Integration of Rwanda Local Authorities in the European Cooperation Programming Process 2021-2027

ANALYTICAL REPORT

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Programming Process of the 2021-2027 EU Cooperation

Preparedness of Local Authorities and RALGA in the dialogue and interaction with the Central Government and the EU Delegation in Rwanda

Status of the localisation and territorialisation of national and sectoral policies and programs in the decentralization process

Analytical Report

Kigali, September 2020
# Table of Contents

List of tables .......................................................................................................................... i

List of figures .......................................................................................................................... i

Abbreviations and acronyms ................................................................................................. i

1.  INTRODUCTION ...................................................................................................................... 3

   1.1.  Background and context ................................................................................................. 3

   1.2.  Decentralisation in Rwanda – a brief introduction ......................................................... 4

   1.3.  Methodology .................................................................................................................... 4

   1.4.  Organisation of the Report ............................................................................................ 5

2.  THE EU DEVELOPMENT COOPERATION ............................................................................ 5

   2.1.  EU-ACP Agreements and Conventions ......................................................................... 5

   2.2.  Financing EU Development Cooperation with ACP countries ...................................... 6

   2.3.  EU Cooperation in Rwanda ............................................................................................ 7

      2.3.1.  RWANDA National Indicative Program ................................................................... 7

      2.3.2.  Cotonou – and Local Governance in Rwanda ......................................................... 8

      2.3.3.  Project or Budget support? ....................................................................................... 8

   2.4.  Beyond Cotonou - EU Programming 2021-2027 ............................................................ 9

   2.5.  Territorial Approach to Local Development (TALD) .................................................... 9

3.  NATIONAL COMMITMENT TO SPATIAL DIMENSION IN DEVELOPMENT MANAGEMENT ........ 9

   3.1.  The Constitution ............................................................................................................. 9

   3.2.  National Decentralisation Policy ..................................................................................... 10

   3.3.  Laws governing decentralised entities .......................................................................... 11

   3.4.  Legislations establishing public institutions .................................................................. 13

   3.5.  Sectoral policies and regulations ................................................................................... 13

      3.5.1.  Responsibility Assignments with powers for decision making - CRA\(^p\) ............... 14

      3.5.2.  Responsibility Assignments and retention of powers for decision making - RA\(^p\) .... 14

      3.5.3.  No Decentralised Responsibility Assignments - NRA ........................................... 14

   3.6.  Decentralisation of service delivery .............................................................................. 14

   3.7.  Territorialisation support systems ............................................................................... 15

      3.7.1.  Local Government Planning ..................................................................................... 15

      1.1.1.  Imihigo and CG/LGs Joint Planning ........................................................................ 16

      3.7.2.  Local Governments Financing ............................................................................... 17

      3.7.3.  Citizen participation ................................................................................................. 20
3.7.4. Local Autonomy ............................................................................................................. 21
3.7.5. Human Resources in LGs ................................................................................................. 22
3.7.6. E-governance and territorialisation .................................................................................. 23
3.8. Sector decentralisation steering ......................................................................................... 24
3.9. Coordination of partners intervening in decentralisation and local governance sector ...... 24
4. RALGA IN THE LOCALISATION AND TERRITORIALISATION PROCESS ......................... 24
4.1. The Association .................................................................................................................... 24
4.1.1. Organisation ..................................................................................................................... 24
4.1.2. Structure of RALGA Secretariat ..................................................................................... 25
4.1.3. Services to members ....................................................................................................... 27
4.1.4. Key stakeholders ............................................................................................................. 27
4.2. Role of Local Governments in the Localisation of SDGs .................................................. 27
4.3. Local economic development strategies .......................................................................... 28
4.4. RALGA Strategic plan 2020/2025 ...................................................................................... 28
4.5. RALGA SWOT ANALYSIS ................................................................................................. 29
4.5.1. Strengths ........................................................................................................................ 29
4.5.2. Weaknesses .................................................................................................................... 30
4.5.3. Opportunities ................................................................................................................ 31
4.5.4. Threats .......................................................................................................................... 32
5. OPPORTUNITIES FOR THE EU PROGRAMMING 2021 -2027 ........................................ 33
5.1. For Local Governments .................................................................................................... 36
5.2. For RALGA ....................................................................................................................... 36
REFERENCES .......................................................................................................................... 38
List of tables

Table 1: Rwanda Indicative Program Breakdown................................................................................7
Table 2: Sector Decentralisation in the National Decentralisation Policy and Laws on DAEs & CoK ....12
Table 3: Citizen Participation mechanisms in sectors.......................................................................20
Table 4: Summary of the SWOT Analysis..........................................................................................33

List of figures

Figure 1: Responsibility assignments to LGs .....................................................................................13
Figure 2: Decentralisation of service delivery..................................................................................14
Figure 3: Local Government share in the National Budget, 2014/15 -2019/20.................................18
Figure 4: Source of sector financing for central and local governments.............................................19
Abbreviations and acronyms

ACP : African, Caribbean and Pacific
CG : Central Government
CLGF : Commonwealth Local Government Forum
CoK : City of Kigali
CSO : Civil Society Organisation
DAE : Decentralised Administrative Entities
DALGOR : Deepening Accountable Local Governance in Rwanda
DDS : District Development Strategy
EALGA : East Africa Local Government Association
EDF : European Development Fund
EDPRS : Economic Development and Poverty Reduction Strategy
EU : European Union
EUD : EU Delegations (s)
FBO : Faith Based Organisation
GATT : General Agreement on Tariffs and Trade
GIZ : Deutsche Gesellschaft für Internationale Zusammenarbeit (German International Cooperation)
ICT : Information and Communication Technology
Kfw : Kreditanstalt Fuer Wiederaufbau (Kfw Development Bank)
KML : Knowledge Management and Learning
LAs : Local Authorities
LED : Local Economic Development
LGI : Local Government Institute
LODA : Local Administrative Entities Development Agency
MAJ : Maisons d'Accès à la Justice
MDGs : Millennium Development Goals
MINAGRI : Ministry of Agriculture and Animal Resources
<table>
<thead>
<tr>
<th>Acronym</th>
<th>Description</th>
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<tbody>
<tr>
<td>MINECOFIN</td>
<td>Ministry of Finance and Economic Planning</td>
</tr>
<tr>
<td>MININFRA</td>
<td>Ministry of Infrastructure</td>
</tr>
<tr>
<td>NAO</td>
<td>National Authorising Officer</td>
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<td>NDICI</td>
<td>Neighbourhood, Development and International Cooperation Instrument</td>
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<td>NDIS</td>
<td>National Decentralisation Implementation Secretariat</td>
</tr>
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<td>NDP</td>
<td>National Decentralization Policy</td>
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<td>NIP</td>
<td>National Indicative Program</td>
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<tr>
<td>OPM</td>
<td>Office of the Prime Minister</td>
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<tr>
<td>PADOR</td>
<td>Potential Applicant Data Online Registration</td>
</tr>
<tr>
<td>PWD</td>
<td>People living with disabilities</td>
</tr>
<tr>
<td>RAB</td>
<td>Rwanda Agriculture Board</td>
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<tr>
<td>RALGA</td>
<td>Rwanda Association of Local Government Authorities</td>
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<tr>
<td>REG</td>
<td>Rwanda Energy Group</td>
</tr>
<tr>
<td>RGB</td>
<td>Rwanda Governance Board</td>
</tr>
<tr>
<td>RRA</td>
<td>Rwanda Revenue Authority</td>
</tr>
<tr>
<td>RWB</td>
<td>Rwanda Water Resources Board</td>
</tr>
<tr>
<td>SALAR</td>
<td>Swedish Association of Local Authorities and Regions</td>
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<tr>
<td>SDGs</td>
<td>Sustainable Development Agenda 2030</td>
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<tr>
<td>TALD</td>
<td>Territorial Approach to Local Development</td>
</tr>
<tr>
<td>TVET</td>
<td>Technical and Vocational Education Training</td>
</tr>
<tr>
<td>UCLG</td>
<td>United Cities and Local Governments</td>
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<tr>
<td>WTO</td>
<td>World Trade Organization</td>
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1. INTRODUCTION

1.1. Background and context

The European Union (EU) has launched the development of a new international cooperation program for the next seven years (2021-2027). In this process, EU Delegations (EUDs) were assigned the responsibility to identify priorities to be included in the program through dialogues with state and non-state actors in countries under their geographical coverage.

The European Commission’s 2013 Communication\(^1\) has recognised local authorities as state actors in their own rights and capacity. In this title, they should participate in the programming process alongside the representatives of the national government, in the dialogue with the EU Delegations to determine specific priorities and programs to be included in the EU cooperation. As part of the pre-programming process, Local Authorities need to agree on “demands” to be put on the table across the board. This requires Local Authorities (LAs), through their national associations, to carry out the necessary consultations and dialogue with the central government (CG) to develop joint priorities to be negotiated with both the Central Government (CG) and LAs with the in-country EU Delegation.

To ensure the preparedness of LAs and their associations, UCLG-Africa proposed to its members, of which the Rwanda Association of Local Government Authorities (RALGA), to collectively and consistently defend the following political agenda of demands in the programming:

1. “Territorialisation” of core public policies to integrate diverging realities and needs in different sectors in order to promote growth, create jobs and reduce inequalities;
2. To “Localise” the sustainable development Agenda 2030 (SDGs), local and regional governments should be seen as an “essential partners” of central government. To this end LA participation should be “Mainstreamed” in (EU-supported) sector policies and programmes (e.g. agriculture, climate change, energy, migration, youth, gender, etc.)
3. The national government and the EU to actively support territorial approaches to local development spearheaded by LAs as they can help to unlock the potential of territories and create additional wealth and income. This includes development-friendly decentralisation policies which enhance both the autonomy and accountability of LAs.

UCLG-Africa recruited national consultants to support Local Authorities Associations and LAs to collect and analyse basic information and prepare the analytical work to be used to decide on priorities to be negotiated during their dialogue with the Central Government first and after that, during joint negotiation with in-country EU-Delegations.

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\(^1\) “Empowering local authorities in partner countries for enhanced governance and more effective development outcomes”, European Union, Committees of the regions, CIVEX-V-041, 103\(^{rd}\) Plenary Session, 7-9 October 2013, Accessible at [https://www.vng-international.nl/wp-content/uploads/2015/05/PDF/News_draft_opinion_Committee_of_the_Regions.pdf](https://www.vng-international.nl/wp-content/uploads/2015/05/PDF/News_draft_opinion_Committee_of_the_Regions.pdf)
1.2. Decentralisation in Rwanda – a brief introduction

The National Decentralization Policy (NDP) was adopted by the Government of Rwanda in May 2000, after a series of consultations with citizens and experts on how Rwandans could build on good governance to heal wounds from their painful history that had culminated in the Genocide Against the Tutsi in 1994. The decentralisation policy was formally rolled out in May 2001.

