

## **Joint Communiqué on the Urgent Need to Accelerate the full Implementation of the Public Benefit Organizations (PBO) Act in Kenya**

### **PREAMBLE**

We, the undersigned Civil Society Organizations, convened in Nairobi from 7th to 8th May 2025, for a PBO Act Implementation Stakeholders meeting with the aim of reigniting dialogue on understanding the PBO Act and its implications; to identify key stakeholders involved in its implementation; define leadership roles to drive coordinated action and develop a practical roadmap for the implementation of the Act.

We express our profound concern over the prolonged delay in the implementation of the Public Benefit Organizations (PBO) Act, 2013. This delay undermines the enabling environment for civil society in Kenya, hinders the full realization of the constitutional rights to freedom of association and participation, and obstructs the capacity of Public Benefit Organizations to contribute meaningfully to sustainable development and effective governance.

We acknowledge the organizations enlisted in the annex, despite not having attended the in-person meeting, who have reviewed and endorsed this communiqué.

**Recognizing** that the PBO Act, enacted in 2013, was intended to enhance transparency, accountability, and collaboration between the state and civil society;

**Appreciating** that His Excellency the President of the Republic of Kenya, Hon. Dr. William Samoei Ruto, demonstrated high level political good will by Operationalizing the PBO Act during the 2024 UN Civil Society Conference held in Nairobi in support of the Summit of the Future, which came into force on 14th May 2024 following the publication of Legal Notice No. 78 of 2024 by the Cabinet Secretary for Interior and National Administration;

**Acknowledging** that the PBO Act recognizes the critical role that PBOs play in advancing human rights, transformative development and strengthening democracy, transparency and accountability, and the need to strengthen self-regulation while promoting public participation;

**Concerned** that on the 14th of May 2025, the country commemorated its one-year anniversary since the PBO Act came into force, the Act is yet to be implemented; noting that there is urgent need to fast track the harmonization of the draft regulations and the establishment of the self-regulating platforms for CSOs;

**Apprehensive** that the ongoing delay in implementing the PBO Act, subjects CSOs to both the repealed NGO Act and the unimplemented PBO Act, creating legal confusion and uncertainty, we note that the dual framework has led to inconsistent regulation, fears of losing legal status, funding challenges, and growing vulnerability to state interference, thereby compromising social, economic and democratic development;

**Commending** the Director General of the Public Benefit Organizations Regulatory Authority for his commitment, expressed on 7th May 2025 to collaborate with civil society organizations nationwide in harmonizing regulations, ensuring inclusivity and public participation;

**Affirming** the establishment of an inclusive civil society structured engagement/dialogue process led by a working group to guide and support the implementation process over the next 12 months;

### **We therefore:**

1. Urgently call for unity of purpose across the membership of the civil society sector in Kenya to drive the full implementation of the PBO Act.
2. Appeal to the members of the civil society sector in Kenya to actively and publicly participate in the review of the harmonized regulations.
3. Call for the full, effective and transformative involvement of the civil society sector in Kenya to ensure the full implementation of the PBO Act is acceptable to all parties.
4. Urge the Parliament of Kenya to give the matter the attention it warrants, recognizing that implementation of the Act is long overdue.
5. Encourage regional and international actors, including development partners and human rights bodies, to leverage the bilateral and multilateral forums to influence and support efforts toward implementation of the PBO Act to protect the civic space in Kenya.
6. Reaffirm that a vibrant and well-regulated civil society sector is indispensable for the achievement of the Sustainable Development Goals (SDGs), and realization of Vision 2030.
7. Stress that the implementation of the Act is behind schedule, aggravating the shrinking civic space in Kenya by enabling arbitrary regulation and the delegitimization of civil society, contrary to Kenya's national and international human rights obligations.

### **Recommended Key Priority Areas for Action**

We express our strong support for the commitment demonstrated by the Office of the Director General of the Public Benefit Organizations Regulatory Authority. As civil society actors, we are ready, willing, and available to partner with the Authority to advance a transparent and inclusive implementation process underscoring the need for consistent and meaningful involvement of civil society in all phases of the process. We therefore pledge to:

**1. Partner in mobilizing for Public Participation on the Harmonized Regulations**

As civil society actors we are ready to partner in the national public participation process on the harmonized regulatory framework, including:

- Mobilization of stakeholders
- Facilitation of inclusive dialogues across regions
- Documentation and reporting of feedback and outcomes

**2. Partner in the Implementation of the Strategic Roadmap**

We commit to collaborate in the development and delivery of a joint implementation strategy during the next 12-month implementation window period.

**3. Partner in the Operationalization of Self-Regulation Mechanism**

We commit to support the development of a robust and transparent self-regulation framework for Public Benefit Organizations, in line with the PBO Act.

**4. Support the transition of Civil Society Organisations to Public Benefit Organisations**

We commit to mobilise Civil Society Organisations across Kenya to comply with the new requirements (i.e. re-registration) during the designated transition period.

**5. Establish an “Open Source SharePoint”**

We commit to establish an online platform, a repository for all the PBO relevant documentation and information. This will be accessible to all stakeholders and interested parties, especially the civil society.

