

IEBC risks court action over failure to register inmates

By JOSEPH MUKUBWA

KITUO Cha Sheria has threatened to move to court to compel the Independent Electoral and Boundary Commission (IEBC) to register all prisoners in the country as voters.

The organization said all inmates have since been denied their democratic right as the election body has marginalized them and vowed to move to court soon to press the IEBC to register inmates as voters.

The NGO lamented that since the launch of the voter registration exercise recently, not a single prisoner has been registered and wondered why the prison authorities have been told to wait as other Kenyans register.

Kituo cha Sheria also wondered why the IEBC is using too much money to register Kenyans in Diaspora and yet other eligible Kenyans in the country are not registered.

Speaking in Nyeri County recently, the Kituo Cha Sheria officials led by Programme coordinator Anthony Kamaru, programme assistant Anastasia Nabukanya, Monitoring and Evaluation Officer Kevin Ogema lamented that they have written to the IEBC severally with no response.

The organization has written several letters to the Independent Electoral and Boundaries Commission to conduct registration of voters including the inmates and the prison officers and offer civic education to the prison community as stipulated in the constitution to enable the prison community to participate in the 2013 general elections.

“However, despite the demand letters, the IEBC has never responded to the letters and since the unveiling of the registration of voters countrywide that started on the 19th November 2012, they have not established any voter registration desks in any prison countrywide,” said the Programme

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Non tariff barriers undermine trade



EAC leaders. From left to right: Ugandan President Yoweri Museni, President Mwai Kibaki of Kenya, Rwandan President Paul Kagame and President Jakaya Kikwete of Tanzania in a group photograph. Photo/File

By FAITH MUIRURI

THE main trade corridors along the East African Community (EAC) have turned into conduits of corruption where those in authority openly solicit for bribes before they can offer any services.

Drivers and transport companies pay bribes to the tune of Ksh 2,039,915 every month to speed up passage of their goods through customs and road checks, according to a survey by Transparency International.

According to the report titled *Bribery as a non tariff barrier to trade; a case study of East*

African trade corridors, Tanzania’s regulatory authorities have been ranked worst at Ksh 1,074,400, followed by Kenya at Ksh 570,775, Uganda was third at Ksh 312,120 while Rwanda ranked fourth at Ksh 57,715 and Burundi had the lowest at Ksh 24,905.

In Kenya, the bribes paid to revenue, police, immigration, ports and weighbridge officials translate to an informal taxation equivalent to 1.4 per cent of the average value of goods (Ksh41 million) handled monthly by the 69 transport firms from Kenya who took part in the survey.

That cost is eventually transferred to consumers through higher prices of goods.

“Failure to pay bribes can lead to dire consequences: from delays in getting services, disruption of clients’ operations to high administrative

taxes,” adds Samuel Kimeu, the executive director of TI Kenya, when he released the survey done with support from Trade Mark East Africa.

Out of the amount paid in bribes, KRA officials take 49.8 per cent (Ksh284,410) followed by police officers at road blocks who take Ksh150,535 and weighbridge officials who pocket Ksh135,745.

Clearing and forwarding agents surveyed said they pay Ksh422,620 (\$4,972) in bribes every year to regulatory officials.

Impact

This has in turn increased the cost of doing business along the corridor despite the removal of all

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tariff and non tariff barriers to trade by member states to increase the free flow of goods, labour, services and capital across the EAC bloc.

The TI Director cites unnecessary delays occasioned by numerous documentation, slow pace of services, poor understanding of clearing procedures and high tax levels as factors that have helped to nurture a fertile environment for corruption.

"Bribes are mainly demanded to speed up service at various points, avoid full verification of goods to avoid paying full tax and other charges payable," he explains.

About 1,731 drivers, clearing and forwarding agents, regulatory bodies, customs and police authorities were interviewed during the survey undertaken between August and November last year.

Standard

On average, the highest bribes paid to the revenue authority officers were recorded by Tanzanian transporters, who incurred bribes amounting to Ksh225,760 followed by Kenya at Ksh 106,250, Uganda at Ksh 41,650 and Rwanda at Ksh 8,500. "Burundi transporters did not indicate the bribery amounts, probably out of fear that the answers could jeopardize their future relations with respective authorities and thus affect business operations," adds the report in part.

The report further reveals that Tanzania transporters also topped the list

of bribes paid at weighbridge stations at Ksh 77,690 followed by Uganda at Ksh 31,450 and Rwanda at Ksh 8,500.

Kenya like Burundi did not indicate the bribery amounts at weighbridge stations probably out of fear.

Bribery amounts to customs officers are also quite high with Tanzania averaging at Ksh 159,960 in 2011 followed by Kenya at Ksh 109,310 and Uganda at Ksh 34,680. "Like Burundi, Rwanda transporters did not give indication of bribes paid to customs," notes the report.

The report points out that the amounts of bribes paid to the police officers are not as high as those paid to revenue authorities, customs and weighbridge stations.

"This actually is expected as indicated by the 2011 Business Climax Index (BCI), which found that small bribes were paid at police roadblocks. However, these bribes translate to enormous bribery costs per annum for the transport industry," says the report.

Costs

The TI Director says bribes remain a major barrier when doing business in the region. "Corruption serves as an unnecessary cost of doing business and as an additional burden to the consumer and if left unchecked, the vice will make this region uncompetitive," he warned.

He also noted that the full benefits of integration will not be achieved unless decisive efforts are put in place to confront corruption in the trade and transport sectors.

He says that bribes are also offered

to avoid investigation especially on fraud attempts, contraband and illegal goods or excess weight carried by trucks, expired import licenses and speeding on the roads or parking offenses.

"In determining the size of bribe payable, negotiations came top. The value of consignment and the urgency were some of the other factors cited by respondents," he adds.

According to the survey, truck drivers have devised various means of accounting for bribery expenses to their employers. The most common is road trip expense. These are anticipated regular amounts given prior to the start of a journey and adhoc miscellaneous expenses. In the transporters books of accounts, the bribes are normally disguised either as anticipated regular amounts or adhoc miscellaneous expenses

The survey was conducted in collaboration with Transparency International chapters in Burundi, Rwanda, Uganda and the Transparency forum in Tanzania further indicates that bribery costs in Tanzania per year consisted of about 18.6 percent of the value of goods transported.

Measures

Speaking during the launch, Mr Richard Sindiga who is the Director of Economic Affairs in the EAC Ministry said that by reducing or eliminating tariffs and working to minimize Non Tariff Barriers (NTBs) across the EAC, partner states can ease the flow of the people and goods across the EAC.

"This will create larger markets, enable economies of scale and promote local, regional and global trade which in turn will foster a dynamic environment for economic growth across the entire region from which Kenyans and East African businesses will benefit," he adds.

He however says that the problem of non tariff barriers in the EAC is widespread and requires joint effort to eliminate them.

Dilemma

Mr Sindiga says that the Kenyan Government is doing everything possible to eliminate the barriers but also concedes that the war is far from being won.

He reveals that the Ministry is finalizing a survey to find out why NTBs persist even after the council of ministers had directed partner states to eliminate them and also get the opinion of the stakeholders on what could be done to eliminate the existing NTBs.

Lisa Karanja, a representative from the Trade Mark East Africa (TMEA) who is also the Director of Private Sector and Civil Society said that the existence of non tariff barriers continues to be a deterrent in the full implementation of the various protocols.

She said TMEA commissioned the study with a view to enhance the advocacy for the elimination of non tariff barriers. "We expect a comprehensive dialogue between state and non state actors to address the key issues highlighted by this report. A resolution of the identified issue will lead to a more

competitive business environment which will result in increased trade and ultimately prosperity for East African."

Proposals

The report calls for the harmonization of practices such as custom codes, valuation standards and import clearance to help reduce opportunities and motivation for receiving bribes.

The report argues that that harmonization will significantly reduce delays occasioned by imports and export standards that are not allowed in member states. Partner states need to strengthen the advocacy capacity of their business associations that deal with transport and custom issues, to enable institutions to engage regulatory authorities in effective policy dialogue that would facilitate efficient and corrupt free transportation within the region.

The member states should devise education programmes targeting the key players along the corridors on issues touching on the rules, regulations and standards. The same should also include ethical practice, sanctions and penalties for non compliance.

Chiefs threaten to paralyse operations in Counties

By BEKADZO TONDO

CHIEFS and their assistants in Kilifi have threatened to paralyse government operations once the counties become operational unless they are retained in the new dispensation.

The chiefs who declined to be named for fear of being victimized threatened to paralyse government services at the grassroots if they will not be assured of their jobs. "As chiefs and assistants, we need to be assured that we will be retained in the new dispensation," said the chiefs. The chiefs now want parliament to amend the constitution to provide for their retention in the new constitutional dispensation.

They added "The Constitution does not clearly spell out our fate and only stipulates that the provincial administration is to be restructured. This leaves us in a big dilemma as to what role we will play in the new system."

Most of them dismissed assurances by politicians as public gimmicks geared towards winning them votes during the forthcoming General Elections.

The administrators said their roles cannot be wished away in the new system of governance as they have for a long time been charged with the responsibility of discharging government services and sell state polices to the members of the public. They said unlike civic leaders, the chiefs are more important in terms of coordinating development programs, maintaining law and order and for that case they need to be retained.

Recently Kilifi County commissioner Mr Erastus Ekidor while speaking to chiefs and their assistants at Bamba divisional headquarters said the government recognizes the low cadre administrators and the work they do on the ground.

Mr Ekidor further urged the administrators to be more committed in their work despite many threats to their lives by the members of MRC.

The administrator was referring to a case where suspected members of the group were said to have killed a chief in Kwale for revealing information to the police concerning the group.

"Killing of the chief in Kwale county should not be an issue to scare you from discharging your work as required but that gives you more power to go down and render your services with more confidence," said Mr. Ekidor.

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coordinator.

"The marginalization of inmates and prisons administration in participation in the electoral process remains a challenge in promoting access to justice for all. They have been denied their right to vote and or participate in political decision making process," said Kamaru who read the statement on behalf of other officials.

Kamaru stressed that the Bill of rights under Chapter 4 of the constitution gives every citizen the right to make political choices which include without unnecessary restrictions to be a registered voter and to vote by secret ballot in every election which provides that a person can and should be registered as a voter so long as he or she is a citizen of Kenya and has not been convicted of an election offence.

"We have been in the forefront in affirming the need to include the prison community as consumers of voter and civic education and that they are registered as voters by the state organs that are responsible to meet the citizens' political rights," added part of the statement.

The group also urged the National Registration Bureau which



IEBC clerks registering new voters in one of the centres. The 18 million voters targeted by the Independent Electoral and Boundaries Commission by the end of the ongoing voters registration exercise countrywide might not be achieved. Photo/Henry Owino

has so far tried to avail the IDs to the inmates to fast track the provision of the same as majority still have waiting cards.

Kituo cha Sheria therefore urged the prison authority, community, state organs and other stakeholders to be involved in

matters of common interest that will create an effective link under the criminal justice system to ensure justice for all.

Kimathi University College, National Museums sign MoU

By JOSEPH MUKUBWA

THE Director-General of the National Museums of Kenya Idle Omar Farah has challenged universities in the country to establish specialized institutes of research for all their academic programmes to give their students a feel of the real world of work.

Farah said academic institutions should also strive to partner with public institutions so as to impart practical skills to their students to equip them with hands-on experience that will see them fit well in the job market.

He was speaking during the

signing of a memorandum of understanding between the National Museums of Kenya and Kimathi University College of Technology at NMK headquarters in Nairobi.

The MoU among other things binds the two institutions to grant each other access to their research collections, expertise, equipment, publications, project reports and other relevant information they hold.

Speaking during the occasion, KUCT principal, Ndirangu Kioni revealed that the University College was in the process of establishing a Mau Mau research centre, adding that already the

institution has commissioned academicians to write Dedan Kimathi's biography.

The biography, Kioni said, will be part of other materials that the University plans to collect regarding Kenya's freedom struggle.

The don further stated that the University College has set aside part of its land to establish a 'Heroes Gardens.

KUCT is strategically situated between the country's two major water towers, namely: Mt Kenya and the Aberdares Ranges, thus a fertile area for Biodiversity.

He appealed to NMK to assist KUCT map out plants in her

newly established wildlife conservancy which is set to be officially launched early next month.

Kimathi University College of Technology, (KUCT), whose main campus is in Nyeri county was named after Dedan Kimathi who was shot and critically injured by colonial forces during Kenya's freedom struggle on the foot of Aberdare Ranges at Karuna-ini village which is about 15 kilometres kilometers from KUCT.

The Mou covers biodiversity assessments, short course curriculum development and teaching and research and niche tourism product development.



National Museum of Kenya Director-General Dr. Idle Omar Farah (right) and KUCT Principal Prof. Ndirangu Kioni during the signing of the MoU.

Bill set to restore sanity in TVET training

By BRIGHTON KAZUNGU

TECHNICAL and Vocational Education and Training (TVET) in the country is set for a major transformation once the proposed Bill becomes law.

The bill seeks to align the training to the labour market, experts have announced.

According to the experts, the Bill has already been tabled in Parliament and is highly expected to become a law in a month's time to enable post-primary and post-secondary students get more relevant skills as opposed to theory, making them employable.

Prof Shaukat Abdulrazak, chief executive officer of the National Council for Science and Technology hailed the Bill, saying it would have an effective training framework for TVET institutions.

Speaking during a graduation

ceremony at the Mombasa Technical Training Institute (MTTI) recently, Prof Abdulrazak said the new legislation comes as a big reprieve for over 400,000 Kenya Certificate of Primary Education graduates who never join TVET or university colleges as they can now acquire skills.

"The proposed TVET Bill 2012 seeks to address this question by coming up with an effective TVET training framework that will not only absorb these numbers but strive to mold them into more productive human resources," Abdulrazak said.

He was accompanied by the director of Technical Education Mr. Owate Wambayi and MTTI principal Mr. Bashir Mursal, among others.

Mr. Wambayi said many Kenyans should access technical skill training as it will be based on mod-

ules to allow those who lack fees to acquire skills progressively as they work.

"If passed, the Bill will see a competence-based curriculum for technical training institutions. Training will be in modules based on employable skills. There will be a certificate for each module," Wambayi said.

He explained this would introduce more practical aspects and open technical education to more people.

Curriculum would be focused on industry rather than relying a lot on Kenya Institute of Education (KIE) teaching materials and Kenya National Examinations Council tests.

Professionals in the industry would be engaged to train personnel in technical institutions and pass the relevant skills required in the industry.

The Bill provides for the estab-

lishment of curriculum development assessment and certification council and a board of professionals that will host skill testing for students.

"Students will be given tasks to perform and prove to the board that they are competent and employable," Wambayi explained.

He said TVET institutions would be borrowing the new training model from colleges such as Utalii and Kenya Institute of Mass Communication (KIMC).

Prof Abdulrazak said the legislation would reform the sector in response to the labour market demands and make the skills consistent with emerging technologies.

It would also align the sector to requirements of the Constitution and demands of Vision 2030, and introduce a national system of certification.

Tuition ban remains in force

By AGGREY BUCHUNJU

AN education officer in Bungoma County has said that the ban on holiday tuition remains in force.

Mr. Elijah Owiti, from Bungoma south District Education Officer's (DEO's) office asserted that the ban on holiday tuition still stands.

He cautioned teachers against disregarding the directive saying those found flouting it may be severely disciplined.

The officer who is in charge of secondary schools administration in Bungoma south district disclosed that professionally pupils must be given time off to refresh their mind.

"A pupil needs 8 hours to read, 8 hours to sleep and another 8 hours for recreational activities," the officer said.

Owiti asked teachers to be dedicated to their work so as to complete the syllabus on time and also have time for revision.

He however, pointed out that remedial is still allowed in schools for slow learners.

This, Owiti added should be offered to the affected pupils in their respective schools beyond regular official teaching time at no extra charge.

The education officer at the same time challenged parents to pay fees for their children on time in order to enable schools to run smoothly and enhance teacher-pupil constant contact.

Owiti said that failure to pay fees as and when required disturbs learning in schools as sometimes teachers are forced to send pupils home to collect fees.

He appealed to head teachers to give parents an option to provide free labour in schools especially in cases where they are unable to afford cash to pay fees for their children.

"When it comes to casual labour in our school, supply of food stuff and firewood, priority should be given to parents," he said.

Owiti added that this kind of fee payment arrangement can enable children from families that cannot afford cash to access secondary education with ease.

On cash payment, the officer advised both parents and head teachers to ensure that the money is paid through banker's cheques.

The move, Owiti claimed that guarantees safety of the money and those handling it since it is not prone to robbery attacks by gangsters.

Job seekers opt for early childhood training

HUNDREDS of job seekers in the country have enrolled for Diploma courses on early childhood development to benefit from plans by the government to fund the sector.

The job seekers are cashing on a Ksh50 million programme introduced by the Kenya Youth Education Scholarship Fund which seeks to develop highly-skilled teachers for ECDE across the country. The programme will help to strengthen the ECDE sector, which has been neglected for decades.

"I have taught for the past 27 years without being exposed to latest skills in teaching children. Now, I have a golden chance to become a much better teacher," says Catherine Mutwiri from Magumoni Primary School in Meru County. Under the programme, untrained ECDE teachers as well as non-teachers are given opportunity to train for a two-year professional Diploma in Early Childhood Education at reduced prices. The trainees are selected on the basis of financial need and passion for ECDE.

Mr. Michael Munyao, CEO of Kenya Youth Education Scholarship Fund, which is funding the programme, said it is modeled along the lines of another fund run by the institution.

The replica programme gives bright but financially weak high school graduates opportunity to study professional diplomas without paying fees.

"We saw there was need for ECDE teachers to increase their professional qualifications. However, their hindrance was money. We crafted the programme to meet the need," said Munyao.

He added: "Through the programme, we kill two birds with one stone. First we help individuals empower themselves educationally. Secondly, we help the country reduce the shortage of well-trained ECDE teachers."

COMMENT

By
LINK CORRESPONDENT

Under the program, trainees pay Kshs.1,850 per session to cover tuition, accommodation and meals. Since there are six sessions, the total comes up to Kshs.11,100. This is compared to Kshs.70,000 they would pay for a two-year ECDE diploma course in Government colleges, a figure that many would-be ECDE teachers can hardly afford.

Currently, slightly more than 1,000 trainees are in the programme. They are drawn from all 47 counties and receive training during school holidays at Thogoto Teachers Training College and Uthiru High School.

In the next three years, Munyao hopes to reach at least 5,000 people. Last August, trainees at Thogoto comprised of 26 head teachers, 56 senior teachers, 69 approved teachers, 48 unemployed teachers, 100 PTA teachers, 267 ECD certificate teachers and 43 non-teachers.

"I want ECDE to be my lifetime career. I love working with children. Eventually, I want to be a university lecturer in ECDE. I will have to pursue my education further after completing diploma," said Anastasia Mulwa, a 19-year-old from Mbooni, Makueni County.

The programme has engaged at



PUPILS IN CLASS: Public primary schools are still grappling with teachers shortages due to high enrolment figures. Photo/File

least 40 lecturers, who are seconded from the Ministry of Education. The lecturers use a curriculum developed by Kenya Institute of Education while Kenya National Examination Council handles certification.

Munyao laments that since Independence, ECDE has continued to suffer acute neglect with the sector being left in the hands of untrained and poorly paid teachers, despite

playing a crucial role of laying a foundation for the education of a child.

Deputy Director of Basic Education Isaac Thuita is confident that the credibility of ECDE will rise as Government takes responsibility of paying teachers. He praised the current Education Bill for giving enhanced prominence to ECDE, unlike before where it was barely mentioned.

"In western countries and Asia, ECDE is serious business. Governments invest heavily in the sector knowing that it is the crucial foundation of the entire education system. Teachers are highly motivated due to good salaries," he said. Mr. Thuita said efforts to mainstream ECDE should have begun this year were it not for funding hitches, but promised that they are in the works.

VC cautions students against enrolling in bogus colleges

By JOSEPH MUKUBWA

STUDENTS have been cautioned against enrolling in bogus colleges for their degree courses.

Kenyatta University Vice Chancellor Prof Olive Mugenda advised students that those who graduate from good universities have higher chances of getting a good job than those who graduated from a lower-quality institutions.

Speaking at Kagumo Teachers Training College, Nyeri County during the 28th graduation ceremony where 298 graduands were awarded with Diploma certificates, the vice-chancellor urged them to make their university choices wisely.

"With so many universities coming up many of them for commercial purposes, future employers will be looking keenly where the degree was awarded before they employ you," she added. The college BoG chairman Macharia Kiruhi and the chief principal J.M Ngaroga were present during the function.

At the same time, she noted that higher education is an important element for societal transformation and sustainable development.

"Higher level of education is a powerful instrument of social, economic and cultural transformation necessary for the realization of the country's national goals stipulated in Vision 2030," she added.

The Vice-Chancellor observed that currently many Kenyans appreciate the importance of the education



Kenyatta University Vice Chancellor Prof Olive Mugenda (left) receives an award during Kagumo Teachers Training College, 28th graduation ceremony in Nyeri County from the college BoG chairman Macharia Kiruhi (right). At the centre is the chief principal J.M. Ngaroga. Photo/Joseph Mukubwa

and many of them are trying to attain higher levels in education.

Mugenda appreciated the College's management for its continuous good work in producing highly trained teachers who have gone on to serve in various institutions in the country.

She advised the graduands who were awarded diploma in teaching, to be good models and always to up-

hold integrity saying our country and culture holds teachers in great honour and respect.

"From now on, you will be considered as a foundation of knowledge and a source of great ideas. You will be expected to be torch bearers to the society," the Vice-chancellor stressed.

She further told them that students will look up to them with faith

and hope for guidance and thus they should mentor them in the right direction because as teachers they can guide the whole generation as they teach them.

Mugenda observed that good ideas and values are to be perpetuated and inculcated in younger generation and thus the ideas must come from the teachers.

She urged the graduands to be custodians of good societal values and use the education they have earned in the institution to better our society.

Mugenda further urged the graduands to pursue further education noting that universities are now offering courses that are tailor - made to suit teachers' needs.

"Programmes offered during holidays or the through the distance learning mode would be suitable to enhancing your careers." She added.

Meanwhile, Mugenda said Kenyatta University have developed initiatives for equipping their graduates with skills to become job creators and innovators

She added that the university has established the Chandaria Business Innovation and Incubation Centre which allows students to incubate and innovative ideas that would translate into products and services for commercialization.

"Kenyatta university have been discussing with the management of Kagumo TTC so as to see whether we can partner with the college in awarding degrees, Masters and even PHD to those who graduate with diplomas from the college," she added.

She said discussion are almost complete and the programme will begin next year, adding that she would also like the college to partner with the university in offering leadership courses to teachers in the institution so that when they graduate, they are better prepared to take leadership positions and responsibilities.

Kimathi University unveils wildlife conservancy

By JOSEPH MUKUBWA

KIMATHI University College of Technology has established a wildlife conservancy within the institution.

The university's conservancy which seeks to serve as a research and teaching hub also blends well with the sustainable tourism and hospital management degree programme that the university is offering.

The launch was presided over by the Mt Kenya regional director of tourism Abdullahi Omollo on behalf of Tourism Minister Danson Mwazo.

He said that the conservancy will no doubt trigger a robust performance of tourism activi-

ties in the Mt Kenya Tourism Circuit.

The 140 acre conservancy is the only one of its kind in the Kenya's local universities.

The principal of the university Prof Ndirangu Kioni and KWS assistant director Mountain Conservation Aggrey Mau-mo also attended the event held at the institution grounds.

"The rich flora and fauna in the conservancy will be a great attraction to tourists with keen interest in biodiversity. It will go a long way in boosting the country's tourism sector. This is a sector besides offering students and scholars an excellent forum for learning and research," said the minister in the speech which was

read by Omollo.

Mwazo therefore encouraged the university to diversify the menu of her tourism products in the conservancy with a view to attracting more visitors and availing a variety of training facilities for the students and the researchers.

"As a university you have an excellent window of opportunity to exploit conferencing owing to teaming numbers of scholars visiting the institution for academic undertakings. The university is a melting pot of knowledge with regard to conservation and hospitality management," he added.

The minister challenged the students, researchers and academic staff of the university to

make the best out of the pristine facility to rejuvenate the country's revenue generation from tourism.

Some of the animals in the conservancy include zebras, warthogs and wild beasts among others which were brought in last year.

The conservancy plans started four years ago and has now improved after the wildlife animals were brought in.

Kioni said some cottages will be built and also a research centre in order to improve the popularity of the conservancy.

The forest has since been encircled with four kilometer electric fence at a cost of Ksh 10 million.

Teachers axed over alleged misconduct

By BRIGHTON KAZUNGU

ABOUT eight teachers in Taita-Taveta County have been interdicted this year for alleged misconduct.

Education officials in Taita District revealed that the teachers faced numerous offenses that ranged from sexual exploitation of schoolgirls, desertion of duties, drunkenness and general misconduct.

The District Education Officer Samuel Nyantika told a District Education Board meeting in Wundanyi that the number of teachers engaging in unprofessional acts was increasing and warned that stern action would be taken against the culprits.

"We are shocked at the rising number of teachers engaging in unethical behaviour. The trend is setting a bad precedent to the pupils and the community at large," he noted. Nyantika said four head teachers have stepped down for failing to take up their responsibilities.

"There has been laxity among some school heads who have not taken their responsibilities well. Some of them have adverse behavior and cannot be entrusted to head schools," he added.

Wundanyi MP Thomas Mwadeghu said there were glaring cases of indiscipline among teachers, which should be looked into. "Some teachers have become an embarrassment to the community. Some of them perpetually come to school late and while drunk. Moreover, some heads engage in financial impropriety, yet no action has been taken against them," noted the MP.

Mwadeghu said laxity among some head teachers, inadequate syllabus coverage and lack of supervision were to be blamed for the poor performance in national examinations by schools in the region.

"School managers should ensure that the syllabus is covered on time to help improve the standards of education," added the MP. Out of 8,000 candidates who sat for KCPE last year, only eight got 400 marks and above.



Mt Kenya region Provincial Director of Tourism Abdullahi Omollo (left) with Kimathi University principal Ndirangu Kioni opening the Kimathi university Wildlife conservancy in Nyeri county recently. Photo/Joseph Mukubwa

Stakeholders devise ways to revamp education sector in Kilifi

By BEKADZO TONDO

EDUCATION stakeholders in Kilifi County are holed up in meetings to explore ways to address low standards of education in the area.

The leaders drawn from the political wing, religious leaders, scholars and other stakeholders have identified areas that require prompt interventions to reverse the worrying trend.

Key among them include high levels poverty, lack of enough physical facilities in the schools and shortage of teachers.

The chairman of Kenya National Union of Teachers Kilifi county Mr Patick Rasi says that lack of enough quality assurance officers to inspect local schools

has also been a big challenge.

Senate aspirant in Kilifi county Naomi Sidi cited lack of political will as another factor which has relegated the sector to the periphery and thus the poor performance registered by most schools.

"Politicians in Kilifi county hardly regard education as a priority and have never accorded the sector the necessary support," noted Sidi.

Other stakeholders however blamed mixed secondary schools as the major contributors to poor performance in national exams and resolved to transform two old mixed secondary schools in the area to single sex to improve their academic performance.

The stakeholders under the chair-

manship of Chonyi D.O Mr Wilfred Sigei recommended that the provincial school Lutsangani secondary school is made a boys school while Dzitsoni secondary school be a girls secondary.

Former PS Rachael Dzombo who has been advocating for the promotion of girl child education said for the girls to improve in their academic performance they need to have their own schools.

"Most of the performing schools in the country are single sex and thus the need turn our schools into single sex," said Mrs. Dzombo during the stakeholders forum held at Chonyi divisional headquarters.

The stakeholders further recommended that the Ngombeni center

of excellence built under Economic Stimulus Program (ESP) in Bahari constituency be made a girls school.

They said creation of the single sex secondary schools will drastically improve both girls and boy performance in their national examinations.

Earlier, the board of governors at Lutsangani secondary school had petitioned the leaders to make the school a boy's school.

According to a performance report of the girls at Lutsangani prepared by the school principal Mr. Simon Beja, the school has not been able to take to university a girl student for the last five years.

"Lutsangani mixed secondary school has not been able to take to

university a girl student since 2007 and thus we feel that the girls should be separated from the boys to enable them concentrate on their studies and do well," said Mr Beja.

