



**ADDIS ABABA UNIVERSITY COLLEGE OF LAW AND  
GOVERNANCE  
CENTER FOR FEDERAL STUDIES**

**Governance and Service Delivery in Gambella City Administration  
A thesis submitted to the school of graduate studies of Addis Ababa  
University in partial fulfillment of Master of Art in Federalism and  
Governance**

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**Governance and Service Delivery in Gambella City**  
**Administration**

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**Declaration**

I the undersigned, declare that this thesis is my original work and has not been presented for a degree in any other university, and that all sources of material used for this thesis have been duly acknowledged.

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## **Abstract**

*Gambella city is the capital of the Gambella regional states. Despite its status as the capital of the region, it has an abysmal record in terms of providing basic services. The water supply network of the Gambella city, let alone of the region, is in an extremely bad shape. Only 50 percent of the population of the city has access to clean drinking water. The current supply system is designed for population of 40,000 to serve for 20 years. It however serves more than 67,000 residents of the city. The total length of distribution pipe work is estimably to be 37 kilometers. Based on this system only about 2,240 customers who receive portable water. With respect to the provision of health services, there are two health stations in the city. However only one of the health stations actually provides services all residents of the city. Education is the only sector which is correspondingly provided in 5 kebeles of the city among the state service as each kebeles has the same number of primary school except 01 and 02 Kebeles. The municipal services are not also in better shape. For the purpose of analysis in qualitative approach, public service problems are conducted from official non official documents. In order to ensure the analysis interview had been conducted. This study hence seeks to investigate whether the malfunction of the city is linked to the institutional (constitutional, policy and legislative) design of the city government system.*

**Key words: - local government, autonomy, political institution, service delivery**

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## **Dedication**

To my father Hawaz Yeheys.

Whom I love very much, who fought the good fight of faith, ran the race and kept the faith and shared strong intellectual stamina. I have no words to celebrate your life and your significant investment in my life.

## **Acronyms**

ANDM-	Amhara National Democratic Movement
CUDP-	Coalition for Unity and Democratic Party
OPDO –	Oromo People’s Democratic Movement
SEPDM-	Southern Ethiopian people democratic Movement
SNNPRS-	Southern Nation Nationalities People Regional State
GPRNS-	Gambella Peoples Regional National State
GCA-	Gambella City Administration
OFED-	Office of Finance and Economic Development
NGO-	Non Governmental Organization
MOFED-	Ministry of Finance and Economic Development
VAT –	Value added tax
IGT-	Inter Governmental Transfer
BPR-	Business Proses Re Engendering
HRD-	Human Resource Department
LG-	Local Government
IGR-	Inter Governmental Relation

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# Chapter one

## Introduction

### 1. 1 The problem

Gambella city, which is divided into five *kebele* administrative unit, has the status of a city administration, as opposed to the status of a municipality,<sup>1</sup> which has some degree of political and administrative autonomy<sup>2</sup> with equivalent status as a *woreda*.<sup>3</sup>

As a city administration, it is required to undertake both state functions and municipal functions. Official and non-official documents however show that the city has an abysmal record in terms of delivering both state services and municipal services.<sup>4</sup> In its Growth and Transformational Plan of 2003-2007 the region had planned to ensure a 100 percent coverage in terms of drinking water delivery. The plan was based on the assumption that the region was rich in terms of fresh water sources since the *Baro* River, one of the largest rivers in the country, crosses the region and the Gambella city. However, the water supply network of the Gambella city, let alone of the region, is in an extremely bad shape.<sup>5</sup> Only 50 percent of the population of the city has access to clean house hold connection of drinking water.<sup>6</sup>The current supply system is designed for population of 40,000 to serve for 20 years. It however serves more than 67,000 residents of the city. The total length of distribution pipe work is estimably to be 37 kilometers. Based on this system only about 2,240 customers who receive portable water.<sup>7</sup>

With respect to the provision of health services, there are two health stations in the city. However only one of the health stations actually provides services for residents of the city. The regional government had a plan to construct hospital in the three zones, which has not materialized thus far. Gambella referral hospital is therefore the only hospital both for the city and the region.

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1 An urban area in Ethiopia may have either the status of a city administration or a municipality. The latter is a de concentrated unit of a rural *woreda* with no political autonomy. Zemelak Ayele (2014)166

2 Constitution of GPNRS article 45(3).

3Gambella city administration 3 years' capital investment plan 2008-2010(E.C) Revised March 2015,29

4 The detailed information about how far is the service against the national standard will be showed in chapter three.

5Gambella city administration 3 years' capital investment plan 2008-2010(E.C) Revised March 2015,

6.የጋምቤላ ከተማ ምክር ቤት 2ኛምርጫ ጊዜ 1ኛየስራ ዘመን መስራች ጉባኤ ቃለ ጉባኤ ጥር 2006(17)(Gambella city council 2<sup>nd</sup> electoral 1<sup>st</sup> term 1<sup>st</sup> session munities )

7 Gambella city administration 3 years' capital investment plan 2008-2010(E.C) Revised March 2015.

Education is the only sector which is correspondingly provided in 5 *kebeles* of the city among the state service as each *kebele* has the same number of primary school except 01 and 02 *Kebeles* as the response to the high population of the two *kebeles*.

The municipal services are not also in better shape.<sup>8</sup> Although the municipality is still construction road and drainage, there is no waste disposal truck, sanitary landfill and fire distinguishing vehicle as the only one is dysfunctional in the city. As street light in the city is only along arterial and some collateral road (dis functional) in the residential areas the service is almost nonexistent.<sup>9</sup>

## **1.2 Research questions**

The above clearly illustrates the severity of the problem in Gambella city in the provision of basic state and municipal services. Against this backdrop, this study raises the question;

- What are the root-causes for the abysmal record of the city of Gambella in terms of service delivery?

In order to answer these main question it seek an investigating on the following questions

- Is the problem institutional: the lack of proper institutional framework for the functioning of the city?
- Is it related to finance or lack of proper administrative structure?
- Is it due to lack of proper supervision?
- Is it due to absence of good governance?

## **1.3 Objective**

The study seeks to identify institutional and financial challenges as well as mal administration that the city of Gambella is facing in terms of improving its service delivery. It also aims to come up with a workable solution for resolving the challenges the city is facing.

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<sup>8</sup> Gambella city administration 3 years' capital investment plan 2008-2010(E.C) Revised March 2015.

<sup>9</sup> *Ibid.*

#### **1.4 Significance of the study**

The study is expected to help Gambella city administration, the municipality as well as any concerned body (NGOs) working in provision of services in terms of creating clarity on the causes and magnitude of the problem in service delivery in the Gambella city.

#### **1.5 Argument**

While the reality is of the institutional framework for local government can foster viable, transparent, responsive and accountable city government if it is implemented properly. The implementation of policy, planning and the associated institutional and fiscal arrangements is not yet strong enough in Gambella city to counter the continuation of the services.

Therefore, attempts to curtail one of the elements of the autonomy to the city government will result into poor operations of local governments in the city. The main targets of this research is to address : due to the abysmal record of service delivery in the Gambella the City Administration is attributable to the inadequate institutional framework under which the city government operates, the lack of adequate financial sources, lack of skilled man power.

It will be argued that, however, the regional constitution failed to incorporate an article which states and the main functions of the city government councils; the proclamation governing the administration of the city governments do not implement in proper way. Therefore the Sufficient autonomy given to the city by the regional governments is not exercised and deliver its functions.

#### **1.6 Literature review (Rationale of the research)**

There are a number of studies and publication on local government and service delivery at local level. None have however dealt specifically with local governance in Gambella city. In general, there is no previous research which has systematically compared the organizational and service characteristic in Gambella region particularly in Gambella city.

Zemelak Ayele's book titled *Local government in Ethiopia, Advancing development and accommodating ethnic minorities* discuss, among others, the appropriateness of the institutional design of local government in Ethiopia for efficient service delivery.<sup>10</sup> The local government

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<sup>10</sup>Zemelak Ayele (2014) *Local government in Ethiopia, Advancing development and accommodating ethnic minorities*, Baden-Baden, Norms Verlagsgesellschaft, Germany (163).

system includes cities and municipalities which have the powers and functions to exercise by their own.<sup>11</sup> He does not however deal with the specific institutional challenges that Gambella city faces.

Shimelis Alebachew deals with the municipal development status of Ethiopia on his unpublished paper *Urban Service Delivery: The case of Addis Ababa, Ethiopia*. In this work he makes a passing reference on how poor the municipal service in Gambella is without however making a detailed discussion of the institutional and financial challenges the city faces.<sup>12</sup>

Dereje Feyisa has dealt with the Gambella region in his numerous works.<sup>13</sup> However he hardly discusses issues of service delivery in the Gambella city. His studies focus only historical issues and emerging conflicts between different ethnic groups in the region.

Samson Bekele (2013) in his book “*Gambella in reality*” attempts to describe the relative efficiency, effectiveness and quality of different institutional arrangements for local infrastructure and service provision in Gambella region using quantitative data of urban and rural areas.<sup>14</sup> However, the book gives remarkable achievement of sated goal of Gambella region, the data is irrelevant for Gambella city reports. Consequently, it has its own drawback, first, as it ignores challenges on the provision of the services; secondly, the data is generally illustrate total urban and rural areas rather than the city of Gambella.

An article titled *Approaches to Improving the Delivery of Social Services in Difficult Environments* briefly describes service delivery as conceptualized relation between policy makers, service providers, and people. It includes services and the systems that regarded as a state and Municipal responsibility.<sup>15</sup> However, the primary concern of the paper is to give a clear point on responsibilities of state and municipality not on the challenges that affect the provision public services.

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11 Zemelak Ayele (2014)163

12 Shimelis Alebachew (October 20 – 24, 2003),”Urban Service Delivery: The case of Addis Ababa, Ethiopia” Municipal development partnership eastern and southern Africa, the 5TH Urban and City Management Course for Africa Organized.

13 Dereje Feyisa had published several article about Gambella and the book these are “Decentralization as Ethnic closure, with special reference to a declining negotiated Assed to natural resources in western Ethiopia “Africa development, 3( 2,2006).”More than the state? “Playing different game”.

14 Samson Bekele (2013) “*Gambella in reality*” Gambella, Genet printing press, Gambella. 27

15Chris Berry, *etal*(2004) “*Approaches to Improving the Delivery of Social Services in Difficult Environments*” PRDE Working Paper.14

Za-Mulamba Paulin in his article resolving the service delivery dilemma shows the importance and effect of public participation for an improved sense of ownership; motivate people to act responsibly and an improved understanding of the limitations and challenges to the provision of particular service. According his statement, the context of the delivery especially sanitation services is the sense of ownership and responsibility among the municipality. However, his article does not cover how the municipality attract the public for participation and how the public help let the municipality to overcome the challenges.

However, Gambella municipalities have a relatively large freedom to act independently economically. While it has gone through cluster financial system with city administration, it become independent since July 2006 E.C. It assigned with significant responsibility to follow national decisions and guidelines concerning environment and sustainable development. As services have a direct and immediate effect on the quality of the lives of the people, without having good and adequate services there cannot be sustainable development. But this could not be achieved if the Municipality could not address its responsibility.

This is a brief discussion regarding the earlier writings on the service delivery in different contexts. These writings and other related literature on this topic show that many studies have been done under particular theme. But, no studies have been conducted concerning challenges of service delivery in Gambella city.

Thus, it is difficult to find a clear literature as reference to state of certain region. Taking this in to consideration this paper plays a role in stating what the duty and responsibility of the state and Municipality are finding out the challenges that faced on the service delivery in Gambella city.

### **1.7 Research Methodology**

As the approach followed in most social science research, qualitative approach is chosen. This study is based on data collected from both secondary and primary sources. Official documents of the Gambella regional state and Gambella city council and other publications would have been reviewed. Important among these were the regular and emergency minute of the Gambella city council, the report presented on the council's conference by the city administering, the next year plan, Data maintained by the municipalities on various service matters have been collected.

In order to identify the challenges on the provision of service from government perspectives interviews had been held with a select number of elected representatives and appointed officials/staff administrative and municipality during the period December to March 2017. The officials were purposefully selected as they run the overall service in the city. These offices were, the city council, city administration council, the municipality and the water and sewerage agency. Therefore, descriptive design is used for finalization of the research.

### **1.8 Organization of the Paper (Structure)**

The paper is organized in five chapters including the introductory chapter which outlines the problem, state the question, the argument and methodology. Chapter 2, based on literature, will discuss the institutional, financial and administrative requirements, which should be ideally fulfilled for a city to be efficient in terms of service delivery in a city. Chapter three will examine the institutional framework governing the Gambella City against the backdrop of the discussion in chapter 2. Chapter 4 will deal, again against the backdrop of the discussion in chapter 2, with financial and administrative issues of the city. Chapter five will provide concluding remarks.

## Chapter Two

### A city capable of efficiently delivering services: Its institutional features and characteristics

#### 2 .Introduction

The main question that this study deals with is whether the Gambella city's poor record in terms of service delivery is linked to the intuitional design of the city. 'Institutional design' for the purpose of this paper means federal and especially regional constitutional framework, legislative regime and policy directions. Clearly the institutional design of a city should be context specific and there is not an institutional design that is workable all the time in all contexts. Yet international literature show that there are certain critical institutional features in the absence of which a city is lily to fail in terms of efficiently providing basic services.

Cities in all parts of the world face increasing challenges such as rapid population growth, water shortages, air pollution, inadequate or aging infrastructure, the spread of informal settlements, and traffic congestion. At the same time they are also increasingly viewed as the best vehicles for achieving sustainability because they represent the public institutions closest to the people and the problems.<sup>16</sup> As the United Nations' Centre for Human Settlements argues, cities are becoming the "test bed for the adequacy of political institutions, and the effectiveness of programs to combat social exclusion, protect and repair the environment, and promote human development."<sup>17</sup>

One of the significant challenges facing local authorities is adoption of international guidelines of local government and their ability to work to tackle issues related to sustainability.<sup>18</sup> In order to overcome this challenges and enable the cities to deliver their mandate, an appropriate political setting for downward accountability requires a suitable environment for local elected leaders to act *independently* and *responsively*.<sup>19</sup> The question is what are these political setting and

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<sup>16</sup>Cities are facing these 10 big issues - Business Insider: Accessed at <http://www.businessinsider.com/cities-are-facing-these-10-big-issues-2015-8>, Thursday, January 5, 2017 4:28:10 AM.

<sup>17</sup> United Nations Human Settlements Programme (UN-HABITAT) accessed at <https://unngls.org/> Wednesday, January 4, 2017 10:48:15 PM.

<sup>18</sup> LG Challenge Local Government Association: Accessed at <http://www.local.gov.uk/lgchallenge>; Friday, January 6, 2017 3:44:14 AM.

<sup>19</sup>Serdar Yilmaz, YakupBeris, and Rodrigo Serrano-Berthet (2008) *Local Government Discretion and Accountability: A Diagnostic Framework for Local Governance* (Social development working papers 113, Local governance and accountability series).<sup>6</sup>

institutional frame works for effective service delivery? This chapter seeks to answer this and related questions.

In this chapter it is argued that for a city to be effective in service delivery it should have autonomy balanced with appropriate supervision of higher level of government. The chapter begins with a discussion of different features of local autonomy including political, financial and administrative autonomy. Then it turns to discussing intergovernmental supervision.

## **2.1 Autonomy**

Cities can be effective in terms of effectively delivering services to their citizens if they have a set of political institutions, mechanism and process through which citizens and their groups can articulate their interest and needs, mediate their differences and exercise their rights and obligation at local level.<sup>20</sup> These include political organs such as legislative and executive which have clear mandates and powers and a degree of political autonomy, financial powers with administrative structure.<sup>21</sup>

### **2.1.1 Political autonomy**

Political autonomy implies political institutions that autonomously act within powers transferred to it through a constitution or legislation of the higher level of government. The political institutions include a city council which is manned by elected officials and executive organs that are run by directly or indirectly elected individual. In most cases the power is given by subnational government while in some cases, local government generally comprises the third tire of government from the constitution.<sup>22</sup>

Political autonomy hence implies a city's decisions respected, honored, and heeded within a political context. It entails a city's freedom to exercise authority within the confines of law or

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20 United Nations Economic and Social Council, *Committee of Experts on Public Administration (2006) Compendium of basic terminology in governance and public administration, New York.p2*

21Tasneem Sikander (2015) "A Theoretical Framework of Local Government"5(6) *International Journal of Humanities and Social Science*.172

22Michael E. Libonati, (2001) "Local Government Autonomy"62 La. L. Rev 97.

constitution. This enables a city to discharge or decide and act on the sphere of activities and function that are legally or constitutionally assigned to it without interference of higher authority.<sup>23</sup>

### **2.1.2 Elected City legislative and executive councils**

As mentioned above elected legislative and executive are the main actors of the political autonomy.<sup>24</sup> City councils should be constituted by democratically elected members<sup>25</sup> who are empowered to decide which services will be provided and how to deliver them, among many other tasks.<sup>26</sup> City council members are legislators. Together they constitute a legislative body which is given authority by a constitution (national or subnational) to make local law. Its authority is generally limited to what the state specifically grants to cities which permit them to exercise authority not specifically granted, provided that the state has not specifically prohibited that local authority.<sup>27</sup>

As executive, the city and local municipalities within the structure fall under the political control of an elected council. <sup>28</sup>They are subject to the provision of the constitution and any other law.

