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ANNUAL
STATUTORY
REPORT
2022-2023



COUNCIL OF GOVERNORS

ANNUAL STATUTORY REPORT

2022-2023


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ABBREVIATIONS AND ACRONYMS

AFA	Agriculture and Food Authority
AfCFTA	Africa Continental Free Trade Area
AGRA	Alliance for a Green Revolution in Africa
AHP	Affordable Housing Programme
AJS	Alternative Justice Systems
ARDPG	Agriculture and Rural Development Partners Group
ASAL	Arid and Semi-Arid Lands
ASR	Annual Statutory Report
AWP	Annual Work Plan
CBC	Curriculum-Based Competency
CCIA	Climate Change Institutional Assessment
CCIS	County Climate Institutional Support
CCRI	County Climate Resilience Investment
CECM	County Executive Committee Member
CFA	Community Forest Associations
CHP	Community Health Promoters
CHS	Community Health Services
CIDP	County Integrated Development Plan
CIFOR	Centre for International Forestry Research
CILOR	Contributions in Lieu of Rates
CLIMS	County Land Information Management System
CMS	Content Management System
CO	Chief Officer
CoG	Council of Governors
COP	Conference of Parties
CRF	County Revenue Fund
CRM	Customer Relationship Management
CS	Cabinet Secretary
CSP	County Spatial Plan
CSR	Corporate Social Responsibility
DED	Development Engagement Document
DLGP	Digital Land Governance Programme
DRM	Disaster Risk Management
ECDE	Early Childhood Development and Education
ELRASE	Employment and Labour Relations court on the Annual Symposium and Exhibition
ELRP	Emergency Locust Response Program
EPRA	Energy and Petroleum Regulatory Authority
EPZ	Export Processing Zones
ESMP	Environmental and Social Management Plan
EU	European Union
FAO	Food and Agriculture Organization
FIF	Facility Improvement Fund
FLLoCA	Financing Locally-Led Climate Action
FLR	Forest Landscape Restoration
FOLAREP	Forest and Landscape Restoration Plan
FY	Financial Year
GBV	Gender-Based Violence
GBVRC	Gender-Based Violence Recovery Centre
GCF	Green Climate Fund
GIS	Geographic Information System
GRB	Gender Responsive Budgeting
HFMC	Health Facility Management Committee
HIP	Health Investment and Policy

HPTU	Health Products and Technologies Unit
HRMIS	Human Resource Management Information System
IBEC	Intergovernmental Budget and Economic Council
ICRAF	World Agroforestry Centre
IEBC	Independent Electoral and Boundaries Commission
IGRA	Intergovernmental Relations Act
IGTRC	Intergovernmental Relations Technical Committee
INEP	Integrated National Energy Plan
KADP	Kenya Accountable Devolution Program
KCSAP	Kenya Climate Smart Agriculture Project
KISIP	Kenya Informal Settlements Improvement Project
KM	Knowledge Management
KOSAP	Kenya Off-Grid Solar Access Project
KUMIP	Kenya Urban Mobility Improvement Project
KUSP	Kenya Urban Support Programme
MoLPWUD	Ministry of Lands, Public Works, Housing and Urban Development
MoH	Ministry of Health
MOU	Memorandum of Understanding
MSME	Micro, Small and Medium Enterprises
MTR	Mid-Term Review
NARIGP	National Agricultural and Rural Inclusive Growth Project
NAVCDP	National Agricultural Value Chain Development Project
NDMA	National Drought Management Authority
NEMA	National Environmental Management Authority
NHIF	National Health Insurance Fund
NLC	National Land Commission
NLIM	National Land Information Management System
NMT	Non-Motorized Transport
P2P	Peer-to-Peer
PCRA	Participatory Climate Risk Assessment
PFMA	Public Finance Management Act
PHC	Primary HealthCare
PMT	Project Management Team
REREC	Rural Electrification and Renewable Energy Corporation
RLA	Resilience Learning Activity
RM	Resource Mobilization
RMNCAH	Reproductive Maternal, Newborn, Child and Adolescent Health
SDG	Sustainable Development Goals
SETA	Sustainable Energy Technical Assistance
SEZ	Special Economic Zones
SODA	State of Devolution Address
SP	Strategic Plan
SPA	Special Purpose Account
SRC	Salaries and Remuneration Commission
TA	Technical Assistance
THS	Transforming Health Systems
ToR	Terms of Reference
TVET	Technical and Vocational Education and Training
UHC	Universal Health Coverage
UNDRR	United Nations Office for Disaster Risk Reduction
VLR	Voluntary Local Review
VTC	Vocational Training Centres
WFP	World Food Programme

FOREWORD FROM THE CHAIRPERSON



The Financial Year 2022/2023 marked the beginning of the third cycle of implementation of devolution. Elections were held in August 2022 and Kenya ushered new executives and legislatures at both the National and County levels. Eleven (11) Governors earned a direct re-election. Eight (8) pioneer Governors were back to lead their respective Counties. CoG welcomed twenty-eight (28) new Governors and forty (40) new Deputy Governors with two former Deputy Governors being elected as Governors. Fifteen (15) of the new Governors had crossed over from the 12th Parliament. At the induction of September 2022, a new CoG executive was put in place, with the undersigned as the Chair, H.E. Ahmed Abdullahi as the Vice-Chair and H.E. Stephen Sang as the Whip. This rich mix of Governors has brought together a variety of skills, competencies and knowledge resulting into effective leadership of all CoG Committees.

I am happy to note that the period under review was marked with numerous inductions for CECMs, Chief Officers, Directors and other County officials. These sessions were instrumental in orienting the new officers with County governance systems, processes and structures with the end goal of equipping them with relevant knowledge to assist them settle in their roles seamlessly. The inductions also served as networking platforms for the various cadres and hopefully the connections made will trigger robust inter-County learning and knowledge sharing on matters service delivery.

In March 2023, we celebrated a decade of implementation of the devolved system of governance. The significant milestones mentioned in the State of Devolution Address (SODA) that I was honoured to deliver on 30th June, 2023 are evidence of the socio-economic transformation being experienced in the Counties courtesy of devolution. I am convicted that in another decade, Kenya will have realized so much of its potential because of devolution.

I cannot forget to mention that the FY 2022-23 was also the first year for the implementation of the CoG Strategic Plan (SP) 2022-2027. Our new SP carries

with it immense opportunities for strengthening devolved governance in Kenya. I am certain that my fellow Governors will offer the secretariat all the necessary support in executing the statutory mandate of the CoG as envisaged in section 20 of the IGRA. This Annual Report provides a comprehensive analysis of the progress made in the first year of the SP. It is a self-reflection of what we did right and an awakening of the lessons we can draw to improve performance in the next year.

I conclude with a note of appreciation to all our partners and stakeholders- here in Kenya and beyond- for their unwavering dedication to devolution. And to the resilient, enterprising and patriotic people of Kenya- we commit to serve you with diligence, integrity and servanthood so that our great country and all its people can prosper and live in peace.

H.E. Anne Waiguru, EGH
Chairperson - Council of Governors

NOTE FROM THE CEO



As we commemorate the first year of implementing the CoG 2022 - 2027 Strategic Plan, this comprehensive report for the 2022/2023 financial year (FY) offers a reflective overview of the significant activities and achievements in alignment with our strategic objectives. Amidst seizing opportunities and overcoming challenges, our steadfast focus centred on the fundamental pillars of good governance and service delivery, intergovernmental relations, and institutional development.

A strategic emphasis on good governance saw CoG actively promoting transparency, accountability, and civic education at the county level. Notable achievements include disaster response capacity building, induction programs for the Governors and their Deputies, CECMs, Chief Officers and Directors, and training sessions on gender-responsive budgeting. The institutional capacity of County Governments received substantial attention, with impactful initiatives ranging from the development of guidelines for county development plans to capacity-building programs in critical areas such as performance management and planning. The report details specific achievements of various committees, such as the Finance, Planning, and Economic Affairs Committee's collaboration on gender-responsive budgeting training and the Natural Resources Management Committee's induction sessions for County Executive Committee Members. CoG's commitment to knowledge management, learning, innovation, and research is evident in initiatives like peer-to-peer learning forums, capacity-building workshops, and the development of a Model County Knowledge Management Office, demonstrating a holistic and impactful approach to advancing devolution in Kenya.

In the 2022-2023 financial year, the Council of Governors (CoG) strategically pursued the Intergovernmental Relations and Devolution pillar, aiming to enhance engagement with various government agencies, foster stronger ties between National and County Governments, and transform into a proactive entity. Notable milestones included advocating for clearer delineation of roles between National and County Governments to enhance service delivery and efficiency through the unbundling of functions engagements with Intergovernmental Relations Technical Committee (IGRTC), consultative meetings on subsidy fertilizers, regional projects for pastoralist economies and addressing issues like blue economy regulations and education sector reforms. Key committees across sectors played pivotal roles in fostering cooperative government, addressing legislative matters, and organizing

consultations, workshops, and caucuses on diverse issues, from agriculture and disaster risk management to land data digitalization.

Additionally, efforts were made to strengthen the participation of County Governments in the global agenda, highlighted by active participation in international forums, learning trips to Namibia, and involvement in conferences like the United Nations Climate Change Conference of Parties (COP 27) and the United Nations Habitat Assembly.

The Council of Governors (CoG) also achieved significant milestones in institutional development by introducing standard operating procedures and guides for planning, reporting, and indicator development, leading to enhanced effectiveness in its financial, administrative, and human resource systems. The pillar also witnessed achievements such as committee orientations, gender and youth mainstreaming training, and impactful collaborations with external partners. Notably, strategic partnerships were instrumental in bolstering CoG's resource base, securing funding through various agreements and Memoranda of Understanding (MOUs), thereby contributing to the sustained operations of CoG.

While significant progress was made, CoG encountered various challenges that hindered the complete realization of planned activities. Chief among these challenges was the protracted transition both at the national and county levels, delaying the appointment and confirmation of new leadership and consequently impacting the timely execution of certain planned activities. Moreover, the general elections in August 2022 contributed to a slowdown in the legislative process for essential Bills critical to both the CoG and County Governments. The competing priorities posed by the pressing drought crisis situation in numerous Counties further strained the capacity of County officials, diverting their attention from planned activities. Despite these challenges, the CoG forged a determined and unwavering commitment to achieving its strategic targets.

In conclusion, I reflect with appreciation on the collaboration and support received from all stakeholders, eagerly anticipating the continuation of collective efforts as we strive towards the prosperity and development of our counties.



Ms. Mary Mwiti
Chief Executive Officer
Council of Governors


ACKNOWLEDGEMENT

The CoG is sincerely grateful to the people of Kenya and all the national and county leaders, development partners, civil society organizations, faith-based organizations, academia, professional associations, the private sector and the media for the support accorded during the reporting period. Collectively, we have proved to the continent and the world that devolving power, resources and responsibilities to decentralized units is possible and manageable.

The CoG further acknowledges the work of the Planning, Monitoring, and Knowledge Management Department in developing this report, led by Mr. Leonard Wabuke, the M&E Officer, and supported by Mr. Brian Akatsa, the M&E Assistant, who formulated the report, and Ms. Rosemary Njaramba for her work in proofreading and editing the drafts of this report. Special appreciation also goes to the technical staff who led the implementation of the various activities and provided information through quarterly and back-to-office reports that fed into the report - asanteni! All these efforts have led to producing a comprehensive and detailed Annual Report.



CHAPTER ONE



INTRODUCTION

INTRODUCTION

1.1 BACKGROUND

This Annual Statutory Report (ASR) summarises the endeavours pursued by the Council of Governors during the financial period spanning from July 2022 to June 2023, constituting the Financial Year 2022/2023. Notably, this marks the issuance of the 10th iteration of the Annual Statutory Report (ASR) since the establishment of the Council of Governors in 2013.

The Council of Governors (CoG) operationalizes its stipulated mandate, as outlined in section 20 of the Intergovernmental Relations Act (IGRA) 2012, through the structured framework of the Strategic Plan spanning the period 2022-2027. Day-to-day operational activities, integral to the fulfilment of the CoG's statutory obligations, are orchestrated by its technical arm. The Executive team of the CoG, in conjunction with the Committee Chairs and the collective body of Governors, assumes the responsibility of furnishing policy direction and strategic guidance to the organization's staff. The CoG has been effectively operating through eighteen (18) Committees in the Financial Year.

The report highlights the outputs documented in the period under review towards achievement of CoG strategic objectives which are anchored in the three pillars namely:

- 1) Good governance and institutional capacity for sustainable service delivery in the Counties.
- 2) Intergovernmental Relations and devolution.
- 3) Council of Governor's institutional development.

1.2 OBJECTIVE OF THE REPORT

The primary aim of this Annual Statutory Report (ASR) is to provide a thorough evaluation of the Council of Governors' (CoG) initiatives and operations throughout the Financial Year 2022/2023. This assessment seeks to elucidate their impact on the strategic trajectory of the CoG, highlighting achievements, obstacles encountered, insights gained, and potential avenues for advancing the implementation of devolution.

1.3 MANDATE OF THE COUNCIL OF GOVERNORS

The CoG is a statutory body established under section 19 of the IGRA. The mandate and specific responsibilities of the CoG are spelt out under section 20 of the IGRA 2012 as a platform for:

- a) Consultation amongst County Governments.
- b) Sharing of information on the performance of the Counties in the

execution of their functions with the objective of learning and promotion of best practice and where necessary, initiating preventive or corrective action.

- c) Considering matters of common interest to County Governments.
- d) Dispute resolution between Counties within the framework provided under the IGRA.
- e) Facilitating capacity building for Governors.
- f) Receiving reports and monitoring the implementation of inter-county agreements on inter-county projects.
- g) Consideration of matters referred to the Council by a member of the public.
- h) Consideration of reports from other intergovernmental forums on matters affecting national and county interests or relating to the performance of Counties.
- i) Performing any other function as may be conferred on it by the IGRA or any other legislation or that it may consider necessary or appropriate.

1.4 THE STRUCTURE OF THE COUNCIL OF GOVERNORS:

The CoG is led by an Executive team comprising of the Chairperson, Vice-Chairperson and Whip, who are elected from amongst the members as shown below. The Executive serves for a term of one (1) year and is eligible for re-election for one further period of one (1) year.

The CoG Secretariat serves as the technical arm, comprising both technical and support staff, responsible for facilitating and coordinating the implementation of the CoG's statutory mandate. Its role extends to overseeing the execution of decisions made by the Council and managing the activities of various Committees. At the helm of this technical arm is the Chief Executive Officer (CEO), tasked with the day-to-day operations and overall management of CoG.

The Council of Governors (CoG) currently functions through eighteen (18) Committees, as outlined below. Each committee is composed of a Chairperson, a Vice-chairperson, and Committee members responsible for guiding policy and legal considerations relevant to their specific Committee(s), as demonstrated here:



H.E. FCPA Ahmed Abdullahi
VICE- CHAIRPERSON
Council of Governors



H.E. Anne Waiguru, EGH
CHAIRPERSON
Council of Governors

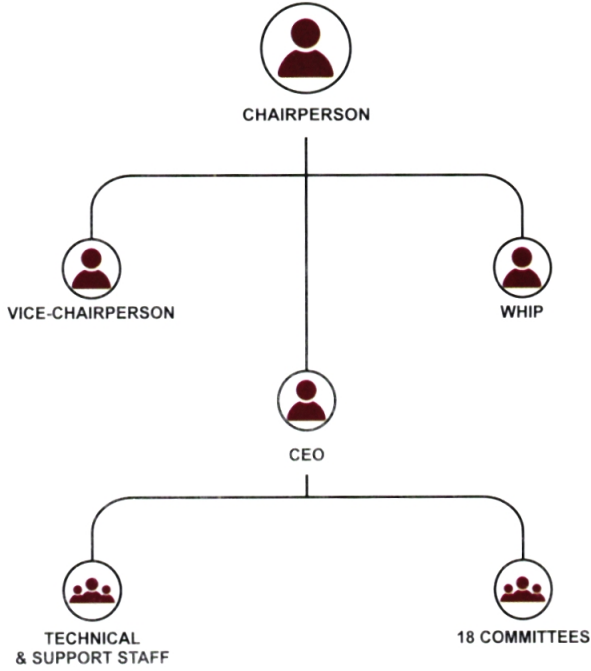


H.E. Stephen Kipyego Sang, EGH
WHIP
Council of Governors

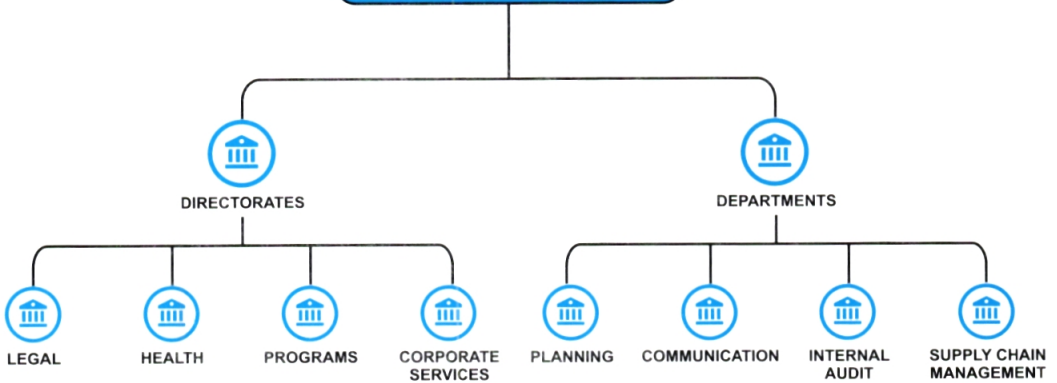
Table 1: List of CoG Committees and their Chairpersons


COMMITTEE	CHAIRPERSON
Finance, Planning and Economic Affairs	H. E. FCPA Fernandes Barasa
Health	H.E. Muthomi Njuki
Agriculture, Livestock and Cooperatives	H.E. Kenneth Lusaka
Water, Forestry and Natural Resource Management	H.E. Andrew Mwadime
Land, Housing and Urban Development	H.E. Prof. Anyang' Nyong'o
Legal, Constitutional Affairs and Intergovernmental Relations Committee	H.E. Mutula Kilonzo Jr.
Education	H.E. Erick Mutai
Gender, Youth, Sports, Culture and Social Services	H.E. Simon Kachapin
Trade, Industry, Manufacturing and Enterprise Development	H.E. Wavinya Ndeti
Environment and Climate Change	H.E. Dr. Wilber Ottichilo
Human Resources, Labour, and Social Welfare	H.E. Johnson Sakaja
Blue Economy	H.E. Issa Timamy
Transport, Infrastructure and Energy	H.E. Dr. Kimani Wamatangi
Arid and Semi-Arid Lands and Disaster Risk Management Committee	H.E. Nathif J. Adam
Resource Mobilization and Partnerships	H.E. Cecily Mbarire
Information and Communication Technologies (ICT) and Knowledge Management	H.E. Wisley Rotich
Security and Foreign Affairs Committee	H.E. Dr. Dhadho Godhana
Tourism and Wildlife	H.E. Patrick Ole Ntutu

COG STRUCTURE




COG SECRETARIAT





CHAPTER TWO



COG SUCCESSES FOR FINANCIAL YEAR 2022/2023

COG SUCCESSES FOR FINANCIAL YEAR 2022/2023

2.1 INTRODUCTION

The CoG is guided by the strategic plan covering 2022-2027 in executing its mandate. The period under reporting marked the first year of implementation of this new strategic plan. The strategic plan 2022-2027 focused on three key pillars as explained below:

Pillar 1: Good Governance and Institutional Capacity for Sustainable Service Delivery in the Counties

The objective of this pillar is to enhance good governance in Counties by promoting accountability, integrity, and transparency. This involves fostering gender mainstreaming, social inclusion, and effective leadership transitions at the County level. The pillar also focuses on bolstering the institutional capacity of County Governments, fortifying their policy and legislative capabilities, securing adequate resources, and positioning them as attractive investment destinations.

Additionally, within this pillar, CoG is mandated to create a platform for sharing information on County Governments' performance in fulfilling their duties. To achieve this, CoG continues to improve knowledge management practices and promote learning on devolution with the aim of transforming CoG as an institution into a prominent learning hub for devolution by expanding the Maarifa Centre's offerings. CoG actively seeks to establish partnerships with knowledge institutions locally, regionally, and globally to further the goal of turning County Governments into learning organizations.

The objectives executed through which this pillar are: -

- a) Promote good governance at the County level.
- b) Strengthen the institutional capacity of County Governments.
- c) Promote knowledge management, learning, innovation, and research in Counties.

Pillar 2: Intergovernmental Relations and Devolution

The Kenyan Constitution establishes both the National Government and County Governments, emphasizing their need to collaborate in fulfilling their respective functions. This devolved system necessitates the alignment of policies and laws. The CoG continually evaluates policies, legislation, and administrative actions at both levels to ensure they adhere to the principle of devolution.

This pillar aims to enhance CoG's relationships with other government agencies, advocate for improved collaboration between National and County Governments, and reinforce coordination among County Governments. It also seeks to strengthen devolution policies and legislation by advocating for reforms and corrective measures when necessary. The implementation of this pillar targets to position CoG as a catalyst for Bills and proposed policies at both government levels, enhancing County Governments' global standing

through active participation in regional and international forums. This proactive approach will highlight investment opportunities in the Counties.

The pillar is executed through the following objectives:

- a) Strengthen cooperative government and intergovernmental relations.
- b) Strengthen policy and legislation for devolution.
- c) Strengthen role of County Governments in the global agenda.

Pillar 3: CoG's Institutional development

The institutional success hinges on the effective and efficient execution of its mandate. This pillar aims to enhance the capacity of CoG by fortifying its departments and committees, legally establishing the technical team, ensuring ample resources (human, financial, and equipment), and bolstering the corporate brand.