The objective was to improve governance and access to quality services by the citizens while catalysing rapid and sustainable local economic development through the participation of the population in the planning and management of the development process. In this framework, the “localisation” and “territorialisation” of national plans and sectoral policies and strategies, referred to as “sector decentralisation” in Rwanda, as well as “Local Economic Development” are among the seven strategic areas of focus in the implementation of the 2012 edition of the National Decentralisation Policy².

Several assessments of the implementation of NDP and sector decentralisation itself have all highlighted different sectoral paces and approaches in functions and responsibilities assignments and discretionary decision making powers to local governments, and inadequate allocation of resources (both human and financial) for assigned functions and responsibilities³.

Part of the challenges in the implementation adequate territorialisation of sector policies and strategies include low clarity and lack of a binding legal framework for sectors to decentralise and the absence of an appropriate steering and coordination framework. This is despite the fact that the country has, as required by the current National Decentralisation Policy, identified local potentialities in all districts and developed a national Local Economic Development (LED) Strategy and specific districts’ LED Strategies to exploit identified local potentialities.

1.3. Methodology

The development of this analytical report included;

(i) Extensive desk review of national and sectoral policies and legal frameworks, as well as assessment reports on the status of the implementation of the decentralisation and sector decentralisation, projects implementation reports, strategic plans, etc.

(ii) Consultation of different stakeholders in the implementation of the decentralisation, the national authorising officer (NAO) – currently MINECOFIN, the Ministry of Local Government, the EU Delegation in Rwanda, etc.

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² Third Decentralisation Implementation Plan (DIP 3), p.4-5
³ Assessments of the status of sector decentralisation in 2013 (RGB) and 2020 (MINALOC); Assessment of the impact of the implementation of the Decentralisation Policy in Rwanda (2001-2017) (MINALOC, 2017)
Consultations with RALGA.

1.4. Organisation of the Report

This “Analytical report” is organised in seven sections as follows:

- **Section 1 “Introduction”** provides a brief background to the EU programming process and expectations from the involvement of the LAs and their Associations in the process. This section provides also a brief description of the decentralisation process in Rwanda;
- **Section 2 “EU Development Cooperation”** provides the required background on the EU cooperation with ACP countries, how it evolved to the current programming for 2021-2027, possible changes in the new programming. This section summarises also the current National Indicative Program in the EU Cooperation in Rwanda and how Local Governments and RALGA were associated and benefited from its implementation
- **Section 3 “National Commitment to Spatial Dimension of Development Management”** provides an insight on the status of the decentralisation of sectoral policies and strategies based on the provisions of the decentralisation policy and regulatory framework, as well as national overarching regulations, policies and strategies, the status of decentralised services delivery all of which reflect the level of localisation of sectoral policies and strategies
- **Section 4 “RALGA in the Localisation and Territorialisation Process”** provides a description of the association and its functioning, its Strengths, Weaknesses, Opportunities and Threats in its endeavours to support its members in their dialogue with the central government to adequately implement sector decentralisation
- **Section 5 “Opportunities for EU Programming 2021/2027”** proposes areas in RALGA and Local Government for inclusion in the upcoming EU Programming to be discussed during the dialogue with central government and if endorsed tabled during negotiations with the in-country EU Delegation;

2. THE EU DEVELOPMENT COOPERATION

2.1. EU-ACP Agreements and Conventions

For 63 years now since the first Rome Treaty in 1957, Europe has been developing trade and cooperation partnerships with African, Caribbean and Pacific (ACP) countries and territories. This was first built on the colonial ties that European countries had with these countries, and later eventually evolved into a more or less equal partners trade and cooperation agreements. To date, three rounds of agreements (sometimes also called conventions) were signed between EU and ACP countries, i.e. the Yaoundé Agreements (1959-1975), the Lomé Convention (1976-1999), and the Cotonou Agreement (2000-2020) which ended in February 2020.
The terms in different cooperation agreements and conventions have always reflected and been impacted by the prevailing political and economic environment at the time of their signatures. This includes the decolonisation of most of the ACP countries in the 60s and 70s and their slow evolution into sovereign countries, the constant enlargement of the EU bloc, and the global geostrategic changes that emanated from the end of the “cold war” in the late 80’ and early 90’.

In this context it is obvious that political interests in both blocs have always somehow dictated the terms of the cooperation and partnership. For example, one of the important aspects of Yaoundé Agreements was its foundation on the recognition of national sovereignty of all participating countries, though the reminiscence of neo-colonialism resulted in unsatisfactory outcomes. This, combined with changes in the European political framework led to the singing of the Lomé Convention in 1976. Lomé did not live up fully to expectations either. It is reported that the absence of expected economic rewards, its incompatibility with the World Trade Organization (WTO) General Agreement on Tariffs and Trade (GATT) and its complexity resulted again in the drawing and signing of the Cotonou Agreement in June 2000 by 78 ACP countries and the EU-15 for a period of 20 years (2000-2020).

The Cotonou Agreement was based on the principles of partnership, participation, dialogue and mutual obligations, differentiation and regionalisation. Building on previous agreements experience, the Cotonou Agreement introduced some innovations, of which the recognition of the important role played among other by “local decentralised authorities to the development process”\(^4\). The Cotonou Agreement was therefore the first in the three rounds of agreements/conventions to explicitly include local and regional governments (LRG) among key stakeholders in its implementation (article 6) and acknowledged their ‘complementary role and their potential contributions’ (article 4) in ACP-EU cooperation.

The Cotonou Agreement provided also a framework for ‘decentralised cooperation’, which enabled partnerships between national local authorities and their international counterparts in EU and ACP countries. For RALGA, examples of such cooperation partnerships include the relationships with VNG (Netherlands), SALAR (Sweden), UK Local Government, etc. to cite just a few.

\[2.2. \textbf{Financing EU Development Cooperation with ACP countries}\]

The European Development Fund (EDF) was until now the main instrument to finance the EU development cooperation. The EDF is not included in the EU budget. It is financed by direct contributions from EU Member States and has its own financial rules. Since its inception, the EU/ACP cooperation was financed by 11 rounds of EDFs, three of which were used to finance the implementation of Cotonou Agreements (EDF 9 to 11). The last 11\(^{th}\) EDF was worth €30.5 billion and covered the period of 2014-2020.

\[\]

\(^4\) Cotonou Agreement, Article 4 ‘General Approach’ (p.19)
With the end of Cotonou and the signing of a new Agreement, it is expected that post-2020 funding will be impacted by the withdrawal of UK contributions from EU cooperation financing (€4.48 billion, representing 14.48 % of EDF resources in 2014-20).5

2.3. EU Cooperation in Rwanda

2.3.1. RWANDA National Indicative Program

The Rwanda National Indicative Program (NIP) under EDF 11 was € 460 Million, and financed interventions in three sectors, i.e. (i) Agriculture, (ii) Energy and (iii) Accountable Governance. The three sectors were picked by the EU from Rwanda’s EDPRS2 priorities, as part of the joint planning between Development Partners (DPs) & the Government of Rwanda (GoR), through which DPs are assigned specific sectors for support within the country’s strategic development program. This ensures a coordinated DPs in the implementation of the national development agenda, and removal of possible duplications.

The breakdown of the NIP is provided in the table below.

*Table 1: Rwanda Indicative Program Breakdown*

<table>
<thead>
<tr>
<th>Sector</th>
<th>Subsector</th>
<th>Funding</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1) <strong>Agriculture and food security</strong></td>
<td>- Improved food security &amp; Nutrition</td>
<td>€ 200 Million</td>
</tr>
<tr>
<td></td>
<td>- Agriculture Intensification</td>
<td></td>
</tr>
<tr>
<td></td>
<td>- Inclusive Value chains</td>
<td></td>
</tr>
<tr>
<td>(2) <strong>Energy</strong></td>
<td>- Power generation,</td>
<td>€ 200 Million</td>
</tr>
<tr>
<td></td>
<td>- Urban and Rural Access to energy</td>
<td></td>
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<tr>
<td></td>
<td>- Reducing use of biomass and diesel energy</td>
<td></td>
</tr>
<tr>
<td>(3) <strong>Accountable governance</strong></td>
<td>- Public accountability and democratic Governance</td>
<td>€ 40 million</td>
</tr>
<tr>
<td></td>
<td>- Efficient and effective accountable use of public resources</td>
<td></td>
</tr>
<tr>
<td>(4) <strong>Measures to support CSOs</strong></td>
<td>- CSO &amp; Institutional strengthening capacity</td>
<td>€ 10 million</td>
</tr>
<tr>
<td></td>
<td>- building of relevant ministries, and public institutions</td>
<td></td>
</tr>
<tr>
<td>(5) <strong>Support measures</strong></td>
<td>- Support to NAO, etc.</td>
<td>€ 10 million</td>
</tr>
</tbody>
</table>

Institutions supported under Accountable Governance include the (i) Parliament for the promotion of Public participation, (ii) the Ombudsman in support of interventions to fight corruption and (iii) MAJ and Abunzi in the Justice Sector.

Funds are released through government systems by means of budget support as a preferred mechanism by the GoR, as opposed to the project approach. The inclusion of energy in financed sectors was a shift from the previous focus of EU support to the transport sector (airport and roads construction, etc.). There has been no evaluation of the NIP yet.

5 Djingo Adenane and Carl Wright (2018), Local and regional Government and the ACP-EU Partnership Agreement, PLATFORMA, Brussels (p.13)
2.3.2. Cotonou – and Local Governance in Rwanda

Consultations with the EU Delegation and RALGA indicated that two projects financed by the EU Delegation were implemented by RALGA, i.e. (i) “Enhancing Implementation of Rwanda National Decentralization Policy”, and (ii) “Deepening Accountable Local Governance in Rwanda (DALGOR)”. The two projects were financed outside the EDF’s resources and were therefore not part of the NIP.

Other activities were implemented in districts but not part of RALGA activities. These included “citizen empowerment” targeting farmers and youth on responsive Imihigo – such as construction of schools, TVET, etc. There is need to amplify the voice of the citizens in the governance processes at local government level. A project on advocacy with local authorities to take into account local priorities raised by youth, as active and innovative citizens was also operated, with the objective to bring local groups to work with local governments on a number of priorities and instil a direct dialogue.

Empowering participation of specific groups such as youth, women, people with disability is therefore one of the potential areas that could be considered in the new programming. There is a critical need to empower the councils of youth, women, people living with disabilities (PWD) at local level for active participation.

