

Cabinet on the spot over defective leadership Bill

Bill protects people seeking state offices from public scrutiny as required by the constitution

By FAITH MUIRURI

THE Leadership and Integrity Bill as proposed by the Cabinet is utterly defective and has failed to capture key areas proposed by the Commission for the Implementation of the Constitution (CIC).

The Cabinet Bill has left out two key provisions from the CIC Bill. Areas of concern include the removal of clauses that provide for the Declaration of Assets, Income and Liability of State officers and Certificate of Compliance with Chapter Six for persons seeking election or appointment to State office.

The bill thus denies Kenyans an opportunity to entrench leadership and integrity in Kenya.

The Bill has contravened Article 80 (a) of the Constitution which mandates parliament to establish procedures and mechanisms for the effective administration of integrity.

Close scrutiny of the Bill reveals that there are no procedures and mechanisms for the effective administration of Chapter Six. More significantly, the Bill has failed to provide for specific disciplinary procedures for State officers who violate this Chapter or breach the Act.

Further, the Bill has failed to prescribe the penalties that may be imposed for contravention of this Chapter or the Act as required by Article 80(b) of the Constitution.

The bill has also vehemently failed to make explicit references to Article 80(c) of the Constitution which calls for the promotion of the principles of leadership and integrity.

Another contrast in the Bill is the provision that allows state officers to engage in gainful employment contrary to Article 77 of the Constitution that stipulates that State officers shall not participate in any other gainful employment.

Further, the Bill does not



Dr. Willy Mutunga

Mutunga thinks out of the box to decongest courts

By BOB OMBATI

CHIEF Justice, Dr Willy Mutunga, has urged church leaders, clan elders, chiefs, councilors and District Commissioners to arbitrate land disputes and other petty offenses in their respective area to help reduce the back log of cases pending in courts.

Mutunga said that currently such cases account for a substantive proportion of the backlog of cases pending in most courts in the country and thus the need to explore alternative mechanisms to resolve the disputes.

“Cases land related disputes should be resolved at family level to avoid saturating courts with numerous cases which take long to be heard and determined and expose litigants to endless suffering,” he said.

The CJ noted that the judicial way of resolving petty disputes was expensive and litigants were forced to hire lawyers who charged exorbitant fee in the pursuit for

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Mr. Eugene Wamalwa: Justice and Constitutional minister.

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require persons seeking State offices to declare income, assets and liabilities beforehand.

In addition, the Bill does not have a Declarations of Income, Assets and Liabilities as was contemplated by CIC Bill and proposed by stakeholders. It had been proposed that persons seeking State Office declare their income assets and liabilities to the EACC before taking office so as to ensure such persons were in compliance with Chapter Six, Article 99(1)(b) and 193(1)(b) of the Constitution. These provisions were to the effect that persons seeking State office should meet financial probity, ethical and moral requirements.

The CIC Bill therefore sought to establish a mechanism to allow any persons seeking State office to open themselves to scrutiny and ensure financial integrity. The Cabinet Bill has done away with these provisions and thereby lowering standards for those seeking State office contrary to public expectations and the letter and spirit of Chapter Six of the Constitution.

Although clause 26 (2) (a) of the Cabinet Bill states that a full-time State officer shall not participate in any other gainful employment, it exempts directorship in a private company; any investment in a business undertaking or corporate body which does not require active participation of the State officer in the operations of the business undertaking or corporate body; or any work which is not covered by the employment Act

This proposed clause potentially allows for other gainful employment in contravention of the Constitution.

This thus gives relief to any person who plans to undertake gainful employment and State officers can now seek gainful employment using private companies. All a State officer now has to do is carry out employment outside their state office through a registered company as director.

Secondly the clause does not attempt to deal with the real problems that motivated Kenyans to seek banishment of gainful employment. It was expected that any other form of

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gainful employment should be disallowed if it results in a State officer suffering a conflict of interest or an impairment of judgment.

The CIC Bill contained a far superior clause on gainful employment. Clause 26 (1) stated that a full-time State officer shall not participate in any other gainful employment.

In this section, gainful employment means work a person can pursue and perform for money or other form of compensation or remuneration, whether on full time or part-time basis, which is inherently incompatible with the responsibilities of the State officer or as a result of participating in such employment results in the State officer suffering an impairment of judgment or a conflict of interest

The Cabinet Bill clause 26 is therefore in contravention of the letter and spirit of Article 77(1) of the Constitution. The Bill also fails to provide procedures to elect or select leaders based on personal integrity, competence and suitability

The Constitution mandates Parlia-

ment to create mechanisms that will assist Kenya elect or select leaders based on suitability, personal integrity and competence. This requirement is found in Chapter Six at Article 73 (2) (a) which states that the guiding principles of leadership and integrity are

a) selection on the basis of personal integrity, competence and suitability, or election in free and fair elections;

The Cabinet Bill was expected to establish mechanisms that fulfill this requirement. The CIC Bill sought to fulfill Article 73(2)(a) requirements by establishing a Certificate of Compliance with Chapter Six mechanism. This mechanism as proposed by the CIC required the EACC to issue a Certificate of Compliance to any person who is deemed complaint with Chapter Six of the Constitution.

To achieve such a feat it was expected that any person seeking office would apply to the EACC for a Compliance Certificate. The EACC would then publish the names of all persons seeking State office and request information on their past record

from relevant bodies and members of the public.

Bodies such as NSIS, the Kenya Revenue Authority or the public would have opportunity to submit information on the said applicants to the EACC. The EACC would then objectively verify such information and determine whether such persons are potentially able or unable to comply with Chapter Six requirements.

A Certificate of Compliance process should be established to allow vetting of any person seeking election or appointment to State office.

The Cabinet Bill provides at clause 52 for a mechanism aimed at disciplining errant members of the EACC whenever disciplinary question not of a serious nature arises. This mechanism allows for any person of the view that a commissioner of the EACC has committed a violation of Chapter Six report the matter to the Cabinet Secretary responsible for integrity matters by way of petition. The Cabinet Secretary can then form an Independent Review Panel made up of a selection of 5 state officers drawn

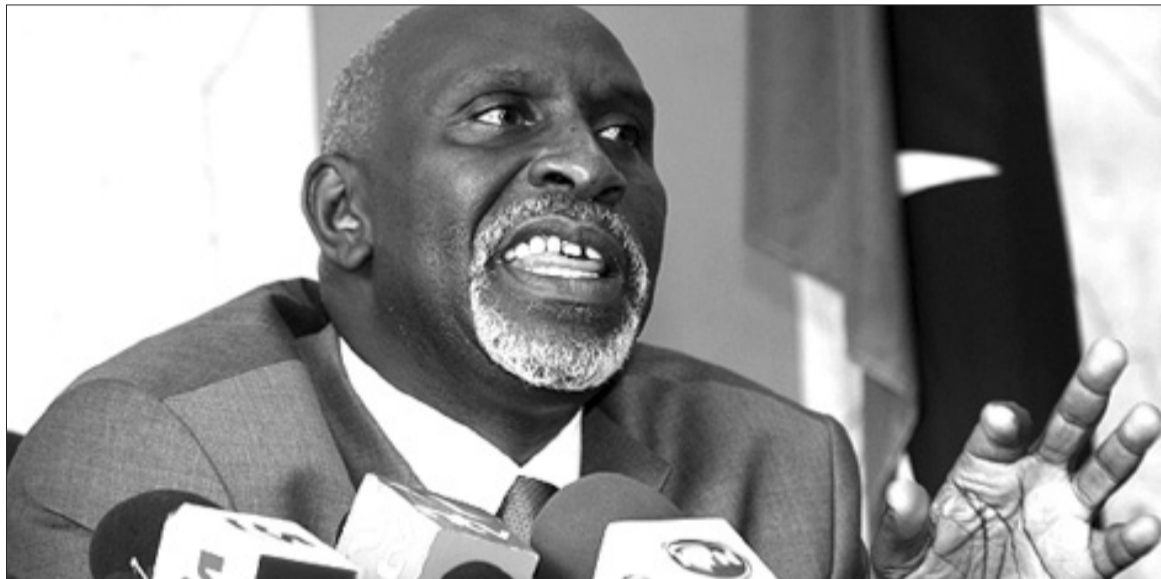
from Chapter 15 Commissions. They are then will be required to investigate such allegations and take disciplinary action against such EACC commissioner.

Going by Kenya's history, politics and experience this clause is likely to be abused and eventually may dissuade the EACC from carrying out its responsibilities effectively. This clause is an affront to the independence of the Commission and will undermine the fight against corruption and quest for integrity and ethics.

Any commissioner investigating a corruption claim may find his name forwarded to the Cabinet Secretary under this Act for an apparent violation of Chapter Six. This may therefore result in parallel processes where the Commission is investigating a crime or a breach of the Constitution while the Commissioner is under investigation in relation to the same action. This clause should either be deleted or strengthened to enable any clearly outline the alleged violation, relevant evidence and possibility of a hefty fine on the complainant if their complaint is found to be baseless or an abuse of the process.

This clause should be urgently and seriously reconsidered. The Bill lacks disciplinary procedure for breach of Chapter Six. Clause 40 on Breach of the Code fails to provide a disciplinary process following a breach of the Act or Chapter Six of the Constitution. It provides that a State officer who breaches the Code shall face removal or disciplinary procedures as laid down in the Constitution or any other law. If you take Independent Offices the removal process is only as per Article 251 for serious violation. The Cabinet Bill should have sought to provide for disciplinary process for minor violations or violations that are not of a serious nature but which still breach Chapter Six.

In the CIC Bill this clause proposed that following a breach of the Code the Ethics and Anti-corruption Commission is the organ to prescribe disciplinary mechanism and ensure that disciplinary procedures are undertaken by the relevant public entity failing which the Commission can move to Court to compel such body to carry out those disciplinary procedures.



Charles Nyachae: Chairman, CIC in a past function.

Mutunga thinks out of the box to decongest courts

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justice.

Speaking at the Kisii Main Prison after meeting members of the Law Society of Kenya (LSK) and Judicial staff, the CJ directed the Officer in-charge, Mohamed Siomi and Judges to free petty offenders to help decongest the facility.

His remarks comes in the wake of a month long strike by High court lawyers who protested at the sluggish pace that judges were taking to dispense cases.

The lawyers, petitioned Mutunga to replace the Judges as remandees had gone on a two week hunger strike to protest at the slow pace in which their cases were being handled.

Mutunga promised to post more Judges to Kisii High court to clear over 1000 cases and about 400 rulings and disclosed that those who have been in remand for over 10 years will be given priority when the Judiciary deploys more Judges nationally.

The chief justice, who also addressed members of the public and litigants at Kisii law Courts warned them against bribing court officials for

justice, stressing that it was their constitutional right to get justice.

He rooted for peaceful, free and fair General Election to avoid a repeat of the 2007/08 Post Election Violence (PEV) which left 1333 people dead, over 500, 000 displaced and properties worth billions destroyed.

The striking lawyers, who presented a memorandum to the CJ vowed to continue with the strike until the judiciary addressed their plight, saying they were willing to be patient for three more months.

Kisii LSK Chapter's chairman, Momanyi Aunga accused judges in the area of dragging cases for too long and cited delays in giving rulings on matters dating back to July 2011.

"We need competent judges who can clear the backlog of cases pending in Kisii high court," said Aunga who was flanked by the LSK's branch Secretary, Gideon Nyambati and several other lawyers.

In their memorandum, the advocates called on the CJ to post three more judges to handle the Environment and Land Division of the High Court and replace Justice Hedwig Ongudi who was deployed to the Kisii

law court but failed to report, creating a shortage of Judges, leading to the backlog of cases.

They petitioned the Judiciary to set up Resident Magistrate courts in Keyian in Transmara, Nyamarambe, Manga, Marani, Sondu and Mbita to enhance delivery of justice, adding that the Kisii high court handles cases from Migori, Kisii, Nyamira and Narok counties.

The lawyers at the same time urged the government to set up an Industrial court in Kisii or Kisumu to reduce costs incurred by litigants who have to travel all the way to Nairobi to seek justice.

They also want the facilities of the Kisii law courts to be expanded and improved, adding that there are only four court rooms being used by Judges and magistrates, which they note are overstretched and overwhelmed, hampering delivery of justice.

Meanwhile residents of Kisii County have been challenged to periodically visit the Ministry of Lands Registry to know the status their land and curb protracted court battles.

Kisii Central District Criminal Investigation Officer(DCIO), Michael

Mwenzu says land disputes remain an explosive issue in Gusii community, adding that some custodians of title deeds collude with Land officers to sell family land fueling conflicts.

Mwenzu notes that some dishonest family members sell the land secretly only for other siblings to realize later after private developers evict them to develop the land.

The DCIO said some children collude with unscrupulous lawyers to draw up agreements to validate the sale of family land without verifying its status, attracting the ire of other siblings. He said the same children use fake documents to dupe land officers to issue Title Deeds, creating more problems between land buyers and family members.

Majority of rural residents, noted Mwenzu were ignorant on the law of succession, stressing that once parents or guardians die, trustees collude with some provincial administrators and relatives to dispose family land with impunity.

"They use the original documents in their possession to make fake ones which they use to sell and resell the land to various private developers,"

stated Mwenzu, adding the same case applied to other family properties like rental houses, vehicles and other movable properties.

He said some family members have been evicted by strangers who claim to have bought the land from them, leading to injurious and fatal clashes.

The DCIO challenged private developers to be wary of fraudsters out to con them of their hard earned money, stressing they should demand for original documents and involve family members, relatives and grass-root leaders in the transaction to avoid being conned.

The Officer asked clan elders and chiefs to ensure that buyers and sellers of land in their localities transacted their businesses openly with the blessings of family members and be willing to intervene should disputes arise.

"We want the chiefs to help arbitrate land cases amicably to ensure families are united and peaceful after cases are resolved.

The Officer implored aging parents to write wills to help family members share the properties based on the will to avoid disputes after they have died.

Mathira CDF refutes claims of ignoring derelict school

By JOSEPH MUKUBWA

MATHIRA Constituency Development Fund (CDF) committee has defended itself from accusations that it had refused to fund worn out Kabiru-ini Primary School.

A local committee member Mwai Ihatu who is also a close ally of Mathira MP Ephraim Maina dismissed the allegations as cheap politics.

He said the former CDF committee also ignored the school and did not fund it and thus the reason why it looks more dilapidated.

Speaking in Nyeri town recently, Mwai said the school has been able to benefit from Ksh 300,000 which is a lot of money compared to allocations given to the 130 schools in the Mathira constituency.

"The local community and even aspiring leaders should not bring politics in schools. The sitting MP has done much even using his own pocket money. We are not ignoring any part of constituency," added the committee member.

He said the school has also been earmarked to receive additional funds from the CDF to pave way for immediate renovations of old classrooms.

The school's head teacher Joshat Kahia Rubua had complained that the school's physical structures are in a dilapidated state and lacks an equipped li-

brary which is a barrier to effective teaching and learning.

"Lack of power supply hinders us from participating in activities that require modern technological approach to present day solutions to effective teaching and learning for the 436 pupils in the school," lamented Rubua.

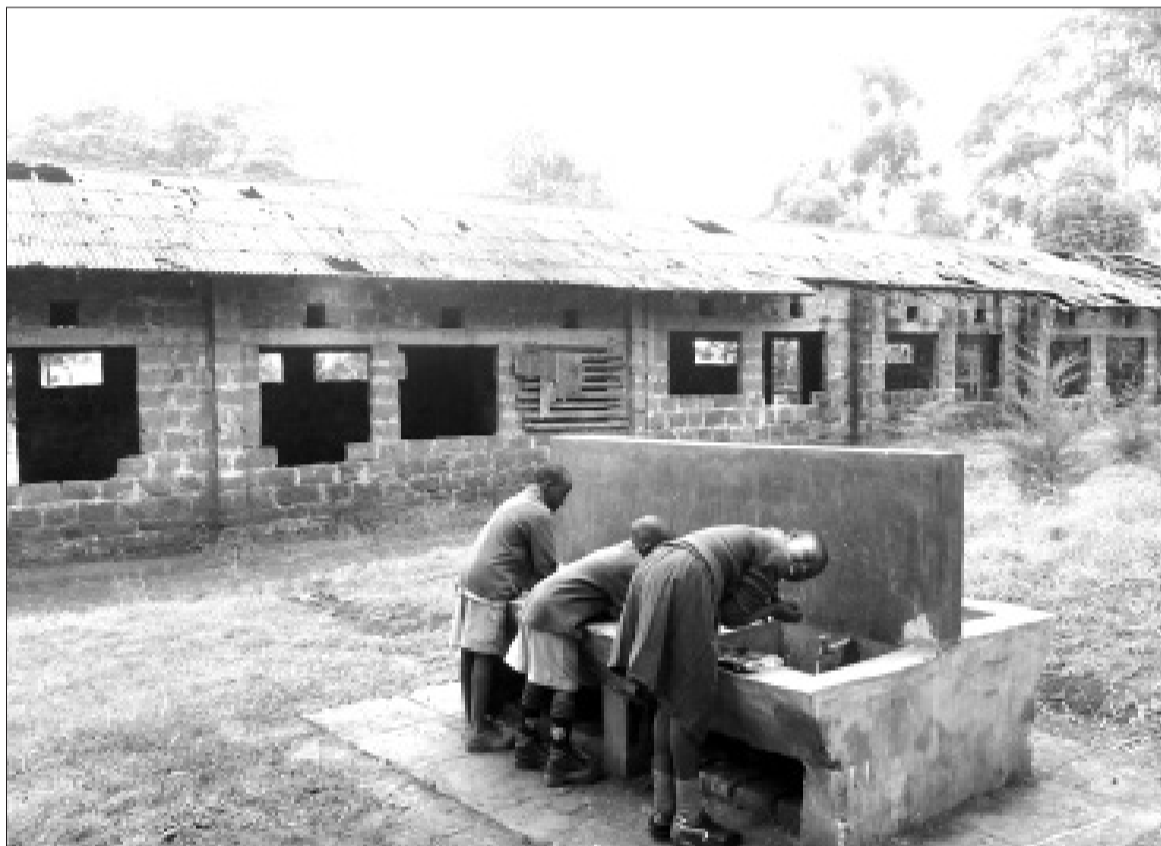
Rubua who was accompanied

by Nairobi businessman Rigathi Gachagua regretted that the school had sunk to a state of disrepair saying that it was not conducive for learning anymore and therefore needed urgent facelift.

"The improvement of schools' infrastructure should not be left alone to the Ministry of Education but community members should chip in since the bulk of

the ministry's budget ended up footing the wage bill for teachers," said Gachagua.

The school's head teacher said that the institution requires Ksh 5 million to renovate the dilapidated classrooms that have leaking roofs and earthen floors as well as complete others that stalled midway more than a decade ago.



Pupils of Kabiru-ini Primary School in Mathira West district quench their thirst outside the dilapidated classrooms. Photo/Joseph Mukubwa

UASU raps state over falling varsity funding

By BOB OMBATI

THE chairman of Universities Academic Staff Union (UASU) Prof. Sammy Kubasu wants the government to increase funding to public universities to boost their research, innovation and operations.

Kubasu says the dwindling funding to universities is hampering research by students and lecturers, thus undermining the goals of the much hyped vision 2030.

Addressing Kisii University College (KUC) staff after signing the Branch Collective Bargaining Agreement (CBA) between the institution and the Union, he challenged managers of the universities to aggressively raise funds locally to honor the agreement.

He lauded the union Kisii chapter officials- Mactosh Onwong'a, Secretary general and Henry Morara, chairman for the successful negotiation, noting it would enhance the working relationship between the KUC's management and the union's members.

Kubasu noted the harmonization of allowances for her members was

important to boost the morale of the employees and standards of living, adding that the union's role was to ensure proper working conditions for the employees.

The chairman challenged the teaching staff to uphold high moral, ethical and professional standards as the union will not defend rogue lecturers.

He cautioned lecturers against engaging in sex for grades, stressing it was unethical, unprofessional and compromised the quality of education for the favoured students.

"Sex for marks robs the affected students their fair academic rights. It is immoral and illegal," stated Kubasu. KUC' Principal, John Akama who signed the CBA on behalf of the university urged parents and guardians to pay fees to enable the university meet its financial obligations.

Akama, flanked by his Deputy, Administration and Finance, Prof. Joseph Mailutha noted that some students owed the university millions of shillings in fees arrears which he said had hampered its smooth operations.



Prof. Sammy Kubasu, UASU chairman

He noted that the management was ready to engage the union officials in dialogue to resolve conflicts related to allowances and working conditions and urged the unionists to fully understand the university operations to promote a good working relationship.

"The management will try to honor the Agreement. We want the

union to be patient and give us time to raise the funds to pay the allowances agreed on," observed Akama.

The Agreement, noted the Principal was the first to be signed between the university and the union, adding that he was optimistic the institution will generate adequate funds to honor it to avoid unnecessary strikes.

JAB moves to clear student backlog

By TITUS MAERO

A TOTAL of 1,450 students selected to join the Masinde Muliro University of Science and Technology (MMUST) have started reporting to meet the strict deadline imposed by the management.

The students picked to join the Kakamega-based institution by the Joint Admission Board (JAB) were received by the Deputy Vice Chancellor in Charge of Finance and Administration Professor Sibilike Makhanu and the Academic Registrar Mr Mabonga.

Unlike the previous years when the students could wait for several years before joining the university, under the new programme students have reported one year earlier to clear the backlog of students awaiting admission.

MMUST, being the youngest public university in the country, offers mainly Arts-oriented subjects not only for Degree but also for Diploma and Certificate courses. The students admitted at MMUST are part of the 41,879 who were selected by JAB to join the seven public universities under "enhanced programme" to shorten the period students have been waiting to join the university.

The delay in the admission of students to the public universities was occasioned by the frequent closure of the institutions owing to strikes which affected their academic calendar.

A total of 119,858 students attained a minimum grade of C+ (plus) making them eligible for admission to the country's public universities. This was an increase of 22,524 candidates from the 97,134 who attained the score in 2010, which was an improvement of 20 per cent. Meanwhile, Masinde Muliro University of Science and Technology (MMUST) has established an academic exchange program with the National Taiwan University of Science and Technology (NTUST).

Under the partnership, faculty members and students of the two institutions will undertake joint research activities and participation in international conferences. Speaking at MMUST in Kakamega, the NTUST Project Exchange Office Dr Kuan Ling Ho said the rapid expansion of education in Kenya calls for exit route for extra students to Universities in other countries.

Ling Ho said his University is committed to forging partnerships aimed at optimizing and sustaining knowledge internationally to address challenges that relate to science, technology and innovation issues.

He said the partnership would also help researchers and students access critical resources required for scientific research, teaching, innovation and enable both institutions come up with viable solutions afflicting the sector.

Ling Ho said most universities in developing countries lack capacity to identify models of Science, Technology and Innovation systems tailored to suit their social and economic needs in order to promote scientific technology.

In his remarks, the MMUST Deputy Vice Chancellor (DVC) in Charge of Finance and Administration Professor Sibilike Makhanu said section 4 (1) of the MMUST Act lists one of the functions and objectives of the University as provision of collaboration with other institutions of Higher learning.

Yes to free education but are the children learning?

ACCORDING to Mohamed Elmi, the Minister of State for Development of Northern Kenya and other Arid Lands, “We have ministry of schools and not ministry of education. We evaluate education primarily in terms of what we put into it – the number of schools, teachers and the number of children we have managed to enroll- with-out also looking at what the system delivers in terms of quality and learning”

The Minister who was speaking at the launch of UWEZO 2012 report at the Kenya Institute of education blames the government for using erroneous indicators to monitor progress made in learning.

“While access to education has been expanded, the quality of education has stagnated and may in fact have deteriorated further. This is in contrast to statistics on school enrolment, as publicly available data on learning outcomes such as basic literacy and numeracy competencies are rarely available.”

The report that was conducted in Kenya, Uganda and Tanzania indicates that more than two out of every three pupils enrolled at Standard 3 level in East Africa fail to pass basic tests in English, Kiswahili or numeracy set at the Standard 2 level and the improvements in basic literacy and numeracy occur only slowly as children progress through the education system, implying that the quality of learning remains low throughout primary school.

It also indicates that there are large differences in average test scores between countries in East Africa. While overall levels are low, Kenyan pupils perform best in literacy and numeracy. Ugandan children perform worst in the lower levels but slowly overtake Tanzanian children and outperform them from Standard 6 onwards; there are significant differences in average test scores among districts within East African countries, with large disparities in all three countries.

Still in the report, there are minimal differences in test scores between boys and girls: gender disparities do not appear to be significant in the early years of education, the poor do worse everywhere; children

COMMENT

By MALACHI MOTANO

from socioeconomically disadvantaged households perform worse on all tests at all ages and students in non-government schools perform better than pupils in government schools in all three countries.

According to Dr Sara Ruto, Regional Manager of Uwezo East Africa, “Despite significant gains in expanding access to primary schooling, actual literacy and numeracy outcomes remain significantly deficient across the region.”

“However, while all the three countries do poorly, Kenyan children do relatively better than their counterparts in Tanzania and Uganda on all tests. Ugandan children performed the worst, but overtake Tanzanian students by the time they reach Standard 7. Children from low-income households perform the worst in all three countries and students in private schools do better than those in public schools”

According to the Minister, the Pastoral communities in the three countries will remain affected adding that in Kenya the government has not recognized that pastoralist and other remote rural areas are different in Nature and therefore require different approach.

“These areas share the history of under-development and marginalization, such that even basic investment in government services has not been adequate. In the last national exams, the ten worst performing districts were all in the pastoralist north

However, despite the discouraging results, there is also cause to be hopeful. Since the first Uwezo results were released, public debate has shifted to focus on quality and learning outcomes rather than educational inputs. Additionally, experiments on innovations in learning are taking place around the globe and can inform reforms in East Africa.

The assessment tested nearly 350,000 children in 150,000 households across the three countries, representing the largest annual data collection effort in education on the continent.

In Dakar Senegal at the turn of the century, ministers of education committed to ensure that by 2015 all children will have access to free and compulsory primary education. They also promised to improve quality of education and ensure excellence so that measurable outcomes are achieved, especially in literacy, numeracy, and essential life skills. Despite the significant achievements Kenya has made in the sector leading to increased enrolment in both primary and secondary schools, there is a growing concern that children are in school but are not learning.



Mr. Mohamed Elmi, Minister of State for Development of Northern Kenya

Butula MP roots for girls' education

By AGGREY BUCHUNJU

A LAW maker in Busia County now wants education stakeholders to put in place proper mechanisms that can assist to improve girl child education in the region.

Butula Member of Parliament (MP) Mr. Alfred Odhiambo notes with regrets that girls in Busia County continue to perform poorly in national exams as compared to boys.

