REPORT OF THE WORKSHOP ON PRIVATE SECTOR ENGAGEMENT FRAMEWORK IN THE CONTEXT OF NATIONAL CLIMATE CHANGE ACTION PLAN IMPLEMENTATION

HOTEL WATERBUCK, NAKURU

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BACKGROUND

Kenya submitted its Nationally Determined Contributions (NDC) under the Paris Agreement which includes mitigation and adaptation contributions. On adaptation, Kenya plans to ensure enhanced resilience to climate change towards the attainment of Vision 2030 by mainstreaming climate change into the Medium Term Plans (MTPs) and implementing adaptation actions. In mitigation, Kenya seeks to abate its GHG emissions by 30% by 2030 relative to the BAU scenario of 143 MtCO2eq. Achievement of the NDC will require both international support and investment in the form of finance, investment, technology development and transfer and capacity development as well as domestic implementation efforts.

In order to further elaborate Kenya’s actions, the Ministry of Environment and Forestry is finalizing the development of the 2nd National Climate Change Action Plan (NCCAP) for the period 2018-2022. The NCCAP is the framework for implementing Kenya’s Nationally Determined Contribution (NDC) under the Paris Agreement.

Private sector finance and investments will be needed to achieve Kenya’s NDC goals. The country’s private sector is already contributing to climate change mitigation and adaptation efforts, however there is need for enhanced action and coordination to fully realize the potential of the sector in climate change response. The Climate Change Act, 2016 recognizes the critical role of private sector entities in addressing climate change. The Act imposes climate change obligations on private entities as well as the need to develop a framework for reporting requirements for the private sector.

In this regard, the Ministry of Environment and Forestry with support from the Nationally Determined Contribution (NDC) support programme of the Low Emission and Climate Resilient Development (LECRD) Project, organized a three days’ workshop for the key private sector players and the Climate Change Directorate from 4th – 7th September 2018 in Nakuru. The objective of the workshop was to develop a private sector engagement framework in the context of NDC and NCCAP implementation.

WORKSHOP PROCEEDINGS

INTRODUCTION

The meeting began with the word of prayer after which the participants in attendance introduced themselves stating their workshop expectations. The objective of the workshop was to develop private sector engagement framework including the operationalization of the proposed private sector coordination platform and agree on roles and responsibilities of each of the private sector organizations in delivering the NCCAP 2018-2022.

The workshop was attended by 25 participants with representation from the Climate Change Directorate (CCD), Low Emission and Climate Resilient Development (LECRD) Project, Kenya Private Sector Alliance (KEPSA), Social Enterprise of Kenya, Kenya Green Building Society,
Clean Cookstoves Association of Kenya (CCA), Kenya Association of Manufacturers (KAM), Kenya National Chamber of Commerce and Industry (KNCC), Trade and Research Department, Scania East Africa, Mabati Rolling Mills and the African Development Bank (AFDB).

OPENING REMARKS

Remarks by LECRD/NDC

On behalf of the LECRD/NDC project’s National Manager, Ms. Yvonne Nyokabi started by welcoming everyone to the workshop. As part of her opening remarks, she pointed out that climate change being a cross cutting issue for all sectors of the economy in the country could not be overlooked. She added that improving private sector engagement was one of the key pillar for the implementation of successful climate change adaptation and mitigation actions. She acknowledged the presence of high level expertise in the workshop and said that she was looking forward to the achievement of the workshop objectives. She added that the implementation framework would serve as an important tool in bridging the gap in the implementation of climate change activities especially on engaging the private sector. She also mentioned the need for the team to have a broad picture and consider what could be done to strengthen the CCD in the implementation of NCCAP process.

Remarks by the CCD

Mr. Stephen King’uyu, Deputy Director of the Climate Change Directorate (CCD) began by welcoming everyone to the workshop and acknowledged their participation. He explained that CCD on the behalf of the Ministry of Environment and Forestry had been tasked with the mandate to coordinate climate change affairs. Further, he mentioned that the Kenya Climate Change Act, 2016 creates a legal framework for addressing climate change in the country as it recognizes the role of the state and non-state actors in addressing climate change. He added that the drive for the workshop was to sensitize the private sector actors to see what other actors were doing in the climate change sphere and went on to give examples of ongoing county initiatives. An example of Makueni County initiative was quoted whereby the present challenges were transformed into opportunities hence becoming the leading county in implementation of climate change friendly actions with the establishment and operationalization of County Adaptation Fund. In this, he highlighted that everyone should play role in addressing climate change.

He further indicated that investing in climate change related concepts offers a vast opportunity for the private sector to venture in and it is patent that the sector has been widely engaged in the climate change actions. In this, Mr. Kinguyu explained that democratic governments are not investors mostly but tend to create an enabling environment for investors to participate and invest in the economy. He concluded by mentioning that there were various lessons to pick from the earlier experiences and adapt a learning and improvement approach throughout the NCCAP implementation process.
Mr. King’uyu started his presentation by highlighting that Climate change is the most serious global challenge of our time and it is important that countries do not only implement actions that enhance adaptation to the already changing climate but also act to mitigate further climate change impacts. He also mentioned that Kenya has made strides towards addressing climate change policy formulation and implementation through the national government deliberate effort to create an enabling environment and ensure every stakeholder can play their rightful roles.

He further mentioned that Kenya’s updated NCCAP 2018-2022 is the framework for implementing Kenya’s Nationally Determined Contribution (NDC) under the Paris Agreement. He highlighted the key priority actions under intervention areas of disaster risk reduction, agriculture, water, forestry, health, urban settlements, energy and transport, and clarified that the priority actions for the next five years were informed by the NDC sector analysis. This NDC analysis identifies priority mitigation options and key mitigation technologies for the six sectors; a next step is to formulate implementation plans to achieve adaptation results and mitigation potential.

