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QUARTERLY ACTIVITY REPORT

Parliamentary Strengthening Program in Kenya

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INTRODUCTION

SUNY is pleased to present its Quarterly Activity Report for April through June 2008 for the Parliamentary Support Program (PSP) in Kenya, funded by the US Agency for International Development through IQC Task Order No. DFD-I-802-04-00128-00 and by the UK Department for International Development through Accountable Grant Arrangement AG4809. This report offers a brief summary of the results achieved and activities conducted by the PSP during the second quarter of the calendar year. It describes the PSP's overall progress to date, relates SUNY's accomplishments and our progress during the second quarter of 2008, presents information on key PSP activities—including on future activities for planning and continuity purposes—and highlights problems that affect the conduct or timing of our activities. Press clippings and information on outreach will be forwarded with the hard copy of this report.

PROGRAM PROGRESS TO DATE BASED UPON PMP INDICATORS

Kenya's Parliament continues to make very significant progress towards the achievement of USAID Strategic Objective 6, *Sustainable Reforms and Accountable Governance Strengthened to Improve the Balance of Power between Institutions of Government*. The PSO continues to support the leadership of Parliament as it pursues its own institutional reforms, while adjusting to Kenya's new political realities and handling an enormous volume of legislation addressing the causes and effects of the post-election violence. At this point in the legislative calendar the PSP's progress is not yet quantifiable in terms of its current indicators, as the Budget, Finance Bill, and other key legislation has yet to be enacted.

ACCOMPLISHMENTS, PROGRESS, AND KEY ACTIVITIES DURING THE QUARTER

The second quarter of 2008 began on a more peaceful note than the first. After the appointment of the cabinet by the grand coalition government, the political environment calmed down. Members of Parliament were eager to assist all Kenyans in picking up the pieces and rebuilding what was destroyed as a result of the conflict at the beginning of the year. By the end of April, Parliament had resumed its sessions, formed its committees, and selected the committee Chairs, and by mid-May SUNY's activities were in top gear. The following are brief descriptions of our accomplishments and key activities in the order in which they appear in SUNY's 2008 work plan. Please note that progress reporting on a new initiative, the House Live Broadcast (HLB) Project, will be forwarded separately.

1. IR 6.2: INCREASED EFFECTIVENESS OF SELECTED GOVERNANCE INSTITUTIONS

Strengthen the Institutional Capacity of the Parliamentary Service Commission

- The Speaker and Clerk, Kenya National Assembly organized an induction retreat for the new commissioners of the KNA in Mombasa on 22nd to the 25th of May. The Clerk requested SUNY/Kenya to prepare a presentation on sustainable partnership between Parliament and development partners. The PSC immediately adopted one of SUNY's recommendations to set up an external resources coordinating unit within Parliament. The Clerk of the KNA was instructed by the PSC to immediately set up this unit and collaborate with SUNY for support to institute this structure in Parliament.

Support to Parliament in the Creation of an Interregional Parliamentary Caucus (IPC)

- The Inter-party Parliamentary Group (IPPG) has been transformed into the Interregional Parliamentary Caucus (IPC). Although the PSP did not facilitate any IPC activities during the reporting period, plans are underway for SUNY to support the IPC's involvement in the constitutional review process and to assist the IPC in developing a work plan that will serve as a road map for Parliament's leadership on reforms next quarter.

Support to the Standing Orders Committee

- The process of reviewing the Standing Orders reached the penultimate stage in the 9th Parliament before the House was dissolved in November 2007. The Speaker has reiterated his commitment to ensuring that Parliament revises the Standing Orders in order to make Parliament more efficient in delivering on its mandate. A new Standing Orders Committee was appointed to spearhead this process. Its first order of business was to familiarize itself with and consider all the revisions contained in the last or "seventh" draft of the revised Standing Orders

that was finalized before the 9th Parliament was dissolved. SUNY/Kenya facilitated the Standing orders workshop which was held from 3rd to 6th of July 2008 in Simba Lodge in Naivasha. The workshop went through the 7th Draft of the standing orders, approved most of the changes and made further changes to the standing orders to reflect the functional and structural realities of the 10th Parliament resulting from the December 27 2007 elections. SUNY Kenya continues to play an instrumental role in supporting this critical reform activity for Parliament and is scheduled to facilitate a two day workshop from 18th – 19th July where the sub committee on the standing orders will make a presentation to the Standing Orders Committee before presenting it to the whole house in a workshop scheduled from 25th – 26th July 2008.