Teachers and BOG members from Dzitsoni secondary school who were present at the stakeholders' forum welcomed the idea of making the two schools single sex. The stakeholders recommended the schools revert to single sex from the beginning of next year.

The meeting further resolved that Bahari CDF allocates funds to aid in the construction of a boys dormitory as the school starts phasing out the girls next year.

Parents put to task over high drop-out rates

By **BEDKADZO TONDO**

PARENTS in Kilifi County have been blamed for the rising number of girls dropping out of school in the area.

A survey done by Plan International reveals that despite the high enrolment figures among girls in primary schools, the number that proceeds to standard eight drops significantly compared to the boys.

According to Plan International manager in Kilifi Margaret Kahiga, most girls drop out of school due to pregnancies while others are forcefully married off to rich old men in order to generate wealth for their parents.

"Most fathers do not value girl child education and thus opt to marry them off at a tender age as a source of revenue for their families," notes the report. Ms Kahiga made the remarks during the official launch of the report which was conducted in Ganze and Jaribuni divisions at Mnarani club in Kilifi.

Mrs Kahiga said reports from the Bahari D.Os office indicated that about 120 girls dropped out school last year due to pregnancies out of which 100 were married off.

"It is really shocking to learn that about 120 girls from primary and secondary schools in Bahari division of Kilifi County last year dropped out of school due to pregnancy out of which 100 were married off," said Mrs. Kahiga.

The Children Officer in charge of Ganze district Mr. Daniel Mbogo said cases of child abuse in the area were still rife despite the enforcement of the Children's Act.

Mr Mbogo who attended the forum however blamed parents for the increased cases of child rights abuses as most of them took part in the vices.

The officer cited a case where some police officers who had been deployed to a village to rescue an underage girl from a marriage in Ganze



Girls are taken through sessions on why they need to remain in school and achieve the highest level of education. Many girls drop out of school because of poverty and lack of role models in the community who have made it in life because of education.

were rouged up by the parents.

"Fighting for the children rights and especially for the girls in Ganze has become a challenge as parents do not want to cooperate with the government officers and majority opt for out of court settlements," said Mr Mbogo.

The children officer said child rights can only be enforced if every-

one in the community undertakes to support them. Police officers and the medical personnel in Kilifi were accused of soliciting for bribes from child defilers and thus sabotaging the process of justice.

The meeting was told that police officers and health workers distort evidence in defilement cases in a bid to set free the culprits.

However the District Medical Officer of Health, Dr David Mulewa defended his officers and accused parents of destroying evidence by taking too long before they can bring defiled children to hospitals.

"Cases of defilement and rape are supposed to be reported to the police and taken to the hospital for examination while still fresh but our parents

hold the victims at their homes for days before they take their children to hospitals or report the cases to police," said Dr. Mulewa.

The MOH urged parents to take advantage of ambulances services in the Bahari and Ganze district hospitals in a bid to ensure that cases of defilement and rape reach police stations and hospitals in good time.

Science fiction used to teach Kenya's children ethnic tolerance

By **LINK CORRESPONDENT**

SIX out of 10 school children in Kenya are aware that tribalism is a form of discrimination but say they are under pressure from their parents to discriminate on ethnicity. This is according to 2011-12 Knowledge Attitude and Practice (KAP) study on equality/non-discrimination conducted by the Kenya Human Rights Commission (KHRC) among primary school children aged 12years (Std 6) in Marakwet, Ugenya, Wajir, Isiolo, Taveta and Nairobi.

A cross section of children interviewed during the study say parents often try to prevent them from spending time with children from other ethnic communities or warn them against it. The children also said they feel that their ethnic communities are more superior to others and prefer to keep friends from their own ethnic communities. The study also reveals that some ethnic communities are associated with negative attributes and 12% of children have at one time discussed throwing out an ethnic community from their area of residence.

The Study focused on 5 equality themes namely ethnicity, gender, disability, age and economic status covering total of 844 questionnaires, 24 focus group discussions and 24 key informant inter-

views. The majority of the schools (10 out of 12) had pupils from different ethnic communities. Other findings of the report indicate that although 55% of the children interviewed agree that girls are as brave as boys, they exclusively accord boys the right to decision making and the right to protection from war. The findings also show that school children consider people 65 years and over as poor leaders, lacking appropriate wisdom, while those less than 19 years are dismissed as inexperienced and irrelevant.

The study was inspired by the realization that children were not only affected by the 2007/8 post-election violence, but in some cases formed part of the perpetrators. Children aged 15years and above formed part of the youth militia that spread inciting messages and meted out violence following the 2007 elections. This realization raises questions on how much the primary, secondary and teacher training curricula invest in teaching children about equality/ non-discrimination and encouraging a culture of diversity.

A related study titled 'Curriculum Opportunities to Teach Children on Equality and the Constitution of Kenya, 2010', identifies numerous opportunities to begin teaching children tolerance with respect to national diversities in ethnicity,

gender, age, disability and wealth or economic status. This comes at a time when the Ministry of Education is reviewing its curricula at various levels to ensure compliance with the new Constitution.

In view of the findings and recommendations of the two studies, the Kenya Human Rights Commission (KHRC) has developed and released 'Attack of the Shidas: AKAs Save Planet Earth' a story book for children aged 9-15years. The book creatively addresses discrimination on the basis of ethnicity, gender, age, disability and wealth status through a deep friendship between three children from different ethnic communities, one of whom is a blind girl. The book is conceptualised to bring equality and human rights debate to school children and their teachers as well as parents.

"Attack of the Shidas:AKAs Save the Planet" is the story of three communities who live in a desert town which depends on a lone borehole for all their water. But the people are threatened when they discover that the water is mysteriously being emptied at night. Three children in the town discover they have special powers as only they, can see and hear the invisible water thieves that bring with them numerous other problems to the three communities. Yet no-

body believes what the children have to say, because these three children possess special powers of equality and tolerance that enable them to see what others in their communities cannot see. Can the children stop the aliens before war breaks out in the town?

"Attack of the Shidas:AKAs Save the Planet" is among the first to venture into the genre of science fiction to address the very delicate and contentious issue of discrimination by providing simple and practical messages to children in an entertaining manner. The storybook has been pre-tested among pupils and students of five primary and one secondary school as well as 15 teachers drawn from Siaya, Kitale, Marigat, Kwale, Wajir and Nairobi (Kawangware, Kibera, Musa Gitau, Mathare and Lavington).

According to the children who have read the storybook, its greatest attribute is that it makes children who are tolerant of ethnic and other diversities the super heroes, whose special powers come from having skills to recognise and confront discrimination in the form of hate speech, songs, poems, sayings, proverbs and even jokes in the form of 'mchongoano' often used by children. The storybook is expected to impact on children's knowledge, attitude and practices on equality /

non-discrimination.

Attack of the Shidas: AKAs Save Planet Earth confirms that it is possible to innovatively use the curriculum to deliver education that is relevant to Kenya's current needs. Relevance is one of the goals of the Education for All (EFA) campaign which the Kenya government has been party to since 1990 when the 1st EFA conference was held in Jomtien and the second in 2000 where Kenya was represented by Hon. Kalonzo Musyoka, then the Minister for Education

With equality/non-discrimination being one of the key values embedded in the Constitution of Kenya 2010, it is clear the Ministry of Education is on the right path in its review of primary, secondary and teacher training curricula to give equality, tolerance and peace building the weight they deserve in the socialization of Kenya's children.

The Kenya Human Rights Commission (KHRC) envisions a Kenya that respects, protects and promotes human rights and democratic values. The KHRC's objective is to enable the society to attain equal and accessible rights and opportunities for all; specifically, endeavour to prevent discrimination across all levels of society including in the school setting.

By JOSEPH MUKUBWA

MT KENYA Umbrella Self Help Group in Mathira East District will benefit from over Ksh 0.5 million grant donated by the United States African Development Foundation (USADF) in conjunction with the U.S Embassy's Special Self-Help Fund.

The acting U.S. ambassador to Kenya Robert Godec said the money will help the group expand its income generating activities through enhanced mushroom growing and processing.

Godec added that the grant will also assist the group members to acquire essential equipment including a drying machine, grinder and a refrigerator. The ambassador said the donation is a symbol of partnership between American people and Kenyans.

He said that USADF is an agency established to support African designed and driven solutions that address grassroots economic and social challenges.

"The fund is meant to support community based organizations across Kenya by providing small grants aimed at improving living conditions," said Godec during the signing of the grant at Gikumbo village.

The ambassador stated that the fund will expand the group's income generating activities through enhanced mushroom growing and processing.

"The group will now acquire essential equipments including a drying machine, grinder and refrigerator. This will enable them to produce and distribute its own products including oyster mushroom powder, thereby increasing profitability and ultimately creating new and sustainable jobs for the community," said Godec.

The group chairman Paul Muchiri said they have been facing financial challenges. He said this will enable the group to produce and distribute its own products like the oyster mushroom powder, thereby increasing profitability and ultimately creating new, sustainable jobs for the community.

The ambassador said the Ameri-

can people feel strongly about contributing to community development throughout the world recognizing the group for its outstanding work in improving livelihoods in and around the district.

USADF is an independent U.S government agency established to support African-designed and African-driven solutions that address grassroots economic and social challenges while the Embassy's Fund supports community based organi-

zations across Kenya by providing small grants aimed at improving living conditions. The Group's chairman Paul Muchiri said their organization is made up of three small groups and in total they are 65 members who have been growing mushrooms over the last four years.

"We grow two types of Mushroom that is oyster and button. The button type we sell them while fresh at Ksh 400 per kilo while the oyster type they dry them and sell at Ksh 1, 200 per

kilo," he added.

Muchiri said most of their members are HIV victims and usually benefit a lot from the business saying currently they cannot meet the mushroom demand in local supermarkets.

"We shall use the fund to learn more on mushroom growing. Earlier, we had taken three of our members to Jomo Kenyatta University of Agriculture and Technology - JKUAT where each paid Ksh. 13,000 for the training," said Muchiri.



Mt. Kenya Umbrella Self Help Group chairman Paul Muchiri (left) shows the acting U.S. ambassador to Kenya Robert Godec the mushrooms the group has been growing. Photo/Joseph Mukubwa

US Govt donates Ksh 0.5 to Mathira mushroom group

Church calls for peaceful elections

By AGGREY BUCHUNJU

A CATHOLIC priest is calling on Kenyans to sober up and reflect on where the country is now heading to.

The Bungoma parish priest, Fr. Christopher Wanyonyi says that as the next historic general election approaches Kenyans should know where the country is going politically, socially, economically and morally.

Fr. Wanyonyi observes that for this country to move in the correct direction, citizens and not politicians must have a leading role in shaping its destiny.

He points out that through universal suffrage, Kenyans can put in place a responsive leadership capable of moving this country to the next level of development.

The priest calls on the ordinary citizens to embrace competitive politics and refrain from barbaric actions during and after the elections. Embracing democracy and remaining peaceful during electioneering period, Fr. Wanyonyi claims that will restore the country's lost glory and open a new chapter in our electoral process. He says that a repeat of what happened during the last general election may destroy this country completely. Fr. Wanyonyi urges Kenyans to shun ethnicity and hatred and instead love their country in order for the nation to remain united.

The church minister underscores the importance of love, peace and unity saying no tangible development can be achieved in any nation without peaceful co-existence. Fr. Wanyonyi was speaking recently at St. Martin's Mwibale Secondary school where he is the Board of Governors (BoG) chair during prayer day/annual general meeting (AGM).

He asked students to take studies seriously adding that Kenya and the world at large need young leaders who are educated.

The catholic priest at the same time asked parents to always evaluate education standard/performance of their children in order to seek for timely remedial interventions. He challenged parents to support the school projects that are geared towards the academic improvement of their children.

"Education is the best investment you cannot deny your children because it builds them for the future", the priest said.

Health care services wanting as the country transits to counties

By FAITH MUIRURI

PROVISION of quality healthcare services in the country remains uncertain even as the Constitution tries to assuage public confidence to the contrary.

The health sector is poorly funded and the government still allocates a paltry 7 percent of its GDP against the 15 percent recommendation through Abuja declaration.

The Constitution of Kenya 2010 explicitly recognizes and addresses the right to health as a specific individual right, making it enforceable in a court of law in the same way as civil and political rights

The Constitution (article 43) provides that every person has the right to the highest attainable standard of health, which includes the right to healthcare services, including reproductive health care Article 53 similarly states that every child has the right to basic nutrition, shelter and healthcare.

However, Dr Wambani Sidika of the Kenya Medical Women Association (KMWA) says the right to health as a moral, legal, and constitutional right raises many complex issues including those of coverage, accessibility, cost, accountability, and quality of health care. She says that the situation is likely to worsen as the country adopts a devolved system of governance.

Dr Wambani cites low funding as a major obstacle to the provision of quality health care and the development of health systems resulting in duplication of effort.

"Medical products and technologies are poorly regulated due to competing interests in the field and institutional weaknesses in the sector. Furthermore, the financing for medical products and technologies remains low despite the critical role they play in overall health service delivery," she explains.

Dr Wambani notes that households remain the largest contributors of health financing at 35.9percent, followed by the government and donors, who contribute approximately 30percent each.

Further, the National Hospital Insurance Fund (NHIF) is mired in controversy and thus there are no tangible measures to cushion the vulnerable in the society so that they have access to medical treatment and service when they need it. She says that the government must thus explore the possibilities of employing affirmative action as the country transits to counties with limited access to health care.

Speaking at the Kenya Medical Women Association (KMWA) scientific symposium, Dr Wambani underscored the need to merge the ministries of Medical services and Public Health to help harmonize service delivery.

"The Ministry should not be a

service provider but rather a regulator of Healthcare and provide linkages with other key government ministries," she urges.

She calls for the development of a Health Policy in line with the devolved healthcare services. "This Policy should address key issues like training of health professionals, procurement of drugs and health consumables, County level governance, referral system, health information and data management," she adds.

This, she said would leave room for the creation of a Health service commission to regulate the entire health sector and create a quality healthcare service for all Kenyans.

She at the same time calls for an audit of all healthcare facilities, health personnel and functional equipment before the country transits to counties. "This evidence based data can be utilized in the implementation of the desired health structure," he noted.

She says that the leadership and management skills mix is still patchy, particularly at the sub-national levels adding that some levels of the health sector have only partially adopted partnership processes, which implies that some key partners are not appropriately engaged in health service delivery.

She points out that the ratio of health personnel to the population is still inadequate with the number standing at only 14 physicians for

every 100,000 people.

Dr Henry Kioko, a physician at the Kenyatta National Hospital (KNH) says that the shortage is pronounced at all levels. He says that at KNH, the ratio stands at one nurse to about 20 patients against the WHO recommendations of 1: 6. Doctors at the facility are overstretched with the ration standing at 1 Doctor to 200 plus patients.

He says that most hospitals in the country do not have critical care units (CCU) and are highly dependent on lab, Renal units, Radiology facilities.

He blames the scenario to the low levels of funding to the sector despite the fact that 70 percent of the population lives below the poverty line and can hardly afford to pay their own bills.

Dr Kioko says that the National Hospital Insurance Fund (NHIF) coverage remains at low of 20 percent while other insurance companies cover a mere 10 percent.

He says that counties must be facilitated to set up critical care units to help decongest referral hospitals and increase access. Dr Kioko said the Government must invest in training of specialized staff to help care for patients with acute illness or injuries which can in most cases result in death or a permanent disability.

He says unless there is political goodwill, the level of funding is likely to remain the same as we go to counties and so will health facilities be understaffed and ill equipped.

The Link

Enhancing governance for all

No room for compromise on traffic rules

THE new traffic rules have now become operational albeit protests by Matatu operators anticipated from the onset.

It is now illegal to drive under the influence of any substance and offenders will be liable to ten years imprisonment or a minimum of Ksh 500,000 fine, or both.

Causing death through reckless or dangerous driving now becomes a criminal offence and on conviction, the courts are at liberty to convict offenders to life imprisonment.

Further unprofessional driving behaviours such as speeding, driving on the wrong lanes, careless overtaking, and making turns at inappropriate points without proper turning signals also attract hefty penalties in a bid to restore sanity on Kenyan roads (see special report on Pg 16).

All drivers are to be subjected to eye tests after every three years and the law requires that they present a medical practitioner's report on the same in order to renew their license. Those who defy this requirement are to be disqualified from holding a license for three years.

These are the rules that Kenyans have been craving for owing to the increasing number of road accidents after the much hyped Michuki rules withered to oblivion.

Currently Kenya ranks highly in the number of traffic fatalities compared to other African states. It is estimated that Kenya loses a massive 5 per cent of its overall national wealth to the traffic accidents, an equivalent of US\$ 4 billion annually.

Statistics show that the Kenyan roads claim about 10 lives every day and the trend seem to be surging upwards with the entry of motorcycles into the passenger transport sector.

Individuals, families and institutions have suffered immense socio-economic, physical and psychological problems. In fact it is feared that the surging numbers of road accidents are likely to hamper the realization of the Millennium Development Goals (MDGs) of fighting hunger, accessing education and eradicating poverty by half by 2015.

The new rules therefore come in handy and it is highly anticipated that rule of law will prevail to curb road accidents which increase steadily during the festive season.

The legislation should serve as a valuable tool that seeks to promote safety mechanisms for all road users.

The new traffic laws should not be allowed to wither away as happened to the infamous Michuki rules which generated a lot of heat during the initial phase of implementation only for the transport sector to slide back to anarchy due to lack of enforcement.

Further, the government needs to regulate the number of motorcycles it registers annually to help curb and reduce death tolls due to road accidents.



COMMENTARY

Kenya in need of strong institutions

COMMENT

By WILLIS EVANS OTIENO

IN a speech on his first state visit to Ghana, the first to any country in sub-Saharan Africa, President Barack Obama said, 'In the 21st century, capable, reliable and transparent institutions are the key to success — strong parliaments and honest police forces; independent judges and journalists; a vibrant private sector and civil society. Those are the things that give life to democracy, because that is what matters in peoples' lives.' Though delivered in Ghana, President Obama's message was targeted to Africa as a whole. As Kenyans we can identify with it, for we are in dire need of strong honest and people-centric institutions.

The need for reform

For generations Kenya's public institutions have been characterised by mismanagement and plunder of public resources, unaccountability and exclusion of the citizenry from public affairs. Indeed many of these bodies were an embodiment of the persons in power who often exuded an aura of being law unto themselves. As a result, public institutions of Kenya's yesteryears were highly inefficient which in turn spurred corruption at all levels. Furthermore, the lack of accountability and corruption resulted in human rights violations, injustices and inequalities many of which fester to date for lack of proper mechanisms to deal with them. It was these challenges and the desire for a new dispensation that kept Kenyans motivated in their search for a new constitution.

The Constitution of Kenya 2010 establishes the framework for the restoration of constitutional democracy by embedding within the Constitution a number of new independent commissions and offices and fundamentally restructuring existing ones. In total, there are established ten commissions and two independent offices whose objects are to 'protect the sovereignty of the people; secure the observance by all State organs of democratic values and principles; and promote constitutionalism.' Towards this end, and to further the 'independence' element, the Constitution provides that these institutions are subject only to the Constitution and the law, are not under the direction or control of any system and governance, the Constitution has made a deliberate effort to achieve the realization of Chapter Six. The Ethics and Anti-Corruption Commission has been accorded the task of ensuring full compliance with the chapter.

A major coup in this regard is the application of the chapter to elected leaders.

Thus Chapter Six opens an avenue through which Members of Parliament can lose their seats in the Assembly should they be found to have fallen short of the provisions on integrity and leadership. This has added a new ground upon which a Member of Parliament can lose his/her seat. Previous grounds were a successful petition challenging a Member's election to the Assembly, missing eight parliamentary sittings

without the Speaker's permission, being declared bankrupt, and being sentenced to imprisonment for at least six months.

It is instrumental to juxtapose this against recent developments in the political arena regarding the handling of corruption allegations leveled against serving State officers. The application of this chapter provided the basis for the "stepping aside" by former Foreign Affairs minister Moses Wetangula, former Higher Education minister William Ruto, and the mayor of Nairobi, Mr. Geoffrey Majiwa, over corruption allegations.

The realization of good governance is a matter of practice rather than legislation. The Constitution, recognizing that people's conduct in matters relating to the management of institutions of governance has consistently failed to live up to expectations of a civil society, now legislates the good manners expected of leaders. With Chapter Six, abuse of office by public officers is no longer business as usual but the subject of condemnation by the very basic law of the land. This "detergent chapter" will help cleanse the governance instruments of characters who fail the integrity and leadership test. Further, it stops such characters from using ill-gotten wealth to ascend to the corridors of legislative and political power.

Furthermore, the Constitution spells-out the procedure of appointment, conditions of service and the procedure for removal from office of persons serving in these bodies. By giving these offices a constitutional mandate and the attendant protections, Kenyans were prescribing cures to the malaise of exclusion from decision making and governance, lack of separation of powers between the various arms of government, insecurity, poor access to justice, centralised and inequitable resource allocation, nepotism in government appointments among other ills. But are these enough to give the country the strong institutions it so desires?

Challenges of appointments

The legacies from the Kenyatta and Moi eras that contributed to the weakening of public bodies was the appointment of political cronies to run public bodies. The impact of this was the capturing of public services and resources by the political elite and their favourites to the exclusion of majority of Kenyans. Moreover, the fact that politics in Kenya is largely organised around ethnic groups has meant that the ruling political class of the day and to some extent the ethnic groups it represents have so far been the ones largely in control of public bodies.

As a strategy to overcome exclusion, other ethnic groups through their leaders had to pledge support for the ruler in the

hope that they too can share in the spoils of public appointments and national resources. At the helm of public bodies were persons appointed sometimes not for their competence but for their association with and allegiance to the political class. Furthermore, appointment, tenure of office and removal was based not on established rules and procedure but at the pleasure and will of the appointing authority that was vested in the person of the president. In the circumstances the only assurance of remaining in service was to ensure continued congenial relations with the president at the expense of all else including the law. In the process, individuals and groups had their rights violated and were disenfranchised in many ways, of which some are in the catalogue of what are commonly referred to as historical injustices.

Entrenching within the Constitution - Articles 250 and 251- the procedure of appointments, terms of office and removal from office, is an attempt to guard against the above problems. Article 250 spells out the appointment procedures and terms of office. It provides inter alia the minimum and maximum number of commissioners for each commission; a deliberate attempt to ensure lean and efficient public bodies. Another important requirement is that the appointments to public office should take into account the national values and principles which include equity, inclusiveness, transparency and accountability and as a whole should reflect the diversity of the people of Kenya.

However, the Constitutional provisions provide minimum criteria leaving the details to be spelt out in national legislation. In the case of the Commission for the Implementation of the Constitution, the criteria for appointment has been expanded to include issues of integrity drawn from Chapter Six of the Constitution on Leadership and Integrity. This has been achieved by embedding within the enabling legislation, the Commission for the Implementation of the Constitution Act, 2010.

In addition, the CIC Act excludes from appointment persons who hold state offices which includes, sitting members of parliament and local authority officials among others, an attempt to keep commissions free of political agenda. However, sitting parliamentarians or members of the local councils or devolved governments are only the bastions of political agenda. If the intention is to have as politically neutral public bodies as possible, persons holding certain political offices for instance those that hold key positions within political parties and those that have held state offices within the last five years should be excluded for obvious reasons. While this may seem a harsh stance, let us not forget that by voting overwhelmingly for the new Constitution Ken-



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Mobile courts set to ensure speedy resolution of land cases

By AGGREY BUCHUNJU

LITIGANTS in land related cases may soon access justice at their doorsteps.

Chief Justice (CJ), Dr. Willy Mutunga has disclosed that the judiciary is in the process of establishing mobile courts in the country.

Mutunga added that the mobile courts will focus mainly on land related cases from rural areas where there are no established courts of law.

The move, Mutunga said is not only aimed at ensuring speedy expedition of land related cases but also minimizing expenses.

Speaking to journalists at Multi Media University in Nairobi recently during a media training workshop on reporting judicial matters, the CJ noted with dismay that litigants incur a lot of expenses in travel costs.

"Litigants incur a lot of expenses in terms of travel costs when they transport their witnesses to courts of law which are sometimes several kilometers away," he said.

The CJ at the same time disclosed that despite the meagre budgetary allocation, the judiciary is determined to establish High courts in every County and magistrates courts in every district.

This, the CJ reiterated will help relieve litigants of the burden of traveling long distances to seek justice and also reduce back-log of cases.

The two day workshop brought together more than 140 journalists drawn from the State owned Kenya News Agency (KNA) and members of the Kenya Correspondents Association (KCA).

It was organized by the judiciary in collaboration with the Ministry of Information and Communications and KCA.

The Director, Public Affairs and Communications (DPAC) at the judiciary Mr. Naim Bilal told the participants that the workshop was part of the efforts to make the institution more accessible to the public.

Bilal added that the workshop seeks to have the judiciary open up to the media in order to enhance effective reporting on the on-going transformations in the institution.

"The judiciary is transforming as part of its efforts to live up to

the dictates of the Constitution of Kenya, 2010. Many of its aspects and approaches are changing and members of the public need to know," he said.

One of the facilitators Prof. Justice Joel Ngugi Mwaura urged journalists not to take stories at face value but to interrogate them before going to press.

Ngugi who is a High Court in Machakos as well as the judge in charge of the Judiciary Transformation Framework told the participants that the judiciary is no longer governed through tyranny but through human rights principles.

He passed the journalists through some of the ongoing judicial reforms despite a meagre budgetary allocation of 0.3 per cent of the National budget.

On his part the KCA chair Mr. Oloo Janak said that a sustained engagement between the media and the judiciary will enhance public confidence in the courts and improve service delivery to ordinary Kenyans.

Janak added that the journalists' two days training will improve the reporting of court proceedings and related judicial processes without being prejudicial to the courts and litigants.



Dr. Willy Mutunga, Chief Justice of the Republic of Kenya.

Girl child, an endangered species in Kilifi County

By BEKADZO TONDO

THE plight of the girl child in Kilifi County hangs in the balance unless relevant measures are put in place to reverse the scenario.

Transition rates from primary to secondary school level remains stunningly low with most girls dropping out of school due to the high rates of poverty.

The drop outs have been blamed on early marriages and teenage pregnancies which deny them a chance to pursue their dreams in education.

Addressing stake holders at Mnarani club beach, Plan International program manager in Kilifi Ms Margaret Kahiga said violations against the rights of the girl child have continued unabated due to poor enforcement of existing laws.

"As we mark the first international day for the Girl child, statistics show that the girl child in Kilifi is still marginalized," said Ms Kahiga.

The program officer said most

school going girls are not being offered equal educational opportunities in the families compared to the boy children.

She said girls are exposed to child labour, transactional sex and child pregnancies and little measures have been put in place to address the problem.

Ms Kahiga singled out Ganze and Jaribuni divisions of Ganze districts among the worst hit areas adding that most school girls have dropped out of school in large numbers due to early pregnancies.

"Plan international recently carried a study on the girl child and we found that girls in Ganze and Jaribuni were exposed to child labour, transactional sex and early pregnancies," said Kahiga.

Ganze district children officer Mr Daniel Mbogo who was present in the forum which brought the media on board confirmed that violation of girls rights in Ganze were on the increase.

Mr Mbogo said most girls were being abused by parents

and close family members who prefer resolving cases at the household level.

The officer cited a case where he moved to rescue an underage girl who had been made pregnant and later married off, but the parents were uncooperative and nearly rouged up police officers who had been deployed to rescue the girl.

"As stakeholders we have big challenge in protecting the rights of the girl child in Kilifi County as parents have been taking active position in promoting the device," said Mr Mbogo.

The vice chairman of Kilifi County, Councilor Teddy Mwambire admitted that violation of the girl child rights are on the increase in Ganze district.

Mwambire who is also the Vitengeni ward councilor said that many girls in the district have been dropping out of school due to defilement cases and forced marriages.

The civic leader said that cases which end up in court are dismissed as the police and the

officers at the district hospital collude with the parents of the girl to doctor information after getting bribes.

Mr Teddy further said that matters are made worse by the fact that police demand for cash to fuel vehicles to arrest suspected people who defile underage girls thus denying the child their rights.

"Underage girls who drop out of school in Ganze district due to pregnancies and forced marriages are too high and efforts by stakeholders to get the culprits punished has been hampered by the police and the medical officers who doctor information to set the culprits free after being bribed" said Mr Mwambire.

The district Medical Officer of Health Dr David Mulewa proposed that a special task force be formed in Kilifi to look into cases of girl child rights violations.

