

# Strengthening the Capacity of National, County and Local Institutions to Scale out the County Climate Change Fund (CCCCF) Mechanism for Resilience Building

CCCCF Technical Review workshop - 21<sup>st</sup> to 23<sup>rd</sup> November 2018,  
Fairview Hotel, Nairobi Kenya.



## Summary Report



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## Acronyms

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|            |  |
|------------|--|
| ADA        | Adaptation Consortium  |
| ADSE       | Anglican Development Services Eastern                                    |
| ASAL       | Arid and Semi-Arid Lands   |
| CA         | Christian Aid  |
| CCA        | Climate Change Act   |
| CCCPC      | County Climate Change Planning Committee                                 |
| CCCF       | County Climate Change Fund   |
| CCD        | Climate Change Directorate   |
| CIDPs      | County Integrated Development Plans                                      |
| CIS        | Climate Information Services   |
| CoG        | Council of Governors   |
| DCF        | Devolved Climate Finance   |
| DDP        | Deepening Democracy Program  |
| DfID       | Department for International Development                                 |
| GCF        | Green Climate Fund   |
| IIED       | International Institute for Environment and Development                  |
| KMD        | Kenya Meteorological Department  |
| LREB       | Lake Region Economic Bloc  |
| MDONK      | Ministry of State for Development of Northern Kenya and other Arid Lands |
| MD & ASALs | Ministry of Devolution & Arid and Semi-Arid Lands                        |
| MEL        | Monitoring, Evaluation & Learning  |
| NAP        | National Adaptation Plan   |
| NCCAP      | National Climate Change Action Plan                                      |
| NCF        | National Climate Fund  |
| NDMA       | National Drought Management Authority                                    |
| NEMA       | National Environment Management Authority                                |
| NIE        | National Implementing Entity   |
| SIDA       | Swedish International Development Agency                                 |
| StARCK+    | Strengthening Adaptation and Resilience to Climate Change                |
| ToR        | Terms of Reference   |
| WB         | World Bank   |
| WCCPC      | Ward County Climate Planning Committee                                   |

# 1. Introduction

Since 2013, the Adaptation Consortium has been supporting County Governments of Makueni, Garissa, Kitui, Isiolo and Wajir to pilot the County Climate Change Fund (CCCF) mechanism that aims at mainstreaming climate change into county planning and budgeting processes, and prepare counties to access climate finance by putting in place a legal framework and related structures to help mobilise climate finance both internally and from other sources.

The Consortium undertook a learning exercise in June 2018 on the effectiveness of the CCCF mechanism as piloted across the five counties. One key lesson that emerged is that community driven, bottom up planning as the key principle feature of the mechanism is seen to strengthen public participation thus influencing county annual planning and budgeting by ensuring community priorities are well articulated and captured in the annual plans.

The 2<sup>nd</sup> phase of the CCCF work is focusing on scaling out to ensure 100% coverage in the five pilot counties and across various regions in the country. It was therefore timely and important to undertake a review of the mechanism to have it strengthened for effective scale out.

This document reports on the CCCF technical design workshop held at the Fairview Hotel in Nairobi on the 21<sup>st</sup> - 23<sup>rd</sup> November 2018. The workshop undertook an in-depth interrogation of the original design features of the CCCF mechanism, how these have been applied, whether there are any issues arising from the learning and if the features are well grounded in the CCCF Acts/Regulations as enacted by the counties.

The workshop participants included chief officers responsible for planning and climate change from the five pilot counties (Kitui, Wajir, Garissa, Isiolo and Makueni), Ada Consortium county partners among other key stakeholders who have had a chance to interact with the CCCF mechanism and its implementation.

## 2. Summary of County Climate Change Fund Mechanism

### 2.1 Background and Rationale of CCCF

In 2011, at the request of the then Ministry of State for Development of Northern Kenya and other Arid Lands (MDONKOAL), International Institute of Environment and Development (IIED) was invited to design and test a planning process adapted to the Arid and Semi Arid Lands (ASALs) and which anticipated the implementation of devolution to address these challenges. Thus, a pilot that began in Isiolo (2011-12) which was later up-scaled to a further four (4) counties (Kitui, Makueni, Garissa and Wajir) under the management of the Ada Consortium. This planning process has culminated into creation of the County Climate Change Mechanism now in place in the five counties.

During project inception workshop/s, the following planning challenges were identified in the ASAL counties;

- Disconnect between community and county government planning resulting in the latter not benefiting from community knowledge and experience of managing climate variability;
- Poor coordination across sectors and between counties;
- Wards and sub-counties lack of discretionary authority over planning and budget allocations resulting in loss of flexibility;
- Poor access and use of climate information services in planning and budget decisions;
- Low capacity of county government and other actors to track impact of projects on adaptation.

