

**MINUTES OF MEETING BETWEEN CIVIL SOCIETY NETWORKS AND ACADEMIA ON  
STAKEHOLDER ENGAGEMENT, HELD ON 31<sup>ST</sup> JULY 2015 AT NAIROBI PROCESS OFFICE**

**Present**

- |                                  |   |
|----------------------------------|---|
| 1. Rose Kimotho                  | - IHRB Nairobi Process                              |
| 2. Dr. Melba Wasunna             | - Strathmore University Extractive Industry Centre  |
| 3. Charles Wanguhu               | - Kenya Civil Society Platform on Oil and Gas       |
| 4. Florence Mpaayei<br>Relations | - Hekima Institute of Peace Studies & International |
| 5. Catherine Amenity             |   |
| 6. Jackie Okanga                 | - Aga Khan University                               |
| 7. Duncan Okowa                  | - ILEG  |
| 8. Catherine Mbui                | - IHRB  |

**Apologies**

- |                    |                                   |
|--------------------|-----------------------------------|
| 1. Zillah Mwajuma  | - Kenya Oil and Gas Working Group |
| 2. Winstone Omondi | - CORDAID                         |

**AGENDA**

1. CSO and Private sector engagement
2. Inclusion of Academia in the stakeholder engagement
3. Stakeholders' Events/Forums
4. AOB

**MEETING**

**Min 1/2015: Opening Remarks**

The meeting started at 10.40pm with welcome remarks from Rose Kimotho.

The attendees were given an opportunity to introduce themselves and give a brief statement on how their respective institutions are involved in the extractive sector.

**Min 2/ 2015: Briefing on stakeholder engagement**

The civil society and some academic institutions continue leading the debate around natural resources and the need for their utilization to support Kenya's development in a sustainable manner. Further, they continue to be engaged with the legal and regulatory reform process and community sensitization as well in highlighting risks and opportunities of the developing extractives sector. So far the civil society has come together in coalitions to try and push for common agendas. But despite the existence of coalitions the initiatives have not yet crystallised into a formidable force that speaks with one voice. There have been successes and challenges in the process. Both stakeholders realise that CSOs can play a key role in sharing of information between companies and communities, helping communities and companies understand and adapt to the impacts of the sector's projects and pressure government to meet their obligations to other stakeholders.

One of the objectives of the Nairobi Process is to create confidential forums to allow the exchange of ideas and lessons on tackling areas of potential human rights challenges arising from the extractive sector. The Institute has held two forums focusing on separate agendas: security and community engagement. Towards this objective, the Nairobi Process, the Kenya Oil and Gas Association (KOGA) and the Kenya Chamber of Mines are creating a platform for regular dialogue

with CSOs. The stakeholder decided to focus on two main areas of concern: community engagement and transparency and accountability. The initiative will consist of biannual meetings between CSOs working on EI issues and EI companies operating in Kenya. The purpose of the meetings will be to share information on ongoing projects, identify issues of mutual interest and plan on how to address them, build trust, and provide an opportunity for capacity building on technical aspects of the sector that are of value to the work of CSOs.

### **Min 3/2015: Comments and Responses**

1. The initiative is timely as there is need for sharing of information and resources amongst stakeholders so that there is progress in the sector.
2. The inclusion of academia is a good step but there is need to define their role in relation to their capacity. CSOs should not be majorly leading on research as they may not have the expertise and there are limited avenues for sharing of research results/reports. As for academia, research it is not based on emotions/hypothesis but for CSOs it may be based on preconceived notions and suspicions. There is need for interaction and working together on research aspects.

**Response:** The academia institutions can support the forum by gathering background information on an agenda and dissemination on research results. There is need to know what are true concerns for the CSOs on the sector and how to conduct the research.

3. It may be necessary to have an interim steering committee to facilitate the initiative until proper structures are established. The committee will be tasked with the mapping of the CSOs who are in the extractive sector in the selected region. Then proceed to have them form networks that can represent them in the initiative. Representatives of the existing platform(s) with others can be the steering committee as the objective is to have a multi-stakeholder dialogue.

