

CDF looters put on notice

By FAITH MUIRURI

Kituo Cha Sheria to start private legal proceedings against suspects

KENYANS can now move to court to recover billions of shillings lost through massive corruption and looting of devolved funds.

A number of provisions in the new constitution provide a solid foundation for litigation.

Article 35 allows a person acting on public interest to move to court and seek redress in case of denial, violation, threat or infringement of rights

Already Kituo Cha Sheria is compiling a list of cases that point to blatant embezzlement of public funds with a view to instituting private legal prosecutions on behalf of the aggrieved constituencies.

"Some of these cases will inform the basis of our private prosecution," says the Executive Director of Kituo Cha Sheria Priscilla Nyokabi.

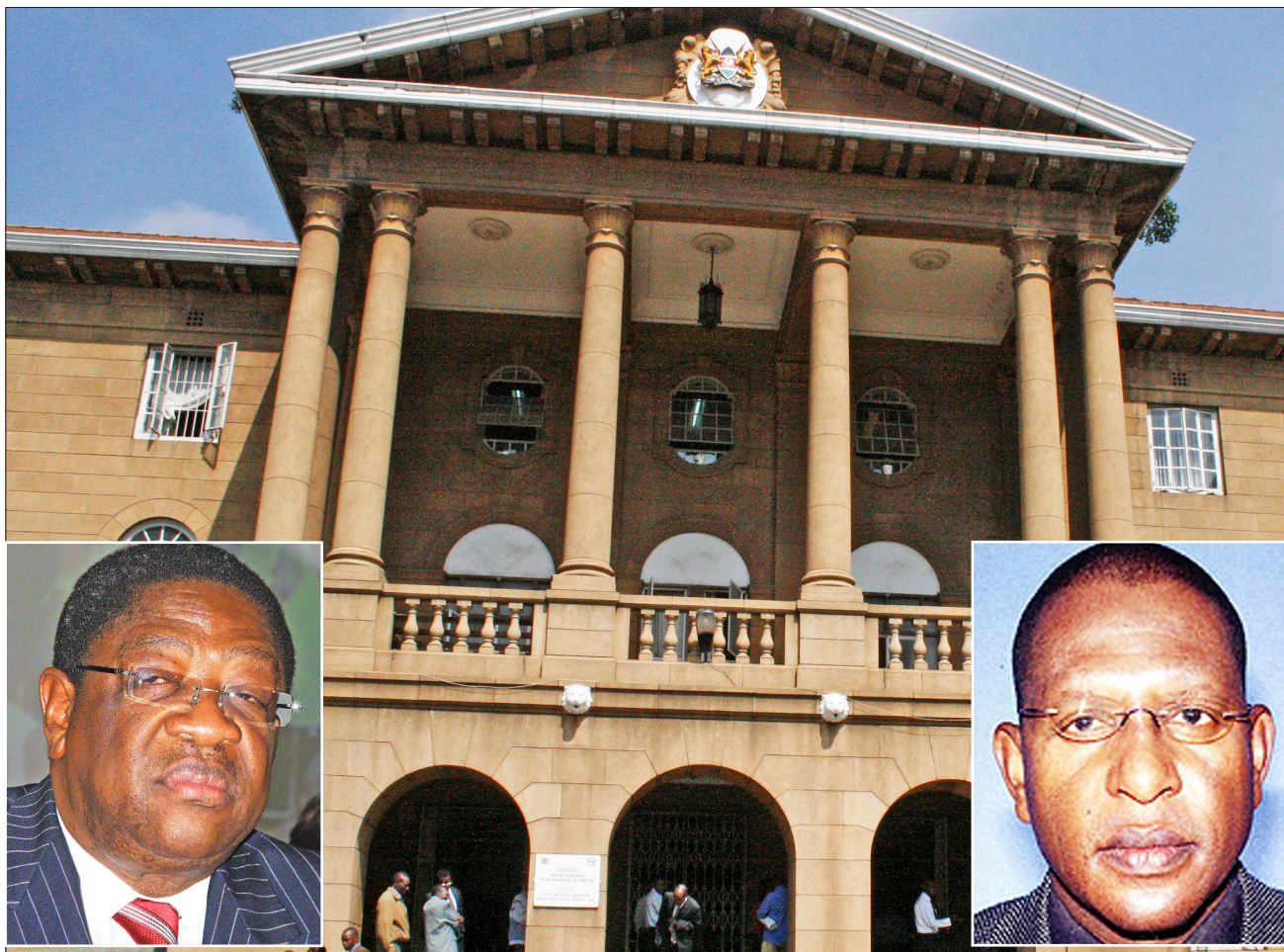
She says that the organization is currently focusing on the Constituency Development Fund (CDF) and will soon file criminal proceedings against corrupt officials in the affected constituencies.

She says that in the past, CDF has been considered as a political question where the MPs besides being legislators undertook the role of implementers and watchdogs of the CDF activities and therefore imposed a major constraint on effectiveness and transparency of the fund

"The current institutional arrangement of the CDF and the political context are particularly prone to abuse," avers Nyokabi during an interview with The Link.

But with the new constitution, Ms Nyokabi is optimistic that things will change for the better. She says that anybody can now invoke the criminal law to privately prosecute individuals who loot the devolved funds.

She says that the option has been actuated by separation of functions between the Attorney General and the Director of Public Prosecution and therefore clauses previously used to derail the dispensation of justice will no longer hold in the new dispensation.



JUSTICE: Prosecution powers now shifts to the office of the Director of Public Prosecution (DPP) in the new Constitution. Inset: Amos Wako, AG (left) and DPP, Keriako Tobiko.

Turn to Page 2, Col. 1

EAC students free to transfer credits

By MALACHI MOTANO

UNIVERSITY students from the East African Community will be able to transfer their credits to another institution in the region possibly from December this year.

The university regulatory bodies under the Inter-University Council of East Africa (IUCEA) in collaboration with German

Academic Exchange Service is reviewing courses and programmes being offered among member states.

"This means a student taking a course at the University of Dar es Salaam can transfer while in second year, and continue the course at the University of Nairobi," said Everett Standa, the secretary to Kenya's Commission for Higher Education.

Under the Credit Accumulation and Transfer System (CATS) endorsed by Uganda's National Council for Higher Education, the Commission for Higher Education in Kenya and the Tanzania Commission for Universities, teaching of science courses such as medicine, agriculture, engineering and basic science will conform to uniform minimum standards.

"It will also create positive relationships among students and staff of these universities since they will have common knowledge," said Cats regional co-ordinator Michel Lejeune.

The harmonisation process involves subject experts from different universities offering similar programmes coming together

Turn to Page 2, Col. 1

Inside

**Invest in adult
Education**

—Pg. 4

**Report faults
8-4-4 system**

—Pg. 8

**Kemri get grant
from Obama**

—Pg. 25

**Demand for
MBA grows**

—Back Page

CDF looters put on notice

From page 1

She cites the *nole prosequere* powers that were vested to the Attorney General in the old constitution which she adds can now be contested and declared invalid by a court of law in the new order.

The Director of Public Prosecutions (DPP) under the new law is in charge of prosecution and has the mandate to institute criminal proceedings against any person before any court in respect to an offense alleged to have been committed.

Further Article 157(6) (b) of the constitution stipulates that the DPP may take over any criminal proceedings commenced in any court and instituted by another person or authority.

The Attorney General on the other hand is limited to being the principal legal adviser to the Government and representing it in legal proceedings.

Ms Nyokabi says that once the list being compiled by her organization is ready, then individuals implicated in the misappropriation of CDF will face the law. She laments that the siphoning of public funds has in the past denied Kenyans access to fundamental rights.

"The misuse of funds has been linked to many social ills and injustices in society. From poverty to unaccountability and substandard medical care and education," she affirms.

Ms Nyokabi spoke as the Executive Director of Transparency International (TI) Samuel Mbithi urged the government to fast track the implementation of the new laws to curb the looting of devolved funds.

Mbithi says many politicians escaped the law since the former constitution did not have clear stipulations on how to deal with offenders.

He says with the new law in place, politicians will have to allow their constituents access information that relate to management of CDF funds in accordance with Article 35(1)



A CDF project which is left unfinished. Photo/Gilbert Ochieng

which outlines that every citizen has the right to access information held by the state or by another person.

Mbithi says that currently the management of CDF is mired in secrecy with some of the officials charged with management of funds lacking in credibility.

Mbithi spoke during the official release of an audit report for Kasarani Constituency at the Korogocho social hall.

The report jointly compiled by The Institute for Social Accountability (TISA), Shelter Forum and Ufadhili Trust revealed that millions of shillings from the Kasarani Constituency Development Fund (CDF) kitty have been lost in dubious projects.

The report also noted cases of massive irregularities in the project choice and procurement of resources awarded to various projects in the area. The report cited Mwiki Dandora Foot Bridge and Korogocho market

office as some of the projects dogged with controversy, despite substantive allocations.

The Dandora Foot Bridge was allocated Kshs1, 600,000 during the 2005/2006 financial year and in the previous year, the same project benefitted from Kshs1, 200,000. Records availed to the audit team however revealed that about Kshs400, 000 could not be accounted for.

TISA national coordinator Wanjiru Gikonyo also claims that local people were not involved in the project identification and implementation processes. The report says that out of the 11 projects sampled, only six had community involvement and participation but only at the identification and planning stage.

Ms. Gikonyo says the former Member of Parliament William Omondi, and his committee should be investigated by the Kenya Anti Corruption Commission to give a clear

picture on projects with audit queries.

She further says that the rate of completion in most projects is very low. "Similarly a large number of projects are stalled or abandoned. With this statistics, it is evident that laxity and embezzlement of financial resources might have taken place and therefore punitive action should be taken against the officials and contractors responsible" she said.

Ms Gikonyo also took issue with the current Kasarani MP Elizabeth Ongoro for not sharing information on project lists and respective allocations yet the money was released" she added.

She called on the Kasarani CDF committee, The Ministry of Local Government, the Ministry of Finance and the Ministry of Planning National Development to disclose project information including work plans, bill of quantities, contractor agreements to allow accountability and transpar-

ency in managing public funds.

Over the last decade, the government has employed a series of decentralisation programmes as a way to reverse inequalities and tackle poverty.

This has seen the establishment of several special purpose funds including the now dominant Constituency Development Fund (CDF), the Poverty Eradication Loan Fund (PELF), the Rural Electrification Programme Levy Fund (REPLF), the Road Maintenance Levy Fund (RAMFL), the Community Development Trust Fund, the Free Primary Education Fund (FPE) and the Local Authority Transfer Fund (LATF).

Other major devolved funds in Kenya are the Constituency Bursary Fund (CBF), the Water Services Trust Fund (WSTF) and the HIV/Aids Community Initiative Account.

A recent study by a consortium of researchers under the umbrella of Oxford University's Department of International Development confirms massive wastage of devolved funds especially under the CDF.

The Oxford University research further points out that although most legislators had been running the majority of their CDF-funded projects in the education sector since the creation of the CDF up until the election year of 2007, the trend is changing with focus going into projects that would boost their chances of winning reelection.

The International Monetary Fund (IMF), too, points out that the utilization of devolved funds especially the main CDF remains a major challenge in Kenya.

It says a number of concerns have arisen in the implementation such as lack of coordination between those in charge of CDF, local planning and central government planning.

"The recurrent costs of CDF projects are not fully taken into account at the time of project selection," the IMF says in its 2008 Report on Observance of Standards and Codes (ROSC) for Kenya.

Varsity students free to transfer credits

From page 1

to evaluate the courses.

According to Prof Standa, 47 out of the 64 public and private universities in the five member states are taking part in the programme which is being conducted on voluntary basis.

The Rockefeller Foundation funded the project, which was initiated in 2007.

It is expected to accelerate the growth of the East African Community, where student movements account for a significant portion of annual migration with Uganda being a favoured destination.

But disparities in education standards have led to instances where qualifications can be questioned.

According to Commission for Higher Education Secretary Everett Standa, "The move would

allow students to transfer credits between private and public universities in the region. A draft curriculum for selected programmes in agriculture, engineering, medicine and basic sciences is complete.

Professor Standa was speaking at the opening of a Credit Accumulation and Transfer System workshop at Kenya School of Monetary Studies, where he recognized that students studying these subjects would be at liberty to roam between any universities in the region, beginning in December.

The Credit Accumulation and Transfer System Project is meant to harmonise curriculum in various disciplines to enhance mobility of students. The idea was mooted last year by Kenya's Commission of Higher Education, Uganda's National Council of Higher Education and Tanzania's Commission for Universities.

In 2006, three East African higher education regulatory agencies - the CHE, the National Council for Higher Education in Uganda and Tanzania's Commission for Universities - signed a memorandum of cooperation in a bid to streamline and harmonise higher education accreditation, quality assurance practices and procedures in the region.

The higher education had proved to be a prime engine of social and economic development among nations and, with increasing demand, quality assurance was paramount. Regionally organised quality assurance frameworks that embraced internationally recognised standards had gained in popularity, she noted, encouraged by globalisation and the internationalisation of education.

"The quality of higher education being provided in our universities has been the concern of

many governments in the region. This is because of recognition of the central role that higher education, especially university education, plays in the socio-economic, cultural and political development of the nation," says Minister William Ruto

That university education in East Africa and elsewhere had undergone rapid growth in the last 20 years in terms of numbers of institutions, student enrolment and diverse modes of delivery - such as e-learning and distance education. This was exerting pressure on the quality of university education.

The minister lauds the development of an East Africa Quality Assurance Framework, saying it would be a yardstick to ensure that university graduates in member countries attained the skills and competencies needed to be relevant to and competitive for jobs in the region and worldwide. He

assured Kenyans that the ministry would continue championing accreditation processes, standards and frameworks aligned to regional and international standards.

But many challenges impeded the provision of quality higher education in the region: insufficient human capacity, inadequate funding, and lack of standards and mechanisms for regulating the quality of cross-border education and e-learning.

In an address to the workshop, Executive Secretary of the CHE, Professor Everett Standa, said quality in higher education was a key to achieving a competitive edge and corporate excellence.

"It also promotes the reputation of an institution, its staff, students and management. It markets the products of an institution as it enhances employment opportunities of quality graduates," says Standa.

Kenya on course to achieve education goal

By JOHN NYAMBUNE

KENYA is among developing countries likely to achieve Education for All (EFA) goal by 2015.

According to the United Nations Educational, Scientific and Cultural Organization (UNESCO) Monitoring System for 2010 other developing countries include Mauritius and Benin.

The Ministry of Education has at the same time partnered with the United Nations Children's Fund (UNICEF) to promote education for all especially in hardship areas.

Speaking during a meeting with over 15 MPs from the nomadic constituencies recently, the country's deputy representative for UNICEF, Dr Juan Ortiz-Iruri said there were great challenges in addressing education especially among the children in the marginalized areas, disabled persons and from small ethnic communities.

The UN representative said, "There is need for the Government to set targets which will narrow the gap between the marginalized regions and other parts of the country".

"The Kenyan Government has allocated 69.7 per cent of its national GDP to the education sector which is very high compared to other developing countries. But it is important to see this investment reflected in the examination performance," said the UN representative.

The Minister for Education, Prof. Sam Onger said poor performance continues to dog North Eastern Province despite the fact that enrolment figures had gone up.

The Minister told the MPs that it was wrong to have a section of Kenya pulling the whole country



University students at a graduation ceremony in one of the public universities. Photo/Joseph Mukubwa

backwards. And to reverse this trend it was necessary to form a nomadic commission to address education issues in the hardship areas.

Prof. Onger said the Nairobi meeting will be followed by another in Mandera this month and subsequent meetings in Wajir and Garissa. In Garissa, they will launch the 2010-2015 Implementation Plan for the Nomadic Education Policy Framework.

"It is difficult to retain children in school when only 25 per cent of the students transit from the pri-

mary to secondary or secondary to tertiary institutions because of the nomadic lifestyle and cultural beliefs embraced by the communities," said Prof. Onger.

Stakeholders will work together with the Ministry of Education to ensure there is proper sanitation, clean water and sanitary towels for the girl child.

This collaboration will assist the Ministry attain its target of one million children in hardship areas, urban slums and the internal and external camps.

Education Secretary, Prof.

George Godia said there was need to modify the teaching methods used in the hardship areas by updating training programme to include methods on how to deliver lessons in the marginalized communities.

The Minister for the Development of Northern Kenya, Mr. Mohammed Elmi said more tertiary colleges in North Eastern should be started to reduce the huge disparities in the country's education. He urged MPs to use CDF funds wisely and encourage students to take teaching as a profession.

Ministry urged to release funds promptly

By JOEL JUMA

DELAYS by the Government to release funds meant to finance Free Primary Education (FPE) is impacting negatively on schools' programme in Western Province.

Several schools have had their water and electricity supplies disconnected, a matter that has elicited sharp criticism from Kenya Primary Schools Head teachers Association (KEPSHA).

Kenya Power and Lighting Company (KPLC) has disconnected electricity supply in various schools in the region with Kakamega Primary School having an outstanding bill running to Kshs35,000.

KEPSHA Western branch secretary David Ikunza and chairman Josephat Otiende explained that some schools have started to lose their workers due to salary arrears.

"I have received complaints over water and power disconnections from head teachers but the hammer has just fallen on my school," said Ikunza who is the head teacher of Kakamega primary school.

Ikunza said Western Water Company has also disconnected supply of the commodity to the school that has over 2,500 pupils.

He further said workers have also quit their jobs due to non-payment of their salaries by the school management.

"The water company wants the school to pay over Kshs20,000 before it can resume supply of the commodity," he added.

Ikunza noted that primary schools were disadvantaged, as they are not allowed to impose any levies to parents after the Government introduced free primary education in the country.

"The Government should come up with calendar of releasing money to schools to avoid confusion as many headteachers are unable to purchase chalks and exercise books to facilitate

smooth learning," said Ikunza who was addressing the press in his Kakamega office.

Otiende explained that purchase of learning materials was difficult and wondered why the Government pushed the release of the funds to October.

The Ministry of Education has promised to release funds to primary schools anytime in October. Education PS James Ole Kiyapi was reported to have said that over Sh4 billion will be released to primary schools.

Kiyapi says the Government is still committed to financing education.

The Kenya Secondary School Head teachers Association Butere branch chairman Hezekiah Akang'o said schools had received their dues as promised by the Government last week.

Lecturers oppose Ruto proposal

By PETER MUTUKU

HIGHER Education Minister William Ruto has come under sharp criticism over his proposal that all Public Universities double intake in the next academic year.

Scholars argue the move was suicidal as existing facilities and lecturers are already overstretched.

Moi University Chancellor Prof. Bethuel Ogot says that instead of pushing the universities for double intake, the government should first develop infrastructure in all public universities to enable them cope with the large number of students.

He says that currently lecturers in most of these institutions are overworked and therefore should not be expected to effectively deliver the mandate.

"The government should first employ more lecturers and improve their welfare before the

adoption of the proposal by the Minister," he adds.

Prof. Ogot said that lack of funding and good remuneration for academicians has led to mass exodus.

"There are 50,000 academicians from Africa working in other continents who have been driven there by lack of funding," he notes.

The don at the same time urged the government to increase funding for operations in public universities to enable them become self-reliant and produce innovative and competent graduates.

The Vice Chancellor said the current funds allocation to public universities is too little to enable them engage in meaningful activity.

The don said most public universities live from hand to mouth as they are underfunded and lack money for core functions.

"As a matter of fact, public universities have resorted to recycling archaic data instead of carrying out research due to lack of funds," he reveals.

He said the current Kshs127 million budgetary allocation to the Ministry of Education for Research is too little to allow universities to adequately carry out research.

"Most laboratories and other facilities used by professors and academicians in carrying out research are too obsolete to be used by first year undergraduate students for their practicals," he said.

He also blamed politicians for ethnicisation of universities saying they lobby for better positions for members from their communities to be posted to head institutions.

He said the proposal to rotate Vice chancellors will not re-



Mr. Ruto

solve anything as long as political interference persists.

Invest more in adult education

THE Government recognizes the important role played by Adult and Continuing Education (ACE) as a vehicle for transformation and empowerment of individuals and the society.

For instance, in Sessional Paper No. 1 of 2005 clearly expresses the desire to achieve universal adult literacy by 2015. To this extent, elaborate efforts have been made create learning opportunities for all, including adults, children, youth and other vulnerable groups.

Currently, Adult and Continuing Education (ACE) programmes are being provided through the Directorate of Adult and Continuing Education (DACE) under the Ministry of Education, using the Basic Literacy Programmes (BLP), Post Literacy Programmes (PLP) and Continuing Education Programmes (CEP).

As per the 2007 Kenya National Adult Literacy Survey (KNALS, 2007), only 61.5 percent of the adult population had attained minimum literacy level leaving 38.5 percent (7.8 million) adults illiterate.

The survey also revealed that only 29.6 percent of the Kenyan adult population has attained desired mastery literacy competency.

COMMENT

By DON BONYO



About 29.9 percent of the youth aged 15 to 19 years and 49 percent of adults aged 45 to 49 years were illiterate.

It also revealed high regional and gender disparities in literacy achievements with Nairobi recording the highest 87.1 percent and North Eastern province recording the lowest 8 percent.

On the other hand, the 2009 Census revealed that about 1.9 children aged between 9 and 13 years old are still out of school while 2.7 million children aged between 14 and 17 years old are missing out of schools.

Sufficient evidence is thus available to confirm that additional efforts is required in the Adult and Continuing Education sub-sector if the country is to achieve universal literacy for all by 2015.

The Medium Term Plan for Kenya's Vision 2030 recognizes the need to have literate citizens and sets a target of increasing the

adult literacy rate to 80 percent by 2012. With only two years to go, we have to have a collective reflection of the technical and financial support this sub-sector requires for the target to be achieved.

Considering the recent efforts of recruiting adult education teachers (instructors), we need to move further and consider the population of the citizenry in need of adult education to determine the teaching and learning needs of the sector in terms of policy directions and resource allocation.

In December 2009, The government sent a delegation led by the Minister for Education to the Sixth International Conference on Adult Education (CONFINTEA VI), hosted by the Government of Brazil in Belém. The conference provided an important platform for policy dialogue and advocacy on adult learning and non-formal education at global level. But since the conference, there is no evidence to show that it intends to implement the Belém Framework for Action.

The main focus of CONFINTEA VI was to push forward the recognition of adult learning and education as an important element of and factor conducive to lifelong

learning, of which literacy is the foundation.

Policies and legislative measures for adult education need to be comprehensive, inclusive and integrated within a lifelong and life-wide learning perspective, based on sector-wide and inter-sectoral approaches, covering and linking all components of learning and education.

Good governance facilitates the implementation of adult learning and education policy in ways which are effective, transparent, accountable and equitable. Representation by and participation of all stakeholders are indispensable in order to guarantee responsiveness to the needs of all learners, in particular the most disadvantaged.

Adult learning and education represent a valuable investment which brings social benefits by creating more democratic, peaceful, inclusive, productive, healthy and sustainable societies. Significant financial investment is essential to ensure the quality provision of adult learning and education.

Inclusive education is fundamental to the achievement of human, social and economic development. Equipping all individuals to develop their potential contrib-

utes significantly to encouraging them to live together in harmony and with dignity.

There can be no exclusion arising from age, gender, ethnicity, migrant status, language, religion, disability, rurality, sexual identity or orientation, poverty, displacement or imprisonment. Combating the cumulative effects of multiple disadvantages is of particular importance. Measures should be taken to enhance motivation and access for all.

Quality in learning and education is a holistic, multidimensional concept and practice that demands constant attention and continuous development. Fostering a culture of quality in adult learning requires relevant content and modes of delivery, learner centred needs assessment, the acquisition of multiple competences and knowledge, the professionalization of educators, the enrichment of learning environments and the empowerment of individuals and communities.

Against this backdrop, the Ministry of Education needs to have a serious reflection on Adult Literacy sector with a view to transforming it through increased investment and better policies.

Poor education threatens future of Taita

By BRIGHTON KAZUNGU

TAITA District's marked decline in education standards could have grave implications on future development.

A task force appointed to look into what is ailing the education sector in the district identified a number of issues, among them acute teacher shortage which have contributed to poor academic standards.

Commissioned by the newly re-constituted district education board in July, the 18-member task force visited 30 out of 48 primary schools and six of 15 secondary schools in the region.

The survey sampled the well performing, medium and poorly performing schools and 32 factors were identified as contributing to the dismal performance in national examinations.

The findings show the district's mean score has been below national average and deteriorating in the last three years.

It recommended concerted efforts be made by education stakeholders and others to reverse the worrying trend.

Over the last three years, the KCPE mean score has been on a downward trend at 233.4 in 2007, 229.7 in 2008 and 221.29 in 2009.

In this year's secondary school admissions, only two boys out of 1,696 KCPE candidates made it to national schools while 241 joined provincial schools.

The study found out that the problem of understaffing was severe in all schools, a situation that had led to the hiring of many untrained teachers who are poorly paid, hence



A section of headteachers in a workshop in Mombasa. Photo/File

lacking enthusiasm in their work.

Some secondary schools reported teacher deficits of as high as eight in key subjects. The worst hit Canon Kituri Secondary School with a shortfall of eight teachers, Senior Chief Mwangeka with seven and Dr. Aggrey, five.

The district's deficiency in professionals clearly manifested during the recent recruitment of teachers on contract and that of nurses under the economic stimulus programme.

In both instances, the district was forced to source some of the workers from other areas after it was unable to fill up all the vacancies allocated.

The district outsourced teachers of critical subjects like sciences, Maths, Kiswahili, Geography, English and Literature as they were not available locally, says the District Education Officer Mr. Samuel Nyantika.

Mr. Nyantika said out of 21 vacancies for English teachers allocated to the area, they only managed to fill nine slots.

Area DC Mr. Njenga Miiri who also chairs the district education board says the persistent dismal performance spanning over a decade required urgent remedial action from all stakeholders.

"Failure by the district to work

hard and reclaim former position in education in Coast Province, spells doom for the area residents," adds Mr. Miiri when he received the report.

The district's human resource base, he noted, was under threat owing to the ever declining education standards.

He decried the low number of youth from the district who join institutions of higher learning adding that no meaningful development could be realized in the area without a well educated and trained human resource base.

He said it was important for the local community to show more

commitment to education to compete favourably with the rest of the country.

"We must drastically change our attitude and approach towards education. We must not be complacent as there is still a lot that needs to be done to improve our academic standards," said the DC.

Addressing parents separately, teachers and students at St. Mary's Boy's Secondary School, Lushangonyi, Immigration and Registration of Persons PS Emanuel Kisombe said the region would not effectively compete with other parts of the country in the labour market if it continued performing poorly academically.

He said the region's deficient human resource base was worrying and should be addressed as a matter of urgency by uplifting its dwindling academic fortunes.

Mr. Kisombe said rampant use of drugs and indiscipline among students was partly to blame for the poor standards of education in the area.

"Drastic counteractive measures must be taken to reverse the trend if the region is to realize meaningful development," he said.

Widespread use of vernacular was also cited by the task force as one of the root causes of poor academic performance by schools.

"In most schools, the local Taita dialect is rampantly used as the official language of communication, this has seriously hampered teaching and learning," says the report presented by task force chairman Tangai Ngoma, who is the former principal of Mombasa Government Training Institute.

