

Unfiltered, uninhibited... just the gruesome truth

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Kenyans want wider talks on land laws

By ROBERT WANJALA

For 15 years, John Nderitu Munyori, has braved the corridors of justice fighting court battles threatening to take away what he believes is legally and rightfully his.

Munyori, 67 and father of 11 children reveals the pain he has endured while trying to fend off unscrupulous advocates and government land officials who have been out to dispossess him of a parcel of land he acquired shortly after being uprooted from Burnt Forest at the height of 1992 tribal clashes.

Like many, Munyori's trouble started in December 1992 when arsonists reduced to ashes all his belongings. He immediately resolved to sell the piece of land he owned at Burnt forest and moved to buy land at a safer place near

Eldoret town.

However, this turned out to be the case of moving from the frying pan into the fire. His advocate who also acted as a guarantor during the transaction conspired with land officials at the land registrar office to alter the documents and defraud him.

Tribulation

Munyori's related his tribulations during a public forum convened by the Parliamentary Committee on Land and Natural Resources in Eldoret.

The committee led by Rev Mutava Musyimi heard that land officials colluded with criminals to defraud unsuspecting individuals through duplicity, forgery, disappearance and double allocation of land.

The residents drawn from Nandi, Uasin Gishu and Elgeyo Marakwet counties called for wider consultations to help adopt strong land laws to curb the rising cases of fraud.

The locals insisted that without proper laws disputes related to the emotive land issue will remain unresolved and could lead to bloodshed.

Rift Valley has borne the greatest brunt of tribal and ethnic clashes since the introduction of multi-partyism in 1992. For many years communities in the region have cited historical land injustices as the root cause of conflict.

Politicians have been accused of instigating land related violence by inciting communities



Women working on land. Many Kenyans have complained of land laws only favouring a few and hence the reason why there has been huge conflicts over the asset. Inset: Kipkoech arap Sang, Ogiek community chairman addressing the public forum on land reforms in Eldoret. Pictures: Reject Correspondent and Robert Wanjala.

against each other in pursuit of selfish interests.

During the meeting, residents called for sobriety when discussing land matters to guide in the drafting of land laws.

The land problem in Kenya dates back to the colonial era when native communities were evicted from their ancestral land to create room for white highland settlements.

Post independence governments, however,

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Mining made easier as miners cash in on simple stone crusher

By MILLER OMEGA

Gold mining is not a simple job, especially when it involves using rudimentary methods to get the precious mineral.

For the miners at the Macalder Mines in Migori, it has taken days on end, at times weeks to crush an ore. However, those who have seen the miners suffering have thought out ways of helping them and developed a simple ore crusher that has now made their work easy.

The crusher comes as a big reprieve to the miners who have been extracting the gem stone manually, incurring huge losses and wasting too much time.

"It used to take up to two days for miners to crush their ore manually in the energy sucking process, but after the ore crusher was introduced there is ease in gold extraction," says George Odhiambo, an official with the Migori County Association of Miners.

Odhiambo notes that the crusher has been replicated in other areas of Nyanza such as Ronggo, Kuria and Rachuonyo districts.

Equally, with the ore crusher, the number of miners has gone up with more women opting for the occupation which was previously male dominated.

Ore

At the mines Jacinta Auma, a 30 year widow with four children, spreads her five basins of ore next to the crusher. Auma wakes up at 5am to transport the ore which takes her two days to collect.

Initially she would carry the ore on her head as she could not afford to pay the KSh100 charged for transportation using a donkey but says with the ore crusher has made her work easier as she is sure to get her gold and sell it by evening.

"Work has been simplified since we started using the crusher. With these five basins I expect about 0.3g of fine gold which will earn me about KSh750," explains Auma.

Auma opted to invest in a stone crusher after her husband who was miner and the sole bread winner was diagnosed with Tuberculosis in 2007 and bed ridden for three years.

Assets

"We started mining in the hope that he would recover, but he eventually became paralysed and we decided to dispose of some of the family assets to buy a crusher which now has been our major source of income," says Auma said, adding their children are also now going to school.

The first ore crusher was introduced shortly after eight members of the Migori County Association of Miners attended workshops in Zambia and South Africa, which are renowned mining economies in Africa, to learn about best



practices in mining.

"After the training, we received funding to educate miners in the area on how to assemble the simple ore crusher after which we gave out a few for trial in the mines," explains Odhiambo.

The ore crusher has helped to fill the void in the market, as locals take a lead in making them. At the moment, the crusher has been a successful venture that allows for greater prospecting in the area.

"The ore crusher is also a source of revenue for locals who want to make money by offering crushing services," observes Odhiambo.

The ore crusher shows how other brands like Wrangler Jeans and Boots which came with the gold rush in United States are tough even though they didn't look for gold directly.

To get a crusher one needs around KSh350,000. What one needs is a China made diesel engine which rotates a locally assembled motor with specially placed 350-500 steel balls each weighing about 205kg to crush the ore like a posho mill.

"The steel balls are contained in a locally fabricated steel container with an opening to allow for the ore to be placed and crushed into fine



Ore ready for crushing with a machine that has been copied from southern Africa. Previously miners used very rudimentary methods that took long before they gold get the gold. Pictures: Miller Omega.

powder within 30-45 minutes," explains Odhiambo.

He notes that a water tank constructed near the crushers help in cooling the machine so it does not over heat as the water circulates within the steel balls.

Since the money needed to assemble a crusher is not little, those who own it charge a fee so the miners can crush their rocks.

Clinton Oballa who owns a crusher charges about KSh70 for a basin of ore with a single session taking up to 7 basins which in a good week gives him something close to KSh5,000 before deducting the cost of running the machine.

Isiolo Airport to be ready next month

By HUSSEIN DIDO

The construction work of Isiolo International Airport that has been ongoing is set to be complete before May, this year.

According to Dr Cyrus Njiru, Permanent Secretary Ministry of Transport, the project will help transform the region into an international hub, through construction of railway lines and major roads that connect the resort city with Cape Town in South Africa.

Njiru gave an assurance that the project that is funded by the Government to the tune of KSh640 million will be launched officially within the specified timelines to spur growth in the region.

The airport as a project has attracted developers from other parts of the country who are currently investing in Isiolo which is also the gateway to Northern part of Kenya.

The 1.4 kilometre long runway can handle heavy commercial aircraft such as the Boeing 737 to 800 and load weight of 66,381 kilograms. The airport has two tax ways and three aprons where the aircraft can park and refuel.

Both tax ways are 300 m long and 22 m wide and will offer spacious movement when parking after commercial airline have landed.

The runway stretches into Nyambene County Council but the passenger terminal and control towers will all be situated in Isiolo County.

The airport is the only facility in the region with the capacity to hold heavy commercial aircrafts and hence it is expected to decongest air traffic at both Wilson airport and Jomo Kenyatta International Airport.

According to site agent in charge of the project, Engineer Mark Michieka, the number of aircraft landing at the airport can be determined by the air control officials.

Michieka said that the flat topography of Isiolo makes it a safe location for an international airport and the town is accessible from any part of the country since it is at the heart of the country.

Livestock Development Minister Dr Mohamed Kutu said the facility is expected to transform the marginalized areas into a busy hub.

"The airport will enable fresh produce from the region to be exported to other parts of the country where value addition will be done," noted Kutu, who is also Isiolo North MP.

He reiterated that insecurity in the region will be a thing of the past as the new development gets underway.

He challenged the locals to exploit opportunities presented by the new development to enable them reap from the investment.

Tea Board automates its business processes

By EVELYNE OGUTU

TradeMark East Africa (TMEA) has partnered with the Tea Board of Kenya (TBK) to develop and design an online web portal and a Management Information System (MIS) that will aid in the automation of the board's business processes.

This is expected to significantly improve application and issuance of licenses, certificates and permits for stakeholders in the tea industry.

Tea Board of Kenya is responsible for regulating and promoting the tea industry as well as facilitating research into all aspects of tea growing and manufacture as well as pest and disease control.

It is also mandated to oversee the smooth running of the tea industry through policy guidance, licensing, registration and trade development. The tea industry stakeholders include tea growers, manufacturers, management agents, tea buyers, packers, brokers, warehousemen, exporters,

importers and the auction organizer.

"The Tea Board of Kenya web portal will aid in the sensitization of tea traders on its requirements, regulations and procedures for tea trade and offer online application for licensing and permits; thereby improving trade compliance and reducing the time it takes to apply and issue trade documents," noted Jason Kap-Kirwok, Country Director Trademark East Africa's Kenya.

Cost

Speaking at a press briefing, Kap-Kirwok said the project which should be completed in six months time will cost KSh12 million.

"Once the project is complete it will significantly reduce delays on cargo clearance as well as increase transparency, accountability and competency in the tea industry," noted Kap-Kirwok.

Trademark East Africa is providing business process automation and web-based portals to

various trade facilitation agencies to allow for easier access to standardised trade information and documents, improved and consistent application of trade regulations by trade facilitation agency staff, increased compliance rates by traders and increased transparency and accountability in import and export trade operations.

These solutions also enable government agencies and the private sector to participate in the planned national and regional electronic Single Window Information for Trade (SWIFT) that will reduce time and costs for traders and trade facilitation agencies in the East African region.

SWIFT is a trade facilitation concept whose implementation allows cross-border traders to access, apply for and submit regulatory documents at a single location.

This initiative is expected, in the short and medium term, to raise the level of awareness of the current and potential members of the tea trade fraternity on the regulations and procedures.

In the long term, it will assist in reducing delays of cargo clearance due to inefficient and incorrect trade documentation or manual import/export procedures as well as increased transparency, accountability and competency in the tea industry.

Process

According to Alex Kabuga, chief executive officer Kenya Trade Network Agency (KENTRADE), the country loses \$250 million annually to ineffective business process, hence any move to automate business process will improve efficiency, and reduce the cost of doing business.

KENTRADE, which was established in January, 2011 is mandated with implementing, operationalising and managing the National single Window System.

The implementation of this system is expected to increase efficiency through time and cost saving for traders and trade facilitation agencies.

Solar innovation gets village on the technology map

By JOSEPH MUKUBWA

Any critical situation in life always has a potential to become either a crisis or an opportunity.

However, a self help group in Nyeri has opted to turn the challenge posed by high power tariffs into an opportunity by inventing a solar heater system which seeks to drastically cut down power costs and reduce harmful emissions to the environment.

Retreat Site for Solar Science Self Help Group in Tetu District has developed a system that can heat water using solar energy in a bid to save fuel costs, conserve the environment and create employment.

The invention targets larger institutions of learning such as schools, colleges, universities, hospitals and hotels that can greatly benefit in the use of the system.