Dr. Mulewa promised to decentralize the government ambulances to the rural health centers to ensure that defiled easily access treatment.

Kakamega forest earmarked for carbon credit trading

By JOHN NYAMBUNE

KAKAMEGA forest may soon turn into a gold mine if the huge tones of carbon stock are exploited.

A preliminary report by the Kenya Forest Service (KFS) reveals that the ecosystem can earn the country millions of shillings in carbon trade.

According to KFS Director David Mbugua, the Government is currently undertaking baseline studies in a bid to set up a system that will help the country tap into the lucrative carbon trading market.

Mr. Mbugua reveals that once the system is ready, the Government will ensure communities that help to protect forests benefit from the carbon trading business.

"Once Kenya enters the business, communities that are keen in helping to conserve and protect forests will benefit immensely from millions of shillings that will accrue from the business," said Mbugua.

He says Mulleshi Community Forest Association in Kakamega County is among the first groups earmarked to benefit from the initiative.

The group has been instrumental in managing Kakamega forest that is endowed with rich biodiversity and a key catchment area for rivers draining into Lake Victoria.

Mbugua said it was regrettable that most communities engaged in conservation have not started benefiting from carbon business.

"Currently carbon market is kind of restrictive as it has a very high transaction cost and requires a lot of verifications," he said.

The KFS boss was speaking in Kakamega during the signing of an agreement with officials of the group on management of the forest.

The agreement spells out what the



Kakamega forest may turn into a gold mine if the huge tones of carbon stock are exploited. KFS Director Mr. David Mbugua addressing the officers and members of the public during the passout. Photo/File

two partners would do to conserve and rehabilitate the forest and its environs.

The contract will be in force for a period of five years after which it may be reviewed.

As an appreciation of the group conservation efforts, the Government has agreed to surrender 60 per cent of carbon benefit from the forest to the group and allocate it 500 hectares to

plant more trees. Mulleshi is the first group in the county to be awarded by the Government for its outstanding carbon emission reduction business.

Mbugua, however, revealed that plans are underway to award other communities in Western region and other parts of the country for helping to conserve forests. Developed countries pledged to pay third world coun-

tries that are planning trees to reduce green gases in the atmosphere that their industries have been emitting causing global warming.

Carbon trading is an application of an emissions trading approach. Greenhouse gas emissions are capped and then markets are used to allocate the emissions among the group of regulated sources.

Government unveils plans to address high rates of unemployment

By JOSEPH MUKUBWA

THE government has unveiled plans to address unemployment in the country and especially among the youth

According to the PS in Ministry of Youth Affairs James Waweru, some of the interventions include the rehabilitation and refurbishment of youth polytechnics, provision of soft loans through the Youth Enterprise Development Fund, initiation of labour export programmes, and talent identification, development and nurturing.

Waweru stressed that the government is committed to work with other stakeholders to come up with more projects and programmes to benefit more youth.

He was speaking during graduation ceremony at Gachika Youth Poly-

technic in Nyeri County.

The PS underscored the great role played by the youth polytechnics in equipping the youth with critical skills for survival.

"The skills which are offered in the polytechnics like metal work, motor vehicle technology agri-business among others; give the trainees requisite skills towards securing either self employment or guarantee employment opportunities in both the public and private sector as envisioned in Vision 2030," he added.

Waweru observed that currently a total of 650 youth polytechnics are registered countrywide, 15 of them being in Nyeri County adding that enrollment figures in the polytechnics in Nyeri County have shot to more than 2000 trainees this year.

He acknowledged that most of the polytechnics in the entire country have achieved much infrastructure development through partnership with the Constituency Development Fund (CDF), Local Authorities Transfer Fund (LATF), Development partners and non-governmental organizations.

Meanwhile, Waweru noted some of challenges facing youth polytechnics in Nyeri County which include insecurity, negative attitude from the community, and limited industrial attachment opportunities for trainees, in adequate qualified instructors, among others.

"Some of these challenges, the ministry will make efforts towards deployment of more government instructors, ensure timely disbursement of funds, and scout for further partner-



Mr. Waweru

ship in developing, refurbishing and equipping the existing and new youth polytechnics," he added.

Kenya in need of strong institutions

From Page 8

yans were hoping for real change, which change was previously missed because the same political elite reincarnated as the new regime.

Additional protections

Article 249(3) of the Constitution provides that 'parliament shall allocate adequate funds to enable each commission and independent office to perform its functions and the budget of each com-

mission and independent office shall be a separate vote.' The import of this provision is to delink the funding of commissions from related government ministries intended to further strengthen their operational independence and to be directly accountable to Kenyans for the outcome.

Furthermore these institutions will be expected to prepare, publish and publicize annual and other reports giving the

citizenry an opportunity to verify and even interrogate their activities.

Importantly too, the Constitution has put in place checks against abuse of power by persons appointed to these offices. Under Article 251, any individual may petition the National Assembly for the removal from office of any of the appointees by presenting facts that show a serious violation of the Constitution or any other law including provisions of

Chapter Six, gross misconduct, physical or mental incapacity or incompetence. This provision gives back power to the public to check on the quality and calibre of individuals holding this office, should the appointment process fail to exclude those unfit to hold public office.

Whether or not the new Constitution enhances accountability by public bodies depends on the extent to which it succeeds in curbing the problem of arbitrary power. While the minimum principles and mechanisms have been established within the Constitution, Parliament must

MPs on the spot over weak legislations

By AGGREY BUCHUNJU

MEMBERS of Parliament (MPs) have come under sharp criticism for passing weak laws which in most cases run contrary to the constitution. Civil Society Organisations (CSOs) in Nyanza and Western regions have accused the legislators of deliberately and without shame defiling the bills for short term gains or political expediency. The member of the stakeholders' reference group representing CSOs in the region, Cynthia Mutere, called for the faithful implementation of the constitution.

Mutere urged the MPs to stop any further attempts to water down bills adding that such selfish actions can be disastrous to this nation. The constitution of Kenya, 2010, Mutere said that is a foundation for stability and peace and hence called for its full implementation. Betty Okero, co-ordinator, CSOs network noted that for the next general election to be free, fair and credible, peace and security should be enhanced.

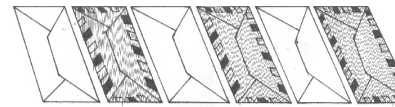
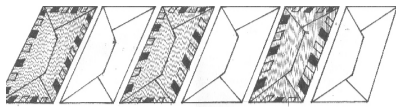
Okero named other issues that are pre-requisites for free, fair and credible general elections as greater internal democracy in political parties, vetting of leaders, speedy and transparent voter registration and voter education. The representatives of the CSOs, which have been partnering with Amkeni Wakenya- UNDP Governance programme, were speaking in Kisumu recently during a one day meeting.

Over 20 CSOs, drawn from the two provinces were represented in the meeting where the Government, political leaders and ordinary Kenyans were called upon to work towards building peace ahead of the general elections. The participants further called on leaders and other stakeholders to urgently deal with cases of violence emerging in different parts of the country including the Tana Delta and Kisumu. Quite a good number of challenges facing the two regions which could impact negatively on the coming general elections were identified during the meeting. Key among them are increasing cases of threats to peace and security, low number of prospective women candidates for various seats and anticipated low voter turn-out.

Consequently the meeting resolved to form a vibrant network of non-state actors in the region to work towards getting more women and youths to contest various leadership positions in the coming general elections in line with the constitution. Saying that the constitution guarantees greater citizens participation in the election of leaders, the CSOs rejected attempts by some politicians to share out seats in hotel rooms through pre-elections pacts.

The CSOs further resolved to build a stronger, vibrant and inclusive network of non-state actors in the region to intensify mobilization of citizens to work towards peace and higher voter turn-out during the coming elections.

not undermine these bodies in enacting weak operationalizing legislation, or in approving appointment of persons who do not espouse the national values and principles under Article 10. In this regard, Kenyans to whom all sovereign power belongs must be eternally vigilant for the rules and procedures without legitimate and verifiable outcomes are a mere experiment and it is bound to fail. Willis Evans Otieno is an advocate Commission of Jurists, Kenya Section



Neglect has grounded rail transport

FIFTY years independence, our rail network has not taken off. The colonial regime ensured that there was railway network to various parts of the country including Kitale, Butere, Nanyuki, Kibwezi and Magadi. Now, there is no rail system to these places and even the major ones to Kisumu and Mombasa are 'dead'.

This is perhaps irony of third world countries. In the first world, railway network has been perfected, which is why the nations have efficient public transport system. To say that the public transport sector in Kenya has been neglected will be an understatement. Why did we allow the train, a major public utility to collapsed? Is it a sad indictment of our development priorities.

What also raises concern is the enthusiasm we have accorded the new port of Lamu. The project was started yet the port of Mombasa is underutilised, poorly managed and riddled with corruption. We will have another port before we streamline activities at Mombasa Port.

Similarly, we are ready to build a new rail and oil pipeline through the vast, sparsely populated and bandit-prone northern corridors to Ethiopia. This is not bad, but why have we killed the rail system to the densely populated western corridor comprising of Kisumu and Malaba? What justification do we have in killing a railway network, which runs through nearly half of the country's population from Nairobi through the Rift Valley to western Kenya?

The killing of train services in the area contributed to death of industries in Rift Valley. Western and Nyanza provinces. This has made Nairobi as the point of focus for Kenya, controlling nearly 70 per cent of the country's income.

Now we are busy experimenting with a rail system for the city, while the national grid is dead. Nairobi's traffic nightmare can only be handled by a deliberate decongestion of the city. One reason that has stalled this is politics of exclusion by various governments.

Mr Victor Kooh, a Singaporean attache to the Government Vision 2030 programme once said at a seminar that they have recommended three new economic zones to the Government to propel the blueprint. The largest is to be around Mombasa, the second is the much-touted Lamu Port. Lamu is taking off, Mombasa is at the planning stage but Kisumu is not being mentioned at all.

Dan Were,
via e-mail

Void in varsity education caused by lack of ethics

OUR education system puts more emphasis on the theoretical part of the academic formation. That is why many graduates are more conversant with theories than actual implementation of the theories.

The purpose of education is to develop human intellect in order to improve the quality of life. It is not simply to amass a store of information for a profession, though this is important in itself.

The ultimate goal of university education is full growth of the person. Education, based on sound understanding and enlivened by contemplation, urges students to integrity, creativity and initiative. Such a perspective aims at forming people of conscience, competence and commitment.

The mission of an academic institution is to promote integral human development dedicated to community service. It is a mission rooted in the belief the society needs persons of competence and conscience, people who are ready to promote all that is fully human, committed to the challenge of promoting human dignity, freedom, and justice for all peoples. Such a commitment calls for persons with university education to be responsible and effective in society.

True, education promotes moral values along with knowledge and skills as integral dimensions of the learning process. Such a model of education operates through the constant interplay of experience, reflection and action.



Graduation ceremony at a local university. Photo/File

University education is not for forming people who are merely job seekers. Graduates must be people who are empowered by the spirit of creativity, engagement, and readiness to improve life conditions. Creative education focuses on preparing students to play a constructive role in the development of society in which all members participate, and success is measured in terms of human well-being and the common good.

A widespread weakness that deserves attention is that a number of universities tend to equate ethics with religion, thinking that religion is private

and as such it must be removed from the institutions of higher learning. In most cases they end up excluding both ethics and religion.

Academic formation without moral values results in ineffective citizens. The situation arises when university learning lacks ethical formation, a variable which is a foundation of public values. This weakness, in many ways, is often accompanied by corruption in public institutions, which is partially caused by lack of the ethics in the academic formation.

Concerned Kenyan,
Via e-mail



Victims of crime need therapy for trauma

RECENT incidents of insecurity have captured nation's attention, with the issues dominating debates. However, Kenya is facing more than just national security issues. What many are failing to see is that individuals are being traumatised each time there is an incident of crime.

What is important to note is that in the face of a traumatic event, most people experience variety of emotions that include shock, fear and anger. Many think or talk more about their experiences. Others feel anxious, detached or depressed.

Such reactions are neither signs of weakness or indicator of lasting trouble. Rather, they represent normal response to an abnormal event. These symptoms and feelings may last few days or even months and later fade away.

But even when one begins to feel better, they may be troubled from time to time by painful memories or emotions, especially in response to triggers such as an anniversary of the event or an image, sound or situation that reminds them of the traumatic experience.

Whether a traumatic event involves death or physical harm, survivors must cope with the loss, at least temporarily. The natural reaction to this loss is grief. This process, while inherently painful, is easier if support is available.

The grieving process after a traumatic event has physiological, cognitive, psychological and emotional, and behavioural reactions. There are many physical needs that come to the surface during and after a traumatic event. Many people who have been subjected to traumatic event, whether verbal, emotional, spiritual or physical need a safe and loving environment to heal.

Post-trauma physical needs include but not limited to repair of homes and businesses, removal of debris, provision of food and water and financial support. In the midst of commissions of inquiry that may be set up it is imperative that our social support systems are dedicated to providing vulnerable populations with physical needs.

Thus, as police and military boost security in trouble spots, we should not forget about families of police officers killed in Baragoi, those killed by Al Shabaab and victims of Eastleigh blast and chaos.

Families of people affected in the incidents need guidance and counselling because some of them have lost their bread winners and others will have to live with the fact that their loved ones are maimed - some critically.

Concerned Kenyan,
via e-mail



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

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British Government to remain impartial during the polls

By JOSEPH MUKUBWA

THE British Government will remain impartial in the forthcoming general elections, British High Commissioner Dr Christian Turner has said.

"The British Government is neutral in the elections and believes that Kenyans should decide on who will lead them. It should be a free and fair process," said the commissioner.

The commissioner said that they are confident that the elections will be held on March 4th next year and that the IEBC readiness to embark on voter registration is a clear indication that all the institutions will beat the election deadlines.

"We as British government have stated that we are impartial in the forthcoming general election, to us it's up to Kenya people

to decide the question on their legitimacy, so we cannot intervene," said Turner.

Turner who was on a three day visit to Central Kenya region said in Nyeri town recently that his government position on the elections is that Kenyans must be left alone to decide on who to elect but what matters most is whether the process is free and fair.

"For us as a government we want Kenyans to choose their next leader in the election which we are determined must be held on March 4th next year. It's not for us to back or choose a candidature over others, it's for the Kenyan people to choose not for anyone else. This will be a defining moment for Kenyan people and it's not who wins but how he wins. We want a process which is safe, credible and fair," said the commissioner.

At the same time, he said the

British government is willing to assist the Kenyan security forces deal with the incidents of insecurity witnessed in Baragoi area where over 40 police officers were killed recently. Turner said they are ready to offer support in training Kenyan police officers and in the disarmament of communities in the area.

"We as a government stand ready to assist the Kenya military and police in this exercise. We have a strong cooperation with the Kenya military and since we are concerned by the proliferation of arms, we will give support when and if needed," said Turner.

He further urged local communities to seek dialogue as a solution to resolve the conflict and cattle rustling.

The commissioner expressed hope that the diplomatic and military relationships between both

countries will continue to be beneficial to both armies.

"British Army Training Unit Kenya (BATUK) brings in around Ksh 2.5 billion to the Kenyan economy directly and indirectly and has a mutual economic benefit specifically in Nanyuki area where they are stationed," he added.

During a public forum held at the Nyeri Social Forum offices, the British High Commissioner reaffirmed its commitment to Civic education, voter education and independent monitoring of the election and business partnership in tourism within the region.

According to the coordinator, David Ngige the forum was a great success adding, "Local residents were able to question him on matters that enabled them to ascertain the role of the British government in creating sustainable business relations with the region."

MRC members decamp from group

By BEKADZO TONDO

TWENTY two members of MRC who decamped from the group and surrendered themselves to the government in Kilifi have denied claims that politicians and tycoons in Coast region have been financing their activities.

Speaking to The Link soon after they denounced the group in a meeting attended by the minister for Internal Security, Mr. Katoo Ole Metito at Kilifi playground recently, they said that MRC activities mainly relied on individual donations to support their activities.

Led by the group chairman Kilifi branch Mr. Charles Mwangi and the assistant National Youth adviser Mr Meshach Kazungu, they said that they had abandoned the group out of their own volition.

"MRC activities which included organizing public meeting to sensitize the residents on the group and its agenda had no funding from politicians and tycoons but relied on personal donation from the members themselves," said Mr Mwangi.

The chairman remarks however appeared to differ from initial intelligence reports that legislators and business tycoons in Coast have been financing the group to undertake illegal activities.

Earlier, the Minister for Fisheries Development Mr Amason Kingi had challenged the government to expose politicians and business people suspected to have been funding the group.

"Intelligence reports indicate that a list of politicians from Mombasa and Kilifi Counties and influential business people from the region have been funding MRC and thus as leaders we want the government to make the list public to clear confusion among Kenyans," said Mr Kingi.

The group national youth advisor Mr Kazungu when given an opportunity to address the public meeting said that most of them had joined MRC to press for the rights of Coastal people who had for long suffered exclusion from the government.

"We decided to join MRC because we thought we could use the group as a tool to push the government to address the many historical injustices meted on Coastal people among them issue of land but we have not bore any fruits," said Mr Kazungu.

The defectors promised to become peace ambassadors in the area to ensure free and fair elections next year.

"We have voluntarily surrendered ourselves to the government in good faith and we hope we will not be victimized by the police in any way as we are ready to preach peace and unity among all Kenyans," said Mr Kazungu.

Minister Metito assured the defectors of their security and promised that the state will make use of them to preach peace in community forums.

"No police officers will victimize you for mistakes which you have not done and we are planning to have you preach peace in the community and approach those still in the bush to come out and abandon the MRC activities," said Mr Metito.

The minister, however, cautioned that the government will not hesitate to deal with anybody either individual or groups that engage in criminal activities.



From right deputy Central PC Francis Sila, British High Commissioner Dr Christian Turner and Nyeri Social Forum Coordinator David Ngige after the commissioner held a courtesy call at PC's Nyeri office. Photos/Joseph wambugu

Aspirant in plea of funds to repair chiefs' offices

By NYAKWAR ODAWO

AN aspirant for the Budalangi parliamentary seat wants the local Constituency Development Fund (CDF) committee to allocate funds for the construction of chiefs offices in various locations in the district as majority of the provincial administrators were operating in dilapidated structures.

The aspirant, Ms Constantine Obuya says most structures were in a deplorable state and thus posed a risk to the public who seek services in the said offices.

Speaking to The Link in Budalangi, the parliamentary aspirant urged the CDF committee to move with speed and rehabilitate

the offices which she noted are currently in pathetic situation.

The aspirant further says that classified documents being kept at the offices in question especially the office of Bunyala East location situated at Mudembi trading centre can disappear anytime.

"The office of Bunyala East location chief situated at Mudembi trading centre is in a very pathetic situation as the office is too old and has developed gaping cracks that are likely to cause the building to collapse on the people seeking services from the said office," said Obuya, adding that the CDF committee should move with speed and address the issue.

"The mud-walled chief's of-

fice that was built in 1985 during the tenure of the late former area legislator Peter Habenga Okondo is on the verge of collapse due to gaping cracks on its wall," said the aspirant.

Obuya blamed the situation on failure by the department of public health officials to take the necessary steps to ensure compliance with the laid down public health laws hence protecting the lives of the occupants.

A spot check by The Link in the district's six locations namely Bunyala North, Bunyala West, Bunyala South, Bunyala Central and Khajula as well as eighteen sub-locations has established that majority of chiefs and their assist-

ants have been compelled to rent private premises whereas others have opted to work from their homes

The aspirant has also appealed to the area Member of Parliament who is also the patron of Budalangi CDF committee to authorize the committee to allocate funds to facilitate the rehabilitation of the damaged provincial administration offices to save the situation.

However Budalangi legislator who is also the Minister for Sports and Youth affairs has said the CDF committee will assess the situation after which funds will be allocated to facilitate the rehabilitation of the said offices in due course.

Civic leaders in Kilifi County clash over bid to acquire private land

By BEKADZO TONDO

CIVIC leaders at Kilifi County Council have rejected a resolve by the Works and Planning Committee to authorize a private land owner at Mtwapa to dispose off his 20 acres of land to private developers.

The civic leaders said the committee had no authority to contravene a unanimous decision by the council to acquire the said land to put up a bus park and a modern market.

The councilors accused the committee of conspiring with chief officers to illegally authorize the land owner to sell the plot to private developers at a higher price.

The councilors who had converged at the county hall for the meeting failed to adopt the minutes which had been brought before them by the works and planning committee chairman councilor Elvis Gambo.

Sokoke ward councilor Albert Ruwa argued that adopting the minutes by the councilors would amount to approving an illegality.

The chairman of the committee was put to task by the councilors when he tabled the report and at one point threatened to resign from the committee.

Councilor Ruwa urged the council chairman Mr Anthony Kingi to make reference to previous minutes that detailed a resolution by the council to acquire the said plot and develop it.

"Mr chairman, the minutes of the works and planning committee which have been brought before us for adoption contains an illegal authorization of the sale of the 20 acres of land by some officers which runs contrary to the council's bid to buy the land and thus we are not adopting them," said Clr Ruwa.

The county clerk Mr Elijah

Munga'ya who was present during the meeting could not give his comments as the matter was said to have been effected before he was posted to the council.

Earlier Kingi had confirmed to The Link that the council had requested the Ministry of Local Government to facilitate for the compulsory acquisition of the said land from the owner after he had quoted high price which the council could not afford.

However as the ministry was handling the issue, some chief officers are claimed to have entered into a deal with the land owner and authorized him to quickly dispose it to potential buyers to avoid its acquisition by the government.

"The council has been consulting the owner over the sale of his 20 acres of land at Mtwapa for the last four years but we could not agree on the price as he kept inflating the cost. This

forced the council to write a letter to the government for compulsory acquisition of the said plot," said Mr Kingi

But before the government could respond to the letter, the landowner received a tip off and a letter authorizing him to sell it to the buyer of his choice.

Mwarakaya ward councilor Silas Mzungu said the minutes of the committee should be discussed at the full council meeting before they can be adopted.



A section of commercial plot for sale in Mtwapa, Kilifi County.

Success in devolution pegged on quality leadership

By PETER MUTUKU

THE success of the devolved system of government and in particular prudent fiscal management of finances will depend on the quality of leaders at all levels of government.

The chairman of the Commission on Revenue Allocation Michah Cheserem underscores the importance of electing men and women of the highest personal integrity in the forthcoming General Election who will ensure that public funds are managed in the most transparent manner for the benefit of the country.

"This will require well informed citizens who will exercise their democratic rights for the good of current and future generations," he adds.

He calls for a comprehensive civic and voter education programme to ensure that Kenyans elect quality leaders.

He says that the devolved government that Kenyans adopted poses significant legislative, administrative and financial challenges if the transitional arrangements are not well managed.

According to Cheserem, the 47 county governments created by the Constitution must be adequately funded when they come into operation on March 5, 2013.

Cheserem says that the principal function of the CRA is to make recommendations for equitable sharing of revenue raised nationally between the national and county government and among the county governments.

The chairman explains that the basis for revenue sharing between the two levels of government, usually referred to as the vertical share (national and county) requires costing of functions of the two levels of government.

"Initially the Commission had recommended that revenue sharing among the 47 counties be based on five parameters: population basic equal share, poverty index, county land area and fiscal responsibility," he points out.

He however says that after consultations with the public and other stakeholders, the weights attached to each of the parameters in the recommendation to parliament are population: 45 percent, basic equal share- 25percent, poverty index- 20 percent, land area – 89 percent and fiscal responsibility- 2 percent.

The rationale for choosing these parameters included international experiences in different countries, measurability, casual connections, less susceptible to influencing and giving effect to constitutional and legislative stipulations.

The recommendations have been forwarded to the National Assembly for deliberations and decision.

He notes that with the new constitution, public expectations are quite high and more specifically with regard to the equitable revenue sharing among the counties.

"Managing these expectations is a major challenge for the Commission. In developing the first generation formula, the Commission bridged these expectations by engaging the public and other stakeholders in all the 47 counties," he says.

In the end, the parameters and weights used in horizontal revenue allocation formula is a product of that public consultation.

He cites evidence from most countries that have adopted fiscal decentralization which he says reveals the tendency by the centre to hold back. "As with other countries, some Kenyan Ministries may be tempted to hold back some of the functions devolved to the county governments. This poses potential danger to slow down the process of devolution," he cautions

Govt in bid to meet 2013 male circumcision targets

By LINK CORRESPONDENT

WITH just over one year left to achieve its target of having some 1.1 million men circumcised as part of HIV-prevention efforts, Kenyan male circumcision programmes are ramping up efforts to bring more men into clinics, compensating them for their time and encouraging them to bring friends in for the procedure.

Some medical male circumcision programmes are piloting the use of vouchers, giving men coupons worth Ksh100 when they complete the procedure; these vouchers are redeemable for cash once the man returns for a follow-up visit. The men are encouraged to return with a friend or relative also wishing to be circumcised.

"Compensation for time lost to such persons has seen many of them turn up in large numbers to get circumcised," Walter Obiero, the clinical manager at the Nyanza Reproductive Health Society, adds.

Loss of income is a reason frequently cited by men rejecting circumcision, many of whom wrongly believe they will be unable to work during the entire six-week healing pe-

riod. In fact, men can usually return to work within three or four days.

Meeting targets

Most efforts to increase voluntary medical circumcision (VMMC) have been focused in the western province of Nyanza, which is dominated by the traditionally non-circumcising Luo community. The programme has also been rolled out in the capital, Nairobi, and the northwestern Turkana region, where circumcision levels are low.

"We have focused on other regions as well so that we can have as many people as possible getting medically circumcised," Obiero said.

Kenya has carried out an estimated 477,000 circumcisions since the programme started in 2008, according to the government. "This figure does not include those in the private sector where voluntary medical male circumcision is also done," said Obiero.

Male circumcision has been scientifically proven to reduce a man's risk of contracting HIV through vaginal intercourse by as much as 60 percent. Follow-up studies have found that the effectiveness of male circumcision for HIV prevention is maintained for sev-

eral years.

In 2011, UNAIDS and the US President's Emergency Plan for AIDS Relief (PEPFAR) launched a five-year plan to have more than 20 million men in 14 eastern and southern African countries undergo medical male circumcision by 2015.

"To ensure that we achieve our target, the government will increase sensitization and mobilization efforts to ensure we can have more people embrace male circumcision as an HIV prevention method," Athanasius Ochieng, VMMC programme manager at the National AIDS and Sexually Transmitted Infections Control Programme (NAS COP), explains.

The role of women will also need to be increased. "It will also be critical to engage women in mobilization of their partners and to ensure that they play a bigger role in VMMC than is done currently," Mark Okundi, a communication specialist with US-funded AIDS Population and Health Integrated Assistance, adds.

Casting a wider net

The government is considering integrating male circumcision, currently

offered as part of its HIV prevention package, into outpatient services in public hospitals, as well as starting infant male circumcision, which studies have found to be cost-effective. A recent study carried out among 1,200 infants in Nyanza Province concluded that infant male circumcision was safe, and an earlier study concluded that it was acceptable to most parents.

"We are carrying out studies on infant male circumcision, and once we have this, then we will find out the possibility of rolling out nationally," Ochieng said.

Currently, the programme focuses on males aged 15 and above, though private hospitals do carry out the procedure on infants at parents' request.

The national male circumcision programme holds an annual Rapid Results Initiative (RRI) every November and December, which boosts circumcision numbers significantly through mobile clinics and ramped up publicity. The RRI suffered a setback in 2011, however, meeting just over half the target of 70,000 men due to heavy rains that made many roads in Nyanza impassable.

By WILLIS EVANS OTIENO

PERSON or authority, shall be allocated adequate funds and the budget for each commission shall be subject to a separate vote. Furthermore, the Constitution spells-out the procedure of appointment, conditions of service and the procedure for removal from office of persons serving in these bodies. By giving these offices a constitutional mandate and the attendant protections, Kenyans were prescribing cures to the malaise of exclusion from decision making and governance, lack of separation of powers between the various arms of government, insecurity, poor access to justice, centralised and inequitable resource allocation, nepotism in government appointments among other ills. But are these enough to give the country the strong institutions it so desires?

Challenges of appointments

The legacies from the Kenyatta and Moi eras that contributed to the weakening of public bodies was the appointment of political cronies to run public bodies. The impact of this was the capturing of public services and resources by the political elite and their favourites to the exclusion of majority of Kenyans. President Obama's speech, delivered in Accra Ghana on July 11, 2009 bid. Article 248 Constitution of Kenya
Article 249(1) Constitution of Kenya
Article 249(2) Constitution of Kenya
Article 249(3) Constitution of Kenya that politics in Kenya is largely or-

Powers of independent commissions

ganised around ethnic groups has meant that the ruling political class of the day and to some extent the ethnic groups it represents have so far been the ones largely in control of public bodies.