2.3.3. Project or Budget support?

The “budget support” approach implies agreeing with the EU partner country on key national indicators targets to achieve prior to funds disbursements. If these targets are not met, no funds are released. Rwanda opted for “budget support” and NIP funds are released through the national budget to ministries coordinating financed sectors (MINAGRI for Agriculture: fertilisers, extension services, etc. through RAB, and MININFRA for Energy).

The “budget support” approach has an advantage over the “project” approach as it allows an open dialogue on national policies. While in the project approach, the EU controls the use of funds, which allows developing specific programs, the budget support approach allows promoting the dialogue on policies, through the selection of national targets to be realised and a precondition to funds disbursement.

The budget support approach allows avoiding multiple development partners’ procedures for the government, though in Rwanda, government procedures are even more rigorous than development partners’ are. The recipient country has the flexibility to develop programs and has full control over resources use in this framework. It also puts pressure on the government to deliver. However, the risk with the budget approach is that a country can fix overambitious targets, which could result in blockage of funds when they are not realised. In practice, it is therefore advised to have a mix of both approaches. For example, in the current Rwanda NIP the project approach was used in the Governance sector, and some activities in the justice sector.
2.4. Beyond Cotonou - EU Programming 2021-2027

For the next programming for 2021/2027, the EDF mechanism is going to be dropped. All EU development cooperation funds will transit through the European Union budget. A new financing instrument will be operated, the “Neighbourhood Development and International Cooperation Instrument (NDICI)”, more flexible on the choice of projects. Funds could continue to be released as “budget support” and part as projects.

As already indicated Local Authorities and their associations will participate in the programming process alongside the representatives of the national government, in the dialogue with the EU delegations to determine priorities and programs to be financed.

2.5. Territorial Approach to Local Development (TALD)

The European Union promotes “Territorial Approach to Local Development (TALD)” in the new programming. Territorial development is a development that is endogenous, based on local potentialities, and spatially integrated beyond typical fragmentation caused by political and administrative boundaries as well as by traditional sectorial programming.

Local development is not about simply “localising” the goals, objectives and development programmes adopted by other institutions, whether in consultation or not with local authorities, (national, regional, international development plans). It is a multilevel, incremental, and complementary process, supported by a set of diverse actors from the private and public sectors, acting under a shared vision; and in coherence with the efforts of other levels of government.

Territorial Development is therefore a better understood Local Development and is successful if built on the exploitation of local comparative advantages. However, the conversion of local potentialities into development drivers depends on the existence of an appropriate national enabling environment. This includes an effective decentralization policy that facilitates TALD and recognizes the crucial role of local authorities in the definition of their own development future.

3. NATIONAL COMMITMENT TO SPATIAL DIMENSION IN DEVELOPMENT MANAGEMENT

3.1. The Constitution

The Constitution of the Republic of Rwanda of 2003 as revised in 2015, in its article 6, provides for the decentralisation of “public powers” at local administrative entities. This includes not only administrative decentralisation but also fiscal and sector decentralisation. The Constitution provides thus a legitimate anchor for the localisation and territorialisation of development policies, strategies and programs to fit local differences and potentialities. From this provision of the Constitution, the major question is whether the decentralisation policy and implementing laws
have provided for an adequate environment for the localisation and territorialisation of development, which in Rwanda is referred to as *sector decentralisation*.

### 3.2. National Decentralisation Policy

The National Decentralisation Policy (NDP) as revised in 2012 is built around seven principles, three of which provide the required policy framework for sector decentralisation, and thus the prerequisite for the territorialisation/localisation of sectoral activities as spelt below.\(^6\)

- **Principle of Subsidiarity:** The Central Government shall only perform tasks which cannot be undertaken effectively at the Local Government level. Within Local Governments, the same principle should apply right up to the lowest level;

- **Principle of Local Autonomy:** Respecting the principle of local autonomy, identity, interests and diversity to make sure that decentralisation champions people’s participation in identifying local needs and interests, making plans for satisfying them, mobilizing resources and committing their energies to the implementation of the plans. The Government will pursue devolution of certain functions to Local Governments to the highest extent possible for citizens to feel they are sufficiently empowered and Local Governments’ autonomy is upheld within the context defined by the Constitution;

- **Recognising that “One size does not fit all”:** decentralisation shall be undertaken in different ways by different sectors depending on the nature of the sector and services to be provided. *However, the essence of ensuring that services are delivered by entities closest to the population, that citizens are actively involved and are able to hold service providers accountable, and that Local Governments have full authority over and are accountable for all devolved functions, must be maintained.* It also means that Local Governments must be treated differently because of their unique needs, strengths and challenges, and shall thus be given autonomy and supported to develop their own priorities and take decisions, as long as such decisions are consistent with the national ideals and within the law.

The NDP indicates further that; “*The Government shall ensure that the decentralized functions are clarified, even as they are progressively devolved, and the roles and responsibilities assigned to each level are clear, and that all actors have a common understanding of what is expected to be performed by each level*.\(^7\)

Apart from the listing of these basic principles, the NDP has also included sector decentralisation among the seven (7) thematic areas of focus, where achievements should be consolidated\(^8\). Beyond this, the NDP provides minimal guidance how to approach the sector decentralisation. It only names, as means of example, few sectors of which health and education (in the social cluster), agriculture, infrastructure and trade (in the economic cluster) and justice, law, order and security

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\(^6\) National Decentralisation Policy, revised June 2012, pp. 25-26

\(^7\) National Sector Decentralisation Policy as revised in 2012 p.2

\(^8\) Idem, p. 27
(in the governance cluster). The policy remains silent on how to handle sector decentralisation for several other sectors, which makes it hard to assertively tell which sectors are to be decentralised and which ones are not. As a result, sectors are actually left to discretionary appreciate what should be decentralised or not, given each one’s context, with limited coordination.

Two assessments on the status of sector decentralisation in Rwanda conducted in 2013 and 2020\(^9\) and the 2017 assessment of the impact of the implementation of the decentralisation policy\(^{10}\) itself have confirmed this. They highlighted that sector decentralisation is not coordinated nor implemented adequately, and recommended that sector decentralisation should be one of the priorities in the upcoming decentralisation reforms in Rwanda.

### 3.3. Laws governing decentralised entities

Decentralized Administrative Entities in Rwanda comprise of the City of Kigali, Districts as well as sub districts entities (sectors, cells and villages).

The Law No 87/2013 of 11/09/2013 governing Decentralised Administrative Entities (DAEs) and the Law No 22/2019 of 29/07/2019 governing the City of Kigali (CoK) provide some but also limited guidance on what roles and responsibilities DAEs and the CoK should play in sector decentralisation, in complement to the provisions in the decentralisation policy. However, as it is the case for the National Decentralisation Policy, the two laws are only explicit for few sectors and largely silent on several others.

The Law No 87/2013 on DAEs, beyond defining responsibilities of decentralised administrative entities and organs, does only occasionally entrust specific responsibilities to various organs and authorities of the District in sectors that include health, education, youth, sports, culture and leisure, infrastructures and local security. Major sectors such as agriculture, land management, social protection, trade, mining, ICT, gender, family promotion, disaster management, etc. are not made any single reference to, yet they are vital for local socio-economic development.

The Law No 22/2019 of 29/07/2019 governing the City of Kigali (CoK) is no exception as it only explicitly entrusts some sectoral responsibilities to various organs and authorities of the CoK and its three districts, such as health, education, urbanisation and infrastructure, land (management), transport, social protection, labour (development) and internal security. Surprisingly, other major sectors such as agriculture (a big part of the city delimitation is still rural), gender, family promotion, disaster management, ICT, etc. are not regulated by this law, yet they equally contribute to the socio-economic transformation of the City.

The table below provides a consolidated visual representation on the extent to which the decentralisation of specific sectors is provided reference for in the national decentralisation Policy, the law governing DAEs and the Law Governing the City of Kigali. The acronym CR (Clear Reference) is used for sectors for which clear responsibilities are assigned to the district and the

<table>
<thead>
<tr>
<th>Sector</th>
<th>Decentralisation Reference</th>
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</thead>
<tbody>
<tr>
<td></td>
<td>CR</td>
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</tbody>
</table>

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\(^9\) Two Assessments of the status of Sector decentralisation in Rwanda (first study by RGB in 2013, second study by MINALOC/GIZ in 2020)

\(^{10}\) Assessment of the impact of decentralisation policy implementation in Rwanda (2001-2017), MINALOC, October 2017
City of Kigali. The acronym IR (Indirect Reference) used for sectors for districts and the City of Kigali’ responsibilities have to be extrapolation from some other general responsibilities assigned these decentralised entities. Finally, S (Silent) was used for sectors where the NDP and the laws governing the districts and the City of Kigali do not define any responsibility for DAEs.

Table 2: Sector Decentralisation in the National Decentralisation Policy and Laws on DAEs & CoK

<table>
<thead>
<tr>
<th>Sectors</th>
<th>Decentralisation Policy</th>
<th>Law N°87/2013 governing DAEs</th>
<th>Law No.22/2019 governing CoK</th>
</tr>
</thead>
<tbody>
<tr>
<td>Infrastructure</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Water Supply</td>
<td>S</td>
<td>CR</td>
<td>CR</td>
</tr>
<tr>
<td>Sanitation</td>
<td>CR</td>
<td>CR</td>
<td>CR</td>
</tr>
<tr>
<td>Transport</td>
<td>CR</td>
<td>CR</td>
<td>CR</td>
</tr>
<tr>
<td>Urbanisation</td>
<td>CR</td>
<td>CR</td>
<td>CR</td>
</tr>
<tr>
<td>Rural Settlement</td>
<td>CR</td>
<td>CR</td>
<td>S</td>
</tr>
<tr>
<td>Energy</td>
<td>IR</td>
<td>IR</td>
<td>IR</td>
</tr>
<tr>
<td>Education</td>
<td>IR</td>
<td>CR</td>
<td>CR</td>
</tr>
<tr>
<td>Health</td>
<td>IR</td>
<td>CR</td>
<td>CR</td>
</tr>
<tr>
<td>Agriculture</td>
<td>IR</td>
<td>S</td>
<td>S</td>
</tr>
<tr>
<td>Environment &amp; Natural Resources</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Land</td>
<td>S</td>
<td>CR</td>
<td>CR</td>
</tr>
<tr>
<td>Environment</td>
<td>S</td>
<td>CR</td>
<td>S</td>
</tr>
<tr>
<td>Forestry</td>
<td>S</td>
<td>IR</td>
<td>S</td>
</tr>
<tr>
<td>Water resources</td>
<td>S</td>
<td>S</td>
<td>S</td>
</tr>
<tr>
<td>Trade &amp; Industry</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Trade and investment</td>
<td>CR</td>
<td>CR</td>
<td>CR</td>
</tr>
<tr>
<td>Cooperatives</td>
<td>CR</td>
<td>CR</td>
<td>S</td>
</tr>
<tr>
<td>Industry &amp; Craft</td>
<td>CR</td>
<td>CR</td>
<td>CR</td>
</tr>
<tr>
<td>Tourism and Hospitality</td>
<td>CR</td>
<td>IR</td>
<td>IR</td>
</tr>
<tr>
<td>Mining</td>
<td>CR</td>
<td>S</td>
<td>S</td>
</tr>
<tr>
<td>Social Protection</td>
<td>S</td>
<td>CR</td>
<td>CR</td>
</tr>
<tr>
<td>Governance</td>
<td>CR</td>
<td>CR</td>
<td>CR</td>
</tr>
<tr>
<td>Sports &amp; Culture</td>
<td>IR</td>
<td>CR</td>
<td>CR</td>
</tr>
<tr>
<td>Youth</td>
<td>CR</td>
<td>CR</td>
<td>S</td>
</tr>
<tr>
<td>Employment and private sector development</td>
<td>IR</td>
<td>IR</td>
<td>CR</td>
</tr>
<tr>
<td>ICT</td>
<td>CR</td>
<td>S</td>
<td>S</td>
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<tr>
<td>Gender and Family Promotion</td>
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<tr>
<td>Disaster Management</td>
<td>S</td>
<td>S</td>
<td>S</td>
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<tr>
<td>Financial Sector Development</td>
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</tbody>
</table>