**Presentation on the Context - Recap of the discussions of NCCAP private sector consultation meeting of 22nd June 2018**


The outcome of the meeting included an agreement that a private sector coordination platform be established to:

a. Enhance the capacity of private sector members to undertake their obligations, deliver on the assigned priority areas,

b. Undertake capacity building and develop bankable projects,

c. Monitor and track private sector progress in the delivery of the action plan.

The next steps agreed were to define the scope and terms of reference of the private sector coordination platform. She concluded by presenting to the team the main elements to be included in the Template for Private Sector Engagement framework for NCCAP 2018-2022 implementation.
Private sector work under CDKN and AFDB

Ms. Margaret indicated that Kenya is leading an ambitious and wide-ranging approach to transform towards a climate compatible economy and society. She went on to mention that the National Climate Change Action Plan has produced concrete mitigation and adaptation actions integrated into long-term economic planning processes to support a low carbon, climate resilient development pathway which has ensured that responding to climate change is central to the development vision of the country, and included in policies, budgets, poverty alleviation measures and investment decisions across government agencies and departments at national, provincial and local levels.

Further, she indicated that CDKN’s technical assistance service provides tailored and demand-driven support to developing country decision-makers in the design and delivery of climate compatible development policies and practices, and acts as a catalyst to maximize the impact of increasing flows of donor climate and development funding. Therefore, it supports a wide range of demand-led, policy-relevant, applied research projects, led and implemented by a wide range of universities, private sector partners, NGOs and international agencies.

QUESTIONS AND ANSWERS SESSION

There was an inquiry on the engagement between African development bank and NETFUND on clean cooking. The CCAK representative inquired on whether the bank could do more partnerships on the idea of cleaning cooking. In response to this, Mr. Somorin from AFDB indicated that the bank supported the NETFUND incubation on the clean cooking as a green innovation. He added that there was potential for partnership and the particular work could be connected with what NETFUND was doing. He also mentioned other areas of engagements in the agricultural sector that support agricultural activities and gave an example of youth program that aim to support youth and Small and Medium Enterprises (SMES) in agribusiness.

Another concern raised with regards to AFDB work was whether invitations done for capacity building was limited to only those who submitted their proposals to the AFDB or this was open to other stakeholders. In response to this, the bank indicated that it could still consider and take more applications and that other entities interested could write to them for consideration.

Mr. David Njugi mentioned that the substantive role of KAM was on awareness creation through identification of how best to communicate issues of climate change to the private sector. He questioned on what had been put in place to enhance publicity and awareness to the private sector players. He emphasized on the need for more data and some studies to unlock the potential in energy/fuel consumption on industries. He further mentioned that KAM was engaged in agriculture initiatives on SMEs efficiency and inclusivity within the value chain which offers an opportunity to partner especially with AFDB, other players and see how they could engage and influence the process.
Ms. Linda Munyao questioned on how AFDB could engage the small scale institutions through funding and supporting of projects to ensure that it trickles down in the society. In response to this, Ms. Margaret Kamau responded that the private sector could also explore other funding avenues and resource mobilization to ensure that even the small scale initiatives are funded for the social, economic and environmental benefits to the community.

It was noted that the building industry generates a lot of waste and consumes around 40% of the energy. There was an inquiry on the need to come up with a matrix to report to the world green building council on the sector and data to report on. Mr. King’uyu responded that from a mitigation perspective some sectors have higher impact than others unlike adaptation perspective where all the sectors are equal. He indicated that majorly under the IPCC guidelines the waste production and energy generation are captured under energy and waste sectors respectively to avoid double counting. Ms. Yvonne Nyokabi also explained that in future monitoring, reporting and verification it would be considerate to include a category on waste generated in the build and construction industry which

As part of CCAKs work, one of the implementation strategies was to ensure that information on clean cooking trickled to the grass root levels and impacts on behavior change. A question was asked on whether the ward level committee were restricted only to Makueni County. Mr. Stephen Kinguyu responded that Climate Change Act, 2016 has mandated the CCD to provide assistance to counties. He explained how Makueni County and others such as Wajir, Isoilo and Kitu as an early movers benefitted from support from DFID with county level legislations in place to establish the respective county climate change adaptation funds.

DRAFTING OF PRIVATE SECTOR ENGAGEMENT FRAMEWORK OF THE ENGAGEMENT FRAMEWORK

This session involved group work whereby two groups were formed to draft private sector engagement framework using the agreed template. The groups continued with the drafting work on day two. After the group work, during the afternoon of day 2, the two groups made presentations of their work. This was followed by discussions by all participants, after which the attached draft document was merged.

WAY FORWARD

The following action points were agreed as the way forward;

- The attached draft document on Private sector engagement framework will be finalized for signing by the CEOs of key private sector organization and the PS/CS Ministry of Environment and Forestry.
- The team agreed on timelines to complete the draft engagement framework as per the attached workplan.
- The draft workshop report including the draft framework document to be circulated to all the participants.
- The next meeting scheduled to be held in by early November 2018.