Odhiambo asks leaders and other education stakeholders in the county to come up with suggestions aimed at improving the performance of girl child in national exams.

“Girl child education in Busia County is wanting and it is now time leaders and other stakeholders sought for urgent solutions to the problem,” he says.

Speaking at Bukhalire secondary school in his constituency recently Odhiambo appealed to principals heading girl schools in Busia County to assist identify issues that affect girl child education.

Odhiambo observed that once the problems are identified and packaged then it will be easier for leaders and other stakeholders in the education sector to address them.

“Once the problems are mapped then as leaders we will look for ways of tackling them,” the MP said.

The MP at the same time also challenged girls in the county to take their studies seriously saying that they also have a big role to play in the improvement of academic standards in the region.

Noting that learning environment in public boys and girls secondary schools in the region is similar, the legislator wondered why girls still trail boys in performance.

“Let our girls also pull up their socks and compete with boys since the playground is level” he said.

School administrator's cautioned on misuse of funds

By TITUS MAERO

THE Ministry of Education Senior Deputy Director, Mr Herbert Abdi, has appealed to School Management Committees (SMCs) and Board of Governors (BOGs) to exercise prudent management of school funds.

Abdi said provision of education was an expensive venture and therefore urged the respective committees entrusted with the management of

school resources to use the same for intended purposes.

He said to manage the funds well, the SMCs and the BOGs had been empowered through Kenya Education Sector Support Programme (KESSP) with the requisite knowledge on important aspects of school management.

Speaking at the Kakamega High School ground in Kakamega County, the official directed the SMCs and the

BOGs to manage school programmes in line with the stipulated government regulations.

“It is important that you safeguard government investments and ensure that the resources provided are used for the benefit of the students and in uplifting education standards in both primary and secondary schools.

He also reminded teachers that they are key facilitators in the academic field noting that their output

greatly determines the performance of the students in the Kenya Certificate of Primary Education (KCPE) and the Kenya Certificate of Secondary Education (KCSE) exams.

Abdi said in this era of technology teachers no longer have the monopoly of knowledge and told them that if they are not proactive they might be rendered irrelevant as students embrace Information Communication Technology (ICT).

He also asked parents to work in consultation with School Committees and Boards to ensure that children attended classes so that they can perform well in their national exams to enable them participate in nation building.

He stressed the importance of education day saying that it gives the education stakeholders an opportunity to reflect on the progress made in education in the region.

KUPPET pokes holes in TSC Bill

By TITUS MAERO

THE Kenya Union of Post Primary Education (KUPPET) has faulted the Teachers Service Commission (TSC) Bill citing the inclusion of punitive clauses targeting teachers.

The KUPPET National Chairman, Mr. Omboko Milemba, said the gazetted document fails to take into account representations made by stakeholders through petitions and memoranda and as such did not reflect aspirations espoused by the Commission for the Implementation of the Constitution (CIC).

Milemba said the bill seriously contravened the constitution noting that some clauses were missing while others have been included to water down provisions contained in the original document.

"The TSC bill does not have the teachers appeal tribunal despite the fact that it empowers the commission to discipline teachers without representation from the teachers union," he noted adding that if passed in its current state, the bill would have adverse implication on teachers.

The official said workshops are being conducted countrywide to sensitize members of the union on areas of concern in the Bill adding that attempts to muzzle teachers through the back door would be resisted at all costs.

"The Bill gives too much power to the TSC at the expense of the teacher. If this translates into law, it will negatively affect teachers in future," he added.

Milemba said that key terms in the Bill are mischievous and need to be sorted out for clarity to avoid creating a foundation where misunderstanding can thrive within the teaching profession.

He pointed out that among them include the already gazetted Education Bill, TIVET Bill, The Kenya National Examination Council (KNEC) Bill, The University Bill among others.

Meanwhile, Milemba disclosed that the Union has issued an ultimatum to the government to harmonize teacher's salaries, housing and commuter allowances to avert an imminent strike.

Uphold directive on tuition ban, school heads told

By NYAKWAR ODAWO

THE government has once again told teachers to comply with the Ministry of Education directive that has banned holiday tuition to give school children the opportunity to relax.

Addressing parents, teachers, school children and other education stakeholders during the Busia District Education Day celebrations held at Lwanya Girls Secondary School recently, Acting Education Permanent Secretary Professor George Godia cautioned school heads against defying the directive saying teachers have commercialized tuition under the pretext that they want to improve on performance at the expense of majority of parents who are unable to afford.

"Tuition ban should not be taken for granted. School children require adequate time to relax so that the directive is followed to the letter," said Godia, adding that defiance would lead to stern action.

The education acting PS at the

same time urged parents to take advantage of both the Free Primary and secondary education programmes and enroll their children in schools stressing that education is a basic requirement that will ensure availability of adequate human resource.

"It is your obligation as parents to support the government in its effort to ensure our children are provided with quality education," said Godia, adding that many children had been dropping out of school due to economic hardships hence the move by the government to introduce free primary education.

"Since the introduction of the free primary education programme in 2003, the government has spent a total of Ksh78billion to facilitate the programme," he said.

Godia said parents should ensure children have maximum time to enjoy their holidays by refusing to pay any tuition fee, adding that extra teaching violates children rights as enshrined in the constitution.

"Let the children enjoy their holidays regardless of whether the school is public or private, tuition is illegal," said.

He said that in the proposed education bill, issues of repetition and expulsion will be a thing of the past, adding that the ministry of education is in the process of finalizing the new policy framework aimed at aligning education to the new constitution.

He added that Early Childhood Education will also start receiving funding from the government just like the free day secondary and Free Primary Education.

"We have put in place mechanisms to review the total financing of the free primary and free day secondary education."

Accompanied by the former Attorney General Amos Wako and the Busia County directors of education, the acting PS advised pupils and students to concentrate on their studies when schools reopen and embrace discipline to register better results in national examinations.



Acting Education Permanent Secretary Professor George Godia

Mercy's relentless quest for education must not be dimmed due to poverty

By BEKADZO TONDO

DESPITE having lost both her parents while she was still young, Mercy Kenga's quest for higher and quality education is unrelenting.

Unlike her peers who dropped out of school midway, Mercy has continued with her education despite the fact that she is faced with the possibility of dropping out of school due to lack of fees.

Mary who is a student at Bahari girls, a national school in Kilifi County, has been unable to raise her fees.

Initially, her aunt who is a local tailor volunteered to take up the burden of educating her though with a lot of difficulties. In the admission letter apart from buying the other personal effects, she was required to pay over Kshs 50,000 as fees.

"My Aunt only managed to pay Ksh 15,000 leaving behind a balance of Ksh. 35, 000," said Mercy adding that this prompted her to seek assistance at the government offices where she is hopeful that she will get support.

The D.O Florence Sitawa however only expressed her sympathy and appealed to well-wishers to chip in and assist her.

"This girl came into my office this morning and said she had a problem with school fees and is in need of assistance," said Mrs. Sitawa.

Mercy who says she is the third born in her family managed to join the school due to the support of her mother's young sister who has so far paid only Ksh 15,000 and she is required to pay over Ksh 50,000 for the first year.

She said when her parents died they left some cows which she said were all sold off to support her elder siblings in school.

She however said one of her brothers had dropped out of school since the beginning of this year due to none payment of school fees.

"My brother who is now in Form three is not going to school because my aunt who is also paying for his school fees has been unable to clear his school fees balance," said the girl.

The girl later agreed to leave the office after the administrator promised to connect her with the children office to help her get some sponsors.

Leaders urged to rescue Bungoma school from closer

By AGGREY BUCHUNJU

ONE of the oldest primary schools in Bumula, Bungoma County, may not reopen for third term lessons if urgent measures are not taken to salvage it.

Muanda Primary School has been condemned and declared unfit for human habitation by the Public Health Officer (PHO) because its six classrooms are in a state of dilapidation.

The six classrooms were built in 1965 using stones and

the walls have since not been plastered let alone concreting the floor.

Doors and windows have also not been fitted with shutters for all the years that the school has been operating as the management lacks adequate funding.

Failure to plaster the walls for several decades made the structure to develop holes and cracks that are now posing danger to both learners and teachers.

The school head teacher Mr. Constantine Wekesa and the School Management Committee

(SMC) chair Mr. Gabriel Masika appealed for well-wishers support to avoid disruption of learning during the third term.

Wekesa notes with regrets that the school's 700 pupils may be forced to remain at home when other schools reopen for third term if the school does not receive enough funds to construct adequate decent classrooms.

The head teacher acknowledges that Bumula constituency development fund committee (CDFC) recently allocated the school Ksh. 700,000 to put up

two new classrooms.

He however, points out that the amount is not enough to salvage the school from its present predicament reiterating that other well-wishers should chip in, in order to save the situation.

"I want to thank Bumula CDFC for the support and at the same time also want to appeal to charitable organizations to chip in," says the head teacher.

The School Management Committee chair on his part appeals to the Bumula CDFC to allocate the school more funds

from the emergency vote head in order to bail out the institution from imminent collapse.

"What we received from CDF is only enough to construct two classrooms and for us to be on the safe side, the CDFC should allocate us more funds from the emergency vote head" he says.

The duo was speaking to The Kink in Bungoma town recently immediately after the school had been ordered to shut down due to dangerous structures.

By HENRY OWINO

THE Independent Electoral and Boundary Commission (IEBC) has come under scrutiny yet again following announcements that all aspiring candidates will pay substantive amounts of money before the commission clears them for contest for respective seats.

The proposed nomination aspirants' fee by IEBC has elicited mixed reactions both from sitting and aspiring politicians. The charges are seen as a way of blocking potential but poor candidates from standing for elections.

The first controversial issue with IEBC attracted the general public's attention when it declared the next general election to be held on 4th March 2013. This provoked uproar amongst the aspirants and their supporters, who desired for December, 2012.

The polling date disputes were later settled down by the Court of Appeal on 31st July 2012 when it backed up the initial IEBC date schedule.

The second and very controversial issue was on the method to be employed for voters' registration that had questionable concerns on the process used to procure the equipments. The matter brewed tension in the country attracting international community which intervened and assured the country for support to acquire Biometric Voter Register (BVR) machine.

The commission had settled for manual voter registration system that saw the 2007 general elections turn chaotic culminating to skirmishes in 2008 popularly known as post election violence (PEV) to citizens.

Women political leaders and aspirants, who gathered at a Safari Park hotel to deliberate on how the one-third quota is to be achieved, dismissed the IEBC proposal terming it as hefty charges on women aspirants.

The women said the high fee is a plot hatched by IEBC to block several aspirants especially women and youth from contesting thus trampling on their freedom to exercise election rights.

The women aspirants mentioned that Chapter 4, Article 38(3)(C) of the Constitution, provides for every adult citizen right without any restrictions on the enjoyment of those elective rights for women, youth and Kenyans at large.

In a statement issued at press conference and read by Jane Njiru, they said all Kenyan women are interested in elective political offices but were shocked by the regulations that IEBC has created.

They said it is an exorbitant fee to the poor women aspirants to afford that kind of money let alone the amount campaign logistics would re-

quire from them.

The aspirants new charges proposed are as follows; to contest for president of the of the Republic of Kenya, one is to part with Ksh 1 million, Senate, governor /deputy and women representative, for members of parliament(MPs) Ksh.250,000 and county representatives Ksh 50,000.

Jane wondered whether in the history of all elections in Kenya, if there has been ever any requirement for such amount of money to be paid to the government. She said most women cannot afford such kind of money and for the youth is completely catastrophe considering majority are unemployed.

Jane reiterated that women are struggling to see how they can achieve the one-third quota in leadership yet the IEBC is defeating the same Constitution that recommends the requirement. She dismissed the commission as an institution which has lost its mandate and wants to make profit by exploiting poor Kenyans.

"Women are often disenfranchised because we lack resources, that is money to be precise, and we

are not drug barons or land grabbers who have amassed too much wealth. Are these seats only for the rich? Where are we going to get that kind of money on top of other campaign expenses?" Jane posed.

She said as the MP aspirant for Manyatta constituency, she will start fighting for the rights of Kenyans now even before her political office dream comes to pass.

According to Zainab Chidzuga, an aspirant Women Representative, Kwale County, said the high fee proposed is a scheme by IEBC to delay elections in Kenya. She explained by creating the controversial regulation might lead Kenyans going to court, thereby holding the election at ransom.

Zainab doubted whether there is affirmative action in the constitution and said if there is then she urged IEBC to stop harassing women and the youth of Kenya with shocking regulations.

"We want laws that bring equality. Give us that space by scrapping these fees to be paid to the government. We are not jokers as IEBC may think but

we intend to represent our people," urged Zainab.

However, Lilian Mahiri-Zaja, IEBC deputy chairperson clarified that the proposed charges by commission for various political offices are yet to be reviewed by parliament before it is finally effected.

Mahiri-Zaja defended the commission explaining that the fee is not meant to bar/block any aspirants from contesting for any elective political office. She clarified that contesting for a seat, is a right for any Kenyan citizen as stipulated in the Constitution. Adding that the problem may how it has been hiked compared to previous election years.

"Any Kenyan is free to vie for any seat he/she wishes as long as they meet the minimum requirements of the political offices they aspire for leadership. We cannot block any aspirant as you know parliament will have final say over the fee," explained Mahiri-Zaja.

Mahiri-Zaja however, reminded the aspirants the charges have been there even in the past elections for any candidates running for political

office. She revealed the difference being this time round it is slightly higher compared to previous years.

And again many new faces have come up and are not very familiar with some requirements, so the fee may be a little bit scary for them.

The deputy chair observed that to some extent it also shows commitment from aspirants and thus enables the commission to facilitate election logistics promptly.

Mahiri-Zaja made the remarks at UN-Women conference held at a hotel in Nairobi to Kenyan women aspirants and leaders. The IEBC deputy chairperson said the proposed charges are yet to be scrutinized by legislatures in parliament.

She assured aspirants that with the nature of parliamentarians, it be slashed or shot down. She said ones it is approved or necessary changes made by the MPs, aspirants would have no otherwise but to pay up or disqualified from running.

The IEBC deputy chairlady urged the aspirants to remain calm as there is still room for negotiations and no cause of alarm for the proposed charges as per then. "Moreover, whatever figures the commission came up with must to go through parliament for approval," she reminded the aspirants. Adding that after lawmakers give it green light, IEBC and aspirants will have no option but to abide by it.

"Let me assure aspirants who are here that all is still not lost as parliament has to approve the proposed amount of money for all candidates category including Women Representative. So, whatever amount they come up with, the commission will have no otherwise but to buy it," Mahiri-Zaja assured the aspirants.

Prof Nzomo also appealed to the IEBC to re-consider the amount of money they have proposed for women representatives since majority are house-wives without jobs and would want to try their luck in politics.

She said in Uganda the fee charged is just one hundred US dollars questioning the criteria and motive IEBC have to Kenyan aspirants. "We have several elective seats at one time IEBC should not create a scenario where electorates will question their credibility this early," advised Prof Nzomo.

She suggested that money should not be the last option of barring potential candidates to exercise their constitutional rights and to lead people.



Aggravated women aspirants on IEBC proposed nomination fees.

Photo/Henry Owino

Plans underway to open prison for girls in Nairobi

By TITUS MAERO

THE Prisons Department has finalized plans to open a Borstal Institution for Girls in Nairobi County.

The Commissioner of Prisons Mr Isaiah Ougo said once the institution is opened it will admit juvenile girls for the first time in the history of the country as part of the ongoing reforms in the Prisons Department.

Speaking at Shikusa Borstal Institution in Kakamega County, Osugo

said notice of intent has already been filed at the High Court as required by law, to direct the lower courts to start sending the juvenile girls to the institution as soon as it is launched.

Ministry of Home Affairs Permanent Secretary (PS) Mr Ludeki Chweya, said that he is very happy with the progress being made by the Prisons Department adding that the government is committed to total reforms in the institution.

Chweya added that the Borstal In-

stitutions have been very instrumental in the behavioural change of children and setting one for the Girls will assist in rehabilitating them so as to be accepted in the society.

"Reports indicate that there has been marked improvement in the service delivery of the prisons department as cases of human rights violations have been minimized. Mishandling of children in the Borstal Institution is now a thing of the past," said Chweya.

The PS also revealed that by the

end of the year, all Borstal Institutions in the country will receive a new set of uniforms that would include long trousers, shirts, sweaters and shoes so as to make the children comfortable in line with the new constitution.

He asked the Board of the Borstal Institutions to initiate face to face talks with the children to understand them and to get the right to express themselves as stipulated in the new constitution.

"The children will also be given an

opportunity to be listened to because it is their constitutional right. We shall not depend on the reports from the Prisons Department only since it tends to be biased if the child is not heard," added the PS.

He further said that the Vice President Mr Kalonzo Musyoka has launched human rights training programme in all prisons to ensure that the officers are kept abreast with human rights issues that keep on emerging.

Local government empowered to lead devolution

By LINK CORRESPONDENT

THE Ministry of Local Government Permanent Secretary (PS) Professor Karega Mutahi said county governments will be empowered to provide better services to the people.

Mutahi pointed out that the government has picked on the Ministry of Local Government to spearhead the devolution process, which he said, was the cardinal innovation under the country's constitution.

The PS noted that devolution of power marks a major shift from the contemporary scenario where all resources were disbursed from the centre to the counties which guarantee full citizen participation.

He observed that in the new dispensation emphasis is placed on service delivery and citizen participation and stressed that the Local Authorities should be ready for change if the objective of the new constitution is to be realized.

Speaking in Kakamega during the closure of the Kenya Inter-Municipalities Sports and Cultural Association (KIMSCA) Games, the PS urged Kenyans to be champions of change if the objectives of the new constitution are to be achieved.

"Under the new political dispensation the environment in which the Local Authorities operate would practically change through the devolved system," he said adding that Civic bodies also have an obligation to ensure that the country attains Vision 2030.

Mutahi said that it is encouraging to note that the government had since 1988 supported Local Authorities through the Local Authorities Trans-

fer Fund (LATF) and other central government fiscal transfers.

The official disclosed that to date, Local Authorities countrywide had received over Ksh57.4 billion through LATF adding that under the new constitutional dispensation county governments will now manage much more resources since at least 15 per cent of all revenue collected by the central government will go to the 47 counties.

He directed all Local Authorities to expeditiously lay a foundation for a better future by ensuring that their projects are viable and their houses are put in order before the counties come into operation.

The PS noted that the Sessional Paper on Devolved Government under the new constitution lays the policy foundation and pillars for its implementation. He further said the document outlines policy framework and provides the needed legislation and administrative actions to implement the devolved government.

The PS disclosed that the Ministry of Local Government had revised its service charter to enable it realize its mandate under the new constitution and Vision 2030. He said that the new charter is a major shift from the one established in the year 2009.

Mutahi said the Ministry through the service charter has committed itself to enhance public understanding of its new role under the new constitutional dispensation and also to contribute through policy interventions.



Prof. Karega Mutahi, Local Government PS

Conmen on the prowl in search of prey in Embu

By PETER MUTUKU

WOMEN groups in Embu West District have been cautioned against conmen seeking to defraud them.

The warning comes in the wake of an incident where a self-help group in Gatituri area lost Ksh4,000 to fraudsters.

Area acting DC Daniel Obudo said several women groups and Children's Homes in the area have been conned of unknown amounts of cash.

"We have received reports that a gang has been going round asking for money to register women groups and orphans," he said.

He noted that the group is swindling the women and orphans under the pretext that it has valid registration documents.

The gang said to be from Thika is visiting women groups and children homes to solicit for registration fee which will enable them get sponsorship from donors.

The administrator said the fraudsters are led by a woman adding that there could be more similar groups in the area.

"These are purely fraudsters and the district intelligence committee has launched a manhunt for the culprits," said Mr Obudo.

The gang is demanding between Ksh3,000 and Ksh4,000 depending on the nature of help the women and orphans say they need.

A children home group Kangaru in Embu central division were conned Ksh3,000. "Why should they ask for money if they are genuinely trying to help the women and vulnerable children? We will trap and arrest them soon," said the DC.

He asked the residents to report the gang activities to relevant authorities to curb such cases saying that the area has recently been invaded by conmen.

Mr Obudo also cautioned residents to be wary of bogus Non-Governmental Organisations which purport to have capacity to secure them lucrative jobs adding that majority are illegal outfits which do not have valid registration documents.

In September last year two women and a man were arrested at Gakwegori market after they allegedly obtained money from 22 youths on the pretext that they could recruit them.

They were demanding for between Ksh3,500 and Ksh18,000 pretending they were in a position to secure jobs for the youths with an international NGO.

They were arrested by detectives after they allegedly conned seven job seekers at Gakwegori market following reports from the residents of the group's activities.

Doubts emerge over ability of Ganze to meet gender rule

By YUSUF AMIN

RESIDENTS of Ganze Constituency have expressed fears that they may not be able to meet the two thirds gender representation during the elections as there are no women seeking elective posts in the area.

They lamented that no woman in the area has shown interest in vying for any elective position in the area unlike other constituencies in Kilifi County where women candidates have declared their interests and are already campaigning for the various positions.

Led by a nominated Cllr Grace Mboja, the residents urged women

to come out and fight for leadership positions in line with constitutional provisions.

Ms Mboja also advised the women to attend civic education forums so that they may get enlightened on matters concerning leadership and governance as explained in the new constitution.

Cllr Mboja urged residents to shun practices that continue to derail women bid to ascend to leadership.

"Women should be recognised well in the society so that challenges facing them in terms of leadership can be addressed to enable participate in development in the area," she said.

He spoke as Kaya and village

elders challenged women to come out and seek support for elective posts.

Elders from Kayafungo in Kaloleni District led by Mzee Thayari Bigohu have promised to support women candidates during the forthcoming General Elections.

Bigohu said: "Traditions that bar women leadership should be abandoned so that women can be free to participate in decision making in the modern society."

"We should clearly state the qualities of a good leader and the community should not undermine women who vie for elective posts," Mzee Thayari said during a forum for good

leadership in Kilifi County held at Kaloleni.

The Kaya elders urged men leaders to support women who have been in forefront of fighting for people's rights so that they can win seats during the next general election.

In Magharini and Kaloleni constituencies women are already campaigning for elective post among them Naomi Cidi and Patience Chome who are vying for senator's seat. Others are the former Gender PS Rachael Dzombo who wants to become the next Kilifi South MP, and Sophie Kombe gunning for Kilifi South seat.

By LINK CORRESPONDENT

Kilifi women urged to go for big seats

Women in Kilifi County have been challenged to vie for more seats in the area, including Governor.

Speaking during the Kilifi County women caucus meeting recently at Kilifi County hall, Muhuri's Kilifi County senior human rights officer Eric Karisa Mgoja challenged the women to contest for higher seats.

"This is the time for women leadership. If you can go for the other seats why don't you vie for this seat also?" queried Mgoja.

Women aspirants however, formed an umbrella body to push for women leadership in all elective positions in the forthcoming general elections but none of them expressed interest in the governorship.

The body which brings together all women from Kilifi County shall be used as a campaign tool for the The body, Kilifi County women caucus, is however run by non aspirants from all the seven constituencies in the County.

Speaking at the meeting convened to brainstorm on the matter at Kilifi county hall, the women unanimously agreed to support each other on their political ambitions.

According to senate seat hopeful Naomi Sidi, the alliance shall have only one agenda of making sure most of the political seats in the general elections are captured by women and youths.

"We have just one agenda. We

want to make sure that all the seats are taken by women. We want men to be advisors but the leadership should be by the women," said Sidi. The alliance brings together women from different political parties.

However, the alliance may not withstand the test of time due to political rivalry and mistrust between the women. The human rights officer who was the facilitator during the meeting warned that the women may not realise their dreams if political rivalry shall be allowed to reign in the alliance.

"This is a good venture but women have always hated one another. If you can put aside all your differences and

focus on your agenda am sure you will achieve it and can make good leaders," advised Karisa.

Among those who have declared to run for political seats include Naomi Sidi, Alice Ngetsu, Getrude Bahati and Patience Chome who are eyeing the Kilifi County senate seat.

Jumwa karisa, Sophy Kombe and the Kilifi town council chairlady Esther Kache are vying for the women representative position while Mvita Kisasa, Rachael Dzombo and Eppy Chari are contesting in the parliamentary seats.

The aspirants were barred from taking the leadership of the alliance because of their political parties.

The Link

Enhancing governance for all

State must use all means to stop the Tana killings

THE senseless orgy of killings in Tana River Delta whose motive is yet to be established denotes a failed state. The government has utterly failed in its constitutional mandate to protect the lives of the people and provide security.

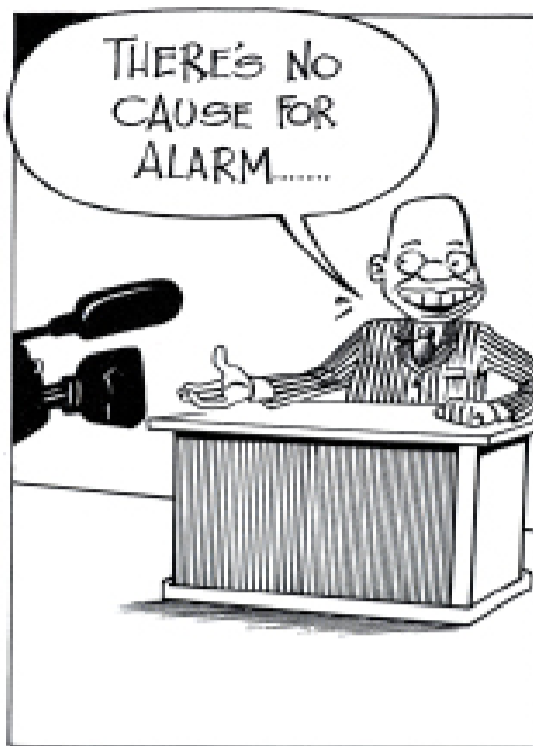
It is not lost in the minds of Kenyans the events that have characterized the country anytime we are about to head for the general election. In 1992 clashes, hundreds of Kenyans died and others were ejected from their homes at the height of ethnic clashes sparked by politicians. The preceding elections have since witnessed bloodbath with the 2007 General Elections marking a watershed where more than 1,300 people lost their lives and tens of hundreds of others were maimed, displaced and their property burnt to ashes by mounding, organized gangs of bloodthirsty bigots.

In the latest skirmishes in Tana River pitching two tribes against each other in endless retaliatory attacks, even the security forces have not been spared and have ultimately bore the brunt of the heinous crimes. From the look of things, the security agents appear overwhelmed, outsmarted, out-gunned and helpless. The latest attack started at a police post established at Kilengwani Primary school in Garsen Constituency before the assailants proceeded to the neighbouring Kilengwani village indiscriminately slaughtering people, animals and burning houses.

