



TERMS OF REFERENCE: REVIEW AND UPDATE THE COMPENDIUM OF CIVIC SPACE LAWS

About KHRC

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

Background and Context

The Kenya Human Rights Commission (KHRC) is a premier non-governmental organization working to entrench human rights and democratic values in Kenya through advocacy, public interest litigation, civic engagement, and institutional strengthening. Since its founding in 1992, KHRC has served as a leading voice in protecting civic freedoms, promoting state accountability, and defending civil society.

In recent years, Kenya has witnessed increasing restrictions on civic space, with laws and administrative actions being used to criminalize protest, surveil dissenting voices, and suppress independent civil society. Particularly troubling is the growing misuse of counter-terrorism legislation and national security frameworks to intimidate and silence human rights defenders, journalists, and pro-democracy actors.

Incidents involving arbitrary arrests, prolonged detentions, and vague criminal charges—especially during the 2023–2024 youth-led Gen-Z protests—demonstrate the urgent need for civil society to be equipped with a robust understanding of the legal and policy environment governing civic space. Furthermore, recent developments in legislative and regulatory frameworks, including the Public Participation Bill, 2025, and ongoing debates on media and digital rights, necessitate a comprehensive review of existing legal resources.

KHRC's *Compendium of Civic Space Laws in Kenya* has long served as a vital reference tool for civil society actors, lawyers, policymakers, and the public. However, it is now outdated and no longer reflects recent changes in the legal, political, and security landscape. This consultancy will enable KHRC to revise and enhance the Compendium, making it a more effective tool for strategic advocacy, litigation, and civic engagement.

Objective of the Consultancy

To review and update the Compendium of Civic Space Laws in Kenya to reflect the current legal, political, and human rights context, and to enhance its utility as a tool for civil society advocacy, legal defense, and democratic accountability.

Justification

There is an urgent need to update the Compendium due to:

- The increased use of counterterrorism and security laws to suppress civic activism.
- A growing trend of restrictive legislation targeting freedom of expression, assembly, association, and digital rights.
- The evolving jurisprudence from Kenyan courts and regional human rights mechanisms relevant to civic space.
- The need for civil society, particularly grassroots actors, to have simplified and accessible legal tools for informed engagement and protection.
- The changing international legal and policy landscape (e.g., UN Human Rights Council resolutions, digital rights frameworks), which must be localized.
- An updated Compendium will empower civil society actors with relevant legal knowledge and provide a credible resource for human rights monitoring, litigation, and reform advocacy.

Scope of Work

The Consultant will undertake the following tasks:

1. Conduct a desk review of the existing *Compendium of Civic Space Laws in Kenya*.
2. Map and analyse recent legislative, policy, regulatory, and judicial developments affecting civic space since the last update.
3. Review and integrate relevant regional and international legal instruments and standards.
4. Identify emerging trends and patterns in the use of laws to shrink or expand civic space, with specific focus on counterterrorism, public order, digital rights, and media regulation.

5. Engage selected civil society stakeholders (virtually or in person) to validate findings and identify priority issues.
6. Draft an updated version of the Compendium, including:
 - A revised and annotated summary of relevant laws and regulations.
 - Thematic analysis chapters (e.g., freedom of assembly, freedom of expression, digital rights, counterterrorism and civic space).
 - Simplified legal guides and infographics for public use.
7. Present the draft to KHRC for review and incorporate feedback into the final version.
8. Submit a final, well-formatted, and publication-ready Compendium.

Deliverables

- Inception Report detailing methodology and work plan
- Stakeholder validation report
- Draft Updated Compendium
- Final Updated and Publication-Ready Compendium

Duration and Timelines

The consultancy will run for one month

Qualifications and Experience

The ideal consultant must have:

- A degree in law, human rights, public policy, or a related field; a postgraduate qualification is an added advantage.
- At least 7 years' experience in legal research, human rights law, or policy analysis.
- Demonstrable knowledge of civic space, constitutional rights, and legal frameworks in Kenya.
- Proven experience drafting legal or human rights publications, especially targeting civil society.
- Familiarity with regional and international human rights standards and mechanisms.
- Strong writing, analysis, and stakeholder engagement skills.

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 reviewing of laws on civic space in Kenya
- Ability to mobilize CSOs rapidly and provide timely technical support in urgent advocacy contexts.

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 **Friday 14th November 2025**, to consultancy@khrc.or.ke, quoting the title of the assignment.