CLOSING REMARKS
On the behalf of the CCD, Dr. Pacifica Ogolla gave the closing remarks. She thanked everyone for participating and contributing to development of the draft framework document and UNDP for supporting the workshop. She elaborated how climate change poses increasing risks to economic growth and development efforts across the world. She added that the private sector plays a critical role in contributing to developing countries’ growth and development efforts and is increasingly recognized as a key actor that can help society successfully adapt and become more resilient to climate change. She further mentioned that the national government is placing increasing emphasis on private sector action on climate change adaptation. She closed the workshop by applauding the development of the draft private sector engagement framework as a great milestone.
ANNEXES

ANNEX 1: DRAFT PRIVATE SECTOR ENGAGEMENT AND COORDINATION FRAMEWORK FOR THE IMPLEMENTATION OF THE NATIONAL CLIMATE CHANGE ACTION PLAN IN KENYA

INTRODUCTION

Kenya is already feeling the adverse effects of climate change from the widespread recurrent drought and floods and rising sea levels are impacting people, the economy and environment across the country. Climate change will negatively impact Kenya’s future development and achievement of the goals of Kenya Vision 2030 – the long-term development blueprint – and the Government’s Big Four Agenda for 2018-2022 if no action is taken by all stakeholders.

The National Climate Change Action Plan 2013-2017 estimates that economic cost of floods and droughts is to create a long-term fiscal liability equivalent to 2%-2.8% of GDP each year. Specifically, the estimated costs of floods are about 5.5% of GDP every seven years, while droughts account for 8% of GDP every five years.

Kenya’s private sector is particularly vulnerable to climate change risks and has identified climate change as a threat to economic growth, domestic and foreign investment, and private sector productivity and competitiveness. On the other hand, private sector has particular competencies that can make a unique contribution to low carbon climate resilient development path and the implementation of the National Climate Change Action Plan (NCCAP), which is the framework for implementing Kenya’s Nationally determined Contributions (NDC). These competencies include innovative technology, design of resilient infrastructure, development and implementation of improved information systems, and the taking business decisions that are informed by risks and opportunities associated with climate change.

Already, proactive private companies are beginning to address climate change in their investments and business planning. Kenya businesses must develop a response strategy in their planning and financing strategies to incorporate risks associated with climate change and address impacts of climate change in all sectors of the economy. Already a few businesses are implementing various response strategies but these efforts need to be documented and greater awareness among the business community is paramount. In addition, there needs to be a repository of all relevant businesses information regarding opportunities and risks mitigating climate change. Further, the private sector needs to step up their engagement in policy and law making, and other discussions that promote mitigation, increase knowledge and innovation in mitigating the risk of climate change to business and the economy.

As a country we have many opportunities for private sector to invest especially in Geothermal
development, restoration of degraded forests, establishing sustainable biomass fuels farming, improved cookstoves and LPG cookstoves, agroforestry and restoration of forests on degraded lands which have an impact in contributing to constitutional 10% tree cover goal, increasing soil fertility and crop yields, improving livelihoods of farmers and food security as well as improving climate resilience.

Successful private sector engagement in adaptation will catalyze greater investment in reducing vulnerability; this in turn will accelerate the replication of climate resilient technologies and services in core development sectors, with the rapidly growing infrastructure. Recognizing this, development co-operation providers are increasingly engaging the private sector to promote green growth. A review of development finance shows that there has been an increase of climate-related development finance support activities in engaging the private sector, with the majority of finance being deployed toward climate change mitigation.

In order to adapt and mitigate climate change, we need help further Kenya’s development aspirations and seek to; align climate change actions with the private sector development agenda, encourage participation of the private sector, including women, older members of society, persons with disabilities, children, youth, and members of minority or marginalized communities, mainstream private sector participation in meeting Kenya obligation under Nationally Determined Contribution (NDC) and provide a framework for mainstreaming climate change into sector functions at the national and county level.

Therefore, implementing the NCCAP critically depends on the support and action of the private sector. This will require effective engagement between the private sector and government to eliminate barriers to action, encourage and incentivize private sector in adaptation and mitigation. In addition, the private sector requires clear communication of the key climate change messages to inform planning and actions.

**LEGAL AND REGULATORY FRAMEWORK**

The table below summarises the various policies, legal and regulatory frameworks support actions by the private sector in addressing climate change.

<table>
<thead>
<tr>
<th>Legal/Policy Framework</th>
<th>Remarks</th>
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</thead>
<tbody>
<tr>
<td>a) UNFCCC:</td>
<td>Promotes private sector engagement aimed at catalyzing the involvement of the private sector in the adaptation and mitigation actions including through NAMAs, climate finance, market mechanisms as well as technological development and innovations.</td>
</tr>
<tr>
<td>b) Sustainable Development Goals:</td>
<td>The 2030 Agenda and the 17 Sustainable Development Goals (SDGs) was adopted by all UN member states gives the private sector a significant role in the transformation. Specific platforms have been created to that effect.</td>
</tr>
</tbody>
</table>
c) **Climate Change Act, 2016**

The Objects and purposes of the Act include:

- mainstream and reinforce climate change disaster risk reduction into strategies and actions of public and private entities
- provide incentives and obligations for private sector contribution in achieving low carbon climate resilient development

The National Climate Change Council created under the Act chaired by the President has representation of the private sector

The Climate Change Directorate is required to establish and manage a national registry for appropriate mitigation actions by public and private entities

The Act requires the CS to review and recommend duties of public and private bodies on climate change; Additionally, private sector have a role in ensuring compliance with assigned duties

The Climate Change Fund created under the Act is to among others catalyse actions by the private sector.

