

25 November 2020

Committee of Experts on Public Administration  
Twentieth session, 12-23 April 2021  
Item 5 of the provisional agenda  
**Strengthening the analytical basis for reform policies  
based on the principles of effective governance for  
sustainable development**

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## **Status of implementation of the principles of effective governance for sustainable development in Kenya**

This conference room paper was prepared by Committee member Margaret Kobia in support of the Committee's deliberations on strengthening the analytical basis for reform policies based on the principles of effective governance for sustainable development.

### **Summary**

The Government of Kenya recognizes the centrality of governance to the attainment of its economic and human development goals as outlined in Kenya Vision 2030 and the Big Four Agenda. The Big four Agenda is a short term five year development priority vision of President Uhuru Kenyatta's government that focusses on universal health coverage, affordable housing, food security and manufacturing. Obviously, the attainment of this agenda will depend on overall governance effectiveness. The main focus of the paper is a synthesis of Kenya's governance framework and architecture and their convergence with the 11 CEPA principles of effective governance with a view to documenting status of implementation. The eleven CEPA principles of effective governance are: competence; sound policy making; collaboration; integrity; transparency; independent oversight; leaving no one behind; non-discrimination; participation; subsidiarity; and intergenerational equity. Specifically, the paper outlines Kenya's policy, legal and institutional frameworks that establish and support the implementation of different dimensions of the national values and principles of governance and public service and how they relate to the CEPA principles. The paper further documents Kenya's experience with the implementation of governance principles in relation to the CEPA framework. Briefly, the paper outlines the effects of the Covid-19 pandemic disruption on the implementation of the strategies underpinning the principles.

Arising from the documented national experiences with the implementation of the governance principles related to the CEPA framework and the lessons drawn, the paper outlines the main challenges that the country continues to grapple with in efforts at implementing the principles and creating sustainable momentum for governance effectiveness. Also outlined are the implications that these governance principles bear on Kenya's efforts to develop the national workforce, with a view to establishing a fit-for-purpose public service.

The paper concludes that top level political leadership at the centre-of-government holds a critical role in the successful implementation of any strategies aimed and governance effectiveness. Efforts at leadership integration should be preceded by engagement for buy-in so as to champion adoption, uptake, budget prioritization and implementation. For better results, the implementation of CEPA principles should be aligned to existing national governance frameworks. Ability to objectively monitor and measure progress with the implementation of the strategies underpinning the 11 principles should be anchored on a systematic M&E and reporting framework based on measurable indicators and metrics.

## **I. Introduction and conceptualization**

1. Upon the promulgation of a new Constitution, in 2010, Kenya set out on a new governance trajectory towards a capable development state anchored on constitutionalism and the rule of law. In recognition of the need for supporting policy and legal framework for the implementation of the values and principles governance and public service, the 2010 Constitution goes far enough to anticipate enabling legislation to be enacted by Parliament to give effect to the provisions. Over the last decade, Kenya's parliament has passed several such pieces of legislation that establish the necessary institutions to implement and support the good governance proposition.

2. The 11 Committee of Experts on Public Administration (CEPA) principles of effective governance are: competence; sound policy making; collaboration; integrity; transparency; independent oversight; leaving no one behind; non-discrimination; participation; subsidiarity; and intergenerational equity. A close review and synthesis of the provisions of Kenya's Constitution points at close convergence between the country's values and principles of governance and public service and the eleven CEPA principles of effective governance.

3. Differing only in framing, most of the values and principles of governance and public service enshrined in the Constitution and enabling legislation largely mirror those provided for under the CEPA framework. It is thus evident that, way before the formulation of the CEPA principles, the country had established its legal and institutional framework for the promotion of good governance.

4. This paper outlines Kenya's policy, legal and institutional framework for principles of effective governance; country-level experiences with implementation of the principles; effects of the covid-19 pandemic on implementation strategies; current implementation challenges to the strategies under the principles of governance; implications of the governance principles for public work force development; and insights from Kenya on the implementation of the principles.

