



COUNCIL OF GOVERNORS

Legal Affairs and Human Rights Committee

Background

The Committee handles all matters relating to constitutional affairs; the organization and administration of law and justice; elections; promotion of principles of leadership, ethics and integrity; and implementation of the provisions of the Constitution on human rights. This involves:

1. Developing legislative and policy proposals on devolved functions;
2. Preparing legal advisories and briefs on matters affecting County Governments;
3. Stakeholder engagement and intergovernmental consultations on legal matters that affect counties;
4. Monitoring the compliance of the Constitution and conformity with the devolved system by all national and county institutions;
5. Facilitate capacity building initiatives; and
6. Advocacy for respect, promotion and protection of human rights in all the counties.

Legal Affairs Challenges

1. Lack of clarity on transfer of some devolved functions;
2. National laws that are still in force yet they are related to county functions;

3. Parliament legislating on matters concerning County Governments without county participation;
4. Many counties are in the process of setting up the County Law Offices.

Opportunities

The committee offers a platform for peer consultation, sharing of best practices, experience, and learning through capacity building opportunities through (workshops/seminars) for counties.

Resources

The committee develops and maintains a variety of resources including:-

- a) Legal briefs;
- b) Policy recommendations;
- c) Devolution Laws;
- d) Training Curricula;
- e) Reports from Consultative Meetings.

Status Briefs:

- a) Legislative Monitoring;
- b) Review of the Constitution and devolution laws to identify gaps.

Our Approach

The committee functions through:-

- a) Inter-county forums;
- b) Intergovernmental forums such as the Intergovernmental Budget and Economic Council (IBEC) and the Summit; and
- c) Stakeholders' engagements.

Our Impact

- The Council of Governors has submitted to Parliament on various laws that claw-back on devolution. Such legislative proposals have been considered.
- Constantly supporting counties on policy direction.
- Training of County Attorneys on Legislative Drafting and other legal and administrative matters.

Success at County Level

Capacity Building: The legal skills that imparted on the County legal personnel have been utilized, especially in drafting of sound and effective laws at the county level.