d) **National Climate Change Framework Policy**

- The policy recognises opportunities for private sector to access new and additional funding through the development of financial and insurance services, engaging in projects to generate carbon credits for sale in international markets, exploitation of new green economy opportunities and green jobs.
- Incentivize and promote private sector involvement in building climate change resilience and engaging in low carbon development opportunities.
- Role of private sector in R&D and low carbon climate resilient development, in incorporating climate change knowledge into advocacy and public awareness raising programmes
- Role in knowledge management and access to information and Climate Finance and other Resources
- The policy aims to:
  - Develop incentives to promote climate resilient actions among public, private and other actors.
  - Enhance the capacity of the public and private sectors, civil society and research institutions to develop and utilise technological innovations.
  - Identify and implement incentives for the private sector and institutions of higher learning to undertake R&D and develop affordable and locally appropriate adaptation and mitigation technologies.
  - Enhance linkages between government, academia, private sector, civil society and global climate change innovation institutions.
Other relevant policies and legal frameworks include; Green Economy Strategy and Implementation Plan(GESIP), Vision 2030 and the MTP, county policies and laws, sectoral laws and polices including in Agriculture, energy and forestry.

OBLIGATIONS OF PRIVATE SECTOR IN THE IMPLEMENTATION OF NATIONAL CLIMATE CHANGE ACTION PLAN

As stipulated in the Climate Change Act, 2016 and other policies, this framework will encourage the private sector to carry out the following functions:

1. Comply with the climate change obligations to be imposed by the National Climate Change Council
2. Report to the Council on the performance of the climate change obligations:
   (i) Prepare reports on the actions that the entities plan to undertake to ensure compliance to the climate change obligations.
   (ii) Cooperate with NEMA during the monitoring activities including provision of true information and permitting access to the premises during inspections
   (iii) Comply to the levels of GHG emissions as may be set out by the climate change council
   (iv) Comply to the MRV regulations as set out in the section 22 of the climate change act
   (v) Petition to the environmental and land court any action deemed to adversely affect mitigation and adaptation efforts
   (vi) Create awareness to its members on climate change adaptation and mitigation interventions as well as emerging business opportunities.

e) NCCAP

The NCCAP recognize that support and action of the private sector is needed to achieve climate change goals and implement the plan. This recognition included prominent role for Private sector in the development of the NCCAP.

f) Environment Management and Coordination Act (EMCA (Revised 2015)

The Cabinet Secretary shall, in consultation with relevant lead agencies, issue guidelines and prescribe measures on climate change.
OBJECTIVES OF THE PRIVATE SECTOR FRAMEWORK IN THE IMPLEMENTATION OF THE NATIONAL CLIMATE CHANGE ACTION PLAN

The framework will seek to accomplish some objectives that are in line with the existing climate change legislations and policies. The objectives include:

(i) Establish and maintain an effective and efficient institutional arrangement for mainstreaming climate change responses within the private sector.
(ii) Reduce vulnerability to the impacts of climate change by building adaptive capacity, enhancing climate change resilience.
(iii) Catalyse Kenya’s transition to cleaner, lower emission and less carbon intensive development.
(iv) Facilitate widespread public awareness, participation, ownership and oversight of Kenya’s climate change response efforts and Action Plans.
(v) Mobilize resources for climate change response to ensure effective and transparent access and utilization of the resources.
(vi) Ensure adoption of intergenerational, special needs and gender mainstreaming approaches across all aspects of climate change response.
(vii) Facilitate effective implementation of updated and scientifically informed Climate Change Action Plans.
(viii) Enhance research and use of science and technology in policy decisions and sustainable management of resources.

CURRENT PRIVATE SECTOR ENGAGEMENT FRAMEWORKS

The private sector in Kenya is fairly organized through Business Membership Organization’s (BMO’s). These are:

- Kenya National Chamber of Commerce and Industry (KNCCI) is a Business Membership Organization that is mandated to develop and protect the interest of the Business Community.
- Kenya Association of Manufacturers (KAM) is Kenya's leading representative organization for industry that unites industrialists, serves as a common voice for Kenya's manufacturing sector.
- The Kenya Private sector Alliance (KEPSA) is the national apex body for business membership organizations'(BMO’s) for private sector associations and corporate bodies in all sectors of the economy including trade associations. KEPSA speaks for multinationals, SMES and startups organized under different sector boards (as attached) and working groups reflective of the 16 sectors of the economy. KEPSA has over 500,000 members through business member organizations and companies.
Engagement Platforms between Private Sector and Government in Kenya

(I) KENYA ASSOCIATION OF MANUFACTURERS (KAM)

KAM members are categorized into 14 sectors, 12 of which are in processing and value addition while the other two offer essential services to enhance formal industry. Sub-sectors are defined by the type of raw materials companies import or the products they manufacture. The 14 sectors whose members prepare common policy positions for joint advocacy and negotiation with relevant government institutions in addressing issues of grave concern. The sectors escalate their issues through the board committees. This include:

1) Building, Mining & Construction
2) Chemical & Allied
3) Energy, Electrical & Electronics
4) Food & Beverages
5) Leather & Footwear
6) Metal & Allied
7) Automotive
8) Paper & Board
9) Pharmaceutical & Medical Equipment
10) Plastics & Rubber
11) Services & Consultancy
12) Textiles & Apparel
13) Timber, Wood & Furniture
14) Agriculture/Fresh Products

(II) KENYA CHAMBER OF COMMERCE AND INDUSTRY (KNCCI)

Members of KNCCI are organized through 4 thematic areas with 47 County Chapters. The four areas are:

1) Trade Research Policy and Advocacy
2) County and SME development
3) Membership and Communication
4) Corporate Affairs

(III) KENYA PRIVATE SECTOR ALLIANCE (KEPSA)

KEPSA has institutionalized platforms for private sector to engage through established Public Private Dialogue Platforms (PPD) at local, national, regional and international level. The PPD
platforms provides opportunities for private sector to partner with government and other stakeholders in the formulation and implementation of policies and strategies and partnerships’ geared towards spurring economic growth, wealth creation and national development.
KEPSA Sector Boards

KEPSA members channel issues of concern to their businesses through the Sector Boards, which harmonize the issues and prepare position on the specific issue related to their sector, which then becomes the private sector position. The sector boards are aligned to respective line ministry.