## **II. Kenya's policy, legal and institutional frameworks for principles of effective governance**

### **A. Policy and legal framework**

5. Kenya's national aspirations for governance effectiveness are underpinned by a number of legislative and policy provisions and instruments. At the macro level, the supreme law of the Republic, the Constitution, expressly provides for national values and principles of governance in Article 10 while the values and principles of public service are enshrined in Article 232.

6. Among others, Kenya's core national values and principles of governance include: (i) patriotism, national unity, sharing and devolution of power, the rule of law, democracy and participation of the people; (ii) human dignity, equity, social justice, inclusiveness, equality, human rights, non-discrimination and protection of the marginalized; (iii) good governance, integrity, transparency and accountability; and (iv) sustainable development.

7. As enshrined in Article 232 of the Constitution, Kenya's Values and principles of public service include: (i) high standards of professional ethics; (ii) efficient, effective and economic use of resources; (iii) responsive, prompt, effective, impartial and equitable provision of services; (iv) involvement of the people in the process of policy making; (v) accountability for administrative acts; (vi) transparency and provision to the public of timely, accurate information; (vii) fair competition and merit as the basis of appointments and promotions; (viii) representation of Kenya's diverse communities; and (ix) affording adequate and equal opportunities for appointment, training and advancement, at all levels of the public service, of: (a) men and women; (b) the members of all ethnic groups; and (c) persons with disabilities.

8. In recognition of the generality of the values and principles of governance and public service stipulated in the constitution, Kenya has enacted several pieces of legislation that anchor and enable the implementation and operationalization of these principles. Examples of such enabling laws include: The Public Service Values and Principles Act 2015; The Public Service Commission Act 2012; Public Officer Ethics Act 2013; The Anti-Corruption and Economic Crimes Act 2003, The National Audit Act 2003; The Access to Information Act 2016; The County Government Act 2012; The Public Procurement and Asset Disposal Act 2015, among others.

9. Kenya's national momentum and commitment to public *transparency* principle for, example, is anchored on the provisions of the Access to information act. The object of the Act is to (i) give effect to the right of access to information by citizens as provided under Article 35 of the Constitution; (ii) provide a framework for public entities and private bodies to proactively disclose information that they hold and to provide information on request in line with the constitutional principles; (iii) provide a framework to facilitate access to information held by private bodies in compliance with rights protected by the Constitution and laws; and (iv) promote routine and systematic information disclosure by public entities and private bodies on constitutional principles relating to accountability, transparency and public participation and access to information.

10. Legal origins for the *non-discrimination* principle draws from Kenya's Constitutional provision under the *Bill of Rights* stipulating that 'Every person is equal before the law and has the right to equal protection and equal benefit of the law'. Coupled with other reinforcing provisions in statutory laws, the Bill of Rights effectively protects persons from any forms of direct or indirect discrimination any ground, including race, sex, pregnancy, marital status, health status, ethnic or social origin, colour, age, disability, religion, conscience, belief, culture, dress, language or birth.

11. The Constitution and the county government Act 2015 give effect to the *subsidiarity* principle by operationalizing the functions of county governments in relation to those of the national government provided in fourth schedule of the 2010 Constitution. The Act sets out the obligation of the county governments in facilitating *public participation* in the formulation of policies and subsidiary legislation. In addition, the Act provides for the *oversight* role of the County Assemblies and the mechanisms for *collaboration and cooperation* between counties and the national government.

12. In addition to the national legal frameworks and instruments for governance, Kenya has signed and ratified the African Union Charter on Values and principles of public service which, among other things, provides for: respect for human rights (Article 4); access to public service (Article 5); access to information (Article 6); efficient and quality service (Article 7); modernization of the public service and administration (Article 8); professionalism (Article 9); ethical behavior (Article 10); incompatibilities and conflict of interest (Article 11); preventing and combating corruption (Article 12); equality of public service agents (Article 14); freedom of expression and association (Article 15); social rights (Article 18); and capacity development (Article 21).