Water

"The system, developed using low cost materials, incorporates an efficient electronic flow control system to regulate flow of water and has the capacity to heat thousands of litres of water per day. It is expected to be of great help to households and institutional applications," explains Peter Mwathi, the group's director.

He explains: "Though the project is still at the initial stages of implementation, it can serve as an alternative to firewood and electricity especially in institutions which depend on these energy sources to heat water."

According to Mwathi, the heat exchange surface is made of polythene material making the cost per unit surface area extremely low.

"About 30 square metres can heat almost 1,200 litres of water to a comfortable 50 degrees Celsius per hour of sunshine," he explains.

Mwathi who is an agricultural economist notes that such water can be sufficient for at least 600 people on a sunny day.

Heat

"A large system would heat as much water as may be needed. Current cost per square metre is about KSh500 and so heating water for a medium sized high school of 600 students would require a heat exchange medium worth KSh15,000.

He points out that heated water can be stored in an insulated poly tank for up to three days.

"To regulate flow of water in relation to temperature efficiency, an electronic flow control system that allows only hot water into the storage tank has been made available. It turns off the water when the sun goes down or when it gets cloudy,"

Mwathi explains.

He says that the system is very durable as long as the polythene is protected from the physical stress.

Lifespan

"There should always be water in the system to prolong the lifespan of the polythene. Leaks may be fixed by use of readily available glues," he notes.

The group was started two years ago and has about 10 members.

Mwathi, a father of two, left a well paying job at the Kenya Coffee Cooperatives Exporters (KCCE), to establish a retreat site on solar services to serve as a learning site for students, interested groups and individuals.

"I realised there was still a gap in the full utilisation of solar energy in the country and decided to try this out. The results so far have been impressive because the water is getting completely heated as if it has been heated using firewood or electricity. Furthermore solar energy is free of charge," he reiterates.

"We have already employed 10 people who are all earning a living from the projects which we have managed to establish and we are now having several customers who are asking for our services for a fee."

Gadget

Mwathi started researching on solar two years ago and has also managed to come up with a meat roasting gadget which concentrates solar energy at one point using reflective glass panels.

However, he notes that the gadget is yet to gain a hold in the market due to construction complications and the attention required using it.

"The challenge with this kind of thing is that it cannot work efficiently during cold or rainy weather or at night when there is no sunlight," he notes.

Two years ago, they also invented alarm systems for churches, homes and institutions like coffee factories and schools which are controlled by the use of mobile phones.

They have been able to fix them at several coffee factories due to increased coffee thefts.

Some of the factories which have benefited include Kiandu, Mathaiti and Ngunguru among others.

The group has also innovated automatic bells which have been fixed in several schools in Nyeri County.

The alarm system has received numerous orders from individuals in the area with 60 homes and institutions having been installed with the system.

The invention is attracting international market as Mwathi has been receiving



A polythene material which is being used to heat water even in large quantities which a self help group in Tetu has developed. Inset: Peter Mwathi (right) who is the director of the Retreat Site for Solar Science self help group shows how they use the technology to generate heat and boil water. Pictures: Joseph Mukubwa.

requests for more information on the innovation from people in several foreign countries. It can be installed either on the rooftops or on the ground.

Local schools in the area have also been fitted with automatic bells, thanks to Mwathi's efforts. The bells ring automatically to indicate lesson intervals and have a power back-up system in case of power black-outs.

Air

"I borrow heavily from the concept of the famous Isaac Newton who discovered that objects thrown in the air would always return to the ground which culminated in the development of the power of gravity," discloses Mwathi.

However, he declines to reveal the technology behind system for fear of that idea may be duplicated by unscrupulous individuals before he reaps the returns of his labour.

Mwathi has been able to create employment for locals who are able to cater for their families from the returns they get.



"The system, developed using low cost materials, incorporates an efficient electronic flow control system to regulate flow of water and has the capacity to heat thousands of litres of water per day. It is expected to be of great help to households and institutional applications."

— Peter Mwathi, group's director.

Malindi leaders want to review past land deals

By KIGONDU NDAVANO

Perhaps blinded by the need for privacy and luxury associated with the beach, foreign investors and some few wealthy Kenyans have in the recent past conspired to make the areas near no go zones.

The situation had been so bad that Malindi MP Gideon Mung'aro and former Mayor Mohammed Menza at one time led residents to demolish walls erected on the beach blocking access roads left for the members of the public to reach the various beaches. Management of hotels in Malindi have over the years been at loggerheads with members of the public seeking leisure walks at the beach after erecting walls to separate the hotels and beaches in a bid to ensure privacy for their guests.

Beach

According to Deta Ogutu, a trade at the Malindi Silver Sands Beach next to Tropical Village Hotel laments that at high tide the beach become a no go zone for ordinary Kenyans because management of hotels such as Tropical Village, Coconut Village and Driftwood have built beach walls on the high water mark line and with the water bashing the walls, it is hence not easy to wall at the beach.

"Even when we have good number of tourists ready to buy from our wares, at high tide we are unable to access the clients due to the water and the fact that there are ways which block the sea water making walk on sand impossible," explains Ogutu.

Today, an entire Casuarina beach which extends from the Vasco Da Gama Pillar to the Marine Park, a zone covering nearly four kilometres is only accessible through narrow access roads, some with permanent walls on both sides with all the open spaces neighbouring the hotels on the seaside irregularly classified by hoteliers as private beaches.

The domination of prime beach plots by the international tourism investments in Malindi District means the land is owned almost entirely by foreigners.

Land

In the early 1990, a Malindi resident while writing in the *Cutting Edge Column* in the *Daily Nation* jokingly appealed to the Government of Kenya to rewrite the country's international boundaries and classify the Malindi section of the first and second row beach land as Italy.

This was 1992 at the height of one the most major campaigns against takeover of Malindi's prime land by Italian investors.

On realising that Kenyans at the Coast and especially the Mijikenda, have not been benefiting from the prime beach plots, Malindi MP Gideon Mung'aro recently launched a campaign to try and correct some of the wrongs and ensure that the traditional land owners benefitted from the tourism transactions.

Resources

According to Mung'aro, the fact that the traditional land owners lacked the resources and skills to invest in tourism does not mean that they should be abandoned. "Beach plots are special and should not benefit a selected few due to irregular allocations and sales as well as take over by hotels where the indigenous only visit as workers and return home to poverty and poor accommodation," argues Mung'aro.

The MP has collected a list of all original owners of the various beach plots from Mayungu to Watamu with an aim to ensure that even where transactions were completed, the records of the funds paid would be studied and agreements revived, reversed and revised to ensure that more resources are paid to the original owners and their families.

Mung'aro insists that the transaction should be considered against the current market rate of beach plots or else the foreigner investors who have



Tourists relaxing at the beach in Malindi along the Indian Ocean. Inset a picture of a title deed. Malindi MP Gideon Mung'aro would like all land sales in the region reviewed as most of the area's indigenous people were short changed. Pictures: Kigondu Ndavano and Reject Correspondent

not built any projects could lose the land or be forced to cut a chunk of their shares and offer them to original land owners where hotels or villas exist.

Cheat

"Some cunning Kenyan land agents have for years taken advantage of innocent and sometimes illiterate elderly original owners of beach plots to cheat them to sign land transfer documents where they later hand them between KSh300,000 to KSh400,000 for sale of beach plots measuring more than three acres, just for them to later sell at between KSh30 million to KSh40 million per acre of the land".

When the MP announced his campaign, he faced criticisms from Italian investors among other owners of land in the prime zones who felt that he was attempting to revive a very controversial involving past land transactions.

Some felt that revisiting old transactions could cause serious conflicts and even lead to violence which may eventually affect tourism especially because most of the hotels and tourist villas stand on beach plots whose transactions were completed amicably many years ago. Prime beach land owner John Riitho accused Mung'aro for revisiting the controversial. He noted that "All over Kenya, land owners have sold their plots in zones which later become prime but that does not mean that once an area becomes prime, then the land transaction should be revived for the original owners to undertake sales for the second time so that they can benefit," noted Riitho. He added: "The transactions are based on willing-buyer, willing-seller and the MP should understand the respect that."

Original beach plot owners in Malindi have seen what they sold for a song become so prime attracting billionaires from Europe. About 40 years ago an acre of land especially along the now prime Casuarina area could fetch between KSh1.5 million to KSh2 million. Today, the prices have trembled if not doubled.

Former Magarini MP Joseph Kasena Yeri thinks past governments conspired to ensure that Magarini and Malindi original land owners did not benefit from prime plots.

He thinks that the first remedy would be for the government to send a special team from the Criminal Investigations Department to probe past land scandals at the Ngomeni Settlement Scheme which cover some of the most beautiful beaches at the North Coast of Malindi town.

"Only a special probe team is capable of digging deep into past malpractices and help resolve land ownership problems that have continued to affect the people of the region since independence," observed Yeri. He expressed fears that if left unresolved, the land crisis would continue to simmer and perhaps even turn explosive leading to unwarranted violence.

According to Yeri, the worst land scandals took place between 2000 and 2009 when wealthy people and senior politicians started pursuing prime plots mainly at the beach and second row sections purely on speculation. He blames the former land registrars at the Kilifi District Land Registry of masterminding some of the worst land scandals involving agricultural and commercial plots in Malindi and Magarini districts mainly because they were also beneficiaries of the irregular land allocations that were followed by quick sales where millions changed hands.

The scandals rendered many legal documents including title deeds of genuine land owners almost useless.

"Some of the legal documents held by indigenous people who occupied the land and were allocated the same today appeared invalid especially due to some of the worst land record alterations," says Yeri.

Speaking in his office in Malindi town, Yeri said that more than 600 owners of prime beach and agricultural land at Ngomeni area lost their plots due to corruption at the land office in Kilifi. He claimed land registrars at the Kilifi Lands office who used to oversee the allocations and processing of various land ownership documents in what is today classified as the Kilifi County when it was the larger Kilifi District altered and interfered with the ownership documents.

Out of the irregularities, Yeri argues, Italian speculators acquired more than 50 kilometres of the Magarini beach land.

Plots

"The Italians have built permanent concrete walls around such plots and have been making millions of shillings by sub-dividing the land and selling the plots to foreigners especially Italians who favour luxury private villas and cottages.

Once the beach plots are sold to new parties, the zones earlier owned by Kenyans become exclusive as tourist resorts where they continue to



earn owners millions of shillings.

"The privacy of such tourist resorts means Kenyans in Magarini District are denied all the benefits of the beach plots yet a foreigner continues to earn from the same," notes Yeri.

Morris Mangi, chairman of the Adu Ranch in Magarini District expresses concern at the way the region's original or indigenous land owners lost their prime plots to Italians through irregular transactions facilitated by corrupt Ministry of Lands' officials mainly along the Mamburui-Ras Ya Ngomeni areas.

