

**CONSTITUTION OF KENYA REVIEW
COMMISSION**

STRATEGIC PLAN

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**FOR CIVIC EDUCATION
FOR THE REFERENDUM**

2005

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1.0 BACKGROUND

1.1 Review of the Constitution - Making Process

1.1(a) The Process Up to National Constitutional Conference (Bomas)

The Constitution of Kenya Review Commission (CKRC) came into being following lengthy consultations among various stakeholders. Its mandate was to coordinate and manage the constitutional review process. The agitation for a new constitution peaked in the early 1990s. The negotiations took place between 1997 and 2000 culminating in the enactment of the Constitution of Kenya Review Act 2001, which led to the merger of the Parliamentary and Ufungamano initiatives in 2001. This merger is reflected in the membership of the Commission.

The Commission was mandated to guide the people of Kenya to review the current Constitution with a view to deciding on the values and systems of government they want for themselves and for future generations.

The Commission, as one of the principal organs of review, was required by law to consult closely and widely with other organs of review, which include:

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- The Constituency Constitutional Forum (CCF), established in every constituency for the purpose of debate, discussion, collection and collation of views of members of the public on proposals to alter the Constitution. The Commission finally produced a Draft Bill in September 2002, based on views by Kenyans. The Draft Bill was disseminated widely throughout the country between late 2002 and 2003, using various means including print and electronic media.
- The NCC convened and sat for three sessions from April 2003 to March 2004 during which time it debated, and amended the Draft Bill before its adoption by the delegates as the Draft Constitution;
- CAP 3A as amended in 2001 provided that in the event the NCC failed to reach consensus on specific issue(s), then a referendum would be held to determine the issue(s). In the course of the adoption of the Draft Bill, a section of the delegates walked out of the Conference. On March 15, 2004, by a two-thirds majority of those present and voting, the NCC adopted the Draft Bill without any issues being referred to a referendum;

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1.1 The Process Up to National Constitutional Conference (Bomas)¶
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- Parliament as an organ of review was expected to debate and adopt the Draft Bill emanating from the NCC. The Draft Bill did not reach Parliament for adoption, since contestations that had developed at Bomas spilled over into the political and judicial processes;

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- Through a court order (Wakareng Case), the Commission was prevented from preparing and presenting the Draft Bill to the Attorney General. The same order also prevented the Attorney General from receiving the Draft Bill, for onward transmission to Parliament for adoption, thus putting the process in abeyance;

- Meanwhile efforts were made to develop consensus and, following the court ruling in the Njoya Case,¹ the final organ of review, a Referendum, became mandatory.

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- To accommodate the ruling in the Njoya Case and deal with contentious issues as identified by PSC, Parliament developed the popularly referred to Consensus Bill to amend CAP 3A as amended in 2001 to provide for a referendum. In essence, the Bomas Draft Bill would be debated and amended by Parliament before being subjected to ratification by Kenyans through a referendum.

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- Members of Parliament negotiated the so-called Consensus Bill. The Parliamentary Select Committee (PSC) on the Constitution reached agreement on it in the Naivasha Accord.²

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- The Constitution of Kenya Review (Amendment) Bill, 2004 was passed in Parliament in August 2004. However, the President referred Bill to Parliament sighting its unconstitutionality as per section 54 of the current Constitution.

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- In December 2004, Parliament passed an amendment to the Bill to accord it with section 54 of the current Constitution thus substituting a two-thirds majority in the August (2004) Bill with a simple majority. The President has given assent and time starts running after publication of the Act by the Attorney-General.

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- The Act provides that a Referendum will be based on the entire Draft Constitution as debated, amended and passed by Parliament.

¹ See CKRC. Summary of the Njoya Case.

² See Kenya National Assembly Ninth Parliament – Third Session- 2004; The parliamentary Select Committee on the Constitutional Review. Report of the Retreat SOPA Lodge, Naivasha, November 04-07-2004.

Given the foregoing developments regarding CAP 3A the Review Process, a meaningful and successful referendum must be preceded by civic education. This will enable Kenyans to appreciate the changes in CAP 3A and remove doubt as to the their necessity. In this way, Kenyans will be ready to give an informed verdict on the Draft Constitution.

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1.2 Role of Civic Education in the Review Process

CAP 3A defines the objectives and purpose of civic education as stimulating public discussion and awareness of constitutional issues (Section 19(a) and 24). It was envisaged that civic education for the review process would enable the people to participate and contribute to the review process principally by making proposals for change.

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In order to implement the objective, there was need for people to understand the strengths and weaknesses of the existing Constitution as well as the objectives and process of review.

The Review Act further gave the Commission responsibility to conduct, facilitate and promote civic education throughout the review process under sections 17, 19(a), 24 and 28(7).

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Prior to implementing its mandate, the Commission consulted widely with stakeholders and the public in all provincial headquarters and other fora throughout the country. Following these consultations, the Commission adopted the following methods that guided the conduct of civic education.³

- (a) civic education was provided by the Commission through a combination of its own efforts and in partnership with other Civic Education Providers. The Commission aimed at ensuring that civic education was all-inclusive and participatory as well as taking on board previous civic education efforts by other actors.
- (b) the Commission entered into a Memorandum of Understanding (MOU) agreement with individuals or designated Civic Education Providers (CEPS) for the provision of civic education. The agreements were to bind the individuals and the organizations to follow the national curriculum for civic education and observe the code of conduct adopted by the Commission.
- (c) the Commission through its District Coordinators supervised and coordinated the civic education activities in the districts.

³ See Annex B, Phases of Past Civic Education Programmes.

- (d) the Commission provided limited funds for provision of civic education in each constituency.
- (e) the Commission through the District Documentation Centres provided materials to the CEPS for distribution to members of the public.
- (f) the Commission disseminated civic education through public lectures to institutions of higher learning, Government institutions and other selected venues.
- (g) through the electronic and print media, the Commission was able to extensively disseminate civic education across the country.

2.0 THE STRATEGIC PLAN

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2.1 Introduction

This Strategic Plan for Civic Education for the Referendum is predicated on the timeframe provided in the Constitution of Kenya Review (Amendment) Act, 2004. It is envisaged in the Act that a referendum will be held to ratify the new Constitution within ninety (90) days after the Attorney-General publishes the proposed Draft Constitution (Sec. 28(1)).

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Since the law requires Parliament to build consensus in its deliberations on the Bomas Draft, this Strategic Plan remains flexible enough to accommodate any changes that may arise. It is for this reason that the Strategic Plan takes cognisance of the fact that the context for the conduct of the referendum continues to evolve - hence the deliberate flexibility for review and updating.

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The development of this Strategic Plan has been on-going and is a product of three process:

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- a) reflective internal papers, deliberations and reports of the CKRC Civic Education, Publicity, Information and Communication (CEPIC) Committee;
- b) joint sessions of CKRC Committees of CEPIC, Mobilization and Outreach (M&O), Research, Drafting and Technical Support (RDTS)⁴ and Resource Development and Budgeting (RD&B).
- c) a CKRC Seminar on Civic Education Strategy on the Referendum held at the CKRC Boardroom from October 27th to 29th 2004.⁵

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⁴ Commonly referred to as R&D.

The three-day CKRC Seminar recommendations were used to compile this Civic Education Strategy together with the accompanying implementation strategy plan.

The Strategic Plan, therefore, gives an overview of a programme of activities that are requisite for the comprehensive facilitation, promotion and conduct of civic education on the Referendum.

The Strategic Plan outlines

- a) the aim and specific objectives of civic education for referendum;
- b) the legal framework of the Strategic Plan;
- c) the basic principles underlying constitutional making, referendum and civic education;
- d) programmes of civic education for referendum;
- e) coordination of civic education for referendum;
- f) the core areas of civic education for referendum;
- g) the conduct and monitoring of civic education for referendum;
- h) a critique of the legal framework;
- i) an implementation plan; and
- j) a Budget.

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The Strategic Plan, therefore, gives an overview of a programme of activities that are requisite for the comprehensive facilitation, promotion and conduct of civic education on the Referendum. ¶

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2.2 Organs Involved in the Referendum Process

The Parliament of the Republic of Kenya has provided the roadmap leading to the conclusion of the Constitutional Review Process through a referendum. The Constitution of Kenya Review (Amendment) Act, 2004 asserts the sovereignty of the people of Kenya over the Constitution by providing for the ratification of a new constitution through a referendum.

The Act provides specific mandates for various organs in the process leading to the referendum. Thus

- a) the **National Assembly** shall debate and amend the Bomas Draft Bill through consensus building (section 27 (1), (2), (3));
- b) the **Attorney General** shall publish the new Draft Constitution (section 27 (4));

⁵ The Seminar Report is available. Detailed analyses of specific proposals can be referenced from the Commission.

⁷ Adapted from CKRC, Proposals for Civic Education Policy and Programmes of the Constitution of Kenya Review Commission, 24th August, 2001. See also Adagala, K., PR and Publicity for Civic Education for the Draft Constitution and Referendum, CKRC, October 2004.

- c) the **Electoral Commission of Kenya (ECK)** shall hold a referendum (section 28 (1), (2), (3), (4), (5), (6)); and publish the result of the referendum (section 28A);
- d) the **Constitution of Kenya Review Commission (CKRC)** shall facilitate, coordinate and conduct civic education, and monitor the conduct of the referendum (sections 17 and 28 (7) of the Review Act;
- e) the **President of the Republic of Kenya** shall promulgate and publish the new Constitution (section 28A (4)); and
- f) **The High Court of Kenya** shall arbitrate any challenges and contestations arising from the results of the referendum (section 28B).

The Act provides for timeframes within which the above organs have to fulfil their mandates. However, while some timeframes are expressly stated and foreclosed, others are not. The CKRC civic education mandate falls in the latter category. Nonetheless, since the principal Act (CAP 3A) provides for continuous civic education (at section 17) and clause (7) is part of section 28 which requires the ECK to hold a referendum within ninety (90) days, it is assumed that:

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- a) The mandate under CAP 3A still requires that the Commission carry out continuous civic education.
- b) The 90 days provided for ECK to hold the referendum applies to the CKRC's facilitating, coordinating and conducting civic education, and monitoring the referendum.

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2.3 The Need for Civic Education for Referendum

Under CAP 3A, the CKRC is mandated to carry out civic education on the Review Process. The necessity and importance of the civic education before the conducting of the referendum is derived from the perspective that civic education

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a) is a statutory requirement that CKRC carry out civic education throughout the review process (section 17)

b) is a necessary ingredient in the mobilization, awareness creation and conscience awakening of a people during periods of novel and monumental change;

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c) needs a harmonious and standard approach in its delivery, so that diverse opinions do not endanger national stability to which the Review Process has been committed, and seeks to safeguard, through a new Constitution;

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d) has been fundamental to the Review Process; civic education helped introduce issues, provoke debate that resulted in citizens forming opinions and presenting views about the constitution they wanted;

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e) is critical since Kenya will be holding a referendum for the first time in her history and on an issue of a new Constitution. The implication here is that this is a historical opportunity upon which to build lasting precepts of democracy, good governance and respect for diversity and human rights; and

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f) will enable Kenyans to have a global view of, and realise their civic responsibilities, in the ratification of the Constitution.

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It is within the above context that the Commission's Strategic Plan for Civic Education for Referendum is envisaged.

2.4 Aim and Objectives

(a) Aim

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The overall aim of the CKRC Strategic Plan for Civic Education for Referendum is:

- To provide Kenyans with sufficient information, knowledge and skills on the Draft Constitution to enable them participate meaningfully in the ratification of a new Constitution by making informed decisions regarding the Draft Constitution of Kenya through a referendum.

(b) Objectives

The objectives of the CKRC Strategic Plan for Civic Education for Referendum are to;

- disseminate information about [the proposed Draft Constitution and](#) the referendum process;
- mobilise Kenyans to vote in the referendum;
- ensure the referendum process is all-inclusive; and
- enable effective participation of Kenyans in the ratification and implementation of a new Constitution.

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3.0 CONSTITUTION-MAKING, REFERENDUM AND CIVIC EDUCATION PRINCIPLES

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The guiding principles of making a Constitution are as spelt out in CAP 3A.

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3.1 Constitution-Making Principles

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[Definitions](#)

The working definitions of a constitution and constitution making in this Strategic Plan are that:

- **A Constitution as a document** is a charter, instrument of governance, supreme law of the land, an agreement or contract between the governed and governors that defines and binds their relationship. It outlines the power, rights and obligations of the citizens and the state to each other.⁷
- **Constitution making** refers to the processes leading to policy decisions emanating from the felt need by society to review organs of governance, the rationale and objectives put forward, the formulation of the legal framework and establishment of institutions to oversee the process, and the implementation of the process itself.

Principles

Section 3 of CAP 3A states the objectives and purpose of reviewing the Constitution as:⁸

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- (a) *guaranteeing peace, national unity and integrity of the Republic of Kenya in order to safeguard the well-being of the people of Kenya;*
- (b) *establishing a free and democratic system of Government that enshrines good governance, constitutionalism, the rule of law, human rights and gender equity;*
- (c) *promoting the peoples' participation in the governance of the country through a democratic, free and fair referendum;*
- (d) *respecting ethnic and regional diversity and communal rights including the right of communities to organise and participate in the referendum and to express their wishes;*
- (e) *strengthening national integration and unity;*
- (f) *creating conditions conducive to a free exchange of ideas;*
- (g) *ensuring the full participation of people in the referendum; and*
- (h) *enabling Kenyans to resolve the issues of a new Constitution on the basis of the consensus through the referendum.*

3.2 Referendum Principles⁹

⁸ As interpreted by and adapted as principles by CKRC.

⁹ See Third Schedule of CAP 3A.

