

REPUBLIC OF KENYA



COUNTY ASSEMBLIES FORUM
(CAF)

5TH LEGISLATIVE
SUMMIT | 2025

REPORT OF THE FIFTH ANNUAL LEGISLATIVE SUMMIT

14TH – 19TH MARCH 2025
THE EDGE CONVENTION CENTER - NAIROBI CITY COUNTY

THEME:
CHAMPIONING ACCOUNTABILITY: STRENGTHENING OVERSIGHT FOR
TRANSPARENT LEADERSHIP THROUGH LEGISLATIVE AND
POLICY REFORMS



REPUBLIC OF KENYA



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(CAF)

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2025

FOREWORD



It is with great pride and a sense of purpose that the County Assemblies Forum (CAF) presents this report on the Fifth Annual Legislative Summit, held under the theme: ***'Championing Accountability: Strengthening Oversight for Transparent Leadership Through Legislative and Policy Reforms'*** at the Edge Convention Centre-Nairobi City County from 14th to 19th March 2025.

This Summit brought together legislators, legislative staff, policymakers, and subject matter experts to discuss the role of County Assemblies in promoting transparency, accountability, and effective governance at the local level.

The significance of this Summit cannot be gainsaid, as it came at a critical juncture in Kenya's quest for good governance at both levels of government. Devolution has granted County Governments the responsibility to deliver services provided for under Part II of the Fourth Schedule of the Constitution of Kenya, manage resources, and make decisions that directly impact the lives of Kenyans. The mandate of County Assemblies in providing effective oversight and ensuring accountability by the respective Executives is critical to the success of devolution in Kenya.

This Summit provided a unique opportunity to reflect on the progress made, challenges faced, and reforms needed to enhance the oversight, legislative, and representation roles of County Assemblies. Through discussions, panel sessions, and expert presentations, the Summit participants engaged in constructive discussions on policy, legislative, institutional and administrative reforms necessary for the achievement of transparent and accountable leadership at the County level.

Key outcomes of the Summit include that CAF, in collaboration with the Ministry of Health, intensifies awareness on the Universal Healthcare (UHC) to the Members of County Assemblies (MCAs) and the public; CAF to advocate for interventions to address legislative imbalances between the Senate, the National Assembly, and County Assemblies; Senate and the Commission on Revenue Allocation (CRA) to lead a wider stakeholder consultation for a broad consensus on the 4th generation revenue sharing formula; the County Assemblies Forum (CAF) and the Office of the Controller of Budget (OCOB) to conclude an engagement framework that will enhance their collaboration; and the Salaries and Remuneration Commission (SRC) to finalize the modalities for the County Assemblies' contribution to the County State Officers Pension Fund (COSOPF).

The exchange of ideas and experiences throughout the Summit laid a significant foundation for actionable steps that will guide County Assemblies towards more effective, transparent, and accountable governance, which remains central to CAF's mission.

This report captures the key discussions, recommendations, and resolutions that emerged from the Summit, serving as a roadmap for County Assemblies and other stakeholders in executing their roles. We are confident that the resolutions reached at the Summit will be implemented to engender meaningful change, foster collaboration across County Assemblies, and strengthen commitment to oversight.

A handwritten signature in black ink that reads "Hon. Anne Kiusya". The script is fluid and cursive, with the first letters of "Hon.", "Anne", and "Kiusya" being capitalized and prominent.

Chairperson, County Assemblies Forum

ACKNOWLEDGEMENTS



We wish to extend our heartfelt gratitude to all individuals and organizations who contributed to the success of this Fifth Legislative Summit. This Summit was a milestone in the County Assemblies' collective effort to enhance legislative practices, governance, and service delivery at the county level.

At the onset, we wish to greatly appreciate the Executive Committee of the CAF for prioritizing this year's Summit and working with the Secretariat to ensure that this was a success. Our sincere gratitude also to the Multi-Agency Team (MAT) drawn from different government agencies and selected public benefit organizations that spent months in planning and ensuring that this Summit was successfully actualized.

We also take this opportunity to most sincerely thank our partners and sponsors whose support and commitment made the Summit possible. Their dedication to strengthening the legislative processes in our counties is invaluable. Recognition goes to UN Women, World Vision, National Counter Terrorism Center (NCTC), Nurture First, Kidogo Early Years, Craft Silicon, and Mzalendo Trust for the support they offered toward the success of the Summit. Special recognition goes to County Pension Fund (CPF), and its leadership for being the platinum sponsors of the Summit; we express our profound appreciation for this continued partnership. We cannot forget to specially acknowledge the support from the Office of the Deputy President (ODP) and the State Department of Devolution (SDD) for their unwavering support during the 5th Legislative Summit.

We especially acknowledge the leadership and guidance provided by the Secretary General of the CAF, Hon. Chege Mwaura that continuously moulded the planning sessions to the success of this Summit. We are further indebted to the session speakers, panelists, moderators, County Assemblies' Public Relations Officers (PROs) and Serjeant-at-Arms, Master of Ceremony, Program Coordinator and Rapporteurs for the critical role toward the successful Legislative Summit. Their knowledge and insights enriched the discussions and fostered productive dialogue during the Summit.

Special thanks to the CAF Secretariat, led by the Chief Executive Officer, for their tireless efforts in ensuring the event's smooth coordination. We also recognize and thank the participants, who brought diverse perspectives and engaged actively in the sessions, making the Summit a richly informative activity. Finally, we appreciate Nairobi City County leadership for their great hospitality; the Edge Convention Centre for providing a conducive venue for the Summit, the media for the coverage of the Summit; the National Police Service (NPS) for providing round the clock security; and all other organizations and individuals who in one way or another played a role in making the Summit a success.

We look forward to continued collaboration as we work together towards improving governance and creating positive change in counties.

Ms. Lonah Lusem,

CEO, County Assemblies Forum

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ABBREVIATIONS

BBI	Building Bridges Initiative
CAF	County Assemblies Forum
CAJ	Commission on Administrative Justice
CARNAC	County Assemblies Representatives Network Against Corruption
CECM	County Executive Committee Member
COB	Controller of Budget
COG	Council of Governors
COSOPF	County State Officers Pension Fund
CPF	County Pensions Fund
CRA	Commission on Revenue Allocation
CSO	Civil Society Organization
ENAF	Echo Network Africa
ECCIF	Emergency, Chronic, and Critical Illness Fund
GBVH	Gender-Based Violence and Harassment
ICPAK	Institute of Certified Public Accountants of Kenya
IEA	Institute of Economic Affairs
IEBC	Independent Electoral and Boundaries Commission
IGRTC	Intergovernmental Relations Technical Committee
IHRM	Institute of Human Resource Management
KEDIPA	Kenya Disability Parliamentary Association
KEWOSA	Kenya Women Senators Association
KNBS	Kenya National Bureau of Statistics
KRA	Kenya Revenue Authority
KYMCA	Kenya Young Members of County Assembly
MCA	Member of County Assembly
NCTC	National Counter Terrorism Center
NGEC	National Gender and Equality Commission
NHIF	National Health Insurance Fund
NPS	National Police Service

NYOTA	National Youth Opportunities Towards Advancement
OCOB	Office of the Controller of Budget
ODP	Office of the Deputy President
OGP	Open Government Partnership
OSR	Own Source Revenue
PFM	Public Finance Management
PHF	Primary Healthcare Fund
POMAC	Power of Mercy Advisory Committee
PWD	Persons with Disabilities
RUPHA	Rural & Urban Private Hospitals of Kenya
SDD	State Department for Devolution
SHA	Social Health Authority
SHIF	Social Health Insurance Fund
SRC	Salaries and Remuneration Commission
RBA	Retirement Benefits Authority
REBs	Regional Economic Blocs
TISA	The Institute for Social Accountability
UDPK	United Disabled Persons of Kenya
UHC	Universal Healthcare
UN	United Nations
YEC	Youth Empowerment Center

“

...a platform for the County Assemblies and the devolution stakeholders to re imagine the future of devolved legislative units within the confines of the mandates of County Assemblies, evolving needs and the expectations of the citizenry at the County level.”



EXECUTIVE SUMMARY

The 5th Annual Legislative Summit came against a backdrop of sustained effort to actualize full aspirations of devolution. Amidst the effort are persistent challenges that have and continue to stalk and derail optimal actualization of devolution. Over a decade since the inception of devolution, substantial progress has been made but much remains to be done. The Annual Legislative Summit provides a platform for objective appraisal of devolution; deliberating on progress, wins, opportunities but also existing bottlenecks. Critically, the Summit allows for exploration of potential interventions to address and overcome the identified challenges for the holistic progress of devolution.

The 5th Annual Legislative Summit was informed by the past progress, current context, and projection of the future aspiration. Specifically for the current context, pronounced challenges, concerns, and emerging issues played a leading role in the framing of the Summit's theme. As a result, the following thematic areas were profiled for focus at the 5th Legislative Summit: Inclusion of the Special Interest Groups (SIGs)-persons with disabilities (PWDs), women, and youth; Universal Healthcare (UHC); Senate-County Assemblies oversight balance; Proposed 4th generation revenue sharing formula; the place of Open Government Partnership (OGP) in advancing accountability; collaborative approaches to oversight by different government entities; and championing the welfare of the Members of County Assemblies.

Inclusion of Special Interest Groups: Persons with Disabilities, Women, and Youth

Acknowledging the historical legacy of marginalization and exclusion of PWDs, women, and youth, the 5th Annual Legislative Summit's organization entailed three Pre-Summits dedicated to each of the three groups. Each group had its tailored focus area. For the PWDs, focus was on empowering legislators with disabilities for effective oversight and representation. Similarly, the focus for Youth MCAs was on empowerment for effective oversight and accountability, while that of the women MCAs was empowerment for strengthened oversight.

Universal Healthcare: Social Health Authority (SHA) and Social Health Insurance Fund (SHIF)

Implementation of the Universal Healthcare (UHC) has been at the center of controversy, confusion, and misunderstanding. The passage of the key UHC related legislation, the Primary Health Care Act, 2023, Digital Health Act, 2023, Facility Improvement Financing Act, 2023 and the Social Health Insurance Act, 2023, encountered challenges at the start, including litigation. In 2023, the High Court halted the roll-out of three of the four UHC laws: the Primary Health Care, Digital Health and the Social Health Insurance Acts. The freeze would however be lifted later allowing for the full roll-out of the UHC laws. The roll-out partly entailed transitioning from the National Health Insurance Fund (NHIF)-funded system to the SHIF-funded system. The ensuing transitioning challenges triggered nation-wide confusion and concern.

While all these challenges persisted, County Governments remained at the center of focus as health is a devolved function. It is in this context that informed the Summit's decision to include it as part of the focus areas during the main Summit. Presentations and discussions with various stakeholders served to enhance awareness on the matter, a key objective of the session. Acknowledging the sub-optimal awareness, it was resolved that engagement with the Ministry of Health be undertaken to intensify awareness on UHC among MCAs and members of the public.

Senate-County Assemblies Oversight Power Balance

Functional oversight struggles between the Senate and County Governments persist. The struggle is best evidenced by the protracted legal battle between the Council of Governors (COG) and the Senate; with the former accusing the latter of frustrating devolution by exercising powers beyond their province. Among other things, Governors challenged the Senate's decision to summon them, arguing that it is a power exercisable by the County Assemblies. Despite the Supreme Court judgement that largely favoured the Senate, jurisdictional oversight concerns persist. It is this context that informed the decision to include it as an area of focus at the Summit. A key resolution from the discussion was to push for the ongoing legislative intervention to address the legislative imbalance between the Senate and the National Assembly as a way of re-balancing the Senate-County Assembly power struggle. Specifically, the Summit resolved to push for the re-introduction by the Senate and passage of an enhanced Houses of Parliament (Bicameral) Relations Bill, 2023.