Furthermore, the pillar guides CoG to proactively build partnerships and enhance engagement with stakeholders. Emphasizing the importance of citizen participation, in line with the constitution as per (Article 10 (2) (a)), CoG seeks to deepen its involvement in planning and decision-making processes. The pillar also directs CoG to broaden its network and leverage resources, including collaboration with regional and international entities.

This pillar is executed through the following objectives: -

- a) Strengthen CoG's administrative functions and identity.
- b) Enhance CoG's resource base.

The implementation matrix below reflects the Key Pillars, Objectives, and strategies of the 2022-2027 Strategic Plan:

Table 2: The key pillars, objectives, and strategies in the third strategic plan.

Pillars	Objectives	Strategies
1. Good governance and institutional capacity for sustainable service delivery in the Counties	1.1 Promote good governance at the County level.	1.1.1 Deepen accountability, integrity, and transparency at the County level (risk management, public participation, access to information, civic education, and public communication).
		1.1.2: Promote mainstreaming of gender and social inclusion, SDGs, and climate action in the Counties.
		1.1.3: Facilitate leadership transition at the County level.
	1.2 Strengthen the institutional capacity of County Governments	1.2.1: Strengthen performance management (PM) in the Counties.
1.2.2: Facilitate capacity building of County Governments in key priority areas.		
1.2.3: Strengthen policy and legislative capacity of County Governments.		

		<p>1.2.4: Facilitate adequate resourcing for County Governments</p> <p>1.2.5: Position Counties as viable investment destinations.</p>
	<p>1.3 Promote knowledge management, learning, innovation, and research in Counties</p>	<p>1.3.1: Institutionalize data and knowledge management at the County level.</p> <p>1.3.2: Facilitate learning, innovation, and research on devolution at County level.</p>
2. Intergovernmental Relations and devolution	<p>2.1 Strengthen cooperative government and intergovernmental relations</p>	<p>2.1.1: Facilitate effective coordination among County Governments, including inter- and intra-county dispute resolution.</p> <p>2.1.2: Facilitate intergovernmental relations between National and County Governments.</p> <p>2.1.3: Facilitate inter-county agreements</p>
	<p>2.2 Strengthen policy and legislation for devolution.</p>	<p>2.2.1: Advocate for policy and legislative reforms and initiate corrective action.</p> <p>2.2.2: Advocate and advance County positions that are in the interest of devolution.</p>
	<p>2.3 Strengthen role of County Governments in the global agenda</p>	<p>2.3.1: Facilitate County Governments' engagements in international and regional intergovernmental bodies.</p> <p>2.3.2: Promote localization of global commitments.</p>
3. CoG's Institutional development	<p>3.1 Strengthen CoG's administrative functions and identity</p>	<p>3.1.1: Strengthen the Committees and Departments of the Council.</p> <p>3.1.2: Anchor the technical arm of CoG into law.</p> <p>3.1.3: Acquire, develop, and maintain optimal staffing levels.</p> <p>3.1.4: Strengthen internal systems, processes, and application of technologies.</p> <p>3.1.5: Strengthen mechanisms for consideration of matters referred to the Council by the public.</p> <p>3.1.6: Strengthen knowledge management, learning, innovation, and research at the Council.</p> <p>3.1.7: Enhance CoG's brand.</p>
	<p>3.2 Enhance CoG's resource base</p>	<p>3.2.1: Secure adequate resources for CoG.</p> <p>3.2.2: Strengthen stakeholders' engagements and partnerships.</p>

2.2 GOOD GOVERNANCE AND INSTITUTIONAL CAPACITY FOR SUSTAINABLE SERVICE DELIVERY IN THE COUNTIES

2.2.1 Introduction

The Council of Governors (CoG) is steadfast in its commitment to fortifying good governance in the Counties, prioritizing essential principles like accountability, integrity, and transparency at the County level. Its objectives include championing gender mainstreaming, promoting social inclusion, and facilitating seamless leadership transitions within the Counties. In pursuit of these goals, CoG continuously bolsters the institutional capacity of County Governments, reinforces their policy and legislative competencies, ensures sufficient resourcing, and positions them as appealing investment destinations. CoG, as part of its core mandate, actively fosters the sharing of information on County Governments' performance, leading to a reinvigoration of knowledge management practices and a dedicated effort to cultivate learning on devolution. The overarching vision is to establish CoG as a premier learning hub for devolution, expanding the array of products and services available through the Maarifa Centre. CoG actively seeks strategic partnerships with knowledge institutions at local, regional, and global levels to collectively advance the transformation of County Governments into dynamic learning organizations.

2.2.2 Promote Good Governance at the County Level.

In 2022/2023 reporting period, CoG placed a paramount emphasis on fostering good governance practices with the aim of promoting transparency, accountability and responsiveness to the needs of the public. These efforts underscored CoG's dedication to enhancing the quality of governance within counties, contributing to the overall success and sustainability of the devolution framework.

Key achievements:

Under this objective, the following outputs were achieved:

- a) During the period under review, the Council of Governors, through its various committees, organized induction workshops for newly appointed County leadership with a primary objective of familiarizing them on their new roles. Notable induction sessions included:
 - The induction retreat for incoming Governors and Deputy Governors coordinated by the Legal Directorate, which took place in Mombasa in September, 2022. The primary aim was to furnish the 47 Governors and 47 Deputy Governors with the necessary knowledge and information essential for the effective management of county governments in accordance with the law, ultimately enhancing service delivery. Notably, the induction was attended by 47 governors and 46 deputy governors, with the absence of one Deputy Governor due to the unfortunate loss in Baringo County.
 - The induction workshop organized by the Finance, Planning, and Economic Affairs Committee. In the induction session for CECMs and

County Officers (COs) responsible for Finance and Economic Planning were briefed on the necessity of establishing and operationalizing Audit Committees, as mandated by the PFMA, 2012. A subsequent survey conducted during and after the workshop revealed that only 16 Counties have successfully set up operational Audit Committees. Recognizing the need for capacity building to overcome challenges and operationalize these Committees, it was collectively acknowledged that addressing existing gaps is crucial. The Committee conducted a survey to assess the current status, identify gaps, and understand challenges. The insights gained from the survey will guide the subsequent steps in structuring capacity-building initiatives. Additionally, the participants were given a brief overview of planning and budgeting, incorporating emerging trends like gender-responsive planning and budgeting, along with other pertinent crosscutting issues during the induction.

- Similarly, health directorate conducted the induction of 42 County Executive Committee Members (CECMs) for Health. The induction focused on key areas such as health policy and legislative environment at the County and National level, health sector governance, County health planning, and health service delivery. This induction workshop apprised the new CECMs on the status of the health sector in the devolved context and equip them with the necessary knowledge for their quick settling into County health leadership roles and adjusting to the health sector environment. CECMs from 5 Counties were not inducted as they had not been vetted by their respective County Assemblies.



The Deputy President of the Republic of Kenya and Excellency Governors posing for a group photo during the induction retreat



Excellency Governors and CECMs in charge of Health pose for a group photo during their induction

- The Natural Resources Management Committee held an induction for the County Executive Committee Members in charge of Water, Forestry, Climate Change, and Natural Resources Management in December 2022. The purpose was to ensure that the newly elected leaders seamlessly settled into their roles and responsibilities and to facilitate effective service delivery in the sector. The induction addressed various sector issues, including Constitutional governance structures and assignment of functions, policy and legal environment in the sector, County planning and budgeting processes, accelerating the transition from linear to a circular economy in waste management, performance, regulation, and financing of the water sector, the special presidential forestry programme and commercial forestry among others.
- Within the same reporting period, the Tourism committee organized an induction for the County Executive Committee Members in charge of Trade and Tourism. The Committee inducted 35 CECMs in charge of Tourism and Trade and invited various National Government tourism stakeholders, including the Ministry of Tourism and Wildlife, the Kenya Tourism Board, the Tourism Fund, and Kenya Wildlife Services. The induction focused on various topics, including positioning counties as investment and tourism destinations, the constitutional design of trade, tourism, and wildlife, reengineering trade, and tourism potential in Counties, pending policy issues in the sector, and the sector challenges and achievements.
- Additionally, the Transport, Infrastructure, and Energy Committee held an induction workshop for CECMs in charge of Energy in March 2023. The convening of the induction engendered a constructive and fruitful



Excellency Governors and CECMs in charge of Tourism pose for a group photo during the Induction of CECMs Trade, Tourism and Cooperatives

dialogue between the two tiers of government and the private sector, with the aim of delving into matters of mutual interest. The key topics deliberated upon during the workshop encompassed various facets, such as energy laws and governance structure, the pivotal role of county governments in the energy sector, integrated energy planning, County-level energy planning, the imperative data requirements in the energy sector, as well as emerging issues in the sector, including clean cooking, mini-grids, and carbon financing.

- In February the Human Resource, Labour and Social Welfare Committee conducted a three-day induction program for County Executive Committee Members, covering essential thematic areas such as government structure, national sector strategic direction, principles of governance, and international commitments. The induction also focused on county structures for service delivery, functional assignments between government levels, sector policies and regulations, county performance management, planning and financing mechanisms, key development programs, intergovernmental relations, and knowledge management. Key action points included planning a similar induction for County Executive Committee Members for Public Service and County Secretaries to address role duplication, supporting the Public Service Caucus in developing performance contracting instruments and customizing HR policies, and facilitating quarterly meetings until the caucus fully understands its role, along with sharing relevant materials for a smooth settlement of County Executive Committee Members for Public Service.
- During the same period, County Directors of Communication underwent



Panel discussion during the Transport, Infrastructure, and Energy Committee induction meeting

an induction in February 2023, aimed at enhancing their knowledge and skills for effective mandate execution. In the induction, the CoG Communications Department utilized a comprehensive manual developed for this purpose. Notably, the manual incorporated essential aspects of E-governance.

- The Gender, Youth, Culture, Sports, and Social Services Committee conducted an induction for the new Chief Officers (COs) in the sector. The induction was aimed at supporting the new officers responsible for the sector to understand their new roles better, the operating context, and the environment for effective delivery of County services related to Gender, Youth, and Social Services. The Committee inducted 39 COs from 26 Counties who had been appointed and vetted at the time.
- b) The CoG Arid and Semi-Arid Lands (ASALs) and Disaster Risk Management (DRM) Committee co-organized a simulation exercise with the National disaster operation centre that brought together 8 County Directors of DRM and County Commissioners. The exercise was aimed at raising the disaster response capacity of the key Stakeholder (County Directors in charge of DRM and County Commissioners) among the participants and how to handle challenges concerning the General elections in 2022.
 - c) The Finance, Planning, and Economic Affairs Committee in collaboration with the Gender Committee conducted a training on Gender Responsive Budgeting (GRB). County Directors of Budget and Directors of Gender drawn from 16 Counties were trained as the first cohort on GRB. The Directors now have enhanced capacity of County on GRB that will enable them to effectively design and implement gender-responsive policies and budgets.
 - d) In partnership with the Food and Agriculture Organization, the Lands, Housing, and Urban Development Committee developed a risk management framework for the Digital Land Governance Programme. The framework provides a means of identifying and preparing for the different threats and risks that the program might face during implementation.

- e) In the 2022/2023 reporting period, the Legal Directorate conducted a virtual biannual County Attorneys meeting in December 2022, during which thirty (30) County Attorneys underwent training on Access to Information. The training focused on creating awareness regarding access to information laws, particularly as outlined in Article 35 of the Constitution. The overarching objective was to heighten transparency within County Governments, mitigating the risk of legal action against Counties for deficiencies in public participation and access to information, as observed in previous years. This training was conducted in accordance with the Kenya Access to Information Act.
- f) The Council of Governors through the Resource Mobilizations and Partnerships committee in partnership with the State Department for Planning in the National Treasury spearheaded the production of Guidelines for Preparation of the Third-Generation County Integrated Development Plans (CIDPs), 2023 - 2027. The Guidelines were shared with key stakeholders vide The National Treasury and Planning Circular No.2 Ref TNTP/SDP/4/130 dated 2nd August 2022. The Guidelines addressed critical issues in resource mobilization. Further to this, the stakeholders visited all 47 counties for capacity-building and dissemination sessions of the CIDP Guidelines. During these engagements, emphasis was put on the resource mobilization section and mapping of partners. The activities were undertaken from 19th September to 1st October 2022.



Excellency Governors and Directors In charge of communication during the induction workshop



Assorted medical equipments and supplies in Counties purchased under the support of THS-UC Project

2.2.3 Strengthen the institutional capacity of County Governments

The undertakings under this strategic objective emphasizes the crucial necessity of strengthening the capacities, resources, and operational effectiveness of County Governments, laying a sturdy groundwork for proficient governance and sustainable service delivery at the grassroots level. The following achievements highlight the precise strategies and measures adopted by the CoG to actualize this pivotal goal and strengthen the comprehensive institutional capacity of County Governments.

Within the context of strengthening the institutional capacity of County Governments objective, the following achievements were realized:

- a) Agriculture, Livestock, and Cooperatives committee actively contributed to the formulation of the Food Systems Resilience Project which is set to allocate a funding of up to Ksh. 700 million over the next six years, benefiting 13 ASAL Counties. The project aims to bolster food security in the 13 Counties by improving food production, marketing and diversifying livelihoods. Additionally, CoG is set to receive funding to oversee project coordination. The committee played a pivotal role in negotiations with the World Bank (WB), resulting in the approval of the project. Subsequently, the 13 ASAL Counties have established the required frameworks to initiate and execute the project.

- b) The Arid and Semi-Arid Lands and Disaster Risk Management Committee issued a position paper addressing the prevailing drought conditions in the country. This document was presented during a working session on drought response with international partners in February 2023, at State House, Nairobi. The session, hosted by His Excellency Hon. William Samoei Ruto, President of the Republic of Kenya, featured a comprehensive overview of the current drought situation in the country and detailed the response strategies implemented by the Counties. The report played a crucial role in the government's resource mobilization efforts to secure funds for mitigating the impacts of the drought.
- c) In 2022/2023 FY, the Education Committee conducted an assessment encompassing two educational tiers; pre-primary education and vocational training. The resultant assessment report was documented in the education sector manual, specifically within the section on County Level Policies and accompanying annexes. Examining County policies and laws pertaining to education was crucial, as it shed light on the legislative framework guiding the delivery of the education function by County Governments. The dissemination of this assessment to Counties targeted fostering an environment conducive to maintaining standards of quality in learning and enhancing accountability. Additionally, the assessment pinpointed policy and legislative gaps within County Governments, guiding subsequent efforts by the CoG to strengthen these areas.



The chair of the Lands, Housing and Urban Development Committee H.E Anyang Nyong'o (right) during a briefing session

- d) The Health Directorate through THS-UC provided onsite technical assistance in 25 selected Counties with the primary objectives of assessing the implementation progress of both the THS-UC Project and the DANIDA PHC program, identifying bottlenecks, agreeing on mitigation measures, providing support to project implementation teams, and discussing closeout plans and sustainability measures post the THS-UC project. Noteworthy findings included slow finance and procurement processes impacting fund absorption, prompting some Counties to include necessary funds in supplementary budgets for FY22/23, as they were not initially approved. Similar challenges were identified with DANIDA PHC funds. In response, a final reprogramming window was initiated in November 2022, with shared guidelines advising Counties to drop unawarded procurements and replace them with operational activities feasible within the set timeline of 31st March 2023.
- e) The period under review saw the Human Resource, Labour, and Social Welfare Committee sensitize County Directors for Performance on the automation of Performance Contracts. This awareness initiative was crucial for familiarizing Counties with the automation process and outlining the necessary requirements for its implementation. The automation aims to streamline and expedite the institutionalization of performance, ensuring a more efficient and less cumbersome process. While 22 out of the targeted 30 Counties participated, logistical challenges prevented the involvement of the remaining 8 Counties.
- f) Similarly, in the same reporting period, the Lands, Housing, and Urban Development Committee in collaboration with the Food and Agriculture Organization and various key stakeholders, hosted the 1st Regional Land Data & Digitalization Conference (RLaDiC) in December 2022. The purpose of the conference was to facilitate the exchange of successful practices in land data collection, analysis, storage, management, dissemination, and utilization. Objectives also included fostering an understanding of emerging digital technologies for improved land governance, advocating for enhanced transparency and access to information on land ownership, land use, and development planning, and establishing a roadmap for coordinated efforts in land data processing and digitalization. The conference attracted participation from both online and in-person attendees.
- g) The Natural Resources Management Committee crafted a position paper addressing the uprooting of trees, prompted by the removal of 8 Baobab trees in Kilifi County. This position statement issued a directive to halt the felling of Baobab trees in Kilifi County and called upon all County Governments to reinforce their County Environment Committees, as established by Governors through gazettement. These committees are mandated to play a crucial oversight role in environmental management, as stipulated in the Environmental Coordination and Management Act, 1999 (amendment 2015). The committee subsequently distributed the position paper to various Counties.
- h) FY 2022/2023 also saw the Resource Mobilizations and Partnerships Committee formulate a data collection tool to identify Counties with

resource mobilization strategies. The assessment revealed variations in models across Counties, with some anchored in the office of the Governors and others in finance and economic planning departments, showcasing a lack of standardization. The initiative was prompted by the observation that County Governments, despite engaging numerous partners, often fail to document the support received in their reports, hindering the recognition of assistance. Moreover, the assessment purposed to enhance interdepartmental coordination, particularly in cases where a partner supports multiple sectors within a county. This evaluation recognized the challenges in communication among County departments, emphasizing the need to address gaps in tracking and maintaining commitments received from partners, as noted by several Governors.

- i) The Tourism Committee convened a validation meeting on the unbundling process for Tourism, Wildlife, and Museum functions in Naivasha on 25th May 2023, with attendance from CECMs, Chief Officers, and Directors overseeing Tourism. During the session, County officials were presented with a draft progress report on the functional analysis associated with the Tourism and Museums sector for validation. The report encompassed the transfer of all museums to the Counties in accordance with constitutional assignments, the transfer of the wildlife function, and the unbundling of the local tourism function.
- j) The Trade Committee, in collaboration with the M&E unit, formulated a sector-specific indicator tool for data collection, providing insights into the advancements within the Trade, Industry, Manufacturing, and Enterprise Development sector. The analysis of the collected data revealed notable achievements, including the construction of 94 new markets and the renovation of 172 existing ones during the last financial year. Furthermore, 26 Counties successfully automated business registration services and licensing processes. Additionally, 32 Counties established County Business Enterprise Funds, resulting in the disbursement of 1.73 billion to 7,975 MSMEs for business expansion.
- k) The Agriculture, Livestock, and Cooperatives Committee, in conjunction with the ASAL committee, formulated a report on the drought situation and the implementation of the fertilizer subsidy program. The report proposed the expansion of drought interventions to guarantee the prompt delivery of humanitarian aid to affected individuals by County Governments, the National Government, development partners, and non-state actors.
- l) The ASAL & DRM committee, in collaboration with WFP, successfully provided technical assistance to Garissa County for the development and approval of its DRM Bill. This achievement is crucial for enhancing disaster risk management and response capabilities within the County. The Bill, meeting necessary standards and aligned with County priorities, is a significant step towards building resilience and ensuring effective disaster response. The ASAL & DRM committee's support underscored the importance of technical assistance in developing and implementing critical policies and legislation, ultimately improving the well-being of Garissa County's citizens. The next phase involves sensitizing County Assembly members before submitting the Bill for Assembly approval.

2.2.4 Promote knowledge management, learning, innovation, and research in Counties.

The strategic aim of encouraging knowledge management, learning, innovation, and research embodies a multifaceted strategy geared towards nurturing a culture of inter-County knowledge exchange. To realize this objective, the CoG initiated diverse activities, resulting in significant outputs and outcomes, such as:

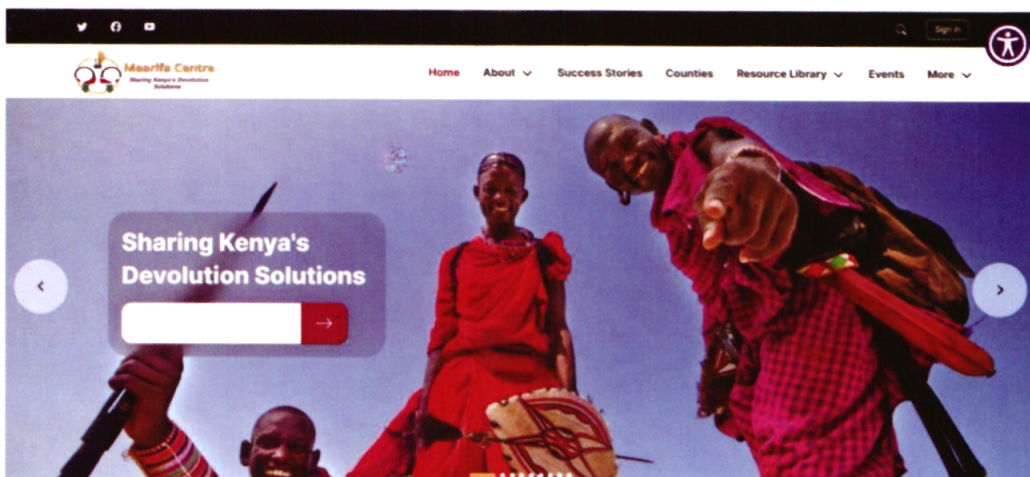
- a) The Health Directorate actively documented significant achievements and best practices in the health sector. Notably, an initiative aimed at fostering Public-Private Collaborations and partnerships in County Governments for primary healthcare was highlighted. This initiative emphasizes the potential of local resource sharing between the private and public sectors across Counties, advocating for well-structured collaborations to harness private capital and encourage investment in programs that may be considered less favourable. The goal is to optimize County Government resources for more sustainable projects.