## **B. Institutional framework**

13. Kenya's institutional framework for the implementation of governance principles related to the CEPA framework is underpinned by a multiplicity of players, institutions and agencies. Key among these are the Cabinet and its Committees; the Summit that brings together the president and governors; the Council of Governors (CoG); county government caucuses such as county speakers' forum, county clerks association; Kenya School of Government (KSG); Ombudsman / the Commission for Administrative Justice (CAJ); Office of the Auditor General; the Courts and institutions for legal recourse; Civil Society; Office of the Director of Public Prosecutions (ODPP); Ethics and Anti-Corruption Commission (EACC); the Inter-Agency committee on corruption and economic crimes; Public Procurement Regulatory authority (PPRA); the National Gender and Equalization Commission (NGEC); the National Cohesion and Integration Commission (NCIC); among others.

14. Institutional anchoring for promoting *citizen participation* in Kenya remains diffused. Whereas the obligation to originate public policy, new legislation or development intuitive lay with specific institutions, such proponents of new policy, legislation or development programmes are also under constitutional obligation to call for public participation in such processes. Given their proximity to citizens in the delivery of citizen-facing services, most of the 47 county governments have formulated subsidiary legislation for public participation.

15. Kenya's institutional framework for the advancement of *competency* among public servants is based on micro-level institutional action through skills audits, competency assessments and training needs assessments. Once competency needs of public officials have been established, public institutions recommend personnel for appropriate training programmes offered primarily by the Kenya School of Government. Other public institutions also play a role in competency development through government approved training programmes. In a few instances, public officials are sponsored for foreign capacity development programmes aimed at acquisition of highly specialized skills for which local expertise does not exist. The government is currently in the process of establishing a leadership development programme for emerging leaders that will be based on coaching and mentorship.

16. Institutional advancement of the subsidiarity principle primarily draws from the constitutional provisions for devolved government. In this model, counties have been allocated 14 key citizen-facing functions that include: agriculture; county health services; pollution control; county transport; animal control; pre-primary education; implementation of national government policies on environment; county public works and services; firefighting services and disaster management; control of drugs and

pornography; and ensuring and coordinating the participation of communities and locations in governance at the local level.

17. On the other hand, subsidiary separation of functions ensures the national government retains 34 key governance, oversight and regulatory functions that encompass: (i) foreign affairs, foreign policy and international trade; (ii) the use of international waters and water resources; (iii) immigration and citizenship; (iv) the relationship between religion and state; (v) language policy and the promotion of official and local languages; (vi) national defense and the use of the national defense services; (vii) police services; (viii) courts; (ix) national economic policy and planning; (x) monetary policy, currency, banking (including central banking), insurance and financial corporations; (xi) statistics and data on population, the economy and society generally; (xii) intellectual property rights; (xiii) labour standards (xiv) consumer protection, including standards for social security and professional pension plans; (xv) education policy, standards, curricula, examinations and the granting of university charters; (xvi) university, tertiary, higher, primary, secondary and special education; (xvii) promotion of sports and sports education; (xviii) transport and communications; (xix) national public works; (xx) housing policy; (xxi) general principles of land planning and the co-ordination of planning by the counties; (xxii) protection of the environment and natural resources; (xxiii) national referral health facilities; (xxiv) disaster management; (xxv) ancient and historical monuments of national importance; (xxvi) national elections; (xxvii) health policy; (xxviii) agricultural policy; (xxix) veterinary policy; (xxx) energy policy including electricity and gas reticulation and energy regulation; (xxxii) capacity building and technical assistance to the counties; (xxxiii) public investment; (xxxiv) national betting, casinos and other forms of gambling; and (xxxv) tourism policy and development.

### **III. Kenya's country-level experiences with implementation of the principles**

18. Given the centrality of *participation* to the establishment of public policy as the basis for effective governance, the central government has consistently advocated the engagement and contribution of all stakeholders and partners in the process of public policy and legislative formulation at all levels of government. In a number of instances, new policies or laws that have been formulated without stakeholder involvement have been successfully challenged in courts of law with the verdict being nullification and referral back to the people participation stage. Often, the government remains impartial in the policy and legislative formulation processes. Overall, integration of people participation in policy and legislative formulation has improved responsiveness of new policies and laws to the needs of citizens. Examples of aspects for which mandatory citizen participation is required include national budget making, county level budgeting, formulation of national laws, formulation of subsidiary legislation by counties and entities, and, national and county level economic investment decisions.

