

**THE SENATE**



**County  
Assemblies  
Forum**

**INAUGURAL LEGISLATIVE SUMMIT**

**Overall Theme: *Celebrating and Entrenching Devolution  
through Legislation***

***LEGISLATORS' PROGRAMME***

**Date: 22<sup>nd</sup> to 26<sup>th</sup> May, 2016**

**Venue: Emerald Flamingo Beach Resort and Spa, Mombasa County**

**Conference Facilitators: Hon. Prof. Margaret Kamar and Mr. Titus Muchira**

<b>Time</b>	<b>Session</b>	<b>Facilitator</b>
<b>DAY 1 – Sunday, 22<sup>nd</sup> May, 2016</b>		
<b>09:00 hrs – 17:00 hrs</b>	Pre-Summit Conference: Legislators Living with Disabilities	<b>County Assemblies Forum</b>
<b>DAY 2 – Monday, 23<sup>rd</sup> May, 2016</b>		
<b>09:00 hrs – 17:00 hrs</b>	Pre-Summit Conference: Women Legislators	<b>County Assemblies Forum</b>
<b>DAY 3 – Tuesday, 24<sup>th</sup> May, 2016</b>		
<b>Opening Ceremony</b>		
<b>09:00hrs – 11:30 hrs</b>	<ul style="list-style-type: none"> <li>❖ Opening Prayers</li> <li>❖ Welcoming remarks <ul style="list-style-type: none"> <li>▪ <b>Hon. Hassan Joho, Governor, Mombasa County</b></li> <li>▪ <b>Hon. Thaddeus Rajwayi, Speaker, County Assembly of Mombasa</b></li> <li>▪ <b>Hon. Albert Kochei, Secretary General , County AssemblyForum</b></li> <li>▪ <b>Sen. Hassan Omar, Senator, Mombasa County</b></li> </ul> </li> <li>❖ Remarks by the Cabinet Secretary, Ministry of Devolution and Planning <ul style="list-style-type: none"> <li>▪ <b>Hon. Mwangi Kiunjuri, MGH</b></li> </ul> </li> <li>❖ Remarks by the Senate Minority Leader <ul style="list-style-type: none"> <li>▪ <b>Sen. Moses Wetang’ula, EGH, MP</b></li> </ul> </li> <li>❖ Remarks by the Senate Majority Leader <ul style="list-style-type: none"> <li>▪ <b>Sen. (Prof.) Kindiki Kithure, EGH, MP</b></li> </ul> </li> <li>❖ Remarks by the Chairperson of the County Assemblies Forum and Speaker, Tana River County Assembly <ul style="list-style-type: none"> <li>▪ <b>Hon. (Dr.) Nuh Nassir</b></li> </ul> </li> <li>❖ Remarks by the Speaker of the Senate and Patron of the County Assemblies Forum</li> </ul>	<ul style="list-style-type: none"> <li>❖ <b>Mr. J.M. Nyegenye, CBS, Clerk of the Senate</b></li> </ul>