The team proposes English and Kiswahili remain official medium of communication in local schools if the poor results in national exams were to improve.

Busia education official's vow

By NYAKWAR ODAWO

BUSIA district education office will soon deploy monitoring and evaluation teams to schools earmarked for upgrading under the Economic Stimulus Programme (ESP).

The team will work closely with the respective project management committees to ensure work is done in accordance with the laid down procedure.

"The Monitoring and Evaluation team will ensure the project is undertaken properly and in a transparent and accountable manner," said the Busia District Education Officer (DEO) Mr. John Owino.

Busia District has identified two primary schools and one secondary school for upgrading to the status of modern schools and centres of excellence under the ESP programme.

According to a report availed to The Link by the Busia district education office recently, the identified model primary schools are Sikinga, which is a rural school and Bulanda within Busia municipality as an urban school.

The District Education Board (DEB) also identified Nambale Boys High school in Nambale division in the newly created Nambale district as a center of excellence.

The DEO confirmed that already the construction of a multi-purpose dining hall at Nambale Boys High School has taken off and that the facility has the capacity to accommodate over a hundred students at a go.

Under the programme, each model primary school has been allocated Kshs3.5million whereas the selected centres of excellence have received a total of Kshs30million each.

The report from the district education department further states that the project management committees from each selected model primary school are required to ensure that the cash allocated and disbursed to the selected learning institutions for upgrading are utilized properly.

In Funyula constituency, the newly created Samia District Education Board (DEB) is said to have recommended the elevation of Nangina Girls High School as a centre of excellence, but local political leadership overruled the decision and instead recommended the construction of a new school to be named Samia Girls at Budwong'i against the wishes of the education board.

However, the Samia District Education Officer (DEO) Mr. Michael Mugawo said that the construction work at the new school is in progress and has reached the lintel level.

In Butula district, DEB had settled for Butula Boys High School as a centre of excellence whereas the learning institutions selected as model schools are Sikarira primary school as an urban school and Bukhwaku primary school as a rural school.

Butula DEO Mr. Maina Wangatho on his part confirmed construction has been began at the selected two model primary schools.

The district education official at the same time said that the Quality Assurance and Standards (DQAS) officers are working closely with the project management committees of the selected learning institutions to ensure the project is done satisfactorily and according to the recommended specification.

Knut, Kuppet tell TSC to consult

By JOEL JUMA

TEACHERS Service Commission (TSC) has been told to consult relevant stakeholders before effecting proposed reforms in the education sector.

The Kenya Union of Post Primary Education of Teachers (Kuppet) and the Kenya National Union of Teachers (Knut) said failure by TSC to consult them would result into rejection of some of the proposals.

The two unions said they were shocked that TSC has proposed changes in the sector without seeking views from them.

"The Government said all stakeholders will be consulted but I am shocked that TSC is already working on the reforms without our input," said Kuppet Vice Chairman Zadock Kisiyia.

Speaking in Kakamega town

Kisiyia said licensing of teachers was welcome but expressed concern that the Kshs1,000 fee was on the higher side.

Kisiyia said teachers have committed their salaries adding that introducing new levies amount to impoverishing them.

TSC has already proposed that over 400, 000 teachers must have practicing licenses, which will be renewable after three years. Each teacher will be required to pay Kshs1,000 for the license.

Education Minister Sam Ongeru was reported to have said all partners will be involved in the reforms in the sector to conform with the new constitution.

Prof Ongeru who presided over the National Schools and Colleges Music festivals in Kakamega last month said his ministry will be transformed to

comply with the new constitution.

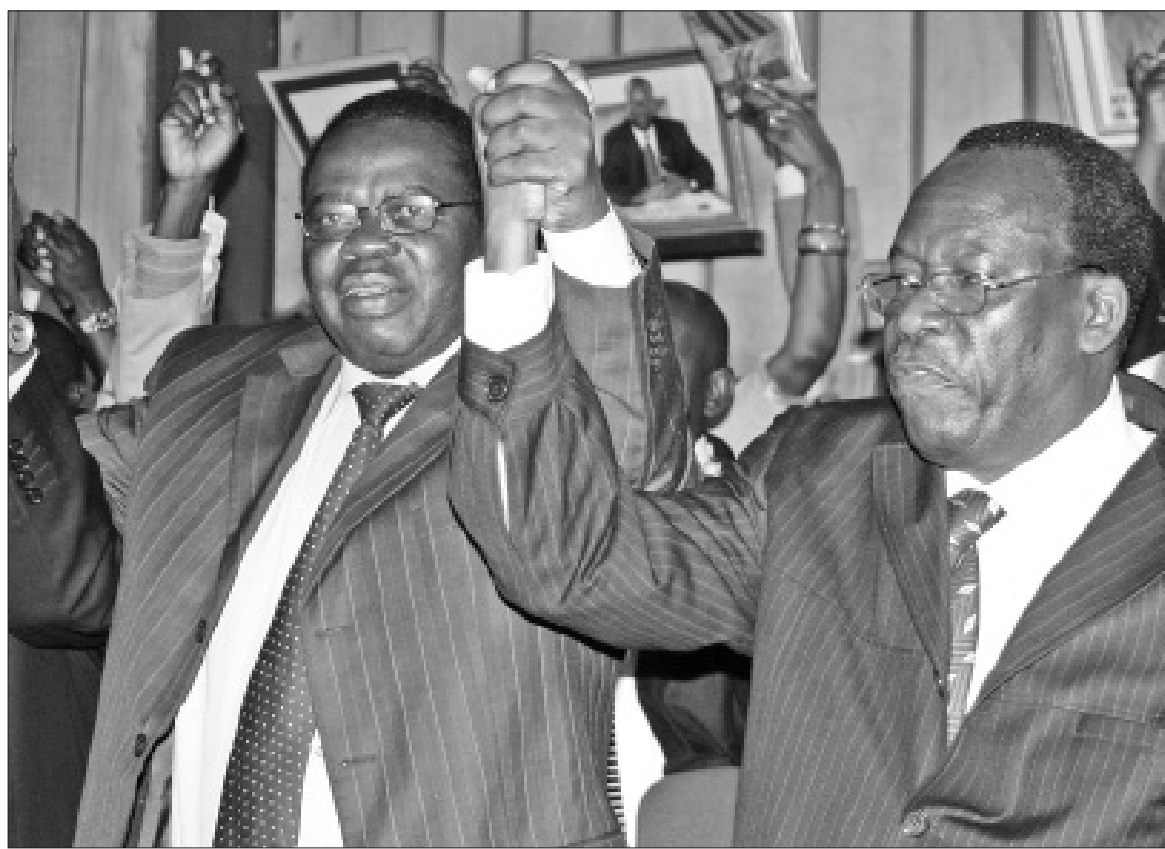
Ongeru told the participants that stakeholders will be allowed to give their input.

Kisiyia said some of the proposals, which include introduction of new levies on teachers, would be rejected, as they were not consulted.

Knut Western Provincial Council Secretary Godfrey Odongo faulted TSC for not collecting views from his union over hiring plans.

"We shall not allow the County to have the autonomy to advertise and hire the teachers as some of them may not have proper management structures to handle education matters," said Odongo.

Odongo explained that education matters need to be controlled at the national level to prevent disparities in the management and administration of teachers matters.



Knut officials show solidarity at a past function.

Photo/File

State to build new college in Butere

By JOEL JUMA

THE Government is set to construct a technical training institute in Butere district at a cost of Kshs500 million

The institute is set to be constructed in Butere town as part of plans to have the Anglican Church of Kenya (ACK) land sub divided in order to pave way for the implementation of the project.

Planning minister Wycliffe Oparanya said the ministry of Higher Education headed by his cabinet colleague William Ruto has already released over Kshs100 million for the project.

"The project will be put up near Butere Girls high school as part of the land will be curved out of the school and the church," said Oparanya.

The minister explained that the local County Council Chairman Michael Keya and the church led by Bishop Joshua Sande have been mandated to spearhead processing of the title deed for the new project.

Oparanya, who made the remarks during a leaders meeting held at Butere Girls high school explained that the Government was promoting technical education in order to impart youths with skills that are relevant with the policies of vision 2030.

Keya and Sande said that they will pursue the matter with the lands ministry to ensure that the projects kick off before end of this year.

Oparanya also added training in youth polytechnics was cheaper as the Government was financing the programmes in all parts of the country.

He explained that education in areas of computer will be given priority at the yet to be established institute.

"The new constitution should see many youth being computer compliant for them to secure jobs that may come due to the reforms," said Oparanya.

Oparanya also disclosed that all schools that are sub standard in the constituency will be financed to ensure that all structures are made of permanent materials. "I want to see all mud walled classrooms being phased out in this constituency," said Oparanya who is the MP for the area.

What Nyeri spent on Education

By JOSEPH MUKUBWA

EDUCATION sector was funded to the tune of Kshs13.6 million through the Nyeri Town Constituency Development Fund(CDF) kitty during the last financial year.

The total allocation which was part of the Kshs44 million disbursed to the constituency during the 2009/2010 financial year, helped to improve learning institutions including nursery, primary and secondary schools and youth polytechnics.

According to the secretary of the CDF committee Mr Baragu Mutahi, over Kshs8.4 million was pumped into learning institutions while an additional Kshs5.2 million was disbursed to needy children as bursary.

Seven secondary schools, five primary schools, a nursery school and three youth polytechnics are some of the institutions from the constituency that benefited.

Gitathi-ini, Gachika and Ihwa Secondary schools received Kshs0.5 mil-

lion each to assist in the completion of laboratories while another Kshs0.5 million was allocated to Kihatha Secondary school to aid in the completion of a dining hall.

Marua and Kahiga Secondary Schools received Kshs0.5 million and Kshs0.7 million respectively for the construction of the administration block. Rware Secondary School benefitted from Kshs700,000 for the construction of a library.

Primary schools which benefitted from the allocation include Githiru, King'ong'o, Ihwa, Kanoga, Ithenguri and were allocated Kshs1.8 million for the renovation of their schools.

"This amount also includes the Kshs400,000 which they used for the construction of toilets," said the secretary.

Mutahi added that two Kinunga and Gitero youth polytechnics received Kshs300,000 and Kshs 350,000 respectively for the construction of toilets. Gachika Youth Polytechnic also benefited from Kshs1.3

million which was spent in the purchasing of tools and equipments.

The Secretary said most of these projects are new and have been allocated additional funding in the current financial to oversee their completion.

He said the CDF office is committed to improving the education sector in the constituency which is represented in parliament by Special Programmes Minister Esther Murugi.

Those allocated the bursary funds were vetted to ensure that only the needy children benefited.

Meanwhile, more than 80,000 people from the Nyeri County are illiterate.

Speaking during the World International Literacy Day at Giakabii in Mathira district, the area District Adult Education Officer Mr

Tarcisio King'ori says this figure accounts for about 25 per cent of the population. He said that a survey carried out three years ago had established that the literacy level in both Mathira and Kieni constituencies is

wanting and majority of the 324, 658 people in the area cannot read or write.

About 1,702 had enrolled for literacy and post literacy classes in the two constituencies by May this year with the average attendance of 1, 097 people.

The Ministry of Education has been collaborating with the provincial administration, primary schools, Department of Gender, Nyeri Hospice, Churches, Internal Security, leaders and Karatina

Library to help raise the literacy levels.

The Ministry has been able to improve adult education programmes in various centres which include Kaiyaba, Njatheini, Itiati and Endarasha.

However, the department is faced with an acute shortage of teachers with the two constituencies relying on only 51 teachers.

The department also lacks facilities such as transport and classrooms and has been forced to use primary schools during classes.

Report faults 8-4-4 system

By A CORRESPONDENT

THE 8-4-4 system of education has failed to produce quality learners because it lays unnecessary emphasis on examinations. It is also bedeviled by highly bloated subject content and poorly trained teachers.

According to the second review of the system since its inception in 1984, there is a concentration on imparting theoretical skills at the expense of practical skills key to building a vibrant economy. As result the state has agreed to low the number of examined subjects. Even so, it is still at a loss where to get cash to improve quality of teachers.

As it is now, the system entails eight years of primary education, eight of secondary and four years at university level.

Graduates of the system lack creativity, social responsibility, appreciation and respect for the dignity of work, the review says.

The Kenya Institute of Education (KIE) conducted the review, which begun last year, to establish to what extent the system was relevant to the needs of the citizens.

There is "too much emphasis on national examinations at the expense of meaningful learning," the summative evaluation report said.

Respondents said learners spent too much time preparing for tests at the expense of actual learning and co-curricula activities necessary for physical and emotional growth.

"Due to this, teachers are unable to engage in meaningful teaching and feedback to improve learning," the report adds.

"However, it has been a common practice that teachers only concentrate on aspects that are



Report urges government to rethink 8-4-4 system of education.

going to be examined and skip out on core values that nurture a holistic student."

The achievement of a balanced student life is constrained by non-coverage of all areas of the curriculum, due to heavy workload for the teachers and high pupil-teacher ratio.

This situation leads to ceaseless learning with parents engaging private tutors and use of commercially developed exami-

nation papers "which at times do not conform to the curriculum".

The schools, says the report, use traditional written tests approach and rarely observations and projects. "These tests are cognitively skewed and ignore other domains of learning."

To compound matters, the Kenya National Examination Council (KNEC) has developed a parallel syllabus to that of KIE "which appears to be more at-

tractive to the teachers".

"The use of both the KIE and KNEC syllabi in schools affects curriculum implementation negatively."

It, therefore, recommends that KNEC should stick to testing and development of exam regulations and guidelines, the report concludes.

He said it was the role of the teachers to ensure that the curriculum from KIE was taught.

Counties should hire nursery teachers —Rotich

By JOEL JUMA

NURSERY school teachers should be hired by County Governments under the new constitution, Director of Basic Education Leah Rotich has said.

Rotich said as part of Government reforms in the education sector, there is need for pre-primary teachers to be absorbed in the County Governments.

She said the move will prevent school management committees from frustrating nursery school teachers.

She explained that hiring of nursery teachers by Teachers Service Commission (TSC) this year failed to take off due to lack of funds.

"The County Governments should prioritise the pre-primary education as part of attaining the Vision 2030 goals," said Rotich.

She further explained that the new constitution makes education compulsory adding that it will be unfair for the Early Childhood Development Education (ECDE) department to be ignored whereas it is the foundation of the sector.

Rotich said TSC failed to employ nursery school teachers as projected in the Sessional Paper Number 1 of 2005 on policy framework for education, training and research primarily due to lack of funds. She noted the Government is however still committed to mainstreaming ECDE.

She said there was need for ECDE teachers, who have acquired Diploma level of education, to be given lessons in the lower primary classes to reduce teacher shortages in schools.

"Teachers who have completed their diploma courses should be allowed to teach in lower classes," said Rotich. She explained that such teachers are qualified to discharge duties in the lower classes.

Rotich was speaking at Kakamega ECDE Centre during its graduation ceremony. Western Provincial Staffing Officer Onyango Tumbo and the Centre Programme Officer Gaudencia Ashitiva also addressed the meeting.

The over 100 graduands lamented that government had left them out of the just concluded recruitment of teachers countrywide despite having promised them that their welfare will be addressed during this year's Budget. They noted that despite being trained, chances of being absorbed by TSC still remain slim.

Rotich was however tongue tied over the matter. "Your training is important as it will shape the quality of education of the country," she said.

She explained that the Counties will be required to hire them in the new education reforms.

Rotich also disclosed that the Government has spend over Kshs1.2 billion on community programmes which target the pre primary education activities in the country.

She noted that the number of ECDE centres that have benefited from the grants stand at 8,000.

Tumbo challenged the teachers to further their education to avoid being left out during hiring of teachers by the TSC. He said there are many opportunities that come about for nursery teachers who have trained well.

Busia education official's vow

By NYAKWAR ODAWO

Busia district education office will soon deploy monitoring and evaluation teams to schools earmarked for upgrading under the Economic Stimulus Programme (ESP).

The team will work closely with the respective project management committees to ensure work is done in accordance with the laid down procedure.

"The Monitoring and Evaluation team will ensure the project is undertaken properly and in a transparent and accountable manner," said the Busia District Education Officer (DEO) Mr. John Owino.

Busia District has identified two primary schools and one secondary school for upgrading to the status of modern schools and centres of excellence under the ESP programme.

According to a report availed to The Link by the Busia district education office recently, the identified model primary schools are Sikinga, which is a rural school and Bulanda within Busia municipality as an urban school.

The District Education Board (DEB) also identified Nambale Boys High school in Nambale division in the newly created Nambale district as a center of excellence.

The DEO confirmed that already the construction of a multi-purpose dining hall at Nambale Boys High School has taken off and that the facility has the capacity to accommodate over a hundred students at ago.

Under the programme, each model primary school has been allocated Kshs3.5million whereas the selected centres of excellence have received a total of

Kshs30million each.

The report from the district education department further states that the project management committees from each selected model primary school are required to ensure that the cash allocated and disbursed to the selected learning institutions for upgrading are utilized properly.

In Funyula constituency, the newly created Samia District Education Board (DEB) is said to have recommended the elevation of Nangina Girls High School as a centre of excellence, but local political leadership overruled the decision and instead recommended the construction of a new school to be named Samia Girls at Budwong'i against the wishes of the education board.

However, the Samia District Education Officer (DEO) Mr. Michael Mugawo said that the

construction work at the new school is in progress and has reached the lintel level.

In Butula district, DEB had settled for Butula Boys High School as a centre of excellence whereas the learning institutions selected as model schools are Sikarira primary school as an urban school and Bukhwaku primary school as a rural school.

Butula DEO Mr. Maina Wangatho on his part confirmed construction has been began at the selected two model primary schools.

The district education official at the same time said that the Quality Assurance and Standards (DQAS) officers are working closely with the project management committees of the selected learning institutions to ensure the project is done satisfactorily and according to the recommended specification.

TSC on the spot over funds

By JOEL JUMA

TEACHERS Service Commission (TSC) is on the spot for failing to remit members dues on time.

A number of organizations whose membership is largely drawn from the teaching fraternity are now grappling with a backlog of unprocessed loan applications as they await for the TSC to remit members contributions.

The organisations, which include Savings and Credit Cooperative societies and Burial and Benevolent Funds, Educational Schemes said they were financially strapped and therefore cannot loan their members money to settle school fees for their children

and medical needs.

"We have not received our July dues from TSC and yet we are approaching November," said the Secretary of the Kakamega Teachers Benevolent Fund Mr. Francis Ometty.

He explained that over 500 application forms for teachers seeking loans were piling in the office unprocessed because there was no money to give the members. The hardest hit cases are members who have their children admitted in hospitals, as there was no money to have them settle medical bills, he noted.

Ometty, who was accompanied by the KTBFB Chairman Patrick Ongaya and Treasurer Theadus

Akhwesa, accused the Kenya National Union of Teachers (Knut) of keeping silent over the matter.

"KNUT has received its dues from the TSC and that is why the officials are silent over the problems facing teachers organisations," said Ometty who was addressing the press in Kakamega.

The Kakamega Teachers Savings and Credit Cooperative Society (Kateco) said that they were unable to process requests for over 400 teachers who have applied for credit facilities due to lack of money.

TSC normally remits over 30 million to Kateco every month as the society has over 15,000 active members.

The society Treasurer David Moyia explained that many teachers were suffering because TSC has delayed to remit the money despite having deducted from the workers.

The Western Provincial Director of Cooperatives Nathan Mukhweso said that TSC was violating the law by delaying to remit the money to societies after deducting the workers.

Mukhweso explained that the law requires that employers remit the money promptly after deducting from their employees.

"We have received complaints against the TSC and action will be taken," said Mukhweso who was speaking in Kakamega.

Study indicts nursery teachers

By JOEL JUMA

AN EVALUATION of nursery school teachers have shown that 88 per cent of teachers in public training centres do not prepare lesson plans while another 75 per cent fail to prepare records of work.

Director of Basic Education Mrs. Leah Rotich said failure by the teachers to prepare themselves in discharging their duties had affected the quality of education in nursery schools.

"The monitoring exercise revealed that 65 per cent of the teachers in nursery schools do not prepare schemes of work as required," said Rotich.

Rotich said the trend was worrying, with 24 per cent of the tutors not having class registers.

"It is imperative for programme officers and deans of curriculum to ensure that all trainers make adequate preparation by having well maintained records and documents," said Rotich.

The Director was speaking at Kakamega District Early Childhood Development Education Centre during a graduation ceremony where over 100 teachers were issued with Diploma certificates.

The function was also addressed by the area Programme Officer Gaudencia Ashitiva, the Western Kenya National Union of Teachers branch secretary Godfrey Odongo and the Western Provincial Staffing Officer Onyango Tumbo.

Rotich announced that it was sad that only 40 per cent of teachers handling nursery schools in the public sector had the required qualifications.

She said the ministry is concerned over the high number of teachers leaving public schools to join private institutions due to poor payment by local authorities and school management committees.

Rotich explained that the ministry is hopeful that nursery teachers will be absorbed in the Counties during the implementation of the new constitution as part of reforms in the education sector.

Rotich also disclosed that the Government has spent over Kshs1.2 billion on community programmes that target pre primary education activities in the country.

She noted that the number of ECDE centres that have benefited from the grants stand at 8,000.

Tumbo challenged the teachers to further their education to avoid being left out during the hiring of teachers by the TSC.

He said there are many opportunities that come about for nursery teachers who have trained well.

NHIF plan attracts more fire

By A CORRESPONDENT

A TEACHERS union has warned that members would go on strike if the National Hospital Insurance Fund (NHIF) goes ahead and implements the proposed plan to increase membership contributions.

Kenya Union of Post Primary Education of Teachers (Kuppet) says it fully supports the position taken by Central Organisation of Trade Unions (COTU), which has also issued a similar threat.

Kuppet's Western Provincial council chairman Wasike Wabolinga says that teachers are already overburdened with other contributions.

"Furthermore, we were not consulted or put in the picture when the new plan was adopted," he added.

The provincial secretary Omboko Milemba says the 500 per cent increment in contribution would mean teachers give Kshs1,500 from the current Kshs320.

"Members are not in a position to raise this kind of money as their salaries are fully committed," he added.

Milemba said members are not enjoying the benefits of their contributions even with the current scheme.

"Public hospitals do not have adequate drugs meaning we end up buying them in chemists. It is for this reason chemists are thriving everywhere, he added.

Wabolinga said another reason for rejecting the increment is lack of trust in NHIF. Wabolinga and Milemba were speaking to the press in Kakamega. Provincial treasurer Otota Abwalaba accompanied them.

"We do not have any faith in the board. We fear that the money might end up being mismanaged," he added.

COTU claimed that NHIF was planning to defraud members of their little earnings.

Secretary general Francis Atwoli said politicians were planning to use the money to fund campaigns ahead of the 2012 elections.

Atwoli said NHIF lacks the capacity to handle the Kshs10 billion that the proposed scheme intends to raise annually.

Teachers want more cash per child



Prof. Onger (standing second right), Minister for Education and former PS, Prof. Karega Mutahi when they launched free primary education. Photo/File

By JOEL JUMA

PRIMARY school head-teachers want the Government to increase the allocation earmarked for pupil's under the Free Primary Education (FPE) programme by about 500 per cent.

The Kenya Primary School Head Teachers Association (KEPHSA) argue that the Kshs1,020 allocation per pupil in a year was not enough to cater for their welfare as the prices of goods have gone up.

KEPSHA says that the funds should be increased from Kshs1,020 to Kshs 5,000 per a pupil to ensure smooth learning in schools.

"The programme was introduced in 2003 when the price of a 96 Kasuku exercise book was still Kshs7 but the same book is going at Kshs18, and therefore it is difficult to operate with the same budget" adds David Ikonza who is a member of the association's National Executive Committee.

Ikonza who is also the Western branch Association's Secretary explains that the situation has been compounded by the fact that wages for subordinate workers in most schools

have gone up.

Ikonza further points out that electricity and water usage had shot up due to high enrolments figures registered in most schools.

The secretary spoke at a Kakamega hotel during a meeting for head teachers to review the parents report card document that has been developed jointly by the Ministry of education and the National Tax Payers Association (NTA).

NTA Western Regional Manager Daniel Namenya was put to task to explain how the report will benefit the organisation. The participants said that some of the recommendations in the report are likely to fuel animosity among stakeholders.

The participants who included the Kenya National Union of Teachers (Knut) Western Provincial Council Secretary Godfrey Odongo said head teachers will oppose any move to compel them to invoke the report card while monitoring the performance of teachers as they were never consulted during its formulation.

"How can a pupil be used to evaluate the performance of a teacher? It is

wrong as teachers are professionals unlike children who are still being developed," said Odongo.

NTA National Coordinator Kizito Wang'alwa however said that the report card was aimed at enhancing accountability and transparency in the management of human resources and learning materials in the education sector. Wang'alwa explained that management of schools would be made easy, as all the stakeholders will be assessed in accordance with the report card.

The Western Provincial Director of Education (PDE) Kenneth Misoi said that head teachers should be ready to adjust to developments in the country. Misoi said reforms being developed by the ministry of education would see some of the schools being put under the Counties for easy administration.

He said that head teachers should be ready to adjust to fit in the operations of Counties, as the Government will deploy some education officers in the Counties. "We are not going to have PDEs as the positions will be phased out in the new administration structures," said Misoi.

The Link

Enhancing governance for all

Credits transfer a welcome move

THERE is no gainsaying that there is an explosion of university education within the East African region. Many universities are mushrooming and the old ones, like Nairobi, Makerere and Dar-es-salaam, are expanding exponentially

This is very good for the region's economy for no country can grow without investing heavily in higher education. Even so, many expert educationists have warned that an uncontrolled growth and expansion of universities and colleges are dangerous both to the countries and to the individual students who may be left holding worthless papers in the name of degrees certificates.

These, coupled with many other reasons, are why we strongly support efforts to harmonize curricula of universities in the region so that they can have same standards and qualities of education.

The harmonization of study programmes and the expressed, clear intention to make it easier for students to move from one university to another by removing restrictions on credit transfers, are truly in the true spirit of unification of the regional economies. Standardization of varsity academic curricula in the region will eventually facilitate unfettered movement of quality labour across the borders of the five states.

We therefore, congratulate Uganda's National Council for Higher Education, the Commission for Higher Education in Kenya and the Tanzania Commission for Universities for initiating the move with the help of the Germans, and for endorsing the Credit Accumulation and Transfer System (CATS), especially for science courses, such as medicine, agriculture, engineering and basic science.

The students currently enrolled in those courses can commence necessary movements by December. It is refreshing to note that 47 out of the 64 public and private universities in the five member states are taking part in the programme funded by The Rockefeller Foundation.

We would like to see arts-based causes also included in the shortest time possible. Communication, commerce and law courses, too, are very central to the rapid growth of this region. So are sociology, political science and history, among others.



COMMENTARY

Nyanza records highest voter turnout

NYANZA province recorded the highest voter turnout during the referendum on the new constitution, thanks to intense campaigns by civil society organizations.

There has been voter apathy in Nyanza over the last two decades even as people in the region are deemed to be the most politically active and conscious in Kenya.

Nyanza residents are known to engage in animated and often heated political discussions at markets, homes, villages and bars, virtually the whole day.