## 2.2 Conceptual Basis for the CCCF Mechanism

The CCCF mechanism is underpinned by five (5) key principles on which the operational features of each of the four (4) core components that constitutes the mechanism are drawn and designed. This session presented these five (5) key principles and the premises for each as summarized in **Table 1** below;

**Table 1: Key principles and their premises**

| <i>Key principle</i>                                   | <i>Premise</i>  |
|--|---|
| 1. <i>Community driven, bottom up planning</i>         | <ul style="list-style-type: none"> <li>• Consistent with devolution objectives.</li> <li>• For local knowledge, perspectives and experience to be utilized in building resilience.</li> <li>• Need for greater sustainability and value for money.</li> </ul> |
| 2. <i>Anchored within and supportive of devolution</i> | <ul style="list-style-type: none"> <li>• Sustainability and continuity.</li> </ul>  |
| 3. <i>Flexible learning approach</i>                   | <ul style="list-style-type: none"> <li>• To address uncertainty and variability of changing climate and its impact on a local context.</li> </ul>   |
| 4. <i>Focus of investments on public goods</i>         | <ul style="list-style-type: none"> <li>• Minimize risk of exclusion.</li> <li>• Collective action is important for adaptation especially for vulnerable groups and ASAL context.</li> </ul>   |
| 5. <i>Inclusion</i>                                    | <ul style="list-style-type: none"> <li>• To address power balance to achieve effective adaptation</li> </ul>  |

## 3. The CCCF Review Workshop

### 3.1 Workshop Objectives

- 1) **Strengthen the CCCF mechanism in the light of learning to ensure quality of the scale out process**
  - Review the principles that underpin the mechanism for pertinence and alignment with devolution and county planning and budgeting processes.
  - Review the relevance of the operational features of the mechanism in strengthening planning for climate resilient development in the ASALs in the light of experience in the 5 counties.
  - Identify changes to the operational features for testing in non-ASALs contexts.

- Identify and agree process to design and pilot innovations to the CCCF mechanism for both ASAL and non-ASAL contexts.
- Identify and agree a plan of action to integrate the changes to be made to the operational features.

## 2) Review the CCCF mechanism legal framework

- Identify strengths and weaknesses of the current legislation (Acts/Regulations) based on practical experience in the ASAL counties.
- Identify key issues to be addressed to strengthen the legal framework of the CCCF mechanism in preparation for scale out.

## 3.2 Summary of workshop discussions and outcomes

### *a. Feedback on key principles underpinning CCCF and their premises*

**Table 2: Summary of outcomes and proposals**

| Guiding Statements  | Summary of Outcomes and Proposals   |
|---|---|
| <p>1. <i>Agreement with the principles and premises as they are</i></p>                                     | <p><u>Principle 1:</u> Community driven, bottom up planning<br/>Premises:</p> <ul style="list-style-type: none"> <li>- Enhances projects/investments ownership.</li> <li>- Enhances accountability since the community are involved in the processes.</li> </ul> <p><u>Principle 2:</u> Anchored within &amp; supportive of devolution<br/>Premises:</p> <ul style="list-style-type: none"> <li>- This principle is consistent with national policies that empower county governments to take lead in climate change actions (Climate Change Act, 2016) e.g. reporting, mainstreaming.</li> </ul> <p><u>Proposal:</u><br/>This principle needs to be expanded to reflect aspirations and CCCF link to the national and global level.</p>  |
| <p>2. <i>Linkage of the principles to the objectives of devolution and county wide planning process</i></p> | <p>Participants confirmed that the 5 principles are in line with ideologies of devolution and in practice demonstrates how devolution should work i.e.</p> <ul style="list-style-type: none"> <li>- Consult communities in planning.</li> <li>- Communities prioritize the investments.</li> <li>- County government is involved but priorities come from communities and subjected to technical support from the county.</li> <li>- Also, the fund ensures climate change is mainstreamed into the CIDPs.</li> <li>- Establishment of the fund was to ensure that we don't lose sight of climate change.</li> </ul> <p><u>Proposals:</u></p> <ul style="list-style-type: none"> <li>- Synchronizing the CCCF mechanism with the government budgeting cycle since government has a proactive planning/budgeting cycle.</li> <li>- The CCCF needs to be captured in the CIDPs (County Integrated Development Plans).</li> <li>- Ward Development Planning Committees and Ward Climate Change Planning</li> </ul> |