A city council is expected to be, at least according to the formal rules set out by constitutions, the principal policy-making institution which can decide on most fundamental policy decisions including budget, economic, environmental and social issues. <sup>29</sup> A city council is deemed to have a larger membership than executives, and so offer the possibility both to represent more accurately the range of diversity in polity, and foster closer connection between representatives and voters.<sup>30</sup> The diversity represented in legislatures may be defined along collective lines of representation which operates through group of politicians who are selected to represent interests of voters. The rules by which collective are selected.

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23 Samuel Chukwudi (etal) (2013) "Local Government Autonomy: A Veritable Tool for Redressing Usurpation of Powers of Local Governments by the State Governments in Nigeria" 3(10) *Public Policy and Administration Research* P33 [www.iiste.org](http://www.iiste.org).p13

24 Roles and Responsibilities of Local Government Leaders: Accessed at <http://mrsc.org>, Friday, January 6, 2017 4:01:30 AM.

25Hankla, Charles R. and Downs, William M. (2010) "Decentralization, Governance, and the Structure of Local Political Institutions: Lessons for Reform?" Political Science Faculty Publications. Paper 14.P4

26<http://www.w3.org> last visited on 2 December 2016.

27 Local government success accessed at <http://mrsc.org/getmedia/> last visited on 26<sup>th</sup> December 2016.

28 The World Bank, public sector governance and accountability series; local governance in developing countries, Anwar Shah.

29Rober E .Goodin(2006)the oxford handbook of political science, oxford university press.p26

30M. Steven Fish and Matthew Kroenig(2009)The handbook of national legislatures, Cambridge university press p3

While a city council acts law making body, certain supportive structures have been created to assist the councils in the execution of tasks. One of these structures is the executive council.

The executive may directly be appointed<sup>31</sup> or selected and removed by the legislature.<sup>32</sup> The executive is an organ of a city<sup>33</sup> that expected to have an overall task of directing, initiating and coordinating all or most of activities of the city.<sup>34</sup> While mayors and city managers often develop and propose policies, their basic responsibility is to carry out the council's directives and to implement the policies adopted by the council.<sup>35</sup>

Mayors, city managers, and staff do not make policy decisions. However, they have strong influence on the policymaking process and its resultant decisions. For example, they propose budgets, oversee the studies and analyses carried out by staff, and make policy recommendations to councils through their ongoing contacts with key interest groups, elected and appointed officials.<sup>36</sup> An executive organ is expected to take initiative in developing and implementing those measures, which are in the best interest of the public and those that are necessary for the efficient administration of local services. A second essential duties of the executives is integration. It is expected to integrate and coordinate all the various local activities into one effective whole.<sup>37</sup>

## **2.2 Function and powers of a city**

The other critical feature of a city's autonomy is its mandates or functions. In most cases, a city's mandates are defined in statutes, constitutional provisions, and often elaborated by court decisions, and administrative regulations or orders that demand action from governments under pain of civil or criminal sanctions.<sup>38</sup>

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31 Barry C. Burden (etal) "Comparing Elected and Appointed Election Officials: The Impact of Selection Method on Policy Preferences and Administrative "Outcomes" Paper prepared for the American Politics Workshop, Department of Political Science, University of Wisconsin-Madison.p7

32 UN-HABITAT (2002) Local democracy and decentralization in east and southern Africa; Nairobi, Kenya.p19  
33 *Ibid.*

34 The New York Department of State (2009) Local government Handbook, 6th edition, New York.p52

35 <http://mrsc.org/getmedia/last> visited on 26<sup>th</sup> December 2016.

36 UNDP, Oslo Governance Centre, a Users' Guide to Measuring Local Governance.P6

37 Mark Lubell, Richard C.Feiock and Edgar Ramirez (2005) "Political institution and conservation by local government" 40(6) *urban affair review*.p9

38 Advisory Commission on Intergovernmental Relations (1990) Mandates: Cases in State-Local Relations.p2

A city government is expected to perform tasks such as keeping safety, supplying public services.<sup>39</sup>Public service is a service that is provided by government to people living within its jurisdiction, directly through the public sector.<sup>40</sup> The term is associated with a social consensus usually expressed through democratic elections that certain service should be available to all, regardless of income, physical ability or mental acuity.<sup>41</sup> Functions are cities or municipal services which refer to basic services that residents of the city expect from the city government to provide in an exchange for the taxes which citizens pay.<sup>42</sup>

Functions within the competence of a city often include sanitation both sewer and refuse, water, street, the public library, schools, fire department, police, and health departments. City governments often operate or contract for additional utilities like electricity.<sup>43</sup> Functions that are appropriate to a city also include cultural centers, cemeteries and crematories; provide public infrastructure services like recreational and youth centers; museums; housing; sewerage; streets, clearing , street lighting; land administration; demolish unauthorized constructions and acquire lands for public purposes; nurseries, care centers pollution control; abattoirs; parks and markets.<sup>44</sup>The functions is more significant for the wellbeing of the public. At the same time these duties also serve as performance indicators of municipal council.

A city as local government<sup>45</sup> must have legislative and executive powers on functions that are within its competences. Its executive power is vested in its executive *cabinet* and a Mayor who chairs the city executive council and enjoys considerable decision making.<sup>46</sup> The elected local legislative council should have legal authority to enact laws in a specific area for the implementation social services and development.<sup>47</sup>

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39 Adnan U “Theoretical Perspective of Local Government - Literature Review” 46301Munich Personal *RePEc* Archive.

40 Brendan Martin, (2004) “What is public about public services?” World Development Report, Making Services Work for Poor people.p2

41Joanna O’Riordan (2013) Public service motivation State of the public service series. p11

42 Department of local government, “Municipal infrastructure: roles and responsibilities”, South Africa.p13

43 *Ibid.*

44Zemelak Ayele (2014).p161

45*Ibid.*

46The International Bank for Reconstruction and Development (2009) Local Government Discretion and Accountability: Application of a Local Governance Framework.p3

47 Return to social work: Learning materials; accessed at [http://cdn.basw.co.uk/upload/basw\\_22731-3.pdf](http://cdn.basw.co.uk/upload/basw_22731-3.pdf) ,January 7, 2017.

approving and management are mainly handled by the local city councils while the executives monitor the implementation, setting certain tax rates, administering fiscal resources and administering primary schools, health institutions and various facilities could be either constitutional or legal power of cities.<sup>48</sup>

## **2.3 Financial autonomy**

A city should have autonomy and flexibility in setting priorities, and should not be constrained by the categorical structure of programs and uncertainty associated with decision-making at the center.<sup>49</sup> To this effect, it is necessary that it is provided with adequate internal sources of revenue. A city's financial autonomy includes the autonomy to raise own revenue and decide on its expenditures.<sup>50</sup> A city's source revenue may include internal sources. This allows services provided to residents of the city are largely financed by finance raised and locally. The city's source of revenue may also include properly structured intergovernmental transfers; and, 'where appropriate,' access to borrowing and other alternative sources.<sup>51</sup>

### **2.3.1 Sources of own revenue**

Duke (2014) classifies internal sources of a city's revenue into three groups; namely statutory, permissive and incidental sources of revenue.<sup>52</sup> In other words, these are considered as own revenue. Statutory sources include fees and other charges imposed by a city council under its instruments. Permissive sources on the other hand are special rates fees and fines from registration and license fees, tenement rates project tax, grants and aids.<sup>53</sup> Incidental sources are mostly related with services income generated from maintenance of market stalls, car park and public, registration of births, deaths and marriages.<sup>54</sup>

The most common and appropriate sources revenue at the local level is permissive and incidental which possess special rates fees and fines, registration and license fees, grants and aids, Incidental

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48Serdar Yilmaz (2008) local government discretion and accountability in Ethiopia, Institutional studies working paper 08-39.p5

49 Jennie Litvack, Intergovernmental Transfers <http://www.ciesin.org>, Accessed at December 14, 2016 10:25:52 AM, Intergovernmental Transfer.

50Zemelak Ayele (2014) P52.

51Jorge Martinez and Paul Smoke. (2010) "Conclusion" in Local Government Finance: The Challenges of the 21st Century. United Cities and Local Governments' Second Global Report on Decentralization and Local Democracy, Barcelona.p326

52 Duke okpako Akpofure (2014).

53 Grants and aids can be considered as sources of revenue but local governments are not powered to control it.

54 Duke okpako Akpofure (2014).

sources; Investment income such as interest and dividends, income generated from maintenance of market stalls, car park and public, Income derived from registration of births, deaths and marriages, income derived from regulation and control of outdoor advertising, movement and keeping of pets, restaurants and Income derived from naming streets, roads.<sup>55</sup> These sources of revenue are by most from the user charges.

Since cities are often established (especially in federal systems) by sub national government, local revenue structures are largely determined by sub national doctrine.<sup>56</sup>

A city's revenue structure is influenced by its size, geography, land use and coverage of government services. Other local determinants include numerous legal, political and economic influences, including historical precedent, national economic trends, federal mandates, state laws, intergovernmental relations, regional precedent, citizens' preferences and the city administration's preferences. Additionally, a city's political policies towards new growth, social welfare and business competition are reflected in its revenue structure.<sup>57</sup>

Taxes are an essential source of revenue for all levels of government. Like other parts of the revenue structure, tax revenue setting by a city is restricted by state governments. States are not uniform in their approach to allowing cities to utilize the three major sources of tax base - property, and income taxes<sup>58</sup> - usually permitting some combination. In some areas, local government receive revenue from two of these taxes, usually some combination of property and sales.<sup>59</sup> In addition in some areas assign a portion of revenues sharing to those municipalities with a substantial share of the state population.<sup>60</sup>

The most fundamental purpose of revenue from tax is to get adequate levels of financing so that cities can implement the functions that have been assigned to them. However, this requirement does not offer much of a guide for revenue assignments because adequate financing levels can be

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55Duke okpako Akpofure (2014).

56 Bland, Robert L. A (1989) "Revenue Guide for Local Government" Washington, D.C.: International City/County management Association.

57Ingram Gregory K. and Yu-Hung Hong, eds(2009) "Municipal Revenue Options in a Time of Financial Crisis" Cambridge, MA:Lincolninstitutie of land policy,2009, Accessed at December 09,2016 at <https://www.lincolninstitutie.edu/pubs/>.

58Hoene, Christopher and Michael Pagano (2008) "Cities and State Fiscal Structure" Washington, D.C.: National League of Cities.

59Zemelak Ayele (2014) P 53.

60 Abhijit Datta (2016) "Local Government Finances: Trends, Issues and Reforms", accessed at <http://www.nipfp.org.in/> December 12, 2016.

obtained from many different tax assignments or even without them through intergovernmental transfers.<sup>61</sup>

In order to strengthen revenue, there are several other revenue sources, including local option taxes, service charges, and fees levied by municipalities as stated in incidental revenue type.<sup>62</sup> These additional sources help municipalities, especially smaller cities, gain financial stability, broaden the tax base, expand the types of activities taxed and increase their independence from state and federal finances.

### **2.3.2 Intergovernmental Transfers**

Intergovernmental transfers are transfers of funds from one level of government to another. This may be to fund general government operations or for specific purposes.<sup>63</sup> It is the dominant source of revenues for subnational governments in most developing countries. The design of these transfers is of critical importance for efficiency and equity of local service provision and fiscal health of subnational governments,<sup>64</sup> but, it should not replace the total revenue that could be raised locally.<sup>65</sup>

Transfers are often designed to meet various national objectives which include to attain minimum national standard of public services delivery,<sup>66</sup> to bridge vertical fiscal gap and to minimize horizontal fiscal disparities by own expenditure; but varies in terms of per capita revenue & expenditure; variation in growth rate <sup>67</sup>The imbalance between the governments could be determined through tax base and revenue sharing as can be discussed above. The grants can be done in two ways: general purpose transfer and specific purpose transfer.<sup>68</sup>

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61Edward Elgar (2008) “Fiscal Federalism and Political Decentralization” Cheltenham, UK Northampton, MA, USA P 30.

62Hoene, Christopher and Michael Pagano (2008).

63Solomon Negussie, “Intergovernmental Fiscal Transfer” Center for federal studies, College of Law and Governance. AAU.a hound out prepared for teaching

64 Jennie Litvack, Inter governmental Transfers <http://www.ciesin.org>, Accessed at December 14, 2016 10:25:52 AM, Intergovernmental Transfer.

65Zemelek Ayele (2014) P 54.

66Gebrehiwot Tesfay (2014) “The practice of fiscal federalism in Ethiopia” a critical assessment 199-2012 an institutional approach, unpublished PH.D thesis.

67 See Solomon Negussie.

68Ehtisham Ahmad and Bob Searle (2005) “On the Implementation of Transfers to Subnational Governments” IMF Working Paper.p13

## **2.4 Administrative autonomy**

Earlier in this chapter, different autonomy of LG has been discussed. Administrative autonomy is one of this automates. Local government's principle of Administrative autonomy is expressed differently in different assemblies.

Having these variations in the expression of the principle of autonomy lead on to another reflection which is also rather relative. The very strong points the Administrative autonomy of the city is the power that drives to establish its own structure.

Thus, in this sub chapter, the outlook administrative autonomy regarding its exercise of power will be discussed.

### **2.4.1 Administrative Structure of government**

A city should be able to determine their own administrative structure so as to meet the city's specific need and ensure effective administration.<sup>69</sup> Even though, the importance of creating own structure at local level should not be argued, local governments must take convincing sustainable economic development and consider national and international issues to cope with internationally rooted service delivery standards.<sup>70</sup>

The structure is accountable for management the recourses of local governments in the city. It work with communities to achieve the structures that are consistent with current local objectives and conditions. The structure may vary depends on local government environment.<sup>71</sup>

The administrative structure must have found that overall costs actually have been reduced with competent management. And increased efficiency and productivity, improved revenue collection, or effective use of technology must enhanced.<sup>72</sup> For this effectiveness, their administrating power

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69 European Charter of local government (1987).

70 M S Binza,(2010) "Developmental local government in the 21st century; Implementing local economic development as a new mandate"18 (4) *Department of Public Administration and Management*, University of South Africa.p254

71 LGD: Local Government Structure Branch, [http://www.cscd.gov.bc.ca/lgd/gov\\_structure](http://www.cscd.gov.bc.ca/lgd/gov_structure), Accessed at December9, 2016.

72Paul Smoke (2003).

also must include their power to hire and fire own personnel for the efficiency and accuracy of the service they provided.<sup>73</sup>

#### **2.4.2 Hire and fire own personnel**

Øpek Özkal Sayan and Bar ÖüÖvgün describe the implementation of hiring and firing own personnel lays on administration among the autonomy of local government.<sup>74</sup> The administrative autonomy is to public institutions and establishments. Within this autonomy, the administration perform two actions, mainly determining the suitable structure of governance to meet the public need and recruiting or dismissal of civil servant.<sup>75</sup>

The overall human resources management function in civil service should be its own responsibility including recruitment, placement, promotion and transfer of staff in the civil service. The recurrent procedure shows the extent to which cities have discretionary power to initiate regulation legislation to run the civil service and undertake employment policies like comparable job title in in duties, skills, level and requirement as determined by the civil service commission are important areas of autonomy.<sup>76</sup>

The Local rules regarding hiring employees must maintain human resource departments to deal with these rules. Therefore, the department must take care not to discriminate based on race, color, gender, religion, disability status, and imply things that can't deliver like job security, benefits. In addition to this, respect the applicant's right to privacy, marital situation, and economic background, personal life is essential.

There often comes a point in the employer-employee relationship, where the relationship begins to sour. The employee may not be performing up to the standard expected, may be having behavioral problems or is simply unable to perform certain tasks. Terminating employees is never a pleasant task, but the department should play role in finding safe exit.<sup>77</sup>

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73Dele Olowu (2014) "Decentralization Policies and Practices under Structural Adjustment and Democratization in Africa" 4, Democracy, Governance and Human Rights Programme United Nations Research Institute for Social Development.

74Øpek Özkal Sayan and Bar ÖüÖvgün(2014).

75Zemelak Ayele (2014) P55.

76Jin-Sang Lee (1991) "The Process of Decentralization in Ethiopia since 1991: Issues on Improving Efficiency" *Korea Review of International Studies* P9.

77<http://www.generalcouncilaw.com>, accessed at December 16, 2016.

Local governments within this structure ensure that citizens in the community are treated fairly and that the community runs smoothly. The success and failure of local government to exercise its power and deliver its function may point out that either supervision from the higher tiers of government is needed or no.