He questions why an extensive prime beach land extending to more than 50 kilometres from the Sabaki bridge to Kanagoni is almost entirely owned and controlled by Italians and a handful of influential people in the government or generally wealthy Kenyan business tycoons.

People

"Prime land in Magarini District does not benefit the original owners or the local people and this is wrong both politically and economically," asserts Mangi.

"Unfortunately, all the good and expensive land only benefits Italian investors who have acquired huge chunks of the same from land grabbers, although sometimes we complain over the Italians, sometimes they are not to blame because they are third parties in the transactions."

According to Mangi there are numerous land transactions involving beach plots in Magarini but they rarely involve indigenous people. "These are finalised by a few influential agents who work in cohorts with corrupt Ministry of Land officials to ensure quick sale and transfer of such land," observes Mangi.

It a rush for land as Kitui gets ready for coal mining

By LYDIAH NGOOLO

The 500 square kilometres landscape of Mui coal basin makes affluent people nod their heads. Others raise their thumbs up as the less fortunate aspiring to get a piece of Mui, screw their noses up.

It is a land which is making people shiver. Even the residents are wishing that they had the bigger pieces of land than they currently have. The rich are finding their way to invest in the area. They are buying land from the ignorant people who are up to letting everything go before the eviction.

Criteria

"Hold fast what you have in your hands for you do not know the criteria of compensation." This is the phrase which has barred many residents from selling their land. As the investors dupe the less fortunate in the community into selling their pieces of land at a throw away prices.

Nguno Musyoka from Mui location and a mother of two has a sad story to tell. She says that it is no doubt that the rich will always have the best leaving the poor to curse the day they were born. Two years back, her elder brother became malicious and started selling all the land left behind by their late parents.

This is the time when rumours of coal mining started. She was married by then but her late father had allocated land to his six children — four male and two female. Her brother sold the first acres of land to a well known business man in Mui Division.

"Can you imagine that he sold that big fertile land at only KSh60,000 shillings? A land which my dad did not even sell when there was no money to pay for my school fees? He would always say that land was too fertile and was the best wealth to leave to his children," says Nguno in tears.

The land had no title deed but the learned buyer didn't mind because he had ill motives. Nguno's brother sold the land secretly even without involving the other brothers. The brothers

did not sign anywhere even on a 32 page exercise book.

They only knew this when the planting season came. As their youngest brother who was in secondary school by then wanted to clear the land, he was told to stop because that land now belonged to somebody else. Death could have had occurred were it not for the neighbours who stopped them.

He informed the other brothers and they reported this to the village elders and relatives. The brother turned down the summons by the elders. Even before they could solve that one, he sold the piece belonging to Nguno and her sister to the same person saying that no woman should own a piece of his father's land.

Nguno personally took over the case from her brothers. Her greatest worry was her younger brother. He had nowhere to farm and also to settle after completing school. She reported the matter to the assistant chief.

"I even regret the reason as to why I went to that assistant chief. I tell you corruption has pinned the less fortunate up the wall. Even as I talked to the assistant chief, he did not mind writing anything down. I knew I was only playing a guitar to a goat and then I wait for them to dance," recalls Nguno.

He just told her that he will summon her brother the following day. On her way home, she met her brother who was very angry with her and retorted that who was she to go to the authorities if her brothers had given up. "He added that he can never be scared by a woman regardless of their rank," says Nguno.

Help

The assistant chief told her later that he had called for her brother but he did not show up. He courageously told her there was no way he could help her since the brother refused to appear before him and totally ignored the case.

The only option left for Nguno was to go to the buyer and ask him to take the money back from her brother. The buyer who was not supportive either

asked her to stop wasting her energy. He reiterated that a woman can never bother his life. Even one of her brothers was given KSh100 out of the KSh60,000 to keep quiet over the sale.

He also disowned her but her husband told her to forget all about that. He said they will know what to do with the young brother. So far, the elder brother has sold even the farm full of mango trees planted by their late parents. He ate the cursed money. The trees are drying one by one and are no longer producing fruits.

Though they solved the issues later when everything was almost sold, woe to him because the buyer brags of millions of money awaiting him, the brother has nothing to be compensated for. The young brother is working and capable of buying a piece of land anywhere.

Land grabbing is high in the area. Last month, two brothers (names withheld) from Nduvani area of Block C were at each other's necks. The older one extended his boundary by moving into the younger one's portion. On being asked, he just rushed for a bow and arrows as if he has been attacked by a wild animal.

The younger brother was forced to run for dear life but the authorities intervened. It is now up to everyone to protect their land.

However, According to a technical feasibility study done late last year by RISE Kenya (Regional Institute for Social Enterprise) led by Temi Mutia, in the 16 districts on interviewees aged 18 years and above revealed that: Most land had not been surveyed and there were no title deeds in the lower Eastern. This is too critical because so many investors are buying and consolidating small pieces of land from the county.

The research also shows that 27 per cent know little about devolution. About 23 per cent do not know the disadvantages of coal mining and



The area where the Mui Coal basin lies. While some people here have been selling their land hoping to make a quick kill, others are holding on to theirs close to their hearts. Inset: Chief geologists Engineer John Omengo samples of the coal that were found in Block C of the area. Pictures: Lydiah Ngoolo.

72 per cent say coal is the most hazardous as far as environmental risk is concerned.

Rich

"Surely were it in the old days, I could have had said it is a land of honey and milk. This is a very rich land and can fit any agricultural activity were it receiving adequate rainfall. I wish I could own a quarter of the land," one tycoon from Central Province was heard saying last week as he stood at the top of Kanzui Hills in Mui location.

There is so much secret in the drilling of coal and the other minerals in Mui basin especially block C which is said to have 4,000 million tons of coal. Being the first block to be drilled the locals know little about compensation and resettlement procedure.

"It could be fool hardy for the people from block C to allow leaders from outside the area to represent their interests as they are likely to misrepresent people directly affected by the coal mining process," says Dr Wathe Nzau, a resident of Block C area. He adds: "There was no doubt in rejecting the Kitonga committee because it could never represent our interests effectively."

represent our interests effectively."

The committee was irrelevant for it comprised of the outsiders who were not in any attached to Mui area. For the people's rights to be effective, the leaders from Mui basin in Kitui County renounced a 10-man committee elected in October 12, 2011 at the Kenya School of Monetary Studies. The committee was chaired by former Mutitu MP Muthusi Kitonga.

During a meeting held at Mathuki Primary School on Boxing Day chaired by Eric Mutua, chair Law Society of Kenya and a resident of block C, the *Reject* learnt that the names of the newly installed committee members presented to the Energy Minister Kiraitu Murungi have been gazetted.

According to Mutua there is no more game of wit. "The community should be shareholders in the mining company. The locals need transparency and should benefit more than five per cent."

He added: "We want 90 per cent of the manpower to come from the area and the processing factory to be at Mathuki, the Mwingi East headquarters."

Kenyans want wider talks on reforms

Continued from page 1

exacerbated the situation by retaining the oppressive colonial policies that encouraged and entrenched disparities.

Chairman of the Ogiek Community Kipkoech arap Sang, who together with other members of the community were evicted from their ancestral land in 2006 accused the Government of ignoring their plight while they languished in abject poverty.

Resettle

"The Government is zealous about resettling internally displaced persons yet we remain unnoticed. We demand that the Government immediately resettles us in the alternative land that they had promised when they evicted us," said Sang.

He added: "We have lived in squalid conditions after we were ejected

from the forestland and nobody seems to care about our plight. We are demanding that the government hastens the resettlement plan."

The Ogiek said that they were the true inhabitants of Kipkurere and Mau forests before being rendered homeless.

According to Reverend Martin Rirei the role of the county on land issues has been downplayed. He cited the recent delimitation of boundaries where views by locals were disregarded.

According to Barnabas Kibos, a resident of Uasin Gishu, the issue of idle land was still not clear and needed to be explained to enhance understanding by all.

Kibos was categorical that over 90 per cent of land owners in the region had title deeds and imposing a ceiling on the maximum and minimum acreage amounted to mischief.

"People bought their land on will-

ing-seller, willing-buyer basis and imposing ceiling on the amount of land one can own could cause animosity in the country," noted Kibos.

Former Eldoret East MP Joel Barmasai said recommendations contained in the Ndung'u report should be ignored as they were a recipe for chaos.

"This report was never debated anywhere in public and yet it was adopted in the Land Bill. Recommendations on settlement schemes which were informed by the Ndung'u report were misleading and undermine the ongoing peace and reconciliation efforts.

Kipkorir Menjo, director, Kenya Farmers Association was worried by the ongoing fragmentation of viable agricultural land.

He called for the formulation of laws that promote the old communal land policy. "This will not only boost food security but also nurture co-exis-

tence," observed Menjo.

According to Munyao Sila, a lecturer at Moi University School of law, land transitional clauses should be harmonised and implemented within a specified timeframe to avoid conflicts when effecting the new laws.

Sila said that the registrar of land should be appointed by National Land Commission to avoid political manipulation by interested parties. "Public land allocation should be done through public auction but on priority basis and not to the highest bidder," noted Sila.

However, Economic and Social Rights Centre argued that whereas the establishment of National Land Commission was informed by National Land Policy through the Constitution, there are "some significant aspects in the land policy which are not reflected in the proposed National Land Commission which is the central organ in

the implementation of land chapter and reforms in the country."

Bills

In a manual on land bills, Economic and Social Rights Centre, further points out that the attempt to downplay the role of National Land Commission prescribes a 'dangerous and unworkable' pattern of a conflicting jurisdiction architecture purporting to share roles between the Commission and the Cabinet Secretary which is a recipe for conflict and crippling inertia.

And like John Munyori's case, Economic and Social Rights Centre warns that there could be a clash of interests unless a thorough review of land governance especially regarding the relationship between National Land Commission and the Cabinet Secretary was clearly defined it will remain business as usual on the desired land reforms.

Robbed of their land, IDPs remain destitute

By DIANA WANYONYI

Judith Nakhumicha (*not her real name*) is barely six years old but the look on her face says she has seen it all. Donned in a frayed cream dress that reveals her skinny malnourished body, Nakhumicha sits helplessly under a tree feebly chasing away houseflies that find pleasure feeding on her naked wounds.

Her reddish eyes look pale and exhausted, and neighbours say she has been crying since morning after her mother removed jiggers from her infested feet and hands.

Condition

However, Nakhumicha is not alone. Her situation is replicated in many children who live in pathetic conditions in the Patakwa and Teldet camps for internally displaced persons in Trans Nzoia County. The situation at the camp is an indication of how low humanity can sink.

While the new Constitution under Bill of Rights states clearly that: "Every person has a right to inherent dignity and the right to have that dignity respected and protected", this is not the case for the IDPs.