|  |   |
|--|---|
|  | <p>Committees needs to be aligned.</p> <ul style="list-style-type: none"> <li>- The government needs to prepare and sensitize communities through participatory approaches and do climate proofing of plans.</li> <li>- Participatory approaches – inclusion of key stakeholders- MCAs, Ward Administrators, local leaders, vulnerable groups like women, youth and People with Disabilities (PWD).</li> </ul>  |
| <p>3. <i>Principles that need to be added or re-structured</i></p> | <p><u>Proposals</u></p> <p>1) Reword principles 3 &amp; 4 as below;</p> <p><u>Principle 3:</u> Flexible learning, planning and resourcing</p> <p>Premises:</p> <ul style="list-style-type: none"> <li>- Accommodate multiple sources of funding where each comes with different conditionalities.</li> <li>- Changing financing environment would require the mechanism to be adaptable.</li> <li>- Need for adaptability to future changes.</li> </ul> <p><u>Principle 4:</u> Focus on investments related to climate change (public goods, capacity building, technology transfer and loans)</p> <p>2) Add two more principles (5 and 6)</p> <p><u>Principle 5:</u> Strong fiduciary standards for transparency and accountability</p> <p>Premise:</p> <ul style="list-style-type: none"> <li>- In line with international standards, national policy for managing Public Finance (PFM) and the Constitution.</li> <li>- Promotes value for money in investments using public finance.</li> <li>- Promotes sustainability; regular and predictable flow of funds.</li> <li>- For climate financing to attract other funds.</li> </ul> <p><u>Principle 7:</u> Subsidiarity</p> <p>Premise:</p> <ul style="list-style-type: none"> <li>- Aligns to devolution.</li> <li>- Multi-scale approach from community, water shed and national level to deal with climate risks.</li> <li>- To allow for strategic decision that are sectoral and technical.</li> </ul> |

### *b. Operational Basis for the CCCF Mechanism*

There are four components of the CCCF mechanism which are interconnected and the operational features of each is informed by the five key principles shared in the preceding session. The components are listed below;

- A. The County Climate Change Fund;
- B. Climate Planning Committees;
- C. Climate Information Services & Participatory Planning Tools;



D. Monitoring and evaluation of resilience building;

**Table 3: The County Climate Change Fund**

| County Climate Change Fund – Operational Features and Premises |   |
|--|---|
| 1.   | Ninety (90%) of the fund is allocated to investments of which 70% is prioritized by WCCCPCs and 20% by CCCPCs to finance local adaptation.  |
| 2.   | Ten (10%) of the fund allocated for operational costs of WCCCPCs and CCCPCs to administer fund to ensure independence of WCCCPCs by allowing them to function and deliver on their mandate.   |
| 3.   | Funds are divided equally among the wards rather than according to population density or vulnerability; and ward committees are expected to consult each other to identify cross-ward investments as a “landscape” level because in ASALs where livestock is the dominant economic sector, communities typically access local public goods in support of their production and adaptation strategies done across different ecological and administrative boundaries. |
| 4.   | WCCCPCs and CCCPCs informed of their budget in advance of planning to allow “real” time planning against a known budget.  |
| 5.   | Funding criteria is integrated in the investment menu to guide climate change planning committees in choice of investments in public goods that support climate adaptation and proofing that are in line with CIDP, National Climate Change Action Plan; National Adaptation Plan etc.  |

***Important:***

- The fund and the planning committees cannot be established without first enacting a legal framework, which is a process, while others like CIS and resilience planning tools require no legal framework to start.
- Informing WCCCPCs and CCCPCs of their budget happens at the planning stage when investments are identified and prioritised, and not during procurement which occurs later in the project cycle.
- Informing committees of their budget in advance for better planning may be a challenge to implement considering that the flow of funds from the national government to the counties is unpredictable and are often delayed. This can be mitigated by having counties issue a Local Purchase Order (LPO) /Local Service Order (LSOs) to service providers as a show of commitment to pay after work.

**Table 4: Climate Information Services & Participatory Planning Tools**

| Climate Information Services & Participatory Planning Tools             |   |
|---|---|
| Climate Information Services (CIS)                                      |   |
| <b>Premise 1:</b> To provide timely, reliable probabilistic information | <p><b>Recommended Actions</b></p> <ul style="list-style-type: none"> <li>• Modernising and increasing weather stations/ networks.</li> <li>• Operationalizing CIS plans.</li> </ul> |