Definition

The working definition for a referendum in this Strategic Plan is: A **referendum** is a procedure through which citizens consciously accept or reject changes from one instrument of governance to another through voting. The voting is a choice between **yes** and **no**, to accept or reject the instrument of governance.

In the referendum to be carried out in Kenya

- a) the people will be voting to ratify a Draft Constitution as recommended by Parliament. This means that Kenyans will be voting to accept or reject the proposed Draft Constitution as a whole and not parts of it. It inherently means that should a Kenyan vote **YES or NO** on the basis of one chapter and clause, or on the basis of a group of chapters or clauses, s/he will be accepting or rejecting the whole proposed Draft Constitution.
- b) the conduct of the referendum will be a democratic exercise in which all Kenyans meeting the criteria of adult suffrage, and who qualify as electors under the National Assembly and Presidential Elections Act, shall participate.
- c) participation shall be free, voluntary and devoid of any forms of coercion and manipulation.

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Principles

The application of principles to the conduct of the referendum are meant to ensure that Kenyans exercise their free will through a referendum, and that in the conduct civic education, and the referendum, all Kenyans shall¹⁰

- i. recognise the importance of confidence building, engendering trust and developing a national consensus for the referendum;
- ii. agree to avoid violence or threats of violence or other acts of provocation during the review process;
- iii. undertake not to deny or interfere with anyone's right to hold or attend public meetings or assemblies, the right to personal liberty, and the freedoms of expression and conscience during the referendum process, save in accordance with the law;
- iv. ensure that the police guarantee the safety of all persons who attend

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¹⁰ See Third Schedule, CAP 3A.

meetings in the exercise of their rights.

- v. ensure that the meetings related to the referendum process are held in peace, and in an open manner;
- vi. respect the independence of the Commission and its members; and
- vii. desist from any political or administrative action that will adversely affect the operation or success of the referendum process.

3.3 Civic Education Principles¹¹

For the purposes of the referendum, this Strategic Plan views **civic education** as the process of imparting knowledge about governance. In its broad meaning, civic education covers the structure and organs of government, the relationship therein; and relationships between individuals and groups to each other and the state. In this context, knowledge of rights and obligations empowers people to participate in public affairs decision-making, hence guaranteeing the protection of democracy and human rights.

The central theme of civic education for the referendum is the emphasis on knowledge, awareness of rights and obligations of Kenyans, and empowerment of Kenyans sufficiently and meaningfully and their participation in the ratification of the proposed Draft Constitution through a referendum. Thus, civic education: -

- a) Has its purpose, scope and modalities provided for in CAP 3A as amended.
- b) is pronounced as one of the principal acts leading to the referendum under section 28.
- c) Requires that people know the contents of the Draft Constitution, and the aim and objectives of the referendum, and the process thereto.
- d) Objectives are described as stimulating public discussion and awareness of constitutional issues.
- e) Aims at enabling the people of Kenya to participate and contribute, through a referendum, to the validation and ratification of the Draft Constitution, by voting.
- f) Will incorporate Voter Education.

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3.4 Conduct of Civic Education

Principles

¹¹ Adapted from CKRC. Proposals for Civic Education Policy and Programmes of the Constitution of Kenya Review Commission., 24th August, 2001.

The CKRC, therefore, has the responsibility to conduct, facilitate and promote civic education on the referendum. To this extent, the Commission may discharge this responsibility itself and/or in partnership with other organisations. Based on past experience and the constraints of capacity (financial and human resources), time demands, need for inclusivity and novelty of the referendum.

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(a) By the CKRC as per the Act (section 28(7)), (b) Through partnerships with other civic education providers under specific agreements.

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Basic Civic education Principles

Civic education will be provided:-

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a) With accommodation of diverse opinion where people, groups and organisations have the opportunity to actively, freely and meaningfully participate in debating the Draft Constitution.

b) Under an environment of openness.

c) In the spirit of strengthening national unity through dialogue, cooperation and consensus building.

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d) Under a Code of Conduct binding all civic education providers to a non-partisan and standard national curriculum developed by the Commission.

e) Under the guaranteed constitutional precepts of freedom of expression, association and information, and that no group will be excluded from providing civic education.

f) To ensure that the final outcome of the referendum faithfully reflects the views of the people of Kenya.

4.0 THE LEGAL FRAMEWORK/ROADMAP

The Constitution of Kenya Review (Amendment) Act, 2004 provides that the Electoral Commission of Kenya (ECK) will organize a national referendum in which all eligible voters will vote for or against the proposed Draft Constitution Bill as recommended by Parliament. The President will publish the New Constitution in the Kenya Gazette on the expiry of fourteen (14) days following a simple majority during the Referendum, and if no challenge is made.

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Section 17 of the principal Act paragraph (xvi) provides for the Commission to (c) *Conduct and facilitate civic education to support the referendum under section 28;*

(d) (f) Monitor the conduct of the referendum

Part 1V section 27 (1) provides that:

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Within ninety days after this section come into operation the National Assembly shall-

- (a) *Debate the draft bill as adopted by the National Constitutional Conference on the 15th March 2004 and a report by the Constitution of Kenya Review Commission;*
- (b) *Submit to the Attorney General, the draft Bill and recommendations only on contentious issues as identified and recommended by the Parliamentary Select Committee (on Constitutional Review) for approval by the National Assembly.*

(2) *In considering the final report and draft Bill, the National Assembly may undertake consultations to initiate, facilitate and promote a national consensus on contentious issues as recommended by the Parliamentary Select Committee and approved by the National Assembly.*

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(3) *Within thirty days after the National Assembly submits the draft Bill to the Attorney General, the Attorney General shall publish the proposed new Constitution based on the draft Bill and the amendments as approved by the National Assembly.*

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For purposes of the referendum process and the place of civic education, in the Act as amended, the following section and clauses are highlighted:

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28. (1) *Within ninety days after the Attorney-General publishes the proposed new Constitution under section 27(4), the Electoral Commission shall hold a referendum to give the people of Kenya the opportunity to ratify the proposed new Constitution.*

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(2) *The question upon which the people shall vote in the referendum shall be whether they are for or against the ratification of the proposed new Constitution.*

(3) *The proposed new Constitution shall be ratified by a simple majority of the votes cast in the referendum.*

(7) The Commission shall facilitate and coordinate civic education on the referendum.

28A. (1) The Electoral Commission shall publish the result of the referendum in the Gazette.

(2) *If no application is made under section 28B challenging the conduct or result of the referendum within the time limit for making such applications, the result of*

the referendum shall be final upon the expiry of that time limit.

- (3) *If an application is made under section 28B challenging the conduct or result of the referendum within the time limit for making such applications, the result of the referendum shall not be final until all such applications are finally disposed of.*
- (4) *If the final result of the referendum is that the people of Kenya have ratified the proposed new Constitution, the President shall **within 14 days promulgate and** (a) publish the text of the new Constitution in the Gazette;*
- (5) *The new Constitution shall become law when it is proclaimed to be law under subsection (4) and shall come into operation immediately, subject to any provisions in the new Constitution for its commencement.*

The provisions providing for validation through the Courts are as follows

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28B. (1) *The conduct or result of the referendum may be challenged only by application to the High Court made within fourteen days after the publication of the result of the referendum under section 28A(1).*

(2) *The applicant shall give notice of the application to the Attorney-General and the Electoral Commission within seven days after the application is made.*

*(iv) Within seven days after the application is made the applicant shall deposit **five** million shillings with the court as security against costs.*

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(v) If security is not given in accordance with subsection (4), the application shall be dismissed.

The Section below deals with the role of the Judiciary

28C.(1) An application under section 28B shall be determined by a panel of five judges appointed by the Chief Justice

(2) Unless otherwise ordered by the Chief Justice, interlocutory matters shall be dealt with by a single judge from the panel.

28D. (1) *On an application under section 28B challenging the conduct or result of the referendum the Court may:*

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- (a) *dismiss the application;*
- (b) *declare the published result to be incorrect*
- (c) *order the Electoral Commission to repeat the polling in any place or places;*
or
- (d) *annul the result of the referendum and order a new referendum to be held.*

(2) *The court shall not annul the result of the referendum unless it is satisfied that*

the applicable law has not been complied with and such non-compliance has materially affected the result of the referendum.

(3) *In subsection (2), the "applicable law" means*

(a) this Act; and

(b) the National Assembly and Presidential Elections Act and the Election Offences Act as those Acts apply under section 28.

(4) *If the court orders a new referendum to be held, subsections (2) and (3) of section 28 and sections 28A to 28I shall apply with respect to that new referendum.*

28E. *An application under section 28B shall be heard and determined by the Court expeditiously and in any event within forty-five days.*

28F. *The determination by the Court on an application under section 28B shall be final.*

28G. *An application under section 28B may be withdrawn by the applicant on notice to the other parties and the court, subject to any other of the Court as to costs.*

28H. *the following provisions of the National Assembly and Presidential Elections Act apply, with necessary modifications, to an application under section 28B*

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(a) section 22;

(b) section 23(1)

(c) section 25;

(d) section 26; and

(e) section 29.

28I. *Subject to sections 28B to 28H the Chief Justice may give directions with respect to the procedure for an application under section 28B.*

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5.0 CHALLENGES, OPPORTUNITIES, FEARS AND THREATS

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The constitutional review process has been in progress since the enactment of the Constitution of Kenya Review Act (CAP 3A) in 2000. At the time the review process commenced in 2001, CKRC listed the inherent strengths and opportunities as

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- Political goodwill*

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- Strong public support
- Fresh start
- Historic moment
- Faith and trust of the public
- Public interest in the review
- Financial support
- Technical capacity
- Diversity of Commissioners
- Legislative support
- Liberalised media
- Goodwill of donors
- Availability of external expertise.

Over time, these underwent changes that are reflected to some extent in the analysis that follows.

5.1 Strengths and Opportunities

(a) Socio-Political

- Opportunity cost of implementing a new Constitution.
- Technical capacity has increased with Commissioners and staff experience and data available.
- Earlier diversity based on regional and professional representation has been enhanced with diversity of opinion among Commissioners.
- Enhanced internal expertise within the country.
- An engaged and anticipatory populace
- An aware, enlightened and questioning populace.
- Public enthusiasm for participation in the referendum borne out of eagerness with the novelty of the referendum.
- Continued popular protection of the Review Process.
- Public perception that investment in the process should not be left to go to waste.

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(b) Financial

- Funding available through budgetary allocations.
- Statutory requirement for Government to fund the Referendum.
- Donors already providing limited support
- On-going fundraising efforts.
- If Parliament amendments affirm views of the people.

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(c) Infrastructure

- CKRC awareness and experience of the topography of the country, its challenges; and the challenges of diversity in demography.

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- Existence of CKRC infrastructure (CCF, District Coordinators).
- Existing infrastructure of Review organs (CKRC, NCC, Parliament).
- ECK infrastructure and experience.
- The CKRC and ECK synergy.

(d) Legal

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- Recent (2004) amendments to CAP 3A a step forward in jumpstarting the process.
- An evolving legislative consensus process.
- Progression of Draft Constitutions an asset for civic education.
- Cumulative retention of process throughout the amendments to CAP 3A.

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(e) Media

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- Increased liberalised and diversified media.
- Rich reservoir of media documentation.
- Increased interactive media.
- Media continues to keep process alive.
- A more sensitised media on constitutional issues.

5.2 Weaknesses and Threats

(a) Socio-Political

From a socio-political perspective, the mutations, metamorphosis, uncertainties and transformation occasioned by the long drawn process has resulted in

- Continued unfulfilled promises on the delivery of a new Constitution.
- A polarised Parliament.
- A divided ruling coalition.
- Political intrigues.
- Lack of focussed and sustainable negotiations over the Bomas outcome and the way forward amongst stakeholders.
- Public perception that Commission continued existence is a waste of resources.
- Enhanced mutual mistrust and consequent shifting alliances within the Commission and perceived lack of independence of some Commissioners.
- Dysaffection in sections of ethnic and religious groupings.
- Vulnerability of the process to political whim.
- Frustrated popular expectations.

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- General fatigue with the review process.
- Danger of historic moment being lost.
- Corruption.
- Poverty.
- Insecurity.
 - Negative campaigns.
- Unpredictability of the process making it difficult to plan.
- Internal CKRC divisions and realignments
- Kenya's lack of experience in holding referenda.

(b) Financial

- Uncertain financial support base for referendum.
- Uncertain donor support
- Depreciating and inadequate transport pool
- Perception that the process is consuming meagre resources.
- Competition for meagre resources with other pressing national needs.
- Opportunity cost of not implementing a new Constitution.

(c) Infrastructure

- An insecure environment for the mobilisation of the people.
- A challenging terrain and deteriorating conditions of national infrastructure.
- Lack of activated civic education infrastructure for referendum.
- Inexperience in monitoring and evaluation of a referendum.
- Massive scale demands for coordination, facilitation and servicing of civic education for referendum infrastructure.
- Uncertainty of timing for roll-out.
- Insecurity.
- Time constraint.

(d) Legal

The amendments are certainly a step forward in jumpstarting a process that has nearly stalled due to contestations raised by some stakeholders. The critique in this Strategic Plan is aimed at drawing attention to some of the challenges that the amendments present to the referendum process and therefore to civic education. The functional value of the critique is that it cushions the Strategic Plan against rigidity. The critique is by no means exhaustive; other perceptions may indeed run counter to the conclusions drawn below.

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1. Uncertainties over the constitutionality of the legislative process and the referendum in the absence of amendments to section 47 of the current Constitution.

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2. Threat of vexatious and frivolous appeals.

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3. If Parliament makes amendments to extend of changing the character of the Bomas Draft.

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4. Suspect support of splinter group initiatives.