Here, they live in tattered tents which despite being patched with paper bags that are sewn together with sisal, are almost in agreement that they cannot take it anymore. They have seen better days and no effort to repair them can bear fruit. As such, the occupants have to bear cold nights while during the day the tents are as dusty as any earth road.

Sanitation

However, that is not all. Nakhumicha's problems are complicated by poor sanitation and lack of toilets in the area with most families languishing in poverty, and highly dependent on aid from either government or donors.

Despite the effort of the government in resettling IDPs from Rongai in Nakuru on a 700 acre piece of land in Chepchoina and Kapkoi farms in Kwana District early this year, native IDPs of Trans Nzoia who are victims of tribal clashes of 1992, 1995 and 1997 post election violence are still landless.

Patakwa Camp has 250 IDPs while Teldet, which is the largest, holds 373 IDPs who are all congested in one and half acres of land.

Mary Nangila is a mother of six and grandmother of four among them Nakhumicha. She has lived in Patakwa Camp since her childhood as a squatter.

"I was born here and this is my native land, but it never crossed my mind that one day I will be a squatter in my own ancestral land," says Nangila adding that things changed during the tribal clashes of 1992-1995 and the post election violence of 2007 when they were forced to flee to the Kitale show ground.

Peace

"The government under the Peace Initiative '*Operasheni Rudi Nyumbani*' assured us of our safety and told us to go back home. We came back here and we were informed that this land belonged to somebody else," she says tears welling in her eyes.

Though Nangila tries to be strong by wiping and holding back her tears to avoid humiliation in front of her grandchild, she is unable to stop the

tears from rolling down her cheeks. "Because we do not have the privilege of owning land as we are barred by both government and private developers to cultivate any land, we are just congested in this tiny land," observes Nangila.

Due to the congestion, sanitation at the camp is pathetic and the smell of dry fecal matters of both human beings and livestock permeates the atmosphere. Wherever visible, chicken are busy searching for food in the matter. Victims say the toilets at the camp are permanently closed after they started overflowing four months ago.

"We have several cases of stomach problems and other related diseases that affect both children and adults. Those who can afford are forced to go to the nearest market known as Embakassi, about four kilometres away where on the pretext that they have gone shopping," says Peter Ndiema, a resident of Patakwa.

Death

"We cannot sleep during the night, the weather is extremely cold and we have already buried eight people since last year November, many of them being the elderly and children. We are afraid of the rains because if it finds us here we will all perish," he says with a sense of resignation.

An official of Kenya Land Alliance in the North Rift, John Matanda Mkwelwe blames the government for resettling one group of IDPs from Rongai in Naivasha and failing to settle the ones in Trans Nzoia. He observes that the government has failed in its mandate.

"Here in Trans Nzoia we have IDPs and they also need to be resettled, this people have been using non-violent ways to go the district commissioner's office and Ministry of Lands but no helping has been forthcoming," notes Mkwelwe. He adds: "The Government should re-consider finding alternative ways of re-settling these IDPs. There are many valid IDPs groups like Trans Nzoia Squatters Alliance and Umoja Clash Victims."

Judiciary

The victims in the camps have also blamed the judiciary for dragging land cases for upto 10 years saying they have lost confidence with it. According to Mkwelwe, the Judiciary has been reluctant in giving verdicts on pending land cases.

"Cases of land double allocation and trespass are very common. For



The internally displaced people at Patkwa Camp in Kitale who were evicted from their land during the tribal clashes of 1992-1995 and have not been resettled over 15 years later.

Pictures: Diana Wanyonyi.

instance, you find two people have been allocated the same land and both of them have legal documents, when cases are taken before the court it takes several years to determine it. Some complainants take too long before justice can be dispensed and the people concerned grow old or die before the cases concluded.

Cases

He noted that the National Land Commission should be formed urgently as it will be able to solve all these issues. "Kitale High Court has only one judge after one of them died, it is difficult for him to handle all the cases at the same time," observes Mkwelwe.

According to Leonard Barasa, Director Catholic Justice Peace Commission in Kitale past regimes are to blame for being reluctant to resettle squatters and IDPs. He further accuses some politicians and government officials of grabbing several hectares of land from the victims who did not have land title deeds.

"We are worried about the decisions that will be taken by our MPs during the legislation implementation of the Land Bill and we don't know what action they will take keeping in mind that some of them



own large chunks of land in this country," noted Barasa.

"Almost 5,000 victims are still landless since the tribal clashes of 1992-1995 and post election violence of 1997. Thanks to National Accord because it paved way for the government to resettle landless people. During the '*Operasheni Rudi Nyumbani*' the government side - lined us and they went ahead and destroyed IDP camps in Endebess without informing us," says Barasa. He adds: "The government should stop being selective and give equal shares to the IDPs and squatters who have not been settled."

Resettlement

Special programmes officer in charge of the IDPs North Rift Region Peter Erepete says the Government is still looking for the land to buy in order to resettle the victims.

"The Government, through the Ministry of Lands has the responsibility of buying the land and sub-dividing it into two and a quarter acres for each IDP. We cannot estimate how much the land will cost but I know there is enough money to do this work. Our obligation as Special Programmes Ministry is to resettle them and building houses for them but this will be done as soon as land is available and we agree with the owner," Erepete explains.

According to Gideon Barongo,

a lawyer based in Kitale the Government has an obligation to resettling all victims of internal clashes. "Although the Constitution has not come out clearly on the issue of the IDPs, this does not deny them the right of owning the land. They are also entitled to own land. They need to be treated like any person. The Constitution says that everybody has a right to own land," observes Barongo.

Saboti MP Eugene Wamalwa says he will push for the three bills namely National Land Commission Bill 2012, Land Registration Bill 2012 and Land Bill 2012 to be passed in Parliament.

Wamalwa notes it will be a relief for squatters and IDPs in the country in general.

Vetting

Regional Provincial Commissioner for North Rift Valley and Turkana Regions Wilson Wanyenga said vetting of IDPs in Patakwa and Teldet camps has been completed.

"The Permanent Secretary from provincial administration sent a task force to the camps to take records. So we will be looking into the records and counter check for its accuracy then we will write a report to the Ministry of Special Programme in a view to get a long lasting solution," notes Wanyenga.



"I was born here and this is my native land, but it never crossed my mind that one day I will be a squatter in my own ancestral land,"

— Mary Nangila

Ruling elite blamed for land problems

By DAVID SIRENGO

Squatters and internally displaced persons in Trans-Nzoia County have accused past regimes of interfering with re-settlement programmes, earmarked for victims of land injustices in the region.

Submitting their views before the Parliamentary Select Committee on Land in Kitale, speakers drawn from all the major communities in the cosmopolitan County said politics, tribalism and nepotism are a major challenge hampering allocation of land in the region.

The groups accused the government of sidelining them by focusing too much in re-settling the IDPs of the post election violence of 2007 while ignoring those who had been landless for a long period.

Scales

"It is illogical for the Government to re-settle families displaced during the post poll chaos while squatters who currently live in squalid conditions are victims of past injustices committed since the post-colonial period," observes Jennifer Masis, a rights group representative who doubles up as a member of the Truth and Justice Commission from

the larger Trans Nzoia County.

They claimed past regimes have been settling the landless people based on tribal and political affiliations. Representatives from various groups urged the MPs to come up with proper legislation to help find lasting solution to land problems in the country.

Property

The women who spoke to the MPs said they represented the largest block in terms of population against their male counterparts in the populous county yet everything is regarded as men's property.

Present during the hearings were committee chairman Reverend Mutava Musyimi, area District Commissioner Wilfred Kinyua and Eldoret South MP Peris Simam, who agreed with the sentiments expressed by the women squatters that the law is clear about fairness in land distribution in the new dispensation.

Simam accused the government of laxity in resettlement of squatters since independence and warned that the squatter issue could explode anytime as it had been ignored over the years.

"The sooner the issue is looked into, the bet-



Internally displaced people at a camp in Trans Nzoia. Having not been resettled, they accuse the ruling elite for their plight. Pictures: Reject Correspondent

ter," noted Simam.

According to Mama Regina Naliaka, 79, it is unfortunate that Parliament had passed 18 laws hurriedly without evaluating their

implications. She called for validation and equity in allocation of land to squatters, more so in Trans Nzoia which is now the headquarters for majority squatters in the country.

Conservation efforts extend to community support initiatives

By PAUL MWANIKI

Land in Laikipia County has remained one of the most contentious issues over the years. The County is largely occupied by private ranchers who practice conservation as well as wildlife and cattle ranching. However, residents especially the pastoralist community, consider this a historical injustice.

The Laikipia Maasai occupying the larger part of Laikipia North District have in several forums wanted land issues addressed with special attention being accorded to ancestral ownership of the huge tracts of land.

Forum

Speaking during a public forum organised by the Truth Justice and Reconciliation Commission in Rumuruti, Johnson Kaunga from Impact, an organisation based in Laikipia North said that some of the ranches have encroached on what they refer to as the ancestral shrines and sacred sites of the Maasai community denying them the right to access them for traditional ceremonies.

He noted that such an issue has in the past been at the centre of discussions but no forum has been able to solve it.

With the Parliamentary Committee on Land reforms going round the country getting public opinion on the different land bills, most people in Laikipia are harbouring the hope that once the 99 years leases expire, the land might revert back to the original owners.

Laws

According to Erick Makokha, chief executive officer Shelter Forum the land in question may never revert back to the community and hence the need for the proposed laws to come up with ways through which the affected communities can be compensated.

He also notes the need by ranchers to start involving neighbouring communities in ways that benefit them.

"The case of Laikipia is complex

and most ranchers earn through tourism and sale of cattle. They need to give a share of their revenue back to the community to aid in the construction of social amenities," notes Makokha.

This idea has been taken up by Ol Pejeta Conservancy which since 2004 has been funding development activities that have benefitted over 100,000 people in its neighbourhood.

Ol Pejeta, which is East Africa's largest black rhino sanctuary and wildlife conservancy, supports endangered species, tourism and community outreach services. So far it has spent about KSh170 million in community projects since the programme started.

Launching this year's projects, Ol Pejeta's community programmes manager Paul Lelingato said the conservancy gets the funding from people he refers to as friends of the ranch.

He notes that this year the conservancy plans to spend KSh12 million in funding education, health and agricultural activities among others.

Money

"Huge amounts of money have been channelled towards education including offering bursary to bright students from poor families," explains Lelingato. He adds: "Currently we are supporting 94 children and assisting in improving schools infrastructure."

Other major beneficiaries include the health sector where they have been able to build and equip several dispensaries.

"We are also working with the farming communities and we are doing conservation agriculture by educating and issuing drip irrigation kits to groups in Laikipia Central to supplement what the farmers are getting from the Government," says Lelingato.