Organize the Parliamentary Internship Program

- The Parliamentary Interns (supported with DFID funds) made useful contributions to Parliament during the reporting period. The Directorate of Information, which is coordinating the program in Parliament, has consistently expressed satisfaction with the caliber of the interns and their performance in their work with the departmental committees as well as in the Budget, Research, and Legal Counsel's Departments.
- USAID has agreed to fund 15 additional internships in order to meet high demand for the interns' services. By the end of the reporting period the PSP had selected a second class of interns from the 55 candidates who were interviewed on 4-5 March. Placements are expected in the proposed new Speaker's Counsel Unit, the Directorate of Information, the Office of the Prime Minister, and the Public Broadcast Unit.
- The SUNY policy lecture series has contributed to the Interns' preparation for and understanding of their duties. Mr. Patrick Gichohi, Acting Clerk of Parliament, delivered the first lecture on April 17 on "Evolution and Practice of Parliamentary Democracy." Subsequent lectures have included, "Parliament's Role in Legislative Reform and Review" by Mr. Kathurima M'Inoti, Chair of the Kenya Law Reform Commission, on April 29; "Public Financial Management: Parliament in Exercising the Oversight Role," by noted independent consultant Mr. Njeru Kirira on May 15; "Parliament and the Budget," delivered by The Hon. Oloo Aringo, a former MP and Vice-Chair of the Parliamentary Service Commission, on May 29 and "Parliament's representation function" by Njoki Ndungu, a gender expert and former nominated Member of Parliament who was instrumental in moving the Sexual Offences Bill in the 9th Parliament.

3. IR 6.2.2: STRENGTHENED PARLIAMENTARY COMMITTEE SYSTEM

Support the Parliamentary Liaison Committee

- New dates for the induction of the Liaison Committee are under discussion. Discussions between SUNY/Kenya and Parliament had agreed to have the Liaison Committee workshop take place on 18th – 19th July 2008. The dates have however been rescheduled to give way to a more urgent activity for Parliament – the Standing Order workshop which seeks to finalize the revision of the Standing Orders and pave way for their enactment in August 2008. SUNY/Kenya is in the process of discussing new dates for the Liaison Committee workshop with Parliament. It is hoped that the activity will take place in August 2008. The Liaison Committee Retreat will be accompanied by an official launch of the 9th Parliament's Committee Briefs.

Facilitate the Review and Analysis of Proposed Legislation and Policies

- The PSP has prioritized the Anti-Money Laundering Bill and the legislative proposals germane to the post-crisis response for review and analysis. These include the Truth and Justice Commission Bill, 2008; the Ethnic Relations Bill, 2008; and the Review of National Land Policy, among others. SUNY is working closely with the Committees on Lands and Administration of Justice to deliver this assistance.

Facilitate and Strengthen Parliament's Linkages with Other Key Stakeholders

- A consultant was hired to finalize the Parliamentary Information Network (PIN) strategic plan and to draft two MOUs, one among PIN members and another between PIN members and Parliament. The PIN strategic plan has been finished and the consultant is in the process of finalizing the two MOUs. Once completed, SUNY Kenya will organize an opportunity for PIN members to review and approve the three documents, after which a meeting with the leadership of Parliament will be organized to facilitate the signing of the MOUs.