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The following comments relate to the Constitution of Kenya review (Amendment) Act 2004:

5. Section 27(2) does not bind the National Assembly to conduct consultations. In any case, if it finds its necessary to consult, the section does not provide for the methodology or ways and means of consultations.

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The challenge for civic education is that a situation will arise where the proposed Draft Constitution emerging from Parliament will be at variance with peoples views as presented and represented in the CKRC Draft Bill and the subsequent Bomas Draft.

The effect will be that the people will want reasoned answers to the changes. Unmitigated answers may prepare ground for the rejection of the proposed Draft Constitution.

CKRC will seek Parliament's indulgence on consultative methodology on the contentious issues. Hence Parliament may be advised to use the constituency as the basic level of consultations, moving on to the district level. On its part, CKRC

- will hold consultative workshops with stakeholders' representatives to sensitise them on the need to negotiate an acceptable Draft Constitution.
- Has formulated a media management policy through which it seeks to create awareness and debate on the Draft Constitution that will emerge from Parliament.
- civic education curriculum also seeks to explain the changes to the process and content.

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6. Section 27 (2) and (3) removes the element of a people-driven element from the Review Process, which contradicts the principles stipulated in the Act.

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7. (a) Under section 28 (1) the ECK is not under obligation to consult in the conduct of the referendum. However, CKRC will hold consultations with

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ECK to arrive at a common ground on issues that affect both Commissions in their respective roles in the conduct of the referendum

(b) Section 28 (2) indicates that the referendum question is already framed. Additionally, read together, section 28 (1), (2) and (3) suggest that the issue of phrasing the question is the sole responsibility of ECK. However, civic education could be affected if CKRC is not involved in phrasing the question. CKRC will, therefore, consult with ECK on phrasing ballot paper question.

8. Section 28 (3) lowers the threshold for ratification of the referendum to a simple majority. This seemingly innocent clause is open to various interpretations, which could open the process to renewed contentious issues and controversies.

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There is the argument that the clause could make it possible for any one region or community to decide the outcome of the referendum. This is buttressed by the view that the possibility exists since the simple majority rule is based on those voting and not the total registered voters or national population. Furthermore, in case where a boycott, or de-campaigning activities succeed in hiving off a large chunk of potential voters, the likelihood is imminent. The central view is that demographically, not any one community or region can determine the referendum outcome. To mitigate this potential threat, CKRC

- civic education approach will include methods to get the vote out to encourage high turnout and participation, and to forestall possibility of above.
- Will consult PSC for possibility of re-considering the simple majority threshold on the referendum.

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9. Section (7) does not indicate any timeframe for the conduct of civic education. The CKRC is left at the mercy of ECK determination. Furthermore, the section does not provide for Voter Education. However, section 17 provides for civic education throughout the review process. CKRC will, therefore, start civic education early to cover the above deficiency. Additionally, CKRC will hold consultations with ECK with a view to determining the timeframe for voter education

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10. Section 28A (1) does not provide the mandatory time within which the ECK should publish the results of the referendum.

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Though this is a responsibility of ECK, CKRC will consult with ECK to see whether referendum regulations could cover the deficiency.

11. Clause 28A (3) forecloses any announcement of the results of the referendum. Read together with section 28D, 28E, 28F, 28G, 28H, and 28I, the Act

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- Opens doors for mischief in endless litigation over the results of the referendum in a self-perpetuating a process kept in limbo.
- Section 28D (4) opens way to endless referendums since it has no foreclosing.

In mitigating these challenges, CKRC will consult with ECK to see whether referendum regulations could cover the deficiencies.

12. Section 28B (4) is limiting in as far as it tends to interfere with civil rights in the requirement for a deposit of Ksh.5 million.

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Though the intent is meant to prevent frivolous and vexatious applications, the clause could be adjudged unconstitutional as section limits access to courts on basis of financial ability. In effect, the commitment to end the Review Process could be compromised should dissatisfied parties lodge a constitutional contention.

Such an act would disrupt civic education work plans. CKRC will, therefore, consult on this.

13. Section 37 gives leeway to Parliament to extend the process at any given stage. This compounds fears in (7) above in as much as it leaves the process open-ended.

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This is a good provision ostensibly done in good faith but could be subject to misuse. It also sends mixed signals as it brings into contention the sincerity of the commitment to end the Review Process.

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CKRC will consult with a view to mitigating the inherent threat.

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(e) Media

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- o Politicised and polarised media.
- o Lack of capacity and skills to handle constitutional issues.

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- Cap 3A provision on KBC is not possible to operationalize therefore communication with public is constrained.

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- Media bias

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6.0 CORE ISSUES OF CIVIC EDUCATION FOR REFERENDUM

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The referendum is being held for the very first time in Kenya's history, and more critically, it is on the issue of a national Constitution. Other than the mandatory elections where Kenyans vote for their representatives, at no other time have Kenyans as a whole been availed an opportunity to ratify an issue.

It is, therefore, both a momentous event for the country, and a gigantic task for the organs involved in its management.

It is expected that the organs charged with managing the referendum will not only be effective but should be up to the task in delivering a free, fair, just and democratic outcome.

To do this, the organs require empowerment, capacity and resources. Empowerment has to come via an enabling political and legal environment; both of which the Commission hopes will be cleared of the prevailing uncertainty.

Training for capacity building related to both internal preparedness and coordination, is dependent on available resources. The Commission hopes that these ingredients will be made possible as per needs expressed in this Strategic Plan.

Acknowledging that the amendments to CAP 3A raise fundamental administrative and procedural challenges related to the roles of ECK and CKRC in the conduct of the Referendum, the Strategic Plan provides for, where necessary, consultations between the two Commissions. The consultations extend to various other agencies, which may not necessarily be organs of the referendum process, but are critical to the successful implementation of the Strategic Plan.

These strategic considerations are borne out of the absolute desire and need for the referendum process - especially for the civic education component - to be as all-inclusive as possible.

In order to effectively facilitate, coordinate and conduct Civic Education for Referendum, this Strategic Plan proposes the core areas as follows:

6.1 Strategic Planning, Coordination and Response

A Strategic planning and response preparedness is necessary for the construction, activation and execution of the civic education provision, the identification of partners in civic education provision and for monitoring and evaluation of the infrastructure.

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The amendments are certainly a step forward in jumpstarting a process that has nearly stalled due to contestations raised by some stakeholders. The critique in this Strategic Plan is aimed at drawing attention to some of the challenges that the amendments present to the referendum process and therefore to civic education. The functional value of the critique is that it cushions the Strategic Plan against rigidity. The critique is by no means exhaustive; other perceptions may indeed (... [22])

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However, section 17 provides (... [30])

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The establishment of a CKRC-ECK Referendum Strategic Planning, Coordination and Response Team will be critical for handling an accommodative and sustainable timeframe after planning clear logistics.

The different Committees of CKRC will coordinate work with the: -

- a) Electoral Commission of Kenya;
- b) Parliamentary Select Committee,
- c) Donors;
- d) Civic Education Providers;
- e) Government Agencies;
- f) The Media; and
- g) Others.

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In consultation with Commission, the relevant Committees, will see to the organization of strategy implementation workshops, as part of preparedness, that will generate inputs into:

- a) Criteria and code of conduct for engaging partners;
- b) Identification of partners;
- c) Media and public relations strategy in support of civic education;
- d) Materials development, which include a curriculum, manuals, guides, and PR and publicity materials;
- e) The necessary logistics including venues, transport, mapping, infrastructure and funds;
- f) Identification of budgetary, financial needs and sources, and funding; and
- g) Monitoring, evaluation and reporting support mechanisms.

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These workshops will facilitate the Commission in conceptualising the multifaceted aspects and need of the referendum process. It will also enable the Commission process the roles of different stakeholders and partners.

6.2 Budgetary, Financial and Fundraising Needs

The identification of budgetary and financial needs, and fundraising sources will be crucial for effective delivery of civic education for the referendum. It is expected that such an exercise will supplement allocations by Government. This calls for the establishment of a CKRC Fund-raising Taskforce drawing membership from all committees. Its task will be to organize consultative meetings with donors to establish a civic education funds basket for the country. The Task Force will feed into the larger CKRC-ECK Referendum Strategic Planning and Response Team.

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6.3 Civic Education Curriculum and Materials Development.

This will involve the conceptualisation, design, development and production of accessible and accommodative civic education curriculum, and other materials. It will require keen attention being given to the most effective communicative media approaches for dissemination, which are also cost effective. The task also involves design of materials distribution channels, mode of facilitation and conduct of civic education on the basis of materials developed. This duty will be well served by CEPIC liaising with R&D.

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6.4 Public Relations, Publicity and Media Management

This aspect of the Strategic Plan arises from the knowledge that: -

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Publicity and Media Management¶
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- a) as a result of a decade of civic education, Kenyans have become a knowledgeable, questioning and demanding society;
- b) as pro-active seekers of information, Kenyans are no longer gullible passive consumers of information;
- c) space for freedom of association and freedom of expression has been incremental resulting in more opportunities of entry points for public debate; and
- d) an increasingly bold and activist press is taking advantage of the space for freedom of the press to disseminate information on issues related to public affairs and governance;

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Hence, there will be the design and activation of a public relations, publicity, and media management campaign strategy that will: -

- a) **Increase** public appreciation and acceptance of the Draft Constitution, leading to its ownership;
- b) **Create** understanding of and respect for the civil liberties of others during the referendum process; and
- c) **Reduce** acrimony over the contents of the Draft Constitution and during campaigns for or against.

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The actualisation of this management strategy will require: -

- a) a massive media-based publicity campaign that explains the goals and purposes of civic education for referendum; and

- b) Countrywide public relations activities meant to create reciprocity within and among the members of the public so as to engender positive debate.

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This task will be undertaken by the CKRC,

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6.5 Training

Training will be part of capacity building to enable the Commission activate and implement the civic education programme. It is expected that through induction workshops and seminars, the Commission will be able to

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<#>Training¶
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- Create awareness on the referendum process;
- Train its own staff and partners;
- Disseminate its civic education for the referendum strategy, curriculum and materials;
- Create partnership networks, exchange partnership ideas and protocols; and
- Review aspects of the Strategic Plan.

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6.6 Coordination, Monitoring and Evaluation

This task requires the planning and design of monitoring and evaluation mechanisms for the civic education provision as well as for the referendum itself. It will involve the drawing up of monitoring and evaluation protocols and identification of partners and consultants. The vital imperatives in the conduct, coordination, monitoring and evaluation of civic education will, therefore, be: -

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- a) Ensuring that all parts of the Republic and every community, interest group and individuals receive the same quality of civic education and the opportunity to participate.
- b) Interpreting the Draft Bill in terms of the views articulated by the people as recorded by CKRC.
- c) Developing and implementing monitoring and evaluation mechanisms and indicators that will do the following:
- Measure compliance with the provisions of the statutes, regulations and other guidelines governing the referendum and the remaining phase of the review process;
 - Form an early warning system that will act as a basis for correcting anomalies and enhancing service delivery;

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- iii. measure the validity of CKRC’s assumptions, success or failure of its policies;
- iv. monitor and reduce the effects and consequences of merging the civic education and campaign periods;
- v. measure the levels of participation in the referendum;
- vi. develop appropriate methodologies and infrastructure for monitoring and evaluation; and
- vii. report on and publish the monitoring and evaluation process.

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7.0 PROGRAMMES AND ACTIVITIES OF CIVIC EDUCATION FOR REFERENDUM

The activities contained in the implementation programme of the Strategic Plan have been drawn with observance of the legal requirement as provided for in the amended CAP 3A. There is also keen sensitivity to the fluid political environment informing this phase of the Review Process. This is due to the Commission’s awareness of unfolding external events impacting on the Review Process hence the flexibility of the programmes to allow for constant, continuous and abrupt reviews.

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To this extent, there is a notable time constraint in terms of both rollout date and duration. This is because the implementation does not depend on the Commission’s will and decisions, but relies on actions of other organs in the Review Process.

The Commission remains at all times on a standby-monitoring mode ready to rollout its plan at the shortest time possible. This would then mean that:

- (i) Stated activities, though necessary, may have to be scaled down to the most necessary due to time and financial constraints.
- (ii) Certain activities may have to run concurrently to maximize on available time.
- (iii) Budgetary estimates will have to be reviewed as they may change for reasons of expediency and expediting the implementation of the Plan. This is especially so given that civic education is an on-going exercise.
- (iv) CKRC will liaise with ECK on modalities for the Voter Education component and its scheduling within the provision of 90 days.

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(v) The voter education exercise will have to run concurrently with civic education on the referendum.

7.1 Implementation Plan

The annexed implementation plan template essentially covers;

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6.1 . Implementation plan

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(a) Activities

Activities that need to be undertaken leading to and during the referendum are:

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- (i) **Ongoing (phase 1)** refers to urgent and on-going activities that are currently being undertaken by the Commission and the cross cutting activities that overlap in the entire process.
- (ii) **Immediate (phase II)** refers to activities that need to be undertaken urgently by the Commission and are preparatory in nature.
- (iii) **Short-term (phase 111)** are structural and logistical activities geared towards activation of the Civic Education for the Referendum Programme.
- (iv) **Long-term (phase 1V)** casts the activities that will carry the implementation stage to fruition up to September 2005.
- (v) **Activity Description(s)** state what a specific activity is all about and the implementation steps.
- (vi) **Action By** state who will be responsible for initiating the action, implementation and achievement. *(However, footnotes indicate that in some areas, policy decisions need to be made).*

8.0 BUDGET

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The budgetary outlay may be reviewed from time to time given that the CKRC is not in-charge of the Referendum timetable, and the fact that by the time of implementation, costing would have to be adjusted. The underlying assumption is that the plan and the budget will be adopted simultaneously. As a strategic approach, the CKRC needs supplementary budget allocations to carry out preparatory work on immediate civic education activities.