People from other parts of Kenya have often expressed amazement that during campaigns or any other political activity, Nyanza residents often suspend other engagements including jobs and farm work to fully participate.

Yet on the voting day, the enthusiasm at rallies and public discussions has never translated in to massive voting.

During the 2005 referendum only 56.30 per cent of the 1,664,401 registered voters in Nyanza voted compared to Central Province's 61.10 per cent of the 1,795,277 registered voters and Rift Valley's 60.5 per cent of the 2,668,981 registered voters.

During the 2007 General Elections, arguably the most hotly contested presidential elections in Kenya's history, there was a slight improvement with 76.2 per cent of Nyanza's 2,041,686 turning out to vote.

That Nyanza returned a vote of 1,740,033 in favour of the constitution against only 101,491 against the document at the August 4, 2010 referendum, was seen as remarkable at a time when pundits had estimated that the figures would be in the region of just around 850,000 which translated to about 60 per cent.

This time, the situation was so different. People not only turned up at rallies by politicians and other interest groups but actually turned out in large numbers to vote, in favour of the referendum.

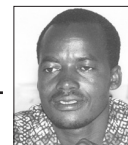
The change in voter patterns has been attributed to determined and consistent campaigns by civil society groups in the province that had for long expressed worry over low voter turnout.

Politicians arrived in the scene much later through what appeared largely rushed and uncoordinated voter mobilization approaches that were characterized by personal interests and rivalries based on their scheming for 2012 of the sour grapes arising from the 2007 General Elections.

In a number of constituencies, rival politicians- the sitting MPs and their rivals could not hold joint rallies, resulting in the unfortunate incident in Uriri in which a personal assistant to the area MP Ojwang Omolo was beaten to death by supporters

COMMENT

By OLOO JANAK



of his rival, one Martin Owiny from the Centre for Multi Party Democracy as the deceased and a group attempted to disrupt Owiny's rally in Sibuoche of West Nyanmango.

As the politicians either away both at home and in Nairobi, different civil society groups mapped out Nyanza, taking different constituencies, first to mobilize residents to turn out in large numbers to register as voters when the Interim Independent Electoral Commission (IIEC) opened the process to the public in May.

The politicians entered the campaign trail to find an already converted populace, enthusiastic, critical and demanding and knowledgeable. The distribution of the YES campaign T-shirts by the politicians threatened the solidarity among potential voters as they were few and given selectively.

Among the groups that mobilized people to register as voters and eventually intensified the campaigns for improved voter turnout at the referendum were the Civil Society Organization (CSO) Network based in Kisumu, Nyanza Youth Coalition, Migori Civic Local Affairs Network (CLAN), Centre for Community Dialogue in Kisii and motley of other groups including women organizations.

The US Agency for International Development (USAID) worked with these and other organizations to scale up voter registration and eventually the voter turnout in most parts of the province.

UNDP's Amkeni wa Kenya Programme also supported a number of organizations that carried out civic education that had significant impact on voter mobilization. Among these was Migori CLAN that carried out civic education in Migori, Uriri, Nyatike, Rongo and Ndhiwa constituencies.

Migori CLAN also worked with CSO network and the Kenya Section of the International Commission of Jurists (ICJ-K) to carry out civic education in Kuria, seen to have been one of the most difficult areas of Nyanza. Kuria constituency voters gave the yes side 16,486 and the "NO" 21,717 votes.

These organizations employed innovative methods in their mobilization of people to register and vote at the referendum. These included community theatre, live

bands, and teams of youthful volunteer mobilisers which combed every village, virtually door to door, to get people to register and eventually to vote.

On the voting day, the mobilizers woke up early, armed with whistles (which they christened "vuvuzela" - (the plastic horns of the South Africa World Cup fame) urging people to go and vote.

Boda boda operators- both cyclists and motorcycle owners- enthusiastically ferried people to polling stations but refused to carry those who had not voted saying they were "sabotaging the referendum process".

In many towns in Nyanza, most shops and other business premises closed from morning and only opened later that afternoon after people had voted. And even then, some people were keen to check with workers at various businesses if indeed they voted and asked them to confirm if their employers had released them to go and vote and to know which employers were reluctant.

"We closed our business to allow workers to go and vote because we know how important the new constitution is for peace," said a businessman of Asian origin interviewed in Migori.

During the post election violence, the Asian business community in Kisumu incurred heavy losses after most of their premises were looted by demonstrators.

In Migori, two supermarkets that remained open at the peak of the post election violence to serve a starving town population after supplies from elsewhere was cut by blocked roads operated under tight police security as local business people carted away their merchandise to their rural homes.

"A new constitution can bring peace through free and fair elections. We don't want violence again, it was bad", said another Migori businessman of Asian extraction.

The civil society organizations also worked closely with the institution of elders including the Luo Council of Elders whose leaders including Ker Riaga Omolo led a team to meet their Kuria counterparts including the Iritongo, both powerful socio-political outfits that ensured harmony prevailed between the two communities despite inciting utterances by the Kuria MP Wilfred Machage.

The enthusiasm for participation in the referendum was not without its challenges. Many post election violence victims refused to register as voters arguing participation in elections had brought them problems.



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The Link

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New vigor needed to combat hunger

A DECADE ago, the international community committed itself to halving the percentage of people who go hungry. It is time for world leaders review their policies and renew their commitment to implementation of this and other Millennium Development Goals (MDGs).

Last year alone, the number of people deprived of food rose from 915 million to 1.02 billion, according to the Food and Agriculture Organization of the United Nations. Although recent estimates suggest that number has dropped to 925 million in 2010, the goal of halving hunger by 2015, enshrined in the first MDG, remains extremely challenging. The situation demands more innovative, better focused, and cost-effective action.

To reduce hunger:

1. We need to increase combined investment in agriculture and social protection. Interventions combining agriculture and social protection have high payoffs, since they can protect the poorest in the short term and increase their productive capacity in the long run. Evidence from Ethiopia shows that households with access to a safety net program and a complementary

COMMENT

By SHENGGEN FAN

agricultural intervention are more likely to be food secure, borrow for productive purposes, and use improved agricultural technologies than households that have access to just one component.

2. The private sector and emerging economies must be encouraged to play a greater role in reducing hunger in developing countries. Firms must be given the right incentives to move beyond a short-term focus on corporate philanthropy and to develop inclusive business initiatives that help fight hunger and integrate smallholders into the global value chain. Many of the world's poorest people are smallholder farmers, and moving them out of poverty will involve increasing their productivity and linking them to high-value markets. Emerging economies need to be fully integrated into the global food security agenda, since they are ever more prominent in trade

and investment, and in providing development assistance.

3. Developing countries must lead the fight against hunger with their own strategies. Some issues—such as climate change, trade, and disease control—need to be addressed at the international level, and individual countries must set their strategies in a global context. But on many other issues, experience teaches us that the most effective, efficient, and sustainable policies are those most attuned to local reality. After all, China, India, Vietnam, and others have enjoyed agrarian and economic success thanks to country-led policies, such as partial liberalization, that were considered unorthodox because of their content, sequencing, or both.

4. Innovation must be encouraged. Pilot projects and experiments have the potential to improve policymaking by giving decisionmakers information about what works before policies are implemented across the board. Experimentation can improve the success rate of reforms as successful pilot projects are scaled up and unsuccessful ones are eliminated. Policymak-

ers need to allow experiments to be monitored impartially, and they must rapidly transform the lessons learned into large-scale reforms.

5. Decisionmakers at the global, regional, and national levels have made commitments to enhance food security but they have often not followed through. Governments and other institutions do need to keep their promises. Mechanisms to effectively ensure accountability and measure progress are urgently needed. In addition, the global food governance system itself needs to be reformed to work better. For example, the extremely volatile wheat prices seen in recent weeks remind us of the need for global institutional arrangements to prevent export bans, other forms of ad hoc protectionism, and excessive speculation.

With only five years remaining until the deadline of 2015, the objective of halving world hunger can be achieved—but only if we pursue it with increased vigor and innovation.

The writer is the Director General, International Food Policy Research Institute (IFPRI)

Nyanza records highest voter turnout

From Page 8

A number of people, especially women, feared violence would erupt again and it took concerted campaigns by the civil society groups to get many of these fearful and disillusioned lot to register and even vote.

"This new constitution is going to deal with the electoral loopholes that brought violence and will stop rigging, displacement of people and address the skewed distribution of resources," was a common message to people at civic forums.

According to the Waki Report on the Post Election Violence, approximately 40,000 people fled from Nyanza to other areas but Nyanza received an influx of more than 150,000 returnees from other provinces.

Other sources, mainly civil society organizations in the province have estimated returnees to have been more than 300,000 people. The cite the fact that many of the returnees never passed through the transit camps and went straight home to their relatives or got integrated into the urban centre in the area.

Many returnees benefitted as it were from the still existing accommodative social fabric that has collapsed among other communities, especially in Central province.

As the dust settles on the referendum, the worry is how to sustain citizens' continued engagement with the process, especially to monitor the implementation process and eventually the General Elections of 2010.

It is unclear if the politicians have or are doing any post referendum analysis to see how to build on the gains. The Civil society sector, both nationally and in Nyanza are already miles ahead, reflecting on what lessons and challenges emerged and how to continuously retain citizens glued to the process and how to maximize the gains in the constitution.

Kisii model schools to be completed on time

By BOB OMBATI

THE construction of model schools in Kisii Central District has begun in earnest.

Area District Education officer, Joshua Kisuya, says that although the projects are running behind schedule, they will be completed within the specified period.

He says that the District Infrastructure team has handed over the identified model schools to contractors to commence construction immediately.

The DEO says that each of the secondary schools namely St. Paul's Amasago Boys, Senior Musa Chief Musa Nyandusi mixed, and Nyamagwa SDA and Nyatieko have been allocated Kshs10 million to oversee the upgrading process under the

Economic Stimulus Programme (ESP).

Also construction of Nyatieko secondary school is on-going while Kari and Iranda primary schools have received Kshs. 3.5million each to facilitate their improvement under the ESP.

He urged contractors to speed up the work to ensure that all projects are completed within the specified period.

On the disbursement of the Free Secondary Education (FSE) funds, he said that the government had released Kshs9.3 billion to schools nationally.

An interview with Zachary Nyariki who is the principal of Cardinal Otunga High school, revealed that he was not aware whether the funds had been released to the school accounts.

His Nyachwa counterpart, Timothy Atuti said the money had not reached the school's account, adding that contractors were on his neck.

Atuti said that he had exhausted the school's reserve and the situation was likely to slide into a major crisis if the funds are not availed immediately.

He said that delays in the disbursement of funds to schools was affecting the managerial functions in most institutions, some of which were now sending away students for school fees.

Atuti urged the ministry of education to consider releasing a huge chunk of the resources during the first and second terms to enable the schools procure goods and services and pay suppliers on time.

Coast lacks people to employ as teachers

By BEKADZO TONDO

LACK of qualified personnel characterized the recruitment of intern primary and secondary teachers in Coast province.

The recruitment whose guidelines were drawn from the Economic Stimulus programme sought to bridge the glaring gap between pupil-teacher-ratio in public primary schools.

However equal slots were allocated to every constituency, with each expected to hire 66 Primary and 25 Secondary schools teachers to work for three years.

But Coast Province could not raise the required number of interns to fill in the available positions and

had to source for personnel from other parts of the country.

Kilifi Deputy Education Officer Mr Simon Mugandi who took part in the recruitment exercise confirmed that only a few interested candidates turned up for the interviews.

Mr Mugendi at the same time said there were no enough teachers to fill in the positions of Arts subjects required in most schools.

He cited Lutsangani and Chasimba secondary schools which require Kiswahili and English teachers but could not get them locally because most students take science subjects at the universities.

The Kenya National Union of teachers, Kilifi branch executive secretary Mr Patrick Rasi said though

most areas in the province lacked qualified teachers to take up the advertised jobs, those from other regions also declined the offer owing to the proposed salaries.

He said for the few who accepted the jobs selected schools located within town centers and rejected those located in remote areas.

The Knut official said the interns insisted on teaching in urban centers or schools located along the highways so that they could engage in other jobs to supplement their income.

He said that it was unfair for the government to employ a graduate teacher and pay them a paltry Kshs15,000 while their counterparts who are employed on permanent

IIEC wants more resources

By PETER MUTUKU

THE Interim Independent Electoral Commission (IIEC) plans to push for the allocation of more resources to effectively deliver its mandate under the new constitution.

The commission feels that the new 47 counties and assemblies and the 290 constituencies entrenched in the new constitution are likely to present a big challenge.

Commissioners Winner Guchu, Davis Chirchir and Tiya Galgalo and chief elections officer James Oswago contend that the new constitution will immensely impact on the initial design and structure of IIEC secretariat at both regional and constituency levels.

The commissioners argue that the current 17 Regional Electoral Coordinators and 210 Constituency Electoral Coordinators were not enough to execute the expanded mandate and therefore there was need to deploy more staff to constituency electoral coordinators.

Ms Guchu says the IIEC is working out modalities to come up with structures that will respond to complex elections of senate, parliamentary and county assemblies as stipulated in the new constitution.

She says that the Commission will need to adopt the various administrative manuals and policies before embarking on development policies and manuals for other directorates including the human resources, financial management and transport manuals.

On voter education, Ms Galgalo says the Commission will strive to complete all the relevant training manuals and voter education materials with uniform messaging for use in the regions before the 2012 general election.

"We also need to develop a clear voter education strategy that takes into account the lessons learnt from the by-elections and the referendum and also factor in the requirements under the new constitution," said Ms Galgalo.

She said there is need for civic education and outreach campaigns on the election process especially in respect to proportional representation and the new representative bodies.

According to the Commissioners, the IIEC is coming up with a strategic plan for 2010-2012 and will develop a comprehensive policy, procedures and systems for election observation and accreditation process and electronic voter registration linked to electronic voting to be rolled out to all the poll areas.

They said the problems encountered and the challenges overcome in mounting successful by-elections and the referendum will serve as a basis for managing the 2012 polls.

Kenya, Italy sign new aid pact

By PETER MUTUKU

MANAGEMENT of development funds to Kenya by the Italian government is set to change following the signing of a new bilateral agreement between the states.

The Kenya-Italy Debt for Development Programme (KIDDP) is geared towards converting eligible official development assistance into a financial resource that will oversee the implementation of development projects valued at Kshs4.4 billion over a ten year period.

The programme is directed at poverty alleviation and focuses on health, water and irrigation, vocational training and slum upgrading countrywide.

The scheme was initiated four years ago after talks between the Treasury and the Italian Embassy in Nairobi. It is aimed at giving momentum to the management and implementation of social projects.

The scheme has identified some projects, which when complete will create a big impact in many parts of the country.

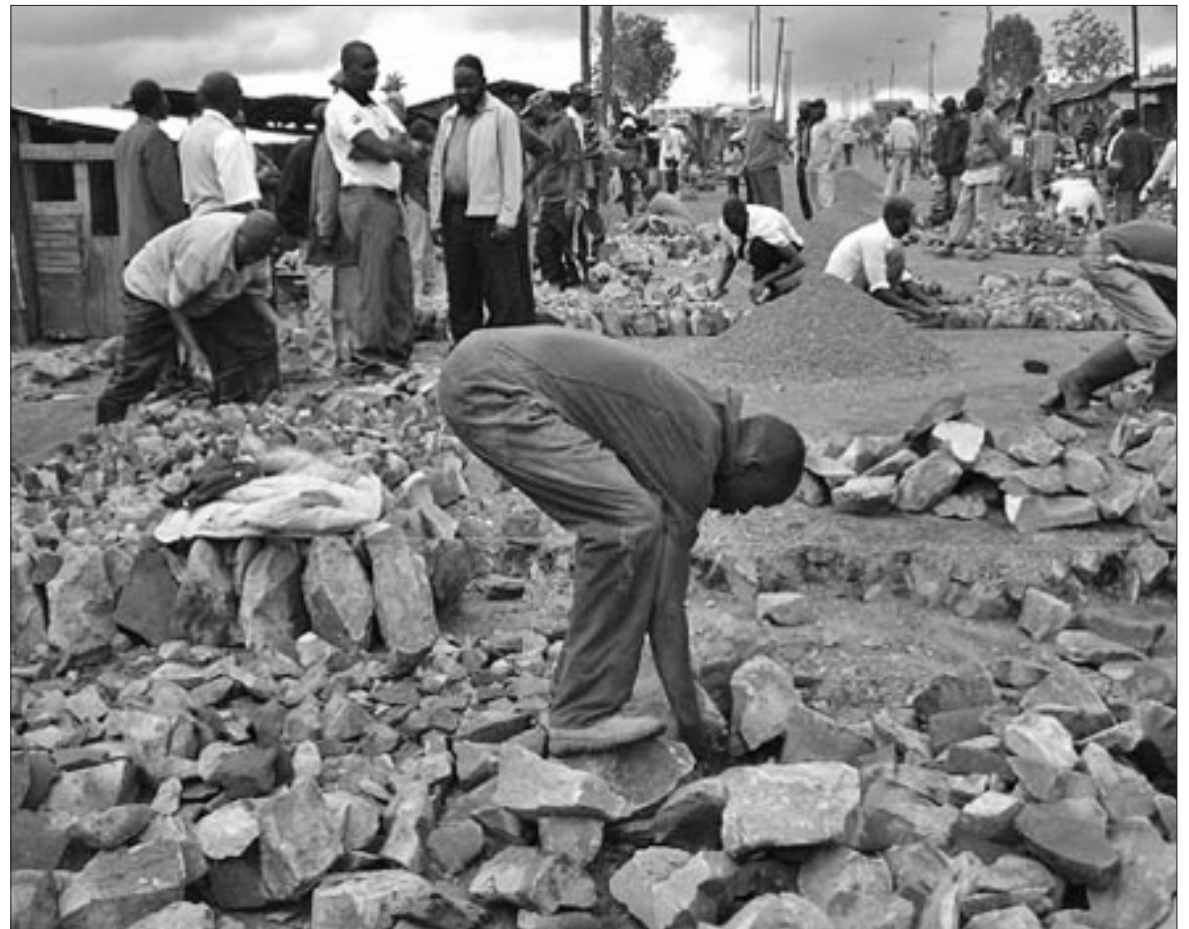
The programme was previously confined to six selected districts based on the poverty indices before being expanded to the entire country. It is a unique arrangement that aims at easing direct repayment of debts owed by Kenya to the Italian government and also promotes development.

It is currently coordinated by a National Technical Committee, which comprises of representatives from all the implementing ministries and the Ministry of Finance.

The National Development Committee gets and appraises all project proposals before recommending a selected few to the steering committee for approval. Members of the steering committee include Italian Ambassador to Kenya, the Treasury PS and his planning counterpart.

Treasury PS Joseph Kinyua says the scheme has so far realized tremendous results, with tangible benefits being witnessed in the water and slum upgrading schemes.

According to Mr Kinyua, the implementation in the water sector has



A road project funded by Kenya-Italy Debt for Development Programme.

been impressive with the absorbed amount standing at 90 percent. "The slum upgrading project in Korogocho has registered good results too and as such we plan to have the scheme replicated in other parts of the country," says the PS.

Mr Kinyua, however, notes that implementation of similar projects by the Ministry of Youth and Sports are yet to take off. "We shall continue to monitor the programme with a view to ensuring its success," says the PS.

Treasury says the implementation of projects mainly at the Constitutional level, could be replicated from the scheme, especially in the use of funds.

The Constituency Development Fund (CDF) and the Local Authority

Transfer Fund (LATF) projects stand to benefit from the foundation laid by the scheme.

In water and irrigation, the programme will enhance the government's 2007-2015 water strategy.

The scheme will support projects to increase water supply to rural areas apart from upgrading water supply systems such as wells, boreholes, dams, piped water systems as well as capacity building activities.

In health the scheme aims to strengthen district health planning in line with the "Second National Health Strategic Plan 2005-2010. It will help projects to improve access to basic health services such as rehabilitation and upgrading of dispensaries and health centres, provision

of medical equipment and capacity building of health personnel.

In education, the programme will revitalize youth polytechnics and vocational training centres through capacity building, curriculum implementation and rehabilitation of infrastructure in line with the Strategic Plan 2007-2012.

The Urban development programme will benefit in slum upgrading mainly in Korogocho slums through addressing cross cutting issues such as land tenure, infrastructure and social development with the aim of improving the living conditions for the residents.

The programme is currently underway and is showing tremendous results.

Mt. Elgon women seek land rights

By JOEL JUMA

OVER 3,000 women from Mt Elgon district want the Government to make public the report on the disputed Chebyuk settlement scheme, even as it pushes ahead with the implementation of the new constitution.

The women are also seeking to be included among those earmarked to benefit from the ongoing resettlement programme at the scheme in accordance with the new constitution. The new constitution empowers women to benefit from land without discrimination.

Chebyuk settlement scheme is in Mt Elgon District and was de-gazetted from the forest and shared out to the residents as part of efforts to resettle landless families.

The women say the Govern-

ment should not conceal the findings of the report which was compiled by a task-force headed by former PC Joseph Kaguthi and assisted by former Western PC Abdul Mwasserah saying that land injustices that resulted into death of over 700 people need to be unearthed.

Leaders from Mt Elgon and Cheptais Districts under the umbrella of Pambazuko la Wanawake Magharibi Organisation and Action Aid International Kenya says that lands

Minister James Orendo should make the report public to avoid creating suspicion among the residents.

The organization made the demands in a memorandum presented to the Truth Justice and Peace Reconciliation Commission (TJRC) at Cheptais market in Mt

Elgon district.

They revealed that members of the disbanded Sabot Land Defense Force (SLDF) had resorted to merciless killings as they sought to avenge alleged injustices on previous allocations.

"It is therefore imperative that the report is made public to ensure the controversy surrounding the resettlement exercise is resolved," adds Mercy Cherop who read a statement on behalf of the organization.

They told the TJRC officials led by the Chief Executive Officer Patricia Nyaundi and the Action Aid International boss Nixon Otieno that the land injustices in Mt. Elgon must be investigated without fear and favour.

The statement signed by over 200 members further demanded that the police, military and Na-

tional Youth Service should be investigated for allegedly raping both women and children as they hunted for the SLDF militia gangs.

They say they have missed out on a number of development programmes including disbursements through the women fund kitty due to the high rate of insecurity in the area.

Nyaundi and Otieno affirm commitment by their organizations in ensuring that justice prevails.

Nyaundi says that the commission will hold special sittings in the area in order to grill officers implicated in statements taken from areas affected by insecurity and post election violence.

Otieno blames the high poverty levels in the area to eruption of violence mostly during the electioneering period.



KNEC can do more to curb cheating in examinations

KUDOS to Kenya National Examinations Council (KNEC) for adopting measures to curb cheating. This is welcome because cheating is a blot to our education system.

Every year, cheats seem to get 'smarter'. Last year, the number of irregularities reported in KCSE was alarming.

In some instances, pupils who perform well in KCPE fail their KCSE raising questions. The ripple effect of cheating is bad not only for the cheats but also for the country's development. Therefore, the council should come up with more measures and strategies to restore credibility in our evaluation systems.

The way the exams are set should be changed. Could it be that the same teachers are used every year to set exams making it possible for them to leak out the questions?

The council should also consider not assigning officers to the same centre every year.

In the past, only students have paid the price for cheating. KNEC should also investigate teachers whose subject results are cancelled and punish them if found guilty. Head teachers should not also be spared because sometimes they are aware of the goings on in the examination rooms.

* * *

The move by KNEC to introduce new rules to curb examination cheating marks a milestone though the battle is far from being won because technology is evolving. Perhaps candidates should have their fingerprints and photos taken to keep out masqueraders.

The decision to only write exams in the morning is welcome relief for students. Such steps are welcome and we expect more to be done including dealing with the so called 'River Road certificates' which have given our country a bad name.

* * *

KNEC has announced that national examinations for primary and secondary schools will be done in the morning to improve performance. While timing could contribute to failure, if the patterns of past exam cheating are anything to go by, it is not the biggest culprit. Over the years, technology has advanced and cheating has become hightech.

Other methods include peeping at colleagues' work, leakages from teachers involving in setting exams and use of mwakenyas — note. KNEC has a long way to go in finding a permanent solution to cheating in exams. They have to start from the grassroots, that is, examination setting, invigilation and supervision.

But Kenyans are waiting to see the difference the steps including involving of National Intelligence Service will make.

**Concerned Kenyans,
Via e-mail.**

Higher Education minister dismissal of arts appalling

I AGREE with High Education minister William Ruto that there is a crisis in the provision of services related to the sciences, the most prominent being agriculture and medicine. However, his analysis of the problem is pathetically simplistic.

First, there are many graduates in the sciences who are unable to find employment, despite the need for their services. Mr. Ruto should be putting policies in place that encourage companies to employ science graduates and liaise with the ministries of Industry and Energy in creating a conducive environment for the growth of industry in Kenya.

Secondly, Mr. Ruto needs to be delivering additional funding for training in the sciences because while the idea of training science graduates is good, it is also expensive. Universities cannot pass on the costs of setting up and equipping labs, mortuaries, hospitals, greenhouses and many other facilities to the student, otherwise there will be even fewer students in the sciences. As it is, many high school students are sitting for KCSE examination in sciences without ever having conducted an experiment in a laboratory.

Thirdly, while the country is so badly in need of science graduates, some of those graduates are busy wasting the resources Kenya used to train them by joining politics, Mr. Ruto being one such person. And we can add to the list — Professors Onger, Saitoti and numerous medical doctors like Boni Khalwale.

And what would Mr. Ruto say about the celeb couple of Nameless and Wahu, one an architect and the other a mathematician?

He should be drafting a policy



A section of University of Nairobi.

that obliges students who receive government funding to serve the nation for a number of years before they venture into other fields. Or better still, he should be helping create an environment in which scientists are rewarded for their inventions and those inventions are implemented.

Fourth, the need for the humanities is urgent. The poll violence exposed an ignorance of history beyond ethnic groups. KNEC recently released a report stating that students were failing in the sciences because of their poor grasp of language. So how can these subjects be irrelevant?

Finally, Mr. Ruto's idea that the market as an employer should be the sole determiner of what is taught in school is highly unfortunate. Stu-

dents should be educated with the skills and imagination to expand the market and create opportunities, not to beg for employment.

The problem of irrelevance is not rooted in the courses taught but in our very examination-oriented system that does not allow creativity and exploration in the learning process.

Mr. Ruto has chosen to blame the humanities and social sciences for his failure to design or implement policies that would encourage the growth of the sciences. In fact, his lack of imagination in thinking through such an important and complex problem shows that he needed to have taken courses in history and in literature for at least a semester.

**Wandia Njoya,
Daystar University.**

The galloping petroleum prices should be checked

RECENTLY the *Nation* newspaper carried a well-researched story on the crisis that is fuel pricing.

I do not know what President Kibaki plans to do about this, but unless he moves with speed, the country's economy is in for turbulent times.

It would be excusable were it that there was war in the Middle East. But the reality is that the problems are right here. The public knows the oil companies operate a cartel that the Energy Regulatory Commission can do nothing about.

But the only answer to conniving cartels is to make the business as competitive as possible by making it very easy for other independent players to enter the market by, among others, abolishing the Open Tender System (OTS).