As it can be noticed, neither the national decentralisation policy nor the local government legislations provide a clear and complete orientation on how sectors should decentralise and/or the form (s) of decentralisation that sector-specific functions should take. Indeed, the three texts are
silent for 32% of the sectors, while 15% of all the sectors can be extrapolated indirectly. This leaves only 53% of sectors for which the decentralisation policy and the two laws refer to explicitly.

3.4. Legislations establishing public institutions

Public institutions are among major actors in the decentralisation of functions and responsibilities, and therefore the localisation and territorialisation process, one of the best way to ensure that sector decentralisation is embed in their mandates. Such mandates are defined in the regulations governing the establishment of public institutions, which include the new Organic Law N° 001/2020.OL of 08/06/2020 establishing general provisions governing public institutions, and specific laws and regulations establishing each institution in sectors.

The Organic Law N° 001/2020.OL does not mention decentralisation among requirements to be fulfilled while establishing public institutions. As a result, most of the laws establishing public sector institutions (ministries, agencies, etc.) and their governing organs (board of directors, councils, etc.) do not include this requirement in their mandates. This results in a general limited attention to decentralisation in general, as mandate wise, these institutions do not obviously feel compelled to. This gap was viewed by many experts as a huge missed opportunity for Rwanda to mainstream and institutionalise decentralisation principles in sectors.

3.5. Sectoral policies and regulations

The analysis of sector policies, strategies and legislations\textsuperscript{11} has highlighted three cross sector approaches to functions and responsibility assignments to local governments, i.e. sectors that are;

(i) fully centralised with no responsibility assignments for DAEs & CoK, labelled “\textit{No Responsibility Assignments}” (NRA);

(ii) sectors where responsibilities were assigned but powers for decision making retained at central level, labelled “\textit{Responsibility Assignments less powers for decision making}” (\textit{RA-P}); and

(iii) sectors where responsibilities were clearly assigned together with powers for decision making to DAEs & CoK, labelled “\textit{Clear Responsibility Assignments with powers for decision making}” (\textit{CRA+P}).

As depicted in the figure herewith, only 37% of sectors have clearly defined and assigned implementation responsibilities to local governments, together with the required discretionary powers for decision-making. About 48% of sectors have only defined and assigned responsibilities for implementation but retained much of

\textsuperscript{11} Assessment of the Status of Sector Decentralisation in Rwanda, MINALOC, June 2020.
the powers for decision-making in one way or another, most of the time keeping the final say or approval for decentralised processes that could have been ended at local level. The remaining 15% includes sectors that are still fully centralised.

3.5.1. Responsibility Assignments with powers for decision making - CRA^P

Sectors that have clearly delineated responsibilities to different stakeholders (CRA^P), and decentralised some of these to local governments, together with powers for decision making (37%) include Urbanisation and Rural Settlements, Land, Social Protection, Governance, Sports and Culture, Youth, Employment & Private Sector development, and Gender and Family promotion. However, this does not mean that there are no issues in the functioning of these sectors as far as decentralisation is concerned. This stressed that; at least at the level of policies, strategies and legislations, they clearly indicated who is doing what, and what roles and responsibilities local governments shall implement.

3.5.2. Responsibility Assignments and retention of powers for decision making - RA^P

The RA^P sectors comprise sectors that have decentralised some responsibilities but retained total or substantial control over related processes for decentralised functions. Most of the time completion of service delivery by decentralised entities requires central level approval in one form or another. They include Water Supply, Sanitation, Education, Health, Agriculture, Forestry, Cooperatives, Mining, Transport, Environment, Trade and Investment, Financial Sector Development and ICT and Sports. In all these sectors, districts either co-implement portion of processes feeding into central government agencies service delivery, or are just process facilitators for the implementation of responsibilities otherwise held at central level.

3.5.3. No Decentralised Responsibility Assignments - NRA

The NRA group comprises 15 % of the sectors with no consistent decentralised responsibilities. The group includes the sectors of (i) Energy, (ii) Water Resources (not water supply), (iii) Industry and Craft, and (iv) Tourism and Hospitality. The common characteristics is that these sectors are driven by commercial public institutions (REG for Energy), newly created agencies (RWB) which have not yet had time to embed decentralisation in their policies and working procedures, or RDB that is almost fully centralised. This is where the need to include decentralisation as a requirement in the Organic Law governing the creation of public institutions gets sense, as it would compel sectors to develop decentralisation friendly policies, in the framework of the three decentralisation principles discussed previously. The remaining work would be for sectors to work with the decentralisation coordinating organs on how they approach decentralisation.

3.6. Decentralisation of service delivery

The decentralisation of service delivery is again a function of the clarity functions and responsibilities to local governments, as this results in the definition of which services should be
delivered by who and what level of the central and local administration. The analysis of the policy and legal framework, and institutions’ service charters at both local and central level revealed that 56% of services are still centralised, while only 24% of all services are fully decentralised and 20% partially decentralised.

This is in line with the level of existence of clear reference in the decentralisation texts (53%), and most especially the rate of existence of clear responsibility assignments in sectors (CRA\textsuperscript{p} sectors) which stands at 37% as already indicated. A simple deduction is that centralisation of service delivery (56%) is a negative and almost symmetrical result of the clarity of functions and responsibility assignments, suggesting that if the assignment of functions and responsibilities was clearer, the rate of decentralisation of service delivery would positively improve.

3.7. Territorialisation support systems

3.7.1. Local Government Planning

In Rwanda, local government planning is a decentralised function. Districts have the responsibility to prepare long and short-term plans. They are, however, requested to align their plans with national policies, which they are required to implement (Law 87/2013, article 123, 1\textsuperscript{st}). Local Government plans and budgets are prepared by the District Executive Committee and approved by the District Council, the highest organ of local governments.

Currently, these local plans include the following:

(i) Five-year District Development Strategy (DDS);
(ii) Annual action plans; and
(iii) Annual Performance Contracts \textit{Imihigo}, which are high-level and high impact priority actions drawn from the annual action plans. They are implemented in priority to foster transformational local development and leadership accountability. There are other thematic or sectoral plans such as the LG capacity building plans, and the district Local Economic Development (LED) strategies.

According to MINALOC guidelines, the local planning process should be \textit{participatory and bottom up}, with the top most district level plans informed by citizens expressed priorities. Data to inform these priorities should be collected from the community at village level, from which 5 priorities are conveyed to the cell level, which compiles its own plan for village priorities and selects 5 priorities to be submitted for inclusion in the sector plan. It is the priorities selected by each sector that are submitted to the district for an overall district plan. The district is from there supposed to add any missing areas for local development and ensure alignment with national development priorities in NST1 for example. In the process, different stakeholders in local development are consulted for their inputs, through the Joint Action Development Forums (development partners, CSOs, FBOs, the private sector, etc.)

In practice however, this process is reported to be rather much top down and influenced by the central government own priorities than priorities from local communities. The process of developing District Development Strategies (DDS) was for example reported to lack \textit{‘local}
participation and ownership” while these are critical ingredients in the processes. (MINALOC 2017)\textsuperscript{12}. The same source indicates that DDSs are formulated by external consultants commissioned by MINECOFIN in a short period (2 months), making the process “a rapid undertaking to generate documents rather than a participatory strategic process that engages stakeholders in identifying what they want to achieve for their areas, identify opportunities and limitations to generate priorities and carefully formulate implementation and monitoring plans with clear targets, performance indicators and responsible actors.”

Local government plans should embed sectoral priorities implemented at their level. These are agreed on in joint-planning meetings between the district and sectors. Such session take place, under the coordination of the Local Administrative Entities Development Agency (LODA) and MINALOC, convening district and sectors such as agriculture, health, education, infrastructure, etc. The coordination by LODA ensures that priorities included in district annual plans are provided with the required financing, and are aligned with the national priorities. The Province conducts also planning coordination with districts under its jurisdiction, and carries out regular implementation audits.

However, once again the 2017 MINALOC’s assessment on the impact of decentralisation found that “the LG planning cycle is ad hoc, peripheral and generally driven by the Central Government Planning Ministry (MINECOFIN), with LGs having little influence over whether, when, how and with what inputs (resources) to undertake planning.”

\subsection{Imihigo and CG/LGs Joint Planning}

Imihigo is an ancestral strategic performance management approach that consisted in publicly setting challenging targets and committing oneself to their achievement. Rwandans resorted to this cultural practice when they sought to overcome a huge societal problem requiring voluntarism and commitment from an individual, an organized group or all the citizens. The community regarded such a commitment as an act of bravery and would expect committed individuals or groups to successfully achieve set objectives. Failure would be an immense dishonour that could bring shame not only on the individual but also the community, while if the challenger succeeded, all his community would gain respect and admiration from other communities. (MINALOC (2006: 49). Imihigo included an element of evaluation or “Guhigura Imihigo” or ‘Kwivuga ibigwi’, where successful contenders were publicly eulogized for their bravery, or allowed to chant their bravery before the community leader, and the King at the highest degree, describing in lyrics all the stages and obstacles triumphed over.

