STRENGTHENING INSTITUTIONAL GOVERNANCE FOR MAINSTREAMING NDCS IMPLEMENTATION IN KENYA
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INTRODUCTION

Pan African Climate Justice Alliance, through the Act Change Transform ACT! Strengthening Adaptation and Resilience to Climate Change in Kenya Plus (StARCK+) Programme, in collaboration with the other civil society organizations, is spearheading the mainstreaming of Climate Change into sectoral plans of the national and county governments; and improving engagement with civil society organizations. This policy brief is based on the analysis of Kenya NDCs in the context of mainstreaming it to the sectors of the economy and highlights the recommendations for governance frameworks to create an enabling environment for the implementation of the NDCs both at the national and county level.
WHY NDCS MAINSTREAMING?

Currently, there is progress in planning for the NDCs implementation after the Paris agreement in 2015. With a goal to cut down emissions by 30% by 2030 it is therefore important to ensure that there is an institutional framework in place to enable a smooth implementation process. This will contribute to transitioning Kenya to a low-carbon, climate-resilient economy and the pathway toward sustainable development by reducing carbon emissions as specified in the NDCs.

Implementation Kenya has made significant progress to mainstream climate change into sectors and budgeting processes. An enabling policy framework exists, which provides a foundation for climate integration within existing structures. However, this may need a re-structuring of the existing to fit in the proposed interventions in the NDC. The Constitution of Kenya, for example, sets out sustainable development as a binding principle of national governance. The Climate Change Act (2016) sets out a statutory definition of mainstreaming as “the integration of climate change actions into making and implementation of functions by the sector ministries, state corporations, and county governments.” The Climate Change Act also sets out the roles and responsibilities of various stakeholders for climate change mainstreaming. The Act explicitly requires the national and county governments to mainstream climate change responses into development planning, decision-making and implementation in all sectors of the economy. The principal legal tool for mainstreaming under the Act is the National Climate Change Action Plan (NCCAP), which includes the National Adaptation Plan (NAP) and the NDCs.

Various initiatives are underway that are led by the Climate Change Directorate in the Ministry of Environment and Natural Resources. These include a coordination process to assist sectors with mainstreaming climate change as well as a sector analysis of Kenya’s Nationally Determined Contribution (NDCs), which will form the basis for Kenya’s NDCs implementation plan. The sector analysis will provide the evidence base for the review and updating of the NCCAP for 2018-2022.
WHY INSTITUTIONAL GOVERNANCE IS SIGNIFICANT IN THE IMPLEMENTATION OF THE NDCS?

Effective governance involves driving progress, coordinating decision-making processes, ensuring accountability, engaging stakeholders inside and outside of government, and maintaining political will at all levels. Key activities that countries can undertake to strengthen governance arrangements include the following:

POLICY RECOMMENDATIONS FOR EFFECTIVE INSTITUTIONAL GOVERNANCE

a. Review current institutional arrangements – it is vital that the current existing institutional structures and arrangements are reviewed to ensure well mainstreaming of the NDCs is in place for implementation in all sectors. Kenya, with the county governments in place, will need to position the key sectors in terms of budgetary allocations in all departments to ensure they are well positioned to implement the targets put by the NDCs.

b. Review the existing governance setting- both the national and county level governance structures may need to be reviewed more so on resource governance that will ensure fair allocation of enough budgets to those sectors mostly mandated to implement NDC goals. This again calls for establishing an NDCs implementation coordination team both at the national and county level with a central NDCs coordination team at the national level. The team’s roles and responsibilities with regards to NDC implementation should clearly be stipulated. All the government ministries and agencies will have to agree on cooperation approaches for combined efforts in the implementation.

c. Provide extra resources to support for NDC implementation- This requires resource mobilization both within and outside the government to ensure effective implementation, as well as achieving the set goal by end of the target period.

d. Build capacity within government institutions

Identifying the capacity needs across government sectors & relevant institutions to enable NDCs implementation, and develop a programme of ongoing support. This can be through shortlisting and prioritize options that can be achieved in the short-term, medium term, and long-term period and conduct a detailed appraisal of priority actions for key sectors as well analyzing the current capacities to achieve them. Any barrier to achieving a set goal to be looked into and solutions provided. Another area of capacity building is improving the evidence base for generating new evidence on the progress of implementation.
REFERENCES

Kenya’s Nationally Determined Contribution (NDC) July 2015
Planning for NDC Implementation https://goo.gl/utHLRi
Kenya Climate Change Act (2016)

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