This calls for outrage as innocent women, children and men with nowhere run to and no one to turn are being sacrificed due bad politics and weak governance. The forthcoming General Elections have been cited among reasons for intensified attacks between the Pokomo and Orma communities. In fact the Orma elders have been cited saying that Pokomo politicians were uncomfortable with the unity between Ormas and Wardeis as it has made them a formidable force.

It is thus not enough for the President to invoke the Preservation of Public Security Act. The President must move with speed and suspend ongoing campaigns until peace is restored in all parts of the country hit by insecurity. As the head of state and commander in-chief of the armed forces, he must take responsibility and play an active role in restoring peace in the country. The political posturing that has escalated the mayhem should be investigated to ensure communities were not incited against each other for selfish political mileage. In addition individuals implicated in the violence that has claimed nearly 200 lives of people must be arrested and prosecuted.

It is also incumbent upon the government to employ a multi-pronged approach to end the skirmishes. The ongoing security operation must run concurrently with peace building efforts. While the government agencies are more focused on disarming the warring communities and sacking chiefs, residents are busy taking oaths with allegations rife that farmers in the Tana Delta have taken oaths to defend their respective communities by any means. Mr. President, stop this mayhem and restore Kenya's dignity as a land of peace and security!



COMMENTARY

CIC cries fowl over weakening of bills by the Cabinet, MPs

DESPITE working hard to strengthen the bills, the Commission for the Implementation of the Constitution, is worried that their work is not being taken seriously by the Cabinet and parliament that are hell-bent on weakening the bills for personal aggrandizements.

Lead by the Chairman, Mr. Charles Nyachae, the CIC team expressed the same sentiments again in Mombasa recently when they engaged members of the relevant parliamentary committees in a review of several key security bills in preparation for their tabling and debate in parliament.

The bills reviewed at the CIC retreat held in Mombasa include the National Intelligence Service Bill, The National Security Council Bill, and the Kenya Defence Forces Bill, 2012.

The National Intelligence Service Bill, 2012 seeks to give effect to Articles 239(6), 242, 238 and other relevant Articles of the Constitution.

In addition to other provisions of the Constitution, the aforementioned Bill provides that the National Intelligence Service shall respect and uphold the Bill of Rights and the values and principles enshrined in the Constitution, in particular, Article 238(2) which provides for the principles of national security.

The Bill also provides for transparency and meritocracy in the appointment of the Director-General and members of the Service. Additionally, the Bill requires that in the appointing of the members of the Service, the Director-General and the Council shall ensure that the composition of the Service meets the two thirds gender requirement under Article 27 of the Constitution and shall observe the principle of regional balance and ethnic diversity of the people of Kenya.

To ensure the realization of Article 10 of the constitution and other values and principles of the Constitution, the Bill establishes oversight bodies. The bodies include the National Intelligence Service Council and Intelligence Service Complaint Board which allows members of the public to lodge complaints and grievances touching on the intelligence agency.

The Bill further seeks to give effect

COMMENT

By LINK CORRESPONDENT

to Articles 95(4), (5) (b) and 96(4) of the Constitution, by requiring Parliament, through the Joint Parliamentary Committee on Intelligence, to review the administration and expenditure of the Service, including the annual financial statements; review any matter in relation to the Service referred to the Committee and report the Committee's recommendations to each House of the Parliament.

The principal object of The National Security Council Bill, 2012 is to give effect to Article 240 of the Constitution and provide a strong legal framework for coordination of national security functions. Article 240 of the Constitution establishes the National Security Council which consists of the President; Deputy President; Cabinet Secretary responsible for defence; Cabinet Secretary responsible for foreign affairs; Cabinet Secretary responsible for internal security; Attorney-General; Chief of Kenya Defence Forces; Director-General of the National Intelligence Service; and Inspector-General of the National Police Service.

Amongst other functions, which the Council may perform as may be prescribed by national legislation, the Council shall exercise supervisory control over national security organs. Additionally, the Council shall integrate the domestic, foreign, and military policies relating to national security in order to enable the national security organs to co-operate and function effectively.

The council shall also assess and appraise the objectives, commitments, and risks to the Republic, in respect of actual and potential national security capabilities. The Council is required to report annually to Parliament on the state of the security of Kenya. Further, the Council may, with the approval of Parliament deploy national forces outside Kenya for regional or international peace support operations; or other support operations; and approve the deployment of foreign forces in Kenya.

The Kenya Defence Forces Bill, 2012 seeks to give effect to Article 239(6), 241, 238 and other relevant Articles of the Constitution. In addition to other provisions of the Constitution, the aforementioned Bill provides that the Kenya Defence Forces shall respect and uphold the Bill of Rights and the values and principles enshrined in the Constitution, in particular, Article 238(2) which provides for the principles of national security.

The Bill also provide for transparency and meritocracy in the appointment of the command of the Kenya Defence Forces, including the Chief of the Kenya Defence Forces, Deputy Chief of the Kenya Defence Forces or the three Service Commanders. In the recruitment and appointment of members of the Kenya Defence Forces, the Bill obligates the Defence Council to ensure that the provisions of Article 232(1)(i) are respected and upheld.

The Bill requires the Defence Council to develop the criteria for recruitment, promotion and transfers of members of Defence Forces in consultation with the Public Service Commission. Clause 42 of the Bill recognizes that all persons subject to the Kenya Defence Forces Act shall enjoy all rights and fundamental freedoms enshrined under Chapter Four of the Constitution.

Members of KDF as Kenyans are entitled to all human rights as other Kenyans unless they are limited by law in accordance with article 24. The Bill obligates both the Kenya Defence Forces and other authorities to report to the National Assembly whenever deployed to restore peace in any part of Kenya or in situations of emergency or disaster.

The oversight by Parliament is critical as it represents the will of the people. The oversight of the National Assembly is with respect to concerns of the people and matters relating to revenue, expenditure and conduct of state officers. The three Bills are a part of the reforms in administration, security and justice proposed in the new constitution.

Despite the pleas to MPs not to defile the bills, parliament went ahead to pass mongrels of the laws CIC had entrusted them with.



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The Link

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Nurses adopt new rules in sync with the constitution

By FAITH MUIRURI

THE Nursing Council of Kenya (NCK) has unveiled new regulatory tools to ensure that health care workers in the country operate within a framework that complies with the constitution.

The NCK Registrar Mrs Elizabeth Oywer says the regulatory tools that cover both the code of conduct and scope of practice will help to ensure that the rights to access quality health care as enshrined in the Constitution are fully safeguarded as nurses discharge their duties.

Speaking during the launch of the regulatory tools, the Registrar said the new scope of practice defines the limits of care and legal boundaries of the nursing practice.

"This will help to ensure that health care workers who contravene the guidelines are held accountable in the course of their work," she said adding that this will help address cases of negligence and poor services that have continued to undermine provision of health care services in the country.

The first scope of practice was developed in 1997, followed by a second edition in 2007.

Misconduct

The regulatory tools come at a time when health care workers in the country are on the spotlight for ill treatment and abusive care in public health facilities.

A recent study undertaken by the Population Council reveals that one in every five women have been disrespected or humiliated at childbirth in government facilities.

According to the study, many women are thus opting for home deliveries to evade ill treatment at government facilities.

The population Council Chief Researcher, Charlotte Warren says that too many women were opting to deliver at home under the care of traditional birth attendants or imposters and this has contributed to the high rate of maternal mortality.

She points out that the main reason for low birth rates in hospitals



Kenya Health Professional Society officials in a group photograph.

and clinics is mistreatments from the midwives.

Action

The Deputy Director of Medical Services Dr Judith Bwonya who presided over the launch of the regulatory tools blamed the rising cases of professional misconduct, negligence and poor services to laxity among health workers.

She said that most of these cases are replete with questionable deeds about the practice and warned that stern action will be taken against the offenders.

She said the law is clear and those found culpable must be dealt with firmly adding that the era of impunity is gone.

The director said that all regulatory bodies have a primary responsibility to protect the beneficiary while at the same time enforcing discipline among practitioners.

She called on all health regulatory bodies to realign their services to the demands of the constitution and remain objective when enforcing punishment to errant health workers.

"If you want to uphold professionalism avoid looking at the colleague and instead look at the impact of the error committed. If you spare errant health workers, then you are destroying the profession," she advised.

Constitution

"The constitution now vests power on the people through the Bill of rights and you will soon be dragged to constitutional courts to answer to charges of professional misconduct, negligence and poor services," she cautioned.

She said the era when offenders would find refuge in professional bodies are long gone as the Constitution has empowered Kenyans to move to court and seek redress in case of a violation.

"The constitution provides restitution even in cases where practitioners fail to admit to mistakes despite overwhelming evidence of professional misconduct, negligence and poor services," she added.

The official at the same time asked training institutions to entrench the spirit of constitutionalism in their curriculum to ensure students are properly equipped when they start practicing.

Tools

She said that the tools cover the scope of practice and will help practitioners to become more vigilant, professional, client centered and bring down cases of indiscipline.

"The tools provide guidelines as to how the practitioner is to be regulated and this includes trainer, the training institution and institution where health care services are being offered," she added.

She said that all regulators must quickly establish mechanisms on how to carry their business in a devolved system of Government so that

the person in Lokichogio does not have to come all the way to Nairobi to seek medical services.

Tools

The regulatory tools have incorporated a framework through which education programs will be realigned to prepare safe and competent practitioners who will function effectively not only as members but also as leaders in health care delivery system.

The education and practice guide provides that all educational programs must meet accreditation requirements outlined by the Nursing Council of Kenya, Commission of Higher Education and universities.

This, the guide says will help to ensure Nursing education programs achieve health outcomes and expectations of the profession and the community.

The guidelines will further ensure that nursing education programs are appropriate and adequate in preparing nurses to join the profession.

The new guide is also expected to foster continuing improvements in nursing education and professional practice.

The guiding ethical principles on the other hand lay emphasis on the need for nurses to promote health, prevent illness, restore health and alleviate suffering.

"Nurses have an obligation to uphold Human Rights including the right to life, to dignity and respect of patients seeking services in respective health institutions," reads the guide in part.

The NCK Registrar says that Nurses must therefore strive to provide quality care to their patients without discrimination as they share responsibility in initiating social support action to meet the health needs of the public in particular those of vulnerable populations.

Other areas addressed by the regulatory tools include improving provider capacity, support supervision, improving leadership and governance skill among health managers across all levels of the healthcare.



Some of the staff in a group photo at the Nurses Council of Kenya.

By LINK CORRESPONDENT

The Association of Disaster Management and Conflict Resolution of Kenya (ADMCRK) has called for the immediate enactment of the Disaster Management Act.

The ADMCRK National Chairman, Prof Sibilike Makhanu, says that the Disaster Management Bill had dragged for too long in parliament despite the fact that disasters and conflicts continue to plague the country.

Makhanu observes that disasters are becoming expensive to manage with insurers estimating the costs per year to billions of shillings.

The scholar says weather and climate related hazards have accounted for most of the natural disasters.

The official further says the relationship between Disaster Risk Reduction and Climate Change Adaptation is symbiotic, adding that the adaptation of climate change can help reduce disasters.

Makhanu says conflict resolution is also an important part of managing natural challenges.

"Human conflict can be caused by the scramble for reduced pasture in arid areas leading to conflict among the communities," he explains.

He notes that ADMCRF is currently working with the Office of the Prime Minister's Environment and Climate Change Unit to raise the profile of climate change as a national challenge and also educate the public on the same.

He, however, points out that some of the challenges facing the Association include inadequate funds to undertake its activities effectively and called upon the government and donor agencies to assist in funding the organization.

Makhanu says that the government is always forced to divert resources earmarked for development in order to address the challenges caused by disasters and conflict.

He cited disasters such as fire, road

Enact disaster management law now, demands lobby



Adaptation of climate change can help reduce disasters.

accidents, landslides, floods, collapse of buildings, earthquakes, fire outbreaks and draught among challenges that eat into resources meant for development.

Speaking at Masinde Muliro University of Science and Technology (MMUST), the official said that mankind cannot avoid risks and disasters

but can try and reduce them.

The scholar, who is also the MMUST Deputy Vice Chancellor in Charge of Administration and Finance, noted that for the country to achieve sustainable development it is imperative that disasters and risk reduction strategies are upheld in all development plans and actions.

The administrator disclosed that ADMCRK is in the process of designing short courses on disaster management focusing on peace building, conflict resolution, risk reduction, vulnerability assessment and disaster preparedness in order to enhance capacity of the citizens dealing with disasters.

LATF to be channeled through county governments

By BOB OMBATI

The Local Authority Transfer Fund (LATF) will be channeled to the county governments by the central government and funneled to civic Wards for development projects, Gusii County Council Finance chairman, James Ogembo says.

Ogembo explains that the constitution allows councils to submit proposals to the county government for approval and allocation of funds with strict guidelines on its utilization and accountability.

He said the council targets Ksh. 164m revenue this financial year for its operations up from Ksh. 138 million last year.

The chairman noted that the council had made proposals to offer Ksh. 33 million gratuities to her 33 councilors, saying the amount was likely to increase to Ksh. 197 million if the government approves the sendoff package.

Ogembo noted the council owed the National Social Security Fund (NSSF) Ksh. 53 million, adding that out of the Ksh. 110 million that the council had received through LATF, over Ksh. 50 million went into clearing debts owed to statutory bodies.

Ogembo said that the NSSF debt had attracted Ksh15 million penalty



LATF will be channeled to the county governments by the central government and funneled to civic Wards for development projects

and an interest of Ksh. 6 million accruing from the Poverty Reduction Fund (PRF), saying the council was seeking permission from the government to source for funds to settle the debts.

He observed that the council had inherited debts and liabilities from the larger Gusii civic body, and demanded that the debt be shared among all councils formed after the split of the mother body.

Ogembo stated that the council required Ksh.1.5 million to renovate the county hall to be used as a county

assembly by the governor and his team once the county becomes operational.

The chairman asked development partners to involve all players during the implementation of projects in the area to avoid duplication and conflicts over ownership and management.

Nominated councilor, Hesbon Michira noted that in the past, residents were used to rubberstamp illegalities during Local Authority Service delivery and Action Plan (LASDAP) meetings, as councilors and contractors colluded and embez-

Aids increase among married couples — researchers

By TITUS MAERO

A RESEARCH conducted by a University on HIV/AIDS awareness in relation to contraceptive practices show that the scourge is transmitted primarily through heterosexual contacts.

Scholars from Kabinga University College, who undertook the study, revealed that the modes of HIV/AIDS transmission place sexually active women at the risk of contracting the disease as most women were infected during unprotected sex with their male partners.

The Research team led by Dr Makutsa Makila undertook their study in Kimilili Division in Bungoma District, where AIDS cases were said to be high among married women compared to their male counterparts.

In a presentation titled, "a study of HIV and AIDS Awareness in Relation to Contraceptives Practices among Married Child bearing Women in Kimilili Division," the married women sampled and studied were between the ages of 20-34 years. The Study, which also investigated the use of contraceptives, found out that in spite of the women having knowledge on the mode of HIV/AIDS transmission, this knowledge is yet to be translated into practical condom use.

The Makila led team, which released the findings during the Masinde Muliro University of Science and Technology (MMUST) 4th Annual International Conference, pointed out that the use of rational choices models in AIDS preventive programmes may not be adequate to change people's behaviour especially in societies where the prevailing cultural practices and norm encourages large families and discourage the use of contraceptives of any type.

The study took the form of across sectoral descriptive study where the use of open and closed ended questionnaire and interview schedules were self administered. "Key informants were also used to obtain the data. Sixty women were selected using purposive and systematic sampling techniques," said the report.

The study also used units of analysis of conjugal descriptive data analysis which was done to answer the research questions in which the detailed questionnaires had coded system of use.

According to the report, the main findings of the study showed that most of the married child bearing women in Kimilili Division perceived themselves not to be at risk of being vulnerable to HIV/AIDS disease.

This was based on the belief that their spouses were faithful. It was also learnt that cultural practices such as male domination and wife inheritance exposed women to high risk of contracting HIV/AIDS infection.

The detailed study highlights suggestions and solutions that can help in the prevention and control of HIV/AIDS among married women in view of their vulnerability to contract the disease.

zled funds earmarked for projects at the grassroots level.

He noted many projects at the ward level were nonexistent due to lack of Monitoring and Evaluation, adding that some had stalled after councilors demanded for huge kickbacks from contractors, prompting them to abandon the projects.

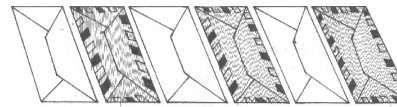
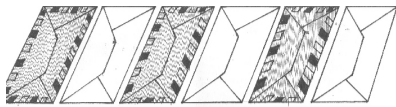
The civic leader urged members of parliament to enact a law delinking the lawmakers from the Constituency Development Fund (CDF), alleging that the fund was manned by their cronies who mismanaged the same.

He rooted for the formation of strong monitoring and evaluation teams at the counties to assess the needs of residents in various wards and constituencies to ensure that only the right projects were implemented in those areas.

Some projects, noted Michira had been imposed to the people and thus ended up stalling besides wasting public funds.

"I urge the electorate to vote for visionary, popular and qualified governors who will manage the counties profitably," observed Michira.

He lauded the requirement that aspirants for various seats have post-secondary qualifications, saying this would ensure only credible leaders are elected to manage their resources.



Mombasa riots raise questions about Constituion

THE audacity with which rampaging mobs in Mombasa have confronted police officers following the shooting to death of Muslim cleric About Rogo has raised serious questions about curtailing State power to take the necessary action to preserve or restore law and order when an individual or a group of individuals threaten it.

The argument has been that the Constitution we enacted in 2010 imposed restrictions on the security forces in their capacity to use force to either defend attacks on the State and its institutions or in self-defence.

I have always held that this is the argument of anarchists who believe that the government is best which governs not at all. We have seen in the Mombasa riots the logical result of such an argument: breakdown of law and order when a group of people feel aggrieved and they take the law into their own hands. Populist political opinion sees evil in every action the police take to maintain or restore law and order.

And the public has never empathised with the police force when it makes efforts to discharge its mandate. We can see the effects when rampaging youths resort to using explosive weapons not to protect themselves, but fight the police who are discharging their duty.

The Constitution, however, people-centred, should not curtail the power of the State to protect people's live, property and the pursuit of their affairs.

**Concern Kenyan,
Via-email.**

Shikuku fought cancer bravely

I AM commanded by the Board of the Prostate Cancer Support Association of Kenya to write this tribute to a fellow victim of prostate cancer in the hope that many more Kenyans will come out to bravely declare what ails them.

I am happy to do it, not just for the late Martin Shikuku — the people's Watchman — but for a man who many of my generation grew up to admire as a grave fighter.

Mr. Shikuku did not only fight political battles from Lancaster House to the Second Liberation, he also fight a gave battle with the silent killer, cancer. A couple of us went to see *Omwami* at the Texas Cancer Centre two months before he passed on and were impressed by his fortitude and stoicism in the face of great pain and suffering.

The man had not lost any of his famous wit and sense of engagement. These are qualities which will be sorely missed by all who admired this master of Standing Orders.

Our hope in the PCSA is that the good that Martin Shikuku stood for will not be interred with his bones, including principled honesty in politics (remember he went to detention without trial for stating the obvious!)

**Via e-mail,
Chairman, PCSA**

Voters should not allow money to determine election outcome

PRESIDENT Kibaki made what passed as a tongue-in-cheek remark during the recent peace conference. He said there would be a lot of cash dished out by those seeking political office, that we should welcome the largesse enthusiastically and that nobody should regret missing the gravy train.

This may sound odd coming from the Head of State.

But to put the matter in perspective, he meant that voters should "eat" as much as possible money that comes their way, but vote for the right people. They should not let the money that comes their way cloud or blur their good judgment and they should not vote for those who have always thought that money is everything and it will buy their way to political office.

Campaigns should be very different this time. After all, most of this money is ill-gotten and it will simply be returning to the taxpayer. Voters must exercise their sovereign power without fear or favour through conscientious voting.

We have rich profiles on all these fellows and many do not deserve to be elected. The good President should, in fact, repeat the remarks many time. Money should cease to be the dominant factor in the voting process.

Meanwhile, the government is doing all it can to ensure peaceful elections next March with the commissioning of peace forums in all the counties and the



President Kibaki

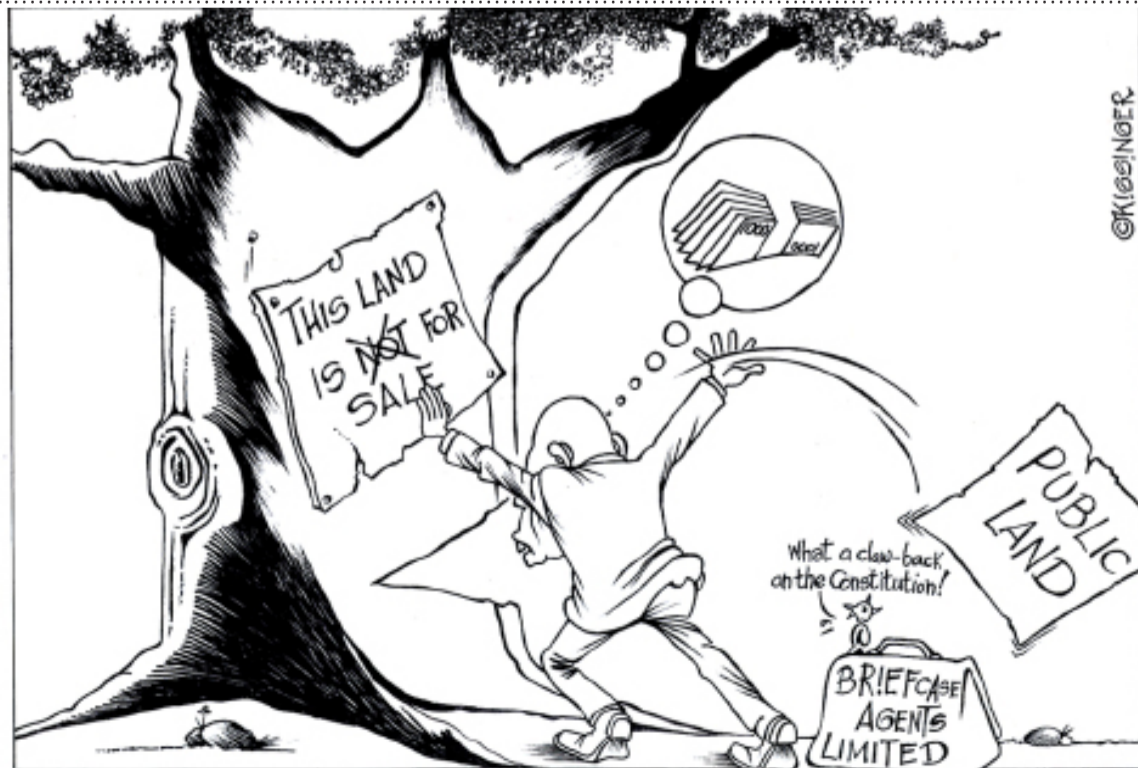
recent peace forum in Nairobi.

Our cultural diversity should be our uniting factor. The country boasts 40 tribes. We should not pander to the whims of politicians who encourage tribal animosity.

These peace forums should be intensified, especially in areas that have seen ethnic clashes like

Wajir, Mandera and Tana River. Such clashes are the last thing we need just months away from the general elections. We should also take it upon ourselves to individually change our attitude and ensure the realisation of a peaceful and harmonious voting nation.

**Via e-mail,
Maseno**



Civic education the only access to electing obedient leaders

THE clamour for a new constitutional dispensation was necessitated by the desire to create a new system of governance and a people-driven political leadership.

And after more than two decades of the struggles, the country was thrust into carnival mood after the new Constitution was promulgated in August 27,2010. For Kenyans, it was a dream come true. This is because, to a large extent, the new law captured their will and aspirations.

Chapter Six of the Constitution that focussed on leadership and integrity was especially singled out for praise. The law stated that those seeking public office must bring honour and dignity. This called for setting up of vetting mechanisms and ensure all aspirants are subjected to the vetting.

This is what birthed Leadership and integrity Bill that was broadly accepted. But to the utter dismay of Kenyans, the Bill suffered a fatal blow when it was presented before Cabinet and later Parliament and all proposals designed to ensure those vying for political seats scrapped. They included those that required aspirants to declare their wealth and also to be cleared by the Ethics and Anti-Corruption Commission, Kenya Revenue Authority, and Higher Education Loans Board.

The Bill is awaiting presidential assent. Going by experience, it is unlikely the President would decline to assent to it. But this does not come as a surprise as majority of the aspirants have integrity issues.

Perhaps we should blame ourselves for being naive enough to believe that the self-seeking MPs would midwife the implementation of the new Constitution.

For now, we have two options. One is to seek opinion of court in regard to Chapter Six. However, my hunch is that the interpretation will be based on mutilated and weakened Leadership and Integrity.

We all know the Judiciary cannot create own law but Supreme Court can declare null and void any law that contradicts the Constitution.

**Joseph Mutua,
Via e-mail**



The editor welcomes letters and comments on a variety of issues. The letters should be brief, topical and issue based. The editor reserves the right to edit for brevity or clarity.

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Why law has so far failed to deter sex pests

By LINK CORRESPONDENT

DESPITE the enactment of the Sexual Offences Act 2006, cases of sexual abuse and harassment especially targeting minors have continued unabated.

Although the laws were expected to serve as a deterrent measure to the vice, legal practitioners have been unable to secure redress for the victims especially in cases where children are involved.

Negative attitudes coupled with inconclusive investigations by the prosecution are some of the reasons that have derailed the quest for justice. In some instances, male prosecutors have become hostile during cross-examination of the victims which amounts to harassment in itself; while in other instances some do shoddy investigations and would not dare to collect crucial evidence like the victims' panties.

The situation has been compounded by ignorance on the part of parents with some opting for out of court settlements with their children's assailants. Observers have advanced that the lack of a proper model for a children's court and the conditions in the normal courts are not conducive for children, as is the evident lack of pre and post-trial psychological and emotional counseling for the abused children have only added to the impediment of justice for the abused children.

Challenges

The success of a defilement case is determined by how the child's evidence is secured, preserved and presented before the court. Delays in compiling of evidence at this early stage have certainly rendered weak most cases of child abuse.

Suffice to say that although things have somewhat slowly improved, and are expected to improve the more in the advent of the new constitution and the on-going judicial and legal reforms, the abused child cannot have his smile just yet.

Child rights advocates like Mary Makokha who heads the pro-child REEP non-governmental organisation in Western Province underscore the need for hastened reforms.

Interventions

Makokha is of the view that cases of defilement should be fast-tracked because the child can easily forget relevant things like dates, the dressing type of her abuser and other

things that could be crucial in her evidence.