Imihigo was reinstated in 2006 and all levels of government – both central and local – are required to plan and implement their own Imihigo commitments and targets (e.g. economic, social and governance and justice pillars). These are informed by broader medium and long-term planning and budgeting processes. Imihigo are performance contracts between citizens, local leaders and government officials, where each Ministry and/or District pledges to achieve specific development

\textsuperscript{12} Assessment of the impact of decentralisation policy implementation in Rwanda (2001-2017), MINALOC, October 2017
goals. It is based on the fact that citizens are at the centre of the whole process from the pledging of Imihigo to the evaluation of the achievements.

At local level, when elaborating its *Imihigo*, each administrative unit (from the household, to the Village, Cell, Sector and District) determines its own performance objectives (with measurable indicators) taking into account national priorities. The Imihigo, at both planning and reporting phases, are presented to the public for purposes of accountability and transparency.

Imihigo evaluation is done on annual basis to determine the extent to which pledged imihigo targets in pillars are achieved and identify the challenges encountered in the process of Imihigo implementation for both central and local entities, formulate recommendations and reward the best performers.

3.7.2. Local Governments Financing

a) Sources of local financing

According to the Law N° 75/2018 of 07/09/2018 determining the sources of revenue and property of decentralized entities, the revenue and property of decentralized entities include their own revenues generated from the following:

(i) collection of *decentralised taxes and fees* for decentralised services,

(ii) income from decentralised entities investments,

(iii) loans,

(iv) donations and bequests, and

(v) funds obtained from rent and sale of land of decentralized entities.

The same law indicates also that the decentralized entities receive government subsidies.

Local Government Decentralized taxes comprise of;

(1°) fixed asset tax,

(2°) trading license tax, and

(3°) rental income tax.

Fixed asset taxes include property taxes of which land, the major source of local governments own revenues.

However, own revenues compose only 20% of local government budgets for the last 6 years. The core of the local governments funding (80%) comes from the Central Government in the form of (i) block grants (unconditional funding) and (ii) earmarked transfers (conditional funding for central government sectors delegated activities).
The City of Kigali and its 3 districts are as standalone of local government own activities financing, as most of their plans are financed from their own revenues, though they also receive some earmarked transfers.

The major question is therefore if local decentralised taxes can be increased enough to finance districts if the collection was maximised. For the last bit of the question, the collection proved a problem for districts, due to inadequate systems and expertise. In this context, the government delegated local tax collection to Rwanda Revenue Authority (RRA), against a fee (5% for taxes and 10% for fees) to finance RRA administrative costs. This improved taxpayers’ compliance, and the establishment of a reliable taxpayers’ database, which had been one of the major weaknesses in local tax and fees collection.

b) Gaps in Local Government Financing

The assessment on the status of sector decentralisation established that the transfer of functional responsibilities and service delivery assignments from the centre to the local governments has not always gone hand in hand with the transfer of matching resources, power and authority to local government.

As a result, there exist three major financing-related gaps:

(i) inadequate financing of decentralised responsibilities and services,

(ii) predominance of earmarked transfers and

(iii) lack of full-costing of decentralised functions and responsibilities.

(iv) Inadequate financing of decentralised responsibilities and services

Sector line ministries have among their responsibilities the mobilization of financial resources meant for policy and programs implementation and ensuring their rational and efficient use.

Figure 3: Local Government share in the National Budget, 2014/15 -2019/20

Source: Compiled from the National Budget, MINECOFIN
While they happen to be more or less well performing this role, they haven’t yet reached the level whereby sufficient resources are mobilized to enable the translation of government policies and programs into tangible services particularly at local level. Much of available financial resources are generally retained at the centre. As shown in the figure hereby, for the last six fiscal years only 15% of the national budget was allocated to local governments whilst the remaining 85% was centrally spent.

The figures of the national budget used to compute the above financing trends includes both domestic and externally mobilised resources. Centralisation of resources happens mostly for externally financed programs for which, most of which are implemented by sector ministries and affiliated agencies and institutions, sometimes in breach of the three decentralisation principles.

Two factors could justify this situation; (1) the fact that the decentralization policy leaves the responsibility for resources mobilization to central government for equal distribution and equitable development and, (2) the limited capacity at local level to maximize local potentialities for revenue generation.

(i) Prevalence of earmarked fiscal transfers

Even in the light of the imbalance in budget allocation between the central and local governments in the national budget, funds transfers from the central government make over 80% of the resources utilised by the local governments, mostly in the form of earmarked transfers. This makes local governments more or less agents of the central government, implementing delegated activities financed by earmarked transfers, which results in less focus on local potentialities.

Although genuine local governments, particularly in unitary states, are bound to operate in a dual mode i.e. acting as agents of central government in their own jurisdictions on the one hand and as agents of local constituencies on the other hand (Romero 2013:67); this reality compromises the prospects of a responsive local governance and territorially differentiated local development in particular. The assessment of the status of sectoral decentralisation established that centrally defined agenda still overrides locally defined priorities, which reinforces the perception that local government entities essentially appear to be reduced to implementation agents of central institutions.
There is an urgent need to revisit the allocation of financial resources to ensure the right balance in the financing of centrally and locally defined development priorities. In the same move, it is also necessary to give more discretionary powers to the local governments to decide what priorities to finance. This could be achieved by increasing the share of block grants to local governments against a reduction of earmarked transfers. This would require diversification of sources of income by decentralizing more taxes and fees, ensuring proper exploitation of local potentialities and increasing the tax base.

(ii) Absence of a full-costing of functional and service delivery obligations

The decentralization policy in Rwanda stipulates that; funds follow functions. In addition to the slow decentralisation of functions and responsibilities already discussed, even for decentralised responsibilities, there is no single sector that has developed a full costing system to determine the real cost of services transferred to local governments, and align transferred resources with implementation requirements. This results in under financed responsibilities at local level, and this puts extra stress to districts to divert already scarce own revenues to finance the gap resulting from the discrepancy between additional responsibilities they are assigned and the insufficient resources that accompany them, if any. The full costing of services by sectors should be a precondition to their transfer to local governments.

3.7.3. Citizen participation

Different mechanisms were put in place for citizen participation in different sectors. They range from community assemblies –Inteko z’abaturage–, councils at decentralized administrative entities, committees, etc.

Some of these mechanisms have tremendously contributed to good performance of sectors, while others are said to exist only on paper in policies. Hence, though the political will is clearly expressed, capacity gaps are critical hindrances against the successful performance of the existing mechanisms. A summary of each citizen participation mechanism is described here below per sector.

Table 3: Citizen Participation mechanisms in sectors

<table>
<thead>
<tr>
<th>Public Participation approach</th>
<th>Sector</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Laying basic infrastructure in demarcated construction areas based on physical plans</td>
<td>Urbanisation</td>
</tr>
<tr>
<td>2. Consultation with local communities with the facilitation of CSOs</td>
<td>Urban upgrading</td>
</tr>
<tr>
<td>3. Local communities participate in the choice of group settlement sites.</td>
<td>Rural settlement</td>
</tr>
<tr>
<td>4. Water User Committees</td>
<td>Water Supply</td>
</tr>
<tr>
<td>5. Environment committees</td>
<td>Environment</td>
</tr>
<tr>
<td>6. Proximity forest protection by citizens in the neighbourhood</td>
<td>Forestry</td>
</tr>
<tr>
<td>7. Water user associations and Committees for hydrographic basins</td>
<td>Water Resources</td>
</tr>
<tr>
<td>8. Parents and communities</td>
<td>Education</td>
</tr>
<tr>
<td>9. Local communities’ involvement in Cross-Border Trade</td>
<td>Trade</td>
</tr>
<tr>
<td>10. Government and cooperative policy dialogue</td>
<td>Cooperatives</td>
</tr>
</tbody>
</table>
Public Participation approach | Sector
---|---
11. Public Private Dialogue (PPD) | Industry
12. Small traders conducting small businesses close to protected areas. | Tourism & Hospitality
13. Community Health Workers | Health
14. Umugoroba w’Abyeyi (Parents’ evening forum) | Family Promotion
15. Youth elected organs from village to parliament | Youth
16. Councils at decentralized administrative entities | Governance

3.7.4. Local Autonomy

(i) Shared local autonomy

The fact that local development planning and resource allocation processes are largely centrally-driven through budget control means that local autonomy is not only conceded but also vulnerable. There is little room for autonomous decentralised administrative entities to assertively apply their administrative and financial autonomy in decision making that directly and timely responds to the development needs and preferences of their local priorities across various sectors.

Given the gradually increasing share of earmarked budget versus block grants they receive from the centre, local governments will continue to lack the leeway to decide upon and therefore adequately allocate available resources to respond, in a territorially differentiated manner, to the most urgent development demands of their populations. However, though the commitment was made to gradually decrease the share of earmarked transfers and increase block grants, this is yet to happen.

In reality, there is more deconcentration and delegation than devolution happening locally as most functional responsibilities and service assignments are performed by the local government on behalf of central ministries and agencies that can re-centralize them any time as it best suits them. The lesser devolution of functions and services, the lesser the local government autonomy and specifically, the lesser local government powers of immunity of local initiatives and innovations from central-level control.

In a unitary state form as it is the case for Rwanda, some degree of immunity from central-level controls does however not and should never mean that local government are exempted from pursuing actions that are strictly coherent with national policies, laws, regulations and programs.

(ii) An essentially upwardly accountable local government

The large dependency on central government described in the previous section leads to decentralised entities being essentially upwardly accountable towards the centre. Thus, local governments are driven to account for their actions and inactions to the central government that provides them funding for local plans than to local populations. An essentially upwardly accountable local government is also a result of extremely limited local own resources or revenues. Unless local revenue collection is optimized through efficient exploitation of available local economic development potentialities and the actual central budget transfers formula is revised to
significantly increase the share of unconditional grants, the optimal impact of sector decentralisation and localisation of development will continue to be jeopardized.

3.7.5. Human Resources in LGs

As it is the case for financial resources, the transfer of sectoral responsibilities to local governments is also not always supported by matching and regularly capacitated staff to implement them resulting in understaffing and work load in different departments at local level. Closely related to this is the issue of off-structure seconded staff. Lastly, there is an issue of lack of regular capacitation of technical staff driving sectoral policies and programs’ implementation at the local level.

(i) Understaffing

Countrywide, local leaders and technical staff alike point out that decentralised responsibilities and services do not match the existing number of staff particularly at sub-District entity levels, with the Cell being the most understaffed. According to MINALOC (2018:78), overall local government staffing levels stood at 68% of “established positions” on model organizational structures. In some Districts such as Gicumbi, actual staffing level stood at only 48% in 2017.

Overall, understaffing results into local government staff being overloaded due to constant heavy workload, and hence loss of motivation and passion for their work due essentially to several lines of accountability. More importantly, they lack focus as they are diverted from concentrating on major sectoral interventions under their immediate responsibility, lowering their performance in creating visible development impact at the local level. Nevertheless, technical units in charge of education, health, infrastructure, agriculture at the District level seem to be staffed to the satisfaction of local authorities.

