

ON OTHER PAGES

Versities receive a major boost from Canada for research —Pg. 4

Varsity students urged to monitor Constitution implementation —Pg. 8

Lack on public land stalls development in Kilifi County —Pg. 23

Africa likely to miss out on realization of MDGs —Back Page

CDF under devolved Govt

Questions still abound on whether the Constituency Development Fund (CDF) should remain under the devolved system of government.

FULL STORY PAGE 2



“**The CDF Act requires implementation by ‘assistance of the relevant department of government’ and all payments made through and ‘in accordance with government regulations for the time being in force’”**

EAC member states in support of a monetary union

By LINK CORRESPONDENT

THE 11th summit of head of states of the East African community was held last month in Arusha. The summit was chaired by president Yoweri Kaguta Museveni of the Republic of Uganda, who called for the council of ministers to expedite negotiations on the protocol for the establishment of the monetary union which will be of benefit to the partner states.

The East African Community (EAC) is the regional intergovernmental organisation of the Republics of Burundi, Kenya, Rwanda, the United Republic of Tanzania, and the Republic of Uganda, with its headquarters in Arusha, Tanzania. It was formed to advocate for a prosperous, competitive, secure, stable and politically united Africa.

The summit is held every year to review the activities of the integration and also to discuss issues affecting the East

African communities and discussing solutions to overcome them as states.

President Uhuru Kenyatta being new in the summit was welcomed by the member states. He promised to work with the EAC to ensure there is quickening of the pace of integration of East African region by removing the obstacles that slow down the process.

“Our people still experience unnecessary complications in achieving the ideals of a Common Market. Non-Tariff

Barriers and other impediments have greatly reduced the benefits that we should already be enjoying,” President Kenyatta said.

In this regard, President Uhuru Kenyatta said that his Government’s priority is to work with all the East African Community member states towards eliminating those barriers so that there can be free movement throughout the region.

Role of CDF under devolved government

By LINK CORRESPONDENT

QUESTIONS still abound on whether the Constituency Development Fund (CDF) should remain under the devolved system of government.

Adopted from India, the Kenyan model has served to further popularise the fund across the world and a 2010 International Budget Partnership report cites South Sudan, the Philippines, Honduras, Nepal, Pakistan, Jamaica, Solomon Islands, Tanzania, Malawi, Namibia, Zambia, Uganda, Ghana, Malaysia, as countries that are set to adopt one form of CDF or other.

In his 2009 book, *An MP's Diary*, the architect of the fund Mu-

riuki Karue offers an entertaining and anecdotal account of his life as a legislator, and ably justifies the establishment of the fund in 2004.

Directed at local infrastructure development, CDF meant that MPs would no longer have to beg the government to finance the building of local schools, community water projects, dispensaries, access roads, and agricultural produce processing plants.

By the fifth year of its existence, the CDF had become so popular that Graca Machel leading the *The New Partnership for Africa's Development's (Nepad)* African Peer Review Mechanism described it as one of the continent's best development initiatives and urged other African counties

to take it up.

Since its inception, the CDF has provided Ksh115 billion for development and more than 48,000 projects have been funded in all corners of the country.

That success has, however, not prevented civil society groups from pointing out the weaknesses of the fund, starting from its clear breach of the doctrine of separation of powers.

As early as 2004, the Youth Agenda, an NGO, filed a lawsuit challenging the legality of the fund. Muslims for Human Rights filed a similar suit in 2009 without success.

The truth is that despite the accolades it has received, all has not been well with the CDF. Civil

society assessment has produced clear evidence of inefficiency, misuse or utter theft of the public funds with little response from the parties involved.

The National Tax Payers Association and The Institute for Social Accountability have published numerous reports demonstrating that at the centre of these widespread irregularities is the undemocratic structure of the CDF.

Challenges in the use of funds have also been documented by state agencies such as the Kenya Institute for Public Policy Research and Analysis and the National Anti-Corruption Steering Campaign.

There have also been high levels of intransigence with the re-

lease of information on the CDF. The Ministry of Planning, for instance, did not release the findings of a 2009 CDF review until late last year, just a few months before Parliament secretly passed the CDF Act 2013.

The passage of the Constitution in 2010 heralds a new paradigm in governance and the question that citizens must deal with is whether Parliament responded to the requirements of the Constitution in the revised Act.

Article 202(2) of the Constitution provides that county governments may be given additional allocations from the national government's share of the revenue, either conditionally or unconditionally.

EAC member states in support of a monetary union

From page 1

"Our continent is ready to take-off and East Africa will be the engine that gives momentum to Africa's potential. We have an opportunity to transform our nations and build our own shared future together. The Government and the people of Kenya are looking forward to working with each one of you in fulfilling that task," the President said.

Despite that, he also appreciated the EAC for implementing the customs union and common market protocols, though he expressed that he had noticed that the community had not yet achieved the level of free movement of its citizen and by working with the EAC he will ensure that this is achieved.

The President also emphasized that the future develop-

ment of the region depends on its ability to trade, saying it is not just a question of lowering tariffs but also of improving the physical capacity to deliver prosperity and the links between EAC countries.

"We must push forward with major infrastructure projects such as ports, water ways, rail network, roads and energy as part of a wider regional partnership rather than just as individual state projects," the President said.

In this connection, President Kenyatta underscored the need for EAC countries to work together to promote the region and the resources that they share around the world to attract new investments to grow their economies.

He added that the region should join hands in better man-



Presidents Uhuru Kenyatta (Kenya), Tanzania's Jakaya Kikwete, Uganda's Yoweri Museveni and Burundi's Pierre Nkurunziza follow proceedings of the 11th Extra-ordinary Summit of the East African Community (EAC) held in Arusha, Tanzania.



President Uhuru Kenyatta addressing the 11th Extra-ordinary East African Community Summit in Arusha, Tanzania. This is his first address at the EAC as President.

aging its resources including oil, gas, wildlife and landscape, saying what happens in one nation impacts on all of them.

He concluded by stating that Africa has a chance to redefine itself since African nations are faced with the opportunity of being equal actors in the world stage and are able to partner with any state or region since they are guided by principles and belief.

The summit further observed that the EAC partner States should use the recently discovered oil and gas resources for the benefit of the people of region and called for a meeting of all stakeholders to share experiences and agree on best practices.

Speaking during the Summit the EAC Chairman President Yoweri Kaguta Museveni observed that the region is endowed with a lot of natural resources that need to be fully exploited for faster development.

He further explained that the member states have to pull their resources together especially in the development of the human resource in order to ensure that the region realizes faster development in the various sectors.

President Museveni also maintained that the EAC is not only for economic growth but also for political integration that needs to be enhanced in the region.

In conclusion, the EAC Secretary General Dr. Richard Sezibera Added that the region has a lot of potential in the development in various fields.

The Summit was attended by Presidents Uhuru Kenyatta of Kenya, Jakaya Mrisho Kikwete of Tanzania, Uganda's Yoweri Museveni, President Pierre Nkurunziza of Burundi and Prime Minister Dr. Pierre Damien Habumuremyi of Rwanda was held at the Ngurdoto Mountain Lodge in Arusha, Tanzania.

Train teachers on IT, Govt urged

By JOSEPH MUKUBWA

ABOUT 80 per cent of primary school teachers in the country are computer illiterate.

Kenya National Union of Teachers therefore says most of the teachers including the head teachers are uneducated of the computers and so need to be trained before the coming of the laptops next year.

National Executive Council member Karinga Munuhe said over Ksh 800 million is needed in order to train the teachers and the head teachers on how to use the computers and laptops.

“As we wait for the laptops next year, we need to be trained on how to use the laptops and teach the pupils since many of them lack the know-how. Many of the teachers mostly from the rural areas have little knowledge on the use of these computers,” he said.

Karinga added that security also needs to be beefed up in the learning institution and so more guards needs to be hired.

The council member who is also the KNUT Nyeri branch chairman said that most of the school guards are paid less than Ksh 5,000 per month which is peanuts and so they also need to be paid well.

Karinga was speaking at Bish-

op Gatimu Ngandu Girls in Nyeri County during the primary head teachers two-day conference.

Over 800 head teachers from Meru County attended the conference. This year's theme was

‘Enhancing Performance in Our Schools.’ The conference was opened by Meru county governor Peter Munya.

Others present were Meru KNUT branch executive secre-

tary Julius Taitumu and his Nyeri counterpart Mutahi Kahiga.

Karinga added that the allowances the teachers are demanding should also be factored in the forthcoming budget.



From right Nyeri County branch KNUT chairman Karinga Munuhe, Meru KNUT branch executive secretary Julius Taitumu and his Nyeri counterpart Mutahi Kahiga at Bishop Gatimu Ngandu Girls in Nyeri County during the head teacher's conference. Photo/Joseph Wambugu

KNEC put to task over new rules on exam registration

By BOB OMBATI

EDUCATION stakeholders are poised for a gruelling battle with the Kenya National Examination Council's policy to have next year's Kenya Certificate of Primary and Kenya Certificate of Secondary school Examination candidates register in July this year.

Kisii County Kenya Secondary Schools Heads Association (KESSHA) officials have opposed the move, saying the Council never consulted stakeholders.

The County's Chairman, Jairus Onchoke says they were shocked with KNCE's circular released in April requiring school Heads to register the candidates, saying the Council had ambushed them.

Onchoke, flanked by his Secretary, Pamela Maina and Treasurer, James Ponti said it was unfair for the Council to make unilateral decisions without hearing views of other stakeholders tasked with implementing the policy.

The move, noted Onchoke

was likely to affect the on-going registration for O-Level candidates set to end in June, stressing it would create confusion as school Heads would be required to handle registrations for this year and next year.

Onchoke told *The Link* in Kisii the registration would affect impoverished parents who were still looking for funds to register their children for KCSE, noting, it would stress and burden them.

The official noted that last year, some school heads were forced to send photos for KCSE candidates after registration, saying the process was tedious and takes much time to complete.

He observed the policy was likely to affect the education for the girl-child especially in Day secondary schools and lead to massive drop outs as some girls would register, go for trial marriages and resume during the examination time.

Indiscipline, noted Onchoke would be rampant in Day secondary schools as the candidates will register, mess, stay at home and return to do exams since they

know they would not be barred.

“If the policy is implemented, Day schools will perform dismally due to truancy and indiscipline. The policy should be reviewed by stakeholders and fine tuned to seal loopholes to be learner friendly” said Onchoke.

Onchoke observed that if next year's KCPE and KCSE candidates were registered this year, it would affect those who fail this year's examinations and would like to repeat in form three, saying, it would waste their time and money.

The official said that those who fail to make it Colleges or Universities and want to repeat will be forced to repeat in form three, saying it would prolong their stay in schools, discourage and lead to massive drop outs.

Choice of careers, stated the official would also be affected as candidates will not have enough time to choose careers to match their favourite subjects, stressing candidates should not be hurried to choose careers and mess up.

Onchoke urged teachers union officials in primary and sec-

ondary schools to declare their stand on the policy instead of keeping members of the public in darkness, stressing they should protect the interest of school children for posterity.

He asked the Examination Council to halt the policy to pave way for consultations among stakeholders, whom, he noted would be involved in its implementation if passed.

Form Three and standard seven children opposed the policy, saying they would not be forced to register this year, saying were unprepared and it would create unnecessary anxiety and lead to failure in the examinations.

The children, who preferred not to be named said they lacked birth Certificates, the process was long and it would lead to competition between them and this year's candidates by feeling they were at par with them.

Some parents interviewed said it would be difficult for parents with children in standard eight, form three and four to register them, saying it was expensive and majority of the parents were poor.

Education tops list in Ganze MP's agenda

By BEKADZO TONDO

GANZE MP Peter Shehe has offered to support six students who score grade A in their Kenya Certificate of Secondary Education (KCSE) to study abroad.

Mr Shehe said leaders in the area need to put their heads together and assist children acquire higher and quality education.

He blamed the high poverty levels in the area to the low literacy levels and promised to address the issue.

The legislator said six children who manage to score grade A will be sponsored to undertake courses of their choice in Switzerland each year.

He said students who opt to join local public universities will be assisted with bursaries from the CDF bursary kit.

Also to be assisted are those who join tertiary institutions to train in medicine among other courses.

He made the remarks when he addressed students, parents and teachers of Bale secondary school during a prize giving ceremony at the school.

Mr shehe who has been working in Switzerland for many years captured the Ganze parliamentary seat during the recently concluded general elections.

He said that education was critical to address the grinding poverty in the constituency and thus must be accorded the necessary support.

Mr Shehe said apart from using the CDF funds to promote education standards in the area, he will solicit for donor support to ensure that all needy students access education.

The MP at the same time urged secondary school principals in the area to retain students who fail to pay school fees as sending children home due to none payment of school fees had contributed to high drop out of bright students in the area.

He told the principals to instead compile a list of all needy students to enable him solicit for funds to pay their fees.

“Principals who send home children due to none payment of school fees are to blame for the high drop-out rates and the only way is to allow them to continue with learning as means to clear their fees are found,” said Mr Shehe.

“If the policy is implemented, Day schools will perform dismally due to truancy and indiscipline. The policy should be reviewed by stakeholders and fine tuned to seal loopholes to be learner friendly”

Varsities receive a major boost from Canada for research

By HENRY OWINO

PUBLIC universities in Kenya are set to receive funding for research, science, technology and innovation activities. The funds will oversee long term development in recognition of Vision 2030 results.

The funding is a joint initiative by the National Commission for Science and Technology (NACOSTI) in collaboration with Canada's International Development Research Centre (IDRI). The initiative launched dubbed *University Research Chairs Program (URCP)* targets all local public universities. The program seeks to play a more active role in Kenya's social-economic development through interaction with industry and a wide range of social actors in the country.

The program will begin with two Research Chairs focusing on Agricultural Biotechnology and Health Systems which will be piloted in the initial five-year phase. The first two sectors chosen are of strategic importance to Kenya's development agenda.

It is expected to grow progressively to cover other priority sectors in the subsequent years. These disciplines include; Nuclear Science, Material Science, Nanotechnology, Renewable energy, Marine Science and Space Science.

The overarching goal of this program is to contribute towards Kenya's social and economic development by strengthening the role of universities in the country's national innovation system. Agricultural biotechnology is chosen because of its potential to avail sufficient, safe and nutritious food, and thus can help to address the widespread food insecurity in the country.

Better health outcomes are closely related to wealth generation, increase in productivity, lower spending on health and could free resources for development expenditure. This would also create more job opportunities to the youth instead of seeking for employment after completing studies.

There are a number of expected outcomes and benefits to participating universities such as: enhanced research capacities; improved research and innovation infrastructure; attraction and retention of top-notch researchers in the local universities; enhanced mentorship programmes and bridging of inter-generational gap between older and younger scientists/researchers; more young scientists/researchers attracted to agri-biotech and health.

It is also aimed to help in strengthening collaborative linkages with universities and industries leading to support for research programmes at the universities. Another benefit is that it would encourage and increase staff exchange, placements and internships between industry and universities. Commission technical staff will have developed the necessary capacity to design and implement the Research Chairs programme.

To ensure this programme is im-

plemented and sails through, various organizations have been appointed to provide advisory and oversight role. For instance; Advisory Committee drawn from the academia (universities), industry (private sector), government thus NACOSTI, donors and non-governmental organizations

Another independent peer review panel will review submitted proposal against a set criteria and guidelines and then recommend proposals to be considered for funding. Research Chair is in charge of the implementation of the programme and will be expected to develop proposals, implement the projects and write timely reports. There is programme secretariat whose role is to manage the RC programme with assistance of technical staff with its Chief Executive Officer.

Speaking during the launch of the initiative in Nairobi, David Angell, Canadian High Commissioner to Kenya said Science and technology has increasingly become the cornerstone for development in Africa and beyond. He said Abuja Treaty of 1991 marked the onset of political attempts by African governments to mainstream science technology and innovation in the continent's development policies and actions.

Angell said since then, other Pan African initiatives have emerged including the AU's science and technology Consolidated Plan of Action of 2007, NEPAD's creation of dedicated units dealing with science and technology. Angell revealed that Canada's IDRC is one of the key pillars for Canada's foreign assistance, is committed to innovative research initiatives in Africa, Asia and Latin America. He explained the assistance aims to find appropriate and viable solutions to challenges facing developing coun-

tries.

"Canada is conscious and convinced of the important role that science, technology and innovation play in the development of societies. Investing in developing countries to improve people's lives is the right thing to do, Angell emphasized. It is also an investment in our shared future prosperity. A more developed and equitable world is in everyone's interest. It means having highly-skilled partners with whom we can collaborate, trade and innovate. That benefits both African economies and those in the rest of the world, including Canada." He added.

The Canadian High Commissioner assured Kenyans that the government of Canada is committed in this course of innovative partnering with Africa rather than providing aid. In addition, he said Canada's contribution to the Research Chair initiative is not only consistent with this approach but is emblematic.

"In 2008, Liberian President Ellen Johnson Sirleaf told delegates at the Science in Africa summit that: No country on earth has developed without deploying, harnessing and utilizing science and technology, whether through technology transfer or home-grown solutions." Angell said.

Prof Crispus Kiamba, the Permanent Secretary, Ministry of Education Science and Technology said the need for science, research and technology is even becoming more essential in today's life due to reduced food output and the devastating effects of climate change. Prof Kiamba explained that it is no longer possible to carry agricultural activities as it used to be done in the past due to emerging crop diseases and unreliable prediction of the planting season. He therefore supported the

move and said there is need to develop appropriate action to counter these challenges through intensified research and application of new frontier science and engineering knowledge.

The PS said the government is keen in supporting science research and technology and for this reason it has committed to provide up to two percent of GDP to research and development as provided for in the Science and Technology Act of 2013. He stated this will go together with a number of financial and legal instruments provided for through instituting universities Act 2012, the Technical Vocational Education and Training (TVET) Act 2013, and the Science Technology and Innovation Act 2013.

"The Ministry of Education, Science and Technology realizes that science, research and technology activities can succeed through strengthened participation of private sector. For this reason there has been renewed interest within the policy-making bodies in strengthening government university-industry linkages," Prof Kiamba said.

He pointed out that government and universities are therefore increasingly expected to create direct relevance to society through engagement with communities in which they are located and support industry to produce competitive products and assist in creating wealth and employment.

"The Research Chairs programs will contribute towards Kenya's social and economic development by strengthening the role of universities in the country's national innovation system and help in the realization of the national development goals as envisaged in Kenya Vision 2030 and Millennium Development Goals (MDGs), Prof Kiamba observed. Indeed Science, technology and Innova-

tion as a foundation upon which the three pillars of the Kenya Vision 2030 rests". PS added.

He said launch of the University Research Chairs Program is yet another milestone for the Ministry in enhancing research capacity in local universities and thereby strengthening the role of those institutions in the national innovation system. "The programme is envisaged to provide conducive environment that facilitates research and innovation within our universities by providing better remuneration, modern research equipment and research funding," Prof Kiamba noted.

The PS was glad for the first phase of the programme on Health Systems and Agriculture, saying he was hopeful that the industry will take up the opportunity to work closely with and obtain new knowledge from the universities to improve on their processes and produce internationally competitive products. "The ST&I grant has grown from a modest figure of 260 million in 2008 to 401 million in the current Financial Year. This grant is meant to support scientific research and technological innovation by funding ST &I priority areas in relation to the national development agenda as envisioned in Vision 2030," he explained.

Prof Crispus Kiamba alluded: "I glad that the NACOSTI and IDRC have partnered to work together in the realization of the University Research Chairs Program. It is important to note that while the pilot phase of this program will focus initially on the two areas-Health System and Agriculture, there is an elaborate plan of extending this program to other areas including but not limited to Nuclear Science, Material Science, Nanotechnology, Renewable Energy, Marine Science and Space Science".



University of Nairobi, main Campus. Photo/File

Education sector receives lions share in Kwale County

By BRIGHTON KAZUNGU

KWALE County has earmarked Ksh.300 million to oversee projects in the education sector in the next financial year. Governor Salim Mvurya said a large percentage of the money would go towards building nursery schools and hiring early childhood development (ECD) teachers.

"The allocation is meant to ensure that the county does not lag behind in education matters and thus we are according priority to building of permanent pre-schools, employing of ECD teachers and have a sustainable scholarship for young children and university students," he said.

The governor spoke recently during a graduation ceremony for school heads from the county who

attended a leadership and management course. He stressed the importance of a strong foundation in the development of a child's education.

Mr. Mvurya said the first two programmes had already been budgeted for in the next financial year. He promised to seek more support from development partners. The governor also pledged to support the development of an ECD training centre in

Matuga District. During the ceremony, county education heads asked the government to employ graduate teachers specialized in early childhood education.

Kenya Union of Post-Primary Education Teachers, Kwale County executive secretary Mackenzie Tuki said the government had neglected early childhood education.

He called for urgent recruitment

of commissioners to accord the sector the importance it deserves. At the same time, the governor asked the government to allow counties to build more roads to spur regional development. Mr. Mvurya said his county government had budgeted for Kshs.3.6 billion for its projects and the Kshs.3.1 billion the Treasury has allocated them would not be enough.

Bursary kitty in Taita Taveta County receives a major boost

By BRIGHTON KAZUNGU

NEEDY students from Taita Taveta County have received a major reprieve following an allocation of Ksh.100 million to a revolving bursary kitty established in the county. Half of the amount will be disbursed to needy students who have passed KCPE to proceed to secondary schools of their choice through a bursary system while the rest will be issued through a loan system.

Governor John Mruttu said the county would create a loan facility for the needy students without college fees similar to the Higher Education Loans Board (Helb).

The Governor said the money was factored in the country's 2013/2014 Financial Year. "In the next financial year's budget, we have set aside Kshs.50 million bursary for students proceeding to high school," he said.

Speaking to journalists from his office recently, the Governor revealed that a total of Ksh.50 million will be set aside to enable parents can borrow from.

Meanwhile, two senators have urged the government to make public the findings of Tana Delta killings so that the Senate can use the information in recommending ways to find a lasting solution to the violence in the area.

The findings would help the cohesion and security teams come up with a lasting solution, according to Majority Chief Whip Beatrice Elachi and Legislation Committee chairperson Mvita Mshenga who spoke in Malindi recently.

"We believe Lady Justice Grace Nzioka's report can assist the Senate's cohesion team to formulate ways and means of resolving the impasse between the warring communities," Ms. Elachi said.

According to her, women and girls bear the brunt of the violence whenever it erupts in Tana River County. Some 187 people have been killed since the clashes started in the area last August.

Schools in Kisii, Nyamira counties benefit from textbook donations

By BOB OMBATI

AN American-based Non Governmental Organization has donated text books to schools in Kisii and Nyamira counties in a bid to boost their education standards, performance in local and national examinations and enhance a reading culture.

Minnesota Kenyans International Development Association (MKIDA) country coordinator, Dr Elijah Maronga said the organisation sourced for funds and bought the books to benefit learners in the two counties and the recently elevated Kisii University.

Speaking during a ceremony held at the Nyabururu church grounds, Maronga said US-based Kenyans were concerned with the

dwindling education standards and performance of national exams in Gusii region and wanted to reverse the trend.

Maronga, who is a Senior lecturer at Kisii University, said that under the initiative, over 20,000 books will be disbursed to 34 schools in the two counties, adding that each school will receive 10 boxes of books and other learning materials for Early Childhood Development. MKIDA stated the coordinator has donated over 60,000 books to various learning institutions over the last three years since the project was initiated and challenged other well-wishers to support education in the area.

"We donated 22,000 books in 2011, 18,000 last year and over 20,000 this year. We donated Law

Books to Kisii University and we are still supporting the institutions," stated Maronga. He said the Organization had donated Law Books to Kisii University, which, he noted was partnering with the University of Minnesota in areas of Research and Extension, Agriculture and Law. The coordinator noted the two universities have started staff and students exchange programme, adding Minnesota University will deploy four law professors to teach at Kisii University as volunteers to strengthen the collaboration.

The organization, asserted Maronga had disbursed 200 boxes of books to Kisii university, saying they will continue to equip the institution and other schools with books to give back to the community

which shaped their lives. Schools which have been performing poorly in national examinations, noted Maronga were given first priority, stressing the project would be rolled out to include all schools in the two counties. He said the Organization was also paying school fees for three orphans in the county, adding that they will explore ways to look for more funds to aid more bright and orphaned children from impoverished families.

Kisii County Governor James Ongwae who was present at the ceremony commended Kenyans in the US for the support and urged them to invest in the county to boost its social, economic and cultural development, saying the county would formulate investment policies to woo more investors the area. "I urge Kenyans abroad to take advantage of the devolved system of government and invest at home so that they can create jobs to alleviate poverty," said Ongwae, noting the county had developed a strategic plan to guide its development.

The Governor, accompanied by Nyamira County Deputy Governor, Amos Nyaribo said education stakeholders plan to equip schools with the necessary infrastructure to help students perform well in national examinations.

He said he had constituted a ten-member County Executive Committee comprising of highly qualified and competent committee members to head various ministries to jump start the county's development. Kenyans in the diaspora, noted Ongwae were playing a big role in enhancing the county's social and educational development, adding they remitted billions of shillings to the county annually for various development projects.

Teachers who received the books on behalf of their schools lauded MKIDA for the initiative and pledged to support learners and embrace the reading culture to enhance good performance in national examinations.



Set of textbooks. Photo/File

Govt urged to use schools to drive vision 2030

By LINK CORRESPONDENT

THE government and civil society organizations have been urged to sensitize students on the much hyped vision 2030 to enable them contribute towards its achievement and hasten the country's social, cultural and economic development.

The Principal of Nyabururu Girls National School in Kisii County, Elmelda Ochenge, says it is imperative for schools and tertiary institutions to inculcate among the students, the principles espoused in the vision.

The country, states Ochenge has embraced devolved system of government and it is necessary for learners at Colleges and universities to be oriented

on national policies to fit in the system after graduation.

The Principal, who addressed parents and students during a thanks giving mass challenged students to embrace moral and spiritual values.

She told them to be role models and comply with constitution's chapter six on integrity, stressing that besides their high academic qualifications, they should guard against committing crimes which could hamper their chances of securing top national and County jobs. "Only people of integrity can get top government jobs. You should be part of the beneficiaries by embracing high discipline," stated Ochenge.

Incompatible Western cultures, noted Mrs Ochenge had eroded the society's moral fabric, adding

that majority of youths, especially students were blindly following them.

The Principal at the same time said the school had registered remarkable improvement and cited the 8.6 mean score posted during the last year's KCSE results compared to 8.3 in the previous year.

Mrs Ochenge observed that 251 candidates who sat for last year's KCSE attained C plus and above while 8 scored Grade C plain, adding that 121 will join universities under Joint Admission Programme (JAB) while 115 will join universities under parallel programme.

The school's board of Governors Chairman, Father Dennis Rogena said some people had attempted to have the examinations results cancelled and dash the

hopes of the candidates but they never succeeded.

Rogena, accompanied by Nyabururu parish priest, Lawrence Mandere and his Nyamagwa counterpart, Christopher Okemwa noted Catholic sponsored schools prepared candidates well for the national examination, adding that they were bound to pass without any assistance.

The Chairman commended the Kenya National Examination Council (KNEC) for investigating the allegations of malpractices and giving the school a clean bill of health by releasing the results, noting the council had ashamed the devil.

He blamed the mix-up on individuals who he claimed are out to malign the name of Principal so that they can take over. "This in-

dividuals are driven by malice and are unhappy with the good results posted by the school since 2011. Kisii catholic diocese's Education Secretary, Christopher Osinde lauded the government for introducing lap tops for standard one pupils and urged parents to embrace the policy, saying it would help the country advance in technology.

Osinde implored secondary School Heads in Kisii and Nyamira counties to stock copies of Child Protection Act, Basic Education Act and Devolution in their schools' libraries for learners and teachers to read and be conversant with the new developments to avoid conflicts with relevant authorities.

Amended CDF Act guarantees public participation

By HENRY OWINO

THE public will now actively participate in the election of membership of the Constituency Development Fund (CDF) committees in a complete departure from tradition where MPs wielded immense powers in the management of the kitty.

The MPs only retains an oversight role that includes mobilizing community members to decide on projects on priority basis and coordinating the election of committees. This means that the MP can no longer allocate projects to reward their cronies and none can make decisions arbitrarily regarding usage of funds.

The amended CDF Act, 2013 directs MPs to convene open public meetings of registered voters in their constituencies in each of the elective wards to facilitate the election process. According to the Act, the committee comprises of a maximum 10 members, half of which are to be elected by the public.

The Act stipulates that the committee comprises of three men and three women with one man and one woman each being a youth between 18 and 35 years. The appointment should also consider issues such as communal, religious, social and cultural interests in the constituency and the requirements of gender, youth and representation of persons with disability.

Upon receiving the names from all the wards, the MP in consultation with the fund account manager and the sub county administrator for the constituency is to appoint eight persons to the committee taking into account the geographical diversity with the Constituency. Already most committees are in place and will soon assume their new roles in the monitoring and implementation of projects.

Initially, the MPs served as pa-



Parliament Buildings where MPs wield immense powers. The MP can no longer allocate projects to reward their cronies and none can make decisions arbitrarily regarding usage of funds.

trons of the fund and largely used it as a political tool to reward their cronies and channel resources in their political strongholds. They imposed leaders of their choice to the electorate most of who were their family members, relatives if not close friends.

CDF was established through the Constituencies Development Fund Act, 2003 as amended in 2007 with the goal of fighting poverty at the grassroots level.

Constituencies received 2.5% of the Government annual ordinary revenue, besides monies received from other sources by the CDF Board.

The CDF fund was first distributed equally among the 210 constituencies but since 2004 the central government

committed to use an allocation formula to distribute the development funds such that the government may not renege its obligation as happened in previous decentralization programs.

According to the National Taxpayers Association (NTA) chairman, Peter Kubebea, the administration of the fund has now been effectively transferred to a board official who will act as the Authority to Incur Expenditure (AIE) holder and be accountable for any loss or embezzlement of money.

Kubebea stated that this new Act further reduces the number of CDF Committee members down to 10 from 15, while at the same time providing for citizens to nominate who sits in the CDF committees. The MP

henceforth sits on the committee as ex-officio member but with voting powers.

