

**REPUBLIC OF KENYA**  
**Ministry Of Finance**



**Report of the Strategic Partnership With Africa (SPA),  
Medium-Term Expenditure Framework (MTEF),  
Harmonization, Sector-Wide Approaches (SWAs) and  
Budget Support Workshop held on 21-22 June 2004,  
Nairobi**

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## **INTRODUCTION**

The Government of the Republic of Kenya hosted a very successful Strategic Partnership with Africa (SPA) workshop in Kenya on 21 to 22 June 2004. Cabinet Ministers, senior Government officials, representatives of the private sector, civil society organizations, academic institutions, and bilateral and multilateral development partners actively participated in the proceedings.<sup>1</sup> The OECD-DAC Co-chair on Harmonization and Alignment, the Co-chair of the SPA Budget Support Working Group (DFID), and the Co-Chair of the SPA Sector Support Working Group contributed significantly to the discussion. Representatives of the Governments of Tanzania, Uganda, and Rwanda shared the experiences of their countries with harmonization and improving the Aid effectiveness. Hon. David Mwiraria, Minister of Finance, chaired the meeting while Hon. George Saitoti, Minister of Education, Science and Technology, gave the closing remarks.

## **ACKNOWLEDGEMENT**

The Government appreciates the generous financial and logistical support extended by the following Development Partners towards the SPA workshop; USAID, CIDA, UNDP, DFID and the World Bank. Similar gratitude is extended to the workshop consultant, Wendy Ayres for working tirelessly to ensure the success of the workshop.

## **WORKSHOP OBJECTIVE**

The overall objective of the workshop was to advance Kenya's agenda of increasingly aligning donor sector and budget support with the Investment Programme for the Economic Recovery Strategy (IP-ERS). This objective was largely achieved, as key Ministers and Permanent Secretaries for the first time learned about what needs to be done to move towards budget support and sector-wide approaches.

## **OPENING REMARKS**

The Minister of Finance in his opening remarks outlined the substantial achievements made by the NARC Government since it assumed office in improving relations with development partners and in creating the conditions for budget and sector support.

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<sup>1</sup> Attending the meeting were delegates from Denmark, Finland, the Netherlands, Germany (KfW, GTZ), Austria, China, Norway, Japan (JICA), Norway, CIDA, DFID (United Kingdom), Sida, USAID, World Bank, European Commission, IMF, UNDP, WFP, FAO, and UNICEF.

These include:

- Co-hosting with the World Bank the first Consultative Group meeting for Kenya since 1996 and the first to be held in Kenya;
- Preparing of a Medium-Term Expenditure Framework (MTEF) that links policy to planning and budgeting for optimal utilization of resources;
- Completing of Kenya's first PRSP (the IP-ERS) that was approved by the World Bank and the IMF in May this year;
- Establishing the Kenya/Donor Co-ordination Group (KCG) which meets bi-monthly and acts as a forum for engagement in issues of mutual interest;
- Preparing of a Public Expenditure Review (PER) that is built on comprehensive Ministerial Public Expenditure Reviews (MPERs);
- Establishing a monitoring and evaluation unit within the Ministry of Planning and National Development to monitor and evaluate the implementation of the IP-ERS;
- Improving the statistical capacity of the Central Bureau of Statistics (CBS) to enhance the quality of information for macroeconomic planning and other purposes;
- Addressing weaknesses identified in the Public Expenditure Management Assessment and Action Plan (PEM-AAP) to strengthen the financial management system;
- Planning the establishment of the National Economic and Social Council that will comprise stakeholders from Government, universities, research institutions, civil society and the private sector. The Council will play a key role in overseeing implementation of the IP-ERS;
- Commencing the preparation of an external aid policy; and
- Adopting a sector-wide approach (SWAp) in the Governance, Justice, Law and Order sector and initiating development of SWAps for other sectors, notably education.

These actions have renewed the confidence of donors in the Government. This is reflected in the successful negotiations of the three-year IMF Poverty and Growth Facility and the resumed disbursement of the World Bank's budget support credit, the Economic and Public Sector Reform Credit Project.

## **WORKSHOP DISCUSSIONS**

Discussion at the workshop focused on four main issues:

- (a) harmonization, alignment, and coordination;
- (b) improving the effectiveness of the medium-term expenditure framework;
- (c) developing sector-wide approaches; and
- (d) moving towards budget support.

