



CONCEPT PAPER FOR THE ESTABLISHMENT OF A KNOWLEDGE MANAGEMENT AND RESOURCE CENTRE FOR INTERGOVERNMENTAL RELATIONS IN KENYA.

Introduction

The Constitution of Kenya 2010 (CoK 2010) introduced a devolved system of government with two distinct but interdependent levels: the National Government and County Governments. This framework combines self-governance at the county level with shared governance at the national level. Central to the functioning of this system is intergovernmental relations (IGR), which ensure effective collaboration between these levels of government.

The Intergovernmental Relations Technical Committee (IGRTC), established under Section 11 of the Intergovernmental Relations Act, 2012, is tasked with overseeing the day-to-day operations of the National and County Government Coordinating Summit (the Summit) and the Council of Governors (the Council). It also implements the resolutions of both bodies, with its functions outlined in Section 12 of the Act. Additionally, IGRTC assumed the residual roles of the Transition Authority under Section 12(b).

Intergovernmental relations play a crucial role in managing tensions, conflicts, and challenges between governments to ensure smooth service delivery across both levels of government. These relations can be either cooperative or competitive in nature. However, Articles 6(2) and 189 of the Constitution emphasize a cooperative, rather than competitive, approach to governance.

Despite its mandate, IGRTC has encountered difficulties, particularly in resolving disputes with limited access to past case law and relevant resources. A study commissioned by IGRTC on the cost of litigation within the devolved

system highlighted that disputes often arise from the allocation of powers and functions as outlined in the Fourth Schedule of the CoK 2010, as well as issues related to the transfer of functions, unaligned policies and legislation with Article 174 (the objectives of devolution), county boundaries, revenue distribution, and employment relations.

Given these challenges, IGRTC is often required to implement alternative dispute resolution mechanisms with limited resources. Numerous reports on devolution-related issues have been produced but are not readily accessible to stakeholders in a structured manner.

This proposal outlines the plan to establish a modern Resource Centre dedicated to enhancing intergovernmental relations (IGR) in Kenya. The Centre will serve as a centralized repository for materials related to IGR, supporting research, dispute resolution, and effective governance. It will stock resources on the theory and practice of IGR, legislation, policy, and emerging issues, as well as Alternative Dispute Resolution (ADR) materials.

Additionally, the Centre will develop an online portal to provide a leading platform for policymakers, scholars, and the public to access reliable and relevant information on devolution and IGR. This will contribute to informed discussions, decision-making, and the success of devolution in Kenya. The Centre will be managed by dedicated staff and supported by an advisory committee to ensure its effective operation and alignment with the goals of IGR institutions.

Background

Despite the fact that importance of Intergovernmental Relations (IGR) is recognized in a raft of intergovernmental bodies as established by the Intergovernmental Relations Act (2012), devolution system has not acquired harmony and equilibrium in co-existence of the two levels of government. As a result, points of conflicts between the two levels of government were not satisfactorily addressed as most points of contention ended up in court since the CoG tended to seek redress in court as the first line of action. Secondly, there has been limited understanding of the functions, roles and responsibilities of the IGR organs. The IGR Act came into operation upon the swearing in of the sets of government. The Act established three distinct IGR organs; namely the National and County Government Coordinating Summit (the Summit), the Council of Governors (COG) and the Intergovernmental Relations Technical Committee (IGRTC). Indeed, the role of IGR in the success of devolution has not been properly understood and appreciated, hence not much attempt has been made at facilitating the IGR organs, or even ensuring

that they function as they ought to. This scenario presents a gap of need for reference sources to respond to conflicts and provide preventive advisories for disputes that are intergovernmental in nature.

The newly established institutions that are IGR units require a one stop shop to get materials to address gaps in implementing their mandate. IGRTC is the best positioned IGR body to house such resources in a proposed Resource Centre. It is from this background that IGRTC proposes to establish a vibrant resource Centre that will provide a wealth of resources to fill the knowledge gap in intergovernmental relations issues that will arise.

Rationale

The role of IGR in the success of devolution in Kenya cannot be overemphasized. It is in the interest of every Kenyan and every arm of Government that devolution succeeds. Indeed, like any other new system or organization teething problems are abounded to a rise implementing the system. It is not peculiar that this preliminary phase of the devolution process is already experiencing institutional formative challenges. What is clear is that the way we handle challenges encumbering IGR will determine the success of the system of governance so chosen by Kenyans in 2010. Intergovernmental Relations is the cornerstone in realization of the devolved governance benefits. The institutions charged with this responsibility as IGR institutions are new with no precedence and learning on the job.

Preliminary studies on emerging issues in devolution identify disputes around powers and functions as provided in the fourth schedule of the COK 2010, transfer of functions, policies and legislation not aligned with article 174 of the COK, 2010- objects of devolution, county boundaries, revenue and employment relations, costing of functions and others. IGR act and the CoK, 2010 place cognisance to ADR as the avenue for resolving intergovernmental disputes with court litigations as the final option, yet with little accessibility of resources to equip the ADR practice by the IGR bodies renders them important to satisfactorily address the conflict issues and provide a acceptable conclusive resolution to issues. This scenario has led to preference of litigation among the disputing parties, an option that is self-defeating in the broad pursuit of IGR goals.

In view of the systemic challenges and issues emerging in the process of devolution and the handicap scenario of IGR institutions above, it is necessary that organized development of resources and information that is readily accessed and retrieved in a Resource Centre is established. This will go a long way in supporting enhanced intergovernmental relations by empowering the

IGR institutions to effectively implement their mandate and support succession planning for the IGR institutions.