Furthermore, the Directorate showcased the successful Operationalization of the Health Products and Technologies Unit (HPTU) in Vihiga County. Addressing fragmented systems in managing components of the County health supply chain, this effort focuses on enhancing the supply chain process, improving visibility of commodity stocks, and ultimately enhancing service delivery to clients. In subsequent updates, the Health Directorate continued to spotlight best practices, particularly the impact of Universal Health Coverage (UHC) pilot projects in Isiolo and Machakos Counties. The documentation outlined achievements, challenges faced, and strategies implemented by the counties to ensure the sustainability of gains made during the UHC pilot phase.

- b) The Finance, Planning, and Economic Affairs Committee spearheaded a peer-to-peer learning and capacity-building workshop on Infrastructure Asset Management, involving nine assessed Counties. The workshop facilitated the exchange of knowledge and best practices, with each of the participating Counties represented by 10 officers from various departments. The training encompassed crucial aspects such as the development of Infrastructure Asset Management Policies and Systems, demonstrated through the Kakamega County case. Counties also explored innovative approaches like using Infrastructure Assets as a revenue source, exemplified by the Laikipia County Infrastructure Bond. The workshop extended to international best practices, emphasizing Climate Resilient Infrastructure Asset Management to align with the imperative for Counties to adopt climate-resilient strategies in their overall infrastructure management.
- c) The Transport, Infrastructure, and Energy Committee collaborated with ICLEI Africa to offer technical assistance to Counties in formulating bankable renewable energy projects, facilitating a comprehensive transition from non-renewable to renewable energy. The initial phase of the project focused on Kisumu County as the exemplar, with Nakuru and Mombasa identified as mirroring Counties. The Committee initiated peer-

to-peer learning sessions centred on the Kisumu County Renewable energy model and proposed the inclusion of Homa Bay, Uasin Gishu, and Nakuru in the peer-to-peer exercise.

- d) The Trade, Industry, Manufacturing, and Enterprise Development committee held a peer-to-peer learning forum with the Chief Officers and Directors in charge of cooperatives from 27th-28th April 2023 at Maanzoni Lodge. 23 Counties participated in the learning forum whose theme was economic transformation through cooperatives. Key among the discussions was the development of the County Cooperative Bill. Kilifi County has developed the County Cooperative legislation and as a way forward Counties were urged to learn from Kilifi County to develop their own cooperative legislation.
- e) The Education Committee orchestrated a peer-to-peer learning forum in Mombasa County, focusing on the integration of ICT into early childhood education. Mombasa County showcased a robust system for incorporating ICT into CBC delivery at the ECDE level, emphasizing teacher capacity building and coordination. Sixteen (16) County Governments actively participated in the informative session.
- f) The Planning, Monitoring & Knowledge Management department through the Knowledge Management unit (Maarifa Centre) conducted the Inter facility committee learning exchange in Nakuru and Makueni Counties to facilitate knowledge sharing and learning among Health Facility Management Committees (HFMCs) on Facility Improvement Fund (FIF) and Community Health Services (CHS) implementation at the facility level by highlighting best practices by the Health Facility Management Committees (HFMCs) in health facilities. 15 Counties participated in the learning exchange and shared their experiences and lessons learned, with 9 attending the one in Nakuru (Migori, Nakuru, Kirinyaga, Kisumu, Nyandarua, Bomet, Nyamira, Narok, and Baringo), and 10 in Makueni (Kirinyaga, Lamu, Kilifi, Kirinyaga, Kitui, Meru, Nyandarua, Garissa, Isiolo, and Wajir). Additionally, Maarifa Centre organized a peer-to-peer (P2P) learning event in December 2022, bringing together representatives from 15 Counties to share insights on successes in Community Health Services (CHS) and youth empowerment. The participating Counties received orientation on the practical application of peer-to-peer learning. The workshop received support from the Effective Institutions Platform (EIP).
- g) Likewise, the Planning, Monitoring & Knowledge Management Department through the Knowledge Management unit (Maarifa Centre), developed a Model County Knowledge Management (KM) Office. This comprehensive document outlines the model structures and processes that can be adopted for entrenching KM within the County. After its development, the Model County KM Office was shared with both CoG staff and Counties for thorough review, received approval, and was subsequently disseminated to Counties. An abridged version of this document has been created, printed, and made available on the Maarifa website for wider accessibility.



An image of the interface of the Maarifa Centre Platform

- h) The Gender, Youth, Culture, Sports, and Social Services Committee documented two (2) notable gender-related best practices. The first was the Greening Mandera Project, which impacted over 1,230 households by providing monthly payments of KSh.10,000 to KSh.15,000 per employee, with a focus on benefiting vulnerable women and youth. The second was the Homa Bay County Gender-Based Violence Recovery Centre (GBVRC), designed to offer a secure shelter for GBV victims. This centre went beyond physical safety, incorporating mental health programs and involving Community Health Volunteers in GBV initiatives. Both initiatives showcased innovative approaches to addressing gender-related challenges and fostered positive outcomes in their respective communities.
- i) The KM team at CoG was able to make presentations on matters KM and introduce Maarifa Centre to all the Counties during the inductions of the CECMs and the COs. This ensured that Counties are aware of the KM resources available and it was also an opportunity to give visibility to the Maarifa Centre amongst County officials. The result of this is that more Counties are sending success stories to the KM team and more Counties are visiting the Maarifa Centre website.

2.3 INTERGOVERNMENTAL RELATIONS AND DEVOLUTION

The Intergovernmental Relations and Devolution pillar was designed to facilitate the enhancement of the Council of Governors' engagements, serving as a means to fortify relationships with various government agencies. The pillar actively seeks to advocate for improved ties between the National and County Governments, fostering stronger and harmonised coordination among the County Governments. Additionally, the pillar aims to bolster the framework of policies and legislation governing devolution by actively advocating for necessary reforms and initiating corrective measures when required. It also involves advocating and promoting strong County positions.

The implementation of this pillar is geared towards transforming the Council of Governors into a proactive entity, catalysing the development of Bills and proposed policies for consideration at both levels of government. Simultaneously, it endeavours to strengthen the County Government's standing on the global stage by active participation in regional and international forums, thereby bringing investment opportunities in the Counties to the forefront.

2.3.1 Strengthen Cooperative Government and Intergovernmental Relations.

The objective to strengthen cooperative government and intergovernmental relations is aimed at fostering a more collaborative and effective system of governance. This initiative focuses on enhancing coordination and communication between different levels of government, ensuring a harmonious working relationship. By strengthening these cooperative mechanisms, the goal is to optimize the overall efficiency of government functions and promote seamless intergovernmental collaboration for the benefit of citizens and the advancement of shared objectives.

Under this objective, the following key achievements were realized in 2022/2023 financial year:

- a) The Arid and Semi-Arid Lands (ASALs) and Disaster Risk Management (DRM) Committee organized a consultative meeting with the Governors, State Department of Livestock Development, Chief Executive Committee Members, County Secretaries, and Directors from 23 ASAL Counties. The purpose of the meeting was to discuss and co-create the Horn of Africa De-risking, Inclusion and Value Enhancement (DRIVE) project for pastoralist economies. This \$360.5 million initiative is financed by the World Bank and other partners, with the goal of enhancing pastoralists' access to financial services for drought mitigation, inclusion in value chains, and facilitation of livestock trade in the Horn of Africa.
- b) In the same reporting period, the Education Committee Convened a caucus meeting between the Governors Education Committee and the Ministry to discuss resolutions made during high level meetings on education sector reforms. The meeting was co-chaired between the Education Committee Chair and the Cabinet Secretary for Education and had representation of the PS State Department for ICT and the Digital Economy. As part of the resolutions of the meeting, it was agreed that a multiagency technical team will be constituted to actualize the resolutions and report back on the progress to the Governors and the CSs (Education and ICT and the Digital Economy).
- c) The Finance, Planning and Economic Affairs Committee, in collaboration with the National Treasury, convened County Directors in charge of the Budget for an experience-sharing workshop on the County Governments Additional Allocations Act. Being a new legislation on the management of conditional grants, the County Directors of Budget shared their experiences on budgeting for the same, challenges experienced during budget implementation, issues around delays in the passage of the Bill, delayed disbursement, and its implications. The issues surrounding



Arid and Semi-Arid Lands (ASALs) and Disaster Risk Management (DRM) Committee Chair H.E. Nathif Njama speaking to the press

counterpart funding were also raised and addressed by representatives of the Development Partners and the National Treasury present. This informed the Council's position that was presented during the workshop. During the workshop, the Committee's position paper on the Act was adopted for implementation going forward.

- d) During the period under review, CECMs for Economic and Planning attended the Intergovernmental Budget and Economic Council (IBEC), where various resolutions were made. So far, the following resolutions have been implemented:

- Fast-tracking of the County Governments Additional Allocations (No.2) Bill, 2022.

- The standard checklist on ineligible pending bills has been shared with Counties.

- Framework on Coordination between the National and County Governments.

- Framework on the proposed transfer of the functions in collaboration with IGRTC. Following the resolutions of the 20th Ordinary Session of IBEC, the Finance, Planning and Economic Affairs Committee followed up for implementation of the resolutions regarding County Governments. That is, the formation of pending bills verification Committees. All Counties instituted this committee and completed the verification as resolved.



Education committee members during the induction of CECMs at Mombasa County

- e) The Health Directorate participated in a series of joint meetings on unbundling of Health Functions with IGTRC, Executive Office of the President, State Department of Public Health, State Department of Medical Services, County Governments and Kenya Law Reform Commission. The team considered the provisions of the Constitution in terms of functional assignment relating to health and the unbundling and transfer done vide Gazette Notice 116 of 2013.
- f) Additionally, the Lands, Housing, and Urban Development committee followed up with the National and County Governments through meetings on the implementation of resolution 21 “Both levels of Government shall establish structures, systems, and processes for inclusive urban resilience in the cities, municipalities, and towns through strengthening urban entities to better respond to climate change and other disasters” made during the 7th and Final Annual Devolution Conference held in Makueni County: Five (5) Counties have initiated the development of urban resilience strategies for five selected cities in Kenya (Nairobi, Mombasa, Kisumu, Eldoret, and Nakuru) which will be replicated to the other municipalities and towns. Municipalities are also developing resilient infrastructure projects aimed at addressing some of the climate change effects. This has been achieved through the construction of disaster risk management centres (fire stations), the construction of stormwater drainage to address flooding, and construction of sewer systems.
- g) In the same reporting period, the Legal, Constitutional Affairs and Intergovernmental Relations Committee convened a County Attorneys' biannual meeting on 13th December 2022 to discuss emerging issues in the



The Deputy President of the republic of Kenya and Excellency Governors during the IBEC Summit

Counties. The key issues discussed included Access to Information and Grievance Redress mechanism, challenges facing County Attorneys during the transition period following the 2022 general elections.

- h) Furthermore, the Legal, Constitutional Affairs and Intergovernmental Relations Committee finalized the development of guidelines for resolving Inter-County disputes referred to the CoG. The guidelines were tabled in the inaugural legal committee meeting held on 25th November 2022. The Guidelines guided the process of selection of members of the Ad Hoc Committee as well as the conduct of the meeting. Two preliminary meetings were held by the Ad Hoc Committee i.e., 14th and 20th December 2022.
- i) The Natural Resources Management committee convened and facilitated sessions during the Kenya National Landscape Restoration Scaling Virtual Conference 2022 with the Centre for International Forestry Research (CIFOR) and World Agroforestry (ICRAF) that attracted more than 200 participants, including National Government, County Governments, Civil Society Organizations, and Communities. Taita Taveta, Nyeri, Machakos, Nakuru, and Laikipia counties, represented by County Directors, presented the plans and aspirations at the county level for Forest Landscape Restoration (FLR) implementation in support of the new presidential directive on Tree Planting and the Forest and Landscape Restoration Plan (FOLAREP) 2022 - 2027 as well as the challenges and opportunities for FLR



Excellency Governors during a tour at the Twiga Foods facility within Tatu City Industrial Park

implementation. The platform provided an opportunity to showcase Counties' Forest and landscape restoration efforts and attract potential donors, partners, and the private sector in collaborative restoration efforts.

- j) In a bid to support implementation of resolutions made in the Summit, CoG implemented various activities in the period under review including:

Following the resolutions made during the National and County Governments Summit held in Naivasha, the Council of Governors through the Natural Resource Management committee in collaboration with the Ministry of Environment, Climate Change and Forestry convened the CECMs Environment, County Directors NEMA, and the County Conservator of Forests to discuss and agree on the modalities of implementing the greening programme of the 15 billion tree seedlings.

Resulting from the Summit Meeting held from February 2023, the Trade, Industry, Manufacturing and Enterprise Development committee convened a consultative meeting between the two levels of government and the stakeholders in the Trade and Investment sector to discuss promoting trade, market linkages and establishing aggregation centres and industrial parks in Counties. The multi-agency team also visited Tatu City industrial park, Twiga Foods facility, and Kenya Industrial Research and Development Institute to learn about the process of setting up such industries, market linkages, and value chain



Excellency Governors during a learning session at the Tatu City Industrial Park

processes that will benefit the Counties. The meeting brought together the Office of the President, Governors, Deputy Governors, Ministry of Investment, Trade and Industry, Private Sector and Development Partners.

The Transport, Infrastructure and Energy committee participated in the unbundling of functions in the roads and energy sector as resolved during the summit meeting. The committee identified functions that have not been unbundled and provided Council position on the same.

- k) In collaboration with the Kenya Tourism Board, the Tourism and Wildlife committee facilitated a destination marketing series aimed at fostering innovation in products and experiences. This series placed specific emphasis on place brands, product/experience brands, and quality labels. During the sessions, the focus was on the identification and evaluation of new products, experiences, and facilities. The discussions also centred on exploring potential signature experiences and evaluating the status of existing products and tourism infrastructure. The target audience for these sessions included CECMs, Directors, and Chief Officers responsible for Tourism. By the end of 2022/2023 FY, sessions had been conducted with County officials from 20 Counties.



Trade CS Moses Kuria with Excellency Governors at the Twiga Foods Aggregation Center

l) In the same 2022/2023 financial year, the Trade, Industry, Manufacturing, and Enterprise Development Committee held a consultative meeting with the Principal Secretary, State Department of Investment to discuss on how to position Counties as investment destinations. The meeting resolved to collaborate on:

- Establishment of a National investment promotion coordination framework.

- Land banking for County aggregation industrial parks (EPZs/ SEZs).

- Enhancement of intercounty trade and investment facilitation framework.

- Enhancement of County single business licensing framework.

- Development and transformation of bankable County investment projects.

- Business & investment climate engagements with regional economic block.

m) During the 7th Devolution Conference held at Makueni Boys in 2021, the Maarifa Centre had a breakaway session on Indigenous knowledge. During this session, one of the resolutions was “Both levels of government shall work collaboratively in identifying, protecting, and storing existing Indigenous Knowledge in the National Digital Repository to ensure the inter-generational transfer of this knowledge.” The National Museum of



Panelists during a Breakaway Session during the 7th Devolution Conference held at Makueni Boys in 2021

Kenya has identified a service provider to design the National Digital Repository. In quarter one of 2022/2023 financial year, the designing of the digital repository system commenced. A needs assessment and sensitization pilot project were also carried out in 12 Counties including Kilifi, Makueni, Garissa, Tharaka Nithi, Marsabit, Kericho, Narok, Turkana, Kakamega, Vihiga, Siaya, and Kisii.

2.3.2 Strengthen policy and legislation for devolution.

The strengthening of policy and legislation for devolution objective is geared towards enhancing the legal and policy framework that underpins devolution implementation. This initiative focuses on bolstering the foundation of decentralized governance by refining and fortifying existing policies and legislation. By doing so, the aim is to provide a more robust framework that supports the effective implementation of devolution, ensuring clarity, coherence, and adaptability to the evolving needs of local governance. Key achievements under this objective are:

- a) CoG, utilizing its diverse committees, conducted thorough reviews of numerous Bills, Acts of Parliament, policies and regulations. Subsequently, memorandums were crafted and submitted to the National Assembly, the Senate, and relevant Ministries, Departments, and State Agencies. The primary objective of these efforts was to ensure that the documents align effectively with the principles of the devolved system. Annex 1 of this report provides a comprehensive list of Bills reviewed by CoG in the period under review.



ASAL Governors meeting with development partners on Resilience Building

- b) The ASALs and Disaster Risk Management Committee undertook a comprehensive assessment of the Proposed Drought Coordination Framework and furnished their feedback to the State Department of ASALs. The framework outlines the coordination structures for drought response, designating the National Drought Management Authority (NDMA) to serve as the secretariat for these structures at both the National and County levels. At the national level, the structures encompass the Intergovernmental Committee and the Multi-Sectoral Committee. Meanwhile, at the county level, the framework includes the County Steering Group, Sub-County Steering Group and Ward and Community Committees.
- c) In the same reporting period, the Blue Economy Committee participated in the development and review of the National Blue Economy Strategy at a meeting held in July 2022. The need for the Committee to be part of the meeting was to help clearly define the devolved functions and provide input in the manual, taking note that it is the first strategy to be developed in the Sector in Kenya. The strategy helps define the several sub-sectors in the Blue Economy Sector and the major key players and stakeholders in the Sector mandated to carry out the roles defined in the strategy.
- d) In response to the President's directive through Gazette Notice 11920, appointing a Presidential Working Party on Education Reform to evaluate various facets of reforms in the education sector—encompassing



Excellency governors during the inaugural Blue Economy meeting at CoG offices

governance, coordination, and financing at the Basic, Tertiary, and University levels—the Education Committee prepared a written memorandum that was orally presented to the members of the Working Party on November 17, 2022, with the aim of providing crucial insights for the recommendations in the report to be submitted to the President. A key proposal highlighted in the memorandum was the suggestion to institute a conditional grant aimed at augmenting the resources available to County Governments for the enhancement of pre-primary education and vocational training. This proposed grant is envisioned to fortify the ongoing efforts of County Governments in their provision of services, contributing to the overall improvement of these vital educational domains.

- e) During the period under review, the Health directorate responded to a request from the Ministry of Health (MoH), requesting Counties through the Council of Governors (COG) to send seven (7) officers from various County Governments to the Ministry of Health for a two-year duration while remaining employees of their respective County Public Service Boards during this period. Addressing constitutional and legal uncertainties associated with this request, CoG recommended that:

The Ministry of Health should consider establishing an intergovernmental Task Force tasked with deliberating and formulating both a draft policy and legislation or amendments to existing laws. This initiative would address matters related to the secondment of public officers or the transfer of services from one county's public service to

another, or from one level of government to another.

CoG should not comply with the request to second County Governments' staff to the Ministry of Health. Instead, CoG should be prepared to actively participate in the proposed Task Force, should it be established, focusing on resolving the identified matters.

- f) The Human Resource, Labour, and Social Welfare in collaboration with the Legal, Constitutional Affairs and Intergovernmental Relations Committee reviewed made the following submissions to the Senate SRC and Employment and Labour Relations Court:

Petition regarding the unfair terms and conditions for Universal Health Coverage (UHC) staff and delay in the internship posting.

Stakeholder submission on the proposed County remuneration and benefits for financial years 2023 - 2024 and 2024 - 2025

Memorandum to the employment and labour relations court on the annual symposium and exhibition (ELRASE).

- g) The Lands, Housing, and Urban Development Committee actively engaged in a comprehensive range of activities under the strengthening policy and legislation for devolution objective. In the first quarter, the committee prepared two position papers, focusing on the status of spatial planning and the implementation of GIS under the Digital Land Governance Programme. These papers served as crucial guides for the development of work plans and activities. Additionally, the committee addressed pending sector issues, providing valuable insights for the Council of Governors leadership and the Governors. In the second quarter, the committee expanded its efforts by preparing six additional position papers covering various aspects such as County Spatial Planning, Urban Governance and Management, sector policies, laws, and regulations, Housing Agenda, CILOR Interagency consideration, and the induction of committee members and chief officers. These comprehensive position papers were presented during the inaugural Land, Housing, and Urban Development Committee meeting, where they were considered for further action. The committee, recognizing the importance of collaboration, agreed to organize a consultative meeting with relevant stakeholders in the sector in January, paving the way for informed decision-making and effective sector CECMs induction.
- h) Additionally, the Trade, Industry, Manufacturing, and Enterprise Development committee were actively involved in providing essential advisories on various matters. In the first quarter, the committee developed an advisory to the Senate addressing the issue of double taxation of pharmacies in Kenya, emphasizing the distinction between professional fees and single business permits. The advisory underscored the importance of trade licensing fees for County development projects and served as a protective measure for devolved functions. In the second quarter, the committee issued an advisory to the National Treasury on the Financial Inclusion Fund Regulations, advocating for the inclusion of County representatives on the advisory board and alignment with gender balance and Shariah law to promote inclusivity in the MSMEs sector. The

third quarter saw the committee advising the Principal Secretary State Department for Industry on nominating representatives to the National Industrial Parks Coordinating Committee, clarifying the nomination process and safeguarding the Council of Governors' mandate. In the fourth quarter, the committee provided an advisory to the Ministry of Investments, Trade, and Industry regarding the implementation of County Aggregated Centres and Industrial Parks, expressing concerns on oversight and recommending coordination through the Council of Governors. The advisories issued by the committee played a crucial role in guiding policy and protecting the interests of the Council of Governors in matters related to trade, industry, and infrastructure.

2.3.3 Strengthen role of County Governments in the global agenda.

This objective emphasizes the importance of enhancing the participation and influence of Counties in global initiatives. This initiative seeks to empower County Governments to actively engage in and contribute to international agendas, fostering collaboration, and amplifying the impact of local efforts on a global scale. By reinforcing the role of County Governments in the global arena, the objective aims to position them as key contributors to international dialogue, sustainable development, and shared global goals.