Fourth Generation Revenue Sharing Formula

In December 2024, the Commission on Revenue Allocation (CRA) announced its recommended 4th generation revenue sharing formula among County Governments for the Financial Years 2025/2026-2029/2030. Sitting at the core of the Counties' financial sustainability, it is only natural that the topic constituted part of the conversation, acknowledging the interest it has and continues to generate. For instance, a section of Senators has expressed opposition to the formula, arguing that if adopted in its proposed form, it may occasion loss of revenue by some counties.

As a resolution from the discussion, it was agreed that the Senate leads a wider stakeholder consultation to ensure a broad consensus on the finally adopted formula.

Open Government Partnership (OGP) and Accountability by Counties

Open Government Partnership (OGP) is a globally co-created platform that allows state and non-state actors to create commitments aimed at advancing openness and accountability at both levels of government. It therefore presents an additional platform and opportunity for counties to explore avenues and opportunities for furthering the cause of transparency, openness, and accountability. A number of counties were noted to have joined the OGP, including Makueni, Elgeyo Marakwet, Nandi, Nairobi, Machakos, and Kakamega. Including OGP session in the Summit availed an opportunity for sharing experiences thus far acquired, while incentivizing more counties to join and be part of the platform.

Collaborative Approaches to Oversight: Office of the Controller of Budget and County Assemblies

The Office of the Controller of Budget (OCOB) is one of the vital offices that play an oversight role over County Governments. Relational approach has not always been cordial, as evidenced by the directive given in January 2025 directing County Governments to halt making allocation for bursaries.

A session with the OCOB was incorporated to explore cordial and collaborative approach to the oversight work by the two entities. To establish relational certainty, it was agreed that OCOB and CAF expedite and conclude an amicable engagement framework that will enhance their collaboration.

Welfare of MCAs

The MCAs pension scheme and remuneration remains a major concern, with consistent calls to establish a strong pension scheme and improve remuneration. Specifically for remuneration, there have been calls to align MCAs pay with the parameters applicable to that of Parliament. From the conversation, it was resolved that an engagement with the Salaries and Remuneration Commission (SRC) be undertaken to review the remuneration of MCAs, especially during the upcoming fourth review of salaries and remuneration. Further, it was resolved that CAF engages SRC to finalize the modalities for the County Assemblies' contribution to the County State Officers Pension Fund (COSOPF).

In summary, the 5th Annual Legislative Summit was informed by existing, persisting, emerging issues and challenges affecting effective implementation of devolution in Kenya. Key issues identified for attention were discussed in detail and relevant resolutions arrived at.

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The County Assemblies Forum (CAF) is a duly registered Society under Societies Act, CAP 108 Laws of Kenya.

1. BACKGROUND AND INTRODUCTION

1.1. About the County Assemblies Forum

The County Assemblies Forum (CAF) is a duly registered Society under Societies Act, CAP 108 Laws of Kenya. Its objects are to coordinate the 47 County Assemblies in Kenya through institutionalization of the law-making process in the Counties, representation, advancement of the oversight capacities of the County Assemblies in Kenya and creation of linkages between County Assemblies, the National Government and stakeholders who include the general public, all with a view to enabling the County Assemblies to discharge their constitutional mandate effectively and efficiently.

1.2. Annual Legislative Summit

Established in 2016, the Annual Legislative Summit (LEGSUM) was envisioned as a yearly multi-stakeholder consultative convening, bringing together the 47 County Assemblies; the Senate; the National Government (Ministries, Departments & Agencies (MDAs)); Constitutional Commissions & Independent Offices; Development Partners; Civil Society Organizations (CSOs); private sector; academia; think tanks; and professional organizations. Through the LEGSUM, stakeholders undertake consultations and deliberations with the overriding objective of reviewing progress and identifying interventions for the legislative improvement of the devolved system. Since its inception a total of four LEGSUM had been undertaken by 2019. The fourth was held in Kisumu in 2019.

1.2.1. The Fourth Annual Legislative Summit

The 4th Annual Legislative Summit of 2019 held in Kisumu provided national and county level legislators with an opportunity to debate critical issues shaping Kenya's devolved system. Participants adopted resolutions aimed at strengthening equitable sharing of revenue, promoting good governance, advancing local revenue collection efforts, anchoring the Big Four Agenda in county legislation, and enhancing institutional oversight and accountability. This document reviews how these resolutions have been implemented, highlighting successes, obstacles, and proposals for continued progress. The Fourth LEGSUM provides a direct basis and context for the 2025 Fifth LEGSUM. Arising from the resolutions arrived at, a review of the progress revealed a number of wins as captured below.

1.2.1.1 Equitable Sharing of Revenue

The 4th Summit resolved that the Commission on Revenue Allocation (CRA) enhance the revenue-sharing formula in line with Articles 203, 216, and 217 of the Constitution. Further, it was resolved that the formula should consider preventive and promotive healthcare needs instead of focusing mainly on curative services, and that measures reflecting terrain difficulty in large or remote counties be accounted for more precisely.

Subsequently, CRA developed the 3rd Basis for revenue sharing, which references the constitutional criteria more explicitly. The formula now aligns devolved functions with funding streams, and it partially addresses preventive healthcare by factoring in primary healthcare visits.

However, promotive health remains insufficiently weighted, and terrain difficulty is not isolated as a distinct cost driver. These gaps necessitate further refinements to ensure counties with greater infrastructural challenges or preventive care priorities receive fair allocations.

1.2.1.2 Regional Development Authorities and Regional Economic Blocs

During the 4th Summit, participants called upon the Ministry of Devolution and ASALs to form a joint task force, together with the Senate, County Assemblies, County Executives, and other stakeholders, to develop a robust normative framework for Regional Economic Blocs (REBs). Although the importance of REBs has been acknowledged, this resolution has not been carried out because no formal task force has been established, and no comprehensive framework has been created. As a result, counties keen on cross-border collaboration and pooled resource management are still facing legislative uncertainty.

1.2.1.3 County Governments' Own Source Revenue

The 4th Summit urged counties to deepen collaborations with the Kenya Revenue Authority (KRA) and the Commission on Revenue Allocation (CRA) to bolster local revenue collection. There has been notable success on this front, as Nairobi, Mombasa, Kisumu, Kiambu, and Laikipia Counties, among others, have established formal partnerships with KRA that yielded more efficient systems of own source revenue (OSR) collection. The CRA and County Assemblies Forum (CAF) have also contributed by organizing training sessions on legislative oversight and fiscal planning, which further enhances Counties' capacity to monitor revenue flows. Despite these gains, limited digital infrastructure and the need for specialized technical expertise still hamper counties that lag behind in adopting automated revenue-collection systems.

1.2.1.4 Good Governance and Accountability

In seeking to improve governance, the 4th Summit urged County Assemblies Forum (CAF) to establish an anti-corruption caucus and called on the Senate to fast-track Bills that enhance autonomy of County Assemblies. It also recommended that the Senate and County Assemblies rationalize workforces in County Public Service to improve efficiency. A key outcome has been the creation of the County Assemblies Representatives Network Against Corruption (CARNAC) through collaboration between CAF and Transparency International. While some Bills lapsed before their enactment, they have been reintroduced or redrafted in the current legislative session. Although a County Public Service Management Framework is partially in place, it has not been satisfactorily coordinated by the Senate, indicating the need for more robust collaboration to establish uniform workforce standards.

1.2.1.5 Aligning the Legislative Agenda with the 'Big Four' Agenda

The 4th Summit underscored the Senate's and County Assemblies' responsibility to enact laws supporting food security, affordable housing, manufacturing, and universal healthcare as part of the Big Four Agenda. These resolutions also directed county governments to align devolved functions with the Big Four Agenda, ensure that Annual Development Plans incorporate related projects, and engage local communities in public participation. However, national political transitions have shifted development priorities, causing the impetus behind the Big Four Agenda to wane.

Moving forward, existing legislation and county strategies that focus on similar objectives may require adaptation so that best practices observed under the Big Four Agenda continue to benefit county-level development, even if under a different national policy framework.

1.2.1.6 Public Finance Management and Oversight

The 4th Summit agreed that County Assemblies would domesticate relevant Public Finance Management (PFM) laws and that they would be the first oversight body to address Auditor General findings. Since then, most County Assemblies have adjusted their laws, ordinances, and procedures to strengthen oversight. A Supreme Court ruling in Petition No. 25 of 2019 reaffirmed that County Assemblies, rather than the Senate, must first review and respond to county-level audit queries. This ruling validates the primacy of local legislative oversight in financial matters but highlights the need for strong capacity in County Assemblies committees so they can meticulously review and act on the Auditor General's recommendations.

1.2.1.7 2019 Census and Delimitation of Boundaries

The 4th Summit called on the Kenya National Bureau of Statistics (KNBS) and the Independent Electoral and Boundaries Commission (IEBC) to involve the Senate and CAF in census and boundary delimitation processes, to hire enumerators locally, and to embrace modern data collection methods. KNBS conducted the 2019 census using locally sourced enumerators, which encouraged better community cooperation, and deployed digital data-capture tools that improved the accuracy of population statistics. Stakeholder engagement with the Senate and CAF was however minimal. Future boundary reviews will benefit from more inclusive processes in which KNBS and IEBC institutionalize legislative consultations at each phase of data collection and demarcation.

1.2.1.8 Constitutional Review

The 4th Summit urged that any constitutional review protects gains made for women, youth, and persons with disabilities, and that devolution be strengthened rather than abolished. The Building Bridges Initiative (BBI) was expected to address some of these concerns, but it was eventually invalidated by the courts, placing these constitutional reforms on hold. A fresh dialogue on devolution and broader inclusion of marginalized groups will be needed if and when Kenya embarks on a new constitutional review process. Maintaining a focus on devolved structures and ensuring representation for vulnerable populations remains critical to safeguarding inclusivity in any future reforms.

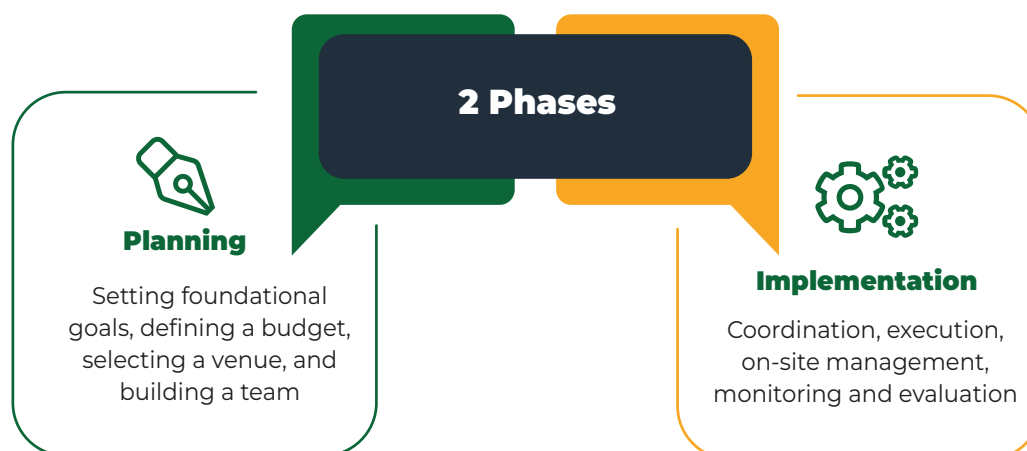
1.2.1.9 Media Engagement

The 4th Summit recommended that county governments collaborate with the media to impartially report on issues affecting local communities. As a result, there have been successful partnerships in which the Media Council of Kenya (MCK) conducted workshops to enhance the capacity of County Communication Officers. Counties now have improved lines of communication with the media, leading to more balanced coverage. While a number of counties have made strides in proactive, transparent communication, there is still room to consolidate such efforts to ensure all counties maintain strong partnerships with local media outlets and provide citizens with timely and accurate information.