(ii) Off-structure seconded staff

In some sectors, off-structure staff are seconded to districts by sector ministries and or central agencies but remain totally answerable to the latter in what is visibly a quest of control on local human resources. Because of the lack of absorption of seconded staff into local governments staffing structure, major public issues of concern to the sector, which are raised locally tend to be referred back to a central agency for a decision which could have been otherwise made locally.

(iii) Individual capacity gaps

Field evidence shows that local public servants, unlike their equally qualified peers at central level, do not generally benefit from regular capacity building through tailor-made and demand-driven trainings, study tours, mentorship, etc. This has been hampering the degree of effectiveness and efficiency with which the Government expects them to serve. Many district authorities justify the lack of local sectoral plans (e.g. district education sector plan, agriculture plan, tourism plan, etc.) by the lack of internally available technical expertise to design and elaborate them. Nonetheless, outsourcing the design and elaboration of districts’ sector-specific plans to consultants, national
and international alike, and insist that they work alongside local servants for purposes of expertise transfer could be an alternative towards institutionalisation of on-job coaching and mentoring which is generally lacking at local government level.

3.7.6. E-governance and territorialisation

Key services across the trade, tourism, education, agriculture sectors, to name but a few, are still centrally delivered, making their timely access by the ordinary citizen difficult, given the transactional costs involved in terms of time, travel distance to service delivery points, etc. While it would be ideal to further decentralise those services where possible and in conformity with the national decentralisation principles, a temporary yet cost effective solution would be to move them online as soon as possible, even when their delivery process is still centrally handled and managed. This could ease the transactional burden for the ordinary citizen as services could become accessible from the comfort of their work places and homes using digital devices or the services of a nearest Irembo agent.

In the era of growing access to digital opportunities and with e-governance progressively gaining momentum, moving centralized services online may not only be a means to accelerate the delivery of citizen-centred services but also a measure to turn into reality the GoR’s ambition to move 100% of public services online by 2024 in accordance with the NST1 vision. Nonetheless, fast-tracking e-service delivery and ensuring service demands by citizens are maintained, it is crucial to keep investing in digital literacy of citizens from all walks of life for them to be able to reap the benefits of e-governance.

Some Districts are already innovating with digital initiatives that enable them to more effectively manage devolved functions. In Rwamagana District for instance, teacher and student’s regular attendance at school is tracked and instantly reported from sector-based schools to district. The digitization of some components of education inspection has the potential to timely make the district aware of issues impacting students’ learning and hence fix them. The district situational room, a sort of paper-based dashboard providing district’s leaders with regular updates on sector performance that was also introduced by Rwamagana District is gaining momentum countrywide as more and more districts are replicating this good M&E practice.

Nonetheless, there is need to go an extra-mile to ensure that the situational room is digitized for easy update with new information and remote access by district decision-makers. However, this will require big data and evidence capacity, which is not readily available at District level. This results from lack of data management systems and proper information management systems that will be discussed later. The Rwanda Information Society Authority (RISA), the technical arm of the Ministry of ICT and Innovation, is considering digitising district situational rooms into an online LGs dashboard. The experience of E-Kayi in Gisagara district is also to be developed into an e-citizen complaints system to be upgraded and rolled out down to cell level.
3.8. Sector decentralisation steering

Lack of a dedicated institutional arrangement in charge of steering and overseeing sector compliance with national decentralisation principles and coordination is another major gap that hinders optimal sector decentralisation, and from there efforts for the territorialisation and localisation of development. This has considerably weakened multi-sector stakeholders’ policy dialogue on decentralisation and may explain growing tendencies towards recentralization within some sectors such as education, health, agriculture, etc. or over-centralization tendencies within some key sectors such as water resources, trade and industry, mining, energy, etc.

Integrated policy and program implementation planning as well as expenditures allocation by sectors with intersecting responsibilities have reportedly suffered from the observed vacuum on a continuous basis. Understandably, local governments pay a high cost for the observed coordination and steering gap as it is “usually asked to explain and account in case of challenges” (MINALOC 2018 :88).

To close gap, building on the perspectives expressed by different stakeholders, the current draft of the National Decentralisation Policy provides for the creation of a decentralisation secretariat that would also coordinate compliance with sector decentralisation.

3.9. Coordination of partners intervening in decentralisation and local governance sector

Partners intervening in decentralisation and governance sector are coordinated through its sector working group (SWG) and the technical working group (TWG). The SWG is composed of the representatives of the following institutions: (1) MINALOC as the Lead Sector Ministry, Chair of the SWG, (2) Germany Embassy as the current Lead Development Partner, (3) Prime Minister’s Office (4) Other concerned line ministries and Government Institutions (5) MINALOC/LODA (6) National Institute of Statistics (7) Development Partner Organizations intervening in the sector (7) Private Sector Organizations operating in the sector and (8) Civil Society Organizations involve in the sector. Annex 1 gives the composition of the TWGs under the Governance & Decentralisation SWG.

4. RALGA IN THE LOCALISATION AND TERRITORIALISATION PROCESS

4.1. The Association

4.1.1. Organisation

The Rwanda Association of Local Government Authorities (RALGA) is a membership organisation created in 2003 and regularly registered in compliance with the Law Nº 04/2012 of 17/02/2012 governing the organization and functioning of non-governmental organizations and was granted the legal personality No 034/11. Its members include all the 30 Districts of Rwanda and the City of Kigali.
The structure of RALGA comprises a General Assembly that is the supreme decision-making organ of the Association. It has also a seven (7) members Executive Committee responsible for the coordination of the management of the Association and a three persons Control Committee which ensures that organs function in compliance with the laws and regulations and reviews audit findings and reports to the General Assembly. Four specialized Commissions support the Executive Committee namely; the commission of (1) local government finances, (2) decentralization, (3) social development and (4) local economic development. It has also a ten (10) persons Conflict Resolution Committee responsible for resolving any dispute that could arise within RALGA organs or among its members, and a General Secretariat for the implementation of the daily activities of the Association. RALGA General Secretariat has currently 24 permanent staff members. The General Assembly of RALGA elects all members of its organs.

During its 17 years of existence, RALGA has grown into a trustworthy organisation at national, regional and international levels. Over the years, it has tirelessly worked to fulfil the mandate it was assigned by its founding members, i.e. to promote their interests through (i) representation, (ii) advocacy and (iii) capacity building, in the pursuit of the noble vision “to have efficient local Government entities where people and stakeholders are involved in development.”

In this context, RALGA endeavours to fight and eliminate malpractices such as discrimination, corruption, nepotism and undue influence in Rwandan local government in a bid to avoid injustice and imbalance. It also aims to be proactive, innovative and promotes positive change both internally and in-service delivery to local governments. RALGA is run in a “business-like approach”, striving to function as an independent and financially sustainable organisation, accountable to its members.

4.1.2. Structure of RALGA Secretariat

To fulfil its mandate, RALGA General Secretariat is organised into four units, i.e. (i) the Policy Analysis, Research and Advocacy Unit, (ii) the Local Government Institute Unit, (iii) the Local Government Support Services Unit and (ii) the Corporate Services Unit as detailed in the figure below.
Figure 5: RALGA Structure
RALGA has started the processes to build and construct the Local Government Institute, as a fully-fledged capacity building institute for Local Governments, which shall become a subsidiary agency to implement and institutionalize capacity development in local governments. According to plans and roadmap, the LGI should be fully operational by 2023.

One characteristic of the above structure is that RALGA utilises a minimum number of permanent staff. Most of the work is contracted to external experts. This requests the Association to continually maintain and update a pool of experts in different domains. It also contributes to building the local expertise in local governance research and policy analysis that RALGA, the local governments and other stakeholders in the decentralisation sector use. Some of the consultants are also local government alumni, which allows them to contribute their experience in sharpening decentralisation once they complete their term in office (former mayors, councillors, district staff, etc.).

4.1.3. Services to members

Services delivered by the Association to its members include recruitment of local government staff, advocacy, representation, and capacity building. Additional studies are either commissioned by RALGA Secretariat or directed by the General Assembly to support the members. Until today, all rendered services to members are common, with future prospects of diversification for income generation.

4.1.4. Key stakeholders

To deliver on its mandate, RALGA works closely with a large number of stakeholders in the decentralisation sector, mainly the Ministry of Local Government, the Ministry of Finance and Economic Planning, different government institutions and public institutions, development partners, the private sector, and civil society organizations.

4.2. Role of Local Governments in the Localisation of SDGs

One of the realisations of RALGA was the driving of the localisation of SDGs in the development of the current editions of District Development Strategies (DDSs) for the period of 2017/18-2023/24. This was a partnership with the Commonwealth Local Government Forum (CLGF), under an EU funded project entitled “Strengthening local governments’ role as a partner in development”. The objective was to ensure that different interventions planned in the DDS are aligned with SDGs indicators at national level.

Different stakeholders involved in the process of localisation of SDGs in Rwanda were engaged, namely the Ministry of Local Government and the Ministry of Finance and Economic Planning at Central Government level, all key decision makers at local level including District Councils, District Executive Committees and District Executive Secretariats.

Besides, RALGA has initiated professional internships in local governance for fresh female university graduates, in a bid to bridge the persisting gender gaps in local government.
Accordingly, the Network of Women in Local Government was established in 2018, and a Gender Desk was created to coordinate and implement gender mainstreaming in local government.

This being said, the localization of all the seventeen (17) SDGs as well as the Nationally Determined Contribution to fight against climate change, particularly the Paris Agreement, are among the priorities, moving forward.

**RALGA is committed to continue to support LGs to localise and report on SDGs indicators with disaggregated data as stipulated in the UN General Assembly resolution 68/261) and make this a culture for its own activities. It intends to become a “Global Competitive Centre for SDGs localizing in Local Governments”.

### 4.3. Local economic development strategies

RALGA has also driven the development of the first Local Economic Strategy, a process that was taken over by the Local Administrative Entities Development Agency (LODA). Subsequently, the Government created a specific division at LODA responsible for the coordination of LED in the districts. A Minister of State in charge of Socio-Economic Development was appointed in 2016 and then dropped in October 2018. A Director in charge of LED was appointed within the Ministry of Local Government, since then. In 2019-2020, RALGA commissioned a study to identify, through a participatory and multilevel approach, all local economic potentialities in every district, as well as their branding and marketing strategies. The next phase shall consist in their dissemination and popularization, as well as conducting feasibility studies towards translating them from theory to implementation.