19. *Centre of government policy initiatives:* In Kenya, Government role in the policy effectiveness imperative is domiciled at the Cabinet level. Under *sound policymaking*, Initial policy prioritization for Cabinet action is driven by a special purpose committee known as the National Development and Implementation and Communication Cabinet Committee (NDICCC). Tasked with overseeing the delivery and oversight of national government development programmes and projects, the Committee fosters greater co-ordination and harmonization in the implementation of the government's development programmes and projects under the Medium Term Plan III, with a focus on the Big Four Agenda; a national development plan that prioritizes manufacturing, food security, affordable housing and universal health care.

20. National drive for the establishment of a fit for purpose public service has prioritized the establishment of a *national competency framework* and harmonization of norms and standards across the two levels of government; national and county. Supporting initiatives to the development of competence for governance and service delivery include the regular training needs assessment for public officials in Ministries, Departments and Agencies (MDAs) which then forms the basis for recommendation of staff for appropriate training and competency development programmes. Further, in 2012, the Kenya government established the Kenya School of Government whose mandate, among other functions, includes to: (i) the provide training, consultancy and research services designed to inform public policy, promote national development and standards of competence, and integrity in the Public Service; (ii) promote continuous learning for public service excellence; (iii) provide programmes that promote a culture of decency, honesty, hard work, transparency and accountability among public servants; (iv) facilitate the establishment of professional networks and think tanks to develop and grow public sector leaders.

21. Kenya's experience with policy and development *collaboration* is multi-layered. The most important basis for government-wide collaboration is the Constitution that recognizes governments at the national and county levels as 'distinct and inter-dependent and shall conduct their mutual relations on the basis of consultation and cooperation'. To operationalize the collaboration principle, under the devolved system of government, the executive office of the president, in partnership with county governors, has established the summit; a forum that facilitates cooperation between the national government and county governments.

22. As with case of other governments, Kenya has faces historical issues with public sector integrity. The county's present development agenda recognizes the importance of government-wide focus on *integrity* as the basis for honest service that ensures the most efficient and optimal deployment and application of ever limited public resources. The underlying premise for renewed focus on integrity takes cognizance of the fact that honest, fair and ethical governance and service delivery limits loss and waste of public money so as to ensure value-for-money and the generation of the highest possible levels of public good.

23. Alongside Kenya's cross-sectoral integrity promotion goals, the government continues to promote sector-wide *transparency* as required by the provisions of the constitution of Article 10 of the constitution that provides for *good governance, integrity, transparency and accountability* as core national values and principles of governance. To further the transparency proposition, as a principle of effective governance, the Access to information Act 2016 seeks to, among other objects: (i) give effect to the right of access to information by citizens; (ii) provide a framework for public entities and private bodies to proactively disclose information that they hold; (iii) provide a framework to facilitate access to information held by private bodies; (iv) promote routine and systematic information disclosure by public entities and private bodies on constitutional principles relating to accountability, transparency and public participation and access to information. The Act is thus an enabler of public and private sector transparency.

24. To advance the *independent oversight* principle, Kenya continues to promote and protect the provisions of Chapter 15 of the Constitution on Commissions and Independent Offices. There are 10 independent Commissions with oversight functions under this Chapter, namely: (i) the Kenya National Human Rights and Equality Commission; (ii) the National Land Commission; (iii) the Independent Electoral and Boundaries Commission; (iv) the Parliamentary Service Commission; (v) the Judicial Service Commission; (vi) the Commission on Revenue Allocation; (vii) the Public Service Commission; (viii) the Salaries and Remuneration Commission; (ix) the Teachers Service Commission; and (x) the National Police Service Commission. The Chapter also provides for (i) the Auditor-General; and (ii) the Controller of

Budget, as the 2 independent offices. To maintain independence, the Constitution provides that main object of these Commissions and independent offices is to promote constitutionalism and further declares these institutions are ‘independent and not subject to direction or control by any person or authority’. Oversight in the security sector is bolstered by the Independent Policing Oversight Authority (IPOA), the Intelligence service Complaints board and the National Security Council.