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Phase I - On Going & immediate
Phase II – Short-term Phase III –
Long-term ¶
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ACTIVITY DESCRIPTION ... [34]

CIVIC EDUCATION IMPLEMENTATION PROGRAMME

JANUARY 2005 - OCTOBER 2005

Phase I - On Going & immediate Phase II – Short-term Phase III – Long-term

<u>ACTIVITY DESCRIPTION</u>	<u>TIME</u>	<u>ACTION BY</u>	<u>BUDGET OVERVIEW KSHS.</u>
<u>1. Fund of Civic Education and Referendum</u>	<u>Phase I</u>	<u>RDB</u> <u>CEPIC</u>	← - - -
<u>i. Budget (consultations with Parliament, ECK and Treasury)</u>			← - - -
<u>ii. Development and submission of proposals</u>			_____
<u>iii. Consultative meetings with development partners</u>			_____
			<u>574,950/00</u>
<u>2. Strategic Planning and Response</u>	<u>Phase I</u>	<u>R&D</u> <u>CEPIC</u>	← - - -
<u>i. Statutory Road Map & Time Frame (CKRC & PSC)</u>			<u>154,000/00</u>
<u>ii. Logistics CKRC & ECK</u>			<u>200,000/00</u>
<u>iii. Development of a Road map on Civic Education (CKRC & ECK)</u>			<u>574,950/00</u>
<u>iv. Monitoring Analysis, Engagements and response</u>			_____
			<u>210,000/00</u>
<u>3. Public Relations Publicity and Communication</u>	<u>Phase I</u>	<u>CEPIC</u> <u>Commission</u> <u>Chair</u> <u>Commission</u> <u>Secretary</u>	← - - -
<u>i. Public relations & Protocol</u>			← - - -
<u>ii. Electronic media programmes</u>			<u>3,000,000/00</u>
<u>iii. Print media coverage</u>			<u>40,000,000/00</u>
<u>iv. Folk media</u>			<u>10,000,000/00</u>
<u>v. Development and production of communication material</u>			_____
			<u>5,320,770/00</u>
			<u>95,960,000/00</u>

ACTIVITY DESCRIPTION	TIME	ACTION BY	BUDGET OVERVIEW KSHS.
<u>for civic education</u> vi. <u>Communication</u> ➤ <u>Redesigning & Updating of CKRC website</u> ➤ <u>Sign language</u> ➤ <u>Translators</u>			360,000/00 855,000/00 570,000/00
4. Development of Civic Education Materials i. <u>Introduction Materials</u> ➤ <u>Constituency Summary Reports</u> ➤ <u>Posters & Fliers</u> ii. <u>Development of guidelines for civic education curriculum</u> iii. <u>Consultations with consultants (Kenya Institute of Education – KIE) on development of civic education curriculum</u> iv. <u>Development of civic education curriculum, Source book and trainers manual</u> v. <u>Summary of key issues chapter by chapter</u> vi. <u>Development of material for people with disabilities – Braille, audio-visual tapes etc.</u> vii. <u>Production of civic education materials</u> viii. <u>Distribution Civic Education materials</u> ix. <u>Commemorative Print</u>	Phase I	<u>CEPIC/R&D</u>	105,000/00 1,050,000/00 100,000/00 300,000/00 700,000/00 61,350,000/00 740,000/00 250,000/00
5. Finalization of the Commission’s Documentation i. <u>Completion and publication of Commission</u>	Phase I	<u>R&D</u>	

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	ACTIVITY DESCRIPTION	TIME	ACTION BY	BUDGET OVERVIEW KSHS.
	<ul style="list-style-type: none"> ii. <u>Documentation Preparation and Publication of outstanding Commission reports</u> 			<u>10,540,000/00</u>
	6. Meeting with PSC <ul style="list-style-type: none"> i. <u>Consultations with the PSC and CKRC</u> 	Phase I	<u>CKRC Commissioners</u>	← - - - ← - - -
	6. Consultation meeting CKRC/ECK Staff <ul style="list-style-type: none"> i. <u>Meeting to understand the roles of each Commission</u> ii. <u>Planning for proposed ECK/CKRC Commissioners Workshop</u> 	Phase I	<u>All Committees</u>	← - - - <u>70,000/00</u>
	7. Consultation meeting CKRC/ECK Commissioners <ul style="list-style-type: none"> i. <u>Planning for the referendum</u> ii. <u>Identification of the roles of each Commission</u> <u>Identification of areas of possible collaboration</u> 	Phase I	<u>All Committees</u>	← - - - <u>154,000/00</u>
	8. Workshop with PSC <ul style="list-style-type: none"> i. <u>Deliberation on the referendum road map</u> ii. <u>Presentation of the civic education Strategic Plan</u> iii. <u>Discussion of the civic education infrastructure</u> 	Phase I	<u>CEPIC R&D</u>	← - - - <u>2,395,850/00</u>
	9. Workshop with MPs <ul style="list-style-type: none"> i. <u>Deliberation on the referendum road map</u> ii. <u>Discussion of the civic education Strategic Plan</u> 	Phase I	<u>CEPIC/R&D/ Others</u>	← - - -

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	<u>ACTIVITY DESCRIPTION</u>	<u>TIME</u>	<u>ACTION BY</u>	<u>BUDGET OVERVIEW</u> <u>KSHS.</u>
	<u>Presentation of the civic education infrastructure</u>			<u>9,373,750/00</u>
10.	<u>National Workshop to Review Civic Education Materials</u> <u>i. Curriculum</u> <u>ii. Source book & Training Manual</u> <u>iii. Materials for persons with disability</u> <u>iv. Production of CE materials</u>	<u>Phase I</u>	<u>CEPIC& Other Committees</u>	<u>423,280/00</u>
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11.	<u>National Workshop on Civic Education Strategy</u> <u>i. Presentation of civic education curriculum and materials</u> <u>ii. Discussion of civic education Strategic Plan</u> <u>iii. Identification of areas of collaboration</u> <u>iv. Identification of avenues for distribution of CE materials</u>	<u>Phase I</u>	<u>All Committees</u>	<u>388,920/00</u>
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12.	<u>Foreign Visits CKRC/ECK</u> <u>(i) Other experiences on the conduct of civic education, monitoring and evaluation of referenda (Uganda Rwanda & Zimbabwe)</u>	<u>Phase II</u>	<u>All Committees</u>	<u>2,468,800/00</u>
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13.	<u>Recruitment of District Coordinators</u> <u>i. Reactivation of district coordinators' offices</u>	<u>Phase II</u>	<u>M & O, CEPIC</u>	
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ACTIVITY DESCRIPTION	TIME	ACTION BY	BUDGET OVERVIEW KSHS.
<ul style="list-style-type: none"> ii. <u>Reactivation of district documentation centers</u> iii. <u>Emoluments for DC's & Asst. DCs and office expenses</u> 			<u>66,614,035/00</u>
<p>14. <u>Workshop for District Coordinators.</u></p> <ul style="list-style-type: none"> i. <u>Induction on conduct of civic education strategy on referendum</u> ii. <u>Preparation of district coordinators for provision of civic education</u> iii. <u>Training of trainers (TOT)</u> 	<u>Phase II</u>	<u>CEPIC / M & O</u>	<u>3,417,400/00</u>
<p>15. <u>Reactivation of 3 C's</u></p> <ul style="list-style-type: none"> i. <u>Appointment of members (where necessary)</u> ii. <u>Induction of members</u> iii. <u>Mobilization meetings</u> 	<u>Phase III</u>	<u>Commissioners D/Coordinators</u>	<u>58,800,000/00</u>
<p>16. <u>Workshop-CKRC&ECK Referendum Question/s & Referendum Regulations, Voter Education</u></p> <p><u>Discussion on:</u></p> <ul style="list-style-type: none"> i. <u>Conduct of Referendum</u> ii. <u>Rules & Regulations</u> iii. <u>Voter Education</u> iv. <u>Monitoring & Evaluation</u> 	<u>Phase III</u>	<u>All Committees</u>	<u>5,286,900/00</u>
<p>17. <u>Media Owners Association Breakfast Meeting</u></p> <ul style="list-style-type: none"> i. <u>Induction on civic education program</u> ii. <u>Explore areas of</u> 	<u>Phase III</u>	<u>CEPIC</u>	

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	<u>ACTIVITY DESCRIPTION</u>	<u>TIME</u>	<u>ACTION BY</u>	<u>BUDGET OVERVIEW</u> <u>KSHS.</u>
	<u>collaboration on civic education</u> <u>iii. Discussion of strategies for coverage of civic education activities</u>			<u>35,000/00</u>
18.	<u>Editors Breakfast Meeting</u> <u>i. Induction on civic education programme</u> <u>ii. Explore areas of collaboration on civic education</u> <u>iii. Discussion of strategies for coverage of civic education activities</u>	<u>Phase III</u>	<u>CEPIC</u>	<u>35,000/00</u>
19.	<u>Workshop for Partners (Religious Orgs, Professional Orgs, NGO's, Trade Unions, Political Parties, Women Orgs)</u> <u>i. Discuss funding for civic education</u> <u>ii. Mapping for the provision of civic education</u> <u>iii. Roles of partners in civic education</u> <u>iv. Induction on conduct of civic education on referendum program</u>	<u>Phase III</u>	<u>CEPIC, RBD</u>	<u>204,560/00</u>
20.	<u>Workshop for NCC Participants</u> <u>i. Induction on the Draft Bill</u> <u>ii. Role identification for NCC Participants in civic education program</u>	<u>Phase III</u>	<u>M&O</u> <u>CEPIC</u> <u>R&D</u>	

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	<u>ACTIVITY DESCRIPTION</u>	<u>TIME</u>	<u>ACTION BY</u>	<u>BUDGET OVERVIEW KSHS.</u>
	<u>iii. Induction on civic education program</u>			
	<u>21. Workshop for People with Disabilities</u> <u>i. Discuss modes of dissemination for civic education materials</u> <u>ii. Deliberate on specific needs of PWDs during the referendum</u> <u>iii. Logistics</u>	<u>Phase III</u>	<u>CEPIC</u>	<p style="text-align: right;">← - - - Formatted: Bullets and Numbering</p> <p style="text-align: right;"><u>354,560/00</u></p>
	<u>22. Sensitization Workshop For P/Administration & District Security Officers</u> <u>i. Induction on civic education program</u> <u>ii. Deliberations on mobilization/logistics</u> <u>iii. Deliberations on security</u>	<u>Phase III</u>	<u>M&O, CEPIC</u>	<p style="text-align: right;">← - - - Formatted: Bullets and Numbering</p> <p style="text-align: right;">← - - - Formatted: Bullets and Numbering</p> <p style="text-align: right;"><u>5,453,375/00</u></p>
	<u>23. Journalists Workshop at Provincial Level</u> <u>i. Induction on civic education program</u> <u>ii. Areas of possible collaboration</u> <u>iii. Rules and regulations governing the referendum</u>	<u>Phase III</u>	<u>CEPIC M & O</u>	<p style="text-align: right;">← - - - Formatted: Bullets and Numbering</p> <p style="text-align: right;"><u>1,000,000/00</u></p>
	<u>24. Seminar for Government crucial ministries</u> <u>i. Induction on civic education program</u> <u>ii. Identification of areas of collaboration</u>	<u>Phase III</u>	<u>CEPIC, R&D, M&O</u>	<p style="text-align: right;">← - - - Formatted: Bullets and Numbering</p> <p style="text-align: right;"><u>134,680/00</u></p>

	ACTIVITY DESCRIPTION	TIME	ACTION BY	BUDGET OVERVIEW KSHS.
25.	<u>Workshop - ECK&CKRC Coordinators</u> i. <u>Planning for the referendum</u> ii. <u>Clear demarcation of responsibilities</u> iii. <u>Discussion of areas of collaboration</u>	<u>Phase III</u>	<u>M&O, CEPIC</u>	6,629,920/00
26.	<u>Training Workshops - 3C's</u> i. <u>Induction on the conduct of civic education program on referendum</u> ii. <u>Induction on mobilization</u> iii. <u>Induction on monitoring and evaluation</u> iv. <u>Dissemination of civic education materials</u>	<u>Phase IV</u>	<u>CEPIC, M&O</u>	22,992,200/00
27.	<u>Conduct, Monitor and Evaluate Civic Education programme at Constituency level (18 Panels 1 venue) OR (12 panels 1 venue)</u> i. <u>Provision of civic education</u> ii. <u>Conduct of Civic Education</u> iii. <u>Evaluation of training and conduct of civic education</u>	<u>Phase IV</u>	<u>Commissioners</u>	36,823,840/00
28.	<u>CKRC/ECK Final Consultation Meeting & Check For Preparedness</u> i. <u>Checking overall preparedness (i.e., security, materials,</u>	<u>Phase IV</u>	<u>CKRC/ECK</u>	

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	<u>ACTIVITY DESCRIPTION</u>	<u>TIME</u>	<u>ACTION BY</u>	<u>BUDGET OVERVIEW</u> <u>KSHS.</u>
	logistics)			<u>154,000/00</u>
29.	<u>Monitoring & Evaluation Of Referendum</u>	<u>Phase IV</u>	<u>ECK/CKRC</u>	
	<ul style="list-style-type: none"> ii. <u>Inspection of Referendum</u> iii. <u>Infrastructure</u> iv. <u>Monitoring of voting exercise</u> v. <u>Monitoring of vote counting</u> 			<u>5,045,250/00</u>
30.	<u>Library, Hansard & Archiving of Commission's Database</u>			<u>5,320,000/00</u>
31.	<u>Finalization of the Commission's Database</u>			<u>655,000/00</u>
32.	<u>Printing, Stationery & Equipment</u>			<u>8,534,183/00</u>
33.	<u>Transport Car-Hire - 10 vehicles</u>			<u>18,000,000/00</u>
	<u>SUB-TOTAL</u>			<u>493,677,173/00</u>
34.	<u>Contingency 10% of the Total Expenses</u>			<u>49,367,717/30</u>
	<u>GRAND TOTAL</u>			<u>543,044,890/30</u>