### 4.4. RALGA Strategic plan 2020/2025

Building on lessons learnt in the implementation of programs to support its members and advance the cause of good governance at national, regional and international level, RALGA intends for the next five years (2020/2025) to position itself as “a think tank and platform for professionalism in LGs through evidence-based advocacy, customized capacity building and quality services to members”\(^\text{13}\). Its action will focus on the following areas:

(i) Development of internal expertise in *policy analysis, capacity building and service provision*, and *efficient management of resources*;

(ii) *Development of networks* to be successful in playing the role of advocacy and representation; and

(iii) *Resource mobilisation*.

The table below provides a snapshot picture of the priority areas, specific objectives and outcomes of the new RALGA strategic plan 2020/25.

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\(^{13}\) RALGA Strategic Plan 2020/2025, p.1
4.5. RALGA SWOT ANALYSIS

The SWOT analysis of RALGA is built on the situation analysis of the status of sector decentralisation in Rwanda, the involvement of local governments and RALGA in the dialogue with the central government and the EU Delegation in Rwanda, and the current profile of districts and RALGA in the driving of local development.

4.5.1. Strengths

(1) An independent, experienced and trusted organisation

- RALGA was created and granted legal personality as an independent organisation governed by the law regulating NGOs in Rwanda. In this title, though it is composed of local government institutions, RALGA operates independently to convey the voice of local governments on policies and other governance issues, which cannot be efficiently done by members individually;
- Since its creation in 2003, RALGA has evolved into a stable and strong organization effectively representing and advocating for its members, and developed services and advocacy solutions in line with the needs of its members. It successfully adapted to changes in local governments environment resulting from different reviews of the decentralisation policy and subsequent restructuring of local governments. Today, members find RALGA as an open space for reflection and exchange on different issues affecting the implementation of their mandate and assigned responsibilities, especially for issues that they cannot table directly individually and for which they relying on RALGA’s advocacy.
- RALGA is officially recognised by the Central Government as the mouthpiece of local government and a reliable partner in the implementation of decentralisation;
- RALGA is also trusted by stakeholders at regional and international level. The Association is a member of the East Africa Local Government Association (EALGA), UCLGA, CLGF, etc. and has established strong partnerships with sister local government associations in Africa and beyond. These partnerships can serve as the starting point for even stronger cooperation and experience sharing in local governance in different sectors worldwide.

(2) Started acquiring own infrastructure

- RALGA has its own office building in Kicukiro District, City of Kigali. It has also land for future development in Masaka and Gahanga (Kicukiro District) and Muhazi (Rwamagana District) on which it can expand future infrastructure to host additional services to its members. In this line, the Local Government Institute shall be built in Rwamagana District, one of the satellite cities districts, in the Eastern Province.

(3) Increased ownership by its members
Ownership of the Association by its members has increased with years, especially building on the use of RALGA in tackling issues faced by the local governments in Rwanda. The level of ownership is testified by members’ contribution to its budget, which for the last four years has stood at 50% to 60% of the total funds used.

4.5.2. Weaknesses

(1) Limited means and expertise to meet members’ demands

- Capacity building needs adequate capacities for RALGA to become a platform for professionalism in LGs. The Strategic plan 2020/25 indicates that, various RALGA members indicated that recruited staff need induction and short courses to enable them to quickly insert into the local government-working environment and deliver to the mandate of LGs. To respond to this, RALGA should revisit and re-organise this service by streamlining and accelerating the functioning of the Local Government Institute (LGI) to develop it into a fully-fledged capacity building institution providing timely and specific solutions to members.

(2) Insufficient information management systems

- There is no cross-districts’ functioning MIS to collect and analyse information on what is happening in local governments on a regular basis. Until now, they rely on traditional internal M&E systems that are not digitised and not functioning to the needs of local governments performance management and decision making. The statistics at local level are not adequately and timely produced. There are different embryonic local M&E platforms and systems being tested, such as the district situation room, e-kayi, etc. but all these are at a very early stage. This makes support interventions in the local governments by RALGA and other stakeholders insufficiently informed. The Association does not have the required resources to assist its members in overcoming this weakness. At RALGA secretariat level itself, there is no minimal M&E to collect, store and analyse data that reaches it from the districts. Therefore, the data management component is still weak at both RALGA level and its members.

(3) Insufficient evidences to effectively advocate for LGs

- Lack of a consistent data management system results in limited reliable evidence to back decisions on the prioritisation of interventions and advocacy with the central government. To fill this gap RALGA conducts regular but limited researches, as these are costly and all areas of local governance are not covered. RALGA and its members need therefore to build reliable data management systems in partnership with the central government and other stakeholders in the decentralisation sector;
(4) Insufficient Knowledge Management and Learning systems

- The situation analysis in the Strategic Plan 2020/2025 indicated also that members have also indicated that RALGA does not have enough information on what is happening in local governments. They wish that the mode of contact, the communication system and the way of gathering local information can be improved with their participation.

- It is relevant to add on this that apart from different forums, there are no adequate systems for Knowledge Management and Learning systems in RALGA and the local governments in general. This results from the weaknesses in data management. It is hence urgent that RALGA in close collaboration with all stakeholders in decentralisation advocates for the development of a modern Knowledge Management and Learning (KML) system to collect and safeguard lessons learnt in the work of local governments on which to build policy analysis and advocacy, but most importantly to build local capacity in experience sharing and international cooperation in decentralisation and governance, as one of the sectors where Rwanda has generated lot of home-grown solutions.

(5) Insufficient use of RALGA and LGs autonomy

- Both RALGA and the districts are vested with the administrative and financial autonomy. In normal circumstances, this should guarantee their independence in formulating opinions in advocacy on the side of RALGA and decision making on local issues for districts. For districts, the assessment on the status of sector decentralisation has found that local development planning and resource allocation processes have continued to be centrally-driven through budget earmarking (over 80% of local budget is earmarked) resulting in conceded and/or vulnerable local autonomy. This limited autonomy of RALGA members limits also the Association’s own autonomy in advocacy as they are both intertwined.

(6) Weak resource mobilisation systems

- Despite strong partnerships and proved experience in supporting its members with adequate solutions in advocacy, representation and capacity building, and increased ownership of the Association by its members, RALGA capacity for resources mobilisation is still limited by lack of adequately built system in this regard. Part of the problem results from inadequate staffing for this purpose, and over concentration of the few available permanent experts on the implementation of projects, forgetting that resources mobilisation is a constant workflow that should not be interrupted. There is need for a dedicated unit in resource mobilisation, complemented by building the capacity of the Association’s staff in resources mobilisation and expansion techniques to improve RALGA financial sustainability.

4.5.3. Opportunities

(1) Huge services demand by local governments
• RALGA members appreciate the recruitment service provided by RALGA. They indicate that all risks in the process have been minimized and transparency increased. Members request additional services to be provided by RALGA since it knows better the local government working conditions. RALGA has already conducted several assessments to identify potential services it could deliver to districts in addition to recruitment and capacity building. It only needs to determine the conditions and operational requirements to put in place for this purpose, of which the legal and policy requirements and restrictions that it needs to address with national organs such as the law on procurement, etc.

(2) External resources mobilisation potentialities

• RALGA has built strong partnerships with development partners at local and international level. These have resulted in projects financed by GIZ, VNG, the Netherlands Embassy, Swiss Cooperation, UCLG, CLGF, EU, etc. Such ties still exist and could still yield joint support solutions to RALGA members, research on local issues, and policy advocacy;

• Rwanda has been an African role model in the implementation of MDGs and currently hosts the secretariat for the localisation of SDGs. This is a unique opportunity on which RALGA can build its ambition to become a “Global Competitive Centre for SDGs localizing in Local Governments”;

• Local Governments implement policies and strategies from Central Government. It is the responsibility of RALGA to assist Local Governments to achieve this mandate. RALGA is very trusted by government institutions, starting by the Ministry of Local Government. It is associated to DPs interventions in the local governments (GIZ, Kfw, German Cooperation, EU in Rwanda, etc.). With this trust, RALGA has built and proved its experience in policy advocacy. However, it needs to build a strong team of policy analysts among its staff to be able to follow up and influence policies to curb the centralisation trend that is observed as highlighted by the assessment of the status of Sector Decentralisation and positively support sectors and the local governments dialogue in the localisation and territorialisation of sectoral programs. It is good that, this aspect has been catered for in its recently adopted organizational structure.

• The Local Government Capacity Development Strategy positions RALGA strategically in capacity building for LGs. This provides room for the development of LGI as a lead institution in local government capacity development.

4.5.4. Threats

• Lack of decentralization steering body and tendency to centralize responsibilities and funds
• Some people’s perception of RALGA as an agency under MINALOC affects its advocacy mandate
• High staff turnover in LGs affects capacity building plans for RALGA
The table below summarised the major points in the SWOT analysis of RALGA.

**Table 4: Summary of the SWOT Analysis**

<table>
<thead>
<tr>
<th>Strengths</th>
<th>Weaknesses</th>
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<tr>
<td>• RALGA grew into an independent, experienced and trusted organisation</td>
<td>• Limited means and expertise to meet members’ demands</td>
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<tr>
<td>• The Association started acquiring own infrastructure</td>
<td>• Insufficient information management systems</td>
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<tr>
<td>• Increased ownership by its members</td>
<td>• Insufficient evidences to effectively advocate for LGs</td>
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<tr>
<td>• Capacity to mobilise its organs to solve organisational issues</td>
<td>• Insufficient Knowledge Management and Learning systems</td>
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<td></td>
<td>• Incomplete structure to carry out all needed functions</td>
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<td></td>
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**5. OPPORTUNITIES FOR THE EU PROGRAMMING 2021 -2027**

The EU current areas of focus under the current NIP are *(i) Agriculture and food security* (Improved food security & Nutrition, Agriculture Intensification, Inclusive Value chains), *(ii) Energy* (Power generation, Urban and Rural Access to energy, and reducing use of biomass and diesel energy), *(iii) Accountable governance* (Public accountability and democratic Governance, Efficient and effective accountable use of public resources). It can be expected that the GoR will opt for continuity in the same sectors for the next programming, though other sectors could be added. This is especially probable, because the work initiated in these sectors is not complete yet. Institutions that were supported under Accountable Governance include the *(i) Parliament* for the promotion of Public participation, *(ii) the Ombudsman* in support of interventions to fight corruption and *(iii) MAJ and Abunzi in the Justice Sector*. Interventions in this particular area get sense at the local level in the districts, even when implemented by central government institutions. The work with MAJ and Abunzi in the justice sector is especially of interest for districts, as this is part of the service delivery by districts for services in preparation of the work of the ordinary courts.
of justice, or in the implementation of court judgements, also falling under the responsibility of districts. The dialogue with the central government will therefore have to take this previous EU investment in the three sectors with proposal of programs driven by the local governments.