## **SUMMARY OF ISSUES DISCUSSED AND AGREEMENTS REACHED**

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### **HARMONIZATION, ALIGNMENT AND COORDINATION**

To increase the effectiveness of aid, development partners committed with the adoption of the Rome Declaration on Harmonization in February 2003 to align their assistance with the Government's own strategies and systems. Putting this commitment into practice in Kenya presents a number of challenges for both the development partners and for the Government of Kenya.

For development partners the challenges include:

- Using more coordinated approaches to development assistance (such as sector-wide approaches).
- Simplifying and harmonizing processes and procedures (for monitoring, reporting, and financial management arrangements), and aligning donor processes with the Government calendar to reduce transactions costs to the Government.
- Fielding joint missions and reviews.
- Providing assistance in a coordinated way to the Government to strengthen policy formulation, and systems of planning, budgeting, public financial management, and M&E.
- Agreeing on common performance indicators and on a common framework for reviewing and monitoring assistance, linked to the Government's processes.
- Providing timely information on disbursement plans.
- Improving the operation of global funds to better align them with Government systems.

To advance the agenda, development partners created a new group following the Consultative Group meeting of 2003 called the Harmonization, Alignment, and Coordination Group. This group has so far mapped existing structures to improve coordination between the Government and the development partners, mapped country assistance strategies to facilitate joint collaboration on such strategies in the future, established with the Government a budget support coordination group and its supporting joint technical working group, and proposed an improved CG pledging process.

However, many of the difficult decisions have yet to be taken. These include agreeing on a common reporting framework, agreeing on a partner principles document to be signed by the Government and by donors, and developing a timetable for dialogue at strategic points, such as during key points in the budget cycle. The Harmonization, Alignment, and Coordination Group has committed to reporting progress in implementing the Rome Declaration at the next CG meeting, scheduled for November 2004.

Development partners will not be able to effectively harmonize without strong commitment and capacity of the Government to lead donor coordination and improve effectiveness of aid.

The challenges for the Government include:

- Maintaining a forum for dialogue between the Government and development partners, including on the budget.
- Formulating a medium-term expenditure framework that is based on accurately costed programs and a realistic budget envelope.
- Producing in a timely manner a public expenditure review (PER), disseminating its findings, and translating them into budget allocations. This will require buy-in by sectoral Ministries of the PER process.
- Initiating the budget process in a timely manner so that PER conclusions and feedback from consultations are reflected in budgetary allocations.
- Strengthening the fiduciary framework, budgeting process, financial controls, procurement practices, auditing systems, and sanctions for misbehavior.
- Establishing a comprehensive monitoring and evaluation system to review the implementation of the IP-ERS—focusing on results, identifying problems in implementation and reforming policy accordingly.
- Agreeing on an annual ERS review calendar that provides partners with the information they need to provide budget support.
- Developing sector strategies and carrying out sector reviews jointly with development partners.
- Improving the coordination between the Ministries of Finance, Planning and line Ministries.

The Minister of Finance made an important commitment during the workshop to propose to Cabinet a new budget preparation timetable that will ensure that the process begins in October/November. This will ensure that budget preparation is integrated with the MTEF process and will permit greater dialogue between the Ministries of Finance, Planning, and the line Ministries. The Minister also pledged to ensure that budget allocations better reflect policy priorities.

## **IMPROVING THE EFFECTIVENESS OF THE MEDIUM-TERM EXPENDITURE FRAMEWORK (MTEF)**

MTEF can be an effective tool to integrate policy with planning and budgeting, as the experiences of Uganda and Tanzania have shown. Both Uganda and Tanzania have been effectively developing their MTEFs since 1997/1998. Both countries initiated the process for similar reasons: to achieve fiscal discipline, to allocate expenditures in line with priorities as stated in each country's poverty reduction strategy, to coordinate donors, and to ensure transparency and accountability. This has helped to achieve greater predictability of funding, improve the efficiency and effectiveness of budget execution and service delivery, and provide a basis for the development of each country's poverty reduction strategy (PRSP).

Both countries are now integrating project aid into the MTEF. This is intended to improve estimates of total Government expenditure, and in turn budget management and macroeconomic planning. It is expected to help ensure that donor-funded projects are brought into the annual budget process and that the projects reflect both sector priorities and the overall priorities of the Government. Finally, bringing donor-funded projects into the MTEF encourages donors and line Ministries to shift aid from project to budget support—the preferred modality of assistance for both Governments.

In both countries, the MTEF is closely related to the PER process, which provides annual updates on sector performance. The feedback from the PERs are used in developing the next year's budget guidelines.