But, in the short term, were the government serious, it would bite the bullet and lower taxes to a level that would bring the prices down.

The biggest causes of inflation in Kenya are the cost of petroleum products followed by lack of rain. Fortunately the government can mitigate appropriately by being firm on oil operations and water management.

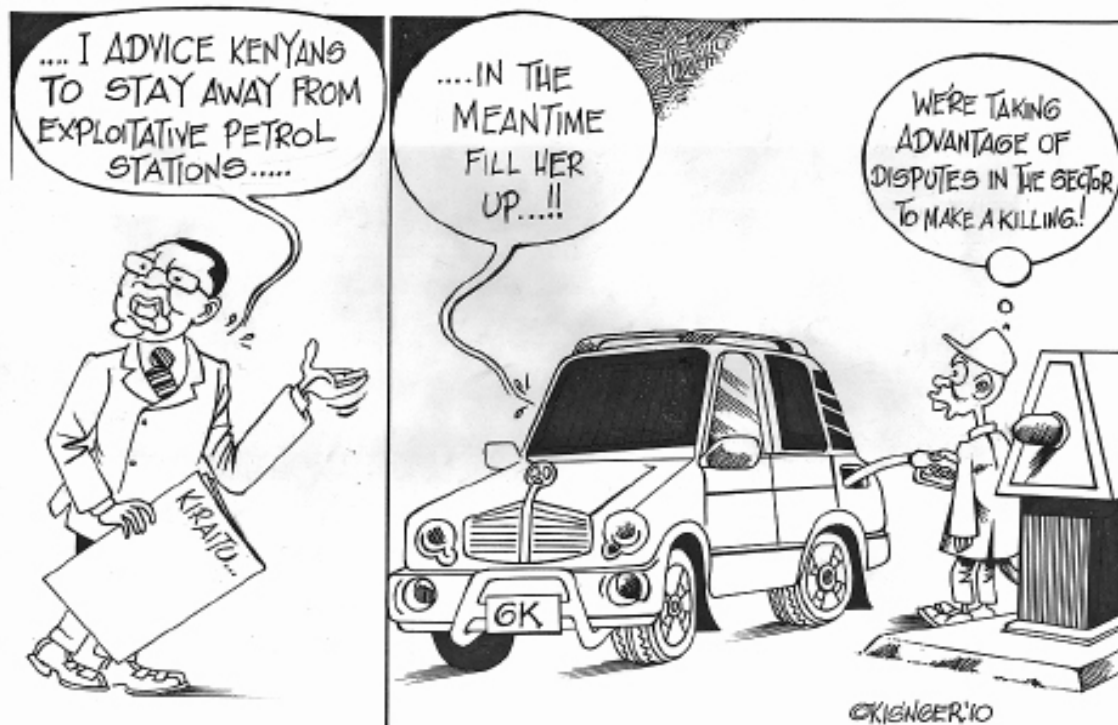
But what's the scorecard so far?

The Kenya Revenue Authority (KRA) can collect up to Kshs900 billion up from the current Kshs500 billion were it to accept change and overhaul the way it operates.

The fact that the Central Bank of Kenya (CBK) has resorted to borrowing to plug budget deficits must make President Kibaki sit up and take note. The CBK is now borrowing Kshs13 billion as the first tranche using Open Market Operations (OMP).

Question is, where will it all end? With KRA operating at only 45 to 55 per cent of potential, the answer appears quite straightforward. The KRA board should be asked to step aside by the President, another efficient management (not political friends) appointed, and KRA overhauled.

**Kariuki Muiruri,
Karatina.**



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.

Write to:

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The Link,
P.O. Box 7438 – 00200, Nairobi.
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Youths urged to vie for positions

Alarming corruption cases in Kilifi

By BEKADZO TONDO

THE newly appointed Kenya Anti Corruption Commission (KACC) Tsars have registered a total of 178 corruption related cases in Kilifi district over the last one month.

Mr. Bravin Bowry who is an assistant director with the Commission says 113 cases were officially reported at their offices in Mombasa while another 65 cases were reported at the Kilifi play ground during a forum organized by the commission.

Mr Bowry who spoke during the event challenged senior government officials to lead by example by embracing virtues that promote corruption free zones in their respective offices.

He said that all corruption cases will be thoroughly investigated and action taken against those found engaged in corruption deals.

Among cases registered with the commission in Kilifi include the alleged irregular allocation of land to undeserving cases at Gathacha settlement scheme at Kikamabala.

Area councilor Boniface Mwingo who lodged the complaint, claimed that the resettlement exercise left out genuine squatters and benefitted senior government officials.

Other complaints lodged with the commission included delays in service delivery by public officers, mismanagement of devolved funds and the rampant bribery in allocation of resources.

KACC advisory board chairman Mr Okong'o Omogoni who also spoke during the function challenged county clerks to observe high standards of transparency in the management of Local Authority Transfer Fund (LATF).

Mr. Omogeni said after the promulgation of the new Constitution, more funds are set to be channeled to the counties and thus the need to inculcate a culture of transparency in the management of funds at their disposal.

"Counties will from now on receive Kshs3 billion to help foster Development in the regions and thus the need to uphold high standards of transparency" said MR Omogeni.



Youth agenda on new Constitution. during referendum campaigns.

By AGGREY BUCHUNJU

YOUTHS in Western Province have been challenged to prepare themselves for the tasks enshrined in the new constitution.

The Western Province Youth Alliance organizing Secretary Mr. Patrick Mabuku says that new constitution has created many opportunities in decision making organs for the youth.

Mr. Mabuku, however, reminds the youth that the opportunities will not be ascribed but achieved depending on one's education and role in the community.

"No job will be given to any youth on a silver platter. All jobs reserved for the youths will be won through competitive bidding" the youth secretary says.

He consequently challenges the youth to arm themselves with quality credentials in order to be considered for appointments to various key positions.

"The new constitution has not only

opened doors wide for the youths but is a wake up call for them to further their education," he adds.

Mr. Mabuku says that time has now come for the youths to participate actively in all social, political and economical set ups in the country and asks them to live up to the challenges.

The Kakamega Central District Youth Alliance secretary Mr. Sammy Amambo urges the youths above 18 years to apply for the National identification cards (IDS) and register as voters in large numbers.

Mr. Amambo advises the youths to use their numerical strength and elect many of their own in the counties, senate and the National Assembly in order to increase their voice in the decision making organs.

He notes with disappointment that despite Luyhas having the second largest population in the country, the community ranks poorly among registered voters.

Mr. Amambo is further disappointed to note that even voter turn-out during general elections in the region is normally very poor.

The two were speaking recently at Namakoye market in Kakamega central District during elections of Navakholo division youth alliance office bearers.

During the elections Mr. Daniel Oyalo was elected chairman, Mr. Edward Masinde was elected secretary, Miss Clair Mang'oli was elected treasurer Mr. Mohammed Otunga was elected organizing secretary and Mr. Cosmos Ochanji was elected co-coordinator.

Western province has a population of 4,334,282 persons with four counties namely Kakamega, Bungoma, Busia and Vihiga. Kakamega county has the second largest population in the country.

The county has 1.66 million people closely followed by Bungoma County in third position with 1.63 million people.

Most western schools lack title deeds

By AGGREY BUCHUNJU

MOST schools in western province risk losing their land due to lack of title deeds.

The Kenya National Union of Teachers (KNUT) Kakamega central branch chairman Mr. Albert Opwora says that quite a good number of public schools in the area do not have title deeds.

Mr. Opwora notes with regrets that even schools that have been in existence for over five decades do not have the land ownership papers.

"Due to lack of the title deeds, people neighbouring schools have encroached on or are planning to encroach on the institutions," adds Opwora.

The KNUT official says that invasion of the schools by private developers had impacted negatively on the general development of the institutions and pupil's concentration on aca-

demic work.

He says that some schools in the area cannot construct a toilet, leave alone a classroom to cope with the ever increasing number of pupils because part of their land has been reclaimed by neighbors.

Mr. Opwora adds that lack of enough classrooms and other physical facilities in schools in the region are some of the causes of poor performance in national exams.

The trade unionist consequently, challenges leaders and the provincial administration in the area to join forces and ensure that schools without title deeds do not lose their land to private developers.

"It is a pity that some schools in the area are being encroached by private developers who include families that donated the land to schools in the full view of leaders and the provincial administration," Mr. Opwora laments.

Mr. Opwora spoke recently at Ingotse Primary school in Kakamega Central District during the release of the District Mock results.

Most of the schools in western province are constructed on land which was donated by the communities several years ago.

Unfortunately some of the donors of the land passed on before consenting to the transfer of the land to the schools and before even entering any agreement with the institutions.

The donors' next of kin are therefore taking back part of the schools' land saying their dead father did not sell or donate the land to the schools.

There are however, a few schools in the area whose land is held in trust by their respective county councils.

A few others processed their land and managed to get the title deeds.

No term extension for IIBRC — Oparanya

By JOEL JUMA

THE Interim Independent Boundaries Review Commission (IIBRC) should not expect an extension of its working term, Planning Minister Wycliffe Oparanya says

According to Oparanya, IIBRC needs to hand over its report to the electoral body before its term expires. The minister explains that IIBRC should not expect its term to be extended because the Interim Independent Electoral Commission (IIEC) will be tasked with the responsibility of completing the latter's work.

The Minister indicates that he backs up remarks by Justice Minister Mutula Kilonzo to have IIBRC leave the office after the expiry of its term in November. "IIBRC had all the time to do its work. We cannot violate the law if the commission was unable to complete its assignment."

Minister Oparanya says the creation of new constituencies would be based on the recently released population census results.

He is adding that Parliament will not have a difficult time debating the matter when the report is tabled in the House.

Oparanya was speaking at Elukokho Primary School in his Butere constituency where he disbursed over Shs 800, 000 for the construction of classrooms. He was accompanied by the Butere/Mumias County Council chairman Michael Keya and area councilor Johnston Maloba accompanied.

The Member of Parliament maintains that constituencies with figures that do not merit their splitting should not expect new electoral zones, as Parliament will not approve them. He explains that Members of Parliament claiming that figures released by his ministry were not accurate are wasting their time, as adequate methods required to arrive at the country's population were used during the exercise.

The Planning executive explains that constituencies with less than 150, 000 people should not expect to be split, that there are chances that areas with a population of over 200,000 to be split were high during the creation of new electoral regions.

"I thought my Butere constituency would be split but the figures on the table cannot allow, but other constituencies like Lugari, Nambale, Lurambi and Mt Elgon are likely to be split as they have a population of over 200,000."

Other Members of parliament in the region Manyala Keya and Chris Okemo have been demanding that their constituencies be split in order to improve representation of the electorate in decision making organs.

Manyala Keya who is an assistant minister for Gender and Children Affairs wants Lurambi to be split into three constituencies while Okemo is asking for two. Mumias MP Ben Washiali is also demanding that his area be sub divided into two, to create South Wanga constituency.

Oparanya however said MPs should demand for the splitting of their constituencies after evaluating the population census released by his ministry to avoid unnecessary confusion over the matter.

New constitution causing ripples

By BRIGHTON KAZUNGU

THE new constitution is causing ripples in the administration of justice. Already reports from Taveta and Garissa indicate that law enforcement agents are in a dilemma over how to deal with the freedom enshrined in the new law.

Police in Taveta and Garissa have since August 27 this year released scores of people from custody in what the bosses say was 'in compliance with provisions of the new constitution'.

In Taveta, Wundanyi police boss Charles Kibet said the police cells were empty after petty offenders in custody were released on free bond, pending hearing of their cases.

He said only suspects held for serious offences and those whose cases were still pending were retained.

One of the 23 suspects who were freed in Garissa, Abdurrahman Abdi, burst into tears when he met his family whom he had not seen for four months. Abdi, who said he was arrested in a bar on what he termed spurious grounds and was then accused of breaching the peace, says the new law protects all Kenyans from harassment.

"I voted to accept the new constitution during the referendum and this is like pay back time," he said.

But a prosecutor at Garissa law courts says the new laws could be abused by criminals. "Such a move is very dangerous because the suspects being released could contaminate witnesses and impede investigations," he said.

"In extreme cases, lives of the witnesses might be at risk after bailing out such people," he said.

Nevertheless courts are compelled to release such suspects and when the officer in charge of Garissa prisons, Mr. Allan Njagi, wrote to the Garissa Principle Magistrate John Onyiego, requesting him to release the 23, he was just following the law.

Before setting them free, the



President Kibaki signs into law a new Constitution during Promulgation at Uhuru Park, Nairobi. Photo/File

magistrate had a meeting with the accused and briefed them on their rights.

Such moves on suspects are being replicated across the country.

The new constitution promulgated on August 27, has an expanded Bill of Rights which stipulates, among other things, that suspects apprehended by the police should not be detained for more than 24 hours after arrest.

The Bill of Rights outlaws confinement of suspects for a period exceeding 24 hours as a way to ensure that the rights of suspects in custody are not violated. It says suspects will not be remanded in custody for an offence if such offence is punishable by a fine only, or by imprisonment for not more than six months.

Article 49 of the constitution also bars police from arbitrarily arresting people or searching premises. And when suspects are arrested, their rights must be

read to them.

However, deputy police spokesman, Mr. Charles Wahong'o, said Parliament will have to pass appropriate legislation to guide police on how to release suspects from custody. He said the Act will have to stipulate what procedures to adopt when dealing with petty offences and how and when to issue free bonds.

He says the legislation will also stipulate circumstances under which the police will be able to search suspects without overstepping their mandate.

"There are also provisions that say we should release petty prisoners on bail. However, it will be hard to implement this because we won't be able to track suspects, especially those without ID cards," said the spokesman.

"If suspects hide in Mathare slums for example, it will be difficult to locate them," says Mr. Wahong'o.

Mr. Wahong'o's explanation sounds reasonable, but in the case of Taveta, it appears that it came after the 'horses had already bolted.'

Taita Taveta District police commander Herbert Khaemba said: "We've released suspects from custody pending the hearing of their cases but I haven't compiled the data."

But Nairobi's Central Division police boss Paul Kariuki, is of the opinion that it would take some time to assess how the new law works.

"It has been our practice to give people the reasons why they are being arrested. You cannot arrest someone for nothing," he said.

The Bill of Rights requires the police to explain to suspects in a language they understand the reason for the arrest and read to them their rights. One of the rights a person has when arrested by a police officer is the right to remain silent.

Nakuru residents upbeat about new constitution

By RACHEL MUTHONI

RESIDENTS of Nakuru are upbeat about the new constitution which was promulgated by President Kibaki on August 27.

Unlike other parts of Rift Valley province, the residents of this county voted overwhelmingly for the constitution.

This town has had a relatively steady growth in population, especially since 2008 when people fled to Nakuru after they were evicted from their homes during the post election violence.

Nakuru Business Association Chairman Mr. Boniface Muhia says the business fraternity is optimistic that the new county will create a conducive environment for them.

Poor infrastructure, lack of street lights in some sections of the town and its environs and insecurity have been major hindrances to smooth operations by the business people in the town.

However, Mr. Muhia said his association is already working with the provincial administration and the local authority to come up with ways through which they can improve economy for the County.

"We are hopeful that the new leadership will improve lighting, infrastructure and security and create a better environment for the business people," says Mr. Muhia.

He advised the public to be sensitive when electing new leaders and consider those who have a history of good education and morals.

Corruption, Mr. Muhia said has been a great hindrance to development and until the vice is eradicated, development will remain elusive.

"If the infrastructure and other basics were catered for, the county would readily turn to a 24-hour economy," he adds. Land has been an issue in Nakuru which is the heart of the vast, cosmopolitan and most populated Rift Valley Province.

Many people who were evicted from Molo, Kuresoi, Burnt Forest and other areas which were hit by post election violence settled within this district hoping for lasting peace.

Internally Displaced People who settled at Pipeline camp along the Nakuru-Nairobi highway voted generously for the constitution, hoping that it would bring justice.

"We voted overwhelmingly for the new laws, because we knew they will address the land issue and we shall return to where we were evicted," said Mr. Paul Thiong'o, the camp's chairman. Access to health has been an issue of concern to the internal refugees in this camp.

Though a Good Samaritan built a one room clinic for them, the internally displaced people have been struggling to get a health worker to attend to them.

The more than 4,000 people living in this camp depend on well wisher who supply drugs, but have no one to administer the drugs to them.

With the new constitution, they say they will be able to access their right to good health than before.

"We believe the new governance will bring medical experts closer to people and our women will no longer be attended by traditional birth attendants in the camps for lack of professionals," Mr. Thiong'o told *The Link*.

Union opposed to retention of PCs

By JOEL JUMA

THE Kenya Local Government Workers Union (KLGWU) has vowed to oppose any move to incorporate the provincial administration in the county system of government outlined in the new constitution.

The union argues that most local authorities are already bloated with workers and cannot therefore absorb more civil servants who are set to be redeployed during the restructuring process. "Councils cannot absorb all the staff from provincial administration. If anything, most workers in the local authorities are also worried as

the Government plans to merge some councils," adds the union Secretary General Boniface Munyao.

Munyao at the same time calls on the Government to formulate an early retirement package for the administrators, as they have become irrelevant in the new dispensation.

"The moment regional governments were phased out, the provincial administrators lost their jobs and the matter cannot be reversed," he explains. The secretary general however suggests that councils that operate in areas faced with fewer professionals, absorb some of the officers.

He urged Government spokesman

Alfred Mutua and Internal minister George Saitoti to come clear over the matter instead of promising the administrators jobs that are not in the constitution.

The union boss was speaking in Kakamega during a meeting with union leaders drawn from Western province. The meeting was also addressed by assistant secretary general Julius ole Apale, National Executive Council Members Charles Songa and Stephen Musake.

Prof Saitoti and Dr Mutua are reported to have assured the provincial administrators that they will not lose their jobs. Saitoti said the Government

is redesigning their roles so that they can serve in other capacities.

Further, Munyao called on all local authorities in the country to implement the 60 per cent salary hike awarded to their employees following the signing of a Collective Bargaining Agreement (CBA) with the Government early this year.

He says the union will prepare its members to smoothly implement the policies espoused in the new constitution arguing that the era of summary dismissal had come to an end.

"Workers can now get their benefits as the new constitution is clear over the matter," said Munyao.

PARTNERSHIP FOR PEACE

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Embracing democratic changes

IT IS not unusual in a democratic country like Kenya to hear and read resistance in the devolution debate that is on-going. It is very healthy and I expect the voice of the people of Kenya to be even louder. I am particularly drawn to the attention given to the counties with the much coveted seat of Governor and the attendant resources to be allocated from the national budget.

In the preamble, the New Constitution states in part: "all sovereign power belongs to the people of Kenya and shall be exercised only in accordance with this constitution", Subsection 4, goes to state how the sovereign power of the people is exercised at both national and county levels. This is new for Kenya!

Our Constitution is, as Franklin Roosevelt said, "a layman's document, not a lawyer's contract". It is a document that belongs to ordinary Kenyans and their representatives as much as it belongs to politicians, lawyers and judges. So it should not be surprising or illegitimate that judicial interpretation of the Constitution has been informed not

MANAGER'S COLUMN



By
**JANE
MURUTU**

only by text, original understandings and precedent, but also by social understandings and the history of our nation.

The Constitution is a practical document. It is not simply a statement of aspirations or abstract principle. It is a document intended to govern our society and to operationalize our commitments to liberty, equality and democracy. So when we interpret the Constitution, our goal should be to fulfill its promises not as a matter of fine words on paper but in terms of how we actually live and weave our social fabric.

What explains the character of a Constitution in light of the profound economic, social and political changes that our nation has gone through? And how does this esteemed document retain its legitimacy, authority and relevance over time?

Simply put the Constitution has to endure because judges, elected officials and citizens

throughout our history have to engage in an ongoing process of interpretation. That interpretation reflects fidelity to our written Constitution.

To be faithful to the Constitution is to interpret its words and to apply its principles in ways that sustain their vitality over time.

Fidelity to the Constitution requires us to ask not how its text and principles would have been applied but rather how they should be applied today in light of the conditions and concerns of our society.

Bickering of whether a certain county is smaller than the other county should not be the issue as long as inequalities are addressed. The Governor notwithstanding the President will be accountable to all the electorate.

Therefore, ethnic grouping, political realignment, should not overshadow the growth of the nation. Kenyans should read chapter six on leadership and integrity carefully before electing the next crop of leaders. Beware of political merchants!

We should shun destructive motives, embrace diversity, open information sharing, create space for mentorship and

growth both of talent and creativity at all spheres without obstructing anybody due to their cultural or religious orientation.

For all people who believe in liberty, equality, democracy, access to justice and the rule of law, we hope this Constitution is an antidote to retrogressive vices.

The partnership for Peace project is conducting a four-day training course in form of a simulation in each region for the representatives of the CSOs we are partnering with. The purpose of the training is to "imitate" the cooperation within the network in cases of imminent tensions of violence. Let this new era bring prosperity and greater acceptance and tolerance to our diverse orientations in ideology and culture as it helps us build sustainable structures for peaceful co-existence.

The writer is the co-manager for partnership for peace project. In case of any comments or suggestions write to: partnershipforpeace@gmail.com

Network to prevent conflicts formed

BY LUKE KAPCHANGA

THE civil society organization in Western province have formed a network to prevent and resolve conflicts.

However, the name of the network was not agreed on, as those elected to head the secretariat were given the mandate to develop the leadership

structure and the name.

The network under the umbrella of Mt. Elgon Residents Association (MERA) brings together more than 120 groups, who are already involved in peace building activities in the region.

Mr. Peter Chem, the Western provincial coordinator of the European Union funded Partnership for Peace project, said the objective of the network is to develop inter-

vention mechanism by non-state actors in the region to share information and strategies on conflict resolution.

The 40 groups, who represented the rest in the meeting at Mabanga farmers' training centre, identified core issues to address as; land, boundary disputes, ethnicity, poverty, resources allocation, governance, political leadership, youths

Turn to Page 16

INSIDE THIS ISSUE:

New Law good for all

— 16

Sudan's final hurdle

— 17

UN publishes Congo report

— 18



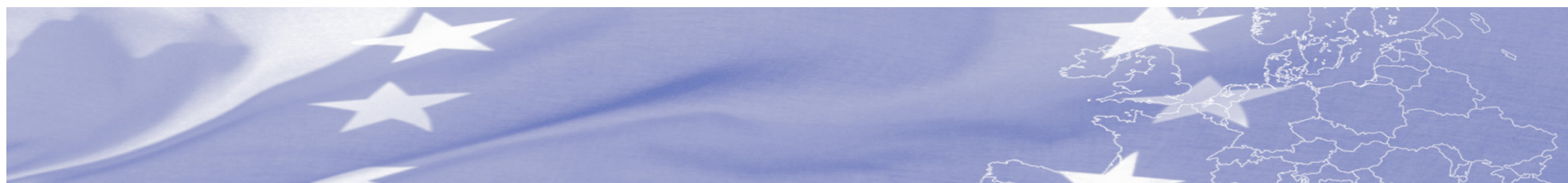
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New Constitution good for all

BY DAVIDS KISANGI

ON August 4th, 2010, after two decades-long quest for a new constitution, and the contest over the-so-called 'contentious issues', Kenyans came out with their votes, in record numbers and spoke up for change.

With such an effort aborted in the 2005 referendum, the leadership held track of the promise, the promise of a new constitution. Marching on a united front, the coalition government under President Kibaki and Prime Minister Raila delivered the promise, a promise that opens a new chapter of the Kenyan story.

This new constitution offers an opportunity, in Abraham Lincoln's phrase, a new opportunity to think anew and act anew.

However, with the past history in place, a history of corporate scandals, structural inequality, political greed, and human rights violations, do we really have men and women of good will, men and women who can repair this country from the dents of such history, a history of ethnic animosity and intolerance?

Do we have men and women who can create unity from the diversity present in Kenya? The leadership in Kenya has slowly lost the sense of the phrase 'the epitome of virtue' and the optimism that lies in the heart of the Kenyan national anthem, on justice as our shield and



Kenyans came out with their votes during the referendum.

defender, and on uniting in common bond with one accord.

The 'vital centre of action' in Kenya, that is, the leadership has almost lost the trust of the people. As Winston Churchill once commented, can our leaders be counted to do the right thing? Can our leaders be counted to make rational value judgments for the common good of the people?

The approved Supreme Law of this land has opened up new valves

for economic and political devolution. With such institutional avenues calling for resource distribution through the devolved government, are these the new found avenues for the political elite to further re-channel state resources for private selfish gains?

Will these men and women of no good take this chance as an opportunity to amass wealth at the expense of the tax payer? Will these men of no good rise up against their

tribal cocoons and provide a sense of leadership, and embrace that common stake we all have in one another?

As Martin Luther King Jr. once said, "we are tied together in the single garment of destiny [and] caught up in the inescapable network of mutuality...and whatever affects one directly affects all indirectly."

It is with this great concern that Kenyan leadership should regain credibility for common purpose, that is, the common good of all people, and trash the tribal 'we-ness' attitude that destroys the creed of a united Kenya.

Further, the approval of the new constitution does not mean that our problems as Kenyans will magically disappear in the glory of a new constitution. The central truth of the matter is that the leadership in Kenya has made errors, errors which need to be resolved to restore trust and to heal the wounds of historical injustices.

With the implementation process in progress, it is time people of integrity pursuing common good take the leading role in enhancing transparency and accountability in governance.

Though the many commissions established may set standards and restore confidence in leadership, it is time the new established checks and balances take effect and curtail the heinous acts of the men and women of no good will.

Network to prevent conflicts formed

From Page 15

and vulnerable children, illiteracy and culture.

They said the network is to advocate for good land policies, to have consultations among interested parties before land is sold among other areas of focus.

Demarcation of boundaries, be it administrative or electoral, should involve all stakeholders, with wider consultations to minimize flare up of tensions, among communities, sub-tribes and clans.

The groups agreed in principle that the network will have benefits

to the group members in various ways.

He said the network would help to improve communication, enhance approach in handling different challenges and reduce duplication of activities.

They added that, there will be improved linkages for different interventions, widen understanding among groups, and create confidence among the groups and effective service delivery to target groups.

However, they noted that challenges may also arise due to misunderstandings of differences in

principles of the network groups.

Lack of commitment and leadership wrangles may derail effective operation of the network, with lack of delegation of responsibilities by the officials.

However, poor communication, lack of resources to run the network activities and differences in organizational structures and conflict resolution approaches from communities within the region, may pose a challenge to the network.

The network will have contact offices in Kakamega, Malaba, Mbala and Cheptais.

The need for a network came up during a three day workshop for strengthening non-state actors' capacities to prevent and resolve conflicts in areas affected by the post-election violence, organized by MERA under the Partnership for Peace project implementation.

Those picked to represent the counties in the region were: Patrick Sitati and Sicious Mukolwe (Kakamega), Laban Mugodo and Ann Bucheche (Bungoma), Alice Nyongesa and Moses Oki-dor (Busia), and John Hamisi and Joyce Isiaho (Vihiga).



