

Kenya Task Force on Anti-Corruption for REDD+

TERMS OF REFERENCE

--- 30th October 2014 ---

Adopted at the inaugural meeting,
Held on Thursday 23rd October at the Ministry of the Environment, Water and Natural Resources

1. Background

Kenya is pursuing a REDD+ system, in alignment with the UN Framework Convention on Climate Change (UNFCCC), with support from the United Nations (UN-REDD Programme), the World Bank (Forest Carbon Partnership Facility) and other partners. The national REDD+ readiness plan of Kenya was recognized internationally in 2010 and, subsequently, a National REDD+ Office established to lead and coordinate the building of the REDD+ system in Kenya. The credibility and functioning of a REDD+ system relies on a robust implementation framework, where governance measures, including transparency and accountability mechanisms, are indispensable (as per key social safeguard measures that were set out in the UNFCCC's *Cancon Agreements*, 2010). At the same time, Kenya has inscribed the fight against corruption as a political priority: Article 79 of the new Constitution of Kenya calls for the creation of an independent Ethics and Anti-Corruption Commission (EACC), which was enacted in 2011. In order to enhance the linkages between international governance standards for REDD+ and national efforts to combat corruption, a "Kenya Task Force on Anti-Corruption for REDD+" has been proposed and created, with the aim of fostering a genuine multi-stakeholder technical and policy dialogue on the interface between REDD+ and corruption. It is hereafter referred to as "the Task Force" and can be abbreviated as KTFACR+.

2. Mandate

The Task Force is established to advance a multi-stakeholder dialogue on the interface between REDD+ and anti-corruption efforts, to provide guidance to Government and stakeholders, and to implement joint actions.

3. Composition

The core members, representing the major stakeholders, are:

- The Ministry of Environment, Water and Natural Resources– MEWNR (1 representative)
- The Ethics and Anti-Corruption Commission– EACC (2 representatives, reflecting different functions)
- The Kenya Forest Services–KFS (1 representative)
- The National REDD+ Office (1 representative)
- The National Land Commission (1 representative)
- The National Treasury (1 representative)
- Transparency International (Kenya chapter) – TI (1 representative)
- Indigenous Livelihoods Enhancement Partners- ILEPA (1 representative)
- The National Alliance for Community Forest Associations- NACOFA (1 representative)
- The Council of Governors, through its Sub-Committee on the Environment (1 representative)

The members attend Task Force meetings and contribute to decisions on behalf of their organization and not in their personal capacities. To ensure continuity and coherence of work, the participating institutions will nominate a representing individual to regularly attend the meetings of the Task Force. Only exceptionally, when the nominated member is unable to participate in a specific meeting, they may propose someone else to attend.

Observers will be invited on a needs-basis, according to the issues under deliberation. They can comprise the private sector, academia (in particular the Environment Society of Kenya and the Kenya Institute for Public Policy Research and Analysis), the Ministry of Agriculture, and independent experts

4. Roles

The Task Force, through its representatives, shall:

- a. Discuss issues and approaches, and agree on priorities and actions, to mitigate corruption risks in REDD+ and related activities.
- b. Define its roadmaps and work plans, as well as the terms of reference of the activities and events under the lead of the Task Force.
- c. Ensure implementation of the agreed anti-corruption & REDD+ activities, either directly or by mobilizing the capacities of their respective organizations or partners.
- d. Promote the work of the Task Force through different platforms and events, as well as via the communication means of the respective members' organizations (e.g. websites, newsletters, public events, media contacts).
- e. Regularly report back to the management, members & networks of their own organizations, gathering in return feedback to be shared back with the Task Force.
- f. Engage with other stakeholders, and with consultative groups, and regularly report on progress and results of the work of the Task Force.
- g. Provide regular inputs into the objectives and design of key elements of Kenya's REDD+ institutional framework, such as the REDD+ registry, the National Stakeholder Engagement Plan, the REDD+ finance work, the FPIC guidelines, and the anti-corruption for REDD+ awareness campaign, among others.
- h. Identify and build on linkages with ongoing initiatives undertaken by Task Force representatives (such as hotlines, the forthcoming East Africa illegal timber/charcoal trade & REDD+ project, and the integrated public complaints and referral mechanism, among others).
- i. Review and, if required, adopt products prepared under the auspices of the Task Force.

5. Management Arrangements

- (i) **Chair**: The Task Force will be chaired by the EACC for the first 6 months (up to the end of April 2015), with the possibility of renewal. Members will decide on the Chair by collegial agreement. The Chair will run the meetings and ensure fruitful discussions and a collaborative work spirit. Co-chairing with the host organization is a feasible alternative.
- (ii) **Secretariat**: The Secretariat of the Task Force will be provided by the MEWNR, via the National REDD+ Office, with the support of the UN-REDD Programme (via the UNDP/REDD+ team in Nairobi). The roles of the Secretariat will include:
 - a. Prepare and facilitate the organization of the meetings of the Task Force
 - b. Provide technical inputs and invite experts to contribute as needed
 - c. Prepare background and draft documents, in prior consultation with the Chair and members of the Task Force
 - d. Record and circulate minutes and reports of meetings and activities
- (iii) **Meetings & Events**: The internal functioning of the Task Force will be guided as follows:
 - a. The Task Force shall convene ideally on a monthly basis and at least six times a year, in the offices of one of the participating institutions (or at the UN offices or at a rented place on an exceptional basis).
 - b. The Task Force will work collegially and will make decisions on consensus.
 - c. A quorum of at least six member organizations (out of the core ten) is needed for the Task Force to make decisions on key activities.

- d. At the start or conclusion of meetings, the management of the host organization will be briefed on the work of the Task Force.
- e. The host institution will provide snacks or lunch depending on the duration of the meeting.
- f. No DSA shall be provided for the regular meetings of the Task Force, except when members have to travel from another city to the venue of a meeting or an activity.
- g. Transportation fees may be provided according to available finance and in accordance of the rules of the financing source.

6. Duration&Finance

The Task Force is established for one year as of its Inaugural Meeting on 23rd October 2014, with possibility of extension depending on results, identified work ahead and by consensual agreement among the members.

The *Kenya REDD+ Governance Initiative*, which receives support from the UN-REDD Programme, will finance some of the activities proposed by the Task Force. Co-financing from member organizations and from other sources will be explored on a needs basis.

7. Amendments

The above Terms of Reference may be amended by endorsement of at least seven out of the ten core members, and ideally by consensus.