2. THE FIFTH ANNUAL LEGISLATIVE SUMMIT

The Fifth Annual Legislative Summit had two main phases;



2.1. Planning Phase

Under the leadership of CAF, a Multi-Agency Technical Team (MATT) was constituted to steer the planning of the Summit. The following organizations were represented; Senate, National Assembly, State Department for Devolution, State Department for Youth Affairs and Sports, Commission on Administrative Justice, Commission on Revenue Allocation, Office of the Auditor General, Office of the Controller of Budget, Office of the Data Protection Commissioner, Kenya Law Reform Commission, Inter-Governmental Relations Technical Committee, National Council for Persons with Disabilities, Center for Parliamentary Studies and Training, UN Women, World Vision, National Democratic Institute, Kenya Young Members of County Assembly, Echo-Network Africa, United Disabled Persons of Kenya.

The process entailed conceptualization and the development of requisite infrastructure; anchor instruments and tools, including concept note, program, talking points and panelist bios. Primarily, the conceptualization phase yielded the Summit's Structure; Summit's sub-themes and the overriding theme; as well as related logistics such as timing and venue.

Summit Structure: The 5th Legislative Summit was comprised of two main events; the Pre-Summits and the Main Summit. Three Pre-Summits were identified, dedicated for Persons with Disabilities (PWDs), Youth, and Women. In keeping with CAF's good practice, the Pre-Summits were deliberately organized to ensure a deep-dive and dedicated conversation on issues of PWDs, Youth, and Women, hitherto marginalized segments of the County Assemblies representation.

Summit Theme: The theme and sub-themes of the Summit were informed by the context within the devolution ecosystem in Kenya.

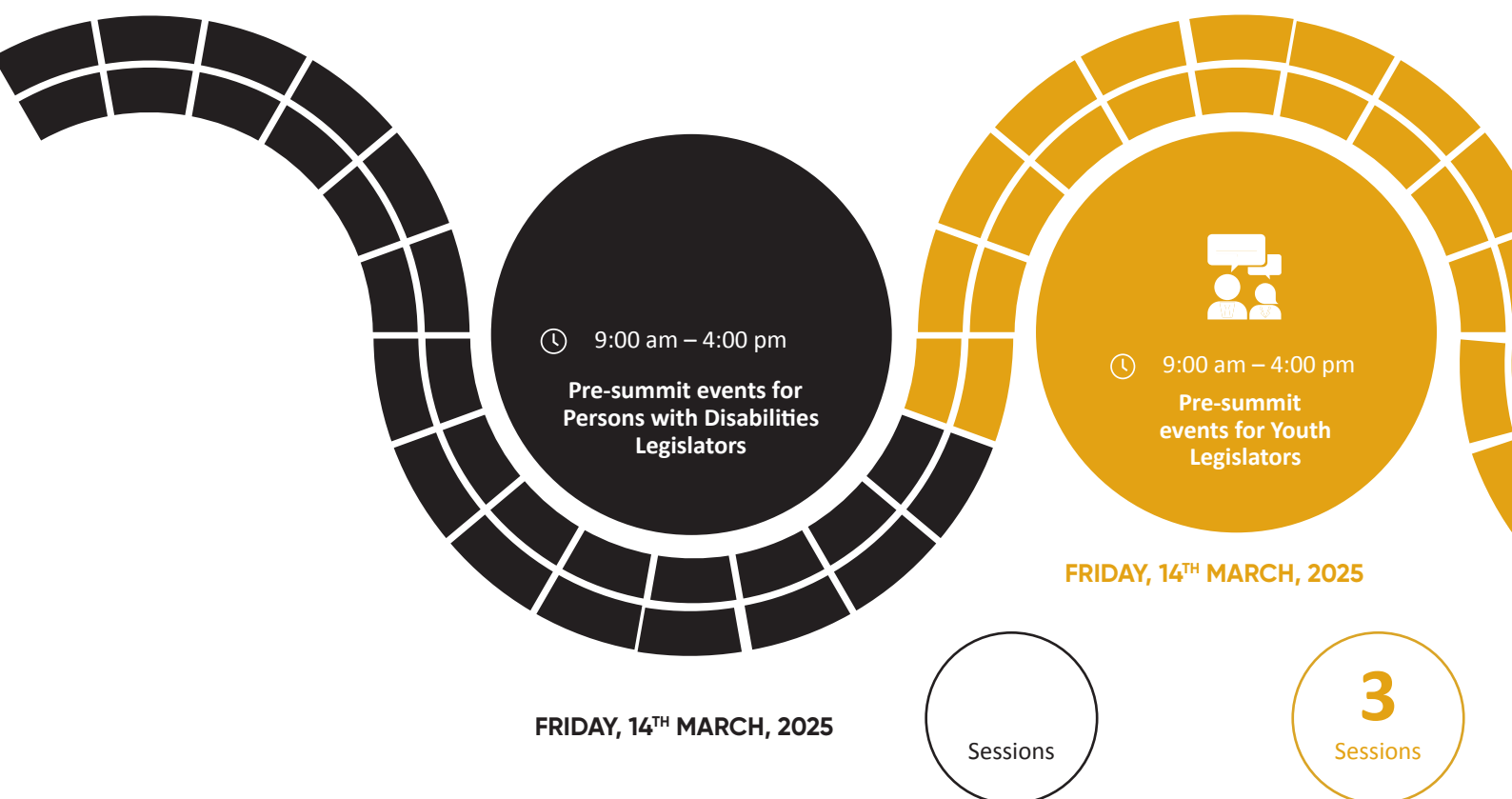
Main Summit Theme: Championing Accountability: Strengthening Oversight for Transparent Leadership Through Legislative and Policy Reforms

Persons with Disabilities MCAs Pre-Summit Theme: Advancing Accountability: Empowering Legislators with Disabilities for Effective Oversight and Representation

Youth MCAs Pre-Summit Theme: Empowering Youth Legislators: Advocating Accountability through Leadership and Oversight

Women MCAs Pre-Summit Theme: Empowering Women Legislators for Accountability: Strengthening Oversight in County Governance

Summit Date and Venue: The Summit was set for 14th – 19th March, 2025 at the Edge Convention Center, Nairobi as follows:



MONDAY 17TH – WEDNESDAY 19TH MARCH, 2025

SATURDAY, 15TH MARCH, 2025



🕒 9:00 am – 4:00 pm
Pre-summit events for
Women Legislators

3

Sessions



🕒 9:00 am – 4:00 pm

**Main
Summit**

6

Sessions



**FRIDAY,
14TH MARCH, 2025**



🕒 9:00 am – 4:00 pm

**Pre-summit events for
Persons with Disabilities
Legislators**



The Edge Conventional
Center-Nairobi City County



Program Coordinator:
Dr. Mary Kalerwa

PWD'S PRE-SUMMIT

THEME:

**“ADVANCING ACCOUNTABILITY:
EMPOWERING LEGISLATORS WITH
DISABILITIES FOR EFFECTIVE OVERSIGHT AND
REPRESENTATION.”**

3. PERSONS WITH DISABILITIES (PWDs) MCAs PRE-SUMMIT



CAF leadership and Members of County Assemblies with disabilities pose for a group photo with Hon. (Dr.) Senator Isaac Mwaura, CBS, MBS, Government Spokesperson, during the PWDs Pre-Summit Conference.

The Pre-Summit was held on March 14, 2025, under the theme: *Advancing Accountability: Empowering Legislators with Disabilities for Effective Oversight and Representation*. It was divided into three sections:

Session One

Opening Remarks

Session Two

Inclusive Budgeting and
Legislative Frameworks

Session Three

Leadership for
Accountability-Success
Stories

3.1. Opening Session

The opening remarks were delivered by Ms. Lonah Losem, the CAF Chief Executive Officer (CEO); Hon. Beatrice Mitaru, CAF's PWD Chapter Chairperson; Hon. Seth Kamanza, CAF Deputy Chairperson; and Hon. Anne Kiusya, CAF Chairperson.

The opening remarks emphasized the centrality of having a dedicated session for PWDs legislators, being the need to present a platform for a deep-dive into PWDs' related issues. Specifically, it would allow for focused assessment of progress made, opportunities created, persistent and emerging challenges as well as remedial interventions. Identified challenges include persistent exclusion of PWDs; both in policy and legislative processes, access to infrastructure and resource constraints to address PWDs needs. Progress made includes enactment of PWDs legislation by various County Assemblies. For instance, the CAF Chairperson, Hon. Anne Kiusya made reference to the Machakos County Persons with Disabilities Act, 2016. She appealed to other County Assemblies to enact similar legislation. Such a move would ensure a binding commitment towards attaining demonstrable inclusion and participation of PWDs in county governance. The Chairperson formally opened the Summit.

3.2. Panel Session 1: Inclusive Budgeting and Legislative Frameworks

The overall objective of the session was to imbue an understanding on the intersection of legislation, finance, and inclusion. It sought to instill knowledge towards influencing budgeting processes and strengthening legislative frameworks for inclusion. The specific objectives of the session included:

1. Understanding of disability responsive budgeting;
2. Insights into best practices in disability inclusive budgeting;
3. Commitment towards advancing disability inclusive budgeting practices.



Hon. (Dr) Jackson Kosgei, nominated Member of the National Assembly and the Vice Chairperson of the Kenya Disability Parliamentary Association (KEDIPA), making his presentation during the PWDs Pre-Summit conference

The panel discussion was preceded by a presentation from Hon. (Dr) Jackson Kosgei, a nominated Member of the National Assembly and the Vice Chairperson of the Kenya Disability Parliamentary Association (KEDIPA). As a living example, he deconstructed the rather entrenched perception of limitations in disability, demonstrating the existing potential in PWDs. He proposed a raft of interventions to achieve inclusive budgeting, capacity enhancement for members, and subsequent monitoring and evaluation for an effective budget-making process. In addition, he acknowledged the ongoing effort towards reviewing and amending the Persons with Disability Act, 2003, to align it with the Constitution of Kenya, 2010 (COK, 2010). The panel comprised

1. **Hon. (Dr) Jackson Kosgei**, a nominated Member of the National Assembly and the Vice Chairperson of the Kenya Disability Parliamentary Association (KEDIPA)
2. **Mr. Hillary Onami**, Director, Public Policy and Research at the Institute of Certified Public Accountants of Kenya (ICPAK)
3. **Hon. David Biwott**; Member of the County Assembly, Elgeyo Marakwet
4. **Hon. Timothy Aseka**; Member of the County Assembly, Kakamega
5. **Dr. Oliver Waindi**, Executive Director, Uraia Trust
6. **Ms. Jackie Njenga**; Governance and Electoral Expert
7. **Session Moderator**: Dr Mercy Kalerwa, Governance Expert

The panel discussion reflected the diversity of panelists drawn from legislatures, both from Parliament and County Assemblies, professional associations, and development partners. The key highlights of the discussions emphasized the need to leverage diverse strengths of various stakeholders to attain inclusive budgeting. The legislators, having an active role in law-making, should ensure that laws and policies reflect the various needs of PWDs. Their effectiveness could be enhanced through mentorship and training with professionals and organizations. Development partners can provide funding support to promote effective participation in the policy and legislative processes. Uraia Trust profiled the work they have done with the actors in the disability space, including funding to the United Disability Persons of Kenya (UDPK), appealing for identification of further areas of collaboration. ICPAK on their part, indicated their niche and role in the budget making process, capturing their strength and how it can be leveraged to the benefit of PWDs legislators for effective participation in the budget-making process.