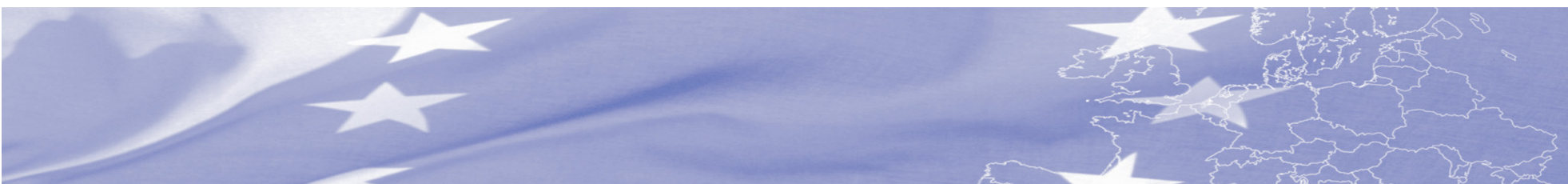
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Peace needed to enjoy fruits of new Law

By **AGGREY BUCHUNJU**

A PROVINCIAL administrator has urged the residents of western province to maintain peace during the implementation phase of the new Constitution.

The Navakholo Division Officer (DO) in Kakamega Central District Mary Kisaka observed that the new constitution can only bring the desired changes if there is peace and cohesion among the communities.

"Even if Kenyans overwhelmingly voted for the new Constitution, peace is still an important constant necessity for this country to move forward," the administrator said.

She appealed to all Kenyans not to disrupt peace as the implementation phase gains momentum.

"At this point in time all Kenyans should maintain peace regardless of which side one supported during the referendum in order to promote democracy and rule of law enshrined in the new constitution," she said.

The provincial administrator lauded the residents of Navakholo division for maintaining peace during and after the referendum.

Kisaka, however, cautioned residents against brewing and consuming illegal brews saying that those engaging in the business will be arrested and prosecuted.



Kenyans celebrate after the Yes win on new Constitution. Photo/File

She noted with concern that consumption of illicit brews is one of the major causes of violence in some communities.

"For peace to prevail in any given area, the residents should be sober and hard working," the administrator observed.

Kisaka spoke recently at Naulu village

in Bunyala central location during the burial of Dr. Eliphas Odwisa Wambani.

Speaking at the same function area chief Mr. Moses Wekulo appealed to the residents to report strangers amongst them to the village elders.

This, Mr. Wekulo said that would assist the provincial administration and the

police to apprehend suspicious people who may be out to wreak-havoc in the area.

"Do not stay with somebody from another region without informing the authorities even if he is your relative. You might be harbouring a criminal," the chief said.

Sudan's final hurdle and greatest threat

By **DAVIDS KISANGI**

ON January 9th 2005, not so long ago, a Comprehensive Peace Agreement (CPA) was signed in Kenya between the Sudan government and the Sudan Peoples' Liberation Movement (SPLM), an agreement that ended the Sudan's two decade long civil war between the north and south.

With the historicity of the conflict linked to identity factors and resource distribution-both natural and political, the government of Khartoum has continued to destabilize the political organization of the South.

Through the IGAD-led mediation process, it is apparent that the question of a united Sudan is no longer on the drawing table. Once the government of Sudan conceded to the demands of the legitimacy of the SPLM to negotiate on the same leverage, it was evident that the resource endowed southern Sudan was seceding from the larger Sudan.

Not with the apparent inequitable distribution of resources that was executed by the governments of Nimeiri and now the ICC-bound President Bashir that the identity of the southerners can be denied.

Further, with the vulnerability of the southerners to external threats from the Sudan government military and now the obvious military threats from the Sudans' Uganda-based creation-the Lord's Resistance Army (LRA), the stability of the southerners has been put in the balance.

The withdrawal of the SPLM from the government on October 11th 2007 on allegations of violations of the Peace Agreement and the successful elections in April 2010 were the final indications that Southern Sudan is on the verge of becoming a republic.

Moreover, the election of President Salva Kiir as the leader of the southerners should be the last signal to Bashir that the SPLM will no longer co-exist with the north as equal partners in the same ter-

ritory. Besides the continued constraints from the north for a successful referendum on January 2011 and the birth of a new republic in the south forthwith, it is time for the international community and more so the regional actors, such as the AU, the EAC, and in particular the IGAD, to ensure that the re-entry of the Sudan crisis is avoided.

With the region's conflict system epicenter in Sudan, it is clear that for there to be stability and economic development in the region, the final hurdle to peace, that is, the plebiscite should be handled with care.

And just but a reminder, the Darfur region under the Justice and Equality Movement (JEM) operating largely in the western region is on the verge of secession. The region has remained vulnerable to bombardments from the north since February 2003, with 'racist' killings surpassing the half million mark, a situation some UN quarters have referred to as genocide.

The north is mistakenly contesting the legitimacy of the 'unit' and its economic and political grievances and its not for long that we shall witness another agreement, a 'comprehensive agreement' cementing or breaking the relationship between the north and the west.

It is time the regional actors and more so Kenya ensured the contents of the CPA are implemented to the letter. Further, the need to ensure the Sudan Diaspora participates in the referendum is central since millions of Sudanese are externally displaced and would wish to get back home and witness and partake in the birth of their new republic.

Therefore, it is the ripe moment for all parties and partners involved in the Sudan Peace Process to support the January 2011 referendum with both logistical and technical resources to win over the tactics of the Bashir government and witness the birth of a new state, that is, the 'People's Republic of South Sudan'.



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PARTNERSHIP FOR PEACE

BY AGENCIES

Release of Congo report show UN will not condone impunity

IN a move that is likely to send clear signal that the global community will stop at nothing in its quest to end impunity, the UN decided to release its hotly-contested report on massacres in eastern Congo, including a possible genocide by Rwandan troops.

This bold move by the UN should serve as a warning to Kenyan authorities that their spirited attempts to scuttle the ICC prosecution of perpetrators of the 2007/2008 post election violence will eventually come to naught.

The report records details of 600 violent incidents, including massacres, rapes and pillaging by various armies and rebel groups through two wars that raged in the Democratic Republic of Congo between 1993 and 2003.

Most controversial is the detailed inventory of instances where Hutu refugees were rounded up by Rwandan forces on the pretext of repatriation, before they were executed with gunfire, machetes or a hammer blow to the head.

"The systematic and widespread attacks described in this report reveal a number of damning elements that, if proven before a competent court, could be classified as crimes of genocide," said the draft report.

The Rwandan government has reacted angrily to the report, with President Paul Kagame dismissing its claims as "absurd".

Mr Kagame himself was at the vanguard of the Rwandan force which drove the Hutu militias behind the 1994 genocide in his homeland across the border into eastern DR Congo.



Congolese victims of ethnic violence fleeing the scene.

The country's threat to pull its troops out of peacekeeping forces in Sudan prompted UN chief Ban Ki-moon to fly to Kigali this month to mend fences. Rwanda has since assured the UN that its peacekeepers would stay.

But speaking ahead of publication, the UN's high commissioner for human rights said the report

demonstrated the world body's determination to end the violence and lawlessness which pervades the war-torn region. "This report reflects the commitment of the United Nations and my office to assist the government of DRC in its effort to eradicate the culture of impunity which has fuelled sexual violence and other serious human rights violations," said

Navi Pillay.

Beyond Rwanda, the 500-page report also accused Congolese and Burundian troops of perpetrating atrocities against civilians in the former Zaire during the 1990s, accusations that have been rejected as baseless. Observers are hoping that the final document has not been altered amid pressure from the various governments.

"As soon as any report uses the word genocide, it's going to be controversial," said Carina Tertsakian from Human Rights Watch.

"Especially for the Rwandans because the very army that was implicated in this crime was the same army that put an end to the genocide in Rwanda in 1994," she said, adding that she hoped that the report would be faithful to the original findings.

A UN diplomat also noted that the significance of the report went beyond the question of whether or not genocide had been committed.

"What is more important is the number of victims and the acts committed, whatever their qualification," he said. In particular, experts are hoping that the report would help break a cycle of impunity that is still helping to fuel violations today.

This region has faced innumerable human rights violations, many of which have gone without any accountability for an extended period of time," said Mr Peter Splinter from Amnesty International.

Repeat themselves

"Without the accountability, these events repeat themselves," he warned. UN rights chief Pillay pointed out that the "overarching objective" of the report is to "enable the government of the DRC to identify appropriate transitional justice mechanisms to deal with the legacy of these violations in terms of true justice, reparations and reform."

Prosecutions could however lead to political upheavals in neighbouring countries.

But campaigners noted that this should not dissuade the international community from pushing for justice.

Meanwhile, a UN expert on sexual violence in war zones arrived late yesterday in Kinshasa on the first leg of a week-long trip to the Democratic Republic of Congo (DRC), the scene of recent mass rape.

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Mwingi leaders urged to unite

By KAVYU-KURA

DIVISIVE politics and incessant political wrangling are being cited as the reason why there is no public tertiary college or University in the larger Mwingi district.

A politician from the area Joel Mutambu regrets that as leaders from other areas unite to set up middle level colleges and even universities, those in Mwingi were torn apart by infighting.

Mutambu whose bid to secure the PNU ticket to run for the Mwingi South parliamentary seat in 2007 flopped, said it was time local leaders worked in harmony to set up at least a tertiary institution if not a University campus.

"As other areas set up colleges and universities to boost their human resource capacities, our area continues to lag behind since no combined efforts have been made by leaders towards establishing even a single middle level college," lamented Mutambu.

He was speaking at Mwingi town where he was the chief guest during a harambee to raise funds to buy land for the establishment of the proposed Mwingi University College of Science and Technology.

The initiative to set up the College was borne out of wide consultations among professional elite and foresighted businessmen from Mwingi.

Saying it was ill advised to drag dirty politics into educational and developmental issues, Mutambu added that it was prudent for local politicians to shun personal political interests when dealing with issues that were beneficial to the larger community.



Mutambu receives donation from women. Mwingi now needs some stooping for a worthwhile cause as Mutambu did during the harambee for Mwingi college. Photo/Kavyu-Kura

During the harambee, the Chairman of the Mwingi Business Community and Professionals Forum that had organized the function, David Kivoto, however announced that the initiative had the blessings and political goodwill of area Members of Parliament.

The larger Mwingi area in the new constitutional dispensation falls

under the Kitui County has and has two MPs- Vice President Kalonzo Musyoka (Mwingi North) and David Musila (Mwingi South). It consists of six districts, which include Mwingi Central, Mwingi East, Mwingi West, Kyuso, Mumoni and Tseikuru districts.

He said the idea to establish the

University College was hatched two years ago but when it was presented to the Mwingi District Development Committee (DDC), members shot it down arguing that no land was at the time available for the facility.

Kavoto said his team did not however lose hope as the need to provide school leavers with post secondary

school education and training was still critical and high in their agenda.

"My team was still overzealous in its push to provide the youth with an opportunity to further their education and acquire relevant skills and training to enable them fit in today's competitive job market," said Kivoto.

He said the move to set up a University college was just the beginning of a wider scheme to transform Mwingi area from largely weak consumer economy to a vibrant producer economy with efficient manpower.

"It has the potential to transform the region from a weak consumer economy to a vibrant producer economy through strategic investment in human resource production thus contributing to poverty alleviation and economic development," said Kivoto.

The Treasurer to the Mwingi Business and Professionals Forum, Campell Munyambu, said the ultimate goal was to see a fully fledged university being set up in Mwingi in the foreseeable future.

He said that although 4,783 candidates sat for the Kenya Certificate of Secondary Education (KCSE) examination in Mwingi region in the last three years only a miserable 103 candidates qualified for admission in public universities.

The rest of the candidates, he added were left to waste out for lack of anywhere to go thus the urgent need to set up the tertiary college.

During the Funds raiser Kshs708,000 was raised with Mutambu and assistant guest Bernard Kitungi giving Kshs100,000 each. Nairobi lawyer Erick Kyalo Mutua contributed Kshs30,000.

Kenyans against provincial administration

By BEKADZO TONDO

AS Kenyans continue to celebrate the adoption of the new constitution, most provincial administrators are spending sleepless nights pondering what will befall them after the proposed reforms are fully carried out.

Kenyans say the country has now attained full independence following the overwhelming endorsement of the new constitution and want the parliamentary oversight committee on the im-

plementation of the constitution to speed up the process and get Kenyans liberated from the colonial governance system.

They said the old constitution favoured foreigners more than the Kenyan people and therefore the new constitution brings a lot of relief to them.

However, the officers in the provincial administration are anxious about whether they will be retained in the new constitutional dispensation.

Controversy has rocked re-

forms in the powerful provincial administration with some powerful forces in the country pushing for its dissolution.

However the government has assured the administrators that their jobs are not threatened as they will be redeployed to the counties where they are expected to discharge their duties.

The internal security minister Prof George Saitoti says the administrators will remain and even have more powers.

His permanent secretary Fran-

cis Kimemia has been oftenly quoted by the media saying chiefs will be retained and in some cases expanded in a complex structure.

The chairman of the Committee of Experts Nzamba Gitonga however warns that the restructured administration must keep off the day to day running of the counties.

Gitonga says the new face of the provincial administration should not interfere with the spirit of the devolution.

DC tells persons with disability not to despair

By PETER MUTUKU

KITUI DC Joshua Chepchieng has appealed to the persons with disability to fight for their rights like without fear, adding that disability is not inability.

"My office is always ready to serve you without discrimination, because just like any other person, you too have a right to be listened to," he said.

The DC made the remarks to a group of persons with disability from the Mbusyani sub-location, Tungutu location in Kitui District during his official visit to their bakery in the area. The bakery is known as the Mbusyani Disabled Persons Bakery. They run the bakery through the baking skills they get from their spokesperson, Mr. Francis Muthui.

He praised the group for starting the business that "makes very sweet bread and scones".

Apart from the bakery, the group also makes shoe polish, milking jelly, soaps and detergents among others. "The disabled can feed themselves and the community through the such activities productions if they are given the necessary support," he said.

"The disabled should be involved in decision making right from the village development committees," Chepchieng said, adding that the disabled are recognized by the Kenya's new constitution.

The DC said that the bakery could be more marketable if it is situated within the Kitui town. He promised to help in marketing the products of made by the group.

New law reigns terror in civil service

By JOHN NYAMBUNE

THE Union of Kenya Civil Servants (UKCS) has expressed fears that the security of tenure of its members as the new law takes effect.

Eldoret branch secretary general Jennifer Mogire says members are unsure whether they will be laid off, reapply for their jobs or retained by the central government or redeployed to county governments.

She noted that that as part of restructuring, the newly promulgated legislation gave the county governments mandate to abolish some public offices. "My fear is that some civil servants might find themselves on the streets when the new law is fully implemented."

Mogire said redeploying civil servants to county governments will be a grave mistake as no such devolved unit would incur expenses by retaining several of them in the era of computerization.

She called on the relevant ministry in charge of civil service communicate way forward on restructuring of the service, terming the silence as suspicious.

But despite admitting critical concerns sending shivers down the union's spine, Ms. Mogire said UKCS was not lying down on the matter and that it would fight with all its might to ensure no public servant under the permanent and pensionable establishment would lose their jobs under the new law.

She also voiced concern over the failure by government to sign a collective bargaining agreement on the agreed date in August, which was designed to take effect immediately before the coming into effect of the constitution and viewed it as a way of locking out civil servants from improved terms of service.

However, Ms. Mogire termed the impending formation of a salaries and remuneration commission as a milestone in bridging of payment disparities between different cadres of civil servants, teachers, military personnel and public servants in state offices but only if the workers are retained in service.

The Union, she said, was there to stay and allayed fears that it might be

muzzled since the government had signed a recognition agreement identifying it as the official trade union representing civil servants. Besides, she noted that both the Code of Regulations and the new legislation gave all public workers a right to representation by a trade union.

Ms. Mogire urged all civil servants to remain steadfast in the quest for better terms of service more so under the new Constitution. She told them to keep banking on the union to arbitrate on matters touching on their welfare.

She confessed that most public servants had not understood the new constitution and called for more civic education of civil servants ahead of the implementation of the new constitution.

Councilors fear for their jobs under new law

By BOB OMBATI

THE creation of 47 counties under the new constitution is causing ripples across the political divide with civic leaders expressing fears that they may be rendered irrelevant in the new dispensation.

Reports that some Civic Wards will be merged while others scrapped has only served to aggravate their fears.

Gusii County Council Treasurer, Thomas Omari is however upbeat that the scrapping of some Wards will ensure resources are channeled towards viable projects.

Omari says that currently, most civic leaders did not have to show from the substantive resources channeled in the respective wards through the Local Authority Transfer Fund (LATF).

He further notes that the proposed merging of councils will not only strengthen their financial capacity but will ensure that Wards get reasonable funds for development unlike in the current scenario where a large percentage of development funds are used in settling debts. But, Nyamache town council chairman Robert Momanyi wants more counties created to bring services closer to wananchi.

He calls for the creation of Gucha county which he argues will be able to serve seven constituencies namely Bobasi, Bomachoge, South Mugirango, Bonchari, Kitutu Chache, Nyaribari Chache and Nyaribari Masaba unlike Nyamira county which is set to cater for only North Mugirango Borabu, Kitutu Masaba and West Mugirango.

Momanyi says that the current scenario where some counties will serve many constituency undermines the spirit of devolution and is likely to fan conflict and corruption.

But even as the debate on whether or not to increase additional counties gains momentum, sitting Members of Parliament, former lawmakers and perennial parliamentary and civic authority losers are positioning themselves for governors and senators seats in 2012.

The recently elected South Mugirango MP, Manson Oyongo is already fronting former area MP Omingo Magara for the post of either a Senator or governor senator in the Kisii county.

Omingo has not expressed interest for any of the seats and non of the sitting lawmakers has made their intentions public though party activists are proposing former cabinet minister, Simeon Nyachae to take over the position of a Senator.

Nyachae who retired from active politics is quiet and resurfaced only during the campaigns for the new constitution at Gusii stadium where he appealed to the Gusii community to support the document. Conversely the youth led by councilor, Stephen Arika have ganged up and want to take up majority of the elective posts at the counties.

Arika says that youths intend to use their numerical strength to vote in one of their own to head the counties.

The 15 percent of the national revenue channeled to the counties says Arika will have great impact but appeals to those who will handle the funds to be transparent and accountable.

The Ford people nominated councilor fears that county projects may overlap with those undertaken by Constituency Development Fund (CDF) and LATF and thus mechanisms should be put in place to avoid duplication.

"I believe that if all funds pumped into the councils, constituencies and counties are properly utilized and accounted for, Kisii county will be among the richest in the country" says Arika, noting the council is endowed with a conducive weather for agriculture and soapstone.

Embu council seeking funds to pay debt

By PETER MUTUKU

THE Embu County Council plans to borrow Kshs5.9 million to settle a debt owed to the Local Government Workers Union.

A full council meeting approved the loan to unlock Kshs20.5 million Local Authority Transfer Fund (LATF) allocations during this financial year. But a ministerial approval is needed before the council can approach the bankers.

Council clerk Samuel Kibaara and Chairman Harrison Mugendi say LATF fund is needed to finance development plan for the 2010/2011 financial year that aims at improving markets, rural roads among other

projects.

LATF requires councils to clear their outstanding debts before it can release any money to them. The council owes National Social Security Fund, National Hospital Insurance Fund, and Local Authorities Provident Fund, Kenya Revenue Authority and workers union.

Most of it is interest from unremitted workers deductions dating back to the 1980s.

They said they intend to offset the loan from revenues and dues from their debtors like Kenya Planters Cooperative Union (KPCU), Nyayo Tea Zones Cooperation and Central Government.

During the meeting, the chair-

man of the powerful Finance, Staff and General Purposes committee Cllr Selimo Kathuri was sacked and replaced by Cllr Paul Ng'ura.

Cllr Lucy Wanja retained her seat as chairperson of Audit Committee after beating Cllr Jason Ireri by 7 votes to six.

Meanwhile the Kenya Anti Corruption Commission (KACC) is exploring modalities of introducing corruption studies in the school curriculum to sensitize children on the dangers of the vice at a tender age.

Newly appointed Director Patrick Lumumba says every individual should be involved in addressing corruption at all levels to internalize and draw out the will to

fight the vice, even among children.

Lumumba says that the Commission is currently working closely with relevant stakeholders to ensure the schools programme takes off soon.

According to Lumumba every Kenyan should take part in the war on graft since KACC alone cannot operate in isolation.

"The war on corruption should not be perceived as wrestling match between the Commission and a dragon called corruption with Kenyans as spectators," said Dr Lumumba.

He said the strategy will ensure every child will learn on the dangers of receiving a bribe at an early age.

Counties to manage education under new Law



Primary and secondary schools will now be managed by counties under new Constitution.

By AGGREY BUCHUNJU

PROVINCIAL and District Secondary schools will be phased out in the new constitutional dispensation.

Instead, there will be two model schools to be referred to as centers of excellence in each Constituency as part of devolution process in the education sector.

The schools are supposed to be equal to the current National schools in terms of students' admission, enrolment, quality of education and infrastructure.

Already, the Government has under the Economic Stimulus Programme (ESP) project, allocated and disbursed Kshs.30 million to each of the 210 constituencies to either build new schools or upgrade the existing ones.

The schools, which are currently under construction in most of the constituencies are expected to serve the counties and by extension, the whole country in the new dispensation.

In Western Province there will be four counties namely Kakamega, Bungoma, Busia and Vihiga.

Kakamega County is the second largest in the country while Bungoma County closely trails in third position in terms of population.

According to the 2009 census, the region under the four counties has a population of 4, 334, 282 people.

Out of this population, 1,276,295 are pupils in primary schools and 195,918 are students in secondary schools.

Despite the huge number of pupils in both primary and secondary schools, the region does not have a National school.

Friends school Kamusinga, which has recorded excellent results in the Kenya Certificate of Secondary Education (KCSE)

over the years is in the provincial schools category.

Kamusinga High School, which is in Kimilili constituency, is not a beneficiary of the ESP allocation despite its impressive performance in KCSE.

The schools which will be elevated to centers of excellence in the Bungoma county, with the exception of Mt. Elgon District, which is part of the county include Friends school Lwanda in Kanduyi constituency, St. Jude Napara Secondary school in Bumula constituency and Ndivisi Boys High school in Webuye constituency.

Others are Teremi Boys High School, in Sirisia Constituency, Maliki and Lukhuna Secondary schools, both in Kimilili constituency.

The schools being, in the districts and provincial categories will however require more than the approved allocation of Kshs. 30 million to attain the national

status.

And unless the Government fully commits itself to providing more resources to the identified schools to enable them meet the challenges in the new dispensation, the plan may never be actualized.

A visit at Friends Lwanda Secondary school, established that the institution is far from attaining the National status benchmark, when the counties start to operate after the next general elections, and will require substantive amounts money to undergo a complete transformation.

The school principal, Mrs. Mildred Masibo, says after completion of the ESP project, the institution will be able to accommodate 540 Girls, up from the current 415 students.

This figure is far much below what a national school by standard and definition, is supposed to admit.

Mrs. Masibo, however, expresses optimism that with the current community and political good-will the school's profile will change in the national landscape.

"We are still crawling, but given time and with the current supportive parents and political leadership, one day we will run," the principal says.

She promises not to shame the community in terms of academic performance, asserting that this time round the school is targeting to have at least ten students qualifying for direct university entry.

About the ESP project funds, the principal says the school is using the cash to construct eight classrooms, two laboratories, two dormitories, ten modern toilets and sewage.

A spot check on the ongoing construction work revealed that all the structures being put up are still at the foundation level.

The principal divulged that all the work will be complete by March next year.

Misgivings over Kitui County

By KAVYU-KURA

THE people of Mwingi now feel that despite the recent overwhelming support for the new constitution, they are still a disadvantaged lot.

The residents feel that the lumping together of the larger Mwingi district region as part of the Kitui County will force the locals to travel at high cost to Kitui town in some cases covering over 100 Kilometers to get services from the County governor's office.

In some quarters, it is also feared that the people of Mwingi will not be given equal opportunities in filling job vacancies at the yet to be established Kitui County offices since they come from a peripheral area.

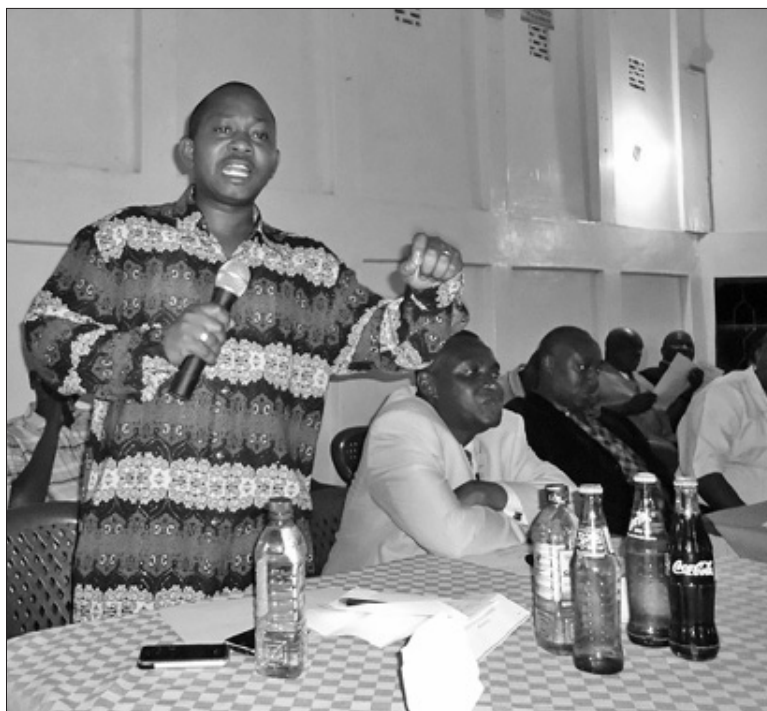
Worse still, there are widespread fears among the people of Mwingi that since the greater Kitui area excluding Mwingi had a high population; Mwingi would have a weak bargaining power when it came to lobbying and campaigning for top seats and positions at the County.

In a nutshell, the general population of Mwingi feels that it would have been better if the area was given its own County away from Kitui.

The lobbying for the Mwingi county was even a major issue during the countdown for the August Constitutional referendum as local Civic leaders initially opposed the passing of the new constitution due to its failure to create Mwingi county.

Cllr. Kithaka Muvinga of Kyaniika/Ithumbi ward in Mwingi town who was initially apparently the NO team point man in Mwingi had managed to convince his colleagues that that voting YES for the new constitution was tantamount to voting themselves out of their jobs. Cllr. Muvinga argued then that since the new constitution did not provide for Mwingi County very few current civic leaders from the area would be re-elected as county representatives at the Kitui County.

He also argued that the local authorities- Mwingi Town council and Mwingi County council would be dissolved in the wake of the setting up of the Kitui County that would take up the role of the Councils leading to



Lawyer, Erick Mutua, speaks at a public meeting in Mwingi.
Photo/Kavyu-Kura

massive job losses.

Vice President Kalonzo Musyoka who is the Mwingi North Member of parliament however later managed to convince Cllr. Muvinga and his ilk to support and campaign for the new constitution promising that amendments would be made soon to create Mwingi County among others.

The constitution has been passed and promulgated already but no amendments are likely to be effected anytime soon to create Mwingi County, with Cllr. Muvinga insisting that Mwingi should get its county.