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|  | <ul style="list-style-type: none"> <li>• Linking CIS information to the planning systems at county level.</li> <li>• Re-establishing intermediaries (extension services) to better internalise and support the community.</li> </ul>  |
| <p><b>Premise 2:</b> For CIS to be credible, relevant to users' needs and representative of local conditions:</p>  | <p><b>Recommended Actions</b></p> <ul style="list-style-type: none"> <li>• Participatory scenario planning (PSP) needs to be revived.</li> <li>• There is need to link forecasts with Indigenous Traditional Knowledge (ITK) – documentation of existing knowledge and bringing the local forecasters on board during PSPs sessions.</li> <li>• Meteorological Department has worked in silo but needs to improve collaboration with stakeholders, particularly county governments.</li> <li>• Some Met stations are hosted by other departments and that arrangement not working well - KMD to reorganize.</li> <li>• Dissemination of advisories needs to be conducted through trained intermediaries.</li> </ul> |
| <p><b>Premise 3:</b> Accessible using appropriate channels</p>   | <p>The main challenge is that there is no feedback mechanism.<br/>Recommended action is to develop feedback mechanisms through which information can flow back to KMD from the consumer.</p>  |
| <p><b>Premise 4:</b> To foster trust</p>   | <p><b>Recommended Actions</b></p> <ul style="list-style-type: none"> <li>• Reliability and timeliness of information builds trust; therefore, line departments need to be proactive in CIS information, internalise information, advisory and advice community.</li> </ul>  |
| <p><b>Premise 5:</b> To support understanding</p>  | <p><b>Recommended Actions</b></p> <ul style="list-style-type: none"> <li>• Train local community and translate weather information into local languages.</li> <li>• Expand/boost local FM stations coverage as well as provide the FM station with weather information.</li> </ul>  |
| <p><b>General Recommendations for CIS in rural counties</b></p> <ul style="list-style-type: none"> <li>• Give information in local languages and create more dissemination channels.</li> <li>• Timeframes of data and forecast – daily, weekly, monthly and seasonal for ASALs seasonal during onset of weather events.</li> <li>• Allocate resource for climate information to be disseminated.</li> </ul>   |   |
| <p><b>Participatory Planning Tools</b></p> <p>The main challenge for resilience planning is the limited time during the budget-making process that limits community participation in resilience planning during budgeting.</p> <p><b>Resilience assessment tools – CIDP and ADPs:</b></p> <p><b>Recommended Actions</b></p> <ul style="list-style-type: none"> <li>• Align the two processes to match i.e. the resilience assessment to align to county planning process cycle. The tools can generate projects that can be funded through the Annual Development Plan (ADP) budget.</li> <li>• Development of resilience assessment tools should be reinforced by the 17 National values that includes public participation.</li> </ul> |   |

- Feedback mechanism need to be strengthened to capture the real situation on the ground – this will help in addressing concerns promptly. Establishment of a direct link to convey concerns should be considered.
- New counties implementing CCCF should carry out a political and economic analysis and build on the tools already available.
- Use of spatial planning techniques for resource identification instead of the resource maps is preferable for urban wards.
- ASAL counties should update the resilience assessment reports and PVCA (which are out of date).
- In the ASALs, Climate Change Planning committees should use proactive Participatory Resilience Assessment (PRA) /resilience assessment and resource maps approaches to inform county planning.
- Counties should share information– resource basket – budgets in advance to guide community prioritization.
- There is need to agree with county planning team on best tools to use for planning.
- Use Climate change funds for public participation (20%) to finance county wide public participation at ward level to generate community priorities in a participatory way- mainstream within county planning.

#### **General recommendations on CIS and resilience planning tools**

- There is need to look at how to mainstream the tools into the existing planning processes.
- Need to work with Indigenous Traditional Knowledge (ITKs) on CIS as an entry points to disseminate climate information.
- The big/medium cities have ready-made spatial plans that can be utilized instead of resource mapping.
- Spatial planning in Kenya should integrate climate change.
- The discussion on private sector needs to go a step further to explain what/who is private sector and what/who is relevant to climate resilience work.

*c. County Experiences on Operational Features of the Fund*

**Table 5: Counties with CCCF Acts: Garissa, Isiolo & Wajir**

|   |   |
|---|---|
| <p><i>Relevance of the operational features and premises of the Fund to ASAL Counties</i></p> | <p><b>Feature 1:</b> WCCPCs membership largely composed of elected members of the community.</p> <p><u>Proposals for improvement</u></p> <ul style="list-style-type: none"> <li>Representation should factor in ethnic and regional balance, gender, vulnerability, minorities, Persons with Disabilities (PwDs)</li> <li>Maintain 11-member ward committee.</li> <li>Go for a single committee (consider merging Ward Development Committee and WCCPCs).</li> <li>2-year term limits for committees.</li> </ul>  |
|   | <p><b>Feature 2:</b> Election based on criteria of integrity, commitment, leadership, knowledge rather than academic.</p> <p><u>Proposal for improvement</u></p> <ul style="list-style-type: none"> <li>Have a literate secretary and a mix of at least three (3) literate members on WCCPC.</li> </ul>   |
|   | <p><b>Feature 3:</b> Members elected through public vetting process by the community.</p> <ul style="list-style-type: none"> <li>Factor in cost of delegates in committee selection during election.</li> </ul>   |
|   | <p><b>Feature 4:</b> WCCPCs provided with operational fund to cover costs of managing project cycle (consultation, proposal design, tendering, M&amp;E)</p> <p>**Main concern is that public participation/community consultation is an expensive venture but critical in getting out better community priorities.</p> <p><u>Proposals for improvement</u></p> <p>Where amount allocated to administration (3% or 10%) is not sufficient:</p> <ul style="list-style-type: none"> <li>Cost of community consultation and prioritization can be financed from the 20% allocation for county level investments.</li> <li>Relevant department to support with vehicles, fuel etc.</li> <li>Use standard allowance policy- based on national climate funds.</li> </ul> |
|   | <p><b>Feature 5:</b> WCCPCs manage tendering process with support from CCCPCs</p>   |