3.3. Panel Session 2: Leadership for Accountability-Success Stories

The general objective of the session was to inspire and empower participants.



A panel session during the PWDs Pre-Summit conference.

Specifically, the session sought to attain the following objectives:

1. Inspiration from the success stories of PWD leaders
2. Understanding the unique leadership challenges for PWDs
3. Recognition of the role of accountability in leadership for PWDs

The panel comprised

1. **Hon. (Dr) Senator Isaac Mwaura, CBS, MBS;** Government Spokesperson
2. **Hon. Benedict Kennedy Maneno,** Member of the County Assembly, Makueni
3. **Mr. John Wambua,** Program Officer, UDPK
4. **Session Moderator:** Dr Mercy Kalerwa, Governance Expert

The session offered practical insights for successful and productive engagement as PWD MCAs. Based on his vast experience, Hon. Isaac Mwaura proposed an inclusive legislative approach by PWD legislators. In his view, PWD legislators should embrace a broader legislative approach, rather than confining themselves to PWD affairs. Focus should be directed to effective service delivery, hence creating a recognizable identity for PWD MCAs' future relevance in career progression.

Hon. Kennedy Maneno highlighted how, despite being a PWD, he managed to be elected as an MCA and became the Chairperson of the Finance and Socio-Economic Planning Committee of the County Assembly of Makueni. He acknowledged leveraging his position, both as an elected MCA and Committee Chairperson, to push for the undertaking of needs assessment for PWDs for the purpose of driving an empirically grounded budget-making process that addresses the identified needs.

From the Pre-Summit Session, an analysis was done and a synthesis made of the resolutions arising from the day's engagement. The resolutions were formally read out and validated by all the participants as reflective of the deliberations.

3.4. PWDs Pre-Summit Resolutions

RESOLUTIONS		ACTORS
	1. Inclusivity Resolutions: • THAT, County Assemblies should apply universal design principles to legislation, ensuring policies proactively consider accessibility and inclusivity • THAT, County Assemblies to ensure inclusivity in Budgeting. In order to deal with Bureaucratic discrimination, inclusivity must speak to budgeting. The needs of the PWD legislators should be given equal opportunity as the rest. This will go a long way in complying and achieving the Constitutional provision of 5% employment. • THAT County Assemblies adopt inclusive leadership by empowering persons with disabilities (PWDs) and equitable resource allocation to ensure their full participation in governance, fostering policies that uphold accessibility, dignity, and equal opportunity for all.	• County Assemblies

RESOLUTIONS	ACTORS
 2. Legislation Resolutions: • THAT Parliament amends the 2003 Disability Act to provide for extension of the retirement age of the PWDs from 60 to 65; provide for caregivers and their facilitation and other emerging disability issues therefore remodeling the scope of budgeting on PWD matters. • THAT County Assemblies oversight on implementation of the National and County laws on disability • THAT County Assemblies prioritize development and enactment of County Disability Act and policies	• County Assemblies • National Assembly • Senate
 3. Capacity Building Resolution CAF engages Uraia and other institutions for capacity building and mainstreaming of disability initiative within Government space	• CAF • Uraia Trust
 4. Partnerships Resolutions • THAT County Assemblies establish Caucuses of minorities at the County levels to promote, push and advocate for the inclusion of PWDs; Devolved 'KEDIPA' • THAT CAF initiates and intensifies Intergenerational Mentorship and succession initiatives to upbringing more PWD leaders that are qualified	• County Assemblies
 5. Limited resources Resolution: • THAT CAF lobbies for resources to support the Disability Agendas.	• CAF
 6. Welfare • THAT the statutory deductions of SHA and Housing Levy should be calculated on the balance remaining after the exemption of the Kshs 150,000.00	CAF



**FRIDAY,
14TH MARCH, 2025**



🕒 9:00 am – 4:00 pm

**Pre-summit
events for Youth
Legislators**



The Edge Conventional
Center-Nairobi City County

YOUTH MCGAS PRE-SUMMIT

THEME:

**“EMPOWERING YOUTH LEGISLATORS:
ADVOCATING ACCOUNTABILITY THROUGH
LEADERSHIP AND OVERSIGHT.”**

4. YOUTH PRE-SUMMIT

The Pre-Summit was held on March 15, 2025 under the theme: *Empowering Youth Legislators: Advocating Accountability through Leadership and Oversight*. It was divided into three sections:

Session One

Opening Remarks

Session Two

Enhancing Youth Representation in Governance

Session Three Transition from Nomination to Election and Advancement to Higher Political Office and Mental Wellness for Youth MCAs

4.1. Opening Remarks

The opening remarks were delivered by Ms. Lonah Losem, CAF CEO; Hon. Susan Mwende, CAF Youth Chapter Chairperson; Hon. Seth Kamanza, CAF Deputy Chairperson; and Mr. Charles Mwaniki, the Deputy Director, State Department for Youth and Creative Economy. The opening remarks captured the spirit of the moment; the place, centrality, and potency of youth in Kenya's developmental discourse and governance. According to the Youth Chapter Chairperson, youth are leaders of today; not just tomorrow and their participation in governance should therefore be approached as an all-time imperative. Hon. Seth Kamanza appealed to the youth to shoulder leadership with responsibility and project responsible, accountable, and inspirational leadership so that they can radiate sustainable impact.



Hon. Seth Kamanza, CAF Deputy Chairperson, delivers his remarks during Youth Pre-Summit conference.

The Deputy Director, State Department for Youth and Creative Economy, noted the centrality of the Youth factor in the National Government's planning ecosystem. Acknowledging the demographic superiority of Youth in the country, he listed some of the interventions the National Government is undertaking to appropriately center the Youth in the country's political, economic, and social system.

For instance, he pointed out that legislatively there is an ongoing process to finalize the Creative Economy Support Bill, 2024 and the Youth Bill, 2025. For economic empowerment, Mr. Mwaniki made reference to the World Bank-funded National Youth Opportunities Towards Advancement (NYOTA) initiative.

NYOTA provides economic empowerment opportunities for the Youth. He further made reference to the establishment of Youth Empowerment Centers (YEC), dubbed as one stop centers 'integrating services such as entrepreneurship training, information provision, ICT, counselling, games, community mobilization and networking.' He acknowledged the possibility of intensifying partnership with County Assemblies to harness maximum benefits from the ongoing initiatives.

4.2. Panel Session 1: Enhancing Youth Representation in Governance

The Session aimed to profile the importance of attaining increased youth engagement in leadership and accountability in governance processes; while fostering an environment where young people are empowered to participate and contribute meaningfully to decision-making. Specifically, the Session aimed at achieving the following:

1. Practical strategies for enhancing youth involvement in governance
2. Awareness of the significance of diverse youth voices in governance
3. Fostering accountability in youth leadership
4. Commitment to promoting youth representation
5. Strengthening inter-generational dialogue in governance



Hon. Susan Mwende, CAF Youth Chapter Chairperson making her opening remarks during the youth pre-summit conference.

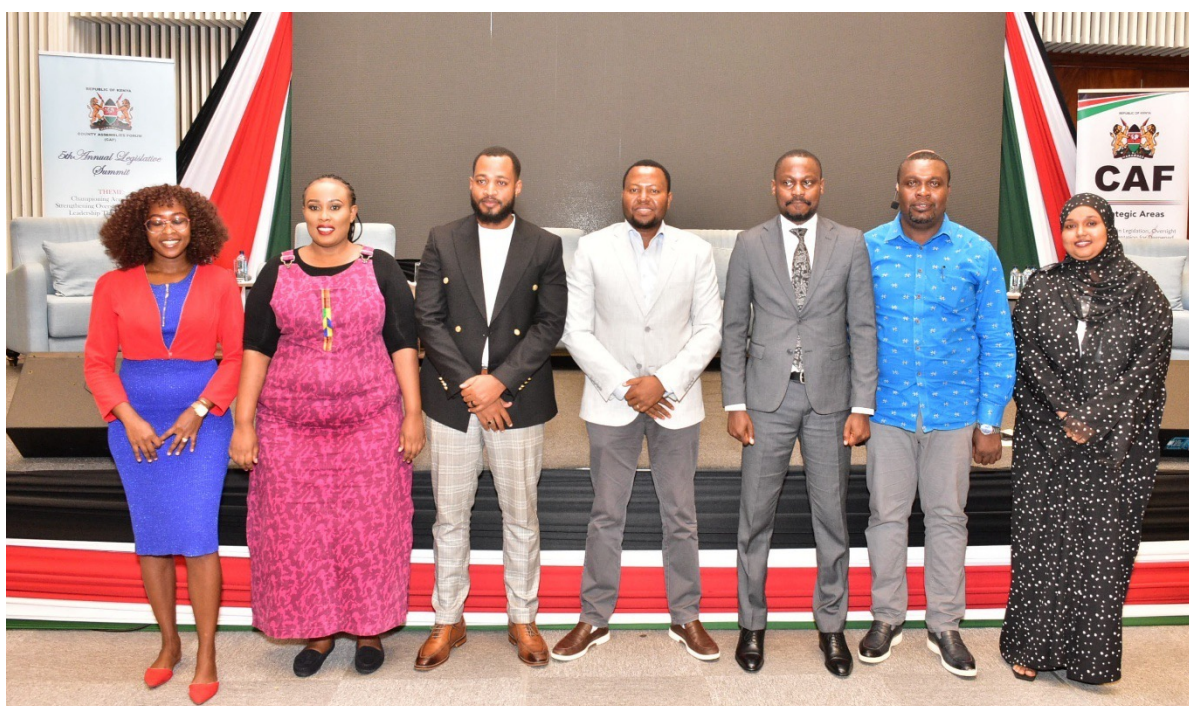
A presentation on enhancing youth representation in governance was made by Ms. Nerima Wako, the Executive Director of Siasa Place. She highlighted youth apathy in electoral participation as both a risk and a challenge, which is evidenced by lower voter registration by the youth in 2022 compared to 2017. Additional evidence lies in the low numbers of elected youths to the County Assemblies. She captured the gender intersectionality of the youth challenge, pointing out an even more suppressed election of women youth. She pointed out a number of challenges facing youth in electoral participation; financial constraints arising from Kenya's prohibitive cost of politics; structural and cultural barriers, especially for women, with violence being a case in point.



Ms. Lonah Losem the CAF CEO making her welcoming remark during the youth pre-summit conference.

The panel comprised

1. **Mr. Charles Mwaniki**, the Deputy Director, State Department for Youth and Creative Economy, Ministry of Youth, Creative Economy and Sports
2. **Hon. Gilbert Ng'etich**, Member of County Assembly, Elgeyo Marakwet
3. **Ms. Nerima Wako**, Executive Director, Siasa Place
4. **Mr. Alex Riithi**, Head of Programs, The Institute for Social Accountability (TISA)
5. **Mr. Joseph Kanyiri, MBS**, Chief Liaison Officer, National Counter Terrorism Center (NCTC)
6. **Session Moderator:** Mr. Franklin Mukwanja, Executive Director, Centre for Multi-Party Democracy



CAF Deputy Chairperson poses for a group photo with panelists during the Youth Pre-Summit Conference.

The panel session focused on enhancing youth participation in governance and accountability among youth leaders. Proposed interventions include intensification of youth capacity enhancement for effective engagement; strengthening youth engagement and participation in political parties' processes; implementation of youth policies, legislation, and programs; and intensification of civic education to sensitize the youth on the importance of participation in governance. The interventions should serve to empower the youth politically, economically, and socially. Flagged out as key in boosting youth participation in the upcoming elections is registration as voters, a process that is directly linked with acquiring identity cards (IDs). As a result, an appeal was made to remove any costs or charges attached to obtaining IDs.