	<ul style="list-style-type: none"> <li>▪ <b>Sen. Kembi-Gitura, MGH, Deputy Speaker of the Senate</b></li> </ul> ❖ Key Note Address and Official Opening <ul style="list-style-type: none"> <li>▪ <b>Rt. Hon. Sen. Ekwee Ethuro, EGH, EBS, MP</b></li> </ul>		
<b>Health Break and Photo Session</b>			
<b>GENERAL SESSION I</b>			
<b>11:30 hrs– 12:30 hrs</b>	Legislating for Devolution: Assessing progress made so far, challenges encountered and mapping the way forward	Session Chair: <b>Rt. Hon. Sen. Ekwee Ethuro, EGH, EBS, MP, Speaker of the Senate</b>  Presenter: <b>Sen. Kembi-Gitura, MGH, MP, Deputy Speaker of the Senate</b>	<u>Discussants</u> <ul style="list-style-type: none"> <li>▪ <b>Sen. (Prof.) Kithure Kindiki, MP Senate Majority Leader</b></li> <li>▪ <b>Sen. Moses Wetangula, MP Senate Minority Leader</b></li> <li>▪ <b>Hon. Nuh Nassir, Chairperson, County Assemblies Forum</b></li> </ul>
<b>12:30hrs – 13:00 hrs</b>	<b>Plenary Session</b>		
<b>13:00 hrs– 14.00 hrs LUNCH BREAK</b>			
<b><u>Break Out Session I</u></b>			
<b>14:00 hrs– 16:00 hrs</b>	<b>Plenum I:</b> Fiscal Governance and Equitable Development- Financing County Governments; <ul style="list-style-type: none"> <li>a) The Budget Making Process</li> <li>b) Borrowing by counties</li> <li>c) Transparency and Accountability</li> </ul>	Session Chair: <b>Sen. Christopher Obure, MP Senator, Kisii County</b>  Presenter: <b>Mr. Njeru Kirira, Public Finance Management Consultant</b>	<u>Discussants</u> <b>Sen. Billow Kerrow, MP Senator, Mandera County</b> <ul style="list-style-type: none"> <li>i) In your opinion, is the Senate receiving adequate technical support in determining the horizontal sharing of revenue?</li> <li>ii) What avenues has the Senate sought or exploited to mediate in the determination of the vertical sharing of revenue by the National Assembly?</li> </ul>

			<p><b>Hon. Safari Ntalala, MCA</b></p> <ul style="list-style-type: none"> <li>i) In your opinion are the sharable resources to counties sufficient for the effective and efficient implementation of the devolved mandate and why?</li> <li>ii) How well has the county assemblies forum engaged with the national government in negotiating sharable revenue for counties?</li> </ul> <p><b>Mr. Micah Cheserem, Chairperson, Commission on Revenue Allocation</b></p> <ul style="list-style-type: none"> <li>i) Comment on the fundamentals of integrated fiscal transfers</li> <li>ii) Comment on the politics surrounding the process of resource sharing</li> <li>iii) In your opinion how well is the legislature engaging in the process of resource sharing?</li> <li>iv) What more can the Senate do in coordination with Commission on Revenue Allocation in the design and criteria of sharing of revenue?</li> </ul> <p><b>Mrs. Phyllis Makau, Director, Parliamentary Budget Office</b></p> <ul style="list-style-type: none"> <li>i) Do mechanisms to ensure that budgets are responsive exist?</li> <li>ii) What mechanisms should be put into place to ensure that budgets</li> </ul>
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			<p>are gender responsive and what is the accountability mechanism for this?</p> <p><b>Treasury</b></p> <p>i) What are the considerations in designing a policy framework for borrowing by counties?</p> <p>ii) How can the national treasury support counties in matters relating to Public private partnerships?</p> <p>iii) Comment on the timely disbursement of resources/funds to counties and on the cause of consistent delays.</p> <p>iv) Comment on the challenges that counties have faced with the implementation of Integrated Financial Management Information Systems.</p>
<b>16:00 hrs - 17:00 hrs</b>	<b>Plenary Session</b>		
<b>14:00 hrs– 16:00 hrs</b>	<b>Plenum II:</b> Public Participation in the Legislative Process	<p>Session Chair: <b>Hon. Edward Kitur, MCA</b></p> <p>Presenter: <b>Ms. Wanjiru Gikonyo, Executive Director, TISA</b></p>	<p><u>Discussants</u></p> <p><b>Sen. Martha Wangari, MP, Nominated Senator</b></p> <p>i) How effective are the current legal frameworks in ensuring public participation?</p> <p>ii) What steps is the Senate taking to ensure improved public participation?</p>