As a strategy, REEP works directly with the child victims of abuse in securing the evidence before it is tampered with. The strategy circumvents the hurdle brought by some of the abused victims' parents who would rather want the matter handled out of court through a compromise between the victim and her assailants.

That had been the common reality in Butula and Nambale a few years back where a culture of silence coupled with rampant poverty and ignorance saw sex offenders approaching their victims' families with money to buy them into silence. But now this is changing with the heightened awareness.

REEP's strategy dubbed as 'Body Map Approach' empowers the abused children to use their body parts in recounting when anybody makes undue move on them, other than being alert to the possibility of being abused.

For this, the children are taught of the dangers of the would be abusers can exert on their physical body organs, thereby making it easier for them to remember what happened in the event of being assaulted. The approach enables the victims to tell their

stores in first person voice by making reference to their body organs.

Take 14 year-old Margaret's recollections. She was gang-raped by five men who pulled her into a sugar plantation in Mushibiri village. Using the Body Map Approach this is how she gave her evidence:

- Her EYES saw the five men come to her
- Her EARS heard one of them order the other to put on a piece of cloth on her mouth
- Her MOUTH couldn't shout as a result
- Her NOSE nearly choked from the pungent smell of alcohol in the men's breath.
- Her NECK was twisted and bore visible nail marks
- Her BREAST pained after one of the men tried to suckle it
- Her HANDS were tied behind her back by a piece of rope, such that she couldn't move them
- Her LEGS were pulled wide apart during the ordeal
- Her VAGINA pained and oozed blood during the ordeal
- Her FEET would not move thereafter until she got first-aid

"With such an approach, the abused children are much willing to

recollect their ordeal and give details with precision that are crucial in evidence," Makokha observes.

"We get it when it is still fresh in them, just when their memory is alive."

The outcome has been encouraging as the quality of evidence gathered has enabled her organisation win most of the over 250 child abuse cases it has brought to court in the past two years. Remarkably, she adds, even in cases where the parents of the victims would have wanted things resolved in an out-of-court settlement, it is now the children themselves who come forward to oppose that.

This is the gist of Makokha's joy: that the communities are now fast at owning up on child abuse as a crime and demanding for justice.

Nevertheless, the battle is far from over.

Factbox

The Sexual Offences Act of 2006 prescribes:

- Sentences of between 10 years and life in jail for convicted rapists, including perpetrators of incest
- A minimum sentence of five years for attempted rape
- Life sentence for the rape of minors.



MEETING: Cases of sexual abuse and harassment especially targeting minors have continued unabated.

Row erupts over land needed by Mtwapa council

By LINK CORRESPONDENT

A row is brewing among councilors at Kilifi County Council over plans by the local authority to acquire a 20 acres piece of land at Mtwapa owned by a private developer.

According to the chairman of the council Mr. Anthony Kingi, the council had initiated negotiations with the land owner at Mtwapa town to buy the land to put up a modern bus park and market.

Mr. Kingi however said the negotiations have stalled for over 4 years now after the land owner inflated the costs, making it impossible for the council to seal the transaction.

"The council had planned to acquire the land in Mtwapa to help put up a modern bus park and market but the deal has hit a snag owing to the inflation of the land price by the owner," explained Kingi.

The land owner at one time had demanded Ksh 200 million per acre from the council, a figure which was too high for the local authority.

He revealed that initially the council through the former clerk Mr. Leboole Morintat had requested the Ministry of Local Government to make a compulsory acquisition of the asset after it became clear that the civic body could not raise the required amount.

"Civic leaders endorsed the resolution to request the ministry of Local Government to make compulsory acquisition of the said land during a full council meeting," he disclosed.

The council went ahead and drafted a letter to the Ministry of Local Government seeking to invoke government land laws to compulsorily acquire the land.

"As the chairman of the council, I admit that the local authority actually made an official request to the Ministry of Local Government to compulsorily acquire the said piece of land so that we can put up the bus park and the market and the matter is at the cabinet level," said Mr. Kingi.

However, the council appears to have softened its earlier stance and has written to the land owner to go ahead and sell the land to interested buyers as it had no funds to buy it.

But the move has provoked uproar with a section of civic leaders accusing chief officers in the council of conspiring with the land owner to dispose of the land to other private developers.

Mtepeni ward councilor Boniface Mwingo expressed dismay at the new development, saying he was shocked to learn that the local authority had written to the land owner authorizing him to dispose of the land to willing buyers despite the fact that the council had made a request to the ministry to grant a compulsory acquisition of the same.

"When the land owner sought our approval to dispose of the land to other private developers after the council failed to raise the required amount, councilors convened a special meeting to discuss the matter and later rejected his proposal," said Mwingo.

The civic leader said they were shocked to hear that some chief officers and a section of councilors had authorized the private land owner to go ahead and dispose of the land to interested private developers.

Mr Mwingo said they were shocked to find out that some coconut trees in the land had been felled and the plot was being fenced off by a private developer.

Kisumu Boda Boda: Transporter by day, robber by night

By JOHN NYAMBUNE

THE increased spate of robberies in Kisumu has been partly blamed on the boda boda operators.

Speaking during a Family Planning sensitization meeting jointly organized by Tupange and Kenya police for boda boda operators in Kisumu, Kondele Traffic Officer, Saul Kulecho said it has been noted that the motorcycle transport indus-

try is infested by thugs.

Giving an example of an operator who was caught in January in Nya-hera area in possession of an AK47 rifle, he said some operators turn into thugs when night comes.

He encouraged the operators to practice community policing in their respective areas by spotting the bad elements and forwarding them to the police for arrest.

Nyanza Boda Boda Association

Chairman, Nelson Odine said the criminal elements in their midst had tainted their image adding that they will work hand in hand with the law enforcers to apprehend the suspects so as to gain back the trust of passengers.

The operators were urged to observe road safety by adhering to the Traffic Amendment Act of 2009 that emphasizes on the need for safety gears that includes helmets and re-

flectors for every operator.

He further asked the operators to not only ensure their safety but also that of their passengers by providing them with the safety gears and insuring their motorbikes.

During the meeting, the boda boda operators were taken through family planning methods.

They were later handed reflector jackets branded with family planning messages.

Challenges facing war against counterfeits

By JOHN NYAMBUNE

ALTHOUGH the Anti-Counterfeit Act came into effect in 2010 and paved way for the creation of the Anti-Counterfeits Agency (ACA), the sale of counterfeit drugs continues unabated in the country.

According to the Kenya Association of Pharmaceutical Industry (KAPI), 10 percent of all available medicines in the world are counterfeited. It is further estimated that up to 25 percent of medicines in use in developing countries are counterfeits. There are no specific statistics for Kenya but the reality is that this has been a major issue requiring urgent attention.

A report compiled by KAPI reveals that counterfeiters target popular and fast moving medicines of high value and manufacture fake versions of the same for sale in the market.

"This besides being bad for our members business, it is extremely dangerous to the public as counterfeits have very grave consequences not just for industry players but also for the general population. They have potential to kill people. Patients may also not respond as quickly as a desired to the genuine medicines. The drugs may as well contain impure or poisonous substances that may cause direct harm to patients," reads the report in part.

Counterfeits impact negatively on health systems and may lead to erosion of confidence in healthcare professionals and authorities. Where doctors and nurses unknowingly administer drugs that harm patients rather than provide relief to them, the public may lose confidence with them altogether. Furthermore, patients and consumers lose value for money when they spend their meager resources to procure medicines of unknown reliability and safety.

Illegal trade in pharmaceuticals

The fight against counterfeit products faces many challenges. Most of these challenges have to do with unfair trade practices that either infringe on individual company's prospects or precipitate adverse effects on invest-

ments and by extension public safety.

Illegal trade practices are a major contributor to the presence of counterfeited medicines in the country. These practices include:

- (a) Illegal importation of unregistered drugs
- (b) Illegal importation of registered drugs from unregistered sources
- (c) Unregulated parallel importation of registered drugs
- (d) Illegal chemists/pharmacies and distributors
- (e) Unqualified pharmacy personnel handling medicines

For the sake of the safety of the Kenyan patient, KAPI has been working with relevant agencies to support the health regulatory authority's effort to curb harmful practices.

The association has also been involved in a national dialogue with the ministries of Health that has made it possible for the incorporation of the industry's views in key government and regulatory authorities' policy is-

sues.

Other challenges emanate from weak and inefficient regulatory framework that may provide loopholes for unscrupulous persons keen on taking advantage of public demand for drugs/ medicines to peddle counterfeited substances purely for purposes of making monetary gain.

KAPI argues that without a vigilant and well-coordinated forum to raise such concerns with the authorities and to collaborate in the search for amicable solutions, such issues could lead to the collapse of the industry but also a chaotic service sector.

"Indeed, we have to remain vigilant if we have to defeat the forces that conspire against a moral business environment for the benefit of all the stakeholders," adds the report.

KAPI seeks to forge effective and well-coordinated mechanism aimed at addressing these challenges and collaborate with policy makers in aiding the healthcare system to keep

pace with the dynamism in the pharmaceutical inventions in the country.

According to WHO guidelines, counterfeit medicines which have been deliberately and fraudulently mislabeled with respect to identity and or source include:

- (a) Products with correct ingredients but incorrectly labeled.
- (b) Products with no active ingredients
- (c) Products with insufficient active ingredients
- (d) Products with fake packaging.

The issue of counterfeit medicines is a major problem of our time. And although this is not a Kenyan but a global problem as well, patients continue to suffer by purchasing and consuming counterfeits of the most popular brands in the local markets.

The safety of patients is thus paramount and those who engage in practices that could harm them are enemies of the people and the pharmaceutical industry.



The sale of counterfeit drugs continues unabated in the country.

Children still roam Embu streets despite millions spent

By PETER MUTUKU

A TOTAL of Ksh 28,776,000 was disbursed to 1399 orphans and vulnerable children in Eastern Province.

The Deputy provincial children officer Irene Komu said that a total of Ksh 11, 736, 470 was allocated to 489 children in Embu West District while beneficiaries in Embu East received Ksh 11, 280 and an additional Ksh 11,570 was allocated to 240 vulnerable children in Embu North under the orphans and vulnerable children program.

Komu cited loss of identity cards, dependency syndrome, increasing number of orphans and vulnerable children, and transfer of children to non-beneficiaries and the elderly care givers as some of the major challenges facing the programme in Embu.

She spoke as a report compiled by the department of Children Services in Embu West District revealed that 71 percent of street children in Embu have been in the streets for more than three years.

The report indicated that only 9.3 percent of the street children in Embu town have been there for less than one year raising fears of increased cases of child abandonment and neglect.

The data which was collected in the year 2011 and 2012 also indicates that 87.9 percent of those who have been living in the streets of Embu are above the age of 19 years while those who had been on the street for less than 1 year are at 9.3 percent.

Majority of the children between ages 10 and 14 years respectively had been living in the streets for a period of less than one year at 50 per cent whereas those who had been on the streets for more than three years are at 37.5 percent.

The study further showed that those who are in the ages of between 5 and 9 years had been on the streets for more than 3 years indicating that they may have been born in the streets.

The report also indicates that in the period between 2011 and 2012, close to 536 cases of child neglect were reported after their parents abandoned them in the streets.

The percentage of individuals who are living below the poverty line is at 56 per cent thus most children end up living in the streets as their day to day life where they can get some food to eat.

Bahari squatters demand immediate resettlement

By BEKADZO TONDO

SQUATTERS in Bahari constituency of Kilifi County have protested over delays by the Ministry of Lands to adjudicate and allocate them the 2000 acres of land earmarked for their resettlement.

According to the squatters, about 950 acres of land has been donated by Vipingo Properties Limited and the remaining 1,150 acres were donated by the government for their resettlement.

The squatters led by the area MP Benedict Gunda lament that the process of resettling them had dragged on for years despite the fact that the private company had donated the land at Bureni and Gongoni in October 2008 for their settlement.

The management of Vipingo prop-

erties limited led by its chairman Mr. Vincent Albers donated the two pieces of land measuring 950 acres to the outgoing Coast PC Mr. Ernest Munyi to assist in resettling the increasing number of landless people in Kilifi district.

The transfer of the plot was done in the presence of former Kilifi Lands and Adjudication officer Mr. Ezekiel Kiania, company officials and the government officers who moved to the site and physically verified the donated land.

However five years down the line, the government through the Ministry of Lands has failed to share the land among the landless people.

Contacted for comment, Kilifi District Lands Adjudication and Settlement officer Mr. Felix Kiteto de-

clined to comment on the matter citing the sensitive nature of land issues.

"Land matters are sensitive and the right person to comment on such an issue is the Permanent Secretary in the Ministry of Lands," said Mr. Kiteto.

However sources at the Lands office indicated that lack of funds to facilitate adjudication work at the donated land was to be blame for the delay in resettling squatters.

The delay to allocate the land and issue title deeds to the squatters at Vipingo in Kikambala division has however sparked uproar among residents who are demanding for the immediate sub division and allocation of the same.

Speaking at Vipingo Central Primary during a public baraza, former

Mwarakaya ward councilor Raphael Mwangala complained about continuous delay by the government to adjudicate on the land.

"It is sad that even after Vipingo Properties Limited voluntarily donated the land to us, nothing has been done to ensure the intended beneficiaries live on the land," complained Mr. Mwangala.

Responding to the concerns of the residents, Gunda who is the local MP demanded that the Ministry of Lands sub divides the land and allocates it to the beneficiaries without further delay.

"The concerns raised by the residents of Vipingo directly affect my work and I want the Ministry of Lands to immediately start the process of adjudicating the land," said Mr. Gunda.

The MP further cautioned the de-

partment of lands against using the criteria of allocating land in schemes but base their allocations in accordance with the prevailing mode of distribution among squatters.

"The government should allocate the 2000 acres of land according to the sizes occupied by the squatters and not to turn the land into a scheme," said Gunda.

The legislator feared that once the land is planned as a scheme, most squatters will be left out while others will be displaced and to avoid that, the land should be shared according to the areas being occupied by the squatters.

Area residents also vowed to oppose any move to plan the donated land as a scheme arguing that a scheme is likely to disfranchise majority of them.

Appointment: Kingi tells Ntimama 'see you in court'

By BEKADZO TONDO

MINISTER for Fisheries Development Mr. Amason Kingi has vowed to go to court to block the appointment of Dr. Hezron O McObewa as the executive director of NGOs coordinating board.

Mr. Kingi said the minister for National Heritage, William Ntimama, erroneously picked Dr. McObewa who had been ranked in position six during the interview which saw Mr Issa Athumani Kipera become

number one.

"I was shocked to learn that the minister for National Heritage Mr Ntimama appointed Dr. McObewa as the executive director of NGOs coordination board," said Mr. Kingi.

Speaking at Khairat mosque in Kilifi recently, the minister said coast leaders were opposed to the appointment of Dr. McObewa and vowed to pursue legal channels to block the same.

"For a long time people from coastal region have been denied their rightful opportuni-

ties to take senior positions in the government and parastatals due to favourism but that cannot be allowed to go on anymore," warned Mr. Kingi.

Mr. Kingi who has announced plans to contest for governorship in Kilifi County said he will not sit back as Coastal people are denied their rights to job opportunities and land ownership.

"As leaders of Coast region we will pursue all avenues to block the appointment of Dr. McObewa to the position which rightfully belongs to Mr. Kipera

from Coast region," said Mr Kingi.

Industrial court judge Stewart Madzayo who accompanied the minister also complained of foul play in the appointment and vowed to join other leaders in coast and Kilifi County to reject the appointment.

Judge Madzayo who said he intends to resign from his position as a judge said he will stand firm to fight for the rights of coastal people.

"I will tender my resignation by the end of this month to ena-

ble me serve my people in another capacity," said Mr. Madzayo.

Madzayo has declared his interest for the senator position in Kilifi County.

The leaders accused the government of perpetuating injustices meted on coastal people by denying them opportunities to ascend to positions of leadership.

Dr Owen Baya from Pwani University also criticized the appointment of Dr. McObewa as the executive director of NGOs board, a position which had been legal won by Mr. Kipera.

By AGGREY BUCHUNJU

A SIGNIFICANT proportion of money allocated to various projects in Bungoma County Council through Local Authority Transfer Fund (LATF) during the 2009/2010 financial year has been misappropriated.

The council cannot account for over Ksh. 30 million of taxpayers money which allegedly went into non-existent projects within the period in question.

The damning revelations are contained in an audit report compiled by the National Taxpayers Association (NTA) on LATF projects in Bungoma County Council during the financial year under review.

NTA researchers visited and assessed a total of 103 LATF funded projects spread out in the all 41 electoral wards within Bungoma County Council.

The researchers' findings indicate that 31 projects are badly built, 14 projects are well built but not yet complete, 27 projects do not exist on the ground and 4 have been abandoned.

The projects do not reflect the value for taxpayers' money which cost a total of Ksh. 31,771,000 from the LATF kitty.

However, area residents say the amount could be higher given that there are so many other projects which do not exist on the ground but have been listed by NTA as having been implemented.

For instance project number LAFT/BCC/101/2009-2010, Mwikhupo youth polytechnic in East Sang'alo ward in Kanduyi constituency which MTA has indicated as complete and in use does not exist.

This is one of the ghost projects in the area and it is now apparent that the money, Ksh. 500,000 purported to have been used to purchase four (4) acres of land for the project was swindled.

During our recent spot check after perusing a copy of NTA's report card, we established that the land purported to have been bought belongs to an absent landlord.

The bush on the piece of land shown by the digital photograph taken by the NTA researcher on March 23, 2011 has since been cleared, the place ploughed and planted with sugar cane.

It is also important to note that during the 2009/2010 financial, land market price in the area was Ksh. 250,000 per acre.

Consequently the Ksh. 0.5 million could have bought two acres

Fears of misuse of LATF in Bungoma



Bungoma County Council Hall.

and not four acres as claimed.

NTA's comments, that four acres of land were purchased within the estimate lacks basis and is misleading.

Other projects which key personalities are reported to have used to swindle taxpayers' money include roads grading and construction of dispensaries.

A total of 19 rural access roads were visited and assessed by NTA research officers and eight (8) found to be ghost projects.

However, a good number of the remaining eleven (11) roads are said to have been done by youths hired by the Kenya Rural Roads Authority (KERRA) under the kazi kwa vijana programme.

This is an indication that either the respective civic leaders or some council officers tricked NTA researchers into believing that the

works were done courtesy of LATF money.

It is also interesting to note that schools which were allocated funds by the council for construction of classroom cannot give any information concerning the finances because they were not involved.

The principal of St. Jude Muanda secondary school admits that in the year 2010, the council allocated the school some money for construction of a laboratory but quickly points out that the school management was not involved in the implementation process.

"As a school we only provided the site and the plan. We were not or did not receive cash directly instead we were brought a contractor who could purchase the materials herself," says Ruth Luvaga, the school principal.

Similar sentiments are expressed

by the Salvation Army Kabuchai Girls Secondary School Principal Mary Waliula.

"One classroom was constructed in the year 2010 through LATF. I cannot give any information concerning the finances because the school was not involved. The council contractor is the one who constructed the classroom," says the principal of S.A Kabuchai secondary.

The project which is referenced LTF/BCC/054/2009-2010 is in Kabuchai ward in Sirisia constituency and was allocated Ksh. 450,000.

NTA's comments" the project was done using poor quality building materials and poor workmanship. The project might not last long enough to serve the community".

The project, which is incomplete but is in use, has been given a technical performance score of 40 percent by NTA.

Shock as parents push daughters into prostitution

By BEKADZO TONDO

ALARM has been raised of high numbers of young girls engaging in commercial sex work in Mtwapa at the encouragement of their parents.

Records at the District Children's Department however indicate that parents are directly encouraging their under-age daughters to engage in the vice in order to supplement their family's income.

The program coordinator of Solidarity with Women in Distress (SOLWODI) Maurine Karisa has come to the aid of the affected children and embarked on a campaign to sensitize parents on their roles in taking proper care of their school going daughters to curb the vice.

She says the organization is also targeting the young girls and has been working closely with schools, the departments of children, labour and other NGOs like Plan Kenya to sensitize them against engaging into such activities.

Ms Karisa says that girls were more prone to different forms of child labour including working as house maids and bar maids while others engage into commercial sex.

She points out that it is an offence for any person to employ underage girls to work for them.

"The Children Act permits for the prosecution of any body found to have employed young people in any sort of work," she adds.

However, a survey by The Link found that many children mostly boys from Mtondia area in Kilifi are engaged in coral mining at the quarries at Bofa.

Most of such children have dropped out of school and some complain that their parents have failed to cater for their education requirements.

Drama as Kieni MP locks area DEO out of office

By JOSEPH MUKUBWA

THERE was drama in Kieni West when the local MP Nemesyus Warugongo stormed out of the office of area District Education Officer and closed it accusing him of gross misconduct.

Armed with a padlock, Warugongo locked the office based at Kiawara and put a notice on the door reading, 'DEO's Office Kieni West closed' before putting the keys safe in his pocket.

The MP also called for the immediate removal of the DEO, allegedly for gross misconduct while on duty.

He said that he had even written to the Ministry of Education requesting for the transfer of Mr. Elkanah Nyaga whom he claimed was engaging in politics and also demanding sexual favours from female teachers in the area.

He said the official was only concerned with campaigning for a presidential candidate and a local parliamentary aspirant and was hardly attending to education matters in the area.

"Over 30 female teachers from the area have complained of being sexually harassed by the education official and I, therefore, call for his immediate removal from the area," the angry MP said.

Meanwhile Kenya National Union of Teachers Nyeri branch Executive Secretary Mutahi Kahiga backed the sentiments and confirmed having received numerous complaints about the official from teachers and said that the union was "perturbed" by the allegations.

Kahiga said that the DEO actions had undermined his integrity and cited a case where the official gave a local school head a dress down at a public function as his students and their parents watched.

"There are official ways of reprimanding a person but not to insult and embarrass them in public. This highly inappropriate and as a union we condemn his actions," Kahiga said.

The KNUT official also said that he had received complaints from school heads claiming that the DEO was demanding bribes from them and those who failed would be demoted or transferred to remote areas.

The Executive Secretary said the union had also written a letter to the PS over the DEOs conduct and was waiting for action to be taken adding that if he was not transferred from the area, KNUT would mobilize teachers to hold demonstrations against the official.

When reached for comment, the besieged DEO dismissed the allegations and blamed his predicament to perceived differences with a local provincial administrator whom he accused of witch-hunt and malice.

"How can they blame me for issues which are not there? These are just politics. I'm very new in this area and so such allegations are malicious," said the DEO who has been in the district for over seven months.

Nyaga said his quest to improve education standards in the district had seen him labeled all manner of things by those not keen to see the situation improved adding that even his superiors could vouch for him and his "good work."

And, Kenya Medical Training College (KMTC) Staff Retirement Benefit Scheme operated at a deficit of about Ksh 423 million during the last financial year.

The scheme's Board of trustees Chairman, Samuel Obura Afubwa said that the deficit was occasioned by the shift from Defined Benefit (DB) scheme to Defined Contribution (DC)



Kieni MP Nemesyus Warugongo closes down Kieni West DEO's office before demanding the immediate transfer of DEO Elkanah Nyaga. Photo/Joseph Wambugu

scheme as directed by the Retirement Benefits Authority (RBA).

The chairman explained that with the defined benefit scheme, members' benefits are defined in advance and are often related to the final salary and the years of service by the employee with the main risk being solvency of employer so as to be in a position to meet the promised benefits.

"In the defined contribution scheme as proposed by the government, member's and employers' contributions are defined as a percentage

of pensionable earnings and thus a members' retirement benefits has a value equal to those contributions," said the chairman during the annual general meeting held in Nyeri town.

Afubwa noted that with the DC, the level of income receivable is related to levels of contributions, charges deducted by the service providers, and investment returns.

He also said the performance of the scheme was greatly affected by external factors such as the drought situation that faced the country, high inflation rate, and escalating oil prices.

He assured members that the Board of trustees will continue to seek opportunities which ensure the scheme attains its requirement to meet members' benefits as they fall due, protect the fund against erosion of capital, and ensure it meets performance benchmarks as set out in the investment policy.

"As you will note from the scheme financial reports, the sponsor made contributions of over Ksh 120 million. In addition the sponsor will be meeting the actuarial revealed during the valuation exercise carried out as at June 2011," he added.

Former Gem MP, Joe Donda urged the government to fast track the conversion of the National Social Security Fund (NSSF) from a provident to a pension scheme.

"NSSF pays out its benefits in the form of a single lump sum occasioning retirees to spend their latter years in poverty," added the ex-MP.



KMTC chairman board of Trustees Samuel Obura Afubwa (left) with former MP Joe Donda at Nyeri KMTC hall during the annual General meeting. Photo/Joseph Mukubwa

Busia civic leaders oppose manual voting system

By NYAKWAR ODAWO

OVER forty civic leaders from the entire Busia County have strongly opposed the manual system of voting which they said had contributed to the 2007/2008 post-election violence that led to the loss of innocent lives and property.

The civic leaders led by Walatsi ward civic leader councilor Jack Wambulwa argued that manual voting systems are prone to manipulations and politicians can easily interfere

with the vote register to tilt the results in their favour.

"As civic leaders of this county, we are not going to sit back and watch as the country opts for a system of voting that is likely to deny Kenyans the right to elect leaders of their choice," said the civic leaders, adding that Biometric Voting Registration [BVR] system of voting will ensure voting is done in a transparent and accountable manner.

"We are therefore earnestly appealing to the Independent Electoral

and Boundaries Commission chairman Isaack Hassan to go ahead and acquire the Bio-metric Voter Registration machines however long it will take so long as election is done fairly and to the satisfaction of Kenyans," they said, adding that as representatives of the people they will not sit back and watch as the commission is pushed into hasty decisions.

The civic leaders spoke to the press during the start of a six-month diploma course on County Governance at Danian College, a branch of

Bondo University College in Busia town recently.

The civic leaders at the same time said the course will boost their capacity as leaders ahead of the establishment of the county system of governance next year.

"We are also appealing to local leaders in the entire Busia County to preach peace within their respective areas to ensure peaceful co-existence among various ethnic communities considering that Busia is a cosmopolitan region.

Health workers rally against water borne diseases

By NYAKWAR ODAWO

COMMUNITY Health Committees (CHC) have been set up in Western Province to assist implement the Water, Sanitation and Hygiene (WASH) program at the household level to curb water borne diseases.

Speaking at a workshop held at a Busia hotel recently, the Western Provincial Public Health officer, Timothy Olubero said the committees will help inculcate hygiene practices at the household level and reduce unhealthy conditions by at least 70 percent by the year 2020.

He urged the participants who included public health officers drawn from Busia and Bungoma Counties to sensitize the community within their respective areas on best hygiene practices to help improve their health.