As a strategy to overcome exclusion, other ethnic groups through their leaders had to pledge support for the ruler in the hope that they too can share in the spoils of public appointments and national resources. At the helm of public bodies were persons appointed sometimes not for their competence but for their association with and allegiance to the political class. Furthermore, appointment, tenure of office and removal was based not on established rules and procedure but at the pleasure and will of the appointing authority that was vested in the person of the president. In the circumstances the only assurance of remaining in service was to ensure continued congenial relations with the president at the expense of all else including the law. In the process, individuals and groups had their rights violated and were disenfranchised in many ways, of which some are in the catalogue of what are commonly referred to as historical injustices.

Entrenching within the Constitution - Articles 250 and 251- the procedure of appointments, terms of office and removal from office, is an attempt to guard against the above problems.

Article 250 spells out the appointment procedures and terms of office. It provides inter alia the minimum and maximum number of commissioners for each commission; a deliberate attempt to ensure lean and efficient public bodies. Another important requirement is that the appointments to public office should take into account the national values and principles which include equity, inclusiveness, transparency and accountability and as a whole should reflect the diversity of the people of Kenya.

However, the Constitutional provisions provide minimum criteria leaving the details to be spelt out in national legislation... In the case of the Commission for the Implementation of the Constitution, the criteria for appointment has been expanded to include issues of integrity drawn from Chapter Six of the Constitution on Leadership and Integrity. This has been achieved by embedding within the enabling legislation, the Commission for the Implementation of the Constitution Act, 2010. In addition, the CIC Act excludes from appointment persons who hold state offices which includes, sitting members of parliament and local authority officials among others, an attempt to keep commissions free of political agenda. However, sitting parliamentarians or members of the local councils or devolved governments are only the

bastions of political agenda.. If the intention is to have as politically neutral public bodies as possible, persons holding certain political offices for instance those that hold key positions within political parties and those that have held state offices within the last five years should be excluded for obvious reasons. While this may seem a harsh stance, let us not forget that by voting overwhelmingly for the new Constitution Kenyans were hoping for real change, which change was previously missed because the same political elite reincarnated as the new regime.

Additional protections

Article 249(3) of the Constitution provides that 'parliament shall allocate adequate funds to enable each commission and independent office to perform its functions and the budget of each commission and independent office shall be a separate vote.' The import of this provision is to delink the funding of commissions from related government ministries intended to further strengthen their operational independence and to be directly accountable to Kenyans for the outcome.

Furthermore these institutions will be expected to prepare, publish and publicize annual and other reports giving the citizenry and opportunity to verify and even interrogate their

activities.

Importantly too, the Constitution has put in place checks against abuse of power by persons appointed to these offices. Under Article 251, any individual may petition the National Assembly for the removal from office of any of the appointees by presenting facts that show a serious violation of the Constitution or any other law including provisions of Chapter Six, gross misconduct, physical or mental incapacity or incompetence. This provision gives back power to the public to check on the quality and calibre of individuals holding this office, should the appointment process fail to exclude those unfit to hold public office.

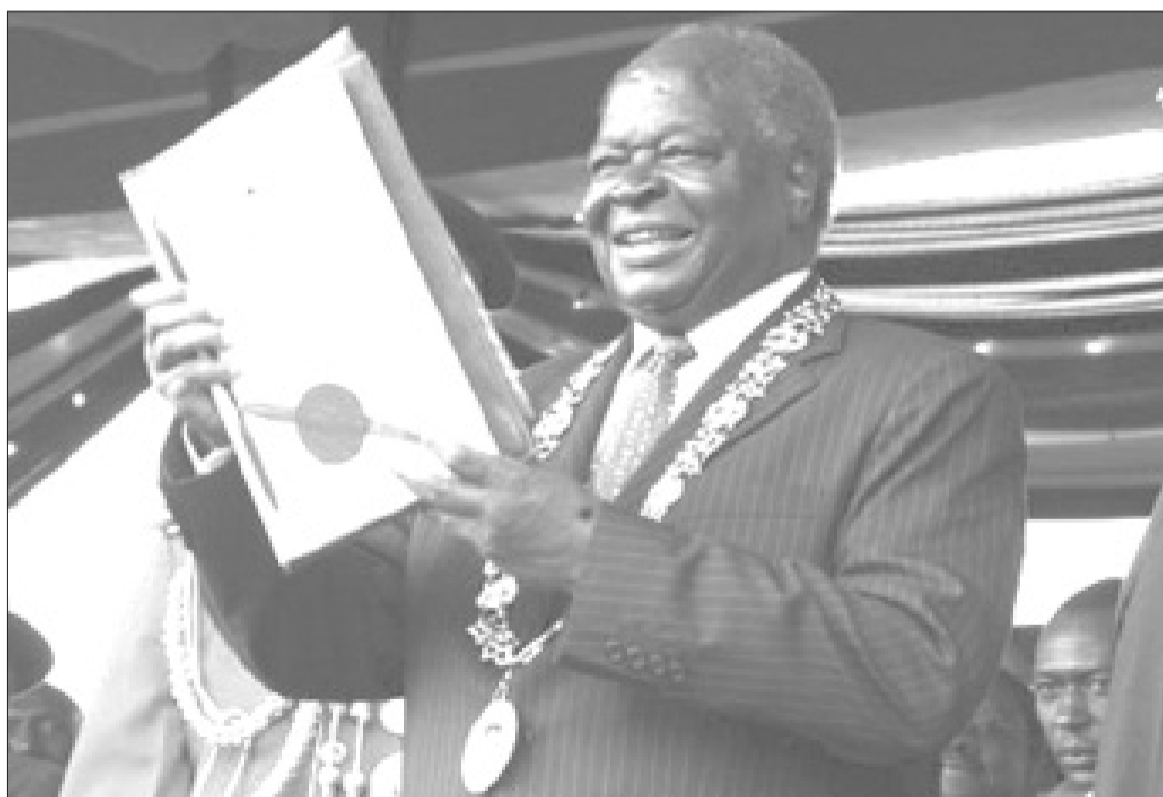
Whether or not the new Constitution enhances accountability by public bodies depends on the extent to which it succeeds in curbing the problem of arbitrary power. While the minimum principles and mechanisms have been established within the Constitution, Parliament must not undermine these bodies in enacting weak operationalizing legislation, or in approving appointment of persons who do not espouse the national values and principles under Article 10. In this regard, Kenyans to whom all sovereign power belongs must be eternally vigilante for the rules and procedures without legitimate and verifiable outcomes are a mere experiment and it is bound to fail.

Access to justice under the new Constitution

By ROSE KIMOTHO

JUSTICE is an essential pillar in a democracy and plays a fundamental role in the preservation of the rule of law. Rather than being an end in itself, it is a continuum that encompasses the embodiment of the rights of all in the law; the provision of equal protection of the rights of all in the law; the equal access to all of judicial mechanisms; the respectful, fair, impartial and expeditious adjudication of claims; and the equal and humane treatment of those incarcerated for purposes of enforcement of the law. For justice to have any meaningful impact, it must be accessible as a matter of right.

The right of access to justice finds expression at Article 48 of the new Constitution. Couched in mandatory terms, the Article requires the state "to ensure access to justice for all persons and, if a fee is required, it shall be reasonable and not impede access to justice". The concept of access to justice is broad. It requires that information on rights be available, that individuals should be able to access services of law enforcement agencies on the basis of equality, that costs associated with engagement with justice institutions should be reasonable, that procedural hurdles in the judicial system should be minimal, that infrastructure supporting access to justice should be accessible and available, that the environment within which justice is sought should be culturally responsive and facilitate justice, and finally, that processing cases and enforcement of



President Kibaki holds a copy of the Constitution during Promulgation Day in August 27, 2010. He said that the Constitution will herald a new dawn for Kenya August 26, 2011 as the country marked the first anniversary. Photo/File

decisions should not be occasioned by inordinate delay.

Various factors militate against the effective realization of the right of access to justice. These include high costs of the legal process, insufficient legal aid, disparities in granting bail

therefore institutionalizing pre-trial detention, non-judicious unjust and unfair sentencing policy, inadequate entrenchment of human rights in the administration of justice, delays in administration of justice, incompetent investigation and prosecution of cas-

es, gross incompetence in the management of cases by legal professionals, lack of information among the citizens on their rights and socio-cultural factors that entrench gender based discrimination. Therefore, the category of citizens highly at risk of failing to

access justice due to the factors outlined includes the poor, marginalized and vulnerable (such as women and children).

Key challenges likely to have an impact on the ability of citizens to access justice arise from institutional deficiencies and weaknesses. These vanguards of justice are the Judiciary, the National Police Service and the Office of the Attorney General. Some of the deficiencies in these institutions arose from the constitutive provisions in the Constitution of Kenya (Repealed) Act and general institutionalized practice. The new Constitution contains provisions aimed at reforming these key institutions. This article examines the extent to which these institutional reforms are likely to affect the right of access to justice.

Substantive and Structural Opportunities

Before delving into the institutional aspect of the reforms set out in the new Constitution, there are substantive provisions that are likely to, alongside the changes in key agencies, facilitate access to justice. Under it, the state is obligated to ensure access to justice for citizens at a reasonable cost. Other facilitative provisions are with regard to issues related to public interest litigation. Specifically, the category of who can institute a public interest case has been broadened to include individuals and associations (Article 22). The Constitution requires that formalities in terms of proceedings filed in the interest of the public be kept to a minimum and that there be no fee charged (Article 22 (3) (b), (c)).

In addition, courts are not to be constrained by procedural technicalities when adjudicating over matters (Article 22 (3) (d)).

Rose Kimotho is a Senior Human Rights Officer, KNCHR

By BEKADZO TONDO

THE government has declared an all out war against members of the Mombasa Republican Council.

Kilifi County Commissioner Mr. Erastus Ekidor says that the group accounts for only a small percentage of the Coastal region and thus cannot purport to speak for the entire region.

"The government will intensify the crackdown on MRC members from their hideouts to put to an end to its illegal activities," said Mr Ekidor.

Mr Ekidor made the remarks at Ngala Primary School in Kilifi town when he presided over the launch of a disaster risk reduction book authored by pupils in 10 public primary schools in Ganze and Bahari Districts.

The commissioner said the government will not tolerate secessionist calls by MRC and will deal firmly with individuals who disrupt the ongoing voter registration exercise and their demands for the eviction of

non coastal people from the region.

He said the country security agencies are on alert and will not spare anybody found to be interfering with the security of the nation.

Earlier while speaking at Bamba in Ganze district, the commissioner hinted that police officers had been given orders to shoot and kill anybody who tries to disrupt the ongoing national examinations.

At Ngala Primary School, Mr. Ekidor warned parents against allowing their children to join illegal groups such as the MRC. He said the parents will bear the full brunt once the children are murdered in cold blood for engaging in illegal activities that threaten the county security.

The Commissioner reminded

coastal people how families of the outlawed groupings such as of Mount Elgon Land Defence Forces and that of Mungiki suffered as clumped down on the group members.

Mr. Ekidor urged youth in the area to obtain national identification cards and later register as voters so that they can participate in the forthcoming General Elections.

"Kenya has a new constitution which was overwhelmingly endorsed by majority of the people and thus people must exercise restraint to enable them benefit from the supreme law.

He said grievances of MRC which mainly touch on landownership and lack of employment have

been adequately addressed in the new constitution and thus residents must participate in the coming general elections to help bring change in the area.

Mr Ekidor said the National Land Commission will decentralize its services to the county levels and hence all the land problems facing local people will be addressed.

"The National Land Commission has decentralized its services to the county level, which means that all the land problems that MRC purports to address will be dealt with accordingly," said Mr. Ekidor.

He said that once the Commission becomes fully operational, all irregularly allocated plots will revert back to the indigenous people.

Government orders a clamp down on MRC

Compensation row threatens mining project

By BEKADZO TONDO

LEADERS in Chonyi division of Kilifi County have threatened to block miners of manganese from exploiting the mineral at Chasimba location citing poor compensation of land owners.

The leaders noted that the families affected by the mining project had been shortchanged since the compensation was too little to enable them buy land and settle elsewhere.

According to Chasimba location Chief Mr Ruben Ndago, the miners of manganese had agreed with the land owners that they would pay them between Ksh. 75,000 and 50,000 per truck but they have reneged on the agreement and are now paying Ksh 5,000 per truck.

"I remember that the miners had pledged to pay between Ksh 75,000 and 50,000 per truck of the mined manganese but they have backtracked from earlier agreement and are now paying Ksh 5,000 per truck.

The chief made the remarks at the Chonyi divisional headquarters when he was giving a report about the project in a meeting chaired by area D.O Mr Wilfred Sigei. At one point the chief differed with the area councilor Mr Boniface Mwango over the implementation of the agreement between the land owners and the miners. Trouble started when chief Ndago said the project was being done in accordance with the agreement reached between the parties involved but councilor Mwango said he was not part of the agreement.

"As the area councilor I call upon the leaders in this meeting with the chairmanship of D.O Sigei to dispatch a team of leaders to the area where mining is ongoing and get proper information as to whether the project is being done in accordance with the guidelines and the general conservation of the environment," said Cllr Mwango. The issue arose after the leaders rejected plans by Athi River Mining Company to take up 500 acres of residential land at Mwarakaya to explore lime stone.

Former PS Mrs. Rachael Dzombo and Mwarakaya ward councilor Silas Mzungu said the management of Athi River mining company had planned to acquire the land secretly and should thus be blacklisted.

"We were shocked to hear that the management of Athi River company which deals in cement processing at Kaloleni had acquired 500 acres of land in Mituluni, Mbuyuni, Mwarakaya and Danicha areas without involving the local leadership and the land owners," said Mrs Dzombo.

The leaders further said the targeted land was communal land and the planned takeover could lead to bloody conflicts as some of the affected family members may not be considered for compensation.

D.O Sigei said the project will not continue as the management of the mining company had not forwarded its proposal for approval by the community and relevant government departments.

"My office has not been served with any proposal by Athi River Mining company which is seeking to use 500 acres of land at Mwarakaya location and for that reason we cannot deliberate on this issue," said Mr Sigei.



Contingent of GSU police officers patrolling Garsen town in Tana River County. The government will intensify the crackdown on MRC members from their hideouts to put to an end to its illegal activities. Photo/File

Gadget to curb high rates of accident

By JOHN NYAMBUNE

THE government has introduced a new gadget that seeks to reduce the rising number of road accidents in the country.

The gadget, Radar Autovision Compact Speed Enforcement device has been enhanced with advanced digital CCTV video with high accuracy speed measurement equipment, providing a very effective and straight forward traffic enforcement system.

The system has also been equipped with a mobile radar that is able to transmit high quality audio visual record, highlighting cases of over speeding or traffic related offenses.

The radar provides accurate speed enforcement data in static or moving mode vehicles and includes the Automatic Same Direction technology to determine whether the target vehicle is approaching or receding with 100 per cent accuracy.

The device comes hot on the

heels of shocking statistics that road carnage has become a global health and development problem with over 1.2 million people dying on roads every year, and as many as 50 million others injured.

Over 90 per cent of the deaths occur in low-income and middle-income countries. The World Health Organisation (WHO) predicts that road traffic injuries will rise to become the fifth leading cause of death by 2030.

Pressure has been mounting on the Government to put in place proper mechanisms and adopt new strategies to reduce the rising deaths on Kenyan roads. Few countries have comprehensive, well-enforced road safety laws when it comes to speed, drunken driving, use of motorcycle helmets and safety belts among others.

In Kenya, road accidents have been going up every year due to reluctance by government agencies to strictly enforce rules put in place by former Transport Minister, the late

John Michuki.

A technical officer at Rotec Security System, says the device which is used by law enforcers can be installed in a vehicle to measure its speed on roads and highways where most drivers tend to violate the rules by speeding. "Road accidents are on the increase and it is only through such a gadget that sanity can be restored on our roads," says a technician.

Images are overlaid with relevant data including a security frame counter. The first line shows the date, time and speed of the patrol car, the second line displays the average speed of the target vehicle together with the time and distance over which the speed check was taken. The device can also capture traffic policemen who receive bribes hence help to reduce corruption.

Additional cameras can be included for monitoring offender's actions in the rear of the vehicle. "The most outstanding thing about the device is that it captures a vehicle one

kilometer away and is able to show whether the vehicle violates the speed limit. It also shows the number place and the colour of the particular vehicle," says another official at Rotec Security System.

Public service vehicles are supposed to maintain a speed limit of 80 kph. However, most vehicles violate and exceed the speed hence contributing to road accidents.

According to a technician, if deployed, the gadget can help to reduce the number of road accidents in the country by up to 60 per cent.

"So far, we have conducted three trials in the country in Nairobi, Meru and Nyeri towns as well as held several public demonstrations along some major highways to sensitize the police, matatu owners and personnel from insurance companies on the importance of using the device," says a technician.

Despite the device having been gazetted in 2007, it is not yet operational in the country due to procurement challenges.

The Traffic (Amendment) Act seeks

INTRODUCTION

The harsh law follows a successful amendment of the Traffic Act (Cap.403) with a view to:

- (i) Vest ownership of motor identification plates on the Kenya Revenue Authority and to require surrender of the plates to the Registrar of Motor Vehicles once a motor vehicle is transferred from one person to another.
- (ii) To enhance penalties for various traffic offences in order to deter commission of those offences and consequently minimize loss of lives on Kenyan roads.
- (iii) To abolish the Traffic Police Department in order to vest enforcement of traffic laws and regulations on all police officers.

Key Highlights of the Traffic Rules include

- A directive that the administrative unit of the Kenya Police Service known as the Traffic Department be scrapped and all

police officers mandated with the responsibility to enforce traffic rules and regulations.

- All motor registration number plates be owned by the Kenya Revenue Authority (KRA).
- If the ownership of a vehicle changes, the registration number plates must be surrendered to the Registrar of Motor Vehicles. Failure to comply with the rules attracts a fine not exceeding Ksh 30,000 on conviction.
- An identification number plate becomes invalid if the insurance cover of a motor vehicle to which it relates expires and is not renewed within thirty (30) days from its expiry date. Owners of the offending vehicles are required to surrender the identification number plates to KRA failure to which criminal sanctions are to be imposed.
- Unauthorised driving



Kenya's ratings in road carnage have remained relatively high with statistics showing that about 3,000 lives are lost annually to road accidents. This places it among countries with the highest rate of accidents globally, despite its low level motorization compared to other developed economies. At the moment, the country is still grappling with the ever increasing number of road accidents largely blamed on reckless driving.

But the scenario is set for change with the enactment of the Traffic (Amendment) Act 2012 writes FAITH MUIRURI.

of a public service vehicle attracts a penalty of ten (10) years in jail or a minimum of Ksh 500 000 in fine, or both.

- In case of violation of the prescribed speed limits, on conviction, an offender risk having their license cancelled for at least three years.
- The Inspector General of Police has been vested with powers to designate areas where police are allowed to erect roadblocks.
- Road signs are to be

erected next to traffic signs showing the prescribed speed limits.

- Passenger Service Vehicles' (PSV) drivers and conductors are required to wear badges and blue and maroon coloured uniforms respectively. In addition, the PSV drivers would be required to do a compulsory competence test every two (2) years.
- All Motorcycles riders required to take out a third party insurance policy and must wear

helmets and reflector jackets. Riders are not allowed to ferry more than one (1) passenger at a time.

Penalties

In a bid to enhance sobriety on the roads, the new law introduces a set of harsh penalties that will serve to deter motorists who break traffic rules and lead to accidents. The law provides stiffer penalties for offenders and introduces other regulations to curb road accidents caused by human error.

According to the new law, driving under the influence of any substance is set to attract a penalty of ten (10) years in jail or a minimum of Ksh 500,000 fine, or both.

Section 44 Cap 403 of the Traffic Act has been amended to read that a person who, when driving or attempting to drive, or when in charge of a motor vehicle on a road or other public place, is under the influence of drink or a drug to such an extent as to be incapable of having proper control of the vehicle, commits an offence and shall be liable, upon conviction, to imprisonment for a term not exceeding ten years, or to a fine not exceeding Ksh500, 000, or both.

The amendments have proposed to increase tenfold traffic offences fines. For example, a first conviction on reckless and dangerous driving attracts a fine of Ksh100,000 or imprisonment for two years or both. A second conviction on the same offence attracts a fine of Ksh300,000 and/or imprisonment for a year or disqualification from driving for a period of two years.

Causing death through reckless or dangerous driving now becomes a criminal offence and



The scene of a road accident along Thika Road. In many occasions, accidents do happen due to violation of traffic rules. Photo/File

to restore sanity on Kenyan roads



Matatus packed at one of the terminus in the country.

on conviction, the courts are at liberty to convict offenders to life imprisonment.

Motorists who drive on pavements or pedestrian walkways risk a three months jail term or a fine of Ksh30,000 or both.

Motorcycle riders on the other hand are required to wear helmets and jackets and provide the same to their passengers. The law also demands that the riders possess driving licenses. Motorcycle owners who contravene the same are liable to a fine of Ksh10,000 or one year jail term or both.

Issuance of Licenses

Further, the new law has reviewed the registration and licensing of motor vehicles and the issuance of driving licenses.

According to the law, the annual licenses have been scrapped and all licenses are to be issued for a term of three (3) years.

All licensed motor vehicle drivers are required to undergo mandatory eye tests every three (3) years, and a medical practitioner's report will need to

be presented to KRA when one is applying for the renewal of the license. Anyone who fails to comply with this requirement, risk being disqualified from holding a driving license for a period not exceeding three (3) years.

The law also seeks to deal with the failure of a driver to produce a driving license, driving beyond the stipulated speed limit, driving under the influence of alcohol and causing death from reckless driving.

Driving without a license attracts a tougher penalty too as offenders face a ten year jail term or a fine of Ksh500,000 or both.

The driving license of a person who has been convicted for the violation of a speed limit becomes invalid for a period of not less than three years—

- (a) if the violation of the limit is by up to ten kilometres per hour; and
- (b) the violation is repeated three or more different

times.

However a person who violates a speed limit prescribed for a road by up to twenty kilometres per hour commits an offence and is liable, on conviction, to imprisonment for a term of not less than three months, or a fine of not less than Ksh20,000 or both."

The legislation also deals with the issue of unroadworthy vehicles, punishment for hit and run drivers and the fraudulent issuance of motor vehicle documents.

Uniforms and special badge

- The Registrar of Motor Vehicles prescribes the uniform to be worn by both the driver and the conductor.
- The Registrar of Motor Vehicles is to issue special badges upon satisfaction of all requirements and after both the driver and conductor pays the prescribed fee.

- Every owner of a public service vehicle has to employ at least one driver and one conductor who must hold a certificate of good conduct issued by the relevant authority.
- Drivers only take up employment upon being vetted and an assurance of a permanent monthly salary by the owner of the public service vehicle.
- A person who contravenes or fails to comply with the provisions commits an offence and is liable upon conviction, to imprisonment for a term not exceeding twelve months, or to a fine of not less than Ksh10,000 or both.

Helmets and reflector jackets

The law makes it compulsory for both riders and passengers to wear a helmet and a jacket that has reflectors.

A person who rides a motor cycle has been vested with the responsibility to provide a helmet and a jacket that has reflectors to the passenger, and carry only one passenger at a time.

Only individuals with valid driving licences issued in accordance with the provisions of the Act can ride motorcycles.

A person who contravenes or fails to comply with the provisions commits an offence and is liable to a fine not exceeding Ksh 10,000 or, in default of payment, to imprisonment for a term not exceeding twelve months.

Unauthorised driving

A person who drives unauthorised vehicle commits an offence and so is the driver of a public service vehicle who abets the crime.

A person who is convicted of an offence under this section is liable to imprisonment for a term not exceeding ten years, or a fine not exceeding Ksh 500,000 or to both.

Ahadi Kenya partners with church to eradicate jiggers

By JOSEPH MUKUBWA

AHADI Kenya Trust has joined hands with members of the Akorino church in order to eradicate jiggers in the country. The members joined hands recently at Kamakwa trading centre near Nyeri town where they treated the jigger infested victims from Nyeri County.

African Mission of Holy Ghost Church archbishop Ezra Kamau Ngigi said they joined hands with the anti jigger organization in order to be involved in the community work and also to preach the word of God.

Ahadi Kenya Trust Chief Executive Stanley Kamau said the trust want to create partnership and show the Akorino members that there is also need to take their children in hospital and in school.

"We also want them to be involved in community work like this one of jigger eradication in order to help the

community," said Kamau.

Kamau added that the trust plans to treat 10 per cent of those infected in the country and urged Kenyans to join hands in order to eradicate it.

Over 50 jigger infested victims including children and old people were treated.

Anti jigger ambassador Cecilia Mwangi and Kamau urged the Government to ensure chiefs are retained in the Government since they are the ones who know about the people who are infested with jiggers at the grass-roots.

"I also urge wananchi not to segregate disabled people. They should be brought open so that they can be treated," said Mwangi.

She said the trust is still struggling to acquire a jigger policy to address jiggers menace by year 2015.

Special Programmes Minister Esther Murugi and Mathira MP Ephraim Maina were also present.

AIPCK church opposes Marriage Bill

By JOSEPH MUKUBWA

THE Archbishop of African Independent Pentecostal Church of Kenya (AIPCK) John Mugecha has faulted the Marriage Bill that was passed by the Cabinet recently.

Mugecha said some provisions in the Bill are against the Biblical teachings noting that in implementing the law, some sections of human rights and values will be violated and that the marriage institution will be taken for granted.

Speaking recently during the 26th annual national prayer meeting of AIPCK members held at his residential home in Muthiga village in Nyeri, Mugecha observed that some individuals will take advantage of the bill and get into marriage relationship casually and perhaps with negative intentions.

The archbishop said the church advocates and respects holy matrimony which results on free decision by two partners in accordance to the teachings of the Bible arguing that cohabiting is not a formal relationship and should not be considered as a marriage.

He also said payment of bride wealth should not be ignored noting that the practice is not only an important African custom but also advocated for in the Bible and thus the payment of the bride wealth corroborates the marriage relationships.

Supporting Mugecha's words, the chief guest in the event Bishop Dr. Joseph Methu said the bill failed to take into consideration the diversity of religious faith in the country and thus the issue of faith perspective was overlooked in the provisions of the bill.

Meanwhile, Methu who is the National Chairman of the Federation of Evangelical and Indigenous Christian Churches of Kenya (FEICCK), condemned the killing of more than 20 police officers who were in line of duty at Baragoi in Samburu county recently. He said the insecurity situation in the country is alarming citing various incidents of attack at places of worship which have been witnessed in different places in the country.

The bishop called upon the government to beef up security urgently

saying the current trend may affect the forthcoming general elections. He further urged the government to fast-track reforms in the police force as well as appoint the Inspector General of Police before the end of the year.

The bishop also proposed that the process of vetting presidential candidates and other aspirants should be left with the Independent Electoral and Boundaries Commission (IEBC) saying that the idea of involving other state commissions in the process is unconstitutional. Methu urged all Kenyans to maintain peace in this campaigning season and further advised the Christians from all corners of the country to avoid divisive politics.

At the same time, Maendeleo Ya Wanaume Organisation also opposed the 'come - we - stay' marriages saying it is meant to suppress men.

The organization chairman Nderitu Njoka said this kind of marriage is meant to force a man into marriage without giving him enough time for courtship and will therefore move to constitutional court to block the law.

Speaking after the cabinet legalized the marriages which exceed a period of six months; the chairman said a man should be given enough time to study about the woman who will be his future wife. "There are no proper frameworks. I'm wondering why all these laws are just favouring women and oppressing men," he complained. Njoka said on phone that nobody should be forced to marriage in this country. On the issue of dowry, he said the Government should ban it since both the lady and gentlemen have been brought up together in the same society though by different parents. "Let them not say that payment of dowry is voluntary, instead they should ban it for good," he added.

He at the same time backed the provision that allows for the separation of the properties saying this is commendable. The cabinet which was chaired by President Kibaki endorsed Marriage Bill recently which will now be tabled in parliament for debate.

The chiefs will now have authority to register those engaged in the 'come - we - stay' marriage accordingly.



Ahadi Kenya Chief Executive Stanley Kamau with Akorino member treating jiggers recently at Kamakwa trading centre at the outskirts of Nyeri town.