## **2.5 Supervision from senior level of government**

Supervision of local government is very important for a variety of considerations to the interests of the central or state government itself as well as local and public interest. Government has interest to protect the public from abuse of power by local authorities. Then improving the implementation of national policy, the policies and programs of the central and state government to be applied and implemented in the area.<sup>78</sup>In all cases of autonomous local government, the local governments should be under the supervision of the state government.<sup>79</sup> The relative freedom provided to local government, they are not always absolute by delivering their function. They might be affected by harmful practice like bribe and corruption, stigmatization against other groups and “*elite capture*.”<sup>80</sup>

It seeks to measure, responsibility and financial resources for providing public services among different levels of government. It is the form of responsibility for the overseeing the planning, financing and management of certain public functions from the state local government.

Therefore, the supervision also became urgent after considering the fact most of the public services provided directly to citizens by the local government for various purposes, it also must submit and follow the various levels of control by the respective governments. It is urgent and vital to avoid failure. Especially when local governments tend to be weak in internal control and audit system and the low of local authorities capability in carrying out the functions and responsibilities.

As the city is aware of what public goods and services are provided, the issues of how well they are provided, who the beneficiaries are, how much the goods and services cost, and who paid for them, must be supervised.

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78 Mohamad Solikin (etal) (\_\_\_\_\_) “central government supervision strategy to local government: case of Delay in determination of the local budget in Kidir regency in east java Indonesia” 2(06) International Journal of Management and Administrative Sciences (IJMAS).

79 <http://thewillnigeria.com/news/opinion-independence-of-local-governments-full-autonomy-and-the-proposed-autonomy/>Acced at Friday, December 16, 2016.

80 Zemelak Ayele (2014) P55.

Public governance is impossible without control activities by officials. Governmental bodies are highly demanding: inspections, revisions, audits, assignment implementation control or, for instance, administrative supervision and prevention operations. Enforcement of laws and other regulatory enactments depends on administrative supervision, audit, prevention, and other actions of administrative control.<sup>81</sup>

Gambella city is public governance institutions that are the closest to people, therefore this level of governance is very favorable for development of public governance. Implementation of changes in public governance on this level is accompanied by city and municipal institutions to changes in the established procedures.

The interests of citizen's governance, seek greater involvement in decision-making. Their involvement, however, is usually restricted to voting and electing the true, actual decision-makers. It is the local and not national level that allows for the easiest inclusion of the public in governance and decision-making.

Administrative supervision of local government is not purposeless mechanism of coercion against bodies of local government, it is linked to public interest. It helps to ensure transparency, openness, civic spirit, pluralism, democracy and absence of corruption at local level.<sup>82</sup>The state supervisory role depends on state laws and practices as well as on the type of local government involved.<sup>83</sup> Once a function has been assigned, the assigning agency is responsible only to the extent that it has regulatory and supervisory power as the local governments are responsible to deliver their function.<sup>84</sup>

The significance of supervision is undeniable for success of government program and provision of service.<sup>85</sup> The appointed leader at the local government are required for the effectiveness of the governance. It is assumed, they bring the best of their knowledge to influence the system to make

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81 Violet Kiurienr (2015) "Administrative supervision of local self-government in the Baltic states" A comparative view 10 local cultures and societies.p398

82 *Ibid.*

83 Julia Beckett, "Local Governments: State Supervision of Budgets and Finance" Department of Public Administration and Urban Studies, University of Akron, USA.

84 The Department of Provincial and Local Government (dplg), ( ) "The practitioner guide to inter-governmental relation" South Africa.

85 Rhian Taylor (2014) "The death of reflective supervision? An exploration of the role of reflection within supervision in a Local Authority Youth Offending Service" 31(2), Research, Policy and Planning.

it operational and effective. At the same time, their responsiveness may fail to address expected function and exploit the system for their private interest.<sup>86</sup>

In practice, various forms of supervision to the local government in the different characters should be performed, but they should not be dominating or weakening each local authority.<sup>87</sup> It is generally suggested that “regulation, monitoring, support and intervention” can be used as mechanisms of supervision.<sup>88</sup> Senior level of government may create minimum standards for provision of services, formulate directive guidelines to check whether local government meet the standard set. In order to ensure equity in delivery of service, the supervisor may involve in any way and also let the local government not to continue to perform its authority function if it does not meet the standards or mal-delivered.<sup>89</sup>

Shortage of one form of supervision could be filled and fulfilled by other forms of supervision.<sup>90</sup> Moreover, as it was well known that the supervision area coverage was so extensive that indicated the amount of control needed and the capacity of government supervision at various levels were limited, in human resources, budget support and access to information.<sup>91</sup>

The supervision guideline must be designed in a way that meets various requirements to accomplish and ensure the stated standards of service provision.<sup>92</sup> Hence, as discussed above, if supervision is not to dominate or weaken the local governments, it must guarantee the way the supervision is done by making concessions to its autonomy.<sup>93</sup>

## **2.6 Conclusion**

Local governments have become a key institution in facing fundamental issues by improving domestic economic, democratic and developmental conditions. It is a front line in position against poverty: through social inclusion, access to basic services and participation. But it needs proper aspects of administration to address the issue at grass root level.

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86 Dele Olowu (2003) “Local institutional and political structures and progress: recent expectations in Africa” 23(41) public administration and development Public Admin Wiley Inter Science ([www.interscience.wiley.com](http://www.interscience.wiley.com)) Institute of Social Studies, The Hague, The Netherlands.

87 Mohamad Solikin (etal) 2(06).

88 Jaap De Vissier (2005) “Developmental local government: A case study of South Africa” intersentia.

89 *Ibid.*

90 *Ibid.*

91 Supervision: Now or Never Reclaiming Reflective Supervision in Social Work.

92 *Ibid.*

93 Zemeleak Ayele (2014) 231

The above-mentioned institutions and structures can be said to constitute the core of the local government policy community, a sort of sub-government of this policy community. All the above institutions have a national character and geographical spread.

At its simplest, the idea is how institutions at local level which have responsibility for functions carried out by local authorities are created.

The local government system and its related legislation provide for a relatively autonomous and representative local government system. The legislative provide for regular and scheduled elections. There is also a requirement for local authorities to consult citizens whenever they are coming up with new legislation and budgets. Residents are free and encouraged to inspect all public council records. The government has also put in place sound decentralization and capacity building policies

Given the considerable importance of local governments within a given country, as well as the availability of good service, it is difficult to conclude a paper on this topic with satisfactory policy generalizations. At the same time a number of broadly relevant points can be raised.

First, the foundational step required for reform is to document the nature and extent of the institutional framework of local government. Is the political autonomy run on elected council and executive's? How is the financial system? Is the revenue source under consideration considered appropriate for local governments? Is it administered in conformance with relevant laws and regulations? Are there administrative considerations such as inadequate staffing or operating resources, lack of necessary equipment, data constraints, and capacity limitations, that hinder effective management and delivering services?

Thus, the formation of local self-rule with its own administrative structure is mandatory for effectiveness of service provision and also to exercise own power at local level.

This chapter, does not pursue to discuss how institutional frame work and administrative structure of Gambella city is created. Rather ,based on the literature that show the institutional character and framework of cities, the rest two chapters will investigate institutional character and framework Gambella city administration. Thus, the next chapter will investigate the political and financial autonomy of Gambella city and its impact on exercising power and delivering its function.

# Chapter Three

## Gambella city administration: its institutional feature and characteristics

### 3.1 Introduction

This study seeks to investigate whether the problem in service delivery in Gambella city has to do with the institutional design of the city's governance system. As part of answering this question in chapter two the institutional features were identified that are likely to make local government efficient in service delivery. It was argued that the design should balance local autonomy (political, financial and administrative) with supervision. This chapter examines Gambella's city's institutional set up against the backdrop of the institutional features discussed in chapter 2. It will discuss the organization of the city government, its functions and powers, its financial sources and its administrative structure. It examines whether the failure in service delivery can be linked to the institutional design of the city.

The chapter begins by discussing the system and structure of local government in Ethiopia in general so as to provide a context within which the city of Gambella exists and operates. It then shows the historical background of Gambella city and discusses the political, financial and administrative autonomy of the city.

#### 3.1.1 LG in Ethiopia: Legal and Institutional Framework

The federal constitution of Ethiopia does not explicitly establish local government as level of government. It only establish nine regional state<sup>94</sup> and the city administration of Addis Ababa<sup>95</sup>. It leaves matters relating to the establishment of local government to the regional state.<sup>96</sup> However by linking the establishment of local government with public participation, it requires the states to establish autonomous local government, even though it leaves to the discretion of the states determining the number of the levels and units of local government they may wish to establish.

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<sup>94</sup> FDRE constitution Article 47(1).

<sup>95</sup> FDRE constitution Art 49(2).

<sup>96</sup> FDRE constitution Art 50(4).

Accordingly all regional states have revised their constitution to establish autonomous local government.<sup>97</sup> The regions with multiethnic population, such as SNNPRS, Benishangul-Gumuz, Gambella, have established what are referred to as ethnic local government in the form of special zones and special *woreda*.<sup>98</sup> Moreover all of the nine regions have established what are referred to as ‘regular local government’. These include *woredas* and cities. Gambella city hence falls in the category of regular local government.

### 3.1.2 Gambella city in brief

Gambella city is the capital of, and the largest city in, the Gambella People’s National Regional State (herein after Gambella region.) The city is located 766 Kilo meters away from the federal capital, Addis Ababa, in the southwest direction. As per the 2007 national census, the population of the city is 39,022.<sup>99</sup> However a recent report of the Gambella city administration indicates the current population of the city is 67,496 with 5.4% assumed population growth per annum.<sup>100</sup> The total area of its territory of the city is 765 Hectares.<sup>101</sup>

In the city all the five endogenous ethnic communities of the Gambella region, namely Anyua, Nuar, Mezenge, Komo, and Opo are found in the city in different proportion. The city also has residents from other ethnic groups, which are often referred to as *high lander*,<sup>102</sup> which includes those from Oromo, Amahara, Tigrai, Gurage, Kenbata and other communities. The city is divided into five *kebeles*.

The city was reportedly founded in the early 1900s<sup>103</sup> when a treaty that was signed between Emperor Minilik II and the British resulted in the delineation of the Ethio- Sudanese boundaries. The treaty enabled the British to get a trading post within the Ethiopian boundary which was established in 1904 in the area where the Gambella city is found. The event marked the foundation of Gambella city. The British also established their offices along with postal and telegraph service

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97 Each state adopted a state constitution soon after the promulgation of the 1995 federal constitution. The 1995 regional constitutions were revised beginning from 2000 among others, to restructure local government systems. The Gambella regional constitution was revised in 2002.

98 For more on this see Zemelak &Yonatan (2012).

99 Central statistical agency (2007) Gambella

100 Gambella city administration 3 years’ capital investment plan 2008-2010(E.C) Revised March 2015.

101 *Ibid*.

102 The term highlanders,” degenyoch” in Amharic is commonly used to refer the all non-indigenous people(ethnic community) in Gambella

103የጋምቤላ ከተማ 100ኛ ዓመት መጽሔት (Gambella city 100<sup>th</sup> year’s book).

in the city. Right from the outset, the city began serving both as a commercial and an administrative center. Its importance as a commercial center was mainly due to the navigable nature of the river *Baro* which facilitated trade contacts between Ethiopia and Sudan. Furthermore, the presence a considerable number of expatriate merchants at the time of including Armenian, Greek, Syrian, Italian, Sudanese and British origin stimulated business activity in the city. Currently the city is becoming center of mechanized agro industry investments in adjacent *woredas* in the region.<sup>104</sup>

In 1938, Gambella city became the capital of the then Gore district. From 1939-1967 the city, together with other six *woredas*, became a part of what was known as the Illubabor district.

During the military regime Gambella city was served as the capital of *Baro* district, under *Illubabor* province. In 1981, the city own the structure of Gambella area administration and subjected to central government until 1983.

After the downfall of the Derg, the city became under the regional Bureau of urban development of Gambella and the structure continued until 1998, where the city own the self-administration titling “Gambella city administration” under the regional government.<sup>105</sup>

Gambella is considered as one of the fastest growing cities in Ethiopia<sup>106</sup> since Gambella, the region, has become a site of massive commercial agricultural farming. The population of the city is also growing in all direction due to massive influx of people from rural areas to the city the pulling factor being the increasing urban development investment in and around the city.<sup>107</sup> Now it has a city administration status with elected city council and Mayor with roles and responsibilities.

### **3.2 Political, financial and administrative autonomy of Gambella city administration**

#### **3.2.1. Introduction**

As was stated above, this study seeks to determine whether the breakdown in service delivery in the Gambella city which is outlined in chapter one is linked to the institutional design of the city. By institutional design is meant the federal and regional constitutions, federal and state legislation

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<sup>104</sup>የጋምቤላ ከተማ 100ኛ ዓመት መጽሔት (Gambella city 100<sup>th</sup> year's book).

<sup>105</sup>*Ibid.*

<sup>106</sup>GPNRS (2015) “Gambella” central printing press, Addis Ababa –a magazine published for 10<sup>th</sup> nation, nationalities and peoples day of Ethiopia.

<sup>107</sup> *Ibid.*

and federal and state policies directly or indirectly impacting on the city. This chapter hence examines whether Gambella city has the institutional features of a local government unit which is suitable for development. The following sections examine the political financial and administrative autonomy of the Gambella city.

### **3.2.2 Political autonomy of the Gambella city**

As stated in chapter 2, a city that seeks to be efficient in service delivery needs to be political autonomous in a sense that it must be constitutionally or legally established and should have elected government which has clearly defined and suitable functions.

### **3.2.3 The constitutional (legal) status of Gambella city**

The GPRNS constitution explicitly recognizes nationality zones and *liyu woredas*. It also expressly recognize rural *woredas* and *kebele* and define their institutional organizations, to some extent their functions, powers, sources of revenue.<sup>108</sup> The regional constitution is in general silent on the status of cities except that it states that urban local government might be established if found important in the future.<sup>109</sup> There is nothing that the constitution provides specifically about the Gambella city.

The city was first established as a city administration, through Proclamation 47/98. This proclamation was issued to specifically and exclusively govern the Gambella city. This proclamation was replaced by Proclamation 73(2000). This proclamation in general governs the establishment, institutional organization, functions, powers and sources of revenue of any city in the region.

### **3.2.4 The Gambella political organs**

Proclamation 73(2000) provides that any city administration in the Gambella region, including, therefore, the Gambella city administration would have political institutions such as a local council and a mayor and mayoral committee.

### **3.2.5 Gambella City council**

The Gambella city has a city council. Members of the council are elected by residents of the city for a five-year term. The council had taken two election terms. The candidates are mostly from

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<sup>108</sup> GPRNS constitution article 45(1).

<sup>109</sup> *Ibid.*

GPDUM and the four the ethnic parties which representing the *highlanders* of the city. However, there are still *highlander* candidate of GPDUM during the election. The council has 67 seats. The political participation are highly dominated by GPDUM as the proclamation mainly gives majority representation for the endogenous people. As the result, out of the 67 members of the council 19 are represented from Anyuwa,23 represented from Nuer,9 are from Majang,3 are from Komo, and 3 are from Opo with GPDUM political party. And 2 highlanders from GPDUM, 2 from OPDO, 2 from TPLF, 2 from ANDM and 2 from SEPDF. Currently the city council has 55 active members the rest had left the council due to transfer or death. As a result the seat will remain vacant until the next election.<sup>110</sup>

There is no opposition party in Gambella, so leading party is Gambella people's democratic unity movement (GPDUM) dominate the council. However, as the *highlanders*<sup>111</sup> of ethnic *Oromo, Amhara, Tigray* and many from SNNRS are highly populated in the city and mostly, the four parties TPLF, ANDM, OPDO and SEPDF recognized in the region and established their offices in the city. Thus, they are represented in the city council. However, the newly arrived highlander prefer these ethnic parties, there are still highlanders who assumed as the *tewelaje*<sup>112</sup> highly participated GPUDM rather that these parties.

The council has five standing committee.<sup>113</sup>These are women's and children, budget finance and audit, law, economic and capacity building and social affair standing committee.

The council being the most important political organ is legally empowered to ensure implementations in the city of policies, laws, regulations, directives, plans and programs initiated and formulated by both the federal and regional states. It has also the power to examine and approve the draft economic development, social services along with administrative working plans and programs of the city. This evaluation should have done by the standing committee during the

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110 The interview with head of the office of city council speaker of the house.

111 The term highlanders," degenyoch" in Amharic is commonly used to refer the non-indigenous people in Gambella

112 Tewelej is an Amharic word which indicate the person who was born in the region or stayed in the area for a long time. These division known in politics of Gambella to indicate the difference between the highlander and the endogenous. There for, the word "*nebar behereseb*" is used for the endogenous ethnic group while "*Yekilil tewelaj*" is used for the high landers.

113Interview with the head of the office of city council.

quarter report evaluation but practically as the members of the committees are all engaged in other executive duties, mostly activities are all evaluated during six-month annual conference.

However, the council with its standing committee quarterly evaluates the city administrator public functions.<sup>114</sup> They do not fully independent of their executive tasks during the evaluation process.