<table>
<thead>
<tr>
<th>SECTOR BOARD</th>
<th>LINE MINISTRY</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Agriculture</td>
<td>Agriculture, Livestock and Fisheries</td>
</tr>
<tr>
<td>2 Devolution and Planning</td>
<td>Devolution and ASAL</td>
</tr>
<tr>
<td>3 East African Community and Trade</td>
<td>East African Affairs, Commerce and Tourism</td>
</tr>
<tr>
<td>4 Education</td>
<td>Education Science and Technology</td>
</tr>
<tr>
<td>5 Environment and Natural Resources</td>
<td>Environment and Forestry, Water</td>
</tr>
<tr>
<td>6 ICT</td>
<td>ICT</td>
</tr>
<tr>
<td>7 Gender and Youth Development</td>
<td>Ministry of Youth, gender and social services</td>
</tr>
<tr>
<td>8 Industrialization and Enterprise Development</td>
<td>Industrialization and Enterprise Development</td>
</tr>
<tr>
<td>9 Labour, Productivity and Social Development</td>
<td>Labour, Productivity and Social Development</td>
</tr>
<tr>
<td>10 Land &amp; Urban Development</td>
<td>Land &amp; Urban Development</td>
</tr>
<tr>
<td>11 Public Finance</td>
<td>National Treasury and Planning</td>
</tr>
<tr>
<td>12 Security</td>
<td>Interior and Coordination of National Government</td>
</tr>
<tr>
<td>13 Sports, Arts &amp; Culture</td>
<td>Sports, culture and Heritage</td>
</tr>
<tr>
<td>14 Transport and Infrastructure</td>
<td>Transport and Infrastructure</td>
</tr>
<tr>
<td>15 Health</td>
<td>Health</td>
</tr>
<tr>
<td>16 Labour</td>
<td>Labour and Social Services</td>
</tr>
</tbody>
</table>
KEPSA implements its advocacy agenda through a number of Public-Private Dialogue platforms that it has established since 2008. As the organisation is organised into sector boards that mirror the economic sectors, it enables each sector board to meet on a monthly basis to discuss their advocacy issues and build common positions on policy and legislation. These positions are shared with the different government ministries, departments and agencies including the legislature and the judiciary with whom KEPSA advocate. At least twice a year, KEPSA organises a Presidential Roundtable to update the President on the ongoing reforms work and key topical issues facing business and the economy that haven’t been resolved at lower levels and require his directive. These PPD platforms include:

**Presidential Roundtable (PRT)** – a regular engagement with the Head of State on issues of national importance affecting the country as well as those issues that require his direct intervention as Head of State. Implementation of the PRT resolutions and commitments are cascaded down to the respective implementing authorities and the other arms of government.

**Attorney General’s Forum** – A partnership with the State Law office that provides an opportunity for the private sector to use the office to petition and inform the AG on the Bills stuck in his Office for fast tracking and for publishing.

**Chief Justice Forum** – Forum aimed at improving the Commercial Justice process in a manner that ensures efficient resolution of Commercial and Industrial Relations Disputes as well as discuss other ways the Judiciary can facilitate an enabling business environment.

**Ministerial Stakeholders Forums (MSFs)** – Platforms formed with Ministries, meeting with respective KEPSA Sector Boards to address sector specific priority issues relating to policy, administrative and operational issues affecting them.

**Speaker’s Roundtable (SRT)** – Platforms for engagement with both the National Assembly and the Senate held to enhance private sector participation in the legislative processes after which the sector boards engage various departmental committees and special parliamentary committees on priority Bills and policies.

**Council of Governors Forum** – A partnership with County Governors to dialogue through issues enabling or affecting private sector development in relations to the devolved responsibilities of the counties. This forum also provides a platform for coordination between the Private Sector and Council of Governors.
**County Executives Forum** – County executives are implementers of policy at the county level and they also propose policy to the executive arm of the County. We have a dialogue platform with them on enhancing county competitiveness and ease of doing business.

**Platforms with selected state agencies** – KEPSA meets with state agencies and departments e.g. Immigration, Kenya Revenue Authority (KRA), National Police Service Commission, Kenya Police Service, KPLC, ERC etc. on specific business issues that need to be resolved by the respective departments.

**Development Partners’ Roundtable** – this is an engagement that provides an opportunity for the private sector to inform and partner on the development agenda and priorities for the country’s national development and private sector development.