4.3. Panel Session 2: Transition from Nomination to Election and Advancement to Higher Political Office and Mental Wellness for Youth MCAs

The general objective of the Session was to engender awareness on what it entails for the youth to prepare for the challenges of transitioning to political office, advance to higher level of leadership, while maintaining mental wellness. Specifically, the Session aimed at achieving the following:

1. Understanding of the political transition processes
2. Navigating challenges in political advancement
3. Mentorship and support system for political growth
4. Recognizing the importance of mental wellness in political life
5. Strategies for managing stress and building resilience

By way of approach, the Session intentionally empaneled experts with political and professional experiences. The selected panel comprised of:

1. **Hon. Kevin Katisya**, Speaker, County Assembly of Kitui
2. **Hon. Jackline Nungari**, Former nominated and elected Member of the County Assembly of Kiambu
3. **Hon. Chris Mark**, CEO, Kenya Young Members of the County Assembly (KYMCA)
4. **Ms. Faith Mukami**, Program Manager, Mental 360

Session Moderator: Mr. Franklin Mukwanja

The session provided useful insights on venturing into competitive politics. According to Hon. Jackline Nungari, transitioning from a nominative to an elective position at the County Assembly of Kiambu, and further vying for a parliamentary position, as a woman, is a testament to the evolving political environment. However, she was quick to give caution, based on her experience seeking an elective position in Parliament, having spent a lot of money but ending up not winning the County Women representative seat. She advised on the need to have a personal financial management plan bearing in mind Kenya's high cost of politics which has the potential of destroying one's financial sustainability.

For Hon. Chris Mark, scaling the heights despite coming from a minority community requires sheer grit, perseverance, and political consciousness and awareness. It requires the courage and stamina to stretch political possibilities to the limit; identifying the right connections and mentors; adaptability; and identification and definition of political brand. Similar views were shared by Hon. Kevin Katisya, the Speaker of the County Assembly of Kitui, who managed to win the position as a youth and against the prevailing political party interests.

Politics being a high stress undertaking, there is need to accord attention to mental wellbeing. Ms. Faith Mukami, a mental health expert, shared elemental tips on mental wellness; maintaining and sustaining family support, self-care, relationship management, boldness and courage to seek support if and when necessary, cultivating a separate personal identity away from politics and developing a strong support system.

The Session concluded with a holistic review of the day's deliberations, synthesized into an actionable list of resolutions that were read out and validated by the plenary.

4.4. Youth Pre-Summit Resolutions

RESOLUTIONS	ACTORS
 1. Strengthening Youth Representation in Governance Resolutions: · THAT, County Assemblies should advocate for increased representation of youth in County Assemblies through their political parties and in county governance	· CAF
 2. Enhancing Legislative Oversight and Accountability Resolutions: · THAT County Assemblies through the respective Committees to monitor the implementation of youth related policies and programs · THAT the national government should also involve youth representatives at the County level when formulating programs	· CAF · Ministry of Youth Affairs, Creative Economy and Sports
 3. Capacity Building and Leadership Development Resolution · CAF should establish training programs that will equip youth legislators with knowledge on policy formulation, advocacy and oversight mechanisms · CAF engages development partners to provide specialized training for young legislators · THAT the State Department for Youth Affairs should fast track the establishment of National Youth Council (NYC) Board and undertaking of elections · THAT CAF should partner with the state department of youth Affairs, private sectors, civil societies and development partners to fund youth empowerment programs · THAT, County Assemblies should develop mentorship and intergenerational programs linking young legislators at the County Assemblies with experienced leaders · THAT CAF, in conjunction with the State Department for Youth and Creative Economy, organizes an annual youth conference for youth MCAs in 2025	· CAF · Ministry of Youth Affairs, Creative Economy and Sports

RESOLUTIONS	ACTORS
 4. Promoting Youth - Led Advocacy Strategies/Inclusivity Resolutions · THAT CAF should establish platforms for regular engagements between youth leaders and policy makers to discuss emerging issues · THAT the State Department of Youth Affairs should advocate for government structures that embrace youthful leadership that will take up roles in the government on matters touching the youth · THAT the State Department of Youth Affairs should ensure that all the Youth Empowerment Centers are operational and lobby for additional budgetary allocation. · THAT issuance of National Identification cards should be at incur no cost · THAT CAF should lobby for more funds that will support Youth Agenda that cut across all County Assemblies	· CAF · Ministry of Youth Affairs, Creative Economy and Sports
 5. Strengthening Policy and Legal Frameworks Resolution: · THAT County Assemblies should review and amend laws that limit youth participation in governance structures in respective counties · THAT County Assemblies should do legislative impact assessment of their legislation to check on extent of their implementation · THAT CAF should liaise with the various County Assemblies to get views on Youth Bill and Creative Economic Bill being developed by the State Department of Youth Affairs and submit joint memorandum before publication of the same	· CAF · Ministry of Youth Affairs, Creative Economy and Sports
 6. Digital Innovation and Accountability tools Resolutions: · THAT the State Department of Youth Affairs in consultation with the CAF & COG should develop technology platforms that would engage youth in tracking implementation of youth programs and have governance discussions which will in turn enhance public service delivery.	· CAF · Council of Governors · Ministry of Youth Affairs, Creative Economy and Sports



SATURDAY, 15TH MARCH, 2025



The Edge Conventional Center-
Nairobi City County

WOMEN MCAs PRE-SUMMIT

PRE-SUMMIT THEME:

“EMPOWERING WOMEN LEGISLATORS
FOR ACCOUNTABILITY: STRENGTHENING
OVERSIGHT IN COUNTY GOVERNANCE.”

Supported by:



5. WOMEN PRE-SUMMIT

The Pre-Summit was held on March 16, 2025 under the theme: *Empowering Women Legislators for Accountability: Strengthening Oversight in County Governance*. It was divided into three sections:

Session One

Opening Remarks

Session Two

Gender Equity in County Governance

Session Three

The County Assembly 750 Strategy for Increasing the Pool of Women in County Leadership



The women delegates attending the women pre-summit conference.

5.1. Opening Remarks

Ms. Lonah Losem, CEO CAF, delivered opening remarks; Hon. Hellen Ndeti, representing Hon. Naomi Serem, the CAF Women Chapter Chairperson; Hon. Susan Okwirry, CAF Organizing Secretary; Hon. Anne Kiusya, CAF Chairperson; and Ms. Angela Wambugu, representing Ms. Antonia N'gabala Sodonon, the UN Women Country Director, Kenya. The Session's introductory remarks reflected the existing energy and enthusiasm toward uplifting an optimally empowered women's leadership to face the county governance challenges.



CAF Hon. Anne Kiusya, makes her opening remarks during Women Pre-Summit conference.

For the leaders, true progress can only be achieved by ensuring commensurate representation and participation of women in the governance ecosystem. However, beyond representation, there is a critical need to ensure that the women's representation is equipped with the requisite capacity if the numbers are to match effectiveness. A rallying call was made to women to persist in claiming their rightful position in the country's political leadership. The UN Women appreciated the fact that the Summit coincided with the 30th anniversary of the Beijing Declaration and Platform for Action. As such, it is critical to undertake a comprehensive review and evaluation of the effectiveness of women's participation in devolved governance. The outcome of such an analysis should serve to consolidate gains hitherto realized while addressing the identified challenges. The UN Women affirmed its commitment to continue partnering with CAF in its ongoing quest to enhance the capacity of women in the counties' legislative processes.



UN Women Representative Ms. Angela Wambugu making her remarks during the Women Pre-Summit conference

5.2. Panel Session 1: Gender Equity in County Governance

The broad objective of the Session was to centre the conversation on ensuring that gender equity is integrated into the governance structures at the county level, while empowering women to actively participate in decision-making and fostering inclusive policies. Specifically, the Session sought to achieve the following:

1. Understanding the importance of gender equity in county governance
2. Building gender inclusive governance frameworks
3. Advocating gender equity in county policy and budgeting
4. Creation of gender sensitive policies for public service delivery
5. Commitment to implement gender equity actions

The Session comprised a panel discussion, which was preceded by a presentation from the National Gender and Equality Commission (NGEC). Represented by Commissioner Michael Nzomo, NGEC made a passionate appeal on the need to boost women's representation in governance. For NGEC, attainment of the objective requires deliberate interventions including: strengthening gender responsive legislation, enhancing political participation of women and marginalized groups, mainstreaming of gender in county policies and development plans, promoting accountability through gender-sensitive oversight, and addressing gender-based violence and harassment (GBVH).



Participant making her contributions during a panel session at the women Pre-Summit conference.

The panel comprised:

1. **Mr. John Ndonji**, Assistant Director for Gender, State Department for Gender and Affirmative Action
2. **Hon. Milka Wanjiru**, Member County Assembly, Nyandarua
3. **Ms. Wanjira Wanjiru**, Co-founder, Mathare Social Justice Center
4. **Ms. Nafula Wafula**, Director, Ushindi Empowerment Group

Moderator: Ms. Caroline Gaita, Executive Director, Mzalendo Trust

In keeping with the Session's theme, the discussions focused on boosting women's engagement at the grassroots, capacitation of women for effective oversight, and practical steps being undertaken to actualize women's representation and participation in governance. To realize a truly broad and inclusive women's participation at all levels, an appeal was made for increased investment by both the National and County Governments on initiatives that uplift women. Deliberate steps should be taken towards enhancing access to financing and capacity building.



Ms. Caroline Gaita, Executive Director of Mzalendo Trust, making a presentation during the Women Pre-Summit Conference.

There was an acknowledgement of the nexus between financial inclusion and empowerment, and political participation. According to Hon. Milka Wanjiru, there is a need to intensify capacity around gender-sensitive budgeting. If effectively done, it would enable MCAs to ensure mainstreaming of women's affairs, needs, and priorities in the County budgets. Relatedly, empowerment should focus on undertaking effective oversight to ensure that budgetary provisions made at the County Assemblies are implemented.



Hon. Scholastica Masidis from the County Assembly of Siaya making a submission during the Women Pre-Summit Conference.

In addition to pushing for commensurate representation at the County Assemblies, emphasis was also made on the need to push for women's inclusion on the County Executives for effective implementation of gender sensitive budgetary provisions. The State Department for Gender and Affirmative Action indicated that policies are being developed to bridge the existing gaps in addressing gender issues.

5.3. General Session 2: The County Assembly 750 Strategy for Increasing the Pool of Women in County Leadership

The Session started with a presentation on the County Assembly (C.A) 750 Strategy by Echo Network Africa (ENA), followed by a plenary discussion. The presentation was made by ENA's Head of Women Leadership, Political Participation and Governance, Ms. Juliana Kiio. The C.A. 750 Strategy seeks to realize commensurate representation of women across the 47 County Assemblies, with particular focus on elected women.

The wide-ranging presentation highlighted critical areas, including barriers standing in the way of realizing the 750 Strategy; existing opportunities; as well as implementation strategies and initiatives. The highlighted challenges include economic and financial barriers; political exclusion; socio-cultural stereotypes; sub-optimal capacity, limited exposure, and minimal experience; limited access to information and empowerment opportunities; and low media coverage. Possible interventions include: inter-agency collaboration for implementation of electoral laws; developing early warning systems to address politically motivated violence against women; intensified political and civic education; lobbying for implementation of affirmative action for fair women representation; convening inter-generational mentorship and dialogue sessions; structural changes to political parties' to better accommodate women and encouraging more women to engage in elective politics.



Delegates following the women pre-summit discussions.

