

DEVOLVED GOVERNANCE IMPLEMENTATION IN KENYA AFTER ELECTIONS: STATUS REVIEW



DISCUSSION NOTES

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DEVOLVED GOVERNANCE DIALOGUE 1
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Dialogue Points



- Introduction
- Rolling Out County Governments
 - Familiarization with national policies & laws
 - Structures and Systems
- Monitoring and Evaluation
- First phase transfer of Functions
- Second phase transfer of functions
- Intergovernmental relations

Introduction



- High expectation from citizens
- Many actors
 - Transition Authority
 - CIC
 - MDAs
 - County Governments
- Power & Status of actors
- Tension among actors
- State of service delivery

Rolling Out County Governments



- Familiarization with national policies & laws
 - Devolved Government related laws
 - Identification of policy & legal gaps
 - Administrative Procedures
 - Inter-governmental Relations
- Structures and Systems (decentralized units)
 - Status of structures and systems
 - Service delivery – how, who and with which effect?
- Monitoring and Evaluation Framework
 - Liaison with oversight authorities to facilitate transition
 - Key focus of transition – structure, systems or services?

Rolling Out County Governments Cont.



- County Transition Plans and Progress Reports in 120 days (30th June, 2013)
- Coordination in the preparation & Submission of Periodic Progress Reports on implementation of devolved governments
- Number of counties which have submitted reports?
- Content of Plans & Reports?
- Availability and information sharing on counties
- Location of ministry dealing with devolution
- Press & focus on wrangles
- Power of county governments
- Changing Constitutional provisions

First Phase Transfer of Functions



- Framework for functional analysis, competency assignment and costing of functions
 - Complete in December 2012
 - Development of list of functions to be transferred by March 2012 Transfer based on rapid appraisal
 - Transfer of conventional Local Authority functions
 - Election fever and Pressure to beat deadlines
 - Situation of Urban Areas and Cities
 - Status of Transition Implementation Plans

Second Phase of Transfer of Functions



- Counties to apply to TA and meet requirements
- Availability of framework for service delivery
- Necessary laws in place
- Availability of human resource capacity
- County capacity assessment
- Availability of infrastructure
- Availability of approved plan
- Remains a grey area - fulfilling above criteria

Inter-Governmental Relations



- Arms of governments
 - National Assembly
 - Senate
 - County Assembly
- Constitutional Commissions
- Summit and Council
- Transition Authority
- Contradiction of TA and national/Executive position
 - Big Bang Vs phased transfer of functions

ACKNOWLEDGEMENT & CONCLUSION



- Turbulent path requiring somberness & objectivity
 - Ensuring that resources follow functions
 - Ensuring access to information on implementation process
 - Ensuring information sharing and building on gains
 - Coordination of actors
 - Monitoring and Evaluation of devolution process at all levels
- Flexibility and changing gear in line with the Constitution & related policies and laws