He said two Non-Governmental Organizations namely Academic Model Providing Access to Healthcare (AMPATHO), and AIDS, Population and Health Integrated Assistance (APHIAplus) will contribute a total of Ksh2,000 per month to support the Community Health Committees (CHC) members.

"The WASH programme has two major objectives- strengthening governance and leadership in health care and strengthening water and sanitation programs in the Western region, in collaboration with the ministry of Health, local communities and other civil society organizations," said the public health officer.

The program which kicked off in 2006 with the first target being the training of community health workers was successfully evaluated in 2008, leading to selection of the community health committee members by the community.

The public health official said all the committee officials should be fully committed members of the community who are active and well conversant with issues pertaining to hygiene.

"So far out of the 750 Committee units in the region, a total of 350 have improved their sanitation levels and have been lauded for maintaining healthier lives in their communities," said the public health officer.

"This has been done through the provision of clean water supply by sinking wells, maintaining water springs and promoting proper sanitation and hygiene," he added.

He at the same time said that the Community Health Committee units will be evaluated after every 3 years to monitor their performance both internally and externally.

"For purposes of effective service delivery, the community health committees are thoroughly evaluated for their performance after every three years," he said, adding that internal evaluation is done by the Ministry of Health whereas external evaluation is done by the sponsoring nongovernmental organizations.

Land question still a sticky i

THE Act replicates principles outlined in the Constitution and classifies land into three categories namely the public land, community land and private land.

According to the Act, both public and community land are to be held by the county government in trust for the people in accordance with the Constitution.

The new law derives its definition of Public land from the Constitution which includes land lawfully held, used or occupied by any state organ except in cases where the state occupies the land under a private lease.

Public land also includes the following

- (i) land transferred to the state by way of sale, reversion or surrender
- (ii) land in respect of which no individual or community ownership can be established by any legal process
- (iii) land in respect of which no heir can be identified by any legal process
- (iv) all mineral and mineral oils as defined by law
- (v) government game reserves, water catchment areas, national parks, government animal sanctuaries, protected areas and forests

- except in cases where the forests are managed by specific communities for grazing or serve as shrines
- (vi) all roads and thoroughfares
 - (vii) all rivers, lakes and other water bodies
 - (viii) the territorial sea, the exclusive economic zone and the seabed
 - (ix) the continental shelf
 - (x) all land between the high and low water marks
 - (xi) any land not classified as private or community land

Community land on the other hand includes land held by communities by virtue of their ethnic orientation, culture or similar community interest.

- Community land consists of
- (i) land lawfully registered in the name of group representatives under the provisions of any law
 - (ii) land lawfully transferred to a specific community by any process of law
 - (iii) any other land declared as community land by law
 - (iv) land that is
 - (a) lawfully held, managed or used by specific communities as community forests, grazing areas or shrines
 - (b) ancestral lands and lands traditionally occupied by



As the country braces itself for another General Election, land issues cannot be wished away as they still continue to impact on the economic, social and cultural spheres. Land related issues over the years have culminated in violence as witnessed in what has been dubbed as Post-Election Violence. The redistribution by the government in the past has fostered inter-ethnic group disputes, as differences on land have taken their toll. But in a bid to reverse the situation, the Commission has initiated a series of radical reforms to promote land rights of the marginalized minorities and historically disadvantaged groups in order to lead to the enactment of the National Land Commission.

Land Registration Act. In this issue, FAITH MUIRURI explores the role of the Commission in paving way for the resolution of long standing land disputes across the country.

- (c) hunter gatherer communities
- (c) lawfully held as trust land by county governments

Private land consists of:

- (a) registered land held by any person under any freehold tenure
- (b) land held by any person under leasehold tenure
- (c) any other land declared private land in law

The Act establishes four forms of tenure systems namely:

- freehold;
- leasehold;
- easement
- customary land rights consistent with the

Constitution.

Allocation of public land

The new law offers mechanisms for allocation and disposal of public land including entrenching public participation procedures whose absence has in the past caused abuse to public land by those in authority.

The National Land Commission (NLC) is to oversee the process on behalf of the National or County governments. The Act (Section 12 (1)) however outlines procedures under which public land can be allocated as follows:

- (a) public auction to the highest bidder at prevailing market value

- (b) application confined to a targeted group of persons or groups in order to address their disadvantaged position;
- (c) public notice of tenders as it may prescribe;
- (d) public drawing of lots as may be prescribed;
- (e) public request for proposals as may be prescribed; or
- (f) public exchanges of equal value as may be prescribed.

The Act directs the Commission to ensure that any public land that has been identified for allocation does not fall within any of the following categories:

- (a) public land that is subject to erosion, floods, earth slips or water logging;
- (b) public land that falls within forest and wild life reserves, mangroves, and wetlands or fall within the buffer zones of such reserves or within environmentally sensitive areas;
- (c) public land that is along watersheds, river and stream catchments, public water reservoirs, lakes, beaches, fish landing areas riparian and the territorial sea as may be prescribed;
- (d) public land that has been reserved for security, education, research and other strategic public uses as may be prescribed; and
- (e) natural, cultural, and historical features of exceptional national value falling within public lands;
- (f) reserved land; or
- (g) any other land categorized as such, by the Commission, by an order published in the Gazette.

Land earmarked for Investment
The Commission has powers to set aside land for investment purposes



Members of the public at one of the lands offices.

Issue as elections draw near

tion, land related problems underpin the political, ethnic clashes over during the 2007/2008 election. The process of land reform has outlined a critical basis for the issues rear their ugly head. The Commission has outlined a process for the poor, marginalized, and the country. This has led to the Commission Act, Land Act and Land Allocation Act which seeks to reform the country.

in line with the constitution (Article 65). The Commission has further been mandated to ensure that the targeted investments benefit local communities and their economies.

In addition, the Commission can allocate land to foreign governments in consultation with the National and county governments, on a reciprocal basis in accordance with the Vienna Convention on Diplomatic Relations.

The law at the same time is emphatic that Public land can only be allocated only if it has been planned, surveyed, serviced and guidelines for its development prepared.

Section 9 of the Act stipulates that where the land allocated is not developed in accordance with the terms and conditions stipulated in the lease, that land is to automatically revert back to the national or county government.

Cases of fraud where beneficiaries resell plots allocated to them have been addressed by the legislation. Under the Act, the Commission has powers to dictate terms, covenants, stipulations and reservations as it deems fit including:

- that the applicant personally occupies and reside on the land for a period set by the Commission;
- the applicant embarks on permanent improvement of the public land within the period specified by the Commission; or
- the consideration that must be paid for a disposition of public land.

Establishment of settlement scheme

The new law attempts to offer forms of restitution to the long-standing tenure problems associated with the landless poor, persons in informal settlement in urban



Cands Minister James Orendo with Land Development and Governance Institute Board chairman Ibrahim Mwathane in a past function.

areas, or those who have weak tenure claims such as the so-called "squatters".

The Act (Section 134 (1)) provides for the establishment of settlement programmes which are to be implemented by the NLC on behalf of the national and county governments.

According to the Act, settlement programmes entails the resettlement of squatters, persons displaced by natural causes, development projects, conservation, internal conflicts or other causes that may lead to movement and displacement.

The Commission is to assist the national and county governments in the administration of settlement programmes.

Prior to the resettlement of displaced person, the Act provides that beneficiaries be identified and verified by a sub-county selection committee comprising of the following—

- sub-county administrator who is to act as the chairperson;
- a representative of the county government, approved by the county assembly;
- a representative of the Commission;
- a national government representative;
- a representative of persons with special needs;
- a women's representative nominated by a local women's organization prescribed by the county

- government; and
- a youth representative prescribed by the county government.

Resettlement process

The Act provides that the resettlement programme is done in line with proposals outlined by the National Land Policy and the Constitution;

According to the new legislation, the Commission has an obligation to set aside public land to hasten approved settlement programmes. But in cases where public land is not available, any land acquired privately has to follow guidelines outlined by the Public Procurement and Disposal Act, 2005 or any other law.

The exercise is to be preceded by planning and surveying of the identified settlement schemes after which beneficiaries are to be allocated land in accordance with national values and principles of governance provided in Article 10 and the principles of land policy provided in Article 60(1) of the Constitution and any other requirements of natural justice.

The Act outlaws the transfer of any land acquired in a settlement scheme except through a process of succession.

The Act stipulates that beneficiaries of land in settlement schemes are to pay a specified amount of money as may be determined by the Commission and the body of trustees responsible for settlement matters.

The funds provided by the national government and county governments for the purposes of the settlement programmes are to be administered in accordance with the law relating to public finance management.

Land Settlement Fund

The Act creates a Fund to be known as the Land Settlement Fund which is to be administered by the NLC.

The Fund is to generate its revenue from

- Parliamentary allocations;
- Bilateral or multilateral donors;
- Gifts, grants, donations or endowments as may be given to the Commission for the purpose of the Fund;
- Monies that may be borrowed by the Commission for the purposes of the Fund;
- The rates, charges, dues, or fees levied by the Commission under this Act;
- All monies derived from the payment made by beneficiaries of settlement schemes; and
- Such sums as may be payable to the Commission pursuant to this Act or any other written law.

Functions of the Fund

The fund is to be used for the following purposes-

- provision of access to land:
 - to squatters;
 - to displaced persons;
 - for development projects;
 - for conservation; or
 - such other causes that may lead to movement and displacement of persons;
- purchase of private land for settlement programmes;
- establishment and management of refugee camps;
- provision of shelter and a livelihood to persons in need of settlement programmes;
- research, documentation and dissemination of information on settlement programmes; and
- any other purpose that would enhance the development and promotion of settlement programmes that may be approved by the Commission.

The Fund is to be administered in accordance with the provisions relating to public Funds under the law relating to public finance management.

Further, the Commission has a mandate to consult departments responsible for land, finance, agriculture, environment and natural resources, and special programmes and with the respective county government where applicable.

Corporate social responsibility takes root in the Judiciary

By JOSEPH MUKUBWA

THEY are used to ordering petty offenders to clean up the government offices, trim fences, collect garbage and tender flowers.

But this time round roles changed and the same magistrates and judges practically took up brushes and cleaned up the court compound.

The judges and the magistrates are only known to sit in the 'mighty' chair where they rarely mingle with the members of the public but it was a new dawn as they freely interacted with the public as they literally cleaned up the law courts, mopped up the walls and cut grass.

You could easily greet and hug or even order Justice Joseph Serгон at the time when he launched the clean up exercise within the courts compound.

Clad in white, mouth mask and blue aprons, they scrubbed floors and trimmed up grasses with other court staff including clerks, subordinate staff, lawyers and senior police officers.

"Yes my Lord," a lawyer answered the judge while still mopping up the surface unlike other times when the lawyer would use such terms during court proceedings.

The judicial officers did their clean up as magistrates and court officials scrubbed floors and trimmed grasses. Curious Nyeri residents watched in disbelief from a distance as judges and magistrates cleaned up the judiciary.

The lawyers and senior police

officers also kept their suits aside and engaged in the communal work.

"I have realized the cleaners do a lot of work. It is a tough job. I could soon turn out to be a trade unionist to vouch for better pays for cleaners. It is also an interesting job and instead of going to gym, you can be doing such a job," said Justice Sergon after cleaning for over three hours.

He said the exercise is a clear

demonstration that everybody is equal before the law and before God.

The judge said this is the first project the judiciary has initiated to show wananchi that they are also human beings and everybody should work in a clean environment.

"We shall be doing such work every month as part of the radical judicial reforms until the work is given to a private cleanup," He

added.

Sergon said he borrowed the idea in Kigali in Rwanda where all businesses are closed in a day and all people engage in a clean-up exercise.

Other programmes include exhibitions which will be held next month and a judicial march in town which will help the judiciary to interact with wananchi and educate the public on court processes.



High court judge Justice Joseph Sergon (left) and a senior police officer join efforts to clean up Nyeri law courts recently. RIGHT: Justice Sergon (right) with Nyeri lawyers. Photo/Joseph Mukubwa



Residents of Masinga call for help to use dam for irrigation

By JOSEPH MUKUBWA

THOUSANDS of farmers living around Masinga dam in Machakos County are calling on the Government and other organizations to assist them tap water from the dam for irrigation and domestic use.

The farmers lamented that many

organizations have been benefiting from the water while local farmers wallow in misery as they await for relief supplies.

The farmers mostly from Ekakala/Elkatini ward say that there is too much water from Masinga dam and Thika River and yet the area is very dry as the rain water is inadequate.

Speaking to journalists when they toured the area, the local councilor said that about 20,000 residents have been forced to rely on relief food yet many companies like Tarda, Kengen and Kenya Power among others have been benefiting with the water and have never initiated any irrigation project.

"We now appeal to the companies to assist the community tap the water for irrigation and domestic use as part of their role in social responsibility. The project only requires the pumping of water to the tank at Ekakala hill which is to be distributed using gravity. We live like refugees in our own home," said the councilor.

A resident Esther Mutua lamented that they are even unable to draw water in the river since it is infested with dangerous crocodiles and hippos.

"Old people and children spend most of their valuable time during the day in search of water. We are completely unable to get the water since it is very far away from us and when you reach there, you are not sure whether you will return home since you can be attacked by crocodiles," she lamented.

About ten local residents have been killed by the crocodiles in the last five years and now want the companies to help them get clean piped water.

A Standard Three pupil Mbai Kyalo of Wamboo Primary was killed by the crocodile late last year when he was drawing water from the Masinga dam.

Another farmer Kisingu Mbai said that animal wildlife conflict will end abruptly if the water is distributed in every home for domestic and agriculture use.



Ekakala/Elkatini councilor Isaac Muinde stands next to Masinga dam which is under-utilized. Photo/Joseph Mukubwa

Budalangi CDF funds building of new market

By NYAKWAR ODAWO

BUDALANGI Constituency Development Fund Committee has earmarked a total of Ksh5.6 million to facilitate the construction of a modern market at Budalangi trading centre during this financial year.

Addressing traders at the Budalangi trading centre after laying the foundation of the proposed market, area Member of Parliament Ababu Namwamba said the CDF committee had decided to fund the project after the Ministry of Local Government failed to respond to calls by traders to establish a modern market.

"Traders have been operating from makeshift stalls which become deplorable during rainy season and thus incur huge losses due to lack of storage facilities," said the legislator.

Ababu said the proposed market will empower the local community especially the women who he said had a major role to play as far as development of the economy was concerned.

"Busia County Council has already given Budalangi CDF committee a go-ahead to embark on the construction of a modern market which, on completion will go a long way in improving the lives of the local community hence making them self-reliant," said Ababu, adding that the traders had been neglected for too long.

He instructed the contractor to ensure that the project is properly done and completed within the right time so that it can serve its intended purpose.

The MP at the same time said that the ongoing construction of the 32kilometre classified road running from Manyasi-Rumbwa-Namalo- Bukoma and Port Victoria will cost a total of Ksh1.8billion, adding that once complete, the road will open the door to meaningful development as investors rush to invest in the area.

"The road project will definitely open the door to development as scores of investors flock the area eager to invest hence providing employment opportunity to the youth and the community at large," said Ababu.

The legislator urged residents to ignore individuals out to politicize the project. "Some have been traversing the area telling people that the road project will not see light of day. Do not listen to them because they are prophets of doom who are always praying for the worse to happen, yet they had failed to perform when they were in office," said Ababu, adding that their plot to taint his image was doomed to fail.

Reacting to claims that some local chiefs and their assistants were stealing relief food meant for the needy persons in the district, Ababu warned that the law will soon catch up with the culprits.

"I have received scores of complaints from the needy persons from various locations that some chiefs and their assistants are stealing relief food. We have launched investigations into the claims and those found culpable risk being sacked," he warned.

Group plans to export snake venoms to lucrative world markets

By TITUS MAERO

KEEPERS of some of the world's most dangerous snakes now plan to export the deadly extracts from the lethal serpents.

The Chairman of Kakamega Environment Education Programme (KEEP) Mr Benjamin Okalo said there is high demand for venom at the international market which is used to make medicine.

Okalo said a gram of venom currently fetches more money than a gram of gold internation-

ally.

The official said once they breed and stock more snakes they would team up with international snake handlers to extract venom from their snakes for export to get better and competitive prizes for the venom.

Okalo, who briefed reporters in Kakamega on the progress made to stock the snake farm with snakes and other animals for public viewing and research, further said they have stocked the two year farm with six different species of snakes out of the

twenty species of serpents they want to keep.

During the briefing, Okalo showed reporters the snakes they have captured from Kakamega forest and its neighbourhood in different cages.

He also displayed crocodiles, tortoise, ostrich and chameleon which the farm was keeping to increase its animal bio-diversity. The official said among the world's most poisonous snakes at the farm include Black Mamba, Gabon Viper and Puff Adder.

Okalo pointed out that Gabon

Viper is said to have migrated to Kakamega forest from Gabon in West Africa when the tropical equatorial forest from West to East Africa was still intact from human activities and erratic weather conditions.

"We are going to keep some harmless snakes such as Sand-bow for people to touch while at the same time learning about snakes on the farm," he added.

Okalo observed that such snakes play a big role in reducing rodents that eat grain in the farm and granary and advised

members of the public not to kill them when they come into close contact as they are not harmful.

"I sometimes wonder why people kill harmless creatures such as chameleons," Okalo said as he practically displayed using his bare hands.

He said the group which is also involved in planting of tree seedlings has also been making special charcoal from dry leaves and waste paper to reduce dependence on wood fuel to save Kakamega forest from extinction.

KFS partners with youth group to save Kakamega forest

By LINK CORRESPONDENT

THE Kenya Forest Service (KFS) has allocated 700 hectares of land to a youth group to plant 100 million trees in Kakamega Forest to save it from extinction.

The Kakamega County KFS Assistant Director Mr Mwai Muraguri said the donation of the seedlings to the Kakamega Young Green (KYG) Group was part of re-forestation programme being undertaken by KFS in forests situated in the area.

Muraguri pointed out that the expansive Kakamega forest faced serious deforestation as a result of human activities through charcoal burning, illegal logging, tree harvesting for fire wood and human habitation.

Speaking to reporters in Kakamega forest, he noted that Kakamega forest is important as it is a tourist destination which has rare bird species, wildlife, snakes and is a source of many rivers and streams.

He said the KYG Group would undertake the ambitious exercise of tree planting in the next three years to save the tropical forest noting that the trees contribute highly to the pattern of rainfall in the area.

Flanked by the KYG Group Chairlady Anne Bulumi, Muraguri observed that under the KFS Act it is illegal to undertake human activities in the gazetted forest without express permission from the KFS office.

The forester regretted that loggers had cut down most of the indigenous trees that formed the famous forest that used to stretch from West Africa to East Africa. He disclosed that some of the trees in the forest have medicinal value.

He said the forest had been invaded by nearby communities and timber jerks who have felled trees for timber and settlement adding that scholars from local and foreign Universities visit the forest to undertake research work.



Youth groups are advised to plant more trees. Photo/File

Church promises decent houses to followers

By AGGREY BUCHUNJU

OVER 1,000 families in Lwanja village in Bumula District of Bungoma County may soon live in permanent houses. Reformed Church of East Africa (RCEA), Bungoma Parish, plans to support the families with part of the construction materials for the structures.

Rev. Joseph Barasa, RCEA Bungoma Parish Minister has disclosed that his church has entered into a partnership with Christian Reformed World Relief Committee (CRWRC) to assist 1,034 families to build permanent houses.

The humanitarian aid, Rev. Barasa adds that comes in the wake of the recent floods that demolished 134 houses, leaving the 1,034 families homeless. "Besides demolition of the houses, farm crops worth millions of shillings were also washed away during the long rains that hit the area between April and July," Rev. Barasa claims.

Rev. Barasa points out that the area is perennially affected by floods during the long rains adding that is why his church is seeking for permanent interventions.

He however reveals that the church through its humanitarian wing will only provide 40 per cent of the total materials needed for each one of the 134 house set to be built. "The church through its environment department will also provide tree seedlings (eucalyptus) to the residents to plant as one of the floods intervention measures" Rev. Barasa adds.

Rev. Barasa claims that the targeted families are very enthusiastic about the initiative adding that majority have already started to assemble construction materials to meet the 60 per cent threshold.

The church minister appeals to other well-wishers including the government to come out and assist the affected families with drugs, mosquito nets and building materials. He points out that although the government provided mosquito nets and water treatment drugs to the victims the support appears to have been in adequate since malaria and water borne diseases are rife in the area.

Rev. Barasa spoke to the Link in Bungoma town recently after visiting some of the affected families to assess the damage caused and the level of preparedness to start construction of the houses.

Mbeere community roots for peaceful co-existence

By PETER MUTUKU

A COMMUNITY based organisation in Mbeere district, Embu County, is using culture and tradition to promote unity among two warring clans in Mbeere community whose persistent wrangles continue to undermine development in the arid and semi-arid area.

According to Peterson Njeru, the chairman of Thayu Mbeere (peace in Mbeere), the organisation has been holding meetings in the various locations of Mbeere North and South with the aim of uniting the clans which have been embroiled in bitter rivalry over the last forty years.

"Since independence, the Thagana and Mururi clans have been living in enmity, and we have tried all our best to reconcile them to ensure they unite and live as brothers and

sisters," he posed.

Speaking at a peace forum in Kirie Location, Mbeere North District peace committee chairman, S. Njeru said that Mbeere region has for a long time lagged behind in development due endless conflicts pitting the rival clans and called for a reverse of the situation to help realize development.

The chairman blamed politicians from the area for fanning hatred among the warring communities in pursuit of their selfish political interests.

"We have decided not to involve politicians in our unity campaign as they are the major contributors of clan divisions," he said adding that they have been using the tactic to marginalize the small clans.

The chairman said that educated children from the small clan have

been sidelined in job opportunities while members of the larger clan have dominated the region but the group is trying to inculcate cultural and traditional values among the warring clans in a bid to unite them.

Njeru said that the peace campaign has incorporated church leaders and the youth in their bid to eradicate clannism saying that the Mbeere community is starting to realize that divisions had led to the biting poverty.

He has also called upon the politicians who are seeking the various elective posts in the region to use the peace, love and unity platform in seeking votes so as to ensure they don't divide the Mbeere community.

Kirie Location chief Domiciano Njagi said that the Mbeere community, particularly the youth should wake up and shun the clan divisions

which were created by their forefathers saying that it has cost the community a great deal.

"We are very happy that the youths have been interacting well in spite of their different back grounds, and we shall sensitize them on the importance of unity," he posed adding that they will fully monitor politicians to avoid hate speech during elections.

Last year a group of over 1500 youths from Mbeere community under the Universal Voice for All (UVA) met in the region to chat the way forward on how to fight the clannism and foster development in the region.

Elders from the two major warring clans have also in the past slaughtered goats and bulls as a unification ceremony to save the community from further divisions.

Pan Paper Mills set for reopening, says MD

By TITUS MAERO

PLANS are underway to reopen the Webuye-based Pan African Paper Mills Limited which was shut down in 2009 due to massive debts running to billions of shillings.

In a meeting at the factory, the acting Managing Director (MD) Mr Muliaro Wafula and the Receiver Manager Mr Ian Smith said the government had pledged to release Ksh 8 billion to jump start the revival process of the factory. The officials said once the funds are released, the first task would be to clear debts owed to financial institutions that have threatened to auction machines at the factory if the funds are not paid to them.

Hundreds of permanent and casual employees at the factory lost employment when the former largest paper manufacturer in East Africa was pushed out of business and declared insolvent by shareholders after it failed to service debts owed to Kenya Power and Lighting company (KPLC) and Financial Institutions.

Muliaro and Smith pointed out that with the government having a majority shareholding in the multi-billion firm, the factory will be re-opened to revive economic activities in Bungoma County.

Early this year, the government in an effort to revive the company released Ksh 500 million to KPLC after it disconnected electricity supply to the factory owing to the accumulated unpaid power bills amounting to millions of shillings.

But the factory could not resume production work as it also owed local banks and Multinational companies billions of shillings which had also accumulated over several years.

Among the financial institutions owed colossal amounts of money included Kenya Commercial Bank (KCB), Barclays Bank, Bank of Baroda, Equatorial Commercial Bank (ECB) and Development Bank of Kenya.

The Paper Company, which is situated in Bungoma County, is among factories in the area that have played a leading role in enhancing economic development in the region. The other is Nzoia Sugar Company (NSC) Limited.

Last month, Trade Minister Mr Moses Wetangula assured local residents in Webuye that the government is committed in ensuring that the Paper Manufacturing Company is re-opened after it clears Ksh 8 billion owed to various institutions for services rendered.

Nyeri launches the Urban torch with fanfare

By JOSEPH MUKUBWA

NYERI town has launched the Urban torch campaign which is meant to involve 14 towns in the country before the campaign ends in Naples in Italy next month.

The campaign which was launched by Nyeri mayor Edward Muteru who lit the torch before leading a multitude to a procession through major streets in the town is aimed at promoting the concept and dialogue on livable cities and quality of life.

“Through this dialogue, the

campaign event will demonstrate that the people are the center of urban development and any progressive development course must take into account the need for balance between economic pursuits of the town as the engine for development and livelihood status of the residents,” said the mayor.

The Nyeri Local Urban forum was established in July last year as an initiative of the Civil Society Urban Development Programme (CSUDP).

“This is an initiative taking

place in 14 towns in collaboration with the municipalities,” said the coordinator of the forum David Ngige.

He said the local urban campaign under the banner ‘whose town is it anyway’ seeks to stimulate community passion to participate in shaping the form of urban areas in the new Constitutional dispensation.

“In order to elicit wider public attention to the local urban campaign, a series of public events dubbed the ‘local urban torch campaign’ are planned to take

place in all the 14 towns with the national peak of the event taking place in Kakamega.

These events will take place to raise attention and send a strong message on the urban future of Kenya as the Country prepares to take part in the sixth World Urban Forum (WUF VI) taking place in Naples, Italy on 1-7 September 2012,” he added.

The 14 towns are Nairobi, Mombasa, Kisumu, Nakuru, Eldoret, Thika, Embu, Nyeri, Malindi, Naivasha, Kakamega, Machakos, Garissa and Kitui.



Nyeri residents in a procession in town during the launch of Urban torch campaign.

Photo/Joseph Mukubwa

Finland joins fight against poverty in Western

By TITUS MAERO

KENYA and Finland have jointly started a grandiose project to fight rising levels of poverty in Western Kenya.

The project known as Programme for Agricultural and Livelihoods in Western Communities (PALWECO) will cost Ksh 3 billion with the Finnish government contributing 80 per cent of the funding.

The Masinde Muliro University of Science and Technology (MMUST) Region Centre of Experts Department of Nutrition is offering consultancy services to the five communities living in Busia County with an estimated population of 736,300 people.

MMUST Head of Nutrition Dr Gordon Nguka says that the communities that will benefit from the project include Teso North, Teso South, Butula, Nambale, Samia, Busia Town and Bunyala.