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|  | <p><u>Proposals for improvement</u></p> <p>Moving from project led context, and in line with PFM Act:</p> <ul style="list-style-type: none"> <li>• County department will lead the tendering process.</li> <li>• County government will co-opt the WCCPC.</li> <li>• Procurement to be done at Ward level.</li> <li>• Legal interpretation of different acts required to amend in line with above proposals.</li> <li>• Develop regulations to operationalise the amended Acts.</li> </ul> <p><b>Feature 6:</b> CCCPCs to WCCPCs investments priorities in line with funding –CCCPCs lack veto power to reject choice of investments by WCCPCs</p> <p><u>Proposals for improvement</u></p> <ul style="list-style-type: none"> <li>• In the operational feature include requirement to ensure WCCPC investment is technically guided.</li> <li>• WCCPCs to be made aware of the County Annual Development Plans when going to the community for prioritization of investments.</li> </ul> |
| <p><i>Utilization of CCCF structures in CIDP development, annual planning and budgeting to achieve resilient development</i></p> | <ul style="list-style-type: none"> <li>• Push for gradual graduation of WCCPC to Ward Development Planning Committee.</li> <li>• Lobby for other projects not financed by CCCF to be financed by relevant sectors.</li> </ul> <p><b>Note:</b> CCCF projects are of more value to community because of the processes involved (Public participation and accountability), it is important to encourage counties to adopt same process for meaningful participation process that will produce better priorities. However, this requires change of attitude both at government and community level. It is also important to acknowledge the fact that public participation/community engagement to prioritize investment is not an end in itself.</p>  |
| <p><i>Necessary operational features for public participation as a social accountability tool (As required by law)</i></p>       | <ul style="list-style-type: none"> <li>• Urbanisation of some of the features used e.g. use members based on dominant livelihoods sources, gender and others remain constant.</li> <li>• Implement a baseline study to come up with a clarity on dynamics and be more scientific.</li> </ul>   |
| <p><i>Innovation and premise needed for formation of CCCF structure in</i></p>   | <ul style="list-style-type: none"> <li>• Urbanization of some of the features used e.g. use members based on dominant livelihoods sources, gender and others remain constant.</li> <li>• Carry out a baseline survey to come up with a clarity on dynamics and be more scientific.</li> </ul>  |

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| <i>Non-ASAL contexts</i>   |   |
| <i>Innovation and premise needed for formation of CCCF structure in urban contexts</i> | <ul style="list-style-type: none"> <li>• Formation of structures - Urban processes should be very intensive.</li> <li>• Taking care of the various diversities and interest.</li> <li>• Use of social media and radio for awareness creation and call in feedback.</li> </ul> |

Table 6: Counties with CCCF Regulations: Kitui & Makueni

|  |   |
|--|---|
| <i>Relevance of the operational features and premises of the Fund to ASAL Counties</i> | <p><b>Feature 2:</b> Election based on criteria of integrity, commitment, leadership, knowledge rather than academic.</p> <p><u>Proposal for Improvement</u></p> <ul style="list-style-type: none"> <li>• Agree with other criteria on which election is based except on qualification on education.</li> <li>• Understand the concept and able to rally the community around development agenda, the challenge was internal capacity to document and write reports.</li> <li>• For Kitui and Makueni, regulations specify the education level to be form four leavers – there needs to be a balance between the two categories (literate and illiterate) i.e. look at criteria that is all inclusive, not locking out some people because of education level.</li> </ul> |
|  | <p><b>Feature 4:</b> WCCPCs provided with operational fund to cover costs of managing project cycle (consultation, proposal design, tendering, M&amp;E)</p> <p><u>Concern</u></p> <ul style="list-style-type: none"> <li>• Potential risk to community voluntary spirit –If misused, the operational fund will kill voluntary spirit that has made CCCF a success</li> </ul> <p><u>Proposal for improvement</u></p> <ul style="list-style-type: none"> <li>• Balance between effective facilitation of the ward committees to deliver their mandate without dampening community spirit of volunteerism</li> </ul>   |
|  | <p><b>Feature 5:</b> WCCPCs manage tendering process with support from CCCPCs</p> <p><u>Concerns</u></p> <ul style="list-style-type: none"> <li>• The government procedure is different – the law does not allow involvement of non-state actors in the procurement.</li> <li>• WCCCPCs sitting in tender evaluation committee as well as implementing the project would raise conflict of interest.</li> </ul> <p><u>Proposal</u></p>  |