Mobile money transfer industry provides relief to unemployment crisis

By LINK CORRESPONDENT

THE mobile money transfer sector is turning out to be a major source of employment as more Kenyans embrace mobile phone cash transfer services, which they use to pay bills, send cash and repay loans among other services. Statistics from the Communication Commission of Kenya (CCK) indicate that close to 50,000 people are employed in the industry as mobile money agents.

In a report, CCK noted that the number of people working as agents stood at 49,079, which grew in the quarter ending June 2012 by 7.02 per cent, rising from 45,861 by March 2012. "At the end of quarter under review, there were 49,079 active mobile money transfer service agents compared to 45,861 recorded in the previous quarter and 42,313 posted at the end of the previous year. This represents a quarterly and an annual growth of 7.02 per cent and 15.99 per cent respectively," said CCK.

The regulator notes that though a value addition in the mobile telephony industry, the sector continues to create employment opportunities across the East African countries. All the four mobile phone companies in Kenya namely Safaricom, Airtel, Yu and Orange offer money transfer services, with Safaricom,

which pioneered the service in 2007, controlling the mobile money market in the country.

CCK data showed that as of June, there were 19.5 million mobile money subscriptions. The number grew by 2.73 per cent from 18.9 million in the previous quarter. The main work of those employed in the sector as agents by the four service providers include handling deposits and helping clients withdraw cash. In the period between April to June, the agents handled US\$2.3 billion, according to CCK. The amount increased from US\$2.1 billion in the previous quarter.

Similarly, in the financial year 2011/2012, the agents handled US\$8 billion, up from US\$5.8 billion the previous year. "This upward trend signifies that mobile money transfer service has become instrumental in providing unmet demand for financial services thereby promoting financial inclusion in the country," said CCK.

The mobile money transfer industry therefore comes as a relief to Kenya's unemployment crisis, which is on the rise, according to International Monetary Fund (IMF). IMF put Kenya's unemployment rate at 40 per cent. Out of this, 64 per cent are the youths. Majority of those who are employed in mobile money shops in Kenya are young people.

Sacco supports community projects

By BEKADZO TONDO

THE Kilifi Teachers Savings and Credit Cooperative Society has spent Ksh0.5 million in supporting community development projects.

The Sacco has been supporting three children orphanage centers from Kilifi, Malindi and Kaloleni districts who recently received food donation.

The officials left with 10 bales each of maize flour, a bag each of 100kgs of rice, a gallon of 20 liters of cooking fat and a sack of 90 kgs of beans valued at Ksh110,000.

Led by the manager of Saidia Kwa Moyo orphanage home in Kilifi, Ms Mercy Katana, the orphanage officials registered their appreciation to the sacco for the timely gesture to donate the food stuff.

Ms Katana said though orphanage centers were privately managed, they were faced with numerous challenges that range from shelter, food and funds to educate the children.

She said the orphanage apart from offering shelter and food support to the 30 children; it also supports the education of the children even to secondary level.

"Orphanage homes which are normally privately managed face many challenges and donations and support like the one we have received from the Sacco will really help the children" said Mrs. Katana.

The Sacco which started way back in 1974 has since opened its doors to none teachers and it currently has a total over 23,000 active members.

According to the chief executive officer Mr Daniel Masha, the Sacco runs a social corporate responsibility policy through which a portion of its annual proceeds goes to supporting the less fortunate people in the community and communal projects.

The orphanage which benefited from the food stuff were Asante orphanage center of Malindi, Saidia Kwa Moyo of Kilifi and Mamba children care center of Kaloleni.

The Sacco chairman Mr Richard Dzombo urged more people who are non-teachers to join the Sacco and benefit from the many products it offers to its members.

He said the Sacco has so far attracted many non-teacher members including low scale farmers, small scale business people and women groups. "We are urging the unemployed people to form groups and register with us so that you can access loan services to improve your livelihoods," said Mr Dzombo.

He said cleanliness of the town was a responsibility of all stakeholders and said his Sacco bought some dustbins which they later donated to the council.

Mr Angore further said that the sacco has been involved in the general clean up exercises in the urban centers like Kilifi, Mariakani and Malindi towns.

The manager said the sacco had erected some sheds at Kilifi and Malindi town bus termini and it plans to do more through community development projects. The Sacco chairman said the sacco has branches in Kilifi, Malindi and Mariakani.

By NYAKWAR ODAWO

The Kenya Forest Service has embarked on an ambitious plan in Busia County that will culminate in the establishment of a forest resource centre.

In a recent interview with The Link, the forestry services officer in charge of Busia County James Were said the resource centre will help decentralize forestry services at the county level.

The Kenya Forestry Service coordinator said that the elevation of Busia Forest into an Arboretum status was long overdue.

"Even the national director of the Kenya Forestry Services David Mbugua has supported the initiative," said the Kenya Forestry Service coordina-

Kenya Forest Service builds a resource centre in Busia

tor, adding that the proposed facility once completed will go a long way in benefiting the entire community and in particular, the school children who will be able to access information pertaining to environmental conservation.

Were at the same time explained that the tenting facilities will help provide cheaper accommodation to locals and tourists who visit the facility.

"The establishment of a resource centre in Busia County will be a major foreign exchange earner not only to the county, but to the entire nation at large," said Were.

He said that upon completion of the resource centre, the county will have three fully fledged parks in Busia town, Teso and Matayos respectively.

"The commercialization of forests

in Busia County will most certainly lead to high demand for the tree seedlings that will in the long run enable the achievement of the mandatory 10percent forest cover," said the county forest coordinator, adding that the national forest cover currently stands at a paltry 4percent which he noted is just a drop in the ocean. He called for collaboration among all stakeholders to help reverse

the trend adding that the Kenya Forestry Services has contributed directly to the provision of food security in the entire country by way of tree planting.

"Trees play a leading role towards the provision of moisture, fertilizer, rain as well as control of soil erosion that in most occasions washes away the top soil that contains fertile soil for high agricultural productivity.

Company introduces surgical machine in Africa

By HENRY OWINO

GENERAL Electric Company (GE) Healthcare has announced the introduction of a new anaesthesia delivery system called the Carestation 30 that would support safer surgery in African hospitals.

The Carestation 30 machine integrates the level of oxygen in the blood and other key measurements into its anaesthesia delivery system. This helps the caregivers to view patient data and alarm indicators on a colour display, allowing efficient access to critical information.

The technology has the following additional benefits: Clinical Innovation and Performance thus giving accurate mechanical ventilation and integrated, compact breathing system; Excellent User Experience – compact and ergonomic with an intuitive user interface and a comprehensive training package; Lifetime of Value – compact breathing system to minimize leaks; Quality and Reliability – engineered for maximum reliability and minimized maintenance with an extended battery life of up to six hours.

These remarks were made by Farid Fezoua, the President and Chief Executive Officer GE Healthcare Africa at a press conference in Nairobi.

Fezoua said the company introduced the machine in Africa because there are tremendous challenges when it comes to routine and emergency surgery in low resource areas, like rural Africa. He clarified that many rural communities lack clinical care necessary to ensure positive outcomes when it comes to surgery.

"Having the right tools and equipment are vital to delivering the safest surgery possible. This product was developed with this in mind so that many lives could be saved," explained Fezoua.

Fezoua stated that the Kenya Society of Anaesthesiologists' (KSA) guidelines include a range of criteria for anesthesia equipment, including the ability to appropriately monitor physiological measurements and other variables.

He recalled traditionally, clinicians have been limited in their ability to monitor vital signs such as oxygen levels in the blood, during surgeries.

"In Africa GE is working hard



The new surgical anaesthesia machine introduced by GE Healthcare team in Africa targeting rural areas. Photo/Henry Owino

to bring better health to more people by leveraging the best of our resources, expertise, products and solutions to address the needs of citizens across the continent," said Farid Fezoua, President & CEO of GE Healthcare in Africa. "Given access issues facing the region, advancing surgery in the rural primary care setting, particularly in Sub-Saharan Africa is a key area of focus", added Fezoua.

Joy Ireland, President & CEO GE Africa, said the program will be fully supported by GE and executed by the Kenya Society of Anaesthesiology and based on its success, will be further expanded to several countries throughout Africa.

Ireland expounded they are hopeful that the new technology will help further meet the needs of clinicians in low resource settings at a more affordable cost, thereby advancing safer surgery practices in Africa.

In parallel, he disclosed that GE Healthcare is also introducing a clinician education program aimed at raising awareness among surgical caregivers in Kenya.

"Today, GE Healthcare is pleased to introduce the Carestation 30, our latest anaesthesia delivery system increasing the standards of quality, reliability and affordability," said Ireland.

He said the machine is not available in all markets and again not available for sale in the United States. Its purchase price would cost between Ksh 1.2 to 2 million.

GE Healthcare provides transformational medical technologies and services that are shaping a new age of patient care.

It is a broad expertise in medical imaging and information technologies, medical diagnostics, patient monitoring systems, drug discovery, biopharmaceutical manufacturing technologies, performance

improvement and performance solutions services.

The machine helps medics to deliver better care to more people around the world at a lower cost. In addition, the GE team partner with healthcare leaders, striving to leverage the global policy change necessary to implement a successful shift to sustainable healthcare systems.

The GE team "healthymagination" vision for the future invites the world to join them on their journey as they continuously develop innovations focused on reducing costs, increasing access and improving quality health around the world.

Currently headquartered in the United Kingdom, GE Healthcare is a unit of General Electric Company Worldwide. The GE Healthcare employees are committed to serving healthcare professionals and their patients in more than 100 countries globally.

Ongoing judicial reforms help to reclaim public confidence

By NYAKWAR ODAWO

THE ongoing judicial reforms seek to ensure effective and speedy delivery of justice, a senior judiciary official has said. Addressing participants at a media workshop held at Multi-Media University college organized by the judicial Service Commission recently, Justice Joel Ngugi, the head of the judicial transformation secretariat said Kenyans had lost confidence in the judiciary especially during the 2007/8 bungled presidential election.

"The ongoing transformation of the judiciary will restore confidence in the courts considering that the progress that has been realized," said justice Ngugi, adding that the institution was bleeding from inside due to rampant loss of case files. Justice Ngugi at the same time said prior to the transformation process, people feared the judiciary to an extent that they would be overwhelmed at the sight of a judge or magistrate. "Initially, judges were viewed as fierce animals and none of the court clients would dare greet or even say good morning," said the judge.

Justice Ngugi said during the last financial year, the judiciary got a paltry 0.5percent of the national budget out of which 0.46percent went towards staff salary. He said this meant that very little funds were left to finance the development of infrastructure despite the fact that most law courts especially in the rural areas were operating without essential facilities.

"At Machakos and Kilungu law courts I was surprised to establish that there are no washrooms and computers respectively," said Justice Ngugi, adding that the ongoing transformation of the judiciary has come at the right time as the judiciary is set to become the engine that will transform the society.

He said the transformation will lead to transformative leadership, organizational culture and professional and motivated staff, growth of jurisprudence and effective judicial practice.

"The transformation process will also ensure availability of adequate financial resources and physical infrastructure," he said, adding that the judicial system will embrace a technology that would enable the judiciary to acquire computers where court files would be stored to hence avoiding loss case files. Justice Ngugi called upon the media to be very inquisitive where value for money is concerned adding that they [media] should expose cases where court clerks are extorting money from clients so that stern legal action can be taken against them.

"This is not an empty threat. Should the court clerks be found extorting bribes from either the clients or media, they will end up facing the full wrath of the law," said Justice Ngugi, adding that the vice has always led to poor service delivery hence damaging the image of the institution.

By JOSEPH MUKUBWA

THE United States government has invested over Ksh 238 billion to the HIV/AIDS response in Kenya, the acting U.S ambassador in the country Robert Godec has disclosed.

Godec said this is the largest commitment by any one government to any one disease noting that the resources have resulted in more than 600,000 Kenyans all over the country receiving anti-retroviral therapy.

"For the last one year, the American people have provided for the education and care of more than 600,000 children who have been orphaned or are vulnerable due to the impact of HIV and AIDS," he said.

Speaking after touring Nyeri Provincial General Hospital (PGH), Godec added that the assistance has enabled the HIV/AIDS victims to lead productive lives and reduce the burden of the epidemic on Kenya's families, communities, and economy.

The envoy who was on official tour to visit U.S funded projects in Mount Kenya region further said with their support, over seven million Kenyans have been tested in order to know their own HIV status.

Citing the Nyeri PGH as one of the beneficiaries of the US aid on HIV/AIDS, the ambassador added their help has enabled the enrollment of clients in the hospital has increased from about 1,000 persons living with HIV in year 2006 to over 5,000 persons living with HIV and enrolled in care and treatment as of September 2012.

"The funding which was

US renews HIV/AIDS funding to Kenya

channeled through the US President's Emergency Plan for AIDS Relief (PEPFAR) has also made a noticeable impact in the outpatient nutrition information and supplemental nutrition program for HIV victims. This has

enabled effectiveness of the anti-retroviral therapy," he added.

The ambassador promised that the American people will continue to work through facilities like the Nyeri PGH and others in the surrounding commu-

nities to expand access to HIV testing and treatments adding that they will also support programs that will help reduce the transmission of HIV so as to achieve a generation of Kenyans free from the epidemic.



Acting US Ambassador Robert Godec (centre) with Nyeri Public Health officials touring Nyeri Provincial General Hospital recently. Photo/Joseph Mukubwa

Initiative seeks to build cohesion in schools

By LINK CORRESPONDENT

COMMUNITIES living along the Sotik-Borabu border have come up with an initiative that seeks to curb violence and enhance integration in schools ahead of the elections.

The initiative dubbed Strategies for Peace, Education and Development (Sperd) is a mentorship programme that targets secondary schools.

The project coordinator Joshua Murgor says that the programme targets schools because students are the best change agents and peace ambassadors.

He says that the project works closely with the administration in respective schools to establish peace clubs. "We encourage all students to enroll in the clubs. During meetings, students discuss what is happening in their communities and the best way to enhance cohesion," explains Murgor.

Some of the topics discussed include negative ethnicity and how to curb it in school and society. "This helps them to accept each other's ethnic background and culture," adds Murgor.

He points out that schools are better placed to carry on with the initiative because students are change agents and thus likely to replicate the same messages in the community.

"Besides debating on issues relating to cohesion, club members visit neighbouring schools where they hold games and discussions.

The movement started in a few schools and has spread to many others. "We began with about five schools, but now at least 40 secondary schools in Bomet, Nyamira and Kericho counties have joined the initiative," says Murgor.

Members of the club have adopted the new structure of Government that comprises of the Senate, Parliament and County Assembly members as outlined in the Constitution.

Mr Danson Rono, deputy head teacher at Soliat Secondary School said peace clubs have helped transform many students.

"In my school, students have stopped being reactive to cohesion issues in school. They want to be part of the solution," he said.

Through regular debates, students are now conversant with changes going on in the country.

Other institutions in the region, which have peace clubs include Kapsinendet, Londiani girls, Tembwo, Ikonge PAG, Mwangori, Manga girls and Moi Minariet.

Students use social media to interact and strengthen communication between clubs. The initiative will help schools to unite students ahead of the elections.

Most students were affected by the 2007/2008 post election violence. Some of them are still nursing the wounds especially those whose parents live in areas considered hotspots. Schools and colleges in these areas were hard hit by election violence. This forced many of them to flee to areas perceived to be safe.

Mtwapa slum upgrading project stalls as community demands compensation

By BEKADZO TONDO

THE implementation of Mtwapa slum upgrading project by the Ministry of Local Government at Ksh. 50 million has stalled following fresh demands of compensation by local residents.

Although the residents are not opposed to the project being implemented by Kilifi County Council, they want to be compensated before the project takes off.

Led by Mr Jonathan Munga, the over 50 residents from Mikanjuni whose houses have been marked for demolition, say that they will only allow the project to continue if they are assured of compensation and given alternative plots to resettle as majority will be displaced.

"As residents of Mikanjuni in Mtwapa location, we highly welcome the slum upgrading scheme for our area but we want to be assured of compensation and given alternative plots for those of us who will be displaced,"

said Mr Munga.

However, the chairman of Kilifi county council Mr. Anthony Kingi said there was no provision for compensation of those whose houses will be demolished.

Mr. Kingi said the project is set to be implemented within a period of 18 months and will involve creation of access routes at Mikanjuni slum, installation of street lights to improve security and construction of a storm water drainage system.

"The Mtwapa slum upgrading scheme is an 18 months project being funded by the government through the ministry of local government and it will involve creation of access routes, installation of street lights and storm water drainage system," said Mr Kingi.

The chairman who spoke to The Link said consultative meetings between the officials of the ministry of local government, Kilifi county council, development stakeholders and the

residents of Mtwapa have been finalized and residents unanimously and voluntarily agreed to demolish all the houses built on the road reserves.

"Consultative meetings have been conducted in the area and most of the residents welcomed the project and agreed to pull down structures which had wrongly been built on routes earmarked as access routes" said Mr Kingi.

Mr. Kingi said Mtwapa has been congested with structures that are not built according to any stipulated plan and thus the council wanted to re-plan the town.

However, the residents denied that they had been involved in consultative meetings and urged the council to convene public forums before the implementation of the project.

Mr. Munga wanted to know how the residents committee in charge of the project was formed as most people in the area had not been informed or contacted to

attend the elections of the members.

Another victim Mrs. Esther Nzai vowed to resist the demolition of her house at Mikanjuni to pave way for the access roads.

Mrs. Nzai claimed that there was favouritism in the identification of the houses to be demolished claiming that some houses will not be demolished.

"We know of houses which were marked for demolition but have since been excluded from the exercise after owners bribed the project committee members," said Mrs. Nzai.

Area councilor Mr Ali Bakari said all the local people were involved through public meetings and denied that the committee members of the project were hand-picked.

"All residents of Mtwapa affected by the project were invited to public meetings to discuss how the project will be carried and those affected agreed to pull them down to create access routes," said Cllr. Bakari.

New malaria vaccine to be introduced in two years

By HENRY OWINO

RESEARCHERS and Scientists are moving close to producing a new malaria vaccine that could see the number of deaths from malaria drop significantly in Africa. The vaccine, known simply known as RTS,S, is expected to be available for public use in 2014 subject to approval by the Ministry of Public Health in respective countries.

This comes as a great relief for children under five years who rarely live to see their fifth birth days. In Kenya, malaria is one of the top five killer diseases among infants alongside diarrhea, pneumonia, measles and HIV/Aids. The 2010 Kenya Demographic Health Survey (KDHS) results showed that at least 84 per cent of children below 15, which translates to over six million people, are at the risk of contracting malaria.

The results from the recent large-scale third stage of trials show that the vaccine can protect infants against the deadly disease. The vaccines are to be administered to children in three doses.

Addressing journalists at a press conference in Nairobi, a team of scientists involved in the research said the vaccine would give a lifeline to many families in Africa. For instance, in Kenya, the research is being undertaken by scientists and researchers based at the Centre for Disease Control and Prevention (CDC) and Kenya Medical Research Institute (KEMRI) from Nairobi, Kisumu and Kilifi.

Dr Salim Abdulla, a principal investigator in the trial from the Ifakara Health Institute, Tanzania, said there are significant progress made so far but the diseases still kills larger populations. He was rather optimistic that the study indicates RTS,S can help to protect young babies against malaria, in addition to the widespread use of bed nets by the trial participants.

"When administered along with standard childhood vaccines, the efficacy of RTS,S in infants aged between six to 12 weeks at first vaccination against clinical and severe malaria was 31 and 37 per cent respectively, over 12 months of follow up after the third vaccine dose," said Dr Salim Abdulla, a Tanzanian researcher.

He stated insecticides-treated bed nets were used by 86 per cent of the trial participants, which demonstrated that RTS,S provided protection beyond existing malaria control interventions.

Dr Abdulla noted that the efficacy level observed with the dosage last

year among children aged five to 17 months against clinical and severe malaria recorded 55 per cent and 47 per cent success rates respectively. He stated follow-up in Phase III trial will continue and is expected to provide more data for analysis to better understand the different findings between the age categories.

"An estimated 655,000 people from sub-Saharan Africa die of malaria annually with children mainly below five being the worst hit, according to the World Health Organization (WHO). An effective malaria vaccine would be a welcome addition to our tool kit, and we have been working toward this goal with this RTS,S trial," Dr Abdulla disclosed.

The survey also indicated that over 19,000 infants succumb to the disease annually in Kenya. Though the current success rating is lower than the one reported last year, Abdulla said the information will enable the team gather and analyze more data from the vaccine trials. "This will help to determine what factors might influence efficacy against malaria and to better understand the potential of RTS,S in our battle against this devastating disease," he said.

Dr Patricia Njuguna, a clinical trial pediatrician at the KEMRI Wellcome Trust in Kilifi said there was no

increase overall reporting of serious adverse events between the infants vaccinated with the RTS,S malaria vaccine candidate and infants in the control group, which received a comparator vaccine.

Dr Njuguna however admitted side effects primarily included local injection site reactions, which were less frequent following RTS,S vaccinations compared to the DTP-HepB/Hib vaccine. Fever was reported more frequently following RTS,S vaccinations than the control vaccine group thus 30.6 per cent versus 21.1 per cent of vaccine doses, respectively.

She explained the two new cases of meningitis were reported in the 6-12 week-old infant age category in addition to the 9 reported last year; one in the RTS,S group and one in the control vaccine group. However, Dr Njuguna clarified that further analysis revealed a bacterial cause of the meningitis in seven of the 11 cases. She said they will provide more data for analysis to enable the public to understand the findings better.

"The Vaccine is being developed in partnership by GlaxoSmithKline (GSK) and Malaria Vaccine Initiative (MVI), together with prominent African research centres. The trial is continuing and we look forward to getting more data to help determine whether

and how to deploy this vaccine," stated Dr Njuguna.

She emphasized that the collaborators are represented on the Clinical Trials Partnership Committee, which oversees the conduct of the trial. The doctor assured the public that follow-up to the Phase III trial will continue to provide more data for analysis to better understand the different findings between the age categories.

"The data and analyses should also provide insights into the vaccine candidate's efficacy in different malaria parasite transmission settings. More data on the longer-term efficacy of the vaccine during 30 months of follow-up after the third dose, and the impact of a booster dose are expected to be publicly available at the end of 2014," explained Dr Njuguna.

The data and analyses therefore will inform the regulatory submission strategy and, if the required regulatory approvals are obtained and public health information, including safety and efficacy data from Phase III programme, is deemed satisfactory, the World Health Organization has indicated that a policy recommendation for decisions by African nations regarding large scale implementation of the vaccine through their national immunization programmes.

This would mean an effective vac-

cine for use alongside other measures such as bed nets and anti-malarial medicines would represent a decisive advance in malaria control. Even the GSK and MVI are committed to making this vaccine available to those who need it most, should it be approved and recommended for use at an affordable cost.

Halt land transactions in Coast region, Govt urged

By BEKADZO TONDO

THE government has been challenged to halt all land transactions in Coast region as the country gears up for the General Elections.

Leaders in Kilifi County want the Minister for Lands and Settlement James Orengo to stop any on-going land transactions in the area to avert bloody clashes ahead of the election.

A former PS Mrs. Rachael Dzombo said mass grabbing of land belonging to the coastal people by outsiders was to blame for the mushrooming of illegal gangs such as the Mombasa Republican Council (MRC).

"When a nation is preparing for its General Elections, the government has to be careful when handling sensitive issues like that of land as it could easily degenerate into conflict if not handled well," said Mrs. Dzombo.

Speaking during a peace meeting attended by leaders in Kilifi County, Mrs. Dzombo lamented that private developers have been rushing to acquire land in the region to give them an edge against their competitors when the county governments become operational.

She said this is despite the opposition by local people who have vowed to disrupt peace to protest against land grabbing and illegal acquisition by private developers.

Former Bahari Mp John Safari Mumba urged the government to come up with a policy which will pave way for the formation of a conflict resolution mechanism in the country.

Mr. Mumba said the government is faced with challenges on how to address conflicts in the county because there are no proper polices in place. "For peace, order and unity to prevail in this country, the government ought to come out with conflict management laws which could directly deal with all types of conflicts in the country," said Mr Mumba.

Mumba who is also the chairman of community policing in Mt-wapa said irregular allocation of land to none indigenous people in Coast region had highly contributed to insecurity in the area.

The Minister for Fisheries Development Mr. Amason Kingi at the same time urged the government to set up a special kitty to address historical injustices meted out on the Coastal people.

Mr. Kingi said formation of groups like that of MRC was because the government has failed to address the historical injustices facing the local people including land ownership, lack of job opportunities among others.

"A special fund should be established to cushion residents who have suffered due to historical injustices stemming from land ownership and unemployment," said Mr. Kingi.



A baby receives a dose of the experimental malaria vaccine at a trial site in Kilifi.

Boost on voter education ahead of the polls

By PETER MUTUKU

THE Kenya Institute of Education has developed a voter education curriculum to ensure that voters are ready, willing and able to participate in the electoral process.

The initiative entails equipping voters with knowledge and confidence that the electoral process is appropriate and effective in electing governments and promoting policies that will benefit the individual voter.

A well designed voter education program ensures that voters can effectively exercise their voting rights and express their political will through the electoral process. If voters are not prepared or motivated to participate in the electoral process, questions about legitimacy, representativeness and responsiveness of elected leaders and institutions may arise.

Voter education is targeted at the whole citizenry, eligible voters, development partners, stakeholders in a bid to address specific electoral process. Voter education needs to be supplemented by civic education.

The latter provides a broader perspective and enhances the understanding of Voter Education. It is concerned with citizens, rather than voters and emphasizes the relationship between active citizenship and democratic society.

It is understood that citizens must engage the political process routinely, not just at the time of elections. Voter Education involves providing information on the entire electoral process that includes eligibility to vote, voter registration, political parties, elective positions, candidates, election campaigns, polling, law and order during elections and national integration and

cohesion.

In this regard, it imperative that in every election, voter and civic education are intensely carried out to ensure that the entire citizenry understand their rights, political system, the contest they are being asked to decide and how and where to vote.

For an election to be successful and democratic, voters must be sufficiently knowledgeable and well informed to cast votes that are legally valid and to participate meaningfully in the voting process.

The voter education also seeks to ensure that voters understand the role of Independent Electoral and Boundaries Commission, observers and the media.

Further, the exercise aims at

- Developing awareness on the importance of voter and civic education
- Understand the role of political par-

ties

- Participate in the management of public funds and government resources

- Develop the willingness to participate in the implementation of the Constitution and international treaties and convention

- Promote peaceful, free, fair elections and patriotism among citizens

- Demonstrate the willingness to objectively participate in election and referenda

- Appreciate participation of women, the youth and persons with special needs in electoral process

- Appreciate the role of emerging technology in electoral process

- Understand the election dispute resolution mechanisms

- Acquire techniques to maintain and promote peace in the electoral process.

Child labour rife in sugarcane plantations

By NYAKWAR ODAWO

RESEARCH has established that the agricultural sector accounts for over 60 percent of child labour related cases in Kenya that has seen scores of school children dropping out of school.

Addressing members of the locational child labour committee during a four day training forum at Swit Wotas resort in Nambale recently, the committee's chairperson who is also the Nambale Township location chief, Maryline Oundo urged stakeholders to strictly adhere to the legal instruments designed to address child labour.

The chairperson said a survey carried out by the Kenya National Bureau of Statistics between 2005/2006, revealed that there is a total of 12.8 million children aged between 15 and 17 years old respectively, engaged in child labour with 10 million of them living in the rural areas.

"The proportion of children engaged in labour translates to 47.8 percent and is aged between 15 and 17 years respectively. Out of the working children, only about 150,000 representing 14.7 percent were in employment," said the chairperson, adding that employed children in Nambale earn less than adults performing similar tasks with the girl-child earning less than boys, a situation she noted has violated the law governing employment.

She added that children in Nambale are primarily employed in sub-



Scores of school children dropping out of school due to child labour related cases in Kenya.

sistence and plantation agriculture, animal production, fisheries and petty trade at the expense of education.

"The survey had however found that child labour is declining. The findings are a clear testimony to the fact that efforts that had been put in

place to fight child labour have indeed bore fruit," said the chairperson, adding that it is possible to eliminate child labour in the area if the stakeholders will step up efforts to address the vice.

The stakeholders unanimously

resolved to protect children in Nambale from hazardous work through the establishment of occupation safety and health committee who will eventually be trained on their roles and responsibilities as well as awareness raising.

