



**LEGISLATIVE
SUMMIT | 2017**

CONCEPT NOTE

1. THE COUNTY ASSEMBLIES FORUM

1.1. Mandate

The Constitution of Kenya provides for a devolved system of government, which is designed to promote democratic and accountable exercise of power and involve citizens in governance by providing amply for public participation.

The 47 County Governments include both an Executive and a Legislative arm (*i.e.* the County Assembly). The membership of the County Assembly as stipulated in Articles 177 and 178 of the Constitution includes Ward Representatives elected during the general elections; Special Interest Representatives nominated by political parties to represent the minority gender (women), persons with disability, and youth; and the Assembly Speaker who is an ex-officio member.

The County Assembly has the express mandates under Article 185 of the Constitution of Kenya, 2010 of **Legislation, Representation, and Oversight** over the County Executive Committees and other executive organs.

The County Assemblies Forum (CAF) was formed in 2014, expanding the membership of the earlier formed County Assemblies Speakers Forum (CASF) to include all Members of County Assemblies.

The primary mandate of CAF is to promote networking and synergy amongst the 47 Assemblies, Coordinate intergovernmental relations and Enhance good practice in legislative development.

1.2. Governance Structure

There are four main levels in the structure of CAF:

1.1.1. The General Assembly is the supreme organ of CAF and it comprises of the 2,249 Members of the 47 County Assemblies of Kenya and the Governing Council and the Executive Committee undertakes all initiatives and decisions in the best interest of the membership of the general assembly.

1.1.2. The Governing Council is composed of all speakers and two other elected/nominated members from each of the 47 county assemblies. It considers and makes recommendations on the implementation of the policies of the Forum and proper execution of its programs.

1.1.3. The Executive Committee comprising of 20 members whose composition includes ten (10) Speakers of County Assemblies and Ten (10) members including three Deputy Speakers.

The Executive Committee works through 5 sub-committees namely; Inter-Governmental Relations, Legal and Research, Finance and Administration, Member Services and Communication.

1.3. Management

The CAF Secretariat is headed by a Chief Executive Officer and consists of officers in the Legislative, Communication, Information Technology and Finance and Administrative departments.

The team works with a vast array of consultants who provide technical support as needed.

The Finance and Administration Subcommittee of the Executive Committee manages the secretariat.



2.0 THE LEGISLATIVE SUMMIT, 2017

2.1 BACKGROUND

Article 6(2) states that the governments at the national and county levels are distinct and interdependent, and obligates them to conduct their mutual relations on the basis of consultation and cooperation. In keeping with this obligation, the Senate and County Assemblies Forum resolved to establish the Legislative Summit that is aimed at promoting positive engagement between the Senate, county assemblies and other institutions relevant to devolution; as well as at identifying capacity-building and technical assistance needs for the county assemblies with a view to enabling them effectively fulfill their legislative and oversight roles in the devolved system of government.

The inaugural legislative summit was held at Flamingo Hotel, Mombasa County and the theme of the Summit was, “Celebrating and Entrenching Devolution through Representation”. The specific objectives of the Summit were-

1. To share outputs and outcomes of the representation, oversight and law-making functions of the Senate and the county assemblies;
2. To deliberate on the governance structures and management at the Senate and in the county assemblies;
3. To deepen dialogue and shared learning on the roles of the county assemblies and the Senate;
4. To promote inter-linkages between the Senate and county assemblies to ensure a strong cohesive voice at the level;
5. To enhance dialogue on integrating gender mainstreaming, minorities and the marginalized in policy and legislative development;
6. To identify gaps, challenges and opportunities for improvement in the legislative process; and
7. To develop strategic partnerships with critical stakeholders including citizens, state and non-state actors for legislative development.