However, it received the mandate to formulate policy related to the environment <sup>115</sup> it had never formulated any policy other than regulation.<sup>116</sup> Although it meets once in three months<sup>117</sup>, it evaluate reports and the next term plan of the executive twice a year and approve budgets.<sup>118</sup>

### 3.2.6 Assessment

The regional Constitution does not explicitly create urban local governments unlike *woredas* and zones. It rather gives the regional parliament powers to enact laws to establish other administrative organ if necessary.<sup>119</sup>

Therefore the city is established through regional proclamation. This whitens the city run with defined political organ with elected peoples representatives. This done through legal and democratic election. The legislative framework in Gambella clearly defines the city as self-government with given administrative and political power.<sup>120</sup>

Nevertheless, neither the city council nor the city administration had the copy of this proclamation.<sup>121</sup> Accordingly, the absence of proclamation in the council lead to the vague understanding of function and power.

According to these law, the legislative authority of the city is vested in elected city council. The number of the council is restricted by law.<sup>122</sup> Yet, the member of the council may decrease for

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114 The interview with the head of the office of the city council house of speakers.

115 GPRS Proclamation no 73/2000 Art 11.

116 The interview with the head of the office of the city council house of speakers.

117 GPRS Proclamation no 73/2000Art 12(1)

118*ibid.*

119 GPNRS constitution article 45(2).

120GPNRS proclamation No 73/2000Art5(1)

121During the interview with various administrator in the city it was impossible to find the proclamation that state the establishment of Gambella city administration, by the order of the head of the office of the speaker of the city council, the HR department had given me the draft of proclamation no 73/2000 underling there is no other proclamation rather than this as if the city run with it. For this matter the copy of both proclamation no 43/98 and 73/2000 found in regional councils. Accordingly, the information is provided to the city council and copy is made in the city.

122GPNRS proclamation No 73/2000 art 10(2&3).

various reason and continue to be free until next election as the proclamation or the regulation state nothing on this part.<sup>123</sup> The decreasing number of the council directly affects the major task that is expected as each member of the council is participated in the standing committee of the council. Hence, not only the membership of the council but also the standing committees remain as it is until the next meeting.

Within this number, the absence of multi-party system also affects the effectiveness of the council. However, CUDP was well known party in Gambella, it is not welcomed by the people, as it appear during the time election only.

The electoral boards accept and made registration the CUDP during the election, it should have accept other parties, but it has never received any request except the CUDP. This lead the council to speak one voice.

The mayor presides over city administration council. And he is responsible for supervising the conduct of sectorial offices and municipal service and investigating compliant against them.<sup>124</sup>

The city authority which represent the needs of local people require autonomy to perform their functions freely from any interference from state government. Obviously, it has political autonomy, yet it cannot be said it have a complete autonomy or complete local self-government within sovereign states as state will intervene in some ways.<sup>125</sup>

It is argued that the local authorities must have a legal range in which to operate without undue influence by the state government. However, that is not the case in Gambella, where there are still a number of legal setbacks that prevent local authorities from exercising their functions free from interference.

Accordingly the transfer of power to the local community should be accompanied by self-governance which includes responsibility, resources and accountability directly to the ordinary citizens in the local community.

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123 Interview with the head of the office of house of speaker.

124See GPRS Proclamation 73/2000 art 19

125 Interview with head of the office of the mayor.

### 3.2.7 The Executive

According to the proclamation 73/2000,<sup>126</sup> the mayor and mayoral cabinet makes up the executive organ of the city. The mayor is elected from among members of the city council and from the party controlling the majority seats in the council.

The city of Gambella is administered by a mayor since 1998 as autonomous city under the regional government. Accordingly, the mayor holds all the political and administrative power and its performance is evaluated by the city council.

As to the proclamation 73/2000 the mayor and the mayoral cabinet has the following tasks<sup>127</sup>

1. “Ensuring the implementations of federal and regional laws in the city
2. Decides on the structure of the executive and measure their achievements
3. Prepare annual budget and submitted to the city council for approval
4. Prepare socio economic and developmental policies and strategies and submitted to the city council for approval
5. Ensure the rule of law in the city”

As will be discussed below, the regional proclamation provide that the city has the power to plan and implement its own popular social services like health, education, environmental protection and economic development.<sup>128</sup> The mayor and his committee has the mandate for preparations of plans within the framework of the regional plan, receive block grants from regions and allocates it to sectorial offices through offices of Finance and Economic Development(OFED).<sup>129</sup> Following the establishment of pool system in the city,<sup>130</sup> all sectorial office lays under single finance, human resource department and documentation.

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126 Though the city is established by proclamation no 47/98 this proclamation is changed by the new proclamation no 73/2000.

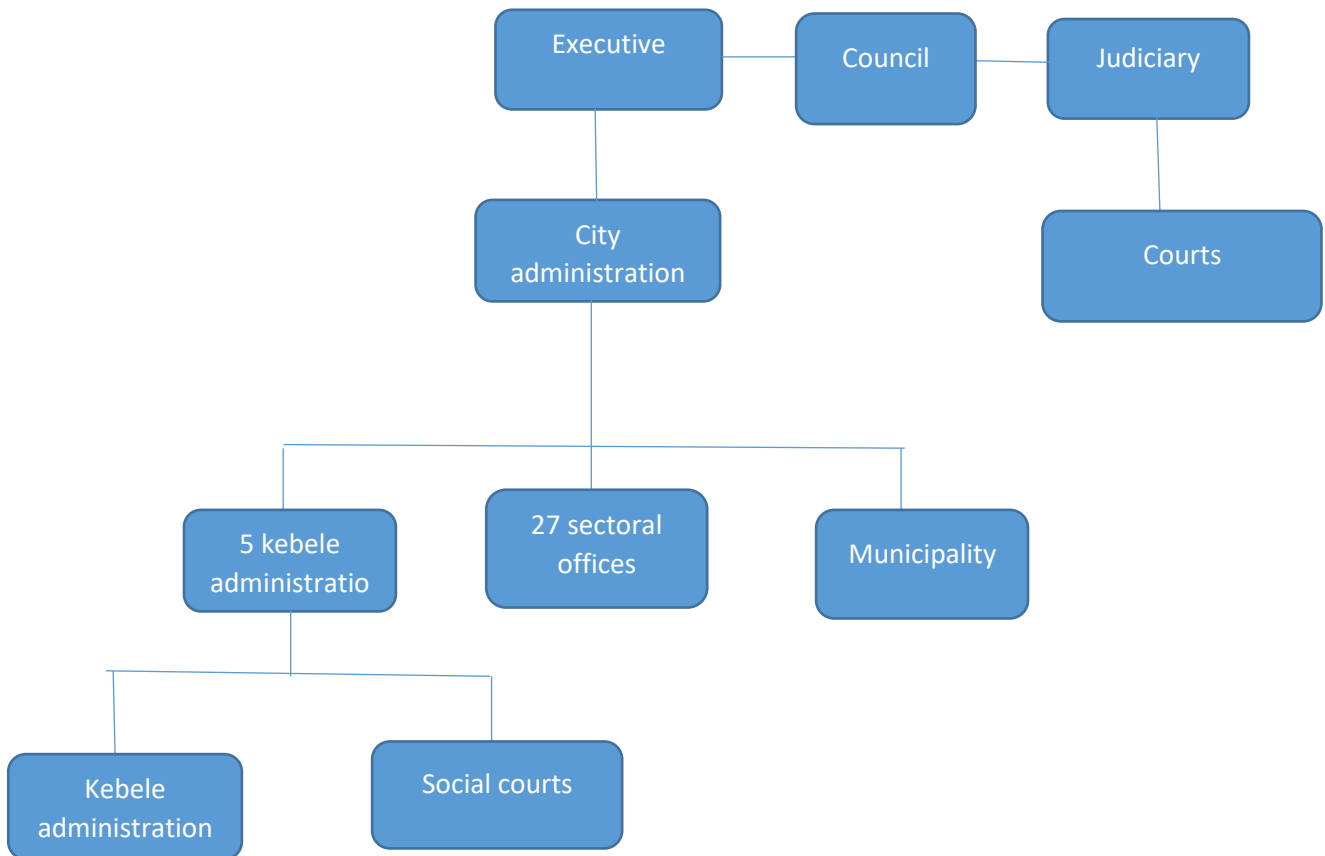
127 GPRS proclamation No 73/2000Art22(1-7)

128*Ibid.*

129*Ibid.*

130 Pool system represents the provision of financial management services to all sector offices in the city administration by a single finance entity, the OFED. Thus, OFED will be responsible for budget control, payment, recording of accounting transaction and preparation of financial reports in behave of all the sector offices in the city.

## THE STRUCTURE OF THE CITY ADMINISTRATION<sup>131</sup>



### 3.3 Functions and powers

#### 3.3.1 Introduction

It was indicated in the preceding chapter that a city to be effective in terms of delivering services it must have clearly defined functions that are within its capacity. Clarity in defining a city's functions is necessary so that the city authorities know what is expected of them and are held accountable when they fail to deliver on their mandates. Identifying the functions of the Gambella city is in particular necessary given the fact the city, as was mentioned in chapter 1, has failed to

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131 The structure above is the reflection of the regional constitution; however, different documents in the city administration shows the executive and judiciary under the council by *de facto* which is ageist constitution.

efficiently and effectively social service delivery to its residents. It is hence necessary to examine what functions are within the competence of the city government.

### 3.3.2 Functions of the city

Cities in Ethiopia have two types of functions; state and municipal.<sup>132</sup>The regional proclamation lists some of the state and municipal services that the city administration is expected to provide.<sup>133</sup> Thus, chapter two of the proclamation pronounces “the state shall provide primary education including kinder garden, health and social services.”<sup>134</sup> The proclamation did not categorize the service under the state and municipality. However, article 26 provide that the city manager runs the municipal services.<sup>135</sup>

Zemelak Ayele in his book defines state functions and municipal functions as follows.

“State functions are those considered ‘areas of intervention’ for poverty reduction in the SPRDP and PASDEP and are also related to the MDGs. These include primary education, health care, drinking water, and agriculture. The municipal functions include: cultural centers; recreational centers; youth centers; museums; housing; sewerage; street; street lighting; land administration; solid wastes; fire-fighting, nurseries, care centers (for the aged, disabled, orphaned and abandoned children); pollution control; abattoirs; parks; markets; sanitation; liquor licenses; and ambulance services.”<sup>136</sup>

The functions of the city are categorized in four divisions as to the proclamations. These categories are environmental and social division, the security and protection division, the economic division and technical and engineering. The state functions under these categories are listed as follows:-

#### State functions

1. Education, (kinder garden and primary –state function)
2. Health
3. Water supply and sanitation
4. Police service
5. Buildings recreation centers

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132የከተሞች የማስፈጸም አቅም ግንባታና የህዝብ ንቅናቄ ስትራቴጂና የማስፈጸሚያ ስልት : ZemelakAyele (2014).

133GPNRS Proclamation No 73/2000 Art 8.

134*Ibid.*

135GPNRS Proclamation No 73/2000 Art 26.

136Zemelak Ayele (2014)161

### **3.3.3 Assessment**

The current status of the state functions are illustrated below before, the detailed assessment on it. As the municipality lies under the city administration council, the municipal functions are assessed under the administrative autonomy.

#### **Education**

The primary schools in Ethiopia is categorized in to two cycles: the primary first cycle and primary second cycle.<sup>137</sup> The educational policy in Ethiopia advocates, the first cycle teachers must hold teaching certificate whereas the second cycle teachers should hold Diploma in teaching.

Education is one of the primary services that is expected from the state in Gambella city.<sup>138</sup> The city currently provide this service in 12 governmental school in Gambella city and 5 are primary 3 for only first cycle and the remaining three are both first and second cycle. Although the city government does not provide kindergarten, there are two NGO schools which provide free education from kinder garden to VTC. Beside there are number of privet kindergarten and primary school services.

#### **Health services**

Gambella Hospital which is under the regional health bureau is the only referral station<sup>139</sup> which share the burden of single health center of the city. However, there were other clinic in 04 *kebele* until recently, it is total failed to deliver its service and closed.

#### **Water**

In 2006, the FDRE government adopted a Universal Access Plan (UAP) to achieve 98% and 100% access to water for rural supply and urban water supply and sanitation respectively by the year 2012 with the following service standards: Rural 15 liter/capita/day 1.5km and Urban 20

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<sup>137</sup> The primary first cycle refers to Grade 1-4, whereas the primary second cycle is refer to Grade 5-8 the medium of instruction is mother tongue.

<sup>138</sup> GPRS proclamation no 73/2000Art 8

<sup>139</sup> Samson Bekele (2013) “*Gambella in reality*” Gambella: Genet printing press

liter/capita/day 0.5km.<sup>140</sup> However, in its Growth and Transformational Plan of 2003-2007 Gambella region had planned to ensure a 100 percent coverage in terms of drinking water delivery. Yet, the water supply network of the Gambella city, let alone of the region, is in an extremely bad shape.<sup>141</sup>

The provision of water in Gambella city is mal functioned. There are two type of water supply in the city. The first one is communal standpipes(portable) serving some poor communities, tough it is generally limited in terms of supply .The other one ,house connection, which made by individuals with approval of the boards. There is a single tariff for water uses base on monthly consumption.

Samuel Bekele (2013) in his yearly book *Gambella in Reality* describe the water supply coverage of the region (not the city) is estimated to be 75%,aggreagated 76% and 73.2% for urban and rural areas respectively. According to him this achievement is in terms of portable water supply coverage. This shows the strong commitment to improve the pre 1992 supply (6%) as more than 865 stand pipes are constructed in rural and urban area in the region.<sup>142</sup> Yet, the narration of the text shows the water supply development in terms of building portable (stand pipe) only.

Regarding the state function of the city, education is the function that delivered with current educational standards. However, the provision of health service with single health center and water service for 5% out of the population are get house hold water connection<sup>143</sup>and this number is insufficient interims of population size of the Gambella city.

The proclamation state the city to provide the health service by health center.<sup>144</sup> However neither the regional constitution nor the proclamation does not determine the number of health center .The capacity of the city interims of health is now stressed on only single health center. The silence of on the number of the center seems due to the availability of Hospital in the city. The implementation of effective and low-cost public health interventions, such as the provision of free

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140 FDRE Ministry of water and Energy,(2011)Urban Water Supply Universal Access Plan Part III, 2011-2015 P7

141 Gambella city administration 3 years' capital investment plan 2008-2010(E.C) Revised March 2015,

142 Samuel Bekele(2013)31.

143 According to the interview with the director of the city water and sweregeagenecy3,340 people out of the total population in the city has the house hold pipe connection.

144 GPRS Proclamation No 73/2000Art 8

vaccinations to prevent most child deaths is one of the main policy head line of the country. And the health center is expected to provide this for the all population.

It is true that unless Gambella referral Hospital share the burden, it is impossible to achieve the goal by providing health service for over 67,000 people with one center. However, the hospital is so busy of giving services for all the people of the region, the refugee and the other nomad settler. Maybe thus, the number of health center should increase in order to expand additional health center in other *kebeles*

The conundrum of the water service is also another home work of the city council. Due to the current structure of the water agency. The city administration is not responsible for the service, however the service is given for the population of the city.

The proclamation gives the state to deliver the water services, but all the water service including construction, pipe installation, setting and collection tariff, are provided by the region. It is not clear where the gap is and how it fall under regional water and energy bureau.<sup>145</sup>

As many cities in Ethiopia provide this service Gambella city amazingly lose, the state totally does not provide water services. Nobody knows how happened while the city council hardly doing to bring the agency under the city administration.<sup>146</sup>

*“The Gambella city water and sewerage agency”* which is the responsible body for delivery of water services administered by the board under bureau of regional water and energy, while using the title “Gambella city.” The head of the regional water and energy bureau is the director of the board while the mayor of the city is only the member.<sup>147</sup> Accordingly the report, the progress and the function is evaluated by the board and the city has nothing to do with it.<sup>148</sup>

The city administration failed to monitor the provision however it’s the cities power to monitor the service and deliver the function.

Currently the total length of distribution of pipe is about 39 Km which does not cover the overall area of the city. And it uses the ring main system with some brunches in the network. Based on

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145Interview with head of the office of the mayor.

146 The interview with head of the office of the mayor.

147 Interview with director of Gambella water and sewerage agency.

148Ibid, the interview with the head of the office of the mayor.

this system about 5% customers out of the population of the city had household connection consumption. Beside this there are about 12 communal standpipes built for the poor, but only 4 are giving services, the remaining 8 standpipes are worthless.<sup>149</sup>

The lives of the other population for a clean water rely on the individual household or the river *Baro* as the normal demand and the supply of the water is not proportional due to the increasing population size in the city.

As the function is transferred from the city to regional water bureau, since the establishment of the city; for unknown reason the problem emanated from administrative structure. Thus, the city council shall do its best to correct this structural error.

### **3.3.4 Powers of the city**

As to the old proclamation no 47/1998 and the current 73/2000 the council received the power from the regional government and to act independently by own elected representatives to exercise the following powers in the city. These primarily known as legislative, executive and administrative power. Within this power the council exercise the following.

#### **A. Legislative power**

1. form and strengthen rules, regulation
2. policy related the developmental local government
3. approve budgets
4. Establishes and abolish sectorial offices, commissions and boards when necessary
5. Established justices bodies and city police

However, these powers are given by proclamation, the city does not exercise everything in the proclamation. For instance, while the legislative approve budget every year, it does not form any policy related issues rather than strengthen the ongoing federal and regional policy.<sup>150</sup> The establishment of additional sectorial offices are also approved in the council when the structure is downsized from the region.