“As much as MPs do not have direct mandate to elect CDF committees members this time round, citizen should not sit back and watch but actively participate in the elections since MPs might have great influence over who are elected,” Kubebea cautioned.

The NTA national chairman said the contention previously has been that MPs cannot be expected to formulate laws while exercising executive powers through CDF.

The Commission for Implementation of the Constitution (CIC) chairman Charles Nyachae however says the Act contravenes the constitution

and should thus be amended.

He says Act undermine the Constitution and in particular the devolved government.

“The 2013 Act provides for the establishment of the CDF Committee by the MP within the first forty days of being sworn in. The MP shall convene open public meetings of registered voters in each of the elective wards in the constituency. Each ward shall then elect five persons whose names shall be forwarded to the officer of the Board in the constituency,” Kubebea explained.

Kubebea further explains that upon receiving the names from all the wards in the constituency, the MPs in consultation with the officer of the Board and the sub county administrator for the constituency, appoints eight persons to the Board, taking into account the geographical diversity within the constituency, communal, religious, social and cultural interests in the constituency and the requirement of gender, youth and representation of persons with disabilities.

By defining these groups, the Act encourages representation of various interests in the management of the affairs of the fund.

The pitfall in the 2013 Act remains that the MP still retains the power to appoint the committee members. Often, political cronies were rewarded through these appointments and there is likelihood they will still find their way into the committee under the current framework.

According to the National Taxpayers Association’s (NTA) social audits, there was widespread bias with members drawn predominantly from the MPs location within the constituency, leading to biased distribution of development projects. This is why citizen participation is recommended for any new project initiative.

“Through participation of citizen, priorities could be looked at in terms of immediate and long term priorities and then submitted to Parliament for approval and allocation of funding,” affirms Kubebea.

Farmers field schools transform livelihoods

By LUKE KAPCHANGA

MOST of the women in farmers field schools in Kenya are now food secure. They say, by being members of Farmers field schools, yields from their small farms has increased significantly. The case in point is that of Margret Wanyonyi 62, of Ngwelo village in Bungoma County.

Ms. Wanyonyi, a widow, proudly proclaims that, “I cannot buy food anymore because for the past two years since I joined the field school, crop yields on my farm have almost tripled”.

Farm productivity has increased, due to trainings she had underwent through farm demonstrations by the fields schools. She stressed the importance of training on farm management, which has made it possible for her to take keen interest in the crops and animal farming.

“Last year my harvest from my quarter acre was double from what I get from an acre in my usual farming practice. I now realize that I had wasted my land for a very long time,” she stated. In FFS, farmers carry out experiential learning activities that

help them understand the ecology of their fields. These activities involve simple experiments, regular field observations and group analysis.

The knowledge gained from these activities enables participants to come up with solutions tailored for their needs on crop management practices.

Facilitation is by extension workers or skilled farmers, who employ non-formal education methods, the field is used as the primary resource for discovery-based learning.

The FFS Trainers play a crucial role in ensuring that the environment and all resources contribute to the farmers’ learning experiences.

Ngwelo farmers field school is within the Nzoia sugar cane growing zone. Here, due to over concentration and reliance on sugar cane, people are food insecure, with small plots of land. More than five million people directly or indirectly depend on sugarcane farming in Kenya.

Eighty eight per cent of farming in Western Kenya is under sugarcane production with majority being small-scale growers.

Food scarcity is instigated by soil degradation due to high acidity

caused by over-use of fertilizers. The field school increases collaboration by different actors who work towards benefiting farmers, be it government ministries, international agencies and Non-Governmental Organizations.

According to Japheth Wekesa, the trainer at the field school, the collaboration has resulted in mostly women being provided with seeds and fertilizers, while they provide land and labor. The initiative makes it possible for farmers to prepare early for the planting season, knowing in advance that they have farm inputs in place.

“The challenge of turning the majority of the population to practice soil conservation agriculture is enormous”, he said. A research paper published in Future Agricultures in 2010, titled Performance of the ministry of Agriculture and Rural Development in Nyeri South district of Kenya, constraints were noted mostly in the provision of extension services.

Extension services were noted as vital with farm visits providing practical help on issues such as soil erosion, manure making, fertilizer and chemical use.

Agriculture contributes between

one third and a quarter of Africa’s Gross Domestic Product (GDP), but employs 65 – 75 % of the labor force.

The gap in labor productivity between the non-farming and farming sector on the order of two to one ordinarily draws people out of agriculture and into other sectors.

The World Bank projects the increase of value for food on domestic markets in Africa from US Dollars 313 billion in 2010 to US Dollars 1 trillion in 2030. In Nyeri south district, youth were said to have a negative attitude towards agriculture.

The complaint was widespread with the young people mostly women who get educated being interested in white collar jobs only.

The example was given of Kazi Kwa Vijana (jobs for youth) programme by the government during 2009, as part of the Economic Stimulus Package, failing to get the youth to engage in agricultural activities.

The youth at most watch their parents toiling on the farms and dying poor, at the same time parents being unwilling to give farms to children for fear that they will sell them.

Access to capital and credit for

small holder farmers is a perennial problem which is magnified by the young people.

The report Employment in Agriculture says, farming risks and costs remain high despite innovations to overcome the barriers and achieve sustainable outreach to small holders. As estimates put nearly 1 billion people worldwide, who are affected by severe hunger and poverty, many relying on small plots for their food and income.

Most of the poor families barely get by as they struggle with unproductive soils, plant diseases, pests and drought. Their livestock are weak or sick, no reliable markets for their produce and good information about pricing, with government policies rarely serving them.

Helping the farming families to produce more food and increase their income, they also have to bulk their produce to access urban markets or for processing industry.

“Collective action by farmers is very much needed, especially when farms are too small to be attractive for trading partners”, wrote Giel Tom in Farmers and Markets in June 2012.

Government urged to hire more nurses

By JOSEPH MUKUBWA

THE National Nurses Association of Kenya has called on the Government to hire the over 150,000 nurses needed in the country.

The Association said recently that the country which has a population of about 40 million people needs about 172,000 nurses countrywide as opposed to the 21,000 nurses who are currently working in the health institutions.

The nurses now want the Government led by President Uhuru Kenyatta to address the shortages

facing public health facilities.

The Association national Chairman Jeremiah Maina speaking during a press conference in Nyeri town said that if the shortage of nurses is addressed, the staff can be able to offer home based care instead of the patients going to hospitals in search of the service.

"We only have 21,000 nurses in the country out of which 8,000 are employed on contracts through the Economic Stimulus Programme. The whole country needs about 172,000 who are fully employed by the government and so we have

a shortage of over 150,000 nurses," he said.

He thanked the Industrial court for giving them a go-ahead to register their union adding that Kenyans will now receive quality healthcare as the union will help fight for their rights.

The nurses had appealed against a decision by the Registrar of Trade Unions to deny registration to the Kenya National Union of Nurses.

The industrial court judge Nduka Nderi has since directed the registrar to issue the union with a certificate saying the constitution has

allowed this as contained in the Bill of Rights.

"This is a sign of good things to come. The dream of offering quality health care will now be realized. We shall now offer the best services," he said.

The union will help fight for the recruitment of more nurses, ensure nurses are paid well and will also fight for recognition and promotion of staff members.

Maina was accompanied by the first National Vice Chairperson Winnie Shena and Nyeri branch association chairman Obadiah Michemi.



From right: National Nurses Association of Kenya first National Vice Chairperson Winnie Shena, the national chairman Jeremiah Maina and Nyeri branch association chairman Obadiah Michemi speaking to the media in Nyeri town recently. Photo/Joseph Mukubwa

Kisii County adopts Rapid Result Initiative in service delivery

By LINK CORRESPONDENT

KISII County has adopted the Rapid Result Initiative to help enhance service delivery to the public.

Kisii County Governor, James Ongwae says that workers both serving the national and government will be bound the initiative to help monitor their performance and ensure that the public has access to quality services.

Ongwae, who spoke during a Public Service Transformation workshop at Ufanisi hotel, Kisii County urged the civil servants to discard malpractices which deny the public access to quality services. The Governor, who previously served as a Director of Public Service Reforms challenged the over 200 Departmental heads to identify priority areas that will inform the formulation of the strategic plan for the County. Ongwae, flanked by Kisii County Commissioner, Lydia Muriuki and Head of Public Service Transformation, Emmanuel Lubembe

noted the County was the first to hold such a workshop, saying it had set the pace for development.

Governor Ongwae challenged officers and provincial administrators to adhere to timelines set under the Rapid Results Initiative and vowed to work closely with the County commissioner and other officers to propel the County to greater heights of development.

The Governor, who introduced his 10-member County Executive Committee said they were experienced and qualified in their relevant fields, saying four women had been appointed to comply with the constitution's two thirds requirement for either gender.

Muriuki challenged the officers to serve members of the public professionally, saying tax payers should get value for their money.

Lubembe said that the Rapid Result Initiative was a tool geared towards improving service delivery, stressing the programme would be rolled out to other counties to help improve the

quality of services to the public.

Meanwhile, the Governor plans to harmonize public services offered at the county level to avoid duplication of effort. Speaking at a Kisii hotel after launching the County's RRI after a three day workshop for Departmental Heads, he challenged staff attached to central government to change their mindset and focus on serving the local people. Both county and national government, stated Ongwae were distinct but complemented each other, saying the officers should focus on their relevant thematic areas and set priorities to enhance the county's social and economic development.

He noted the county's strategic plan will focus on Agriculture and value addition, Roads and infrastructure, Environment protection and sanitation, Health, investment opportunities, Service delivery and security.

The Governor said security was critical to the county's development, adding that community policing will be

reintroduced and members trained to work with security officers and members of the public to beef up security in the area, adding that the county will embrace a 24-hour working economy.

Salaries and allowances for Members of the County assemblies, stated Ongwae should be increased to conform with their workload and roles, adding the Ksh. 79000 they were paid were peanuts amid inflation and demand for support by their electorate.

"The Ward Reps need decent houses in town and cars to avoid traveling on public service vehicles to attend county Assembly sessions. They should be motivated to work well," observed Ongwae.

The Governor said he would launch citizen service centres and a website where the residents can access information and share it locally and with their friends and relatives in the diaspora, stating that residents in the latter would be involved in the County's development.

Kilifi residents reject list of County assembly nominees

By BEKADZO TONDO

A ROW is brewing over the list of nominees set to represent marginalized people in the Kilifi County assembly.

Residents of the County have rejected the nominees and demanded to know the criteria used in selecting the nominees in the Independent and Electoral Boundaries Commission (IEBC) list.

A ward representative in the County Mr Boniface Mwingo faulted the list saying the nominees were handpicked and were not a reflection of the names submitted by the different political parties.

Mr Mwingo noted that some nominees had decamped from the parties that nominated them by the time of going to the elections and thus it was unjustified and in contravention of Elections Act to reward them with party positions.

"We want the IEBC to clearly stipulate how they arrived with the list of nominees as some of them had decamped from the parties that they are actually supposed to be representing in the County Assembly," said Mr Mwingo.

However the Kilifi County assembly deputy speaker Mr Teddy Mwambire, the list of names were a true reflection of the names submitted by the respective parties.

"The list submitted by ODM reflects the names earmarked to represent gender and marginalised groups in the County," said Mr Mwambire.

But a resident Mr Mwavita Piri dismissed the list saying the nominees did not actively campaign for the party in the county.

Mr Piri further said it was unfair to nominate individuals without disabilities to represent people living with disabilities in the county.

"How then can such people be expected to push for the agenda of people living with disabilities," said Mr Piri.

Mr Piri said the list should be revoked and a fresh one done to uphold the spirit of Constitutionalism at all levels of representation.

According to IEBC Mr Gibson Matano Herbert from Chama Cha Uzalendo is to represent people living with disabilities. Other nominees include Anderson Ngombo Kithi, (ODM), Patience Mwangiri (KADU Asili) and Grace Kwekwe Mwangome (ODM).

In addition Asha Chiku Wanje, Nashee Nana Mohamed (CCU) and Elizabeth Muthoka (FPK) will represent women.

Patience M. Mwangiri and Elizabeth Tabu Ngala from (KADU ASILI), Jane Bahati Mwaro, Selina Khadija Salim, Grace Mboaza Chihanga, Priscilla Zawadi Kitsau, Laliu Omar Sadi, Esther Dzidza Albert Tecla Naomi Muye, Arafa Salim Baya and Sabrina Julius all from ODM.

The Link

Enhancing governance for all

End distortion of MPs tearing at the national kitty

THE new row between Members of the National Assembly and Senators is unseemly and casts further gloom over the future of Kenya's second attempt to have a bicameral Parliament.

Due to mischief and the woeful lack of focus by MPs in the Tenth Parliament, laws were passed that have already been declared unconstitutional.

Among these is the matter of MPs being part of the executive of the Constituency Development Fund (CDF) committees.

The Commission for Implementation of the Constitution has pointed out in detail that the change to the CDF Act that facilitated this conflict of interest is at odds with the Constitution where it relates to the devolution of funds to county governments.

It is clear that where a law is in conflict with the Constitution, the latter should reign supreme.

This oversight, therefore, ought to be corrected.

However, it is wrong of MPs to expect Senators to go to them with a begging bowl in hands, as one MP who claimed credit for having been involved in framing the current Constitution, boasted with much gusto.

Mutual respect and cooperation between the two Houses of Parliament is required to ensure proper implementation of the Constitution and use of taxpayers' money.

It is possible that members of the Tenth Parliament, with campaign cash and the March 4 General Election in their minds, made the changes hoping to benefit from the same.

One of the most depressing things about the current National Assembly is its refusal to listen to independent counsel on issues such as these that create a conflict of interest.

The Constitution is clear that the role of MPs is to legislate and represent their constituents, while that of Senators is to support the county governments, which includes proposing legislation that does not conflict with the Constitution.

It is a sad state of affairs when the only point of agreement between the Senate and legislators is on the matter of increasing their pay at the expense of the economy and the unemployed.



COMMENTARY

Varsity students urged to monitor Constitution implementation process

THE Commission on the Implementation of the Constitution (CIC) chairman, Charles Nyachae wants university students to read and understand the constitution to enhance its implementation.

Nyachae, who addressed Kisii University students on Governance: Opportunities and challenges of the devolved system of government noted that majority of Kenyans were ignorant of the constitution and its relevant pieces of legislation.

The document, noted the CIC boss was radical, transformative and challenging, stressing that the implementation process called for concerted efforts to avoid its mutilation.

He observes few Kenyans have read and understood the constitution, adding that the implementation phase was marred by conflicts due to lack of a common understanding among key players.

The Chairman says it would be difficult for the devolved system of government to be effective and bear fruits with the wrangles pitting progressive forces and those keen with maintaining the status quo.

Organs mandated with the implementation of the constitution, says Nyachae should interpret it correctly and play their rightful roles towards implementing the document, stressing CIC is tasked with an oversight role. Nyachae says the document has been implemented halfway and reminds Kenyans to boldly confront hurdles and ensure that the devolved system of government works as envisaged in the constitution.

"We have to overcome challenges and ensure that the constitution is implemented within five years" says Nyachae.

The Chairman noted the County and national governments were distinct but expected to play complementary roles to help deliver services as stipulated in the constitution. He urged Ward Representatives to make good legislations relevant to their counties to help ensure devolution worked to bring development closer to citizens.

Nyachae stated that the tenth Parliament had set high standards for the Governors but overlooked qualifications for the Ward Assembly Representatives, whom he noted were in the heart of the devolved government.

He clarified there were no conflicts between County Commissioners and Governors, stating that issues raised on their appointments before they were vetted was being addressed.

County Commissioners, noted Nyachae linked the national and County Govern-

COMMENT

By BOB OMBATI

ments, stressing their presence in County governments represents the national interest, noting it was in line with provisions of the national Government Coordination Act.

Participants challenged the Independent Electoral and Boundaries Commission and Non Government Organizations to periodically sensitize members of the public on the constitution to avoid conflicts. Kisii University Acting Vice chancellor, Prof. John Akama lauded Nyachae for organizing the talk and urged him to organize such talks in higher learning institutions to help students appreciate and support the constitution's implementation.

Akama noted members of the public trusted university students and it was imperative for them to know the constitution to transmit it to other people.

Meanwhile, leaders from Kisii county have been urged to forget their political differences and work together to foster the county's social, cultural and economic growth. Senator, Chris Obure says Members of the National Assembly, Members of the County Assembly should work closely with the County's Executive Committee to help realize faster and meaningful development.

Obure, who spoke to The Link, challenged the Committee members to improve infrastructure and set up factories to enable farmers engage in value addition of their agricultural produce and mineral resources to create jobs and boost its economy.

The County, noted the Senator was endowed with massive human and economic resources which were not fully exploited to empower the residents, who were currently wallowing in abject poverty. "The County has lagged behind in development due to poor infrastructure, ignorance and lack of factories, thus leaving the local people poor and hopeless," he noted.

Lamenting that the local tea was still being processed elsewhere, Obure urged the Governor, James Ong'are to put measures in place to ensure that the tea was branded locally and sold directly to international buyers to enable farmers to reap highly from their produce.

He noted that farmers have been exploited for long, stressing that while the tea was sold exorbitantly at the auction, they were paid peanuts, saying the trend should be reversed to boost the farmers morale and

incomes.

The County's funds channelled from the national government, noted Obure will be shared fairly and equitably across the county's nine constituencies- Bomachoge Borabu, Bomachoge Chache, Kitutu Chache North, Kitutu Chache South, Bonchari, South Mugirango, Nyaribari Chache, Nyaribari Masaba and Bobasi constituencies to enhance balanced development.

Obure said youths and women will be economically empowered to venture into income generating activities to increase their incomes and standards of living, stressing that the county cannot employ all the youth.

"Self employment is equally important and profitable. I urge youths to be creative, innovative and seek support to start viable projects to gain" noted Obure.

The Senator said health facilities would be improved, equipped and staffed to cope with the high demand for health services, noting that residents will access clean piped water to curb water borne diseases, which, he observed were costly to treat and impoverished victims and their families.

He noted that the newly appointed Executive Committee comprised of qualified and experienced professionals and challenged the county's residents to support them, adding they were equivalent to the national government's cabinet Secretaries. He noted that the Members had been selected competitively from across the county's nine constituencies, stressing their appointments should not be politicized and they should be given ample time to do their work.

Senator Obure urged President Uhuru Kenyatta's jubilee government to equip Primary schools teachers with computer skills and improve infrastructure in schools before donating laptops to standard one pupils.

"The policy is good and it can only work if schools have enough computer teachers and are secure," noted Obure.

He urged the government to pilot the programme in secondary schools to equip learners with basic computer skills to fit in the digital age as envisaged in jubilee's party manifesto.

The government has assured Kenyans the solar powered laptops will be piloted in some schools to assess the project's success before being rolled out nationally.

President Kenyatta and his Deputy, William Ruto have periodically urged critics to hold their horses and have stressed the government has put measures in place to fulfil the pledges they made to the electorate prior to the March 4 General polls.



The Link is published monthly by the Institute for Civic Affairs and Development (ICAD)

P.O. Box 7438-00200, Nairobi, Kenya.

Tel: 020 6001776 / 020 6001274

Email: thelink@wananchi.com

The Link

Enhancing governance for all

EDITOR
DANIEL OTUNGE

SUB-EDITOR
FAITH MUIRURI

ASSOCIATE EDITOR
OLOO JANAK

WRITERS

MORRIS GITHENYA Central
0735 855586

JOSEPH MUKUBWA Central
0724 039787

BEKADZO TONDO Coast
0728 341240

PETER MUTUKU Eastern
0721 455048

BOB OMBATI Nyanza
0728 435255

NYAKWAR ODAWO Western
0726 264153

LUKE KAPCHANGA Western
0723 622136

AGGREY BUCHUNJU Western
0733 537002

Layout & Design:

WALTON DESIGNS

0725 903 938

walterkasserah@gmail.com



This Newspaper appreciates the facilitation accorded by the Konrad Adenauer Stiftung (KAS) in Kenya

All correspondence and enquiries to the editor,
P.O. Box 7438-00200,
Nairobi, Kenya.
Tel: 020-6001274
Telefax: 020-6001776
e-mail: thelink@wananchi.com

Nyeri governor plans to upgrade slums

By JOSEPH MUKUBWA

NYERI Governor Nderitu Gachagua has promised to upgrade the slums in the county.

Gachagua said his county government is exploring ways to upgrade informal settlements in Majengo, Witemere and Kiawara slums to help ensure that local residents access decent housing.

He said that his government will ensure that people in those settlements not only live in dignity but also feel part and parcel of the society.

Speaking during the opening of national slum upgrading and prevention policy validation workshop at Green Hills hotel recently, the governor said his government will

identify the short, medium and long term initiatives with a view of addressing in a sustainable way the issues of informal settlements.

"I would encourage us to identify some quick interventions such as installation of high mast lightning to deal with insecurity, provision of clean water at accessible points, an effective sewerage storm water drainage systems and garbage collection services," he added.

The governor who was accompanied by Nyeri county commissioner Michael Mwangi said his government is open to proposals that will move the county towards providing the right policy and legislative framework to enable them to move the policy actions and re-

forms needed to actualize the sectoral goals.

"My government is determined to support, among other initiatives, access to affordable, durable building materials that are available locally both for housing but more importantly for job creation in the construction industry," he said.

The Ministry of Housing has been carrying out research at the two Appropriate Building Technology (ABT) centres in Othaya and Nyeri with the aim of meeting the goals of enabling Nyeri County resident's access affordable building materials.

He also promised to support this initiative to ensure completion and resources allowing expansion.



Nyeri governor Nderitu Gachagua (right) with Nyeri county reps. On the left is Nyeri county commissioner Michael Mwangi. This was at Green Hills hotel for the opening of national slum upgrading and prevention policy validation workshop. Photo/Joseph Mukubwa

Kisumu traders shun loans offered by KIE

By JOHN NYAMBUNE

SMALL scale business enterprises in Kisumu County have been urged to boot their capital outlay by seeking loans offered by the Kenya Industrial Estates (KIE).

Kisumu deputy Governor Ruth Odinga notes that most traders were not applying for the loans as out of the Ksh.14 million loan facility set aside for residents, only Ksh.500,000 was taken for the purchase of a posho mill.

"KIE wants to add value in Kisumu County but unfortunately the small scale traders have shunned funds earmarked for development," she said while blaming this on the lack of business empowerment.

"Kisumu relies mainly on imported goods and this is what we want to change. We want to provide markets for products within the county and even have surplus to take to other places," she said. Ms. Odinga encouraged farmers to form business groups that will enable them take loans to buy machines that can be used to produce maize flour and fruit juices.

"We want people to take loans to buy posho mills that can grind maize which will be packaged and sold in the supermarkets; this will even encourage us to link them with the market and subsidise the commodities," she said.

According to her, middlemen are also to blame for the situation as they exploit people. She was speaking during the opening ceremony of the Regional Gender, Equality Capacity Building workshop organised by the UN Women in Kisumu recently.

Ms. Odinga pointed out the need to protect and promote women's socio-economic rights by encouraging them to access financial support and to apply for jobs within the county government.

"I have noticed that men are seeking county jobs while women are reluctant, that is what we are bent on changing to realize gender balance in all sectors," she said.

UN-Habitat Director Project Office Alioune Badiane said women in decision-making positions play a role in developing policies which bring about gender balance.

Government urged to revive collapsed industries in Bungoma

By AGGREY BUCHUNJU

THE Jubilee Government has been challenged to revive collapsed industries in Bungoma County.

Bungoma County residents want the Cabinet Secretary for Industrialization, Mr. Adan Mohammed to prioritize the revival of Webuye Pan Paper Mills as one way of empowering the people in the region.

Led by former Webuye Member of Parliament Joash Wamang'oli the residents say that the revival of the factory will go a long way in creating job opportunities for the youth.

Wamang'oli points out that the then giant paper mill in East and Central Africa had been initiated by the founding father of this nation, the late president Mzee Jomo Kenyatta.

He consequently challenges President Uhuru Muigai Kenyatta to revive the project that his father

initiated in early 1970s to benefit the people of Western province.

Wamang'oli is however optimistic that President Uhuru's Government will as indicated in its manifesto spark an industrial revolution by prioritizing to revive collapsed industries.

"I am sure president Uhuru cannot fail to revive projects which were initiated by his late father but have since collapsed. Webuye pan paper mill is one of them," the former Mp says.

The Jubilee Government admits in its manifesto that there is a stark mismatch between the current rate of economic growth and the rate of growth of the manufacturing sector in Kenya.

This unattractive state of affairs is partly being attributed to high production costs, excessive red tape and lack of access to credit.

The Jubilee manifesto further

points out that for Kenya to become a middle income country by 2030, the Government should increase its ability to make products we use on a day to day basis. Paper is one such product hence the need to revive Webuye pan paper mills.

Wamang'oli reiterates that by reviving the industry, the President would have created jobs for the youth as per the Jubilee manifesto.

The Government through its manifesto promises to create 1 million new jobs by introducing tax incentives to encourage investment and growth in the manufacturing and service sectors.

Bungoma residents accuse the past regime of giving false promises about reviving of the factory particularly during the electioneering period.

"The last Government promised to revive the factory many times but nothing happened. That is why we

are appealing to Uhuru and his new Government to make a difference," Wamang'oli says.

It is imperative to note that the factory owes its debtors over Ksh.6 billion. Wamang'oli suggests that the new government should waive the debts in order to facilitate its revival.

Closure of the paper mill left about 3,000 direct employees and 30,000 indirect employees jobless.

Also affected by the closure of the factory are farmers, business community and sex workers.

However, quite a good number of sex workers have since relocated to Bukembe market and Bungoma town among other areas.

Some former employees of the factory however want the Government to set aside money so as to pay them their terminal benefits before looking into the possibility of reviving it.

By AGGREY BUCHUNJU

THE recent killings of eleven people and maiming of several others by organised criminal gangs in Bungoma County is now being linked to politics.

County residents opine in entirety that the heinous attacks on innocent people in the region are masterminded by politicians whose future in political leadership hangs in the balance. Opinion leaders, church leaders and even ordinary citizens blame insecurity on unnamed top politician in the region.

They allege that the insecurity being witnessed in the region is instigated by the unnamed politician who apparently is not happy with the outcome of the March 4 General Elections and yet to be heard and determined election petitions at the Bungoma High Court.

According to the observers, the issue of insecurity is a political move by the losers in the March 4 General Elections who are allegedly unleashing vengeance

for being interchanged. "The instigators of insecurity were interchanged in the whole political game after dishing out colossal sums of money to the electorate who assured them of a clean win," they claim.

Bishops Francis Bushebi of Gospel Believers Fellowship, Julius Macheusi of Bethesda Missionary Fellowship and George Mechumo of ACK claim that the move is also aimed at ensuring that Bungoma County becomes ungovernable. "We are aware that some politicians are highly connected with communities in the neighbouring states who are out to ensure that Bungoma Governor, Kenneth Lusaka and by extension the Jubilee Government do not succeed in implementing their development agenda," the Bishops allege. In a signed press statement, the bishops threatened to expose

and mobilize demonstrations against politicians perceived to be the financiers of criminal activities.

"We want to warn them against deploying this kind of retrogressive, primitive, backward and uncivilized manner to communicate their selfish ambitions in disregard of the divine principles of upholding the sanctity of human life," they say. Areas where people were either killed or injured during the brutal attacks that took place towards the end of April and early May include—Bungoma town, Mayanja, Mukwa, Naburereya, Ndengelwa and Kikwechi.

Bungoma County Commissioner, Jamleck Baruga also says that insecurity in the area is being instigated by some politicians from the region.

Baruga, however declines to name the politicians behind these ill-informed

and retrogressive criminal activities.

Bungoma County Non-Governmental Organizations (NGOs) chair Mr. Martin Wanyonyi and the Kenya National Union of Teachers (KNUT) Bungoma West branch executive secretary Mr. Fred Sichangi are also categorical that some politicians are behind the attacks.

The duo call upon the Government to take a quick and decisive action against those perceived to be behind the attacks without much ado.

John Simiyu, a retired high school teacher was the first to be hacked to death and the latest victim by the time of going to press was businessman cum church leader Timothy Nyongesa.

The deputy president William Ruto and the top security team visited the area and promised to beef up security by deploying more police officers and four

patrol vehicles to the County.

Despite deployment of more officers, insecurity is yet to be tamed as the attacks are still ongoing in some areas.

According to some survivors, the attackers operate in groups of between 10 and 15 people and sing while claiming that they have arrested thieves.

Once the villagers come out of their houses, the gangsters turn against them with sharp objects.

Gender responsive budgeting critical to national growth

By JOHN NYAMBUNE

COUNTY leaders have called for the adoption of a gender responsive budgeting to help aid in strategic planning, development and management of funds.

Kakamega deputy governor Philip Kutima said that a gender responsive budgeting was integral to promoting the nation's growth.

"The Kenyan experience on gender responsive budgeting reflects that there has been little success in pushing for change in the budget making process. Inclusion of women in the process can promote big change," Mr. Kutima said mentioned in a forum at Golf Hotel, Kakamega recently that.

Mr. Kutima's sentiments were supported by the Kakamega chairman of budget and appropriation committee Mr. Bryson Sikoli who said that projects involving women and youth promote equity and development and must be funded to grow the economy. The two were speaking at a workshop funded by international NGO, Society for International Development.

Other than public finance reforms and devolution management, county representatives, opinion leaders, and business leaders discussed ways of ensuring they are fully involved in preparing budget proposals. In Kisumu, a local MP urged civil society to play an active role as watchdogs of county representatives in budget allocation and to ignite public participation.

"Civil societies have to step up their work in ensuring there is balanced gender participation in the budget making process. This will promote creative ideas and enhance development," urged Mrs Rose Nyamunga during a workshop at Imperial Hotel recently.

She suggested that women in the counties find a system of creating their own funds that will promote strength in proposed county entrepreneurs. "We must be self-reliant and most importantly move as a team. Without funds for Kisumu County, we are heading nowhere," she said.