			<p>iii) What should county assemblies do to ensure that marginalized groups have space to engage in public</p> <p><b>Hon. Chege Mwaura, MCA,</b></p> <p>i) What's the cost of public participation to the assemblies?</p> <p>ii) How can county assemblies undertake meaningful public participation?</p>
<b>16.00hrs - 17.00 hrs</b>	<b>Plenary Session</b>		
<b>DAY 3 -Wednesday, 25<sup>th</sup> May, 2016</b>			
<b><u>Break Out Session II</u></b>			
<b>09:00 hrs– 12:00 hrs</b>	<b>Plenum III:</b> Ethics, Integrity and Accountability	<p>Session Chair: <b>Hon. Patrick Mariru, Speaker, Laikipia County</b></p> <p>Presenter: <b>Mr. Samuel Kimeu, Consultant</b></p>	<p><u>Discussants</u></p> <p><b>Sen. (Dr.) Boni Khalwale, MP, Senator, Kakamega County</b></p> <p>i) Which constitutional institution(s) should take the lead in holding political and public officers at the county level accountable?</p> <p>ii) Within the current institutional framework of ethics and integrity, to what extent should the Senate be involved in investigating corruption amongst state and county officers?</p> <p>iii) How can potential overlaps with county assemblies and the Ethics and Anti-Corruption</p>

			<p>Commission be avoided?</p> <p>iv) Within the law, it is the role of county assemblies to hold county governments to account with regards to prudent utilization of resources. How can the role of the Senate be enhanced without interfering with the mandate of county assemblies?</p> <p><b>Hon. Jeremiah Kioni</b>  What are your recommendations on the role that political parties can play in enhancing transparency and accountability in the legislature at both the national and county level?</p> <p><b>Hon. Anthony Macharia, MCA</b></p> <p>i) How robust is the Ethics and Anti-Corruption Commission in dealing with corruption at the county level?</p> <p>ii) Has the County Assemblies Forum put in place mechanisms to deal with errant members of the county assemblies?</p> <p>iii) How effective has the County Assemblies Forum been in promoting transparency and accountability of county</p>
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<p><b>12:00 hrs - 13:00 hrs</b></p>			<p>governments? iv) What innovations and/or reforms have county assemblies adopted aimed at promoting public participation?</p> <p><b>Mr. Philip Kinusu, Chairperson, EACC</b></p> <p>i) What are your interventions for enhancing accountability and transparency in the legislature at both the national and county levels and how can they be improved upon? ii) What are the challenges facing EACC in enhancing accountability and transparency in the legislature at both the national and county levels and how can they be overcome?</p> <p><b>Mr. Ken Njiiru</b></p> <p>i) What role should ordinary citizens play in holding public institutions and state officers to account? ii) What avenues are available to ordinary citizens in holding public institutions and state officers to account?</p>
<p><b>9:00 hrs – 12:00hrs</b></p>	<p><b>Plenary Session</b></p>		
	<p><b>Plenum IV: Insight into the Oversight</b></p>		<p><u>Discussants</u> <b>Sen. (Prof.) Anyang' Nyo'ngo, MP,</b></p>



	<p>Role of the Legislatures;</p> <p>a. Strengthening Public Accounts and Investment Committees in the County Assemblies</p>	<p>Session Chair:  <b>Sen. (Eng) Muriuki Karue, MP, Senator, Nyandarua County</b></p> <p>Presenter: <b>Mr. Edward Ouko, Auditor General</b></p>	<p><b>Senator, Kisumu County</b></p> <p>i) What is the intent of the proposed Senate Monitoring Evaluation Framework?</p> <p>ii) How can interlinkages and collaboration between the Senate and county assemblies be improved for purposes of implementing their respective oversight role at the county level?</p> <p><b>Hon. Kariuki Mate, Speaker, Embu County Assemby</b></p> <p>i) How effective have the county public accounts committees been in exercising their mandates?</p> <p>ii) What are the challenges facing county assemblies in ensuring accountability and how can they be addressed?</p> <p><b>Ms. Agnes Odhiambo, Controller of Budget</b></p> <p>i) What informs the framing of budgetary ceilings and are county governments complying with the requirement for programme based budgets?</p> <p>ii) What is the office of the Controller Budget doing to ensure timely disbursement of funds to county governments?</p>
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			<p>iii) Comment on the politics surrounding the process of resource sharing</p> <p><u>Discussants</u>  <b>Sen. Lenny Kivuti, MP, Senator, Embu County</b></p> <p>i) What mechanisms has the Senate put in place to enhance the participation of communities in agreements on natural resources?</p>
<b>12:00hrs - 13:00 hrs</b>			<p>ii) What has the Senate done to formulate legislation on the governance of natural resources in line with the objects and principles of devolution?</p> <p>iii) What proposals does the Senate have on benefit sharing between the national and counties levels?</p> <p><b>Sen. Hassan Omar, MP, Senator, Mombasa County</b></p> <p>i) What are the drivers of violent extremism, drug and substance abuse?</p> <p>ii) Is the existing legal framework adequate for addressing violent extremism?</p> <p>iii) The issue of drug, alcohol and substance abuse continues to be a challenge amongst our youth. Where are we going wrong and what can the two levels of government do to</p>
<b>09:00 hrs – 12:00 hrs</b>	<p><b>Plenary Session</b></p> <p><b>Plenum V:</b> Legislating on Emergent Issues</p> <p>a) Resource exploitation and benefit sharing;</p> <p>b) Conflict Management and Countering Violent Extremism;</p> <p>c) Drugs ,alcohol and Substance Abuse;</p>	<p>Session Chair: <b>Hon. Abdikadir Sheikh, Speaker Mandera County Assembly</b></p> <p>Presenter: <b>Sen. (Dr.) Agnes Zani, MP, Nominated Senator</b></p>	