## Delivered in Nairobi, Kenya on 27th May 2025

By the undersigned participating and endorsing organizations:

<b>SN0</b>	<b>Organization</b>	<b>Level of coverage: National/ Regional/ County / CBO</b>
1	SDGs Kenya Forum	National
2	The African Women's Development and Communication Network (FEMNET)	Regional
3	Kenya Platform for Climate Governance (KPCG)	National
4	Uraia Trust	National
5	Pan African Climate Justice Alliance (PACJA)	Regional
6	Kenya Community Development Foundation (KCDF)	National
7	Civil Society Engagement Framework (CEF)-FLLOCA	National
8	Global Peace Foundation Kenya	National
9	Transparency International (TI)	National
10	Devolution Working group- Act Change Transform (ACT!)	National
11	Institutional Investors Group on Climate Change (IIGCC)	National
12	African Institute for Children Studies (AICS)	Regional
13	Elimu Bora	National
14	Voluntary Service Overseas	National
15	Centre for Innovative Community Child Development	National
16	Kenya National Civil Society Centre (KNCSC)	National
17	Indigenous Livelihood Enhancement Partners (ILEPA)	CBO

18	Constitution and Reform Education Consortium (CRECO)	National
19	Uasin Gishu County Civil Society Network	County
20	Tulinde Future Yetu Initiative	County
21	Centre for Resource Mobilization and Community Development	National
22	Path Youth Organization (PYO)	CBO
23	The East African Tax and Governance Network (EATGN)	Regional
24	Kounkuey Design Initiative	National
25	Youth Alive! Kenya	National
26	Children Agenda Forum (CAF)	National
27	Community engagement and dialogue forum	County
28	TINADA YOUTH ACTION AFRICA	National
29	Safe Horizons Organization	CBO
30	Spice Without Borders	Regional
31	Women Challenged to Challenge	National
32	Kenya Youth Assembly Foundation	National
33	Lamu Women Alliance	CBO
34	Young Africans for Peace And Development	National
35	Jamii Action Centre (JAC)	CBO
36	Civicom Aid	Regional
37	G for Girls Initiative	CBO
38	Disabled inclusion Node Association (DINA)	National
39	Our Lady of Charity of the Good Shepherd	Regional
40	Tana River Peace Reconciliation and Development	County

41	Ardha Jabesa Foundation	National
42	Indigenous Resource Management Organization (IREMO)	County
43	Generation Guiders CBO	CBO
44	Centre for Community Dialogue and Development -CCDD	Regional
45	Citizen Network For Rural Development Kenya	Regional
46	Tharaka Nithi CSOs Development Network	County
47	International Institute for Climate Change and Governance(IICCG)	National
48	KINONDO ACTION PLAN	County
49	Kwale Focus Empowerment CBO	CBO
50	ENGAPE CBO	CBO
51	Mwalie Health Community Based Organisation	CBO
52	ALLIANCE FOR PERSON WITH DISABILITIES	CBO
53	Bungoma youth bunge forum	County
54	Bungoma County Child Rights Network	County
55	Community development and Sustainability Organisation	Regional
56	Community Research in Environment and Development Initiatives (CREADIS)	Regional
57	Transfo green world	National
58	Ndakaru Vision youths	CBO
59	Bungoma civil society forum CBO	National
60	Green Culture Community Initiative (GCCIAFRICA )	CBO
61	Bomet county non states actors	County
62	BIDII	Regional

63	Empowered Citizenry against Poverty NGO	National
64	Women leadership Agenda Association	National
65	PSI - Foundation	National
66	Center for Innovative Community Child Development	CBO
67	Isiolo Gender Watch	CBO
68	Dream Achievers Youth Organization	National
69	Nyeri county civil societies organizations network	County
70	Greatplan Foundation	National
71	Monor transzoia CBO	CBO
72	KOBAT YOUTH DEVELOPMENT PROGRAMME CBO	County
73	Baringo Indigenous peoples' Organization	County
74	Youth Alive! Kenya	National
75	Young Women at the Table	CBO
76	Tana River peace Reconciliation and development	County
77	Rebuilding Pastoralist Livelihoods	County
78	Association of Media Women in Kenya	National
79	Kwacha Afrika	Regional
80	Jenga Future Initiative	County
81	Ana Antami	National
82	Policy Action Initiative	National
83	Association for the Physically Disabled of Kenya (ADPK)	National
84	Kisumu Youth WASH Parliament	CBO
85	CBM Global Disability Inclusion	National
86	Indigenous Peoples' for peace and climate Justice and climate	CBO

	Justice	
87	Art Affair for Development Goals	CBO
88	HelpAge Kenya	National
89	Community Implementing Initiative Kenya	National
90	Civil Society Urban Development Platform	National
91	Youth for Sustainable Energy	National
92	Coalition on Violence Against Women(COVAW)	National
93	Hami Imani Africa	Regional
94	POLYCOM GIRLS	National
95	Citizen Network For Rural Development Kenya	Regional
96	Rural Women Network	County
97	AKILI DADA	National
98	Better Lives	CBO
99	Coalition Action For Preventive Mental Health Kenya	National
100	Diplomats For Health In Resilient Community (DFH-RC)	CBO
101	THE YOUNG MENTORSHIP COMMUNITY PROGRAM CBO	CBO
102	Nakuru Drop-In Center	National
103	Good Health Community Programmes	County
104	Friedrich Ebert Stiftung (FES) Kenya	National
105	Elimu Kwanza Initiative CBO	County
106	MLAHRA(Mathare legal Aid Human rights Advocacy)	CBO
107	Kiambu Pamoja Trust	County
108	Friendly Innovative Development Solutions (FIDS)	CBO
109	Daughters of Kenya	National



110	Institute of Public Finance Kenya	National
111	Health NGOs' Network (HENNET)	National
112	Women Collective Kenya	CBO
113	Our Lady of Charity of the Good Shepherd	Regional