



**PRESS STATEMENT AFTER THE COUNCIL OF GOVERNORS MEETING, 9TH
DECEMBER, 2015, DELTA HOUSE BUILDING 11TH FLOOR**

Members of the Press,

Citizens of Kenya,

We address you today after another morning of deliberations on matters affecting the 47 County Governments. The year is coming to an end and it is a good opportunity for us to take stock of what we have achieved this far starting from when the devolved system of governance came into effect two years ago.

1) **To begin with**, the Council resonates with the spirit of the day today which is the International Anti-Corruption Day celebrated annually across the world whose theme this year has been set as '**break the corruption chain**'.

We understand that the 2015 joint international campaign focuses on how corruption undermines **democracy and the rule of law, leading to human rights' violation, markets' distortion, eroding the quality of life and allowing organized crime, terrorism and other threats to human security, to flourish.**

We are dedicated as County Governments to eradicate the corruption menace that has found its way into the devolved structures by putting up critical measures to ensure that the citizens who overwhelmingly voted for the new constitution get their end of the bargain which is efficient service delivery. We have agreed among ourselves to join the Presidency in the fight against corruption by implementing the recommendations of the Presidential taskforce report on County responsibilities on licensing, revenue collection and capacity building

Some of the initiatives taken by Counties to fight corruption include;

- a) **Establishment of County Courts-** This initiative is meant to ensure the accessibility of judicial services at the county level and the enforcement of county laws. **The Judiciary is working with most counties to establish these county courts and county registries.**
- b) **Implementation of Integrated financial management systems i.e IFMIS and E-procurement-** This is to ensure accurate financial- tracking system of procurement and expenditure as budgeted for.
- c) **Establishment of County oversight institutions** such as the County Public Accounts Committees and Internal audit offices to ensure transparency and accountability on the County expenditures.
- d) **Coordination with the National Government’s shared institutions** such as the EACC, Kenya National Audit Office and the Controller of Budget to provide external oversight mechanisms for the Counties’ expenditure without infringing on the County Governments mandate by respecting article 6 of the Constitution.
- e) **Blacklisting of Corrupt contractors-** Counties are developing their own list of corrupt contractors and sharing with other counties to ensure that no contractor blacklisted in one County moves to the other.

Secondly, having effectively deliberated today in our meeting, we want to highlight some critical issues which are of importance to devolution, they include:-

Adoption of SDGs

- a) The Council accepts and approves the adoption of SDGs by County Governments and further engagement on the provision of technical support to Counties to ensure that each pillar is unbundled for implementation shall be facilitated.
- b) There will be a unit at the Council of Governors’ secretariat equipped with technical skills who will assist Counties on the implementation of the SDGs. We have agreed to collaborate with the Development Partners for the effective implementation of the SDGs.

Kenya Devolution support program

- a) The World Bank has proposed to provide credit facility of USD 200 million to the Government of Kenya for the Kenya Devolution Support

programme to supplement existing National Capacity Building Framework resources.

- b) Through various consultative engagements with the World Bank, National Treasury and the Ministry of Devolution what has stood out is the objective of the programme which is to strengthen both the County and National Institutions to ensure efficient service delivery in the Counties.
- c) The Council notes that while the programme is welcomed, we are rejecting it fully in its current form until the engaging document is restructured.
- d) **The Main reason for our rejection of this programme is because the project document provides for supervisory role of the Ministry of Devolution through the PS on the funds flow to the County Governments.**
- e) County Governments are not departments of National Government Ministries to be supervised by the Ministries. This provision is unconstitutional and does not respect Article 6 of the Constitution which provides for the distinctiveness and inter-dependence of the two level of Government.
- f) In this regard the Council is **cancelling the already scheduled training for the County officials** stated for **tomorrow 10th December 2015** on the sensitization of the programme by the National Treasury, Ministry of Devolution and the World Bank.
- g) **The Council will only engage on the programme if its modalities of engagement are revised.**

Free Maternity Fees to the Counties by the National Government

- a) The free maternity fees allocation by the National Government to the Counties is not working. Counties are not receiving the allocations from the Ministry of Health which has consistently with-held the money as documentation from the National Treasury illustrates that the money has already been disbursed to the Ministry for subsequent disbursement to Counties.

- b) The annual allocation was 4.2 Billion Kenya shillings for the 2015/16 financial year yet as of 9th December 2015 only **1.2 Billion** shillings has been disbursed. **The Ministry of health is withholding almost 2 Billion shillings meant for County Governments.**
- c) **We are demanding that the Ministry disburses these monies to the Counties immediately otherwise we will be compelled to withdraw the service as Counties have been compelled to draw from their own resources to cater for the same.**

Disbursement of vaccination funds

Vaccination programmes such as that of polio should be driven by County Governments. We call upon the EACC to investigate the disbursement of vaccination funds to County Directors' personal accounts by the National Government's Ministry of Health.

Privatization of the Sugar Companies

The Council maintains that the process must be put on hold until proper consultations with the County Governments is achieved. Consultation with Counties was never conclusively done by the Commission on Privatization.

We demand that the Transition Authority also be conclusively consulted as they are in charge of the transfer of devolved functions, assets and liabilities during the transition period.

Transfer of all pending functions

The Council recommends that TA should transfer all the pending functions and assets before the end of the transition period.