Other projects being carried out by the conservancy include promotion of rain water harvesting through buying water tanks, rehabilitation of Segera Dam, exposure tours and workshops as well as supporting development of cultural villages for tourism. The Conservancy also links women's groups that

are involved in bead works and curios to international markets.

To develop relationship with the pastoralist community who are seen as most aggrieved by the ranchers, the Conservancy together with selected representatives from the herders have devised a way of allowing them to graze inside the ranch during the dry season.

Time

"We normally allow a specific number of animals to graze in the conservancy within a specified period of time and the programme is carried out with support from leaders and the Conservancy management," explains Lelingato.

This is aimed at protecting forceful entry by the pastoralists in the ranches, something that has taken place previously and resulted in conflict.

In the near future the Conservancy is strategizing on how it will start setting aside a percentage of its money collected from tourism and sale of cattle to boost the development kitty and enable it to reach more people as well as start comprehensive programmes.

"We want our neighbours to own and feel as if they are part of the Conservancy by deriving these benefits and change their perception that these are secluded parks for the whites," says Patrick Waigwa, officer in charge of Education at the Conservancy.

Simon Kaparo, a community representative from Segera, Endana, Eri and Ng'are Ng'iro says that they appreciate the efforts being made by the Conservancy in supporting community around it.

Neighbours

"We would much appreciate if the other ranches could follow into the footsteps of Ol Pejeta and our people will then understand that these are good neighbours and stop thinking of how they can acquire the land back after 99 years lease," observes Kaparo.

He noted that as pastoralists, they



A section of Ol Pejeta fence neighbouring Marura and the entrance of the Conservancy. A woman from the disputed Kimugandura Farm in Laikipia East district confronts the area District Officer Elijah Maranga during a meeting aimed at serving the 15,000 people living in the farm with an evacuation order.

Pictures: Paul Mwaniki.

have earned KSh24.5 million in a programme supported by the Conservancy that links them to livestock markets.

Segera Ranch on the other hand has been at the forefront of supporting the youth through sporting activities.

The ranch is renowned for bringing international soccer player from Cameroon Samuel Eto'o to motivate young people in the county as well as promote conservation efforts among the neighbouring communities.

Eto'o is now the patron for the Laikipia and Beyond Unity Cup that was inaugurated in 2010. The main sponsors are the Zeitz Foundation who own the ranch and Laikipia Wildlife Forum.

Other than conservation efforts, the initiatives seek to promote unity

and understanding amongst diverse groups in the county and beyond. They seek to contribute to peace building in the run up to the forthcoming general elections.

Another ranch that has done a tireless job in promoting the welfare of their neighbours is the Ol Jorgi which has built a secondary school at Il polei ion, Laikipia North. The ranch has helped to beef up security in the area by providing sniffer dogs whenever there is need to follow up on cattle raiders or perennial thieves.

However considering there are over 30 ranches in the county, others need to come out and support community activities to promote peaceful coexistence even after the lapse of their leases.

Tribute to Mary Onyango, a fighter to the end

By JOSEPH ADERO NGALA

The death of Mary Onyango, vice chairperson of the National Cohesion and Integration Commission (NCIC) has closed the curtain on a committed and industrious public servant and mother.

Onyango died after 11 years of a strong fight against breast cancer.

I personally knew Mary at the Kenya National Theatre where she acted a brief while a student at the Nairobi University before graduating and joining the Agriculture Finance Corporation in the Rift Valley.

However, just before her death, I last met Mary when she was with her family in Dagoretti shopping. As we chatted, she freely talked about her health and in the end she told me that God is great and is keeping her alive.

Eyes

I was really shocked to see the beaming eyes on television with a wonderful laughter, full of confidence during an interview with Citizen TV. During her time as financial Controller of Agriculture Finance Corporation she made many friends and was always kind to many that come across her. Mary proved to be a very understanding person and was loved equally by peasant and large scale farmers.

In an extraordinary turn of events, four prominent Kenyan women have died during the past one year. One of them, Dr Margaret Ogola, gave one of its first and best interviews to this writer speaking eloquently about the top issues facing her country and the continent: poverty, Aids, healthcare and, above all, the need to strengthen the African family.

Blow

Africa needs good women leaders and it has many of them. However, to lose five of its own distinguished daughters at once must be a severe blow to Kenya. They are: Virginia Wambui-Otieno, who for many years conducted a political campaign over matrimonial property law (died August 30); Professor Sophia Githinji, an educator and author (September 21); Dr Ogola, a paediatrician and healthcare administrator (September 22, at the age of only 53); and Professor Wangari Maathai, conservationist and Nobel Peace Prize winner (2004) died on September 25. Then Mary Onyango in April 2011.

These women were all staunch campaigners for their cause but Mary was a special kind of heroine. Many people, including a generation of Kenyan schoolchildren, parents who met her through her work still do remember her as a patriotic Kenyan.

Mary was famous in her right and upright scholars who read a lot of literature like Jared Angira, Okot p Bitek a leading Uganda writer, Charles Mangua and several African writers that came her way always had candid conversations with her. This is because Mary was a great and avid reader.

Charity

It is very interesting to note that although she graduated from University of Nairobi with Bachelors of Commerce and later took a MBA in Finance from Maastricht School of Management in the Netherlands, Mary was also involved in charity work. She was a member of the boards of several charity and civil society organisations.

Her leadership skills and determination to deliver manifested in her 12 years fight against breast cancer which led her to be the founder of Kenya Breast Health Programme organisation that many women could go to for psycho-social support among other things.

When I met her, Mary said how she had read the story of a woman dying of cancer and the rise to recognition of a former street child. The book had been authored by the late Ogola who battled cancer for many years and dealt with the poor in society for most of her professional life.

Having read about the world of Margaret Ogola, Mary liked the writing and would repeat the story so many times. She would say: "Many of those poor were people living with Aids and dying of cancer."

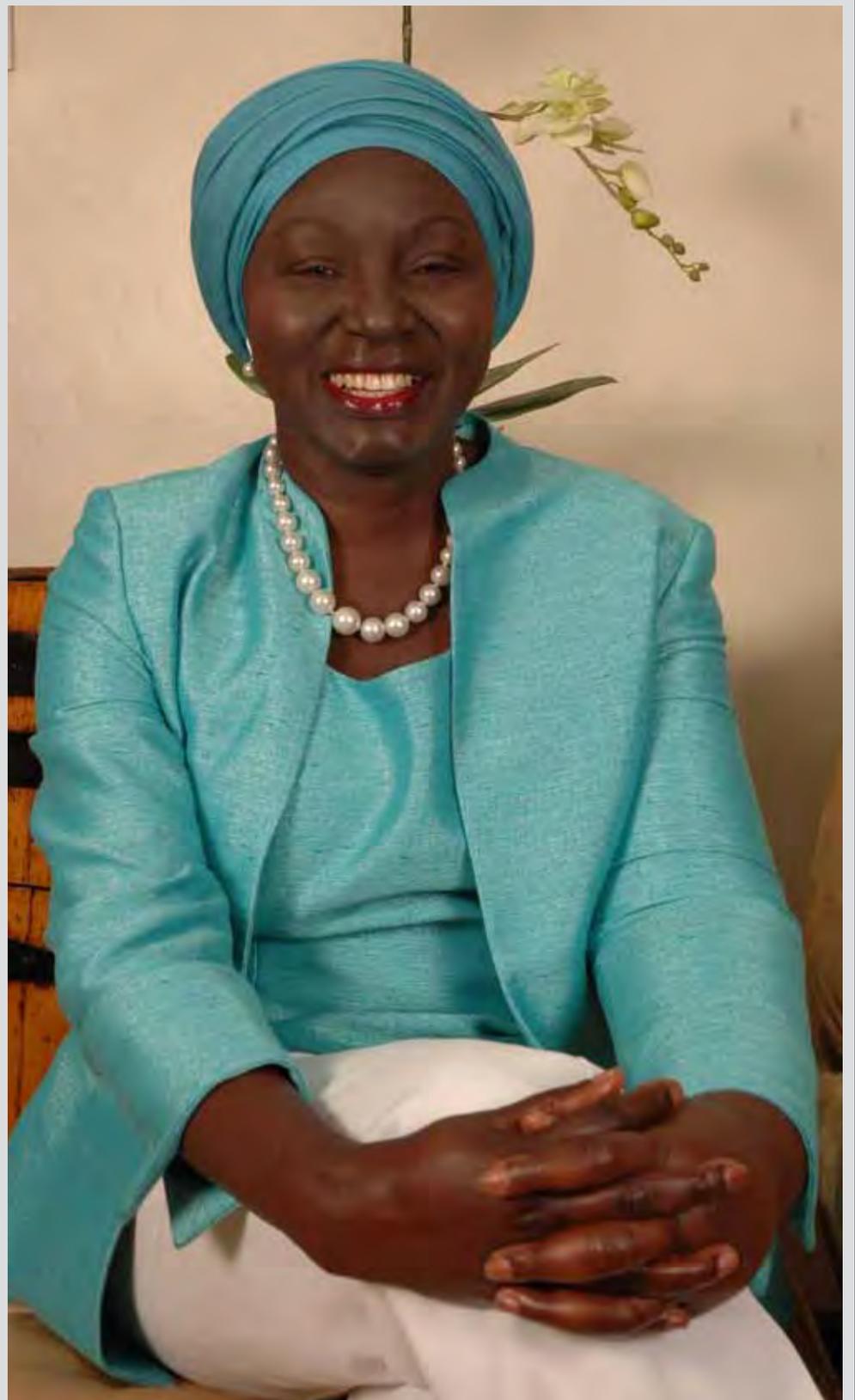
Within the international community, Mary stood out as a champion of human dignity, which she saw as belonging equally to every man, woman and child, including the unborn child. She was no feminist in the politically correct sense that would have seen her rise with ease to a top United Nations position, but she was a strong advocate of the empowerment of women nevertheless.

Clarity

At the UN's Fourth World Conference on Women held at Beijing in 1995, Mary spoke with crystal clarity about why that was — and is — so necessary:

"The woman is the heart of the family, and the family is the corner stone of society, therefore, it is very fitting that we should be here in Beijing for the Fourth World Women's Conference seeking new ways to enhance her well being, natural talents and gifts," Mary said.

She told the meeting: "The woman is a



The late Mary Onyango is remembered for her fight against breast cancer and battle with ethnicity in the country. Picture: Reject Correspondent.

powerhouse of creativity, development and peace. Conflict between men and women is, therefore, unnecessary because a woman brings an equal and powerful complementarity to the common human condition. Women have been entrusted with the capacity to transmit life which is the most precious gift that anybody can give or receive. Without life no other good is possible."

She attacked the sacred cows of international development organisations by insisting on "the availability of cheap and safe methods of child spacing such as natural family planning". Mary would often express her distress "that there seems to be a conspiracy to keep women in the dark, especially the African woman, regarding the many dangerous side-effects of contraceptives". She called for recognition of "the irreplaceable role of parents and the family in educating and informing children on matters of sexuality".

