



REPUBLIC OF KENYA

THE NINTH(9TH) ORDINARY SESSION OF THE NATIONAL AND COUNTY GOVERNMENTS COODINATING SUMMIT COMMUNIQUE.

10TH -12TH FEBRUARY 2023

Having met under the umbrella of the SUMMIT as required by the Intergovernmental Relations Act, 2012, we the National Executive jointly with the Council of Governors (CoG) as coordinated by the Intergovernmental Relations Technical Committee (IGRTC) have had a very successful two days meeting.

The meeting has culminated into critical policy proposals and decisions **that** if implemented will enhance intergovernmental relations between the two levels of government.

It is therefore our wish to jointly read out our resolutions as adopted by the SUMMIT as part of our commitment in enhancing intergovernmental relations to promote effective service delivery by both levels of government. We have therefore agreed:

1. **THAT** every Kenyan shall be treated equally by both levels of governments regardless of their political affiliation. Government services, initiatives and programmes shall be accessible to all Kenyans wherever they are.
2. **THAT** the national government commits to ensure timely disbursement of counties' share of allocated revenues. This will be in line with the approved disbursement schedule.
3. **THAT** the Intergovernmental Relations Technical Committee (IGRTC) shall fast track the process of identification, analysis and transfer of all pending

devolved functions to the county governments in the shortest time possible.

4. **THAT** IGRTC shall work jointly with key stakeholders (CoG amongst others) to fast track the completion of valuation exercise of all assets related to devolved functions in the current financial year to allow for formal and final transfer of the assets.
5. **THAT** all the existing inter-governmental legal cases by one level of government against the other level of government shall be subjected to Alternative Dispute Resolution as provided for under the Intergovernmental Relations Act, 2012 through IGRTC.
 - Equally, KRA shall withdraw all matters against county governments from court and seek alternative dispute resolution.
6. **THAT** IGRTC as an institution charged with the responsibility to adjudicate on intergovernmental disputes shall be strengthened to be able to effectively discharge that responsibility for the benefit of both levels of government.
 - The Intergovernmental Relations Act, 2012 shall be proposed for amendment to anchor the CoG Secretariat and strengthen the role of IGRTC.
7. **THAT** for purposes of intergovernmental coordination of security across the country, the County Policing Authorities chaired by the County Governors shall be operationalized within six months. This will boost cooperation between the two levels of government on matters relating to security.
8. **THAT** for purposes of ensuring availability of a comprehensive health insurance scheme for all Kenyans, the national government shall institute a process to restructure the National Health Insurance Fund (NHIF) to be a fit for purpose insurance scheme.
9. **THAT** every county government shall facilitate the last mile fertilizer delivery to farmers in the counties. The fertilizers being delivered in the

counties are unique to the different soil types identified in those counties based on previous surveys done.

10. **THAT** moving forward, on matters relating to Medical Equipment Services (MES), both levels of governments shall ensure value for money and that before the renewal of the current MES contracts, counties will sign Intergovernmental Partnership Agreements (IPAs) and be involved in the negotiations.
11. **THAT** the national government shall support county governments through conditional grants amounting to Ksh 2.7 billion for three years to support 100,000 Community Health Workers (CHW/V). The service and training of the CHW/V shall be standardized through an intergovernmental process.
12. **THAT** on matters relating to provision of sustainable water services, the Ministry of water shall collaborate with the County Governments through the CoG in the identification and design of the county water dams including projects under the water purchase agreements.
13. **THAT** there shall be developed an Inter-governmental framework to enhance collaboration between the levels of governments including the national greening programme, signed between the Ministry of water and CoG on behalf of County Governments.
14. **THAT** there shall be developed a standard intergovernmental engagement framework that prescribes the obligations as well as the benefits of each level of Government for ease of coordination and implementation of the Affordable Housing programme.
15. **THAT** the IGRTC, CoG and respective stakeholders shall prepare an inventory of all legislations impeding on the effective implementation of devolution and submit to both houses of parliament for review and amendments.
 - Similarly, all proposed legislations currently in parliament that are deemed to claw back on devolution shall be withdrawn and a consultative process be instituted before they are re-introduced to either house of parliament.

- The Attorney General shall introduce an omnibus Bill to parliament amending all legislation that impede on devolution.
16. **THAT** for purposes of ensuring effective intergovernmental coordination of concurrent functions relating to state corporations, COG shall in the next one week, forward a list to the Office of the Deputy President of state corporations performing related county functions requiring counties representation for consideration and inclusion.
17. **THAT** county governments shall develop a framework on ECDE and seek advice from SRC on an affordable package for the management of the function. County Governments shall draw resources from their own revenues to support the function.
18. **THAT** the national government through the Deputy president's office shall work with the CoG, respective line ministries to develop a framework that will regulate licensing of bars in county governments.
19. **THAT** the Ministry of Roads shall urgently convene a consultative meeting with the CoG to come up with a reform agenda of the road sector.
- The Road Maintenance Levy Fund allocation to the counties shall be considered in the 2024/25 financial year through a restructured process.
20. **THAT** the national executive shall relook into the national government's proposed 2023/24 BUDGET and programmes within the next one week with a view to identifying areas of duplication to allow transfer of those attendant resources to the counties.
21. **THAT**, Counties shall be allocated additional Ksh 100million each as conditional grants in the 2023/24 financial year to operationalize the national government's programme on aggregated industrial parks in the counties. The total allocation shall be Ksh 4.7billion to all the 47 county governments.



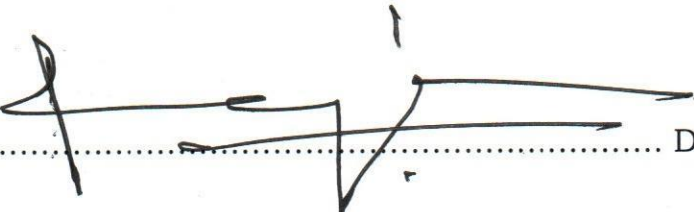
22. **THAT** the Salaries and Remuneration Commission shall undertake an assessment of the health workers, with a view to facilitating the Collective Bargaining Agreement negotiations.

23. **THAT** the Ministry of Health to extend the contracts of UHC staff for a further period of three year-term under the same terms and conditions.



**THIS COMMUNIQUE SIGNED BY HIS EXCELLENCY THE DEPUTY PRESIDENT
OF THE REPUBLIC OF KENYA.**

H.E HON. RIGATHI GACHAGUA, EGH

 DATE. 11th Feb 2023

THIS COMMUNIQUE SIGNED BY HER EXCELLENCY

THE VICE CHAIR OF THE SUMMIT.

GOVERNOR ANNE WAIGURU, EGH, OGW

 DATE. 11TH FEB 2023