Nguka noted that Busia county had

been chosen to kick start the project because of its high poverty index which, he said, is above the national average of 65 per cent according to the 2009 estimates by the Ministry for Planning, National Development and Vision 2030.

The official said the main objective of the programme will be to alleviate poverty and improve livelihoods and living standards of the poor in Busia County through strengthening the capacity of the population in order to influence structure and processes affecting them.

He further said the project would also increase wealth from sustainable farming and non-farming activities, improve the living standards and the livelihoods of the vulnerable poor people in the area.

Nguka said the project runs for five years and seeks to empower the local people on how to become food secure apart from supplying them with farm inputs such as seeds, fertilizer in order

to engage in income generating activities.

The officer said that the project would soon be replicated to other parts of the country which have high poverty index as per the Ministry of Planning poverty estimates.

Meanwhile, the World Bank has stepped up funding of the poultry sub-sector in Western Kenya to end the shortage of indigenous chicken in the region.

The financial institution through the Ministry of Agriculture's Kenya Agricultural Productivity and Agri Business Project (KAPAP) said the funding aims to increase agriculture productivity and income of small scale poultry farmers in the project areas to reduce poverty enhance food security and promote job creation.

The KAPAP Regional Service Unit Co-ordinator Mr John Manyengo said part of the funds would be used to train poultry farmers on new technology of rearing indigenous chicken in

a small farm.

Manyengo, who spoke at Shitakho village in Kakamega Central District, said the total budget for the project is Ksh 2.4 million and covers a five years period.

The official said the Western Water and Sanitation (WEWAS) Group, which is implementing the local poultry production, was lauded as the best performing firm having generated Ksh 2.7 million against accumulative payment of Ksh 1.5 million in the first disbursement.

Manyengo pointed out that the project is being implemented in four Districts namely Kakamega East, Kakamega South, Kakamega Central and Kakamega North noting that extension service provision is contracted to private firms through competitive selection procedure.

He at the same time noted that poultry farmers had constructed a chicken slaughter house at Shitakho which KAPAP will equip and employ

workers at a cost of Ksh 1 million with funds from the world bank.

He observed that the slaughter house would be used to inspect chicken meat before it is distributed for sale to all Kakamega market outlets.

A random check at chicken markets established that the bird's price range between Ksh 500 to Ksh 1,000 depending on their size and weight. Chicken meat is popular among the Luhya community who use it for food in various ceremonies and homes.

Statistics released last month by the Ministry of Agriculture revealed that about Ksh 6 million is used to buy chicken annually in Western Province with the money going to provide employment and reduce poverty in the region.

The Western Province Director of Agriculture (PDA) Mr John Cheriuyot pointed out that poultry farmers face challenges such as diseases, exploitation by middle men, inadequate extension officers and poor prizes.

New KCC Kiganjo to start processing condensed milk

NEW KCC Kiganjo factory in Nyeri County plans to start processing condensed milk products. The New KCC chairman Matu Wamae said the factory has already started to install the condensed milk line which is almost complete.

"This will go a long way in increasing the production capacity and capture the untapped market of condensed milk products," said the chairman.

Speaking during a dairy farmers meeting held at the factory, Wamae said the factory aims at increasing the milk received from the farmers and at the same time increase the drier capacity.

"This will be achieved through better payment and offering incentives to the farmers so as to develop and maintain their loyalty to New KCC as a whole," he added.

The chairman added that plans are underway to put up coolers in strategic catchment areas to boost the milk intake and also aims at increasing the processing capacity by introducing a second processing line.

The Central Kenya region farmers meeting which was meant to discuss the New KCC privatization plans was attended by Cooperatives Minister Joseph Nyaga and Kenya Dairy Board Managing Director Machira Gichohi among others.

However, the chairman lamented that the factory processing capacity has dropped from 10,000 liters per hour to 7,000 liters per hour.

"We are currently unable to meet the installed drying capacity of 60,000 litres per day. Currently, we are only able to dry 40,000 litres of milk per day. With the better prices being offered to our farmers, we antici-

By **JOSEPH MUKUBWA**

pate an increase in intake hence our aim is to increase the drying capacity to between 80,000 litres to 100,000 liters per day," Wamae added.

Last year, the factory received a record of 20 million liters of milk so which was the highest

intake. Out of this intake, farmers were paid Ksh 625 million which was the highest payments paid to farmers so far.

The catchment areas for the factory are Mukurwe-ini, Othaya, Tetu, Kieni and some part of Kirinyaga district.

The factory located along Kiganjo- Nanyuki highway was

officially opened in 1968 purposely for drying of milk powder both for skim milk powder and full cream milk powder in order to prolong the shelf life of milk.

The current intake for Kiganjo is between 45- 50,000 litres which is among the highest in the country among the New KCC plants.



The new KCC Kiganjo factory in Nyeri County (above). Some of the dairy farmers who recently attended a meeting at new KCC factory in Nyeri County (below). Photo/Joseph Mukubwa

By **TITUS MAERO**

THE Director of Technical Education in the Ministry of Higher Education Mr Owate Wambayi has said the integration of Science Technology and Innovation (STI) in Technical Institutions is central to the success of the government's policy priorities and programmes.

Wambayi said that this is particularly important within the context of demand for global economic competitiveness, sustainable development and equity concerns.

Speaking at the Sigalagala Technical Training Institute (TTI) in Kakamega, the Director said the development of the necessary scientific and technical infrastructure as well as the technical skills is a prerequisite for the transformation of

Technical skills needed for Kenya to industrialize, official

the country's industrialization agenda.

He said that currently, emphasis had been put on modern technologies and processes that enhance national competitiveness and facilitate the training of quality technicians in the industrial sector which, he said, was the engine of the country's industrial process.

In addition, he observed that the capacities of technical institutions will be enhanced through advanced training of personnel and improved infrastructure to enable them give priority to

practical work.

He said the country needs skilled manpower adding that a national skills industry and audit survey will be conducted to form the basis for long term development to boost the country's industrialization capacity.

Wambayi pointed out that the Kenyan economy exhibits limited levels on innovation required to foster increased output and productivity necessary for self-employment and wealth creation especially for the technical student leavers joining the market economy.

The official noted that the government is determined to provide financial support to technical institutions to develop and have adequate infrastructure that would meet the demand of the ever increasing number of students seeking technical courses.

He said the Ministry would endeavor to support technical institutions in all spheres noting that this will facilitate the shift from a purely agrarian economy to an industrial economy thriving on innovative for sustainable development.

Raila launches poverty reduction programme in Busia

By **NYAKWAR ODAWO**

PM RAILA Odinga led many leaders from western Kenya in launching anti-poverty program funded by the Kenya government and the Finish Government.

The roll out of the Ksh3 billion project is expected to reduce poverty and improve living standards in the region.

The five year programme for Agriculture and Livelihoods in Western Communities (PALWECO) which initially covered Busia County has been expanded to include Teso North, Busia, Butula, Nambale, Samia, Bunyala and Teso South Districts.

Speaking during a planning meeting at the Busia Agricultural Training Centre recently, the Programme Director Sakwa Mwangala said the initiative seeks to improve household small-scale storage, decrease of post-harvest losses, improve household environment, nutrition and food security, increase access to social, financial capital, markets and improve services through secondary and feeder roads.

"The implementation phase of the programme will go a long way in increasing agricultural productivity, creating and strengthening value chain platforms, support the youth in entrepreneurship initiatives, improve competitiveness and increase commercialization of Agriculture, strengthen capacity of extension organizations, provide support to households, county devolution process, create awareness on human rights, strengthen community based organizations' capacity on planning, management and financial administration," said the programme director.

Mwangaza added that the initiative is a bilateral programme co-funded by the Government of Kenya and Finland, with the Finnish government providing 27 million Euro grant and the Kenya government providing Ksh 347 million.

"In order to help implement its programs, PALWECO is working jointly with the Ministry of Planning, National Development and Vision 2030, District / sub county Administrations and Departments, Community based organizations, Non-Governmental Organizations, women, men and youth in the county and the private sector," he said.

Acting Busia District Commissioner John Maingi, who also addressed the meeting, expressed the need to build the capacity of county officers and directors being posted under the devolved system of government to enable them participate in implementing the project's objectives.

"There is need to capacity build the county officers and directors who will be posted to the county under the devolved structure so that they can be able to effectively participate in the project implementation," said the provincial administrator.

Buffalo Springs: An oasis of hope in the arid north

By MALACHI MOTANO

ISIOLO'S Buffalo Springs National Game Reserve acts as the only oasis of hope in the vast arid and semi-arid Northern Kenya where wild animals converge to drink water and graze during the dry season.

According to Isiolo County Council warden, Mr. Ali Boru, "This is the only springs where wild animals converge to drink water and graze during the dry season. Buffalo springs area is indeed rich in wild animals and all tourist game drives across the national game reserve must pass through the spectacular point for game viewing."

While in Buffalo Springs National Game Reserve, tourists can catch sight of Kenya's wildlife and birds at a place called Buffalo springs, just a few kilometres from Ewaso Nyiro River.

The wildlife sanctuary is located near Isiolo town, currently being transformed by the Government into Isiolo Resort City to specialize in tourism activities. The reserve which is located adjacent to the town, covers an area of 131 square kilometers is among flagship projects outlined in Vision 2030.

The warden says tourists can also view clearly the snow-capped Mount Kenya from the natural reserve and enjoy the beautiful scenery of the hills and the plains which dot the entire region.

Mr. James Mwaura is the Isiolo District Commissioner. "Security in Isiolo county national game reserves has improved tremendously over the years and so many Kenyans and Asians visit Buffalo springs national reserve annually to enjoy wildlife game drives, sight-seeing, and have a taste of wilderness and weather conditions. With the growth



Lions in Buffalo Springs National Game Reserve.

of the tourism industry in the area driven mainly by Buffalo Springs national game reserve, the district commissioner says cattle-rustling and banditry have been contained."

He however observes that the two vices have over the years been a setback to the socio-economic development among the pastoralist communities in the area.

Mr. Mwaura says that conflict in Isiolo County over pasture and water is set to be a thing of the past once pastoral communities engage in tourism activities and diversify their sources of livelihood.

The tarmacking of Isiolo-Marsabit and Moyale road by the Government has promoted tourism activities in Northern

Kenya, according to Samburu Simba lodge Manager, Mr. Ibrahim Halake.

He says the road which is part of the Northern Corridor would also boost business activities in Isiolo, Marsabit and Moyale towns in Northern Kenya. He however wants the income generated from tourism be back to support community projects to help encourage the local communities in conservation of wildlife and the environment.

The manager says that the Kenya Wildlife Service and local authorities in the area should allocate sufficient resources towards the training and welfare of their workers, environmental conservation and upgrading of infrastructure in the national

game reserves.

Mr. Halake who has several years' work experience in the tourism and hospitality industry opines that more irrigation projects should be initiated in Isiolo region to enhance food security to the locals and thus curb cases of poaching of wild animals.

Apart from wild animal, he says that Buffalo Springs national reserve is dotted with several lodges which have the capacity to accommodate over 20,000 tourists annually.

One of the best hospitality centres at Buffalo springs national game reserve is Samburu Simba lodge which has been expanded and modernized to cope with the increasing demands in the tourism and hospitality in-

dustry in Isiolo County. There are 70 rooms, 18 cottages, two swimming pools and four conference rooms.

Ewaso Nyiro River, Mr. Halake points out, is one of the best tourist attraction sites in Isiolo Buffalo Springs national game reserve. The best sceneries are to be found where the River meanders and inhabited by hippopotamus and crocodiles.

An additional attraction to tourists to the national reserve is the Buffalo Springs airstrip where tourists flying from all corners of the country land and take-off after their stay in Isiolo County.

Isiolo District Development officer Mr. Joseph Nga'ng'a says he is optimistic that projects earmarked for implementation under Vision 2030 would help spur growth in the sector.

He says that with the tarmac road linking Isiolo town with other parts of the country, the town would definitely connect Kenya to Ethiopia.

However, he pointed out that besides tourism, the county should also explore the prospects of developing lime and cement factories to transform the region.

Copper mining prospects are also high in the area and efforts should be directed towards the exploration and exploitation of the mineral resource, says Mr. Nga'ng'a.

On livestock development, Mr. Ngang'a says that this was indeed the lifeline of the people and the completion of Isiolo abattoir would definitely boost the livestock industry since it will operate just like the Kenya Meat Commission which serves both the local and foreign markets.

Tourism is indeed the jewel of Isiolo County. It is the natural resource which is capable of propelling the county to the highest levels of prosperity. To optimally tap the tourism resources of this County, the Government should invest more in the development of Buffalo Springs national game reserves, among others, in the region.

A tale of a mother's agony over deformed daughter

By MALACHI MOTANO

MRS. AGNES Adhiambo, a widowed mother of seven from Rarieda District, has had to endure several questions from the young girl who could not comprehend why she was the odd one out among her school mates and other children.

"My daughter is called Beth Akoth. She is always afraid of going to school and I had to force her on numerous occa-

sions. She is always complaining that other children would make fun of her that she resembled a ghost," adds Mrs Adhiambo, a teacher at a local school.

Mrs. Adhiambo says she resigned to fate and would agonise whenever the innocent girl would confront her, demanding to be taken back to the Creator.

One day as she pondered what to do, she heard an announcement over a vernacular radio that a team of doctors

through an NGO, Help A Child Face Tomorrow, had planned to organise a free reconstructive surgery for those suffering cleft lips and cleft palate.

Her heart missed a beat. She decided to embrace the opportunity and give consent to a reconstructive surgery for the daughter.

Adhiambo and her daughter were not alone when she arrived at the Siaya District Hospital for the operation. Many peo-

ple, young and old, thronged the hospital to seek surgery to correct various deformities, ranging from the cleft palates, cleft lips to colloids and different types of tumours

At the hospital young Akoth was recuperating together with her age mate, Roseline Ongoche from Ebwiranyi, Bunyore in the neighbouring Emuhaya district.

Ongoche's grandmother, Helen Mbali who accompanied her for the operation said that like

Akoth, she was the only child in the family to have suffered cleft lips and cleft palate.

According to the coordinator of the Help A Child Face Tomorrow, Dr. Meshack Onguti, thousands of Kenyans especially in the rural areas suffer in silence from the disease that can be handled in the initial stages.

"High poverty levels have

A tale of a mother's agony over deformed daughter

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made our people bear a burden that can be corrected through support from the society" he explained.

Dr. Onguti said that his team comprised of 20 experts from various medical disciplines, among them surgeons, anaesthetists and nurses who conducted reconstructive surgery to over 80 patients.

He however expressed concern over the high number of people suffering from keloids and growths from piercing their ears and body tissues. "The number is abnormally high and we suspect that there could be a reason behind this," said the medic.

Dr. Onguti said that his organisation that has been working in close collaboration with Smile Train, an international NGO, focuses on children with special deformities.

Help A Child Face Tomorrow was established in 2006 and has been organising free medical camps in various parts of rural Kenya through the support of well wishers. The Siaya medical camp was funded by Dominion Farms.

Dr. Onguti called on Kenyans to embrace volunteerism saying that this was the best way to help those in dire need. "Patients have genuine concerns. They are poor and cannot afford the cost of surgery and medication," he said.

Another beneficiary of the initiative was Monica Auma who has lived with a tumour on her back for the last nine years.

Auma, 38, hails from Rongo district. She said the tumour initially started as an itch before

developing into a boil.

After visiting local health facilities in Rongo, she ended up at New Nyanza Provincial General Hospital where the authorities demanded Ksh. 5,000 for X-ray and other medication, she said.

"I could not afford this and had to travel back to Rongo in the hope of raising money," said the peasant farmer who had to make the hard choice between survival and having the tumour removed.

The tumour, which weighed several kilos, made it difficult for her to undertake normal chores. This caused persistent chest pains and the lady could not carry anything.

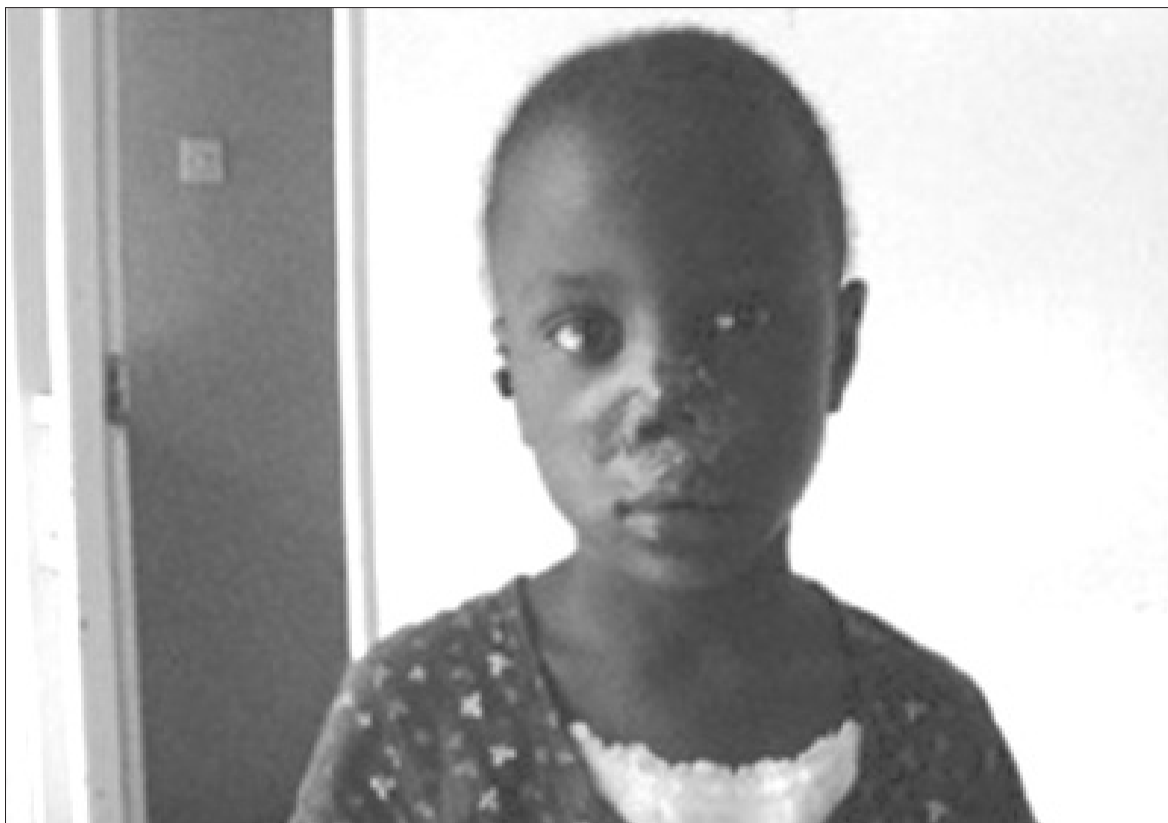
Auma was full of praise for the NGO and sponsors of the medical camp, saying that when she learnt of it, she boarded a bus from Rongo to Siaya.

Speaking during the launch of the camp, Siaya DC Mr. Boaz Cherutich and former Alego/Usonga MP Sammy Weya lamented that most people in the rural areas were suffering from ailments that can be corrected but lacked resources to visit the hospitals.

Mr. Cherutich said that medical specialists and well equipped hospitals were miles apart and with high poverty levels, the common mwananchi could only benefit from proper medication through free medical camps.

He however said the government, through the devolved structures was committed to providing quality medical care for all.

The former Member of Parliament challenged the middle-class population to help communities living in rural areas



Beth Akoth one of the beneficiaries from Help A Child Face Tomorrow.

to enjoy quality medical care by volunteering their time and resources to support medical camps.

The president of Dominion farms, Mr. Calvin Burgess said his company will continue to support the local community adding that as part of its corporate social responsibility, the company has helped pave roads and has been supporting the education of several orphans in Siaya district.

Dominion Farms Limited Director Mr. Chris Abir said the organisation was just giving back to the society. "We are in the business of producing rice and tilapia which we would like our customers to taste and cleft

lips and cleft palates affect their sense of taste, hence our decision to have these corrected so that all can enjoy our products," he said.

Mr. Abir said that the organisation will strive to make the free medical camp an annual

event so that it caters for the less privileged.

During the early weeks of development inside the mother's womb, each person suffers cleft lip and palate. Researchers estimate that one in 600 babies has a cleft lip or cleft palate.



A team of doctors through an NGO, Help A Child Face Tomorrow, had planned to organise a free reconstructive surgery for those suffering cleft lips and cleft palate. Photo/Malachi Motano

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Adoption of new technologies, the only salvation for Kenya's agriculture

ACCORDING to Professor Shaukat Abdulrazak, Chief Executive Officer (CEO) of the National Council of Science and Technology, the country is now appreciating that rain-fed agriculture is unsustainable and must be replaced by alternative mechanisms driven by technology

"Food insecurity always affects our country and relief food supplies in drier regions have soiled the image of a nation which is making tremendous progress in several sectors of development.

Most Kenyans are therefore coming out strongly on how to overcome issues of drought, famine and reliance on external food donations to feed our fast growing population and more so in the Northern Kenya.

"Any farmer can produce food or milk during wet seasons. With the influence of technology in all sectors today, agriculture must not be left behind," says the Professor.

In the 2011/2012 budget, the Government allocated Ksh 10 billion to fund existing and new irrigation projects around the country. This development has set the precedence in transforming the sector through irrigation and is firmly the way of the future.

The professor continues that "As we press on to accomplish goals set for the agricultural sector in the vision 2030 blueprint, we anticipate a future where rain-water is accounted for as a supplementary source, not a primary one, while water harvesting, drip irrigation and prudent management of water resources will be emphasized."

The Ministry of Agriculture has initiated and funded several irrigation projects to transform farming and enhance food security in the country.

According to the PS in the Ministry of Agriculture Dr. Romano Kiome, the government in collaboration with development partners is funding Kabaa small-scale horticultural irrigation scheme in Machakos County at a cost of Ksh2.1 billion.

The irrigation scheme which falls under Small-Scale Horticultural

The national council of technology is recommending that Kenya must now adopt new methods of farming to replace rain-fed agriculture. The council also plans to fast-track the development of infrastructure and enhance farmers' capacity to boost their leadership, planning and conflict resolution skills to spur agricultural production and increase farm output Writes MALACHI MOTANO

tural Development Projects is 240 hectares and is earmarked to address perennial food shortage in the region and boost the income of the local residents."

Dr. Kiome says the Government is determined to ensure successful implementation of all irrigation projects in the country through the provision of steady and sufficient water supply, and farm inputs such as fertilizers and seeds.

The Ministry of Special Programmes is seeking Ksh 1 billion from the treasury to buy maize from farmers to boost the country's strategic grain reserves and food security measures.

According to Dr. Andrew

Mondoh the ministry's Permanent secretary "the Government is buying more maize from farmers to strengthen its grain reserves through the National Cereals and Produce Board (NCBP) and protect the farmers from being exploited by unscrupulous businessmen from the neighbouring countries."

The Permanent Secretary who made the remarks during a drought crisis steering committee meeting in Nairobi, asked maize millers to offer competitive maize prices to farmers in a bid to encourage them to produce more during the next planting season.

He said that the Government has made plans to buy maize from

farmers in South Rift, Eastern region and Tana River to avoid wastage of the crop.

On drought conditions and rainfall patterns in the country, Mr. Mondoh said that farmers will be advised by the Government accordingly, while water and pasture challenges will be tackled effectively.

He said the national drought steering committee members and other stakeholders are undertaking studies on how to tackle drought conditions in the country, adding that both scientific and historical issues have been taken into account by drought mitigation experts.

Speaking during the same oc-

casional, Ministry of State for the Development of Northern Kenya and other Arid Lands Permanent Secretary Mr. Lawrence Lenayapa, urged scientists dealing with climate change and environment issues to advise the Government on the best methods of tackling drought, floods and food security issues.

Mr. Lenayapa noted that with adequate food supplies in the country, the cost of living will be manageable and Kenyans will be able to invest in other productive sectors of the economy.

He said that technology has to be applied from the farm through to processing, storage and marketing, and it also requires the implementation of the right policies, finances, insurance, infrastructures and information.

The Permanent Secretary said: "Water and key service providers have been selected to jump-start development for the Arid and Semi-Arid Lands which are home to 14 million Kenyans and cover about 89 per cent of the country."

He further said over 70 per cent of the population in these areas live below the poverty line while there is a vast base of natural resources which remains underutilized, adding that despite their high development potential, the ASALs have the lowest development indicators and highest poverty incidence among all areas in Kenya.

Kenya Commercial Bank (KCB) Agribusiness Development manager Lydia Saina said commercially viable agriculture can yield food for millions, eliminate hunger and spur wealth creation through agri-enterprises.

Ms Saina said KCB focuses on the full value chain within agriculture to offer its solutions which includes providing working capital, term loans, soft commodity trading as well as structured finance.

She says with rising population, climate change and shrinking arable land, a paradigm shift is needed on how agriculture is resourced and practiced because Kenya's economy relies heavily on agriculture.



Workers pick tea in one of the tea farms.

Photo/Malachi Motano

CIMMYT urges farmers to adopt new farming method

By TITUS MAERO

FARMERS in Kenya will no longer need to till their land to plant crops following the introduction of Conservation Tillage Agriculture (CTA) from Australia.

The technology is being financed by the International Maize and Wheat Improvement Centre (CIMMYT), through the Kenya Agriculture Research Institute (KARI) in Western and Eastern Kenya where yields per acre have considerably increased and cost of production gone down.

KARI'S Project Officer Mr. John Achieng said the project is

being implemented on a pilot basis in Bungoma and Siaya Counties. He said Conservation Agriculture is also being practiced in Tanzania, Ethiopia, Mozambique and Malawi.

He noted that the technology ensures retention of adequate levels of crop residues on the soil surface to protect the soil from water run-off and erosion, improves water infiltration and reduces evaporation to enhance water productivity, it also increases soil organic matter and biological activity and enhances long term sustainability.

He said farmers who are using the technology are advised to leave

crop residues on the land to help retain moisture.

Achieng said this in Bukembe sub-location in Bungoma County during a farmers' field day to exhibit the technology and other farming technologies.

The occasion was also attended by farmers from Embu who came to see how their counterparts were implementing the new technology.

Mr Aloice Ndiege, a research technician from International Centre for Insects Physiology Entomology (ICIPE) in Mbita centre in Nyanza province said apart from desmodium retaining moisture in the soil, it

repels stalk borer and kills striga weed which is responsible for low yields such as maize, sorghum and finger millet production in Western Kenya.

A local District Officer Mr Felix Munyalo, who was the Guest of honour, urged farmers to adapt modern ways of farming to produce more food to feed the increasing population in the area.