Kisii County unveils cabinet

By BOB OMBATI

KISII County Governor, James Ongwae has unveiled his 10-member Executive Committee and urged the team to work closely with the County Assembly to foster development.

According to the Governor, the committee members have been drawn from the nine constituencies that make up the County and were picked after a rigorous vetting process. "The team is qualified, competent and fit to head their respective ministries," he explained during a function held at the former Gusii County council grounds.

The Governor, accompanied by his Deputy, Joash Maangi, County Assembly Speaker, Samwel Kerosi and Ward Representatives pledged to uphold the principle of powers to enhance the council's smooth operation.

Those named in the cabinet include Vincent Sagwe (Agriculture, Livestock and Fisheries), John Omwoyo (Roads Public Works, Transport and Housing), Dr Kodek Migiro (Education Labour and Manpower Development) and Marcela Otuke (Culture, Sports, Youth and Social Services).

Others are Peris Bitutu (Administration and Stakeholder Management), Sarah Angima (Health Services), Skitter Wangeci Ocharo (Energy, Water and Natural Resources) Ibrahim Moiro (Trade and Industry), Moses Onderi (Land, Physical Planning and Urban Development) and Samwel Osoke (Treasury and Economic Planning).

The Governor said the County was looking for suitable land to relocate the dumpsite and cemetery as the current sites were full. Ongwae said that revenue collection in urban areas will be streamlined, adding that he had set up a committee to look into better ways of generating for the County.

He faulted the national government for slashing the initial allocation to the County from Ksh. 6.2 to Ksh.5.1 billion, saying that the shortfall will grossly affect the county's planned ac-



One of the destroyed houses in Tana River clashes.

tivities and he will be forced to reduce the budget.

"The reduction in allocation means that the County may not have sufficient money to fund some of the devolved functions and thus the national government should pay for those services until there is cash to let the counties do the job. He said it would be difficult for the devolved system of government to work if the allocations approved by the Commission on Revenue Allocation (CRA) are reduced as this negated the purpose and spirit of devolution.

Meanwhile, members of the County Assembly have been inducted in a bid to guide them in their legislative roles to avoid conflicts. The one-day interactive workshop, attended by 45 Ward Reps

was Organized by the United Nations Development Programme (UNDP) through Kitrech International a local Non Governmental Organization (NGO)

Charles Machogu, a facilitator from Kistrech urged the ward Reps to respect and protect human rights and condemn any form of violation to avoid unnecessary prosecutions. The facilitator reminded leaders they were elected to protect and defend human rights, and thus members of the public will hold them accountable if they failed to enact laws to defend and protect human rights.

"Human rights are both inherent and universal. You have powers to make laws in the County Assembly and to protect them," Machogu told the Ward

Reps. Human beings, noted Machogu were entitled to human rights, adding that they have a right to security, life, access to clean water, environment and education among other rights, which, he noted should be provided regardless of their political affiliation.

Kerosi said some members were not aware that protection of environment was a basic right, adding that the training was essential and would help them differentiate between what is right and wrong when they legislate.

The Ward Reps lauded the sponsors and the trainers and urged them to organize similar workshops for their constituencies to sensitize them on human rights, defense and protection to avoid conflicts.

Govt clamps down on illegal orphanages in Kilifi

By BEKADZO TONDO

THE government is investigating at least 6 children rescue centers which are being operated illegally in Kilifi County.

Kilifi County Children Director Mr Paul Kisavi says that he has received reports that foreigners were operating charitable organizations and children homes which had not been registered by the government.

Mr Kisavi made the remarks at Mnarani grounds in Kilifi during cel-

ebrations to mark world orphans day.

The director said all rescue centers have a duty to seek approval from the government if they are committed to providing a conducive environment for the destitute children.

"The government will shut down institutions which operate as orphanage and children rescue centers without licenses," said Mr Kisavi.

Mr Kisavi said it was an offence for anyone to expose young girls to commercial sex and general harassment of

vulnerable children.

"The children rights Act clearly states that it is an offence for anyone to expose young girls to commercial sex or engage in general harassment of vulnerable children," said Mr Kisavi

He noted with concern that some managers have been exploiting the children by forcing them to have sex for money.

The director further noted that in some instances, the children are subjected to labour so as to generate money

for the institutions, which is a violation of the Children Rights Act.

Kilifi County APHIA plus program director Mr Benson Omor said that cases of exploitation of minors in children homes in Kilifi County were on the rise.

Mr Omor said some children homes were exposing orphaned girls to commercial sex.

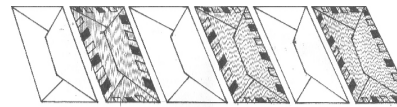
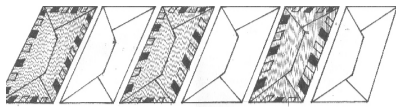
"It is really sad to note that some people start orphan centers in Kilifi county but later turn into commercial sex business with the girls," said Mr

Omor.

The officer further noted that cases of sexual harassment among school going girls were also on the rise and blamed this on parents.

He said some girls in the rural parts of Kilifi County were lured with little money by bado boda operators who engage them in sex.

He said most of these girls drop out of school after getting pregnant while others get infected with sexually transmitted diseases including HIV/Aids.



Who 'doctored' TJRC report, and why?

THE shocking allegations that the recently released Truth Justice and Reconciliation Commission report was 'doctored' and that some 'sensitive' sections were deleted from the final report that was presented to President Uhuru Kenyatta has irrevocably damaged the credibility and reliability of the Truth Report. These allegations by the three foreign commissioners should not be dismissed or treated casually.

Now, when one critically analyses the manner in which TJRC conducted its affairs, the internal squabbles could have been a deliberate strategy to control this committee and eventually be in a position to sabotage the final findings. There are extremely powerful individuals in the Government and outside the government who might have systematically killed this TJRC Report even before it was made official.

In a nutshell, the country is now in dilemma on the next cause of action. First, it could now be true that the TJRC findings are not reliable since they have been 'sexed up' so as to shield some untouchable clique of individuals. Two, one can now move to court and challenge the findings of TJRC report and say that the findings are based on 'rumours' hence did not meet its core objective and demand that they be declared null and void!

There's no way this country will be united, developed if we don't take the bull by the horns and solve the historical injustices for the sake of currently and future generations.

Concerned Kenyan, Mombasa.

MPs concerned about their stuffed egos

THE calibre of leaders we have do not seem to understand that getting elected or nominated to serve is a God-given honour. Any right-thinking citizen should, therefore, be delighted at getting such an opportunity.

It is pathetic that the current crop of leaders want to use their positions to serve their stuffed egos. That is why, since they were elected, we have been treated to the theatre of absurdity as they grumble, mumble and moan about their "slashed" salaries.

According to our MPs, they left better paying jobs to take up elective positions.

However, what they do not seem to understand is that a patriotic person would even take a huge pay cut as part of a sacrifice that is sometimes inevitable if one is to accept an honour of serving one's country.

It is in light of this I found a part of the President Uhuru Kenyatta's Madaraka Day speech quite laughable. This was where he urged leaders to enlighten Kenyans on devolution. I feel we need a reversal of roles. This is because it would seem it is leaders who need to be enlightened by ordinary Kenyans what true leadership really entails.

Concerned Kenyan, Nairobi.

System should be set to arrest falling standard of English among youth

IN their letters to the editor, Wagari Buku, H.P. Pauline and Muthaura recently decry the falling standards of English. Many other writers to the editor have raised similar concerns. As a teacher of English, I cannot agree with them more.

It is true that the standards of both written and spoken English have fallen to alarming levels. Consequently, the quality of education has plummeted. English, being the language of instruction, has a direct bearing on the other subjects examined by the Kenya National Examinations Council.

Today we have professionals who cannot effectively hold a conversation with their clients. Due to language barriers, the quality and efficiency of service delivery has also suffered.

The education stakeholders need to go back to the drawing board and ask when the rains started beating us. Why can't our learners pronounce basic English words accurately?

Sheng has contributed too. However, whining about Sheng does not help solve the matter at hand.

Year in, year out Kneec laments the deteriorating levels of *insha* and composition yet the stakeholders are never in hurry to address this worsening situation.

Let us start somewhere. When the science subjects were not being



University students in class. Certificates no longer guarantee high standards of spoken and written English

well performed at the national examinations, the stakeholders came up with measures to address that.

That is how the Kenya Science was borne. Years later they established SMASE which was a deliberate move to strengthen science and mathematics subjects in our schools. Today these subjects are way ahead of languages. Last year alone the minister for Education lauded the sterling improvement on these subjects.

English and Kiswahili are vital in all careers one pursues. It is for this reason that I urge the stakeholders in education to find ways of turning around the performance of languages. Until that is done we will continue lamenting as stand-

ards fall.

I have been following the discussion initiated by Wangari Buku with the subsequent contributions by Ms. Elderkin and Muthaura among others. I find that a lot of young people are in too much of a hurry to care about precision (in all matters, not just in language).

I read comments in the dailies on-line edition and any time someone comments on poor grammar/spelling there is a big chorus of "grammar police" which I find rather disconcerting. I think the problem starts with our glorification of Sheng.

Concerned Kenyan, via e-mail

Set up computer labs for all students to get equal access

A PHILOSOPHER once opined that the road to hell is paved with good intentions. It is with that in mind that we need to interrogate the free laptops projects the Jubilee government is determined to implement.

Is the project sustainable? By focusing on Standard one pupils, is it not discriminatory? Are our pupils safe with such expensive gadgets? How sure are we that the pupils will not use the computers to view inappropriate content on social media, given that their parents and even teachers are not necessarily computer compliants?

Every year billions of shillings will be used to buy computers for Standard One pupils whose number will keep increasing every year. Criminals will attack the youngsters as they are going to school and rob them of the laptops.

Should the whole idea be shelved then? I believe there could be better and less costly ways of going about it. One, the government should consider purchasing solar powered table top computers (desktop computers are cheaper than laptops).

These computers should be kept in well-designed computer labs to accommodate a whole class of say 60. It will be easier for schools to pool resources and provide security for their schools, than trying to provide security to individual households. Labs would ensure all students get a chance to learn information technology.

Daniel Simotwo, Nairobi.



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

Write to:

The Editor,
The Link,
P.O. Box 7438 - 00200, Nairobi.
E-mail: thelink@wananchi.com

Governor pledges to promote cultural heritage and tourism

By JOSEPH MUKUBWA

NYERI Governor Nderitu Gachagua has promised to promote the local cultural heritage and tourism in the region.

Speaking during the opening of the Nyeri county assembly recently, Gachagua said that since there are outstanding features in the county, there is need to capture and document them for present and future generations.

The governor said one of the departments that he will be setting up under the county government will deal with

culture and heritage and the legislative agenda will include a legal framework to promote this great heritage. He also proposed to erect such statutes in recognition of the role and contribution of the late Prof. Wangari Mathai and Dedan Kimathi among others.

"Recognition of our heroes through erection of life size statues at strategic locations in Nyeri will not only strengthen our culture but also become a source of tourist attraction and revenue generation," he said.

The governor said that plans are underway to elevate to international

standards the annual scout event in Nyeri in honour of Lord Baden Powel adding that the event will not only be a source of revenue for the residents of Nyeri but will clearly place Nyeri county on the map of the world.

"From the majestic Mt Kenya, caves that are of international interest, national parks, the history of the freedom struggle and the presence of the resting place of the world's founder of scouting movement, Lord Baden Powel, Nyeri is the place to be," he said.

He told the county reps that he will seek their support in passing

laws to provide the necessary legal framework in order to roll out public participation, county planning and development, agriculture and livestock, health services, trade development/ regulation, culture and heritage.

Others areas he will tackle include the security, education, energy sector, irrigation and water among others.

Nyeri Women Representative Priscilla Nyokabi and Nyeri county commissioner Michael Mwangi were also present during the occasion.



The Nyeri county assembly in session. Photo/Joseph Mukubwa

Residents challenged to invest in County

By AGGREY BUCHUNJU

BUNGOMA County Governor, Kenneth Lusaka has asserted that the purpose of devolution is to be self-contained.

Speaking recently at the Bungoma Teachers Society Limited Annual General meeting, Lusaka stressed the need for the people of Bungoma County to be self sufficient.

"The essence of devolution a part from bringing services closer to the people is to be self sufficient in all spheres of social and economic development," explains the Governor.

Lusaka who was the chief guest during the meeting that was also attended by the Western Provincial Co-operative Officer (PCO), Mr. Jonathan Mukhweso, urged the teachers to invest in the County. The Governor asked the teachers to particularly invest in the hotel industry through their co-operative society.

Lusaka lamented that all major investments in the County are foreign owned and as a result challenged teachers and other professionals to also consider investing in the third largest County in the country.

Investments by the indigenous people of the County Lusaka, observed will help curb cash flight to other areas. "If our people cannot invest in the hotel industry and other businesses, then investors from other areas will continue to dominate the sector," he says.

Lusaka challenged professionals from the County to avoid being brokers and instead form and register companies so as to be awarded tenders to provide various services.

"The problem with our people is that they like brokerage instead of doing the jobs themselves," the Governor claims. He was categorical that for the indigenous people of Bungoma County to benefit from fruits of devolved governance system they should desist from being brokers when it comes to tendering of contracts.

Lusaka, however asserted that he will not condone shoddy work adding that construction companies whether foreign or locally owned should ensure that work is done as per the specifications. He disclosed that his Government will put in place Efficiency Monitoring Unit that will monitor and evaluate all works done before payments are effected.

Speaking at the same meeting the PCO, Mr. Jonathan Mukhweso asked Bungoma teachers Sacco to complete and renovate Bungoma Tourist Hotel so as to bring it to international standards. Mukhweso said that there is need for Bungoma Tourist Hotel which was put up way back in 1970s to be converted into a three star or five star hotel in order to attract more customers from within and without.

The PCO at the same time also urged the Governor, Kenneth Lusaka to ensure that coffee grown in the County is processed and packaged within the County instead of being taken to Thika for processing.

This, the PCO added will make County residents to benefit from value addition in terms of improved returns from the crop and employment for the youth. Bungoma teachers Sacco chair, Mr. Gabriel Wasike said that during the year 2012 the society enjoyed gradual growth in its membership.

Wasike disclosed that the society membership rose to 4,795 from the previous year's 4,771 and attributed this to successful education to members and improved FOSA services by use of spot cash facility-members that earn through their phones and access personal information easily.

HIV epidemic derails efforts to reduce maternal mortality rates in Africa

By HENRY OWINO

HIV/AIDS is the world's leading cause of death in women aged between 15 and 44 who are considered to be in their child-bearing age. In sub-Saharan Africa where the epidemic has hit hard, high death toll is among women of reproductive age.

The spread of the epidemic continues to outpace the world's response to it. It is estimated that for every 3 people placed on HIV treatment, 5 more become infected. In sub-Saharan Africa, women account for 60 percent of adults living with HIV.

HIV epidemic has had an adverse effect on efforts to reduce maternal mortality rates which is fifth in Millennium Development Goal (MDGs). In fact, a new analysis shows that maternal mortality rates have increased in countries with expansive HIV epidemics in southern, western and central Africa. Without HIV, there would have been 60,000 fewer maternal deaths in 2008.

Presence of HIV epidemic has slowed down the progress towards reducing maternal mortality rates in sub-Saharan Africa. For example, in Swaziland, a survey released in 2009 indicates that HIV prevalence among pregnant

women has increased since 2006, reaching 42 percent.

Many women in developing countries often do not learn they are infected with HIV until they are pregnant and tested at the prenatal clinics. Appropriate and timely antenatal care and prevention of mother-to-child transmission (PMTCT) programs have been shown to provide a pathway to HIV prevention, treatment and care service for women of their families.

Some of these programs include providing prevention of HIV infections among women of childbearing age; preventing unintended pregnancies among women living with HIV; preventing HIV transmission from a woman living with HIV to her infant; and providing appropriate treatment, care and support to mothers living with HIV and their children and families.

The revelations were made during the second biannual HIV/AIDS conference held in Nairobi, Kenya attended by people living with HIV, affected, HIV researchers, among other experts.

HIV is a leading indirect cause of maternal mortality in settings with high incidence of HIV/AIDS. A five-year study conducted in Johannesburg, South

Africa, a country in which 29 percent of pregnant women are HIV-Positive, revealed that the maternal mortality ratio was more than six times higher in HIV-positive women than in HIV-negative women. This is 776 deaths per 100,000 births compared with 124 per 100,000births.

"Research is showing that HIV may have a significant impact on maternal mortality. This tells us that we must work for a unified health approach bringing maternal and child health and HIV programmes together to work to achieve their common goal," said Michel Sidibe, Executive Director, UNAIDS.

Sidibe said HIV infection is a major contributor to maternal morbidity. She disclosed the ongoing research suggests that pregnant, HIV-positive women may see disease progression worsen during their pregnancies. There is therefore an urgent need for new female-initiated prevention options.

The Scientist revealed that the current HIV prevention strategies are not doing enough to protect women. Prevention methods such as condoms and abstinence are realistic options for many women, especially those who are married, who want to have children or who

are at risk of sexual violence.

"A new method that is safe and effective, microbicide, promises to provide women with a new tool to protect themselves from HIV without limiting their choices to bear children," emphasized Sidibe.

Another dual-purpose microbicide that combines an ARV with a contraceptive is also said to safely expand women's options to control their fertility and prevent HIV. Microbicide is a medical product being developed to protect healthy people from becoming infected with HIV during sex.

Some microbicides are being designed only for women as vaginal products, and others would be rectal products that both men and women could use. A microbicide to reduce the risk of sexual HIV transmission promises to have a profound impact on the epidemic.

This new method has been tested in Asia and proved successfully. It is believed that it is going to help African women and reduce the number of maternal mortality in the continent. The technology have yet to go under all clinical trials according to international, national regulatory and ethics guidelines before it is finally approved and made widely available and affordable for use.

By JOSEPH MUKUBWA

THE National Council of Churches of Kenya has criticized the government for doing too little to stop the production and consumption of illicit brews in Central region.

NCCCK Central region said recently that despite the passing of the Alcoholic Drinks Control Act 2010 commonly known as Mututho Law, it is regrettable that the law has not been enforced to the letter.

Speaking after a two-day regional conference at Nyeri Technical Training Institute, the Regional chairman Hiram Githaiga who read the statement on behalf of the others said illicit brews continue to be produced and consumed in the counties with devastating results including deaths of the alcohol abusers.

"We call upon the county governors to take decisive action against the people who produce such brews. The government must

Government on the spot over increased illicit brews in Central region

also put resources into community education with a view to helping the people realize the results of uncontrolled use of alcohol," said the chairman.

The NCCCK also called upon the residents of Central region to take action by executing civic arrests on persons who produce illicit brews and hand them over to the police.

"Together with the community members, we as church leaders will play a leading role in the destruction of dens where illicit liquors are produced and sold," he

added.

On insecurity, the council lamented that of late, the country has experienced an upsurge of carjacking and kidnapping incidences in the region despite the government efforts in fighting the vice.

"Domestic violence has also escalated leading to the deaths of even whole families. We therefore call upon the government to be more vigilant. Further, we call upon the church in our region to support in community policing efforts and also empower our wor-

shippers and community members to work with the security agencies to ensure that the criminals are apprehended and dealt with through the courts," added the church.

The NCCCK regional conference is the supreme governance organ in the region and meets once every three years.

It covers Embu, Kirinyaga, Murang'a, Nyeri, Nyandarua and Laikipia counties.

Also present were NCCCK deputy Secretary General Oliver Kisaka and the central region coordinator Wilson Wanyoike.

Parliament urged to fast track herbal medicine Bill

By AGGREY BUCHUNJU

THE National Council of Association of Alternative Complementary Medicine and Research secretary, Isaac Misiko has asked medical practitioners to stop looking down on herbal medicine practitioners.

Misiko notes with pride that herbalists across the country are on record as having treated diseases that have been very hard to treat in government hospitals.

He challenges medical practitioners to view herbalists as equal partners in the health sector and not quacks or witches.

The herbalist attributes their lack of recognition to outdated policy and misconception by the public about their trade.

Misiko points that herbalists in Kenya are still using the colonial bill of 1925 where they are referred to as traditional witches, a title, he adds that is not only harmful to them but also to their would be clients.

He as a result challenges members of the eleventh parliament to justify their demand for higher pay by fast tracking the passing of the herbal medicine bill.

"This bill which is intended to provide a policy to guide us in our operations has been pending in parliament for many years now," Misiko discloses.

Misiko avers that passage of the herbal medicine bill by parliament will change the public perception about herbal medicine practitioners.

"Passing the herbal medicine bill into law will make people to recognize us as cures of diseases using herbs and not people who practice witch-craft," Misiko observes.

The herbal medicine practitioner laments that despite the World Bank having trained over 500 herbalists country-wide, the group still lacks recognition due to poor policies.

Misiko is at the same time also appealing to his colleagues to conserve medicinal plants that are getting distinct by planting more indigenous trees during this rainy season.

He expresses pessimism that medicinal indigenous trees may become distinct due to afforestation in a few years to come.

"Most medicinal indigenous trees are being wiped out at a fast rate which is why I am asking my colleagues to plant more of them," he says.



From right NCCCK Central Region chairman Hiram Githaiga, NCCCK deputy Secretary General Oliver Kisaka and the NCCCK Central region coordinator Wilson Wanyoike addressing the media at Nyeri Technical Training Institute recently after a two-day regional conference. Photo/Joseph Mukubwa

Busia residents protest over Ksh90million governor's residence

By AGGREY BUCHUNJU

THE residents of Busia County are up in arms over plans to allocate million shillings towards the construction of a governor's residence instead of addressing other pressing issues.

The residents have vowed to reject the entire Ksh. 3 billion budget estimates for the next financial year as most of the proposed projects are insensitive to their plight and that the planners were driven by outright mischief and impunity.

The irate residents led by Western Development Initiative Association (WEDIA) Vice chairman Joseph Barasa said "We are strongly opposed to the move as we see no sense at all in plans to allocate Ksh20 million for refurbishment of governor's temporary residence, Ksh90 million for a new one and Ksh10 million for the purchase of land for the same when the medical training college meant to serve the whole County and beyond has been allocated a mere Ksh 82 million.

"The budget is just unrealistic and

we therefore demand that it should be rejected, amended and be brought back to the people for recommendation since we had not voted for devolution purposely to open doors for the Busia County leader to eat taxpayers money," said Barasa adding that it was clear that the budgetary proposals were deliberately bloated with mischief.

He at the same time said that the budget proposal also included an ongoing irrigation project which is currently under feasibility study but has been allocated a whopping Ksh1.7 billion whereas the budget for buying graders for the county is only Ksh 86 million that defies the realistic costs at the current market rates.

The WEDIA boss said: "we know that a single grader costs around Ksh 30 million so with Ksh 86 million only two or may be three will be purchased which of course cannot serve the entire county of seven constituencies given the bad state of our roads that require sufficient funds. More money should be allocated towards the buying of graders so that the county is

served efficiently.

At the same time, sugarcane farmers in Busia County have strongly condemned a declaration by the Busia County Governor Sospeter Ojaamong' to remove zoning in sugarcane farming saying the move is likely to cause the demise of the sugar industry in the County like it happened to cotton. Sugarcane farmers said that they were responsible for their own destiny, income and security and will remain under the zoning and contractual procedures with sugar companies of their choice.

The irate cane farmers claimed that throughout his entire tenure as the Member of Parliament for Amagoro constituency, the former MP, now Busia county governor never came out on a single day to defend sugarcane farmers.

"He is now making declarations that are going to kill our only source of income as sugarcane is the only cash crop in this county," said Joseph Barasa.

Busia County Sugarcane farmers' Spokesman, Venswa Okwara also re-

acted against the move saying that zoning of sugarcane farmers by contracting millers might demoralize the farmers. Okwara said the governor should be able to lead the County and give clear guidelines or else the sector risk collapse as a result of lack of clear guidelines.

"Sugarcane zoning may cause the investors to go to Countries like Tanzania, Uganda and Malawi due to what they termed as lack of clear guidelines in the Country," he said.

The sugarcane farmers' spokesman added that if the doors are opened to any miller to enter Busia County and buy cane freely without factoring in issues like cane development then soon there will be no raw material to service the region's sugar factories.

The farmers' spokesman added: "Private cane farmers should be allowed to sell their produce to a miller of choice but not those contracted. Ojaamong should therefore be told that three quarters of the farmers in Western region leave alone Busia cannot afford to invest in private cane as the process is damn expensive."

Busia Governor picks Cabinet

By NYAKWAR ODAWO

BUSIA Governor Sospeter Ojaamong has been lauded for unveiling an all-inclusive cabinet covering all the regions of Busia County.

In a colorful ceremony held at Busia county hall recently, a total of sixteen nominees were picked as members of the County Public Service Board as well as County executive committee members.

Out of the sixteen nominees, six candidates had qualified and were picked as members of the Public Service Board whereas ten succeeded as members of County executive committee.

The County Public Service Board members included Agneta Syeunda Akhabi from Nambale who was appointed as the board chairperson, with Dr Francis Nang'ayo from Funyula, a PHD holder, Josiah Wanyama from Matayos, (youth representative), Kapule Susan Masake from Teso South, Pancras Otواني from Teso South and Jemimah Adah Chibole from Butula picked as board members.

The county executive committee members picked included Moses Osi Mwanje, a trained agricultural extension officer from Teso South

who was picked to head Agriculture and Animal Resources Department, Leonard Wanda Obimbira from Budalangi, a trained accountant with several years of professional experience was picked to head Finance and Economic Planning with Martin Kafwa from Nambale, a trained teacher to head Lands, Housing and Urban Development department.

Others picked included Jazida Ali (representing minority groups) from Matayos, a member of Educational Management Association of Kenya to head Education and Vocational Training department, Dr Maurice Peter Siminyu from Matayos, a trained Medical Practitioner with several years professional experience to head Health and Sanitation docket, Gregory Joash Epus Odeke from Teso North, trained in sustainable development and a project management specialist, to head Public Works, Transport and Disaster Management slot with Bernadette Muyomi, (youth representative), a human rights activist from Butula being picked to head Public Service, Information and Communication slot.

The Department of Trade, Cooperatives, Tourism and Industry went to Hillary Makhulu, a Bachelor of Science holder from Jomo Kenyatta

University of Agriculture and Technology, also a sales and marketing professional from Butula.

Grace Matinde Mchuma, a physically challenged person and a trained teacher from Teso North was picked to head the department of Community Development, Sports, Culture and Social Services whereas Bernard Krade Yaite (youth) from Nambale trained in Natural Resource Management was picked to head Water, Environment, and Natural Resources department.

Governor Ojaamong urged the nominees picked to head various dockets in the county, to exercise transparency and accountability while discharging their duties in order to ensure effective service delivery.

He warned that stern action would be taken against any departmental head who will fail to serve the residents of Busia County effectively.

However members of the County Executive Board assured the residents of Busia County that they will do everything at their disposal to ensure they provide effective service delivery aimed at transforming the lives of the people.

Dr Maurice Peter Siminyu, a trained medical practitioner with a



Mr. Ojaamong, Governor, Busia County

wealth of experience who was given the Health and Sanitation docket pledged to improve services at all the health facilities in the county.

"I will push for the construction

of Busia County Medical Training Centre which has failed to take off despite the ground breaking ceremony by the retired President Mwai Kibaki in 2007," said Siminyu.

Malaria endemic in Kenya on the decrease

By BRIGHTON KAZUNGU

MALARIA is considered to be among killer diseases in Kenya, accounting for 20 per cent of deaths in pregnant women and children under the age of five. According to Kenya Medical Research Institute (KEMRI), between 30-50 per cent of all outpatient and 20 per cent admissions in public hospitals suffer from malaria. KEMRI says that 24 million out of the country's population are at risk of the killer disease.

However, malaria prevalence in Kenya is reported to have declined significantly over the last ten years mainly due to measures put in place by the government, non-governmental organizations and other stakeholders. Although the prevalence rate has gone down especially in high risk areas, malaria burden in the country has not eased up. Malaria deaths and sickness have declined but much has to be done to reduce infections before a permanent vaccine is found. It is still a threat to human life especially pregnant women and children less than five years.

Scientists researching on the malaria vaccine are in the final phase and have been working round the clock to ensure it succeeds. The scientists anticipate that by 2015, Africa would have malaria vaccine with an efficacy of 50 per cent to last for a period of one year. By 2025, more developments of vaccine would be out with an efficacy of 80 per cent and expected to boost body immunity for four years.

Although the fight against malaria seems far from over, statistics from Kenya Malaria Indicators Survey (KMIS) show that 30, 000 Kenyans died last year (2012) alone due to malaria, while over 100, 000 pregnant women were diagnosed with malaria. According to Dr. Kiambo Njagi,



Malaria vaccine. Malaria is considered to be among killer diseases in Kenya.

an Officer in the Division of Malaria Control in Kenya, three out of four people in Kenya are at risk of contracting malaria and the rate varies from one area to another. Speaking during World Malaria Day, Dr. Njagi said that different interventions have been put in place to deal with malaria in different parts of the country.

He attested that policies to contain the spread and infections are in place to help deal with the disease and ensure full control of the malaria parasite. "The government has ensured usage of treated mosquito nets around these regions, indoor residual spray

and Intermittent Preventive Treatment (IPTP); which is assumption given to any pregnant woman in the high risk malaria regions who visits the clinic for antenatal checkup," said Dr. Njagi.

Dr. Njagi affirms that IPTP entails administration of a curative dose of an effective antimalarial drug which is given at each routine antenatal care visit, starting in the second trimester.

The doctor added that presently there are four in every ten people with malaria as compared to the past rate of seven people in each ten. She added that the prevalence rate for malaria

in areas around the Coast, Western Kenya, parts of Nyanza and Rift Valley regions were initially very high but due to double interventions, the rate has gone down.

Dr. Njagi said ignorance, misconception and lack of information has been a great challenge to the success of the malaria projects in many parts of the country. He urged Kenyans to ensure they always protect themselves from malaria parasite by sleeping under a treated mosquito net all the time.