**EAC Regional Ministerial Forum** – an engagement with the EAC Council of Ministers aimed at highlighting the issues to be forwarded to the Heads of State Summit. The platform offers an opportunity for the participation of the private sector in the formulation of regional policy. Regional Engagements also include Northern Corridor Integration Project (NCIP)

**SWOT ANALYSIS OF THE CURRENT ENGAGEMENT STRUCTURES**

<table>
<thead>
<tr>
<th>STRENGTHS</th>
<th>WEAKNESSES</th>
</tr>
</thead>
</table>
| - Climate change has recently been recognized as a priority for private sector.  
- Private sector relative understanding of climate change impacts on their business.  
- Key private sector member organizations’ have established communication Needs of p.s  
- channels and processes that could be used for climate change implementation  
- NCCAP recognizes private sector role in the development, mainstreaming and implementation of priority climate change actions including adaptation and mitigation. | - Lack of systematic processes to convey climate change messages/information to private sector in Kenya  
- Lack of member awareness of on climate change investments projects and the business case for action to tap into the Climate Funds including GCF  
- Lack of internal resource allocation to support climate change actions for the private sector.  
- No clear documented private sector needs |

<table>
<thead>
<tr>
<th>OPPORTUNITIES</th>
<th>THREATS</th>
</tr>
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</table>
| - Opportunity to leverage on existing private sector engagement structures.  
- Increased awareness on role, duties, and obligations of private sector as stipulated in the climate change act, 2016  
- Enhanced capacity building and reporting on MRV  
- Opportunity to climate proof private sector investments. | - Limited ability to leverage development partner resources for climate change.  
- Negative politics affecting cooperation and coordination  
- Opportunity costs  
- Include inadequate financing for operationalization of framework,  
- Competing interests from private sector players, |
The private sector to increase collaboration with government and devolved units (county governments) on climate change issues.

negative politics affecting cooperation and coordination to good will affecting cooperation and coordination

Conflict between business interest and policy direction

Recommendations

The climate change private engagement framework should in inclusive and enhance co-operation and coordination among the private sector player in Kenya.

OBJECTIVES OF THE KENYA PRIVATE SECTOR ENGAGEMENT FRAMEWORK

General Objective

The general objective of the Private sector engagement framework is to promote coordinated and inclusive implementation of the NCCAP 2018 – 2022 by stakeholders. The framework establishes and maintain an effective and efficient institutional arrangement for mainstreaming climate change responses within the private sector.

Specific Objectives

The specific objectives are:

1. To provide a platform for:
   a. leveraging and scaling up of private sector investment in the NCCAP 2018 -2022
   b. monitoring and reporting on private sector implementation of the NCCAP 2018 -2022
   c. identification of opportunities and challenges in implementation of climate change response actions
   d. knowledge and information sharing between government and private sector
   e. continuous review of government- private sector engagement
   f. advocacy for incentives to the private sector to increase investments for reducing impacts of climate change.
   g. mobilize resources from domestic and international sources for climate change response
   h. ensure the transparency access and utilization of the resources

2. Improve capacity of private sector to capitalize on opportunities available in climate change in the country
3. Provide for definition and clarity of roles and responsibilities of the parties involved including level of participation required from the stakeholders.
4. Strengthen public – private partnership in climate change response
5. Increase awareness of the private sector on climate change

**Coordination Platform**

The team will comprise of Chief Executive Officers of private sector organizations-KEPSA, KNCCI and KAM under the guidance of the Climate Change Directorate- Ministry responsible for climate change affairs.

**Meetings**

**Advisory Committee**

- The committee will hold their meetings on bi-annual basis to be co-chaired by both the CCD and Private sector.
Joint Technical Committee

- The committee will meet every quarter to discuss and review the reports from each Thematic Working Groups.
- The private sector organizations through their sector committees will appoint Thematic Working Group Members.
- The TWG will be represented at the JTC by the chairmen appointed within them.
- The TWG will collect and collate the reports which will be submitted to the JTC during the quarterly meetings.

Secretariat

- The secretariat will be composed of the Climate Change Directorate (CCD) secretariat.
- The main role of the secretariat will be to coordinate Advisory Committee, Joint Technical Committee and Thematic Working Groups.

Roles and responsibilities of Government and private sector in the engagement framework

Government is primarily responsible for creating the right conditions and incentives for private sector parties to manage risk from climate change impacts and make efficient investment decisions and for managing risks to public assets and service delivery.

Roles and responsibilities of Government in the engagement framework

The government is responsible for:

- Providing adequate information on climate change and its projected impacts.
- Providing resources and tools for SMEs since most of them do not have in house expertise on Climate change and sustainability and funds to bring outside consultants.
- Honouring international agreements and participate in international negotiations on national and regional climate change programmes.
- Capacity building of the private sector on climate change
- Supporting in coordination of climate change actions’ implementation
- Creating an enabling institutional, market and regulatory environment that
- Supporting and promoting private adaptation to climate change.
- Serving as the secretariat to the private sector engagement framework

Roles and responsibilities of Private Sector in the engagement framework

The private sector will:

- Support in the implementation and reporting of climate change actions.
• Report on the climate change Provide information that can help make informed decisions by cutting through jargon
• Mobilize technical capability to leverage the efforts of government
• Communication and awareness on climate action.
• Increase funding and investment in climate change adaptation and mitigation
• Provide insurance instruments to safeguard against climate change..
• Adopt climate resilient and green growth policies at business level

IMPLEMENTATION PLAN

The following are the key aspects of the implementation of the framework:

1. Communication Plan
   • Draft a press release.
   • Creation of materials necessary for sensitization and raising awareness at the decision making level (videos, booklets etc)
   • Strengthen the capacity of implementing partners to build synergy and coherently articulate the achievements of the framework
   • Create support materials in collaboration with private sector partners that will educate and inform other relevant stakeholders (read: staff)
   • Create and implement a Digital and Social Media Strategy in order to inform and educate the public on the initiative
   • Create e-mails and send to potential implementers e.g. Save the date and the “Go Live” date.
   • Enroll media gatekeepers including editors as strategic partners to promote accurate and analytical coverage of the framework and its work within the right context and over a sustained basis to raise its profile nationally.
   • Stakeholder engagement to help key opinion leaders add on and communicate the benefits of the NCCAP 2018-2022 and the roles it plays in/with private sector.
   • Development of communication tools and materials for publicity
   • To leverage on special events to provide an opportunity for the public to learn