Tanzania encountered a number of challenges during the early years of developing the MTEF, some of which it is still addressing. Inadequate capacity in many Ministries to carry out the analytic work and apply the new approach of output-based budgeting, and inadequate equipment (particularly computers) and facilities slowed implementation. The inability of donors to commit assistance for the medium term and to share full information on aid flows meant that not all available resources were captured. An inadequate budgeting and financial management system limited the effectiveness of the new budget process. The Government has acted quickly to address these challenges.

It has provided training to budget officers in the Ministry of Finance, who later trained the staff in the sector Ministries and local Government and has procured the necessary equipment. It has consulted with like-minded development partners to enhance partnership and trust in Government procedures and systems. It has improved the budgeting and financial management system, in particular by implementing the integrated financial management information system (IFMIS), which ensures that funds are used for their intended purposes and that financial reports are produced on time. Finally, it has engaged the services of consultants to assist staff of the sector Ministries to prepare the PERs.

In sum, the disciplined use of the MTEF in Uganda and Tanzania has given donors confidence in the country's capacity for budget management and has encouraged them to channel a larger share of their aid in the form of budget support. This shift in turn has strengthened the national ownership and management of aid. The Governments emphasize that the MTEF could act as a more effective tool for budget management and aid coordination if the donors would give the Government a firm commitment of the level of aid they will provide over the medium term. Finally, the Governments recognize that while the MTEF is necessary step in aligning financing of development partners to PRS priorities, it is not sufficient. Robust Government budgeting and financial management systems and minimization of fiduciary risk are also critical.

#### **A. Kenya's experience with the MTEF**

Although Kenya has been formulating an MTEF each year since 2001/2001 with the same broad objectives as those of Tanzania and Uganda, it is far behind its neighbors in using the tool effectively for expenditure management. The causes are several. The

first is that the MTEF process and the annual budget formulation process operate as a parallel processes rather than an integrated process, with the MTEF process being used more of a planning instrument than a budgeting instrument. Moreover, the MTEF process does not specify intersectoral priorities or even priorities within sectors for the approval of Government officials or of cabinet. Thus, budgeting in Kenya remains largely incremental, and significant reallocations of expenditures to high priority sectors (or within sectors from lower priority to higher priority activities) are not taking place.

The Permanent Secretary of the Ministry of Planning and National Development expressed a strong commitment to reform the process starting with this year's budget cycle. The key measures are:

- **Prepare a budget strategy paper** in place of the fiscal strategy paper. This will translate all core Government policy statements into coherent medium-term expenditure plans within the aggregate resource envelope, and provide an early signal to donors regarding its strategic thrust and priorities for the next budget. The first step is to prepare a budget outlook paper with proposed sector ceilings that will be ready for cabinet review by October. This will provide the basis of a budget strategy paper that will be adopted by the end of January 2005.
- **Involve the Cabinet at start of budget preparation cycle.** Cabinet discussion and endorsement of the budget strategy would help to obtain political engagement around the MTEF and to further the debate around policy choices.
- **Harmonize the PER process with the MTEF budget process.** The PER during the past two years has been finalized much too late to influence the budget process. In the future the PER process must start no later than September, at the time the preparations begin on the budget outlook paper.
- **Establish a system-wide monitoring and evaluation system.** Actions are being taken to strengthen the M&E Department at the MPND, at the line Ministries, and at the Central Bureau of Statistics.

## **DEVELOPING SECTOR-WIDE APPROACHES**

A sector-wide approach (SWAp) is a process intended to support a locally-owned coherent sector strategy and expenditure program under Government leadership in a comprehensive and coordinated manner. It is an approach based on a shared vision and shared priorities and on a joint commitment to a sector strategy and policy framework, rather than a financing instrument.

Importantly, a SWAp is not a blueprint, but a process that evolves over time depending on context-specific factors. In the early stages of SWAp development, development partners typically align their support through a mix of arrangements, including project support. They may also use both Government and partner systems for implementation and monitoring. As the capacity of Government for sector planning and public

expenditure management improves, partners typically increasingly rely on Government management and financing arrangements.

## **B. Rwanda's experience with developing SWAp**

Rwanda started to develop its first SWAp in 2001, with the aim of improving development planning and coordination of assistance to education. A key lesson emerging from its experience is the critical importance of the Government owning and leading the process, along with having a clearly articulated vision and comprehensive sector policy and strategy, and having capacity for program management. Strong personal engagement of senior officials of the relevant line Ministry and the support of the Ministry of Finance have been critical to success. Establishing formal institutional mechanisms for dialogue, consultation, and negotiation that aim to foster partnerships, joint responsibility and mutual trust have also been important.

