



## **TECHNICAL FACILITATION OF MULTI-STAKEHOLDER LAND REFORMS WORKSHOPS**

### **BACKGROUND**

In Kenya, land reforms continue to be a thorny unresolved issue and a major trigger for conflict, especially during the two national elections. The National Dialogue and Reconciliation Accord calls for comprehensive land reforms, and the new constitution explicitly discusses a new land policy. However, meaningful land reform remains a lofty and unmet goal in the absence of political will from key governmental stakeholders to move forward with key policy reforms.

The National Land policy was approved by Parliament in December 2010, and the Land Reform Transformation Unity (LRTU) was established to implement the policy. However, the key entity in the new land regime, the National Land Commission (NLC), is yet to be established and the process of drafting the Bill is seen by many stakeholders as flawed. The draft bill has been originated by a private consultant answerable only to the Ministry of Lands, and the consultation process has allowed for only limited participation by other stakeholders. There is a need to demand more sincere and inclusive stakeholder involvement, in order to inform content, for this particular bill and others that may be brought to Parliament.

KEPSA is the only apex body of business community in Kenya. KEPSA's membership comprises Business Membership Organizations (BMOs) and corporate organizations. It has a combined direct and indirect membership of more than 80,000 corporates across all sectors of the economy. KEPSA's strategic focus is advocacy on behalf of the private sector on high-level national cross-cutting issues, coordination of the private sector's engagement in public-private sector dialogue and private sector development, while sector associations focus on sector advocacy and sector development. KEPSA has received a grant from USAID's Kenya Transition Initiative towards advocacy on lands reforms. Through this initiative KEPSA shall facilitate wider engagement between the private sector and the Ministry of Lands and other relevant stakeholders with a view of creating the much needed pressure for reforms and operationalising the National Land Commission bill and other land bills and policies

This initiative comprises the following multi-stakeholder engagement and dialogue between late August 2011 and October 2011:

1. A half day forums with Ministry of Lands and other stakeholders to among others identify legislations, policies, institutions and structures for land reforms
2. A one day workshop for the private sector members and the constitution Implementation Committee(CIC)
3. A one day workshop for the private sector members and Parliamentary Committee on Lands and Natural resources
4. A one day meeting for the private sector members and the Parliamentary Oversight Committee on Implementation of the Constitution

The above activities will be supplemented by a concerted media campaign to enhance public awareness, follow on and engagement and to disseminate the results of the process

## **SCOPE OF WORK**

KEPSA is seeking the services of an experienced legal expert to offer consultancy services in support of its land reforms advocacy work through policy research and analysis as well as facilitation and evaluation of stakeholder engagement fora.

The Objectives of this consultancy are:

1. To conduct policy research and analysis on land reforms to generate evidence for KEPSA's evidence based policy advocacy
2. To facilitate multi stakeholder engagement and dialogue fora on land reform issues identified in 1 above

In implementing this consultancy, the consultant will be expected to carry out the following tasks among others:

- Analyse the status of the land reforms process in the country and identify gaps, loopholes, inconsistencies and their implications on the business environment in Kenya
- Review the new constitution and proposed National Land Commission bill, other land reform bills and policies and identify gaps, loopholes, inconsistencies, gaps and areas of improvement that may be necessary in facilitating an enabling business environment.
- Make recommendations that will ensure the objects of the National Land Commission in Article 67 are applied and respected
- Prepare a position paper based on above mentioned review and analysis to support KEPSA's evidence based advocacy on land reforms
- Prepare facilitation notes and facilitate 4 multi-stakeholder workshops mentioned above
- Assess the outcomes and impact of the multistakeholder workshops and prepare a report of the same and submit to KEPSA

## **DELIVERABLES**

- Position paper on land reforms in Kenya
- 4 land reform multi-stakeholder Workshops
- Land reforms workshops outcome evaluation report

## **REQUIREMENTS**

Post graduate law degree with an in-depth understanding of land reform issues and processes, be well versed with constitutional and policy reforms and command a demonstrable experience facilitating policy engagement and dialogue among high level private sector and government stakeholders

## **DURATION**

This assignment is expected to take 11 days.

Interested candidates who meet the requirements above are invited to submit their expression of interest including an interpretation of TOR, proposed methodology and daily rate along with their curriculum vitae to the following address, providing names and addresses of three (3) referees, not later than Friday, September 2, 2011

Please consider your application to be unsuccessful if you have not been contacted within four weeks of the closing date.

**The Human Resources Officer  
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