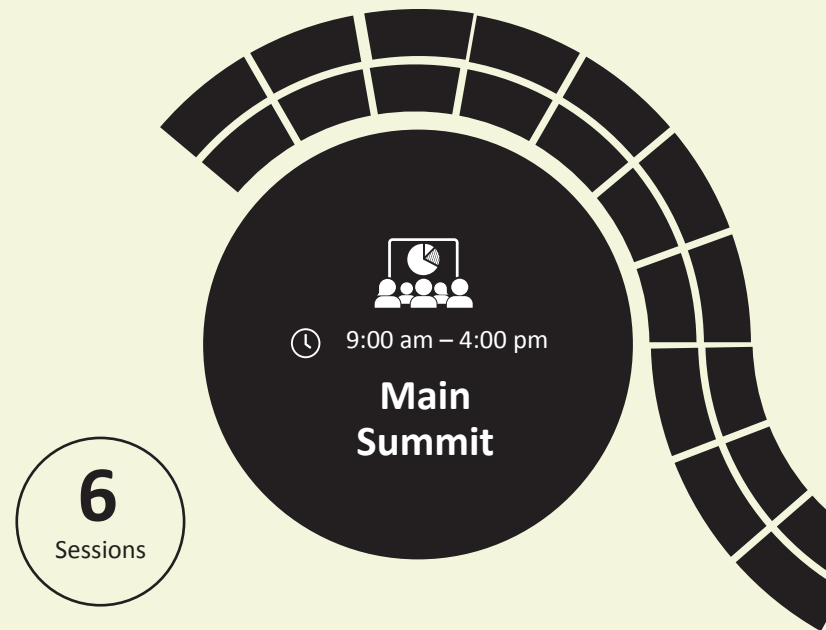
5.4. Women Pre-Summit Resolutions

RESOLUTIONS	ACTORS
 1. Legislative and Policy Reforms • THAT CAF advocates for gender responsive budgeting at both levels of government • THAT County Assemblies amend respective County Assemblies Standing Orders to include Women Caucus as sectoral committees and integrate gender matrix in all committees • THAT County Assemblies establish women caucuses across all the counties, fully recognized by the County Assemblies	• Senate • National Assembly • County Assemblies • CAF • Constitutional Commissions such as: National Gender and Equality Commission (NGEC); Kenya National Commission on Human Rights (KNCHR) • Professional Organizations such as: Institute for Certified Public Accountants-Kenya (ICPAK) • Civil Society partners: Bajeti Hub, Mzalendo Trust
 2. Capacity Building and Mentorship for Women Legislators • THAT CAF in partnership with CSOs and development partners establish continuous and timely training programs on oversight, policy analysis and public finance management • THAT CAF in partnership with CSOs and other development partners promote mentorship and intergenerational programs where experienced women leaders guide new legislators • THAT County Assemblies Forum, in conjunction with the State Department in charge of Gender Affairs, to organize annual conference for women legislators in 2026 (to coincide with the International Women's Day). Commitment to send CAF representative at the CSW.	• County Assemblies Forum (CAF) • Parliamentary caucuses; KEWOSA • Development partners: UN Women • ICPAK • Mzalendo Trsut, • Bajeti Hub • Center for Multi-Party Democracy (CMD) • Independent commissions; NGEC • State Department for Gender Affairs

RESOLUTIONS	ACTORS
3. Enhancing Public and political participation; and Inclusivity • THAT H.E. the President establish a gender ministry to be headed by a woman Cabinet Secretary • THAT political parties to prioritize nominating women who fail to secure party tickets for elective positions in their nomination lists • THAT State Department State of Gender Affairs to undertake gender impact assessment on governance. • THAT CAF partners with CSOs and development partners to strengthen community and grassroots engagements forums to ensure women voices shape county policies • THAT CAF partners with NGEK and other CSOs to advocate and push for the implementation of the 2/3 principle in both appointive positions	• Senate • National Assembly • National Executive • Political parties • County Executives & County Assemblies • Independent commissions; NGEK, KNCHR, IEBC, ORPP CSO partners: • Echo Network Africa, • Mzalendo Trust, • Ushindi Empowerment Group • Mathare Social Justice • FEMNET • Siasa Place
4. Strengthening Oversight and Accountability • THAT CAF partners with development partners to enhance Women Legislators' oversight capacity	• Independent commissions/ government agencies: • Office of the Controller of Budget • Office of the Auditor General • NGEK • Public Procurement and Regulatory Authority (PPRA) • Professional bodies such as ICPAK CSO partners • Mzalendo Trust • Institute of Economic Affairs (IEA) • Bajeti Hub • Collaborative Center for Gender and Development • Transparency International • Institute of Public Finance (IPF)-Kenya

RESOLUTIONS		ACTORS
 5. Addressing Gender Based Violence and Discrimination in County Governance • THAT County Assemblies and County Executive establish clear mechanisms to prevent and address GBV within governance structures • THAT County Assemblies push for implementation of GBVH policies at the county level		• Independent commissions; NGEK, KNCHR, • State Department for Gender Affairs • County Executive • County Assembly
 6. Affirmative Action • THAT CAF in partnership with other development partners safeguard and document achievements realized as a result of affirmative action provisions in the Constitution.		• ENAF • UN Women

MONDAY 17TH – WEDNESDAY 19TH MARCH, 2025



MAIN SUMMIT

THEME:

“CHAMPIONING ACCOUNTABILITY:

STRENGTHENING OVERSIGHT FOR
TRANSPARENT LEADERSHIP THROUGH
LEGISLATIVE AND POLICY REFORMS.”

6. MAIN SUMMIT

6.1. Overview

The Main Summit lasted three days: 17th - 19th March, 2025. It was designed to address devolution issues. Accordingly, the following sessions were identified for deliberation:

General Session One

Progress on the Implementation of the Universal Health Care (UHC)

General Session Two

Oversight relationship between the Senate and County Assemblies

General Session Three

Fourth-generation revenue-sharing formula

General Session Four

The place of Open Government Partnership (OGP) in County Governance

General Session Five

Exploration of a collaborative approach to budget oversight: Case of the Controller of Budget

General Session Six

Welfare of the MCAs

The discussions were undertaken within the framework of presentations, panel discussions, and plenary.

6.2. General Session I: Universal Healthcare or Universal Headache: Where is the Role of Counties in Social Health Authority and Social Health Insurance?



Delegates following proceedings during the Main Summit.

The Session sought to deepen the understanding of how counties can effectively contribute to the realization of Universal Health Coverage (UHC) in Kenya, the challenges involved, and available opportunities for better collaboration between Counties, the National Government, and other

stakeholders in the healthcare sector. Specifically, the Session set out to achieve the following objectives:

1. Clarification of County roles in Kenya's healthcare system
2. Assessment of the effectiveness of Social Health Authority (SHA) and Social Health Insurance Fund (SHIF) and its applicability at the County level
3. Identification of policy gaps and solutions towards improving SHA/SHIF

Driving the conversation was a panel comprised of the following

1. **Hon. Dr. James Nyikal**, Chairperson, National Assembly Health Committee
2. **Hon. Lennox Mwasoko**, Chairperson, County Assembly of Kwale Health Committee
3. **Dr. Emily Basitoo**, National Cancer Institute
4. **Dr. Brian Lishenga**, Chairperson, Rural & Urban Private Hospitals of Kenya (RUPHA)
5. **Dr. Mutakha Kangu, (PhD)**, Health Advisor, Council of Governors

Moderator: Dr. Mercy Korir, Chief Executive Officer & Editor-in-Chief, Willow Health Media

Discussions focused on the alignment of the UHC support systems, such as SHA and SHIF, with the devolved system; challenges affecting the current UHC system; and possible remedial interventions. Clarity of the UHC system, especially SHA and SHIF was made, with Dr. James Nyikal elaborately explaining the three funds established under SHA namely; Primary Healthcare Fund (PHF), SHIF, and the Emergency, Chronic and Critical Illness Fund (ECCIF).

A key challenge identified is underfunding from the National Government, especially to the PHF and ECCIF. Heavily featuring in the conversation as well is the challenges facing the implementation of the Facilities Improvement Financing Act, 2023, especially regarding the harmonized understanding with the Office of the Auditor General on operations of multiple accounts. Generally, the discussions revealed an awareness gap by both the County Governments and the general public on the UHC and its support system anchored on SHA. As a result, it was recommended that the Ministry of Health undertakes a robust awareness to both the devolved units and the public on the UHC.

6.3. General Session II: Oversight Overreach: Striking a Balance in County Governance, Dialogue between County Assembly and Senate

The overriding objective of the Session was to enhance understanding on the oversight role over County Executives and their organs and collaborative oversight responsibilities between the Senate and County Assemblies. Specifically, the Session sought to achieve the following:

1. Clarification of oversight roles and jurisdictions between the Senate and County Assemblies
2. Enhanced dialogue and collaboration between the Senate and County Assemblies
3. Recommendations for legislative and institutional reforms to foster effective oversight by both the Senate and County Assemblies over county governments
4. Lessons from other jurisdictions on the relations and functioning of national and sub-national legislatures

Ahead of the panel discussion, a presentation was made by Dr. Mutakha Kangu, a constitutional lawyer and a governance expert, on the framework underpinning Kenya's bicameral legislature, including the foundational thinking and comparable best practices. The core argument in Dr. Kangu's presentation is what he considers a flaw in the interpretation and understanding of the country's bicameral legislature in the context of the devolved system. In his presentation, Dr. Kangu faulted the Supreme Court's interpretation granting the Senate powers for direct oversight of County Governments. In his opinion, the current interpretation undermines the spirit of devolution by infringing on the powers of the County Assemblies. A panel discussion followed, comprised of the following:

1. **Mrs. Angeline Hongo, CBS**, Member, Intergovernmental Relations Technical Committee
2. **Hon. Dr. Bonface Erute Ekabten**, Member of County Assembly, Busia
3. **Hon. Seth Okumu**, Member of County Assembly, Kisumu
4. **Dr. Mutakha Kangu**, Constitutional Lawyer & Governance Expert

Moderator: Professor Fred Jonyo, Senior Lecturer, University of Nairobi & Governance Expert

Panel deliberations focused on the role of Auditor General reports as a tool for enhancing oversight. In addition, the session deliberated on how well to attain harmony in oversight between the Senate and County Assemblies. Part of the strategy should be to address the differences in the implementation of the mandate between the Senate and the National Assembly. A recommendation was specifically made to push for a review of the Houses of Parliament (Bicameral Relations) Bill, 2023, that seeks to rebalance the Senate-National Assembly powers.

6.4. General Session III: The 4th Generation Revenue Sharing Formula: Fair Share or Flawed Model?

Broadly, the Session sought to engender an understanding of the strengths and weaknesses of the 4th Generation Revenue Sharing Formula in Kenya. It aimed at prompting the exploration of potential reforms, alternatives, and strategies for ensuring that the formula yields a fairer, more equitable distribution of resources across all counties, while promoting the success of devolution and better governance across the country. Specifically, it sought to achieve the following objectives:

1. Clarification of the Formula
2. Evaluation of fairness and equity as arising from the application of the Formula
3. Impact of the Formula on development and service delivery to counties
4. Examining potential flaws in the Formula
5. Possible reforms and improvements to the Formula

Headlining the Session was a presentation from the Commission on Revenue Allocation (CRA), made by Commissioner Hon. Fatuma Gedi, CBS, focusing on the 4th generation revenue sharing formula. CRA is legally charged with making 'recommendations concerning the basis for equitable sharing of revenue raised by the national government; between the National and County Governments; and among the County Governments.' In her presentation, Commissioner Hon. Gedi took the participants through the journey leading to the formula, including the factors taken into consideration. The objectives of the formula and the guiding parameters were particularly pronounced in the presentation. Objectives included sharing revenues equitably to facilitate

service delivery, addressing economic disparities, and promoting development. Contributing various proportions, the parameters used for the formula are population, equal share, geographic size of the county, poverty, and income distance. The conversation was critical owing to the intense interest the formula has generated. For instance, a section of Senators have opposed the formula on grounds that it may disadvantage some counties.