Moreover the doctor stated the government's commitment in fight-

ing malaria, saying it has managed to purchase over seven million rapid diagnostic test kits to help in testing for malaria.

"Rapid diagnostic test kit is a simple test for malaria which doesn't require a lot of training. Otherwise malaria can be tested in two ways; if you have to test for malaria, you have to take your patient to the laboratory, whether you are a gynecologist who is managing a pregnant woman or a pediatrician managing a child, explained Dr. Njagi. Adding that the people at the laboratory must have sharp eyes to know how they are going to sign in blood, observe and see the parasite. But for rapid diagnostic test you just need a reaction which will give you either a positive or a negative result based on that".

The health officer said that the kits will be distributed in all government and faith based hospitals to help reduce expenditure on drug usage.

Dr. Njagi assured Kenyans that the kits will be enough for all public health facilities countrywide. He urged hospitals or dispensaries that have not received the diagnostic kits, to be patient as they will receive them soon. "Much more kits are on the way and are expected to last for the next five years," he added.

Nancy Njoki, Population Survey Institute (PSI) in Kenya said only 3.5 pregnant women sleep under the mosquito nets. She said 2.4million nets are distributed annually to 3,300 health facilities across the country for free to pregnant women and children under five years old.

"We have been giving free mosquito nets to pregnant women and children under five years in areas dominantly infested with mosquitoes. This is one way of fighting malaria by preventing it, which is cheaper than treating it," Njoki said.

By MALACHI MOTANO

DEBATE on the constitutionality or otherwise of the Constituency Development Fund (CDF) between MPs and the Constitution Implementation Commission (CIC) has died. CORD is on a generality tangent to be the watchdog that will ensure devolution is implemented. Civil society that would generously upload on any seeming obstruction to the Constitution is suspiciously mum.

There is inertia. In the void, formation of CDF committees has kicked off. There are obvious gaps in the CDF Act 2013, gaps that do not take into account the thrust of constitutional principles on devolution, and on the functional spheres of National and County governments. Specifically, the CDF Act will soon run into strong headwinds of the County Governments Act 2012 once county structures are fully operational.

If past implementation of "community" projects by line ministries is anything to remember, a spectacle of duplication and fraudulent claims on funding projects and misappropriation awaits oversight and audit entities. The connivance between these players in claiming funding credit for the same project and therefore stealing has been mind-boggling. Incredibly, we are headed the same route where CDF will fund construction of schools, health facilities, cattle dips, feeder roads, and water projects, all of which are constitutional County Government functions under the Fourth Schedule. Fault lines are galore.

The CDF Act requires implementation by "assistance of the relevant department of government" and all payments made through and "in accordance with government regulations for the time being in force". The headwind here is

Need to amend CDF Act

"government" is not specified to mean National or County government. Predictable is protracted pull and push as players flex financial and political muscle among Cabinet secretaries for Treasury and Devolution; Governors, Senate and National Assembly as they wade through the application of the Public Finance Management Act and the four laws on devolution.

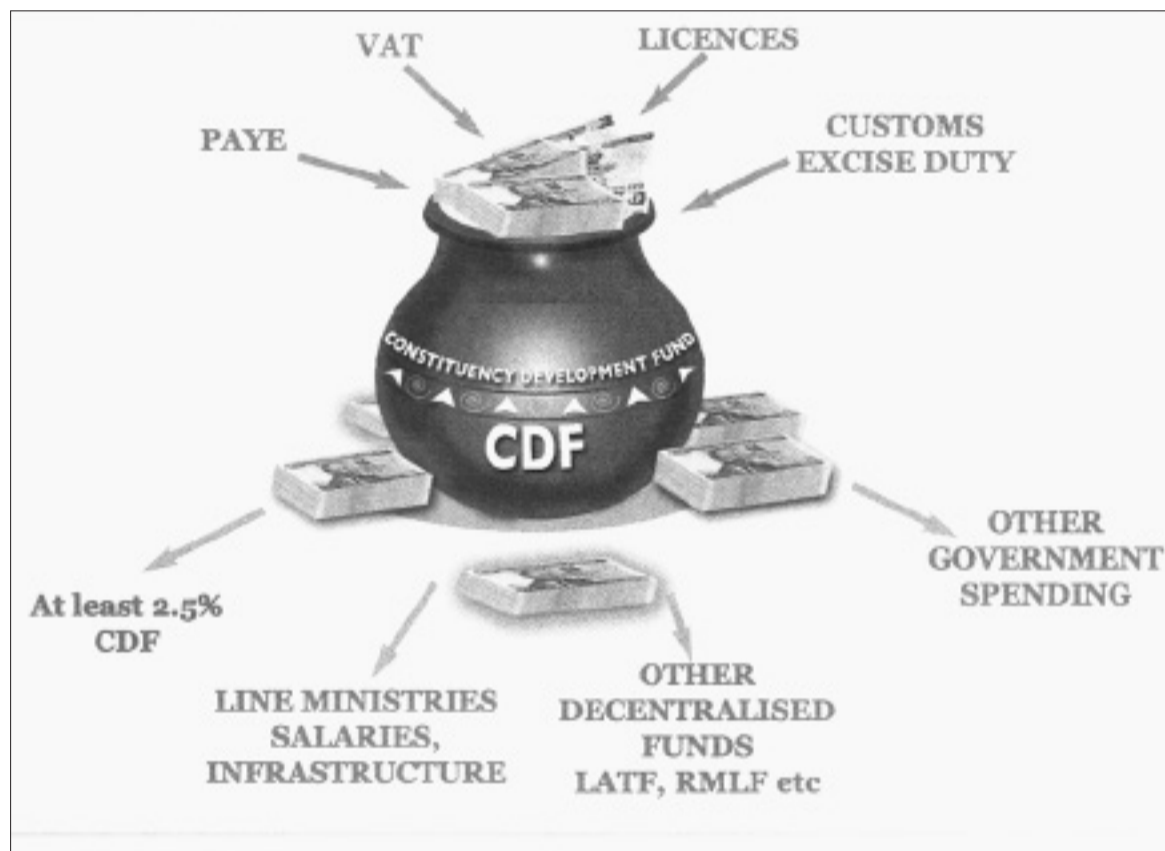
The result will be stagnation if not collapse of the whole devolution experiment. The MPs seem to have the upper hand as new CDF structures are operational by May 12, 2013. A word of caution to MPs; the elections of CDF committees require guided democracy beyond the general

provision under the CDF Act. The danger of letting loose people to "elect" will saddle CDF with "popular" but derelict and incompetent fellows who will treat CDF funds as pocket money.

The influence will be exerted on them more by briefcase contractors seeking to rip CDF coffers. The MP will not be the wiser to it, but if they are, they face wrath from the people and the recall clause will settle matters. A set of basic education qualifications will do no harm in ensuring the committees have the capacity to participate; read, understand, comprehend and interpret documents apart from rendering judgement informed by community needs not personal

expectations. People with no known means of earning a livelihood can be extremely poor managers of "government" resources.

The Senate, which is the overseer of County funds, can initiate an amendment bill to have oversight over CDF, and craft managerial relationship between CDF and County governments. But this is easier said than done. Given that politics is all control of money, will MPs cede this lucrative avenue for crony rewards and agree to share the political spoils with Senators, Governors and County Assembly Representatives? This is highly doubtful given the current heightened power play among all these players at the county.



Each and every Kenyan contributes towards CDF. It is therefore the responsibility of every Kenyan to make sure CDF is well spent.

Bobasi residents reject CDF committee

By BOB OMBATI

RESIDENTS of Bobasi constituency in Kisii County have opposed the mode used to constitute the Constituency Development Fund committee, saying it was undemocratic.

The locals who held demonstrations in the constituency protested against the area member of parliament, Stephen Manoti, alleging he interfered with the process.

They accused Manoti of using area chiefs to handpick their relatives and friends to the committee, stressing the local people were not given a chance to elect officials to the committee.

Consequently, eight Members of the County Assembly from area want the Mp to nullify the elections and call for fresh elections lest they take legal action against him. Bassi Boitang'are ward Representative, Isaiah Mosota told members of the public during a meeting at Nyamache green stadium that the Ward Reps were sidelined during the elections.

Terming the elections illegal and unacceptable, he claimed that the lawmaker used the provincial administrators to pick his cronies for his selfish interest. Bassi central Ward Rep, Henry Moracha said they would not recognize and work with the committee and told the members to quit the CDF offices to pave way for fresh elections.

Moracha noted that the locals will not accept members imposed on them, adding that they will be sycophants of the Mp and would not be accountable to the constituents. "The officials should know they are in office illegally and should leave the office to pave the way for fresh elections" said Moracha, stressing residents would not like to be denied their democratic right to elect their leaders.

The Ward Reps- Moracha, Bassi central, Robert Siocha, Bobasi Chache, Evans Zicko, Same-ta, Bonface Wright, Bogetaorio, Nyaega Onger, Nyacheke, Peter Omari, Masige West, Haroun Masase, Masige East and Mosota Nyamweya, Bassi Boitang'are urged the constituents to maintain law and order as they pursued the matter. They said they will work together to ensure that fresh elections were conducted and right, accountable and responsible people were elected to represent the interests of the residents, saying they will not relent until their demands were met.

Constituents, who spoke at the meeting said that if the Mp maintained the CDF committee, they will invoke the recall clause and end his parliament term prematurely, stressing that the era of dictatorship was long gone.

The residents urged the Constituency Fund Manager not to support the "illegal committee" saying he risked the wrath of the local people. They accused the committee members of breaking into the office and transacting businesses after the residents closed them, saying they will eject them from office if they stayed put.

Kilifi County youth fund under-utilised

By LINK CORRESPONDENT

MILLIONS of shillings earmarked for the Youth Enterprise Fund in Bahari District of Kilifi County lies idle as the youth in the area have failed to go for the money.

Records from the district youth and sports offices in Kilifi show that out of the Ksh 4 million set aside to benefit local youth through loans last year, only Ksh 1.1 million was loaned out.

According to the district youth officer Mr. William Sifa, 22 youth groups that applied for the loan last year were issued with Ksh 50,000 loans each totaling to Ksh 1.1 million.

Speaking to the Link during a visit to Sanya Youth group at Makata in Kikambala division of Kilifi district which benefited with Ksh 50,000 loan, the youth officer said a total of 2.9 million remained

uncollected at the offices.

"Bahari district was allocated Ksh 4 million during the last financial year which was supposed to be loaned out to youth groups in the area but by the end of the year only Ksh 1.1 million had been taken leaving a balance of Ksh 2.9 million," said Mr Sifa.

The officer further said a total of 21 youth were awarded individual loans of between Ksh 25,000 and Ksh100,000 through the government appointed financial intermediaries.

The officer said lack of information about the youth enterprise fund had remained big challenge for them to access the funds.

Youth interviewed insisted that the stringent conditions attached to the funds had forced them to shy away from the loans.

Mr Josphat Chilango said that most youth lack the security re-

quired before they can access loans adding that the Ksh 50,000 loan given to a group to start a business was too low.

"Most financial intermediaries demand that you produce collateral before they can advance the loans. Most youth lack any form of collateral and thus are unable to access funding," said Mr Chilango.

The district youth officer Ms Josyline Katunge said ignorance among the youth was another obstacle which had hampered access to the fund.

"Most youth are ignorant and thus have not applied for the funding," said Katunge.

The officer said the government had relaxed most requirements to enable the youth to access loans but still some youth have complained that the conditions are tough.

"Youth only need to have reg-

istered in a group with the department of social services and have a bank account before they can access the funding," said Ms Katunge.

Kilifi county commissioner Mr. Erastus Ekidor challenged the youth to shun criminal groups like the MRC and instead take advantage of funds disbursed by the government to engage income generating projects.

Mr Ekidor said the government had started a special loan fund for the youth named Youth enterprise fund so that the youth can easily access loans and initiate income generating projects but some youth have not been utilizing it.

"It is wrong for some youth to engage in criminal activities or join illegal groupings as the government had set aside funds to engage them in meaningful activities," Mr Ekidor.

Constituency Development

Introduction

MEMBERS of Parliament will henceforth sit on CDF committees as ex-officio members exercising only the oversight role on the projects. The AIE holder will however always consult with the area MP on the analysis of the names proposed at the Ward meetings to sit at the CDF Committee before submitting them to the CDF board for forwarding to Parliament. The amended CDF Act mandates the MP to convene forums in every ward in the constituency to deliberate on development matters in the area. Other changes by the Act involve the review of the membership of the CDF committee from 15 to 10 to make it leaner and more efficient. The mode of constituting the CDF team will be nomination by Ward committees and relevant institutions

The functions of the Board include -

- to ensure timely and efficient disbursement of funds to every constituency;
- to ensure efficient management of the Fund;
- to receive and discuss annual reports and returns from the constituencies;
- ensure the compilation of proper records, returns and reports from the constituencies;
- receive and address complaints and disputes and take any appropriate action;
- consider project proposals submitted from various constituencies in accordance with the Act, approve for funding those projects proposals that are consistent with this Act and send funds to the respective constituency fund account of the approved projects;
- perform such other duties as the Board may deem necessary from time to time for the proper management of the Fund.

Fund Disbursement

- All financial disbursements are to be approved by the Board

for specific projects as submitted by the constituencies in accordance with the Act.

- All disbursements are to be made through the constituency bank accounts.
- Payments for a joint project may be made directly to a supplier or an account established for the purpose with due approval of the Board.
- The Board is to set out general conditions and requirements for release of funds, to ensure efficient and effective management of resources.
- The Board may impose reasonable requirements, including restrictions, on a particular constituency and such restrictions or requirements are to be reported together with the monthly returns to be submitted to the Cabinet Secretary in accordance with this Act

Allocation of Funds

According to the Act, once funds are allocated for a particular project, the money cannot be re-allocated to other projects unless approved by the Board.

If for any reason a particular project is cancelled or discontinued during the financial year, funds allocated for such a project has to be returned to the Fund and credited to the account of the constituency from which the funds were withdrawn.

However unspent funds can be allocated to any eligible project and such project may be new or ongoing at the end of the financial year.

Funds to be retained in the kitty include

- All receipts, savings and accruals to the Fund.
- All funds allocated to a constituency are cumulative and can be carried forward from one financial year to the next, including funds returned into the accounts.

Project proposals

The Act has vested the chairman of the Constituency Development Fund Committee with a mandate to submit

Members of Parliament will no longer wield immense powers in the management of the Constituency Development Fund (CDF). Administration of the kitty has now been effectively transferred to a board official who will act as the Authority to Incur Expenditure (AIE) holder and be accountable for any loss or embezzlement of money. Writes LINK CORRESPONDENT

a list of proposed constituency based projects to the Board after approval by the committee

The act stipulates that the Board compiles the list of proposed constituency projects and submits the same to the Parliamentary Committee for approval.

The list of the proposed constituency projects are to be submitted to the Board before the end of February in each year or such other month as may be determined by the Cabinet Secretary in order to ensure timely inclusion of the projects in the annual Government budget of a particular financial year.

The project proposals are to be submitted on a Constituency Projects Submission Form and accompanied by minutes of the Constituency Development Fund Committee approving the projects.

All projects proposed for every constituency are to be listed in the Form together with the cost estimates, amounts allocated and amounts disbursed to such projects.

Approval of projects

The Act stipulates that Board scrutinizes and approves for funding those project proposals that are consistent with the Act.

Where the Board does not approve a proposal, the Act states that the matter is referred to the Constituencies Development Fund Committee giving reasons as to, why it has declined the proposal.

The allocation of funds to various projects in each constituency is the responsibility of the Constituency Development Fund Committee to be exercised at its own discretion within the provisions of this Act.

Basis for budget ceiling

The budget ceiling, for each constitu-

ency is to be determined in accordance with the basis for allocating resources among counties approved by Parliament.

The budget ceiling for each constituency is to be determined by the Cabinet Secretary in consultation with the Joint Committee and submitted to Parliament for approval.

Types of projects submitted for funding

The CDF committee has the responsibility to ensure that the list of projects submitted for funding comply with the provisions of the Act and their total cost does not exceed the allowable ceiling for the particular constituency or is not below that ceiling.

If the list of projects submitted for funding contravenes the provision, the same is to be referred back to the Constituency Development Fund Committee for amendment and re-submission.

Whenever the amount for projects in a constituency is less than the allowable ceiling for reasons of projects being deleted in accordance with subsection (3), or for whatever reason, the shortfall shall be indicated as unallocated amount against that particular constituency on the list to be forwarded to the Cabinet Secretary.

Types of projects

Projects to be funded under this Act include community based projects in order to ensure that the prospective benefits are available to a widespread cross-section of the inhabitants of a particular area.

Any funding under this Act is a complete project or a defined phase, of a project and may include the acquisition of land and buildings.

All projects may include costs related to studies, planning and design or other technical input for the project

but shall not include recurrent costs of a facility.

Funds provided under this Act cannot be directed to support political bodies or political activities or for supporting religious bodies or religious activities.

However, the CDF committee may identify a religious body or organization as an appropriate specialized agency for purposes of emergency support.

Projects may include the acquisition of vehicles, machinery and other equipment for the constituency

The Act regards sports activities as development projects but excludes cash awards provided that the allocation to such activities does not exceed two percent of the total allocation of the constituency in that financial year.

Monitoring and evaluation of ongoing projects and capacity building of various operatives may be considered as a development project provided that not more than three percent is allocated.

Environmental activities may be considered as development projects for purposes of this Act provided that the allocation to such activities does not exceed two percent of the total allocation of the constituency in that financial year.

Number of projects

The number of projects to be included in the Constituency Projects Submission Form include a minimum of five and a maximum of twenty; five for every constituency in each financial year.

Constituencies with unspent funds at the end of the financial year are to submit new proposals to the Board for approval in accordance with section 10(5) of this Act.

Project activities of a similar nature in a particular constituency may be combined and considered as one project

Constituencies may pool resources for joint projects provided that the decision for such joint projects is first be approved by the Constituency Development Fund Committee of each of the participating constituencies and reflected on the projects listed for each of the participating constituencies.

Where constituencies have joint projects, the County Projects Committee co-ordinates such projects.

Constituency Development Fund Committee

Each Constituency Development Fund Committee comprises-

- the national government official at the constituency as may be designated by the Cabinet Secretary or an alternate;
- three men nominated by the ward development committees and one of whom is a youth representative
- three women nominated by the ward development committees and one of whom is a youth at the date of appointment;
- one person with disability nominated by the ward development committees;
- one person nominated from among the active Non-Governmental Organisations in



A CDF Project. Photo/File

Constitutional Amendment Fund Act 2013



Members of Parliament in session.

Photo/File

the constituency;

(1) an officer of the Board seconded to the Constituency Development Fund Committee by the Board who shall be ex-officio and shall serve as the secretary to the Constituency Development Fund Committee.

The eight persons referred are to be nominated through the following procedure-

- (a) within forty-five days of being sworn in, each Member of Parliament for a particular constituency convenes open public meetings of registered voters in each of the elective wards in the constituency;
- (b) each ward then elects five persons whose names are forwarded to the officer of the Board in the constituency;
- (c) upon receiving the names from all the wards in the constituency, the Member of Parliament in consultation with the officer of the Board and the sub county administrator for the constituency, appoints eight persons to the Board, taking into account the geographical diversity within the constituency, communal, religious, social and cultural interests in the constituency and the requirements of gender, youth and representation of persons with disabilities;
- (d) the eight persons are to elect from among themselves one person to be the, chairperson of the Constituencies Development Fund Committee for the constituency;
- (e) upon conclusion of the election of the chairperson, the officer of the Board forwards the names of the ten members of the Constituencies Development Fund Committee to the chief executive officer of the Board for onward transmission to the Cabinet Secretary for gazettelement;
- (f) The Member of Parliament for the constituency is an ex-officio member of the Committee.

The first meeting of the CDF committee

The Fund Committee convenes within the first sixty days of a new Parliament or a by-election, by the national government official at the constituency or in his or her absence, by an officer of the Board attached to the constituency, as outlined by the Cabinet Secretary.

The Chairperson of the CDF Committee in consultation with the Member of Parliament, the sub-county administrator, and the ward administrator, within the first year of a new parliament and at least once every two years thereafter, convene open forum public meetings in every ward in the constituency to deliberate on development matters in the ward and the constituency.

Each ward comes up with a list of priority projects to be submitted to the Constituency Development Fund Committee

The Fund account manager seconded by the Board to the constituency is the custodian of all records and equipment of the constituency during the term of parliament and during transitions occasioned by general elections or a by-election.

Whenever a vacancy occurs in the Constituency Development Fund Committee by reason of resignation, incapacitation or demise of a member then the vacancy is to be filled from the same category of persons where the vacancy has occurred.

The Constituency Development Fund Committee meets at least six times in a year and not more than twenty four times in every financial year including sub-

A member of the committee may be removed on any one or more of the following grounds-

- (a) lack of integrity;
- (b) gross misconduct;
- (c) embezzlement of public funds;
- (d) bringing the image of the committee into disrepute through unbecoming personal public conduct;
- (e) promoting unethical practices;

- (f) causing disharmony within the committee;
- (g) physical or mental infirmity.

A member can be removed following a resolution of at least five members of the Committee and the member sought to be removed given a fair hearing before the resolution is made.

The committee may employ staff, not exceeding five in number, and such staff must have knowledge in information and communications technology, construction and basic accounting.

The employed Staff can help in project monitoring evaluation, co-ordination and proper keeping of records and such staff are to be remunerated from the funds allocated for administration and recurrent expenses.

Projects Costs

The Constituency Development Fund Committee may make appropriate consultations with the relevant Government departments to ensure

(1) that cost estimates for the projects are as realistic as possible

(2) The Act directs that the CDF Committee ranks the projects in order of priority and whenever, in the opinion of the Board, the total cost of the projects listed exceed the ceiling for a particular constituency, then the order in which they are listed is to be taken as the order of priority for purposes of allocation of funds, provided that on-going projects take precedence over all other projects.

(3) The Board submits a quarterly reports on projects and reports to the National Assembly Select Committee disbursements detailing-

- (a) a summary of the project proposals received from the constituencies in the preceding month and indicating the approval status of such projects;
- (b) a summary of the status of disbursements of funds to the constituencies for that preceding month

- (c) a summary of the status of disbursements from the Treasury to the National Account; and
- (d) any restriction imposed on a constituency account in accordance with the Act.

Implementation of projects

The Act vests the project management committee with powers to oversee the implementation process, with the assistance of the relevant authorities and all payments to be processed and effected in accordance with government regulations for the time being in force.

Where a project in a constituency involves the purchase of equipment, such equipment is for the exclusive use of that constituency.

The Constituency Development Fund Committee and the Board are responsible for monitoring the implementation of projects and may designate a sub-committee, a ward committee or a project committee, the functions of monitoring an on-going projects and submit a report on the on-going projects to the ward administrator and sub-county administrator, and the County Projects Committee.

All fixed and movable assets, including equipment bought under this Act for use by the Constituency Development Fund Committee is the property of the Board to be insured in the name of the Board.

No asset or equipment acquired can be disposed of without the prior approval of the Board.

Any proceeds that may accrue from the disposal of any asset is to be credited to the account of the constituency

All works and services relating to projects under this Act are to be procured in accordance with the provisions of the Public Procurement and Disposals Act 2005.

County projects committee

A County Projects Committee is to be established in every County with the aim of coordinating the implementation of projects financed through the

Fund.

The County Projects Committee may, in the discharge of its functions under this Act, make official or impromptu visits to projects at such times, as it may deem appropriate.

The County Projects Committee comprises —

- (a) the Senator, the Members of Parliament from the County, the county women representative and the Governor;
- (b) the 'national government official at the county;
- (c) the Chairpersons of the Constituencies Development Fund Committees in that county
- (d) the officer in charge of the county treasury;
- (e) the officer in charge of county planning;
- (f) an officer of the Board seconded to the County Projects Committee who is an ex-officio and serve as the Secretary to the County Projects Committee.

The County Projects Committee elects a chairperson from amongst the members of the Committee who serves for a term of three years.

Meetings of the County Projects Committee are to be held at the county headquarters at least twice a year and not more than four times in every financial year including sub-committee meetings.

All County Project Committees existing prior to a parliamentary election continue in office until a new County Projects committee is constituted

The new County Projects Committees is to be constituted within sixty days of a new Parliament being inaugurated.

The Board allocates funds to County Projects Committee for administration purposes.

Finance and administration

Every constituency is to open an account at any commercial bank, approved by the Cabinet Secretary into which all funds are to be kept and such an account is to be known by the name of the constituency for which it is opened and each constituency maintains only one account.

At least three signatories are required for every cheque or instrument for actual payment or withdrawal of funds from a constituency account and at least one signature of an officer seconded by the Board and at least two signatures of two members of the Constituency Development Fund Committee.

The Fund account manager holds the authority to, incur expenditure of the funds at the constituency account.

Funds from the constituency account shall only be withdrawn as disbursements for a particular project.

Every payment or instruction for payment out of the constituency fund account is strictly on the basis of a minuted resolution of the Constituency Development

The Constituencies Development Fund has been enhanced under the new Act to include 2.5per cent of all the national government ordinary revenue collected in every financial year;

The fund is to be disbursed by the national government through the CDF Board as a grant to the Constituencies.

Youth in Kisii County irked by the composition of cabinet

By BOB OMBATI

YOUTH leaders from Kisii County want the County's Executive Committee reconstituted afresh to foster fair representation.

Led by the County's Youth Development Forum President, Dennis Orioki, they said they were not represented in the County's Executive Committee, saying none of the Committee members was a youth.

Orioki, who spoke at a Kisii hotel recently after chairing the forum's board meeting, alleged that qualified youth who applied for the jobs were not considered on the grounds of experience.

They said it was not possible for the youth to gain experience if they were not given a chance to serve, saying even those who were appointed worked elsewhere as youths and gained experience.

He urged Governor Ongwae to reconstitute the Committee and embrace youths, stating that it was ironical that the leaders harped on their plight during the campaigns only to ignore them during key appointments to the County Government.

The official, flanked by the Fo-

rum's Treasurer, Richard Ndege and Secretary, Justin Omwenga said all youth in county will sign agreements with the leaders and commit them to appoint them to various posts if they capture power to avoid being short changed.

Ongwae's cabinet, noted Orioki had members aged between 36 and 60, stressing that none of them ranked within the stipulated youth bracket as they had surpassed the youths constitutional threshold of 35 years.

The Governor appointed, Peris Bitutu, Administration, Corporate services and Stakeholder management, Vincent Sagwe, Agriculture, Livestock, Fisheries and Cooperative Development, Sarah Omache, Health Services, Skitter Mbugua, Energy, Water Environment and Natural Resources and John Omwoyo, Roads, Public Works Transport and Housing.

Other County Executive Committee members are; Ibrahim Omari, Trade and Industry, Marcela Otuke, Culture, Sports, Youth and Social Services, Moses onderi, Land, Physical Planning and urban Development, Kodek Omwancha, Education, Labour and Manpower Management and Samwel Kebati Osoro, Treasury

and Economic Planning.

During the launching of the County's Rapid Results Initiative (RRI) at Ufanisi hotel, Ongwae defended his cabinet, saying it comprised of highly qualified and experienced professionals who will steer the County to greater heights of development. He told the youth to stop complaining, noting that the County had many jobs and they will be absorbed once the County receives funds in July.

Youth with professional skills, stated Ongwae will be given relevant formal jobs while those without skills will be supported with loans and grants to start income generating activities to boost their standards of living, stressing it was not possible for the County to employ all the youth.

The Governor assured youths they will be given equal chances regardless of their political party affiliation, saying he was concerned more with quality services and not political parties, which, he termed as vehicles for helping leaders capture leadership.

He advised youths not to wait for white collar jobs but instead engage in income generating activities to eke a living and stop relying on their aging and impoverished parents as this

fuelled conflicts.

"The youth must learn to engage in meaningful activities and stop being selective. Take it up as you wait to be employed in the formal or private sector" Ongwae told The Link in his office.

The County's economy, noted could only be improved if youths were engaged in productive activities, saying the area was endowed with massive human and agricultural resources which were yet to be fully exploited.

Agro-based industries, asserted Ongwae would be set up in the area to process horticultural crops, create jobs and boost the incomes of the local people, whom, he noted were being exploited by middle men due to poverty and ignorance.

Middlemen, said Ongwae bought bananas, sugarcane and avocados from the area at throw away prices only to sell them expensively in other counties as the local farmers wallowed in abject poverty.

Farmers, noted the Governor will be assisted to form cooperative societies to enable them benefit from economies of scale, saying action will be taken against brokers who exploited farmers for their selfish interest.

Govt urged to halt pending evictions

By BEKADZO TONDO

THE National Land Commission has challenged the government to halt any plans to evict squatters residing in disputed areas across the country.

The commission chairman Dr. Mohamed Swazuri said the government had appointed a special task force to investigate the controversy surrounding community land ownership and should thus suspend any pending evictions until the task force completes its work.

Mr Swazuri said the Task force which is set to complete its work by the end of June this year has been mandated to come up with recommendations that will enrich final draft on Eviction and Squatter Resettlement bill.

The chairman warned of possible flare-ups if the police and the officers from the provincial administration proceed to execute the eviction orders granted by the judiciary. "The National Land Commission strongly feels that the government must be careful when executing court orders to evict squatters," warned Dr. Swazuri when he presided over a ceremony to open the refurbished land registry offices for Kilifi County.

The chairman who was accompanied by the Kilifi County governor Mr Amason Kingi said many Kenyans risk evictions across the country after land owners obtained eviction orders from the courts. He said Mombasa County was leading with 18 pending squatter eviction orders adding that other regions with similar problems include Kilifi and Laikipia counties.

Dr Swazuri said land remains very emotive in Coast region and unless the government comes up with clear policies to resolve the problem, then land related conflicts will persist. "Matters touching on land are very sensitive especially in the Coast region and the government and the judiciary should come up with clear guidelines on how to execute eviction orders without causing harm to anybody," said Dr Swazuri.

He said that while Kenyans have a right to own land anywhere in this country, it is against the rules of natural justice for well connected individuals to obtain court orders to evict squatters. He said it was inhuman for government officers or hired companies to storm disputed land to demolish houses at night and render thousands of Kenyans homeless.

