



THE INSTITUTE FOR SOCIAL ACCOUNTABILITY DEVOLUTION ROUND-UP

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Welcome to our inaugural devolution news monthly round up. This report is prepared by TISA and is a summary of key developments within the devolution arena that occurred during the month of May. May was a particularly busy month, particularly in relation to public finances as counties rushed to submit their budget plans.

Of special concern however, is the impeachment wave and by extension, the political instability sweeping through a number of counties. In May alone, two governors and one county assembly speaker were impeached and over five other governors threatened. While the impeachment process has a vital role to play in securing accountability, its misuse could result in political instability and poor implementation of development programs at the local level. It is imperative that new rules for the impeachment process be developed that put the interests of the citizen at the center.

Wanjiru Gikonyo

National Coordinator, TISA



Legislative Developments

Senate launches a new watchdog committee

Oversight over public funds allocated to counties went a notch higher after the Senate launched a new watchdog committee: The County Public Accounts and Investment Committee. The committee which was launched in Eldoret will be headed by Sen. Boni Khalwale who previously served as the chairman of the Public Accounts Committee in the 10th Parliament. The committee has a total of nine members.

Counties create youth, women and disabled funds

In an effort to create jobs and spur local economic development, counties have been setting up enterprise funds for youth, women and the disabled. In the month of May, Kiambu, Laikipia and Nyamira counties become the latest counties to do this. While this is commendable, details about how the funds will be operationalized and regulations that will guide them are still scanty.

County Laws be reviewed

All laws enacted by the county assemblies will be audited by Legislative and Intergovernmental Liaison Office (LILO), a technical department within the office of the Deputy President. The goal of the audit is to ensure that all county legislations are in line with the constitution and forestall any conflict between National and County laws.

Nairobi County Assembly signs an MOU with LILO, others to follow

The Nairobi County assembly signed a memorandum of understanding with Legislative

and Intergovernmental Liaison Office (LILO) to provide technical advice on bills presented before it. The hope is that this will improve the quality of legislation. It is expected that other counties will follow soon.

Treasury Allocates 226 billion shillings to counties but CRA protests.

According to the budget estimates submitted to the National Assembly by the National Treasury, the proposed allocation to the counties is about 226.8 billion shillings. The commission on Revenue Allocation however protested, noting that this amount was insufficient for



Counties to undertake their mandates. The chairman of the commission, Mika Serem, noted at the minimum counties should be allocated 250 billion shillings.

Counties submit their budgets to the county assembly

Counties rushed to beat the 30th April deadline as required by law to submit their budgets to the county assembly for review and approval. However, Nakuru County failed to beat this deadline.

Political Developments

Impeachment wave sweeps counties

An impeachment wave swept the counties with the latest impeachment, although unsuccessful, being that of Prof. Paul Chepkwony Governor of Kericho County. Other governors targeted for impeachment include the Governors of Bungoma, Baringo, Tana River, Kitui, Elgeyo/Marakwet, Vihiga Kisumu and Taita Taveta.

The impeachment wave has also affected County Executive Members with a number of executives being put on notice including the Garissa's and Kerugoya County Finance Executives and transport executive of Nairobi County. Speakers of county assemblies have not also been spared, with speaker of Nyamira being impeached. The Isiolo County Assembly speaker has also been put on notice.

Members of County Assembly and Transition Authority in a new tussle

Members of the county assembly clashed with Transition Authority after the latter claimed in circular that members of county assembly were wasting public funds by illegally hiring over 13,000 staff. In a rejoinder however, Members of County Assembly denied these allegations, with some calling for the disbandment of the Transition Authority noting that it has outlived its mandate.

Women County Representatives demand for their kitty

County women representatives have demanded for their own development kitty, similar to the CDFkitty given to Members of Parliament. They pointed out that they are unable to fulfill their development and pre-election pledges due to lack of funds.



Governor Isaac Ruto retains his Seat as the Chairman of Council of Governors

The Governor of Bomet Hon. Isaac Ruto retained his position as the Chairman of the Council of Governors after he was unanimously re-elected in elections held in Naivasha on 7th May, 2014. However, the Governor of Nairobi Hon. Evans Kidero lost his position as deputy chairman to the Governor of Kwale County, Hon. Sulim Mvuria.

Economic and Policy Updates

KURA, KERRA and KeNHA lose control of county roads

Kenya Urban Roads Authority, Kenya Rural Roads Authority and Kenya National Highways Authority will no longer play a major role in the management of roads at the county. This follows a decision not to devolve those institutions to the county level and a reclassification of Kenyan roads that saw roads being classified as National trunk roads or county roads

County Land Management Boards to begin operations in July, 2014

According to the National Land Commission chairman Muhammad Swazuri, the County Land Management Boards will begin their operations in July 2014. He noted these boards will report directly to the National Land Commission, not the county governments. However, he also pointed out that these boards will regularly consult county governments on land matters at the county level.

Other News

Anne Waiguru has been appointed co-chair of the Inter-Governmental Steering Committee. This committee which composed of Cabinet Secretaries in charge of Devolution and Planning, National Treasury, Labor, Social Security and Services, Chairman of the Council of Governors, Chairpersons of the Public Service Commission, the Salaries and Remuneration Commission, Commission on Revenue Allocation and Commission for the Implementation of the Constitution is charged with responsibility of providing guidance to capacity and staff rationalization at the National and County level.

The Transition Authority has supported employment of Early Childhood Education teachers by counties. This is despite a court case filed by Kenya National Union of Teachers (KNUT) who oppose this.

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