Speaking in Mwingi recently, Cllr. Muvinga noted that even as the people of Mwingi wait anxiously to get their own County there was need to locate the County headquarters away from Kitui town.

"We need the headquarters of the new County to be located at a neutral place away from Kitui town because Kitui town is already full and has no room for expansion to accommodate the busy County government's head-

quarters operations," said Cllr. Muvinga during a harambee for the proposed Mwingi University College.

The civic leader suggested that since during the colonial days the headquarters of the area currently comprising the Kitui County was at Ndolo's corner near Kabati trading Centre in Kitui west district.

Although as he spoke to the media recently, Vice President Kalonzo Musyoka noted that Cllr. Muvinga's suggestions was not bad, he added that there was need for urgent constitutional amendments in order to create new counties in Mwingi, Kuria and Keiyo as the people in the areas were disadvantaged in the current County set-up.

And on his part a Nairobi lawyer who hails from Mwingi East district Erick Kyalo Mutua lamented that it will be impossible for a person from Mwingi area to clinch either the governorship or position of a senators because of the areas low population.

"When I looked at the population figures released recently, I real-

ized that the larger Kitui district has a population of 600,000 people while our Mwingi has 300,000 giving us a numerical disadvantage," pointed Mutua.

He said the only way out for the people of Mwingi is to be ready to negotiate with their more populous brothers in Kitui area because they were in a weaker position in the bargain for influential seats in the County as Kitui area has numerical might.

"The people of Mwingi will have to initiate negotiation for a fair deal with Kitui residents over positions of leadership lest they will be doomed as the more populous Kitui sweeps the board during elections," Mutua said as he spoke to the link in Mwingi.

He at the same time however urged the populace within the Kitui County to shun old tired leaders during elections for a County governor and senator.

Mutua who in 2007 came second to defence assistant minister David Musila in the duel for Mwingi south parliamentary seat, said it would be wise to elect younger and agile leaders to steer the Kitui County leadership.

Mutua told the link in Mwingi that although he had not made up his mind whether to run for the governorship or the senator seat, young, agile and educated persons were better placed to run the affairs of Kitui County.

He made the remarks as word gained currency that the Mwingi South MP David Musila was considering to run for the Kitui County governorship while Water minister Kaluki Ngilu (Kitui Central MP) was positioning herself for the County senate representative.

Lawyer Mutua who hails from the Mwingi East district said for effective managements of resources that would be allocated to the Counties, young educated professionals should be picked for effective service delivery.

"It will be a serious mistake for the people of Kitui County to elect a governor or a Senator of an advanced age.....We must first scrutinize meticulously the ages of the people we are electing to ensure they measure to the task," said Mutua.

Busia council repossesses idle plots

By NYAKWAR ODAWO

BUSIA County Council has repossessed a total of 58 undeveloped commercial plots across the larger Busia district which currently comprises of the newly created districts of Samia, Bunyala, Nambale and Butula.

According to the County Clerk Mr. George Maruti, the council has repossessed five commercial plots in Butula District after owners failed to pay the local authority a total Kshs25, 300 in land rates while another 12 idle plots in Budalangi division of Bunyala district that could have generated revenue to the tune of Kshs76, 100 have also been repossessed.

In Nambale district, the local authority repossessed a total of 23 undeveloped commercial plots whose owners owe the council a total of Kshs200,500 whereas in Funyula division of Samia District, a total of 18 undeveloped plots have been repossessed for non-payment of Kshs140,610.

"In total, the local authority has so far lost a total Kshs0.4million due to non-remittance of land rates by owners of the said commercial plots," the County Clerk said, adding that the crackdown on rate defaulters will be intensified as the council cannot provide effective service delivery without adequate revenue.

Maruti at the same time cautioned the rates defaulters spread in the larger Busia district against playing a hide and seek game with the revenue collectors as they risk facing legal action in accordance with the local authority's by-laws.

"The local authority cannot operate effectively without adequate revenue and I am appealing to both the plot owners and the entire business fraternity to pay revenue promptly so that the council can be able to provide services effectively," he said as he addressed stakeholders during the District Development Committee meeting.

Former Nambale Member of Parliament Mr. Philip Masinde, on his part called for the revival of all stalled factories in Busia such as the Busia sugar factory and Nambale Cotton Ginnery saying that unless the same is done, Busia County will not have a strong revenue base.

"My main objective is to ensure that Busia has its own sugar factory where cane farmers can take their produce for processing as opposed to the current scenario where they deliver the same to Mumias sugar factory," the former legislator said, adding that the government had paid a total of Kshs57.5million to the land owners at Nasewa to pave way for the construction of a plant which is expected to become operational within a period of eighteen months.

Masinde at the same time appealed to the newly appointed Kenya Anti-Corruption Commission [KACC] chairman PLO Lumumba to move with speed and prosecute those who have been implicated in financial scandals such as Anglo-Leasing, Goldenberg and Grand Regency.

Row threatens upgrading of Kisii market

By BOB OMBATI

THE controversy surrounding the relocation of traders to a disputed piece of land threatens to derail the proposed upgrading of the Kisii market under the Economic Stimulus programme (ESP).

At the heart of contention is a row pitting the council and a primary school over land.

Council Town Clerk, Jim Maina Chira said that Daraja Mbili Primary School is opposed to plans by the council to temporarily relocate the traders who have been operating at the sprawling market to a piece of land which the school claims ownership.

Now, the future of the project estimated to cost Kshs180 million hangs in the balance as the traders have vowed not leave the market unless the council provides them with an alternative site for their operation.

The town clerk says the council has given the management of Daraja Mbili primary school a 14-day notice to remove structures allegedly

erected on a road reserve to create room for the traders as they await the completion of the market.

The notice dated September 2, 2010 read in part "It has come to the attention of the council that you have put up illegal structures in Daraja Mbili market. This has caused a lot of inconveniences to traders who have now been pushed to areas that are dangerous and congested"

"Failure to demolish these structures, the council will demolish them at your own cost" adds the disputed notice.

The notice was however greeted with uproar by the school which mobilized parents and pupils to stage a demonstration within the town and seek redress from the area District Commissioner, Benjamin Njoroge.

The demonstrators claimed that the council was using the notice to force the school secede its land and later grab it.

The over 800 irate pupils who were accompanied by their parents and the school committee manage-

ment officials were addressed by area Education Officer, Joshua Kisuya who implored them to be calm and return to school as the problem was being sorted out.

The school's committee chairman, Duke Nyarango said the council had given the school a notice to demolish illegal structures which include a girls toilet and two fish ponds which were far away from the road reserve being claimed by the council.

"I wonder whether the toilet and the fish ponds are illegal structures which should be demolished. The council should look for land elsewhere instead of attempting to disturb the pupils," said Nyarango.

The school's headmistress, Flora Osusu said she refused to sign the notice since the school had not encroached on a road reserve and had no land to give to the council to expand its market.

Osusu told The Link that the land which is occupied by the institution is small as huge section of the field is swampy, sloppy and inconvenienced

the pupils during their Physical Education programme.

She wondered why the council was now taking keen interest with land in the school which is currently struggling to get funds to repair leaking roofs and yet no leader has dared to address their plight or fund any project using the Local Authority Transfer Fund (LATF) and other devolved funds funneled to the constituency.

"Instead of harassing us, the council should be helping us fix the doors, windows and leaking roofs," said the head teacher.

She said the move by the council was ill advised and negated the spirit of providing quality education.

"What is more important: school or the market, Osusu asked, adding that the school will not cede any of its land to the council at the expense of innocent pupils.

Contacted for mayor, the mayor, Samwel Nyangeso said the council was not grabbing land from the school as alleged.

New coffee body elects officials

By JOSEPH MUKUBWA

TEN delegates from Nyeri and Kirinyaga districts have been elected to represent Kenya Cooperatives Coffee Exporters (KCCE) Ltd at the national level.

The officials are drawn from various districts which include Mathira, Mukurwe-ini, Othaya, Tetu, Kirinyaga West, Kirinyaga Central and Kirinyaga West districts. Those elected will participate in the national elections where they will elect the directors of the KCCE.

Central Provincial Cooperatives Officer Mr Stephen Mwenje was the Presiding Officer during the peaceful elections held at Starbucks Hotel in Nyeri town.

KCCE was established by Government last year in order to help market Kenyan coffee and save small scale farmers from exploitation. It was registered in 25th June last year.

Among those elected were the chairman of the Othaya Farmers Cooperatives Society Mr Newton Mwangi and the chairman of Mathira's Baricho Cooperative Coffee Society Mr Wachira Mwangi.

Others were Mr Isaac Kamundia, Mr Harrison Githae, Mr James Kariuki, Mr Joseph Kiragu, Mr



Central Provincial Cooperatives Officer Stephen Mwenje (right) chats with various district cooperatives officers from Nyeri and Kirinyaga at a Karatina hotel during the elections of Kenya Cooperatives Coffee Exporters Ltd. recently. Photo/Joseph Mukubwa

John Muchiri, Mr Jamleck Kiura, Mr Ephraim Ndumu and Mr John Atata.

"Farmers will now get full control of their coffee in the marketing sector. In the past we had many problems as we were being shortchanged by the commercial millers," said Othaya society

chairman after the elections.

The KCCE Quality Assurance Manager Michael Mungai lauded the delegates for conducting peaceful elections.

Mungai promised coffee farmers that they will get the best payments in near future through the KCCE.

Nzoia Sugar set to resume milling

By AGGREY BUCHUNJU

NZOIA Sugar Company (NSC) is scheduled to resume its operation soon after a major facelift.

Managing Director (MD) Mr. Saul Wasilwa says the renovation cost the company Ksh.212 million.

Mr. Wasilwa discloses that the cash for the rehabilitation exercise was a loan sourced from the Kenya Sugar Board (KSB) by the Company.

The MD said that the company had closed down for the major repairs of its two mills at a time the factory's crushing capacity had increased tremendously.

During the 2008/2009 financial year, Mr. Wasilwa says that the factory crushed 678,725.24 tonnes of cane and bagged 68,254.744 tonnes of sugar.

Mr. Wasilwa reveals that this is the highest figure the company has ever achieved since it started operation in 1978.

He adds that the figures achieved during the financial year under review are slightly above those achieved during the 2004/2005 financial year.

During the 2004/2005 financial year Mr. Wasilwa says the factory crushed 646,238.24 tonnes of cane and bagged 67,849.06 tonnes of sugar.

This translates into 32,487 and 405.684 tones increase of cane crushed and bagged sugar respectively.

The MD notes that by the time the

factory closed down for maintenance, the firm's contracted farmers had been paid to the tune of Kshs. 1.1 billion for the cane supplied to the company for crushing.

Mr. Wasilwa reveals that the two months maintenance period entailed the replacement of old rollers, refurbishment of the cane carrier and replacement of power house generators among other works.

He, however, appeals to cane farmers contracted by the company not to take advantage of the factory closure and sell their canes to brokers.

The MD observes that selling cane to middlemen is not only a loss to farmers but also the company.

"We invest a lot in sugarcane production and we can only recover our dues if the cane is supplied to us for crushing" the MD says.

Mr. Wasilwa reveals that the company is liaising with the police and provincial administration to make sure that cane poaching is completely eliminated in Nzoia sugar zone.

The move, Mr. Wasilwa adds, is meant to ensure that the factory does not incur losses in terms of unrecovered loan on farm inputs and that the company has enough cane to sustain its operation. He appeals to local leaders not to politicize the initiative but to instead support the company in its fight against cane poaching for the interest of farmers and sustainability of the factory.

State ready to waive coffee debts

By JOSEPH MUKUBWA

PLANS are underway to waive all debts owed by coffee farmers' societies across the country in a move that seeks to streamline the sector.

According to Cooperatives Minister Joseph Nyaga a team of experts has been deployed to various cooperative societies countrywide to evaluate outstanding debts and recommend societies that deserve the waiver.

The minister says that government has already set aside Kshs1.8 billion to clear loans owed to sacco and commercial banks.

The move comes just a month after President Kibaki announced that the government had decided to waive Kshs.5.8 million debts owed to the World Bank and the Cooperative Bank.

He said that there is hope for coffee farmers who are now registering higher returns since the formation of Kenya Cooperative Coffee export Limited (KCCE). Nyaga made the remarks when he toured Othaya Coffee Mill at Gatuya-ini coffee factory.

The plant which cost Kshs.12 million was put up two months ago by 19 coffee factories from Othaya.

Nyaga who was accompanied by Othaya Coffee Farmers Society chairman Mr. Newton Mwangi said that the coffee sector which had in the past suffered due to the high influx of brokers and poor pay to farmers, has now been revived.

He noted that since the intervention of KCCE, farmers are now receiving average payments of Kshs35-68 per kg.

"I urge you farmers to ignore falsehoods by the competitors who are merely advancing propaganda for their own selfish interests," he told farmers.

He said that he is optimistic that farmers will produce good quality coffee due to the improved earnings.

At the same time, he noted that KCCE has survived the sustained smear campaign by commercial millers who were against its formation.

"We were able to overcome the

hurdles expected at the initial stages since most farmers now have their own milling factories and have been able to recover losses occasioned by delays in milling," noted Mr. Nyaga.

He however said that KCCE today controls 15 per cent of coffee being exported and that prices have doubled.

Nyaga also said that KCCE has played a big role in trying to revive KPCU which is under receivership by leasing some of its facilities, such as Sagana KPCU.



Cooperatives Minister Mr. Joseph Nyaga (holding hands) speaks to Othaya Coffee farmers at Othaya Coffee Mill recently when he toured the factory. Photo/Joseph Mukubwa

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Ministries rally against alcoholism in Taita

By BRIGHTON KAZUNGU

FOLLOWING recent legalization of local brews, the ministries of Public Health and Youth Affairs have initiated a programme aimed curbing alcoholism and drug abuse in Taita district.

The programme, supported by Japan International Cooperation Agency (JICA), will come up with measures to improve the health standards of the local community by conducting community based outreach and risk reduction counseling, for alcohol and substance abuse.

This will entail the reduction of rampant domestic violence and other related alcohol risky behavior that the local community has identified as being as a result of excess use of illegal brews and drug abuse in the area.

The local Medical Officer of Health (MoH), Dr. Shem Patta and District Youth Officer Nicholas Omondi, said the initiative would facilitate a process for the local community to be sensitized on the need to avoid excessive consumption of alcohol and drug abuse.

This comes after the local community identified alcohol and substance abuse as a major concern affecting families, and predisposing them to other risks such as poverty, crime, gender based violence and even HIV/Aids.

It emerged that vices related to alcohol and drug abuse have reached an alarming proportion in the area, particularly among the youth, hence requiring urgent intervention measures.

Dr. Patta said through sensitization, vulnerable groups will be able to understand the risks associated with alcohol and substance abuse and be able to adopt preventive strategies and measures. "The targeted groups will also be expected to undertake behavioural change and stop abusing alcohol and drugs".

Speaking during a two-day sensitization workshop for community health workers and youth leaders on drugs and substance abuse in the district, the medic said there have previously been no any existing prevention programmes to address the matter.

The initiative aims at sensitizing the community on alcohol and drug related risk behaviors and risk reduction strategies, in Mbale location in Wundanyi division.

The workshop participants were challenged to come up with concrete plans of action detailing the various intervention measures that would address the menace.

Other highlights of the programme will be the establishment of support structures in alcohol and drug abuse such as counseling and rehabilitation centres within the existing health facilities and possibly alcoholics anonymous initiatives.

The MoH said apart from dealing with the alcohol and drug abuse, the health workers are also being trained on how to sensitize communities on measured to prevent communicable disease.

He said about 75 per cent of the diseases were avoidable and hence the need to empower health workers and the local community to be able to prevent some of them.

Illegal buildings in Mwingi to be demolished

By KAVYU-KURA

BUILDINGS that have been constructed along road reserves in Mwingi town will soon be demolished to pave way for a Sewerage project as a revised Physical development plan comes to force.

A stakeholders' meeting chaired by Mwingi Central District Commissioner Peter Kinuthia resolved recently that all illegal structures likely to hamper the development of the much needed sewerage system must be demolished.

The meeting that was attended by the Mwingi town Council Chairman Festus Nzung'u and the town clerk Eugene Kituku further resolved that the town's physical development plan will be revised as a matter of priority.

The meeting was unanimous that the town was poorly planned. They concurred that some buildings had encroached onto roads and road reserves making it difficult to install communication and drainage lines besides road expansion.

Consequently, the District physical Planner David Karuri who was present was directed to prepare a new development plan recommending buildings that should be pulled down to give way to the sewerage system.

Giving his brief at the meeting, Karuri had stressed on the need to revise the 1898 Mwingi town physical development plan that he said had become obsolete due to haphazard construction of buildings.

"The town is expanding into land held under private ownership as all leasehold land had been taken up by the uncontrolled development as developers adopt a free for all culture and ignore laid down rules and procedures.

He noted that the Mwingi town council had for a long time not been able to control development leading to perpetual conflict in urban land use.

"Most constructions have not been approved by the council neither has



A magnificent house in Mwingi town allegedly built on a road reserve. Photo/Kavyu-Kura

any development applications for approval of design and plans for the new upcoming buildings been submitted to the council as the law demands.

He said since uncontrolled development in Mwingi town had began way before the enactment of the Physical Planning act of 1996, the town council had not been able to efficiently control development leading to the current messy state of affairs.

Karuri further lamented that besides the failure by the council to approve construction plans for buildings, Civic leaders had aggravated the situation by allocating government land in utter disregard to existing town's development plan.

He noted that since access roads in Mwingi town had not been properly

developed, they have been blocked by buildings which will eventually have to be demolished.

The physical planner pointed that since the Italian government had given a grant for the construction of a sewerage system in Mwingi town all building lying on road reserves and on the route of the proposed sewerage system will have to be brought down to accommodate the project.

Karuri insisted that there was urgent need to revise Mwingi town physical development plans last done in 1989 in order to capture and control the construction of new buildings.

"There is need to revise the development plan for Mwingi town. The plan must have the input and the goodwill of the local people as stake-

holders. This is in line with the planning paradigm as envisaged in the Physical planning Act," planner told the meeting. He notes that the new Physical Development Plan should be realistic and viable taking into account

the limitations of land for expansion and also comprehensive in the provision of a healthy, safe, serviceable and easily maintained environment for all commercial, industrial, civic and community land use.

The Physical planners said the new development plan would be expected to provide orderly and progressive development of land in Mwingi town by providing a framework for infrastructural provision as well as guidelines for preservation of amenities through controlled development.

By BEKADZO TONDO

THE clerk to Kilifi town council Mr William Jilani has appealed to foreign investors and other development partners to support efforts by the local authority to develop the town which is slated to attain the status of a resort city by 2030.

Mr Jilani said though the council was among the three towns in the country selected by the government and World bank to be developed into resort cities in line with vision 2030, a lot is required to enable the civic body attain its

Kilifi town clerk appeals for help

objectives. "The council is still facing many challenges in its efforts to develop the town and it is for this reason that we are calling for financial and material support to meet the required targets," said Mr Jilani. He made the remarks at the council offices when he received two garbage collection trucks and a solid waste recycling machine valued at Kshs3 million.

The tracks were donated by the European Union through an inter-

national Regional Management Programme organization (RECOMAP). Recomap country Representative Mr Patrick Kimani said the donation was part of other donations offered by EU to help local authorities manage solid waste. Kimani who said his organization works jointly with the Coastal and Marine Resources Development and Kilifi Green Town Initiative, noted that most of the waste found in Kilifi town was in solid form and that the recycling machine will be

used to convert the waste into usable products. The clerk on his part said the council had set aside a one acre piece of land where the solid waste recycling machine will be located. The council also received dust bins from the Kilifi Teachers Savings and Credit Society.

The chairman of Kilifi Green Town Initiative Mr Harum Mwatua urged the council to install street lights along the Kilifi bridge to enhance security.

Group to empower Busia women

By NYAKWAR ODAWO

CIVIL society groups in Busia County have embarked on a rigorous campaign to enlighten women on their rights under the new law.

The Institute of Human Rights and Civic Values (IHRCV) in collaboration with the Civic Strengthening for Reform Initiative (CSRI) and the National Endowment for Democracy (NED), a foreign Non-Governmental Organization, launched the campaign recently.

Speaking during a workshop that brought together women lead-

ers from various organizations and political parties in Busia district recently, the Programmes Coordinator Mr. Andrew Odongo Wa Nyangweso expressed concern that women still continue to be discriminated on the basis of gender. He said the new law provides various avenues for women to address the imbalances.

The new law returns power to the people individually and in their social groupings at the local level through the county government, he said, adding that in order for women to participate fully, they must learn to claim and be able to secure their

rights.

The main objectives of the workshop was purely to empower women leaders to develop a strategy and common stand on issues of governance, and create infrastructure that will enhance their active participation in the management of affairs at the county set up as spelt out in the new law.

The programme's coordinator added that the workshop was intended to enhance the ability of women in the Busia County to articulate their interest and demand equal representation based on the 30percent rule as

stipulated in the new law, rotational gender approach in all committees and the banning of other gender based stereo-type restrictions against women.

The women leaders expressed total support for the new law which they say will create infrastructure that will go a long way in enhancing the participation of women in electoral process.

The workshop participants resolved that all women seeking elective posts must be trained to enhance their capacity to articulate their interests effectively in policy making.

Kisumu turns to Nambia for water billing

By JOSEPH OJWANG

THE Kisumu Water and Sewerage Company (KIWASCO) has introduced pre-paid water metering system in the informal settlement of Nyalenda in a move geared towards improving revenue collection.

The pilot project scheduled to run for six months in Nyalenda is being led by a Namibian based company TagMeter Namibia. It will provide an opportunity for Kisumu Water Company and residents of the city to assess the suitability of implementing such a system to water distribution management.

The prepaid meters will now enable customers pay only for what they consume and also help them manage their water accounts better.

According to TagMeter Project Manager Nathan Desmond Tjirimuje, "We concluded a memorandum of understanding with the Kisumu Water and Sewerage Company to implement a pilot project to demonstrate the effectiveness of our pre-paid water metering system earlier this year."

He explains that the pre-paid water meters ensure that all who are able to pay for water do so while at the same time improve the efficacy of the water company billing efforts by cutting the costs associated with billing such as meter reading and data processing.

The pre-paid water meters will be installed at water kiosks operated by private operators and community organizations under the famous delegated water management approach as well as domestic consumers of KIWASCO in Nyalenda.

Residents of Nyalenda have welcomed the move as a great step forward as they believe this will help manage their bills more effectively since they have for long carried the burden of irregular and inflated billing.

"This is a positive step towards making the residents to pay up for what they are consuming. It will also make them to manage this scarce resource," says Walter Omondi a resident. The company managing director Eng. David Onyango invited all interested stakeholders in the water sector to monitor the progress of the pilot project so that it can serve as a template on how to implement pre-paid water metering in Kenya.

Onyango said the new initiative will help Kenyan utilities avoid the mistakes committed by others in Africa who proceeded to purchase untested metering systems which subsequently failed to meet expectations. "We must understand that even with all these developments, we are still experiencing water shortages in Kisumu because the demand far exceeds supply," says Onyango.

He noted that the company has two treatment plants. The Dunga Treatment Plant that has a daily supply capacity of 20,000m³ and that of Kajulu which has a capacity of about 1400m³ which translates to about 21,000m³ against a demand of over 46,000m³ per day.

According to Onyango both plants currently supply up to 40 percent to Kisumu City residents.

It is due to this limited capacity that we have introduced and implemented the on-going rationing schedule to enable us supply water to the widest number of our customers in a day on a regular basis.

At the same time, Lake Victoria South Water Services Board is currently expanding the Dunga treatment plant and upon completion, the supply of water will be doubled and production capacity increased.

Onyango said the pre-paid meters being introduced will help reduce water theft through illegal connections and vandalism which is still a big setback particularly in that part of the city.

KEMRI gets grant from US President

By BRIGHTON KAZUNGU

KENYA Medical Research Institute (KEMRI) and the University of California have received a \$7 million (Kshs. 560 million) grant for Aids project.

The money received from the US President's Emergency Plan for HIV and Aids relief, will be used to expand care and support to people affected by the disease in Kenya.

The project, Family Aids Care and Education Services (Faces), will provide a comprehensive programme for treatment, care, prevention and support through the Centres for Disease Control and Prevention.

Faces director Prof. Craig R. Cohen said the grant will ensure more than 75,000 patients benefit from expanded service areas.

"The services provided include HIV care, treatment and prevention as well as HIV testing and counseling, prevention of mother to child HIV transmission pregnancy, TB/HIV co-infection treatment and male circumcision services," Prof. Cohen said.

He said Faces project currently serves HIV affected families and vulnerable populations in Nyanza, Western and Nairobi.

"With this funding, we will work towards the World Health Organization's target of universal access-serving at least 80 per cent of HIV patients needing care – within our service areas," said Ms. Elizabeth Anne Bukusi. She is co-director, Research Care Training



US President Barack Obama

Programme and Chief Research Officer, Centre for Micro-biology Research, Kenya Medical Research Institute (Kemri). She also serves as Faces-Kemri director.

Faces is also working to develop and implement more efficient integrated models of HIV care,

treatment and prevention.

"To accomplish this, we will achieve efficiency by shifting responsibilities to the Ministry of Health. Our staff will provide technical assistance including supervision, planning and monitoring and evaluation. Our hope

is our expanded models of integrated comprehensive HIV care, treatment and prevention will lead to a turning point in the struggle against HIV/Aids in the communities and for the families we serve." Says Ms. Bukusi

Besides providing integrated comprehensive services, Faces is an important site for ongoing research. For example, UCSF recently received \$1.15 million grant from the Bill & Melinda Gates Foundation to conduct research at Faces to determine if integrating family planning into HIV treatment and care will increase contraceptive use and decrease unintended pregnancy among HIV positive women.

"Faces is also serving as an indispensable platform for doing clinical and operational research to create knowledge that can be used throughout Sub-Saharan Africa. We cannot stress enough the value and importance of private philanthropic support in enabling Faces to develop innovative, transferable and scalable models for integrated care, treatment and prevention," said Prof. Cohen.

A collaborative group from UCSF support Faces, including the Bixby Centre for Global Reproductive Health; Aspire (Aids Service, Prevention, Intervention, Research and Education), which is the international training and education arm of the Positive Health Programme at SFGH; the Centre for Aids Prevention Studies and the Aids Research Institute.

Cyclists to be trained on road safety

The Mushrooming of 'bodoboda'

By BOB OMBATI



Motorcyclists to face tough rules.

NATIONAL Road Safety Agency (NRSA) will now offer road safety education to the *Bodaboda* operators to reduce high rate of accidents.

The Agency's director Alfayo Otukey says that accidents caused by reckless *Bodaboda* operators are 16 times more than vehicle-related ones.

Otukey, who donated stop road safety police signs to Kisii central Officer Commanding Police Division (OCPD), Peter Njenga during a one day workshop at a Kisii hotel said the road signs will help the operators make informed decisions to avoid accidents.

The director says the Agency planned to open schools in urban areas to offer road safety education, as majority of *bodaboda* operators were untrained and just in the business to earn quick money.

"We will continue availing the road signs to all police stations

countrywide besides conducting workshops for the operators to ensure that they complied with traffic rules and regulations to reduce accident," says Otukey.