			<p>effectively address this challenge?</p> <p>iv) What role should the two levels of government play to sensitize the youth and general public against violence extremism?</p> <p><b>Hon. Stephen Ambulwa, MCA,</b></p> <p>i) What are some of the laws passed on environmental governance at the county level?</p> <p>ii) With the prevalent conflict and violent extremism, what measures can county assemblies put in place to address this?</p> <p>iii) Are there laws passed by county assemblies that address drugs, alcohol and substance abuse and what programmes have been put in place to rehabilitate the youth who are victim of drug, alcohol and substance abuse?</p> <p>iv) What are the counties doing to mitigate violent extremism?</p>
<b>12:00 hrs - 13:00 hrs</b>		<b>Plenary Session</b>	
<b>13:00 hrs - 14:00 hrs</b>		<b>LUNCH BREAK</b>	
<b><i>Break Out Session III</i></b>			
<b>14:00 hrs - 16:00 hrs</b>	<p><b>Plenum VI:</b> Governance and Institutional Capacity of County Assemblies</p> <p>a) Strengthening the Leadership Offices of the County</p>	<p>Session Chair: <b>Sen. George Khaniri, MP, Senator, Vihiga County</b></p>	<p><u>Discussants</u></p> <p><b>Sen. Kipchumba Murkomen, MP, Senator, Elgeyo Marakwet</b></p> <p>i) How are political parties</p>

	<p>Assemblies b) Strengthening County Assembly Committees</p>	<p>Presenter: <b>Mr. Kamotho Waiganjo, Consultant</b></p>	<p>strengthening political leadership at the legislatures? ii) What demonstrable efforts have parties engaged in to introduce party sponsored legislation? iii) What is the linkage between leadership offices and party driven legislative agenda? (sponsoring laws that propose the implementation of party manifesto)?</p> <p><b>Sen. Janet Ongera, MP, Nominated Senator</b></p> <p>i) What role have political parties leadership played to implement county assemblies' committees resolutions? ii) what are political parties doing to ensure that the constitutional provisions relating to gender representation are achieved.</p> <p><b>Hon. Faith Chepkoskei, MCA,</b></p> <p>i) How can minority and majority party leaders balance party loyalty and affiliation and the need to pursue legislative agenda for the common good and genuinely hold executives to account? ii) What legal mechanisms</p>
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			<p>should the Senate put in place to enhance the independence of county assemblies and county executives?</p> <p><b>Prof. Margaret Kamar</b></p> <ul style="list-style-type: none"> <li>i) Is the gender agenda sufficiently addressed in county assemblies?</li> <li>ii) What are the challenges and opportunities that county assembly committees face in promoting the gender agenda?</li> </ul>
<b>16:00 hrs- 17:00 hrs</b>	<b>Plenary Session</b>		
<b>14:00 hrs – 16:00 hrs</b>	<p><b>Plenum VII:</b> Inter-Governmental Relations; Interrogating the relationship between-</p> <ul style="list-style-type: none"> <li>a) county governments;</li> <li>b) county assemblies and county executives;</li> <li>c) county assemblies and the Senate;</li> <li>d) county assemblies, independent offices and constitutional commissions; and</li> <li>e) judicial intervention and devolution jurisprudence.</li> </ul>	<p>Session Chair: <b>Hon. Godfrey Odongo, MCA</b></p> <p>Presenter: <b>Dr. Mutakha Kangu, Consultant</b></p>	<p><u>Discussants</u></p> <p><b>Sen. Stephen Sang, MP, Senator, Nandi County</b></p> <ul style="list-style-type: none"> <li>i) What intergovernmental mechanisms can be employed to enhance the working relationship between the county assemblies and independent offices?</li> <li>ii) How can corporate governance be enhanced to help with the development of laws?</li> <li>iii) The two arms of government at the county level have gone to court from time to time to get legal advice on matters to do with laws. Is this</li> </ul>