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TENTATIVE BUDGET - JANUARY 2005 TO OCTOBER 2005

NO	DESCRIPTION OF EXPENSES	AMOUNT KSHS.
1	<u>Funding of Civic Education and Referendum</u>	
iii	<u>Workshop with Development partners - non-residential Workshop (see Annex 'A' pg 1)</u>	574,950 /00
2	<u>Strategic Planning and Response</u>	
i	<u>Meeting between CKRC/PSC on Statutory Road Map & Time frame (80 pax @ 1,800/= + conting.)</u>	154,000 /00
ii	<u>Consultation Meeting between CKRC & ECK Comm. On CE Logistics (100 pax @ 1,800/= + conting.)</u>	200,000 /00
iii	<u>Workshop between CKRC/ECK On the Road Map on CE (3 days non residential w/shop for 70 pax) (see Annex 'A' pg 1)</u>	574,950 /00
iv	<u>Monitoring Analysis, Engagements and Response (Breakfast meetings for 50pax each @ 35,000x6 meetings</u>	210, 000/00
3	<u>Public Relations, Publicity and Communications</u>	
i	<u>Public relations & Protocol - Launching of CKRC Main Documents & Various meetings with stake holders</u>	3,000,000 /00
ii	<u>Electronic Media Programmes</u>	
a	<u>Electronic media programmes - KBC Radio 2-hour Programmes on Draft Bill/Report @ 250,000/=x 22 (21 chapters & 1 Schedule)</u>	5,500,000 /00
b	<u>Electronic media programmes - KBC 2-hour Programmes on Paliarmentary Draft Bill/Report @ 250,000/=x 22 (21 chapters & 1 Schedule)</u>	5,500,000 /00
c	<u>Electronic media programmes - KBC Radio 2-hour Programmes on Popular Version / Chaguo la wananchi of Draft Bill/Report @ 250,000/=x 6 times</u>	1,500,000 /00
d	<u>KBC Radio programmes - 2-hour programmes on Preparation for Referendum @ 250,000/=x 10 times</u>	2,500,000 /00
e	<u>Programmes on the remaining 10 Radio Stations (Draft Bill before Parliament)</u>	10,000,000 /00
f	<u>Infomercials/Sgments on the 5 TV Stations (Draft Bill before Parliament)</u>	10,000,000 /00
g	<u>Production of Documentaries and Air time (see explanatory notes</u> *	5,000,000 /00
iii	<u>Pullouts of Draft Bill from Parliament</u>	30,000,000 /00
iv	<u>The Folk Media</u>	
	<u>8 training workshops for TOTs at Provincial Level, Participants from the 74 districts (see Annex 'A' Folk Media Rationale)</u>	5,320,770/00

NO	DESCRIPTION OF EXPENSES	AMOUNT KSHS.
v	<u>Development & Production of Communication Materials for Civic Education</u>	
a	<u>Billboards @ Kshs. 90,000/= each x 1 per District</u>	6,360,000 /00
b	<u>Posters & Banners @ Kshs. 30,000/= x 2 per constituency</u>	12,600,000 /00
c	<u>Development & Production of Infomercials/Segments for 5 TV & 11 Radio stations (Draft Bill After Parliament)</u>	50,000,000/00
d	<u>Distribution to 210 Constituencies (Courier Service)</u>	10,000,000 /00
v	<u>Communication</u> <ul style="list-style-type: none"> ➤ <u>Redesigning & Updating of CKRC Website - 360,000</u> ➤ <u>Sign language (19panels x 1500x 30 days) - 855,000</u> ➤ <u>Translators (19 panels x 1000x30 days) 570,000</u> 	1,785, 000/00
4	<u>Development & Production of Civic Education Materials</u>	
i	<u>Production of Constituency Summary reports - 210 Constituencies @ Kshs. 100/= each x 5 per constituency</u>	105,000 /00
ii	<u>Production of Posters & Fliers for 210 constituencies @ Kshs. 5,000/= per constituency</u>	105,000 /00
iv	<u>Development of CE Curriculum, Source Book & Trainers Manual</u>	
a	<u>Preparation of Source Book for Civic Education - 2 Consultants @ Kshs. 10,000/= each x 5 days</u>	100,000 /00
b	<u>Preparation of Curriculum for Civic Education - 2 Consultants @ Kshs. 10,000/= each x 5 days</u>	100,000 /00
c	<u>Preparation of Trainers Manual for Civic Education - 2 Consultants @ Kshs. 10,000/= each x 5 days</u>	100,000 /00
vi	<u>Development of Materials for People With Disabilities</u>	
a	<u>Transcribe to Braille - Draft Bill & Report 200 copies of 500pgs each @ Kshs. 20/= per page (200x500x20)</u>	2,000,000 /00
b	<u>Transcribe to Braille - NCC Plenary proceedings 250 copies of 500 pgs @ Kshs.20/= per page (250x500x20)</u>	2,500,000 /00
c	<u>Purchase of Audio tapes 210 constituencies x 10 x Kshs. 300/= - to cater for the visually impaired who cannot use Braille and the illiterate</u>	630,000 /00
vii	<u>Production of Civic Education Materials</u>	
a	<u>Production of Strategic Plan for Civic Education - 100 copies @ Kshs. 250/= each</u>	25,000 /00
b	<u>Production of Source Book for Civic Education - 10,000 copies @ Kshs. 100/= each</u>	1,000,000 /00

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NO	DESCRIPTION OF EXPENSES	AMOUNT KSHS.
c	Production of Civic Education Curriculum - 10,000 copies @ Kshs. 100/=	1,000,000 /00
d	Production of Trainers' Manual for Civic Education - 10,000 copies @ Kshs. 100/= each	1,000,000 /00
e	Production of Kiswahili Draft Bill 250 pgs each 1,000 copies @ Kshs 250/=	250,000 /00
f	Production of Kiswahili Draft Report 250 pgs each 1,000 copies @ Kshs 250/=	250,000 /00
g	The Peoples Choice 75 pgs 1,000 copies @ Kshs. 100/=	100,000 /00
h	Chaguo la Wananchi 75 pgs 1,000 copies @ Kshs. 100/=	100,000 /00
i	Publication of Final Commission's Main Report - 5,000 copies	5,000,000 /00
j	Publication of Draft Bill - 1,000 copies	3,000,000 /00
k	Popular version of the Draft Bill (New) 100,000 copies @ Kshs. 100/=	10,000,000 /00
l	Popular version of the Draft Bill (New) Newspaper pullouts 2,000,000 copies	40,000,000 /00
m	Popular version of the Draft Report (New) 100,000 copies @ Kshs. 100/=	10,000,000 /00
viii	Postage of Draft Bill & Report and other reports mentioned above to 74 Districts @ Kshs. 10,000/= per District	740,000 /00
ix	Commemorative Print (new Constitution) - 1,000 copies (629 delegates, 71 libraries, 30 for Media houses & 270 others) @ 250/= each	250,000 /00
5	Finalization of the Commission's Documentation	
i	Completion and Publication of Commission Documentation	
a	13 NCC Technical Working Committee reports 300 pgs each x 1,000 copies	3,900,000 /00
b	NCC Plenary proceedings report 600 pgs each x 2,000 copies @ Kshs. 500/=	1,000,000 /00
c	Managing the NCC report 400 pgs each x 1,000 copies @ Kshs. 300/=	300,000 /00
d	Rappoteurs General report 300 pgs each 1,000 copies @ Kshs. 270/=	270,000 /00
e	Editing of above reports - 5 Editors for 15 days @ Kshs. 10,000/= per day	750,000 /00
f	NCC Delegates & Staff Biography 200 pgs each 1,500 copies @ Kshs. 250/=	375,000 /00
g	3 Local consultants fees - translation of Draft Bill to Kiswahili @ 10,000/= x 15 days	450,000 /00
h	2 International consultant fees (Tanzania) & accommodation - translation of Draft Bill to Kiswahili @ 30,000 per day for 15 days	900,000 /00
ii	Preparation and Publication of Outstanding	

NO	DESCRIPTION OF EXPENSES	AMOUNT KSHS.
	Commission Reports	
a	Commissions Method of Work Report 450 pgs each 1,000 copies @ Kshs. 350/=	350,000 /00
b	Working document for NCC 250 pgs each 1,000 copies @ Kshs. 250/=	250,000 /00
c	Special Working documents for NCC (Culture & Devolution) 500 copies @ Kshs. 300/=	150,000 /00
d	5 Volumes Special Working documents for NCC 250 pgs each 500 copies @ Kshs. 200/=	500,000 /00
e	Commission's Report Vol. 2 - 300 pgs each 500 copies @ Kshs. 250/=	125,000 /00
f	Commission's Report Vol. 5 - 150 pgs each 1,000 copies @ Kshs. 100/=	100,000 /00
g	Commission's Report Vol. 6 - 300 pgs each 1,000 copies @ Kshs. 250/=	250,000 /00
h	Technical appendices 6 & 7 (Devolution & Referendum) 700 pgs 1,000 copies @ Kshs.500/=	500,000 /00
i	Postage of Draft Bill & other reports mentioned above to 74 Districts @ Kshs. 5,000/= per District	370,000 /00
6	Consultation Meeting CKRC/ECK Staff	
i	2 Consultation Meetings between ECK & CKRC Staff (40 pax @ 750/= + conting. x 2)	70,000 /00
7	Consultative follow-up Meeting CKRC/ECK Commissioners (Review progress)	
i	Consultation Meeting between ECK & CKRC Comm. (80 pax @ 1,800/= + conting.)	154,000 /00
8	Consultative Workshop with PSC ON REFERENDUM	
i	CKRC & PSC 2-day residential Workshop (see Annex 'A' pg 2)	2,395,850 /00
9	Consultative Workshops with National Assembly	
i	CKRC & National Assembly 2-days residential Workshop (see Annex 'A' pg 3)	9,373,750 /00
10	National Workshop to review Civic Education materials	
i	Workshop to review Curriculum, Source Book and Training	423,280 /00

NO	DESCRIPTION OF EXPENSES	AMOUNT KSHS.
	Materials (see Annex 'A' pg 4) (non-residential)	
11	National Workshop on Civic Education Strategy	
i	Workshop to discuss Civic Education Strategy Plan (see Annex 'A' pg 5) (non-residential)	388,920 /00
12	Foreign Visits	
	Visit to Uganda, Rwanda & Zimbabwe (see Annex 'A' pg 138a	2,468,800 /00
13	Reactivation and Emoluments for District Coordinators	
i	Recruitment of District Coordinators (Adverts in newspapers & Radio announcements -3 dailies 1/4pg and KBC pre-news)	202,000 /00
ii	74 District Coordinators @ a salary of Kshs. 80,000/= per month for 6 months (Jan. - June '05)	35,520,000 /00
iii	74 Assistant District Coordinators @ a salary of Kshs. 10,000/= per month for 3 months (Feb. - Apr. '05)	2,220,000 /00
iv	Field night-out for 74 District Coordinators @ Kshs. 2,000/= a day for 15 days a month for 3 months including mobilization activities	6,660,000 /00
v	Telephone expenses @ Kshs. 5,000/= per month per District x 5 months x 74 Districts	1,850,000 /00
vi	Transport for District Coordinators @ Kshs. 1,000/= x 74 x 45 days (15 days a month for 3 months)	3,330,000 /00
vii	Rent for District Offices @ Kshs. 10,000/= x 74 offices x 6 months	4,440,000 /00
viii	District Offices expenses @ Kshs. 5,000/= x 74 offices x 5 months	1,850,000 /00
ix	District Offices furniture/equipment @ Kshs. 20,000/= x 74 offices	1,480,000 /00
x	Medical Insurance - 152 District Coordinators' & Asst. District Coordinators @ Kshs. 27,200/= per person	4,134,400 /00
xi	Group Personal Accident for 152 pax	1,989,635 /00
xii	Additional 4 Accounts Assistants at Hqs for 4 months @ Kshs. 60,000/=	960,000 /00
14	Workshop for District Coordinators	
i	Workshop for District Coordinators for 3 days in Nairobi	3,417,400 /00

NO	DESCRIPTION OF EXPENSES	AMOUNT KSHS.
	<u>(see Annex 'A' pg 7)</u>	
15	Reactivation of 3C's	
i	<u>Recruitment of CCC's (Adverts in newspapers & Radio announcements)</u>	220,000 /00
ii	<u>840 CCC Trainers (4 per Constituency) - 10 meetings per month for 2 months @ Kshs. 2,000/= per meeting for 20 meetings</u>	33,600,000 /00
iii	<u>840 CCC Mobilizers (4 per Constituency) - to mobilize for 10 meetings per month for 2 months @ Kshs. 1,500/= per meeting for 20 meetings</u>	25,200,000 /00
16	CKRC/ECK Workshop	
i	<u>CKRC & ECK Commissioners Workshops- Two residential 2-days Workshops</u>	5,286,900 /00
	<u>(see Annex 'A' pg 8)</u>	
17	Media Meetings	
i	<u>Media Owners Association Breakfast Meeting</u>	35,000 /00
	<u>50 pax Serena rates</u>	
18	Media Meetings	
ii	<u>Editors Breakfast Meeting</u>	35,000 /00
	<u>50 pax Serena rates</u>	
19	Workshop for Partners	
i	<u>Workshops with religious orgs, Professional orgs, NGO's, Trade Unions, Political Parties & Women orgs (see Annex 'A' pg 9)</u>	204,560 /00
21	Workshop for People with disabilities	
i	<u>National Workshop for People with disabilities</u>	354,560 /00
	<u>(see Annex 'A' pg 10)</u>	
22	Training and Sensitization Workshop	
i	<u>Sensitization workshop for Provincial Administration in 8 Provinces</u>	5,453,375 /00
	<u>(see Annex 'A' pg 11-19)</u>	