2. Identify and set up briefings for external providers Organizational Awareness and Approval
   • Identify/ map out key stakeholders and committees needed to approve the initiative and policy.
   • Obtain buy-in; begin to get included in meeting agendas for approval.
   • Update various key stakeholders and leadership.
   • Finalize implementation date – “Go Live” date.
   • Approve policy and implementation plan.
3. Knowledge and information sharing
   • Develop training forms and communication materials and obtain organizational approval for forms if necessary.
   • Work with materials management to have the necessary posters, phone stickers, badge buddies and other materials available prior to the “Go Live” date.
   • Maintain a surplus supply of materials for post “Go Live” date needs.

4. Capacity Building
   • Identify trainers and schedule train-the-trainer sessions.
   • Familiarize yourself/trainer with training content and tools (PowerPoint presentation, policy, training competency).
   • Schedule presentations with various groups within the sectors
   • Schedule meetings with managers and educators.

5. Monitoring and Evaluation
   • Assign a point person for questions/issues during implementation and the following month.
   • Constitute an M&E team to do follow ups
   • Develop an M&E tool and submit to the sectors and use other existing feedback mechanisms.
   • Check key areas six months post implementation to assess how well the changes have been integrated.
   • Communicate progress to leadership.
## Implementation Matrix

<table>
<thead>
<tr>
<th>Strategies</th>
<th>Activity</th>
<th>Timelines (Months)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Development of the Message Framework and production of key communication tools and materials</td>
<td>Develop a message framework</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Develop, and produce information materials including; an FAQ, a poster a brochure, fliers in both English and Swahili.</td>
<td>Oct</td>
</tr>
<tr>
<td>Outreach to key influencers and stakeholders</td>
<td>Consultative meetings (<em>Barazas</em>) with the local community leaders to increase their awareness and firm-up partnerships</td>
<td>Nov Dec Jan Feb Mar Apr May Jun Jul Aug Sep</td>
</tr>
<tr>
<td></td>
<td>Two stakeholder forums to increase their knowledge on the Programme</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Dissemination of materials to different stakeholders</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Conduct interviews with key stakeholders</td>
<td></td>
</tr>
<tr>
<td>Capacity enhancement</td>
<td>Organize media training for the spokespersons so as to increase representation of the framework issues. <em>(National level)</em></td>
<td></td>
</tr>
<tr>
<td>Create and Hold a forum with the spokespersons so as to increase representation of the framework issues. <em>(Community level)</em></td>
<td>Develop a website in</td>
<td></td>
</tr>
<tr>
<td>Implement a Digital Media Strategy</td>
<td>order to inform and rally public as main stakeholders</td>
<td></td>
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<tr>
<td>-----------------------------------</td>
<td>-------------------------------------------------------</td>
<td></td>
</tr>
<tr>
<td>Develop social media content: short documentaries (Vines), E-Shots, infographics</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Media relations and advocacy to leverage the media as a strategic partner</th>
</tr>
</thead>
<tbody>
<tr>
<td>Organise an editor’s breakfast to get buy in</td>
</tr>
<tr>
<td>Plan a media workshop in Nairobi to increase accurate and analytical articles</td>
</tr>
<tr>
<td>Organise a media tour</td>
</tr>
<tr>
<td>Pitching stories</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>To leverage on special events to provide an opportunity for the public to learn about the NCCAP 2018-2022 and the framework</th>
</tr>
</thead>
</table>
### Annex 2: Workplan for finalizing the Engagement Framework

<table>
<thead>
<tr>
<th>Strategies</th>
<th>Activity</th>
<th>Timelines (Months)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Development of draft engagement framework</td>
<td>Workshop with stakeholders to develop the draft engagement framework</td>
<td>Sep Oct Nov Dec Jan Feb Mar</td>
</tr>
<tr>
<td></td>
<td>Development of work plan and budget</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Validation of draft engagement framework</td>
<td></td>
</tr>
<tr>
<td>Appointment committee members</td>
<td>Appointment at Technical Working Group level</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Appointment at Joint Technical Committee level</td>
<td></td>
</tr>
<tr>
<td>Development of operational guidelines including reporting templates</td>
<td>Endorsement by Chief Executive Officers (CEOs ) and Cabinet Secretary</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Signing and adoption of the engagement framework</td>
<td></td>
</tr>
</tbody>
</table>
### ANNEX 3: PARTICIPANTS LIST

**PRIVATE SECTOR ENGAGEMENT FRAMEWORK IN NCCAP 2018 - 2022 IMPLEMENTATION HELD AT WATERBUCK HOTEL, NAKURU**

<table>
<thead>
<tr>
<th>NAME</th>
<th>ORGANIZATION</th>
<th>TELEPHONE</th>
<th>EMAIL</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dr. Pacifica Ogolla</td>
<td>CCD</td>
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<td><a href="mailto:pacie04@yahoo.co.uk">pacie04@yahoo.co.uk</a></td>
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<tr>
<td>Stephen Osedo</td>
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<td></td>
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<tr>
<td>Phanice Mokeira</td>
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</tr>
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</tr>
<tr>
<td>Name</td>
<td>Organization</td>
<td>Phone Number</td>
<td>Email Address</td>
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<tr>
<td>---------------------</td>
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</tr>
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<tr>
<td>Margaret Kamau</td>
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</tr>
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</table>
LOW EMISSIONS CLIMATE RESILIENT DEVELOPMENT PROJECT - NDC SUPPORT PROGRAMME

WORKSHOP ON PRIVATE SECTOR ENGAGEMENT FRAMEWORK IN NCCAP 2018-2022 IMPLEMENTATION

Venue: Waterbuck Hotel, Nakuru; Dates: 4th – 7th September 2018

WORKSHOP PROGRAMME

Workshop objective is to strengthen engagement of private sector in Kenya’s NDC implementation through development of a private sector engagement framework in the context of NCCAP 2018-2022. The engagement framework includes the private sector coordination platform and the roles and responsibility of each of the private sector organizations.