The occasion was also addressed by KARI Kakamega centre Deputy Director Dr George Ayanga, who said the new farming Technology has been received well by farmers in Western and Eastern Provinces and will soon be adapt-

ed by farmers in other parts of the country.

Ayanga said new farming technology has come at a time when scientists are busy developing new maize varieties to adapt to climate change that has caused emergence of new diseases and reduction in crop yields in Sub-Saharan Africa.

In Kenya, scientists at KARI Kakamega Centre have teamed up with other scientists to develop maize varieties whose seeds will be sold in local markets in two years.

Ayanga further said five other

AGRA leads green revolution efforts in Africa



Seed company participants at Kenya Plant Health Inspectorate Services (KEPHIS) Field in Nakuru recently.

By HENRY OWINO

AFRICA Green Revolution Alliance (AGRA) has partnered with other international groups to boost food security in Kenya and the rest of Africa.

AGRA has joined Japan International Cooperation Agency (JICA), the AU's New Partnership for Africa's Development (NEPAD), the World Bank and the Africa Rice Centre, among others to double rice production by 2020.

To implement this special fund, an organization known as Kenya Incentive-based Risk-Sharing System for Agricultural Lending (KIRSAL) is expected to access at least \$500 million of assist more than 1.5 million smallholder farmers and over 10,000 agribusinesses.

In 2011, AGRA launched Farmer Organization Support Centre in Africa (FOSA) whose aim was to strengthen farmers' organization in Kenya and elsewhere. Today FOSA is helping to improve smallholder access to input and output markets, and to high quality support services to increase productivity and profitability of Kenya's agricultural sector.

AGRA also hosts the rapidly growing African Enterprise Challenge Fund (AECF), which focuses on encouraging innovative private sector agricultural initiatives in Kenya and across Africa. Initial financial backers included the Netherland's Ministry of Foreign Affairs, IFAD, the UK's DFID, and the World Bank's Consultative Group to Assist the Poor (CGAP), and others have come on board since the Fund's inception in 2008.

Speaking during a conference in Nairobi, AGRA President Jane Karuku said the agriculture sector directly and indirectly accounts for about 50percent of the

country's Gross Domestic Profit (GDP). This she said helps to provide a strong foundation for broader economic development and is a major factor in reducing poverty.

Jane noted most of Kenya's staple food production comes from the hard work of millions of smallholder farmers. She estimated that about 70percent of small holder farmers now use at least some fertilizers and 30percent plant certified seed of improved higher yielding varieties. The AGRA President added that Agriculture has also been one of the fastest growing sectors of the economy and today, it accounts for 65percent of the country's profit.

Jane the AGRA President explained: "We still have much work to do to strengthen the sector and to improve food security in our country. Millions of our people struggle daily to get enough to eat. Moreover, about 17percent of our children under the age of five suffer the effects of malnutrition. Despite the relatively good news we have been hearing this year about anticipated bumper harvest, long-term declining rainfall due to climate change remains a significant threat to staple food production in Kenya and indeed in East Africa."

Jane pointed out that poor soils, limited storage facilities, inefficient markets and marketing systems, and persistent under-investments in agricultural research and extension are some of the challenges that continue to limit the potential of the agricultural sector.

She however promised smallholders' farmers that some of the challenges are things which can be done away with. In addition she underscored efforts by the Kenyan Government to enhance its support to the agriculture both in word and deed.

For instance, AGRA president observed that the country had surpassed the Maputo Declaration by African countries' commitment to allocate 10 per cent of their annual budget to agriculture. She said Kenya's funding to the sector is now at 11 per cent and still increasing.

"The Government is working to improve smallholder access to markets, increase the availability of extension services, and at the same time reduce its role in commercial activities to make room for and encourage the growth of private sector involvement," she assured.

In May this year, AGRA agreed to assist the International Fund for Agricultural Development (IFAD) in implementing their Programme of Rural Outreach for Financial Innovation and Technologies (PROFIT), which will provide an additional \$10 million in risk-sharing funds.

The money is expected to scale up financing by a number of Kenyan banks and microfinance institutions, and is aimed at leveraging \$100 million in new credit, mainly for smallholder farmers.

"Our involvement in KIRSAL and PROFIT signals AGRA's strong commitment to Kenya. More importantly, these programmes indicate the Government's willingness to embrace innovative approaches to resolving challenges facing the agricultural sector," AGRA president, Jane Karuku clarified.

For example; AGRA's most interesting projects involves banana farmers. The project seeks to link smallholder banana farmers to Markets in Eastern and Central Kenya and was able to reach 15,671 farmers who were able to sell 7.9 million kilograms of bananas earning

the farmers \$1,232, 688..

The project has since then introduced selling bananas by kilo instead of "eye-balling". Before the introduction of the kilo system, farmers would end up selling bananas at Ksh3 per kilogram but after introducing the system the price would be about Ksh 10 per kilogram.

Another 14,815 farmers adopted tissue culture technology and their yield increased by 2.2 time of the average yield of non-tissue culture banana plantations. AGRA's investments in building a strong network of agro-dealers in western Kenya, for example, it has reduced the average distance smallholder farmers must travel to obtain commercial inputs from 17km to 4km.

All AGRA works are done in partnership with public and private sector organizations that share its vision of catalyzing a Green Revolution, in Kenya and across the continent. Some of the partners in Kenya include: Government of Kenya, through Ministry of Agriculture, especially Kenya Agricultural Research Institute (KARI); Equity Bank; Agricultural Market Development Trust (AGMARK); TechnoServe; various private seed companies; the World Food Programme's Purchase for Progress initiative; Farm Input Promotions Africa; Moi University; the Cereal Growers Association; and many others.

All are aimed at transforming Kenya's agricultural system into a more productive profitable and commercially viable sector. It is therefore, targeting to achieve effective full potential, sustainability for reducing poverty, improving food security and protecting natural resources based at achieving food security in the country and Africa.

CIMMYT urges farmers to adopt new farming method

From Page 24

African Countries are doing similar trials to increase food production for their people. The project is being funded by CIMMYT which has regional offices in Kenya and Zimbabwe for Sub-Saharan region.

The Kofi Annan's A Green Revolution in Africa (AGRA) is also helping Sub-Saharan African Countries to increase food production by providing funds to train farmers to use lime to reactivate acidic soils caused by leaching and monoculture.

In Kenya, the project is being undertaken in Siaya and Kakamega North Districts where farmers have registered good yields after many years of poor harvest due to depreciated soils.

Meanwhile white ants which are common delicacy in Western Kenya are increasingly disappearing into the soil owing to the unreliable weather patterns.

The Western Provincial Director of Veterinary Services Dr Feneas Mulala said white ants like warm weather and thus the insects have remained in the soil because the area has experienced cold weather throughout this year.

He said that the White ants are a common during dry spells but said that most parts of Western Kenya have experienced unprecedented cold weather this year, forcing the insects to remain in the soil for a long time.

Dr Mulala said other insects which live in the soil like termites also hibernate during cold weather till the time of warm weather. "This is why you cannot find white ants in Limuru where weather conditions are extremely cold throughout the year," Dr Mulala told reporters in Kakamega.

He said the white ants are considered as a highly nutritious in the area and prices have gone up due to the shortage.

Mulala said a medium tea cup goes for Ksh 200 with the small cups fetching between Ksh 50 and Ksh 100 adding that currently most markets do not have the insects.

He observed that scientists are currently carrying out experiments on how to increase the breeding of white ants throughout the year to meet the increasing demand in the market.

In Western Kenya, he added, residents eat the insects raw as they come from the ground, while others fry to make them more delicious. Mulala said in many parts of Busia, Teso and Bungoma residents beat vibrating drums to entice the insects to come out of the ground.

Crop failure to blamed for grinding poverty in Ganze

By BRIGHTON KAZUNGU

SCANTY rainfall and poor crop husbandry has been identified as the driving force behind the poverty in Ganze district.

The area has chunks of arable land that if modern farming methods are introduced, the area could not only feed Kilifi County but far flung areas within the County.

Although agriculture is the main economic activity, no meaningful yields are produced in the farmer farmers in the area.

Rain fed farming has proved fruitless especially now that rain hardly falls. As in most African communities, the Ganze community depend on maize as their staple food.

The crop which has been grown from time immemorial has been performing poorly in recent times prompting agricultural officers to push for the adoption of crops that can withstand harsh weather conditions.

One of the crops recommended is cassava which experts say can withstand the hot and dry climate in arid and semi arid areas.

However very few farmers have embraced the crop and majority of those who have adopted the crop have not embraced it fully.

Two farmers from Jaribuni division, one of the four divisions in the district have proven beyond doubt that the crop can replace the maize dependence culture of the area.

As other families are crying to the government for relief food, former Jaribuni chief Japhet Munga's family is comfortably loading cassava pro-



Ganze area has chunks of arable land that if modern farming methods are introduced, the area could not only feed Kilifi County but far flung areas within the County.

duce ready for the market thanks to his two wives.

During his helm, Munga bought several acres of land in the area which he later subdivided some portions to his two wives while the rest remained a property of the whole family.

"After I retired in 2002, I decided to give my wives 3 acres of land each so that they can do their preferred farming while the remaining 8 acres were for the whole family" said Munga.

Though the ex-chief gave the land to the wives willingly, he did set a condition that no wife can sell the land but should try to do some farming so that they can take care of themselves.

According to the first wife Alice Munga, the condition was a good one because the husband had the children in mind.

"When he said that we should not sell the plots he explained to us that our children also depend on that land and advised us not to sell it" said Alice

Generally land ownership in the area is controlled by men but the two women are a unique example that women can be very productive when given a chance to own land.

The second wife Joyce Munga remembers how hard it was for her to come to terms with the fact that she now owns land.

The first season after getting

the land the two women did their best and planted maize in their farms but as usual the yields were poor.

"We wanted to prove to our husband that we can do very well with our farms but the rains were not favourable" quipped Alice

However, two years later the two women started growing cassava after sensitization workshops by the ministry of agriculture through Nalep Kilifi district.

Both of them used an acre to experiment on the cassava farming and later planted the whole three acres each after the first season proved fruitfully.

"We do not depend on our husband anymore for the upkeep of the children. At least we get something after selling the cassavas. We are also glad that we have managed to purchase a posho mill which we co-own with our husband" Alice said

The two women now boast of about twenty thousand shillings each after every harvest.

The family has a written agreement on the ownership of the land and how they share the prospects from the posho mill.

The farming, though not very popular, has proved to be very resourceful especially in the dry area.

Agricultural extension officers are now using the farm to set as an example for others to emulate.

Kilifi district agricultural officer Jane Kanamu said that officers often visit the area to give support especially on value addition training so that the farmers could benefit more.

Songa directs KARI to release more drought tolerant crops

By LINK CORRESPONDENT

AGRICULTURE Secretary Dr Wilson Songa has asked Kenya Agricultural Research Institute (KARI) to introduce draught resistant varieties in Arid and Semi Arid Lands (ASAL) in the country to help increase their productivity.

Dr. Songa said that there is need for KARI to come up with enhanced varieties of food crops grown in ASAL areas in order to promote food security among communities living in such areas.

Speaking at KARI offices in Kakamega, the official noted that ASAL areas had continued to record decreased production of food crops as the current varieties are vulnerable to pests and diseases.

He noted that crops such as Sorghum, Cassava, Millet, legumes and Katumani maize variety can produce high yields if KARI came up with varieties that can withstand harsh conditions in dry lands.

Songa observed that ensuring food security and eliminating hunger still remains a challenge to the country. He, however, said the government has undertaken policy reforms to address poverty and food insecurity.

He said that among the reforms include Food Security and Nutrition Policy (FSNP) which address strategic food reserve, integrate value addition and domesticate small scale farmers in food processing process.

The official, however, said the Agriculture sector is constrained by high cost of farm inputs such as fertilizer which result in low application on the farm, inadequate certified seeds and limited extension services.

Songa pointed out that such challenges are further exacerbated by weak institutional and legal framework, poor post harvesting handling, lack of market driven production and lack of access of Business Development Services (BDS) by farmers.

The officer said in an effort to reverse the decline and fast track growth efforts within the Agricultural sector, the government has put in place measures to enhance food security and livestock production to equip them with skills in contingency planning, early warning system and response.

He named other measures as improved data collection, analysis and dissemination including sharing among key stakeholders and enhancing monitoring and evaluation processes at all levels.

Songa observed that increased investment in Agriculture Research contribute significantly in production and also by working closely with the private sector and adapting of new technologies to reduce post harvest losses.

The official said the government would ensure better enforcement of the Co-operative Act and encourage farmers groups to transform into Co-operatives. This, he said, is to be made possible by strengthening governance and technical capacity for Co-operative societies.

He revealed that the government is working closely with farmers to encourage them adopt agriculture as a business to make profit and where farmers can access financial services and agriculture Information Services.



Poverty in Ganze will forgotten if modern farming methods are introduced

Fish business boom a boon for Kilifi women

By LINK CORRESPONDENT

MORE Kilifi women are resorting to fish business owing to the increased supply of fish in the district.

The women mostly from Kilifi town, old Takaungu town and Kibaoni in Bahari Division say that fish farming is a booming business in the area compared to other businesses in the region.

They say that fish stock in the Indian Ocean has increased tremendously owing to the introduction of the modern fishing technology by various stakeholders through local Beach Management Units (BMUs) that are training the fishermen along the beaches.

The women say that most of their customers are students from Pwani University College who are often consuming fish as their favourite meal.

Mrs Fatuma Hamisi who sells fried fish at Kibaoni trading centre in the outskirts of Kilifi town said that the students preferred fish because most of them reside in up-country areas where fish is expensive.

“Our customers are mostly from the university college here who often come to our kiosks to buy fried fish in the evenings,” Mrs Fatuma said.

She further expressed her satisfaction that through the business she had been able to feed her family and pay school fees for her children.

Mrs Fatuma added that they have formed a self help group and urged other women to engage in income generating activities to become economically empowered and avoid overreliance in handouts. The area is



Men at work: Kilifi women are resorting to fish business.

abuzz with activity even late in the night where women at Kwa Charo wa Mae market also in Kilifi town have to light lamps to sustain their business.

Ms Khadija Kadzo said that the trade depended a lot on how one presented herself to the customers going to her kiosk.

“Every businesswoman must try to be clean and presentable to the customers as a dirty woman is a health risk to her customers. So cleanliness is the ticket to succeeding in this business,” she

said. She spoke as the District Fisheries Officer Namwel Onchoga said that his department was educating women on how to manage their businesses to tap both the local and outside markets.

Speaking in his office Mr Onchoga confirmed that most women engaged in the business have been able to pay school fees for their children without a hitch.

The officer further urged the women to go for loans from the local financial institutions to ex-

pand their businesses. The chairman of the Beach Management Unit Kassim Shali said that the organisation is now planning to equip fishermen with fishing gears and boats as the Kilifi County government comes into operation.

Kassim lamented that the organisation has registered all the women currently engaged in the business so that they can benefit from loans advanced by women financial institutions in the district.

Fish processing plant underway in Kakamega

By TITUS MAERO

PLANS are underway to put up a fish processing plant in Kakamega County at a cost of Ksh 70 million to cater for the increased production of fish by farmers in the area.

Fisheries Secretary Professor Charles Ngugi pointed out that once completed the processing plant would have flake and ice blocks to preserve fish to curb cases of wastage adding that farmers would also be offered better prizes for their deliveries to avoid exploitation by middlemen.

“For a long time fish farmers have been offered poor prizes by middlemen who have infiltrated the fish sub sector. The plant would offer better prizes to motivate farmers invest in fish farming,” he said.

Speaking at the Ministry of Fisheries Development Offices in Kakamega, the official noted that fish farming was incorporated within the Economic Stimulus Programmer (ESP) in 2009 as a short term measure to increase fish stocks in the country.

Noting that the fish plant is viable, Ngugi further said fish production in the area had grown from 4,000 metric tonnes valued at Ksh 560 million to 12,154 tonnes worth Ksh 3.6 billion and encouraged fish farmers to form co-operative societies to market their fish at competitive prizes.

The official said the fish plant is the first of its kind in the area that would serve farmers in Western region of the country adding that most fish would come from fish ponds, rivers, Lake Victoria and Lake Turkana for storage while on transit to avoid wastage.

Ngugi pointed out that the fish plant is timely as the Kakamega Municipal Council is putting up a main market at a cost of Ksh 140 million which would form part of the farmers marketing outlets including supermarkets.

Kakamega leads in fertility rate, says report

By TITUS MAERO

KAKAMEGA town has the highest fertility rate, according to a report compiled by Kenya Urban Health Reproductive Health Initiative (KUHRHI).

The report reveals that Kakamega average birth rate stands at 4.1 per cent with Machakos urban area posting the lowest birth rate at 2.5 per cent and that fertility rate falls uniformly from the age of 30 years.

A total of 140 households participated in the survey and represents 37,170 persons both men and women.

The survey was jointly undertaken by KUHRH and TUPGANGE organizations and mainly targeted Kakamega, Nairobi, Mombasa, Kisumu and Machakos urban area. The survey targeted women and men aged between 15-49 years from selected households who were asked about their fertility and family planning backgrounds.

TUPGANGE CEO Dr Nelson Keyonzo said that 57 per cent of women in Kakamega believe that use of injectables as a contraceptive could make a woman permanently infertile while in Kisumu and

Machakos women interviewed said women who use contraceptive in the long run end up being promiscuous.

According to the survey, more women than men were willing to get Family planning (FP) counseling after every delivery, and accounted for 32 per cent in Mombasa while Machakos (56 per cent) compared to other areas visited.

The report notes that the proportion of births delivered by Traditional Birth Attendants (TBA) remains high in Kisumu, at 15 per cent, and in Mombasa 11 per cent. It was found that knowledge of fertility in all the five urban centres was minimal.

The report notes that the overall sex ratio for Nairobi and Kakamega 101 male to 100 female, while Mombasa (99), Kisumu (97) and Machakos (96) to every 100 women are slightly skewed in favour of women.

TUPGANGE is being supported by various organizations in its activities. They include Jhpiego, Centre for Communication Programme (CCP), John Hopkins University, Marie Stopes International, Bills and Melinda Gates Foundation among others.



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Othaya farmers want Kibaki to improve infrastructure in the area

By JOSEPH MUKUBWA

ABOUT 50 tea farmers in Othaya are calling upon their MP President Mwai Kibaki to lead them in building a bridge and improving the road network in the area so that they can be able to facilitate sales and marketing of tea.

The angry tea farmers from Matiriongo in Chinga area lamented that the tea collection centre they built over a decade ago at a cost of Ksh 0.5 million has never been used due to poor road network.

The white elephant project at the foot of Aberdare forest is now used as a playing field for children and rearing of livestock.

They now want the President Kibaki to help rehabilitate the four kilometers road from the main road and also built them a bridge which connects Matiriongo and Ngaru villages.

The farmers now sell their tea

at the banks of River Chinga due to lack of bridge and poor road network.

"Most of the farmers here have suffered from pneumonia for many years due to the fact that they sell the tea even late at night in an open air place," said a tea farmer Beatrice Wangui.

Another farmer Mbao Muchiri lamented that they have been unable to sell their food products due to the road network adding that the Government has neglected them.

"We have now named this area as Kuresoi since it looks like it is a land of forgotten people. Even Chinga Tea Factory trucks have a very big problem collecting green tea here due to poor roads," added Lucy Muthoni.

The farmers were ferrying tea to Mucharage area which is six kilometers away before building one at Matiriongo only for it to be ignored by Chinga Tea Factory due to poor roads.



Matiriongo tea farmers in Othaya protesting over poor roads and lack of bridge recently. The tea collection centre behind built over a decade ago has never been opened due to poor road network. Photo/Joseph Mukubwa

Nzoia sugar set for maintenance shut down

By AGGREY BUCHUNJU

NZOIA Sugar Factory in Bungoma County will shut down early this month for annual maintenance.

Speaking to the media recently the firm's Managing Director (MD) Mr. Saul Wasilwa disclosed that the factory will stop operations with effect from September 1.

Wasilwa further disclosed that the maintenance period will last for six (6) weeks adding that the first trials will start in mid-October.

He was optimistic that sugar barons will not take advantage of the temporary closure to hoard the commodity and eventually increase the price.

"I want to assure our customers and consumers that the anticipated six weeks closure of the factory will not affect the price of sugar" he said.

The MD further assured sugar cane farmers who will deliver the crop to the factory shortly prior to the closure date that they will be paid their dues as usual; within thirty (30) days after delivery.

"We have put measures in place to ensure that even farmers who will deliver their canes to the factory one day prior to the closure day will receive their payment in time," the MD claimed.

Wasilwa consequently urged sugar cane farmers contracted by the company to remain loyal to the sugar firm by not selling the crop to other millers during and after the maintenance period.

He claimed that after the maintenance, the factory is expected to increase its crushing capacity by 38 percent.

During the last financial year the factory crushed over 600,000 tons of sugar cane against the then anticipated over 700,000 tons of sugar.

Kilifi residents face famine due to drought-induced crop failure

By BEKADZO TONDO

KILIFI residents are faced with starvation owing to the prolonged period of drought which had affected maize yields this season.

Kilifi District Agriculture officer Mrs. Jane Kanamu said some farmers in the area have registered total crop failure after their maize crop withered before maturity.

She blamed the withering of the maize crop to low rains received this year which also came late compared to the other years.

"A survey by the ministry of agriculture shows that maize harvests are going to be poor due to lack of enough rainfall and thus we anticipate that more families will be affected by hunger," said Mrs. Kanamu.

Rains in the Coastal region are usually expected during the month of March, but this year the rains came in May and subsided after a short period," said Mrs. Kanamu.

The officer said areas like Kitsoe-

ni in chonyi are hard hit by drought since they never experienced any rains since the beginning of the year.

Records from the district drought management office in Kilifi indicate that over 100,000 in the large Kilifi district which comprises of Bahari, Ganze, Kikambala, Kaloleni and Rabai have been relying on relief food donation from the government and other charitable organizations.

The records show that over the last three years, the area had not been received adequate rainfall thus affecting yields.

A farmer at Lutsangani in Chonyi Mr. Josphat Washe said though he spent over Ksh 30,000 to hire farmhands to prepare and plant in his four acre piece of land, there are no returns to show for his investment.

"When I planted maize in my farm, I was optimistic that I would

get better returns but the rains stopped and the maize withered," said Mr Washe.

An early warning stages report compiled by the Ministry of state for the development of Northern Kenya and other National Drought Management Authority, indicated that the situation in Ganze and Bamba divisions has deteriorated in the past few months due to lack of rains.

The report signed by the district drought management officer Mr. Bethwel Wafula also mentioned parts of Kaloleni district as among areas worst hit by the drought.

"Early warning stages survey carried by our ministry has shown a drastic decline in water sources and drying of green pastures due to low rainfalls thus threatening the life of livestock," said Mr. Wafula.

"Water from seasonal rivers has dried up and residents are now relying on water pans and dams which

may also dry up as drought bites," said Wafula.

The officer said livestock farmers have been forced to travel long distances to search for greener pastures and water for their animals.

"Right now pastoral families have to walk for long distances as they search for greener pastures and water for their lives due to the drought facing the region," said Mr. Wafula

He said most school children in Ganze and Kaloleni districts are relying on the school feeding program introduced by the World food program, government relief food and World Vision for their survival.

"School children in the drought hit region of Kaloleni and Ganze are relying on the feeding programs supported by well wishers as most of their families lack food due to poor farm crop harvests," said Mr. Wafula.

According to the report the affected areas received rains for an average of about 4.2 days in the month of June recording 33.33 millimeters of rains.

The district Food for asset officer from the department of drought management in Kilifi Mr. Stephen Musimba noted that the price of livestock has been going down as majority are in bad shape due to lack of water and green pastures.

Mr. Musimba noted in the month of May a sizable goat could fetch about Ksh 2,242 but that has dropped to Ksh 1,949.

He said prices of cattle have also been affected from Ksh 14,509 in May to Ksh 12,521 in the month of June.

The officer further revealed that the price of 2kgs of maize flour went up to Ksh 91.8 during the month of June from Ksh 83 in the previous month while a kilo of beans on the same month shot to Ksh 94.2.



Most farmers in Kilifi have registered total crop failure after their maize crop withered before maturity.

By JOSEPH MUKUBWA

CENTRAL Kenya region farmers who supply milk to the New KCC factories in the region have written a memorandum to the government outlining their demands before the privatization of the factory.

The farmers who recently handed over the memorandum to Co-operatives Minister Joseph Nyaga however wants the privatization to be done immediately and made public to the dairy farmers and other stakeholders, saying the privatization will favour and transform the livelihoods of the dairy farmers to modern living standards by creating wealth.

They demanded that the milk processing machine and equipment for the fresh milk that was taken to Dandora in Nairobi to be replaced with a new machine and installed at Kiganjo factory.

"The Kiganjo New KCC factory has expansive market targeting small and big towns, institutional consumers (universities, secondary schools, tertiary colleges, prison and Kenya Police College). The fresh milk that comes from Nairobi and sold in Central region must be processed at Kiganjo factory," added the farmers.

In a six page memorandum, the farmers also demanded that the New KCC shares need to be sold to the current and producing dairy farmers and not to the old and non existing members.

"The receivership of KCC 2000 by the government through Kenya Commercial Bank left dairy farmers with liabilities running to Ksh 540 million which should not be burdened to the farmers during privatization and so the same should be waived," read part of the memorandum.

The farmers added that they should also be paid for unpaid milk deliveries during the collapse of KCC in the year 1997 to 1999, which amount to over Ksh 12 million.

"The Government should investigate claims of un refunded

Farmers call for transparency in privatization of Kiganjo factory

shares subscribed through KCC 2,000 by dairy farmers," the farmers added.

They added that the employment structure of New KCC at the top management levels need to be fair and have a representation of qualified persons in all spectrums of the market boundaries of Kenya.

The dairy farmers requested that the New KCC should revamp back the essential facilities and services that the dairy farmers deserves for their growth such as provision of extension services, provision of quality feeds to the dairy cows as well as skimmed

milk to the dairy calves.

"The need has arisen for the New KCC to have a Feeds Processing Plant to serve the interest of dairy farmers in Central region," they added.

They added that in consideration that New KCC is expanding in Milk volumes, the government should take urgent measures in installation, renovations and repairs for efficient machineries in major factories such as Kiganjo, Nakuru, Nyahururu and the rest which are profitable.

"The capacity of Kiganjo factory needs to be upgraded to over 100,000 liters per day. Currently

the factory is processing less than 50,000 liters per day. The New KCC should open partnership with milk centres in distribution of pasteurized milk products which will create other marketing outlets," they added.

Central region comprises of farmers from Nyandarua, Nyeri, Murang'a, Embu, Meru and Laikipia counties which has six milk collection centres.