This strategic approach aims to leverage local expertise and perspectives for a more inclusive and interconnected global community. Key achievements under this objective include:

- a) The Agriculture, Livestock and Cooperatives Committee participated and facilitated 4 Counties (Nandi, Nyeri, Trans Nzoia and Kitui) to participated in a learning event of digital agriculture in Ethiopia under the cross-country learning with World Bank. A report was developed and has been incorporated in the County budgets for National Agricultural and Rural Inclusive Growth Project (NARIGP), Kenya Climate Smart Agriculture Project (KCSAP) and National Agricultural Value Chain Development Project (NVACDP) for 2023/24 for implementation.
- b) The Chair of the Council of Governors' ASAL and DRM Committee, H.E Nathif J. Adam along with other stakeholders from the National Government, travelled to Namibia for a learning trip. The primary aim of the learning trip was to gain insights into developing an efficient, organized, and extensive livestock sector that can consistently supply quality livestock sourced from pastoral areas. Achieving this aim will translate into increased net attributable income for pastoralists from the sale of livestock, contributing to their overall economic development. To realize these goals, the livestock program has implemented and tested various models of animal health service delivery, including the agrovet-led model and strategic partnerships with large input companies. These initiatives aim to ensure that pastoralists have access to the right information and drugs, ultimately enhancing productivity and improving the quality of their livestock.

- c) The Education committee provided technical inputs during the consultations in preparation of Kenya's Country report to the Transforming Education Summit at the United Nations General Assembly. The same report has the transformative reforms in the education sector including both pre-primary and vocational training that are under the Management of County Governments.
- d) The Land, Housing and Urban Development Committee invited Counties to participate in the Second session of the United Nations Habitat Assembly where issues of localizing the New Urban Agenda was discussed. The Assembly took place on 5th to 9th June 2023 at Nairobi, Kenya.
- e) The Natural Resource Management committee coordinated and facilitated the participation of County Governments in the United Nations Climate Change Conference (COP 27) held in Sharm El-Sheikh, Egypt, from 6th to 18th November 2022. Excellency Governors and County Officials made remarks at various critical events during the conference positioning the Sub-national governments in the World Leaders platform to deliberate on their role in unlocking opportunities to turn around the climate change effects and implementing and transforming critical climate-related decisions into concrete actions.
- f) The Trade, Industry, Manufacturing and Enterprise Development Committee held a consultative meeting with the State Department for Trade on 12th July 2022 to discuss matters related to Africa Continental Free Trade Area (AfCFTA) and explore potential areas of collaboration. Further, the committee developed a report with key resolutions for further action by CoG, and the Ministry of Trade to strengthen the trade sector in counties such as including the Council of Governors in the technical teams responsible for trade agreements.
- g) The Planning, Monitoring & Knowledge Management department actively participated through its SDGs unit in the National SDGs Multistakeholder Forum and Awards held in Mombasa from November 30th to December 2nd 2022. Themed "Recovering from Multiple Crises and Accelerating SDGs Implementation in the Decade of Action," the forum brought together Government Ministries, Departments, Agencies, Civil Society Organizations, County Governments, the Private Sector, UN Agencies, Development Partners, Academia, and the Media. Participants from Uganda, Tanzania, and Finland also joined the discussions. Additionally, the forum included an SDGs awards segment, and in the County, category coordinated by CoG, exemplary efforts in SDGs implementation were recognized for Makeni, Vihiga, and Marsabit Counties based on set criteria.

2.4 COG'S INSTITUTIONAL DEVELOPMENT

In the CoG 2022 - 2027 Strategic Plan, the institutional development strategic pillar aims at enhancing the capacity of the Council by fortifying its departments and committees, formalizing the legal status of CoG's technical team, ensuring an adequate supply of resources (human, financial, equipment, and tools), and reinforcing the corporate brand of CoG. Additionally, the pillar also provides guidance for CoG in proactively cultivating partnerships and enhancing collaboration with various stakeholders. Furthermore, the pillar continues to steer CoG towards broadening its network and resource base, including fostering engagement with regional and international organizations.

2.4.1 Strengthen CoG's administrative functions and identity.

This objective underscores the commitment to strengthen the operational and organizational aspects of the Council of Governors (CoG). The objective focuses on enhancing the efficiency and coherence of administrative functions within the CoG, aiming to establish a robust administrative framework. Concurrently, the objective seeks to reinforce the distinctive identity of the CoG, ensuring a unified and recognizable presence.

By strengthening both administrative functions and identity, the objective aims to empower the CoG in effectively carrying out its mandate, fostering internal cohesion, and projecting a clear and impactful external image. Key achievements under this objective included:

1. Several committees at the Council successfully organized orientation meetings with their respective committee members. These sessions were designed to acquaint members with their roles and address key pending matters within the mandates of their committees. The committees that



The Finance, Planning and Economic Affairs Committee members pose for a photo after the committee's induction in Naivasha, Nakuru County.

conducted these insightful orientation meetings included, among others:

- The Finance, Planning, and Economic Affairs Committee that oriented its newly appointed Committee Chair on his roles and pending matters within the Finance committee. Furthermore, the Committee conducted its inaugural retreat in December 2022. During this event, all committee members received comprehensive insights into the finance committee's operations, covering its terms of reference, policy and legislative framework within the sector, key achievements, emerging issues, and outstanding matters. Subsequently, a detailed report on the Committee's activities was presented during a full Council meeting.



Agriculture Committee Chair H.E. Ken Lusaka (left) and Vice Chair H.E. Mutahi Kahiga (right) during Agriculture, Livestock and Cooperatives Committee inaugural committee meeting

- The Agriculture, Livestock, and Cooperatives Committee convened its inaugural meeting on November 2022, during which Excellency Governors who are members of the Committee were oriented on the Committee's Terms of Reference.
- The Lands, Housing and Urban Development Committee organised an introductory committee meeting in November 2022. The meeting discussed the following strategic issues in the sector:
 - i. The status of County Spatial Planning
 - ii. Status of Urban Governance and management
 - iii. Sector policies, laws and regulations Programmes and projects supported by the committee.
 - iv. Housing Agenda
 - v. Consideration of the CILOR Interagency
 - vi. Induction of the committee, county executive Committee Members and chief officers.



Tourism and Wildlife Committee inaugural meeting at the CoG offices

The Tourism Committee held its inaugural meeting with the Excellency Governors that are members of the Committee in March 2023. The meeting was attended by 3 Governors (H.E. Patrick Ole Ntutu, H.E. Andrew Mwadime and H.E. Jonathan Lelelit). In attendance was the Deputy Governor Lamu County H.E Makad Ali Loka. The meeting elected H.E Fatuma Achani as the Vice Chairperson for Tourism and Wildlife Committee and reviewed the Status of the Tourism and Wildlife Committee. Further, the meeting identified critical issues around the Tourism, wildlife, and museums functions for further engagement with the Ministry of Tourism, Wildlife, and Heritage, including complete unbundling of the tourism function, devolution of all museums to Counties as per the constitution and review of all the legislation in the sector to align to devolution.

The Trade, Industry, Manufacturing and Enterprise Development Committee conducted its first meeting with Excellency Governors on in November 2022 to appraise the Excellency Governors of the committee's mandate, the achievements & challenges and the pending issues that need the attention of Excellency Governors. The Committee inducted 3 Excellency Governors out of the 5 members of the committee. The Chairperson of the Trade Committee resolved that the committee's vision is to position County Governments as investment hubs.

Similarly, the Blue Economy Committee initiated its activities by developing a comprehensive brief on the sector, addressing emerging issues, benefits, and challenges. The Chair shared this document, marking the initial step in orienting the Committee. Some of the identified issues encompassed a lack of designated focal persons in the Counties, limited sector partners, and inadequate coordination among counties. Subsequently, the Committee convened its maiden meeting in October 2022, where members were briefed on various committee-related matters. During this session, the Blue Economy Committee presented a document outlining its specific issues and



Trade, Industry, Manufacturing and Enterprise Development Committee chair H.E Wavinya Ndeti (left) and CEO Council of Governors Mary Mwiti (right) during the inaugural committee meeting

recommendations. The Chair incorporated these concerns, leading to a follow-up meeting on December 14, 2022, where the document was presented to the Cabinet Secretary during a session involving committee Governors, yielding resolutions based on the Committee's requests.

2. A youth mainstreaming training for the CoG staff facilitated by the Gender, Youth, Sports, Culture and Social Services committee. The training aimed at strengthening an understanding and mainstreaming of youth issues in the Council of Governors' committees and facilitating an integrated approach towards youth issues within the organization.
3. A virtual sensitization session coordinated by the Legal Directorate for CoG staff members on policy and legislation making process in Kenya. Forty-five (45) staff members attended the sensitization meeting as conducted by an external senior legislative drafter from Kenya Law Reform Commission. The sensitization was aimed at equipping the staff members with the necessary skills for policy and legislative development.
4. Furthermore, the Legal, Constitutional Affairs, and Intergovernmental Relations Committee actively contributed to the enhancement of organizational processes at the Council of Governors (CoG). The committee played a pivotal role in developing and disseminating an Employee Handbook in collaboration with the HR Department. This initiative aimed to facilitate a seamless onboarding experience for new CoG staff and provide valuable insights to existing staff regarding key institutional matters.

5. Additionally, the committee focused on formulating policy and procedure guidelines related to the appointment and representation of the Council of Governors on Boards and Task Forces. By establishing clear guidelines, the committee ensures effective representation of the 47 County Governments in various taskforces and boards, addressing issues directly impacting the Counties. This strategic effort aligns with the committee's commitment to safeguarding the interests of County Governments in crucial decision-making forums.
6. Within the same reporting period, a sensitization session for 26 technical staff members was conducted by the Resource Mobilization and Partnerships Committee, with the objective of enhancing their understanding of resource mobilization strategies. Subsequently, the participants contributed to the development of the draft Resource Mobilization (RM) strategy. This initiative was driven by the delegation of resource mobilization responsibilities to committees, emphasizing the importance of ensuring that staff comprehends their roles in the resource mobilization process and how to reinforce existing partnerships.
7. The Planning, Monitoring & Knowledge Management department organized a sensitization workshop for CoG staff and interns. The workshop aimed at enhancing the capacity of CoG staff in SDGs acceleration strategies, tracking, and reporting processes, enabling them to integrate SDGs into induction manuals for County CECMs and Chief Officers. The



CoG staff taking part in the Resource Mobilization and Partnerships Committee sensitization session

session provided insights into the SDGs institutional framework for Kenya, emphasizing the roles of various stakeholders, including the Council of Governors, County Government, State Department for Planning SDGs Directorate, National Government Ministries, Departments and Agencies, Civil Society Organizations, Private Sector, United Nations Agencies, and Development Partners. Furthermore, the staff received awareness on the alignment of SDGs with the 14 County functions outlined in the Constitution.

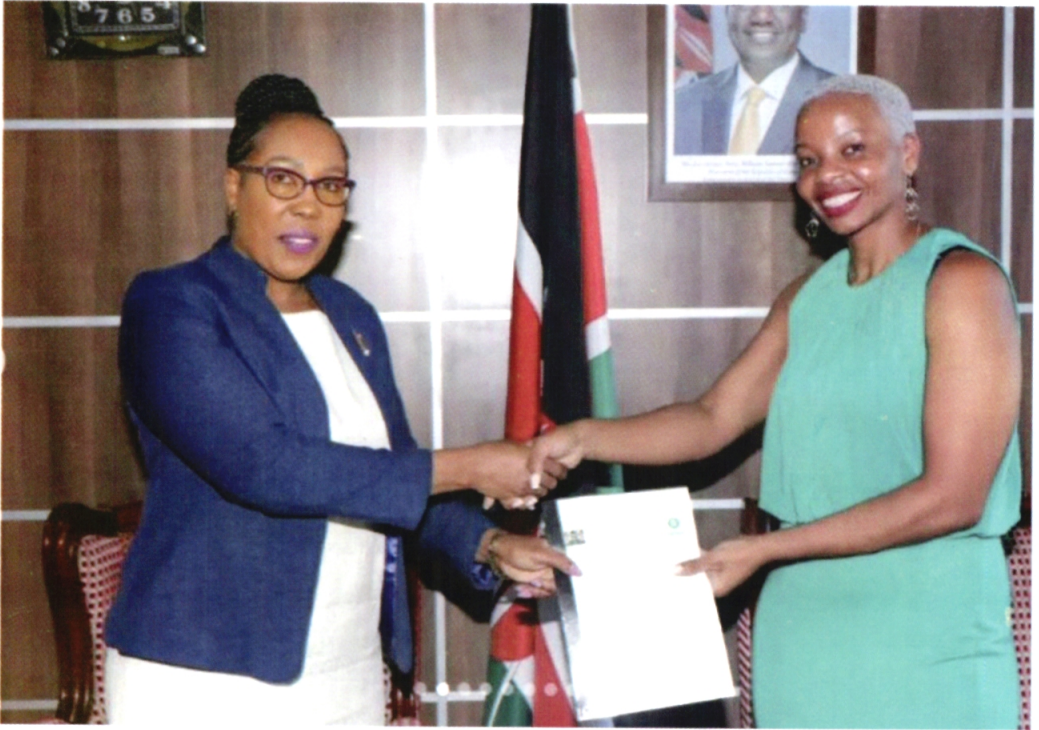
8. Furthermore, the Planning, Monitoring & Knowledge Management department through the M&E unit, successfully developed crucial governance instruments. A finalized Standard Operating Procedure for Planning and Reporting has been crafted, delineating explicit directions for institutional planning, and reporting of achievements. In addition, a comprehensive Guideline on Developing Indicators was completed, offering step-by-step guidance for consistent and effective indicator development. This achievement ensures that CoG staff and stakeholders can seamlessly create and utilize indicators for accurate decision-making and robust monitoring and evaluation processes.
9. The M&E unit also generated a Guide on results-based reporting to assist staff in submitting result-based reports. The Planning department collaborated with the Effective Institution Platform (EIP) to conduct training for CoG staff on peer-to-peer learning at Lake Naivasha Resort in



CoG team Training on Peer to Peer learning with EIP at Naivasha Nakuru County



Signing of MOU between CoG and Tony Blair Institute for Global Change



Signing of MOU between CoG and Oxfam at CoG offices Nairobi

October 2022. This session specifically emphasized the use of Monitoring and Evaluation (M&E) tools to monitor the effectiveness of peer-to-peer learning. The training sessions were informed by two case studies jointly developed by CoG and EIP, focusing on the impact of peer-to-peer learning on service delivery. Additionally, a comprehensive How-to Guide on Peer-to-Peer Learning was produced during the training.

10. In same reporting period, the Communication Department of CoG successfully documented and disseminated knowledge products to enhance the visibility of the CoG, ensuring institutional memory retention. Various activities, including Governors and Deputy Governors' induction programs, retreats on public finance, sector-specific inductions, and peer-to-peer learning training for COG staff, were comprehensively documented through different media formats. Furthermore, significant engagements, forums, and consultative meetings, such as high-level interactions with the President and CS Ministry of Trade and Industry, the launch of the Framework for recognizing productivity, and the Devolution Conference Steering Committee visits to Uasin Gishu County, were meticulously captured. The department's efforts also extended to documenting milestones, successes, and challenges encountered in devolution through the Devolution Book.

2.4.2 Enhance CoG's resource base.

This objective aims at strengthening the financial and non-financial resources available to the Council of Governors (CoG). This strategic initiative seeks to diversify and expand the sources of support, funding, and capabilities for CoG, ensuring its sustained effectiveness in fulfilling its mandate. The focus is on developing innovative approaches to resource mobilization, fostering partnerships, and exploring new avenues for collaboration with various stakeholders. The objective underscores the importance of a robust resource base in enabling CoG to better serve the needs of County Governments, enhance its operational capacity, and contribute significantly to the success of devolution in Kenya. Key achievements under this objective included:

1. Leading the way, the Resource Mobilization and Partnerships Committee demonstrated proactive engagement in securing funding and support for key initiatives. Particularly, the committee played a pivotal role in developing a concept note on the transition and supporting funding for the final council meeting and farewell for the first decade of Governors and their deputies. Additionally, efforts were made by the Committee to seek additional allocation from UNDP through the joint devolution program to support CoG and the induction process. Collaborative endeavours with UNICEF resulted in the development and financing of a concept note, amounting to KSh. 4.9 million.

Furthermore, the committee signed two crucial MoUs with Oxfam in Kenya and TBI, with active implementation underway. The committee's strategic planning and proposal development activities attracted support for various initiatives, including high-level sessions, County Attorneys meetings, and the development of Children's facility standards, underscoring their commitment to resource mobilization for impactful outcomes.

2. The Agriculture, Livestock, and Cooperatives Committee engaged in resource mobilization efforts to bolster its initiatives. This included a proposal to the Agricultural Rural Donor Group for technical assistance to both the Council and County Governments. A comprehensive workplan and budget, totalling KSh. 50 million, were developed to secure support from the National Agricultural Value Chain Development Project (NAVCDP), with additional concepts submitted to the Agriculture and Rural Development Partners Group (ARDPG) for financing, garnering possible commitments from Alliance for a Green Revolution in Africa (AGRA), Food and Agriculture Organization (FAO), United States Agency for International Development (USAID), and European Union (EU). Notably, USAID advertised for technical advice to the Council of Governors on food security. In a significant development, a budget of KSh. 30 million under the NAVCDP project was successfully secured on June, 2023, earmarked to enhance the committee's capacity and support coordination activities for the COG Agriculture Committee's projects.
3. In addition, the Agriculture, Livestock, and Cooperatives Committee actively engaged in establishing vital partnerships for the sustainable transformation of the agricultural sector across the 47 County Governments. A draft memorandum of understanding (MoU) between the Council and the Alliance for a Green Revolution in Africa (AGRA) was developed in the first quarter of the 2022/23 FY, laying the groundwork for general cooperation. Afterwards, in the second quarter, the committee reviewed and finalized the MoU, specifying strategic areas of collaboration with AGRA to enhance the agriculture sector. The adopted MoU was formalized and signed during the committee meeting, solidifying a significant collaboration for the advancement of agriculture across all counties.
4. Correspondingly, the Finance, Planning, and Economic Affairs Committee significantly contributed to the growth of the Council of Governors' financial resources. Through a retreat meeting with the National Treasury, a proposal for an additional allocation, up to 32% of the current budget, was submitted, indicating a strong commitment to enhancing the Council's financial capacity. Moreover, a funding requirement of Ksh. 60 million was presented to the Parliamentary Accounts Committee for consideration. The Council also successfully secured an extra allocation of Ksh. 20 million under the development budget for the financial year 2023/24, maintaining the recurrent budget at the previous level. These strategic financial initiatives demonstrate the committee's dedication to fortifying the financial standing of the Council of Governors.
5. In a bid to also enhance CoG's resource base, the Arid and Semi-Arid Lands and Disaster Risk Management Committee similarly pursued external funding to support the induction of newly appointed Chief Executive Committee Members (CECMs) and Chief Officers (COs) responsible for Disaster Risk Management (DRM). The committee-initiated requests for funding from both the United Nations Development Programme (UNDP) and the United Nations Office for Disaster Risk Reduction (UNDRR). Verbal confirmation from UNDP indicated a positive prospect for funding, with the

committee anticipating a formal response in the coming financial year. In a separate engagement, the committee hosted a productive meeting with the World Food Programme (WFP), focusing on strengthening institutional capacities in counties, social protection programs, climate change interventions, and disaster risk management for vulnerable communities. The WFP expressed commitment to providing technical support for coordinating Arid and Semi-Arid Lands (ASALs) and collaborating on the upcoming Biennial Devolution Conference. Plans for a joint memorandum of understanding (MoU) between the Council of Governors and WFP were discussed, outlining support for the ASAL committee, and fostering partnerships to address food security, social protection, climate change, and disaster risk management challenges in counties. This collaboration, which will be formalized in the coming FY, is poised to significantly enhance service delivery to the citizens of Kenya.

6. The Blue Economy committee actively advanced its strategic initiatives by developing and continually updating a stakeholder matrix to comprehensively map sector-specific partners, their ongoing negotiations, and thematic areas of commitment or specialization. This mapping exercise serves as a valuable guide for resource mobilization efforts supporting both the committee and the Counties involved. By regularly updating the stakeholder matrix, the committee ensured its relevance, facilitating effective resource mobilization for planned activities and work plans. The collaborative spirit within the sector is further bolstered through partnerships cultivated with identified stakeholders, enhancing the committee's overall impact and effectiveness in advancing the Blue Economy agenda.
7. The Health Directorate played a pivotal role in fostering collaboration with the UNRCO-SDGPP and the Hilton Foundation during a consultative meeting. The focus of the meeting was on exploring potential funding opportunities for the localization agenda. The Chair of the Council of Governors effectively communicated the Counties' requests, emphasizing the consideration of financial support from the Hilton Foundation to cover administrative costs, including staff-related expenses. This strategic engagement showcases the Health Directorate's proactive efforts to secure funding support and advance the goals of the localization agenda for the benefit of the Council of Governors.
8. Similarly, the Land, Housing, and Urban Development Committee demonstrated active engagement and collaboration by hosting a courtesy meeting with the Association of Licensed Land Surveyors of Kenya on November 2022. The discussions centred on exploring areas of partnership and addressing emerging issues within the sector. Additionally, the committee actively participated in the Kenya Resilient Urban Areas Technical Assistance Mission, conducted from December 5th to 9th, 2022. This mission played a crucial role in shaping the design of the Kenya Devolution Urban Support Programme, showcasing the committee's commitment to contributing to the development and resilience of urban areas in the country.