"The target areas where child labour is on the rise and where we shall dwell on include Nambale Township and Nasewa areas, cane collection points and market centres where children engage in hawking," said Ms Oundo.

The Nambale Child Labour Programme Manager Norbert Oloo who also facilitated the training workshop on his part said the members of the local child labour committee will organize a series of sensitization forums through chief barazas, campaign rallies, monitoring and evaluation and collaboration and networking with the local media.

The programme manager at the same time said that the high levels of poverty as well as the rising prevalence rates of HIV and Aids in the area are some of the major factors that have led to increased cases of child labour in Nambale.

The Chief Shop Steward of the Kenya Union of Plantation Workers Andrew Wanyonyi who also attended and addressed the forum assured stakeholders that he will mobilize the union members to be on the lookout for any sugarcane farmers engaging children to work at their cane plantation.

"I will mobilize the union members to undertake a spot check on all the sugarcane plantation in Nambale to ensure no child is engaged in child labour at the expense of education," he said.

Fund sets to nurture young talent in environment

By LINK CORRESPONDENT

A FUND named after the late conservationist and human rights activist, Prof Wangari Mathai, the Wangari Mathai Scholarship Fund has been launched.

The fund seeks to encourage and promote a youth-led sustainable development agenda by encouraging creativity, activism and dedication to environment issues.

The launch follows a joint announcement by the Rockefeller Foundation, the Green Belt Movement, and Kenya Community Development Foundation.

The late Mathai, a Nobel laureate and pioneer science scholar at the University of Nairobi, was a strong believer in nurturing new ideas and initiatives to make a difference for Africa. She showed her life's dedication to promoting environmental, social and democratic values to ensure equitable development in Kenya.

Through women, she established a good support network for the work that the Green Belt Movement does to empower communities by conserving their environment and improving their livelihoods.

The Wangari Mathai Scholarship Fund will be awarded annually, with the first cycle being granted during the 2013 academic year. In its first year, the scholarship fund will support a young woman aged 18 to 25 years, who has promoted positive values, demonstrated outstanding leadership and dedication in environmental conservation.

Speaking during the launch held in Nairobi recently, Wanjira Mathai,

Director, International Affairs at the Green Belt Movement said, "There is no greater gift than that of a good education.

Giving young women the opportunity to realize their full potential enables them to transform their lives, those of their families and ultimately the living standards of their communities. Prof Wangari Mathai valued education; she was the recipient of scholarships that made a big difference in her life and enabled her to nurture her values and leadership skills."

By encouraging young people to develop innovative approaches to environmental challenges in their immediate surroundings, the fund will help cultivate action-oriented leadership in environmental issues among the youth. It will also help tap the unexploited potential that exists among young people by encouraging them to refine their ideas and further develop their skills.

"The Wangari Mathai Scholarship Fund is a great example of immortalizing the passion of a great leader like Professor Mathai through environmental protection matters. Through this initiative, qualifying young people will be inspired to follow her foot steps in years to come.

We hope there will be many more Kenyan organizations and individuals willing to add to this fund annually, so that the passion with which she carried herself, can be extended to many more young people in all the counties throughout Kenya," said the Kenya Community Development Foundation Chief Executive Officer Janet Mawiyoo.

Africa doesn't need strongmen, it needs strong institutions

By LINK CORRESPONDENT

In a speech on his first state visit to Ghana, the first to any country in sub-Saharan Africa, President Barack Obama said, "In the 21st century, capable, reliable and transparent institutions are the key to success — strong parliaments and honest police forces; independent judges and journalists; a vibrant private sector and civil society. Those are the things that give life to democracy, because that is what matters in peoples' lives." Though delivered in Ghana, President Obama's message was targeted to Africa as a whole.

As Kenyans we can identify with it, for we are in dire need of strong honest and people-centric institutions.

The need for reform

For generations Kenya's public institutions have been characterised by mismanagement and plunder of public resources, unaccountability and exclusion of the citizenry from public affairs. Indeed many of these bodies were an embodiment of the persons in power who often exuded an aura of being law unto themselves.

As a result, public institutions of Kenya's yesteryears were highly inefficient which in turn spurred corruption at all levels. Furthermore, the lack of accountability and corruption resulted in human rights violations injustices and inequalities many of which fester to date for lack of proper mechanisms to deal with them. It was these challenges and the desire for a new dispensation that kept Kenyans motivated in their search for a new constitution.

The Constitution of Kenya 2010 establishes the framework for the res-

toration of constitutional democracy by embedding within the Constitution a number of new independent commissions and offices and fundamentally restructuring existing ones. In total, there are established ten commissions and two independent offices whose objects are to 'protect the sovereignty of the people; secure the observance by all State organs of democratic values and principles; and promote constitutionalism.'

Towards this end, and to further the 'independence' element, the Constitution provides that these institutions are subject only to the Constitution and the law, are not under the direction or control of any system and governance, the Constitution has made a deliberate effort to achieve the realization of Chapter Six. The Ethics and Anti-Corruption commission once reconstituted, has been accorded the task of ensuring full compliance with the chapter.

A major coup in this regard is the application of the chapter to elected leaders. This is to be viewed in light of recent developments in the country. The election of Hon. Gideon Mbuvi as the Member of Parliament for Makadara constituency would be interrogated in this respect. There have been allegations of existence of a warrant of arrest against the MP. If such allegations are proven, then the election of Hon. Mbuvi to the Assembly would be in contravention of the provisions on leadership and integrity.

Articles 73 and 75 of the constitution

Thus Chapter Six opens an avenue through which Members of Parliament can lose their seats in the As-

sembly should they be found to have fallen short of the provisions on integrity and leadership. This has added a new ground upon which a Member of Parliament can lose his/her seat. Previous grounds were a successful petition challenging a Member's election to the Assembly, missing eight parliamentary sittings without the Speaker's permission, being declared bankrupt, and being sentenced to imprisonment for at least six months.

It is instrumental to juxtapose this against recent developments in the political arena regarding the handling of corruption allegations leveled against serving State officers. The application of this chapter provided the basis for the "stepping aside" by former Foreign Affairs minister Moses Wetangula, former Higher Education minister William Ruto, and the mayor of Nairobi, Mr. Geoffrey Majiwa, over corruption allegations.

The realization of good governance is a matter of practice rather than legislation. The Constitution, recognizing that people's conduct in matters relating to the management of institutions of governance has consistently failed to live up to expectations of a civil society, now legislates the good manners expected of leaders.

With Chapter Six, abuse of office by public officers is no longer business as usual but the subject of condemnation by the very basic law of the land. This "detergent chapter" will help cleanse the governance instruments of characters who fail the integrity and leadership test. Further, it stops such characters from using ill-gotten wealth to ascend to the corridors of legislative and political power.

Group seeks to promote peace in Mathare slums

By FAITH MUIRURI

IT has been said that to get to the people, you have to speak to them in the language that they understand most. This has proved true among people in Mathare where a peace slogan has penetrated the deepest parts of the sprawling slum.

Conceptualised in the popularly spoken sheng language, the *Tia Rwabe Zii* slogan which loosely translated means say no to 200, is geared towards ensuring that the youth are not paid to instigate violence during this electioneering period.

The slogan has been coined around the events that followed the 2007 General Elections where protests sparked by a disputed presidential poll spread through the slums around Nairobi and in to areas of the Rift Valley. As many as 1300 were killed and hundreds of thousands displaced.

On the surface, violence appeared ethnically motivated but reports by the Kriegler Commission and human rights groups indicted senior politicians and officials who were accused of organizing and harping on local grievances to fuel violence for political ends.

But in a bid to exorcise the ghosts of a shameful past, the slogan seeks to discourage the youth from accepting handouts from politicians in order to unleash violence.

Pillars

The slogan identifies youth and women among the most important pillars of peace as they were the hardest hit when the violence broke out.

The chairperson of Mathare young mothers and youth peace initiative Julia Njoki which is behind the slogan says that the two groups suffered most

during the violence. "While the youth were key players in the violence, women became victims of brutal attacks and rape when the skirmishes took an ugly turn.

She says that the violence and horror that ravaged the country in the post election violence of 2007/8 remains etched in their minds, is still vibrant and chilling.

"The overwhelmingly negative psychological, emotional, physical, and economic impact of the violence on all Kenyans and more specifically on women has not been forgotten," she recounts.

She says that the group comprises of 26 members and mainly targets the youth aged between 18 and 24 years respectively as they are more prone to actions that give rise to impunity.

"We have for a long time allowed politicians to fan ethnic emotions and promote personality issues which drift away from important issues.

She says the slogan seeks to discard the culture of handouts and encourages both women and youth to be more creative at initiating small scale sustainable income generating projects instead of allowing themselves to be used as political goons to fan tribal animosity.

"We are encouraging the youth to engage in income generating activities instead of relying on seasonal handouts from politicians which only serve in creating anarchy during the electioneering period," adds Njoki.

She says the youth must discard the culture that compromises their integrity and causes them to substitute merit with short lived fortune

"The youth must get up and go work. If they are working, they can never accept Ksh 200 handouts from politicians," explains Njoki adding that "We cannot get up every day and de-

pend on politics for handout."

Objectives

"We have to decommercialise politics and leadership and this must start by decommercialising voting," she says. She says the electoral process has in the past been replete with cases of voter bribery largely blamed on ethnic tensions, and impunity intertwined with high levels of political manipulations.

The chairperson says that time has come for the youth to reject the Ksh 200 which is too little to make any meaningful change in their lives.

"Politicians have a field day during the electioneering period and only need as little as Ksh 200 to entice and incite us to violence but as soon as they ascend to positions of power and they forget our plight and this explains why there is so much hopelessness in us after elections," she adds.

She says that this election gives them an opportunity to elect a strong leadership that is hinged on the principle integrity and respect for human life instead of relying on seasonal handouts from politicians in the area.

She says the slogan offers the youth safe spaces or platforms to preach peace and promote peaceful coexistence in the slums ahead of the elections.

She says the group will sensitize the youth on conflict prevention processes and push for their inclusion in peace negotiations, ensure the protection of women and children from sexual and gender based violence, and importantly, to respond to the needs of women

The chairperson says the group has stood the test of time in remaining voice of reason calling for sanity and peace to prevail at all times and forestall an escalation of violence by

remaining relevant, reachable and responsive.

Impact

Rebecca Njeri who is a member of the group says the campaign is gradually taking root and has made tremendous inroads in the implementation of peace initiatives in the area which was a hotspot area during the last elections.

She says that the group has been using public forums and women groups as a strategy to create awareness on the need to denounce the culture of handouts.

"We have in the past witnessed youth hired by politicians unleash terror to their opponents," adds Njeri saying that this time round those who think that they will use the youth to cause violence, they are in for a big surprise.

She says the slogan has been tailored in a way that is empowering to both the youth and women to chat their political destiny without being dragged into cheap campaigns that defraud them of their future.

"The slogan may be viewed as a contribution to making peace in the slums a reality during and after the elections and ensures that they actively participate, respond and are found at the negotiation table at all levels.

The initiative strives to engage the target group in activities that unite, harmonize and bear reconciliation between ethnic and community groups, promote their rights, social justice, and cross-cultural understanding and dialogue in as far as peace building is concerned.

"We are confident that the initia-

tive offers a viable and self sustaining point of entry in creating awareness on peace," she adds.

Challenges

But the mission to sell the slogan in the slum area is not a walk over. She says the campaign is already grappling with challenges of gaining support from the church and opinion leaders, even as the target group cites high rates of unemployment and rising poverty levels among reasons why they accept handouts from politicians.

"Apart from widespread dismissals that the idea is farfetched, she says that the campaign has to equally contend with a financial dearth, solely relying on contributions from like-minded youth and women to finance it operations.

Njeri however says the group will not relent in its campaign to empower women and the youth who have for a long time been shortchanged as the political class engage in fraudulent campaigns, fan tribal hatred and make irresponsible promises. She says that the slogan is a wakeup call to the politicians to address longstanding grievances over joblessness, rampant drug abuse, inequality and other issues. She is also convinced that boosting education among the youth will come in handy to save what is now fast becoming a lost generation in Mathare.

She further warns that if the youths from the area do not embrace peace, it will be difficult for them to favorably compete with their counterparts from other regions, especially during this historical time when the country is evolving into county governments.

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Right to water, translating theory into practice

By LINK CORRESPONDENT

INTERNATIONALLY, the human right to water implies that water supply must be accessible within, or in the immediate vicinity of, each household, educational institution, workplace and public place. Where this is impossible, a source must be provided close enough to allow people to collect sufficient water - at least the essential minimum of 20 litres of water. The time required to collect these 20 litres should normally not exceed 30 minutes (walking both ways, including waiting times), and the overall distance should be less than one kilometre. The water source should be located in a secure place, taking into account the needs of the most vulnerable groups using it. Threats to the security of women collecting water, for instance, must be prevented.

Looking at accessibility through the lens of the principles of human rights, then this would mean; access to water and sanitation must be in line with the principles of non-discrimination and equality, meaningful participation in decision-making and empowerment, and accountability and transparency.

For the Kenyan government, improved access to water supply and appropriate sanitation is fundamental to the elimination of poverty and the

achievement of Millennium Development Goals. Yet access to safe water and sanitation facilities is still limited. More than 15 million people - including more than half the rural population - are without access to safe water or sanitation facilities.

Article 43 of the Constitution of Kenya (2010) states that every person has a right to clean and safe water in adequate quantities. This means that it has become a matter of legal/constitutional entitlement for every man, woman and child. It is fortunate that the Constitution has addressed the issues of equity however, the important challenge to overcome is the high level of inequity in water services in terms of access and the prices users pay.

For the ministry of water and irrigation, the right prioritizes improvements of access to the unserved. The institutions within this Ministry and related Ministries need to provide for clearly defined roles and responsibilities to facilitate better pro-poor approaches. This would mean that County water service providers would increase coverage through water kiosks to finally ensure water quality to Wanjiku as she might not be able to afford an individual household connection.

Although financing mechanisms have improved and the water sector

has attracted external support from donor agencies, the right to water and sanitation is a spur to all efforts to embody accountability and transparency in sector institutions. Capacity strengthening and civic awareness is still required to improve water governance in Kenya, so that unserved marginalized groups can realize the right to access to water.

Transparency ensures the overall integrity of the sector at least by preventing loopholes that allow corruption to occur. It also enhances accountability for Wanjiku to hold sector institutions which fail to comply with sector rules and regulations accountable for their actions. For effective accountability, when Wanjiku is affected she must be entitled to legal redress before a court or other legal means.

In conclusion, formal entitlement is not enough. There is dire need to strengthen the capacities of legislative institutions at communal, regional or national levels and the judiciary to create greater opportunity for redress when Wanjiku needs it. Likewise, the capacity of civil society organisations and especially community-based organizations must also be strengthened, along with the media, which might be required to act not only as a watchdog but also to highlight stories of success and progress in the realization of water as a right in practice.

By AGGREY BUCHUNJU

COMMUNITY policing in Kenya is yet to achieve fully the intended objectives, a senior security officer in Busia has revealed.

The Teso North District Administration Police (AP) commandant, James Wekesa claims that community policing strategies and programs in Kenya are still below par as compared to countries like Uganda and Tanzania.

Wekesa urges the communities, community policing committees, the police, provincial administration, politicians and other stakeholders to embrace patriotism and mutual trust in order to encourage sharing and free flow of information regarding criminals and other social ills.

The AP District boss claims that police have embraced reforms and now work according to the new constitution. "Police have changed attitude and are now friendly to the people and can now safeguard identity of informers," he says.

The Constitution of Kenya, 2010, provides for the establishment of the National Police Service which according to Article 244 (e) is supposed to foster and promote relationships with the broader society.

Wekesa urges other state law enforcement agencies particularly the chiefs not to give orders and impose community policing committees on the communities.

He disclosed that members of the community policing committees are not appointed by chiefs or assisted chiefs but elected democratically by the communities.

The AP chief however, points out that the local chief or assistant chief may preside over the election/nomination of the eminent community members within his/her area of jurisdiction.

Wekesa adds that the elected/nominated members of the community policing committee shall then sit down under the guidance of one of them to elect the chairperson and secretary.

He however cautions members of community policing against usurping duties of the chiefs or council of elders by threatening people or charging arbitration fee.

Wekesa was speaking recently in Malaba town, in Busia County during a workshop on community based policing in Bungoma County where he was the guest speaker.

The one day workshop was facilitated by Cate World Institute and the Bungoma diocese Catholic Justice and peace commission (CJPC).

Community policing fails to meet objectives

Participants were drawn from various organizations in Bungoma County and Administration Police officers from Teso North District in Busia County.

The participants decried the manner in which the community policing committees are constituted in Bungoma County saying there is lack of clarity and public participation.

Community policing committees are established at the villages, sub-locations, location and police stations. Community policing is a strategy that allows the police and community to work together to solve problems of crime and insecurity.

It encompasses adopting policing practices that involve communities in making decisions about their own security and establishing a long-term partnership between communities and the police.

The work of the community policing committee is to oversee the establishment and implementation of community policing programmes and activities at the station level.

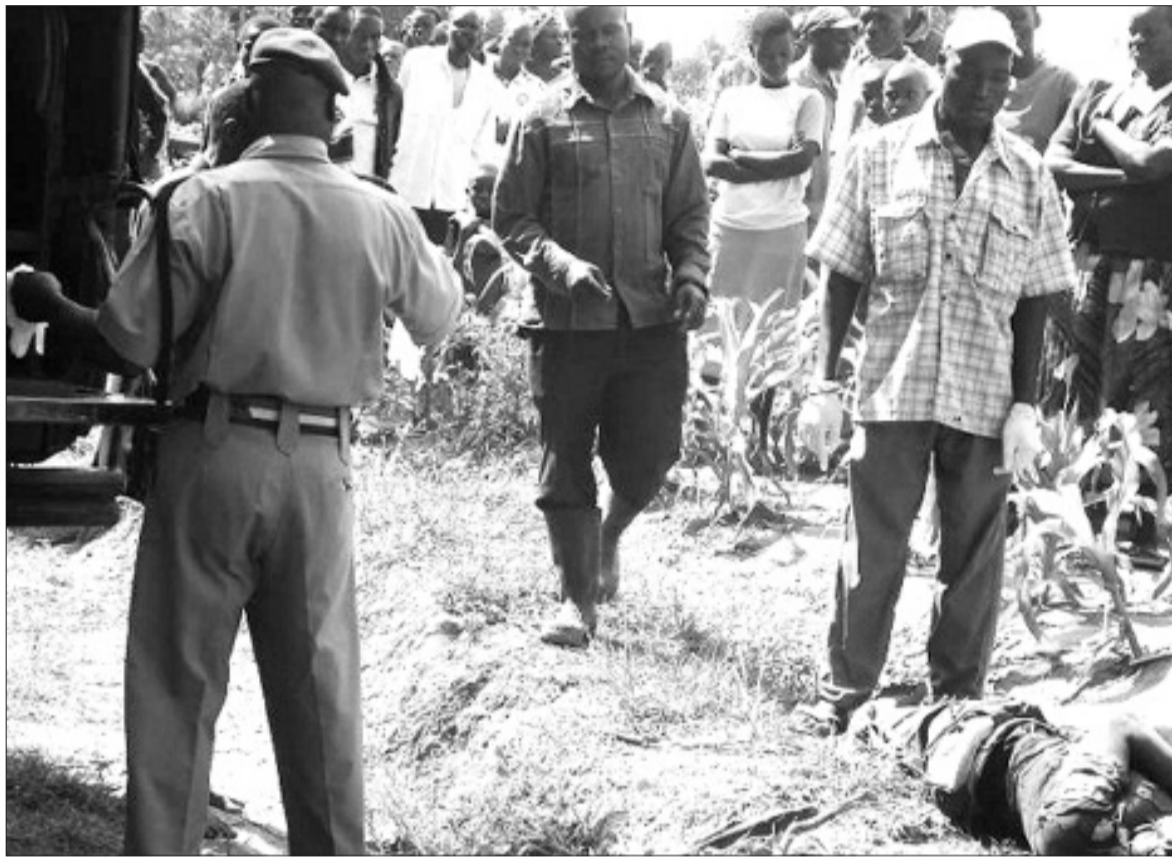
A strong leadership of this committee is therefore very crucial and instrumental in the success of community policing in a given area.

The village community policing committee is the most important committee as it forms the foundation and backbone of policing within the police station area.

Once this committee is properly constituted, the rest of the committees shall subsequently form themselves. This is because both the chairperson and the secretary shall represent the village at the sub-location community policing committee and even above.

The community policing is a government policing and if practiced and implemented well it is intended to achieve the following:-

- Reduce the fear of crime in society
- Improve the quality of living standards.
- Enhance and improve the relationship between the public and the Government.
- Enhance and improve the relationship between the public and the police, provincial administration and



Busia police officers prepare to ferry the bodies of two family members lynched by an angry mob allegedly for stealing a cow. Community policing has failed to enhance and improve the relationship between the public and the police, provincial administration and other law enforcement agencies. Photo/File

other law enforcement agencies.

- Help the police and community to become more accountable and responsive to each other.

- Increase the level of accountability in utilization of resources both in community and police or other law enforcement agencies.

- Encourage information sharing between the police and the community

- Encourage greater contact and networking between neighbors

- Help to cultivate public spiritedness and togetherness in combating crime.

Community policing committee provides the following roles:-

- It provides a forum where the public and police exchange ideas or information on matters affecting general security in the area.

- It provides forum where cases of bad services to members of public by individual police officers or in general may be discussed objectively and rectified by the OCS.

- It provides a forum where the difficulties faced by the police officers in provision of security services may be discussed and rectified for better services.

- It acts as forum for the provision of feedback to both member of public and police.

- It provides a forum for gathering criminal intelligence and acting upon them for the purpose of crime prevention.

- It sensitizes both the public and police officers on the importance of safeguarding the identity of inform-

ers.

- It provides a good understanding and good working relations between the police and the public.

- It removes suspicion and mistrust between the police and the public.

Other than the public, police officers are the major key players/partners in community policing.

The success or failure of community policing at any given station will depend on how well the police handle and encourage the public in the partnership.

It is therefore imperative that police must understand their role well and at all times exercise professionalism, courtesy, humility, prudently but decisively when handling members of public.

Unmet promises in climate funding

By LUKE KAPCHANGA

SO far, only US\$23.6 billion of the US\$30 billion promised has been committed as funds to tackle climate change.

And of this, only 20 per cent has been allocated to projects that will help poor nations adapt to a changing climate, according to a report released late November, highlighting the gaps in funding climate change.

The research concludes that rich nations have collectively failed to fulfil eight substantive pledges.

Published by the International Institute for Environment and Development — the study comes as countries prepare for the latest round of inter-governmental climate-change negotiations, which begins in Doha.

The poor track record of rich nations in meeting their fast start finance

pledges has raised serious concerns that these countries will also renege on their bigger promise to ensure that US\$100 billion flows to developing nations each year by 2020 to help them to respond to climate change.

The wealthier nations promised in 2009 to provide developing countries with US\$30 billion by the end of 2012, saying this should be "new and additional" finance balanced between support for adaptation and mitigation activities. They made additional pledges about transparency, governance and the need to help the most vulnerable nations first.

"Without transparency about how and when rich countries will meet their climate finance pledges, developing countries are left unable to plan to adequately address and respond to climate change," says co-author Timmons Roberts of Brown University in

Rich nations score poorly in committing funds to mitigate against climate change

the United States, whose Climate and Development Lab led the research.

Less than half of the fast start finance is in the form of grants. The rest is loans, which means poor countries must repay with interest the costs of adapting to a problem they have not caused. And rich nations have not provided enough transparent information to prove that their contributions are really new and not just diverted from existing aid budgets.

David Cipler, also of Brown University, adds: "Only two of the ten donors we assessed are delivering their fair share of climate finance, based on their ability to pay and how much they have contributed to climate change through emitting greenhouse gases in recent decades."

To examine transparency in more detail, the researchers evaluated donor nations across 24 measures. On the resulting scorecard, no donor nation scored more than 67 per cent.

On these measures, Norway has performed best, providing five times its fair share. At the other end of the scale, both Iceland and the United States contributed less than half their fair share.

The broken promises will make it harder for developing countries to take seriously what richer nations say at the UN climate change talks, which take place in Doha, Qatar from 26 November to 7 December.

One way to restore trust would be for rich countries to channel their climate finance through funds that

the UN Framework Convention on Climate Change set up as they have a governance structure with equal representation from developed and developing nations.

Also critical will be to fulfil the US\$30 billion promise by the end of the calendar year, and to ensure that this money is delivered to support projects in a timely manner.

This is something that, in 2010, all rich countries agreed should be a feature of funds through which they channel their climate finance. Yet, so far, rich nations have channeled only two per cent of the climate finance through these UNFCCC funds.

"With trust in short supply, and little time to negotiate a global response to climate change, the UN talks need an injection of goodwill," says Saleemul Huq of IIED.

"The rich nations can provide this by making good on their past promises and showing the poorer nations that they are serious about working together to tackle this global challenge."

New farming technique offers remedy to food security

By LINK CORRESPONDENT

HAVE you ever wondered why various unattended plant species in a forest do very well and remain evergreen in comparison with plants in tended farms where modern farming techniques are applied, which do not even produce to expectation? Seeking answers to this puzzle in the 1970s is what fuelled two Australian ecologists, Bill Mollison and David Holmgren, to research about the principle that operates in the forest, and they found that mimicking the patterns in nature would offer a solution to food insecurity in the world as well as enhance environment conservation. Thus was born permaculture farming.

Permaculture is a farming practice that has been established to help in creating sustainable human environment. According to Ms. Catherine Kinoti, a co-ordinator at Permaculture Research Institute Kenya (PRI-Kenya), "the world itself is a contraction of permanent agriculture, but also means permanent cultures as cultures cannot survive for long without sustainable agricultural base and land use ethics." It involves creating relationships between plants, animals, buildings, infrastructure, water and energy by the way these elements are placed on the landscape. Unlike most farming methods practiced in Kenya, which mostly leave effects on the environment, permaculture is meant to not only provide food but also sustain the environment.

The uniqueness of this farming is that its design is based on the foundation of three ethics, care of earth, care of the people, and fair share, all of which are found in most traditional societies.

Kinoti says that "permaculture is not about how you plant. It is not about having the wheat farm or the cow pen, it is about the relationship you build in farming and how you place those plants." This type of farming has been proved fit for the sustainability of the environment and is being practiced globally under all climates. It is not

restricted to certain crops but requires integration of all crops for greater diversity. She says "ideally, companion planting is used with a calendar for effective crop rotation."

There are, however, principles that guide this type of farming for it to be successful. "Decide and understand especially when designing the land; identify the benefit of each set-up," explains Kinoti who adds, "There is also the principle of relative location. For instance one should identify where the best place to keep the animals would be compared to your house." She says that if for instance the animals are placed very far from you, it would be a waste of time.

Of importance to note is that mono cropping is not practiced in permaculture, as Kinoti explains. "Mono cropping makes it difficult to control pests but with mixed cropping they may not identify the plants." Companion planting, for instance planting maize and beans together, is encouraged. Beans are leguminous plants that help in fixing the nitrogen in the soil which is used by the maize plant. She, however, cautions that one should be careful of plants that cannot be good companions.

A part from increasing food security, this type of farming has other advantages like offering better nutrition for families due to diversity of the crops grown. There is also clean water due to less pollution of land as well as sustainability and creation of harmony with nature.

Although permaculture farming may depend on the rains, it can still be practiced through irrigation. However, according to Kinoti, the irrigation should not be overhead; it should be drip irrigation. Mulching should also be done to prevent water evaporation. One advantage of this type of farming is that it may not be necessary to do mulching with dry grass as you only plant cover crops such as sweet potatoes, which would serve as food as well as mulching.

Kinoti says that in permaculture,

most of the plants serve more than one purpose. Some are medicinal and still used as food. Some are good attractors of bees which in turn help in pollination of various plants on the land. Other plants such as onion repel pests and act as substitutes for spraying the plants. Confrey plant for example, is used for food and can be used as medicine.

Further, in this farming, chemical fertilizers are not used. Instead, the worms are grown within the shamba which feeds on the green and produces vermin liquid. In other types of farming, the vermin liquid is treated chemically to have folia feed fertilizer unlike in permaculture where the liquid is applied directly to the soil.

Use of milk insecticide helps in preventing crop diseases as compared to treating the already affected crops. If the crop has been attacked, Kinoti advises that "in permaculture it is removed to avoid other crops being affected." She says that in permaculture, instead of applying pesticides, pyrethrum is grown to repel the pests and it is still a commercial crop. Trees are grown to provide shade for plants that do not require direct sunlight while giving support to climbing plants such as passion fruit.