The inaugural legislative bodies of the devolved system of government are at the penultimate stages of their five-year term. As such, the Senate in collaboration with the County Assemblies Forum is organizing the Second Annual Legislative Summit that is scheduled to take place from **20th to 24th March, 2017, in Mombasa County**. The theme of the Summit is, “taking stock of gains made and preparing for transition”



The objectives of the Summit are to;

1. Take stock of the complementary law making, oversight and budgeting functions of the Senate and the county assemblies;
2. Reflect on the period since the inception of devolved systems and determine how stronger institutions can be established going forward;
3. Interrogate the effectiveness of oversight tools in enhancing prudent use of national resources;
4. Interrogate the measures that need to be taken during the transition period to receive the next legislatures;
5. Enhance citizen participation, and mainstream the needs and rights of marginalized groups such as persons with disabilities and women in devolved systems of governance; and
6. Discuss on how to strengthen trust as a basis for effective collaboration and cooperation between institutions relevant to devolution.

2.2 SUMMIT FORMAT

To achieve the objectives stated above, a program has been designed to ensure that Senators, members of the county assemblies and staff are adequately involved in the dialogue; interact positively with one another and other stakeholders including devolution experts.

There will be joint and concurrent tracks during each session; one for legislators and another for legislative staff. Further, each session will be divided into plenums with each plenum dealing with a different thematic area. Participants will choose which plenums they would like to participate in.

The concurrent plenums will each take at least two hours. There will be expert moderators and discussants for each of the plenaries, drawn from a vast field of experts, the Senate and the county assemblies.

In identifying the tools and methods of facilitating or moderating the sessions during the summit, due attention will be made of the diverse backgrounds and interests of the participants, and the need to generate as much current and accurate information as possible, but also allow for dialogue and recommendations. For this reason, due attention will be paid to sitting arrangements and use of dynamic and non-traditional group discussion methods.

Further, there will be exhibitions from the various county assemblies, the Senate, intergovernmental bodies and partners to show case specific best practice examples on oversight, law making and representation through publications, video footage etc.

2.3 SUMMIT PROGRAM

Attached

2.4 SUMMIT TARGETED PARTICIPATION

- All 2249 members of the County Assemblies
- Speaker of the Senate + All 67 Senators
- Speaker of the National Assembly
- The Chief Justice
- Governors and/or their Deputies
- The County Executive Committees (CECs)
- The Parliamentary Service Commission
- Ministry of Devolution and Planning
- National Treasury
- Commission on Revenue Allocation
- Controller of Budget
- IGRTC
- CIC
- KLRC
- Auditor General
- Government Printer
- Attorney General

Professional Bodies

- The LSK
- ICPAK
- KEPSA
- KAM/ Kenya Chambers of Commerce

UN Agencies

- UN-Women
- UNDP

Development Partners

- USAID-AHADI
- IRI
- DFID
- DANIDA
- World Bank
- European Union
- Ford Foundation
- West-Minster Foundation
- Oxfam-GB
- ACORD-Kenya

Partners

- IDLO
- ACT
- Lapfund
- Laptrust
- BRITAM
- SID
- TISA
- IEA and The Parliamentary Initiatives Network
- IEBC
- CMD
- FESS



- ICJ
- Transparency International
- URAIA
- Katiba Institute
- Youth Agenda
- Safaricom
- Airtel
- Equity Bank
- KCB
- Family Bank
- National Bank
- CFC Stanbic Bank
- Cooperative Bank

2.5 BUDGET PROPOSAL

The County Assemblies Forum (CAF) and the Senate will each draft an institutional budget, and further merge these budgets to come up with a joint budget for the summit.

The partners/initiators will provide funding for the organisation of the summit.

Additional funding will be sought from various Stakeholders, Development Partners and Corporate sponsors; who will be invited to support various thematic plenums that relate to their areas of interest.

Draft budget (TBD).

3.0 EXPECTED OUTCOME

The following results are expected at the end of the Conference;

- a) Structure established to facilitate closer consultation and enhance a harmonized approach amongst different county assemblies.
- b) Documentation of lessons learnt, experiences and best practices in the County Assemblies.
- c) Documentation of expected transition guidelines