25. National efforts at *leaving no one behind* can be seen in a number of equity, affirmative action, equalization and anti-marginalization initiatives that are backed by the provisions of the Constitution and laws. To correct historical under development in certain regions of the country, the Commission on Revenue Allocation (CRA) revenue allocation formula factors in poverty as a key parameter with an appropriate weighting index to account for higher allocation in high poverty counties. In addition to development status sensitive revenue allocation to counties, the government allocates annual budgets to the equalization fund which targets historically underdeveloped counties and segments of the population. These efforts are consistent with Aspiration #1 of the African Agenda 2063 on ‘*A prosperous Africa based on inclusive growth and sustainable development which envisions Africa as a continent of shared prosperity, which finances and manages its own growth and transformation*’ and the SDG 10 on *reduced inequality* and the overall global development vision of *leaving no one behind*. For the case of Kenya, the decision to adopt a devolved system of government, under the 2010 Constitution, whose key object is to bring services closer to the people is the at the core of efforts at equalization and equity in national progress that underpins the imperative for inclusive development.

26. Institutional advancement of the *subsidiarity principle* primarily draws from the constitutional provisions for devolved government. In this model, counties have been allocated 14 key citizen-facing functions. On the other hand, the subsidiary separation of functions ensures the national government retains 34 key governance, oversight and regulatory functions.

27. Kenya’s Country-level efforts towards the realization of *generational equity* for all are evident in the government’s recognition of the youth potential and accompanying demographic dividends; the need to advance the welfare of the working class and the social obligation for the welfare of senior citizens. Initiatives to advance the economic wellbeing of the youth have been registered in a number of programmes that include: expansion of TIVET for skills and employability; establishment of the Youth Enterprise Fund; continued funding of the Uwezo Fund that seeks to promote women owned enterprises; establishment of the National Employment Authority with primary focus on the youth; implementation of a Annual Public Service Internship Programme for 10,000 fresh graduates; among others. Drawing from lessons of the past on the morale and motivation of public servants and the working class, generally, the government has revamped its welfare programmes for public officers that, among others, provide for affordable housing mortgage; motor vehicle; universal health insurance. The quest to improve the welfare of senior citizens has seen the government introduce cash transfers for the old and vulnerable groups while working toward efficiency improvements in the transition from salary to pension; that ensures retirees receive their first pension in an immediate and seamless change-over. The government’s social protection programme also ensures orphans and vulnerable children benefit from cash-transfers. Constituency and Ward-Based Bursary Schemes provide needy school and college going learners with finances to meet their fees needs to ensure they complete their studies.

#### **IV. Effects of the Covid-19 pandemic on implementation strategies**

28. Effects of the Covid-19 pandemic on government functions, operations and programmes have been far reaching and profound. Obviously this has had adverse impacts on underlying processes that anchor the effectiveness of the strategies for implementing the CEPA and related principles of effective governance. Key among these are: disruption of oversight; shift in government priorities to emergency mode; macro-economic disruption and shifting of budget resources; emergency policy making and implementation; and intensification of vulnerability.

29. *Disruption of oversight:* Granted that implementation effectiveness for the principles depends, to a great extent, on continued oversight and surveillance, the Covid-19 pandemic came with major disruptions in these two enabling functions at a level that has adversely impacted a number of principles. Specifically, disruption in oversight has impacted transparency, participation and collaboration.

30. *Shift in government priorities to emergency mode:* The sectoral disruptions arising from the impacts of Covid-19 has meant that government priorities have changed significantly with a concentration on emergency responses. This had effectively limited government oversight work to the bare minimum resulting in the emergence of transparency and integrity concerns in emergency procurement and supply of essential goods.