#### **B. Executive power**

1. Administered land and its property in the city

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<sup>149</sup> The interview with the head of the office of the mayor.

<sup>150</sup> Interview with the head of the city council offices of the speaker

2. Share power with sectorial office and *kebele* administration and set their mandates
3. Strengthen and support small and micro finance enterprises and investment in the city <sup>151</sup>

Practically, the city administration is hardly doing with lands and its property and the city revenue offices together with trade and industry offices regularly set taxes. However, the implementations accompanied public complain yet it can be said the power is exercised.

### **3.4 Administrative autonomy**

#### **3.4.1 Introduction**

The city has administrative autonomy. This autonomy let it to establish own structure, establish or abolish other sectorial offices and hire and fire employees. Beside this, it has received the power of collecting own revenues.<sup>152</sup>

This statutes has established procedures to be followed when establishing sectorial offices, hiring public employees, except for those directly appointed from regional civil service bureau.

In this sub topic, statutes of the city administration and the applicable process of hiring, evaluation and firing of own employee will be discussed as follows.

#### **3.4.2 The structures**

During its establishments, the city was created with 19 administrative branches including the municipality and five *kebele* administrations. The city administration council currently run with 26 administrative sectorial offices under its own structure, 7 among these are the executive cabinet of the city.<sup>153</sup>

The Gambella city administration interconnects the administration council's vision throughout the sector offices. It leads employees and manages financial resources set out in the budgetary process. In addition, GCA determines priorities and focus to ensure consistent and quality customer service is provided to city residents.<sup>154</sup> Its management duties include hiring and firing employees in

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151 GPNRS proclamation No 73/2000 Art 8.

152 *Ibid.*

153 Interview with the head of the office of the mayor.

154 GPRS proclamation No 73/2000 Art 8.

certain departments and representing the professional staff at public meetings, providing technical expertise and conducting public hearings.

City administrators whose duties are primarily administrative typically develop budgets and supervise expenditures, often acting as a treasurer. Its administrative duties also include managing bids and contracts, overseeing tax and overseeing special assessment notices and collections. Some administrators ensure that city buildings and facilities meet health, environmental and security standards and regulation.

This is also a fall out of the system of leadership in local governments. As pointed out earlier, the political structure is responsible for policy making, law making and even policy implementation at the local level.

### **3.4.3 Who Hires and fires employees?**

Hiring and firing own employee is one of the power provided for the city administration. The authority to hire is controlled, for the most part, by state statute.<sup>155</sup> This is done by department of human resource management, which a single department in the city administration for the 26 sectorial offices.<sup>156</sup>

But since recent time, hiring is also done by the municipality<sup>157</sup> as the city function operates under the municipality by the city manager independently.

As mentioned earlier, department of human resources of the city council is the only responsible for maintenance and updating staff records with regard to date of appointments, promotions, salary, disciplinary action taken (if any), resignations, and retirements. Transfers, etc. Preparation of necessary documents to pay pension and other benefits to local government staff retiring, resigning, transferring and of those who are dead. Arrangement for staff training and development such as recommending staff for further training, seminars and workshops, placement of newly appointed staff members into the service of the local government, appointments, promotion and discipline of the staff.

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155 GPRS Proclamation No 73/2000 Art 8.

156 The single system of Human resources is considered as *pool system*.

157 The city municipality became independent 2005 E.C, since then it can recruit own employee and administer own finance.

The city in its jurisdictions have established local procedures for hiring civil service employees. Typically, those provisions require posting and publication of employment opportunities, and a procedure for interviewing applicants. If the jurisdiction has adopted such procedures, they must be followed, except if waived or modified by the legislative body in any particular situation.

Although, recommendation for promotion is based on each staff member's annual performance evaluation report written on him by his head of department. Administrative powers enable the city and municipalities to fill vacancies in municipal offices to provide services. Promotion is not taking place due to budget. Ensuring that some welfare services are provided to boost the morale of staff.

The administrative personnel are recruited or selected basically on merit. There are specific qualification or guidelines on which both of these personnel are recruited and there are roles assigned to their offices. Each structure office has its own role or responsibilities and each actor has his or her own role.

Before the process can even be started, there is an authorized and vacant position available into which an applicant may be appointed or hired in. the need for an employee likely is first noted by each office head. The actual authorization for the position, however, is made based on the availability of budget for the salary and other compensation for each position.<sup>158</sup>

Yet, the city is not hiring any employee due to lack of budget based on the decision of the cabinet of the city administration since the last three years.<sup>159</sup> Whereas, the Municipality accepts the appointed employee from regional civil servant bureau according to decision of the regional cabinet.<sup>160</sup>

As stated above in the proclamation, the city also holds the power of firing unqualified employee. This is done through measurement and evaluation, accordingly 2 employees from the city administration <sup>161</sup>and 6 from Municipality<sup>162</sup> fired in 2009 E.C.

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158 Interview with the head of the office of the Mayor.

159 Interview with the head of the office of the Mayor.

160 Interview with the manager of city municipality.

161 Interview with the head of the office of the Mayor.

162 Interview with the manager of city municipality.

However, the city can fire an employee, from the process, it can be easily understood that it cannot hire any employee as the hiring process is approved by the regional civil service and good governance bureau. The city could only recruited and seek for the approval. In such way it is impossible to conclude the city has the power of hiring. The process is adopted since the regional civil service bureau is not established at zonal, *woreda* and city level as the other sectoral offices.

#### **3.4.4 Educational Background of the employee**

The establishments of BPR system in Gambella few years back had brought serious of changes in terms of the qualification and relevant experiences of the employee. Since then, each sectorial office will report the number of the required employee base on the budget procedure and the HRD will extract the criteria from the BPR manual which is already seated based on the educational background and relevant experiences.

For this reason the record of each employee include the education background information, the person's high school, business or technical school training, undergraduate and graduate studies, and any "other courses" taken that may be relevant to the position sought.

Similarly, as to experience, it also needs a section for listing the employees' past employment history, which might include space for listing the past employers, supervisors, job titles, starting and ending salary, duties, reasons for leaving, and whether the applicant's previous supervisors may be contacted for reference purposes. The record shows Gambella city administration had hired 1131 employee in a past years. <sup>163</sup>However, there is no gathered data for last two years it is expected that this number is increased as different sectorial office has been establishing in the city.

For instance the following table shows the number of the employee under each sectorial offices in a year 2007 EC. At a time, the number of offices under the city council is only 22, the rest 2 are lately added and currently it is 26 in number.<sup>164</sup>The current number of employee could not completely reported to city administration.

#### **3.4.5 Assessment**

The political structure in city governments of Gambella represents the democratic concern of local government while the bureaucracy or the administrative structure represents the instrument for

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163 See table provided by Gambella city administration government communication affair office.

164 Interview with the head of the office of the mayor.

effective services. The above statements clearly shows the problem with city is how the political structure can use the administrative structure for providing efficient service.

In order to achieve to the strategic plan the city need educated man power. Administrative powers enable the city and municipalities to fill vacancies in their offices to provide services. However it's common to hear complain of the public on the employees of the city. As a result the city had taken measurement and evaluation and corrective measure had been taken yet the problem is not totally solved.

Absence, coming late, absence of office while in the compound and not returning back after tea break is the common order of all employee of all sectorial office in the city. Although, the city has hot weather the regional council has changed the working hour for three month every year to facilitate the works and motivate the employee.<sup>165</sup>

In addition, the public complain the difficulty of identifying the employees and the officers in the city as none of the officer has badge or ID card, which is said due to shortage of budget.

Regarding hiring the employments, the city administration follow unclear procedure. The office which need many employment in terms of the service expected run their tasks with few employees while the other has high man power.

For instance, though, the health and HIV issues are hot in Gambella, amazingly the health office has 29 and the city HIV presentation office has only 7 employee ;whereas the city agricultural development office has 157 worker .

Besides, the fall of the service in the city related to the educational background and relevant experiences of the employee as most employee lays on 10+2 and 10+3.

The other issues are, however, the power of hiring is given to the cities, the regional civil service bureau also appointed directly.<sup>166</sup>The city with its cabinet decide not to hiring new employees due

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<sup>165</sup>The summer season of Gambella city is very hot and the temperature will reach 40<sup>0</sup>C.the regional council had regulate a law to initiate the employee to overcome the challenges of the weather and initiate them to work especially in the afternoon. Thus, the regular working hours of the region; morning from 1:00 AM to 6:30 AM and the afternoon is from 9:00 AM to 11:30AM ELT is changed to 12:30 AM -5:30 AM in the morning and 10:00 AM -12:00PM for three month every year. These are February, March and April.

<sup>166</sup>Interview with head of office of the Mayor, and interview with the Manager of the municipality.

to the deficiency of budget, <sup>167</sup>yet the requirement of new employee is still continue on free position.<sup>168</sup>Deficiency of budget is the major causes of the fall of the service in the city. This emanate from the less budget that transferred from regional council and the problem of own revenue raising.

Likewise, the process of hiring employee does not concern the service expected from sector o office and this let some office not deliver their function properly. Some offices however have few employees or continue for a year with only the head due to budget.<sup>169</sup>

Though the executive are performance is evaluated by the standing committee of the city council , the sectorial office is provide less assumption for the standing committee, as result the corrective measure are not seriously taken.

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167 Interview with the head of office of the Mayor.

168Ibid ,as the head of the office of the mayor, the free position is the position of former employee which left the office for various reason; like transfer to regional or *woredas*, leaving for other position on other organization, death and firing.

169 See the table below.

**Table 1: Number of employees with qualification and sex <sup>170</sup>**

	Name of offices	Under 10			Grade 10			10+1			10+2			10+3 or 12+2			B.A			M.A			Total		
		M	F	T	M	F	T	M	F	T	M	F	T	M	F	T	M	F	T	M	F	T	M	F	T
1	Gambella city council	2	2	4	4	4	8	-	1	1	-	-	-	5	6	11	3	-	3	-	-	-	14	13	27
2	Gambella city.A/council	1	2	3	-	2	2	1	1	2	1	-	1	4	5	9	7	1	8	-	-	-	14	11	25
3	City head of justice	-	1	1	3	-	3	-	-	-	-	1	1	5	9	14	-	-	-	-	-	-	8	11	19
4	Gov.commu.affa.office	-	-	-	1	1	2	-	-	-	-	-	-	2	-	2	4	-	4	-	-	-	7	1	8
5	Higher courts	1	4	5	7	3	10	-	-	-	-	-	-	9	15	24	10	2	12	-	-	-	27	24	51
6	Municipality	10	10	20	-	2	2	-	1	1	1	-	1	19	15	34	12	-	12	4	-	4	46	28	74
7	Justice office	-	1	1	-	1	1	-	-	-	-	-	-	2	4	6	1	1	2	-	-	-	3	7	10
8	First level courts	1	5	6	3	6	9	1	2	3	-	-	-	7	2	9	4	2	6	-	-	-	16	17	33
9	OFED	1	4	4	1	1	2	-	-	-	-	-	-	8	7	15	5	1	6	-	-	-	14	13	27
10	Security affairs office	1	3	4	2	1	3	-	-	-	-	-	-	8	7	15	-	-	-	-	-	-	11	11	22
11	HIV prevention office	-	-	-	-	-	-	-	-	-	1	-	1	2	2	4	2	-	2	-	-	-	5	2	7
12	Health office	-	1	1	-	1	1	-	-	-	-	-	-	2	20	22	5	-	5	-	-	-	7	22	29
13	Health center	2	7	9	-	2	2	-	1	1	3	2	5	12	16	28	1	1	2	-	-	-	18	29	47
14	Agriculture offices	7	1	8	-	-	-	-	-	-	-	-	-	62	83	145	4	-	4	-	-	-	73	84	157
15	Vital event registration office	-	-	-	-	-	-	-	-	-	-	-	-	2	-	2	-	-	-	1	-	1	3	-	3
16	Culture &truism offices	1	3	4	2	1	3	-	-	-	-	-	-	3	2	5	1	-	1	-	-	-	7	6	13
17	Design &Building office	1	1	2	-	4	4	-	-	-	-	-	-	1	1	2	1	3	1	-	1	4	7	11	
18	Women, children &youth office	-	1	1	-	1	1	-	-	-	-	-	-	1	1	2	3	5	-	-	-	2	6	8	
19	Police office	15	2	17	45	12	57	11	3	14	3	2	5	19	7	26	-	-	-	-	-	-	93	26	119
20	Micro &small enterprise offices	1	1	2	1	2	3	-	-	-	-	-	-	8	4	12	-	-	-	-	-	-	10	7	17
21	Revenue offices	2	-	2	-	1	1	-	-	-	-	-	-	14	5	19	4	-	4	-	-	-	20	6	26
22	Trade, industry and transport offices	-	2	2	-	-	-	1	-	1	-	-	-	3	2	5	1	-	1	-	-	-	5	4	9
23	Sport offices	-	1	1	-	-	-	-	-	-	-	-	-	3	2	5	2	-	2	-	-	-	5	3	8
24	Education office	-	-	-	-	2	2	-	3	3	-	-	-	98	147	245	106	18	124	7	-	7	211	170	381
	Total	45	52	97	69	47	116	14	12	26	9	5	14	297	362	659	176	30	206	13	-	13	623	508	113

**Source: Gambella city administration government communication affair office**

170 According to the table from city government communication offices, the number of offices in the city is 24, yet the table is not relevant now as the number of offices are increased recently. However, the number of office is increased, there is no difference in terms of number of employee, because, the when the offices are re structured, it will cop up with employee with the branch, unless new structure is established. For instance trade industry and transport office is divided in to two, city trade and industry office and city transport office, therefore, city transport office will take its employee with its branch.

### **3.4.6 The municipality**

The municipality is not a political institution. It falls within the administrative structure of the city while under the political purview of the city council and the mayoral office.

Currently the municipality runs its services with five organs.<sup>171</sup> These are sanitation and decoration department, land and property, revenue, law and good governance departments. A lot of departments are integrally serves the community with in this five organs. For instance road and street electric are integrated with land and property organs, while fire brigades and west disposal are integrated with sanitation and decoration.

### **3. 4.7 Municipal Function**

Among the function of the city, the state functions are stated above in section 3.4 .As the municipality is one of the administrative structure of the city administration, its function should be discussed here. Thus, the following are the municipal functions listed in four categories. These are:-

#### Municipal functions

1. Construction of road,
2. Sewerage,
3. Waste management
4. Public toilets
5. Providing funeral services in their localities which includes allocating land for burial,
6. Registration and certification of birth, marriage and death,
7. Abattoir,
8. Bus station,
9. Land: preparation of land for housing.
10. street electric light

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<sup>171</sup> The interview with the manager of city municipality.

Some are not satisfying or totally unavailable except few services like street cleaning, preparing land for household services abattoir and so on. For instance, there is no fire distinguishing vehicle, solid and liquid waste disposal truck.

The street light of the city is restricted on the main road, in dwelling quarters the services is an available. The drainage system is also poor.

### **3.4.8 Assessment**

The city has assumed on some ever-broader multifunctional functions, responding to mounting social and infrastructural needs, assumed responsibility for social services and public utilities. Yet, due to various reason, it faces the challenges in promoting a seamless, open, ethical, professional and accountable system. As much is expected from the municipality, the number of the employee is not proportional with the demand of the public. In addition, the employees are considered for unethical view and bribe. Accordingly, a number of engineers had been fired several times.<sup>172</sup>

Ensuring service excellence through appropriate institutional arrangements and competent and committed politicians and officials who reflect the community's demographic profile is stated as the priority of the municipal functions. But there is no clear distinction between functions of state and local municipalities as certain functions which is considered as mandate of municipality seem to overlap. For instance, the coble stone road in the city is not constructed by the municipality while it has owned a plan for the next fiscal year.<sup>173</sup> These roads are constructed by the city administration by the support of the external donors.

The street light of the city is facilitated and controlled by the committee under bureau of construction and urban development in different occasion once during the celebration of 100th years of Gambella city and again on for the 10th days nations, nationalities and people of Ethiopia years ago, and still this service is under regional bureau of construction and urban development by defacto.<sup>174</sup> This shows the big take away is that things are done for political consumption rather than to respond to the developmental needs of the residents of the city.

Although, the municipality hardly plan to supply street light along dwelling sides, it can't achieve due to the deficiency of budget, and in addition to that, money people who are shifted to new areas

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172 Interview with the manager of the city Municipality.

173 *Ibid.*

174 Interview with the manager of the city Municipality.

as their former residential area is wanted for development are still living without electric supply in the city, though, the promise was not as such.<sup>175</sup>

As the city is located on a flat land scape, it experiences flooding The River *Baro* overflows during the winter season. The people suffer as there is no adequate drainage network and those that exist are not functioning due to construction error and improper uses.

