



COUNCIL OF GOVERNORS

Action Points for Devolution Sector Institutions

Follow-up Matrix for Joint Communique For The Fourth Annual Devolution Conference, Naivasha 2017

	Resolution	Sector, Theme	Action: Responsible Institution	Responsible committee, Department: COG Internal
•	THAT amendment of the Constitution to anchor 45% minimum equitable share to Counties	Public Finance	Action: Senate	Finance Planning and Economic Affairs
•	THAT State agencies, corporations and regional development authorities must be restructured to align to the devolved system of government.	Intergovernmental	Action: CoG, Attorney General, Senate and Summit	Intergovernmental and Relations Committee
•	THAT all conditional grants must directly be disbursed to County revenue fund Accounts without being channelled to any line ministry	Public Finance	Action: National Treasury, Senate	Finance Planning and Economic Affairs

	Resolution	Sector, Theme	Action: Responsible Institution	Responsible committee, Department: COG Internal
•	THAT Intergovernmental institutions must be strengthened to act independently and properly institutionalized to improve their effectiveness	Intergovernmental	Action: CoG, IGRTC, IBEC and Summit	Intergovernmental and Relations Committee
•	THAT National ministry departments must support devolution	Intergovernmental	Action: National Government.	Intergovernmental and Relations Committee
1.	THAT there is need to develop a legal framework to guide issues of multiplicity of taxes and charges within the County and trans-County to create an enabling business environment.	Legal, business, taxation	Action: Council of Governors, IBEC, Senate, National Treasury.	Legal and Human Rights Committee Finance Planning and Economic Affairs
2.	THAT County Governments should deepen mechanisms for public participation in County planning processes.	Public Democracy, Participation	Action: County Governments, Council of Governors, Development Partners, Ministry of Devolution and Planning	Public Participation (Citizens Engagement) Unit Intergovernmental Relations
1	THAT in order to address food security challenges and in order to create surplus in the rural areas, there is need to allocate adequate resources for small scale irrigation, mechanization and extension sources since real transformation	Food Security, Smallholder farmers, Public Finance	County Governments, Council of Governors, Ministry of Agriculture, Livestock and Fisheries, Ministry of Industrialization, Trade and Investment.	Agriculture Finance Planning and Economic Affairs

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	will be driven by smallholder farmers.			
2.	THAT National Treasury to allocate more resources for small-scale irrigation to County Governments and for Ministry of Water and Irrigation.	Financing Small-Scale Irrigation	Action: Treasury, County Governments, Council of Governors, Ministry of Water and Irrigation.	Agriculture Finance Planning and Economic Affairs
1.	THAT there is need to improve citizen's education on investment opportunities in each county, and to provide business development services that enable enterprises to invest in profitable innovations in the Energy sector.	Investment and innovations in Energy Sector	Action: County Governments, National Government	Trade Industry and Investment Committee Public Participation (Citizens Engagement) Unit
2.	THAT there is need to ensure that Bills passed by the National assembly and the Senate do not claw back and recentralize devolved functions. For all Natural resources County Governments should get 30%	Natural Resource Policy and Legislation Division of Revenue from natural resources	Action: County Governments, National Government, Senate, National Assembly, Ministry of Trade, Investment and Industrialization	Natural Resource Management Committee Trade Industry and Investment Committee Intergovernmental Finance Planning and Economic Affairs
3.	THAT the National Treasury should set up regulations to devolve approval authorities to Counties as a means to accelerate investments	Investment-friendly renewable energy regulations	Action: National Government	Natural Resource Management Committee Intergovernmental

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	in renewable energy since energy is a concurrent function.			Finance Planning and Economic Affairs
4.	THAT there should be additional funds for Roads as per the court order that recognised County roads.	Financing Development of County Roads	Action: National Summit, Senate, County Governments	Urban Development Planning and Lands Committee Finance Planning and Economic Affairs
1.	THAT there is need to build capacity of County institutions and strengthen institutions and mechanisms for planning and managing natural resources within the Performance Management framework for County Governments and avail the necessary technology to enable counties exploit natural resources in a sustainable manner.	Capacity building in sustainable management of and investment in natural resources Technology and innovation	Action: Ministry of Mining, Ministry of Lands and Physical Planning, Ministry of Environment and Natural Resources and Council of Governors.	Natural Resource Management Committee Trade Industry and Investment Committee
2.	THAT there is need to enhance collaboration with private and non-state actors for sustainable water projects across the country	Public, Private, Community Partnerships for sustainable water supply	Action: County Governments	Natural Resource Management Committee
3.	THAT there is need to align National and County policies in order to ensure effective and	Natural Resource policy and legislation	Action: National Government	Natural Resource Management Committee

