



TERMS OF REFERENCE: CONSOLIDATING CSOS RECOMMENDATIONS ON THE HARMONIZED DRAFT PBO (GENERAL) REGULATIONS OF 2025

1.0 About KHRC

KHRC works with more than thirty Human Rights Networks (HURINETs) and other grassroots community organisations based in more than thirty counties in Kenya; partners with more than thirty national level state and non-state actors and coalitions; and more than fifty sub-regional, regional, and international human rights organisations and networks. See more <https://khrc.or.ke/>

2.0 Background and Context

Parliament passed and adopted the Public Benefit Organizations Bill in December 2012, paving the way for its assent into law by the President on January 14, 2013. It was not until May 14, 2024, that the law was commenced. In preparation for full inclusive implementation, the CSOs developed the final recommendations (in December 2024) that are expected to inform the harmonization of the two sets of the drafts of PBO regulations developed separately by CSOs and the NGOs Coordination Board. With the transition deadline having been extended to May 2026, PBORA prepared a legal team which harmonized the two sets of the regulations before the nationwide public participation forums on the final PBO regulations. CSOs gave their recommendations on the two sets of regulations to the legal team and the PBORA Secretariat. These recommendations are expected to be adopted in the final regulations.

3.0 The Objective of the Assignment

It is against the above background that KHRC seeks the services of a consultant to.

- a) Conduct a gap analysis between the harmonised draft PBO (General) Regulations of 2025 and CSO Position Paper recommendations submitted to PBORA's legal team in May 2025.
- b) Lead the development of revised CSO Position Paper considering the harmonised draft PBO (General) Regulations of 2025

4.0 Scope of Work

This assignment is expected to be conducted within a duration of one month. The consultant will be responsible for:

- a) Conduct a gap analysis between the harmonised draft PBO (General) Regulations of 2025 and CSO Position Paper recommendations submitted to PBORA's legal team in May 2025. From this, the consultant is expected to identify what CSO recommendations were adopted, and which ones were left out.
- b) Make presentation on the overview of the harmonised draft PBO (General) Regulations of 2025.
- c) Lead the development of the revised CSO Position Paper, considering the harmonised draft PBO (General) Regulations of 2025.
- c) Make the presentation of the revised CSO Position Paper for validation.

5.0 Expected Deliverables

The consultants will be expected to produce the following:

- a) Revised CSO Position Paper on the harmonised draft PBO (General) Regulations of 2025

6.0 Qualifications of the Consultant

The Consultant is expected to possess the following qualifications:

Educational Background

- A degree in Law, Public Policy, Governance, Human Rights, or related field.
- A postgraduate qualification in the above areas will be an added advantage.

Professional Experience

- At least **10 years of progressive experience** in legal analysis, legislative drafting, policy development, and civic space advocacy.
- Demonstrated expertise in **civil society engagement** and participatory law reform processes in Kenya.
- Proven experience in conducting **gap analysis, comparative legal reviews, and policy position papers**.
- Familiarity with the **Public Benefit Organizations Act, 2013** and subsequent regulations, including experience supporting CSO coalitions on PBO reforms.

Technical Skills

- Strong analytical and legal drafting skills, with the ability to translate technical regulatory frameworks into accessible CSO advocacy tools.
- Excellent facilitation and presentation skills, with experience leading validation workshops and CSO consensus-building sessions.

- Proficiency in developing high-quality reports, policy briefs, and position papers within tight timelines.

Competencies

- Strong understanding of Kenya's civic space and regulatory environment.
- Ability to work independently under tight deadlines while engaging diverse CSO stakeholders.
- Excellent communication and interpersonal skills, with fluency in written and spoken English.

Added Value

- Prior involvement in the **review and finalization of comparative PBO regulations reports** and contribution to past **CSO Position Papers**.
- Ability to mobilize CSOs rapidly and provide timely technical support in urgent advocacy contexts.

7.0 How to apply.

Bids should include up-to-date CV of the consultant (including at least 3 recent professional organisations that have contracted the individual/company), a sample report of previous work related to this assignment, a cover letter explaining interest and suitability for this assignment, a proposal outlining methodology and work plan, and a financial proposal. The interested candidates are required to submit their bid documents by Thursday 4th September 2025, to consultancy@khrc.or.ke, quoting the title of the assignment.