**Picture: Houses affected by flooding and poor drainage**



Source: city government communication affair office

Currently the municipality does not provide solid and liquid waste management as it has no transportation equipment. There are no standards laid down for solid was disposal and there is engineered landfill site in the city. Instead solid waste is dumped on designated site and left in compact. Waste is not taken from individual houses to containers provided by the town. The system of collections is almost none at local level by government, but a group youth associations are collecting solid wastes privately by using donkey.<sup>176</sup>

The most common means of disposing liquid waste in the city is by dumping in to septic tanks. On the other hands, residents use to send out wastes in to open spaces around their houses. Moreover, luck of adequate public toilets also resulted in random defection of faces in open spaces

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<sup>175</sup> *Ibid.*

<sup>176</sup> The interview with the manager of the city municipality.

in the city. Although 12 public toilets are constructed in the 5 *kebeles* none of them are functioning and some of these are renovated for another uses by other organization.

Environmental problems are among the prominent and challenging problems of the city. The problem of solid and liquid waste management is very serious in Gambella as it is accompanied by humid and hot climatic weather resulting in health problem. The unavailability of vacuum truck in the municipality and the absence of sewerage advance the situation to the worst.

The lack of co-ordination and even co-operation between city and local municipalities poses a major challenge and needs to be urgently addressed in order to enhance service delivery, especially with development planning and the compilation of integrated development plans. It was emphasized that the task of the Municipality was to co-ordinate functions.

Improving equitable access to social services and infrastructure, co-coordinating and supporting the creation of an enabling environment for sustained economic growth and development is one of the expected service of the municipality. And this include facilitating integrated development that does not harm the ability of future generations to sustain it. This ensure prioritized projects to meet the challenges of service delivery and to address infrastructure backlogs.

Speeding up the progress in the right direction could also contribute towards improving the credibility and integrity of integrated development plans and local economic development projects. It is therefore essential for municipality to identify the obstacles holding it back from reaching the set goals.

### **3.5 Financial Autonomy of Gambella city administration**

#### **3.5.1 Introduction**

Gambella City Administration (GCA) was established with the objectives of bringing socio-economic transformations in the city by carrying out sustainable and rapid development.<sup>177</sup> One of the power of the city of Gambella is establishing and generating own revenue.<sup>178</sup> Since its establishment, it has put forth tremendous effort to achieve these objectives. In order to further an improvement and strength of the state functions, GCA dwelled on providing quality services to its

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<sup>177</sup> GPRS Proclamation no 73/2000.(preamble ).

<sup>178</sup>*Ibid.*

dwellers. For this reason the city is hardly doing to strengthen own revenue and improve financial system.

The city needs adequate funding to service the functions assigned to it by the regional government. In short, these functions have to do with revenue generation. Some functions are more or less social functions which do not have revenue attached to them and which local governments require a lot of funds to carry out. They are in a lot of cases heavily subsidized and are not profit oriented as such. Proper funding is therefore required to perform such functions. These funds are raised in different ways.

Therefore, this section deals the issue of whether the city holds of the financial autonomy and looks at what sources of revenue are, the role of city government in such funding arrangement and the problems associated with such arrangements. In doing this, examples will be cited from a few documents.

### **3.5.2 Internal sources of revenue**

Gambella city is showing a rapid investment flow which is the result of its location and the availability of different type resources. The proclamation provides the city the power to collect taxes from different services, employees and investments as the main sources of their revenue.<sup>179</sup>

According to the proclamation the city governments can make better use of taxation powers to increase funding for their needs. They can pursue in collecting their own taxes. This would be more difficult and costly to implement and administer than a simple transfer of existing tax base revenues.

The city Governments has the mandate to raise certain revenues from taxes, levies and fees. It set own revenue but within the limits set by regional Government. It recollects all revenues and use it as part of its own budgets, these revenues and the transfer from the regional states are considering these revenues.<sup>180</sup> These sources of revenues are listed as follows

1. Trade licensee fee
2. Vehicle registration and yearly service fee
3. Advertisement fee

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<sup>179</sup>GPNRS Proclamation no 73/2000.

<sup>180</sup>GPNRS Proclamation no 73/2000.

4. Land rent fee
5. Building material Production
6. Fee from Agreement
7. Technical fee
8. Animals market land fee

### **3.5.3 Sources of finance of local governments**

Revenue is the income of a city government needs to pay for all of the services it provides, unless regional transfer is a must to provide service for the community.<sup>181</sup> A revenue structure describes the many sources of income a local government receives. There are also three type of taxes; direct indirect taxes, non-taxes.

As to the proclamation 73/2000 the city receive few sources of internal revenue unlike the *woredas* in the region. The *woredas* receive the power of collecting different item in four category.<sup>182</sup> However, Gambella city is the largest and populous city of the region, it had given a little attention toward internal revenue as it is provided basically with three item. The major sources of revenue include

- Taxes,
- Intergovernmental transfers
- Borrow and Other revenue sources which are defined by law.<sup>183</sup>

The direct taxes are collected from any organization and individual's income. And these include income from employment, rent, trade, agriculture, creative arts, lottery and Share profit. While the indirect taxes are collected from consumer indirectly through VAT, Turn over taxes and cost sharing.

#### **3.5.3.1 Internal revenue**

Local revenue structures are largely determined by state policy. State governments generally aim to provide sufficient autonomy and support to local governments. In this case, autonomy refers to

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181 Zemelaki Ayele (2014).

182 GPRNS proclamation No 87/2000 Art 39-41.

183 GPRS proclamation no 73/2000 Art 47(1)

the amount of authority a local government has over its ability to initiate or modify the types and amounts of revenue it receives.

The local revenue base that the municipality and GCA are entitled to collect is a base for the projection of future operating revenues. The municipality's revenues include all recurrent receipts of the city collected from Municipal service charges and fees include slaughter house service fees; technical service charge; marriage, death and birth certification service fee; contractual agreement registration, and penalties and other fees. The municipal taxation jurisdiction includes, market place tax, livestock sales tax, urban land rent, other city revenues are derived from the rent and sales of city's property and equipment and form urban land lease income.

The taxation of municipality is based on rent and charges. These items are listed out by ministry of Finance and Economic Development (MOFED) of the Federal Democratic Republic of Ethiopia and both state and municipal revenue items published in its chart of accounts.<sup>184</sup> Based on the above classification the state may collect the revenue from the following sources; income tax, including capital gain tax, VAT on sales of locally produced goods, excise tax, turn over tax on sales of locally produced goods and services, stamp duty and sales, license and other payments, sale of government goods and services, revenue from government investment, non-recurrent and other revenues and Pension contribution. However, Municipal revenue items coded as 1700-1799, are depicted as below.<sup>185</sup>

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184Ministry of Finance and Economic Development, (2006)Federal Budget Manual, Version 1.0,DRAFT Version 1.15 – with municipality revenue codes.

185 Ministry of Finance and Economic Development, (2006)Federal Budget Manual, Version 1.0,DRAFT Version 1.15 – with municipality revenue codes.

**Table 2:- Municipal revenue items coded as 1700-1799**

1700-1799	Municipality Revenue	1752	Engineering services
1701-1719	Municipality Tax Revenue	1753	Building construction supervision
1701	City house tax	1755	Contract registration and confirmation
1702	Assurance	1757	Water service
1703	Entertainment	1758	Sewer service
1719	Other taxes	1759	Fire and emergency services
1720-1789	Municipality Non Tax Revenue	1761	Vital statistics service
1720-1739	Municipality Rent Revenue	1762	Driving licenses
1721	City land rent	1763	Garage services
1722	Residential houses rent	1764	Annual vehicle inspection agencies fee
1723	Trade houses rent	1765	Driving teacher and vehicle ownership book
1724	Verandah rent	1766	Vehicle estimation
1725	Sales place/gullet rent	1767	Driving teacher and others registration service
1726	Stable rent	1768	Vehicle plate sales and rent
1727	Funeral service vehicle rent	1769	Vehicle parking fees
1739	Other rent	1771	Vehicle transportation license
1740-1749	Municipality Service Charges	1772	Transfer of title deed fee
1741	Trade and professional registration and licensing	1773	Registration fee for land, land plan and ownership book
1742	Housing and fencing construction license	1774	Renewal of plan and housing service
1743	Soil dumping space license	1775	Debt and suspension registration fee
1744	Vehicle license on prohibited land	1776	Funeral service
1745	Traffic fines	1777	Slaughtering service
1746	Fines on violation of rules and regulations	1778	Loading and unloading
1749	Other charges	1779	Cart and chariot service
1750-1789	Municipality sales of goods and services	1781	Park service
1751	Sanitation services	1782	Advertising service
1789	Other sales of goods and services	1792	Public contributions
1790-1799	Municipality Capital Revenues	1799	Other capital receipts

Source -Ministry of Finance and Economic Development, (2006)Federal Budget Manual, Version

1.0,DRAFT Version 1.15 – with municipality revenue codes

From these, the city generate revenue and cover its duty. See below the revenue for the Ethiopian fiscal Years 2003-2008 in the city of Gambella, the revenue generated from state service is very low because the service charge is very low and there is no enforcement mechanism to have such license. For instance, Soil dumping space license: - Every individual and organization is dumping soil, sand, stone, etc. on the road causing traffic congestion and to aggravate depreciation of roads. Yet still no enforcement mechanism to have such license.

As the result of this code by MOFED and un-unified financial system, the revenue of the City Administration is divided into two; the municipal revenue (the revenue collected by the Municipality) and City Administration revenue (the revenue collected by the City Administration).

**Table 3: Revenue of the City Administration from 2003 to 2008 EC**

Institution	2003 EC	2004 EC	2005 EC	2006 EC	2007 EC	2008 EC
City Administration	688,997	5,840,191	3,652,135	7,804,437	15,676,741.49	20,200,987.85
Municipality	3,303,388.00	4,967,207.00	5,728,755.00	7,331,902.00	7,350,559.69	12,983,367.12
Total	3,992,385	10,807,398.07	9,380,890.00	15,136,339.16	23,027,301.09	33,184,354.85

**Source; Revenue Enhancement Plan With strategies of Enhancements**

The budget transfer from regional government is manly depends on two issues. These are considerations depends on either the city borrowed some amount of money and the amount of the revenue that the city is expected to collect.

For instance, 5 million ETB is deducted from the amount of budget that was expected to be transferred from the region to the city as the city borrowed this from the region from the fiscal year 2007 E.C to cover its deficiency.<sup>186</sup>

<sup>186</sup> የጋ/ክ/ም/2ኛ የምርጫ ጊዜ 2ኛ የስራ ዘመን 3ኛ መደበኛ ጉባዔ ቃለ ጉባኤ፣ ሐምሌ 2006 (Gambella city council 2<sup>nd</sup> election, 2<sup>nd</sup> term, 3<sup>rd</sup> session munities July 2006).

The amount of the revenue collected in the city did not cover the total expenditure, however, the city is expected to cover few amount of its budget.

For instance, the fiscal year 2008 E.C the city received the transfer amount of 39,698,653 ETB which is 68% of the total budget considering the city will collect 11,580,000 ETB. In this regard, the city total revenue is expected to cover its 22% from internal revenue. <sup>187</sup>

Some of these codes are not effective unless the municipality run the overall function. In some cases, where the municipalities are under the structure of city governance, some codes are shifted to the states. In addition due to various reason, the Gambella city and municipality did not collect revenue from the expected codes.

Likewise, the following items was not able to generate essential revenue, the major reason is that the city was not able to fully *provide* the corresponding sources of the revenue titles and the other major problem a lack of enforcement to collect revenue from some of the items mentioned and above. For this reason such types of municipal revenue need special consideration by the city administration. This shows the revenue and expenditure administration of the city is not effective as the power it has to exercise.

**Table 4:- List of Revenue Items that the city was not able to collect revenue throughout the period 2003-2008 EFY**

1703	Entertainment Tax	1765	Driving instructor and vehicle title deed
1727	Funeral service vehicle rent	1766	Valuation of vehicle
1728	Rent from machinery	1767	Registration of driving instructors
1732	NGO Contribution	1768	Vehicle plate sales and rent
1743	Soil dumping space license	1769	Vehicle parking fees
1744	Permission for driving on prohibited roads	1772	Transfer of title deed fee
1745	Traffic fines for violation of traffic rules and regulations	1776	Funeral service
1747	Bus terminal services	1778	Loading and unloading charges
1748	Environmental protection fee	1781	Provision of park services
1751	Sanitation services	1791	Sales of movable and immovable property
1753	Supervision of building and construction works	1763	Garage services
1757	Water service	1761	Vital statistics service

187የጋ/ከ/ም/2ኛ የምርጫ ጊዜ 2ኛ የስራ ዘመን 5ኛ መደበኛ ጉባዔ ቃለ ጉባኤ ፣ ሐምሌ 2007 (Gambella city council 2<sup>nd</sup> election, 2<sup>nd</sup> term 5<sup>th</sup> session munities July 2007 E.C)

1759	Fire brigade and emergency services	1762	Driving licenses fee
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Source: *Revenue Enhancement Plan With strategies of Enhancement*

Some of these services, like water service, sales of movable and immovable property, violation of vehicle, registration of driving instructors, driving license fee, transfer of title deed fee and traffic fines for violation of traffic rule and regulation are collected by regional corresponding bureau as the services are provided by them.

As every NGO in the region is coordinated by BOFED. The city had no contact with NGOs unless it works cooperatively. However, the municipality provided lands for funeral services, it had never collect generate any revenues as these lands are owned by churches.

Regarding fire bridges and emergency services, sanitation services, permission for driving on prohibited roads, environmental protection fee, funeral service vehicle rent, the municipality has bad records as these service are not provided.

The other few services, such as entertainment tax, soil dumping space license, bus terminal services, garage services and vital statistics services are due to lack of enforcement to collect revenue as the service is administered in the city.

### **3.5.3.2 Transfer**

Intergovernmental transfers are transfers of funds from one level of government to another. This may be to fund general government operations or for specific purposes in terms of numbers and uses of properties, may have very different demands for services depending upon socio-economic characteristics and other factors. Many services provided by Gambella city administration are general government services to people

The major external source available to local government fund is generally classified as grants. These are two basic types of grants: general or unconditional grants and specific or conditional grants; As the name suggests, the first is a grant to aid the city governments in general while second is tied to specific functions, services, programs or projects.

As to proclamation, subside from the regional government is one of the sources of the city's revenue.<sup>188</sup>The general transfer is the common transfer system from the regional government to

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188 GPRS proclamation No 73/2000 Art 47.

the city administration, this is done annually at the regional council assembly together with all *woredas* and zone of the region. Consequently, the amount of transfer is divided to all sectorial office by MOFED and submit to the city councils assembly for approval.

After the city council approve the transfer the OFED allocate the transfer to each sectorial offices and sent the amount of the budget approved by the council to each offices ordering it has to allocate for the salary and other stationery codes given. Yet, the amount of the budget is not enough not only to provide the basic equipment need for provision of service but also for the salary.

The specific purpose's transfer is done in the city on special occasion for some purposes only. For instance, during the celebration of Gambella city 100<sup>th</sup> year, various committees were established under the city administration council, thus, Purposeful transfer was made to accomplish the tasks.

### **3.5.3.3 Other sources**

In order to bolster revenue, there are several other revenue sources, including local option taxes and fees levied by local governments. When this get councils approval, it will come as additional sources and help localities, especially smaller cities, gain financial stability, broaden the tax base, expand the types of activities taxed and increase their independence from state. This can be done through levy.

### **3.5.3.4 Assessment**

In the past three years, various encouraging improvements have been registered in developing financial endeavors. In line with the government's strategy to the policy of liberalization and market-oriented economy. The revenue collected in the past three years had never been collected before as the private sector has engaged in various investment projects in the city.<sup>189</sup> However, the expenditure need is also increased.

The shortage of own revenue in the city is due to the financial limit that the regional government establish on the city without proclamation, as a result the regional government collects many revenue codes that has been known as the codes of the city in Gambella region.<sup>190</sup>

Based on the proclamation, the finance sector is responsible for collection and safe-keeping of revenues for the local government, keeping relevant financial records, books, receipts, vouchers

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189 See table 3

190Interview with the head of office of the Mayor.

and accounts, preparation of accounts and statement of income and expenditure, daily and monthly abstracts and annual accounts, safe-keeping of materials, preparation of development plan and annual budget based on data generated from work, arrangement for work on social, political and economic problems and potentials of the local government area and its people, as basis for annual budgets, policy making plans and decisions. <sup>191</sup>

Office of finance and economic development of the city (OFED) control the finance system in the city. Whereas office of trade and industry together with revenue authority of the city plays a crucial role in strengthen the finance system as the main economic activity in the city is commerce (trading & catering service) and manufacturing enterprises.

The local urban-rural exchange in Gambella and its surrounding has a significant contribution city's business activity. This is because of the presence of business-oriented farmers in the hinterland who have consumption pattern similar to that of the urban.

No large-scale industrial activity is found in the city. The industries in the city are small-scale industries and cottage industries like wood& metal workshops, hollow block manufacturing, bakeries and pastries. The dominant manufacturing activities of the total number of manufacturing enterprises in the city are metal workshops and wood works.

However, the office of trade and industry create the basic revenue system by providing licensee, renovation and expunction of licensees, the revenue authority of the city has the mandate to collect this and credited to the block account. The city Health center and agriculture office also produce some income to the account.

