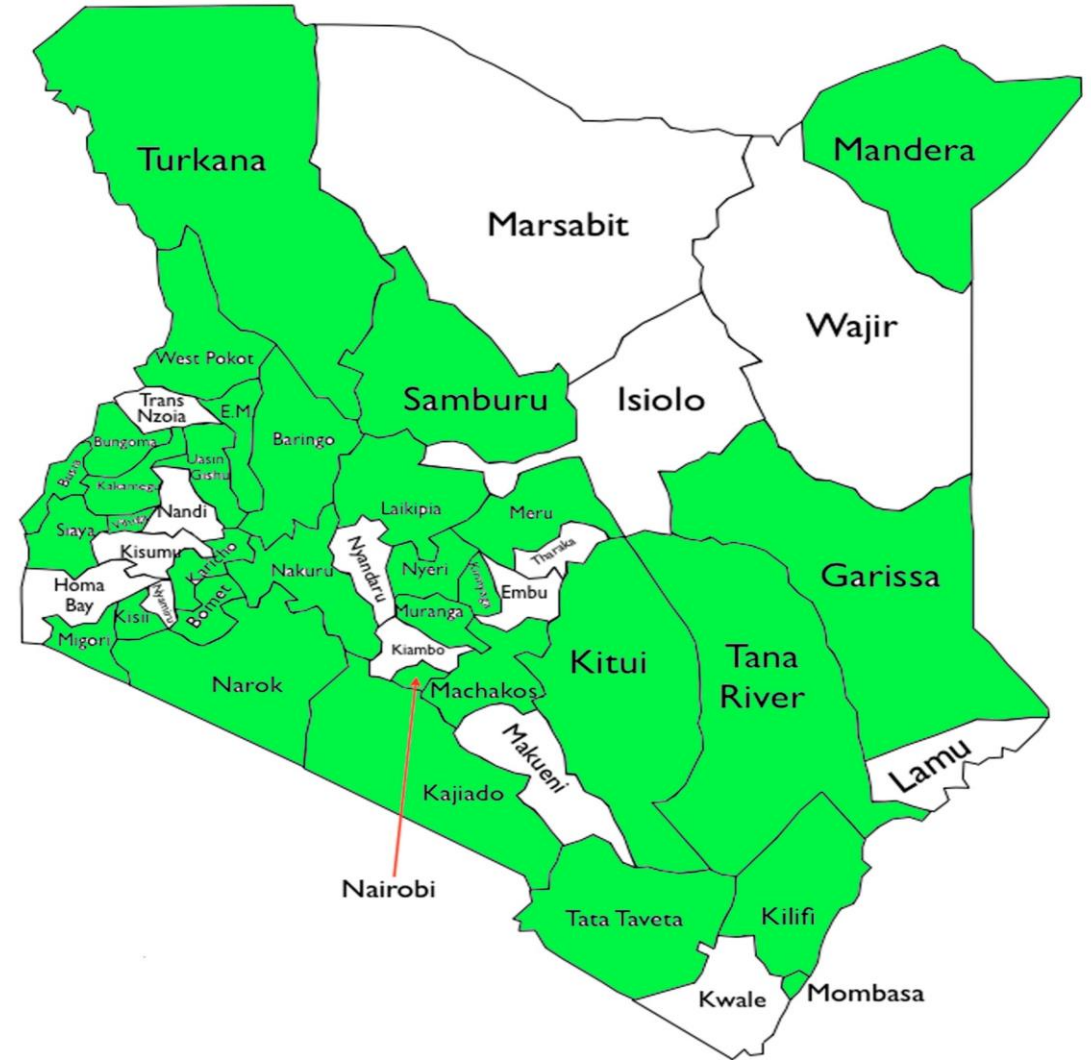
INTER-RELIGIOUS COUNCIL OF KENYA



diakonia  
PEOPLE CHANGING THE WORLD

# Welcome

- More than 350 colleagues from civil society organisations across Kenya; 1/3 of us are women.



# Our purpose today

- To bring together Public Benefits Organisations working at county, national and regional levels to discuss the latest developments with the PBO Act and agree a way forward.
- By the end of the day we will have:
  - Deepened our understanding on the current situation for civil society in Kenya;
  - Listened to key partners on the opportunities of commencing the PBO Act;
  - Briefed PBO representatives on recent developments on the PBO Act;
  - Jointly strategized on a way forward for the sector & agreed next steps.