**Response:** We can request existing networks to give list of the members they are representing so as to help in the mapping of CSOs working in the sector.

4. What is the incentive for the steering committee?

**Response:** There is commitment from the companies to attend to meetings and to engage with CSO so as to resolve issues where possible. Thus the need for an interaction forum. Further, the Steering Committee will define the discussion agenda. The mapping will include all related aspects of the sector such as the environment, etc. Then the steering committee will then define what we shall work on going forward.

5. It will be beneficial to know what the networks have done in the past and available publications so that we do not duplicate efforts.

**Response:** The initiative is not intended to establish a new engagement outfit but to work with the existing CSO networks and to have the discussions with the private sector and academia. The networks would be useful for raising issues of concern and have ways to channel the concerns and feedback on the decisions made.

6. We need to find ways to fund the initiative. And to consider the limitations on who can fund the initiative so as to avoid compromising situations. The concern is that if companies fund the initiative the CSOs may appear compromised.

**Response:** There is an option where companies can fund a meeting and pay directly for the premises/venue and the money will not be received by CSOs in any way. IHRB is willing to facilitate dialogue forums between the stakeholders and the networks are encouraged to fund a particular session. KCSPOG stated that their Constitution bars them from receiving funds from companies.

7. There is need to separate activities and assign roles/tasks: advocacy, research, capacity building, policy review, etc. Any similar roles can have institutions join forces and move forward together.

8. When the platform started the idea of engagement forums the aim was to bring coordination among institutions and find a common agenda to advance. The idea was to have a national and county platform but the county platforms have not been vibrant. In the

platform, the issue of inclusion-exclusion has been a big debate. The concern is how to have an exclusive team that is very inclusive.

**Response:** The mapping to be done by the Steering committee has to be as comprehensive as possible and have as many people as possible aware of the initiative even though they may not be involved in the actual forums. There is need to consider how stakeholders can forward and receive the necessary information. There is need to empower people who can run with the initiative in their area of influence and in their jurisdiction. However, in the meantime, ILEG and IHRB to work with the various networks to start the mapping exercise.

9. There is need to challenge opinions and information on the sector as people are not interrogating what is available for the sector. The various stakeholders should be at liberty to critically analyse information and dispute/differ in opinion where necessary.

#### **Min 4/2015: Way Forward**

- a. To have a steering group that helps shape the interactions between the two stakeholders. ILEG and IHRB will be convening the steering group and other stakeholders who can lead the forum.
- b. The networks will be consulted on how to include the relevant CSOs in the initiative.
- c. To select areas of mutual interest for stakeholders including: community engagement, transparency and accountability and develop work plans for the achievement of the shared desired outcomes.
- d. To develop a monitoring and evaluation mechanism for the parties in the consultation forum. There is need to develop indicators on how to reach and evaluate the objectives.
- e. To develop strategies and avenues to engage other sector stakeholders who are affected by the selected topics of focus. Such stakeholders include the media, government, etc.

#### **Min 5/2015: Stakeholder's Events/Forums**

1. World Resource Institute and ILEG Forum on 11<sup>th</sup> August 2015  
The forum aims to bring CSOs and private sector together to discuss various aspects of the extractive sector. The forum will be adopted by ILEG and IHRB as an avenue to promote stakeholder engagement.
2. A KWFT project  
They are dealing on land issues concerning the extractive sector. They are venturing into the active sector and have an event coming up on the same. (To get more info from Charles and Florence)
3. Strathmore University Extractive Industry Centre  
Slated for 16 February 2016 with the agenda "The role of Academia in the Extractive Sector".
4. Hekima Institute of Peace Studies & International Relations  
Slated for October 2016 as regional forum for the extractive sector stakeholders.  
Further a Roundtable discussion on 21st August 2015 (invites only)
5. Machakos University has a PHD course on oil and gas.

#### **Min 6/2015: Closing Remarks**

Rose finalised by thanking the participants for attending and stated that ILEG and IHRB will forward invites for the August 11<sup>th</sup> forum.

The meeting ended at 12.50pm.