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|   | <ul style="list-style-type: none"> <li>To avoid conflict of interest, WCCPC may appoint the site committee for implementation.</li> </ul> <p><b>Feature 6:</b> CCCPCs to WCCPCs investments priorities in line with funding –CCCPCs lack veto power to reject choice of investments by WCCPCs</p> <p><u>Concerns</u></p> <ul style="list-style-type: none"> <li>The statement is too strong – portrays the CCCPC as a structure that is hell-bent on not helping the community.</li> <li>How do CCCPCs build capacities of ward committees?</li> </ul> <p><u>Proposal</u></p> <ul style="list-style-type: none"> <li>Premise should be changed – look at the engagement of the structures as adding value.</li> <li>CCCPCs should not be seen as controlling but as enabling and empowering.</li> </ul> |
| <i>Additional operational features relevant to rural</i>  | <ul style="list-style-type: none"> <li>Project site committee are not mentioned – Consider adding them as CCCF structure.</li> <li>Where are the board/steering committee? What is their effectiveness? What do we carry forward?</li> <li>Operational features vary from one county to another.</li> <li>Focus has been on ward and other structures like steering have remained ineffective.</li> <li>The highest authority must sign a performance contract.</li> </ul>  |
| <i>Utilization of CCCF structures in CIDP development, annual planning and budgeting to achieve resilient development</i> | <ul style="list-style-type: none"> <li>These structures are not aligned with the planning and budgeting processes as in the case where they are enshrined in an Act.</li> <li>CECs responsible for climate change are aligned to county processes</li> <li>This structure should be part and parcel to the planning and budget.</li> <li>Pursue option of merging Development and Climate Change Committees (how do we harmonize the two at ward level?)</li> </ul>   |
| <i>Necessary operational features for public participation as a social accountability tool (As required by law)</i>       | <ul style="list-style-type: none"> <li>Site committees as a new and useful CCCF structure that oversees project implementation need to be officially recognized by having them included in the CCCF legislation.</li> <li>The existing WCCPCs be utilized for enlightening other people (peer learning) and public participation.</li> </ul>  |
| <i>Innovation and premise needed for formation of CCCF structure in</i>   | <ul style="list-style-type: none"> <li>Maintain ward structures.</li> <li>Consult with people who have worked in urban setting.</li> <li>One structure at the county level- technical – treated as an integral kind of unit responsible for climate change affairs.</li> </ul>  |

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| <i>Non-ASAL contexts</i>   |  |
| <i>Innovation and premise needed for formation of CCCF structure in urban contexts</i> | <ul style="list-style-type: none"> <li>• Consult with people who have worked in urban setting.</li> <li>• Social and economic clusters matter a lot in planning.</li> <li>• Planners/ town administrators of urban setups should be mainly engaged in the community.</li> <li>• Strengthen technical working committee at the county level.</li> </ul> |



## *d. Innovations to the County Climate Change Fund Mechanism*

### **Social Accountability**

Innovations in Public Participation as a Social Accountability Tool:

- Feedback Mechanism
  - There is need to develop community tools to facilitate the process e.g. community score cards, project workbooks.
  - Need to develop the capacity of the different actors in the process (Government; Community; Development Actors) through civic education.
  - Financing public participation and civic education.
- Coordination and integration of the system is required to enhance synergy and harmony in implementation of the interventions (planning and public participation units).
- Civic education and awareness creation on climate change are needed; the curriculum should include climate change information.
- Common understanding on public participation and the threshold for participation (along the development cycle). This should be anchored in law.
- Community mobilization mechanisms need to be institutionalized (*communities prepared well in advance before participation processes*)

### **Private Sector**

Definition of private sector and mechanism of engagement:

- Individuals can benefit but should be organised in groups- farmer associations, SACCOs etc.
- Strategic investors partnering with government through Public Private Partnership (PPP) mechanism: Co-financing between public and private sector in strategic investments that strengthen resilience to climate change.
- Economic stimulus programmes can be utilized e.g. fish pond farming where public absorbs the risks.
- Strategies that bring on board private sector can be employed e.g. Climate smart agriculture by StARCK+ -FICCF project.
- There is role for the public sector to map the informal business in urban settings, organise them and linked to commercial banks for finance (aggregation).
- Public funds co-funding climate resilient interventions promoted by the co-operative Sacco's, village saving and loaning groups etc.
- County government financing climate risk screening on specific value chains e.g. rice against flooding.
- Focus on the established practices and studies on approaches of engaging with private sector dealing on different values chains to open CCCF to facilitate the same without reinventing the wheel.
- Component on insurance should also be considered