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	sustainable management of natural resources. Even where the function is predominantly, the responsibility of the National Government, the structures should be devolved in order to increase the efficiency and effectiveness of service delivery.			Legal and Human Rights Committee Intergovernmental
4.	THAT National and County Governments should adopt innovative ways of managing natural resources in a sustainable manner, including payment for ecosystem services (PES), and strengthening enforcement mechanisms and develop a natural resource sharing framework to ensure that Counties and their residents benefit from the gains obtained from utilization of natural resources	Sustainable management of natural resources through innovation, payment of environmental services	Action: Ministry of Devolution and Planning, Council of Governors, Ministry of Environment and Natural Resources and Kenya Law Reforms Programme	Natural Resource Management Committee Intergovernmental Legal and Human Rights Committee Knowledge Management Public Participation (Citizens Engagement) Unit
1.	THAT County Governments should enhance participation of women, youths and persons with disability in planning and budgeting processes	Gender and Public Finance Management	Action: Council of Governors, County Governments, National Gender and Equality Commission, Development Partners.	Education, Youth, Sports, Culture & Social Services Committee

	Resolution	Sector, Theme	Action: Responsible Institution	Responsible committee, Department: COG Internal
		Demographic dividend		
2.	THAT County Governments should enhance mainstreaming and empowerment of gender policies and strategies to guide design, resourcing and implementation of programs and projects.	Gender responsive programming Promoting the principle of equity	Action: Council of Governors, County Governments, National Gender and Equality Commission, Development Partners.	Education, Youth, Sports, Culture & Social Services Committee
3.	THAT County and National governments should invest in key sectors such as education, health, agriculture and ICT and take advantage of the youth bulge through strategic policies and development of structures to reap ‘demographic dividends’.	Targeted investment in the youth	Action: Summit, IBEC, National Council for Population and Development, County Governments, Ministry of Public Service, Youth and Gender Affairs, The National Treasury, Ministry of ICT.	Trade, Industry and Investment Committee Education, Youth, Sports, Culture & Social Services Committee Finance, Planning and Economic Affairs
4.	THAT there is need to provide more resources and attention to ECDE and Social protection for women, youth, persons with disability and marginalized groups.	Increasing financing for ECD and special interest groups	Action: The National Treasury, County Governments, Council of Governors, Ministry of Education, Ministry of East African Community (EAC), Labour and Social Protection.	Education, Youth, Sports, Culture & Social Services Committee Finance, Planning and Economic Affairs Legal and Human Rights Committee
1.	THAT the Urban Areas and Cities Act 2011 Revised in 2015 excludes Urban Areas that have a	Legal framework for classification of urban areas	Action: County Governments (County Assemblies, County Executive).	Urban Development, Planning and Lands Committee

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	population of less than 10,000 in the classification criteria for Urban Areas and therefore County Governments should develop legislation to enable classification of Urban Areas with a population of less than 10,000.			Legal and Human Rights Committee
2.	THAT The two levels of Government and the Independent National Land Commission should therefore dialogue on how to address issues in the land sector	Intergovernmental collaboration on resolving land matters	Action: National Land Commission, County Governments, Ministry of Lands and Physical Planning, Council of Governors, Intergovernmental Technical Relations Committee.	Urban Development, Planning and Lands Committee Legal and Human Rights Committee Intergovernmental
3.	THAT despite Urban Areas contributing over 60% of Kenya's GDP, there continues to be little allocation of financial resources to support Urban Planning, Management and Development by both levels of Government. Both Levels of Government should prioritize allocating more resources to support urban service provision.	Financing for urban planning, management and development	Action: County Governments, Ministry of Lands and Physical Planning, Ministry of Transport, Infrastructure, Housing and Urban Development, Senate	Urban Development, Planning and Lands Committee Finance, Planning and Economic Affairs

	Resolution	Sector, Theme	Action: Responsible Institution	Responsible committee, Department: COG Internal
1.	THAT the media should ensure a balanced and accurate reporting on the state of implementation of devolution.	Responsible, objective reporting on devolution	Action: County Governments, Media Council of Kenya and Media Owners Association	ICT Committee Communications Department
2.	THAT the licensing authority should enable the county governments to establish local stations to ease communication with citizens.	Right to information	Action: Ministry of Information Communication and Technology, Communication Authority of Kenya and County Governments, Council of Governors.	ICT Committee Communications Department Legal and Human Rights Committee Intergovernmental
1.	THAT there is need for National Government to release the devolved functions of health as stipulated in Schedule Four of the Constitution of Kenya to the County Governments.	Outstanding transfer of functions	Action: National Treasury, National Assembly, The Senate, Ministry of Health, County Governments, Council of Governors, Ministry of EAC, Labour and Social Protection	Health Committee Intergovernmental Relations Legal and Human Rights Committee
2.	THAT the Senate needs to interrogate the budgetary allocations to health before the funds are released to the counties.	Financing health sector in counties	Action: National Treasury, National Assembly, The Senate, Ministry of Health, County Governments, Council of Governors, Ministry of EAC, Labour and Social Protection	Health Committee Finance, Planning and Economic Affairs