The levels of milk production in Central region which accounts to 70 per cent of milk delivered are from farmers of Kiganjo, Nanyuki, Murang'a, Runyenjes, Githumu and Kangema factories.



Some of the farmers who attended a meeting held at Kiganjo New KCC factory in Nyeri County recently.
Photo/Joseph Mukubwa

KARI develops new high-yielding cashew nut varieties

By BEKADZO TONDO

THE Ministry of Agriculture has rolled out an elaborate program that seeks to revive cashew nut farming in Coast Province.

Kilifi District Agricultural Officer Mrs. Jane Kanamu says that the Ministry of Agriculture in collaboration with Kenya Agriculture Research Institute (KARI) has developed quick maturing cashew nut seedlings which guarantee better harvests.

She at the same time said that the Ministry had initiated a series of training programs targeting farmers in the area to help boost their capacity in tending the crop.

Speaking to The Link in Kilifi Mrs Kanamu said that production had dwindled to pathetic levels with farmers managing a paltry 4.5 Kgs per plant per season which is way below the recommended standards.

She blamed poor yields and low production to farmers over-reliance on old age cashew nut trees and lack of proper care of the plants. "Farmers still relied on old trees and thus production has gone down to about 4.5 Kgs per plant per season which is too far much below the recommended standards," said Kanamu.

Mrs. Kanamu said that studies had shown that a well-tended cashew nut tree could produce as much as 40 Kgs of raw cashew nut per season. The officer said her office has been training the farmers to prune and spray their old cashew nut trees with pesticides to kill the crop diseases and improve production. "Farmers have to prune old trees, clear bushes around the trees and apply pesticides to kill diseases which affect good production of nuts," said Mrs. Kanamu.

She said that a task force appointed by the government four years ago to look into cashew farming in the region had come up with a raft of proposals to revive the crop. The taskforce led by former Bahari MP Mr. John Safari Mumba proposed better ways to manage the crop and suggested prices that could attract farmers into the sector.

Kilifi county commissioner at the same time cautioned farmers against selling their produce to middle men who buy the cashew nuts at throw away prices and later smuggle them outside at higher rates. "We have local cashew nut processing firm in Kilifi and coast in general and for the factories to continue operating and employ people they need to be supplied with enough raw materials," said Mr. Mohamed.

The administrator said the ban on the exportation of raw nuts still stands and said the government will crack the whip against those violating the ban to ensure raw nuts are taken to the local processing firms.

Sugarcane farmers fight cane poaching

By NYAKWAR ODAWO

SUGARCANE farmers in Busia and Kakamega Counties are up in arms over increased cases of cane poaching in the area which they claim had led to poor returns from their produce.

Cane farmers from the two regions now want the government to intervene and stop the vice which had disrupted supplies to Mumias Sugar, Nzoia Sugar and Butali Sugar Companies all of which are based in Western Province.

"The government must take immediate action to stop cane poaching because the vice had not only adversely affected sugar development and production but also the operations of the most successful sugar company in the country," said the cane farmers.

The cane farmers threaten to paralyze operations in the region, particularly the key roads if action is not taken against those be-

hind the vice.

"We are very bitter and tired of this mess by a single operator out to kill the region's only economic backbone for selfish interests," said Jacob Mirimo, on behalf of the farmers.

The cane farmers at the same time appealed to launch investigations into the scam which they claimed was being spearheaded by a senior politician in the government.

Recently Mumias Sugar Company announced that it had lost at least 72,000 tonnes of sugar within a span of one year due to cane poaching targeting its contracted farmers.

"Cane poaching gives culprits a vantage point which can however result in the collapse of the country's leading sugar producer where we had also invested millions," said Mirimo, adding that unless the issue is addressed as a matter of urgency, the two major sugar companies are likely to wit-

ness what happened to Pan paper Mills Ltd.

Meanwhile unknown people raided government offices in Busia and made away with nine computers and central processing units [CPUs] worth thousands of shillings.

Confirming the incident, Busia County Commissioner Joyce Isiakho condemned the incident saying every effort shall be made to ensure those behind the theft are brought to book.

"No stone will be left unturned to ensure the suspects are arrested and charged before a court of law," said the county commissioner adding that normal service delivery at the district headquarters have been paralyzed by the theft of the gadgets which she noted had important information.

Among offices affected by the incident include the District treasury, Independent Electoral Boundaries Commission (IEBC) and the Public Health.

When asked whether the theft was an inside job, the commissioner said it was too early speculate adding that investigations have been launched to establish the truth of the matter.

"It is too early to speculate, so we are banking on police officers to furnish us with full details after completing their investigations into the same," said Isiakho.

The IEBC and the district public health offices lost two computers and a 6kg gas cylinder during the incident.

The County Commissioner at the same time said she has alerted all the District Commissioners from Busia County to beef up security in their offices to avoid similar occurrences.

The theft of computers at the Busia District Headquarters comes barely a day after thugs broke into Teso North District Headquarter offices at Amagoro and stole computers of an unknown value.

IEBC urged to use GIS technology

By COLLINS OUNDO

WILL the Independent Electoral and Boundaries Commission (IEBC) get it all right or should they employ geographic information technology (GIS) to manage the fourth coming general elections in 2013?

The Kenyan presidency has over the past been contested with real power struggle and indeed the general election in Kenya. Based on the successful 2010 referendum on the new Constitution, the roll out of a national peace initiative and a promising independent electoral and boundaries commission, many Kenyans remain convinced that never again will they suffer the kind of mayhem witnessed in 2007/2008.

However, it is widely believed the last polls missed a good aspect of technology which could have been the reason for the malpractices that were cited. So far the IEBC has shown interest in investing in technology to avoid a repeat of the same scenario. According to Carol Manyange, an ICT expert with the IEBC, the commission is considering the best technology to be used to regain Kenyans' confidence in the electoral process.

The IEBC has demonstrated a desirable use of ICTs in registration of voters, and in transmission and display of results in the recent by-elections, although casting of votes and tallying are still manual. Electronic voting is an evolving technology, with slow adoption globally.

The Geographic Information System (GIS) is computer software that links geographic information with descriptive information. With a flat paper map "what you see is what you get," but a GIS-generated map has many

layers of information. "If you view a GIS map on your computer in the case of a polling station, you can click on the same and get layers of information such as number of voters, age different and so on." Everton Namaske, a GIS expert with ESRI East Africa.

Depending on the design of the electronic voting system, the stages of tallying and transmission of results can be done simultaneously and displayed on flat screen units. The IEBC interest in the technology was dem-

onstrated when they participated in GIS for election seminar organized by the ESRI East Africa. Speaking at the function Joseph Irura, Programme Assistant with Institute for Education in Democracy indicated the GIS application will give the public a visual relationship with election results rather than just tabular data.

Computers depend on input programmes for given outputs. Any mess by a programmer, or corruption of the system, makes the GIS technology

void. In essence, even the developed countries have shown that a good election highly depends on the credibility of the human factor despite adoption of computerized processes.

The GIS technology also allows a custom mobile application which can be used to give information on election progress as it happens. "During past elections, as the results came in, they were shared with the public on the country's public media in a tabular format. But it was difficult to see

which candidates are on top, but now especially with six positions being contested, the IEBC must give the public a comprehensive, easy-to-understand view of incoming tallies and this can best be achieved on a dynamic map through the GIS technology," says, Accadius Sabwa, from EASRI East Africa.

However, very few countries have a fully-fledged GIS technology especially for elections. In Africa, Nigeria's Information and Communications Technology (ICT) Department established a well-equipped GIS lab and now uses GIS enabled Polling Units for departmental map production and future administrative boundaries.

During the seminar at Hilton Hotel, Linet Kwamboka, Project Coordinator Kenya Open Data Initiative and a GIS and Software consultant lauded the initiative.

She challenged its accessibility to all the stakeholders and members of the public. Ms. Kwamboka also asked the IEBC officials at the workshop whether they have the expertise in GIS management to audit and make sure the system is not tampered with from the time of installation to the time of disseminating results.

Although, elections are largely guided by law, matters touching on procurement are more of definite choices and less creative options dependent on the availability of funds. But despite this limiting nature and working with a largely scaled down budget the IEBC must strive to give the taxpayers value for their money as well as prove their credibility.

The Commission, however, promises it will take austerity measures but only to the extent that this does not compromise the integrity of the polls.



A voter going through the Biometric Voter Registration exercise in one of the presidential elections abroad.

Farmers reject proposed tax law

By LINK CORRESPONDENT

The Government has approved the V.A.T Bill 2012 which proposes a number of changes that will make the administration of V.A.T more effective.

The Bill, which was approved by the Cabinet in February 2012 is awaiting introduction in Parliament for debate. It seeks, among other things, introduction of 16 percent VAT on agricultural inputs, food and pharmaceutical items that are basic to the ordinary Kenyan.

Value Added Tax (VAT) is a tax on consumption applied to the sale of goods and services at every stage of the production and distribution. This means that VAT is not only levied when the good or service is sold to the consumer; it applies even in cases when a business buys input that goes into the production of the final good or service.

The changes proposed on the draft bill are as follows;

The Nine Schedules in the current VAT Act have been reduced to two Schedules in the draft VAT Bill 2012.

The First Schedule however exempt supplies which have been rationalized and largely limited to;

- (a) Unprocessed agriculture produce that include unprocessed milk, eggs, vegetables and tubers
- (b) Financial and Insurance services
- (c) Medical, agricultural, veterinary, nursing and educational services

This leaves the consumer paying VAT at rates of 16 percent on items including soya, groundnuts and mosquito nets which were initially exempted from the tax. The VAT Bill also seeks to remove basic food stuffs such as maize, milk, bread and wheat from the current exempt status to be taxed at 16 percent. Pharmaceutical products, farm inputs, textbooks, newspapers, mosquito nets and fishing nets will also be taxed under this bracket.

The second schedule deals with zero-rated items including pharmaceutical products, medical, general hygiene items and first aid kits some of which could be subjected to the 16 percent VAT.

The aforementioned food stuffs have previously been zero-rated, meaning that no VAT had to be paid on them. If the VAT Bill is passed in its current form they will all be subjected to 16 percent VAT, a cost that will most likely be passed directly to the consumer. This will be a nuisance for middle- and high-income families, but will be catastrophic for low-income families which are already struggling

to meet basic nutritional requirements.

By introducing the Bill, the Government had proposed that basic commodities such as maize and wheat flour, milk and cream, sanitary pads, fertilizer and other basic goods were to be taxed at 16 percent. This was however highly opposed by Kenyans who previously could buy these goods without paying taxes on them.

According to East Africa Tax and Governance Network, the implementation of the Bill in its current state will affect all Kenyans especially the poor who spend most of their hard earned income to purchase food stuff. The controversial Bill is counterproductive to farmers seeking to improve their farming as they will incur extra cost in purchasing farm implements, and agricultural machinery. This will create a huge impact to the economy as 75 percent of Kenyans rely on agriculture.

Farmers and agricultural producers through the Kenya Private Sector Alliance have raised concerns over these provisions of the Value Added Tax legislation bill, 2012.

They said this bill comes at a time when the sector is facing challenges of high input prices which have inhibited production and high output prices which have lead to food insecurity, poverty and lack of employment and that the removal of zero rating would harm agriculture sector.

KEPSA is now asking the Finance

Minister to seek ways of withdrawing this bill. Kenya Livestock Producers Association has also raised their voice on this bill and have vowed to protect their members from this legislation.

Through their chairman Mr Geoffrey Gikungu, the association feels that if the bill is passed as presently proposed, livestock feeds and other essentials like drugs and chemicals would go up in prices and this would have dire consequences as most farmers would opt out of the business and the few farmers left in the trade would be forced to hike their producer prices consequently hurting the majority citizens.

The Kenya Small Scale Cereal Growers Association through their vice chair, Mr Justus M Monda said that the bill, if passed would deal a death blow to an already struggling agricultural sector. He said that small scale farmers are the majority in Kenya's agricultural sector and they are also net buyers and will therefore be hurt twice with the passing of this bill in to law.

The Association asked the legislators to withdraw this Bill and instead work on ways in which farmers can be given incentives to produce efficiently, employ more, advance agribusiness and ensure food security to the nation. They thanked legislators who mean well to the sector and who are opposed to this Bill. These MPs including Dujis MP Aden Duale and Yatta MP Charles Kilinzo have announced that they will spearhead motions to have the controversial bill withdrawn have been praised by these farmers' body.



Mr. Duale



Mr. Charles Kilonzo

NCIC optimistic about outcome of polls

By HENRY OWINO

THE National Cohesion and Integration Commission (NCIC) is optimistic that the forthcoming General Elections scheduled on 4th March, 2013 will be peaceful, free, fair and democratically transparent.

The Commission says objective and purpose of its establishment was to promote peaceful co-existence between different ethnic groups.

It was established in Kenya through Act of Parliament, the National Cohesion and Integration Act 2008, number 12 of 2008 enacted after the 2007 post-election crisis and the subsequent political coalition of PNU and ODM negotiations.

Therefore, the Commission's key mandate is to facilitate and promote equality of opportunity, good relations, harmony and peaceful co-existence between persons of the different ethnic and racial communities of Kenya and to advise the Government on all aspects thereof.

The Commission, headed by Dr Mzalendo Kibunjia, is pejoratively referred to as "hate speech commission" may be due to the high profile politicians and musicians it has taken to court over hate speech.

Kibunjia has expressed his fears for the recent spate of violence which rocked the Coastal and Eastern and North Eastern regions. He said if the problem is not resolved now, it might be worse during general elections.

According to Commissioner, Fatuma Hirsi Mohamed, the commission is developing various strategies and initiative to respond to ethnicity, discrimination, and inequality as an initial effort towards a more harmonious to have integrated Kenya society.

She said to achieve its mandate the commission has put efforts towards capacity development to respond to these challenges. She added such internal capacity, partnership development and outreach strategies are of essence.

Fatuma was addressing women aspirants and during regional dialogue on women political leadership conference held at a hotel in Nairobi where she represented the commission.

Fatuma highlighted six major NCIC plans and strategies for peaceful elections in 2013 that is just six months away. The first being collaborating with its sister organization,

UWIANO, a Conflict Prevention and Response Initiative of NCIC, NSC, UNDP, Peace-net which are key the peace efforts.

UWIANO "S overall objective is to provide strategic leadership and coordination in Kenya's Peace Agenda. The main of objectives of the organization is to build partnership at all levels, strengthen early warning and early response mechanisms, establish a solid foundation for national cohesion and integration for a peaceful and prosperous Kenya.

"With regards to women, it is necessary and important to establish a Monitoring and Response system to specifically monitor violence against women during elections as they are easy targets or vulnerable group," she said. "The commission track real-time incidents of violence against women through trained volunteers", Fatuma added.

The second plan and strategy for NCIC is strict enforcement of hate speech that includes a person who uses threatening, abusive or insulting words or behavior or displays any published written material and distribute. It also involves distributing

shows, plays, recording of visual images or provides, produce and direct such programmes. Others are presenting or directing a performance of such a play to the public.

Commissioner clarified that if all these forms utterances or information are used with an intension of threatening, abusive or insulting or involves the use words likely to stir up ethnic hatred then it is referred as a hate speech.

Fatuma said any person who commits an offense under this section shall be liable to a fine not exceeding Ksh 1million or to imprisonment for a term not exceeding three years or to both.

"We have partnered up with the Kenya Police in monitoring hate speech to ensure that persons perpetuating hate speech are brought to book. Women have been targeted for hate speech by male political candidates in the past but this time round we are monitoring," Commissioner Fatuma cautioned.

The third plan and strategy for NCIC is to enhance intra and inter-community peace dialogue which the commission has facilitated. Fatuma stated they have come up with Com-

munity Peace Dialogues in many parts of the country considered as hotspots. The feedback has been recorded as a success, for instance; Mt Elgon, Sotic/Borabu, Garissa, Nakuru, Tana River though erupted again but will pay a visit to calm them down.

The fourth plan and strategy involves capacity building of institutions, working in peace and reconciliation sector through training. The NCIC officer observed that sustainable peace requires the full participation of women at all stages of the peace process. She regretted most have been largely excluded from formal efforts to develop and implement fresh, workable solutions to seemingly intractable struggles.

Women involvement is essential in these mechanisms as a good gesture of conflicts prevention, stops war, and stabilize regions demand for warfare.

"For example; in partnership with UN Women, we have trained women and youth in seven counties in peace building and conflict resolution," Fatuma pointed out. "The training was with a particular focus on violence against women during election, identifying forms of gender-based violence,

discrimination targeting women and how the same can be prevented from recurring in next and future polls," she added.

Kenya Kwanza organization which campaign towards peaceful and credible elections in Kenya has been brought on board as the fifth strategy. The NCIC Commissioner said the organization is well-known as a national campaigner to bridge ethnic, racial, religious and class divides so that Kenyans can inculcate tolerance, acceptance and strength each other in their diversity.

Other objectives of Kenya Kwanza campaigns are to; promote responsible citizenship by placing service before self, foster a national unity and identity by recognizing and respecting diversity, ensure delivery peaceful, safe and credible elections.

The seventh strategy is holding meetings and conferences or workshops with political parties' officials, aspiring candidates and members. The commission says this is important because it is well known that election-related violence starts at the time of party nominations.

To that effect, NCIC conducts frequent workshops with political parties to sensitize them on need to include issues of peace in their policies and campaigns strategies and inculcating equal opportunities for all aspirants.

"So far we have talked with 51 leaders of registered political parties and they have signed declaration to infuse and uphold national integration principles into their party policies and campaign strategies. We are hopeful that this will lead to a peaceful election devoid of hate speech and rich in inclusivity, national cohesion and integration as well as deepening democracy," Fatuma NCIC Officer, enthusiastically stated.

The National Cohesion and Integration Commission believe that the Kenyan Woman occupies a unique position in society. Potentially in peace process women's participation in all spheres of decision making is crucial in ensuring a peaceful Kenya at all times.

The Commission is therefore calling upon all security organs in Kenya and institutions with the direct oversight role for protecting and promoting the rights of citizens to be vigilant. This should start now through electioneering period and thereafter.



Mr. Kibunjia, Chairman, NCIC

Inmates unite to fight gender violence

By DIANA WANYONYI

MALE sexual offenders at Shimo La Tewa Prison and Boston Institute at Shimo la Tewa Rehabilitation Centre are spearheading initiatives to help fight against Gender Based Violence (GBV) in the Coastal region.

Badilika a Swahili word meaning "Change", is the name of the project that was agreed upon by the inmates. The initiative will push for inmate's behavioral change, participatory learning approaches and outreach programs that will give them platforms to speak openly about their behavior change.

Badilika club is comprised of 19 inmates who are engaged in a campaign that targets the young and old against the vice.

Initiative

The project is a joint initiative of Pwani Gender Based Violence Network with an Australian researcher, Dr. Chris Laming from University of Monash, under the secretariat of Coast Women in Development (CWID), chaired by Betty Sharon.

Pwani GBV Network is the first of its kind in the country to be formed to help victims of Post-Election Violence (PEV) who suffered both physically and psychologically due to the vices inflicted on them by providing legal support and counseling.

"During our visit to Shimo la Tewa Main Prison, we found out that 30 per cent of the offenders are convicts of Sexual Gender Based Violence (SGBV). In addition, out of 19 sexual offenses cases, 12 of them were defilement cases. There is need to listen to them and accept them in the community, and then they will

be able to play a big role in the community by changing victims of the GBV," said Betty Sharon.

Discrimination

According to Betty Sharon, victimizing the inmates will not be able to transform their behavioral change.

"Inmates are also human beings and we should not discriminate against them. There is need to find ways of integrating them back to the vices again as well as to make them be the ambassadors of GBV change."

"In Kenya, Sexual Offenders are forgotten and their whereabouts are unknown once they complete their jail terms. This makes it easy for them to revert to their past practices. It is also not easy to approach these sexual offenders for behavioral

change out of prison. That is why we gave them Badilika platform that will enable them to change on their way of life and behavior." She finally said.

The project seeks to push for change among the abusive or violent for women and children, and make abusive men accept their offenses and take up the challenge hence prevent further damage to their partners or children and the society.

Rehabilitation

Dr. Chris Laming a researcher from University of Monash has however challenged prisons department in the country to introduce rehabilitation programmes for guiding and counseling sexual offender inmates.

"Local prisons need to have rehabilitation programmes both inside the prison as well as in the commu-

nity in order to provide men with the opportunity to change not for their own purpose but also for the safety of women and children. Moreover, the big winner here is the children, they need positive role models that will enable them to grow up in an environment where they don't see sexual violence or physical violence by men to women", uttered, Dr. Laming.

Although he is optimistic that the programme will take time to be practiced in the country, he however blames the justice system for dragging cases in courts saying it has greatly influenced prisoners' behaviors.

"Those who are victimized the last thing they need is to be further victimized, the justice responses is slow with cases there is less chance of men to change quickly on their behaviors," he added.

Kenyans urged to rise up against defilement of the new constitution

By LINK CORRESPONDENT

THE Civil Society has called Kenyans to be part of a silent march to protest the mutilation of the Leadership and Integrity Bill 2012, and to drum up support for efforts to protect chapter six of the constitution.

This had been preceded by Social media campaigns carrying out Civic Education, educating the public on Chapter 6 of the Constitution and The Leadership and Integrity Bill 2012. The campaign was also used to reach out to Legislators and media houses to discuss the effects of watering down the Integrity Bill.

Background

Forty nine years ago, our forefathers brought forth a new nation conceived on the notion of justice, equality and propagating the ideals of eradicating poverty, disease and illiteracy. The gallant efforts of our nation's founding fathers and mothers cost them their lives, liberty and property.

The achievement of the ideals for which our founding fathers lost their lives, limbs, freedom and property primarily rests on the people of Kenya and their leaders; it is indeed paramount that our leaders demonstrate their commitment to these ideals by embracing accountability, ethical leadership and responsiveness to the needs and aspirations of the Kenyans.

Two years ago, Kenyans sought to inject the ideals of accountability, integrity, openness and dignity into leadership by enacting the Constitution on Kenya 2010 and in it included Chapter Six which sets out the minimum standards that those aspiring for or holding public offices must satisfy.

To give effect to and expand on the provisions of Chapter Six of the Constitution, the Leadership and Integrity Bill was drafted in early 2012 following consultations facilitated by Minis-



Parliament Buildings: This is where the Bills are passed.

try of Justice, National Cohesion and Constitutional Affairs.

The draft was then reviewed by Commission on the Implementation of the Constitution and upon being satisfied that it established ways of giving effect to Chapter Six of the Constitution, passed it over to the Attorney General and Ministry of Justice for tabling before the Cabinet prior to publication.

Short-comings in the published Leadership and Integrity Bill.

The Bill that was published following the approval by the Cabinet contains fundamental flaws and as such is incapable of ensuring that only

men and women of integrity ascend to leadership positions in this country.

Among the concerns that are foremost in the mind (and lips) of Kenyans are:

(a) The Bills fails to take into account representations made by Kenyans through petitions and memoranda and as such, it detracts from a fundamental national principle of public participation as required by article 10(2) of the Constitution;

(b) The Bill fails to provide for process of vetting of persons offering themselves as candidates for appoint-

ment or election into public offices; in the circumstances, there is a real risk that personal integrity will not be a requirement for the said candidates.

This poses a significant risk that persons who have wronged the public may end up being appointed or elected in position in public service;

(c) The Bill does not provide mechanisms for the public to input and participate in the vetting process of candidates for public offices; the requirement of public participation in vetting is paramount-after all, the person is offering himself/herself to serve the public and not power to rule them.

Further, the requirement of public participation is constitutional requirement under article 10(2).

(d) The Bill does not effectively enforce ethical behavior as it fails to provide mechanisms for anti-corruption commission to prosecute breach of Chapter Six where the Director of Public Prosecution fails to do so;

(e) The Bill in its current form will allow for conflict of interest to be perpetuated by public officials; by restricting the award of public procurements to spouse and children only, it allows, implicitly, state officials to award tenders to siblings, friends and other acquaintances, a practice that may allow corruption to thrive.

For the provisions of Chapter 6 of the Constitution to be met and given the influence (and power) that state officers hold, it is paramount and absolutely necessary that state officers be subject to strict and rigorous process of recruitment, appointment and continuous monitoring.

The Leadership and Integrity Bill 2012 as amended by the cabinet will not achieve this result. In addition, a weak legislative framework for vetting such as the Leadership Bill will mean that Kenyans will resort to court to enforce compliance with the Constitution, a process which is undoubtedly tedious, lengthy and costly. The foregoing defects can be cured by reinstating the provisions of the Bill that were removed by the cabinet.

The civil society now wants Members of Parliament to reject the Bill that was tabled in parliament and reintroduce the clauses that had been deleted by the Cabinet. Let us safeguard the future of Kenya by ensuring that the Leadership and Integrity Bill sets integrity and competency standards that Kenyans expect of their leaders.

Varsity chancellor tips the youth on self-employment

By TITUS MAERO

THE Mt. Kenya University Chairman, Mr. Simon Gicharu, has challenged the youth in the country to come up with ideas that can propel them into gainful employment.

Gicharu said youths account for a large population in the country with most of them having graduated from Higher learning institutions but majority still remain unemployed. He at the same time took issue with the Education Task Force Report which proposed that universities should stop offering diploma

and certificate courses saying the proposal was misplaced and lacked merit.

"The call is basically ill advised and retrogressive. Universities are supposed to be universal. They are expected to offer training opportunities to all deserving Kenyans including those who never made it through formal education," he added.

The official said the University was currently targeting local herbalists in a bid to increase their capacity and commercialize their herbal medicine products.

Gicharu praised education exhibitions saying that they give potential

students, parents and sponsors an opportunity to learn about the available learning and training opportunities found in various learning institutions.

He said such exhibitions also help potential students learn about available scholarships, visa application procedures, accommodation as well as cost of living in general. He regretted that less than a quarter of the total KCSE examination candidates get admitted to local universities per year.

The official observed that young Kenyans are yearning for higher education but the opportunities are limited and called upon foreign institu-

tions to set up campuses in Kenya to absorb the growing number of qualified students locked out from local institutions. Gicharu said foreign university's presence in Kenya should be encouraged as it allows cross breeding of intellectual ideas, research findings, sharing of synergies in different disciplines and the best practices.

The Chairman said there should be concerted efforts to help university students think beyond graduation. He said there is need to inspire the students with innovative ideas to become job creators. He observed that Information Communication Technology

(ICT) revolution has created endless opportunities for the youths as they can access important information for the innovations.

He said there is need for universities to revise their training curricular to make it more relevant and responsive to the needs of society by tackling emerging issues. He noted that there is need to invest more in research. Gicharu said through research students can gain the latest knowledge and skills for them to adequately contribute to nation building and live productive lives in order to better their livelihoods.