The EU Delegation in Rwanda has also financed other activities outside the NIP using the project approach, two of which were implemented by RALGA. This indicates that the EU Delegations has other ways of financing projects in partner’ countries outside the traditional EU/ACP agreements. This is an additional opportunity for funding if LGs and RALGA develop good project proposals and maintain the already established partnership with the EU Delegation in Kigali for this purpose. There are other EU competitive grants (through PADOR, for example), that are open for mobilisation in the EU context. This could be considered, of course out of the current programming dialogue.

Apart from projects implemented by RALGA, the Governance Department of the EU Delegation indicated that they have financed “citizen empowerment” projects, targeting farmers and youth on responsive Imihigo – such as construction of schools, TVET, etc. Their view is that the voice of the citizens need to be amplified in the governance processes at local government level, especially involvement of specific groups such as youth, women, people with disability, etc. Empowering participation of citizens specific groups direct dialogue in local development dynamics is therefore another potential area to include in the new programming.

The analysis of the status of sector decentralisation has highlighted several gaps in the process of decentralisation of sectoral functions and responsibilities and implementation systems that need advocacy by RALGA and technical and financial investment. These include the following:

- Insufficient guidance in the texts governing decentralisation, i.e. the National decentralisation policy and the laws governing DAES and the City of Kigali;
- Silence of the organic law governing the establishment of public institutions, and the subsequent laws establishing public institutions on requirement to embed the decentralisation in their plans;
- Decentralisation disconnected policy and legal frameworks in several sectors, such as Energy, Water Resources (not water supply), Industry and Craft, and Tourism and Hospitality; and half way sectoral decentralisation with sectors holding powers for local decision making on processes and activities in local governments in breach of decentralisation principles (Water Supply, Sanitation, Education, Health, Agriculture, Forestry, Cooperatives, Mining, Transport, Environment, Trade and Investment, Financial Sector Development and ICT and Sports, etc.) which limits the reach, effectiveness and impact of localisation and territorialisation strategies on local development.
- Largely centralised service delivery as a result of largely centralised functions and responsibilities assignments;
• The local governments planning cycle that is ad hoc, peripheral and generally Central Government driven with little LGs influence over whether, when, how and with what inputs (resources) to undertake the planning;
• Prevalence of performance contracts *Imihigo* activities at the expense of the big bulk of the local government plans implementation; especially due to limited resources and constant pressure on local governments with frequent changes in plans with side “urgent” activities from central level which distorts and derrails implementation of DDSs and LED strategies;
• Overdependence on earmarked transfers in a centrally driven local government financing, few local taxes and insufficient local governments own revenues; all this resulting in conceded local autonomy and central government “agency like” local authorities
• An essentially upward to central government than downward accountability to local communities;
• Limited and embryonic citizen public participation mechanisms, that cannot effectively yield the required pressure for change on local and central governments for effective localisation and territorialisation of development strategies;
• Local Governments understaffing resulting in constant multitasking and work pressure on local staff, diverting them from their core responsibilities and diluting their performance in critical sectors of local development.
• Urgent need of a sectoral decentralisation coordination and steering authority and institutional arrangement;
• Limited capacity for LG staff and elected leaders to deliver on their mandate, particularly the territorial development and citizen participation and effective representation

Driving the localisation and territorialisation of local economic development should be built on stronger monitoring and evaluation systems for informed decision-making. Knowledge generated and lessons learnt in the process should also be documented and used to streamline implementation and share experiences across countries.

Issues highlighted by the analysis include the following:

• There is no cross districts’ functioning MIS to collect and analyse information on what is happening in local governments on a regular basis. The data management function at local government level is also weak.
• Lack of a consistent data management system results in limited reliable evidence to back decisions on the prioritisation of interventions and advocacy with the central government.
• Insufficient Knowledge Management and Learning (KML) systems at local government level and RALGA itself

The SWOT analysis of RALGA has also highlighted areas of strengths but also opportunities that solutions to overcome weaknesses identified in the association and adequately address the
threats it faces. Areas of improvement in the functioning and delivery of support services by RALGA to its members include:

- Need to revisit, re-organise RALGA Capacity building services to become a platform for professionalism in LGs. This includes support to the Local Government Institute (LGI) to develop it into a fully-fledged capacity building institution providing timely and specific solutions to members and beyond;
- Incomplete structure to carry out all needed functions.
- Weak resource mobilisation systems limited by lack of an adequate structure and capacity in this regard;
- Huge services demand by local governments resulting from the positive experience they had with the recruitment and capacity building services;
- Potential in sharing Rwanda’s experience as a role model in the implementation of home-grown solutions and the implementation of MDGs and the localisation of SDGs, which RALGA could build on to realise its ambition to become a “Global Competitive Centre for SDGs localizing in Local Governments”;
- The positioning of RALGA as a strategic institution in the implementation “Local Government Capacity Development Strategy” provides room for the development of LGI as a lead institution in local governance capacity development.

Building on this summary the following areas have a potential for integration in the EU programming dialogue with the central government first and the joint negotiation with the EU Delegation:

5.1. For Local Governments

1. Support to the implementation of districts LED Strategies;
2. Strengthening inclusive citizen participation and downward accountability mechanisms;
3. Empowering and mainstreaming youth, women and people with disabilities in local development programs;
4. Supporting the development of an integrated local governments MIS embedding indicators to monitor the localisation of SDGs with investment in the development of working data management systems.
5. Institutionalising Knowledge Management and Learning (KML) systems at local government level and RALGA itself.

5.2. For RALGA

1. Advocacy for the development and implementation of clear decentralisation roadmaps in sectors that are still centralised or partially decentralised and holding powers for decision making from the local governments control;
2. Advocating for full costing of services transferred to local governments for an adequate allocation of resources to cover all costs involved;
3. Advocating for increased unconditional grants to local governments and increased number of local taxes for consistent increase in own revenues, in addition to realising the local potentialities to expand the local tax base;

4. Support to capacity development programs in local government by accelerating the full operational of LGI into a fully-fledged centre of excellence for local government capacity building in Rwanda;

5. Building the required systems for delivery of additional services to local governments towards “Local Governments serving Local Governments”

6. Advocate for a cross districts’ functioning MIS to collect and analyse information on what is happening in local governments on a regular basis; and the strengthening of the data management function in the local governments and RALGA
REFERENCES

Documents:

7. EU Cooperation
8. European Commission (2011). *Empowering Local Authorities in partner countries for enhanced governance and more effective development outcomes.* Communication from the commission to the European parliament, the council, the European economic and social committee and the committee of the regions.
10. European Commission (undated). *A framework to integrate LAs in EU supported programs and projects*
21. MINALOC (2012), Third Decentralisation Implementation Plan (DIP 3)
22. MINALOC (2012). National decentralisation policy 2000, as revised in 2012
28. MINALOC (2020). Assessments of the status of sector decentralisation in Rwanda
29. MINECOFIN (2011), Fiscal decentralisation Policy and strategy 2011
30. MINECOFIN (2012), EDPRS 2
32. MINECOFIN (2017). EDPRS 2 Mid-term evaluation
33. MINECOFIN/EU (), Rwanda NIP 2014/2020
34. Network of Regional Governments for sustainable Development. Localizing the SDGs: Regional Governments Paving the Way, Report
38. RALGA (2019). “Deepening Accountable Local Governance in Rwanda (DALGOR)”.
39. RALGA (2019). Deepening Accountable Local Governance in Rwanda (DALGOR)”. Project Final Evaluation. Final report
40. RALGA (2020). Draft Strategic Plan 2020/2025
41. RGB (2013), Assessments of the status of sector decentralisation in 2013 (RGB)
42. UCLG (2020). Towards the Localization of the SDGs. Local and Regional Governments’ report to the 2020 HLPF. 4th Report
44. UCLG Africa (2020). Involving National Associations of Local Authorities (NALAs) in the Programming process of the EU cooperation for the 2021-2027 period. Orientation Note to the attention of African NALAs and their members
48. VNG (2019). Inclusive Decisions at the Local Level (IDEAL) project. Narrative report to the financial report of RALGA.
49. VNG (undated). IDEAL Rwanda. Midterm Measurement. PowerPoint presentation
Laws:

1. The Constitution of 2003 as revised in 2015
2. Organic Law No001/2016/OL of 20/04/2016 governing the establishment of public institutions
3. Law no.87/2013 of 11/09/2013 determining the organisation and functioning of decentralised administrative entities
4. Law N° 75/2018 of 07/09/2018 determining the sources of revenue and property of decentralized entities
5. Law no.22/2019 of 29/07/2019 governing the City of Kigali (CoK)
Annex 1: Composition of the TWGs under the governance and decentralisation SWG

<table>
<thead>
<tr>
<th>CATEGORY OF STAKEHOLDERS</th>
<th>VOICE AND ACCOUNTABILITY</th>
<th>LOCAL GOVERNMENT CAPACITY BUILDING AND SERVICE DELIVERY</th>
<th>LOCAL ECONOMIC DEVELOPMENT</th>
<th>EVIDENCE BASED, PLANNING AND M&amp;E</th>
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<td>MINISTRIES</td>
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<td>MINALOC MIFOTRA MINECOFIN</td>
<td>MINALOC MINECOFIN MIGEPROF</td>
<td>MINALOC (Chair) MINECOFIN MINICAAF</td>
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<td>DEVELOPMENT PARTNERS: EMBASSIES/INTERNATIONAL ORGANIZATIONS/INGOs</td>
<td>GERMANY (GIZ, Co-Chair) BELGIUM EMBASSY/ BTC) UNDP USAID EU WORLD BANK DFID CARE INTERNATIONAL NORWEGIAN PEOPLE AID SNV TROCAIRE ACTION-AID TRANSPARENCY INTERNATIONAL (TI) CARE INTERNATIONAL NORWEGIAN PEOPLE AID SNV TROCAIRE ACTION-AID TRANSPARENCY INTERNATIONAL (TI)</td>
<td>BELGIUM EMBASSY/ BTC) NETHERLANDS EMBASSY USAID WORLD BANK CID</td>
<td>NETHERLANDS EMBASSY(Chai) BELGIUM EMBASSY / BTC WORLD BANK GERMANY (GIZ, KFW)</td>
<td>UNDP (Chair) BELGIUM EMBASSY/BTC EU UNICEF WORLD BANK GERMANY (GIZ, KfW) PLATFORM FOR INTERNATIONAL NGOS TRANSPARENCY INTERNATIONAL</td>
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<td>RGB (Chair) NCBS RMI</td>
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<td>LOCAL GOVERNMENT CAPACITY BUILDING AND SERVICE DELIVERY</td>
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<td>POLITICAL PARTIES FORUM MEDIA HIGH COUNCIL CCOAIB RWANDA CIVIL SOCIETY PLATFORM (RCSP) IRDP OTHER NGOs</td>
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