She would say: "The main reason for this is poverty and the disadvantaged place of women. Therefore, prevention programmes should have women at the core, not only to help them say 'no', but also to have alterna-

tives when they say 'no'. This means attention to the poverty prevailing in our country which is extremely severe is important because about 57 per cent of Kenyans live on less than one dollar a day.

Women

"Most of the poor are women, and particularly young women, because socially they are not considered equal to men and so have less access to education and resources at every level. Their situation has to be addressed in a holistic and integral manner, so that you not only foster family values but also give them opportunities to make a living other than by transactional sex, which young girls get into out of sheer poverty."

When I last talked to her, I asked Mary if she has any hope for Africa, she looked at me in the eye and said: "So I repeat, I am full of hope good things are going to happen in the continent. We have beautiful people and we have a lovely and very wealthy continent which is completely untouched."

Mary was married to Richard Onyango, now deceased and was a mother of three daughters.

Hopes for owning land dashed in landmark ruling

By KEN NDAMBU

When the late Mutua Nzumbi sued one Mbuvi Kathila in 1958 over a piece of land in Museve village, Kitui Central District, little did he know that the case would leave his nephew Dominic Maanzo so traumatised 54 years later.

The case was first heard by the colonial government in the infamous African court. It is one of the cases that took long to be determined, proving right the saying 'justice delayed is justice denied'.

When the case came up for judgment by Kitui District Commissioner Joshua Chepchieng standing in for the Lands Minister James Orenge on December 15, 2011, Maanzo could not hold tears when he lost administration of the property he had fought for 38 years.

The case was heard for the first time by the African Court sitting at Syongila in 1958 under a file headed 'African Court civil case, Colony and Protectorate of Kenya'.

Archives

According to the file got from the Kenya National Archives, the plaintiff Mutua Nzumbi was given custody of the land plus costs of the suit. The defendant Mbuvi Kathila objected to the judgment and the court ruled that he pays KSh60 to transport court members to inspect the land in dispute.

After the court visited the land registered as parcel number 1262, the plaintiff was again given the land and KSh114 costs of the suit after the court established that the defendant never lived on the land not even any of his next of kins.

On October 14, 1958, the defendant appealed against the ruling and the judgment was quashed on the grounds that the case was between clans. The court ordered that if the plaintiff wishes he could sue the defendant for recovery of the land where he was cultivating then.

When it became apparent that the case was a clan affair, the two parties gave a list of beneficiaries of the land with the plaintiff listing his next of kin as Isika Nzumbi, Musyoka Nzumbi, Nzivu Nzumbi and Maanzo Nzumbi. The plaintiff died in 1965 while all those listed as beneficiaries died before the case was finalised.

In 1974, the case resurfaced again in a Kitui law court and Maanzo was enjoined as the second plaintiff following the death of the first plaintiff. A primary school teacher, Maanzo took over the case at the age of 32 years oblivious that it will take another 38 years to be determined against him.

Maanzo successfully argued that the case was

not a clan affair.

After studying the list of beneficiaries given by the two parties, the court observed that the land claimed by the defendant was "very small", quashed the earlier judgment and allowed the plaintiff to sue the defendant for recovery of the land where he was living only.

When the defendant found that he was losing the case, he came up with a written agreement that one of the plaintiff's kin Isika Nzumbi had bought a portion of land from him within the disputed area at KSh1,950 and paid a down payment of KSh120.

Leeway

"This is what nailed us down as it gave the defendant a leeway to claim possession of the land," notes Maanzo adding in the proceeding hearings the agreement was used as an exhibit for the defendant's claims.

He says after he was enlisted as the second plaintiff in 1974 and the "fake land sale agreement" produced in court, the case was stood over generally meaning it was stopped until further notice.

Four years later, in 1978, the case re-surfaced again, this time the defendant filing a case against Isika Nzumbi claiming that he was residing in a land which does not belong to him.

The defendant successfully got an eviction order but before it was enforced, the area where the land was located was declared an adjudication area in 1988 and the Land Adjudication Department took over the case. In November 19, 1991 a ruling of the local adjudication committee reversed the earlier judgments and gave the plaintiff the land based on the facts that he was given its custody by the African Court.

Area

The committee members also found that the trees in the disputed area were being used by the second plaintiff and the defendant had not complained.

The defendant appealed the decision of the committee to the Lands Arbitration Board whose members were drawn from the entire County which quashed the committee's ruling.

The board based its judgment on the facts of the earlier court ruling but the plaintiff filed a motion of objection in 2008 to the lands office which stood by the decision of the arbitration board.

Maanzo then appealed to the Minister for Lands whose ruling came 17 years later in 2011 when he had long retired from the civil service.



A participant gives his views on land reforms during a forum by the Public Education Awareness-Technical Working Group (PEA-TWG) held in Kitui.

Picture: Ken Ndambu

He hit a hard rock as the ruling completely shattered his hopes of getting custody of the property he has fought for over the years.

Awarding the land to the defendant, Chepchieng dismissed the plaintiff's claims that he (DC) did not extensively inspect the land so as to come up with a fair verdict.

"I blame the last arbitrator because he just viewed the land in dispute from the road side instead of going deeper to get matters correct and come up with a conclusive judgment fair to all the parties," said Maanzo. In response, Chepchieng said: "We follow the court process whether right or wrong. We do not consider facts."

In the District Commissioner's judgment, the administrator based his facts on earlier court rul-

ings of case number 24 of 1978 pitting the defendant and the late Isika Nzumbi and case No. L12 of 1958 between deceased Mutua Nzumbi and the defendant.

However, he may have erred by insinuating that in case L12 of 1958, Mbuvi Kathila, the defendant won while in actual fact the first plaintiff Mutua Nzumbi was awarded custody of the land.

Maanzo who has now turned to civil society groups for help hopes the yet to be constituted National Lands Commission will take up previous land cases where historical injustices have been committed. "How do you displace somebody from land he has resided or used for decades. This is a violation of human rights," notes Maanzo adding that he will take the case to the next level.

Septuagenarian gives the Lewa marathon a long hard look

By JEFF MWANGI

It's never too late to make history, achieve a dream and leave a legacy. This is what Mzee Stanley Ndevi, born in 1939 is aspiring to do as he harbours the dream of making history by winning this year's Lewa Marathon.

Last year, Ndevi managed position 15 out of 2,135 participants in the Standard Chartered half marathon held in Nairobi. He has no doubt that his dream will come true.

Busy

When we visited him at his home in Nthibiri, Imenti North District, Meru County, the energetic, slim but strong father of seven children and grandfather of eight was busy with his daily chores.

He granted our request for an interview and started by telling us of his ambitions to emerge triumphant. And perhaps it is that resilience that has brought him accolades from among athletes despite his advanced age.

"I have been participating in athletics since 1952 when I was at Nthibiri

Primary School when I started running short distance races which included 100, 220 and 400 metres heats.

After finishing his primary education in 1964, Ndevi secured a job with the Ministry of Lands and Settlement but became an alcoholic where he wasted a lot of his youthful age.

"I stopped running and was later sacked from government due to my alcoholism but managed to start my own business in Meru town," he adds.

After nine years in business, his untapped athletics potential was discovered during Nthibiri Methodist Church Athletics Competition which were organised to tap local talent and he emerged number one.

In 2001, he won first position in the 100 and 400 metres races at the Methodist Men Fellowship Competition held at Meru School and the following year he won the Kaaga Synod 400 metres held at Kilifi Agricultural Institute Mombasa. In 2004 he won 100 metres race for Kaaga Synod during the competition held at Shanzu Teachers Training College.

Ndevi says that it was after Shanzu

Competition that he thought of leaving short distance races and venture to long distance races of which he did. One of his memorable moments was when he participated in the World Cross Country which was held in Mombasa in 2008 where he finished the race which Ethiopia's Multiple Olympic and World distance Champion Kenenisa Bekele failed to finish.

He also participated in Kenya Commercial Bank Half Marathon held in the year 2009 in Ngong where he finished position 14 out of 3,210 runners. He was yet again in the KAPA half Marathon held at Katheri High School in Meru in 2009 where he finished in position 19 out of 641 runners.

Support

The 'marathoner' gets sporting gears and transport assistance from Standard Chartered Bank, Kenya Commercial Bank and Consolidated Bank as he participates in races countrywide.

Ndevi wakes-up at 5am to do his morning practice, running as far as to Kabirichia which is 20 kilometres from his home in Nkubu. He then goes back

home for his daily chores of looking after his livestock, poultry and farming.

He would like the youth to involve in sports rather than indulging themselves in drugs and alcohol abuse. Ndevi has won many medals and has been awarded numerous certificates.

"I don't regret my misbehaviours after finishing school and securing a job where I became an alcoholic, instead I use my experience as a lesson to inspire young people to be the best of who they were born to be and never to let the world push them," he says.

Villagers today respect Ndevi although previously they used to tease and dismiss him as an idler who could not make it during his youthful days.

He notes that he is not giving up running since he is not in it for money but also runs to keep fit and have fun.

He appeals to the Government and organisers of Standard Chartered Marathon to also organise competition for those aged 50 years and above because sometimes they are not willing to run in the race together with other young athletes due to their advanced age.

Ndevi plans to start an association

for the youth to help identify the talent of the youth. However, he is calling upon government and different stakeholders in Meru County to come up and join his dream by offering sponsorship to young people in the community who have been gifted in different ways.

The 'marathoner' is now focusing in participating in the Lewa Safaricom Marathon where he hopes to emerge the winner. The race will be held on June 30, 2012.

Ability

The Lewa Safaricom Marathon is regarded as one of the toughest marathons in the world. However, runners of all abilities take part, from fun runners, walkers and amateurs, to professionals like Paul Tergat the Kenyan international and former world record holder. The course is a 21 kilometre loop run on dirt roads over an undulating route through the conservancy. The full marathon is run over two loops of the course and the half marathon over one loop.

Additional information obtained from the internet

Farmers abandon coffee, turn to banana

By JOSEPH MUKUBWA

After years of poor returns from coffee growing, many farmers in Mukurweini district, Nyeri County have turned to banana growing to supplement their income.

One such farmer is Anthony Kariuki who is growing about 300 banana trees on his one acre land at Kaheti area.

Kariuki, 55, is a retired civil servant who after leaving the white collar job found another occupation in farming. He planted the bananas more than a year ago after uprooting coffee bushes from his farm. He wanted to boost food production in his home area.

"Bananas are an important food crop as well as a regular and reliable source of income," says Kariuki. He explains: "Farming helps in alleviating hunger and poverty and also to develop agro-based businesses to improve the economy of the community."