The CoG chair H.E. Anne Waiguru, EGH during a consultative meeting with Hilton Foundation

9. In the period under review, the Legal, Constitutional Affairs, and Intergovernmental Relations Committee demonstrated effective resource mobilization through collaborations with various partners. Partnerships with Uraia Trust and Kenya Law Reform Commission yielded essential resources, including copies of the Constitution, devolution laws, and Public Finance Act booklets, enhancing the Council's reference materials for an induction workshop. Notably, the committee successfully secured support from UNICEF and AMREF, totalling KSh. 3 million, earmarked for the induction of County Attorneys, that was conducted in the 3rd quarter. In quarter 4, UNICEF played a pivotal role in resourcing the Senate-COG high-level meeting, covering hotel and conferencing costs and supporting the development of a Childcare Facilities Framework, reflecting the committee's commitment to effective legal and intergovernmental engagements.
10. The Tourism Committee organized a Development Partners roundtable meeting, addressing challenges and opportunities in the tourism sector, specifically at the County Governments. Resolutions included scheduling regular meetings with development partners, convening County Governments to advocate for tourism sector investments, channelling activities through the Council for coordination, and supporting Counties in establishing and harmonizing Tourism and Wildlife legislations. Additionally, the committee received and discussed two Memoranda of Understanding (MOUs) from the Kenya Wildlife Conservancies Association and Wanderlust Diaries, demonstrating tangible outcomes from the roundtable discussions.



Tourism Committee meeting with Wanderlust Diaries to address challenges and opportunities in the tourism sector

11. In the same spirit, the Transport, Infrastructure, and Energy Committee engaged in a series of activities to address critical issues in the sector. This included a courtesy call to the Cabinet Secretary of the Ministry of Energy, discussing matters like the KOSAP project, EPRA levy, and collaboration. The committee also collaborated with the Ministry of Energy on the Sustainable Energy Technical Assistance (SETA) project, aiding 12 counties in developing their County Energy Plans. They participated in the Annual Training Programs, offering technical support for framework development and contributing to the Clean Cooking Week 2022. The committee facilitated the establishment of the Intergovernmental Roads sector forum and partnered with various organizations for the induction of CECMs in charge of Roads and Transport. Notably, the committee collaborated with the State Department of Transport in developing the Kenya Urban Mobility Improvement Project (KUMIP) aimed at enhancing commuter rail infrastructure.
12. The Maarifa Centre equally engaged various partners including EIP, Jacaranda Health, USAID- Resilience Learning Activity, AMREF and World Bank. Through the AMREF partnership the Centre published the Fourth Edition of the Compendium of County Innovations and Best Practices. The World Bank partnership through the FLLoCA project will be executed in FY 2023-2024.



CHAPTER THREE



PROGRAMMES AND PARTNERSHIPS

PROGRAMMES AND PARTNERSHIPS

PROGRAMMES

The CoG continued to receive support from development partners in specific sectors to strengthen devolved functions and improve service delivery at the county level. This Chapter highlights some of the key programmes supported by the development partners that are managed by the CoG through the various Committees and implemented in collaboration with the National Government institutions.

Transforming Health Systems for Universal Care Project (THS-UC)

Project Start date: September 2016

Initial End date: September 2021

Actual End Date: (after two-year no cost extension): September 2023

The THS-UC project's objective was to enhance the utilization and quality of primary healthcare, specifically targeting Reproductive, Maternal, New-born, Child, and Adolescent Health (RMNCAH) services and to deliver prompt and effective responses to eligible crises and emergencies. Under component 1, the project supported counties to scale up evidence-based, county appropriate supply and demand side key priority interventions as described in the RMNCAH investment framework. The project provided conditional grants to the counties based on performance of an agreed upon set of key performance indicators and by utilizing a set of minimum conditions.

Key 2022/2023 FY Implementation Updates

While there were no disbursements to the counties in FY2022-2023, Counties were required to utilize and account for all funds disbursed to them since inception before closure of the project. In quarter 4 of the previous financial year 2021-2022, the final disbursement of **Ksh.1.45 billion** was disbursed. Over the years of implementation, a total of **Ksh. 11.25 billion** was disbursed to the counties. The cumulative expenditure by counties since inception of the project till **30th June 2023** was **Ksh. 11.13 billion** giving an overall absorption rate of **98.9%**. The total unspent balance was **Ksh. 123.93 million**. Implementation of activities in counties was set to end by **30th September 2023** which was the implementation end date for the project. The counties were allowed until **31st December 2023** to clear all outstanding payments and submit their final accounts in the FY2023-2024 quarter 2 reports.

The project continued to provide technical assistance to all 47 Counties through on-site support which focused on utilization of project funds and documentation of expenditures. Challenges facing project implementation and hindering full absorption of funds towards project closure as well as poor performance of project core indicators were discussed and appropriate solutions formulated together with the County teams. Some of the challenges that had caused poor funds absorption included late disbursement of funds due to delayed approval of the legal framework for disbursement by the Senate and National Assembly, overlap in financial years of implementation, slow finance and procurement processes in Counties, staff turnover among project implementation teams and political climate more so before, during and following the 2022 elections and subsequent transition.



Council of Governors CEO chairing a status update meeting with Transforming Health Systems (THS) team

The THS-UC project conducted comprehensive performance review meetings for all counties in December 2022 where financial and technical reports from each County were discussed. The counties also shared best practices, lessons learned through the project and highlighted sustainability measures they had put in place to ensure the gains made are not reversed. The project management team shared a template for the county implementation completion report which was discussed and inputs from the county teams incorporated. The counties used the template in preparation of their final reports with the first drafts submitted for review by April 2023. The project also conducted final workshops for the county designated project accountants and procurement officers where there was increased focus towards preparation for project closure. The project supported and participated in induction of the new county leadership following the August 2022 elections which included the Governors in the Health Committee as well as the CECMs, Chief Officers and Directors for Health.

THS-UCP Highlighted Achievements over the years:

Supported counties to invest in their priorities towards improving delivery of reproductive, maternal newborn, child and adolescent health (RMNCAH) services.

Built capacity of the counties in development of annual workplans during the planning process.

Enforcement of minimum conditions resulted into increased budgetary allocation to health by counties, ringfencing of project funds in the special purpose account and improvement in funds flow through transfer timelines.

Contributed to health systems strengthening in the counties through supporting printing of tools and registers, supervision activities, improvement in infrastructure through renovations, establishment and

operationalization of community units and capacity building of healthcare workers.

Supported performance-based transfers to health facilities in the counties as well as incentives to community health volunteers.

Health products and technologies including “mama packs” have been procured in the counties through funds from the project.

Supported operationalization of Grievance Redress Mechanisms at county and facility levels.

Social safeguards: supported the welfare of vulnerable and marginalized groups in 31 counties through advocating for at least 5% of the county annual allocations to be set aside for these communities.

Environmental safeguards: through the project, utilization of Environmental and Social Management Plans (ESMPs) was enforced in implementation of project activities, improved healthcare waste management.

The project financed activities that promoted cross-county initiatives and intergovernmental collaboration to address common demand side and supply side barriers.

Lessons Learned

Fulfillment of Minimum Conditions: Enforcement of minimum conditions has resulted into counties increasing and sustaining investment in the health sector.

Performance Based Allocations: Changed focus on how the counties plan, budget and prioritize for activities; improved performance of RMNCAH indicators.

County AWP Development Process: Autonomy of counties in planning process has resulted into strengthening of the health systems in the counties. The project's intense AWP process improved capacity of the county staff in planning for results thus improving quality of AWPS over the years.

Disbursements: Late disbursement of funds led to delays in implementation. There is need for continued concerted efforts by COG, MOH and development partners for early approval of the annual County Governments Additional Allocations Bill.

Funds Flow: Project timelines on transfer of funds from CRF to SPA have improved accessibility of funds by the department of health to implement planned activities. The SPA also contributed to ringfencing of funds meant for health.

Funds Absorption: Close working relationship between Health and Finance departments is essential in optimizing funds absorption at the county level.

Cross-cutting sustainability measures shared by counties:

Advocacy on program-based budgeting and funding of RMNCAH interventions.

Resource mobilization and advocacy for funding of RMNCAH activities including improvement of public private partnerships.

Enactment and Implementation of the County Facilities Improvement Fund (FIF) Bills - to ensure ringfencing of funds.

Approval and Implementation of Community Health Services (CHS) Bills to facilitate payment of community health promoters - CHPs.

Social health insurance - Linda Mama and Indigent Household Scheme (NHIF).

Development of transition plans through the healthcare financing TA support to 47 counties through the World Bank's **Kenya Accountable Devolution Program (KADP)**.

DANIDA - Primary Healthcare Grant

The current DANIDA PHC grant named "Improved primary health care with focus on Reproductive, Maternal, Newborn, Child and Adolescent Health" focuses on the counties and specifically at the health facility and community levels. The initial budget was Danish Krone (DKK) **140 million (Ksh. 2.4 billion)** but additional funding of **DKK 75 million (Ksh. 1.2 billion) was introduced in September 2021**. A counterpart funding modality was put in place where DANIDA contributions drop each year with the counties expected to replenish the amounts accordingly. In December 2020, the Royal Danish Embassy and the Government of Kenya through National Treasury signed the Development Engagement Document (DED) and the Bilateral Agreement. An operational instrument (Memorandum of Understanding) was signed by the key implementers and outlines their roles and responsibilities.

Key 2022/2023 FY Implementation Updates

In FY 2022-2023 quarter 4, first tranche funds amounting to **Ksh. 314,422,500.00** were disbursed from National Treasury to **38 eligible counties** through MOH. The breakdown was as follows:

Amount for Operations and Maintenance (O&M) at level 2 and 3 facilities: **Ksh. 213,570,000.**

Amount for support to level 1: **Ksh. 100,852,500.00.**

Counties which did not qualify to receive the first tranche funds were Bomet, Isiolo, Kericho, Taita Taveta, Turkana, West Pokot, Marsabit, Nairobi and Wajir. The FY22/23 second tranche funds were disbursed to counties from MOH immediately after the turn of the financial year on **3rd July 2023**. A total of **Ksh. 583,525,249** was disbursed to **44 counties**. The breakdown was as follows:

FY21/22 tranche 2: **Ksh. 322,102,249** - included deductions from unaccounted for funds from FY21/22 audits.

FY22/23 tranche 2: **Ksh. 261,423,000** - included additions of FY22/23 tranche 1 and Level 1 funds for counties which had resolved audit issues.

The **3 counties** which did not qualify to receive any of the funds were Taita Taveta, Turkana and Nairobi. The **44 counties** which received funds were required to transfer from CRF to SPA within the shortest time possible. The counties faced challenges in transferring the funds due to the time of

disbursement thus majority were required to appropriate the funds in their supplementary budgets.

On-site technical support on the program was accorded to all 47 counties alongside the THS-UC project. Counties also got an opportunity to present on progress made in implementation of the program during the performance review meetings conducted in December 2022. The counties were supported in working towards meeting the DANIDA PHC minimum conditions more so on the counterpart funding modality and selection of community units for the pilot under support to level 1 which was rolled out in FY 2022 - 2023. Follow up was made with affected counties to resolve pending audit issues which would compromise eligibility to receive further funding under the grant in the subsequent financial year. The project management team and the DANIDA Advisors also made presentations on the DANIDA PHC grant during induction sessions for the new county leadership following the August 2022 elections. They included the Governors in the Health Committee, CECMs, Chief Officers and Directors for Health.

Support to Level 1

During the 2022/2023 financial year, a results framework was developed in conjunction with the MOH community health team. However, the funds for the first pilot year were disbursed as part of FY2022-2023 tranche 1 which went out at the end of April 2023. Factoring in the time it took for counties to transfer the funds to SPA and health facilities within 25 working days, they were not able to adequately implement the interventions they had planned to put in place in the selected community units. Follow up will be necessary in the subsequent FY to assess performance with regard to the pilot under support to level 1.

High Level Meeting between Council of Governors, Ministry of Health and Royal Danish Embassy (RDE)

The high-level meeting between the CEO COG, PS MOH and the Deputy Ambassador RDE was held on **3rd May 2023**. Issues discussed and way forward included the following:

Implementation progress - 40% counterpart funding for FY2022-2023: COG requested RDE for waiver due to delays in disbursement of equitable share. A temporary waiver was granted but counties were still required to disburse the funds to health facilities upon receipt of their full disbursement of FY2022-2023 equitable share.

Mitigation measures for late annual disbursements: Specific pre-conditions to be used in determining eligibility for tranche 1 in subsequent FYs with audits used for tranche 2.

Disbursement of the outstanding tranche 2 from previous FY2021/2022: Funds were to be disbursed in FY2022-2023 second tranche which was done. COG wrote a letter for affected counties to appropriate the funds in their supplementaries.

Coordination mechanism after exit of THS: Technical teams were to design structure for the smaller PMT at the national level and come up with TORs and budgets.

Possible targeted support regarding health financing transition - Counties which have had challenges in meeting program requirements to be prioritized.

Suggested revisions of outcome and output indicators in results framework - Appropriate revisions to results framework to be done during MTR in November 2023.

DANIDA Fellowship courses - RDE to consider providing opportunities for capacity building of county focal persons locally. Confirmed participants to ensure attendance.

Highlighted Achievements of the DANIDA Grants:

DANIDA grants have been a reliable source of funding available to primary health care facilities.

There has been positive impact on health facilities through supporting operations and maintenance costs.

Led to improvement in reported quality of care provided at primary health care facilities.

Resulted into staff motivation and patient satisfaction in primary health care facilities.

Strengthened accountability in the running of supported health facilities.

Increased focus towards sustainability in counties through establishment of a counterpart funding modality in the new DANIDA PHC Grant.

There will be strengthening of community health services with part of the additional funds to the DANIDA PHC grant being directed towards support to level 1.

The United Nations SDG Partnerships Platform (UNSDG PP)

The SDG Partnership Platform is a United Nations flagship initiative that provides leadership on overarching facilitation, coordination and demonstration of how public private collaboration can effectively translate the SDGs into action. The primary health care window focuses on accelerating the achievement of UHC through primary health care though advocating for adoption of innovations, maximize investments and optimize resource utilization in support of the realization of the government of Kenya Priorities and Kenya's Vision 2030.

Catalytic investment in sexual reproductive health rights and HIV for adolescent in 10 counties.

Long term sustainability remains the goal of financing strategy for Kenya. Recognising that adolescent girls and young women account for 78% of new HIV infections (National HIV Estimates 2023) and one in six adolescent girls between 15 and 19 years has ever been pregnant, deliberate investment in programs tailored to adolescent are steadily being embraced in the country.

For the year 2022/2023, the council of Governors has consistently steered and provided coordination support to the UN joint team on the implementation of the catalytic impact bond project which aims to accelerate access and uptake of quality health services to young people.

Key milestones include the following;

1. Launch of the Development Impact bond.

The joint UN team comprising of UNFPA, UNAIDS, UNRCO, with stakeholders including the Council of Governors secretariat finally launched the program. This is following intense preparations by the health committee at the Council of Governors in coordinating, convening and corresponding with counties. During the work planning and kick off meetings and signing of MOUs. The implementation is ongoing across 10 Counties (Kisumu, Kisii, Nyamira, Homabay, Bungoma, Busia, Nairobi, Mombasa, Migori and Kakamega). According to the facility incentivisation framework, 150 public facilities are benefiting from Ksh. 50,000 per quarter to strengthen service delivery. To guarantee quality data, bridges has been contracted as the in depended evaluator and Children investment Fund has invested \$10.1 million as outcome funding.



From left: Steve Jackson UN Resident Coordinator, Dr. Bashir, Ministry of Health, Nairobi County Youth Representative Faizel Achieng', Anders Thomsen UNFPA Country Rep.; Medhin Tsehailu UNAIDS REP, Irene Ogamba Director Legal COG; Bridges Outcomes Partnerships Investment Director Lucia Santirso Richards

1. Youth engagement on adolescent sexual and reproductive health issues.

About 70% of young people feel they are left behind in deciding for their issues. Meaningful youth engagement component of the project gives adolescent a space at table to strategically flag issues affecting their wellbeing and decide on ideal solutions. The council of Governors facilitated the formation of a taskforce comprising of twelve young people from the implementing counties to represent key issues for the two-year implementation period.

3. Knowledge management and learning.

To ensure that lessons on the programme are well documented and utilized for advocacy and cross learning purposes, a learning agenda component is expected to fill current gaps in knowledge around the design and implementation of the project. The initiative is meant to address the existing and future needs in adolescent sexual and reproductive health across Counties while unlocking investment opportunities in the sector.

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Other than the above project, the UN SDG Partnership platform has collaborated with the Council of Governors to convene County executives for health sector quarterly review meetings, quarterly technical thematic committee meetings and the devolution conference (August 2023). These engagements have continuously served an important role in promoting service delivery at the County level and advocate for policies that align to devolution at the National Level.

Health Investment and Policy (HIP) Project

The Health Investment and Policy Project represents a collaborative effort between CoG and Amref Health Africa, with implementation spanning 15 Counties over the four-year period from 2022 to 2025. The project encompasses key components, such as ringfencing health funds through the enactment of Facility Improvement Financing legislations, providing operational and financial authority to health facilities. Additionally, it focuses on strengthening Community Health Services provision, including the recognition, incentivization, and management of these services, along with reinforcing social accountability in Community Health Services.

In the period under review, the project witnessed various achievements. In terms of Facility Improvement Fund (FIF) progress, the project achieved the following:

- Developed FIF Model Law to guide Counties on the best approach.
- Disseminated it to all 47 Counties during the induction period.
- Provided technical assistance to 31 Counties to adapt/adopt the FIF Model Law.
- Enacted the FIF Model Law in 11 Counties.
- Nine Counties were in the final stages of passing the FIF Model Law (Garissa, Baringo, Samburu, Laikipia, Bomet, Nyandarua, Meru, Lamu, Mombasa).

Regarding Community Health Services (CHS) progress:

- Developed CHS guidelines to guide Counties on how to structure/develop respective CHS Bills.
- Drafted an opinion paper on Community Health Practitioners (CHPs) recognition and incentivization during the summit, with a commitment of 2.7 billion from the National Government as conditional grants to support 100,000 CHPs' stipends.
- Trained 15 counties on social accountability, specifically the implementation of the community scorecard.
- Supported the launch of the CHPs Program, with the National Government providing kits, smartphones, and stipend payments commitment for 100,000 beneficiaries.



Health stakeholders during a Health and Investment Policy consultative meeting

What worked well includes the co-creation with COG, fostering allegiance from all counties, collaboration with other health policy partners reaching out to 42 counties beyond the project's scope and creating synergies with other Amref Health System Strengthening (UAT) projects.

Challenges encountered involved the change of County Government Officers and top officials in County Departments of Health, causing instability in the FIF process and inadequate resources to support the legislative capacity strengthening of county assemblies, especially those without partners.

Financing Locally-Led Climate Action (FLLoCA) Program

The Financing Locally-Led Climate Action (FLLoCA) is a five-year program collaboratively backed by the Government of Kenya, the World Bank, and other donors with a primary goal of implementing climate resilience actions at the local level while enhancing the capacity of county and national governments to effectively plan, implement and monitor climate resilience investments. During the fiscal year 2022/2023, numerous activities were carried out to progress towards these objectives.

First, in a proactive step towards fortifying climate resilience at the county level, the Council of Governors (CoG), under Financing Locally-Led Climate Action Program (FLLoCA) Program, undertook a training initiative for officers from the 47 County Climate Change Units. This training, focusing on Participatory Climate Risk Assessment (PCRA), served as a crucial milestone, positioning counties to meet the minimum performance condition for eligibility to access the County Climate Resilience Investment (CCRI) Grant in the fiscal year 2023/2024. The imparted knowledge and skills from this initiative are expected to play a vital role in enhancing the disaster response capacity of key stakeholders involved in climate change management within the counties.

Expanding its commitment to financing locally-led climate action, CoG facilitated a capacity-building program for the 47 County Directors overseeing climate change matters. This targeted training centred on the Green Climate Fund (GCF) and climate finance, equipping counties with essential insights into the intricate procedures, access protocols, and modalities associated with the GCF. By empowering counties with a deeper understanding of climate financing opportunities, CoG seeks to bolster their ability to navigate and leverage resources effectively for sustainable climate change initiatives. The tapping of additional resources from multilateral donors heavily depends on developing capacity to develop bankable proposals.

Within the same reporting period, COG engaged in negotiations as part of the Inter-Agency Technical Committee, advocating for the faster disbursement of County Climate Institutional Support (CCIS) grant funds under FLLoCA on behalf of 7 counties that had challenges in submitting reports within the stipulated deadlines and to whom targeted support was extended to enable them comply.

Following the fulfilment of minimum access conditions, these seven counties were approved to receive the initial CCIS grants. A total of 45 counties submitted the necessary documents to the National Treasury, making them eligible for the first disbursement of CCIS grants. Additionally, CoG facilitated Climate Change Institutional Assessment (CCIA) for 9 counties, namely Kisumu, Nakuru, Uasin Gishu, Nyeri, Turkana, Garissa, Isiolo, Makueni, and Kajiado. These assessments explored the counties' climate change journeys, progress, identified opportunities, challenges, and discerned existing capacity gaps, thereby laying the groundwork for additional financial support aimed at enhancing climate change adaptation and mitigation activities at the local level.

Sustainable Development Goals (SDGs)

During the period under review, the Planning, Monitoring, and Knowledge Management Department initiated a comprehensive series of County sensitization sessions with the aim of enriching the understanding and engagement of SDGs Champions within their respective Counties. Specifically, a workshop was conducted for Makueni SDGs Champions, who are representatives of the County Sector Working Group. The primary focus of this workshop was to sensitize the SDG Champions on the SDGs Voluntary Local Review (VLR) as a self-driven process where counties can track and report on their progress towards achieving the Sustainable Development Goals (SDGs). The event successfully attracted the active participation of 60 Sector Working Groups, spanning across eight sectors within Makueni County. The collaborative nature of the session facilitated a meaningful exchange of ideas and insights related to the VLR process.

