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Introduction

The following is the tenth quarterly activity report of the USAID/SUNY Legislative Strengthening Program to the National Assembly of Kenya, No.623-P-05-009 under IQC NO. DFD-I-00-04-00128-00. The content of the report is arranged according to the program areas stipulated in the SUNY Task Order contract, which are: 1) support for the Parliamentary Service Commission Leadership; 2) support to committees; 3) support to Parliamentary Staff; and 4) other activities.

1. Support for the Parliamentary Service Commission (PSC) Leadership

Parliament set up the Office of Fiscal Analysis and recruited key staff members. SUNY-Kenya worked closely with this office to organize the Post-Budget Workshop (see below). The Office of Fiscal Analysis was set up following a decision by the Parliamentary Service Commission despite the fact that the Fiscal Management Bill which provides legal backing to it may not be passed during the tenure of this Parliament.

SUNY Kenya was requested by the Parliamentary Service Commission (PSC) through the Board of Management and the Clerk's Office to facilitate the development of a streamlined training program for the staff of Parliament. The PSC and the Clerk's Department would like to take full advantage of the impending dissolution of Parliament to concentrate on staff focused activities. SUNY Kenya has therefore been working with a team of senior staffers from the Research Department; The Budget Office and the Legal Counsel's Department towards the training program. The team has been meeting weekly to develop a joint proposal and make preparations for committee staff training activities including a comprehensive programme. The proposal outlines the training needs, activities, activity timelines, resources and expertise required and proposed dates (between November 11th and 25th 2007). The final program and proposal was presented to and approved by the Management Board of Parliament. Resource persons will include local legislative experts as well as international facilitators from the House of Commons and the U.S.Congress.

In addition to the preparations for training of committee staffers, the Clerk's department asked SUNY to facilitate special training and focus on the newly created Legal Counsel's Department. The National Assembly established a Legal Department that is currently staffed by only one Legal Counsel despite this being an important department. SUNY facilitated a brainstorming session with key CSO partners including the Chairman of the Kenya Law Reform Commission and the Chief Executive of the International Commission of Jurists-Kenya to discuss the conceptualization of the department's roles and functions, the required staffing levels, the development of operations manual and collaboration frameworks with SUNY-Kenya.

SUNY-Kenya provided support to the Standing Orders Committee and the leadership of parliament in the review of the current standing orders. SUNY retained a consultant to advise the committee on its proposals and to produce a draft proposed new Standing Orders. The onus is now on Parliament to adopt these changes. This review is traditionally done at the end of each Parliament but it has not been done since 1997.

2. Support for Committees

SUNY continued to offer strong support to the Committee system in the Kenya Parliament as outlined below.

a) Liaison Committee

SUNY-Kenya is providing support to the Liaison Committee and the Directorate of Legislature and Committees through the compilation of committee reports/briefs. This is one of the major activities of the

project at this time of transition between the current Parliament and the next one after the General Elections scheduled to take place later in the year. The briefs are intended to provide information designed to inform Members of the forthcoming 10th Parliament of the work undertaken by the Departmental and Watchdog Committees of the current Parliament. They will also provide reference material for the new committees so that they start from a point of reference and where they can build from the milestones of their predecessors. The ultimate objective is to institutionalize the committee system in the Kenya National Assembly by providing accurate and reliable basis on which the new committees will develop their work plans. SUNY Kenya, at the request of the Kenya Parliament has retained a select number of resource persons to compile committee briefs for all Departmental and Watchdog Committees. Very good progress is being made and it is expected that the drafts of all the briefs will be submitted to the Clerk's office for the first round of review before the end of October.

b) Finance Committee

The Finance Committee, in conjunction with the FAAC, successfully hosted the Post Budget Workshop from 12th – 14th August 2007. The workshop's major agenda was to discuss the budget policy and *Finance Bill 2007*, which proposes amendments to various taxes and to various legislations in the Financial Sector such as the Banking Act, Capital Markets Act, Central Bank Act and the Pensions Act. The workshop was attended by the Permanent Secretary of the Treasury who sat through the whole workshop and break-out sessions. The PS's of Agriculture and Public Works were also in attendance as well as senior government officials from the Ministries of Public Works, Agriculture, Education and Health. Members from all departmental and watchdog committees were represented. The Office of Fiscal Analysis/Budget Office was at the forefront in organizing this workshop. SUNY – Kenya offered technical support in conjunction with the Institute of Economic Affairs, Parliamentary Network of the World Bank and Tegemeo Institute for Agricultural Policy and Development.

The Finance Committee held a workshop in conjunction with the departmental committee on Administration of Justice and Legal Affairs on the Proceeds of Crime and Anti-Money Laundering Bill 2007. In attendance was the National Task Force (NTF) on Money Laundering that comprises senior officers from the Treasury, the Central bank, the Office of the President and the State Law Office/Office of the Attorney General. SUNY-Kenya has been supporting this initiative at the request of the Finance Committee and consultative meetings between the committee and the NTF are ongoing to consider the proposals MPs made to the bill.

3. Support for Staff

Internship Programme

The Parliamentary Internship Program continued to perform well with the interns in Parliament providing valuable support to the staff establishment in the House. In addition, the interns continued to receive policy based talks and interactions with highly placed policy and decision makers in Kenya to understand the interface between the legislative function of Parliament and the day-to day practical realities of policy making in Kenya. Currently the interns are preparing their research paper proposals and SUNY-Kenya is preparing the final policy lecture and graduation.

4. Other Activities

a) Parliamentary Initiatives Network (PIN).

PIN continued to hold its regular monthly meetings at SUNY Kenya. PIN members have spent the better part of the year working on the draft PIN strategic plan in preparation for the 10th Parliament. PIN is also currently working on the concept note of the proposed National Conference on Parliament.

b) Parliamentary Study Group (PSG)

The PSG held a series of interesting round table discussions this quarter. The Vision 2030 team made a presentation on the role of parliament in the development plan; The World Bank Country Director made a presentation on the World's Bank's perspective on Parliament's increasing role in Kenya's Governance and Economic Development

c) Donor Coordination Group

SUNY-Kenya attended all the meetings of the Donor Coordination Group on Parliament convened by the Canadian International Development Authority. SUNY-Kenya led the working team that drafted a concept paper that envisaged a more coordinated approach towards donor parliamentary support with a focus on the upcoming 10th parliament. The paper briefly analyzed the current scenario in Parliament and the opportunities that lie therein for more coordinate donor support

Challenges

The impending General Elections have presented a challenge in that MPs attention has been drawn more to pre-election re-alignments and campaigns than to legislative business. House business and committee activities were adversely affected because MPs were delayed in their constituency activities. The confusion in the government occasioned by the re-alignments within its ranks further worsened the performance of the Government dominated House Business Committee which sets agenda for debate. As a result a number of bills that had been reviewed and discussed by committees remained stuck at the committee stage.

Activities planned for the next quarter

- Training Workshop for Committee staff and Researchers in Parliament
- Technical Assistance to the Liaison Committee to compile Committee briefs.
- Drafting the Annual report (the PMP)
- Final PIN meeting of the year to review the draft Strategic Plan, finalize on the concept paper of the National Conference on Parliament and publish a newsletter to capture members activities.
- Final PSG Meeting.
- 2007 Internship class final policy lecture and graduation ceremony.
- Work plan for 2008 and new programme proposals.