A panel discussion followed, which delved deeper into the presentation by the CRA. The panel was comprised of:

1. **Commissioner Hon. Fatuma Gedi, CBS**, Commission on Revenue Allocation (CRA)
2. **Mr. Kwame Owino, Chief Executive Officer (CEO)**, Institute for Economic Affairs (IEA)
3. **Hon. Graham Kagali**, Member of County Assembly, Migori
4. **Hon. Dr. Erute Bonface**, Member of County Assembly, Busia
5. **Hon. Gad Olima**, Member of County Assembly, Kisumu

Moderator: Dr. Abraham Rugo, (PhD) - Executive Director, Bajeti Hub

A major issue arising from the conversation was the need to undertake robust stakeholder engagement and consultation before the formula is finally adopted. In addition, an appeal was made to CRA to provide a simplified version of the proposed formula for ease of understanding by various stakeholders, including members of the public.

Presentation by the Intergovernmental Relations Technical Committee (IGRTC) on the Progress in the Transfer of Functions from the National to the County Governments



FCPA Dr. Margaret Nyakang'o, Controller of Budget, making her presentation on Re-thinking Budget Oversight for Better Service Delivery 5 during the main summit

The presentation by the IGRTC addressed itself to the context of one of the most persistent challenges relating to intergovernmental relations between the National and County Governments: transfer of functions. Despite more than ten years of devolution, transfer of functions remains incomplete.

As late as December 2024, H.E. President William Ruto reiterated his administration's commitment to complete the transfer of the pending functions. IGRTC's presentation identified some of the functions that are yet to be transferred conclusively. The identified contentious issues, for instance, include:

- **Agriculture/Blue Economy:** Disagreement on the functional jurisdiction of registering artisanal fishing vessels, licensing fishermen, developing fish landing sites, and charging fish landing fees; need for close collaboration on animal disease control.
- **Lands, Housing and Urban Development:** Disagreements on the role of county governments in land alienation, land adjudication, valuation, land survey and mapping policy development, and clarity on their role in county boundary management.
- **Wildlife, Tourism, Culture and Heritage:** Wildlife is primarily national, but counties have a mandate over national reserves, with ongoing consultations regarding Amboseli National Park and revenue sharing.
- **Gender, Youth, Sports and Social Services:** Disagreement on the definition of "Promotion of sports and sports education".
- **Roads and Transport:** Contention on defining "county roads" and "national trunk roads," with a proposed amendment to the Kenya Roads Act, 2007.
- **Energy & Petroleum:** Need for constitutional interpretation to clarify the assignment of "electricity reticulation, gas reticulation and energy regulation".

IGRTC presented a draft roadmap of addressing the identified issues to ensure that the transfer of functions is finally completed for the benefit of devolution.

- Output 1: Publication of 13 developed legal notices on the functions (July-December 2024).
- Output 2: Developed Omnibus Bill on reviewed legislation (July-November 2024).
- Output 3: Identified and verified Resource envelop for transfer (January-June 2025).
- Output 4: Transfer of functions exercise reports and legal notices disseminated (February-June 2025).
- Output 5: Effective transfer of financial resources ensured (Ongoing annually).
- Output 6: Effective transfer of Human resources ensured (April 2025 - June 2026).
- Output 7: Effective transfer of attendant Assets ensured (As the transfer may arise).
- Output 8: Uptake of the transferred functions ensured (Semi-annually and quarterly assessments).

6.5. General Session IV: Open Budget, Open Decisions: Strengthening County Oversight Through Open Government Partnership (OGP)

The broad objective of the Session was to deepen understanding on the role of OGP in strengthening county oversight and ensuring that budgetary decision-making processes are inclusive, transparent, and efficient. Specifically, the Session sought to achieve the following:

1. Understanding the role of OGP in county oversight
2. Sustaining open government practices through OGP at the county level
3. Adopting innovative tools, instruments, and approaches for open governance

As a build-up to the panel discussion, a presentation was made by Ms. Caroline Gaita, the Executive Director of Mzalendo Trust and Kenya's OGP Civil Society Organizations (CSO) co-lead. In her presentation, Ms. Gaita profiled the centrality of budget transparency and accountability as a vital ingredient for good governance. She demonstrated how OGP is rising to be of increased relevance to open and transparent decision-making processes and financial management. It is evidenced by the range of commitments made under the country's National Action Plan V (2023-2027), which include:

- **Commitment 3:** Open Data for Development, which aims to make financial resource management data available in machine-readable format.
- **Commitment 5:** Open Contracting, which seeks to improve access to procurement data through an electronic government procurement (eGP) system.
- **Commitment 6:** Public Participation, Legislative and Fiscal Openness, which aims to enhance transparency and inclusion in budget processes.
- **Commitment 7:** Access to Information which focuses on the effective implementation of the Access to Information Act.

She made several recommendations towards strengthening county oversight through open budgets:

- Enhancing the availability and comprehensiveness of budget documents.
- Building the capacity of county assemblies for budget analysis.
- Strengthening public participation mechanisms.
- Fostering collaboration and information sharing among oversight bodies.
- Institutionalizing open budget practices through policies and procedures.

Lastly, the uptake of OGP by County Governments was highlighted. So far, six County Governments have joined the OGP; Makueni, Elgeyo Marakwet, Nandi, Kakamega, Machakos, and Nairobi. A panel discussion followed, involving the following panellists:

1. **Mr. Charles Dulo**, Chairperson, Commission on Administrative Justice (CAJ)
2. **Ms. Caroline Gaita**, Executive Director, Mzalendo Trust
3. **Ms. Alice Gugulev**, Chief Executive Officer, Global Development Incubator
4. **CPA Susan Mtana**, Associate Director, Policy and Partnerships, Kidogo Early Years

Moderator: Ms. Sheila Masinde, Executive Director, Transparency International-Kenya

6.6. General Session V: From Control to Collaboration: Re-Thinking Budget Oversight for Better Service Delivery

The Session set out as a broad objective fostering understanding in Kenya's budget oversight system, especially as it regards the County Government. It sought to explore collaborative approaches to budget oversight at the county level by the various institutions. Specifically, the Session aimed to achieve the following:

1. Shift from control to collaborative budget oversight
2. Strengthening institutional capacities for collaborative oversight
3. Addressing challenges in the current budget oversight system
4. Promoting a culture of collaboration and accountability



FCPA Dr. Margaret Nyakang'o, Controller of Budget, making her presentation on Re-thinking Budget Oversight for Better Service Delivery during the main summit

Headlining the Session was a presentation from the Controller of Budget (COB), FCPA Dr. Margaret Nyakang'o, CBS. The presentation provided an overview of the functions of the Office of the Controller of Budget (OCOB), which include: Oversight, controlling, reporting, advisory, investigation, dispute resolution, public sensitization, monitoring, and enforcement of budget ceilings. Specifically on oversight, Dr. Nyakang'o stated the role of OCOB as ensuring lawful withdrawals and monitoring fund utilization. In addition, she pointed out existing challenges, which include: non-compliance with the Program-Based Budgeting (PBB) Framework; high wage bills; accumulation of pending bills; low own-source revenue; non-adherence to budget ceilings; weak budgetary controls; and non-adherence to COB circulars. Dr Nyakang'o gave a raft of recommendations on how to improve budget oversight. They include capacity enhancement for MCAs; improving collaboration between OCOB and County Assemblies through institutionalized structures; automation of financial management to reduce inefficiencies; increasing public participation in the budget-making processes; and strengthening legal frameworks.

The presentation laid the foundation and context for the panel discussion that followed. The panel comprised the following:

1. **FCPA Dr. Margaret Nyakang'o, CBS**, Controller of Budget
2. **Commissioner Koitamet Ole Kina**, Vice Chairperson, Commission on Revenue Allocation
3. **Mr. Kibiego R. Kigen, EBS, OGW, 'nsc' (AU)**, Director, National Counter Terrorism Center (NCTC)
4. **Hon. Douglas Mbilu**, Speaker, County Assembly of Makueni
5. **CPA Michael Bidii Ngala**, Clerk, County Assembly of Kilifi

Moderator: Dr. Nur Nasir Abdi, Public Finance Management Expert

The panel discussion witnessed the building of consensus on a number of contentious issues, while identifying collaborative areas and avenues between the County Assemblies and various stakeholders. For instance, through the panel discussion, MCAs raised concerns regarding the decision by the OCOB to issue a circular directing Governors to cease making bursary allocation mid-way through an active financial year. Following the discussions, the COB agreed to factor in budget cycle timelines before issuance of circulars. For structured engagement with the County Assemblies, Dr. Nyakang'o agreed on the need to conclude an engagement framework between OCOB and CAF by June 2025. To ensure compliance with statutory deductions remittance by Counties, Dr. Nyakang'o agreed to include in the FY 2025/26 guidelines, the requirement by Counties to submit status reports on statutory deductions before approval of salary payments. For the National Council for Law Reporting (NCLR), it was resolved that collaboration with CAF be fast tracked to finalize the development of a legal resource for collation of all counties' laws in a centralized database.



Dr. Nur Nasir Abdi, Public Finance Management Expert, moderating the session on From Control to Collaboration: Re-thinking Budget Oversight for Better Service Delivery.



The CAF Executive Committee pose for a group photo with Dr. Margaret Nyakang'o, Controller of Budget, during the Legislative Summit.

6.7. General Session VI: Securing the Future of MCAs: Re-Thinking the Pension Scheme

The general aim of the Session was to create an understanding of the challenges MCAs face with the current pension scheme. The Session sought to explore how to ensure that MCAs are supported with an adequate and sustainable pension plan, taking into account the challenges they face in their roles, as well as broader financial and policy considerations. Specifically, the Session sought to achieve the following:

1. Understanding the current pension scheme for MCAs
2. Designing a fair and equitable pension scheme for MCAs
3. Long-term sustainability of the MCA pension system



Hon. Emmanuel Situma, Speaker County Assembly of Bungoma, making his contribution to the discussion.

A presentation from the Retirement Benefits Authority (RBA) was made by Mr. John Keah, the Assistant Director, Market Conduct and Industry Development, highlighting Kenya's pension ecosystem. The presentation made an overview of the totality of the pension space, including the various pension models and the role RBA. Established under the Retirement Benefits Act, 1997, the functions of the RBA were highlighted as; regulating and supervising the establishment and management of retirement benefits schemes; protecting the interests of members and sponsors of retirement benefits sector; promoting the development of the retirement benefits sector; and advising the Government on matters related to retirement benefits. The presentation was followed by a panel discussion. The panel comprised of:

1. **Commissioner CHRP Mohamed Aden Abdi**, Salaries and Remuneration Commission (SRC)
2. **Hon. Josiah Thiriku**, Speaker, County Assembly of Embu
3. **Dr. Lonah Mumelo, HSC**, Member, Power of Mercy Advisory Committee (POMAC), and former member of the Parliamentary Service Commission (PSC)
4. **Mr. John Keah**, Assistant Director, Market Conduct and Industry Development, Retirement Benefits Authority
5. **Mr. George Okioma**, Directorate of External & Regional Administration, County Pension Fund (CPF)
6. **CHRP Quresha Abdullahi**, Executive Director, Institute for Human Resource Management (IHRM)



Panel session on Securing the Future of MCAs: Re-Thinking the Pension Scheme

Moderator: Hon. Chege Mwaura, CAF Secretary General

Discussions explored the challenges faced by MCAs in their quest to get a sustainable and reliable pension scheme. As part of enhancement of the MCAs welfare, the discussion also focused on remuneration, with MCAs noting the struggle they have had in trying to have their pay aligned with that of Parliament by way of proportionality. The pay of Members of Parliament is, for instance, pegged at a certain percentage of that of the President, Cabinet Secretaries, and Parliament Speakers. MCAs appeal for their pay to similarly be aligned as a certain percentage of that of Governors, County Executive Committee Members (CECM), and Speakers of the County Assemblies. The MCAs noted that this would secure them a dignified pay.