Further to this, on December 2022, a sensitization session was held for Narok County, with a particular emphasis on the VLR process. The session not only aimed to enhance understanding but also provided crucial support for the development of the County VLR.

The engagement was designed to empower Narok County's SDGs Champions with the knowledge and tools necessary to contribute effectively to the VLR process. These working sessions marked a significant step in fostering awareness, collaboration, and active participation in the pursuit of sustainable development goals at the county level. The Planning, Monitoring, and Knowledge Management Department remains committed to facilitating such initiatives that contribute to the successful implementation of the SDGs across diverse Counties.

Additionally, the SDGs Department conducted peer-to-peer sessions focusing on digitizing community healthcare data. The primary objectives were to enhance data quality, reduce costs with a particular emphasis on the Community Health Strategy and Facility Improvement Fund, and establish youth innovation and empowerment centres to address the challenge of youth unemployment. These sessions garnered active participation from representatives of 30 county governments.

Kenya Urban Support Programme (KUSP)

The Kenya Urban Support Program is a World Bank Supported Programme through the State Department of Housing and Urban Development that seeks to support the implementation of the Kenya Urban Programme (Ken UP), which is a Kenyan Government Programme. The program development objective is to establish and strengthen urban institutions for improved infrastructure service delivery. The program is implemented in 59 municipalities in 45 counties with the exclusion of Nairobi and Mombasa

KUSP has different targets. First it addresses the basic steps as provided for in KenUP, namely the establishment of urban governance as well as management structures, and secondly providing funding, to and through the county governments, to allow those urban structures to fulfil their mandates. Thirdly, the programme is providing capacity development support to central government, notably the State Department of Housing and Urban Development for it to better assist and support the county governments in addressing urban issues in the spirit of the Constitution of Kenya (2010). Overall, it seeks to emphasize the pivotal role urban areas are supposed to be playing in terms of development, prosperity and modernization.

Through the programme County Governments through their respective municipalities have greatly invested in infrastructure. The achievements so far include.

The achievements, in terms of the specific components is as follows:

- 234km of storm drains
- 209km of Non-Motorized Transport (NMT)
- 212km of bitumen roads
- 5040 street lights
- 113 high mast lights
- 9 bus parks
- 21 recreational parks
- 23 markets
- 8 fire stations

The Kenya Informal Settlements Improvement Project (KISIP) II

The Kenya Informal Settlements Improvement Project 2 (KISIP II) is a World Bank Supported Programme through the state department of housing and urban development that seeks to improve access to basic services in participating informal settlements.

Kenya Informal Settlements Improvement Project 2 (KISIP II) is a 5-year project that -became effective on 17th March 2021

The development objective of the Second Kenya Informal Settlements Improvement Project for Kenya is to improve access to basic services and tenure security of residents in the Participating Urban informal settlements and strengthen Institutional Capacity for Slum upgrading in Kenya.

33 Counties are participating in KISIP II with 88 settlements benefiting from security of tenure and 95 benefiting from infrastructure upgrading.

The Program is being implemented through Components namely:

Component 1.1-Tenure security

Component 1.2-Infrastructure upgrading

Component 2-Social economic inclusion planning

Component 3- Institutional capacity for slum upgrading.

Component 4- : Program Management and Coordination

Digital Land Governance Programme (DLGP)

The Digital Land Governance Programme is a European Union and Food and Agriculture Organization (FAO) of the United Nations funded programme. The DLGP is implemented in partnership with the Council of Governors (CoG), the Ministry of Lands, Public Works, Housing and Urban Development (MoLPWUD), and the National Land Commission (NLC). The program's rallying call is to improve food and nutrition security through equitable and secure access and management of land for better livelihoods and socioeconomic development in all counties as per Vision 2030. The project outputs include enhanced efficient and effective land governance through the digitization and digitalization of land records and processes, improved conflicts and disputes resolution mechanisms on land and natural resources and improved and inclusive policy, legal and institutional frameworks. Over the last one-year, significant progress has been made in the implementation of the DLGP planned activities. Some of the notable achievements include.

- i. Establishment and institutionalization of Alternative Justice Systems (AJS) Structures in Kajiado, Kiambu, Laikipia, Mandera, Isiolo, Nakuru and Baringo Counties. This has resulted in the registration of 128 cases in Nakuru County with 107 being resolved.
- ii. The roll-out of the National Land Information Management System (NLIMs) at the national level with Nairobi at advanced stages, a multisectoral team has been established to steer the process of roll-out to other Counties, procurement of equipment to support the County Land Information Management System (CLIMS) for selected counties is ongoing.
- iii. Establishment and equipping of GIS labs in 28 Counties and at the Council of Governors Maarifa Centre.
- iv. County GIS implementation guideline and training curricula.

- v. Supported development of CSP for Kajiado, Siaya and Baringo County which have been approved and launched. Also, Vihiga, Taita Taveta, Isiolo, Homabay, Kisii, Meru, Nyandarua, Nyeri, Machakos, Kitui, Mandera, Wajir, Marsabit, Elgeyo-Marakwet, and Nyamira Counties which are at different stages of development.
- vi. 32 policies and legal frameworks including the review of the National Land Policy.
- vii. 47 County Lands Technical Committees established and operationalized chaired by the CECMs responsible for lands.
- viii. 35 Communities supported to recognize, protect and register unregistered community land.
- ix. 5 Landscape based management plans - Landscape based management plans were developed for the following areas: Kirisia, Mukogodo, Lariak and Mt. Kulal, the Bunyala and Misango Hill CFAs through Participatory Forest Management Plans. These are however in their inception phases.
- x. Preparations for a GIS based resource mapping for the entire Mombasa County to develop a digital platform to enhance planning; revenue collection; and monitoring and evaluation for county functions were held. A comprehensive intensive training for the data collectors and those to input and analyse the data into usable information, and actual data collection was planned.
- xi. Tenure regularization for 2 Colonial Villages in Nyeri and Kirinyaga Counties.

Affordable Housing Programme (AHP)

This programme was conceptualized in 2018 as one of the big four agenda pillars to promote long term economic development. The programme seeks to build 250,000 units annually. The Affordable Housing Programme (AHP) is a priority initiative by the Kenya Kwanza Government through the Bottom-Up Economic Transformative Agenda (BETA) that targets the delivery of decent and affordable housing to low and middle-income households. So far, 34 County Governments have signed MoUs with the State Department of Housing and Urban Development and are currently implementing the programme.

PARTNERSHIPS

USAID - Resilience Learning Activity (RLA) Partnership - Maarifa Website Revamp

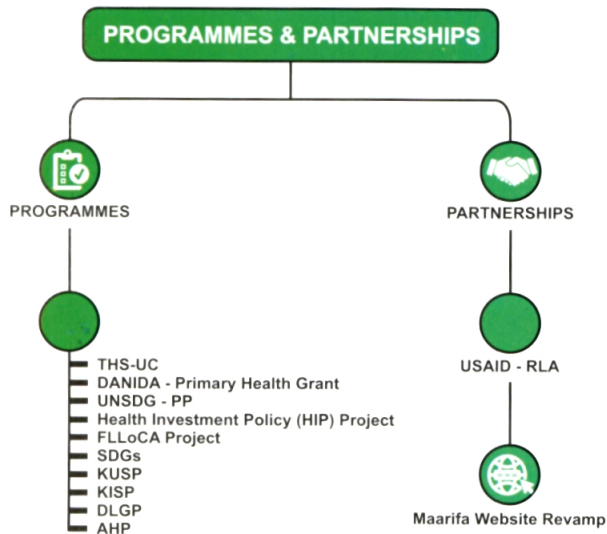
The revamping initiative, led by CoG Planning, Monitoring, and Knowledge Management Department in close collaboration with the USAID Resilience Learning Activity (RLA), sought to elevate the online presence and functionality of the Maarifa Centre e-Platform. Through this engagement of a proficient web designing firm, the project initiative the development of a new, visually appealing website equipped with a robust Content Management System (CMS) and Customer Relationship Management (CRM) modules. These improved features focused on an attractive and interactive site design,




Launch of the affordable housing units in Mavoko Constituency


mobile-friendliness, security measures, analytics reporting, and seamless integration with social media and translation tools.

The overarching goal of this partnership was to modernize the Maarifa Centre's digital infrastructure, ensuring a user-friendly experience and facilitating effective knowledge dissemination and stakeholder engagement within the framework of CoG's broader mandates.





**CHAPTER
FOUR**



DEPARTMENTS OF COG

DEPARTMENTS OF COG

LEGAL

COUNCIL OF GOVERNORS MEETINGS AND SUMMIT MEETINGS HELD DURING THE FINANCIAL YEAR

i. Council of Governors meetings

During the period under review, the legal committee coordinated **eight** Council of Governors meetings where key matters of common interest were discussed. During the first Council meeting held 17th September 2022, after the General Elections in 2022, Excellency Governors elected the Executive, a team which would lead the Council for a period of one year. Additionally, one informal meeting was held with the President of Kenya to discuss and agree on the modalities of work that would help achieve his presidential agenda including affordable housing, food security, digitization and universal health coverage.

The other Council meetings were as follows:

1. 6th October 2022
2. 5th December 2022
3. 10th February 2023
4. 24th April 2023
5. 2nd May 2023
6. 19th May 2023
7. 31st July 2023

ii. National and County Government Coordinating Summit

The National and County Government Coordinating Summit is established under section 7 (1) of the Intergovernmental Relations Act (IGRA), 2012. The Summit is the apex body for intergovernmental relations. It is headed by the President with the chair of the Council being the vice chairperson. All the 47 Governors are members. According to section 9 of the IGRA, the Summit is required to meet at least twice a year. In the year under review, the summit was held once i.e. on **11th February 2023**, falling short of the statutory requirement of meeting at least twice a year.

Also, important to note that there were the general elections during this FY that also affected operations.

COURT MATTERS CONCLUDED DURING THE YEAR AND THEIR IMPACT ON DEVOLUTION

Several court matters were concluded during the period under review. The judgments were in our favor, County Governments and continue to shape devolution.

They include:

- I. Supreme Court Petition no. 24 of 2019: Senate versus The Council of

Governors & 6 others-This judgment was delivered on **7th October 2022**. The issue was to whether the Senate can summon Governors to appear before it to answer questions on County Government Finance. It was the court's holding that whereas the Senate can summon Governors to appear before it, if the questions to be answered or information to be provided does not need the personal input of the Governor, it may restrict its summons to the relevant County official or Executive Committee.

The court also held that County Assemblies have the power of first tier oversight over County Government revenue, whether nationally allocated or locally generated while senate provides the second and final tier of oversight. The court further held that the Senate cannot, under the guise of oversight, usurp the County Executives' mandates or purport to supervise County Assemblies.

ii. Constitutional Petition E413 of 2022: Council of Governors V Kenya Tissue & Transplant Authority and the CS, Ministry of Health - The Council filed this petition challenging the establishment of The Kenya Tissue & Transplant Authority contrary to provisions of the fourth schedule of the Constitution which has devolved provision Health services to the County Governments.

The judgment was delivered on **30th June 2023** whereby the court ruled in our favour holding that the executive order establishing the Authority was illegal, null and void for clawing back on devolved functions in the health sector. The court further held that there was neither consultation nor public participation with County Governments and thus issued an order of prohibition stopping implementation of the executive order.

iii. Constitutional Petition E405 of 2022: Council of Governors V CS, Ministry of Agriculture and Others - The council filed the instant petition following the publishing of The Crops (Coffee) Regulations, 2022 without following the due procedure set out in the Statutory Instruments Act. Further, the CS failed to hold consultations with the County Governments in violation of Articles 6 and 189 of the Constitution. The impugned regulations greatly jeopardize devolution as they usurp and claw back on the licensing functions of the County Governments.

The court marked the matter as withdrawn and case closed on **16th May 2023** with no orders as to costs and the case was closed following the revocation/withdrawal of the impugned regulations by the CS.

iv. Constitutional Petition E404 of 2022- David Simiyu V CS Ministry of Energy and another- This petition challenged the appointment of several officers nominated by the Council of Governors to form membership of the Rural Electrification and Renewable Energy Corporation (REREC) Board to represent the interests of Counties. The petitioner challenged the criteria that the Council used to nominate its representatives to the Board.

The Employment and Labour Relations Court delivered a judgment on **17th March 2023** holding that it has no jurisdiction ab initio to hear the matter and thus transferred the same to the Milimani High Court. At the High Court, the matter was marked as withdrawn and case closed with no orders as to costs

since the Council nominees who were the subject of the Petition had vacated office before and so the Petition had been overtaken by events. The import is that the Counties continue to be represented on the Board pursuant to the Energy Act.

FINANCE

The CoG's Finance Department oversaw and ensured the effective utilization of resources provided to the organization through various revenue stream as captured in the table below. In the fiscal year 2022/2023, the CoG received assistance from the National Treasury through the State Department of Devolution, as well as support from various other development partners.

Statement of Financial Performance for the 2022 – 2023 Financial Year Ended 30th June 2023 (Ksh)	
Revenue from non-exchange transactions	
Transfer from Government Entities	128,999,400
Grants From other Government Entities	262,756,000
Public Contributions and Donations	136,480,466
Total Revenue	528,235,866
Expenses	
Use of goods and services	205,712,268
Employee costs	155,914,914
Depreciation expense	13,928,112
Repairs and maintenance	16,441,089
Total Expenses	391,996,382
Net Surplus for the year	136,239,484

HUMAN RESOURCE

During the period under review, the Human Resource Department facilitated the following:

1. Recruitment: The following were successfully hired and on boarded.
 - a) 5 employees
 - b) 6 interns
 - c) 3 consultants
2. The department implemented the approved organization establishment. 57% of the establishment is staffed. However, this is being done in stages and is a continuing process.
3. CoG staff establishment has a representation of 39 counties.
4. The department saw achievement of equal gender representation for the first time, with 50% men and 50% women.

5. Reduced attrition Rate from 6.7% to 5%. Impressively, no staff turnover in one quarter.
6. The HR department pushed for increased access to all Welfare services with 18 Officers benefiting from the mortgage and the car loans facilitated through the Department. The Department also supported various officers when pressing welfare needs occurred namely sickness and during various celebrations across the year. One notable milestone was the setting up of a benevolent fund to support employees and their families during times of bereavement.
7. The department also witnessed an increased Sacco membership and access to benefits, where 65 Staff joined the Sacco and are contributing and accessing the applicable benefits.
8. Additionally, there was improved governance and compliance in the Service. The Council received a high achiever rating in the Public Service Commission 2021-2022 Values and Principles Compliance Evaluation Report Findings. This can be attributed to both the Council's enhanced procedures and better adherence to the established rules.
9. During the review period 5 staff successfully completed various relevant trainings to improve their competencies and improve their fit for purpose.
10. Acquisition of HRMIS - So far, 80% of the system has been implemented.

INTERNAL AUDIT

Below were some of the key achievements by Internal Audit unit at CoG:

1. The Unit developed pertinent policy documents that are necessary for execution of its roles. Some of the documents are:
 - a. Internal audit charter
 - b. Audit Committee charter
 - c. Risk management policy and procedure manual
2. The unit facilitated full constitution of the Audit Committee to become a fully functional and effective.
3. The internal audit unit produced quarterly audit reports which were regularly reviewed by the Audit Committee in accordance with the internal audit standards.
4. The Unit developed a resolution implementation tracker to monitor how audit recommendations are tracked.



High-level meeting between CoG ICT & Knowledge management committee, Ministry of Information, Communications and The Digital Economy, Senate Standing Committee on ICT & the private sector during the induction of CECMs in charge of ICT.

5. COMMUNICATIONS

During the period under review, the Communication department recorded tremendous achievements in different areas as follows:

Media Engagements

Media plays a critical role in Communication. To this end, the Council of Governors together with its partners, held an induction and sensitization meeting with the County Directors of Communication and Directors of Governors Press. During the meeting the Directors were appraised on the development of SMART communication strategies.

In addition, the Council signed a Memorandum of Understanding (MoU) with the Media Council of Kenya. This MOU will see the two institutions collaborate to capacity build County Officials on media relations as well as members of the Press at the County Level on Devolution Reporting.

Further, the Council held several media events including meetings and press Conferences to address different issues including health, the disbursement of Funds to Counties, the Devolution Conference 2023, the unveiling of the Council of Governors leadership, and Drought in the Country, among others.

Social Media Growth

Social media has become an integral part of modern existence, not just for creatives but also corporates and the business community.

The Council of Governors social media pages play a key role in enhancing the visibility of the institution and facilitating engagements on topical issues with different audiences including the citizenry, investors, development partners and civil society among others.

The CoG Twitter handle has 350,467 followers up from the previous 305,252 followers as of the end of June 2022. Additionally, the CoG Facebook Infographic page had 47,974 followers up from 40,426 followers by the end of June 2023. These numbers indicate a wider audience reach, enabling the Council's communication products to reach more stakeholders.

During the period under review, the Council undertook social media campaigns cutting across various devolved sectors and highlighting matters of interest to County Governments. This includes health, Environment and Climate Change, The State of Devolution Address (SODA), Devolution Conference 2023, a call for peaceful elections dubbed #peacefulelection2022 and unveiling of the new Council leadership for the financial year 2023/2024.

These campaigns prompted candid discussions on the aforementioned issues, resulting in interventions by decision makers and the relevant stakeholders. Further, it created a platform to champion for the transfer of devolved functions as assigned to County Governments by the Constitution and advanced the devolution agenda at both the local and national level and beyond.



ICT and Knowledge Management Committee meeting with the Media Council of Kenya team

Branding

The Council of Governors' image has grown in leaps and bounds and is currently consistent as most Kenyans are able to identify with the Council. To ensure consistency of visibility in our products, the Communication department partnered with the technical committees during the induction of different County Officers in the various sectors and County personnel. During this period, the Communication department developed the induction manuals, supported the induction meetings and profiled the Committee leadership through various media platforms.

Documentaries

The Communication department produced five major documentaries:

1. Devolution Conference 2023 documentaries
2. Assessment of the impact of devolution on women and girls
3. Devolution Warrior Awards videos
4. Devolution Book documentary
5. County Bankable investment projects handbook

Corporate Social Responsibility (CSR)

The Council of Governors engaged in a Corporate Social Responsibility (CSR) activity with a view to celebrate and appreciate the support staff and security officers within the CoG building - Delta Corner Towers. 50 personnel benefitted from this activity.



CoG staff engaging in a Corporate Social Responsibility (CSR) activity

MAARIFA CENTRE

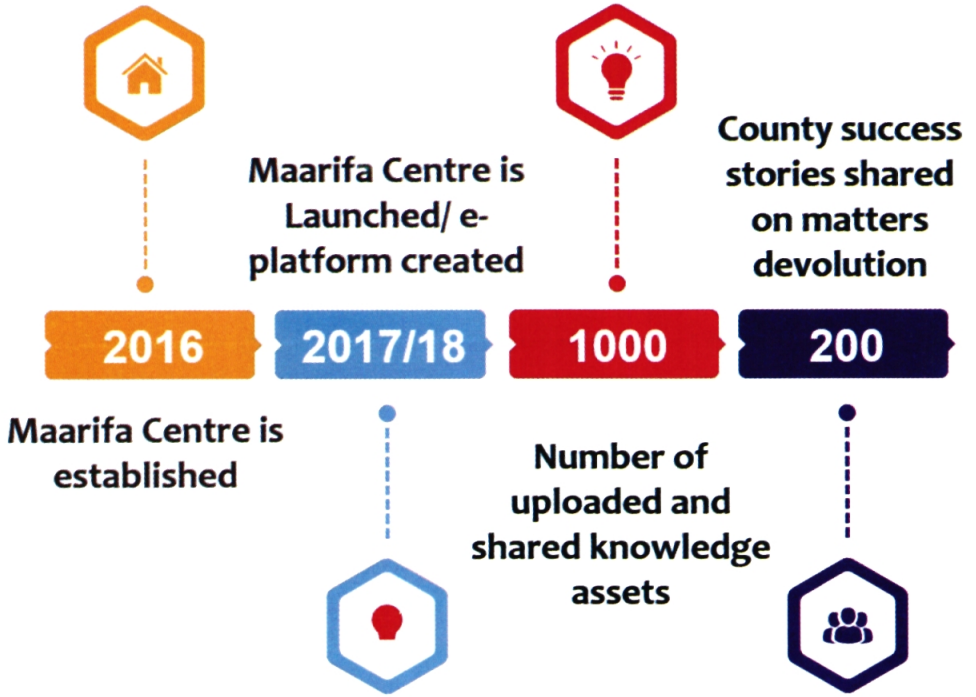
CoG's flagship knowledge management and sharing platform, Maarifa Centre, has been an instrumental entity in fostering partnerships and initiatives aimed at advancing knowledge management and learning within Counties. In 2022/2023 financial year, one such impactful collaboration involved a joint effort with the World Bank to create essential publicity materials. This collaborative venture resulted in the production of knowledge sharing resources like the Maarifa Centre banners, 521 Model KM Office fliers, and 1000 Maarifa Centre milestone fliers. These materials served as pivotal materials during the induction of the 2022 Governors in Mombasa County, significantly enhancing visibility and awareness of Maarifa Centre's role and objectives.

Simultaneously, Maarifa Centre actively engaged in documenting and showcasing exemplary practices within Counties through two Compendiums on County innovations and Best Practices in service delivery. The 4th edition compendium edition featured inspiring 10 success stories from six Counties, showcasing their innovations and best practices in FIF and CHS. By sharing these stories, the compendium aimed at providing valuable resources for other Counties looking to strengthen and invest in these critical drivers of Primary Health Care (PHC). The 5th compendium spotlighted 13 stories across crucial sectors such as Health, Agriculture, Gender, Transport, Infrastructure and Energy. The compendiums were disseminated both in hard and soft copies during CoG events and digital versions made accessible on the Maarifa website to ensure widespread distribution and accessibility, facilitating knowledge sharing among stakeholders.