NO	DESCRIPTION OF EXPENSES	AMOUNT KSHS.
23	<u>Journalist workshop at Provincial Level</u>	
	<u>(see Annex 'A' pg 11 as part of the above trip)</u>	1,000,000 /00
24	<u>Seminar for crucial Government Ministries</u>	
	<u>(see Annex 'A' pg 20)</u>	134,680 /00
25	<u>CKRC/ECK Coordinators' Workshop</u>	
i	<u>CKRC & ECK Coordinators Workshops at National level</u>	6,629,920 /00
	<u>(see Annex 'A' pg 21)</u>	
26	<u>Training and Sensitization Workshop for 3C's</u>	
i	<u>Capacity building for 3C's Members for 2 days at district level by Commissioners</u>	22,992,200 /00
	<u>(see Annex 'A' pg 22-41)</u>	
27	<u>Conduct, Monitor & Evaluate Civic Education Programme</u>	
i	<u>Conduct, Monitor & Evaluate Civic Education Programme</u>	36,823,840 /00
	<u>(see Annex 'A' pg 41-137)</u>	
28	<u>CKRC/ECK Final Consultation meeting</u>	
i	<u>Consultation Meeting to Check for preparedness (80 pax @ 1,800/= + coning.)</u>	154,000 /00
29	<u>Monitoring & Evaluation of Referendum</u>	
	<u>Monitoring & Evaluation of Referendum</u>	5,045,250 /00
	<u>(see Annex 'A' pg 138)</u>	
30	<u>Library, Hansard and Archiving of Commission's Documentation</u>	
i	<u>Synopsis writing by 2 Assistant Programme officers @ Kshs. 80,000/= per month for 2 months</u>	320,000 /00

NO	DESCRIPTION OF EXPENSES	AMOUNT KSHS.
ii	<u>Package and archiving of all data, statistics, materials and documents generated throughout the review process with Kenya National Archives and Kenya National Library Services</u>	5,000,000 /00
31	<u>Finalization of the Commission's Databases</u>	
i	<u>Editing of database 7 Assistant Programme Officers - 1 month @ Kshs. 80,000/= per month</u>	560,000 /00
ii	<u>Acquisition of Copy writing with intellectual property</u>	10,000 /00
iii	<u>Networking of 7 computers</u>	35,000 /00
iv	<u>CD Copy writing</u>	50,000 /00
32	<u>Printing, Stationery and equipment</u>	
i	<u>Purchase of 1 Video editing machine</u>	620,000 /00
ii	<u>Purchase 10 Verbatim recording machines @ Kshs 22,115/=</u>	221,150 /00
iii	<u>Stationery for Referendum(Papers, toners, etc)</u>	5,821,833 /00
iv	<u>Purchase of 1 Photocopier at Referendum</u>	1,600,000 /00
v	<u>Purchase of PA systems & Solar Batteries @ Kshs. 45,200/= per system x 6</u>	271,200 /00
33	<u>Transport</u>	
	<u>Hiring of 10 Vehicles</u>	18,000,000/00
	SUB-TOTAL	493,677,173/00
34	<u>Contingencies 10% of the Total Expenses</u>	49,367,717/30
	GRAND TOTAL	543,044,890/30

EXPLANATORY NOTES

MEDIA

In the past CKRC allocated amounts of money to particular media houses for example the Printing and carrying and distribution of the Bomas Draft in the Newspapers were allocated approximately as follows:

Nation - 20 million (50,000 copies + reprint)

Standard - 7 million

Kenya Times - 4 million

The People - 4 million

Taifa Leo - 4 million

The allocation and the rates of these media Houses would then determine how many copies we got. Normally we give Nation the highest amount because of its circulation and reach. It is also the only media house that publishes a daily newspaper in Kiswahili.

This categorization was also done with the TV segments for Nation and KTN (KBC were unable to produce one on time)

DOCUMENTARY AND INFOMERCIALS/TV SEGMENTS

This requires development of concepts and decisions on

- What kind of documentary
- How long it will be
- Whether will have voice-overs from within or without
- Are the tapes already in store or are they to be short again
- Use of studio

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Air -time

All these have budgetary implications that determine the amount needed however they are yet to be decided upon. The figures given are therefore estimates of previous undertakings.

Note: The Other Items without figures need plenary decisions.

MASTHEAD

This involves buying space (column) in the print media bearing CKRC identification - logo, over a period of time. This may be useful as a CKRC mouthpiece during the referendum period for a continuous and objective update of events and crucial information that may otherwise be distorted by the media.

FOLK MEDIA RATIONALE

Folk Media is a channel for communication often used at the community level; it is also referred to as the vehicle the common people or rural people employ for the delivery of their message. CEPIC considers that there is a definite potential in applying Folk Media in parting civic education for referendum.

In the modern age of new information/communication technologies and mass media, the cultural values of traditional media channels have taken a backstage. If we are to properly communicate with rural communities, we need to understand how the community communicates on various issues; and establish how issues/concerns are identified in order to channel our civic education through those communities' traditional communication channels. The use of Folk Media allows for the extension of civic education to the grassroots level and creates a sense of ownership that is so-much-needed in this process of Constitution making.

In order to achieve this aim: CEPIC plans to carry out Provincial Training of Trainers (TOT) workshops. The Commission (CKRC) will develop the concept on how to part civic education through the use of drama, song, dance and puppetry, which the hired consultants (in the various fields of Folk Media) will use for the training. Participants who are known artists will be drawn equitable from every district. The Participants are expected to then disseminate further the knowledge

on referendum through Folk Media at the grassroots using the funds from the District Civic Education basket. There after the performances can be amplified through audio-visual modes (radio, television, tapes and compact discs) for further civic education.

In the past the Commission (CKRC), in its efforts to use Folk Media, donated trophies and certificates to the Kenya National Schools and Colleges Drama Festivals in 2002 as a communication channel to the grassroots. This is an important channel as it starts at the primary school levels, which are the polling station during elections.

R

1.1 The Process Up to National Constitutional Conference (Bomas)

The Constitution of Kenya Review Commission (CKRC) came into being following lengthy consultations among various stakeholders. Its mandate was to coordinate and manage the constitutional review process. The agitation for a new constitution peaked in the early 1990s. The negotiations took place between 1997

culminating in the enactment of the Constitution of Kenya Review Act 2001, which led to the

of the Parliamentary and Ufungamano initiatives in 2001. This merger is reflected in the membership of the Commission.

The Commission was mandated to guide the people of Kenya to review the current Constitution with a view to deciding on the values and systems of government they want for themselves and for future generations.

The Commission, as one of the principal organs of review, was required by law to consult closely and widely with other organs of review, which include: -

The Constituency Constitutional Forum (CCF), established in every constituency for the purpose of debate, discussion, collection and collation of views of members of the public on proposals to alter the Constitution. The Commission finally produced a Draft Bill in September 2002, based on views by Kenyans. The Draft Bill was disseminated widely throughout the country between late 2002 and 2003, using various means including print and electronic media.

The

National Constitutional Conference (

convened and sat for three sessions from April 2003 to March 2004 during which time it debated, and amended the Draft Bill before its adoption by the delegates as the Draft Constitution;

CAP 3A as amended in 2001 provided

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that in the event the NCC failed to reach consensus on specific issue(s), then a referendum would be held to determine the issue(s). In the course of the adoption of the Draft Bill, a section of the delegates walked out of the Conference. On March 15, 2004, by a two-thirds majority of those present and voting, the NCC adopted the Draft Bill without any issues being

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By the end of the NCC at Bomas, there were no issues(s) referred

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referred to a referendum;

Parliament as an organ of review was expected to debate and adopt the Draft Bill emanating from the NCC. The Draft Bill did not reach Parliament for adoption

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Mistrust by the public

Public disinterest in the review

Mistrust of legislative commitment, goodwill and support

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Media bias

This is in addition to emerging issues pertinent to the referendum phase
Voter apathy

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- and realignments

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Kenya's lack of experience in holding referenda.

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inexperience in referendum conduct, management and participation

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Inexperience in civic education for referendum

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hostile physical environment for effective Logistics planning

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infrastructure

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A demanding scope of civic education with constituency as entry point.

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venues, and in the creation and managing of polling stations.

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Legal

The amendments are certainly a step forward in jumpstarting a process that has nearly stalled due to contestations raised by some stakeholders. The critique in this Strategic Plan is aimed at drawing attention to some of the challenges that the amendments present to the referendum process and therefore to civic education. The functional value of the critique is that it cushions the Strategic Plan against rigidity. The critique is by no means exhaustive; other perceptions may indeed ran counter to the conclusions drawn below.

Section 27(2

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) does not bind the National Assembly to conduct consultations. In any case, if it finds its necessary to consult, the section does not provide for the methodology or ways and means of consultations.

The challenge for civic education is that a situation will arise where the proposed Draft Constitution emerging from Parliament will be at

variance with peoples views as presented and represented in the CKRC Draft Bill and the subsequent Bomas Draft.

The effect will be that the people will want reasoned answers to the changes. Unmitigated answers may prepare ground for the rejection of the proposed Draft Constitution.

CKRC will seek Parliament's indulgence on consultative methodology on the contentious issues. Hence Parliament may be advised to use the constituency as the basic level of consultations, moving on to the district level. On its part, CKRC

will hold consultative workshops with stakeholder's representatives to sensitise them on the need to negotiate an acceptable Draft Constitution.

Has formulated a media management policy through which it seeks to create awareness and debate on the Draft Constitution that will emerge from Parliament.

civic education curriculum also seeks to explain the changes to the process and content.

Section 27 (2) and (3) removes the element of a people-driven element from the Review Process, which contradicts the principles stipulated in the Act.

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#3. (a) Under section 28 (1) the ECK is not under obligation to consult in the conduct of the referendum. However, CKRC will hold consultations with ECK to arrive at a common ground on issues that affect both Commissions in their respective roles in the conduct of the referendum

(b) Section 28 (2) indicates that the referendum question is already framed. Additionally, read together, section 28 (1), (2) and (3) suggest that the issue of phrasing the question is the sole responsibility of ECK. However, civic education could be affected if CKRC is not involved in phrasing the question.

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The clause opens doors for mischief where more than one question can be aske

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CKRC will, therefore, consult with ECK on phrasing ballot paper question.

4. Section

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28 (3) lowers the threshold for ratification of the referendum to a simple majority. This seemingly innocent clause is open to various interpretations, which could open the process to renewed

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The implication is that any one region or community can decide the outcome of the referendum. This section, so designed, opens avenues for new

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contentious issues and controversies.

There is the argument that the clause could make it possible for any one region or community to decide the outcome of the referendum. This is buttressed by the view that the possibility exist since the simple majority rule is based on those voting and not the total registered voters or national population. Furthermore, in case where a boycott, or de-campaigning activities succeed in hiving off a large chunk of potential voters, the likelihood is imminent. The centrally view is that demographically, not any one community or region can determine the referendum outcome. In mitigation this potential threat, CKRC

civic education approach will include methods to get the vote out to encourage high turnout and participation, and to forestall possibility of above.

Will consult PSC for possibility of re-considering the simple majority threshold.

5. Section (7) does not indicate any timeframe for the *conduct* of civic education. The CKRC is left at the mercy of ECK determination. Furthermore, the section does not provide for Voter Education.

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However, section 17 provides for civic education throughout the review process. CKRC will, therefore, start civic education early to cover the above deficiency. Additionally, CKRC will hold consultations with ECK with a view to determining the timeframe for voter education

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6. Section 28A (1) does not provide the mandatory time within which the ECK should publish the results of the referendum.

Though this is a responsibility of ECK, CKRC will consult with ECK to see whether referendum regulations could cover the deficiency.

7. Clause 28A (3) forecloses any announcement of the results of the referendum. Read together with section 28D, 28E, 28F, 28G, 28H, and 28I, the Act

Opens doors for mischief in endless litigation over the results of the referendum in a self-perpetuating a process kept in limbo.

Section 28D (4) opens way to endless referendums since it has no foreclosing.

In mitigating these challenges, CKRC will consult with ECK to see whether referendum regulations could cover the deficiencies.

8. Section 28B (4) is limiting in as far as it tends to interfere with civil rights in the requirement for a deposit of Ksh.5 million.

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Though the intent is meant to prevent frivolous and vexatious applications, the clause could be adjudged unconstitutional as section limits access to courts on basis of financial ability. In effect, the commitment to end the Review Process could be compromised should dissatisfied parties lodge a constitutional contention.

Such an act would disrupt civic education work plans. CKRC will, therefore, consult on this advisory.

9. Section 37 gives leeway to Parliament to extend the process at any given stage. This compounds fears in (7) above in as much as it leaves the process open-ended.

This is a good provision ostensibly done in good faith but could be subject to misuse. It also sends mixed signals as it brings into contention the sincerity in the commitment to end the Review Process.

CKRC will seek to consult with a view to mitigating the inherent threat.