In Rwanda, this was achieved by agreeing on partnership principles outlining the rules for engaging in the SWAp, including the key roles of the PRSP process, the MTEF, and the development of sector strategies as instruments for donor coordination. Government-led sector reviews including all stakeholders have been vital to build partnerships and to engage in joint forward planning and agree on performance targets. Having in place a sound monitoring and evaluation system has also been central to the success of SWAps. In Rwanda, the M&E system was established prior to the implementation of any SWAp, and includes both monitoring of indicators and systematic evaluation by all levels of Government. The sector report then contributes to the annual progress report of the PRS.

Several other lessons are clear. First, the development of a comprehensive strategic framework and getting the institutional framework right for coordination, consultation, and dialogue takes time. Second, reaching consensus on the key rules of the SWAp requires high degrees of flexibility, mutual trust, and often compromise. Finally, disagreements and tensions are inevitable and often not easily resolved. Open and frank discussion is important to foster common understanding necessary to take things forward.

## **C. Kenya's experience with developing SWAps**

As with the neighbours, Kenya is moving towards developing SWAps. The process is most advanced for the legal, governance, and law and order sector (GJLOS). A clear vision, Government leadership, and effective consultation with stakeholders have been key factors for progress towards developing a SWAp for this sector.

The GJLOS SWAp epitomizes the emerging trend of cooperation between the Government, Civil Society and Private Sector under which the principals of comparative advantage have been brought to the fore. It contains real and practical strategies developed with the aim of assisting primarily the vulnerable and disadvantaged groups such as the absolute poor, women, children and prisoners. Through GJLOs, the Government hopes to deepen corporate governance, enrich democracy, uphold human

rights, ethical behaviour and public safety. In view of the bulk of priorities under the sector, Short-Term Priorities Programmes have been flagged for immediate action. A total of 17 Bilateral Donor countries and Agencies have pooled resources under a basket fund arrangement for support to GJLOS under the overall coordination of the Ministry of Justice and Constitutional Development.

### **Achievements under GJLOS to date**

The major challenge under the GJLO sector has been to uproot the entrenched and institutionalized neo-patrimonial system of patronage and corruption in the public sector and to replace it with a sustainable democratic and meritocratic system of governance that operates in accordance with well-defined and predictable legal environment. Working with a new Ministry free of bureaucratic inertia has also helped.

In order to address the various governance issues the Government has taken some of the following measures:

- Establishment of the Ministry of Justice and Constitutional Affairs and the Department of Governance and Ethics under the Office of the President
- The passage into Law of several key legislation such as the Anti-Corruption and Economic Crimes Act and Public Officers Ethics Act
- Establishment of the National Anti-Corruption Campaign Steering Committee
- Establishment of a Commission to investigate and report on the *Goldenberg* scandal to facilitate prosecution of culprits and recovery of the loot
- Search and recovery of embezzled public funds stashed in hidden accounts and real estate abroad

Preparations for an education SWAp are now fully underway with the aim of aligning during the next year all funding for the sector towards the achievement of shared goals. Several activities have already been completed. These include completion by the Ministry of Education, Science, and Technology (MOEST) of an education sector review and the development of an education sector strategic plan, which were presented at the National Education Forum held in November 2003. The Ministry is now in the process of developing a Sessional Paper on education and training. In addition, the Ministry has completed its ministerial public expenditure review. The Ministry has also provided strong leadership in coordinating donor assistance to education. It has formed a joint Government-partner consultative working group on education that meets every two months. The Ministry and its development partners have also agreed on the broad targets and the performance indicators that will be tracked to monitor progress towards them.

Several challenges remain to be resolved before a SWAp for education can become a reality. The first is to reconcile and fully integrate sector plans with the MTEF. This will require fully costing the education sector development plan and improving the ministerial public expenditure review. The second is to agree with development partners on reforms in key areas, such as teacher deployment, construction of classrooms in needy areas, and the role of non-formal education and of private

provision of education. The third is to dramatically improve capacity for monitoring and analysis of agreed performance indicators, such as teacher deployment, school enrolment and attendance, progress of the Free Primary Education Program, expenditures, and learning outcomes. This will require fully implementing the education management information system at the central and district levels of Government and ensuring that information collected is processed and reported to the units that are responsible for compiling data and reporting on progress.

Looking forward, key milestones include (a) cabinet approval of the education Sessional Paper with a fully costed and reconciled education plan, (b) agreeing on annual targets for education, and (c) reflecting the findings of the fiscal 2005 ministerial public expenditure review in the draft budget for fiscal 2006. Other sectors in Kenya are also considering moving towards SWAps. These include water, and roads and public works, as the permanent secretaries of the Ministries made clear in their contributions at the workshop.