Maarifa Centre's efforts extended to strategic planning and facilitation, particularly evident in the development of the County Knowledge Management (KM) Model Office. This comprehensive document delineated strategies for effective knowledge management within Counties and outlined essential KM practices that Counties can adopt. An abridged version was also created, serving as a concise reference guide, disseminated widely through print and digital channels, including the Maarifa website and directly to Governors.

Additionally, Maarifa Centre's impactful initiatives involved capacity building and knowledge exchange sessions. Notably, Maarifa Centre organized peer-to-peer learning sessions focused on digitizing community healthcare data. These sessions aimed at not only enhancing data quality and reducing costs but also pioneering youth innovation and empowerment centres to address unemployment challenges. The active participation of officials from 30 County Governments underscored the significance and relevance of these sessions in advancing healthcare digitization and youth empowerment agendas.

Maarifa Centre's multifaceted efforts throughout 2022/2023 period underscored its pivotal role in knowledge dissemination, capacity building, and fostering collaboration among Counties, laying a robust foundation for sustainable development and innovation.





**CHAPTER
FIVE**



CHALLENGES AND RECOMMENDATIONS

CHALLENGES AND RECOMMENDATIONS

Challenges

While the Council of Governors (CoG) observed notable progress achieved by County Governments in the promotion of devolution, there were several challenges impeded the complete realization of planned activities. Notable among these challenges were:

- i. The execution of certain planned activities was impeded due to the leadership transition both at the national and County levels. The appointment and confirmation of new leadership at the County level took longer than initially anticipated, impacting the delivery of some of the planned activities.
- ii. The general elections that occurred in August 2022 resulted in a decelerated process of legislation on essential Bills that were of significance and interest to both the Council of Governors (COG) and County Governments. Some Bills that were critical to devolution lapsed with the dissolution of the 12th Parliament.
- iii. County Governments still face two major threats: a) anti-devolution policies, laws and administrative actions that hinder the smooth implementation of devolved governance; and b) inadequate resourcing of County functions mainly due to continued existence of state corporations and national agencies that still hold County functions and delayed disbursements of the equitable share.
- iv. There have been instances where intergovernmental consultations on matters of County interest have borne no results. In this case, the CoG has had to institute matters in court for adjudication of the same.
- v. Slow implementation of decisions emanating from intergovernmental institutions such as the Summit and the Intergovernmental Sector Forums has on many occasions resulted to uncoordinated performance of functions between the two levels of government. This in turn leads to duplication of mandates and the wastage of resources.
- vi. The CoG secretariat is yet to be anchored in law. This continues to hamper adequate resourcing of the CoG's activities through the exchequer.

Recommendations

As the CoG moves into its second year of implementing its Strategic Plan, and in order to amplify the impacts of its mandate, the following it is recommended as follows, THAT:

1. The CoG secretariat be anchored into law through an amendment of the IGRA. Further, any other intergovernmental institution whose secretariat is not established or anchored in law should be considered in the amendments to IGRA.
2. Policies and laws that are outdated and those that undermine the implementation of the devolved system of governance be repealed or reviewed.
3. The National Treasury ensures timely disbursements of the equitable share to Counties.
4. That capacity building of Counties be collaborative and harmonized as between the National Government and other partners.



ANNEX



ANNEX

Annex 1: Review of new/existing Bills, Acts and Regulations. (2022/2023)

SN	NAME OF BILLS/ ACTS/REGULATIONS	ISSUE	COG'S PROPOSAL	RECEIVING ENTITY	MATTER CONSIDERED	STATUS
1.	Sugar Bill, 2022 (National Assembly Bills No. 34 of 2022)	The Bill intends to restore the roles of the Kenya Sugar Board currently granted to the Sugar Directorate of the Agriculture and Food Authority established under the Agriculture and Food Authority Act, 2013.	To align the Bill to the provisions of the Fourth Schedule to the Constitution by ensuring County Governments license the millers operating in their respective jurisdiction while the Sugar Board only issue export or import licenses.	Parliament	The Committee is continuously monitoring the same to ensure inclusion of the recommendations	The Bill is pending consideration in Parliament.
2.	The Agricultural and Livestock Extension Services Bill (Senate Bills No. 12 of 2022)	The principal object of this Bill is to provide for the policy and institutional framework within which the agricultural and livestock industry operates by among others establishing the Agricultural and Livestock Extension Service, which will be managed by to Board of Directors	The inclusion of the County Governments representation in the Board of the Agricultural and Livestock Extension Service	Senate	The Committee is continuously monitoring the same to ensure inclusion of the recommendations	The Bill is pending consideration at the Senate.
3.	The Mung Beans Bill (Senate Bills No. 13 of 2022)	The principle object of the Bill is to provide for the development, regulation and promotion of the mung bean sector in Kenya.	The Council supported the Bill	Senate	The Council supported the Bill	The Bill is pending consideration at the Senate.
4.	The Cotton Industry Development Bill (Senate Bills No. 5 of 2023)	The principal object of this Bill is to provide for the policy and institutional framework within which cotton industry operates by	The Bill be aligned to the provision of the Fourth Schedule to the Constitution, inclusion of sufficient representation of the Counties	Parliament	The Committee is continuously monitoring the same to ensure inclusion of the recommendations	The Bill is pending consideration at the National Assembly.

SN	NAME OF BILLS/ ACTS/REGULATIONS	ISSUE	COG'S PROPOSAL	RECEIVING ENTITY	MATTER CONSIDERED	STATUS
		among others establishing the Cotton Industry Development Board.	in the Cotton Industry Development Board as well as licensing of dealers to be undertaken by the respective counties.			
5.	The Coffee Bill (Senate Bills No. 10 of 2023)	The principle object of the Bill is to provide for the development and regulation of the Coffee industry in Kenya through reintroduction of Coffee Board of Kenya and Coffee Research Institute.	Licensing of Commercial coffee millers to be undertaken by the counties, representation of the counties in the Coffee Board of Kenya and Coffee Research Institute	Parliament	The Committee is continuously monitoring the same to ensure inclusion of the recommendations	The Bill is pending consideration at the National Assembly.
6.	The Agriculture and Food Authority (Amendment) Bill (Senate Bills No. 13 of 2023)	The principle object of the Bill is to amend Section 43 of the Agriculture and Food Authority Act, 2013 to exempt cashew nuts, macadamia nuts and bixa from the ban on export of raw produce.	The Council supported the Bill and recommended further amendments to the Agriculture and Food Authority Act, 2013 which included inclusion of the County Governments in the Board of the Authority.	Senate	The Committee is continuously monitoring the same to ensure inclusion of the recommendations	The Bill is pending consideration at the Senate.
7.	The Prevention of Livestock and Produce Theft Bill (Senate Bills No.12 of 2023)	The principle object of the Bill is to provide a framework for the establishment of mechanisms for preventing, combating and eventually eradicating livestock and produce theft.	The County Governments to be responsible for preventing, combating and eventually eradicating livestock and produce theft.	Senate	The Committee is continuously monitoring the same to ensure inclusion of the recommendations	The Bill is pending consideration at the Senate.
8.	The Draft Dairy Industry Bill, 2023	Regulation of the dairy industry	The County Governments to regulate all the dairy industry players while the proposed Dairy Authority regulates import & exports, setting of standards and providing technical assistance & capacity	State Department for Livestock Development	Pending	The Bill is pending at the State Department for Livestock Development.

SN	NAME OF BILLS/ ACTS/REGULATIONS	ISSUE	COG'S PROPOSAL	RECEIVING ENTITY	MATTER CONSIDERED	STATUS
			building of the County Governments.			
9.	Environmental Management and Co-ordination (Sand Harvesting control and Management) Regulations, 2021	The Regulations sought to provide for control and management of sand harvesting. They also provide mechanisms for institutionalization of sand harvesting control and management in Counties by establishing relevant sand committees and clear roles and responsibilities.	COG submitted a memorandum meant to uphold the County Governments' Constitutional Mandate in sand harvesting control and management as a devolved function including issuance of licences. It also advocated for cooperation and consultation between the two levels of Government to the extent possible.	National Environmental Management Authority (NEMA)	Pending	The Regulations are pending at NEMA.
10.	Integrated National Energy Plan regulations, 2021	The object and purpose of these Regulations is to provide guidelines on the preparation, content, timelines, publication and monitoring of Energy Plans and the Integrated National Energy Plan.	The County Energy Planning Committee should be divided into 2 where we have the advisory wing led by the CEC in charge of energy and the technical wing that will be led by the Director in charge of energy. Composition of INEP committee - 2 slots for 47 county governments is seriously under misrepresented there is therefore a need to increase it to 5 slots. All energy projects implemented by donors and other government agencies should be approved by the CECM in charge of energy. Counties should have the power to accept or decline a project.	Energy and Petroleum Regulatory Authority (EPRA)	Pending	The Regulations are pending at EPRA.
11.	Wildlife Conservation and	COG reviewed the Act to propose amendments thereto to inform the	The proposed amendments include the management of National Reserves by the	Ministry of Tourism and Wildlife	The Wildlife Conservation and Management	The Bill is pending consideration

SN	NAME OF BILLS/ ACTS/REGULATIONS	ISSUE	COG'S PROPOSAL	RECEIVING ENTITY	MATTER CONSIDERED	STATUS
	Management Act 2013	Wildlife and Conservation Bill 2022.	Counties within their jurisdiction, the development of mechanisms for benefit sharing from revenue, levies, and charges from wildlife with communities and Counties within their jurisdiction, the consultation of County governments before the CS can declare land to be a national park within their jurisdiction, among others.		(Amendment) Bill, 2023 is undergoing Parliamentary review.	at the National Assembly.
12.	The County Governments Additional Allocations (No.2) Bill, 2022.	The Bill is prepared pursuant to Article 202 (2) of the Constitution which stipulates that that county governments may be given additional allocations from the national government's share of revenue, either conditionally or unconditionally.	The issues raised by COG were adopted including an additional allocation to Counties amounting to Kshs.517 million under the FLLoCA grant, additional allocation to Counties amounting to Ksh.122 million under the KUSP grant, Kshs.190,000 to Turkana County under the Emergency Locust Response Program (ELRP) grant and Kshs.433 million to 33 Counties for the Library function.	National Assembly	Passed	The Bill was assented into law.
13.	The Public Finance Management (Financial Inclusion Fund) Regulations, 2022 - Hustler Fund	The Regulations were meant to provide for access and management of the Hustler Fund.	Some of the key issues raised in the COG Memorandum include: The need for a criterion to ensure the Fund benefits all Counties equally; The need for representation of Counties in the Advisory Board; The need for the Regulations establishing the Fund to align with the provisions of the Public Finance	National Treasury	Published	The Regulations are in operation.

SN	NAME OF BILLS/ ACTS/REGULATIONS	ISSUE	COG'S PROPOSAL	RECEIVING ENTITY	MATTER CONSIDERED	STATUS
			Management Act, 2012 and the Public Finance Management (County Governments) Regulations, 2015.			
14.	Cooperative Vocational training policy, 2022	Provide for cooperative vocational training in Kenya.	Submitted comments which included, among others: The need for the policy to clearly portray the constitutional provision on TVETs as well as the National Sectoral Direction on TVETs, which is critical in providing the background and context for the establishment of TVETs; and the need for the entire Governance and Management system, from the National Coordination Committee to the implementation Committee, to include County Governments, and whose roles should be clearly stipulated.	Ministry of Education		The Policy is pending at the Ministry of Education
15.	Draft Urban Areas and Cities (General) Regulations 2022	Aimed to operationalize the Urban Areas and Cities Act, 2011	The council noted that the proposed structure under regulation 13 contravenes the provisions of the Intergovernmental Relations Act 2012 sect 20(2) which gives the powers to the Council of Governors to establish other intergovernmental forums including inter-city and	Ministry of Transport, Infrastructure and Urban Development	Published	Regulations are in operation.

SN	NAME OF BILLS/ ACTS/REGULATIONS	ISSUE	COG'S PROPOSAL	RECEIVING ENTITY	MATTER CONSIDERED	STATUS
			municipality forums. These entities have clear mandates assigned to them by the urban areas and cities act and are decentralized units within the County Governments			
16.	Independent Electoral and Boundaries Commission (Amendment) Bill no. 49 of 2022	Aimed to amend the IEBC Act, 2011	The key issue raised in the memorandum was in regards to the composition of the selection panel that oversees the filling of vacant positions in the commission. The council's proposal as set out in the memorandum is that there be two representatives from COG in the panel. This will ensure adequate representation by the 47 County Governments in the panel.	Parliament	Pending	The Bill was reintroduced in Parliament.
17.	The Intergovernmental Relations (Amendment) Bill, 2022	The objective of the Bill is to amend the IGRA, 2012	The key issue raised in the Bill is in regards to the anchorage of COG into law whereby it is proposed for that clause to be included in the Bill. This is critical as it is aimed to give the council a legal status which will consecutively cure the challenges associated with lack of a legal status- including funding.	Intergovernmental Relations Technical Committee (IGRTC)	Pending	The negotiations on the subject matter of the Bill are still ongoing.
18.	Equalisation Fund Bill, 2022	The aim of the Bill is to provide for the equalization fund for financial year 2022/2023	The Committee in the Memorandum presented to the National Assembly Committee on Finance and National Planning, objected the Bill in its entirety and called for its	Parliament	Passed	The Bill was assented into law.

SN	NAME OF BILLS/ ACTS/REGULATIONS	ISSUE	COG'S PROPOSAL	RECEIVING ENTITY	MATTER CONSIDERED	STATUS
			<p>withdrawal due to the following: It is unconstitutional as it does not conform to the devolved structure of governance and fails to give accord to the functions of the County Governments; It claws back on the gains already made with regards to the management of the Equalisation Fund; and it fails to give accord to the provisions of the High Court ruling on Petition No.272 of 2016 between the Council of Governors vs. The National Treasury and Others that nullified the Guidelines earlier issued by the Cabinet Secretary.</p>			
19.	The National Addressing Bill, 2022	The Bill aims to provide for a national addressing system in Kenya.	The major issue addressed in the COG memorandum is the need for County Governments to be consulted in developing procedures, policies, and guidelines. The Memorandum further raises the issue of data protection. It is important to ensure data protection of the holders of address data in line with Article 31(d) of the Constitution and section 25 of the Data Protection Act of 2018 which lays down the principles of data protection.	Ministry of ICT- The National Communications Secretariat	Pending	The Bill is pending at the Ministry of ICT

SN	NAME OF BILLS/ ACTS/REGULATIONS	ISSUE	COG'S PROPOSAL	RECEIVING ENTITY	MATTER CONSIDERED	STATUS
20.	Heritage and Museums Bill 2023	The principal object of the Bill is to give Schedule to the Constitution. The Bill proposes to retain the National Museums of Kenya already established under the National Museums and Heritage Act, 2006, to provide for national and county museums; the preservation, protection and management of cultural and natural heritage National and County levels of Government; and to repeal the National Museums and Heritage Act, 2006.	The Bill vests the management and control of museums and monuments in the National Museums of Kenya contrary to the Constitution of Kenya, which assigns the County Governments the functions of museums, cultural activities, and facilities under part 2 of the Fourth Schedule.	Senate	Pending	The Bill is pending consideration at the Senate.
21.	The Natural Resources Benefit sharing Bill 2022	The Bill seeks to provide a benefit sharing framework for Counties and communities from Natural Resources including Water, Forests, Wildlife, Sunlight, Minerals and Sand.	COG submitted a memorandum with its reservations on benefit sharing between counties and communities. COG advocated for a larger benefit share for county governments since county governments are charged with management of most projects in the County and are mandated to ensure capacity building of communities under Paragraph 14 of the Fourth Schedule of the Constitution.	National Assembly	Passed	Bill was assented into law.
22.	The Kenya Space Bill	The Bill was aimed at providing a framework for management of the space sphere in Kenya.	The Major issue addressed in the COG memorandum is the role of County Governments in the space sphere. The council	The Kenya Space Agency	Pending	The Bill is pending at the Kenya Space Agency

SN	NAME OF BILLS/ ACTS/REGULATIONS	ISSUE	COG'S PROPOSAL	RECEIVING ENTITY	MATTER CONSIDERED	STATUS
			submitted that Implementation of the Space policy should be done in collaboration with County Governments. Further, that all space related activities and services within County Governments should be licensed by the individual County Governments and the composition of the Board should comprise of representation from the Council of Governors so as to ensure that the interests of Counties are voiced.			
23.	Division of Revenue Bill, 2023	The Bill aimed to provide for the division of revenue between the national and county governments for FY 2023/2024	The COG submitted its memorandum where the Finance Committee advanced the Council's position on vertical sharing or revenue for FY 2023/24.	National Assembly & Senate	Passed	Bill was assented into law.
24.	County Allocation of Revenue, Bill 2023	The Bill aimed to provide for allocation of revenue to County Governments for the FY 2023/2024	The COG submitted a memorandum on the Bill where the Finance Committee proposed for an upwards revision on the County Executives recurrent expenditure budget ceilings.	Senate	Passed	Bill was assented into law.
25.	The Social Protection Policy	The Policy provides for social protection	Some of the recommendations in the COG memorandum include: It is critical that the Council of Governors is represented in the coordination structure at the National level; Social protection is not a function, but rather a strategic	Ministry of Gender		Unclear if the Policy was approved by Cabinet

SN	NAME OF BILLS/ ACTS/REGULATIONS	ISSUE	COG'S PROPOSAL	RECEIVING ENTITY	MATTER CONSIDERED	STATUS
			cross-cutting theme that should be considered in the performance of all the other functions as provided for in Schedule 4 of the constitution of Kenya; The TVET component of VTCs is a devolved function. Counties are charged with managing Vocational Training Centres (VTCs) or village polytechnics and home craft centres as indicated in Schedule 4 of the Constitution of Kenya. Therefore, the base of vocational training including skilling of the youth within VTCs and the private sector is devolved and a responsibility of County Governments; and the role of the National Government should be providing technical and financial resources to county governments to execute the same.			
26.	The Vocational Training Bill (Senate Bills No. 3 of 2022)	The principal object of this Bill is to put in place a legal framework to govern the establishment and management of vocational education and training with the county. One of the functional areas of county governments as provided for under Part 2 of the Fourth Schedule to the	COG submitted a memorandum advancing that the Bill ought to be aligned to the functions of county governments as provided for under Part 2 of the Fourth Schedule to the Constitution.	Senate	Pending	The Bill is pending consideration at the National Assembly.