Cover crops ensure that the soil is dark and therefore able to support plant life throughout the year. The soil is not compacted because of the paths left between the portions which also help in aeration.

In permaculture, only non-hybrid seeds are used as compared to other farming methods where generally modified seeds are used. After harvesting, seeds are dried to prepare for the next planting season. These non-hybrid seeds are openly pollinated by bees and other insects and therefore are strong and have no chemical elements.

Kinoti says that there must be a composite within the land which is built above the ground to allow air circulation. She says that only brown materials such as hay and green materials should be used. The brown ma-

terials, she says, are rich in nitrogen while the green materials are rich with other nutrients. Keeping birds for instance, they would provide food and their manure is put back to the shamba as fertilizer.

"The permaculture farming plot is designed into zones so as to be energy efficient by placing elements and functions in areas defined by how often they need to be visited. Areas that need to be visited everyday are placed near the home while elements that need to be visited less often are placed further away," says Kinoti.

The portions in the land are named differently which helps during the crop rotation. For instance, there are five zones which range from Zone Zero to Zone Five. Kinoti explains that Zone Zero should have a homestead, Zone One to have homestead garden which is used to grow crops for home use, Zone Two is a food forest where there would be poultry and maize plantation, Zone Three would hold field crops where contours are done. Zone Four could have big portions of land with grazing pastures, water storage while Zone Five is the wild space which is usually undisturbed and remains natural.

Rather than using the terraces as is in the other farming methods, swales are used which helps to identify where the contours are and this helps to preserve more water. The aim of the swales is to preserve water as opposed to the terraces that are meant to divert water away from the crops.

There is no set limit size of land to which one can practice this farming, as Kinoti explains, "Permaculture design is applicable to both urban and rural environments and encompasses all ranges of scales from an apartment balcony to a large scale farm or village. One of the principles in permaculture is to create small scale intensive systems to obtain the maximum productivity from these smaller manageable spaces. Such systems use very little energy and can provide a very high energy return on the energy invested."

Bungoma farmers urged to form cooperatives

By AGGREY BUCHUNJU

FARMERS in Bungoma County are now being asked to form co-operative societies to help maximise on economies of scale.

The Kimilili District Agricultural officer (DAO) Mrs. Mary Nzomo underscores the importance of farmers' co-operative societies which she says are ideal in terms of marketing farm produce. Nzomo points out that through co-operative societies, farmers can access international markets where they can sell their farm produce at competitive prices.

She challenges farmers in Kimilili district to join co-operative societies in order to access markets with ease and benefit maximally from their farm produce. The DAO adds that it is only through co-operative societies that farmers can be saved from brokers who exploit them in the region due to lack of ready market.

Nzomo at the same time asks farmers in her area of jurisdiction to adopt new farming technologies in order to improve food production/security. The new technologies, Nzomo says guarantee maximum yields adding that the ministry of agriculture through agricultural extension officers is readily available to advise farmers on the same.

Nzomo, as a result encourages farmers to prepare their farms early, to plant certified seeds, to use recommended fertilizers and to always seek the advice of agricultural extension officers. This, she reiterates that will give the farmers maximum production and hence put famine at bay in the region.

During maize harvesting season, brokers invade the area and buy the crop from farmers at throw away price due to lack of alternative markets. The purchased maize is stored by the brokers who later sell it to the very farmers during famine period exorbitantly.

It is against this backdrop that the area DAO is now appealing to farmers to form co-operative societies in order to access markets easily. Kimilili district is the leading maize producer administrative unit in Bungoma County. However, the district has no national cereals and produce board (NCPB) stores to facilitate buying and storing of maize at harvesting time.

This is one of the reasons why farmers in the district opt to sell the commodity to brokers at throw away price during harvesting period.

Manager Charles Mwea on his part said that though Kenya is known globally for producing quality coffee, more is required to be done to maintain the image. "Last year, most coffee we received was in low classes of three and four, we are getting worried if the trend continues," he added.

Nestle Kenya Limited Sustainability Manager Linda Butler also assured farmers of an available market if they continue producing quality yields of coffee. Butler said the company will embark on improving the livelihoods of coffee farmers by giving best prices per kilogram of coffee purchased.

Coffee farmers urged to increase production

By JOSEPH MUKUBWA

COFFEE farmers in the country have been encouraged to embark on serious farming to increase quality and quantity yields that will meet the high global demand.

Coffee Research Foundation Director Joseph Kimemia said there is still a global deficit of five million bags of coffee adding that it is a market gap that can easily be sealed by producing more to realize high profits.

"In the last season, there was a global deficit of five million bags of coffee. The market of quality coffee is guaranteed globally," he added.

Kimemia however noted that as compared to previous years, local coffee production is on the decline and currently ranges at 50,000 metric tonnes per annum from as high as 100,000 metric tonnes over the same duration.

"Countries like Ethiopia and Uganda have even overtaken us in terms of production and it is high time that farmers here get into serious business to ensure that we do not lag behind," he said.

He advised farmers to concentrate on increasing yields per tree to at least 20 kilograms of cherry on average annually from the very low two kilograms



Coffee workers in a Nyeri coffee factory prepare parchment coffee at the drying bed. Farmers have been encouraged to increase coffee production. Photo/Joseph Mukubwa

that is currently being produced.

Over 500 coffee farmers drawn from

Central, Eastern and Rift Valley regions attended the meeting held at Central

Kenya Coffee Mill, Nyeri County. Central Kenya Coffee mill General

Tough traffic rules target cyclists, passengers

By HENRY OWINO

MOTORCYCLES are increasingly becoming a common means of alternative transport in many low-income and middle level-income countries popularly known as developing countries. The two wheel machine is common and widely used to connect people to other parts of the country mostly in rural areas.

Most youth in African Countries now work in the transport sector as cyclists, albeit the numerous setbacks. For instance in the last six years, the number of registered motorcycles in Kenya has increased by almost 40 times accounting to 70 per cent of all registered vehicles in 2011.

Road traffic accidents are now one of the biggest public health challenges the world is facing today. Approximately 1.3 million people lose their lives every year to preventable problems in roads crashes. In Kenya, accidents involving motorcycle take the lead which is estimated to be at seven per cent contributing to 3000 deaths annually.

Currently Kenya ranks highly in the number of traffic fatalities caused by these motorcycles compared to 12 other African states. Due to this, it is estimated that Kenya loses a massive 5 per cent of its overall national wealth to the traffic accidents, an equivalent of US\$ 4billion annually. Motorcyclists will now have to wear reflector, helmets together with their passengers, put on headlamps and have road license as a way of curbing the increasing motorcycles accidents.

According to Dr Willis Akhwale, head of Public Health and Sanitation, non-communicable diseases like malaria, measles, and polio have become a major challenge in the country. He however said for those caused by human errors like road crashes would not be tolerated.

He reiterated that the Ministries of Public Health and Transport in collaboration with traffic police are working together to ensure that all riders obey traffic rules and Highway Code.

Dr Akhwale said this is a national awareness campaign on helmet use spearheaded by Ministry of Public Health and Sanitation in collaboration with World Health Organization (WHO) and other stakeholders. He added it is one of the road components of the Road Safety in 10 countries (RS10) Project that started in 2010. The countries include; Kenya, Brazil, Cambodia, China, Egypt, India, Mexico, Russia, Turkey and Vietnam.

"I am aware that the Road Safety (RS-10) project is a five-year initiative funded by the Bloomberg Foundation to evaluate and implement road safety solutions in ten countries," Akhwale said. "These countries make up 50 per cent of global road traffic fatalities and I thank the funders for considering Kenya as a beneficiary of this initiative," he appreciated.

He clarified that in Kenya, the project aims to address the non-use of helmets and speeding as factors that increase the risk of road traffic crashes, deaths and injuries.

Dr. Akhwale made the remarks



A section of motorcyclists trying to come to terms with police officers after one of their own was arrested.

Photo/le

during the official launch of national motorcycle helmet use campaign entitled No Helmet, No Ride. The campaign aims to raise awareness on the consequences of failing to wear a helmet and to help boost helmet use among all riders and their passengers to save and reduce the strain on the national health care system.

Beth Mugo, the Minister for Public Health and Sanitation in a statement read on her behalf by Dr Akhwale, said in Kenya, more than 3000 people die every year as a result of road traffic crashes. She said that approximately seven per cent of the deaths are motorcycles riders, a five-fold increase over the last five years.

"In the last six years, the numbers of registered motorcycles in Kenya has increased almost 40 times accounting for 70 per cent of all newly registered vehicles in the year 2011," Mugo observed.

The Public Health Minister, the tragic news of a death on the road is constantly being delivered to families and friends on a daily basis. People will hear that one of their family members has survived a crash but with serious injuries and perhaps lifelong disability.

She expressed dismay at the shock and grief the events cause adding that the victims and survivors are often young, leaving families to cope with the loss of a bread winner.

Mugo asserted beside the deaths, hundreds of thousands are seriously injured suffering from long term impairments and lifelong disabilities. Those who survive undergo prolonged suffering and incur lots of expenses from medical treatment and rehabilitation.

"Let me say here that when there is a motorcycle crash, the victim ends up in our public health facilities. Needless to say, these health facilities are overstretched with limited resources," Mugo explained. "It is sad to mention that in

most of the hospitals, now there exists wards that are dubbed as "Boda boda wards" to take care of the motorcycles crash victims despite the limited space available," she added.

Mugo said studies have shown that the use of helmets reduces the risk of road traffic-related head injury by 70 per cent and deaths by 40 per cent. She underscored the importance of putting on a helmet to protect self from injuries, deaths and potential fines.

She emphasized that it is for this reason that the theme of the campaign is dubbed No Helmet, No Ride.

"This awareness campaign seeks to ensure that each rider and passenger has the opportunity to realize their potential and do not become part of the tragic statistics in our roads," stressed, the Minister for Public Health and Sanitation.

She also urged the motor cyclists to desist from the habit of carrying more than one passenger at a time as it is illegal to do so. Adding that they need to ride their motorcycles carefully and respect other road users as well. Passengers on the other hand, were cautioned from boarding overloaded motorcycles and should demand to be provided with a helmet each time they take a ride.

Dr Custodia Mandlhate, WHO country representative in Kenya stated that out of the 1.3 million deaths through road accidents, up to 50 million people and more get serious injuries globally. She stated over 90 per cent of the deaths and injuries occur in low and middle income countries which have only 48 per cent of the world registered vehicles.

Dr Mandlhate explained that people in the productive age group of 15-44 years old are mostly vulnerable to road traffic injuries. She disclosed that it has been estimated that by 2030 road traffic injuries will have moved from 9th to 5th place among the leading causes of death.

In addition to the grief and suf-

fering they cause, road traffic crashes result in considerable economic losses among victims, their families and nations as a whole, costing one to three per cent of the gross national product that amounts to over US \$518 billion every year.

The WHO country representative in Kenya said it is a sad reality that nearly half (46%) of the dying on the world's roads are vulnerable road users such as pedestrians, cyclists and motorcyclists. In Kenya districts such as Naivasha account for about a quarter (26%) of road traffic crashes which involve motorcyclists.

"Kenya has witnessed unprecedented rise in the number of motorcycles in the recent past. I am aware that the motorcycles in Kenya are used as public means of transport known as boda-boda taxis. Traffic crashes involving motorcycles have also increased noticeably and the high rate of motorcycles related deaths is putting burden on families, communities, society and the health system in general," stated Dr Mandlhate.

"In 2011, a total of 582 cases of motorcycle crash were recorded by the police department which was more than 7 per cent of all road traffic crashes," Dr Mandlhate clarified. She further stated that it is unfortunate that Kenya has no specific data on helmet use but studies indicate that motorcycle riders in Thika and Naivasha, only 30.37 per cent 21.29 per cent use helmet respectively.

Yet it has been proven that correct use of motorcycle helmets have been shown to decrease the risk and severity of injuries by about 72 per cent and decreases the likelihood of death by up to 40 per cent.

She informed the ministries that next Regional Committee of the African Region was going to be held late in November to adopt measures to assist member states to accelerate the prevention and control of non-communicable diseases.

Govt allocates Ksh 10 million to water project in Kilifi

By BEDKADZO TONDO

THE government has set aside Ksh 10 million to aid in the construction of Kambe-jimba water project in Rabai District of Kilifi County.

According to the area councillor Titus Mkangi, the project will be implemented with funds channeled through the ministry of water and irrigation.

The civic leader said that already the Minister for Water and Irrigation Mrs Charity Ngilu has visited the area and donated Ksh 5 million towards the project and the remaining Ksh 5 million will be disbursed soon.

Cllr Mkangi said most people in Rabai had no access to piped water and said the government had promised to address the situation.

"Most parts of Rabai District especially those of Kambe and Jimba have never had access to piped water since independence and thus the project comes as a reprieve to the residents," said Mr Mkangi

The civic leader said though Kilifi County Council through its Local Authority Transfer Fund (LATF) had earmarked funds for the water project, there were some areas which have not been supplied with the commodity.

He said he had approached the Minister who promised to allocate funds to support water projects in the area.

He said once completed, the Kambe-jimba water project will benefit about 15,000 people.

"It is estimated that the project has capacity to supply clean and piped water to about 15,000 people in their homes," said Mr Mkangi.

The Managing Director of Kilifi Mariakani Water and Sewerage Company, engineer Mwamuye Makupe said the water company was committed to supplying water to all people at the grassroots.

Engineer Makupe however said the company was facing a myriad of challenges in finances and thus has been unable to supply water to a large population.

The MD at the same time lamented that the company was incurring huge losses through vandalism of water facilities including theft of water meters.

He also noted that a lot of water is being wasted due to leakages caused by people who tamper with the water lines.

"The water company is incurring heavy losses due to vandalism including theft of water meters and waste of water through leakages caused by tampering of water lines by hooligans," said Eng. Makupe.

Nyeri County chiefs receive motorcycles

By JOSEPH MUKUBWA

SIXTEEN chiefs from Nyeri county have benefited with motorcycles which were flagged off by Central PC Kiplimo Rugut. The motorcycles are meant to improve service delivery in their work. The machines were bought by the Government and then donated to the chiefs in order to ensure that local wananchi are served better. "The motorcycles will help in rapid response so that the administrators can arrive on time. They will also help in patrol. This will enhance communication," said the PC before flagging off the machines recently. He however warned them against misusing the motorbikes and urged the chiefs to use them only on official duties and will have official work ticket. Central Kenya was initially given 76 motorcycles to share among the eight counties with Nyeri County receiving 16 of them. The chiefs were advised to acquire riding skills for their own safety. "This is the first bunch of motorcycles to arrive in the region. Others are expected next year. They will be of much help unto them," he added. Meanwhile, Rugut assured the chiefs that they will not be sacked

from their jobs adding that plans are in place to improve their work. "The constitution never states that they will be sacked but restruc-

tured in five years. Their work is still there," he added. Those present during the function were all DC's from the county, Ny-

eri county commissioner Michael Mwangi and Nyeri County council chairman Wachira Maina Keen.



Chiefs tries new motorcycles after Central PC Kiplimo Rugut handed over 16 motorcycles unto the chiefs from Nyeri County recently. Photo/Joseph Mukubwa

Machakos County acquires own university

By PETER MUTUKU

Machakos University College is among fast growing institutions of higher learning in the country. The university follows the elevation Machakos Technical Training Institute (MTTI) into a university. The new university which is a constituent college of Kenyatta University has already admitted the first batch of students although they will report in January 2013. The transformation of the MTTI to Machakos University has begun officially following the appointment of its pioneer University Council. The council is headed by Nairobi hospitals Chief Executive Officer Dr Cleopa Mailu, who was handed over the mantle by the former MTTI Board chairman Prof. Peter Mbithi. The brief handing over ceremony at the college was attended by Machakos District Commissioner Mr Joseph Sawe, area District Education Officer Mr Richard Midamba and Town Clerk Sheikh Abdulahi among others. The former MTTI Principal Ms Mary Muthoka who was the only female head of the institution since it was started more than 50 years ago, handed over to the first Machakos University Principal Prof. Godfrey Mse. Ms Muthoka welcomed the elevation of the institution to a university saying it will go along way in ensuring quality education for the youth in and outside the region. "We have handed over an ISO Certified and Best Performance Contracting Award Winner Institution in the tertiary institution category for the year 2012/13," said Ms Muthoka. Dr Mailu described the transition of the former MTTI to a University as a big leap for Machakos County and entire Lower Eastern region. He sought to assure the teaching and non teaching staff that the transition will be a smooth one adding their welfare is paramount. "Those with the necessary qualifications need not to worry because they will have a place in the college," said Dr Mailu.

Commission rallies support against Gender Based Violence

By BOB OMBATI

THE National Commission on Gender and Equality has decried rampant gender based violence in the larger Gucha district, Kisii county, saying it violates human rights and negates the spirit of the constitution. The Commission's Chief executive officer, Dr. Rose Odhiambo notes that women and children are vulnerable and bore the brunt of the brutality perpetrated commonly by their close relatives. Dr Odhiambo, who launched a 16- day activism against gender based violence at a Gucha hotel during a voters sensitization workshop challenged stakeholders to concert effort to end the vice, which, she noted broke families besides subjecting members to psychologically torture. The Commissioner noted women and children suffered due to ignorance and fear of consequences if they dared report their tormentors to authorities, who were the family's bread winners. She warned those who perpetrated violence that they were violating the rights of other people they should desist lest they be arrested, prosecuted and charged to serve as a lesson to others with similar brutal tendencies. Kenyans, advised the Officer should to read and understand the constitution to enable them discern when their rights were trampled on and defend their rights, saying that majority victims of gender violence were members of vulnerable groups like women, disabled, poor and marginalized people. CONGE, noted Odhiambo was mandated to supervise, advise and report to the government cases of

gender violence and discrimination for perpetrators to face the law. "Gender based violence robs victims their human rights. We urge parties to embrace dialogue in resolving conflicts amicably instead of resorting to violence" stated Dr Odhiambo. Gender based violence, asserted the officer was also common in Kuria East and West districts in Migori county where some community members practiced the outlawed Female genital Mutilation (FGM) besides engaging in domestic violence. The Officer said Commission's task included seeking legal redress to correct the violation of the special interest groups' rights, which, she observed were violated with impunity. She lamented that some parents with children with various disabilities hid them in house under the guise of protecting retrogressive cultures and superstitions, stressing it was a violation of their rights. " They should expose them for registration so that they can be assisted by the government and non Governmental Organizations to feel part and parcel of the society" stated Dr. Odhiambo" adding people with disabilities required support, respect and care like other children. Citing Bondo, Siaya County where the Commission had visited, she revealed that parents with physically disabled children hid them in their house, saying according to them, it was a taboo to expose them in public. Odhiambo challenged Kenyans to shun handouts by politicians and elect credible, incorruptible, vision-

ary and wise leaders who will uphold the constitution, the rule of law and respect for human rights, saying they risked regretting for five years if they voted in corrupt leaders. The Officer cautioned Kenyans against politicizing the on-going voter registration, and asked them to register as voters for them to take part in electing their leaders during the March 4, general poll. Area District Officer (DO 1), Elizabeth Atemi lauded the Com-

mission for taking civic education to the grassroots people, saying it would empower them know their rights, defend them and also take part in the country's democratic exercise and governance. Ruth Kerubo, a participant stressed that rural people were still ignorant of the constitution and relevant legislation backing them and asked civil society organizations and the government to civic educate the rural folk on the same.



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High population growth depletes resources in Kisii County

By BOB OMBATI

KISII County Commissioner, Lydia Muriuki has urged residents to embrace Family Planning to help reduce pressure on dwindling resources.

Muriuki noted that the population in Kisii and Nyamira counties had outstripped resources such as land and thus most parents are struggling to produce enough food for their families besides clothing and educating their children.

The Commissioner, who presided over a media workshop organized by the National Council on Population and Development (NCPD) noted that if population growth was not controlled, it would be difficult for the

country to attain the aspirations of the much hyped vision 2030.

Household poverty, noted Muriuki was high with a population density of 875 persons per square kilometer, noting Kisii County had 1.1 million people out of 3.6 million in Nyanza region. "People own less than an acre of land. It is a threat to food security amid the growing population without corresponding resources," noted Muriuki.

People from Gusii community, noted the commissioner were enterprising, adding that the gains would be eroded if they failed to adopt Family Planning to reduce much dependence and lead quality lives. She implored members of Gusii community to value all children and discard

the retrogressive beliefs that the boy child offers a strong foundation in a homestead.

Poor parents with many children, stated the commissioner had abandoned their families forcing the children to drop out to seek for menial jobs in order to fend for themselves.

Addressing over 20 Journalists drawn from Kisii, Homabay, Migori and Nyamira Counties, she urged them to sensitize the public on the need to embrace family Planning to better their lives.

NCPD senior population Officer, Maurice Oduor said 60 percent of the residents were aged below 24 years and in school, saying they relied on their parents meager resources for

survival.

Oduor noted that 48 percent of residents in Kisii county had primary school Certificates, 28%, secondary, 5.3, tertiary and only 2.3 percent had university degrees, adding that less than 50 percent of the residents were economically engaged with many family members relying on them.

He noted that 3 percent of the residents had clean piped water with 94 percent using pit latrines, adding that 63 percent relied on springs and borehole water.

NCPD Deputy Director, monitoring and evaluation Programme, Karuga Ngatia noted that the country's population policy had been reviewed to comply with the constitution and

vision 2030.

Ngatia noted they were holding workshops for various stakeholders to sensitize them on the policy which advocated for small and manageable families to help the country attain vision 2030 and the Millennium Development Goals (MDGs).

The journalists urged the NCPD officers to avail updated information on the population trends to enable them report accurate figures.

Jared Maobe, a journalist told the officers to design Family Planning programmes for young couples and youths, stressing that some bore many children due to ignorance on available methods of family Planning suitable to them.

By JOSEPH MUKUBWA

FORTY inmates at G.K. King'ong'o prison in Nyeri County have graduated after undergoing a three day paralegal training.

The 20 men and 20 women together with 10 prison officers underwent the training at the penal facility and successfully finished the training at the penal facility recently.

They were trained under the programme dubbed 'Hamasa Magerezani Project' which is funded by the Amkeni Kenya - UNDP.

The training was meant to educate them on their rights and freedoms as enshrined in the constitution (Bill of Rights), Peoples representation, leadership and integrity, good governorship, the criminal trial process and elections laws and offences.

The participants were awarded Certificate of Participation for the three days training conducted by Kituo Cha Sheria within the prison facility.

"Kituo is satisfied beyond any reasonable doubt that those trained will act as change agents in promoting the right to vote and the need to have a political choice within the prison community as envisaged under the constitution," said the Kituo Cha Sheria Programme coordinator Anthony Kamaru after the graduation.

Similar programmes have been held in Malindi prison, Lang'ata, Kamiti and Shimo La Tewa prisons.

Programme assistant Anastasia Nabukenya and Monitoring and Evaluation Officer Kevin Ogema said the programmes have helped in making the work easier for the magistrates and judges since the graduands have disseminated the knowledge unto

Inmates acquire paralegal skills



King'ong'o inmate Geoffrey Kirunya Igweta (left) who was the best candidate is awarded by Kituo cha Sheria officials and prison authorities led by deputy officer in charge of King'ong'o prison Gudual Tawan (second right) recently after successfully undergoing a paralegal training. Photo/Joseph Mukubwa

others.

"The workload has also reduced and brought discipline and order around the corridors of justice. We

have seen many inmates being acquitted and even criminal cases reduced after the trainings," said Nabukenya.

King'ong'o inmate Geoffrey

Kirunya Igweta said he was happy after the training since this will open eyes for himself and many others at the penal facility.

A remandee at the prison Dorris Wanja thanked facilitators from Kituo Cha Sheria for the training saying life will never be the same again.

Varsities challenged to invest more on research

By PETER MUTUKU

THE Minister for Higher Education Prof Margaret Kamar wants universities to focus more on research, innovation and training of self employable graduates.

Prof Kamar underscores the need by institutions of higher learning to increase their research grant portfolios to enhance the foundation of attaining their core mandate and national development goals.

Speaking during the fourth Annual International Conference on Industry and Higher Education at Management University of Africa (MUA), the minister cited research, innovation and entrepreneurship as key to bridging the gap between institutions of higher

learning and the industry.

"Thus, more resources were needed to have the mandate accomplished. "Our institutions of higher education have for a long time placed great emphasis on equipping students for white collar jobs. This is no longer sustainable. We can only overcome this by equipping our students with entrepreneurial skills so that they set up own businesses," she said.

MUA Vice Chancellor Judy Mathooko said universities can only be able to deliver their mandate if research activities are adequately funded.

"Wealth creation and sustainability cannot be realized fully without intensive research. Lamentably, universities are increasingly downplaying research activities in favour of teaching. A bal-

ance between research and teaching should be considered by reducing teaching workload and increasing research activities," said Prof Mathooko. "Further our universities have been accused of researching on issues which do not translate to tangible solutions to societal challenges. The culture of the so-called blue sky research, which is researcher-centered must stop," he added.

However, the minister noted required transformation in universities cannot be realized without adequate research funding and improved infrastructure and human resources

"I am aware resources available to scholars for research are dwindling. My Ministry is working together with National Council of Science and

Technology to ensure funds are available to researchers," she said.

Mathooko observed universities allocate little of their overall budgets to research. "However, we are pleased the new Science, Technology and Innovation Bill, 2012 proposes a National Research Fund to be used for advancement of science, technology and innovation and also proposes the establishment of the Kenya National Innovations Agency."

Kamar said her ministry plans to introduce 1,000 Government-funded teaching assistantships in universities every year for post graduate students who would be transitioned straight from undergraduate studies, allowing them to attain PhDs and serve as teaching assistants to support the increased en-

rolment of undergraduates. She also said the Ministry has initiated various reforms by a forming a taskforce to align higher education, science and technology sector to the Constitution.

The taskforce has prepared various Bills and a Sessional Paper which enacted will change management of universities," she said. Mathooko said the conference was informed and persuaded by desire to bridge the gap between academic theory and industrial practice. "MUA holds the view that universities world over must produce graduates who resonate and connect with the job market," he said.

The conference brought together participants from Kenya, Uganda, Ghana, Ethiopia, Tanzania, and India among other countries.

Nyeri courts on the spot over delays and missing files



Court clerks during the Nyeri Court Users Open Day held at Whispers Park recently.

Photo/Joseph Mukubwa

By JOSEPH MUKUBWA

NYERI residents have complained over delays in the dispensation of justice.

Speaking during a Court Users Open Day forum held at Whispers Park recently, the residents said that courts were taking too long to deliver judgments while in some instances files were missing. They also complained of rogue lawyers, in operational communications gadgets which they said have led to denial of justice.

Other complaints raised by speakers at the meeting included delays in concluding cases, delays in typing court proceedings, altering of court documents, delays in signing court documents by magistrates such as summons, warrants, succession grants.

Speaker after speaker urged the ju-

diciary to look into the matter urgently as justice delayed is justice denied.

Theuri Kihara who is in his early 80s said some of the delays were intentional and cited lack commitment among magistrates and judges.

He noted that during the era of white judges, cases were dispensed off within a month after being filed and before a judgment or ruling is delivered. Francis Ndegwa lamented that it had taken him more than two years to access a copy of a typed judgment from the Nyeri courts thus delaying his appeal in a land tussle he is embroiled in.

A lawyer, Francis Mwangi said that delays in typing of court proceedings, rulings and even judgments had contributed greatly to the denial of justice. He said that in several instances court staff responsible in doing such jobs delay and thus cases lag

for more than two years.

"Some magistrates and judges usually speak in low tones making it hard for one to decipher what is actually said. This should not even be debated since a public address system is already installed in the courts although it is never operational," added Kihara.

While responding to some of the complaints, Chief Magistrate Wilbroda Juma admitted that there have been delays when handling various cases but linked them to the regular transfer of magistrates saying that the problem will be addressed soon.

She also concurred with the public that the sound system in the courts has not been operational, highlighting that the temporary hitch would be rectified as the matter has already been raised in Nairobi. The chief magistrate at the same time warned the judicial officers found altering court documents will

be prosecuted.

Juma said that altering court documents such as judgments, summons, orders and succession grants was a serious criminal offence as it was meant to subvert justice. The magistrate regretted that officers engaged in such acts were not only tarnishing the judiciary but also pulling back reforms currently being instituted.