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Strengths and Opportunities

Social-Political

The Constitutional Review Process has been in progress since the enactment of the Constitution of Kenya Review Act (CAP 3A) in 2000. At the time the Review Process commenced in 2001, CKRC listed the inherent strengths and opportunities as

- Political goodwill
- Strong public support
- Fresh start
- Historic moment
- Faith and trust of the public
- Public interest in the review
- Financial support
- Technical capacity
- Diversity of Commissioners
- Legislative support
- Liberalised media
- Goodwill of donors
- Availability of external expertise.

More than four years later, very few of the above have remained positive attributes. These are;

- Technical capacity
- Diversity of Commissioners
- Availability of external expertise
- Increased Liberalised media

Weaknesses and Threats

Social-Political

From a social-political perspective, the mutations, metamorphosis, uncertainties and transformation occasioned in the long drawn Process has resulted in

- General apathy in the public
- Insecurity in the process
- Lost political goodwill
- Lukewarm public support
- Lethargy and fatigue
- Lost historic moment
- Mistrust by the public
- Public disinterest in the review
- Mistrust of legislative commitment, goodwill and support

Media bias

This is in addition to emerging issues pertinent to the referendum phase

Voter apathy

Counter campaigns by interest groups

Internal CKRC divisions

Public inexperience in referendum participation

Financial

Uncertain financial support base

Uncertain goodwill of donors

Worn-out transport pool

Infrastructure

An insecure environment for the mobilisation of the people

Inexperience in civic education for referendum

A hostile physical environment for effective Logistics planning

A demanding scope of civic education with constituency as entry point.

Inexperience in monitoring and evaluation of a referendum

Massive demands for venues, and in the creation and managing of polling stations.

Uncertainty on timing for roll-out

Insecurity

5.0 Core Issues of Civic Education for Referendum

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CIVIC EDUCATION IMPLEMENTATION PROGRAMME

JANUARY 2005 – OCTOBER 2005

Phase I - On Going & immediate term

Phase II – Short-term

Phase III – Long-term

ACTIVITY DESCRIPTION	TIME	ACTION BY	BUDGET OVERVIEW KSHS.
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ACTIVITY DESCRIPTION	TIME	ACTION BY	BUDGET OVERVIEW KSHS.
Fund of Civic Education and Referendum Budget (consultations with Parliament, ECK and Treasury) Development and submission of proposals Consultative meetings with development partners	Phase I	RDB CEPIC	<hr/> <hr/> 574, 950/00
Strategic Planning and Response Statutory Road Map & Time Frame (CKRC & PSC) Logistics CKRC & ECK Development of a Road map on Civic Education (CKRC & ECK) Monitoring Analysis, Engagements and response	Phase I	R&D CEPIC	154, 000/00 200, 000/00 574, 950/00 210, 000/00
Public Relations Publicity and Communication Public relations & Protocol Electronic media programmes Print media coverage Folk media Development and production of communication material for civic education Communication Redesigning & Updating of CKRC website Sign language Translators	Phase I	CEPIC Commission Chair Commission Secretary	3, 000, 000/00 40, 000, 000/00 10, 000, 000/00 5,248,770/00 95, 960, 000/00 360, 000/00 855, 000/00 570, 000/00

ACTIVITY DESCRIPTION	TIME	ACTION BY	BUDGET OVERVIEW KSHS.
Development of Civic Education Materials Introduction Materials Constituency Summary Reports Posters & Fliers Development of guidelines for civic education curriculum Consultations with consultants (Kenya Institute of Education – KIE) on development of civic education curriculum Development of civic education curriculum, Source book and trainers manual Summary of key issues chapter by chapter Development of material for people with disabilities – Braille, audio-visual tapes etc. Production of civic education materials Distribution Civic Education materials Commemorative Print	Phase I	CEPIC/R&DTS	 105, 000/00 1,050, 000/00 100, 000/00 _____ 300, 000/00 _____ 700, 000/00 61, 350, 000/00 740, 000/00 250, 000/00
Finalization of the Commission’s Documentation Completion and publication of Commission Documentation Preparation and Publication of outstanding Commission reports	Phase I	R&D	 10, 540, 000/00
Meeting with PSC Consultations with the PSC and CKRC	Phase I	CKRC Commissioners	_____

ACTIVITY DESCRIPTION	TIME	ACTION BY	BUDGET OVERVIEW KSHS.
<p>6. Consultation meeting CKRC/ECK Staff</p> <p>Meeting to understand the roles of each Commission Planning for proposed ECK/CKRC Commissioners Workshop</p>	Phase I	All Committees	70,000/00
<p>7. Consultation meeting CKRC/ECK Commissioners</p> <p>Planning for the referendum Identification of the roles of each Commission Identification of areas of possible collaboration</p>	Phase I	All Committees	154,000/00
<p>8. Workshop with PSC</p> <p>Deliberation on the referendum road map Presentation of the civic education Strategic Plan Discussion of the civic education infrastructure</p>	Phase I	CEPIC R&DTS	2,395,850/00
<p>9. Workshop with MPs</p> <p>Deliberation on the referendum road map Discussion of the civic education Strategic Plan Presentation of the civic education infrastructure</p>	Phase I	CEPIC/R&DTS/ Others	9,373,750/00
<p>10. National Workshop to Review Civic Education Materials</p> <p>Curriculum</p>	<i>Phase I</i>	<i>CEPIC & Other Committees</i>	

ACTIVITY DESCRIPTION	TIME	ACTION BY	BUDGET OVERVIEW KSHS.
Source book & Training Manual Materials for persons with disability Production of CE materials			423, 280/00
11. National Workshop on Civic Education Strategy Presentation of civic education curriculum and materials Discussion of civic education Strategic Plan Identification of areas of collaboration Identification of avenues for distribution of CE materials	Phase I	All Committees	388, 920/00
Foreign Visits CKRC/ECK (i) Other experiences on the conduct of civic education, monitoring and evaluation of referenda (Uganda Rwanda & Zimbabwe)	Phase II	All Committees	2, 468, 800/00
13. Recruitment of District Coordinators Reactivation of district coordinators' offices Reactivation of district documentation centers Emoluments for DC's & Asst. DCs and office expenses	Phase II	M & O, CEPIC	66, 614, 035/00
14. Workshop for District Coordinators. Induction on conduct of civic education strategy on referendum	Phase II	CEPIC / M & O	

ACTIVITY DESCRIPTION	TIME	ACTION BY	BUDGET OVERVIEW KSHS.
Preparation of district coordinators for provision of civic education Training of trainers (TOT)			3, 417, 400/00
15. Reactivation of 3 C's Appointment of members (where necessary) Induction of members Mobilization meetings	Phase III	Commissioners D/Coordinators	58, 800, 000/00
16. Workshop–CKRC&ECK Referendum Question/s & Referendum Regulations, Voter Education Discussion on: Conduct of Referendum Rules & Regulations Voter Education Monitoring & Evaluation	Phase III	<i>All Committees</i>	5, 286, 900/00
17. Media Owners Association Breakfast Meeting Induction on civic education program Explore areas of collaboration on civic education Discussion of strategies for coverage of civic education activities	Phase III	<i>CEPIC</i>	35,000/00
18. Editors Breakfast Meeting Induction on civic education programme Explore areas of collaboration on	Phase III	<i>CEPIC</i>	

ACTIVITY DESCRIPTION	TIME	ACTION BY	BUDGET OVERVIEW KSHS.
civic education Discussion of strategies for coverage of civic education activities			35,000/00
19. Workshop for Partners (Religious Orgs, Professional Orgs, NGO's, Trade Unions, Political Parties, Women Orgs) Discuss funding for civic education Mapping for the provision of civic education Roles of partners in civic education Induction on conduct of civic education on referendum program	Phase III	<i>CEPIC, RBD</i>	204, 560/00
20. Workshop for NCC Participants Induction on the Draft Bill Role identification for NCC Participants in civic education program Induction on civic education program	Phase III	M&O CEPIC R&D	_____
21. Workshop for People with Special Needs Discuss modes of dissemination for civic education materials Deliberate on specific needs of PWDs during the referendum Logistics	Phase III	<i>CEPIC</i>	354, 560/00

ACTIVITY DESCRIPTION	TIME	ACTION BY	BUDGET OVERVIEW KSHS.
<p>Sensitization Workshop For P/Administration & District Security Officers</p> <p>Induction on civic education program Deliberations on mobilization/logistics Deliberations on security</p>	Phase III	M&O, CEPIC	5,453, 375/00
<p>23. Journalists Workshop at Provincial Level</p> <p>Induction on civic education program Areas of possible collaboration Rules and regulations governing the referendum</p>	Phase III	CEPIC M & O	1,000, 000/00
<p>24. Seminar for Government crucial ministries</p> <p>Induction on civic education program Identification of areas of collaboration</p>	Phase III	<i>CEPIC, R&D, M&O</i>	134, 680/00
<p>25. Workshop – ECK&CKRC Coordinators</p> <p>Planning for the referendum Clear demarcation of responsibilities Discussion of areas of collaboration</p>	Phase III	<i>M&O, CEPIC</i>	6,629,920/00

ACTIVITY DESCRIPTION	TIME	ACTION BY	BUDGET OVERVIEW KSHS.
<p>26. Training Workshops – 3C’s</p> <p>Induction on the conduct of civic education program on referendum Induction on mobilization Induction on monitoring and evaluation Dissemination of civic education materials</p>	Phase IV	CEPIC, M&O	22, 992, 200/00
<p>27. Conduct, Monitor and Evaluate Civic Education programme at Constituency level <i>(18 Panels 1 venue)</i> <i>OR (12 panels 1 venue)</i></p> <p>Provision of civic education Conduct of Civic Education Evaluation of training and conduct of civic education</p>	Phase IV	Commissioners	36, 823, 840/00
<p>28. CKRC/ECK Final Consultation Meeting & Check For Preparedness</p> <p>Checking overall preparedness (i.e., security, materials, logistics)</p>	Phase IV	CKRC/ECK	154, 000/00
<p>29. Monitoring & Evaluation Of Referendum</p> <p>Inspection of Referendum Infrastructure Monitoring of voting exercise Monitoring of vote counting</p>	Phase IV	ECK/CKRC	5, 045, 250/00

ACTIVITY DESCRIPTION	TIME	ACTION BY	BUDGET OVERVIEW KSHS.
30. Library, Hansard & Archiving of Commission's Database			5,320,000/00
31. Finalization of the Commission's Database			655,000/00
32. Printing, Stationery & Equipment			8,534,183/00
33. Transport Car-Hire – 10 vehicles			18,000,000/00
SUB-TOTAL			488,356,403/00
34. Contingency 10% of the Total Expenses			48,835,640/30
GRAND TOTAL			537,192,043/30

TENTATIVE BUDGET – JANUARY 2005 TO OCTOBER 2005

NO	DESCRIPTION OF EXPENSES	AMOUNT KSHS.
1	Funding of Civic Education and Referendum	
iii	Workshop with Development partners - non-residential Workshop (see Annex 'A' pg 1)	574,950 /00

NO	DESCRIPTION OF EXPENSES	AMOUNT KSHS.
2	Strategic Planning and Response	
i	Meeting between CKRC/PSC on Statutory Road Map & Time frame (80 pax @ 1,800/= + conting.)	154,000 /00
ii	Consultation Meeting between CKRC & ECK Comm. On CE Logistics (100 pax @ 1,800/= + conting.)	200,000 /00
iii	Workshop between CKRC/ECK On the Road Map on CE (3 days non residential w/shop for 70 pax) (see Annex 'A' pg 1)	574,950 /00
iv	Monitoring Analysis, Engagements and Response (Breakfast meetings for 50pax each @ 35,000x6 meetings	210, 000/00
3	Public Relations, Publicity and Communications	
i	Public relations & Protocol - Launching of CKRC Main Documents & Various meetings with stake holders	3,000,000 /00
ii	Electronic Media Programmes	
a	Electronic media programmes - KBC Radio 2-hour Programmes on Draft Bill/Report @ 250,000/=x 22 (21 chapters & 1 Schedule)	5,500,000 /00
b	Electronic media programmes - KBC 2-hour Programmes on Paliarmentary Draft Bill/Report @ 250,000/=x 22 (21 chapters & 1 Schedule)	5,500,000 /00
c	Electronic media programmes - KBC Radio 2-hour Programmes on Popular Version / Chaguo la wananchi of Draft Bill/Report @ 250,000/=x 6 times	1,500,000 /00
d	KBC Radio programmes - 2-hour programmes on Preparation for Referendum @ 250,000/=x 10 times	2,500,000 /00
e	Programmes on the remaining 10 Radio Stations (Draft Bill before Parliament)	10,000,000 /00
f	Infomercials/Segments on the 5 TV Stations (Draft Bill before Parliament)	10,000,000 /00
g	Production of Documentaries and Air time (see explanatory notes *	5,000,000 /00
iii	Pullouts of Draft Bill from Parliament	30,000,000 /00
iviv	The Folk MediaDevelopment & Production of Communication Materials for Civic Education	
a	8 training workshops for TOTs at Provincial Level, Participants from the 74 districts	5,248,770/00
v	Development & Production of Communication Materials for Civic Education	
a	Billboards @ Kshs. 90,000/= each x 1 per District	6,360,000 /00