SN	NAME OF BILLS/ ACTS/REGULATIONS	ISSUE	COG'S PROPOSAL	RECEIVING ENTITY	MATTER CONSIDERED	STATUS
		Constitution relates to village polytechnics and homecraft centres.				
27.	The County Governments (Revenue Raising Process) Bill, 2023 (NA Bill No. 11 of 2023)	The Bill gives effect to the constitutional requirement of Article 209(5) of the Constitution by defining the manner in which the national government, through the National Treasury may exercise its policy oversight role and it establishes the process whereby the county governments may exercise their taxation authority. The Bill further regulates the exercise by county governments of their power to impose taxes, levies and duties by providing for the compliance by a proposed county government tax, fee, levy or charge with the Constitution and the provisions of this Bill and to ensure that county government proposals are dealt with in accordance with Article 6(2) of the Constitution	The Council rejected the Bill	National Assembly	Pending	The Bill is pending consideration at the National Assembly.
28.	The County Governments Additional Allocations Bill,	The Bill is prepared pursuant to Article 202 (2) of the Constitution which stipulates that that county governments may be given	The Council submitted its memorandum to both Houses of Parliament regarding its views on additional allocations	Parliament	Pending	The Bill is pending mediation in Parliament

SN	NAME OF BILLS/ ACTS/REGULATIONS	ISSUE	COG'S PROPOSAL	RECEIVING ENTITY	MATTER CONSIDERED	STATUS
	(National Assembly Bill No. 23 of 2023)	additional allocations from the national government's share of revenue, either conditionally or unconditionally. The Bill provides for additional allocations to county governments for the financial year 2023/2024 from the national government's share of revenue of from proceeds of loans and grants from development partners. The Bill also facilitates transfer of these allocations from the Consolidated Fund to the County Revenue Funds and Special Purpose Accounts.	to county governments for the financial year 2023/2024.			
29.	The Geriatric Bill, 2022 (NA Bill No. 50 of 2022)	The principal object of this Bill is to give effect to Article 57 of the Constitution by establishing a legal framework for the treatment of elderly persons. The Bill seeks to involve the having conditions of elderly persons by providing for their rights to human dignity, safety and security, education, health and equality and non-discrimination.	COG submitted a memorandum on the Bill.	National Assembly	Pending	Bill negatived/lost at Second Reading

SN	NAME OF BILLS/ ACTS/REGULATIONS	ISSUE	COG'S PROPOSAL	RECEIVING ENTITY	MATTER CONSIDERED	STATUS
30.	The National Youth Council (Amendment) Bill (National Assembly Bill No.1 of 2023)	The principal object of this Bill is to amend the National Youth Council Act to depoliticize the membership of the National Youth Council by allowing the competitive recruitment of the youth serving in the council through the office of the County Directors of Youth.	COG submitted a memorandum on the Bill.	National Assembly	Pending	Bill lost at Reporting Stage
31.	The Persons with Disabilities Bill (Senate Bills No. 7 of 2023)	The object of the Bill is to repeal the Persons with Disabilities Act, No. 14 of 2003 and have in place a law that is consistent with the Constitution. The Bill places emphasis on human rights approach towards realization of persons with disabilities in Kenya and societal responsibility to protect and promote them. The Bill outlines the obligations of the county government in regard to securing the rights of persons with disability in the county	COG submitted a memorandum on the Bill.	Senate	Pending	Bill is pending consideration in the Senate
32.	The Health (Amendment) (No. 2) Bill, 2022 (NA Bill No.42 of 2022)	The principal object of this Bill is to amend the Health Act No. 21 of 2017 to introduce a new section which provides for the development of policy guidelines to regulate the	COG submitted a memorandum on the Bill.	National Assembly	Pending	Bill is pending consideration at the National Assembly

SN	NAME OF BILLS/ ACTS/REGULATIONS	ISSUE	COG'S PROPOSAL	RECEIVING ENTITY	MATTER CONSIDERED	STATUS
		referral of patients to health institutions outside the country.				
33.	The Assisted Reproductive Technology Bill, 2022 ((NA Bill No.61 of 2022)	The principal object of the Bill is to regulate rights and obligations relating to assisted reproductive technology. The Bill aims to regulate the use of assisted reproductive technologies to aid individuals or couples that have challenges conceiving due to factors associated with infertility.	COG submitted a memorandum on the Bill in line with the function of county governments to provide health services to the people.	National Assembly	Pending	Bill is pending consideration at the National Assembly
34.	The Pensions (Amendment) Bill, 2022 (NA. Bill No. 44 of 2022)	The principal object of the Bill is to amend the Pensions Act, Cap. 189 to provide a timeline within which pension shall be payable to an officer. The Bill seeks to remedy the delays experienced in payment of pension to pensioners upon maturity of pension funds at the national and county levels.	We supported the Bill.	National Assembly	Pending	Bill is pending consideration at the National Assembly
35.	The Public Service Commission (Amendment) Bill (National Assembly Bill No.6 of 2023)	The principal object of this Bill is to amend the Public Service Commission Act, 2017 to prescribe the mandatory retirement age of sixty years in the Act.	The Bill was not contentious.	National Assembly	Pending	Bill is pending consideration at the National Assembly
36.	The Employment (Amendment) Bill, 2022 (Senate Bill No. 11 of 2022)	The principal object of the Bill is to provide for the right to disconnect in the digital age. This Bill seeks to	COG supported the Bill.	National Assembly	Pending	Bill is pending consideration at the National Assembly

SN	NAME OF BILLS/ ACTS/REGULATIONS	ISSUE	COG'S PROPOSAL	RECEIVING ENTITY	MATTER CONSIDERED	STATUS
		<p>address increased employee burnout. Digital connectivity has also been noted to be slowly eroding leisure time for employees hence affecting their work life balance.</p> <p>This Bill therefore seeks to strike a balance between work and private life to allow digital technology to have a positive effect on workers' quality of life supported by employer</p>				
37.	The Kenya Information and Communications (Amendment) Bill (National Assembly Bill No. 52 of 2022)	<p>The principal object of this Bill is to amend the Kenya Information and Communications Act Cap. 411A to enable persons operating a telecommunication system or providing a telecommunication service to engage in any other business and provide for the separation of such other businesses from the telecommunication business. The Bill further seeks to amend provisions of the Kenya Information and Communications Act to make provision for quality of service to consumers making calls by compelling licensees in the</p>	The Bill was not contentious	National Assembly	Pending	Bill is pending consideration at the National Assembly

SN	NAME OF BILLS/ ACTS/REGULATIONS	ISSUE	COG'S PROPOSAL	RECEIVING ENTITY	MATTER CONSIDERED	STATUS
		telecommunications industry to invest in infrastructure that will guarantee quality of service for consumers making calls. The Bill also seeks to amend section 84J of the Act in order to improve on the management of the Universal Service Fund by the Commission by expanding the objectives of the Fund, prescribing the requirement for reporting by the Commission on how the Fund is utilized in every financial year, enumerating the formula for distributing the Fund and prescribing an offence for a person who fails to utilize or utilizes the Universal Fund in a manner that does not promote the objectives of the Fund.				
38.	The National Construction Authority (Amendment) Bill, 2022 (NA Bill No. 59 of 2022)	The principal object of this Bill is to amend the National Construction Authority Act, No.41 of 2011 to provide that women, youth and persons living with disabilities who own startup businesses and who apply for registration as contractors under category six, seven and eight and who shall be exempt from payment the	We submitted a memorandum on the Bill.	National Assembly	Pending	Bill is pending consideration at the National Assembly

SN	NAME OF BILLS/ ACTS/REGULATIONS	ISSUE	COG'S PROPOSAL	RECEIVING ENTITY	MATTER CONSIDERED	STATUS
		prescribed fee. The amendment seeks to provide for the recognition of women, youth and persons living with disabilities as marginalized groups and cushion them from the burden of paying registration fees.				
39.	The Political Parties (Amendment) Bill, 2022 (NA. Bill No. 35 of 2022)	The principal object of this Bill is to amend the Political Parties Act, 2011 to require the Registrar of Political Parties to convey to the Clerk of each House of Parliament any coalition agreement deposited into his/her of office. The agreements shall be useful to the Houses of Parliament relation to determination of questions on the entitlement of parties and coalitions that are tied to their number of Members of each House. The amendment further requires the Registrar to convey any agreement existing as at the commencement of its provisions to the Clerk of each House of Parliament.	The Bill is not contentious.	National Assembly	Pending	Bill is pending consideration at the National Assembly
40.	The Petitions to Parliament (Procedure)	The Bill intends to amend the Petitions to Parliament (Procedure) Act, 2012 to	The Bill is not contentious.	National Assembly	Pending	Bill is pending consideration

SN	NAME OF BILLS/ ACTS/REGULATIONS	ISSUE	COG'S PROPOSAL	RECEIVING ENTITY	MATTER CONSIDERED	STATUS
	(Amendment) Bill, 2022 (NA. Bill No. 51 of 2022)	require petitioners to file relevant evidence of the efforts made to have the matter raise in a petition addressed to the relevant body and any matters pending before court.				at the National Assembly
41.	The Startup Bill (Senate Bills No. 14 of 2022)	The Bill therefore seeks to provide a legislative framework – (a) that fosters a culture of innovative thinking and entrepreneurship; (b) for the registration of startups and the linkage of such startups with financial institutions, the private sector research institutions and such other institutions at the National and county level of government; (c) to facilitate investment in and the provision of fiscal and non-fiscal support to startups in Kenya; (d) that promotes an enabling environment for the establishment, development, conduct of business and regulation of startups; (e) for the establishment of incubation facilities at the National and county levels of government and environment that promotes	The Council submitted a memorandum.	Senate	Pending	Bill is pending consideration at the Senate

SN	NAME OF BILLS/ ACTS/REGULATIONS	ISSUE	COG'S PROPOSAL	RECEIVING ENTITY	MATTER CONSIDERED	STATUS
		the establishment of startups; and (f) for the monitoring and evaluation of the legal and regulatory framework and the mechanisms put in place to encourage the development of startups.				
42.	The County Licensing (Uniform Procedures) Bill, 2022 (Senate Bills No. 9 of 2022)	The principal objective of this Bill is to put in place uniform procedures for licensing of various activities by counties. One of the ways in which county governments generate revenue is through the issuance of licences for activities related to the functions of county governments under Part 2 of the Fourth Schedule to the Constitution. As there are forty-seven county governments, it has become apparent that there are varied procedures in applying for licences which has had a negative impact on the ease of doing business in the counties.	The Council submitted a memorandum.	Senate	Pending	Bill is pending consideration at the Senate
43.	The National Rating Bill (National Assembly Bill No.55 of 2022)	The Bill provides for the legal framework for the imposition of property taxes on land and buildings by the county governments	The Council submitted a memorandum.	National Assembly	Pending	Bill is pending consideration at the National Assembly

SN	NAME OF BILLS/ ACTS/REGULATIONS	ISSUE	COG'S PROPOSAL	RECEIVING ENTITY	MATTER CONSIDERED	STATUS
		pursuant to Article 209(3) of the Constitution.				
44.	The Prompt Payment Bill (Senate Bills No. 8 of 2022)	The principal object of this Bill is to put in place a legal framework to facilitate prompt payment for supply of goods, works and services procured by government entities both at the national and county level.	The Council submitted a memorandum.	Senate	Pending	The Bill was negated at Second Reading
45.	The Konza Technopolis Bill (Senate Bills No. 1 of 2023)	The objective of the Bill is to establish Konza Technopolis Authority to unlock potential of the multi-billion-shilling Konza project.	The Council submitted a memorandum.	Senate	Pending	The Bill was lost at the Second Reading
46.	The Food and Feed Safety Control Coordination Bill (National Assembly Bill No.21 of 2023)	The principal object of this Bill is to provide for coordination of public institutions involved in the control of food safety and feed safety.	Inclusion of the County Governments as competent authorities in the control of food safety and feed safety.	Parliament	The Committee is continuously monitoring the same to ensure inclusion of the recommendations	The Bill is pending consideration at the Senate.
47.	The Rice Bill (Senate Bills No. 19 of 2023)	The establishment the Kenya Rice Board and Rice Development Fund for the regulation of the rice industry across the different value chains in the sector.	Inclusion of the Counties in Rice Board and counties to access 80% of the Rice Development Fund for development of the rice industry.	Senate	The Committee is continuously monitoring the same to ensure inclusion of the recommendations	The Bill is pending consideration at the Senate.
48.	The National Disaster Risk Management Bill (National Assembly Bill No. 24 Of 2023)	The principal object of the Bill is to provide a legal framework for the co-ordination of disaster risk management activities in both levels of government.	Inclusion of more Governors in the Intergovernmental Council on Disaster Risk Management and alignment of the role of the National Disaster Risk Authority to the provision of the Constitution	National Assembly	The Committee is continuously monitoring the same to ensure inclusion of the recommendations	The Bill is pending consideration at the National Assembly.

SN	NAME OF BILLS/ ACTS/REGULATIONS	ISSUE	COG'S PROPOSAL	RECEIVING ENTITY	MATTER CONSIDERED	STATUS
49.	The Regional Development Authorities Bill, 2023 (National Assembly Bill No. 7 of 2023)	The principal object of the Bill is to consolidate the laws relating to regional development and provide for the establishment, powers and functions of the six (6) regional development bodies.	The laws establishing the Regional Development Authorities be repealed and the process of winding up of the authorities begin and its assets transferred to the respective County Governments.	National Assembly	The Committee is continuously monitoring the same to ensure inclusion of the recommendations	The Bill is pending consideration at the National Assembly.
50.	The Draft Cooperative Bill, 2023	Role of the National and County Governments in the management and regulation of the cooperatives	Alignment of the role of the Commissioner of Cooperatives and County Director of Cooperatives to the provision of the Constitution	The State Department for Cooperatives		The Bill is pending Cabinet approval before submission to Parliament for consideration.
51.	The Crops (Miraa) Regulations, 2023	Regulation of the Miraa industry.	The County Governments to register miraa aggregator, commercial transporters, vendors among other dealers along the miraa value chain excluding importers and exporters	Parliament	Yes	The regulations were approved by Parliament and is currently being implemented by the AFA and County Governments.

Annex 2: Summary of Documented and Shared Stories on the Maarifa Platform

SN	TITLE OF THE STOTY	COUNTY	LINK
1.	Machakos County predominant group Ante-Natal Care Model	Machakos	https://maarifa.cog.go.ke/county -initiatives/machakos-county-predominant-group-ante-natal-care-model
2.	Nyeri County through the Buy Nyeri Build Nyeri initiative launches a leather goods production unit to support the local manufacturing industry	Nyeri	https://maarifa.cog.go.ke/county -initiatives/nyeri-county-through-buy-nyeri-build-nyeri-initiative-launches-leather-goods
3.	Murang'a County doubles revenue collection by embracing online automation	Murang'a	https://maarifa.cog.go.ke/county -initiatives/muranga-county-doubles-revenue-collection-embracing-online-automation
4.	Lamu County boosts local economy through the annual Lamu festival.	Lamu	https://maarifa.cog.go.ke/county -initiatives/lamu-county-boosts-local-economy-through-annual-lamu-festival
5.	Machakos County rolls out the ECDE feeding program to keep pupils in school	Machakos	https://maarifa.cog.go.ke/county -initiatives/machakos-county-rolls-out-ecde-feeding-program-keep-pupils-school
6.	Advancing access to specialized care in Isiolo County health facilities through telemedicine	Isiolo	https://maarifa.cog.go.ke/county -initiatives/advancing-access-specialized-care-isiolo-county-health-facilities-through
7.	Murang'a County provides free medical cover to vulnerable households	Murang'a	https://maarifa.cog.go.ke/county -initiatives/muranga-county-provides-free-medical-cover-vulnerable-households
8.	Nyeri County empowers business owners through the Enterprise Development Fund	Nyeri	https://maarifa.cog.go.ke/county -initiatives/nyeri-county-empowers-business-owners-through-enterprise-development-fund
9.	Homa Bay County mitigates gender-based violence through community sensitization and GBV centres	Homa Bay	https://maarifa.cog.go.ke/county -initiatives/homa-bay-county-mitigates-gender-based-violence-through-community-sensitization
10.	Vihiga's Kaimosi water project uses solar energy to reduce the cost of producing quality, accessible and affordable water for all	Vihiga	https://maarifa.cog.go.ke/coun ty-initiatives/vihigas-kaimosi-water-project-uses-solar-energy-reduce-cost-producing-quality

11.	Kaimosi water project uses solar energy to reduce the cost of producing quality, accessible and affordable water for all	Vihiga	https://maarifa.cog.go.ke/county -initiatives/vihigas-kaimosi-water-project-uses-solar-energy-reduce-cost-producing-quality
12.	Garissa County improves food security by creating awareness on the use of Prosopis Juliflora tree flour	Garissa	https://maarifa.cog.go.ke/county -initiatives/garissa-county-improves-food-security-creating-awareness-use-prosopis-juliflora
13.	Garissa County mitigates livestock death due to drought by innovating unique cattle feed	Garissa	https://maarifa.cog.go.ke/county -initiatives/garissa-county-mitigates-livestock-death-due-drought-innovating-unique-cattle
14.	Kirinyaga County improves food security through the Wezesha Kirinyaga Economic Empowerment Program.	Kirinyaga	https://maarifa.cog.go.ke/county -initiatives/kirinyaga-county-improves-food-security-through-wezesha-kirinyaga-economic
15.	Kirinyaga County supports gender-based violence survivors by setting rescue desks in all public health facilities	Kirinyaga	https://maarifa.cog.go.ke/county -initiatives/kirinyaga-county-supports-gender-based-violence-survivors-setting-rescue-desks
16.	One-cow initiative excels in providing sustainable livelihoods and nutrition for vulnerable households in Kakamega County	Kakamega	https://maarifa.cog.go.ke/county -initiatives/one-cow-initiative-excels-providing-sustainable-livelihoods-and-nutrition
17.	Tana River sets up a Youth Empowerment Centre to equip youth with knowledge and skills for a meaningful contribution to the economy	Tana River	https://maarifa.cog.go.ke/county -initiatives/tana-river-sets-youth-empowerment-centre-equip-youth-knowledge-and-skills
18.	The Mwitoko Fish Farm Project empowers fish farmers in Vihiga and its environs for sustainable and profitable	Vihiga	https://maarifa.cog.go.ke/county -initiatives/mwitoko-fish-farm-project-empowers-fish-farmers-vihiga-and-its-environs
19.	A journey towards developing renewable energy in Kilifi County for environmental conservation and improved standards of living	Kilifi	https://maarifa.cog.go.ke/county -initiatives/journey-towards-developing-renewable-energy-kilifi-county-environmental
20.	Kisumu pioneers drug delivery using drones to enhance timely universal health access	Kisumu	https://maarifa.cog.go.ke/county -initiatives/kisumu-pioneers-drug-delivery-using-drones-enhance-timely-universal-health
21.	Promoting youth-led innovation and sustainable development: the role of the Makueni technology and innovation hub and the Ajiry Centre	Makueni	https://maarifa.cog.go.ke/county -initiatives/promoting-youth-led-innovation-and-sustainable-development-role-makueni
22.	The impact of strategic initiatives and community engagement on the success and failure of apiculture projects in Kitui count	Kitui	https://maarifa.cog.go.ke/county -initiatives/impact-strategic-initiatives-and-community-engagement-success-and-failure

23.	The impact of the Machakos youth drop-in Centre on mental health and well-being	Machakos	https://maarifa.cog.go.ke/county -initiatives/impact-machakos-youth-drop-centre-mental-health-and-well-being
24.	Empowering women and transforming healthcare: dignity restoration for obstetric fistula patients in Makueni county	Makueni	https://maarifa.cog.go.ke/county -initiatives/empowering-women-and-transforming-healthcare-dignity-restoration-obstetric
25.	Vihiga county leading the way in local climate action	Vihiga	https://maarifa.cog.go.ke/county -initiatives/vihiga-county-leading-way-local-climate-action
26.	Impact of embracing digital solutions for improved governance through the mymakueni County app	Makueni	https://maarifa.cog.go.ke/county -initiatives/impact-embracing-digital-solutions-improved-governance-through-mymakueni-county
27.	Community-led Road maintenance initiative: lessons and successes from Tharaka Nithi county road marshals initiative	Tharaka Nithi	https://maarifa.cog.go.ke/county -initiatives/community-led-road-maintenance-initiative-lessons-and-successes-tharaka-nithi
28.	Promoting hospital-based childbirth and maternal health among the Maasai community in Kajiado county	Kajiado	https://maarifa.cog.go.ke/county -initiatives/promoting-hospital-based-childbirth-and-maternal-health-among-maasai-community
29.	Nyeri County empowers youth and enhances efficiency in County offices through an internship program	Nyeri	https://maarifa.cog.go.ke/county -initiatives/nyeri-county-empowers-youth-and-enhances-efficiency-county-offices-through
30.	Kakamega County's assistive devices support initiative enhances independence and participation in society for persons with disability	Kakamega	https://maarifa.cog.go.ke/county -initiatives/kakamega-countys-assistive-devices-support-initiative-enhances-independence-and
31.	Murang'a County amplifies its ECDE feeding programme to increase class enrollment.	Murang'a	https://maarifa.cog.go.ke/county -initiatives/muranga-county-amplifies-its-ecde-feeding-programme-increase-class-enrollment
32.	The social protection program in Homa Bay County: Empowering persons with disabilities	Homa Bay	https://maarifa.cog.go.ke/county -initiatives/social-protection-program-homa-bay-county-empowering-persons-disabilities
33.	Kakamega County enhances teaching & learning environment in early childhood education (ECDE) centres to encourage enrolment, retention & completion	Kakamega	https://maarifa.cog.go.ke/county -initiatives/kakamega-county-enhances-teaching-learning-environment-early-childhood-education
34.	Transforming technical education: Nyeri County empowers youth through leather production and skill-based initiatives	Nyeri	https://maarifa.cog.go.ke/county -initiatives/transforming-technical-education-nyeri-county-empowers-youth-through-leather
35.	Promoting economic development and sustainable livelihoods: The Nyeri youth, women, and persons with disabilities empowerment programme	Nyeri	https://maarifa.cog.go.ke/county -initiatives/promoting-economic-development-and-sustainable-livelihoods-nyeri-youth-women-and

36.	Kajiado County builds a water data and asset registry to increase access to safe water and sanitation for residents	Kajiado	https://maarifa.cog.go.ke/county-initiatives/kajiado-county-builds-water-data-and-asset-registry-increase-access-safe-water
37.	Harnessing the potential of blue economy: Nyeri County supports sustainable fish farming in Kieni east sub-county.	Nyeri	https://maarifa.cog.go.ke/county-initiatives/harnessing-potential-blue-economy-nyeri-county-supports-sustainable-fish-farming
38.	Gender mainstreaming in trade: impacts of the Chuka market creche on traders and children	Tharaka Nithi	https://maarifa.cog.go.ke/county-initiatives/gender-mainstreaming-trade-impacts-chuka-market-creche-traders-and-children
39.	Kajiado County empowers women by offering beadwork training using machines to enhance efficiency and quality of beadmaking to international standards		https://maarifa.cog.go.ke/county-initiatives/kajiado-county-empowers-women-offering-beadwork-training-using-machines-0
40.	A Journey Towards Developing Renewable Energy in Kilifi County for Environmental Conservation and Improved Standards of Living	Kilifi	https://maarifa.cog.go.ke/county-initiatives/journey-towards-developing-renewable-energy-kilifi-county-environmental
41.	Embu county establishes talent academy to boost youth creativity and offer an alternative pathway to employment	Embu	https://maarifa.cog.go.ke/county-initiatives/embu-county-establishes-talent-academy-boost-youth-creativity-and-offer
42.	The empowerment of persons with disabilities: the role of the Wajir County persons with disabilities act	Wajir	https://maarifa.cog.go.ke/county-initiatives/empowerment-persons-disabilities-role-wajir-county-persons-disabilities-act

Annex 3: Major Reports / Publications during FY 2022/2023

1. 2023 -27 County Integrated Development Plans (CIDPs) - (Link: https://maarifa.cog.go.ke/resource-library?f%5B0%5D=resource_tags%3A22)
2. 5th Edition of the Compendium of County Innovations and Best Practices - (Link: <https://maarifa.cog.go.ke/compendiums>)
3. A Journey from Centralised to Devolved Governance Under the Constitution of Kenya 2010 (Link: <https://maarifa.cog.go.ke/publications/devolution-kenya>)
4. Joint County Bankable Investment Projects Handbook - (Link: <https://maarifa.cog.go.ke/publications/joint-county-bankable-investment-projects-handbook>)
5. 4th Edition of the compendium of County best practices - (Link: <https://maarifa.cog.go.ke/compendiums>)
6. State of Devolution Address - (Link: <https://maarifa.cog.go.ke/state-of-devolution-address>)