

## **24<sup>th</sup> session of the Committee of Experts on Public Administration**

### **Written statement by Eastern and Southern African Management Institute (ESAMI)**

*Agenda item 5: Principles of effective governance for delivery of equitable and sustainable development for all*

#### **Principles of Effective Governance for Delivery of Equitable and Sustainable Development for All within the context of Africa**

Based on Committee of Experts on Public Administration (CEPA's) framework, I present the following critique on the 11 principles of effective governance by United Nations Economic and Social Council (UN ECOSOC) within the context of implementation experience of selected African countries.

##### **1. Competence**

Governance requires that public servants and institutions possess the necessary expertise and capacity to fulfill their mandates. In many African nations, public service commissions mandate the recruitment of competent individuals to improve public service delivery. Uganda's Local Government Act (1997) and Public Finance Act (2015) enforce competency-based recruitment. However, gaps in resources, inadequate funding of government training institutions, and inconsistent implementation of competency assessments hinder effectiveness. Kenya, which devolved services across its 47 counties following the 2010 Constitution, still faces challenges, with a significant portion of staff lacking specialized training in areas like policy formulation, affecting subsidiarity.

##### **2. Sound Policymaking**

Policymaking in Africa must be evidence-based and aligned with sustainable development goals. The integration of data analysis, foresight, and stakeholder engagement is essential for the formulation of effective policies. Uganda's National Development Plan III and Kenya's Big Four Agenda are examples of policy frameworks intended to drive national development. While these initiatives have advanced certain sectors, policy incoherence between national and subnational governments and capacity gaps remain significant challenges to full implementation. Strengthening harmonization across ministries and enhancing Monitoring & Evaluation (M&E) frameworks can improve policy effectiveness.

### **3. Collaboration**

Collaboration across national, regional, and local governments, as well as with non-governmental actors, is vital for tackling development challenges. In Kenya, the Summit and the Council of Governors institutionalized vertical collaboration between national and county governments. Similarly, Botswana's District Development Committees incorporate traditional leadership in decision-making, enhancing local buy-in. Despite these efforts, Kenya struggles with resource negotiations between national and county governments. In many African countries, insufficient resource flows between national and subnational governments undermine effective collaboration.

### **4. Integrity**

Integrity in governance is built on transparency, accountability, and the rule of law. Governments must combat corruption and ensure fair decision-making. Kenya's Ethics and Anti-Corruption Commission (EACC) investigates corruption, while laws like the Public Officer Ethics Act (2013) mandate asset declarations to curb embezzlement. However, delays in prosecuting high-profile cases and low conviction rates challenge the effectiveness of anti-corruption efforts. A robust solution would be the mandatory annual lifestyle audits for senior officials. Many African countries have integrity-promoting laws, but their implementation requires further strengthening.

### **5. Inclusiveness**

Ensuring that all citizens, especially marginalized and vulnerable groups, have an equal opportunity to participate in governance is a core principle of the 2030 Agenda for Sustainable Development. Rwanda's Governance Scorecard and Kenya's revenue allocation formula, which directs funds to marginalized counties, exemplify efforts to enhance inclusivity. However, challenges remain in the practical implementation of inclusive policies, such as inadequate focus on vulnerable groups and unequal access to services.

### **6. Transparency**

Transparency in governance is critical for accountability and effective citizen engagement. Governments should proactively disclose information and create channels for public participation. Rwanda's Access to Information Law (2013) and Kenya's Open Data Portal are examples of initiatives aimed at increasing transparency. However, despite widespread access to information in many African countries, the actual implementation of these laws remains inconsistent, with some countries still facing significant challenges in making information accessible and usable for the public.

### **7. Independent Oversight**

Independent oversight is essential for maintaining public trust in government and ensuring accountability. Institutions like the Office of the Auditor General and Public Procurement Authorities play a key role in overseeing government financial practices. However, subnational

oversight institutions often struggle with weak scrutiny, and there is a need to empower civil society organizations to audit public expenditures. While oversight frameworks are in place, there is a need for stronger capacity at both the national and subnational levels.

## **8. Non-Discrimination**

The principle of non-discrimination ensures equal access to public services for all citizens, irrespective of race, gender, or social status. Constitutions across Africa, such as those in Rwanda, Kenya, and Uganda, enshrine the principle of equality. Rwanda's Vision 2020 Umurenge Program (VUP) and Kenya's National Gender and Equality Commission (NGEC) initiatives, which increase women's representation in local governments, reflect efforts to promote equality. Despite these efforts, ethnic favoritism and unequal representation persist, particularly in areas where local hiring practices violate legal thresholds.

## **9. Participation**

Public participation in decision-making processes is crucial for effective governance. African nations have adopted laws and frameworks to promote public participation, such as the Kenyan Constitution, which mandates public involvement in budgeting and legislation. While some countries like Kenya have seen progress, with 65% of counties involving communities in development plans, there is still a gap in integrating citizen feedback into national policy, with only 20% of national laws reflecting public consultations. To bridge this gap, participatory budgeting platforms like "Wananchi Voices" (peoples voices) in Kenya are being used to encourage citizen input.

## **10. Subsidiarity**

Subsidiarity calls for decisions and services to be managed at the most local level possible, fostering responsiveness and efficiency in public service delivery. Kenya's 2010 Constitution is a prime example of subsidiarity, transferring key functions from the national government to county governments. However, despite the devolution of 30% of public services, counties struggle with insufficient funding, receiving only 20% of national revenue. The gradual increase in county revenue shares from 15% to 35% by 2025 highlights the ongoing efforts to address this issue, but more work is needed to improve funding mechanisms for local governments.

## **11. Intergenerational Equity**

Intergenerational equity ensures that the needs of future generations are balanced with the demands of the current population. Botswana's creation of a Sovereign Wealth Fund (SWF) in 1994, funded by mineral revenues, exemplifies efforts to promote intergenerational equity by ensuring that current and future generations benefit equally. Kenya's Equalization Fund also aims to address historical marginalization while planning for the future. Both initiatives demonstrate a forward-looking approach to sustainable governance that takes into account the long-term needs of society.

## **Conclusion**

The principles of effective governance outlined by UN ECOSOC, when applied in the African context, demonstrate a mix of progress and challenges. While countries like Kenya, Rwanda, and Botswana have made strides in implementing key governance principles, such as competence, transparency, and inclusivity, significant gaps remain in areas like policy coherence, resource distribution, and the practical application of anti-corruption measures. The experiences of selected African countries underscore the importance of institutional capacity building, harmonization of policies, and stronger citizen engagement in order to achieve equitable and sustainable development. With continued efforts to address these challenges, African countries can enhance governance systems that deliver better outcomes for all citizens, including marginalized groups, and future generations.

## **References**

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