Arrival at the Venue is on the 4th September 2018

<table>
<thead>
<tr>
<th>Time</th>
<th>Session</th>
<th>Responsible Person</th>
</tr>
</thead>
<tbody>
<tr>
<td>09:00- 9.15</td>
<td>Objectives of the Workshop and Plan of Work</td>
<td>Chair</td>
</tr>
<tr>
<td>9.15-9.30 am</td>
<td>Remarks by UNDP</td>
<td>UNDP</td>
</tr>
<tr>
<td>09.30 – 10.00</td>
<td>Remarks by the Director, Climate Change Programme Coordination, CCD</td>
<td>Dr Pacifica Ogolla</td>
</tr>
<tr>
<td>10.00- 10.30</td>
<td>Tea Break and group Photo</td>
<td></td>
</tr>
<tr>
<td>10.30 -11.00</td>
<td>Highlights of Kenya’s NDC and priority actions under the NCCAP 2018-2022</td>
<td>Dr Pacifica Ogolla</td>
</tr>
<tr>
<td>11.00-11.30</td>
<td>Context - Recap of the discussion of NCCAP private sector consultation of 22nd June 2018</td>
<td>Yvonne Nyokabi</td>
</tr>
<tr>
<td>11.30-12.00</td>
<td>Private sector strategy under CDKN and private sector work under AFDB</td>
<td>Margaret Kamau</td>
</tr>
<tr>
<td>12.00- 12.30</td>
<td>Q&amp; A and discussions</td>
<td></td>
</tr>
<tr>
<td>12.30-13.00</td>
<td>Discussion on draft template framework and formation of</td>
<td>Chair</td>
</tr>
<tr>
<td>Time</td>
<td>Activity</td>
<td>Participants</td>
</tr>
<tr>
<td>--------------</td>
<td>--------------------------------------------------------------------------</td>
<td>--------------</td>
</tr>
<tr>
<td>13.00-14.00</td>
<td>Lunch</td>
<td></td>
</tr>
<tr>
<td>14.00-16.30</td>
<td>Group work drafting private sector engagement framework using the agreed template</td>
<td>All</td>
</tr>
<tr>
<td>16.30-17.00</td>
<td>Tea break</td>
<td></td>
</tr>
<tr>
<td>17.00-17.30</td>
<td>Wrap up and End of Day 1</td>
<td>All</td>
</tr>
</tbody>
</table>

**Day 2: 6th September 2018**

<table>
<thead>
<tr>
<th>Time</th>
<th>Activity</th>
<th>Participants</th>
</tr>
</thead>
<tbody>
<tr>
<td>09:00 – 09:15</td>
<td><strong>Chair:</strong> Recap of Day 1</td>
<td>Rapporteur</td>
</tr>
<tr>
<td>09:15 – 10.30</td>
<td>Group work drafting private sector engagement framework</td>
<td>All</td>
</tr>
<tr>
<td>10.30 – 11.00</td>
<td>Tea Break</td>
<td></td>
</tr>
<tr>
<td>11.00 – 13.00</td>
<td>Group work drafting private sector engagement framework</td>
<td>All</td>
</tr>
<tr>
<td>13.00 – 14.00</td>
<td>Lunch break</td>
<td></td>
</tr>
<tr>
<td>14.00 – 15.00</td>
<td>Presentations by groups</td>
<td>All</td>
</tr>
<tr>
<td>15.00 – 16.45</td>
<td>Discussions on presentations and overall merged framework</td>
<td>All</td>
</tr>
<tr>
<td>16.45 – 17.00</td>
<td>Wrap up and end of Day 2</td>
<td>All</td>
</tr>
<tr>
<td>17.00 –</td>
<td>Tea Break</td>
<td>All</td>
</tr>
</tbody>
</table>

**Day 3: 7th September 2018**

<table>
<thead>
<tr>
<th>Time</th>
<th>Activity</th>
<th>Participants</th>
</tr>
</thead>
<tbody>
<tr>
<td>09:00 – 9.15</td>
<td><strong>Chair:</strong> Pacifica Ogolla Recap of Day 2</td>
<td>Rapporteur</td>
</tr>
<tr>
<td>9.15 – 10.00</td>
<td>Discussions and agreement on draft private engagement framework and next steps</td>
<td>CCD</td>
</tr>
<tr>
<td>10.00 – 10.30</td>
<td>Tea Break</td>
<td></td>
</tr>
<tr>
<td>10.30 – 12.30</td>
<td>Presentation on planned coordination/monitoring/ tracking implementation of NDC/NCCAP</td>
<td>All</td>
</tr>
<tr>
<td>12.30 – 12.45</td>
<td>Wrap and Closure of workshop</td>
<td>Chair</td>
</tr>
<tr>
<td>12.45 –</td>
<td>Lunch and departure</td>
<td>All</td>
</tr>
</tbody>
</table>