31. *Macro-economic disruption and shifting of budget resources:* Diminished economic activity has directly contributed to a decline in ordinary national revenues. This has been exacerbated by decision by government to offer generous tax incentives to citizens and businesses. As a result, the entire implementation spectrum for the principles, with major budget implications, has been disrupted and rendered ineffective.

32. *Emergency policy making and implementation:* The Covid-19 pandemic has resulted in a government-wide emergency operation mode. This has led to the need for emergency policy making which, to some degree, has impeded stakeholder participation, sound policy making, integrity and transparency.

33. *Intensification of vulnerability:* Owing to the disruption of service delivery under the Covid-19 emergency situation, part of vulnerable segments of the population have remained harder to reach at a level that exacerbates their already difficult circumstances. Effectively, this situation has made delivering on the *leave no one behind promise* even harder to attain in the face of the pandemic.

## **V. Current implementation challenges**

34. To a great degree, objective measurement effectiveness in the attainment of expected government effectiveness, after the implementation of these principles, depends on ability to monitor, evaluate and report on progress. Owing to difficulties with responsibility delineation for the principles, the *monitoring, evaluation and reporting function on governance effectiveness remains constrained*. Whereas the Constitution allocates various public institutions the responsibility to for evaluation and reporting on the extent to which the principles of governance and public service have been complied with, only the Public Service Commission has consistently carried out this function.

35. The absence a systematic approach to the government policy cycle, in the face of a devolved structure of government, has led to *policy incoherence* within and across levels of government. While the national government takes the lead in public policy formulation, the independence and interdependence principle



between these levels of government continues to impede uniform policy adoption and standardization across the two levels of governments. Ultimately, this bears adversely on sound policy making.

36. The delivery of government services under the devolved system calls for matching resources to functions. With key citizen-facing functions and service delivery interfaces moved to county levels of government, there is persistent concern from counties on a *mismatch between revenues and functions* that they are charged with. This under resourcing of counties remains a threat to the effective implementation of the subsidiarity proposition in allocation of functions and actual service delivery across levels of government.

37. An *uneven competency framework* persists within and across the two levels of government; national and county. Whereas formative efforts have gone into the development of a public service competency framework for the national government, none exists for county governments. Even then, the national government competency framework remains a proposal that is yet to benefit from stakeholder participation and whole-of-government adoption and implementation.

38. The value and relevance of transparency and integrity in achieving governance effectiveness cannot be gainsaid. However, the quest to expand frontiers of honest service, fairness and openness is often met with *political inertia on transparency and integrity*. At times, political pushback on strategies for attaining transparency and integrity in the public service is strong enough to cause a stall.

39. Notwithstanding the immense benefits of devolution, the decentralization and localization of the human resource management function has brought about major *diversity and inclusivity concerns* in the ethnic composition of county government services. In most of the 47 counties, the dominant local ethnic communities account for more than 85 percent of all employees. This dominance by the local communities surpasses the legally accepted threshold of 70 percent. On the whole, domination of the counties by one ethnic group negates the *non-discrimination principle* which is the basis for deepening diversity and inclusivity across society.

40. The constitutional independence granted to certain public agencies has led to *weak oversight interface* in instances where institutions invoke independence if only to escape public and open scrutiny on the extent to which they have progressed with the implementation of the principles. The enabling legislative provisions for oversight require improvements to cure current loopholes.

41. In many instances, strategies for the implementation of the governance principles depend on the enactment of enabling legislation. Like in many political jurisdictions, the process leading to the enactment of new enabling laws can face *long drawn legislation cycles* that stands in the way of efforts to make quick gains in the implementation of strategies that form the basis of effective governance.

42. For results, the implementation of the principles should be premised on a well-documented accountability mechanism. In the case of Kenya, however, the implementation of principles still faces an *ineffectiveness rewards and sanctions climate*. Even though accountability structures for transparency and integrity have been strengthened, much of the other principles still lack effective mechanisms to reward high achievers and sanction poor performers.

43. Granted that the government has made commendable efforts to enhance public service competency, instances of *limited personnel capacity* in functional and operational areas that require specialized skills still persist. Sound policy formulation and policy evaluation, for example, are some of the key areas in which limited personnel capacity persist.

