



COUNCIL OF GOVERNORS



MINISTRY OF DEVOLUTION

## **COMMUNIQUE AT THE END OF THE SECOND ANNUAL DEVOLUTION CONFERENCE HELD ON 21<sup>ST</sup> TO 23<sup>RD</sup> APRIL 2015 AT TOM MBOYA LABOUR COLLEGE, KISUMU COUNTY**

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It is two years on and indeed we now know devolution is permanent. We as a nation are now testing, modifying and improving the systems we laid last year. The participants at this conference have affirmed the need for continuous improvement as we implement the new system of governance.

The conference considered and recommended thus:

1. **THAT** the conference strongly affirmed devolution remains the constant factor that must be implemented in The Constitution of Kenya 2010;

**Action:** Ministry of Devolution and Council of Governors

2. **THAT** the National Government and County Governments remain committed to delivering the “devolution promise” to the people of Kenya; and that when faced with challenges along the way, concerted effort by both levels of government must be aimed at ensuring that devolution works.

**Action:** Ministry of Devolution and Council of Governors

3. **THAT** challenges of insecurity; transfer of funds; lack of comprehensive frameworks for public participation; limited capacity for legislation at County level be addressed immediately.

**Action:**

Ministry of Interior and Coordination of National Government

Senate  
Ministry Devolution  
Council of Governors  
National treasury

4. **THAT** all functions need to be devolved/transferred as per the Constitutional Time frames while respecting the principle that resources follow functions. This concern remains unaddressed since the First Devolution Conference.

**Action:** Transition Authority

5. **THAT** there is need to strengthen the link between the County and National Governments.

**Action:**

Council of Governors  
Ministry of Interior and Coordination of National Government

6. **THAT** the process of asset audit, costing and transfer should be accelerated and completed urgently to enable Counties use the assets to provide services to citizens.

**Action:** Transition Authority

7. **THAT** disbursement of funds should be prompt in order to implement CIDPs within schedule and to ensure that service delivery to citizens is not delayed.

**Action:** National Treasury

8. **THAT** job groups and remuneration of CECs needs clarity.

**Action: Salaries and Remuneration Commission**

9. **THAT** Counties should ensure that all CIDPs are both compliant and credible, that they are the basis for spending budgets, and are inclined to national planning framework Vision 2030.

**Action:**

Council of Governors  
National treasury  
Ministry of Devolution

10. **THAT** Political parties need to convene urgent summit to deliberate strategies for fulfilling the two thirds gender principle.

**Action:**

Senate  
Registrar of Political Parties  
Ministry of Devolution  
National Commission on Gender and Equality

11. **THAT** development policies at the National & County levels must be streamlined to enhance women participation in leadership and development.

**Action:**

Ministry of Devolution  
Council of Governors

12. **THAT** the Conference recommends that the National Assembly, Senate and County Assemblies consider adopting the proportional representation in implementation of the two-thirds principle.

**Action:** National Assembly

Senate,  
National Commission on Gender and Equality,  
Attorney General, Ministry of Devolution.



13. **THAT** there is need to undertake boundary dispute resolution as a matter of national importance.

**Action:**

IEBC

Senate

14. **THAT** it is important to entrench the culture of rule of law (which is a national value in Article 6 of The Constitution) by ensuring that all court orders are respected and also expeditious handling of cases

**Action:** Judiciary,

National Police Service

15. **THAT** the introduction of County Attorney Bill should be fast-tracked

**Action**

Senate

16. **THAT** capacity building and civic education should be enhanced.

**Action**

Council of Governors

Ministry of Devolution

17. **THAT** the role of public participation in governance and budget making shall be enhanced and the funding gap on public participation addressed

**Action**

Ministry Devolution

National Treasury

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Council of Governors

18. **THAT** the Bill on Public Participation shall be fast-tracked.

**Action**

Senate

19. **THAT** the Conference recommends adoption of transformational leadership culture for the realization of sustainable food security and reduction of poverty.

**Action**

Council of Governors

Ministry of Agriculture

20. **THAT** the Conference recognizes increased public confidence in the devolution process and development initiatives and recommends that Governors, Senators and Members of the County Assemblies should cooperate, and consultatively work to scale up service delivery.

**Action**

Council of Governor

Senate

County Assemblies

21. **THAT** existing Policy and Legislative Gaps have to be addressed including a proposed Constitutional amendment to Article 229(7).

**Action**

Senate

National Assembly

Attorney General

Auditor General

Council of Governors

22. **THAT** the National Assembly and Senate must work together to support devolution at the county level.

**Action:**

National Assembly

Senate

23. **THAT** National government should focus on developing standards for construction and maintenance of roads.

**Action**

Ministry of Infrastructure and Transport  
Council of Governors

24. **THAT** constitutional offices like the Controller of Budget and the Auditor-General's Office should demonstrate independence as prescribed in their constitutional mandate and be facilitative of both Nation and County governments' performance.

**Action:**

Controller of Budget Office  
Auditor General

25. **THAT** terms and conditions of service for county staff should be made attractive enough to attract qualified professionals, at same levels as National Government. Council of Governors should work closely with Salary and Remunerations Commission in a bid to achieve this.

**Action**

Salary and Remuneration Commission  
Council of Governors

26. **THAT** there is need to harmonize the benefits and allowances that accrue to MPs and MCAs.

**Action**

Salaries and Remuneration Commission  
County Assemblies Forum

27. **THAT** there is need to support counties to strengthen internal audit systems, and adhere to procurement procedures, and monitor utilisation of funds.

**Action**

Procurement Oversight Authority  
Auditor General  
Council of Governors  
National Treasury

28. **THAT** the Senate should finalize the Bill for the establishment of the county printing press, to expedite publishing of county laws.

**Action**

Senate

Ministry of Interior and Coordination of National Government

Council of Governors

29. **THAT** the Conference acknowledges the positive growth in agriculture due to budgetary allocation, but recommends that the agricultural function should be fully devolved.

**Action:**

Transition Authority

Council of Governors

30. **THAT** Counties should diversify agricultural products and consider horticulture as well as other products for growth.

**Action:**

Council of Governors

31. **THAT** there is need for a clear revenue framework that counties can use for revenue collection, because there exists a disconnect between the law and revenue collection systems.

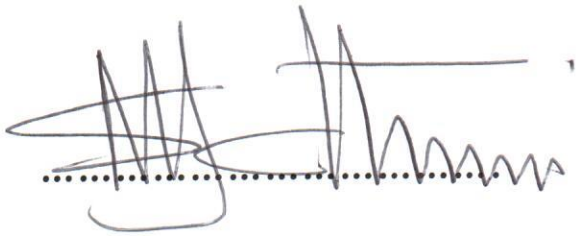
**Action:**

National Assembly

Office of the Auditor General

**THAT** finally, in spite of the challenges, the Conference concluded that overall, Kenya's devolution process is on course.





SIGNED



**His Excellency Salim Mvurya**

**Co-Chairman of the Second Annual  
Devolution Conference 2015**

*for:*

**Ms Anne Waiguru , OGW**

**Co-Chair of the Second Annual  
Devolution Conference 2015**

**&**

**Cabinet Secretary Ministry of Devolution**