According to recent research findings by the Agency, one person was involved in a fatal motorcycle accident after every five seconds countrywide, linking it to untrained, inexperienced and careless riders.

Kisii district, observed Otukey had about 40,000 motorcyclists who compete for space with public Service Vehicles in the narrow roads.

The director notes that the area had the highest number of motorcycle-related accidents, and blamed this on human error, bad feeder roads, ignorance and overloading.

The Area DC Benjamin Njoroge who opened the workshop urged members of the public to shun overloaded vehicles, which are more prone to fatal accidents.

By JOSEPH MUKUBWA

LIVESTOCK rearing remains a major source of livelihood in both arid and semi-arid areas.

However a large number is lost to drought as small scale farmers can hardly afford expensive animal feeds in the market.

In an effort to change the scenario, a small scale farmer in Kieni has come up with an initiative that promises to offer a lifeline for domestic animals during dry spells.

David Kimondo has invented a miller which can now process fodder crops and preserve them for use during the dry periods.

"I started this project three years ago after I witnessed hundreds of livestock succumb to hunger during the prolonged period of drought," he says.

The father of six children who was previously engaged in electronic work says the initiative is rewarding than any other business ventures as he fetches about Kshs1,000 per day.

This has helped him to educate his children and clear part of the loan of the project.

He charges Kshs. 6.00 to mill one kilogram and he sometimes mills even 1,000 Kgs per day using the miller which he has nicknamed 'Githanduri' (miller). The miller uses about Kshs.300.00 worth of diesel daily depending on the intensity of work to be done.

"There is no need for using the cobs for fuel since they can serve as animal feed. The feed can be preserved and used during the dry spell," says the farmer. He serves

Innovative miller saves Kieni livestock



Mr. Kimondo's mobile maize cob miller. Photo/Joseph Mukubwa

farmers in Tetu town, Nyeri, and Kieni West districts.

Farmers who have benefitted from Kimondo's project express

their elation about the innovation since the mill has saved them money and their cattle no longer die during the dry seasons.

The farmer is now in the process of finding a machine which can be used to produce cooking fat for local consumption.

HPV infection increases risk of getting Aids

By JOHN NYAMBUNE

HUMAN Papiloma virus Vaccine (HPV) could be a useful tool in HIV prevention.

A recent study indicates that Kenyan men infected with HPV were more likely than uninfected men to contract the HIV virus.

"Within (the study) population of young men at a high risk for HIV infection, HPV infection was very common, so preventing HPV infection could potentially be another tool for HIV prevention," says the study.

HPV is a common sexually transmitted infection (STI) that can cause genital warts. Some types of HPV can also cause cervical cancer.

Researchers found that of 2,168 uncircumcised men aged between 18 and 24, nearly half were infected with HPV at the start of the study. Over the next 42 months, 5.8 per cent of those men contracted HIV, compared with 3.7 per cent of the HPV-negative men.

The study was part of a wider clinical trial conducted between February 2002 and December 2006 in Kisumu, which showed that male circumcision significantly reduced the risk of HIV acquisition.

A 2009 study of men who have sex with men in the United States also found that anal HPV infection raised the risk of HIV infection.

According to Mr. Kawango Agot, of the University of Nairobi, Illinois, and Manitoba (UNIM) Project in Kisumu, HPV prevention could have wide-reaching benefits. "The use of both male circumcision and HPV vaccination would further lower men's risk of contracting HIV," she said.

This was affirmed by another finding that among uncircumcised men infected with HPV, the estimated incidence of HIV infection was 3.9 per cent over a two-year period, against 0.8 per cent among circumcised men without HPV.

Mr. Agot notes that while the country's male circumcision roll-out had been very successful among younger men, the programme had struggled to persuade older men in stable relationships to undergo the procedure. This was despite the fact that most HIV infections in Kenya occur within stable relationships.

"Between 80 and 90 per cent of people coming for male circumcision are under the age of 30. Even as we try to convince other age groups to volunteer for it, we must accept that not everyone will be willing to be circumcised. The HPV vaccine could help to lower such people's chances of contracting HIV," she added.

Kenya's male circumcision programme has proved a useful tool in identifying and tackling STIs in men volunteering for the procedure. Research shows that STIs such as herpes, Chlamydia and gonorrhea make people more susceptible to HIV infection.

"Vaccinating men against HPV would also mean they would not pass it on to women, reducing their female sexual partners' cervical cancer risk," Mr. Agot added.

Poisons Board approved the sale of an HPV vaccine in 2007, but its availability is still prohibitively expensive for most Kenyans.

Farmers rescue ailing union

By MORRIS GITHENYA

COFFEE farmers have resolved to raise funds to save Kenya Planters Co-operative Union (KPCU), from the impending sale.

Farmers drawn from coffee growing areas from Central, Nyanza, Rift valley and Eastern provinces elected a delegation of nine people to negotiate with the government and the Kenya Commercial Bank, to see how the union could be saved.

Mr William Gatei, one of

the delegates elected said they would also mobilize farmers to contribute funds towards offsetting debts that the union owes.

"We will mobilize farmers with a view of raising money to clear the debts," he said.

He said KPCU had assets worth over Kshs 3.2 billion and liabilities of about Kshs 1.3 billion.

The farmers expressed surprise that the union, put under receivership last year, had been put up for sale.

"KPCU had served coffee

farmers since 1937 and we were thus surprised to learn that it would be sold thus we need to raise funds to salvage it," Wathigari Joseph who is coffee farmer said.

The farmers appealed to the government to help them with funds to offset the debts as the coffee sector remains important to the country's economy and the revival of KPCU would mean success to the sector.

In addition, the farmers urged the government to expose individuals who allegedly stole the

union's money. Their revelation, they said would help them pursue the debtors, adding that the defaulters were not even farmers.

KPCU was put under receivership last year and KCB appointed as the receiver, to recover Kshs 600 million owed by the farmers.

The farmers have however been opposed to the union being put under receivership and blamed the minister for Co-operatives, Mr Joseph Nyaga for its collapse.

Northern Kenya to go green

By PETER MUTUKU

NORTHERN Kenya promises to transform the area into an agricultural zone, thanks to an innovative project targeting pastoralist communities in the arid region.

The project currently being implemented in Wajir, Isiolo and Samburu districts entails the establishment of refinery plants to oversee the processing of gum and resin from acacia trees predominantly found in area.

Already, the government has disbursed Kshs35 million through the Economic Stimulus Package to assist in the construction of gum and resin processing plants, under the Gum Arabic and Gum Resins Development project.

The initiative is being implemented through the Ewaso Ng'iro North Development Authority (ENNDa).

The refineries have the potential to change the economy from a pastoralist to an agricultural based one but are pegged

on the willingness and availability of mainly the women folk to collect the raw material.

Currently members of malakino women group at Serolibi trading centre in Samburu District eke out a living from the initiative with over 200 gum collectors traversing the vast land to collect gum.

The group has no market for their produce; however members are upbeat about latest initial. The main challenge for the women however is the large numbers of wild animal which

pose danger to them.

On the ground, the women are only armed with a panga and a couple of guards as they venture deep into bushes to harvest the gum.

Another challenge facing them is the lack of storage facilities and lack of effective tapping tools which forces them to resort to crude tools that end up destroying the trees.

However, with the new factories and the expected economic benefits, the women are upbeat about the future.

Building of Mwingi schools too slow

By KAVYU-KURA

The Kyuso traders' chairman made the allegation in the wake of an assurance by the Kyuso DC Peter Maina that the government will revoke any illegally acquired plots in Kyuso town.



Photo/Kavyu-Kura

A sporadic interview with some traders in Kyuso town indicated that a good number had allegedly been swindled of money by a civic leader who had promised them plots within Kyuso town.

The owner of the Pelisa electronics and Barber shop, Mulwa Mwinzi said he lost a cool Kshs20, 000 to the civic leader who asked for the money to help him acquire a plot in Kyuso

Speaking to *The Link* over the issue, the Mwingi county clerk Elijah Mutambuki said he was relatively new but had however received information that “ghost plots” may have been allocated in Kyuso. He promised to investigate the matter with a view of taking appropriate action.

Commenting on the ESP projects, the Mwingi District Education officer Salesa said only Kiio Secondary School in Mwingi South constituency was under his jurisdiction. He said the laboratory project was progressing well.

By BOB OMBATI

She said each child in the selected schools will drink a packet of milk daily for two weeks and

He appealed to the government to re-introduce the free milk programme in schools to curb truancy among learners besides making them healthier.

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Tough rules for unruly matatus

By JOHN NYAMBUNE

STRINGENT measures that seek to restore sanity within the public transport sector have been unveiled.

The measures will be implemented by the Transport and Licensing Board (TLB) and other public transport industry players to improve the public transport, says Transport Minister Amos Kimunya.

He urged players in the industry to emulate the impressive performance by the Interim Independent Electoral Commission (IIEC) in order to transform the transport sector.

He observed that the IIEC has supervised several successful by-elections and the August 4 referendum besides updating the voter register.

"If the IIEC can establish, maintain and update a voter register of over 14 million Kenyans, what would hinder the Transport Licensing Board from having a register of a paltry 75,000 registered public service vehicles?" he asked at a recent consultative meeting on road safety with TLB members.

He said the IIEC counterchecked each voter against the register; either during the voter registers verification process or actual voting in thousands of voting stations spread throughout the country. Mr. Kimunya challenged the TLB to emulate the IIEC and integrate ICT in its operations in order to improve road safety standards.

He said the TLB should decentralise its operations to the counties. With 65 recently recruited employees, the TLB could roll out its decentralised service in the next annual licensing cycle. "The adoption of a PSV register will not only enable TLB to maintain an inventory of all licensed vehicles for auditing purposes, but like with the voter register be able to effectively monitor their operations," said Mr. Kimunya.

He told the board that road safety challenges facing the country are well understood and what is needed are realistic mechanisms with which to



The Transport and Licensing Board (TLB) is out to improve the public transport.

tackle them. "A PSV licence should be viewed as a seal of approval obligating a driver to take full responsibility for passengers who have entrusted their precious lives to him. This responsibility is not negotiable by compromising safety standards for the sake of profit," he said. And to demonstrate his commitment to ensuring a renewed strategy for the PSVs, the minister directed TLB to submit a detailed report within a month on how it intends to restructure its operations.

He emphasized the need to set objectives for the sector so that results could be measured to determine whether innovative ideas meant to improve management are fruitful or not.

The minister told TLB to consult widely with stakeholders, especially in the management of vehicle routes and terminals.

He concurred with the TLB that a phase-out programme for 14-seater matatus was necessary to decongest Nairobi's central business district.

He said the Kenya Railways Corporation also plans to develop a light rail transit system between the CBD and Embakasi for mass transportation of passengers and urged stakeholders to support the initiative. Mr. Kimunya promised to seek MPs approval for a host of laws targeting road transport with a view to improving the industry.

The minister, however, pointed out that Parliament's goodwill could only be assured if the ministry proved it is capable of improving safety through existing regulations.

Permanent Secretary Dr. Cyrus Njiru assured TLB of support, especially in the vision of equipment for automation of its services.

He said the move will enable the TLB to realise quick gains, adding that they should consolidate information on all PSVs, their owners, drivers, conductors, routes and other necessary requirements in order to set up a reliable data bank.

TLB chairman Wilfred ole Legei assured the minister that the board was committed to improving road safety despite emerging challenges.

He said the sector requires short-term interventions to deal with the growing menace of impunity and indiscipline among PSVs.

Mr. Ole Legei said the thriving bicycles and motorcycles taxis, and tuk tuks and marutis, require unique management methods and appropriate regulations because it has permeated all urban centres and are contributing to increased accidents.

NTA reveals Kieni's ghost projects

By JOSEPH MUKUBWA

The National Taxpayers Association (NTA) has identified two ghost projects in Kieni constituency in the previous financial year.

The phantom projects were officially allocated Kshs 450,000 by the local CDF kitty but they do not physically exist on the ground.

Speaking at Narumoro stadium in Kieni during the launch of NTA Citizen's CDF Report Card for Kieni constituency, NTA communications officer Mr. Denis Alieno said the objective is to audit projects funded by public funds to ensure accountability and the residents at the grassroots received value for their money.

Alieno said that the Kshs 450,000 for the two projects Nyange and St Joseph polytechnics in Thegu and Mweiga wards could not even be accounted for. Each was allocated Kshs 300,000 and Kshs 100,000 shillings respectively. He further noted that Kshs 950,000 of the taxpayer's money, about 12 per cent of the total CDF funds allocated to the monitored projects in 2007-08 were on ineffective projects.

The constituency was allocated Kshs 42,531,834 in the year under review. But the area MP Hon Nemesys Warugongo who graced the launch of the report card said the beneficiaries re-located the money to other projects without notifying the NTA secretariat.

Warugongo added that auditors have been dispatched to the projects to unveil the truth. He blamed his opponents of politicizing CDF projects to gain political mileage and challenged those claiming the CDF kitty had been misused to table evidence to the auditors.

Mukurwe-ini residents stick to batter trade

By JOSEPH MUKUBWA

EVEN as the world adopts digital ways of doing business, residents of Mukurwe-ini have stuck with their batter trade system.

The batter trade which has kept residents as one family at the popular Gakindu market in Mukurwe-ini constituency has been practiced for over 100 years. "In today's world where many believe that money is the answer, residents in Mukurwe-ini have stayed under one roof of barter trade, an issue which has kept them like one family," they say.

The community is still living in the colonial era and has refused to catch up with trends in the modern world where only money plays the big part as an exchange earner.

Mr. Fredrick Gatanga, a trader who has worked in the market for over 30 years says, "With your goats, you can go home with a calf or vice versa. You can take home even sheep, cows or even chicken depending on what you brought for the exchange. Legal tender here is not the answer."

Traders here say the market started around 1910 with barter trade being the only means of facilitat-

ing business transaction. The traders who have kept this trade for as long as they can remember say that most of the homesteads now own domestic animals since no money is required.

Traders have been traveling from as far as the neighbouring countries of Somalia and Sudan to come and exchange animals. Others come from Turkana and Kambaland. "This market is however driven by the quality and value of the animals. Once you agree with the owner, you exchange for your favourite animal without using money or filling any document as agreement," said the chairman of the market Mr Gerald Wanyiri.

Traders flock the market from Monday, Wednesday and Friday which are designated market days for exchange of animals.

"I'm very happy that I will go home with two dairy goats after I exchanged it with my black calf. I want to start rearing goats as I hear the milk is more nutritious than that of the cows," says Mr Michael Wanjau.

However, others who want to use money are also allowed as there are butchers who purchase animals while others purchase animals for

paying dowry. They add that despite millions of shillings exchanging hands during the market days, many still prefer barter trade which they say is sweeter and better.

But Mr. Nelson Wanjohi from Ichamara says that brokers have been exploiting customers by dictating on the prices of the animals and urged the Government to wipe them away.

The traders now want the Government to rehabilitate the market since it is muddy during the rainy season. They also need piped water in the market.

They also urged the Nyeri County Council which is the custodian of the market that they should not be charging for the unsold animals. Traders also sell cereals in the same way.

With one crate of tomatoes, you can go home with two buckets of potatoes and vice versa among other goods.

The traders say they are not ready to quit barter trade business soon saying that poor families have benefited much as no money is needed.

Others markets in the district which are also using barter trade include Kiahungu and Ichamara markets.

Ganze MP queries NTA audits

By BEKADZO TONDO

AN assistant minister has questioned the credibility of social audit reports focusing on the management of devolved funds by the National Taxpayers Association (NTA).

The MP for Ganze Mr Francis Baya who is also an Assistant Minister for Immigration and Registration of Persons says the reports were exaggerated and did not reflect the reality on the ground.

Baya claims that the findings by NTA were contradicting and therefore could not form the basis streamlining the management of devolved funds at the grassroots level.

The MP spoke in Ganze primary school grounds as NTA's national coordinator Mr Wangalwa Kizito defended his organization saying reports are compiled after careful analysis of available records.

"Once the basic records on devolved funds are obtained, they are analysed and verified to create a complete picture of every single project.

Besides verification of projects physically, NTA officials also interview all stakeholders including officials, contractors and project beneficiaries who comprise members of the public within the vicinity of a project before they come up with their final reports," explains Kizito.

He at the same time hit at Ganze CDF committee for failing to cooperate with NTA officials who were forced to get information from the CDF national offices.

"We were unable to get information from the Ganze CDF management committee and we had to rely on data from the national office to establish the status of CDF supported projects" said Kizito.

Area residents complained that the CDF office was located in Bahari constituency and therefore they were unable to access or closely monitor the implementation of projects. They also said that their children were being denied bursaries since they could not properly monitor the criteria used in identifying needy cases.

Concerns over rising malaria cases

By NYAKWAR ODAWO

HEALTH authorities and residents of Western Province have raised serious concerns over rising cases of malaria in the area.

Consequently, a series of meetings are planned to raise public awareness and to educate them on prevention and treatment measures.

During a meeting in Busia, Dr Moses Mwaniki of the Child and Family Wellness (CFW) said the main objective of the forum was find ways of curbing the spread of malaria in the region through testing, treatment and prevention.

"This has come against the backdrop that malaria is one of the major killer diseases in the areas around the lake region. We therefore urge the general public to undertake the clearing of bushes, ensure proper drainage system; use insecticide treated nets and also seek early medication as a measure to control the spread of malaria."

The workshop was facilitated by the Sustainable Healthcare Foundation in collaboration with the Child and Family Wellness and brought together medics from different areas of specialty, including Nurses, Clinical Officers, Pharmacists and laboratory Technicians from western province.

The move came in the wake of growing concerns over the high prevalence rates of malaria in the country leading to the escalation of mortality rates.

He said that the government had promised to subsidize the cost of anti-malaria drugs in

order to make them accessible.

According to the data availed to The Link by Busia District Hospital recently, the malaria infection rate among children under age of five as at the end of last month stood at 40,249 whereas the confirmed cases of malaria infection under the age of five is 15,541.

The data further stated that cases of malaria infection among children aged six years and above is 36,154 whereas the confirmed malaria cases

are 19,847.

The acting Medical Officer of Health [MOH] Dr Ambrose Fwamba appeals to the general public especially expectant mothers and the children under the age of five to strictly sleep under treated mosquito nets in order to curb the rising malarial infection cases in the district.

The acting medical officer of health expressed concern saying that most of the patients who had been provided with

mosquito nets were selling the same in exchange for cash instead of using them for the purpose to which it had been intended.

"It is very bitter that in some people especially those from the lake region or

beaches where fishing is done on a large scale are selling the nets to the fishermen in exchange for cash. Those who will be found selling the mosquito nets will be dealt with according to the law".



Malaria has become a common disease in Africa. The mother with her child is one the victims.

Manga elders wants Anyona feted

By BOB OMBATI

MANGA District elders now want the government to build a library in Kitutu Masaba constituency to honour former area lawmaker, the late George Anyona, for his role in fighting for reforms now espoused in the new constitution.

Led by Lawrence Okeyo, the elders say that Anyona, a fiery politician was among reformists who sacrificed their dignity, lives and were incarcerated for long for their agitation for the second republic.

Okeyo avers that it is imperative that monuments are erected to commemorate the Kenyan heroes and heroines who struggled for the country's second liberation as historians document their role in history books for posterity.

Addressing members of the public at Manga stadium over the weekend, he lamented that the actualization of the new law was being celebrated

by Kenyans without reference to its architects who were instrumental in the realization of plural democracy, and the overhaul of the colonially inherited supreme law.

Manga is considered the origin of the Abagusii community and the cradle of opposition politics in post independence era which helped shape the nation's political landscape through the scrapping of section 2A which ushered multiparty democracy.

The area District Commissioner, Onesmus Kyata, who presided over the ceremony concurred with the elders and called for change of attitude and reciprocity by public servants and residents to fit in the new law.

Kyatha reminded residents and public officers that the new law placed heavy responsibilities on them, adding that the officers will be required to respect the rights of others as enshrined in the constitution and offer selfless service to justify their salaries and allowances.

The DC challenged members of the public and officers to continuously read the new document to understand it fully to avoid breaking the law, warning individuals should not hide under the cover of the constitution to murder, rob and grab public properties with impunity.

Time for land grabbers, warned the DC is over cautioning those who had encroached Manga township and Manga Orotuba ridge to move out before they were evicted. Kyata directed the police to crackdown on brewers and consumers of illicit brews in the area, stressing the legalization of Chang'aa is yet to take effect.

Immediately President Mwai Kibaki assented the Bill legalizing production and consumption of changaa, some revelers went overboard and dangled the brew before chiefs and police officers daring them to arrest them.

But the architect of the Bill, Navisha Member of Parliament, John Mututho quickly pointed out that it

was too early for chang'aa drinkers to celebrate, noting that tough conditions were underway to ensure that brewers produced drinks only after being certified by the Kenya Bureau of Standards (KBS) and were licensed.

Under the new law, brewers will pack Chang'aa in sealed bottles and sell the stuff between 5.00pm and 11.00 pm with strict rules to shun selling chang'aa to drunk customers. Kyatha gave notice to the regional Kenya National Highway Authority Engineer to erect barriers at Omogonchoro and Kemera trading centres on the Kisii-Chemosit road to reduce rampant accidents where five lives have since been lost.

He urged area entrepreneurs and the local authority to put up hotels, a market and residential houses to cater for the public servants posted to the area, revealing that some stayed far away and spends a lot of time to reach offices, hampering service delivery.

Webuye council under fire over sale of plots

By LUKE KAPCHANGA

WEBUYE residents are extremely unhappy with over the fraudulent sale of council plots.

Residents claim that councilors were silently approaching them to part with Kshs.50,000 so as to be allocated plots for commercial purposes.

The mayor John Ngome, has however dismissed the claims and challenged those who have allegedly lost money to councilors to come forward.

"I would like to challenge any trader who has given money to come forward with the information for the matter to be investigated", he said.

He maintained that, the council was in the process of compiling lists of undeveloped plots, to determine how to get them repossessed.

The mayor noted that in April, they discussed the matter, and were developing modalities on how they will have them repossessed, gazetted, before being re-allocated.

"As of now the council has no records on undeveloped plots, because the allocation was done by the ministry and beneficiaries never bothered to pay rates to the council", he added.

He cited an entire street in Webuye town, which have no leases from the council and owners have never paid rates.

"The council is owed millions of shillings by rate defaulters and we have resolved to hire a lawyer to collect the rates on behalf of the council," adds the mayor.

The mayor said that the council was exploring other ways to raise revenue to bridge the gap that may arise in the event that they missed out on LATF allocation due to a statutory debt running to Kshs40 million.

He said the council will generate more revenue from the revival of Pan Paper, Masinde Muliro University Webuye Campus, Medical Training College and Cess from Nzoia sugar company.

Apart from the Kshs.29million LATF allocation, the council is also set to lose Kshs.6million from Road Maintenance Levy Fund which has been transferred and another shs2million from Contribution in Lieu of Rates.

Basically the council faces an operational deficit of Kshs.44million, with the wage bill of employees accounting to over Kshs.34 million.

Sources at the council accused the councilors of not being supportive in measures to cut down costs of unnecessary expenditures.

Molo CDF funds school construction

By RACHEL MUTHONI

MOLO Constituency Development Fund (CDF) committee has allocated more than Sh800,000 to Mutumboro Primary School to assist in the construction of four class rooms.

The funding will help restore sanity in the school where pupils have been learning in makeshift structures.

The school's head teacher Kamau Kuria says they had been sitting on a time bomb as most structures risked collapse.

"Our fear was that pupils were not safe in the classrooms in the event the structures caved in," said Kamau.

He says the roofs had been leaking and pupils were forced to stay at one corner when it rained during lessons.

He says that efforts to raise funds from the parents were fruitless since majority of them were poor and could not raise the amount required.

"Mutumboro is relatively dry unlike many other parts of the district and most parents work as casual labourers," he explained.

Molo CDF Project Manager Bernard Mbugua says the funding was allocated after evaluating the risk that the pupils at the school were being subjected to.

"The school will also be allocated additional funding to oversee construction of other classrooms and give the school a facelift," he adds.

Mbugua says that the CDF committee has prioritized projects in the education sector in order to boost literacy levels in the Constituency.

Some schools within this constituency were destroyed and property looted during the post election violence.

"While some have been reconstructed by well wishers, others are still shadows of their former glory," he said.

Kenya strikes gold as industry faces dilemma

By DANIEL OTUNGE

THE news that Kenya has discovered deposits of gold worth hundreds of millions of shillings in Nyanza province and other parts of the country comes with mixed fortunes.

It is good because tens of hundreds of poor people will certainly get gainful employment and source of income. On the flip side, it comes at a time when a UN expert on the Democratic Republic of Congo warned at a precious metals conference recently that "blood gold" is threatening the industry with a "moral and public relations disaster".

"There is a high risk that any artisanally mined gold coming out of the country is 'blood gold'," Gregory Mthemba-Salter, a member of the UN Group of Experts on the conflict-riven but resource-rich African country, said.

He said rebels in eastern DRC, including those blamed by the UN for the rapes of at least 303 civilians in four days in July-August, were being financed by illegal mining of gold and other minerals that are exported worldwide.

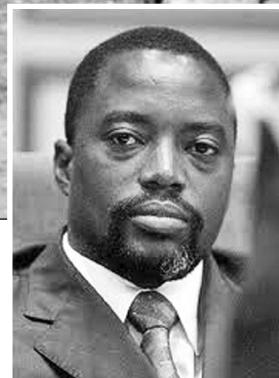
Discovery of any precious metal in a poor country like Kenya breeds enclave mentality whereby a few greedy individuals with means organize criminal gangs to help them maintain stranglehold on mineral rich area. The suffering of the people of the gemstone-rich Taita Taveta areas is a case in point. The killings of people of Sierra Leon over blood diamonds is another grim example.

"Gold is the mineral of choice for the murderous armed groups currently operating in eastern DRC," Mthemba-Salter said at the start of the two-day gathering of industry professionals in Berlin.

"The gold industry has a major



A gold mine tunnel. Inset: President Joseph Kabila of DRC.



moral and public relations disaster on its hands. Already activists have targeted the electronics and technology industry because of their opposition to so-called 'blood tin'.

"Do not imagine that the gold industry can be far behind."

If the industry did nothing, "then you will have to face being

stuck with the 'blood gold' label and the charge that through your inaction you are aiding and abetting the DRC's murderous conflict," he warned.

He said that the industry, which

is currently enjoying record prices for gold and silver, needs first to "acknowledge that it has a problem" and to certify properly where exactly gold comes from.

This would be along the lines of the Kimberly Process, established in 2003, which aims to certify where rough diamonds were mined in order to ensure that they are not "blood diamonds" feeding conflict in the world's hot spots.

DR Congo is plagued by instability and is ranked among the world's 20 most corrupt nations by governance watchdog Transparency International. It also has huge reserves of resources used in a whole range of goods -- such as coltan, for instance, for mobile phones -- drawing intense interest by foreign governments and firms.

Mthemba-Salter also said that his report, due to be made public in late November, accuses the DRC army of involvement in illegal mining, while neglecting its security duties.

"Where the rapes occurred last month (in the Walikale region) the army was not present because it was busy in the nearby ... goldmine.