Hunger

Kariuki who retired as a civil servant in 2006 says that banana growing as an enterprise will not only alleviate hunger but also help in reduction of poverty. He notes that it helps develop agro-based businesses to improve the economy of the people.

"The bananas you see here will help me educate all my children. Out of the 50 banana trees, 30 are now ready for the market. This is now ready money. I expect to get over KSh2,000 daily," he explains.

According to Kariuki, bananas like other fruits are rich in carbohydrates, vitamins and minerals and can be used to curb malnutrition among the children.

Youths

"I have also created employment for several youths in the area. My aim is to fight hunger and at the same time earn income," he says.

Kariuki mainly grows tissue culture banana plants as they mature faster and take less than a year to flower and four months to mature. "We just plant them into one metre deep by one metre diameter hole and then add 200 grammes of DAP fertilizer and manure," he explains.

In one hole two buckets of manure are added and then mixed the well with soil before the seedling is planted.

"When planting you must add some water and if it is not during rainy season continue watering the plant at least once per week," reiterates Kariuki.

Banana growing needs adequate supply of water and thorough weeding only once per year and so no labour force is needed.

Weevils

"Before planting, you add DAP fertilizer and some chemicals to prevent weevils and diseases from attacking the plant. Bananas also need much water and most of the times during the dry season, a farmer has to irrigate them," he explains.

Within one month, Kariuki explains, the seedling will be firm and a farmer should ensure there are only four suckers in one hole for the crops to be healthy.

The manure he uses is found locally especially as dung from cows.

Tissue bananas are also not supported by trees when maturing and that minimizes the cost of buying other trees.

"The leaves are used for ripening the bananas and also used as wastes in the farm to make manure," notes Kariuki.

He observes that the market for banana is wide and one cannot meet the high demand adding that most of his bananas are bought at home.

Varieties

Kariuki grows a variety of bananas including William Hybrid and Grand Naine. Other varieties which also do well in the area are Israel, Kampala, Kisii-Matoke and Chinese Elephant Njuru among other indigenous types.

Fully aware that there could be challenges, Kariuki is ready for setbacks like attack of diseases which includes nematodes, banana weevils, end cigar rot and panama among others.

"Nematode and banana weevils can be controlled by spraying mocap chemicals which we buy at the local agro vets. Otherwise the diseases are not common in the area," he observes.

Kariuki says he uses Tissue Culture Banana Technology of planting the



crop which contrasts the African traditional practice of transferring banana suckers between farms.

He comments that the traditional practice increases risk of transmitting pests and spreading disease among banana crops while on the other hand tissue culture technology reduces disease and improve yield when coupled with good agronomic practices.

Crops

"My interest is to see many farmers from this area grow and benefit from banana crops. The crop takes only 14 months and you start harvesting. The quality is also very good," Kariuki observes.

Even as he engages in farming, Kariuki would like agricultural extension officers to promote banana growing in the entire Central Province region arguing it's also a cash crop.

Having realised that they cannot manage commercial banana farming without joining hands, farmers in the region have formed the Mukurweini Banana Growers Association. As a group they have planted 30,000 plants and are now targeting 50,000 by the end of the year.

The association is an umbrella group of 55 groups in the area which has over 30 members who grow bananas in their individual farms.

The group is now thinking of constructing several dams which can store harvested rain water that they can use during the dry season.

The project is supported by Kenya National Agriculture and Livestock Extension Programme (NALEP) being implemented by the Ministry of Agriculture and that of Livestock Development.

Area Nalep Agriculture monitoring and evaluation officer George Muraguri commends the groups for starting the project which will address food insecurity.

Nalep linked the farmers to Africa Harvest Techno Serve which links them to buyers. The same company has also



Banana farmer Esau Kioni in his Kahuro farm in Othaya of Nyeri County. Some of banana seedlings ready for planting. Local farmers showed how to plant the bananas.

Pictures by Joseph Mukubwa

helped them in buying banana seedlings.

"This is a deliberate effort for encouraging and supporting smallholder farmers through confidence building measures and capacity building so that they operate in organised structures, learn user-friendly technics and social skills for efficient production," explains Ruth Wanjiru Mwangi who is the Nalep Central Provincial Monitoring and Evaluation Officer. She says the initiative is to improve income saving as well as income generating enterprises.

Programme offer intensive training to extension officers in identifying and measuring poverty, how to reach vulnerable groups as well as how to promote group formation and link farmers groups to various service providers.

"It plays a major role in enhancing commercialization of agricultural production especially of smallholders most of whom reside in rural areas. This is achieved through formation of common interest groups which are linked to various financial and marketing institutions," explains Mwangi.

Beach trade attains a new status

By PAUL KIMANZI

Unlike in the recent past when tourism was generally perceived as a "foreign business," Kenyans from different walks of life are turning out in large numbers to tour the beaches.

At the Jomo Kenyatta Public Beach, commonly referred to as pirates, everyone is busy. Several boats are packed at different points, ready for whoever is interested in taking a ride deep into the ocean.

A ride that takes between 20 to 30 minutes costs KSh100 or more per person depending on the distance the trip. Some other tourists are

charged up to KSh4000 per person for taking a longer ride which usually lasts for at least an hour.

Should anyone be naïve enough in swimming, experienced youth are available to train, for a small fee.

Some other inexperienced tourists who would wish to train themselves prefer using floaters (designed to keep the users floating) which are charged at KSh50 per floater.

To us a changing room which are temporarily constructed for tourists, one is charged KSh150. The local tourism has indeed provided many employment opportunities for the locals.

Walking along the beaches, one will not fail

to notice hawkers selling clothes and also hiring out swimming costumes to the tourist. They also offering temporary cubicles to enable one change their clothes for the swimming gear.

Should a tourist need to take a rest along the beach, a plastic chair will be rented out to him or her at a fee of KSh50.

Many locals who are quick at spotting opportunities are always on standby, armed with hundreds of plastic seats ready to rent out to anyone who would like to take a break from the beach walk.

Yusuf Abdul, a boat operator, says on a good day he can make as much as KSh10,000, purely

generated from the tourists.

We caught up with him after his seventh trip of the day as he took a break waiting for the next one.

"Each day I have to give my boss, the boat owner KSh5,000 or KSh7,000 depending on how the business goes," explains Abdul. He says he takes home more than his boss does, on daily basis.

Also making capital out of the tourists is a middle aged man identified called Hassan who hires out bicycles for those interested in taking a ride along the beach. A 10 minute ride costs KSh100 per person.

Harassed widow suffers at hands of in-laws

By PAUL KIMANZI

Casting her eyes in the sky before she helplessly breaks into tears, Mary Mungai narrates how she was physically harassed and then kicked out of her matrimonial home when her husband passed on.

Mungai, 34, from Museko village, Mutonguni Location, Kitui County lived a happy life with David Mauta before he died. Unfortunately, his death marked the beginning of her tribulations.

Mungai was traditionally married in August 1999 and they were blessed with two sons; Ndeleva and Mbuvi, aged 11 and nine years respectively. However, the family's happiness was cut short when Mungai's husband died in 2005 and hell broke loose just a few months after he was laid to rest.

Mungai clearly recalls the events that are still fresh in her mind, just as if they happened yesterday. She started receiving what she thought were 'normal childish complaints' from her sons who claimed being tortured by her brothers-in-law over petty issues. Little did she know that this was a tip of an iceberg.

Punishment

It did not take long before she witnessed her in-laws harshly punishing her children when they committed simple mistakes. To her dismay, this did not ring any alarm bells in her mind until when decided to confront her in-laws over the matter.

To add insult to an injury, the in-laws would respond that her sons were naughty and harassed their cousins when playing, and so the deterred punishment.

"I began to feel so isolated and insecure,"

Mungai recalls.

Forlorn and helpless, she began to recall the happy days when her husband was alive although in real sense, this was not making the matter any better.

Worse still, their real colours continued to manifest heavily on her as time went on. "One of my brothers-in-law started to beat me up when we expressed varied opinion over domestic issues," she observes.

Filled with rage and disappointment, Mungai always wanted to leave her matrimonial home for good and start a new life elsewhere but unfortunately she had no idea how and where she would live because she was unemployed and had no one to depend on. So she continued to suffer in silence.

Depended

"If I left my matrimonial home, it would mean I would not have any piece of land to carry out my agricultural activities through which my children depended on for survival," she narrates.

Despite the mistreatments, her mother-in-law turned a blind eye on it.

It later dawned on her that her rogue brothers wanted to chase her away so that they would occupy her land.

She felt her life had turned upside down, completely. Like fate would have it, she later decided to run away for her life in 2008 when she could take it no more.

"My husband was the first born in a family of eight brothers and two sisters. The second born used to be the 'dominant' brother in their plot to oust me," she narrates.

What could make her story unforgettable



"They threatened me with dire consequences should I dare make my way into their compound."

— Mary Mungai

is the fact that she was mercilessly beaten and kicked out of her five hectare land by the dominant brother-in-law in December as she waited to enjoy her hard-earned labour from her farm.

"Imagine how painful I felt when I was chased from my farm barely a month before harvesting," she laments.

Confirming why they did not chase her away during a growing period, Mungai says it was a well calculated move to kick her out just before the harvest time.

She took her two children and went back to her home in Kalisasi Location, in Mwingi District where she tried to make ends meet.

Starting a new life was a bitter pill to swallow. Her single mother was unemployed and could not cater for their needs. Mungai was reduced to doing odd jobs so as to sustain her family.

Two months later, she decided to revisit her matrimonial home to check if she would collect her harvest so as to salvage her little income but sadly she was accorded a hostile reception on her arrival.

"They threatened me with dire consequences should I dare make my way into their compound," she explains amid sobs.

Left with no option, Mungai was forced to go back empty handed. She later learnt that her produce were harvested by the in-laws.

Mungai is now a casual labourer in Mwingi and struggles to sustain her two children who are in standard Five and Two. With only odd jobs, hard as life is in Ukambani, putting a meal on a table has been a hard nut to crack.

Regrettably, Mungai is not conversant with the provisions of the new constitutional dispensation as far as sections on human rights and property inheritance are concerned.

While other Ukambani residents excitedly prepare for a bumper harvest early next year, following the ongoing heavy rains in the region, all Mungai can do is watch helplessly.

"If I were I get my land back, I would not be struggling like this," she states.

Clan elders a stumbling block to land inheritance

By KEN NDAMBU

Martha Mwangela breaks down in front of clan elders and prays to God to take her life as she can no longer bear the problems she has been undergoing in pursuit to be the administrator of her deceased's husband's land in Kitui County.

Testifying before a clan leaders' forum in Kyusyuni market, Lower Yatta District of Kitui County, Mwangela, 70, explains how she sold part of the land in Muvitha Village, Nthongoni Location to educate co-wife's children.