The chairman said the special task force was given a mandate to collect information from Kenyans and investigate circumstances under which the squatters settled on the said land, how the people claiming ownership over the said acquired it and come up with a clear frame work of executing the orders.

The most recent eviction order from the Mombasa high court is that which seeks to evict thousands of squatters living in a parcel of land at Takungu allegedly owned by the Mazrui family which was issued by the end of last year.

But Dr Swazuri argues that such evictions could cause problems and thus the commission must hold talks with the government to come up with better ways of handling squatter eviction matters. Governor Kingi urged the commission to investigate and repossess all government land irregularly allocated to influential people in the county.

He said cited the land marked as the residence of Kilifi County Commissioner which he said had been grabbed by a private developer. He further cites the land belonging to the Ministry of Housing in Kilifi town which he claimed had been allocated to former cabinet minister.

"There are many cases of land grabbing in Kilifi county especially at the County headquarters and I want the National Land Commission to revoke the allocations and revert them to county government," said Mr Kingi.

By HENRY OWINO

ALTHOUGH the devolved systems of government were meant to bring services closer to the people, the new created county governments are faced with a myriad of teething problems.

Currently there have been lots of fights and disputes concerning the county leadership nominations. Most of the appointments are dominated by one ethnic group despite constitutional requirements that all appointments in the public sector must uphold regional and ethnic balance.

The National Cohesion and Integration Commission (NCIC) have criticized county governments for their skewed appointments. Mzalendo Kibunjia, the chairman, NCIC said the nominations and appointments failed to factor in the country's ethnic diversity. Kibunjia wondered why other minority communities living amongst the bigger ones have been ignored in the appointments yet they are part of the county. Kibunjia reacted angrily saying the move is deliberate to sideline other ethnic groups who might have migrated to those regions.

He said one of the things the Commission will do, is to move with speed to most affected counties to ensure that an element of inclusivity is upheld right from the beginning. The chairman also declared it as a campaign on nationhood. He explained this would help to conserve the counties on the national values that cut across all 47 counties, as well as helping them develop their respective ethnic policy.

The Constitution allows Kenyan citizen to live in any part of the country and be treated with respect without being discriminated on the basis of race, religion, creed, tribe or gender. However, it is this discrimination based on ethnicity that has derailed developments of the counties.

"Kenyans have integrated themselves and migrated from one region to another through inter-marriages, professional activities, and adventure. In those places, they have settled and lived for years despite the fact they are native speakers of that particular community," Kibunjia said.

"How would you neglect some-

Ethnicity threatens to derail County governments



Mzalendo Kibunjia, chairman NCIC wondering why ethnicity taking toll in county governments.
Photo/Henry Owino

body from Kuria community living in Migori county and other ethnic communities? Kibunjia asked. Gone is the era when people used to be identified or recognized by regions/provinces they come from. Today the constitution is very clear and you can live in any part of the country as long as you are a Kenyan citizen," he emphasized.

According to NCIC chairman, Mzalendo Kibunjia, any persons who reside in a particular county, is a member of that county and should be nominated, appointed for posts and involved in decision making. He said if

people are going to look at their tribes then some counties would not develop but have persisted wrangles.

Commission is now planning to involve elders who are believed to be experienced in their counties to help them resolve the matter. The elders are going to be basically advisers to the commission. Members of the CORD coalition party have also come out sharply and criticized the allocations of county funds. Led by leader of Minority in the Senate House, Jakoyo Midiwo, they claimed the distribution of the money did not meet specifications required by law. Jakoyo said he

will move the matter to Senate to be debated upon and be explained to why some counties received more money than others yet have equal challenges.

"There is a plot to kill devolved system of government in this country. We are not going to accept this to happen at whatever cost. Kenyans wanted it, voted for it and now some few individuals are fighting for its death! No way, this is a new dispensation with new ideologies," Jakoyo emphasized.

Only time would tell if the county governments will ever materialize and the Kenyans 40 plus million realize their dream.

Row over CDF, an unnecessary distraction from Devolution

By MALACHI MOTANO

THE purpose of fresh legislation or even revising existing laws is to make it more relevant, avoid unnecessary conflict, put a stopper on leakage of public funds, and allowing for all actors to operate under one set of laws and parameters.

Anything short of this is equivalent to throwing the citizenry under the bus and disrespecting their right to a better life. Citizens, therefore leave it to experts and/or elected members of the National Assembly or constitutional commissions. That is not a licence to try new things and experiment with the lives of taxpayers. Remember, amateurs built Noah's Ark, while experts built the Titanic.

This reasoning is what will inform

our fair comment on the row over the Constituency Development Fund, pitting MPs against governors, the Constitution Implementation Commission, (CIC) and Kenyans at large. The CDF was a central government's way of decentralising financial resources to the grassroots so that the public could have a direct input into what constituted priorities in development. Hailed as historic and practical, it has been the focus of study by other countries that seek to replicate it or borrow from the model.

Sadly, one audit after another indicates that MPs used it to settle scores with political foes, and used it as a slush fund to reward family and cronies. However, where the fund was properly used, peoples' lives were revolutionised, lending further support for a devolved system of govern-

ment.

And now that Kenya has successfully adopted the desired devolved governance structure, it is disheartening that a few new legislators and some carryovers from the Tenth Parliament want to amend the CDF Act to allow themselves greater control over the CDF. But, like the CIC argued in a full page advertorial, this would be unconstitutional, a betrayal of the reasoning behind devolution. It would negate the need for county CEOs in the name of governors who are meant to handle the day-to-day affairs of their counties.

Devolution did not envisage legislators circumventing the county planning and budgeting teams, thereby duplicating roles and wasting the precious little development funds availed to counties.

The clamour to increase the amount allotted to the CDF was meant to spur economic growth and social development in readiness with the bigger role counties shall have in determining their developmental priorities. It is now emerging that proponents of the CDF Act 2013 were preparing the way for their return to office as county chiefs to manage this poorly-policed cash cow.

However, greater vigilance afforded by the new political dispensation has left most functions and positions of authority operating in full public glare like goldfish as they stand to be surcharged. Of course governors will be happy to see MPs' attempt to encroach on their turf defeated and this could be the beginning of the Senate's moment to shine as they ensure some laws are stopped in their tracks even

before the ink has dried.

It would be tragic to see the negative traits of unashamed raiding of the county treasury, meaning Kenyans will just have devolved all the negative traits of the old order.

As the President promised in his address to Parliament: "Mechanisms for resolving the minor administrative challenges are already in place because my Government is committed to devolution in full."

The Head of State and the CIC must, therefore, ensure unscrupulous characters and spurious legislation do not derail the national agenda for the greater good that the supreme law promises.

Kilifi County faces an acute shortage of medical personnel

By BEKADZO TONDO

GOVERNMENT plans to recruit trained nurses in Kilifi County under the Economic Stimulus Project hit a snag after it emerged that the County could not raise the required number of qualified staff.

The District Medical Officer of Health Dr. David Mulewa said the recruitment exercise failed to address the shortages as the number of applicants was far below the number approved under the project. He said that local health facilities are still grappling with shortages and require about 200 nurses to bridge the gap.

"Health facilities in Ganze and Bahari districts of Kilifi County have to content with the shortage as the current figure of 92 nurses translates to about 45 percent of the total number of required nurses," said Dr. Mulewa.

Dr. Mulewa said this is despite an approval by the Ministry of Health to recruit 20 qualified nurses in each constituency. "The Ministry of Health through the Economic Stimulus Program had allowed us to recruit at least 20 nurses in each constituency to address the acute shortage of nurses facing most health facilities but we have been unable to fill in the vacancies as there are qualified nurses in the County," said Dr. Mulewa.

According to the MOH, all the slots had been reserved for the local people in a bid to ensure that government positions are shared equitably.

Dr. Mulewa who is in charge of Bahari and Ganze districts however said that they had received very few applications at the end of the exercise and thus were unable to fill the positions. The MOH said Ganze Constituency was the most affected and had the least number of qualified personnel. "Only seven people had applied for the positions by the time the recruitment came to a close, leaving a gap of 15 slots," he explained.

He said Bahari constituency managed to meet the required number of 20 applicants and urged leaders in Ganze to assist his office to get the required people. The MOH spoke as Ganze MP Mr Peter Shehe pledged to use the CDF monies to enrol students from the area in medical training colleges. Mr Shehe said it was unfortunate that employment slots earmarked for the residents cannot be filled for lacked of trained personnel.

"I am requesting the Ministry of Health to reserve the slots to enable locals who qualify for the positions to re-apply," said the MP.

Mr. Shehe said education will receive priority during his five year political term to ensure the area produces qualified people to manage their own affairs as stipulated in the devolved governments.

Govt urged to manage waste water menace

By HENRY OWINO

AS the Government grapples with the challenges of supplying clean and safe drinking water, waste water management which mainly emanates from homes, commercial farms and industries remains a major problem.

Waste water is supposed to be treated before it flows into the rivers, lakes, oceans and seas but inadequate treatment facilities means that it is mostly released in a raw and pungent form. Population growth is exerting sources of water, some of which are getting depleted due to land degradation and climate change. This means that waste water should be recycled in order to maximize on water resources for reuse.

"Waste water is a resource of increasing global importance because of its growing volumes," says Dr. Birguy Lamizana of the United Nations Environment Programme (UNEP). "Meeting the waste water challenge, is no longer a luxury but a prudent and practical step in boosting public health, securing the sustainability of resources and triggering employment in better, more intelligent water management," she adds.

Faced with difficult economic situations and climatic conditions, the urban poor are already recycling waste water. This is not treated but used raw for agricultural activities in the city farms. Today 10 per cent of the world's population depends on food grown with waste water. At least 20 million hectares in 50 countries is irrigated with waste water. Research shows that the poor living in cities use waste water to grow crops for sale and therefore earn a living.

Unlike fresh water, which can be scarce and expensive, wastewater is free and readily available. Waste water enables farmers to grow crops throughout the year regardless of the season. More importantly, farmers who use waste water do not require fertilizer because the water has more than adequate nutrients. In fact crops grown this type of water, are ever green and fresh attracting ready market from city residents especially from slum areas.

In the slums of Nairobi, urban farming with waste water is a major source of employment for the poor. Not only does it provide an economic lifeline, but it is a significant source of food for the city dwellers. Surveys have shown that some of the food grown with waste water ends up in the more upscale parts of the city.

For instance, Kibera, Langata, Highrise, Woodly, Jamhuri, Kawangware, Mathare, Korokocho, Kariobangi, Huruma, Kangemi among other estates in Nairobi. Crops mostly grown and fetch good money are; yams, kales, sweet potatoes, onions, tomatoes



Harvested yams grown on waste water farm in Nairobi Dam.

Photo/Henry Owino

and bananas.

While it is relatively easy to remove disease causing organisms from waste water, it is difficult and expensive to remove toxic chemical substances. Research done by Prof James Kaluli of Jomo Kenyatta University and Technology (JKUAT) found high levels of heavy metals in a sample of vegetables grown with waste water.

The heavy metals included mercury, cadmium, lead, chromium and nickel. It is believed that these toxic elements come from industrial effluent. When ingested by humans, heavy metals accumulate in the body and can trigger disease. Children exposed to heavy metals are at much higher risk. Lead, for instance, slows down brain development.

Handling of waste water can lead to skin infections. Prof Kaluli's research in Nairobi found that almost 60 per cent of farmers using waste water for irrigation are aware of the health risks but lack the money to buy gloves, overcoats and other protective clothing.

For waste water to be recycled safely, it must be treated to remove germs and harmful chemicals. In Africa, that

brings up challenges of infrastructural availability and inadequate regulation. In Kenya, for instance, majority of towns lack a sewer system, and therefore do not have a waste water treatment facility. Households and businesses rely on septic tanks, which must be emptied using exhaustor trucks.

Even in the few towns that have a waste water treatment facility, certain problems exist as explained by Catherine Mbaisi of National Environment Management Authority (NEMA). "Sewage treatment facilities are very old and cannot cope with the increasing load. Some treatment works are poorly managed and most do not receive adequate funding," explains Mbaisi. In addition, farmers have been known to vandalise waste water infrastructure so as to get water for irrigation.

However, Wafula Nabutola, a water expert in Nairobi refuses to accept that lack of funding contributes to the dire state of waste water treatment in Kenya, instead attributing the problem to poor management.

"Every user connected to the water system pays for water and sewerage

services, and it should therefore be easy to raise money. If not, County Councils should seek money from National Government or from banks," says Nabutola.

Regulation on waste water is poorly enforced, that explains why waste water irrigation has become so prevalent. In some cases, the law does not specify what quantity of pollutants can be regarded as safe or harmful. Such gaps need to be addressed before waste water recycling is institutionalised.

"Large areas of sub-Saharan Africa are going to experience water shortages in coming decades. It is inevitable that there is fresh attention on the growing volumes of waste water and how it can be used. Urban waste water is valuable resource, but it must be treated and regulated," says Dr. Birguy Lamizana of UNEP.

To overcome the challenges posed by the lack of finances, Dr. Lamizana recommends for innovative financing of appropriate waste water infrastructure. National plans on waste water must have a long term outlook, while investment must be, "targeted and sustained".

Touts and drivers in Nyeri trained on customer care

By JOSEPH MUKUBWA

OVER 100 touts and drivers from Nyeri County have been trained on how to carefully handle women wearing miniskirts instead of stripping them naked.

The matatu operators were trained at a Nyeri hotel recently under the campaign against undressing women in bus terminus dubbed "Strip Me Not Campaign."

During the training, a group named The African Women's Development and Communication Network (FEMNET) lamented that cases of undressing women in Nyeri and Kikuyu towns have increased targeting women who are dressed in miniskirts.

"This is a clear indication that women are increasingly becoming vulnerable in public places. People want to control their life including the personal choice of clothing and any other right," said Kennedy Odhiambo who is the Femnet programme associate of the Men to Men Network.

Odhiambo therefore said there is need to empower members of the public operating in the bus terminus to take action to curb these vices.

Femnet therefore spearheaded the inter-gender dialogue to help men and women to openly discuss salient issues on sexual and gender based violence with the aim of preventing and mobilizing community action to stop the vice.

Okwallo Martins of Masculinity Institute said the main aim of the training was to mobilize touts to be active protectors of women dignity as their

worth clients.

A student leader Wambui Ngige said the touts and drivers trained are capable of recruiting more to be champions and join the campaign end violence against women.

"No one has a right to strip naked

any woman since it is her constitutional right to dress the way she wants. We also urge our leaders to talk about this issue openly and publicly and discourage such matters," said Ngige.

However, touts who spoke urged the women to try and dress decently

all the times.

Most men have since joined the group to ensure that the rights of women are protected.

The bystanders who also watch as the drama unfolds have also been urged to protect the rights of women.



A participant making contribution during the training at a Nyeri hotel recently. Photo/Joseph Mukubwa

Kwale County launches a tree planting exercise

By BRIGHTON KAZUNGU

KWALE County is set for a major reforestation programme to be implemented under a five-year special supervision initiative in the area.

The project is a joint initiative by World Wide Fund, Kenya Forests Service (KFS) and Kenya Marine and Fisheries Research Institute in Msambweni District and will entail the afforestation and prevention of destruction of forest cover.

The project aims at conserving the unique ecosystem in Kwale including the 600 hectares of Gogoni Terrestrial Forest and the 700 hectares Gazi Mangrove Forest.

KFS deputy director Emilio Mugo, who spoke during the launch of the programme at Makongeni Primary School recently, said the project was part of joint efforts to save the country's forests.

"The plan will aid in proper management of the forests in Kwale and the Coast region, which have remained vulnerable to human activities," he said.

He said fires posed biggest challenge to forest conservation in the region, adding that the burning of farms during planting season often causes infernos.

"KFS will provide an all terrain vehicle to help fight forest fires in the area," he added.

He said he would also push for commercialization of tree farming and the public to assist in the attainment of the 10 per cent tree cover target.

"We must practice good forest management and lay down strategies that will see us become a world class forest management and conservation country. It all starts with you and me," Mugo told residents.

KFS has already announced it intends to plant 10.5 million tree seedlings in the Coast region starting this year.

WWF Kenya Country Conservation manager Sam Weru said local communities must be involved if the country is to succeed in forest and resource management.

Court initiates plans to rescue Bungoma street children

By AGGREY BUCHUNJU

BUNGOMA Court users committee has formed a sub-committee to address the plight of street children in Bungoma town and other urban centers within the County.

The sub-committee chaired by Bungoma County Labour officer is tasked with a burden of establishing the urchins' degree of indiscipline and background through interviews and interrogation.

Other members of the sub-committee include the Bungoma County Children's Court magistrate, Bungoma County Children's officer, Officer Commanding Police Division (OCPD) Bungoma south district, Town clerk and a representative of Civil Society Organizations (CSOs) operating in Bungoma County.

The CSO representative on the sub-committee Mr. Martin Wanyonyi said that the team with the assistance of security officers will be rounding-up the street children on Thursdays every week.

After interviews and interrogations, Wanyonyi added that the team will take the rounded-up-street children to the children's court to obtain orders and directions.

"Those found to be manageable will be taken to rehabilitation centres or children's homes while those deemed to be unmanageable will be enrolled in approved schools," the CSO representative says.

The exercise which is set to start in June will reportedly continue until the street children are cleared out from towns within the County.

Rounding up the street children and arraigning them in the children's court to seek orders and direction is however the sub-committees short term solution.

The sub-committee's long term solution is to get land for construction of Bungoma County children rehabilitation centre to cater for the ever increasing number of street children.

Already land around Namasanda dam has been identified and it is now upon the sub-committee to prevail upon Bungoma County Governor, Kenneth Lusaka to liaise with Bungoma municipal council so as to facilitate the construction process.

Mushrooming of street children is increasingly becoming a thorny issue not only in Bungoma County but also in other counties across the country.

Members of the street children family are in most cases violent, unruly, pickpockets and hence pose a threat to town goers leave alone the business community.

Confining them in rehabilitation centres/children's homes and enrolling them in approved schools is timely and in line with the constitution of Kenya, 2010.

Article 53(1) b, c and d of the constitution of Kenya, 2010 states respectively that every child has a right to:

- free and compulsory basic education

- basic nutrition, shelter and health care

- be protected from abuse, neglect, harmful cultural practices, all forms of violence, inhuman treatment and punishment and hazardous or exploitative labour.

The plan by court users committee to remove these children from the town streets and take them to rehabilitation centres/children's homes is, however not the first attempt.

About a decade ago, Bishop Andrew Wafula of New Covenant Church removed them from Bungoma town streets and took them to Luuya Children's home.

However, within a month about three quarters of them had sneaked out and went back to the streets.

According to Bishop Wafula, the street children do not like staying in one place even if they are provided with food and other basics.

"They like moving from one point to the other doing their own things," the bishop adds.

By JOSEPH MUKUBWA

THE 2NK Matatu Sacco has introduced tracking gadgets to monitor speed in their fleet of vehicles to help minimize the rising cases of road accidents.

According to the Sacco chairman James Kahiro, the devices will ensure that drivers stick to the prescribed limit to help reduce road accidents.

He said the purpose of the devices is to ease the overall management of the vehicles for the members, saving on cost and time.

The devices which have been fitted by two national companies since the beginning of this year can help to track the vehicle within the country and outside the country.

"The immediate goal is to have sanity restored on our roads through monitoring speed and ensuring that our drivers stick to the prescribed limit, hence reducing road accidents. We want to prioritize the road safety measures," he added.

Speaking during the 19th annual general meeting held at PCEA Nyamachaki, Nyeri town recently, the chairman said the Sacco has also acquired a big screen which helps to monitor the vehicles.

He therefore urged all the 500 members to ensure all their vehicles are fitted with the device to enable the Sacco move at the same pace.

"There has been a big change and accidents have reduced tremendously. We want to bring down the number of road accidents to zero," he added.

Meanwhile, the AGM resolved that Ksh 14.7 million be paid as dividends to members which is a great improvement from the year 2011 with Ksh 6.5 million dividend payments.

"We have also reviewed the nor-

Sacco introduces speed tracking devices

mal loan upper ceiling from Ksh 1.5 m to Ksh 2 million and for the emergency loan from Ksh 100,000 to Ksh 150,000 which indeed is an indication of positive growth," he added.

On the new county government, the Sacco urged the government to ensure all matatu terminus are fitted with light to ease their work especially for the night travelers.

Kahiro also urged the government to improve rural roads since the motorists have been spending most of their profits in repairing of vehicles due to bad roads.



2NK Matatu Sacco members follow proceedings during the 19th annual general meeting held at PCEA Nyamachaki, Nyeri town recently. Photo/Joseph Mukubwa

Port project awaits funds from the County Govt

By BRIGHTON KAZUNGU

PLANS to transform Mombasa port into a free port will proceed once the county government allocates Ksh.1 billion towards the project.

Local and national leaders have over the years pledged to transform the facility into a free port but this never happened.

But Governor Ali Hassan Joho has, in his Kshs.33.9 billion budget estimates for the 2013/2014 financial year, allocated Kshs.1 billion to buy land for the development of the free port.

"My county has earmarked Kshs.1 billion to purchase land and for the construction of the facilities so that we can be able to realize the dream of having a free port," he said.

"The project will boost trade and new investments in Mombasa and help economic growth and creation of jobs for our people," he added.

He said tourist arrivals in the coastal town would also be boosted.

The governor said the county would work with the national government to speed up the transformation of the port.

A free port is an area that offers relaxed customs duties and controls. It is located near a port.

Mvita MP Abdulswamad Shariff commented the county bosses for setting aside funds for the project.

Mr. Shariff said the free port would transform Mombasa into a commercial hub.

He noted that leading car-makers and manufacturers of electronic gadgets and textile products from across the world would send their cargo to Mombasa for sale.

He noted that the facility would enable Kenyan traders save a lot of money they normally spend on travel to and accommodation in Dubai to buy free port commodities.

"Lots of Kenyans travel to Dubai to buy various kinds of goods, including vehicles, because of the free port trade in the United Arab Emirates," he said.

"If Mombasa port becomes a free port, local traders will save a lot of money. Our port will be able to attract traders from across the continent."

Rehabilitation of rural access roads tops the agenda in Busia County

By NYAKWAR ODAWO

BUSIA County government plans to set aside funds during this financial year to facilitate the buying of at least seven graders that will be used to rehabilitate all rural access roads in the county which are currently in bad shape.

The Governor and former Amagoro Member of Parliament Sospeter Odeke Ojaamong who presided over the official opening of the county's first assembly said that the county will buy seven graders to repair rural access roads.

The governor said that agriculture is the major economic mainstay in the County and thus the need to improve all rural access roads to ease the transportation of food crops to the market.

"Agriculture being the major activity in Busia, a part from the cross border trade, we as Busia County leaders shall allocate funds to buy seven graders to rehabilitate all our rural access roads," said the governor.

He urged all elected leaders in the county to encourage the residents within their respective areas to engage in active farming to so as to enable the county produce adequate maize and other food crops instead of depending on maize from a neighbouring country.

"Busia has rich agricultural land which if well utilized can produce enough maize or any other crop, but it is sad to note that majority of people have opted to engage solely on the lucrative cross border trade at the expense of agriculture, hence forcing us

to source maize from a neighbouring country at a very high price," lamented Ojaamong.

He appealed to the department of agriculture to post more field officers at the grassroots level to sensitize and empower local farmers so that they can be able to engage in active agriculture through the provision of farm inputs which includes certified quality seeds and fertilizers among others.

"The department of agriculture has a major role to play as far as the promotion of agriculture is concerned. The department should deploy more field officers on the ground to work closely with the farmers to ensure they produce quality food crops," he said.

Nambale Township County representative Geoffrey Odongo, a former Busia branch Knut executive secretary, on his part called for the immediate revival of the collapsed Nambale cotton ginnery which he noted had transformed the lives of the local community.

"The residents of Nambale are remembering the collapsed cotton ginnery with nostalgia. The cotton ginnery had effectively transformed the lives of the local community during its heyday as scores of farmers in the locality had been encouraged to engage in active farming," said Odongo.

He cited other cotton ginneries like Mulwanda which he noted had also collapsed due to failure on the part of the department of agriculture to work closely with the farmers through the provision of the necessary expertise to keep them afloat.

Meanwhile, Busia County speaker Bernard Wamalwa has called upon all the revenue collectors in Busia to redouble their effort and ensure they gather more revenue from traders in order to improve service delivery.

Wamalwa who was addressing the stakeholders during a one day sensitization forum held at a Busia hotel recently said that he will seek to uphold the rule of law.

"We shall implement the County Assembly Act and ensure the same is followed to the letter and in line with the constitution. We shall also visit every ward to enable residents participate in project identification and prioritization process," said the speaker.

The County Speaker at the same time assured residents that plans have been put in place to scale up devolution training of local leaders, youth groups and the civil society organizations so that they can be able to monitor the performance of the county government.

"We shall also build the capacity of county assembly representatives so that members of the public can be enlightened on the operations of the government," he added.

"Busia County has a lot of natural and human resources that if properly tapped will go a long way in transforming the lives of the people. But it is surprising to note that majority of the residents have opted to engage in the lucrative cross border trade at the expense of farming," said Wamalwa, adding that out of every ten people, seven are poor. He at the same time expressed concern saying that out of

every ten children below the age of ten, five are mentally retarded.

On the utilization of the project funds, Wamalwa said that the county leaders have already laid down a strategy that would ensure effective procedures are put in place to ensure the taxpayers money is spent in a transparent and accountable manner by those charged with the responsibility.

On garbage collection, the county speaker said a portion of the county's budget will be set aside for the purchase of an additional tractor to facilitate effective garbage collection hence keeping the environment clean.

"A part from effective garbage collection, the county will also set aside part of its budget to facilitate the buying of a spacious dump-site, provision of street lighting, rehabilitation of all rural access roads, clean drinking water, opening of blocked sewerage and a modern town planning system among others.

Burumba ward county representative Tony Onyango Opondo underscored the need for the establishment of police patrol bases at the ward level in order to protect the local residents from persistent attacks by armed goons who he noted had killed scores of innocent people.

"Security is paramount. Therefore I am appealing to the county government to consider setting aside part of its budget to facilitate the establishment of police patrol bases at every civic ward to ensure there is adequate security," said the county representative, adding that insecurity was likely to send investors away.

Asian countries benefit from the booming textile industry

By JOHN NYAMBUNE

KENYA'S textile industry has registered remarkable growth with exports to the US market ranking to the tune of Ksh.16.6 billion.

However, the raw materials are mainly imported from Asian countries and thus a huge chunk of the money ends up in Asia.

African Cotton and Textile Industries Federation executive director Rajeev Arora said a lot of money is given to the Asian countries while it is

possible to produce the fabrics locally. "If we can wholly produce garment here and export direct to the American market, then we will create employment at the same time hasten its reach in the markets," said Mr. Arora.

He said it takes between 90 to 120 days to import fabric from China, products that can be supplied within 15 days if produced in the country.

Arora called on the Government to improve the cotton industry and help save the amounts used in importing

garments for uniformed institutions like the army and police force.

The private sector, government and foreign investors are in talks on the possibility of reviving textile firms like Kisumu Cotton Millers (Kicomi) as well as exploring other avenues.

"We would like the government to encourage farmers to once again give a try to cotton farming," he said, adding: "Ours is to ensure we provide a market linkage between the producers and international and regional markets," he said.

He also urged Kenyans to be steadfast in ensuring other products not related to cotton like leather, vegetables are also imported through African Growth and Opportunity Act (Agoa). "The country currently exports nearly 30 product lines out of the 6400 eligible under Agoa," he said.

He said they have launched a countrywide outreach programme to enable Kenyans take advantage of Agoa. "We are trying to demystify the thought that Agoa is only fabric oriented because, people can export

products like fish, farm produces so long as there is value addition," he said.

He said barriers that have been affecting issue of duties associated with trade in the US like duty levies have been removed so long as the products are wholly manufactured in the country.

Agoa is a trade provision by the US government that offers tangible incentives for African countries to continue their efforts to open their economies and create free markets.

By LINK CORRESPONDENT

WHEREAS, the Constitution clearly demarcates the functions of the national and the County governments, the following functions of the County government are fundamental:

(a) County planning and development
(b) Ensuring and coordinating the participation of communities and locations in governance at the local level and assisting communities and locations to develop the administrative capacity for the effective exercise of the functions and powers and participation in governance at the local level.

The Constitution establishes the County Executive Committee as the executive authority in the County government.

Article 179 (1) of the Constitution states that the executive authority of the County is vested in, and exercised by a County executive committee.

The Constitution further acknowledges the principle of separation of powers between the executive and legislative arms of the County government.

Article 185 (1) states that the legislative authority of a County is vested in, and exercised by, its County assembly;

Article 185 (2) A County assembly may make any laws that are necessary for, or incidental to, the effective performance of the functions and exercise of the powers of the County government under the Fourth Schedule;

Article 185 (3) A County assembly, while respecting the principle of the separation of powers, may exercise oversight over the County executive committee and any other County executive organs.

Fiscal Transfers (Conditional and Unconditional) to County Governments:

Whereas, the CDF Act, 2013 purports to establish a national grant as provided under Article 202(2), County Governments may be given additional allocations from the national government's share of the revenue, either conditionally or unconditionally.

The CDF Act is thus highly touted as unconstitutional on several grounds which include

(i) The Act disrespects the functional distinctness of County Governments

Article 189(1) of the constitution provides that **Government at either level shall perform its functions and exercise its powers in a manner that respects the functional and institutional integrity of government at the other level and respects the constitutional status and institutions of government at the other level and in the case of county governments within the county level.**

The fourth Schedule of the Constitution clearly demarcates the functions of the national and the County governments, for instance;

- labattoirs, county transport, markets, county public works and services.
- County planning and development
- Ensuring and coordinating the participation of communities and locations in governance at the local level and assisting communities and locations to de-

Gaps in the CDF Act 2013



A section of the road under construction.

Photo/File

velop the administrative capacity for the effective exercise of the functions and powers and participation in governance at the local level.