One sector in Kenya where much more work needs to be completed before a SWAp can be considered is health. Although the health sector—along with education—are the two sectors where SWAps have been most widely practiced and can benefit from the lessons learned from experiences in other countries, the Health Ministry has yet to lay out a clear vision for moving towards SWAps.

## **MOVING TOWARDS BUDGET SUPPORT**

As with its neighbors, budget support is the preferred form of donor assistance for the Government of Kenya. Budget support helps to increase the effectiveness of aid in several ways. It strengthens local ownership and accountability by linking aid more directly to local priorities. It can lower transactions costs by encouraging donors to harmonize their procedures with those of the Government. Finally, the promise of budget support provides a powerful incentive for Governments to improve budget and financial management systems and for the public to demand accountability about how resources are used.

Partners assess the appropriateness of direct budget support on the basis of three main criteria, according to the presentation of the SPA Budget Support Working Group:

- Government's planned budget priorities in support of poverty reduction:
  - How likely are the IP-ERS and sector strategies to reduce poverty?
  - How well linked is budget allocation to IP-ERS and sector strategies?
  - How well does budget execution reflect budget allocations?
  
- Government commitment to reform of public financial management systems:
  - Have the diagnostic studies adequately assessed the scale and source of the main fiduciary risks?
  - What is the evidence of Government action and commitments to address weaknesses to reduce these risks?

- Advantages and disadvantages of direct budget support compared with other aid instruments for implementing poverty-related sector strategies.
  - Partners are most comfortable providing direct budget support where:
    - (a) a clear set of rules governs the budget process;
    - (b) the budget is comprehensive and pro-poor;
    - (c) the budget is a reliable guide to actual expenditure;
    - (d) procurement is transparent and represents value for money;
    - (e) reporting of expenditure is timely and accurate; and
    - (f) independent scrutiny of expenditure is effective.

#### **D. Kenya's move towards budget support**

The Government of Kenya is now taking action to create the conditions for direct budget support. As stated earlier, the Government is committed to reforming the budgeting process by starting the process earlier in the fiscal year to facilitate dialogue between the planning, finance, and line Ministries. Development partners emphasize that it will also be important to open up the budget process to a wider group of stakeholders, including the parliament, civil society, and the private sector.

The Government has also initiated preparation of the first annual progress report of the IP-ERS, which it expects to complete in October 2004. This progress report will include a matrix of key actions and performance indicators, many linked to the MDGs, that reveals progress being made (or not) in implementing the IP-ERS and its impact. It will be important to agree on a timetable for consultations with stakeholders, including donors on the content of the progress report as a basis for budget and sector support. It will also be important to establish a regular timetable for reviewing the implementation and the impact of the IP-ERS.

The Government is updating its Action Plan for Enhanced Financial Management, drawing on the findings and recommendations of the Public Expenditure Management Assessment and Action Plan. Especially important to development partners are measures to address the disconnect between budgetary allocations and execution and plans to improve procurement and auditing. The next step is to reach agreement with the development partners on the intended reforms and then to publicly announce the planned reforms.

In addition, the Government with donors has established the Budget Support Coordination Group and its supporting Joint Technical Working Group. These forums will facilitate the dialogue between the Government and donors on the IP-ERS, sector strategies, MTEF, and public financial management.

Clear progress in all these areas during fiscal 2005 will be necessary before the development partners will be willing to provide direct budget support.

## **CONCLUSIONS AND NEXT STEPS**

Kenya has a ways to go before effectively creating the conditions for sector and budget support. The Government recognizes the considerable advantages of sector and budget support and is rapidly moving forward to develop a shared vision, reform the budgeting process, and improve public sector financial management and accountability systems that are needed to gain the confidence of donors. It will continue to implement the actions already started, with support of its development partners where this is needed.

As the next step in advancing the agenda, the Minister of Finance will call a high level meeting to deliberate the way forward with budget support and SWAps. It was also agreed that a joint donor budget support mission would take place in September 2004 comprising development partners who envisage providing budget support through future assistance programs. The mission would discuss the draft budget outlook paper and the draft annual progress report for the IP-ERS. The macro and fiscal framework will need to be updated by then.

Kenya is at a critical junction in its history. With decisive action to improve governance, strengthen the budgeting process, and reform public sector management and accountability systems, Kenya can soon attract sector and budget support from its development partners and improve the effectiveness of aid.

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