Juma was responding to complaints from members of the public who lamented that some judicial officers at the Nyeri law courts were engaging in dishonest practice by altering court documents at a fee to suit certain litigants. She said that delays in concluding cases was mostly as a result of transfers of magistrates as the new ones have to familiarize themselves with the handwriting of the predecessor before proceeding with the case.

Bribery incidence undermines trade at border points

By LINK CORRESPONDENT

DRIVERS and transport companies pay bribes totalling Ksh570,775 every month to speed up passage of their goods through customs and road checks, according to a survey by Transparency International.

The bribes paid to revenue, police, immigration, ports and weigh-bridge officials make up an informal taxation equivalent to 1.4 per cent of the average value of goods (Ksh41 million) handled monthly by the 69 transport firms from Kenya who took part in the survey.

That cost is eventually moved to consumers through higher prices of goods. "Failure to pay bribes can lead to dire consequences: from delays in getting services, disruption of clients' operations to high administrative taxes," Samuel Kimeu, the executive director of TI Kenya, said in Nairobi while releasing the survey.

Out of the amount paid in bribes, KRA officials take 49.8 per cent (Ksh284,410) followed by police officers at road blocks who take Sh150,535 and weighbridge officials who pocket Ksh135,745.

Clearing and forwarding agents surveyed said they pay Ksh422,620 (\$4,972) in bribes every year to regulatory officials. "The survey has identified bribery as a major non-tariff barrier (NTB) which causes delay, adds unnecessary cost on businesses and distorts the market forces," Mr Kimeu said.

The survey shows that while revenue officials ask for large sums of money, consequences for not bribing are more severe at weighbridges and police roadblocks. Forty six per cent of the transporters sampled said the likelihood of delays was the major reason for paying bribes.

Outside the national borders, Tanzania and Uganda — the two top destinations for Kenya's exports and investment capital — were also cited in the report for the large amounts of bribes that public officials there demand.

On average, transport companies and drivers paid Tanzanian regulators a total of Ksh1 million (\$12,641) each while clearing and forwarding agents each paid Ksh27,000 last year to facilitate movement of goods through the country. Kenya exported goods worth Ksh41.8 billion to Tanzania in 2011.

The survey showed Ugandan drivers and transport firms each paid a total of Ksh312,120 to regulatory authorities while clearing agents paid Ksh1.3 million each as bribes to regulatory authorities.

Uganda is Kenya's single largest destination for exports in the world, absorbing goods worth Ksh75.9 billion last year.

For clearing agents, the bribes help to speed up document processing, have tax codes changed and to avoid inspection and investigation that could prove their guilt. Transporters on the other hand use bribes to speed up clearance at transit points and avoid weight verification.

The survey found many respondents ranging from 99 per cent in Uganda to 83 per cent in Rwanda do not report bribery incidents.

In Kenya, 89 per cent of respondents did not report the incidents compared to 92 per cent in Tanzania and 87 per cent in Burundi.

Kisii County registers' more cases in GBV

By BOB OMBATI

THE National Commission on Gender and Equality has decried the increased cases of gender based violence in the larger Gucha district, Kisii county, saying it violates human rights and negates the spirit of the Constitution.

The Commission's Chief executive officer, Dr. Rose Odhiambo notes that women and children are vulnerable and bore the brunt of the brutality perpetrated commonly by their close relatives.

Dr Odhiambo, who launched the 16-day of activism against Gender-based violence at a Gucha hotel during a voters sensitization workshop challenged stakeholders to work closely to end the vice, which, she noted had resulted in broken families besides subjecting members to psychological torture.

The Commissioner noted women and children suffered due to igno-

rance and fear of consequences if they dared report their assailants to authorities, who in some cases are their bread winners.

She warned that perpetrators risk prosecution as they were violating rights of vulnerable groups such as the women, disabled, poor and marginalized people, which had been enshrined in the constitution.

"Gender based violence robs victims their human rights. We urge parties to embrace dialogue in resolving conflicts amicably instead of resorting to violence" stated Dr Odhiambo.

Gender based violence, asserted the officer was also common in Kuria East and West districts in Migori county where some community members still practiced the outlawed Female Genital Mutilation (FGM) besides engaging in domestic violence.

The Officer said the Gender Commission's task included seeking legal redress to correct the violation

of rights of special interest groups which she observed were violated with impunity.

She at the same time accused parents of violating the rights of their disabled children by locking them in the house under the guise of protecting them from the wrath of retrogressive cultures and superstitions.

"They should register them so that they can be assisted by the Government and Non Governmental Organizations nad feel part and parcel of the society," stated Dr. Odhiambo adding that people with disabilities required support, respect and care like other children.

Citing Bondo and Siaya County where the Commission had visited, she revealed that parents with physically disabled children hid them in their houses citing taboos which prevented them from exposing them in public.

Odhiambo challenged Kenyans to shun handouts by politicians and

elect credible, incorruptible, visionary and wise leaders who will uphold the constitution, the rule of law and respect for human rights, saying they risked bad leadership if they voted in corrupt leaders.

The Officer cautioned Kenyans against politicizing the on-going voter registration, and asked them to register as voters for them to take part in electing their leaders during the March 4, general poll.

Area District Officer (DO 1), Elizabeth Atemi lauded the Commission for taking civic education to the grassroots people, saying it would empower them know their rights, defend them and also take part in the country's democratic exercise and governance.

Ruth Kerubo, a participant stressed that rural people were still ignorant of the constitution and urged civil society organizations and the government to conduct civic education to help empower them.

By PETER MUTUKU

"MY SON is five years old, and like any mother I want the best schooling for him. I know that doors open for the educated and the alternative in Kenya is likely to be a low-paid, high risk job. Without good schooling, my little boy could end up working 15 hours a day in a hazardous manufacturing job which provides no protective clothing. A job which pays on a daily basis, and provides no medical cover but lays you off when you get an injury and are useless to your employer," adds Alice Mueni, a parent.

This is no far-fetched scenario: 60 per cent of Kenyans live on less than two dollars a day, and formal employment is around 20 per cent. There are no welfare payments for unemployed Kenyans who still have to pay for healthcare, food and other basic necessities. Education is the best safety net against poverty.

Primary school has been free since 2003, with the help of 19 billion dollars of donations from the UK, Canada, and the World Bank, with the World Food Programme, UNICEF and Kenyan NGOs providing advice, training and support. In terms of enrolment numbers, it has been a great success. Enrolment rates in Kenya are up to 97 per cent, as reported by Elimu Yetu Coalition – a forum uniting all NGOs, government departments and corporate partners in the education sector in Kenya.

Less great is that there are now up to 70 children in each classroom and the free primary school fund has been plagued with corruption. "Like many Kenyans of my generation, I am pushing for a more unified society, shunning negative stereotypes about ethnicities other than my own. In a public school, my son would learn with children from different ethnic groups, from richer, poorer and even broken families. But I've got serious doubts as to whether a public primary school can provide a good enough education to secure my son's future," avers Mueni.

Committed teachers are not enough Margaret Mmboka, has been teaching at a primary school in Kathiani for 21 years. She has witnessed the explosion in enrolment since free, universal primary education was introduced. "My class had 30 – 40 students," she said. "Now I have to teach up to 60 students at a time."

A spot check at the school reveals that most teachers are overwhelmed from solving fights to listening to sto-

High enrolment rates undermine quality education in public primary schools

ries. The teacher is a firm believer in public education, (she educated all her children at this school) she has little time for parents who want to educate their children privately.

"Here we teach, but there (in the private school) it is just a business," she says, maintaining that private schools drill children to memorise how to answer questions in national exams, and how to speak 'delicious' English.

But there is little hiding the fact, that large class sizes and teacher shortages are having an impact. A report the education think-tank UW-EZO sampled 123 districts in Kenya, and estimated that around 60 per cent of children aged 14 were unable read a simple sentence in a test aimed at eight-year-olds. The net result is that even those Kenyans who are far from wealthy, are opting paying to educate

their children privately.

Margaret Mukoma, 43, a single mother in Eastlands, works as a receptionist at a local airstrip. She supplements her salary by selling clothes and other household items like bed sheets, blankets and curtains, bringing home around Ksh 38,250 a month. More than half of this is spent on private boarding school fees for her three children, two teenage boys and eight-year-old Michelle. She sees this as an investment. "The public schools were okay until when free primary education started," she explained. "Then my sons would lie to me and never had any homework," she said. In private schools, she says, "the teachers maintain high standards of discipline."

Damacline Nyantika, 50, is also not among the wealthy; she is a self-employed widow living in Kericho,

a small tea-growing area deep in the Rift Valley, west of Nairobi. She does odd jobs, selling vegetables, house-keeping, babysitting and whatever else comes her way. With teachers in her local school coping up with up to 70 pupils in a class, Damacline felt her daughter Gracey, 13, was not getting attention. Public schools are free, and would make her life a little easier, but Damacline is not considering this option, "It may be free. But when you pay for something, you value it more, you take time to make it work," she says, echoing a sentiment common among poor Kenyans.

Education budget plundered by corrupt officials

Of course, education is only 'free' because it is paid for through taxation and donor support. The charity Concern Worldwide Kenya supports

initiatives to roll out free primary education in Kenya, encouraging people in informal settlements and marginalised rural areas to demand better services in education. Victor Odera works in their advocacy and communications team and monitors trends in education. He says corruption in the primary education sector is deeply worrying. In the past few years it has emerged that Ksh 3.9 billion has been stolen from the Ministry of Education, most of it from landmark universal primary education initiative. No one has stepped down from the Ministry of Education, even in the light of these revelations.

"If the billions of shillings were used as they should have been, more teachers would have been employed, more schools would have been built, and there would be less congestion and better environment," says Victor.

He believes everything changes when parents, especially the middle class, dare the government to do better instead of taking the easier route out and shipping their children to private schools. A significant chunk of taxpayers' money is in one way or another channeled into the education system. It is one of the biggest machines set up by the government. It must work.

"I am one of the middle class who could make the government more accountable. But my conclusion is that I will not take the risk of state schooling with my son. I know they will not give him the best possible education, how can they when money keeps vanishing? I do not want to take him to a public school by day and complement it with private tuition classes in the evening, as many parents already do. He is a child, surely he should play after school?"

I will work day and night in order to afford a good education for my son. In a few years, I would like the system to have changed, so that my son can enjoy a state secondary school after starting out in the most down-to-earth private school I can find. But since I still pay my taxes faithfully, I will not stop asking questions, whether I get comfortable or not. There is a Kiswahili saying that roughly translates as, 'if you need something from under the bed, you cannot escape bending'. I believe it is my responsibility, as a Kenyan and as a mother.



Some of the pupils in Kenya's schools.

Photo/File

Access to drugs remains a challenge for diabetic patients in Gusii region

By BOB OMBATI

DIABETIC patients in Kisii and Nyamira counties have decried the shortage of drugs and doctors in public hospitals, saying this was frustrating their efforts to manage the disease.

The patients who marched along Kisii to celebrate the World's Diabetes Day said public health facilities lacked adequate drugs and thus they have been forced to buy them from private clinics expensively.

They told The Link that the less endowed patients who were unable to buy the drugs from the chemists had to suffer quietly, saying some succumbed to diabetes related complications due to poor health and lack of drugs.

The chairman of Kisii Chapter Association of People living with diabetes, Daniel Mogoba, who led the diabetes patients and other stakeholders in a peaceful march at Kisii level Five hospital urged Kenyans to go for regular tests so that those who are sick can access medication early.

A bottled dose of diabetes medicine, noted Mogoba cost Ksh200 at public health facilities while the same cost up to Ksh. 500 in private pharmacies which was beyond the reach of the majority of the patients.

Mogoba, who has lived with the disease for 34 years said the number of specialists in the area was low compared to the increasing number of diabetic patients.

He asked the government to em-

ploy more Doctors in public hospitals and equip them with adequate drugs to cope with the swelling number of patients seeking medical attention.

Patients, noted the chairman, queued for long hours at public hospitals due to inadequate professionals, noting that some could faint due to low or high sugar levels in their blood.

The over 200 patients were trained on healthy eating habits during the free medical camp to help them manage their conditions and lead healthy lives.

Dr Nehemiah Ongeru who heads Kisii-Level-Five hospital's Diabetes clinic urged the patients to avoid eating food with a lot of sugar, check and control the amount of food they eat and have their sugar levels tested peri-

odically to avoid complications.

"You should change your lifestyle and exercise regularly. That is the only way you can avoid the disease unless it is hereditary" noted Dr. Ongeru

Dr Ongeru, flanked by the hospital's Medical superintendent Dr. Geoffrey Otomu observed that a lot of fatty and sugary foods was bad for diabetic patients, adding that it hampered the management of sugar levels.

He urged patients to be wary of fake herbalists who were selling concoctions to cure the disease, stressing they wanted to con them for selfish interest.

Herbalists, noted Dr Ongeru never relied on their herbal drugs, saying they sought medication in public and private hospital like the patients they

were purporting to treat and cure.

Mogoba said herbalists lacked the capacity to prescribe diabetic medicine or cure the disease and majority relied on conventional drugs.

Zipporah Motanya a nutritionist at the hospital said that type one diabetes was more common among teenagers and children and was mainly activated by the environmental conditions which stops from pancreas not to release enough insulin.

Mr Ken Kimaywa an official from Cosmos Pharmaceuticals Limited said the company was partnering with the government to give free diabetes drugs during campaigns, adding it had availed drugs worthy about Ksh. 0.1 million during the free medical camp.

Herbalists urged to support Bill

By NYAKWAR ODAWO

TRADITIONAL medicine practitioners from western province and the country at large will benefit a great deal once the proposed health Bill on herbal medicine becomes law.

Addressing stakeholders during a sensitization forum held at the Busia cultural centre recently, the National Traditional Health Practitioners Association chairperson Lydia Matoke said that the bill seeks to empower traditional herbalists to regulate themselves.

She says that the proposed law will allow them to operate alongside the mainstream conventional health channels. The chairperson, however, expressed concern saying that the government of Kenya has failed to recognize the role the traditional herbalists play as far as the herbal medicine is concerned.

"I am challenging both the government of Kenya and the African continent in general to emulate China and India's approach that have gone to the extent of recognizing the role of traditional herbalists in the society hence making herbal medicine part of their culture," said the chairperson.

The chairperson at the same time said that in 1949 the former president of China Mao Tse Tung unanimously declared herbal medicine as part and parcel of China's culture, adding that China has become the world's leading nation rich in natural therapy discipline.

"The World Health Organization has also recognized traditional herbs as a key component in the health sector hence according the traditional herbs practitioners a lot of recognition considering the service they give to the society across the divide.

Matoke at the same time said that traditional herbs, contrary to popular

belief have triumphed in treating ailments such as prostate cancer among others, adding that the proposed traditional medicine bill would enable the practitioners to have a voice at the national level.

The national chairperson said that Kenya, through the National Traditional Health Practitioners Association (NATHEPA) and National Council of Association for Alternative Medicine (NCAAM) has consented to put in place an umbrella body that will go along way in addressing the traditional health issues at the national level.

She urged all the traditional herbalists across the country to remain focused, cooperative and also to stick to their profession.

Matoke at the same time said triumph can come only when discussions are pegged on honesty and logical coherence, adding that difference of opinion is to blame for the setbacks in the herbal industry.

However, Matoke warned the association members against engaging in retrogressive practices which she said were likely to derail the success they have so far achieved.

"I am also encouraging you as county representatives to establish botanic gardens where you can plant medicinal trees as one of the conservation steps aimed at achieving the ten percent forest cover recommended internationally," said Matoke.

The chairperson was accompanied by the National Council of Association for Alternative Medicine secretary General Isaac Misiko who on his part called upon the traditional herbs practitioners to form a coalition for the sake of the prosperity of the herbal industry.



President Kibaki when he signed the health Bill. FILE Photo/File

Suspected poachers arrested in a police swoop

By BRIGHTON KAZUNGU

FOUR suspected ivory traders have been arrested in the ongoing crackdown of poachers in Taita Taveta County.

The four were arrested in a joint operation by the regular police and Kenya Wildlife Service personnel, during which three elephant tusks were recovered.

Police intercepted them at Maktau trading centre near the sprawling Tsavo West National Park in Taita-Taveta County, as the war on wildlife-related crimes in the Tsavo Conservation Area intensified. Taita OCPD Samson Kinne said KWS personnel acted on a tip-off and arrested the suspects, who were planning to transport the game trophies to an unknown destination.

Speaking to The Link in Voi recently, Mr. Kinne said the suspects were later handed over to the police. "We'll take the suspects to court once we are through with our investigation," said the police officer.

The arrest comes at a time when cases of poaching in the Tsavo ecosystem and in local ranches have reached alarming levels. KWS has also intensified efforts to save elephants in local ranches and Tsavo that have seen a surge in poaching in the recent past. KWS officials said in an interview that the conservation body has so far lost more than 50 elephants in the region through poaching in the recent past.

A total of 1,625 people have so far been arrested for committing wildlife-related crimes in the country this year, with majority of the cases originating in the region.

Tsavo Conservation Area acting Assistant Director Michael Wanjau said poachers were targeting endangered wildlife species such as elephants and rhinos for the highly prized ivory tusks and horns.

"A gang of bandits with sophisticated weapons has penetrated the region and we're calling on members of the public, especially those living along forest and game reserves, to help KWS to stamp out poaching," Wanjau said.

Residents of Taita-Taveta County face starvation

By BRIGHTON KAZUNGU

OVER 76,000 people in Taita-Taveta County are faced with starvation and urgently require relief supplies to forestall any deaths.

According to the Food Security Assessment report prepared by the Special Programmes minister dated November 1, Voi District is hardest hit with the number of people affected by drought standing at over 24,900 people, Mwateta with 18,497, and Taveta with 13,000.

The report states that many households have two contend with

two meals a day as opposed to three in the horticulture-rich and dairy farming zones.

According to the 2009 housing and population census, the region has 284,657 people.

An estimated 11 per cent of the population engages in mixed farming while 19 per cent are waged labourers and 14 per cent engages in trade and business.

Others engage in sand harvesting, charcoal burning timber harvesting and bush meat trade as a coping mechanism, added the report. The District Drought Man-

agement Officer, Parkolwa Mustafa, points out that the region is currently ranked in the stressed phase after the 2011 short rains assessment and remains in the same classification.

"Even though the classification has remained the same, the situation has deteriorated following poor performance of the long rains that started and ceased earlier than usual leading to withering of crops in the field," he said.

Mr. Mustafa cites erratic rainfall leading to poor crop germination, intense human wildlife con-

flict, high commodity prices in the market and poor road infrastructure among factors that have led to food insecurity in the region.

The report recommended the introduction of school feeding programmes in the affected areas and up scaling food for asset beneficiary numbers in the lowlands of the county to target more households in the area experiencing food stress.

At the same time the proportion of children who are at risk of malnutrition has been increasing since April this year and stands at 2.8 per cent.

By NYAKWAR ODAWO

Diabetes takes a high toll on Kenyans

ABOUT 2 million Kenyans are diabetic, according to statistics at the Ministry of Health.

Addressing members of the public during celebrations to mark the World Diabetes Day at the Nangina Girls boarding primary school in Funyula, the Head of Non-communicable Diseases Dr Patrick Waihenya said diabetes is threatening to reach epidemic levels if Kenyans continue embracing unhealthy lifestyles.

Waihenya said Mt Kenya region, Kisii and Mombasa are some of the regions that have recorded increased diabetes cases, largely blamed on sedentary lifestyle, low level of awareness, negative attitudes and unhealthy diet practices.

"The prevalence rate of diabetes in

the country could rise to 10 percent by the year 2030 if lifestyle modification is not addressed as a matter of urgency," said the health official.

"Even though diabetes can be hereditary, majority of cases in the country can be attributed to unhealthy lifestyles which many Kenyans have adopted. Unhealthy diets and physical inactivity are two of the major causes of diabetes," said Waihenya.

He added that due to unhealthy lifestyles, over 20percent of women and 7percent of men in the country are either overweight or obese whereas over twenty percent of the population either smokes or takes alcohol, the factors he noted if not controlled

could contribute to the increased cases of diabetes.

"Simple lifestyle can change the situation as diet control and regular exercise go a long way in helping to control the diseases," said Dr Waihenya, adding that diabetes is one of the leading causes of blindness, renal failure and lower limb amputation.

"It also triggers cardiovascular disease which is the leading cause of deaths for people living with diabetes. The key risk factors for diabetes include obesity, physical inactivity and unhealthy diets which require interventions to change unhealthy lifestyles," he said.

Dr Waihenya added that the gov-

ernment through the Ministry of Public Health and Sanitation is re-training health care workers and providing them with the appropriate tools for management of diabetes.

"Public awareness has been going on to educate the masses on prevention and control of diabetes and its complications. Preventive efforts in the form of health education on healthy diets, physical activity, maintaining of healthy body weights and cessation of alcohol and tobacco use are known to be far more cost effective than treatment of diabetes," said Dr Waihenya.

He said in order to strengthen health systems to address diabetes,

the two health ministries are working closely to ensure that every health institution provides care for diabetes in a multi-disciplinary and comprehensive approach that will ensure that accurate diagnosis and prompt treatment and care is given to people living with diabetes to avert its serious complications.

The occasion which was co-sponsored by the Safaricom Foundation was also addressed by local government minister and area MP Dr Paul Otuoma, former VP Dr Moody Awori, goodwill ambassador Dr Julia Ojiambo who lauded the Safaricom Foundation for providing a free medical camp for the treatment of people with diabetes in the area.

Govt losses billions annually to deforestation

By HENRY OWINO

THE wanton destruction of forests has been tipped as factor that deprives Kenya's economy of billions in revenue.

A joint research by the Kenya Forest Service (KFS) and the UN Environment Programme (UNEP) reveals that in 2010, the country lost a whopping Ksh5.8 billion in deforestation and Ksh6.6 billion in 2009, far outstripping roughly Ksh1.3 billion injected through forestry and logging each year.

According to the report, the contribution of forests is undervalued by 2.5 per cent, putting the estimate of its annual contribution to Gross Domestic Product (GDP) at around 3.6 per cent.

The Minister for Forestry and Wildlife Dr. Noah Wekesa says the report entitled 'The Role and Contribution of Montane Forests and Related Ecosystem Services to the Kenyan Economy' and launched at the beginning of the Kenya Water Towers, Forests and Green Economy National Dialogue – marked a new phase in efforts to conserve the vital ecosystems.

"The value of the Mau Forest ecosystem to the Kenyan economy previously calculated by UNEP has already catalyzed a response to conserve and rehabilitate this vital resource," he said. "This shows we have already acknowledged the importance of forests. However, this new report quantifies the massive scale of the economic damage deforestation brings and shows much more needs to be done nation-wide," stated Dr. Noah Wekesa.

Kenya's five water towers Mau Forest Complex, Mount Kenya, the Aberdares, Mount Elgon and Cherangani, feed filtered rainwater to rivers and lakes and provide more than 15,800 million cubic metres of water per year. This is said to represent over 75 per cent of the country's renewable surface water resources.

Dr Wekesa explained these forests store water during the rainy season and release it slowly, thus ensuring water flow during dry periods. He added that the forests provide resilience to seasonal environmental and economic changes and long-term economic hazards like climate change.

The Minister pointed out that apart from timber and fuel, the forests also bring benefits to the agriculture, forestry and fishing sectors; the electricity and water sectors; the hotels and accommodation sector; and the public administration and defense sector.

However, Achim Steiner, UN Under-Secretary General and UNEP Executive Director,



From left, David Mbugua Director KFS, Achim Steiner Executive Director UNEP and Shereen Zorba Newsdesk UNEP during the report launch at UN headquarters, Nairobi, Kenya.

said between 2000 and 2010, an estimated 28,427 hectares under forests were destroyed, leading to reduced water availability of approximately 62 million cubic metres per year. He regretted Kenya's economy is highly vulnerable to water availability.

Steiner said inflation spiked above 10 per cent on three occasions between 2000 and 2010, each time driven by drought combined with increasing crude oil prices and weaker exchange rates.

"Kenya is today underlining its determination to be among a group of pioneering countries putting its nature-based assets at the centre of its sustainable development ambitions," said Achim Steiner, UN Under-Secretary General and UNEP Executive Director.

"The findings of this report are based on the best international analytical methods and the latest environmental and economic evidence. It is these kinds of cutting-edge assessments that are inspiring more and more countries in Africa and beyond towards the opportunities presented in a transition to an inclusive Green Economy," he added.

Steiner explained the main reasons for deforestation are multiple and complex: from unregulated charcoal production, logging of indigenous trees, marijuana cultivation, and cul-

tivated fields in the indigenous forest to shamba-system practices, livestock grazing, quarry to landslides and human settlements.

He admitted that fuel wood and charcoal represent the most important energy source for the population, at 75 per cent, and the forestry sector creates both formal and informal job opportunities, especially in rural areas.

UNEP Executive Director observed that as a result, deforestation has largely been driven by private consumption, as the demand of households has doubled within the last ten years. This number is also underestimated as it does not incorporate the informal sector. It has been expanding, particularly in rural areas where firewood is collected for free or exchanged for other goods.

While forest products bring in one-off cash to the national economy, they encourage illegal deforestation activities and create huge economic damage through the loss of regulating services.

The report quantified the following negative economic consequences of deforestation: By 2010, the cumulative negative effect of deforestation on the economy through reduction in regulating services was estimated at Ksh 3,650 million per year, more than four times the cash revenue of deforestation; Decreased river flows in dry season reduces water supply to irrigation agriculture, at a cost of 1.5 billion

shillings to the sector in 2010.

Reduced river flows also reduced hydropower generation by eight million shillings, producing a multiplier effect on the rest of the economy through power shortages (46 per cent of Kenya's power comes from hydro generation); increased wet-season flows lead to erosion and sedimentation, resulting in a loss of productive soil resources, which in turn increases nutrient content in fresh water systems, causes siltation and increases turbidity of water supplies.

This reduction in water quality reduced inland fish catch by 86 million shillings and increased the cost of water treatment for potable use by 192 million shillings in 2010; Incidence of malaria as a result of deforestation is estimated to have cost 237 million shillings by 2010, in the form of health costs to the government and losses in labour productivity.

Forest loss is also detrimental to the global carbon cycle. The above-ground carbon storage value forgone through deforestation was estimated at Ksh511 million shillings in 2010.

According to David Mbugua, Director of KFS, the Kenyan government has already recognized the value of its forests and is working towards the rehabilitation of the Mau Forest Complex. Over the last one and a half years, more than 21,000 hectares of forestland have been repossessed, and

10,000 hectares have been rehabilitated by the Government of Kenya and partners.

Mbugua stated a number of programmes and activities have also been started to improve the livelihoods of communities living adjacent to the forest and address the situation of the forest-dwelling communities, in particular the Ogiek.

"With a view to expanding efforts to all water towers, the Government of Kenya gazetted the Kenya Water Towers Agency on 13 April 2012. The agency will take over the responsibilities of the Mau Secretariat and will be responsible for coordinating and supervising the rehabilitation, conservation and management of Kenyan water towers," explained Mbugua, the Director Kenya Forest Service.

However, the report finds that there is a great deal of room for more activities and proposed the adoption of sustainable forest management that contributes to national development with a ratio of more than four times that of the poor forest management that leads to deforestation.

Sustainable actions include: selective thinning regimes, protection against uncontrolled settlements; adequate allocation and policing of water withdrawals; improved management of degraded land; ensure that Kenya has in place a fully functioning forest resource account in order to capture the various benefits provided by forests; stronger regulation of forest use.

For instance, the enacting of farm forestry, forest harvesting and charcoal regulations in 2009 represent an important step in the right direction and needs to be pursued; encourage investment in the forestry sector in order to increase the efficiency in production, especially in sawn timber and charcoal production.

Addressing the growing trend of dependence on imports of forest products, which constituted more than 50 per cent of domestic output for the year 2009; Ensure adequate regeneration after harvest and an increased forest plantation growth in the long term, together with a better coordination of regulating institutions, producers and consumers of forest products; Mainstream instruments and incentives such as payment for ecosystem services, trading and insurance schemes.

Forests in Kenya also represent a great opportunity in terms of carbon storage and the use of carbon trading schemes, the report noted.

The economic analysis also lends weight to the Inclusive Wealth Index, a joint initiative by the United Nations University International Human Dimensions Programme on Global Environmental Change (UNU-IHDP) and UNEP.

The index launched at Rio, is a new indicator which looks beyond GDP to include natural and human capital, thus encouraging governments to implement policies that encourage sustainable use of natural resources.