The Act disrespects the functional distinctness of County governments on several grounds including:

a. The CDF Act provides a framework for the assignment of funds to implement development programmes in the counties without regard to the constitutional distribution of functions between national and county governments.

CDF Act 2013 Section 3 provides that a specific portion of the national annual budget is devoted to the constituencies for purposes of infrastructural development, wealth creation and in the fight against poverty at the constituency level.

b. Types of projects

The CDF Act, 2013 states that the projects to be implemented should be community based; CDF funds projects that fall within the functional jurisdiction of county governments. **CDF section 22(1) projects under this Act shall be community based in order to ensure that the prospective benefits are available to a widespread cross section of inhabitants of a particular area.**

c. Establishment of development committees for execution of county functions

The CDF Act, 2013 purports to assign national government and the members of the National Assembly the responsibility of mobilizing the community for purposes of establishing executive units at the sub County level without regard to the separation of powers of different arms of government and the distinctiveness of the levels of government. **CDF 24(3-a) within forty-five days of being sworn in, each Member of Par-**

liament for a particular constituency shall convene open public meetings of registered voters in each of the elective wards in the constituency to establish ward and constituency level development committees. County government functions cannot be performed by an institution under the National government unless under provision contemplated in Article 187 and 189 of the Constitution.

(ii) Disrespects Article 202(2) on sharing of revenue

a. Ordinary revenue vs. National government revenue

CDF Act Section 4(1-a) states that the CDF shall be a national fund of moneys of an amount not less than 2.5percent of all national government ordinary revenue; this provision is unconstitutional as Article 202 (2) of the Constitution is clear on the fact that the monies for the conditional funds (CDF) will be sourced from the National government's allocation of revenue. **County Governments may be given additional allocations from the national government's share of the revenue, either conditionally or unconditionally';**

b. County vs. Constituency

CDF Act Sec. 4(1) (c) provides that CDF shall be disbursed by the national government through the Board to **constituencies** as a GRANT to be channeled to the constituencies in the manner provided for under the Act.

This contradicts the constitutional provision in Article 202(2), by stating that the national government disburses monies to the **constituencies** and not to the **counties**. The Constitution establishes government at only 2 levels national and county (Article 1(4)). The constitution is very clear that **County governments** may be given additional alloca-

tions from the national government's share of the revenue, either conditionally or unconditionally. It is therefore unconstitutional to allocate funds to the sub county level.

(iii) MP's and Senators involvement in the implementation of projects through the County Project Committee violates the principles of separation of powers:

The CDF Act, 2013, Section 36,37 38 and 39 unconstitutionally provides for a leaders meeting called 'County Projects Committee' to undertake functions assigned to the county government and in contravention of the purpose for which different elected offices are created. MPs and Senators should restrict their roles to oversight over the use of public funds

5. Inconsistencies in the CDF Act

(i) County Planning Framework:

The CDF purports to undertake the planning function for identification of CDF projects through its own institutions the ward development committees, Constituency Development Committees and the County Projects Committee. (CDF sections 21, 22,23,and 24).

Both the County Government Act, 2012 and the Public Finance Management (PFM) Act, 2012 create elaborate mechanisms for planning and funding of all county development projects. Under Section 126 of the PFM Act it is anticipated that all projects within the county will accord with the approved development plan approved by the County Assembly. The planning process provided for under the CDF Act runs counter to this process and can lead to duplication of projects and consequent misuse and misapplication of public resources.

The County Government Act, 2012 provides among other things an elaborate framework for the County to un-

dertake the function of County Planning and Development as provided for in the Constitution.

Article 104 (1) of the County Government Act, 2012 states that a County government shall plan for the County and no public funds shall be appropriated outside a planning framework developed by the County executive committee and approved by the County assembly;

Article 104 (3) The County government shall designate County departments, cities and urban areas, sub-counties and Wards as planning authorities of the County;

Article 104 (5) County plans shall be binding on all sub-County units for developmental activities within a County.

The County Government Act, 2012 provides for the County to establish planning units.

Article - 105 (1) states that a County planning unit shall be responsible for—

- (a)Coordinating integrated development planning within the County;
- (b) Ensuring integrated planning within the County;
- (c) Ensuring linkages between County plans and the national planning framework; and
- (d) Ensuring meaningful engagement of citizens in the planning process;
- (e) Ensuring the collection, collation, storage and updating of data and information suitable for the planning process;

The County Government Act, 2012 provides for the link between planning and funding of development activities in the County that respects the constitutional assignment of functions.

Article 107 (2) The County plans shall be the basis for all budgeting and spending in a County.

(ii) Emergency reserve

The CDF emergency reserve duplicates the role of the County Emergency Fund. **Section 12 of the CDF Act, 2013 provides**

(1) A portion of the Fund, equivalent to five percent shall remain unallocated and shall be available for emergencies that may occur within the Constituency.

(2) The Constituency Development Fund Committee shall determine the allocation of the emergency reserve in accordance with the Act.

Sections 110 and 111 of the PFM Act, 2012 establish the County Emergency Fund (CEC): CEC may with the approval of county assembly establish an emergency fund for county governments which shall be administered by the CEC member for finance.

We recommend Parliament to expeditiously review the CDF Act, 2013 to comply with the Constitution failure to which CDF may be scrapped entirely and deny counties a valuable source of development revenue.

Compiled by the Institute for Social Accountability

Lack of public land stalls development in Kilifi County

By BEKADZO TONDO

DEVELOPMENT plans in Kilifi County are likely to be derailed due to lack of public utility land in the area.

The County Governor Amason Kingi says that most of the land in the area was privately owned and thus likely to slow the pace of development in the County.

"The County Government is constrained in terms of accessing land within the urban centers of Kilifi county like Mtwapa, Mariakani, Mazeras, Kaloleni, Kilifi, Watamu and Malindi as most of the land is privately owned," said Mr Kingi.

The governor at the same time warned potential land buyers to be on the lookout and avoid buying land from private developers who might have acquired the land irregularly.

He said most private developers in Kilifi County were hurriedly disposing off land and warned buyers that they stand to lose as such land will soon be repossessed by the county government.

Mr Kingi said he will constitute a special team which will be in charge of collecting data from the government. "The team will also be able to identify all land irregularly allocated to private developers and recommend for its repossession.

He said irregular land deals are rampant in Mtwapa, Kilifi and Malindi adding that such land will revert back to the county once investigations prove that they were illegally acquired.

"It is shocking to see that people who irregularly acquired government and public utility land in Kilifi



Mr. Amason Kingi, Governor of Kilifi County.

are now sub diving the same land and selling it to unsuspecting individuals and my government is very much keen to ensure that the land reverts to the county government," said Mr Kingi.

Speaking at his office in Kilifi town, Kingi said his government will rid the town of traffic snarl ups at the mariakani Weigh Bridge.

He said that plans are underway to establish a parking bay for long distance trucks to ease traffic jams at the Mariakani weighbridge.

The County governor said the trucks cause huge traffic snarl-ups at the Mariakani area along the Mombasa Nairobi highway as they queue at the weighbridge.

"The huge traffic jam at Mariakani weighbridge along the Mombasa-Nairobi highway has become a

subject of concern which must be addressed immediately," said Mr Kingi.

He said the proposed parking bay for trucks at Mariakani will not only address the traffic jams but also enable the county government an opportunity to earn some revenue.

The governor said his government will approach the Kenya Agriculture Research Institute (KARI) to donate part of its land at Mariakani to help establish the parking bay.

Meanwhile, the Kenya Forest Service targets to plant over 100,000 trees seedlings to restore the degraded forest cover in gazetted forest zones in Kilifi county.

Sub county forest officer in charge of Bahari, Kaloleni, Rabai and Ganze districts Mr Nasib Mwamutsi said their office was targeting to plant

116,000 tree seedlings in 116 hectares of degraded forest areas.

Mr Mwamutsi who spoke to The Link in his office said they have identified areas to be reclaimed within the famous Arabuko-Sokoke forest.

The officer said other sites identified for replanting include the sacred Kaya forests and other gazetted forest zones. "The Kenya Forest Service in Kilifi county aims at planting over 100,000 tree seedlings to restore the degraded forest areas," said Mr Mwamutsi.

Mr Mwamutsi said human encroachment, illegal logging and cultivation had caused big damage to the forest cover. He said the over reliance on forest resources by human beings had undermined the protection and conservation of the gazetted forest

cover.

The officer named Kaya Chonyi, Kaya Jibana and Kambe as the worst hit areas by the forest destruction through human encroachment.

"As an office in charge of protection and conservation of forest cover in Kilifi County, we are faced with the challenge of controlling residents who entirely depend on the forest resources for their livelihood," said Mr Mwamutsi. He said though his office has powers to arrest and prosecute those who illegally encroach in gazetted forest areas, it is not easy and the people encroach on the land at night.

The forest conservation official said they will also rehabilitate degraded areas like the abandoned quarries.

He said most investors who engage in coral cutting and sand harvesting fail to rehabilitate the sites despite existing laws which bind them into the rehabilitation of the sites.

He said his office will liaise with National Environment Management Authority (NEMA) to prosecute individuals who deplete the environment.

"The law is very clear that after one has finished harvesting sand and cutting coral blocks in the quarries, they must rehabilitate the sites by replanting trees but investors have ignored the law and abandoned the dilapidated sites," said Mr Mwamutsi.

He said abandoned quarries have become a dominant feature in Bofa in Kilifi while the abandoned sand harvesting sites are common in Rabai and Gongoni in Magarini constituency.

The officer urged farmers to take a leading role in conserving the environment by planting some trees in their farms to avoid soil erosion.

Busia County set to generate Ksh5 billion in revenue

By NYAKWAR ODAWO

BUSIA County will generate an estimated revenue of Ksh5 billion during the financial year 2013/2014.

Addressing County Assembly members after presenting the first budget policy statement for the next financial year at the County Assembly Hall recently, Busia County governor Sospeter Ojaamong said the county will now govern itself and also manage its political and socio-economic affairs independently.

He said the focus of the budget estimates is on the production capacity of natural and human resources.

"We, therefore propose to concentrate our funding to agricultural production, business development, Education and provision of clean water to the people of Busia. To achieve this, the county shall rely heavily on disbursement from the Commission on Revenue Allocation amounting to sh4.8 billion with Ksh229 million from local revenue sources which include rates, single business permits, trailer park fees, bus park fees, cess, market fees and user fees among others," said Ojaamong.

He said in order to achieve the expectation in revenue collection, the County Government will seek

to harmonize fees and charges, sensitize taxpayers to encourage them to pay their taxes willingly and promptly, prepare a valuation roll to boost revenue collection from rates and strengthen internal control systems to ensure that all funds received are properly accounted for.

"We shall partner with donors to mobilize more funds to improve infrastructure more so irrigation, road rehabilitation, health activities and capacity building among others," he said, adding that this will go a long way in meeting the expectation of the county residents.

On expenditure, Ojaamong said the county has budgeted to spend 63 percent of the total development budget expenditure and 37 percent on recurrent expenditure.

"However, no provisions have been made on personnel expenses for some departments namely Agriculture and Animal Resources, Co-operative Development, Tourism, Trade and Industrialization among others," he said adding that the officers working under the affected departments have already been budgeted for under the National Government.

The governor added that a total of Ksh3.1 billion has been allocated to facilitate the mechanization of agriculture at all Sub-Counties, establishment of information desks in all Sub-Counties, Fish Feed Formulation plants in Butula and

Teso Sub-Counties, revival of gineries and Malakisi, Amukura and Nambale, fish bulking or multiplication centres in all Sub-Counties, upgrading the county fisheries and training centres at Odiado in Samia, fish auction centres, completion of Mulu-koba and Bumbe fish landing and Tilapia filleting facility and the completion of the construction of a livestock production office at Matayos.

The governor at the same time said Busia County government will also undertake upgrading of Marenga Cooperative cold storage facility to Nile perch processing plant, upgrade border point export and import fish handling centre at Busia and Malaba, fish development revolving fund in partnership with a financial institution for all sub-counties and the establishment of a sport fishing camp in Sumba island in Budalangi Sub-county.

"To uplift the standards of education in the county, we propose to allocate funds to facilitate the construction of 420 Early Childhood Centres in all public primary schools in the county and also employ one teacher per school. We shall also provide educational support to the tune of Ksh100 million for the county," said the governor, adding that all vocational training centres will be equipped.

ADVERTISING RATES

Your support as our reader or advertiser ensures that the stories that matter - the stories that help people make decisions about their education, health, governance, their livelihood, and their communities - reach them in a simplified but factual way.

How to Advertise

Send us the details of what you want advertised and we'll do the rest. These can be sent in electronic form as e-mail attachments or in diskettes/CDs as well as hard copies.

Our advertising rates are as follows:

Full page colour	Kshs. 72,000
Full page black and white (inside)	Kshs. 40,000
Half page (Black and White)	Kshs. 20,000
Quarter page inside	Kshs. 10,000
The Link Classified	Kshs. 4,000
Front Page Earpiece (colour)	Kshs. 8,000
Front page strap	Kshs. 6,000
Back page strap	Kshs. 4,000
Back Page Earpiece	Kshs. 7,000
Front Page Solus (colour)	Kshs. 20,000
Back Page Solus (colour)	Kshs. 15,000

Special Rates

We offer very special rates for advertisement of charitable activities programmes or services. To get special rates, contact the Editor or the Editorial Assistant.

The details should be mailed to the Editor, P.O. Box 7438, 00200, Nairobi, Kenya. Telephone 020-601776, 020-3572365. You can also email us at thelink@wananchi.com or icad@wananchi.com.

NOTE: All payments should be made through cheques, payable to: Institute for Civic Affairs and Development (ICAD).

Machakos County unveils the county executive committee

By PETER MUTUKU

THE Machakos County Governor Dr. Alfred Mutua has unveiled members of the Executive Committee in accordance with the provisions of the County Government Act (Section 30).

The Governor says the nominees are drawn from all the eight constituencies that make up Machakos County and are above the Constitutional threshold on gender balance.

He says that the County Assembly vetted and approved the nominees who are currently awaiting gazette.

"I believe that my team will be able to galvanise our strengths and work with speed so as to serve the people of Machakos County and make us the most developed county in our region," he adds.

He says upon gazette, the team will embark on the following:

- (a) Plan and prioritise the monies allocated to the County for use in the next two months so as to present it to the County Assembly for approval;
- (b) Set-up structures and prepare the budget for the next financial year;
- (c) Undertake a comprehensive audit of the county resources and the overall county situation so as to identify the quick wins that will bring positive changes to the people of Machakos.
- (d) The team will assist in the organization of government.

The Governor at the same time said that the county had frozen employment in all departments and agencies, including boards unless cleared in writing by his office.

"This is to ensure that all appointments in boards and other sectors are within the financial ability of the county, are in conformity with the devolution laws and in line with an efficient system of service delivery," he explained.

The Deputy Governor Bernard Kiala will head the Department of Public Service, Labour and Information, Communication & Technology (ICT).

Joshua N. Musili from Mwala Constituency will be in charge of the Department of Land, Energy, Environment and Natural Resources. Musili has served in many capacities in Government and private sector. He is currently a director

with Rural Electrification Authority and has been the major player in getting rural electrification project funds allocated to Machakos County. He will help the county utilize the land as a resource, resolve land problems and ensure Machakos County is a "green" county with abundant electrical power.

George Luka Kioko from Matungulu Constituency was appointed to head the Department of Transport, Roads, Public Works and Housing. Kioko has a vast experience in working for both the previous local governments and central governments. He holds a Master of Social science in development administration and a BA in Economics

Naomi Mutie who will represent both Machakos town and Kathiani Constituencies will oversee the Department of Health and Emergency Services. Mutie is a hand-on health professional who has worked for the central government's Ministry of Public Health and Sanitation in various stations. Currently she is the Senior Public Health Officer in Athi River District and has been in charge of public health officers including doctors and nurses. She understands what needs to be done to fix the problem of health care in Machakos.

She has a Masters in community health and development.

Eng. Francis Wambua Maliti from Yatta Constituency will head the Department of Water, Irrigation and Sanitation. Maliti is currently one of the implementers of Vision 2030 and is credited with his zeal for policy formulation and implementation. He has 22 years of experience in Government and has been successful in negotiating for investments and project funding from development partners. Machakos County will need a lot of money to realize its water agenda and Mr. Maliti is better placed to raise funding and to oversee implementation of water projects. In addition, he is trained in industrial engineering.

Dr. Sunil Kumar Dhall has been appointed to head the department of Trade, Economic Planning and Industrialization. Dr. Dhall is one of the most successful investors in Kenya and the region and understands international and local trade. A trained Veterinary doctor,



Dr. Mutua, Governor of Machakos County.

he ventured into business early and is renowned as one of the leading industrialists in the region. Machakos County will benefit from his ability to attract both local and international investors to set up factories in every constituency that are vital in creating employment for our youth.

Helena Kiilu from Mavoko Constituency will head the Department of Decentralized Units, Urban areas and Municipalities. Kiilu is one of the most respected pioneer women administrators in Kenya. Currently serving as the County Commissioner in Embu County, she has vast experience in the formation and management of government departments. She holds an MBA in strategic management, a BA in administration and is currently pursuing a PhD. She has represented Kenya in

many international fora and will be able to set-up an efficient devolved structure up to the village level.

Ruth Nduku Mutua from Masinga Constituency will head the Department of Education, Youth and Social Welfare. Mutua is a community development specialist with a Master's degree in community health and development. While working in the central government, she has been instrumental in developing education curricula for health education, women and youth empowerment.

Faith Wathome Kithu of Kathiani Constituency was appointed to head the Department of Tourism and Culture. She has over 25 years work experience in tourist management and marketing. She is currently the Director of Marketing - Africa Women in Tourism Alli-

ance. She has served in the Brand Kenya board, at Kenya Wildlife Institute and is the founding Chairperson of the Kenya Association of Women in Tourism. She has a BA from Nairobi University and Professional Diploma in Tourism and Administration from Utalii College.

Larry Wambua of Kathiani Constituency will head the Department of Agriculture, Livestock and Cooperative Development. Wambua is a senior advocate of the High Court of Kenya who understands the challenges facing cooperative revival in Machakos County. In addition to his vast legal experience, he has a passion for agriculture and understands the subsidy system that we intend to apply in order to make Machakos county food secure. The nominee for the department of Finance and Revenue Collection is yet to be named.

Kilifi County conducts an inventory of public land

By LINK CORRESPONDENT

KILIFI County government has embarked on an exercise that seeks to map out all public land with a view to exposing irregular allocations ahead of a similar process by the National Land Commission.

The County Governor Mr Amason Kingi said his government had initiated a process to identify irregularly allocated plots. "The data generated from the exercise will be forwarded to the National Land Commission to pave way for investigations to establish circumstances under which the land was allocated to private developers," he said.

"Most public plots in Kilifi have been irregularly allocated to private developers and we are compiling an inventory of the same to ensure they revert back to public use," said Mr Kingi.

According to the governor, some of the plots suspected to have been

grabbed include a portion of the Kilifi county commissioner's residence.

Others include a plot belonging to the ministry of housing which is said to have been irregularly allocated to a former cabinet minister in the retired President Mwai Kibaki's government.

Controversy has been brewing over the plot ownership since last year when Kilifi town council protested against the grabbing of the land by the cabinet minister. Former chairlady of the local authority Mrs Esther Kache claimed the land located at a beach at Kilifi creek was government property and vowed to protect it from grabbing.

Drama unfolded when the former cabinet minister came out strongly to defend himself saying he had obtained the land legally and that he will continue with his plans to develop it.

But officers in the department of housing came out and protested over the grabbing of the plot and vowed to block

the minister from developing it.

The Governor has now issued stern warning against land grabbers saying that his government will not tolerate such malpractices adding that all irregularly acquired land will revert back to the public.

Mr Kingi said his office was looking for a suitable site to construct offices for the Kilifi county police headquarters.

He said squatters had settled on the plot which had earlier been identified for the project adding that an alternative site will be found for their settlement.

Last year the director of lands wrote to Kilifi OCPD Mr Clement Wangai ordering him to stop plans to evict squatters living on the site proposed for the construction of the offices.

Meanwhile, Kilifi county government has earmarked Ksh 400 million to construct a parking bay and a modern bus park at Mariakani town.

According to the estimated budgeted

for the County, the government has proposed to spend Ksh 200 million to put up the trucks parking bay to ease traffic jam at the mariakani weighbridge

In the estimate budget which was tabled before members of public at Kilifi County by the interim county secretary Mr Charles Kisombe, the county government will also use another Ksh. 200 million to construct a modern bus park at Mariakani.

The estimate budget report indicated that the funds to implement the two capital projects will be sourced from the public works sector

The County Governor Mr Amason Kingi said trucks have been causing serious traffic jam along the Mombasa Nairobi highway at Mariakani as they queue at the weighbridge.

Speaking at his office in Kilifi town, Kingi said his government will address the traffic jam menace at the mariakani Weigh Bridge.

"The huge traffic jam being experienced at Mariakani weighbridge along the Mombasa- Nairobi highway has become a subject of concern and we plan to set up a special parking bay for the long distance trucks to ease traffic at the weighbridge," said Mr Kingi.

The governor said his government will approach Kenya Agriculture Reach Institute (KARI) to donate part of its land at Mariakani for the setup of the parking bay.

He said if Kari agrees to surrender part of its land, then the project will take off immediately without further delay.

The governor expressed concern that lack of land poses a big threat to proposed development plans in the County.

"It is challenging as the County does not seem to have any public land to put up development projects in urban centers as most of the land is privately owned," said Mr Kingi.

Youth group in Kilifi excels in farming

By BEKADZO TONDO

YOUTH hovering around shopping centres have become a common feature in most villages but the scenario is different in Makata village of Kilifi County.

Youth in the area have come together to engage in income generating activities as a sure way of wading off crime and drug abuse.

The youth under the leadership of Mr Samuel Mwatsuma have formed a group which goes by the name of Sanya youth group. "In 2011 we came up with an idea that culminated with the formation of Sanya Youth Group," said Mr Mwatsuma.

The chairman later through consultation with his fellow members resolved to start with HIV/Aids aware-

ness programs in the area.

In this program they were to embark on civic education to sensitize the community including fellow youth against engaging in unprotected sex as they risked contracting HIV/AIDS," said Mr Mwatsuma.

"We realised that HIV/AIDs was a major risk among the youth within the productive age bracket and thus embarked on civic education programs to sensitize our fellow youth and parents against the killer disease," said Mr Mwatsuma.

The group member later decided to venture into poultry keeping. "We started by buying chicks locally and rearing them to maturity after which we could sell them," said Mr Pascal Chonga who is a member of the group.

Mr. Chonga said that they later moved to rabbit rearing with support from SACDEP organization. "The organisation donated 14 high breed rabbits from Thika to jump start the project," he explained.

He said after being taught how to manage the rabbits, most of the members have picked up and doing very well in the farming.

Last year, the group received a major boost after they managed to secure a loan of Ksh 50,000 from Youth Enterprise Fund.

According to the Youth officer in charge of Bahari district Mr William Sifa, the group was awarded the funds after they were assessed and found to be committed in their development projects.

"We visited the group and carried

out an assessment of their projects before we advanced them the loan," said Mr Sifa.

Mr Sifa said the group which is currently repaying the loan has qualified for another loan called INNUEA loan of Ksh 400,000.

The official said there were a number youth groups in Bahari which have managed to improve their livelihoods through loans advanced by the ministry of youth.

He dismissed claims by some youth in the area that the conditions attached to the loans were prohibitive.

"The terms and conditions being given to the youth to secure loans are very manageable and I wish to disagree with those who claim the requirements to access the loans are harsh," said Mr Sifa.

Plans to revive coffee in Western Province mooted

By JOHN NYAMBUNE

COFFEE farmers in Western Province have embarked on an initiative that seeks to revamp the once-vibrant sector in the region.

The Kenya Coffee Growers Association has unveiled a unique initiative that brings on board schools and individual farmers.

The project aims to encourage farmers to start planting coffee, with plans to revive the giant Bukura Coffee Factory also underway.

In the past farmers earned between Ksh.15-30 per kilogramme against the current price of Ksh.30-40.

Currently, an estimated 6,900 hectares of land are under coffee, a decline from past years attributed to rise in popularity of sugarcane farming and mismanagement of the sector in the country.

"Western was a giant many years ago in coffee farming, but years of neglect, poor farming practices and poor returns for farmers brought the sector to its knees. However, we believe we can revive the sector," stated Arnold Andabwa, the chairperson of the association.

Small-scale cultivation of the crop still goes on in Ikolomani, Lugari, Kakamega, Bungoma and Busia, but majority of farmers sell their produce to Uganda where it fetches better prices. Several primary and secondary schools in Western have already been identified in the restoration programme set to commence this month.

"We have sought audience with many schools and each institution will spare at least a quarter-acre piece of land to grow coffee, which will guarantee returns of about Kshs.40,000 every month," said Andabwa.

Some of the schools that have been enlisted in the project include Ibinzo, Shimanyiro, Eshiruru and Ikonyero primary schools.

Agriculturalists argue that the area has ideal conditions for the crop, especially the Ruiru 11 variety, and its cultivation could help reduce poverty levels in the region.

Coffee can be intercropped with other crops such as groundnuts, bananas and vegetables.

"You can reap maximum benefits from your land when you grow coffee because you can grow other crops in between the trees," observed Janet Inyangala, a farmer.

The association also intends to partner with the devolved governments and the national government to set up a coffee-processing firm in Kakamega at Jua Kali estate.

"Coffee Board of Kenya and even the Coffee Foundation Board have shown great interest to work with us and we will seek to have devolved and national governments come on board," stated Andabwa.

Lift ban on GMOs, Govt urged

By LINK CORRESPONDENT

THE ban on Genetically Modified Organisms (GMOs) in Kenya was ill advised and largely motivated by members of last Parliament. The legislators did not consider inviting scientists and other experts to shed more light on the GM foods before imposing a ban on importation of GMOs.

Former Minister for Public Health and Sanitation, Beth Mugo, presented concerns about the safety of GM foods to the cabinet and recommended the immediate ban on GM imports and products citing a study released by a French university in September 2012 that linked cancer in rats to the consumption of GM foods.

Those pushing for the lifting of the ban say that Mugo did not consult the National Biosafety Authority about the proposal or ban. They also argued that the then Ministry of Higher Education Science and Technology, the Ministry of Agriculture and the Ministry of Trade were not consulted before the Cabinet meeting that resolved to ban the importation of Gm foods

Calls to lift the ban are slowly gaining momentum to help prevent the shortage and hunger being experienced.

"GMOs are food like any other and are being used in the developed world including several countries in Africa except in Kenya and there is no reason for us to ban their usage," clarifies Gerald Masila, Executive Director at Eastern Africa Grain Council (EAGC).

Masila said the unit cost of producing one kilogramme of genetically modified maize is much lower than of conventionally grown foodstuff. He explained that the technology used to produce GMOs is the same one being used to make hybrid seeds.

Some scientists argue that GM crops offer a way out of deepening food insecurity as growing conditions like the weather and water become compromised by climate change.

Players in the cereals and bulk storage sector are now pushing to have the ban on genetically modified foods lifted to pave way for the importation of about 600,000 metric tonnes of maize. This is to plug a deficit responsible for the rising prices of the staple food.

For this to take place, a motion to lift the ban must be passed in parliament by the same law makers. If it goes through, it would cost Kenya



A worker at Ragati Tea Factory in Nyeri County package tea for sale.

KSH 13.6 billion to import the 600,000 metric tonnes of maize to boost the national stock and stop the price of key staples, including wheat products and rice from rising.

According to the United States Department of Agriculture markets news source, one metric tonne of maize was retailing at Ksh 22,800(\$268.50) at the world market, which is about 60 per cent cheaper compared to the average Ksh 36,000 (\$424) for similar quantity in Kenya.

The players pushing for the lifting of the ban on GMOs include Africa Biotechnology Stakeholders Forum, African Agricultural Technology Foundation and the International Service for the Acquisition of Agri-biotech Applications. Other groups include Biotechnology Trust Africa, Seed Trade Association of Kenya and the Cereal Millers Association are also involved in the endeavour.

The lobbyists say that genetically modified maize will save the Exchequer about 20 per cent (Sh2.7 billion) of the money to be used to import the maize.

The increasing prices are threatening disastrous consequences for poor people who spend a large proportion of their income on food. Allowing

the importation and use of GMOs will help reduce the cost of food in the country.

Nairobi based US agricultural office has warned that in its current form, the ban would prohibit the use of any form of future Corn-Soy Blend (CSB) food assistance to Kenya from America. CBS is a common commodity used for emergency feeding programmes to affected countries by US.

"Implications of the ban are significant for Kenya. If the ban is not lifted, it will further hinder Kenya's investment in GM technology to modernize its agricultural production, which was already hampered by strict liability regulations based on its 2009 law. Shipments to and through the port of Mombasa, already hampered by GM rules, will be halted. Kenya will need to source its structural corn deficit (approximately 300,000metric tonnes in 2011) from only non-GM producers," explains the US agricultural office in a report titled: Kenya Bans Imports of Genetically Modified Foods.

The US body says that the ban undermines Kenya legal and regulatory system for agricultural biotechnology codified in its National Biosafety Act of 2009.

The ban on GM foods was necessitated by the findings of a research carried out by a French professor, Gille-Eric Seralini who released a report linking the development of cancerous tumours in rats to consumption of GM maize.

Local stakeholders fighting for the lifting of the ban say the study by the French professor has been used to propagate negative publicity against GMOs.

"GMOs have been commercialized for food, feed and planting for the last 16 years with no adverse effects on human and animal health and environment" says Kennedy Oyugi, Senior Programmes Officer at African Biotechnology Stakeholders Forum (ABSF). "A total of 16.7 million farmers in 29 countries worldwide have adopted GM crops, so the findings of this two year study go against a long history of safety and high uptake rates of GM crops," Oyugi added.

According to the ABSF, a number of credible bodies, the European Food Safety Authority included and various renowned scientists, have reviewed the study and uniformly criticized its objectives as flawed methodology and weak research design.