Hon. Chege Mwaura, CAF Secretary General moderating the session on securing the future of MCAs: Rethinking the Pension scheme

A critical resolution from the meeting was for the County Assemblies, through CAF, to engage SRC to finalize the modalities for the County Assemblies' contribution to the County State Officers Pension Fund (COSOPF). In addition, it was resolved that CAF engage SRC during the fourth review of salaries and remuneration to push for a review of the salaries of MCAs.



7. RECOMMENDATIONS AND CONCLUSION

7.1. Recommendations

1. **Live media coverage:** CAF should consider engagement with the media to secure live coverage for future summits to promote openness, public engagement, and wider access and reach to legislative discourse. Live media coverage would enhance the visibility of the summits' activities, allowing citizens, stakeholders, and development partners to follow the summits' discussion.
2. **Involvement of County Assemblies' Technical Staff in the Summits:** CAF should consider involving County Assemblies' technical staff in future summits. The participation of the technical staff is crucial for enhancing institutional capacity, fostering inter-county collaboration, and supporting the legislative agenda. The summit provides a valuable platform for peer learning, benchmarking, and exposure to innovative tools that enhance service delivery and support effective lawmaking, oversight, and representation. Moreover, technical officers are instrumental in implementing resolutions adopted at the summit. Their involvement promotes continuity, strengthens institutional memory, and aligns operational procedures with national goals and county priorities.
3. **Resource mobilization:** CAF should consider having a robust resource mobilization strategy. The strategy should include diversification of potential development partners and donors. In addition, the strategy should devise creative ways to engage County Assemblies for the timely payment of subscriptions. Diversification of resource streams and engagement with County Assemblies for the timely payment of subscriptions would ensure seamless planning and execution of the summits.
4. **Timely planning:** CAF should adopt an elaborate planning strategy that allows participants to be well prepared, discussions are focused, and outcomes are actionable, ultimately enhancing the impact and credibility of the Summit.
5. **Structuring the summit program:** CAF should consider structuring the summit program to allow for adequate time for interaction and engagement between the guest speakers, panelists, and facilitators. It would transform the summit into a dynamic platform for learning, dialogue, and shared problem-solving. Allowing adequate time for plenary engagements, panel discussions, breakout sessions, and open-floor contributions creates opportunities for participants to seek clarification and share their insights. Such an approach would demonstrate CAF's commitment to inclusive learning, responsive leadership, and participatory development, aligning with its mission to strengthen the role and performance of County Assemblies across the country.

7.2. Conclusion

The 5th Legislative Summit was a significant milestone in fostering dialogue and strengthening devolution. At the end of the six days, resolutions, insights, and commitments were made, serving as a guiding framework for strengthening legislative performance, promoting transparency, and fostering inclusive development across all the counties. CAF remains committed to push for the actualization of the resolution through continuous dialogue, mutual accountability, and shared learning.



Appendices

Appendices

8. APPENDICES

Appendix I: Summit Communiqué

THE 5TH LEGISLATIVE SUMMIT HELD BETWEEN 14TH – 19TH MARCH 2025 AT THE EDGE CONVENTION CENTRE, NAIROBI COUNTY

THEME: CHAMPIONING ACCOUNTABILITY: STRENGTHENING OVERSIGHT FOR TRANSPARENT LEADERSHIP THROUGH LEGISLATIVE AND POLICY REFORMS

The Fifth Legislative Summit, 2025 provided a platform for the County Assemblies and devolution stakeholders to re-imagine the future of County Assemblies and the expectations of the citizenry at the County level. It reflected on the performance of the county Assemblies, as well as opportunities and challenges, lessons learnt while exploring interventions for enhanced effectiveness for the benefit of devolution

Preceding this Fifth Legislative Summit, resolutions from the Pre-summit events and progress report from the Fourth Annual Legislative Summit were read, which had resolutions generated from the following County Assembly Caucuses: Persons with Disability, Youth and Women. Acknowledging that many resolutions were agreed upon in the Fourth Summit, the implementation of these resolutions have not gone without challenges, many of them not within the control of the County Assemblies.

The Summit brought together all Members of County Assemblies (MCAs) from the 47 County Assemblies across the country; representatives from the Senate, National Assembly, Constitutional Commissions, Independent Offices, Development Partners; civil society; private sector; the media; independent experts; professional bodies; pension schemes and technocrats from the public service. The participants had the occasion to share experiences, achievements, opportunities, challenges and gaps identified by the legislatures and made proposals on the way forward in line with the

Summit theme: *Championing Accountability: Strengthening Oversight for Transparent Leadership Through Legislative and Policy Reforms.*

PREAMBLE

Recognizing that Article 3 (1) of the Constitution of Kenya requires every person to respect, uphold and defend the Constitution;

Aware that Article 1 (3) of the Constitution of Kenya delegates sovereign power to Parliament and County Assemblies to perform their respective functions under the Constitution;

Recognizing that Article 6 (2) of the Constitution requires the national and county governments to conduct their mutual relations on the basis of consultation and cooperation;

Acknowledging the national values and principles of governance under Article 10 of the Constitution, which bind all State organs, State officers, public officers and all citizens.

Reaffirming the objects and principles of devolved government under Articles 174 and 175 of the Constitution;

Noting that Article 185 of the Constitution vests legislative authority in county assemblies to make any laws that are necessary for, or incidental to, the effective performance of the functions and exercise of the powers of the county government under the Fourth Schedule;

Recognizing that public participation is a central principle of democracy required of Parliament and county assemblies under various Articles of the Constitution including Articles 1(2), 10(2), 35, 69(1) (d), 118, 174(c) and (d), 184(1)(c), 196, 201(a) and 232(l)(d);

THE LEGISLATIVE SUMMIT NOW RESOLVES AND RECOMMENDS AS FOLLOWS;

1. UNIVERSAL HEALTHCARE; ROLE OF COUNTY ASSEMBLIES IN SHIF AND SHA

- **THAT** the Ministry of Health in collaboration with County Assemblies Forum to sensitize Members of County Assemblies on Social Health Security (SHA) and Social Health Insurance (SHI) for cascaded public awareness at the grassroots level.

Action: CAF, County Assemblies and Ministry of Health

2. OVERSIGHT OVERREACH: STRIKING A BALANCE IN COUNTY GOVERNANCE, DIALOGUE BETWEEN COUNTY ASSEMBLY AND SENATE

Noting the need to strengthen oversight at the County Assembly level it is recommended as follows: –

- a) **THAT**, County Assemblies should be the first port of call-in considering issues raised by the Auditor General.
- b) To provide for financial autonomy of the County Assemblies for effective functioning on oversight, legislation and representation. The Senate should fastrack the review and passage of the following legislations:
 - Fast track the passage of the County Public Finance Laws (Amendment) Bill, 2023.
 - Review of the Public Finance Management (PFM) (County Government) Regulations, 2015 section 25 (1)(f) to provide equitable recurrent budget ceilings for County Assemblies.
- c) To provide clarity in the impeachment process of County Government state officers.
 - The Senate fast tracks the passage of the County Government (State Officers Removal from Office) Procedure Bill, 2024 to provide clear procedures for removal from office of the County State Officers.
- d) That Senators should attend County Assembly sittings periodically to report and consult on the representation of county interests at the national level.

Action: CAF, Senate, OAG and County Assemblies

3. THE 4TH GENERATION REVENUE SHARING FORMULA

Noting the need for wider concurrence on the design of the 4th generation revenue sharing formula;

- **THAT** the Senate should undertake wider stakeholder engagement and consultations on the proposed 4th generation revenue sharing formula to ensure that the eventually adopted formula does not entrench unfairness and discrimination

Noting, the need for counties to promote and enhance revenue collection in the counties, it recommended.

- **THAT**, counties explore areas of collaboration and consider Kenya Revenue Authority and Commission of Revenue Allocation as partners in revenue collection efforts.
- **THAT** the National Assembly fast tracks the passage of the County Governments (Revenue Raising Process) Bill, 2023 to entrench certainty in the revenue raising framework and systems by the counties to boost their self-sustainability and reliance.

Action: CRA, Senate, National Assembly and CAF

4. OPEN BUDGET, OPEN DECISIONS: STRENGTHENING COUNTY OVERSIGHT THROUGH OGP

a) To allow room for greater control in the budget making process.

- **THAT** the National Assembly to review of the Public Finance Management (PFM) (County Government) Regulations, 2015 to provide for county Assemblies to amend up from 1% to 20% of the line budget to ensure that the County Assemblies have control over the Budget.

b) **THAT** the Attorney General fast tracks the development of the Public Participation Bill to provide a national framework for conducting public participation as envisioned by the Constitution of Kenya, 2010

Action: Attorney General, CAF and National Assembly.

5. FROM CONTROL TO COLLABORATION: RE-THINKING BUDGET OVERSIGHT FOR BETTER SERVICE DELIVERY

- THAT** the Office of the Controller of Budget (OCOB) and the County Assemblies Forum (CAF) conclude development of engagement framework before the end of FY 2024/2025.
- THAT** the OCOB adheres to strict budget timelines provided under the Public Finance Management Act and therefore only issues circulars before the start of any Financial Year.
- THAT** the Controller of Budget (COB) includes in 2025/2026 guidelines to submit status reports on statutory deductions before approval of salary payments in effort to ensure compliance to statutory deductions remittance by the counties.

Action: CAF, Controller of Budget and County Assemblies

6. SECURING THE FUTURE OF MCA

- a) To provide legal framework for the pension of county assemblies members and staff.
- **THAT** the Parliament should fast track the passage of the County Assemblies Pension Scheme Bill, 2024.
- c) **THAT** the Salaries and Remunerations Commission to consider the Job Evaluation presented by CAF in the consideration of the 4th remuneration review cycle to ensure a commensurate review of the salaries of the Members of the County Assemblies
- d) **THAT** CAF engage the Salaries and Remuneration Commission (SRC) to finalize the modalities for County Assemblies' contribution to the County State Officers Pension Fund (COSOPF).

Action: CAF, County Assemblies and SRC.

7. Institutional Strengthening of CAF

- a) **THAT** the National Assembly fast tracks the passage of the Intergovernmental Relations (Amendment) Bill, 2024 to entrench the County Assemblies Forum in law.
- b) To anchor the County Assemblies Forum (CAF) in in the Intergovernmental Budget and Economic Council (IBEC) the Senate should amend the Intergovernmental Relations Act, 2012 to entrench the CAF in the IBEC.
- c) **THAT** the National Council for Law Reporting, in collaboration with CAF, develops a legal resource for collation of all counties' laws in a centralized database.
- d) **THAT** CAF intensifies its outreach to and engagement with development partners to mobilize resources for the improvement of the County Assemblies' institutional and technical capacity through trainings for effective delivery.

Hon. Anne Kiusya

Chairperson, County Assemblies Forum

REPUBLIC OF KENYA



COUNTY ASSEMBLIES FORUM
(CAF)



OFFICE OF THE DEPUTY PRESIDENT
STATE DEPARTMENT FOR DEVOLUTION