			<p>necessary?</p> <p><b>Hon. Prof Githu Muigai- EGH, SC, FCI Arb, Attorney General</b></p> <ul style="list-style-type: none"> <li>i) What support is the office of the Attorney General giving to support the legislative processes at the county level?</li> <li>ii) What is the role of the executive in the legislative process both at the national and county levels?</li> </ul> <p><b>Hon. Justice Isaac Lenaola, Judge of the High Court of Kenya</b></p> <ul style="list-style-type: none"> <li>i) What role should the judiciary play in the internal processes of the legislature?</li> <li>ii) Is the Judiciary expediting the judicial processes as required by the Article 159 (2) of the Constitution?</li> </ul> <p><b>Hon. Johnson Osoi, Speaker Kajiado County Assembly</b></p> <ul style="list-style-type: none"> <li>i) What formal structures and mechanisms can be put in place to enhance intergovernmental relations between the Senate and County Assemblies?</li> </ul>
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			ii) Clarify the roles of County Assemblies vis a vis the roles of the Commission on Revenue Allocation and the Controller of Budget so as to reduce conflict and institutional supremacy
<b>16:00 hrs - 17:00 hrs</b>	<b>Plenary Session</b>		
<b>DAY 4- Thursday, 26<sup>th</sup> May, 2016</b>			
<b>GENERAL SESSION II</b>			
<b>Planning for Transition</b>			
<b>10:00 hrs – 11:00 hrs</b>	Facilitating transition to the 2 <sup>nd</sup> Senate and county assemblies: Interrogating opportunities for effective and efficient legislatures	Session Chair: <b>Sen. (Prof) Wilfred Lesan, MP</b>  Presenter: <b>Mr. Patrick Gichohi, CBS, Commissioner, Public Service Commission</b>	<u>Discussants</u> <ul style="list-style-type: none"> <li>▪ <b>Sen. Mutahi Kagwe, Senator, MP, Nyeri County</b></li> <li>▪ <b>Sen. Elizabeth Ongoro, MP, Nominated Senator</b></li> <li>▪ <b>Hon. Beautah Omanga, MCA</b></li> <li>▪ <b>Hon. Ibrahim Swaleh, MCA</b></li> </ul>
<b>Way Forward and Closing Ceremony</b>		Chair: <b>Hon. (Dr.) Nuh Nassir, Chair, County Assemblies Forum</b>	
<b>11:30 hrs -12.00 hrs</b>	Presentations of way forward and joint action plan	Conference Facilitators	
<b>12:00 hrs - 13:00 hrs</b>	<b>Plenary Session</b>		
<b>13:00 hrs - 14:00 hrs</b>	<b>Closing Ceremony</b> <ul style="list-style-type: none"> <li>❖ Remarks by Vice Chairperson, County Assembly Forum <ul style="list-style-type: none"> <li>▪ <b>Hon. Susan Kihika, Speaker Nakuru County</b></li> </ul> </li> <li>❖ <b>Official Closing</b> by the Speaker of the Senate <ul style="list-style-type: none"> <li>▪ <b>Rt. Hon. Sen. Ekwee Ethuro, EBS, EGH,</b></li> </ul> </li> </ul>		

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