Fish farmers cry foul over meagre allocations

By BEKADZO TONDO

OVER 400 local fishermen in Kilifi want the county government to allocate enough funds to help improve the fishing sector.

The fishermen lamented that they could not venture into deep sea and serious fishing activities due to lack of modern fishing equipment.

Led by Mr Basadiq Swaleh, the fishermen noted with concern that budget estimates did not pay any attention to the fishing sector.

Mr Swaleh said the sector will only benefit in a pool of resources allocated to the Trade and Industry sector.

According to the budget estimates, Ksh 70 million was allocated towards the Malindi fresh produce cold room market and fish market under the Trade and industry sector.

"This is a big joke as the County Government cannot afford to ignore the fishing sector which provides livelihood to many people," said Mr Swaleh.

Former chairman of Kilifi central beach management unit Mr Azziz Omar said he had fought to ensure a cold house was put up in Kilifi but said the project stalled due to misunderstandings between his team and the District fisheries office.

Last year, the former Minister for Fisheries Development Mr Amason Kingi visited the project and demanded the immediate transfer of the former District Fisheries Officer Mr Namwel Onchonga after he allegedly failed to give a comprehensive report on how the funds budgeted for the cold house were spent.

A local fisherman from Bofa Mr Shida Charo said though many local people in the area relied on the fishing sector for their survival, they were unable reap highly from the resource due to lack of fishing gears.

Mr Charo said most of the fishermen have resorted to using unauthorized fishing methods that range from the use of local fishing guns to other crude methods.

He urged the county government to assist them with funds to purchase better fishing gears and boats so that they can venture into deep sea fishing.

"Most of us cannot go into the deep sea and fish because we do not have fishing nets, fishing lines and even engine boats," said Mr Charo.

Mr Swaleh said that during the rainy seasons, fishermen are forced out of business because they lack skills and facilities to fish in the raging waters.

"Most rainy seasons are regarded as low fishing seasons as the ocean waters get rough and many fishermen opt to keep away to save their lives," said Mr Swaleh.

By JOSEPH MUKUBWA

BIASHARA Sacco Society Ltd plans to open Embu county branch this year at a cost of Ksh 2.6 million.

The members resolved recently that there is need to open the 7th branch in Mt Kenya region and proposed Embu town as the appropriate location.

Speaking during this year's Annual General Meeting at YMCA Hall, Nyeri town, the Sacco chairman Joseph Njamuku said the branch will be of much help to the local farmers and business community since the county is an agricultural area.

In the Sacco's five-year strategic plan, new branches will be established in Meru, Nakuru, Nyahururu towns and Nairobi city.

Currently, the Sacco has branches in Othaya, Nyeri town, Karatina, Gakindu, Gatarakwa and Nanyuki.

The Sacco has also promised to establish a network and partnership with the county governments to foster wealth and job creation.

"Let us forge ahead in the new devolved government guided by our robust policies to achieve Vision 2030 and Millennium Development Goals," he added.

In the last financial year, the share capital rose from Ksh 106.4 million to Ksh 121.5 million representing 14 per cent growth.

"The net surplus increased from Ksh 15 million in 2011 to Ksh 22.75 million in the year under review representing 51 per cent improvement. Loan portfolio

rose from Ksh 224 million to Ksh 266 million representing 19 per cent improvement," he added.

Njamuku added that the loan disbursement to members rose from Ksh 252 million to Ksh 322 million representing a growth of 28 per cent.

"We have improved our ICT infrastructure by installing communication masts on Nyeri and Itiati Hills to enhance inter connectivity with all our branches.

Members can now enjoy real time transactions in all our branches. Sacco link cards can now be used without any hitches," the chairman said.

The Sacco boasts of bagging many awards which includes the first prize trophy of the best Sacco. The Sacco also prides itself for having scooped the best microfinance award which they were awarded during last year's Nyeri ASK show.

"Also during the international Co-operative Alliance Day celebrations, we won awards for paying the highest dividend and interest on member's deposits- first position and also won a trophy for being Sasra compliant," he added.

The AGM also approved borrowing power of Ksh 80 million and also approved the borrowing of Ksh 30 million from the Youth Enterprise Fund for on lending to the youth.



Biashara Sacco members follow proceedings during this year's Annual General Meeting held at YMCA hall, Nyeri town recently.. Photo/Joseph Mukubwa

Migori County benefits from soya processing plant

By JOHN NYAMBUNE

SOYA farmers in Migori County have received a major boost following by the completion of the ultra modern soya processing plant in the area.

The plant which cost Kshs.20 million was initiated by the United Nations Industrial Development Organisation (Unido).

About 3,000 soya farmers are set to benefit from the plant which will help to curb wastage and protect them from exploitation by middlemen.

Kenya Soya beans Farmers Association (Kesofa) chairman George Kivandah said the plant is expected to help improve the living standards of the residents once it starts operation.

"This plant will also help in creation of several jobs for youths once it opens its doors," Kivandah said.

The plant has been designed with capacity to crush 12 metric tons of soya beans in a month, and Kesofa's first production is to be given to the Kenya Red Cross to help feed children in the county.

"With the increase in the demand for alternative caffeine free beverages, Soya beans farming will be a major game-changer in the county," Kivandah said.

Speaking at the project site, former Permanent Secretary in the Ministry of Industrialisation Cyrus Njiru said the Government and UN had decided to set up the plant owing to the high soya production in the county.

He said the annual demand for Soya beans in Kenya is between 150,000 tonnes to 200,000 tonnes, which is against a local production

of 5,000 tonnes leading to imports to bridge the deficit.

"The market here is still immense and the farmers will be having a ready market waiting for them. Farmers also need to produce more now that there is a processing plant in the region. Having noticed that Migori County has got high Soya production, we are now looking at ways of value addition. The plant will be able to create new products out of the crop," he added.

He said the soil in the county was ideal for cultivation of the crop and urged more farmers to venture into it to improve the area's economy.

The PS urged the Ministry of Agriculture to fast track a policy paper on Soya beans, which he said has been in the pipeline for quite some time.

He argued that the Government's delay in formulating the paper was already causing great losses to the farmers throughout the country.

"There is absolutely no clear policy on the produce, and as a result farmers are unsure of where to seek advice," he said.

Migori Deputy Governor Mahanga Mwita said the plant donated by Unido would go a long way in improving the lives of the locals. He assured the PS that his administration would ensure the processing machine is well used.



Farmers harvest soya beans in Migori County. Unido has built a factory in the area to processing the crop. Photo/Correspondent

KTDA set to plant 10 million trees this year

By JOSEPH MUKUBWA

KENYA Tea Development Agency has embarked on a major tree planting initiative to help generate alternative fuel for processing tea and also conserve the environment.

The 65 KTDA managed factories are expected to plant a total of 10 million trees per year in a project aimed at conserving the environment and addressing climate change.

The KTDA chairman Peter Kan-yago said with the participation of the local communities, the trees will be used both for conservation and to meet their energy needs.

“This initiative seeks to green Kenyan’s rural areas by conserving water catchments areas, restoring riparian zones and helping to mitigate the impact of the climate change. This will also increase the forest cover,” said the chairman.

Speaking when he led the agency officials in a planting of trees project at Muirungi Primary School in Othaya, Nyeri county, the chairman said the KTDA wood fuel development programme, which began more than 12 years ago is designed to ensure that all tea factories have commercially, as well as environmentally sustainable sources of wood fuel.

“The factories rely on firewood sourced from their own forest plantations and from local communities to meet their tea processing thermal energy requirements. Almost 99 per cent of thermal energy requirement in the factories comes from firewood and other biomass while the remaining percentage comes from furnace oil,” he said.

All the 65 tea factories in the country will plant 150,000 tree seedlings each in this rainy season.

In the last five years, the factories

have utilized almost 4 million cubic meters to generate thermal energy.

“During the same period, the factories have released 20 million seedlings to the neighbouring communities for current and future supply of firewood,” he added.

The trees being planted are both exotic and indigenous with exotic trees being used for firewood while indigenous is for conservation of environment.

“The tea farmers will be given free seedlings in order for them to plant in their farms so that they can help fight frost and help in climate change. We noted that the factories might be using more than we are planting,” he said.

The chairman concluded that the trees would help mitigate the effects of extreme weather conditions like frost and encouraged tea farmers to plant more trees in their farms.



Members of the community plant trees at Muirungi Primary School in Othaya, Nyeri County where KTDA chairman announced that the 65 tea factories will plant 10 million trees this year. Photo/Joseph Mukubwa

Genetically modified crops hold key to food security

By HENRY OWINO

AS a continent, Africa has vast natural resources, from precious metals and stones to plant, animal and microbial genetic diversity. In fact, it is known as the cradle land of mankind where human fossils are found and attracts tourists all year around.

Yet despite its natural wealth and invaluable contributions to the world’s agriculture and global wellbeing, Africa still has 15 of the least developed nations in the world.

According to the United Nations Educational, Scientific and Cultural Organization (UNESCO) Science Report 2010, Africa represents only 2.2 per cent of the world’s researchers. Of this, sub-Saharan Africa (excluding South Africa) represents only 0.6 per cent.

Scientific advisors say that the era of global food insecurity is real and unless radical action is taken, the number of poor and hungry people would rise. There is relative rising of food prices and price vitality and the need to involve science in growing fast maturing crops.

Genetically modified (GM) crops have delivered substantial agronomic, environmental, health and social benefits to society at large but the rate of GM growth in Africa is low, even though it is a continent faced with food insecurity. The rate of growth of GM crops is even lower in Europe but does not presently face a comparable food security challenge.

Genetic modification simply enables the transfer of genes artificially from one organism to another for a specific purpose. For instance; increased yield and nutritional value, fast maturity, protection against pests and diseases, survival in hostile environments among others reasons.

In this way the hereditary material (genes) can be moved to or from unrelated species in a controlled and predictable manner that supplements and extends the normal process of plant breeding. Currently the following GM crops have been commercialized; maize, soya bean, cotton, canola (rape), squash, papaya, sugar beet, tomato, sweet pepper and alfalfa. They are primarily grown in North and South America, South and East Asia.

Science academies in the world over, government studies, United Nations agencies and religious bodies have not found any new risks associated with genetically modified (GM) crops. In fact, none of them used for human food or animal feed has ever undergone the re-

quired safety checks before release.

South Africa leads the way among countries in the African continent to introduce genetically modified cotton (Bt cotton). There are a number of reasons for this, including the early role of an interim biosafety regulatory body, the formation of an organization, AfricaBio, which aided information dissemination on GM crops, and finally the fact that South Africa is home to many highly sophisticated commercial farmers.

Other countries like Ghana, Nigeria, Uganda, Tanzania, the GM crops are being grown or imported and have helped to reduce food insecurity in the nations. Among the five countries making the East Africa Community (EAC), Kenya officially banned any imports of GM food and its products for human and livestock consumption. Kenya Scientists however, said this was ill advised since it was politically motivated other than scientifically driven.

Prof James Ochanda, Kenyan scientist said: “The ban on imports of GM foods in Kenya was ill advised by legislators in the tenth Parliament since they never involved scientists for input. But as country’s law makers, they succeeded in misleading Kenyans. The truth is that GM food does not cause cancer as claimed”.

Despite these challenges, the exciting journey to build Africa’s science capacity has begun. A wide range of programmes are under way to build and strengthen Africa’s agricultural research for development, establishment and human capacity.

The Bioscience Eastern and Central Africa-International Livestock Research Institute Hub (BecA-ILRI-Hub) is one of many such initiatives. It is a leading biosciences research and capacity-building centre for Africa. It is based in Nairobi, Kenya and its mission is to improve the livelihoods of resource-poor people in Africa through the development and use of new biosciences technologies.

Prof Raphael Munavu, chairman Kenya National Academy of Sciences(KNAS) said all activities at the institute, are focused on developing and producing technologies that help poor farmers to improve their productivity and income to secure their assets and increase their market opportunities.

The BecA-ILRI Hub serves 18 countries of Eastern and Central Africa and while keeping a focus on its mandate in the region, it is responding to the growing demand for its services across

the whole of Africa.

Prof Munavu emphasized that specifically, the BecA-ILRI Hub provides a common biosciences research platform, research-related services and capacity building and training opportunities.

“These activities provide a focal point for the African scientific community whose aim is to support the activities of national, regional and international agencies and staff as they address agricultural problems of the highest priority for alleviating poverty and promoting development,” Prof Munavu explained.

Many interlocking factors are contributing to the threatening food production and tightening food markets in the long term. Some of these factors include; climate change impacts, absurd biofuel policies, rising oil prices, dietary upgrading, land grabs, speculations in commodity markets and population growth at 7billion expected to be 9billion by 2050.

These factors are not only driving food price increases but also creating price vitality. One key solution to this threat of worsening hunger in Africa

and other continents is to increase investment in poor farmers, especially women smallholder farmers. Dr Henrie Groenewad, Executive Manager of Biosafety, South Africa, stated that Bioscience has a role to play as the people are faced to the challenge of global food insecurity. But it is not magic bullet.

Dr Groenewad observed that most productivity gains in African smallholdings will come from enhanced extension services, investment for irrigation, low-input crop husbandry such as inter-cropping, fairer markets, market information through mobile phones and hard and soft infrastructure from roads to marketing boards.

“This is where the bulk of the investment must go to enhance food security. But increased productivity also depends on improved seed and better varieties of staple and Africa-specific crops such as cassava, banana, sweet potato among other crops, produced by marker-assisted conventional breeding, vegetative propagation and, where appropriate, GM technologies,” Dr Groenewald explained.

African governments need to set national agricultural policies based on delivering food security through directing public and private investment to where it can bring the greatest economic and social benefit for the poor.

The rising economic growth in Africa, and government commitments to investment in agriculture, like the Maputo Declaration, should allow greater investment by the public sector, potentially greater pub-private partnerships for accelerated crop breeding including GM, capacity-building and retention of African scientists, coupled with long-term sustainable business investment.

An example of this is the current strategic plan of West and Central African Countries (CORAF/WECARD) which identifies food security as the priority and sets out a research agenda for staple food crops such as sorghum, maize, rice and cassava alongside export crops like cotton and cocoa.

There is also a need for international community support to help achieve the promise of large productivity gains in smallholder agriculture to Africans.



SUBSCRIPTION FORM

Please accept my/our subscription to The Link for the period of months

dating from to.....

I/We of P.O. Box.....

Code Town Tel No..... Street

Building Floor Room No Mobile

Email: have paid Kshs.

(Attached, please find money order No

Please send mecopies per issue every month.

Signature and /or stamp of client/..... Date

Back issues No/Months:

Fill in this form and attach a postal money order of Kshs. 660 and post back to:-

Institute for Civic Affairs and Development
P.O. Box 7438 - 00200 Nairobi

Victims of brutal attacks in Busia, Bungoma demand compensation

By LUKE KAPCHANGA

FAMILIES of more than twenty people killed in Bungoma and Busia have asked the government to compensate them.

The widespread and systematic killings, which took almost three weeks to be contained, speak of one thing- government failure in preventing and detecting crime. Thus the government has a duty and responsibility to compensate the affected families in all ways possible.

Recently, President Uhuru Kenyatta held a meeting with security chiefs and pledged to support the police to enforce law and order. The president was quoted, "We will ensure police officers are sufficiently facilitated to enable them perform their duties effectively and in a dignified manner".

He did not mention in regard to the families who lost their loved ones during the horrific attacks. The inspector general of Police David Kimaiyo on his part promised a bounty of Ksh. 100,000 for information leading to the arrest of members of the gang terrorizing villag-

ers. However, a close scrutiny of the amount in question, points to the value the government has put on these Kenyans. Article 3 on the Universal Declaration of Human Rights (UDHR), says everyone has the right to life, liberty and the security of persons. From a human rights angle, the basic function of the government is to maintain peace and security within its borders.

Article 245 of the constitution establishes the National police force whose overall command is exercised by the inspector general. Police are one of the means by which government fulfills this function as law enforcement is significant organ of government.

Another basic function of government is to ensure that it meets its obligation under International Law to promote and protect the human rights of the people within its jurisdiction.

In policing, the promotion and protection of human rights requires close attention to be paid to detail aspects of command, management and administration of the police. Police are accountable

to government and the public they serve and policing activities are subject to judicial and legal supervision.

Fundamental principles in policing include respect for, and obedience to the law, respect for inherent dignity of human person, which is respect for human rights. Essential principles are that law enforcement officials shall at all times fulfill the duty imposed on them by law, by serving the community and protecting against illegal acts, consistent with high degree of responsibility.

The United Nations General Assembly resolution 34/164 of 17 December 1979 on the code of conduct for law enforcement officials states that, "Every law enforcement agency should be representative of and responsive and accountable to the community as a whole".

The code of conduct demands that police are to be commended and managed in accordance with the principle of responsibility. Hence they are to be held personally responsible under law for their own acts or omissions, as their function is to prevent and detect crimes.

Police leadership is not a desk job but the commander is supposed to be in close contact with the realities of operational policing, the feelings and concerns of the community they serve and those they command.

There is also established and enforced strict guidelines for record keeping and reporting on the activities of the community they serve. With the Bungoma killings, the gangs raided homes and attacked the people using sharp objects. The attackers were operated in groups of 10 to 15, armed with axes, machetes, spears and other crude weapons. The attackers displayed the height of impunity as the police force came under sharp focus.

Bungoma Businessman Timothy Nyongesa was killed during a 30 minute raid at his home which is almost a kilo meter away from the regional police headquarters. The government has to give answers to relatives of those killed by the gangsters or maimed and nursing injuries. Because the government has a duty under the International Hu-

man rights Law not only to uphold individual rights to life but also to protect the enjoyment of that right. The Deputy President William Ruto pronouncements in Bungoma and Mandera points to one direction- inadequate response by the police in contain the violence.

Frenchman Jean Bodin once said that in a democracy, there is always chronic disorder with less real liberty.

Are Kenyans supposed to believe that without directives from the deputy president, police reinforcement cannot be done, more vehicles cannot be deployed to crime prone areas and reporting mechanism cannot be perfect.

The killings in Bungoma display the hallmark of crimes against humanity.

According to Article 7 (1)(a) of the Rome Statute on crimes against humanity, the elements of crime are that the perpetrator killed one or more persons, the attack was widespread or systematic against a civilian population.

In Bungoma and Busia, 17 people lost their lives in senseless, widespread and systematic attacks.

China opens its market to Kenyan tea

By JOSEPH MUKUBWA

KENYA is now exploring to export its tea to China

Kenya Tea Development Agency (KTDA) national chairman Peter Kanyago disclosed recently that tea farmers from this country are likely to benefit if China starts buying tea from the country.

Kanyago said the agency with support from the Government is exploring China market which has the biggest population in the world of 1.2 billion people.

Speaking in Nyeri town, Kanyago said that tea farmers in the country are slated for a brighter future after a Chinese delegation met with President Kenyatta recently.

"We are exploring this new market and if we succeed, the demand for Kenya tea will be very high. This is a big market which needs more supply. The local tea farmers must now increase tea production for export," he said.

At the same time, he revealed that scissors will be introduced to facilitate in the plucking of tea.

The chairman said due to lack of labour in the tea plucking areas, scissors will be introduced in the country to avoid wastage.

He said Malawi has registered



A tea farm at Njigari area in Othaya, Nyeri County. Inset: The KTDA National chairman Peter Kanyago.

Photo/ Joseph Mukubwa

remarkable success following the introduction of the scissors.

"The country of Malawi has been able to use the scissors since labour has been a major challenge. The scissors will still pluck two

leaves and a bud," he added.

Kanyago said most of the tea has been rotting in farms in Kenya due to lack of workers to pluck tea and the only few ones available charge as high as Ksh 10 per

Kilogramme leaving the farmers with nothing. He also urged the tea farmers to spend wisely their recently released mini bonus. The farmers were paid Ksh 5 per Kilogramme of tea.

GBV threatens family unit in Kisii County

By LINK CORRESPONDENT

A NON-GOVERNMENTAL Organization (NGO) has called on leaders and human rights activists in Kisii and Nyamira counties to sensitize communities in the area on the need to denounce Gender Based Violence (GBV) which mainly targeted vulnerable groups in the society.

A programme's officer with the Coalition on Violence Against Women (COVAW), Josephine Mwatibo says GBV was to blame for broken families which subjected women and children to unending agony.

Mwatibo, who addressed a three-day workshop on violence against women and peace at Sameta Lodge hotel, Gucha district, Kisii County noted that women bear the brunt of domestic violence and suffered silently for the sake of their children.

The Officer, accompanied by her Assistant, Yvonne Godia observed that cases of Female Genital Mutilation (FGM) were rampant in some communities, under the guise of preserving and promoting the communities' cultural values.

She at the same time said that violence in some cases targeted elderly women who are branded witches and lynched, stressing that perpetrators should be charged with the killings.

"Suspects should be arrested and taken to court. Lynching is not a solution. It worsens the matter," stated Mwatibo, adding that the practice was retrogressive and should be discarded.

Borabu District Peace committee Chairman, Rev. Arita Mokuia asserted violence against women was perpetrated by ignorant men keen on displaying their masculinity.

Domestic violence directed at

women, stated Mokuia was primitive and against the constitution and challenged perpetrators to embrace dialogue in resolving family conflicts, stressing violence has never solved any problem. Mokuia noted GBV retarded development as children and women suffered physically and psychologically and were scattered, noting that children become disoriented and performed dimly in schools.

"Women are forced to flee their marital homes to escape from their violent husbands," noted Mokuia.

He urged church leaders and counselors to sensitize couples on conflict resolution mechanisms to help reduce GBV at the family level, noting that civil society organizations should also include conflict resolution programs in their activities to assist families.

Zura Gisiora, Nubian Women Muslim chairperson noted the rights of

Muslim women were limited due to strict religious doctrines and beliefs and challenged the church's leaders to give women more freedom to comply with the constitution.

Muslim women, noted Gisiora were ignorant of their rights, stressing it had hampered their effective participation in the country's social and economic development.

She urged civil society organizations to sensitize them on their rights so that they can enjoy the fruits of the constitution.

Lutheran Outreach Organization Director, Steven Obiri said violence against women was perpetuated by women who condoned it.

Obiri noted majority of the battered women were unwilling to condemn the vice or take violators of their rights to task, thus giving their husbands the leeway to abuse them with impunity.

Machakos County plans to set up a forensic lab

By PETER MUTUKU

MACHAKOS County has earmarked Ksh100 million to aid in the establishment of a modern forensic laboratory.

The lab which is the first of its kind in Kenya will help in the fight against crime.

"We have decided to come up with this ambitious project to ensure speedy investigations of crime and charge culprits in the shortest time possible," said the County Governor Dr Alfred Mutua.

Dr Mutua spoke outside his Machakos office after meeting with the Director of Public Prosecutions (DPP) Keriako Tobiko. Machakos County Commissioner Ann Gakuria and senior officials from the DPP's office accompanied him.

He said he would work closely with the DPP in setting up the forensic unit and an investigations centre to boost security. He said his county government would strive to boost security to attract more investors.

He urged the national Government to make Machakos a pilot county on security and prosecution matters.

Poor and slow crime investigations have led to many prosecutions failing the test of the courts. Mr Tobiko welcomed the proposed forensic laboratory, saying it would help in the fight against crime and ensure faster prosecution.

The DPP lamented the country lacked well equipped forensic facilities, a fact he said has led to many unresolved crime cases, including high profile murders.

Earlier, while closing a two-day workshop for senior police officers and prosecutors, Tobiko said the Directorate of Public Prosecutions had started decentralising its services in line with the new dispensation.

Tobiko said the department has so far opened prosecution offices in 29 of the 47 counties. "We did this to move our services to the counties and ensure smooth and effective service delivery," he said

Machakos County is set take a leap in the fight against crime by establishing a modern forensic laboratory.

Kandie's role in the export market remains key to its growth

By MALACHI MOTANO

PHYLLIS Kandie, the newly appointed Cabinet Secretary for East Africa Affairs, Commerce and Tourism holds the most crucial docket that would promote development in the country. This is going to be the most difficult job for Kandie because the entire government's plan depends largely on her docket.

Largely, her ministry will determine how people create wealth and get jobs considering many youths are unemployed. The Cabinet Secretary is also responsible for attracting the massive investments required to raise the economic growth by double digits as promised by the Jubilee during the campaigns.

Unfortunately, she is starting her job at a disadvantage. At the domestic level, manufacturing has almost stagnated owing to the difficult operating environment. While transport and communication infrastructure has drastically changed for the better, energy provision has remained largely unreliable making Kenya uncompetitive.

In fact, although there have been reports of business setting up regional offices in the country, these are largely marketing outfits that have minimal effects on the various value chains they operate in. In the breath, there have been reports of major production and agricultural outfits moving their operations from Kenya to Ethiopia where energy is more reliable. At the same time, Kenya has lost its posi-

tion as the most attractive destination for foreign domestic investment with Uganda, and Tanzania taking the first and second positions respectively. Countries like Rwanda and South Sudan are speedily picking up and it is just a matter of time.

But it is in international trade where Kandie is expected to face a formidable task. For Kenya has in the past not invested aggressively in its

effort to have a significant pie of international trade. As a result, the country consistently has poor balance of trade with most of its trading partners.

A look at the value of Kenya's exports gives the impression of growth. The downside however is while value indicates growth, the country's Gross Domestic Product (GDP) has also been growing. A measure of the exports as a percentage of the GDP

shows a largely static curve over the last 20 years. In 1990, exports were 25.7 per cent of the GDP, 2000 it was 21.6 per cent, and 2010 it was 25.2 per cent.

On relations with its various trading partners, Kenya comes at a significant disadvantage compared with its three key trading partners which are; European Union (EU), United States of America (USA) and China.



Ms. Kandie during the swearing in as Cabinet Secretary for East Africa Affairs, Commerce and Tourism.

In 2012 for example, Kenya's export to the EU were valued at Ksh42 billion (€388 million) while EU exports to Kenya were Ksh51 billion (€491 million). Kenya exports to the US were valued at Ksh33.6 billion (US\$387 million) while US exports to Kenya were Ksh50 billion (US\$580 million).

In 2011 numbers of value of international trade indicate that although China is the first imports market for Kenya, it is the 23 market for Kenyan exports. In terms of value, China's exports to Kenya were valued at Ksh249 billion (US\$2.8 billion). This is a two and a half times higher than 2008 when the value was Ksh79 billion (US\$909 million).

On the other hand, Kenya exports to China remained low in 2011 at Ksh4.6 billion (US\$52 million). Yet this is almost double the value of 2008 when Kenya exports were valued at Ksh2.5 billion (US\$29 million).

The only place where Kenya enjoys an advantage is in the sub-Saharan Africa but in which place its trade outflows are largely within the East Africa Community (EAC). But even there, it is facing significant challenges. Its biggest export market, Uganda recently discovered oil and is mulling plans to construct a refinery. Instructively, a bigger percentage of Kenya's export products to Uganda are oil products. This therefore means that once Uganda oil begins running from Lake Albert wells, Kenya will lose a major oil products export market.

It will be interesting to watch how Kandie combines and utilises the resources allocated to her ministry, taps the emerging opportunities in the international trade to improve both domestic and international trade. Only time would tell if she would successfully manage this docket.

By LINK CORRESPONDENT

Transition Authority on the spot

THE Transition to Devolved Government Act, 2012 establishes the Transition Authority to facilitate the transition. The Act demands that the Transition Authority perform its functions subject to the Constitution, and be accountable to the people of Kenya and ensure public participation in the process. The Constitution of Kenya equally provides the involvement of people into the process of policy making and accountability for administrative acts.

However, the civil society has concerns which they feel threaten to derail the transition process. Among them include the National Government Service Delivery Coordination Bill which they feel is unconstitutional. Wanjiru Gikonyo who is the national coordinator of The Institute for Social Accountability (TISA) laments that the Office of the President has drafted the National Government Service Delivery Coordination Bill and is actively lobbying for its adoption.

She says the bill ignores the fundamental question of how national government will restructure its ministries. "While the bill should specifically address that issue, its title is misleading as its sole purpose is to restructure the Provincial Administration and not establish the national service delivery framework," she explains.

She notes that there is no public participation in the preparation process or in the operations of the

bill. According to the coordinator, the bill proposes administrative units that conflict with the County Government Act, 2012 and the bill ignores provisions for shared services under the County Government Act, 118,119.

Other areas of concern include the fact that the bill ignores the functional assignment process which should generate sectoral policies reorganising national government. County Government Act, 2012 section 20(2b) delegates state functions to the governor but the bill directly conflicts with this section.

Intergovernmental relations are assigned to summit, council and intergovernmental bodies under the Public Finance Management Act, 2012. The bill seeks to usurp this role.

The bill ignores the provision for transfer of functions which may be provided in sectoral policies to be determined through the functional assignment process. The bill masks national government's reluctance to comprehensively address the realignment of staff and sets the stage of legal challenge and direct conflicts if enacted. Given the abject unconstitutionality of the bill, she says that the Transition Authority should state their position on the fate of the Provincial Administration.

"We also ask the chair to explain what process the Transition Authority has instituted to address the fate

of the Provincial Administration and other public officers to ensure that the functions provided by the Provincial Administration are effectively transferred to the county governments. We reiterate that all public staff must be fairly and transparently realigned and redeployed in a manner consistent with the Constitution of Kenya, 2012" she adds.

Samuel Kimeu, the Executive Director Transparency International Kenya points out that the Ministry of Health has reclassified health institutions contrary to constitutional provisions and public interest. "The Ministry of Health reclassified a number of health facilities as referral hospitals last year. It has come to our attention that the Ministry of Health has taken a decision to reclassify public hospitals into referral hospitals. The Constitution of Kenya in the fourth schedule assigns county governments the responsibility for all health services expect those of referral hospitals which is preserved for the national government," he adds.

To date Kenya has had one referral hospital (Kenyatta National Hospital).

"It is therefore in bad faith that the ministry seeks to reclassify health facilities in the favour of national government to the detriment of county governments. We note that section 8 of the transition To Devolved Government Act, 2012

empowers the Transition Authority to make recommendations for the distribution of assets to the national and county governments," he explains. He expressed concern that the Transition Authority has not raised any objection to the unconstitutional and illegal action of the Ministry of Health.