### **Climate proofing**

1) Creating awareness and sensitization:

- Educate people about climate change - from the top e.g. governors. Make people understand so that the 98% is used well (political goodwill).
  - Identify key people to champion climate proofing e.g. Executive, County Assembly through Environment committee, Council of Governors and community at large.
- 2) Capacity building:
- Integrating climate change in curriculum formulation in training institutions.
  - Working with KSG in climate change curriculum and budgeting: Scheduled trainings to be climate proofed.
- 3) Selection of climate champions in all sector:
- Climate change champions in sectors – making sure climate change is mainstreamed in day to day activities, projects, dissemination of climate information.
  - Focal persons should be given further training on climate change and responses.
  - Mainstreaming climate change into CIDP process –all county planning processes.
  - Ensure the presence of climate change ambassadors CoG in their committees so that they can understand climate change matters better.
- 4) Climate Information Systems
- Enhance dissemination method and have a feedback mechanism.
  - NEMA’s EIA mainstreamed in every sector.
- 5) Project cycle climate proofing:
- CCCF (2%) can be utilised to climate proof the county’s remaining 98% of development budget.
  - Environmental assessment of all projects. Have a section for climate change assessments in projects, in activities that take place.
  - Technical assessment for procurement processes should include climate proofing as a requirement.
  - Project designers to be capacitated to include climate proofing in their designs throughout the project cycle.
  - Develop a tool to check climate change monitoring compliance across projects–environment and planning docket should have an integrated system.

The following key recommendations on the Fund emanated from plenary discussions;

- ✓ There have been concerns from the Controller of Budget raising concerns on the CCCF 10% charged to administration of CCCF by Wajir county. It is recommended that CCCF is an evolving process requiring further engagement with the Office of the Controller of Budget to explain best practices and share experiences and lessons from the CCCF pilot phase.
- ✓ CCCF Acts review should examine both the legal and financial aspects, based on the issues raised by the Controller of Budget.
- ✓ **The of WCCPCs** operating own accounts and controlling their administration money needs to be harmonized with the county plans. Ward administrator to be the signatory as a requirement by public finance policy where government accounts can only be transacted by government employees. A balance should be found where WCCPCs can still access their administration money.
- ✓ It is recommended that the 10% of the fund be used for administration and 90% for investment as committed by the Acts and the Regulations which is in line with Adaptation Fund

requirements. This is borrowed from the CCCF legislations by the three counties (Wajir, Garissa and Makueni).

- ✓ The Climate Change Act and Climate Finance Regulations establishing the National Climate Change Fund should provide guidance on how funds are divided between projects and administration.
- ✓ There is need for CCCFs to support private sector in a non-ASAL context e.g. Dairy keepers, farmers' association etc. because this has greater public benefit.
- ✓ There is need of a legal framework legitimizing the planning committees to enable them get government recognition and access funding.

### *e. Review of the legal framework for CCCF mechanism*

From the workshop proceedings, it was clear that legal and financial expertise would be required to examine the legislations from the five counties to be in line with other public policies like the PFM Act and other relevant policies and legislation both at national and county level.

However, the workshop carried out the following tasks:

1. Identified the strengths and weaknesses of the current legislation (Acts and regulations) based on participants experience.
2. Identified key issues to be addressed to strengthen the CCCF legal framework.

The findings are presented in the table below;