OFED run the finance with Block account system at the end of month and distribute the collected revenue for varies expenditure for all sectorial offices under the city administration except municipality as the municipality collect own revenue and credited with in own block account.

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191 GPRS proclamation No 73/2000 Art 48(1-3)

Finance is very important in the running of governments. The city has a number of functions to carry out. As such, its finances need to be efficiently managed and judiciously utilized. Financial management is about efficiency in financial matters. It is about effective use of available financial resources. It is about financial alertness. Efficient financial management is necessary for the successful execution of projects and delivery of quality services at the local level.

In some cases, revenues meant for city governments have even been taken over by state governments.<sup>192</sup> It follows that as much as possible, there should be a rule that govern and eliminate areas of conflict between local and state governments in terms of revenue. The financial resource of the city government should be efficiently managed for the general growth and development of the local government areas.

Unlike other cities in Ethiopia, the VAT system is recently established in the city, yet the city has nothing to do with it. However, almost all hotel whose tax base is the regional government and licensed from the city collect VAT from the public, the regional revenue authority is responsible for controlling the effectiveness of the service by delegation. Whereas the monthly financial report is sent to Addis Ababa.

Though, the tax base is under the regional government and the city is powered to govern its financial resources, the implemented VAT system is totally exclude city revenue agency. The regional government collect the yearly financial reports in order to determine the yearly tax. In a nut shell, it can be easily said, the VAT system is totally against the financial power of the city.

Beside there are many uncollected revenue items the city. The action of the city authorities depends largely on their financial autonomy. This is largely determined by the revenues local communities raise from local taxes, fees paid by local users for services rendered, revenue-generating activities initiated by local governments.

The city is expected to set service charges capable of covering cost of the service including recurrent and capital expenditures. However, it is clear that the state and municipal services face significant challenges related to tariff setting. Principal challenges include: structural problems

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<sup>192</sup>Interview with the head of the office of the mayor.

that lead to inefficiencies, including over staffing, Poor financial recording system that created difficulties to identify cost of municipal services, state and municipal Assets are not recorded and valued properly in connection with absence of accrual system of accounting and the absence understanding the importance of how financially stable utilities can simultaneously increase service quality, extend coverage to the poor and promote customer satisfaction.

Nevertheless, the city expenditure is defined<sup>193</sup> it still need a clear assignment of expenditure responsibilities at the top of city agendas for finance. There are some important political economy issues noted throughout the report that often make this step difficult.

For a clear assignment of expenditure responsibilities to become useful for other aspects of the local fiscal framework, they must be translated into expenditure needs/financing requirements through application of an appropriate standardized methodology. A systematic evaluation of the cost of transferred responsibilities should precede the transfers of task and resources.

State revenues and expenditures have grown quite rapidly over the review period. However, the disparities in expenditure levels over the state is still very large. In order to see this clearly, the total revenue collected by the year 2008 E.C in the city administration is 20,200,987.85<sup>194</sup> whereas the city pays the salary amount of 57, 600,00. 00<sup>195</sup> in the same year.

This highlights the importance of regional government transfers to local government. However, it also highlights the need for state to price their services appropriately, so as to ensure they are able to fund their services on a sustainable basis

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193 GPNRS Proclamation No 73/2000 Art 48(1)

194 Revenue Enhancement Plan With strategies of Enhancements For 2009-2011 EFY, Gambella City Administration (July 2016).

195 Information from the OFED Finance department core processor.

### **3.6 Conclusion**

It is true that the autonomy of the city to determine its own form of movement and internal administrative structure: to choose functions to perform; to raise revenue, to borrow and spend; and to determine the number, types and conditions of their employees is very uncertain.

But, as the state government exercises frequent monitoring and inspections over the city through the political party that led the region, the city lack administration freedom to services according to perceived needs of the local communities.

Thus, the city government faces significant challenges with its autonomy. The effectiveness and efficiency of the councils that directly drawn from higher level through the regional the proclamation does not ensure its autonomy.

Although, the city run with elected council, it cannot be said it has complete political autonomy. It is also under the influence of the ruling party and the regional government. The influence also affect not only the political autonomy but also the other substantial autonomy the city has.

From the above analysis, several issues of the city is directed toward its financial resources. However, the finance sector is inadequate in supporting any of the function of the city. In this way it emphasize that the financial autonomy of local authorities concerns their ability to self-manage by using local resources in accordance with the interests of the community.

The city government must possess sufficient financial resources, so that it can speak of a real financial autonomy. Its evolution over time will depend on how the understanding of the contents of this principle and its concrete application will be performed through practical actions in each administrative unit.

Although there is a well-developed set of public finance principles for choosing and designing local government revenues, and it is often used as the anchor for developing intergovernmental and local fiscal reform, the city is commonly mediocre or worse. This state of affairs persists both because the mainstream principles do not adequately consider key factors that influence local revenue generation and because the principles are not always appropriately implemented.

Beside this, the city also does not provide its function properly. As stated above in the study some functions are not delivered due to the financial drawback the city faced. But, this is not the only

reason as some overlapping state and municipal functions exists in the city. Thus, the city must follow their legal basis and must be subjected to the city.

In order to solve its financial problem, the city must have available significant sources of own tax revenues and also non-tax revenues in the form of user charges and fees. Adequacy of own revenues is the key to an improved ability to deliver needed goods and services and to better accountability of local officials to their constituents.

The other problem of autonomy in the city is the administrative autonomy that given to the city must governed the employee with proper conduct. Understanding the structure of own government is the basis for understanding the composition and roles and even relationships of actors within this structure.

Generally, Consumption and delivery of services in the city are not localized. Problems on both the delivery, financing and administration sides are the main sources of inadequate accesses to city services in these areas. This will put the autonomy of the city under quotation. In other word, the autonomy of the city is questioned. Contributing factors of this issues are decision makers with different goals and motivations regarding the levels and distribution of public services, higher service provision costs relative to the core of city, political decisions that result in uneven services in the city ,inadequate revenues due to weak local tax systems, and low effective demand for urban services

In conclusion, if a city government has to perform its function effectively it must be free from undue influence from state government. The city government will have the autonomy to perform its functions freely if people participate in the activities of their respective local authorities, and if the local authority has the power to find and spend its own financial resources. A clear demarcation of functions between local and state governments in urgently called for to avoid administrative clashes. And lastly the power of local governments to make decisions free from central interference needs to be constitutionally guaranteed.

The political structure is supposed to use administrative structure for translating political promises into services. How well this takes place depends on the type of relationship between the political and career staff of local government. Sometimes this relationship is cordial, other times the relationship is strained and conflictual especially as a result of personality clash, and interpretation

of guidelines. Other times, the political office holders are impatient with the regulations governing administrative practices especially financial management. Such crises slow down the operation of the city government and this had become a big source of worry in the city being another challenges of its autonomy. This is where qualities of good leadership is called into question. It may not be structures that creates the problem but the administrator that manage it.

## **Chapter Four**

### **Regional supervision of the Gambella city administration**

#### **4.1 Introduction**

As was maintained in chapter 2, supervision of a city by a senior level of government is in the interests of the senior level of government as well as local community so long as it exercised with the need to protect the autonomy of the city in mind. It also helps prevent abuse of power by local authorities. It is also a mechanism ensuring the implementation at city level of national policies and programs. It was also mentioned that supervision has four elements; regulation, oversight, support and intervention.<sup>196</sup> This chapter examines whether Gambella city appropriate level of supervision from the Gambella regional government.

As mentioned in chapter 2 supervision of local government takes various forms. Firstly, it can be in the establishment of government institutions and regulating their institutional framework. Secondly, governments exercise a regulatory role in streamlining local government functions through the laws that establish local government, and others that have a functional relationship with city government. Thirdly, the method of supervision is the continuous monitoring of local government functions through requests for information and access to local government records. In this regard, supervision may involve the suspension and/ or dismissal of elected councilors for improper conduct or poor performance. Lastly, in some cases where local authorities have been found wanting in the provision of services or failing to respond adequately to crises, senior governments have intervened by appointing administrators. These would act as the local

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<sup>196</sup> De visser (2005)

government council pending following the suspension or dismissal of councilors or until the crises have been managed to their satisfaction.<sup>197</sup>

Thus, the chapter begins with the discussion of the practice of supervision of local government in Gambella city. The kinds of supervision is briefly explained in the first. In setting the context for a discussion of the practice of the supervision of local government, the legal framework for the supervision of local government is subsequently discussed, and a conclusion is reached on the trends of supervision of local government in the city.

## **4.2 Regulating the city government**

In GPNRS, regional state is responsible for regulating the city as well as all the local governments under the region. But, it does not mean that the federal government is free of forming regulation for the local government.

FDREs envisions strong, relatively autonomous regional states but it also gives strong roles for the federal government in making policy and setting standards in many key sectors.<sup>198</sup> The respective states are then subjected to this standard. The constitutional power of federal government is directed toward building one economic community.<sup>199</sup> Therefore, the federal government can enact laws, policies and regulation that govern local government activities.

### **4.2.1 Federal government policy papers**

With its police making power the federal government had established several regulation. The financial development indicators of Ethiopia indicate a sign of common regulation of revenue codes that would probably generated by local government. According to this regulation the finance sources of local government is basically identified.<sup>200</sup>

The other regulation paper is a regulation that established by ministry of urban development in 2000 E.C titling “Regulation of city councils establishment, order and councilors ethical statue.”

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<sup>197</sup> *Ibid.*

<sup>198</sup> Zemelak Ayele (2014)213.

<sup>199</sup> FDRE constitution Article 55(6).

<sup>200</sup>Ministry of Finance and Economic Development MoFED (2006)Federal Budget Manual, Version 1.0,DRAFT Version 1.15 – with municipality revenue codes.

<sup>201</sup> **ከተማ ምክር ቤት አደረጃጀት፣ የአስራርና የአባላት የስነ ምግባር ሞዴል ደንብ፣ የስራና ከተማ ልማት ሚኒስቴር፣ 2000 ዓ.ም አዲስ አበባ** (Regulation of city councils establishment, order and councilors ethical statue).

Besides this, there are other federal regulation which shapes the activity of the city; the federal proclamation which was issued to regulate the use of urban land<sup>202</sup>and the proclamation which regulates how municipalities could manage solid waste is another example of regulation that works in the city of Gambella.<sup>203</sup>

In addition to these, the city follows the federal regulation enacted to regulate urban land management to use the land property on lease as the city grows economically more effectively.<sup>204</sup>

The purpose of this regulation is to assure integrity of all units of local government so that they may provide for safety and welfare of their citizens, pay when due principal and interest on their debt obligations and meet financial obligations to their employees, vendors and suppliers.

#### **4.2.2 Regional regulation paper**

Regional regulation papers are relevant policy and statute forward to the cities and other local government to act accordingly. Once local government had been established, the regional legislation enact additional paper to regulate the local government. Thus, the city will act according to the regulatory papers.

Gambella city is established and subjected to the regional council, therefore the regional government is responsible to make regulation to activating any service and monitoring the efficiency of the activity. The regional governments have the constitutional power to regulate all the local government and its working through regional laws. The proclamation also allows the regional government to establish rules and regulation that govern the city.<sup>205</sup>

The state supervisory role depends on state laws and practices, as well as on the type of local government involved. The patterns and types of state supervision can only be described in general terms because there is great variety within the all the states in Ethiopia.

In Gambella, one of these laws are the issued laws to establish the city. In this regard, states supervise local government budgets by requiring specific actions and procedures, by establishing and limiting revenue sources, and by monitoring and reviewing budget actions of city

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202 Zemelak Ayele (2014)214, FDRE Proclamation 272 (2002).

203 FDRE Proclamation 513 (2007).

204FDRE Proclamation 272 (2002).

205 GPNRS Proclamation No 73/2000 Art 51.

governments.<sup>206</sup> It is for this matter that region collects some of the revenue item that is given to the city yet, it is the legislatures to institute stringent limits and controls on taxes and revenue sources for the city.<sup>207</sup>

Beside this, the regional proclamation No 9/1991 regulates the finance sector by providing the financial administration system in the region. Although, one of the city's financial sources is borrowing<sup>208</sup>; its implementation is depended up on proclamation No 9/91.<sup>209</sup>

The family law of GPNRS is another well-known regional legislation. This regulation serve in the region as well as the city. It is familiar as it is against the culture of polygamy. <sup>210</sup>As the tradition allows a man to get married with two to three women in the region, it is expected that the spread of the HIV in the region is the outcome of these tradition.

### **4.3 Monitoring and evaluation**

Monitoring relates to the establishment of mechanisms aimed at continuously looking into the general performance of city government and to see whether there is compliance with the relevant legislation. It is an ongoing exercise done by regional government and city council. The councilors are expected in analyzing and interpreting of information on the daily use of inputs and their conversion into outputs in order to enable timely adjustment or correction on the development programme when necessary.<sup>211</sup>

The monitoring of local government by the other spheres of government was further construed as the power that is limited to measure or test at intervals local government compliance with the constitution, and with national directives.

The monitoring of local government may be regarded as a watered down form of the supervision of local government in that the monitoring of local government is carried out within the framework of intergovernmental relations.

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206 GPRNS proclamation No 73/2000 Art 48(2).

207 Interview with the head of the office of the mayor.

208 GPNRS Proclamation No 73/2000 Art 479(1).

209 GPNRS proclamation No 9/1991.

210 The GPNRS family law.

**211 የከተማ ምክር ቤት አደረጃጀት፣ የአሰራርና የአባላት የስነ ምግባር ሞዴል ደንብ፣ የስራና ከተማ ልማት ሚኒስቴር ፣ 2000 ዓ.ም አዲስ አበባ** (Regulation of city councils establishment, order and councilors ethical statue).

The constitution, however, it does not state the city, it provides time when state government is required to monitor local government. First, state government is required to make provision for the monitoring of local government by legislative and other measures. Secondly, state government is required to oversee the effective performance by localities of their powers.

In the event of a city failing to perform or committing maladministration has reason to believe that a city cannot or does not fulfill a statutory obligation binding on that municipality or that maladministration, fraud, corruption or any other serious malpractice has occurred or is occurring in a city.

It also identify shortcomings before it is too late ,identify short of planned/expectations, identify constraints and pointing the way toward measures to overcome them and adjust specific objectives depending on the situation (opportunities/obstacles) and revise the work plan accordingly.

Self-reporting is considered as the best way of M&E in the city of Gambella.<sup>212</sup> Head of the sectorial offices are required by law to report to the council quarterly on occasions as defined in the legislation. The most significant reports are the financial estimates on expenditure and income, the audited accounts of a city administration council, all of which must be submitted to the council. However, the supervisors may have the right to choose either of the two techniques; evaluating reports with filed visit and listening to public accusation.<sup>213</sup>

The development and testing of an appropriate M&E system is a difficult task and needs not only high professional competence and a deep insight into the complex institutional national level. It needs also a high level of sensitivity concerning the necessary involvement of all major stakeholder in the approach development process, concerning the creation of awareness on the value of information for decision making and concerning the necessity to have full ownership of the process and the product with the district administrations themselves from the beginning.

The local self-governance proclamation provide substantive power, responsibilities and resources to the local governments. The city are supposed to make decisions on the matters affecting the

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212The quarter performance evaluation of reports with the standing committee is considered as the mechanism of M&E in the city while the effective ness of the evaluation is not measured. The detailed information of this is discussed in sub topic 4.8 “supervision; the current challenges in Gambella city.”

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day-to-day needs and lives of the people, by developing local leadership. Basically, this means that the city, first and foremost have to make strategic decisions for development activities.

To fulfil these functions, the city need a much better information base for decision making than available now. Therefore, it is not enough that local governments take the lead themselves in the development of an M&E system on city level. In addition, awareness has to be created on the need and value of information for strategic planning and decision-making on city level.

Evaluations a systematical and periodical gathering, analyzing and interpreting of information on the operation as well as the effects and impacts of a development programm.<sup>214</sup> It is an assessment of the overall performance and any impact resulted from the program/project undertaken up to the time it is done.

#### **4.4 Support**

To supports to ensure that the system of the city government is responsive, accountable and efficient, and that councils comply with the LG proclamation. The regional government is committed to supporting various city events, councils and associations throughout the year to engage with the broader communities in which they live.

Support is defined as any activity undertaken to assist councils to carry out their duties and obligations to the community, and to facilitate more efficient and effective council operations. Support may include providing advice, advocacy, guidance, and services such as training.

Mainly, this is provided by regional government. However, councils also receive support from a range of other bodies in including various None governmental organization(NGO), Local none governmental organization (LNGO providing training and support in areas including procurement, planning, financial and asset management, and local government service delivery.

It is a valued and essential part of a manager or co-coordinator’s role, and a significant contributory factor to the success and long term sustainability of any mentoring or befriending project.

This interactive and practical training will cover the essential supervision principles, skills and techniques for facilitating effective enabling conversations with individuals and groups.

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#### 4.5 Intervention

Depending on the nature of its scope, some of the interventions may be so intrusive as to substitute council decisions with those of the other decision while others may not be so intrusive.