"We are forced yet again to speculate if the Transition Authority is complicit in the scheme to undermine county governments before they have commenced operations by forcing them to depend on national government facilities. It is unconstitutional and we demand a statement by the Ministry of Health on the status and rationale behind the reclassification of health facilities and equally demand a statement from the Transition Authority who should be guided by the spirit of the constitution and not political expediency," he says.

Whereas the Transition Authority has commenced operations and is in high gear in their execution, it is doing so without the constitutionally required public participation. The Transition Authority has failed to be accountable to the public by providing piecemeal information, to different public actors. The Transition Authority's chosen strategy of engagement appears designed to avoid difficult questions regarding the transition.

He urged the Authority to organise public forums both nationally

and at the county level and document their view to assess the extent to which the Transition Authority is responsive to the real needs of citizens and not merely using select public engagement to rubberstamp boardroom decisions designed to undermine devolution in Kenya.

The Transition to Devolved Government Act provides a moratorium on all public assets. There are provisions for exception to the moratorium. The Transition Authority is required to provide a mechanism for scrutiny of public assets and is empowered to reverse any irregular transfer of assets. The Transition Authority has thus far not provided public information on the status of implementation of the moratorium. It has not provided mechanisms through which citizens can engage in the process.

Assets' stripping is rumored to be in high gear. The media has reported cases of local authorities seeking to sell off assets to pay off debts to statutory institutions such as the NSSF and NHIF without first justifying how statutory deductions were applied.

"We request the Transition Authority to provide a statement on the status of public assets audit and inventories. We ask what provisions they have made for public verification of the same. We ask them to provide full public disclosure on this very critical subject; otherwise we shall hold them very accountable and answerable in the event that county assets are looted," he affirms.

Public urged to take VCT test for early diagnosis

By HENRY OWINO

THE public has been urged to go for HIV and Aids testing at any voluntary and counseling test (VCT) centre to enable them know their status and access treatment.

Speaking during the opening a two-day HIV Testing and Counseling Symposium in Nairobi, Mary Ngari, Health Permanent Secretary said the move will enable those infected to immediately embark on care and treatment. She further said the government will strengthen existing HIV testing strategies to embrace the devolved system of governance, while expanding to other options that will be informed by emerging scientific evidence.

"I urge counties to scale up HIV prevention activities and prioritize on HIV testing and counseling as it is the gateway to all HIV prevention and treatment services," Ngari urged.

Ngari note that testing people for HIV, popularly referred as VCT (Voluntary Counseling and Testing), was introduced in Kenya in 2001. It has been well accepted, with an estimated six million people accessing the services annually. She urged the public to ignore stigma and take courage to be tested and if found positive to start early treatment for those found negative to watch on their behaviors.

"Though the services are offered free of charge, the health workers undertaking the mind-boggling task have occasionally lamented at the slow uptake amongst various population segments," she said.

Some people have declined to access the services, citing lack of professionalism among service providers. To address the gap, Ngari sought to assure the public that skilled manpower will be enhanced; a move she said will help uphold high standards.

Today it is estimated that there

are more than 5,700 VCT sites spread countrywide which have raised the levels of adults ever tested from 36 percent in 2007 to 73.3 percent in 2012. This therefore means no excuse whatsoever for anyone not wanting to be tested unless for fear of stigma.

"Universal access to treatment will require universal access to knowledge of correct HIV status; this is only possible through regular testing and counseling that should be sustained at population levels through mass campaigns and routine service delivery, Ngari encouraged.

She challenged County Health Coordinators to ensure HIV policies and guidelines are implemented so that the Ministry of Health can begin to see a reversal of the trends of infections na-

tionally.

According to the Kenya Demographics Health Survey (KDHS), HIV prevalence stands at 6.2 percent, with 1.2 million people reported to be undergoing various HIV and Aids therapies. An estimated 610,000 of the entire infected population are on life saving Anti Retroviral (ARVs) drugs.

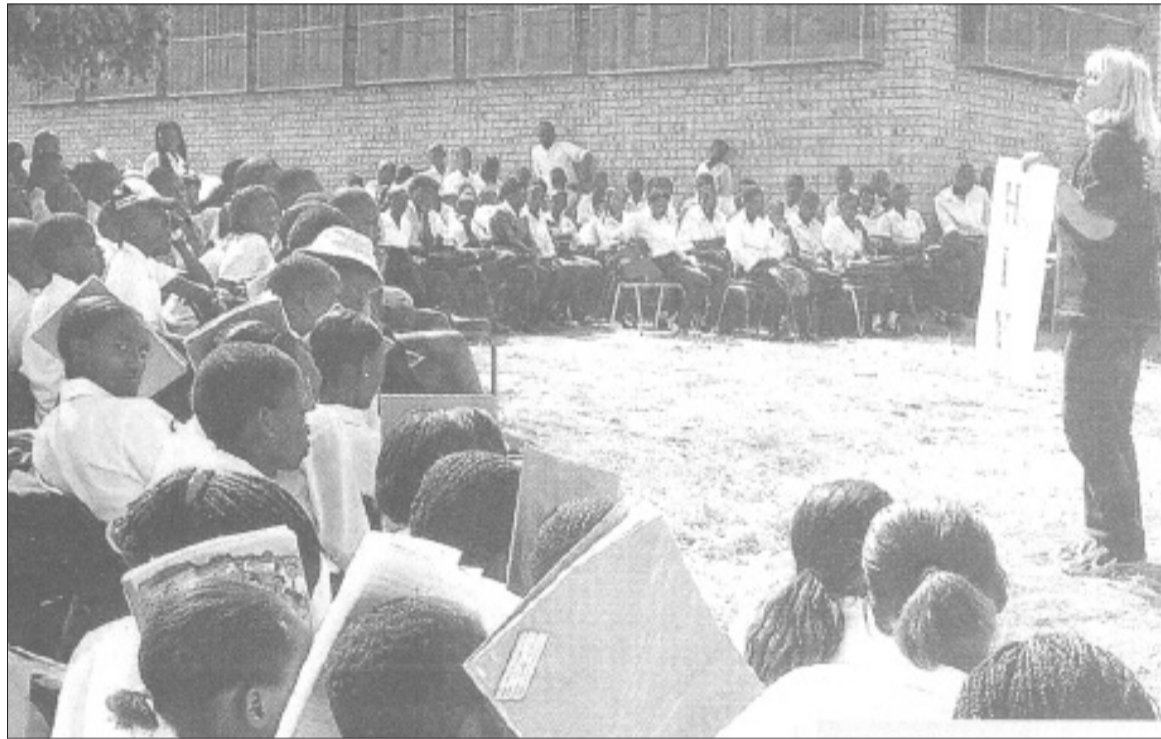
Ngari regretted the low number on ARVs drugs and appealed for support from donors and other well wishers to chip in to enable other eligible citizens to join the programme. "This intervention has prevented 240,000 new infections and saved 340,000 people from deaths since 2000," she disclosed.

Among other measures the health sector has employed to reduce fur-

ther infections include; prevention of mother to child transmissions (PMTCT), with over 97 percent of all pregnant women being tested during antenatal care. This was made mandatory for pregnant women visiting clinics during their maternal healthcare.

Ninety percent of those who test positive are normally provided with ARVs drugs to protect the unborn babies. The move has led to the reduction of transmission among the group from 28 percent in 2005, to 8.5 percent in 2012.

This has prevented infant deaths from a high of 60,000 to 24,000. Ngari commended the move, saying measures have been put in place to further lower the current percentage to five by the year 2018.



HIV seminar. The public has been urged to visit VCT centres to know their status. Photo/File

Residents urge vetting board to widen its scope

By BOB OMBATI

RESIDENTS of Kisii County wants the Judges and Magistrates Vetting Board to vet other junior officers in the judiciary to help get rid of corrupt individuals.

The locals who presented their views to the Board at the Gusii County Council hall said some court clerks connived with lawyers to frustrate litigants and defeat justice.

Philip Ndubi, a resident told the Board led by Commissioner Justus Muniyithya that some Clerks hid court files and used delaying tactics to derail the dispensation of justice.

He claimed some clerks openly demanded for bribes in order to trace files for the complainants.

Ndubi lauded the on-going reforms in the judiciary, stating that senior court officers were embracing reforms but their juniors were retreating since they had not been subjected to vetting.

Muniyithya stated the Board's mandate was limited to the professional conduct of the Magistrates and how they handled cases, stressing there were other bodies tasked with addressing various judicial issues and court officers.

The Commissioner, flanked by board members Meuledi Iseme, the Board's Secretary and Chief Executive Officers, Reuben Chirchir and counsels, Jackline Manani Jaramba Gichuki said the Judicial Service Commission, Advocates complaints Commission and the Law society of Kenya could address issues beyond the vetting mandate. "We gathering your views on the performance of

Turn to Page 31

Concerns on effective transition to devolved government

By MALACHI MOTANO

THE Constitution of Kenya establishes devolved government. Schedule 6 Part 4 provides for the phased transfer of functions to County Governments. Article 15 states that national government shall facilitate the devolution of power, support county governments and assist them in building their capacity, and establish criteria that must be met prior to the transfer of functions.

The Transition to Devolved Government Act, 2012 Section 24 provides the criteria for the transfer of functions. This Act identifies two phases of the transition; the first phase of the transition was to have:

- Audited and assessed assets and liabilities of the government and local authorities;
- Audited and assessed government and local authority infrastructure;
- Audited and assessed government and local authority staff and provided transfer mechanisms;
- Prepared county profiles;
- Prepared county budgets for their first year of operations;
- Carried out an analysis for functions and competency assignment to counties through the unbundling, costing, assignment of functions process.

The Transition to Devolved Government Act, 2012 establishes the Transition Authority to facilitate the transition process. On November 6, 2012, the Transition Authority circu-

lated guidelines to inform the crucial functional assignment process. The output of this process was to have informed the division of revenue bill 2012-13 and 2013-14. The process was to produce Transition Implementation Plans (TIPs) to guide the new county governments as they take up county functions, and to have informed sectoral policy and county capacities. These would in turn form the basis for the transfer of functions to enable county governments meet the criteria for the takeover of functions.

However, majority of the outputs anticipated in phase one of the transition process have not been realised and this may undermine the ability of county governments to effectively take over their functions.

According to The Institute for Social Accountability (TISA), the delay in functional assignment process are likely to derail the transition process.

"Whereas the process commenced in November 2012, it has been opaque and the functional assignment reports have not been completed or released," says the lobby groups in an open letter to President Uhuru Kenyatta.

A recent civil society policy brief entitled "Who is in charge? Devolution May Fail Without Clear Roles" observes that the failure to conclude the functional assignment process may result in a lack of clarity regarding roles and responsibilities between the two levels of government.

This failure has also impacted the

budgeting process resulting in a delay of the Division of Revenue Bill for 2013-14 due to a lack of costing information.

The delay also has a knock-on effect on sectoral policy realignment with dire implications for county takeover of services. Unless urgently addressed, most county governments are unlikely to meet the constitutional and legislative criteria for the transfer of functions in July 2013 contrary to a statement published by the Transition Authority to this effect.

Another area of concern is the uncertainty that surrounds the audit and assessment processes. The assessment of assets, liabilities and personnel has not been open to the public and it is not clear if these processes have been completed. There is uncertainty regarding the redeployment of staff, the rationalisation of national institutions and reclassification of urban areas.

Conflicting national legislations have compounded the situation. TISA argues that the National Government Coordination Act, 2013 and Constituency Development Fund (CDF) Act, 2013 are unconstitutional, conflict with the mandates of county governments, and do not meet the public engagement requirements under the Constitution of Kenya.

"The National Government Coordination Act, 2013 violates both the distinctness of the two levels of government and Article 201 of the constitution on prudent use of public

resources, and creates parallel structures. The CDF Act, 2013 on the other hand violates the functional distinctness of County Governments, disrespects Article 202(2) of the Constitution on sharing of revenue, violates the principle of separation of powers and is inconsistent with the county legislation and structures, in among other things its planning framework," reads the letter in part.

Article 174 (c) of the Constitution gives powers of self-governance to the people and seeks to enhance participation of the people in the exercise of powers of the State and in making decisions affecting them.

Article 232 of the Constitution provides for the involvement of the people in the process of policy making and accountability for administrative acts.

The transition process, especially the functional assignment process has not been open to public input and has not met the constitutional requirements on public participation.

To safeguard the process of transition to devolved government, the lobby group is calling for the adoption of mechanisms to hasten the process.

According to TISA, steps should be taken to ensure completion of county plans to aid in the implementation of the transition process.

Section 16 of the Transition to Devolved Government Act, 2012 provides that County Government submits to the Transition Authority and

Commission for the Implementation of the Constitution, a transition plan and progress reports.

The lobby groups adds that the Transition Authority should avail the functional assignment reports, sectoral policy reports, classification of urban areas report, asset and liability assessments report, human resource realignment plans, infrastructure and staff audits report and any other relevant report for public review.

TISA at the same time calls on the Office of the President to liaise with Parliament to repeal the National Government Coordination Act, 2013 and provide alternative legislation for the national government's representation at the county level that complies with the Constitution and sectoral service delivery imperatives. Parliament should also consider the possibility of reviewing the CDF Act, 2013 to comply with the Constitution.

"We note that failure to review the CDF Act, 2013 expeditiously may result in CDF being scrapped entirely and deny counties a valuable source of development revenue."

The lobby underscored the need to safeguard the role of citizens in the transition process by ensuring that there is access to information as stipulated in Article 35 of the Constitution.

Further, comprehensive civic education on devolved government should be rolled out to promote citizen engagement and social accountability in devolved government.

Fifty years later, we're independent but not free

By MUGAMBI KIAI

ON June 1, Kenya marked 50 years of the declaration of self-rule ahead of the granting of independence on December 12, 1963. But do the country's people enjoy full freedom?

Fifty years later, June 1 still represents a critical reference point in Kenya's historical march towards becoming a fully independent, democratic developmental state. Fifty years ago, this date signalled the outer marker as the date for the full independence of Kenya closed in. And as we seek meaning today around what this date signifies, we need to re-interrogate the question as to why independence was so significant. Here are three reasons.

Independence represented the moment Kenyans were to transit from being subjects to the colonial master; enslaved by a dehumanising and predatory political and administrative order that sought to negate and nullify their humanity and rapaciously exploit them.

This is captured in the language that was used to represent the African. For example, from "vermin" to "black monkey" to "boy", the African was not deemed to represent a fully formed and functioning human entity.

Rather, the African was dehumanised and sub-humanised in a manner that was instrumental in justifying and enabling his/her flagrant violation and abuse. These violations were so egregious that, for instance, we are informed today that the British Government would rather settle out-of-court a claim based on them that has been launched by veterans of the Mau Mau war of independence.

Hence, independence was seen to represent the equalisation of all as human beings; irrespective of their skin colour or any other difference that had previously been used to subjugate some. And this should have represented a critical break from the past so that what we should be seeing today is the political and administrative treatment of all as equals: However, is this what has transpired fifty years later?

Why, if this had been the case, would we need a Truth, Justice and Reconciliation Commission? Why did we need to promulgate a new constitution on August 27, 2010? Why did Kenya take herself to the International Criminal Court in the first place?

Second, independence was supposed to represent democratic progression where there would be equality of vote; and democratic rights were fully respected and actualised.

In this respect, not only should we

be enjoying the full spectrum of electoral rights but also the attendant civil and political rights. As we consider the most recent Kenyan elections, it is important to ask ourselves whether Kenyans' electoral rights have been vindicated, not just this time, but throughout our 50 years of existence.

Although electoral results always dominate the headlines, the electoral process is fundamentally a process that replenishes and re-affirms the citizens' faith in their political system.

Despite the Supreme Court of Kenya ruling with regard to the recent presidential elections, the conduct of the 2013 electoral process still stands seriously impugned for several reasons: among them, we have an indeterminate voters' register, a collapsed electronic voter-registration and results-relaying system, and a controverted results-counting-and-tallying process.

In this regard, it is clear that the political "moving on" that has happened represents a postponement of real electoral grievances rather than their adequate settlement: a temporary political ceasefire rather than a full breakout of political peace.

In addition, unfortunately, what we have seen is a system that favours a winner-take-all political result; those who have lost seem to have concomitantly lost their political voice and stake. This is one of the outcomes that devolution is supposed to redress.

But we saw what happened to devo-

lution in the early post-independent years. The attacks on the devolution chapter of the 2010 constitution suggest that it will face a similar struggle for survival.

Unfortunately, proportional representation, which would have been another key plank in providing broader political equity in this kind of milieu, was not constitutionally provided for.

One needs, in addition to electoral rights, to also consider the enjoyment of civil and political rights that give meaning to the electoral process. And here, Kenya has abysmally failed: there has been no accounting, for instance, on the impact of political and electoral violence in the Coast province.

Today, how can we, for instance, talk of civil and political rights when citizens peacefully protesting the political avarice of their political leadership are clearly beaten in the process? And is the media in Kenya really free given its ownership and advertising dynamics? The dawn of independence was, thirdly, the starting gun for Kenyans' to craft, devise and implement their own developmental path which would have truly freed the country from want.

In fact, it was a key call at that moment that independence signalled the beginning of the journey liberating us from hunger, disease and illiteracy. Fifty years later, how free are we from want?

It seems that rather than being liberated from want, Kenya is instead incarcerated by it. Look, for instance, at the

most obvious case of want-incarceration – the clamour today of Kenyan legislators to apportion to themselves their previously shamefully exploitative remuneration packages.

It is not just their raw greed that rangles but also the way they have gone about trying to run roughshod of the constitutional checks and balances that should ordinarily keep things at an even keel. First, they threatened to disband the Salaries and Remuneration Commission that has the constitutional mandate to set the remuneration of all state officers, of whom they are part.

When this failed to work, they set about attempting to undo the gazette notice that had set their new (and still very healthy) remuneration packages. Of course this was in absolute violation of several constitutional provisions including the provision that one cannot make a decision in a matter where they have a financial interest.

Clearly, the public interest is the furthest consideration in the minds of our political elite. This is just one other illustration of the crippling malaise that has afflicted Kenya's grand march to development since independence: corruption, patrimonism, tribalism, nepotism are other similar symptoms. So as we celebrate Kenya's internal self-government today, let us not delude ourselves. We are independent but not free.

Mugambi Kiai is the Kenya Program Manager at the Open Society Initiative for Eastern Africa (OSIEA).



Kenya attained independence in 1963 and this year 2013 marks 50 years since the first government was formed through a majority vote representation in 1963.

Residents urge vetting board to widen its scope

From Page 30

the Magistrates who you feel are not doing their work well," said Munyithya. He told the complainants to back their allegations with evidence, as the board can summon them to give more evidence to avoid sacrificing innocent people.

The Commissioner noted the Board relied on their information to enhance vetting process, saying they could also complement Magistrates who discharge their duties professionally to motivate others.

Chirchir said the forms could be obtained free of charge from the district commissioner's office, the County Commissioners and the Law Society of Kenya branches nationally, adding that complainants could also access them online, fill and send them to the board.

He told the public to be wary of individuals selling the forms and urged them to report such cases to the police for legal action to be taken against them. Chirchir said the public must demand individual seeking to gather information against Magistrates to identify themselves.

The CEO assured complainants such information will be treated with confidentiality, adding that the Board's verdict is usually made public and posted to the website.

He allayed fears that Magistrates could victimize complainants, noting they could still be disciplined by the Judicial Service Commission and other relevant bodies if they showed vengeful tendencies towards their accusers.

Aggrieved members of the public, stated Iseme could send short Text Messages (SMS) to 5834 for ombudsman to address their problems against Court officers and they could channel their complains via e-mail: servicedesk@judiciary.go.ke for action.

Brokers collude with employers to exploit workers in Kisii

By BOB OMBATI

BROKERS in Kisii town are colluding with proprietors of supermarkets to exploit workers.

Kisii Branch, Kenya Plantation and Agricultural workers union secretary, Thomas Maroko says employers have been remitting workers salaries to brokers to avoid paying statutory deductions.

Maroko notes that it is against the Labour laws for the employers to pay their workers through Brokers, whom, he accuses of exploiting the workers.

The unionist, who made the remarks during Labour day celebrations at Gusii stadium noted that employers engage in the illegal activities to avoid remitting statutory Funds to bodies like National Social Security Fund and National Hospital Insurance

Fund.

The official, flanked by fellow unionists, Andrew Nyamasege, Kenya Union of Commercial Food and Allied Workers, Richard Ming'ate, Kenya union of Domestic Hotels, Hospitals and institutions and Leonard Ombati Kenya Buildings, Construction, Timber and Furniture employees unions noted the employers gave the employees contracts and terminated them within three months.

An employee who has worked for three months, stated Maroko is supposed to be employed permanently, stressing the brokers had agreements with the employers to terminate their contracts before the three months so that they can bring other workers to exploit.

He cited a case where a supermarket attendant was paid Ksh. 2000 per

month by a broker who pocketed Ksh. 4000 without sweat, adding they were investigating the case to take measures to curb it. "It is wrong for a person who is supposed to earn Ksh. 6000 to share it with a broker who takes the lion's share. That is primitive and unacceptable in the modern society" noted Maroko.

Lauding president Uhuru Kenyatta for increasing workers salaries from 13 to 14 percent, he cautioned employers and brokers against exploiting the workers, saying it negated the spirit of the government's to increase minimum wages for workers.

The Trade unionist accused Labour officers of failing to address the workers plight, claiming, some were bribed by the employers to exploit workers. A survey by the Link in one of the supermarkets revealed that out

of the 20 employees, four were paid by brokers while the rest were paid by the investor.

The workers complained they were underpaid and overworked, adding that they worked for seven days, were not given annual leaves and were given 20 minutes for lunch, which, they said was inadequate and calculated to frustrate them.

They said they had nothing to celebrate despite President Kenyatta's gesture, adding that employers should be prevailed upon to pay the workers the minimum wages and provide a conducive environment and clear terms of service.

"We have no time to go to church, wash our clothes or socialize with other people. Our employer does not care," said an employee who requested anonymity fearing victimization.

She said if you were sick, your monthly salary is deducted even if permission had been approved, adding that she was struggling to survive and praying not be sick lest her salary is deducted.

The employee claimed a worker who fell sick for a week was dismissed without benefits and efforts to seek aid from Labour officers was futile, adding majority had been compromised. Nyamasege urged investors wanting to invest in the county to employ majority of the local people instead of sourcing them from other counties.

Kisii county, stated Nyamasege is endowed with massive human and agricultural resources, noting that investors should only employ technical experts who are not available locally to avoid conflicts with the local people.

Govt set to equip CDF funded health facilities

By BEKADZO TONDO

THE government plan to equip ten health facilities in Kilifi County which have been built with funds sourced from constituency development fund and local authority transfer fund.

The outgoing medical officer of health for Bahari and Ganze districts Dr. David Mulewa told The Link in his office that the Ministry of Health had registered the health facilities built with devolved funds in the former Bahari and Ganze constituencies. Dr. Mulewa said the facilities had remained unutilized for many years after their completion as they had not been registered by the ministry of health.

"The Ministry of Health has finally approved about 10 health facilities which had remained unutilized for many years as they had not been officially registered upon completion some years back with funds sourced from CDF and LATF," said Dr. Mulewa.

Dr. Mulewa who has been transferred to Lamu County to serve as the County director of medical services said the facilities included Midoina and Ntungicha in Ganze constituency and Mtondia and Mavueni health facilities in Bahari constituency.

The MOH said other health facilities which will soon become operational include Mrima Wa Ndege and Kachororoni health facilities in Ganze constituency and Kiwandani dispensary in Bahari constituency.

He said already some medical personnel have been deployed to the facilities and drugs supplied.

"The ministry of health has already posted some medical personnel to many of the health facilities while drugs will be supplied," said Dr. Mulewa. Dr. Mulewa said the health facilities will boost the medical service delivery to the people and urged sick people to make use of them.

The officer noted that failure by the local constituency development management committees and the local authorities to consult them when putting up health facilities had contributed to the delays to open the completed health facilities. He said as the technical people, they need to be consulted so that they can offer their technical input to ensure the facilities are built to the expected standards.

Dr. Mulewa noted that some CDF management committees rushed to put up the health facilities for political reasons and in most cases failed to consult the relevant line ministries for technical advice.

Africa likely to miss out on realization of MDGs



MHIVAIDS experts share some ideas during the conference in Nairobi recently. Photo/Henry Owino

By HENRY OWINO

MANY countries in sub-Saharan Africa are likely to miss out on the benchmarks set for the realization of Millennium Development Goals (MDGs) by a significant margin at the end of 2015. This has largely been blamed on lack of political will, unstable economy, corruption, among other difficulties.

In a set of 46 countries, the poverty profiles of individual countries indicate varied progress. About 18 countries have made sufficient progress to reach the MDG targets related with halving extreme poverty, primary completion and gender parity in primary and secondary education.

The MDGs are eight international development goals that were officially established following the Millennium Summit of the United Nations in 2000, in pursuant of the United Nations Millennium Declaration. All 193 United Nations member states and at least 23 international organizations have agreed to achieve these goals by the year 2015.

The goals are: 1. Eradicating extreme poverty and hunger, 2. Achieving universal primary education, 3. Promoting gender equality and empowering women, 4. Reducing child mortality rates, 5. Improving maternal health, 6. Combating HIV/AIDS, malaria, and other diseases, 7. Ensuring environmental sustainability and 8. Developing a global partnership for development. This information was released by Global Monitoring Report and International Monetary Fund on the world's progress towards MDGs as its tenth edition.

Each of the goals has specific stated targets and dates for achieving those targets. To accelerate progress, the G8 Finance Ministers agreed in June 2005 to provide enough funds to the World Bank,

the International Monetary Fund (IMF), and the African Development Bank (AfDB) to cancel debts totaling to \$40 to \$55 billion by members of the Heavily Indebted Poor Countries (HIPC). This is to allow impoverished countries to rechannel the resources to social programs for improving health and education and for alleviating poverty.

Debate on the adoption of MDGs has mainly focused on lack of analysis and justification behind the chosen objectives, the difficulty or lack of measurements for some of the goals, and uneven progress towards reaching the goals, among other criticisms. Although developed countries' aid for achieving the MDGs has been rising over recent years, more than half the aid is towards debt relief owed by poor countries, with much of the remaining aid money going towards natural disaster relief and military aid which do not further development.

"Progress towards reaching the goals has been uneven. Some countries have achieved many of the goals, while others are yet to realize any meaningful progress. A UN conference in September 2010 reviewed progress to date and concluded with the adoption of a global action plan to achieve the eight anti-poverty goals by their 2015 target date," part of the report stated.

There were also new commitments on women's and children's health, and new initiatives in the worldwide battle against poverty, hunger, and disease.

In Sub-Saharan Africa, poverty is concentrated in rural areas where 75 per cent of the poor reside. Unlike other regions where the urban poor are concentrated in smaller towns, in Sub-Saharan Africa, the urban poor are concentrated in the capital and large cities. Rural areas have lower poverty and better access to basic amenities but disparities between rural-urban populations are large.

With accelerated implementation, five more countries can reach the poverty reduction and gender parity targets, and 12 more countries can achieve the primary completion target by 2015. Sub-Saharan Africa has made at least progress in achieving the MDGs related with reducing infant and maternal mortality, and access to sanitation. Acceleration can help at most 4-5 countries to achieve the health targets, but can only help Botswana to reach the sanitation target by 2015.

In 2008, the region had the highest poverty rates of all regions. At least 46 per cent of rural population compared to 34 per cent of the urban population lived in extreme poverty. For each poor person in an urban area, there were 2.5 as many in rural areas. Primary education and its quality are equally important for reducing poverty. In 2007, only 57 per cent of rural compared to 75 per cent of urban grade 6 students achieved competency in reading.

Only 18 per cent of rural relative to 24 per cent of urban children achieved competency in mathematics. Urban-rural literacy levels were as high as 40 per

cent. In 2010, 49 per cent of the rural population compared to 83 per cent of urban residents had access to safe water. Only 23 per cent of rural and 42 per cent of urban residents have access to sanitation services.

Several factors exacerbate the challenge of narrowing rural-urban disparities in poverty and access to basic services. The rural poor migrate to cities in search of better paying jobs and basic amenities. Migrants with basic education and good health usually find better paying jobs. For example, in rural Kagera in Tanzania, consumption increased more than 120 per cent for migrants but only 40 per cent for non-migrants.

Since Sub-Saharan Africa's poor are disproportionately concentrated in rural areas and cannot migrate at once to urban areas to enjoy the benefits of urbanization, the challenge of delivering MDG related services is to bridge rural-urban differentials. Any strategy to attain the MDGs should include increasing rural productivity through the introduction of new farm technologies and investment in the human capital development of rural residents; removal of land market distortions; improved connectivity with urban markets and a fostering of nonfarm activity and rural-urban migration. Facilitating rural to urban migration can also help the rural poor to escape poverty.

The first best policy solution to attain the MDGs is to equalize services across rural and urban areas. But this first best solution may not be financially feasible and it may be necessary for Sub-Saharan Africa to set priorities taking into account country-specific circumstances when allocating resources.

In countries where migration is significant, and population density in rural areas is low, boosting urbanization through better service delivery in large cities would make them more attractive, and speed up rural to urban migration. Delivering piped services (water and sanitation) in densely populated areas is more cost effective.

According to a global study, on average, the cost of a cubic meter of piped water is US\$ 0.70-0.08 in dense populated areas compared with US\$ 2 in sparsely populated areas. To find better paying urban jobs, rural migrants would need to have basic education and be healthy. Public investment in primary education and health care should be directed to the poor in urban and rural areas. This seems relevant for sparsely populated countries with low urbanization rates as in Sub-Saharan Africa.

In countries where migration is limited but population density is high, differential in poverty and availability of basic services between poorly served rural areas and better served large cities are unlikely to shrink sufficiently. Progress toward the MDGs would be accelerated by delivering services such as primary education, primary health care, and piped services (access to safe drinking water and sanitation) where the poor are concentrated.



The Link appreciates the facilitation accorded by the Konrad Adenauer Stiftung (KAS) in Kenya.