Objectives

The proposed project aims to establish both a physical Resource Centre and an online portal to enhance intergovernmental relations (IGR) and disseminate critical information on devolution in Kenya. Together, these platforms will support research, dispute resolution, public awareness, and informed decision-making processes.

Main Objective

To create a vibrant, modern Resource Centre and online portal that will provide comprehensive support for IGR institutions and enhance understanding of devolution in Kenya.

Specific Objectives

a) Dissemination of Research and Knowledge

- Stock and disseminate materials on the theory, practice, and trends of IGR and devolution through both the physical Centre and the online portal.
- Provide up-to-date news, research findings, policy analyses, and reports related to IGR and devolution for ease of access by new members, policymakers, scholars, and the public.

b) Support for Effective Governance and ADR

- Stock materials on legislation, policies, and emerging issues related to IGR in Kenya, offering resources for Alternative Dispute Resolution (ADR) at national and international levels.
- Provide resources to support ADR institutions and facilitate research on intergovernmental disputes, contributing to better conflict resolution mechanisms.

c) Platform for Discussion and Exchange of Ideas

- Create an online forum to foster discussions on the challenges and opportunities of devolution, encouraging knowledge-sharing among stakeholders.
- Highlight success stories and best practices from counties and national government initiatives to promote learning and innovation.

d) Enhanced Public Awareness and Information Accessibility

- Raise public awareness of devolution processes, the role of IGR, and their impacts on governance in Kenya.
- Provide a convenient system for the storage and retrieval of all required materials in both digital and physical formats, ensuring easy access to resources for stakeholders.

Centre Description

The Centre will be established on 3rd or 4th floor of the Parklands Plaza housing the Intergovernmental Relations Technical Committee head office. It will basically have a resource Centre management office, reading benches, electronic/computer materials access benches, shelves, cabinets and comfortable seats for clients.

Operation Management of the Centre

The Centre will be managed by two full time staff, advisory committee and two interns as following

- i. Resource Centre Communication officer or librarian
- ii. Resource Centre ICT officer
- iii. Advisory Committee

The personnel specifications, responsibilities and duties will be as below

Personnel Specification to Manage the Centre

A resource Centre needs competent and committed staff. Staff training and professional development should be adopted to enable staff improve their knowledge and skills hence enhancing employee performance/productivity.

A large resource Centre containing several thousand materials and providing a range of information services will need to operate effectively with the staff as above indicated. The personnel description will be as below

Content and Structure

The blog will feature the following types of content:

- **Research Articles and Policy Briefs:** In-depth analyses of key issues in intergovernmental relations and devolution.

- **News Updates:** Regular updates on the latest developments, events, and announcements related to devolution in Kenya.
- **Case Studies and Success Stories:** Detailed accounts of successful devolution initiatives across Kenya's 47 counties.
- **Opinion Pieces and Expert Commentary:** Insights and opinions from experts, scholars, and practitioners in the field.
- **Interviews and Profiles:** Interviews with key stakeholders in government, academia, and civil society.
- **Event Coverage:** Summaries and reviews of conferences, workshops, and seminars related to governance and devolution.
- **Multimedia Content:** Videos, infographics, and podcasts to complement written content and engage a wider audience.

Implementation Plan

The blog will be implemented in the following phases:

Phase 1: Planning and Setup

- Identify and secure a domain name and hosting services.
- Design and develop the blog's layout, ensuring it is user-friendly and accessible.
- Set up content management systems and editorial guidelines.
- Establish a content calendar and identify contributors for initial content.

Phase 2: Content Creation and Launch

- Develop and publish initial content, including key research articles and introductory posts.
- Promote the blog through social media, email newsletters, and partnerships with relevant organizations.
- Monitor and respond to user feedback to improve content and user experience.

Phase 3: Growth and Engagement

- Expand content offerings by adding more diverse and multimedia content.

- Engage with the audience through interactive features such as comments, polls, and discussion forums.
- Collaborate with academic institutions, think tanks, and government bodies to feature guest contributions.
- Regularly update and refresh content to keep the blog relevant and engaging.

Resource Requirements

To successfully launch and maintain the blog, the following resources will be required:

- **Technical Resources:** Domain registration, web hosting, content management system (e.g., WordPress), and website maintenance services.
- **Content Creation:** Writers, researchers, and editors to produce high-quality content.
- **Marketing and Outreach:** Budget for social media promotion, email marketing, and partnerships with other platforms.
- **Human Resources:** A team to manage the portal, including a content manager, editor, and technical support.

Budget Estimate

The budget for setting up and running the blog will cover:

- **Domain and Hosting:** per year
- **Website Design and Development:** (one-time)
- **Content Creation:** per month (including research and writing)
- **Marketing and Promotion:** per month
- **Miscellaneous Expenses:** per month

Total Estimated Budget: (initial setup) and per month (ongoing costs).

Monitoring and Evaluation

The success of the blog will be monitored through:

- **Website Analytics:** Tracking the number of visitors, page views, and engagement metrics.
- **User Feedback:** Regular surveys and feedback forms to gather input from readers.

- **Content Performance:** Assessing the popularity and impact of individual articles and posts.

Regular reviews will be conducted to ensure the blog remains relevant and continues to meet its objectives.

Conclusion

The establishment of an online blog focused on intergovernmental relations and devolution in Kenya will provide a valuable resource for a wide range of stakeholders. By facilitating access to research, news, and expert analysis, the blog will contribute to the ongoing discourse on devolution and support informed decision-making at all levels of government.