An intervention is the next step when all the other monitoring mechanisms discussed above show a serious failure to fulfil statutory obligations or where other monitoring mechanisms have failed to bring about the desired result.

Both national and state governments may intervene in city government. In terms of the federal constitution, the federal government intervene when the constitution is endangered,<sup>215</sup> it shall also deploy with the direct request of the regional government if there is security problem.<sup>216</sup>

In Gambella region, the regional government own the power of direct intervention over the city. These intervention areas are instances when a city is either not able to, or does not, fulfil an executive obligation in terms of either the constitution or legislation. This provision creates jurisdictional facts that have to exist for a state government to intervene in local government.<sup>217</sup>

This obligation include all elements of autonomy in the jurisdictional. In other words, the regional government can intervene in each elements of autonomy, for instance, state government must intervene in a city if a city, as a result of a crisis in its financial affairs, is in serious or persistent material breach of its obligations to provide basic services or to meet its financial commitments, or admits that it is unable to meet its obligations or financial commitments.

Yet the final stage of intervention is abolishing the local council, if it acts against the legal regulation and the constitution is endangered.<sup>218</sup>

But, practically none of the above statement had been done since the establishment of the city. Practically, the residents of the city all knew the intervention on security issues, where the federal defense army and the federal police other than the regional police intervene with a conflict which arose frequently in different occasions.

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215 FDRE constitution 62(9).

216 FDRE constitution 51(14).

217 GPNRS proclamation 73/2000Art 13.

218 *Ibid.*

#### 4.6 Supervision – current challenges in Gambella city

Whilst much good supervision undoubtedly goes on, experience in the city paints a picture of inconsistencies, interruptions, and the increasing dominance of managerial and performance agendas to the detriment of reflection, critical analysis, and emotional support for the worker.

Regular, high quality, organized supervision is critical, as are routine opportunities for peer learning and discussion. Currently not enough time is dedicated to this and supervisors are carrying too much personal responsibility.<sup>219</sup>

In sum, the consequences of absent of inadequate forms of supervision constitute a major threat to workforce stability, capacity, confidence, competence and moral. No attempt to revitalize the social care profession can succeed unless it is underpinned by high quality standards for, and practice in supervision.

The supervising state cannot be regarded as the legal guardian of the city with limited capacity. The function of the state is also not to the control of city. The state is required to support local government authorities in carrying out their functions.

The relationship between the city and the state has developed into a good relationship of mutual trust. On the other hand, tasks at state and city levels are becoming more complex, which may also intensify communication between city and the state. But, this strong relation is causing difficulties to identify few mandates.

For instance, State supervision of city government budgeting is complex and changing. Though, states are expected to supervise the city and they employ various supervising techniques. Yet, in regards to the collection of revenue and the distribution of services, states are affecting local government budgets.<sup>220</sup> States mandate functional and policy requirements that have serious budget implications. State supervision of city government taxing, spending, borrowing, and reporting includes both authorizing and setting limits on these activities. Through other means, such as giving advice, states exert control over city governments. Thus, the tensions between city

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219 የጋ/ከ/ም/2ኛ የምርጫ ጊዜ 2ኛ የስራ ዘመን 5ኛ መደበኛ ጉባዔ ቃለ ጉባኤ፣ ሐምሌ 2007 (Gambella city council 2<sup>nd</sup> election, 2<sup>nd</sup> term 5<sup>th</sup> session munities July 2007 E.C)

220 Interview with the head of the office of the Mayor.

governments asserting independence and states taking supervisory action raise continuing issues in intergovernmental relation.

In addition to finance, the regional police commission and the city government supervise the city police, while the city is expected to provide 24Hr reports to the regional police commission but the commission by itself looks after the overall police performance in the city. As a result it indirectly builds the power of administrating the city police and accept personal accusation letter as same as the city police does, and no question about it. This had misled the community to build the custom of using the commission as one of the administrative structure of the city to receive police service.<sup>221</sup>

Likewise the regional council also mostly receive accusation letter against the performance of the city municipality which can be done through the city legislative without ascending order.

The local council that represents the citizen is expected to administer executive policy implementation and service delivery and hold local accountability for its performance. However in Gambella councilors occupy dual roles as a full time executive functions dependent on and accountable to themselves as supervisor.<sup>222</sup>

The much known method of supervision in the city is self-reporting in quarterly councils meeting. There is usually a quarterly evaluation based on the reports of each sectorial office with the standing committee. The council is very passive when it comes to supervision of city function

The city councils standing committee members are all a government employee or an executive officer. They quarterly lead the discussion in the quarterly evaluation meetings of the council

#### **4.7 conclusion**

The above discussions generalize the current image of supervision in Gambella city. However, supervision in the city is very important for a variety of considerations to the interests of the central and state government itself as well as local and public interest. Yet, it is not well done. Therefore, state control to the city must aimed at protecting the public from abuse of power of local

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221 የጋምቤላ ከተማ ምክር ቤት 2ኛምርጫ ጊዜ 1ኛየስራ ዘመን መስራች ጉባኤ ቃለ ጉባኤ ጥር2006(Gambella city council 2<sup>nd</sup> electoral 1<sup>st</sup> term 1<sup>st</sup> session munities )

222 .የጋምቤላ ከተማ ምክር ቤት 2ኛምርጫ ጊዜ 1ኛየስራ ዘመን መስራች ጉባኤ ቃለ ጉባኤ ጥር2006(Gambella city council 2<sup>nd</sup> electoral 1<sup>st</sup> term 1<sup>st</sup> session munities )

authorities. Then improving the implementation of national policy, the policies and programs of the central government to be applied and implemented in the area.

The chapter has also shown that supervision means fulfilling the basic conditions of a democratic government, normatively, supervision over the activities of the city is a process that is intended to ensure that the local government runs efficiently and effectively according to plan and the provisions of the legislation.

Problems with supervision in Gambella city have complex and multi-layered origins, which can only be touched at in this thesis. Until recently there has been a lack of consistent political, professional, and organizational leadership in championing the role of supervision in social work.

The lack of a clear theoretical model about the nature, influence, and critical elements of effective supervision undermines the ability to drive up standards, training, support, and monitoring of supervisory practice. Too often we settle for ‘having supervision’ rather than having good supervision – a crucial difference.

The connecting factor for the intervention of the supervisory authorities is, however, public law, namely the provisions concerning the invitation to tender for certain works or services. The city and municipalities do not, after all, exist without restrictions; they are required to comport themselves within the framework of the law. Thus, the supervision in the city is accompanied by law.

Yet, in practice the government supervision was urgent and necessary, and do not follow a certain regulation, therefore, quite a lot of obstacles and barriers faced. Besides it affected the ability of local autonomy, also on the ability of local authorities to manage their budget, both in timing of establishment and ability to perform absorption.

Delay in the determination of budget affected absorption. As an instrument of local policy, when the budget was late the absorption of budget smaller, so that the budget for the public was also diminishing. The budget determination was not timely appropriate schedules and time limits to bring the consequences of sanctions and reverse the consequences of the award. Government alone could not do much to the delay of the proposed budget, except to sanction the local concerned by delaying the provision of General Allocation Fund. Then divided the local managed to set a budget on time before the end of the fiscal year given incentives.

Therefore, the supervision also became urgent after considering the fact most of the public services provided directly to citizens by the local government for various purposes, it also must submit and follow the various levels of control by the respective governments. It is urgent and vital to avoid failure.

The availability of a certain guideline for supervision may not support the efficiency of the supervision unless the legal framework should clearly define responsibilities of the supervisor and standards of the supervision.

The frequent intervention GPDLM in performance evaluation of all the regional civil servant since recently has shown the poor performances the city as well as the supervision in many sector.

The creation of a strong legal framework- to address issues related to financing and reporting, to determine the type of control mechanisms that are necessary and who is accountable for them, to evaluate hiring practices and compensation schemes as well as address issues related to the procurement of public works - must be a priority in any reform effort to ensure sound utilization of public resources and minimize corruption.

Consistency and transparency gain support. On matters of staffing, compensation or oversight of the city, and most importantly in the delivery of services, it is very important to ensure that there is transparency and that changes in the administration are not seen as an instrument to exclude some groups or favor another.

Channels for communication need to be created. By including more citizens in the process of monitoring civil service performance, decentralization creates more opportunities for friction between civil servants and citizens.

There had been no national statement addressing the need for social care organizations to have a healthy policy framework for supervision. Given the past decade has seen regulation invading almost every aspect of front line practice, it is perverse that so little has been done to quality assure an activity that arguably has the greatest influence on practice other than the practitioner herself. Consequently, the quality of supervisor selection, induction, training, support, and review has been so inconsistent.

# Chapter Five

## Conclusion

### 5.1 Introduction

The main question of this research was whether the abysmal record of the city of Gambella in terms of service delivering basic services could be linked to the institutional design of the city i.e: the constitutional, policy and legislative framework?

With a view to answering this question, in chapter two, based on international literature, the basic institutional features of a city that is likely to be capable of efficiently delivering basic services were identified. The institutional feature of such a city was identified to include constitutional and legislative framework that balances the political, financial and administrative autonomy of the Chapter three deals with the political, financial and administrative autonomy of the Gambella city. Chapter four turns to whether and how the regional state supervises the city and how it balances the autonomy of the city with its supervisory functions.

### 5.2 Political Autonomy of the Gambella City

Political autonomy of a city implies having government institutions that are run by elected officials as opposed to appointees, clearly defined and relevant functions, and powers. Gambella city, like any urban local government in the Gambella region, does not have constitutional recognition. It is a creature of a regional proclamation. The proclamation indeed establishes a city council which is composed of elected councilors and an executive which is headed by a mayor who is indirectly elected from among the members of the city council.

The proclamation regulating urban government in Gambella also provides the city with state and municipal functions. This have the necessary flexibility in terms of delivering basic services and the opportunity to respond to local demands.

However, the practice does not match with what is in the law. The city barely has any autonomy. The proclamation imposed upward accountability of the administration on the mayor.

According to the will of regional regulation, the city owns the power to authorization to ensure a meaningful level of autonomy on local affairs. Yet, the city is failed to exercise the autonomy given legally for various reason.

Capacity constraints and party interference highly affects administrative functions such as enforcing regulatory decisions and governing the procurement system, the laws are in place providing powers to the local authorities.

The problem in exercising its autonomy emanate directly from the regional constitution and the proclamation. The silence of the regional constitution about the city put the city under the influence of the regional government and the ruling party.

Besides, the revised proclamation lack clarity interims of the political power. The former proclamation states the city council is subjected to the people of the city, whereas the new one declare only the title of the city administration. The door of interference had opened and it custom is developed since then.

In addition, it also state most of the service in the city will be governed by the regional regulation when issued. For instance, the number of seat in the city council, the revenue share, and emergency service will be governed by regional regulation and it may change if the regional administration issued additional regulation. In this regard, the supremacy of the city council, having the autonomy of legislation is meaningless.

### **5.3 Financial autonomy**

The importance financial autonomy for a city that seeks to be effective in terms of service delivery cannot be overemphasized. Financial autonomy implies a city that can raise its revenue from its own sources and decide on its expenditure. Since local government often unable to fully cover its expenses from own sources. Hence unconditional transfer from a senior level of government might be appropriate for filling the financial gaps.

The Gambella city administration is authorize to collect revenue by imposing municipal service fees. The city cannot however determine the rate of the fee since this determined by the regional state.<sup>223</sup> Here, its financial autonomy is authorized to approve its own budget only.

The revenue of the city do not cover the total expenditure of the city. According to the City administration three years capital investment plan the increment rate of revenue in the city is

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223 GPNRS proclamation 47/98Art 33(2)

30% while its expenditure is 20%.<sup>224</sup> Yet, for various reason, this 30% of revenues are not properly collected.

There are a number of factors affecting this issues in Gambella. These have been identified even by the city government. Fundamental among these factors are the issues of unequal share of resources, absence commitment to collect revenue, absence of commitment to control revenue collectors and overdependence in allocations from the regional account, dishonesty and corruption, etc. Efficient and well-motivated workers can make positive contributions that can boost revenue generation at the grassroots.<sup>225</sup>

Another challenges revenue collection in the city is the having few taxation power. However, the tax category of the city is identified, the city revenue authority collect tax from category C only.<sup>226</sup> According to the rule tax payers are divided into category A, B and C tax payer. Category A tax payer are a business owner having annual turnover of birr 500,000 or more and category B are owners having annual turnover of birr over 100,000 and category C are whose business annual turnover is estimated to be up to 100,000.<sup>227</sup>

The regional revenue authority collect tax from the two category limits the income of the city to tax payer whose income is below 100,000. <sup>228</sup>This highly affecting the income of the city, and the city is hardly doing to come up with a clear distinction between these issues.<sup>229</sup>

The financial transfer from the regional government is with expectation of the revenue that the city can collect. For this matter, the amount of transfer is does not support any services in the city as it is not even enough for the salary of the employee.

#### **5.4 Administrative autonomy**

In order to have the necessary flexibility in terms of delivering services and the opportunity to respond to local demands, city governments need to have administrative autonomy. In Gambella, the city governments hardly seem to have any such discretion.

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224 Gambella city administration: three years capital investment plan.

225 *Ibid.*

226 Interview with the head of the office of the Mayor.

227 Induction manual for urban finance administration (2013) ministry of urban development and construction, Addis Ababa.

228 Interview with the head of the office of the mayor.

229 *Ibid.*

Administrative autonomy implies the power of a city to establish administrative structures and hire and fire its personnel. The Gambella city has sectorial offices which are organized under the mayor's office including municipal manager. As a rule, the city has the power to hire, determine their salaries and benefits and fire its personnel. Yet, within the administration autonomy, the city government suffer mostly with managerial function and adopt the following challenges:

- a. **Incompetence to work and low quality of manpower:** it is frequently noted that the employees are always late comer, absence from duty is also reported.
- b. **Administrative Inefficiency:** ineffectiveness resulting from low educational qualifications of staff, poor motivation, autocratic leadership, poor work environment, etc. The management and control of finance is a central factor in the management of the city governments. The quality and promptness/effectiveness of local government services depend on the quality and quantity of workers in the system. Politically, politicians divert from their campaign promises and abandon principles of good governance and democratic ideals that are fundamental in promoting administrative efficiency and effectiveness for selfish.

## 5.5 Supervision

Supervision is a mechanism of preventing undesirable consequences of unfettered local autonomy such as corruption. Supervision includes regulation through which a senior level of government provides a minimum standard that a city has to meet in terms of delivering basic services, support and intervention.

The Gambella regional state regulates the activities of the city. The proclamation that creates the city defines its function and the like is one of the regulatory frameworks of the region. It also determines the source of revenue of the city.

Moreover, the regional government exercises supervise by receiving reports from the city annually. There is usually a self-reporting on finances issues each month. And other activities from sectors to councils, which provides the basis of discussions is done in quarterly meetings of the council. Yet, as the system builds common custom, there is no viewable changes are gathered from the regulation, monitoring and supporting.

Thus, the interference has systematically become the common corrective measure of the capacity of the city governments to operate effectively and to execute their assigned development functions. Adopting this as common one of common value of the city self-administration, some functions are expected to continue overlapping in provision.

## **5.6 General conclusion**

Generally, Findings of this study have led to suppose that for emerging political systems institutionalized mechanisms of (political) accountability in the city government system are truly less effective.

The overall autonomy of city to determine their own form of movement and internal structure; to choose functions to perform; to raise revenue, and to determine the number, types and conditions of their employees is very modest.

The state government exercises frequent interference and inspections over city. Furthermore, the frequent directions of targets, lack the cities freedom to modify services according to perceived needs of the local communities and performance management and enhance limitation of city government autonomy and local service delivery.

However, the provisions for the autonomy as were provided in the proclamation has been found adequate in scope and specificity and the autonomy is, consequently, being interfered by the state governments it substantially inadequate in several ways.

It is identified that the city has legal political autonomy to self-administration. Therefore, it can be said it fail is not due to political recognition except few arrangement of offices that provide overlapping services. Rather it is the will of leader and employee, political understanding, lack of understanding of the mandates and limited financial sources directly affect the provision of services.

The areas of city government administration contributions to development which include the provision of roads, electricity, water, market stalls, refuse disposal and health centers were outlined, and therefore, recommends that the firm grip on city government administration must be loosened in order to allow the city government administration provide the much needed goods and services for the people.

Finally, this paper identified points of reference in the development of city government administration in Gambella. Their functions and the characteristics of good governance and accountability were discussed. Unwelcoming factors to the performance of city government administration were articulated.

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**List of Interviewed officials**

<b>No.</b>	<b>Name</b>	<b>Administrative duty</b>	<b>Date of interview</b>
<b>1</b>	<b>Ato Abraha Mehari</b>	<b>Head of the office of speaker of the house</b>	Feb 2,2017
<b>2</b>	<b>Ato Dak Kuwet</b>	<b>Head of the office of the Mayor</b>	March 17,2017
<b>3</b>	<b>Ato Tydor Chambang</b>	<b>Manager of the city Municipality</b>	March 17,2017
<b>4</b>	<b>Ato Ogala Kir</b>	<b>Director of the city Water and sewerage agency</b>	March 29,2017