| Review of the legal framework for CCCF mechanism   |  |
|--|--|
| Acts-Isiolo, Wajir and Garissa   | Regulations-Kitui and Makueni  |
| <p><b><u>Strengths:</u></b></p> <ul style="list-style-type: none"> <li>• 2% development kitty set aside for climate change issues.</li> <li>• Mechanism in place – structures.</li> <li>• Enabled to fund raise from the other partners.</li> <li>• 2% kitty ring fenced.</li> <li>• Political good will.</li> <li>• Community driven climate resilience (bottom up approach).</li> <li>• Aligned to the national climate change legislation and policies- Constitution bill of rights to safe and clean environments – SGDs.</li> <li>• Prudent usage of financial resources 90%:10%.</li> </ul> <p><b><u>Weaknesses:</u></b></p> <ul style="list-style-type: none"> <li>• Doesn't have regulation to operationalize the Act.</li> <li>• Some of the provisions in the Acts are not in line with the PFM Act, some structures not legally constituted.</li> <li>• Skewed to adaptation issues.</li> <li>• There are no provisions to address Tracking Adaptation and Measuring Development (TAMD).</li> </ul> <p><b><u>Proposals:</u></b></p> <p>Review the 3 legislations to include the following:</p> <ul style="list-style-type: none"> <li>• Harmonize the different Acts in Arid counties and have it aligned with PFM Act.</li> <li>• 3% administration and make the remaining part of the 10% clustered under other different budget heads.</li> <li>• Administration – urban committee get 70%? of the rural ward committees.</li> <li>• Develop regulation for County Climate Change Acts -use existing CCCF operational manual as a starting point.</li> </ul> | <p><b><u>Strengths:</u></b></p> <ul style="list-style-type: none"> <li>• Regulations have ownership through Public Participation and certified by the county assembly.</li> <li>• Very practical.</li> <li>• Anchored on Public Finance Management Act.</li> <li>• Gone through a committee.</li> <li>• Easy to amend through county assembly.</li> <li>• Can be subjected to review easily.</li> </ul> <p><b><u>Weaknesses:</u></b></p> <ul style="list-style-type: none"> <li>• Top down approach contracting CCCF mechanisms.</li> <li>• Not very clear on allowances for members.</li> <li>• Annex on M&amp;E tool of any choice therefore needs harmonization.</li> <li>• Being a regulation, it can be disbanded through the Public Finance Management Act by the CEC who can initiate its winding up.</li> </ul> <p><b><u>Challenges in implementing the Regulation:</u></b></p> <ul style="list-style-type: none"> <li>• Structures cannot meet the standard set by the Acts e.g. Public Finance Management.</li> <li>• Bureaucracy processes e.g. supplementary budgets.</li> <li>• Operationalization of the secretariat /setting up.</li> <li>• Transition of governance.</li> <li>• Consistent attendance of meetings by members planning /board committee by (Chief Officers).</li> </ul> <p><b><u>Proposal:</u></b></p> <ul style="list-style-type: none"> <li>• Chief Officers to be Board members and directors be County Climate</li> </ul> |

|  |   |
|--|---|
| <ul style="list-style-type: none"> <li>• Mechanism for funding private sector or public private partnership.</li> </ul> <p><i>NB: Legal and financial expertise with good knowledge of the national and county level policies, to harmonise the Acts – implement in the spirit of the constitution</i></p> <p><b>For Structures:</b></p> <ul style="list-style-type: none"> <li>• Wajir and Isiolo same structures but Garissa has a different one - County Committees/Board - be harmonized to two-tier or three-tier at county level, composition e.g. include directors at CCCPC level – keep institutional memory and continuity- CCOs at Steering/Board.</li> <li>• WCCPC No. of committee members and representation to be consistent (11, urban dynamics).</li> <li>• Legalize WCCPC – gazette committees, push for sign off into ward development committees or stepwise.</li> </ul> | <p>Change Planning Committee members.</p> |
|--|---|

The following comments and recommendations emanated from the plenary discussion on the legal framework for CCCF mechanism;

- ✓ TAMD is just one M&E framework that can be utilized but an appropriate M&E tool can be included in the Act.
- ✓ The fund was designed to cover both adaptation and mitigation, but so far, the focus has been on adaptation because most of the priorities from the community are on adaptation.
- ✓ Acts and regulations require the WCCPC to be part of the government through letters of appointments and other procedures. The committee can be legalised through gazette.
- ✓ To achieve the inclusion principle of the CCCF mechanism, a realistic educational requirement is needed for members of the committee. This is important for mainstreaming of CCCF in county government mechanisms as WCCPC will manage public funds, the proposal is to have basic education as a criterion.



### 3. Conclusion & Next Steps

During the review workshop, the principles and premises of the CCCCCF mechanism were endorsed and new principles proposed. The operational features were also reviewed, and revisions proposed for both ASAL and non-ASAL contexts. This document also presents innovation proposals for the mechanism emanating from the workshop. Regarding the review of the legal framework of the CCCF mechanism, the strengths and weaknesses of the existing mechanism in five counties have been identified for purposes of improvement.

#### Next Steps:

- Secretariat to consolidate all comments and produce revised CCCF guidelines for ASALs including operational features for CIS and Monitoring and Evaluation – **January 2019**.
  - Secretariat/CA develop 1<sup>st</sup> proto-type CCCF guidelines for testing in LREB – focus on Operational Features & premises. **February/March 2019**.
  - Secretariat develop Terms of Reference (TOR) for process to design and test innovations (social accountability, private sector, urban) in ASAL and non-ASALs – **Jan/Feb 2019**.
  - Secretariat develop TOR for process to review/adapt/integrate CIS and resilience planning tools in CIDP planning – **Jan/Feb 2019**.
  - Secretariat to develop TOR for legal and financial review – **January 2019**.
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## Annex 1: List of participants

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