# Our agenda

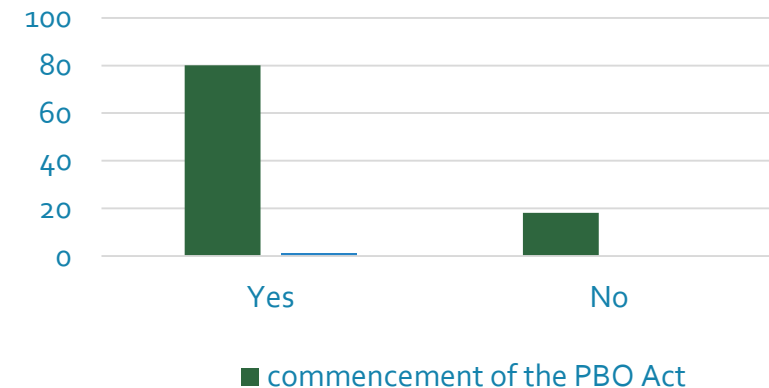
- 2.00 Welcome from the Chairs - Suba Churchill, CSO Reference Group and Emma Naylor-Ngugi, Care International
  - Presentation on the PBO Act – Regina Opondo, CRECO Director (5 mins)
  - Statement by Adan Wachu, Inter-religious Council of Kenya Chairperson (5 mins)
  - Statement by The Head of the EU delegation Ambassador Stefano Dejak (5 mins)
  - Statement by UN Resident Coordinator & UNDP Resident Representative Siddharth Chatterjee (5 mins)
  - Statement by Commissioner George Morara, Kenya National Human Rights Commission (5 mins)
  - Statement by The United States of America Ambassador Robert Godec (5 mins)
  - Plenary discussion
- 3.00 Break and Media Briefings
- 3.30 Presentation on the enabling environment/ Civic Space issues in Kenya study (5 mins)
  - Presentation on PBO Act (2013) post court injunction and preparation for October 10 hearing (5 mins)
  - Strategy session
- 5.30 Close

# Why us & why now

- A moment of opportunity for Kenya & a moment of risk
- Effective operationalization of the Act would make Kenya a leader in the region.
- Delays in implementation are having a negative effect.
- The impacts are being felt across the sector

In our survey of delegates here today, 80% agreed that the PBO Act should be operationalized immediately

*" There is a lot of uncertainty. We were scheduled to begin new projects but our donors are unsure of the current status" – respondent NGO*



# THE PUBLIC BENEFIT ORGANISATIONS ACT

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Regina Opondo, Executive Secretary, Constitution & Reform Education Consortium





## The PBO ACT 2013 AT A GLANCE

The Public Benefit Organisations (PBO) Act provides for the formation, operation and growth of Public Benefit Organisations (PBOs) and establishes a regulatory and institutional framework within which PBOs can operate.

### The Act Provides for

- An enabling legal, regulatory and institutional environment for PBOs;
- One identity for all PBOs;
- Acknowledges service, capacity building and advocacy roles across all sectors
- Holds the sector to high public disclosure, accountability and transparency standards;
- Promotes a new sense of co-operation and shared responsibilities between the government, development partners and stakeholders in their dealings with PBOs
- Enhances leadership standards within the sector aligned to Chapter 6 of the Constitution;
- Creates space for an independent regulation and membership agencies that can redress public complaints;

### Key Highlights of the PBO Act

- Prescribes minimum provisions to be included in the governing documents of PBOs as well as financial transparency and reporting by PBOs;
- It advances and demands good leadership and accountability from PBOs and Regulator in line with the Spirit of Chapter 6 of the Constitution;
- Provides for an institutional framework for principled partnership between Government and PBOs at all level;
- Allows PBOs to determine standards, certification and adherence to a professional code of conduct;
- It allows different types and forms of CSOs doing public benefit work to operate under on single act.

**The goal of the Public Benefit Organisations Act 2013 is to advance a new legal, regulatory and institutional framework for Public Benefit Organisations**

# DR. FRANCIS KURIA

ON BEHALF OF ADAN WACHU

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Chairperson, Inter-Religious Council of Kenya





# BRUNO POZZI

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Deputy Ambassador of the European Union



Delegation of the European Union to Kenya

# SIDDARTH CHATTERJEE

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UN Resident Coordinator and UN Development Programme Resident  
Representative



# COMMISSIONER GEORGE MORARA

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Kenya National Commission on Human Rights

# AMBASSADOR ROBERT GODEC

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Ambassador to Kenya of the United States of America

# BREAK & MEDIA BRIEFING

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# BUILDING AN ENABLING ENVIRONMENT & CIVIC SPACE

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# THE PBO ACT IN THE COURTS

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# NEXT STEPS

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# Questions

- What actions should we take to deal with the court action?
- What actions should we take to resolve immediate operational issues with NGO Bureau?
- What should we be doing to prepare for and engage with operationalization of the PBO ACT?