

Institutional Structure of the Capital Secretariat

Diagnosis and Evaluation

1. Part I- Decentralization and institutional structure of the Capital Secretariat, diagnosis and evaluation

1.1 The overall institutional framework

Decentralization system is based on the conviction and political orientation that the local governance stems from a powerful social legacy of the local community, which is historically based on the tribal texture.

Local Authority Law led to local elections in 2001, resulting in the establishment of local authorities in governorates and districts.

Under the Local Authority Law, the local councils have been established at the governorate and district levels. This system of local councils comprises at the time being _____ governorates and 320 districts.

In the context of decentralization, the Capital Secretariat falls within the provincial system, but with specific features as provided for Article 166 of the Local Authority Law, which recognizes the need to enact a special law for the Capital Secretariat, "which takes into account its characteristics and ensures the upgrading of the capital of the country ..."

1.2 Texts and regulations organizing decentralized structures and units

It should be noted that the basic texts organizing the decentralization apply to the system as a whole and are not specific the Capital Secretariat. However, the principle of distinguishing the Capital Secretariat in the current law, as we have already mentioned, in addition to the accumulated experience of the secretariat of the capital since the 1980s, produce specific features that we are going present in this introduction.

1.2.1 Law of the local authority

The decentralization system includes the administrative units, whether they are governorates or directorates. These units consist of heads of administrative units, the elected local council and the executive organs.

1.2.2. General principles of decentralization

Decentralization in Yemen has been based on giving the local authority very extensive powers to carry out all local affairs in the areas of management, social, economic and cultural affairs. In parallel with that, the powers of the central authority have been reduced to a number of responsibilities relating to the developing the public policy and drafting of the regulatory texts, supervision, and assisting the local authority in the areas of training, including the completion of projects that exceed the capacity of the decentralized units or the projects of national nature.

1.2.3 General principles of organization and structure

As mentioned above, the administrative units of the decentralized system (both at the governorate and district level) comprise the following components:

- Head of Administrative Unit

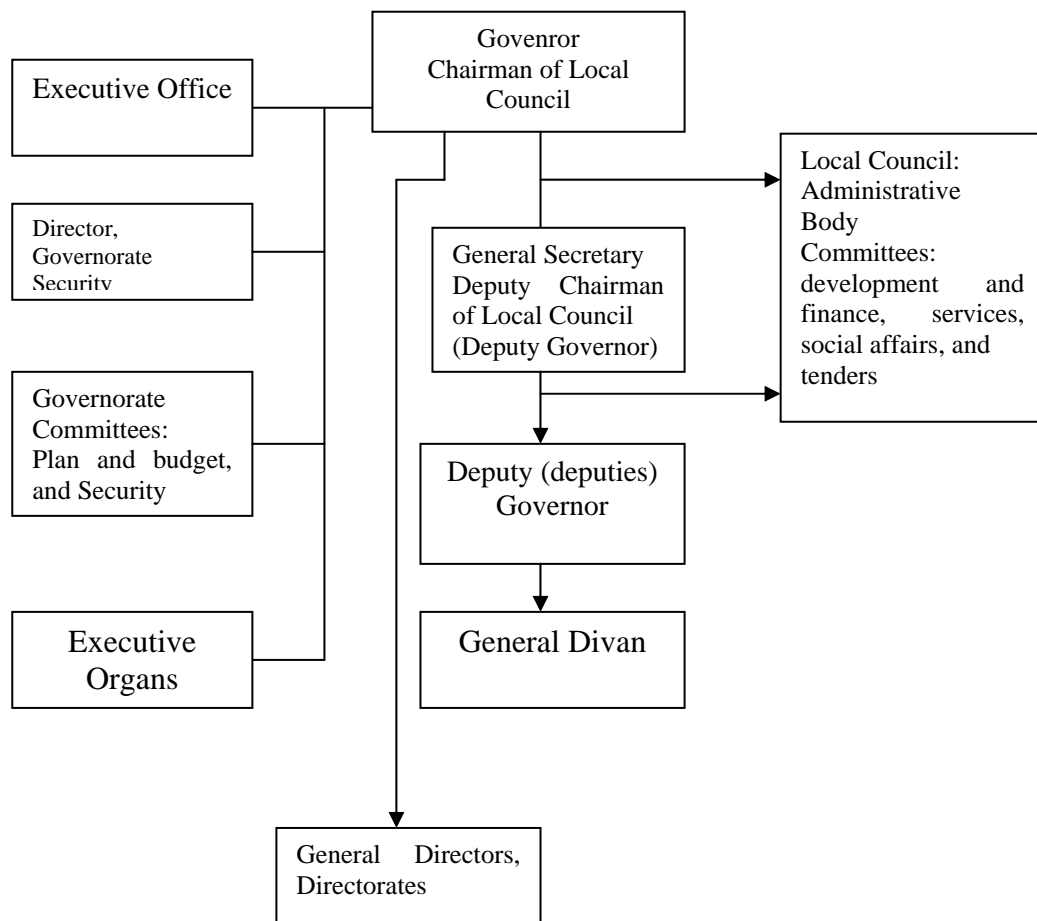
- Local Council
- Executive Organs

1.2.3.1 Head of the Administrative Unit

The governor occupies this position in the governorate (as well as the General Manager of the Directorate) and he is the chairman of the local council and the first official in the council as the representative of the executive authority.

1.2.3.2 Local Council

This is an elected body, on the lines of the basic structure contained in the Local Authority Law with variations that we will discuss later. The Capital Secretariat is subject to institutional structure including the following components:



The Local Authority Law provides in Article (4) thereof that this authority is composed of: head of the administrative unit (the Governor or Director General of the Directorate), the local council, the executive bodies (ie, branches and offices of ministries and departments and all governmental organs in administrative unit).

According to the legislation of the local authority, the local council is considered the focus of this authority in terms of:

- Composition, as it is composed of elected members except for its chairman, i.e. the Governor (or Director General of the Directorate), who is appointed.

- Validity and broad functions, which include development planning, supervision and control over the work of the executive organs of the local authority.

1.3 Current structure of the secretariat of the capital

As we have seen, the Local Authority Law and subsequent organizational regulations have established the structure of the governorates, including the Capital Secretariat, but the current structure of the Capital Secretariat is the product of these laws and texts in addition to a number of other accumulations that have formed both the legacy of the previous organization of the system decentralization of the Secretariat and a series of regulatory decisions taken under a general principle acknowledging the specificity of the Capital Secretariat as set out in the Local Authority Law.

We are going to discuss below the organizational components that are enshrined in the Local Authority Law, and then we will tackle a range of features that we have previously included as specific regulatory features arising in the Secretariat for several reasons. This will lead us later to understand the current structure of the Capital Secretariat.

3.1.1 Secretariat Structure within the Consolidated Organizational Structure of the Governorates

At the top of the pyramid, there is the Governor, as the highest executive authority and the President of the elected authority (local council). According to the graph attached to the Rules, the components of the structure relating to the governor are as follows:

3.1.1 First : structures directly reporting to the Governor

- Executive Office
- Executive organs
- Office of the Governor
- Departments directly reporting to the Governor (security, internal controls and inspection, support of civil society initiatives)
- Plan and Budget Committee.

3.1.1.2 Second: Structures reporting to the Governor through the administrative hierarchy

Namely, the Governor, then the Vice Governor (General Secretary), then the deputy governor (s). These structures are embodied in the organizational units consisting of seven general directorates:

- General Directorate for technical secretary and follow-up
- General Directorate for Information and Public Relations
- General Directorate for Information, Statistics and Documentation
- General Directorate for Development Research and Training
- General Directorate for Zakat obligations
- General Management for Financial Resources
- General Directorate for Administrative and Financial Affairs

3.1 -1-3 General Secretary of the Governorate

The General Secretary (General Secretary of Local Council as stated in Article 22

of the Local Authority Law) occupies the position of the assistant governor in the management of the affairs of the Local Council as well as the deputy governor in the management of the affairs of the Governorate (Article 7 of the Regulation).

1-4 3.1 Deputy Governor

The duties of the deputy governor (or deputy governors) are determined in accordance with the decision of his/her appointment, which specify his geographical jurisdiction or competence of sectoral activity. Otherwise, his / their tasks focus on the follow-up and preparation of plans, and follow-up of their implementation, as well as on coordination of the works of the public administrations in the Divan and the executive organs.