Mwangela not able to bear children, married to another woman but offered to sell part of her share of land to help meet their education costs oblivious that the gesture would become her nightmare.

Cycle

She is now caught in a vicious cycle as the very children she helped have now turned against her with the help of the clan and are demanding that she repays the money or hand over the remaining piece of land.

"I don't know what to do as I do not have the money nor can I let the remaining piece of land go because that is where my 'wife's children resides," Mwangela told the clans leaders.

She was speaking at a meeting organized by Groots Kenya. The organisation seeks to empower rural women to achieve their rights especially on land related issues.

The forum that brought together leaders from seven clans in the region heard sad testimonies of widows and single mothers who suffer when seeking justice to administer property of their deceased husbands and parents.

The clan leaders were taken through some sections of the Constitution which give women the right to share equally family resources prompting resistance from the elders who argued that every community's culture should be upheld on issues touching property inheritance.

According to Philip Mulei from the populous Aooni clan, the issue of women inheriting land and property faces challenges because there will still be conflict between the legal and customary

law as culture remains supreme in family wealth distribution.

"There is no time in Kamba customs that a woman whether married or not will be treated equally with men in land inheritance," observes Mulei.

However, women representatives at the meeting were of the opinion that structures in the clan leadership should be all inclusive to include women. As things stand now women cannot be elected as leaders in the clan.

"Although women participate in the election of the clan leaders, they are not allowed to hold positions of leadership putting them in the periphery and hence lack representation in the clan arbitration committees," explains Martha Mutua, a resident in Nthongoni Location.

Kamba clan structure has organs that extended from family level to sub-location, location, division and district. An offended member who fails to get justice at the family level can appeal up to the district.

If the case cannot be addressed at the district level, then the clan can administer the infamous 'kithitu' (oath) with the belief that one who is not honest in the case can die.

This is where women are caught rock and a hard place because culture does not allow women to take the 'kithitu' though they can appoint somebody to take it on their behalf," explains Prisca Mutia, chairlady Nthongoni Watchdog Committee on women inheritance project which operates under Tei wa Woo, a community based organisation.

"Even if the new Constitution has outlined equal distribution of property at family level regardless of sex, it will be difficult for girls to get equal share with boys as it is totally against the Kamba culture," notes Mutinda Mutua from the Asauni clan.

Custom

However, he says punitive measures imposed to the offending members by the clan has reduced as the country's legal system is supreme to customary law.

According to Jeniffer Nyumu, Coordinator of



Land is the cause of many family feuds. Clan elders who are suppose to arbitrate fairly are unfortunately taking sides. Picture: by Reject Correspondent.

Tei wa Woo, nearly 100 vulnerable women have been assisted in one way or the other to get fair treatment in land related issues.

"We are now trying to reach the clan leaders as 80 per cent of property disinheritance cases pitying are usually arbitrated by the clan and when the offended woman fails to meet the conditions set, she ends up losing the property," explains Nyumu.

However, according to Stella Wachekeche, a Monitoring and Evaluation Officer with Kenya Land Alliance the Constitution has drawn a barrier between the customary law on property inheritance by all Kenyans and the legal law by setting up the National Land Commission.

Dispute

"Customary law advocates have no otherwise to recognise that women have equal rights on land inheritance matters as the Constitution is supreme to any other law," observes Wachekeche.

According to Juda Kioko, a lawyer from Kituo cha Sheria the Matrimonial Property Bill that is yet to be passed gives women equal rights to property inheritance.

"Matrimonial property including land, home and anything immovable should be shared equally between spouses as women contribute to their

achievement either through monetary, domestic work, child care and even companionship," observes Kioko.

He says while Article 82 of the old constitution said women can be discriminated on property inheritance in traditional laws, the same has been done away with in the new constitution that stipulates that everyone has equal rights to property.

However, he says the clan should devise their role in arbitration of family cases as the Constitution recognises family resolution as the best mechanism of solving disputes instead of going to court.

According to Diana Gichego, a Programme Officer with Groots Kenya, the organisation is keen on the clan's way of dispensing family disputes especially on land as they play a role in women disinheritance and discrimination.

"Although the new laws recognise the country's cultural practices, there is need to educate clan leaders not to see women as lesser people in society," observes Gichego.

"We need to do away with cultural practices and traditional beliefs that tend to impede justice to women when it comes to inheritance of property especially land from their deceased husbands or parents," notes Gichego.

UNDP funds civic education ahead of general elections

By JOSEPH MUKUBWA

Many Kenyans do not understand the politics of governance that will be going on after the general elections are held later this year or early next year.

However, in order to make that understanding clear, so that they can vote from an informed position, the United Nations Development Programme (UNDP) has offered to support capacity building through civic education ahead of the general elections. The funds, about KSh100 million, will be given to about 50 different local groups in country.

According to Alfredo Teixeira, UNDP Deputy Country director, the grant will help support 50 organisations in the civic education exercise for six months.

Out of the total funds, Central region will get KSh20 million with 12 groups benefiting.

Speaking during the official opening of a four-day training of trainers workshop for civic educators at Green Hills Hotel in Nyeri, Teixeira urged the organisations to ensure that the message of peace, solidarity among Kenyans, people based development and of non-partisan interrogation of the issues is taken to the communities.

Teixeira who was accompanied by Upper Central Regional Commissioner Ann Ng'etich said that the groups should deliver non-partisan and non-ethicised civic education.

"You support people and communities to understand the constitution and how it can be used to protect human rights, to defend the rights of marginalised and weak groups, to discuss, interrogate and develop non-violent exchange of ideas that will aid the development of Kenya," Teixeira explained.

He added: "As ambassadors, we do not expect you to take sides when delivering civic education. The UNDP and other development partners supporting Amkeni Wakenya has developed several principles to guide you in your engagement with voters."

Teixeira reiterated that Kenyans must choose to make their country better and take responsibility for the realisation of peaceful elections.

Ng'etich noted that the Government is ready to support the groups during the civic education and also help in mobilising residents in attending the meetings.

"It is our utmost hope and belief that the residents of this region will make informed choices at the general elections and they will also get useful civic skills and knowledge that will enable them fully embrace the nation," Ng'etich said.

The theme for Amkeni Wakenya's civic education programme for the forthcoming general election will be: *Free, Fair Peaceful Elections: My Responsibility.*

Measures on Northern corridor to spur intra-regional trade

By EVELYNE OGUTU

Kenya's efforts towards operational efficiency by its implementing agencies will boost regional trade by eliminating non-tariff barriers along the Northern transport corridor.

This is according to Musa Sirma, Minister for East African Community and member of the cabinet sub-committee on non-tariff barriers.

"The various measures by Kenya Ports Authority (KPA), Kenya Revenue Authority (KRA) and Kenya National Highways Authority (KENHA) as well as Kenya Police among other implementing agencies will greatly help address infrastructural bottlenecks along the corridors to reduce cost of business for Kenya and its EAC partners," noted Sirma.

Goods

KPA, KENHA, KRA and Kenya Police, all major implementing players in flow of goods and services along the northern corridor have taken institutional measures that will reduce trade along the East African transport corridors.

"Uganda, Rwanda and Burundi heavily depend on that Northern corridor. Kenya as a responsible EAC partner is obligated to reduce cost of doing business in their jurisdiction to comply with spirit of EAC integration," explained Sirma.

Recently KPA launched a rapid results initiative that targets to decongest the facility within 100 days. As the entry point to the Northern transport corridor, the challenges facing the port, including laborious cargo clearance process; storage, documentation, customs verification at the port negatively affects regional business with Kenya's EAC Partners, Burundi and Rwanda suffering the most.

While over 65 percent of Rwanda's exports and imports go through the Mombasa port, the inefficiencies at the port have become a barrier to the EAC Partner. The cost for exporting and importing of a container to and from Rwanda is \$3,275 and \$4,990 at 29 and 31 days respectively. It costs \$2,965 and \$4,855 for Burundi at 35 and 54 days for the same.

"An inefficient port will result in industrial meltdown and other repercussions such as loss of jobs with dire consequences for regional economies. This must not be allowed to happen," said Dr Cyrus Njiru, Permanent Secretary in the Ministry of Transport.



KENHA has also been engaged in aggressive administrative reforms to revamp operations at their facilities to make them more effective and to rid them of corruption.

The authority, under the auspices of East African Transport Facilitation project aims to promote efficiency of its facilities to harmonise weighbridge management and axle loads in the northern transport corridor.

Already, new modern weighing machines have been installed at the Athi River weighbridge to speed up movement of trucks at the facility. The new machines are able to weigh three trucks within less than a minute, a departure from the past where one truck took more than three minutes to be weighed. Mariakani and Gilgil weighbridges are also under contracts for revamping.

Time

"The new weigh machines will measure three axles at once, thereby reducing the time spent by trucks on the roads," says Edwin Ranji, Athi River weighbridge manager. He added that CCTV cameras have also been installed at the entrance of the weighbridge to help track offenders.

According to Joseph Mwaniki, a seasoned truck driver with 15 years experience on the Northern transport corridor, the changes at the weighbridge herald a new era in the regional transport.

"We used to spend long hours and sometimes one day at the weighbridges, it now takes only a few minutes," says Mwaniki, currently an employee of Signon



Truck drivers waiting at the Malaba border post. East Africa is set to improve handling of goods and trade by removal of barriers. Inset: Chairman of EAC council of Ministers, Hon Musa Sirma who is also the Minister of East African Community briefing the press on the resolutions reached on non-tariff barriers elimination by ministers from partner states. He is flanked by the EAC secretary general, Dr. Richard Sezibera and East African Business Council vice chairperson Mr Keli Kiilu. Picture: Evelyn Ogutu

Freighters.

The development at the port and weighbridges coupled with the stringent administrative measures set by the KRA and the Kenya Police at the borders will help reduce transporters' woes at the border points. The revenue body launched a decongestion Rapid Result Initiative (RRI) last month at its border point's offices to facilitate faster clearance of transit cargo.

At the Malaba border, KRA has resolved that only two licensed clearing agents per company will be allowed to operate within the customs premises while a \$1000 (KSh82,000) penalty will be charged to transporters who park within five kilometres of customs entry points. This is as per the powers provided by Section 15 of East Africa Community Customs Management Act (EACCMA, 2004).

Citing recent public concerns and in the spirit of the East African Community Common Market agreement, KRA are pushing for simultaneous verification of cargo by all border agencies at the border point.

Currently traders in the region are hampered by strenuous customs clearance procedures in which goods are separately by officers on either side of the border leading to massive delays.

The establishment of the One Stop Border Post (OSBP) experimental facility at Malaba, a concept that will be replicated in EAC region, has shown a glimpse of success. For instance, truckers previously requiring two days to clear with customs officials now require an average of two hours or less courtesy to the joint handling of documentation.