Train Committee Clerks & Researchers, Development of a Style Manual for Committee Staff; New York State Senate Fellowship

- In early May, two KNA staffers, Mrs. Lucy Wanjohi and Mr. Zakayo Mogere, completed their participation in the prestigious New York State Legislative Fellows Program and returned home in order to resume their duties in Parliament. Their Fellows Program is a training opportunity that combines academic study with practical experience through placement on a Member's staff.

4. IR 6.2.3: BUDGET EXPERTISE

Strengthen Parliamentary Budget Debate and Oversight

- The Pre -Budget workshop was successfully conducted from 18th to 20th May 2008. The workshop was very well attended by the membership of the Finance Committee, The Fiscal Analysis and Appropriations Committee and other departmental committees. The official opening was performed by the Deputy Speaker and Chair of the Liaison Committee, Hon Farah Maalim, who sat through the entire two days of intense engagement between Parliamentarians and the Treasury. Senior leadership from the Ministry of Finance led by the Financial Secretary Dr. Kamau Thuge attended the meeting, which was also resourced by reputable experts in Public Finance including Prof. Terry Ryan of Strathmore University; Rhodes Scholar and respected World Bank Consultant, Dr. David Ndi; and Mr. Njeru Kirira, a very highly respected Public Finance guru and former Financial Secretary at the Treasury. MPs were taken through the role of parliament in the budget process. The Ministry of Finance provided an Overview and an audit of the 2007/08 Budget Outlook Paper and presented proposals for the Financial Year 2008/09. The newly established Office of Fiscal Analysis (OFA) and the Research Department in Parliament had an opportunity to showcase their technical capacity and present to the members the opportunities available for them to seek technical support. The OFA provided a critical overview of both the Budget Process in Kenya and critiqued the Budget Proposals presented by the Ministry of Finance including presenting proposals for the adjustment mechanism in the Medium-Term Expenditure Framework and clearly outlining the financing options in the context of Post Conflict Interventions.
- SUNY/Kenya successfully supported a workshop for the Office of Fiscal Analysis to analyze in detail the budget statement and proposed Finance Bill, 2008 that was presented by the Minister for Finance on June 12th 2008. The workshop took place from June 12th to 14th 2008. The analysis was done by the staff of the Office of Fiscal Analysis, who not only prepared an in-depth analysis of the 2008/09 budget but also identified its impact against key development priorities, such as its impact on the poor and the financial allocations made for key sectors like infrastructure development, agriculture. The analysis was presented to MPs with the aim of equipping them to effectively interrogate the annual budget presented by the Minister for Finance. The impact of this information has already been felt in Parliament: using this focused and detailed information, for the first time in its history the back bench moved a fundamental amendment to the Finance Minister's motion on vote on account. It was very interesting to see an unprepared executive branch 'sweat it out' in Parliament and nearly lose the vote when very informed back benchers pressed the Finance Minister and forced a vote on the vote on account.

ISSUES/PROBLEMS AFFECTING THE CONDUCT OR TIMING OF PROGRAM ACTIVITIES

Despite Kenya's return to peace, this quarter saw sad days for the National Assembly and for the entire country. In early April the KNA lost its longest-serving Clerk, Mr. Samuel Ndindiri, after a long illness. The nation was shocked when a June plane crash claimed the lives of two MPs: recently-appointed Roads Minister Kipkalya Kones and Assistant Minister Ms. Lorna Laboso. The PSP staff worked closely with Parliament to reschedule events whose dates had to be deferred as a result of the thanksgiving and burial services held for the two MPs.

The Parliamentary Service Commission appointed Mr. Patrick Gichohi as the Clerk of the Kenya National Assembly to succeed Mr. Ndindiri. Mr. Gichohi, who rose through the ranks of Parliament to become the senior Deputy Clerk, the acting Clerk and eventually the Clerk of Kenya National Assembly, has worked with SUNY/Kenya consistently from the beginning of the project and has been a very strong supporter of the project's work. His appointment may be regarded as a positive development, rather than as an issue or a challenge.