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3.	THAT in regards to specialized doctors, there is need to develop a policy that provides for remuneration based on work done.	Remuneration of Doctors	Action: National Treasury, National Assembly, The Senate, Ministry of Health, County Governments, Council of Governors, Ministry of EAC, Labour and Social Protection	Health Committee Human Resources Legal and Human Rights Committee
4.	THAT more resources and efforts be directed towards preventive healthcare other than curative healthcare; at least 25% of the total County Government budgets be allocated to health.	Scaling up Financing of preventive health care	Action: National Treasury, National Assembly, The Senate, Ministry of Health, County Governments, Council of Governors, Ministry of EAC, Labour and Social Protection	Health Committee Finance, Planning and Economic Affairs Intergovernmental
1.	THAT in order to tame corruption that undermines delivery of services, each level of government must commit to promote transparency and accountability, and adhere to Chapter 6 of the Constitution; promote public participation in prevention of corruption; and move towards corruption-free Counties and a corruption-free National Government	Accountability, leadership and integrity	Action: Judiciary, Ethics and Anti-Corruption Commission, EACC, Auditor General, Office of the Controller of Budget).	Legal and Human Rights Committee Intergovernmental Relations Committee

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2.	THAT Counties should set up peer review mechanisms (auto-criticism) and partner with civil societies to ensure vibrant structures are put in place	Peer review for improved performance of counties	Judiciary, Ethics and Anti-Corruption Commission, EACC, Auditor General, Office of the Controller of Budget).	Human Resources, Labour and Social Welfare Committee Legal and Human Rights Committee Knowledge Management Department (Maarifa Centre)
3.	THAT Counties should ensure that the data they are sending to the controller of budget are accurate	Credible reporting on public expenditure and financial accountability	Judiciary, Ethics and Anti-Corruption Commission, EACC, Auditor General, Office of the Controller of Budget)	Legal and Human Rights Committee Finance, Planning and Economic Affairs Human Resources, Labour and Social Welfare Committee
1.	THAT the Independent Electoral and Boundaries Commission (IEBC) undertakes its activities in a transparent manner so as to improve public trust and confidence in the institution and in the electoral process. IEBC should ensure timely procurement and	Delivering credible elections: Ensuring integrity, transparency and public confidence in the electoral process.	Cabinet Secretary Ministry of Interior and National Coordination [Registrar of Persons], IEBC, Political Parties, National Gender and Equality Commission, Political Parties, Kenya Association of Persons with Disabilities.	Education, Youth, Sports, Culture & Social Services Committee Legal and Human Rights Committee

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	deployment of technology, develop a credible voter register and a credible, inclusive electoral management process, and ensure security of the voters, votes and results, in order to deliver results in a transparent, efficient and credible manner.			Intergovernmental Relations Committee
2.	THAT both levels of government should undertake to facilitate and ensure smooth and peaceful transfer of the instruments of power after the 2017 general elections in accordance with the Constitution of Kenya 2010.	Delivering Peaceful, political transition within the rule of law	National Government, County Government and IEBC	Legal and Human Rights Committee Intergovernmental Relations Committee
	a) Enhancing protection and participation of children by establishing children rescue homes and centres as well as devising mechanisms for enhancing interactions between county officials and representatives of children.	Child Protection	Action: Political leaders, Ministry of Devolution and Planning, County Governments, Council of Governors, Ministry of EAC, Labour and Social Protection, National Council for Children Services, Ministry of Education,	Legal and Human Rights Committee Education, Youth, Sports, culture & Social Services Committee

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			Ministry of Health, Ministry of Energy and Petroleum, Ministry of Environment, Ministry of Public Service, Youth and Gender Affairs.	
	b) Support education programs that are inclusive especially for vulnerable children, children with disability and children from marginalized areas, and ensure that ECDE and vocational training centres have better facilities and adequate teachers.	Child Rights, Equity and ensuring disability friendly learning environments for children and youth	“	Legal and Human Rights Committee Education, Youth, Sports, culture & Social Services Committee
	c) More investment in infrastructure such as roads, bridges and alternative sources of energy such as solar and wind to improve learning environment.	Increasing financing of infrastructure for improved learning environment for children	“	Legal and Human Rights Committee Education, Youth, Sports, culture & Social Services Committee Finance, Planning and Economic Affairs

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	d) More attention to environmental conservation and recycling of waste especially plastic in collaboration with children including having County cleaning days	Effective participation of children in environmental conservation	“	Education, Youth, Sports, culture & Social Services Committee Citizens Engagement Unit NRM Committee
	e) County Governments especially Governors to take responsibility and address the issues of corruption at the County level.	Leadership and Integrity, Eliminating effects of corruption on children: Demonstrating accountability by Governors to the children of Kenya through corruption prevention	“	Legal and Human Rights Committee Education, Youth, Sports, culture & Social Services Committee Citizens Engagement Unit
	f) County Governments recognize the protection of children with disability and undertake programs aimed at taking affirmative action to ensure equal access to services provided by County Governments.	Ensuring disability-responsive programming: Design, financing, implementation and evidence of impact	“	Legal and Human Rights Committee; Education, Youth, Sports, culture & Social Services Committee; Citizens Engagement Unit; Offices in Charge of: M&E, Performance Management

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				Framework for County Governments