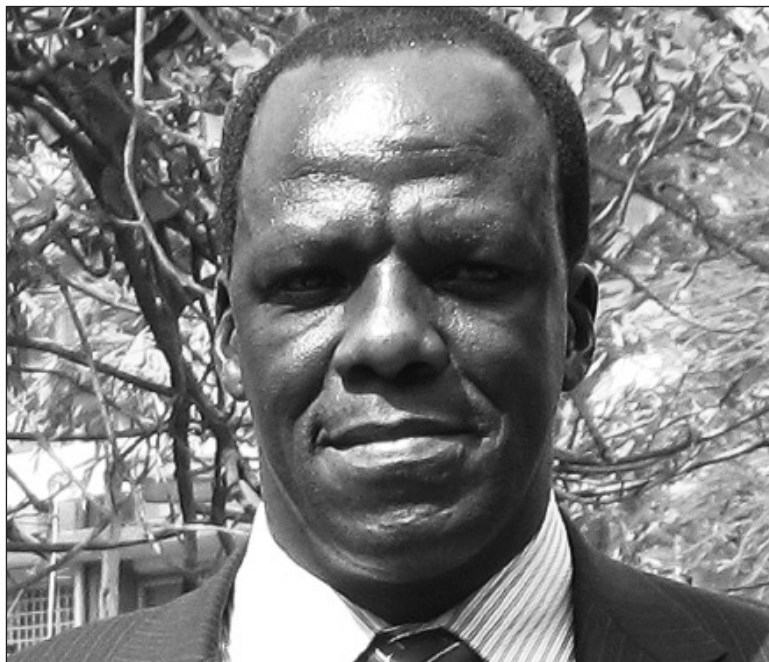
"We also have evidence that the military has colluded with the militia that perpetrate the killings and the rapes in order, it seems, to perpetuate the insecurity that justifies their presence."

Professionals at the conference, organised by the London Bullion Market Association (LBMA), appeared to show little or no interest, however, with discussion focused instead on the ins and outs of trading in precious metals. As the story of Congo shows, Kenyan authorities should be on the lookout for possible human rights abuses motivated by greedy rush to dominate the goldmines of Migori.

— Additional reporting by AFP

MPs urged to use census report to allocate funds

By JOEL JUMA



Mr. Oparanya, Planning Minister.

LEGISLATORS have been asked to familiarize themselves with details of the population census results so that the figures can form the basis of CDF allocations.

An organisation dealing with transparency and accountability of public funds accused MPs complaining over the allocation of insincerity.

National Taxpayers Association (NTA) said CDF allocations were pegged on poverty index.

"Why should some MPs complain yet their areas are developed," said NTA national coordinator Kizito Wangalwa.

Wangalwa said Planning Minister Wycliffe Oparanya should not be blamed over the allocations arguing that constituencies that feel discriminated

will benefit from allocations that will be disbursed to their Counties.

Wangalwa, who was speaking in Kakamega said the new constitution has stipulated that each County will be getting 15 per cent of the National revenue, a matter he claimed will rest-complains of CDF allocations.

He NTA will continue to expose MPs who mismanage the CDF money with the view of promoting accountability in the management of public resources.

Wangalwa's spoke as the Parliamentary Accounts Committee (PAC) Chairman Bonny Khalwale faulted the criteria used in the CDF allocations.

Khalwale demanded to know how the poverty index of the

constituencies was reached to warrant some constituencies to get higher allocations.

Khalwale singled out Turkana Central, which was allocated Kshs94.7million. Ekwe Ethuro who is the Parliamentary CDF chairman represents Turkana Central.

Oparanya said allocations were carried out professionally adding that all factors were considered while allocating the money.

Wangalwa however said NTA will continue to monitor projects to ensure management committees do not misuse the funds.

He explained that the country lags behind in implementation of the millennium Development Goals because some legislators do not utilise the money appropriately.

Earth tremors scare Ugandans

By HOPE MAFARANGA

RECENTLY Kabarole district in Uganda has been experiencing frequent tremors during the morning, evening and night hours.

The tremors that last for about 30 to 49 seconds leaving residents scared of what will happen next.

The tremors have thrown people into a picnic saying that it is a signal of volcanic eruptions.

Science Africa has established that people residing around Semliki Hot Springs in Bundibugyo district in western Uganda have started moving their animals and other valuable property.

However, the locals accuse the leaders of not telling them any preventive measures and how they will handle the situation if disaster struck.

"I am scared that we may perish unknowing because the leaders and researchers are not telling us the truth on the current and frequent earthquakes that we are experiencing," Moses Muhindo a resident of Karugutu in Bundibugyo district says.

Muhindo says that he had started moving his animals to save them from the numerous.

However the Bundibugyo district LCV chairperson Jackson Bambalira admits that the tremors are heavy but he was quick to add that he was not aware of the people who are vacating the area. "I am not aware of people who are shifting but get in touch with the chairperson of the disaster committee," He says.

Jolly Tibemanya, the Bundibugyo district disaster committee chairperson, says "we have not put in place any measures for such disasters because it's beyond our capacity".

When put to task to explain why the district has not prepared for any emergency, Tibemanya who doubles as the Acting Chief Administrative Officer says "No money for disaster, we are constrained because all the funds we get are conditional grants. We shall wait "God forbid" in case it happens we shall get aid relief from the Prime Minister's office," he says.

But the head of Seismology in the Rwenzori region, engineer Adolf Kahuma, says that the tremors that are rocking Rwenzori region are not destructive. He says that the current earthquakes measure 4.5 on the Richter scale is scarily but not very destructive.

Eng Kahuma however did not rule out the possibilities of increasing after

the recent eruption in several European countries in May this year.

"The 4.5 magnitudes are small enough to scare people from their houses but they are not so much destructive but I am not saying that it may not increase.

In fact the frequent earthquakes have raised our suspicions that after May's eruptions in European countries and the 1998 Democratic Republic of Congo eruption, we have to be prepared and inform the communities on how to save their lives during such disasters", Kahuma said says.

He attributed the increase of tremors to heavy rains and a lot of water which flows from the Rwenzori mountains. The Engineer says that they have trained artisans in earthquake prone areas and have been running radio programmes from 1996-2008 in Kabarole district.

He says that they are looking for funds from Ministry of lands, housing and urban development to sensitize the community on earthquake and disaster management.

Last year the first earthquake resistant house in Uganda was constructed in Fort Portal to be a model house where people who plan to build houses can refer to it.

Clovis Kabaseke a forestry and horticulturalist expert at Mountains of Moon University says that the current earthquakes have led to land slides which are destructive to crops.

Kabaseke say that the on-going tremors have spoilt paw-paw trees, avocados and tomatoes.

Willy Isingoma 27, years a resident of Saaka in Kabarole district says that the earthquake are becoming too much and scarily. "We are expecting to drown and the expansions of the crater lakes will displace many people," he says.

The Kabarole district Vice Chairperson Moses Ikagobya says that, the district has no funds for disaster management. He says that their hands are tied since graduated tax was scrapped off by the government.

Ikagobya adds that disaster is not a priority it's the reason why the district had not thought about it entirely.

"In fact there is no provision for disaster in our budget because it's not a priority and I think there no any institution we can lobby funds from since the disaster has not yet occurred", Ikagobya says.

In 1994 a strong earthquake hit Kabarole District which claimed the lives of eighty people and destroyed property. Its epicenter was in Kisomoro sub-county, Bunyangabu County.



Earthquake resistant prototype house in Uganda. Kenya needs to start planning for earthquakes too.

The 1994, earthquake destroyed Virika cathedral, Virika hospital, St. Maria Goretti Girl's Senior Secondary School, Kyebambe Girl's School, Nyakasura Secondary School, St. Leo's College Kyegobe and Kinyamasika National Seminary.

Others were the Tooro kingdom headquarters in Muchwa and the residence of the Bishop of Rwenzori diocese.

Since the earthquake first struck, tremors continue to occur at regular intervals, exacerbating the trauma, panic and uncertainty in the region.

Kabarole district has more than 54 crater lakes and other features which were formed as a result of volcanic activities. The lakes are situated in Rwetara, Kasenda, Rwimi, Kicwhamba sub-counties.

Among those volcanic, Rwihamba, Nyakasura, Harugongo, Kasunganyanja, Kijura, Nyakarongo, Mbuzi, Nyinambuga and Kahungabunyonyi are believed to be active and has prompted people to speculate that any time volcanic eruption may occur.

About 200 million years ago, fire broke out in parts of Kabarole through the rocks and formed hills and crater lakes, according to geographic teacher at Nyakasura School, Christopher Bulaaya.

Bulaaya says that the area is associated with volcanic, landslides, full of expulsion, crater lakes some are dry depression and other are filled with water. He admits when volcanic eruptions occur, they pro-

duce dangerous gasses like sulphur dioxide and other dangerous gasses.

He says that lava falls which forces the rock to melt may also lead to destruction of property and life.

He says that Rwenzori region was vulnerable to volcanic eruptions after its neighboring, Nyamurangira and Goma in Democratic Republic of Congo (DRC) erupted in 1998 and are also threatening to erupt again.

"We are very close to the volcanic area if the eruption takes place, we may not survive. I am scared being neighbors of DRC, the volcanic eruptions can easily extend here", He says.

Last month, huge rocks blocked Fort Portal- Bundibugyo road, leaving people who are using that road stranded. Big rocks from the hills along the road rolled down to the middle of the road as a result of landslides that had hit the area. The landslides were caused by the heavy rains.

The road was cut off at Kasisi, sixty kilometers to Karugutu town, blocking off cars to Bundibugyo and Fort Portal town.

However the chairperson, Kabarole district disaster and preparedness committee Juma Nyende says that earthquakes are associated with volcanoes, but he was quick to add that they are not like other disasters.

He says that, the committee has not yet received any warning from the gov-

ernment about any disastrous volcanic eruptions. "Detecting volcanic eruption is not that simple because it's not like other disasters but we shall keep on praying to God so that this does not happen", Nyende retorted. He expressed his concern that Kabarole may be wiped out on world map if the eruptions take place saying that Kabarole is surrounded by volcanic areas.

For Charles Muhanga an elder in the area, says in 1920, the area was very active. "We used to see smoke coming out from the rocks, but I have taken long without seeing them which forces me to think that they had become dormant", He says.

He however said that the current earthquake is associated with cultural and monarchy activities.

Muhanga says that whenever a new king is going to be enthroned or die, earthquakes come as sign of good or bad news to the kingdoms. He explained in 1994 when the kingdoms were restored by President Yoweri Museveni, earthquake was too much which indicated good news of the coming back of kingdoms.

He also claims that the 1996 earthquake hit the area before the death of King Patrick Kaboyo Olimi.

"Even now I am not surprised that the earthquakes are back and very frequent. Don't you know that our king Oyo Nyimba Kabamba Iguru has just turned 18 years early and he assumed his responsibility as a full king?" he said.

Webuye power plant to start soon

By LUKE KAPCHANGA

WEBUYE hydro-electric power station will kick off once the Commissioner of Lands approves land allocated to the project.

According to the area MP Alfred Sambu, the project will commence once the private investor is allocated land. "The investor is seeking allocation of land number LR1662 Ndivisi/Mihuu totaling 30 acres", say the MP.

Webuye municipal council has already written to the minister of Lands notifying him of plans by the private investor, Kenya AA Electric crane company Ltd, to develop a power station on the piece of land.

Town clerk Richard Kodindo, in his letter dated July 11, 2010, informs the minister that they had advised the firm to undertake an Environmental Impact Assessment(EIA), to support formal application for the land.

The land in question was reserved for the East African Power Company in 1968, meant for the development of a power station.

The council on its part has decided to give it to the private developer to have it utilized because it has been left undeveloped for a long period.

The Kenya A.A Electric Crane co. Ltd., the Chinese firm interested in the project wrote to the council about their willingness to invest in the project.

In a letter dated August 19, 2010, signed by Wang Songoi and copied to Bungoma East district John Litunda and Webuye MP Alfred Sambu, says part, "We are interested and willing to invest in the development and construction of a small hydro-electric power station along River Nzoia".

The letter adds, that the project is to develop a dam to be used for horticultural, livestock and fish farming.

Gov't builds markets in Butere-Mumias

By JOEL JUMA

FOUR MODERN markets are being built in Butere/Mumias County at a cost of Kshs40 million already released by the central Government.

The markets are being constructed in Butere, Mulwanda, Harambee and Buhuru in Butere, Khwisero, Matungu and Mumias constituencies respectively.

The Butere/Mumias County chairman Michael Keya said construction works are ongoing and the contractors were already on site.

He told traders who were dis-

placed to pave way for their construction not to panic over stalls allocations.

"We shall ensure that the stalls are distributed fairly to traders who will apply for allocations," said Keya

Keya however faulted the ministry of Local Government for ignoring projects that were initiated by the former Cabinet Minister Musikari Kombo.

"It is sad that projects that were initiated by Kombo when he was the minister for Local Government have been abandoned," said Keya who was speaking during a tour of the markets.

Keya explained that markets spread in various parts of Western province have stalled after contractors abandoned them.

He named areas where traders have been displaced in order to pave way for construction of modern markets as Chavakali, Khwisero, Butere and Mumias.

"Chavakali is located in the backyard of the Minister for Local Government Musalia Mudavadi, yet project has stalled," said Keya.

Keya said it was sad that traders are operating in the open air whereas there was no construction going on.

Demand for MBA degree grows

By MALACHI MOTANO

KENYA'S universities are expanding their facilities and seeking collaborations to tap into a rapidly growing Masters in Business Administration market. The MBA has increasing currency among the working class of East Africa's biggest economy.

Over the past few months Kenya's leading universities - public and private - have spent tens of thousands of US dollars to boost their capacity to enroll a soaring number of students seeking additional qualifications. And more universities, most recently KCA University and Inoorero University, have entered the MBA market.

Strathmore University is fundraising US\$49 million this year to expand its business school. Strathmore Business School offers a four-year-old executive MBA programme, which is unique in being associated with several leading international business schools including Spain's globally ranked IESE Business School, which is in turn associated with Harvard.

Statistics show that Kenyan universities offering MBA programmes are churning out at least 2,500 graduates annually - more than double five years ago. At least half of the country's 23 public and private universities are now offering MBAs, compared with around eight universities five years ago.

Experts say increasing interest in MBAs among the working class is informed by desire on the part of workers to boost their careers and get better pay, in a mar-



Some 4200 students received various degrees and diplomas of Jomo Kenyatta University of Agriculture and Technology (JKUAT) during a graduation ceremony presided over by recently appointed Chancellor and long serving University of Nairobi academic, Prof. Francis Gichaga.

ket where salaries have not kept pace with inflation.

Statistics in the Kenyan Economic Survey 2010 show that household incomes grew at the rate of 6.4 per cent in 2005, 7.5 per cent in 2006 and 8.7 per cent in 2007 before peaking at 8.4% in 2008. But high inflationary pressure that almost tripled from 11.9 per cent in 2005 to 29.3% late last year has eroded purchasing power.

"As a growing economy Kenya needs highly qualified skills, and the labour market is becoming very competitive thus requiring the working class to upgrade their educational qualifications to remain relevant," says Prof. Francis Gachaga, the newly appointed

chancellor for the Jomo Kenyatta University of Agriculture and Technology (JKUAT).

"The traditional players in the MBA market - the University of Nairobi and Kenyatta University, the biggest higher education institutions in the country - attract the largest MBA classes. Upcoming, smaller public universities have also joined the fray, heightening competition in the field."

Institutions are also rushing to roll out differentiated degrees, with some such as Strathmore sending students abroad for periods for training. Others are snapping up CEOs and managing directors of leading companies to teach in MBA classes.

"The competition front is on differentiation of the MBA programmes because at the end of the day, they all sound the same," the Professor explain.

Earlier this year Inoorero University, a private institution recently given approval to become a fully-fledged university, launched an executive MBA programme in conjunction with Copenhagen Business School Centre for Continuing Education - only three months after KCA University enrolled its first class for a corporate MBA.

"The MBA market in Kenya is highly competitive, and so for us our focus is on producing an all-round graduate who, instead of specialising in specific disciplines, goes through all relevant units," said Dr Rosemary Maina, KCA's Deputy Vice-chancellor in

charge of academic affairs, during the launch of the programme last December.

KCA is insisting that MBA students conduct research and publish the findings in well-known peer-reviewed journals, locally or internationally, Maina added.

According to Professor Ayiecho Olweny the Educationists assistant minister, "The growth in the MBA market is being fuelled by thousands of young professionals in Kenya's labour market who want to move up the corporate ladder. Firms seeking human capital prefer MBA graduates for management positions. As a result, the growing number of MBA graduates are limiting job opportunities for people who hold only undergraduate degrees."

The Kenyan government is banking on education to drive its long-term growth targets under Vision 2030, the development blueprint that is aimed at making Kenya a middle-income country in the next two decades.

"Education is one of the key sectors that will deliver growth in Kenya," according to the government progress reports on Vision 2030. "However, it's faced with key concerns of access, retention, quality, relevance and equity as well as internal and external inefficiencies, which must be dealt with."

Peter Njeru, an MBA student at the University of Nairobi who works for a local bank, said he went back to school for two rea-

sons. "First, everyone else in the office has an undergraduate degree so you have to get an extra qualification to be different career-wise. Two, MBA graduates in the office seem to be the ones getting the promotions."

With the demand for MBA degrees rising, universities are spending heavily on advertising their courses. No day goes by without a university advert. They are spending money to make money - public universities have been forced to supplement their income through high-fee courses such as MBAs, as their state subsidies have declined.

The growth in the MBA market comes at a time when Kenya's universities are grappling with an admissions crisis due to growing student numbers, which have not been matched by expansion of facilities. As a result, quality concerns dog the higher education sector.

Kenya's universities continue to perform poorly in global rankings. In the new rankings survey conducted by Spanish research firm Webometrics, Kenyan institutions have slipped out of the top 3,000 category since January 2009 when Strathmore was ranked at 2,404 worldwide.

In the rankings, which measure online visibility, research generation and scholarly activity, the University of Nairobi has replaced Strathmore at the top, ranked 26 in Africa. Strathmore dropped nine places to number 31 in Africa.



JKUAT MBA grandaunts receiving powers operate.

Government finally lo

INTRODUCTION

HUNDREDS of people have died over the years while others have lost their sight after consuming the highly adulterated and toxic liquor. In 1999, about 143 people died after consuming the illicit brews. Over the last six months more than 30 people have died in different parts of the country mostly in Nairobi, Central and Rift Valley Provinces.

The deaths have occurred despite an intense crackdown on illicit brews and consumption country-wide backed by Chang'aa Prohibition Act.

However, the cast is likely to change. The enactment of the Alcoholic Drinks Control Act introduces a relatively new concept in the production, sale and use of alcoholic drinks to guarantee safety and hygienic standards.

All alcoholic drinks including Chang'aa are to be packaged in glass bottles and bear a statement with highlights on the ingredients and alcoholic content. Further, the sale, manufacture, packaging or distribution of alcoholic drinks in sachets has been outlawed. In their place however is a container of not less than 250 milliliters. Manufacturers or distributors who defy the directive are to be fined Kshs 50,000 or six months imprisonment.

The law imposes heavy penalties on offenders and echoes government efforts to eliminate illicit liquor. The framework further places an obligation on the part of state to promote public awareness about health consequences, addictive nature and mortal threat posed by excessive alcoholic drink consumption through its departments and other agencies including civil society.

General Requirements

The legislation introduces some innovative strategies that are aimed at effective enforcement of the provisions. It lays emphasis on measures geared towards ensuring compliance.

Some of the measures include:

- (i) Posting of signs by retailers that indicate the sale of an alcoholic drink to a person under the age of eighteen years is prohibited by law. (Section 28(1) provides that no person shall sell, supply or provide knowingly an alcoholic drink to persons under the age of 18 years). Penalties under this provision range from a fine of Kshs 50,000 to six months imprisonment or both.
- (ii) Banning the sale of alcohol to a police officer in uniform or an authorized officer. It is punishable by a fine not exceeding Kshs 50,000 or three months imprisonment or both.
- (iii) Prohibiting the sale of alcoholic drinks by use of an automatic vending machine. A person who contravenes this provision

commits an offense and is liable to a fine not exceeding Kshs 100,000 or imprisonment for a term not exceeding twelve months or both.

- (iv) Empowering police officers to arrest without a warrant people found to be too drunk and incapable or drunk and disorderly in or near a street, road, licensed premises, shop, hotel or other places and arraign them in court without delay. Offenders will be fined Kshs 500 or three months imprisonment or both.
- (v) Barring licensed operators from selling alcohol to people who are already too drunk.
- (vi) Courts have powers to order person convicted for more than three occasions within a span of twelve months to undergo rehabilitation at his own cost.
- (vii) Manufacture of chang'aa must conform to the standards outlined under Section 27 (3) which demands that the manufacture or distillation of spirituous liquor previously referred to as Chang'aa shall conform to the prescribed standards or requirements of this Act. Any person who acts contrary to the provisions will pay a hefty fine of Kshs 2 million or attract five years imprisonment.
- (viii) Manufacture and sale of objects including sweets, snacks and toys that imitate alcoholic drinks is punishable by a fine not exceeding Kshs 500,000 or three years imprisonment or both.



When President Mwai Kibaki signed the Alcohol Bill into law, the partakers of the hitherto outlawed local brews marveled and partied. But did they party too soon before reading between the lines of the new law? In this article, our Sub-editor FAITH MUIRURI (picture) explores the salient provisions of the new law aimed at regulating the brewing, sale and consumption of traditional liquors.

Enforcement Institutions

The framework takes into account the fact that management issues cut across various sectors. However, two main institutions are mandated to effect the law.

(1) The National Campaign Against Drug Abuse Authority (NACADA).

It is mandated to:

- Keep statistics on the level of alcoholic drinks consumption and related deaths, carry out research, documentation and dissemination of all relevant information on alcoholic drinks.
- To advise the Minister on the national policy to be adopted with regard to production, manufacture, sale and consumption of alcoholic

drinks.

(2) District Alcoholic Drinks Regulation Committee

The Act establishes a District Alcoholic Drinks Regulation Committee.

The committee is to comprise of:

- (a) The District Commissioner
- (b) The District Medical Officer of Health
- (c) Officer Commanding Police Division
- (d) A nominee of a local authority in the District.
- (e) Three residents of the District appointed by the Minister in charge of the Provincial Administration two of whom must preferably be women
- (f) One person designated by National Campaign Against Drug Abuse Authority

shall act as the Secretary to the Committee

The committee is to among other things issue licenses and conduct impromptu inspections on premises.

License application

Applications are to be made in a prescribed form to the District Committee at a fee with specifications on:

- (i) The nature and orientation of the alcoholic plant
- (ii) Whether applicant has previously been convicted of an offense relating to the manufacture, sale or consumption of an alcoholic drink, giving full particulars of the offense, the convicting court and the date of conviction.

The Act allows the District Committee 21 days within which to compile a list of all applicants, the types of licenses requested,



An administrator pours the filthy ingredients used to make killer brews slums of Nairobi. Photo/Correspondent

Legalizes local brews

the premises in respect of which the licenses are applied for and the time, date and place of the meeting.

These provisions categorically provide that the notice be published in the Kenya Gazette and at the office of the District Commissioner for a period of not less than 21 days.

- (a) Posted in some conspicuous place at or near the applicants premises
- (b) Sent to the Commissioner of Police or his representative
- (c) Sent to the District medical officer of health
- (d) Sent to the local civic body

An objection in respect to the application may be raised by the committee itself, local authority or an independent party.

There are guidelines to be followed in the event that an objection is raised. Section 9 (6) states that every objection to an application shall be made in writing to the Secretary to the District Committee and the objector shall serve notice of the grounds of the objection on the applicant, personally or by post, at least seven days before the hearing of the application and the onus of proof of such service shall be on the objector.

The Act sets out basic requirement for mitigating in case an application has been rejected. Section 15 allows an applicant whose application for a new license, to renew or transfer a license has been refused or cancelled to appeal to the High Court within twenty one days of such refusal.

Grant of a license

Licenses are to be issued upon the payment of the prescribed fee.

The license is to be issued based on the application and may include:

1. Brewers License:

- Holders of this license mandate include brewing, storing and brewing alcoholic drinks in their respective depots.
- They will also be allowed to sell their products on wholesale in accordance with the license
- Package the alcoholic drink in containers of not less than 250 milliliters.

2. Wholesale License

The holder of the license is authorized to sell alcoholic drinks within the premises specified in the license

3. Retail License

The license allows the holder to sell alcoholic drinks within the premises at hours to be prescribed by the Minister for Provincial Administration based on recommendation by the NACADA

License for Premises

The District committee shall not grant a new license for the sale of an alcoholic drink in a premise unless satisfied:

- That it is in the public interest for provision to be made and the number of such premises are few within the said locality based on population density. Where developments are constructed within the



Victims of poisonous local brews

Photo/Correspondent

vicinity of either a Primary school or Secondary school and a residential area, the framework provides in very clear terms that no license shall be granted.

- That the premises in respect of which the application is made are in good condition and are provided with adequate and proper sanitary arrangements
- The Committee shall not grant a license for the sale of an alcoholic drink in a supermarket or such other retail chain store unless the applicant has taken measures to ensure that the area in which the sale is to take place is not accessible to persons under the age of eighteen years.

Alcoholic Drinks Control Fund

In order to guarantee sustainability, the Act also establishes a fund which is to finance both the capital and recurrent expenditure.

The sources of the fund are to be derived from:

- Money accruing from licenses and fines imposed under the Act
- Property forfeited to the government under the Act
- Contributions, gifts or grants
- Money earned or arising from investments of the fund

Breach of license

A license holder is required to confine their operations to conditions specified in their licenses or attract a fine not exceeding Kshs 50,000 or imprisonment for a term not exceeding nine months.

Second offenders are to be fined Kshs10,000 or one year imprisonment or both.

Operators who sell alcoholic drinks that are not covered in their license are deemed to have committed an offense. Any person who sell an adulterated drink shall be liable to a fine not exceeding

Kshs10 million or ten years jail term or both.

Courts have discretionary powers granted under the framework to order that the licenses of such people be forfeited and no license shall thereafter be granted or transferred to him.

Also set to lose their licenses are unscrupulous traders who use labeled bottles to sell other drinks than the ones specified in the bottle.

Enforcement

The Minister is to appoint authorized officers for each District based on recommendations by the District Committee.

The authorized officers who may include public health officers or law enforcers are to be issued with certificates of appointments and their mandate may include inspections of outlets suspected to have contravened the act.

In carrying out an inspection in any place, an authorized officer may

- (a) Examine an alcoholic drink

- (b) Require any person in such a place to produce for inspection in the manner and form requested by the officer

- (c) Open or require any person to open any container or package

- (d) Conduct any test or analysis

During an inspection under this Act, an authorized officer may seize any alcoholic drink and make an inventory

Every person whose alcoholic drink has been seized can seek redress at the High court within thirty days

The High court may in this case order that the seized alcohol be restored in case there is no case filed in respect of an offense within hundred and eighty days from the date of seizure

In any prosecution for offenses under this Act, a copy of any written or electronic information obtained during an inspection under this Act and certified to be true shall be admissible as evidence.