## **VI. Implications of the governance principles for public workforce development**

44. Government efforts at uptake and practice of these CEPA principles of effective governance can be bolstered by *revamping training and capacity building*. This can be achieved through the integration of these principles in content for management and leadership programmes delivered by management development institutes (MDIs).

45. Maintaining personnel competency in a Volatile, Uncertain, Complex and Ambiguous (VUCA) public service calls for renewed policy focus and investments on *continuous professional development* (CDP) programmes for public officials. This can be complemented by CDP requirements of various profession communities to which public servants belong.

46. Establishing a rapid peer-learning, uptake and the transfer of best practices for the principles of effective governance requires the designation of institutional *service champions* that act as points of reference and learning to the rest of the public service. Where necessary, service champions can offer experiential training and on-site learning to participants drawn from other parts of the public service. Experiences drawn by trainees can then be transferred to their own organizations in a way that promotes peer learning effectiveness.

47. In view of the need to motivate and incentivize public officials to act as capable and dedicated change and transformation agents, the public should establish a *governance excellence scheme*. Such a scheme should identify, recognize and award public institutions and individual public officials that excel in the promotion of different aspects of the principles of effective governance. Ultimately, such a scheme will create a sustainable momentum for improvements, reform and transformation as results of good governance.

## **VII. Lessons: sharing insights from Kenya**

48. Leadership remains critical to efforts to attain the greater vision of governance effectiveness. To this end, successful implementation of the CEPA principles of governance calls for *leadership commitment from the top and center-of-government*. In the case of Kenya, such commitment will be required at the national and county levels including the Cabinet and its committees, and the Council of Governors and County Executive Committees, respectively.

49. Against the notion that effective governance requires a supporting policy and legislative environment, the implementation of the CEPA principles requires *enabling legislation* that standardizes practices across government. Where appropriate, the principles can, like in the Kenyan case, be integrated in national constitutions and laws.

50. Often, Governments are known for hype, slow down, followed by a complete stop of programmes. This calls for integration of the *sustainability imperative*; in the implementation of the strategies that underpin effectiveness in governance at all levels of government.

51. Noting that implementation of strategies for attaining governance effectiveness requires considerable public money calls for a more. It is also noteworthy that, for effectiveness in implementation and results not all principles lend themselves to legislation. The cost dimension to sustaining the principles calls for the adoption of a *cost-effective public service culture* which establishes a set of unwritten values, rules and standard practices that are transferable across staff generations.

## **VIII. Conclusions and recommendations**

52. Basing on the documented role of leadership on all development outcomes, this paper concludes that top level and center-of-government political leadership remains critical to the realization governance effectiveness goals that the CEPA principles seek to attain. It therefore recommended that efforts to advance the 11 CEPA principles of governance should, first and foremost, focus on government leadership buy-in. Such top level ownership increases the chances that the center of government will be at the forefront in the adoption, promotion and implementation of related strategies in country systems including prioritization of resource allocation, where necessary.

53. From the synthesis presented, it is evident that Kenya, especially after the promulgation of the 2010 Constitution, has always strived to advance the CEPA principles in many forms. The CEPA framework thus provides a more explicit approach to the identification of more effective strategies for implementation. For better results, the CEPA framework should emphasize alignment to existing country level governance framework.

54. Effectiveness in the implementation of the national values and principles of governance and public service remains constrained by the absence of an objective monitoring, evaluation and reporting framework that can be used by all public institutions. The CEPA framework can support country-level M&E processes for the principles of governance by establishing measurable indicators and metrics and the establishment of a systematic result framework for the principles.

55. From the assessment, it is evident that emergencies like the Covid-19 pandemic have the potential to disrupt government functions and operation at levels that impede the effective implementation of strategies leading governance ineffectiveness. For a quick turnaround to stability, emergency situations call for greater emphasis on collaboration, sound policy making, transparency and enhanced oversight. In the absence of focus on these four principles, adverse effects of emergencies can spiral to serious disruptions that could roll back decades of the progress; which, in turn, could take much longer and enormous resources to regain.