NO	DESCRIPTION OF EXPENSES	AMOUNT KSHS.
b	Posters & Banners @ Kshs. 30,000/= x 2 per constituency	12,600,000 /00
c	Development & Production of Infomercials/Segments for 5 TV & 11 Radio stations (Draft Bill After Parliament)	50,000,000/00
d	Distribution to 210 Constituencies (Courier Service)	10,000,000 /00
v	Communication Redesigning & Updating of CKRC Website - 360,000 Sign language (19panels x 1500x 30 days) - 855, 000 Translators (19 panels x 1000x30 days) 570, 000	1,785, 000/00
4	Development & Production of Civic Education Materials	
i	Production of Constituency Summary reports - 210 Constituencies @ Kshs. 100/= each x 5 per constituency	105,000 /00
ii	Production of Posters & Fliers for 210 constituencies @ Kshs. 5,000/= per constituency	105,000 /00
iv	Development of CE Curriculum, Source Book & Trainers Manual	
a	Preparation of Source Book for Civic Education - 2 Consultants @ Kshs. 10,000/= each x 5 days	100,000 /00
b	Preparation of Curriculum for Civic Education - 2 Consultants @ Kshs. 10,000/= each x 5 days	100,000 /00
c	Preparation of Trainers Manual for Civic Education - 2 Consultants @ Kshs. 10,000/= each x 5 days	100,000 /00
vi	Development of Materials for People With Disabilities	
a	Transcribe to Braille - Draft Bill & Report 200 copies of 500pgs each @ Kshs. 20/= per page (200x500x20)	2,000,000 /00
b	Transcribe to Braille - NCC Plenary proceedings 250 copies of 500 pgs @ Kshs.20/= per page (250x500x20)	2,500,000 /00
c	Purchase of Audio tapes 210 constituencies x 10 x Kshs. 300/= - to cater for the visually impaired who cannot use Braille and the illiterate	630,000 /00
vii	Production of Civic Education Materials	
a	Production of Strategic Plan for Civic Education - 100 copies @ Kshs. 250/= each	25,000 /00
b	Production of Source Book for Civic Education - 10,000 copies @ Kshs. 100/= each	1,000,000 /00
c	Production of Civic Education Curriculum - 10,000 copies @ Kshs. 100/=	1,000,000 /00
d	Production of Trainers' Manual for Civic Education - 10,000 copies @ Kshs. 100/= each	1,000,000 /00

NO	DESCRIPTION OF EXPENSES	AMOUNT KSHS.
e	Production of Kiswahili Draft Bill 250 pgs each 1,000 copies @ Kshs 250/=	250,000 /00
f	Production of Kiswahili Draft Report 250 pgs each 1,000 copies @ Kshs 250/=	250,000 /00
g	The Peoples Choice 75 pgs 1,000 copies @ Kshs. 100/=	100,000 /00
h	Chaguo la Wananchi 75 pgs 1,000 copies @ Kshs. 100/=	100,000 /00
I	Publication of Final Commission's Main Report - 5,000 copies	5,000,000 /00
j	Publication of Draft Bill - 1,000 copies	3,000,000 /00
k	Popular version of the Draft Bill (New) 100,000 copies @ Kshs. 100/=	10,000,000 /00
l	Popular version of the Draft Bill (New) Newspaper pullouts 2,000,000 copies	40,000,000 /00
m	Popular version of the Draft Report (New) 100,000 copies @ Kshs. 100/=	10,000,000 /00
viii	Postage of Draft Bill & Report and other reports mentioned above to 74 Districts @ Kshs. 10,000/= per District	740,000 /00
ix	Commemorative Print (new Constitution) - 1,000 copies (629 delegates, 71 libraries, 30 for Media houses & 270 others) @ 250/= each	250,000 /00
5	Finalization of the Commission's Documentation	
i	Completion and Publication of Commission Documentation	
a	13 NCC Technical Working Committee reports 300 pgs each x 1,000 copies	3,900,000 /00
b	NCC Plenary proceedings report 600 pgs each x 2,000 copies @ Kshs. 500/=	1,000,000 /00
c	Managing the NCC report 400 pgs each x 1,000 copies @ Kshs. 300/=	300,000 /00
d	Rappoteurs General report 300 pgs each 1,000 copies @ Kshs. 270/=	270,000 /00
e	Editing of above reports - 5 Editors for 15 days @ Kshs. 10,000/= per day	750,000 /00
f	NCC Delegates & Staff Biography 200 pgs each 1,500 copies @ Kshs. 250/=	375,000 /00
g	3 Local consultants fees - translation of Draft Bill to Kiswahili @ 10,000/= x 15 days	450,000 /00
h	2 International consultant fees (Tanzania) & accommodation - translation of Draft Bill to Kiswahili @ 30,000 per day for 15 days	900,000 /00

NO	DESCRIPTION OF EXPENSES	AMOUNT KSHS.
ii	Preparation and Publication of Outstanding Commission Reports	
a	Commissions Method of Work Report 450 pgs each 1,000 copies @ Kshs. 350/=	350,000 /00
b	Working document for NCC 250 pgs each 1,000 copies @ Kshs. 250/=	250,000 /00
c	Special Working documents for NCC (Culture & Devolution) 500 copies @ Kshs. 300/=	150,000 /00
d	5 Volumes Special Working documents for NCC 250 pgs each 500 copies @ Kshs. 200/=	500,000 /00
e	Commission's Report Vol. 2 - 300 pgs each 500 copies @ Kshs. 250/=	125,000 /00
f	Commission's Report Vol. 5 - 150 pgs each 1,000 copies @ Kshs. 100/=	100,000 /00
g	Commission's Report Vol. 6 - 300 pgs each 1,000 copies @ Kshs. 250/=	250,000 /00
h	Technical appendices 6 & 7 (Devolution & Referendum) 700 pgs 1,000 copies @ Kshs.500/=	500,000 /00
i	Postage of Draft Bill & other reports mentioned above to 74 Districts @ Kshs. 5,000/= per District	370,000 /00
6	Consultation Meeting CKRC/ECK Staff	
i	2 Consultation Meetings between ECK & CKRC Staff (40 pax @ 750/= + conting. x 2)	70,000 /00
7	Consultative follow-up Meeting CKRC/ECK Commissioners (Review progress)	
i	Consultation Meeting between ECK & CKRC Comm. (80 pax @ 1,800/= + conting.)	154,000 /00
8	Consultative Workshop with PSC ON REFERENDUM	
i	CKRC & PSC 2-day residential Workshop (see Annex 'A' pg 2)	2,395,850 /00
9	Consultative Workshops with National Assembly	
i	CKRC & National Assembly 2-days residential Workshop (see Annex 'A' pg 3)	9,373,750 /00

NO	DESCRIPTION OF EXPENSES	AMOUNT KSHS.
10	National Workshop to review Civic Education materials	
i	Workshop to review Curriculum, Source Book and Training Materials (see Annex 'A' pg 4) (non-residential)	423,280 /00
11	National Workshop on Civic Education Strategy	
i	Workshop to discuss Civic Education Strategy Plan (see Annex 'A' pg 5) (non-residential)	388,920 /00
12	Foreign Visits	
	Visit to Uganda, Rwanda & Zimbabwe (see Annex 'A' pg 138a	2,468,800 /00
13	Reactivation and Emoluments for District Coordinators	
i	Recruitment of District Coordinators (Adverts in newspapers & Radio announcements -3 dailies 1/4pg and KBC pre-news)	202,000 /00
ii	74 District Coordinators @ a salary of Kshs. 80,000/= per month for 6 months (Jan. - June '05)	35,520,000 /00
iii	74 Assistant District Coordinators @ a salary of Kshs. 10,000/= per month for 3 months (Feb. - Apr. '05)	2,220,000 /00
iv	Field night-out for 74 District Coordinators @ Kshs. 2,000/= a day for 15 days a month for 3 months including mobilization activities	6,660,000 /00
v	Telephone expenses @ Kshs. 5,000/= per month per District x 5 months x 74 Districts	1,850,000 /00
vi	Transport for District Coordinators @ Kshs. 1,000/= x 74 x 45 days (15 days a month for 3 months)	3,330,000 /00
vii	Rent for District Offices @ Kshs. 10,000/= x 74 offices x 6 months	4,440,000 /00
viii	District Offices expenses @ Kshs. 5,000/= x 74 offices x 5 months	1,850,000 /00
ix	District Offices furniture/equipment @ Kshs. 20,000/= x 74 offices	1,480,000 /00
x	Medical Insurance - 152 District Coordinators' & Asst. District Coordinators @ Kshs. 27,200/= per person	4,134,400 /00

NO	DESCRIPTION OF EXPENSES	AMOUNT KSHS.
xi	Group Personal Accident for 152 pax	1,989,635 /00
xii	Additional 4 Accounts Assistants at Hqs for 4 months @ Kshs. 60,000/=	960,000 /00
14	Workshop for District Coordinators	
i	Workshop for District Coordinators for 3 days in Nairobi <i>(see Annex 'A' pg 7)</i>	3,417,400 /00
15	Reactivation of 3C's	
i	Recruitment of CCC's (Adverts in newspapers & Radio announcements)	220,000 /00
ii	840 CCC Trainers (4 per Constituency) - 10 meetings per month for 2 months @ Kshs. 2,000/= per meeting for 20 meetings	33,600,000 /00
iii	840 CCC Mobilizers (4 per Constituency) - to mobilize for 10 meetings per month for 2 months @ Kshs. 1,500/= per meeting for 20 meetings	25,200,000 /00
16	CKRC/ECK Workshop	
i	CKRC & ECK Commissioners Workshops- Two residential 2-days Workshops <i>(see Annex 'A' pg 8)</i>	5,286,900 /00
17	Media Meetings	
i	Media Owners Association Breakfast Meeting 50 pax Serena rates	35,000 /00
18	Media Meetings	
ii	Editors Breakfast Meeting 50 pax Serena rates	35,000 /00
19	Workshop for Partners	
i	Workshops with religious orgs, Professional orgs, NGO's, Trade Unions, Political Parties & Women orgs <i>(see Annex 'A' pg 9)</i>	204,560 /00

NO	DESCRIPTION OF EXPENSES	AMOUNT KSHS.
21	Workshop for People with Special Needs	
i	National Workshop for People with Special Needs <i>(see Annex 'A' pg 10)</i>	354,560 /00
22	Training and Sensitization Workshop	
i	Sensitization workshop for Provincial Administration in 8 Provinces <i>(see Annex 'A' pg 11-19)</i>	5,453,375 /00
23	Journalist workshop at Provincial Level <i>(see Annex 'A' pg 11 as part of the above trip)</i>	1,000,000 /00
24	Seminar for crucial Government Ministries <i>(see Annex 'A' pg 20)</i>	134,680 /00
25	CKRC/ECK Coordinators' Workshop	
i	CKRC & ECK Coordinators Workshops at National level <i>(see Annex 'A' pg 21)</i>	6,629,920 /00
26	Training and Sensitization Workshop for 3C's	
i	Capacity building for 3C's Members for 2 days at district level by Commissioners <i>(see Annex 'A' pg 22-41)</i>	22,992,200 /00
27	Conduct, Monitor & Evaluate Civic Education Programme	
i	Conduct, Monitor & Evaluate Civic Education Programme <i>(see Annex 'A' pg 41-137)</i>	36,823,840 /00
28	CKRC/ECK Final Consultation meeting	

NO	DESCRIPTION OF EXPENSES	AMOUNT KSHS.
i	Consultation Meeting to Check for preparedness (80 pax @ 1,800/= + coning.)	154,000 /00
29	Monitoring & Evaluation of Referendum	
	Monitoring & Evaluation of Referendum	5,045,250 /00
	(see Annex 'A' pg 138)	
30	Library, Hansard and Archiving of Commission's Documentation	
i	Synopsis writing by 2 Assistant Programme officers @ Kshs. 80,000/= per month for 2 months	320,000 /00
ii	Package and archiving of all data, statistics, materials and documents generated throughout the review process with Kenya National Archives and Kenya National Library Services	5,000,000 /00
31	Finalization of the Commission's Databases	
i	Editing of database 7 Assistant Programme Officers - 1 month @ Kshs. 80,000/= per month	560,000 /00
ii	Acquisition of Copy writing with intellectual property	10,000 /00
iii	Networking of 7 computers	35,000 /00
iv	CD Copy writing	50,000 /00
32	Printing, Stationery and equipment	
i	Purchase of 1 Video editing machine	620,000 /00
ii	Purchase 10 Verbatim recording machines @ Kshs 22,115/=	221,150 /00
iii	Stationery for Referendum(Papers, toners, etc)	5,821,833 /00
iv	Purchase of 1 Photocopier at Referendum	1,600,000 /00
v	Purchase of PA systems & Solar Batteries @ Kshs. 45,200/= per system x 6	271,200 /00
33	Transport	
	Hiring of 10 Vehicles	18, 000,000/00

NO	DESCRIPTION OF EXPENSES	AMOUNT KSHS.
SUB-TOTAL		488,356,403/00
34	Contingencies 10% of the Total Expenses	48,835,640/30
GRAND TOTAL		537,192,043/30

EXPLANATORY NOTES

Media

In the past CKRC allocated amounts of money to particular media houses for example the Printing and carrying and distribution of the Bomas Draft in the Newspapers were allocated as follows:

Nation – 20 million (50,000 copies + reprint)
Standard – 7 million
Kenya Times – 2 million
The People – 2 million
Taifa Leo – 5 million -

The allocation and the rates of these media Houses would then determine how many copies we got. Normally we give Nation the highest amount because of its circulation and reach. It is also the only media house that publishes a daily newspaper in Kiswahili.

This categorization was also done with the TV segments for Nation and KTN (KBC were unable to produce one on time)

Documentary and infomercials/TV segments

This requires development of concepts and decisions on

What kind of documentary

How long it will be

Whether will have voice-overs from within or without

Are the tapes already in store or are they to be short again

Use of studio

Air -time

All these have Budgetary implications that determine the amount needed however they are yet to be decided upon. The figures given are therefore estimates of previous undertakings.

Note: The Other Items without figures need plenary decisions.

Masthead

This involves buying space (column) in the print media bearing CKRC identification – logo, over a period of time. This may be useful as a CKRC mouthpiece during the referendum period for a continuous and objective update of events and crucial information that may otherwise be distorted by the media.