



Bio-Metric Data Capture
Exercise Launched in
Turkana County

P. 2

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WATER & SANITATION

Fresh Water Point Mapping Needed

By Turkana Mirror Reporter

The retired President of Kenya, Hon. Mwai Kibaki, is calling for fresh mapping of all fresh water sources for the purpose of planning, knowing the locations, quality and quantity of water, particularly in arid and semi-arid zones.

Speaking during the opening of the National Water Summit held at Kristine's Camp on the shores of Lake Turkana, Kibaki said this will determine what kind of technology the country requires to extract and preserve the resources for its sustainable exploitation.

Former president Hon. Kibaki, who is also the patron of the Millennium Water Alliance of Kenya, said that fresh water point mapping is the only way the country can draw closer to the objectives of attaining sustainable management and development of ground water in the under developed areas.

"All resolutions which will be arrived during this two-day summit will inform and at least inspire policies that aim at global best practice in ground water development and management." Former head of state said.



Continued on page 3 Former president of Kenya, Mwai Kibaki, addressing Turkana residents at Kristine's Camp on the shores of Lake Turkana

SECURITY

Killing Occurs in Turkana South as Governor Nanok Visits Villages



Turkana County Governor, Josphat Nanok

By Turkana Mirror Reporter

A woman was shot dead at Kaputir village in Turkana South Sub-County. Ms. Naperit Erukumaniki was killed as Turkana County Governor Josphat Nanok visited Kaputir, Nakwamoru and villages along the volatile Turkana-Pokot border to inspect dispensaries and early childhood development centres. Kaputir chief Charles Lopuya said that Ms Naperiti was with two other women attending to a farm along Turkwel River when they were attack. Mr. Lopuya also said that farmers are staying away from their farms and herders are avoiding grazing along the river due to rising tension. Hon. Nanok was challenged by Kaputir residence on poor response to insecurity and loss of lives along the riverine where Pokots have set illegal settlements within Turkana land.

Continued on page 3

GOVERNANCE

Spirit of Mashujaa Day in Turkana County

By Turkana Mirror Reporter

Previously known as Kenyatta Day, 20 October, is now Mashujaa Day with the new constitution. National and County Government Leaders were ready with their usually written speeches to address residents at their respective Counties.

Here in Turkana County, dust roads heading to Lodwar Stadium were watered, while schools, invited choirs and individual musicians were doing their final touches. Security was beefed up in all corners of the stadium. KPR officials in collaboration with administration police could be seen patrolling all over.

"I thank all who put their life in danger, fought for our Country and ensured that Kenya got independence,"

Turkana County Governor Hon. Josphat Nanok said. He promised his fellow residents that living and dead heroes in Turkana County will be recognized by awarding them come next year Mashujaa Day. It shall not only be the politicians but all other people who have performed best in their area of specialization. Hon. Nanok assured Turkana residents that proper procedure will be followed to identify who to be awarded.

Nanok said that his government has accomplished all development projects they had started last year. He added that Turkana County government has constructed 60 ECD centres and very soon they will be equipped with modern learning facilities.

Continued on page 2

WATER & SANITATION

Fresh Water Point Mapping Needed

Continued from page 1

He also said that mainly due to ignorance, there has been an unfortunate trend to designate some areas as unworthy of serious socio-economic activity because of their arid and semi-arid conditions. He said that Turkana County has suffered negative branding for too long.

Mr. Kibaki said that the Constitution has made Turkana County to regain its rightful position and it can now exploit its phenomenal resources for the development of its citizens and that of National Government. He warned land grabbers in areas such as the shores of Lake Turkana claiming that there were possibilities of people with self-interest to develop the land. However he said that there was an urgent need to encourage the county government and their people, especially landowners, to construct water pans and set up terraces in order to help in recharging existing water aquifers, or water-bearing layers of permeable rocks.

Turkana County Governor Hon Josphat Nanok said that only 40 per cent of Turkana residents can access safe water and now their expectations are high following the discovery of massive water aquifers in the county despite current water scarcity. Mr. Nanok said that the discussions at the summit would generate solutions for the water problems, not only in Turkana County but also in the entire country. The governor said that the bigger challenge is how to treat and reduce levels of salinity in water, provide piping systems, setting up of water kiosks and providing more storage facilities. "I expect the oil investors, particularly Tullow Oil, to get their water from Lotikitikit aquifer which is holding 200 billion cubic litres of water to aid in irrigation," The Governor said.

GOVERNANCE

Spirit of Mashujaa Day in Turkana County

Continued from page 1

The governor told residents that this financial year his government has set funds for construction of an International Airport in Lodwar town. He promised the residents that all roads in Turkana County will attain modern standards and create room for 24hrs working economy. A 6km road network will be constructed to cover Lodwar CBD while ensuring Kanam-kemer and Lapetet roads are fully tarmacked.

In addition, Hon. Nanok said that mobile clinics and motorcycle ambulances will be introduced to ensure that all Turkana residents access treatment wherever they are. A pharmaceutical centre shall be constructed to ensure that there is enough vaccines within the county; as well as 60 dispensaries in various parts of the County.

He mentioned that the process of installing street lights in Lodwar town is in progress. On insecure areas like Soweto and along River Turkwell Bridge sports light will be installed. On issues of insecurity along Lodwar Kitale road Nanok called for National Government to intervene and ensure that peace is restored. He condemned killing of innocent people by suspected Pokot raiders.

POLICY & DEVELOPMENT

Bio-Metric Data Capture/CARPS Exercise Launched in Turkana County



Turkana County Deputy Governor Hon. Peter Ekai Lokoel launching CARPS exercise

By Turkana Mirror Reporter

Turkana County is not left behind as far as digital migration takes place in Kenya. The launching of capacity assessment and nationalization of public program here in Turkana County is clear indication that Turkana County public service board is part of CARPS program. The public service board is required by constitution to develop a frame work of uniform norm and standard of general management of public services.

This exercise is expected to highlight areas for improvement especially in harmonization of terms and condition of services for employees in all counties. Addressing public servants at the County Head quarters during the launch of this exercise, Chair of Transition Authority Mr. Kinuthia Mwangi said that this exercise is not aiming to dismiss any public servant and therefore they should not be afraid. He also said that this exercise will ensure that every employee is placed where he/she suits according to their qualification and



Deputy County Governor registering by bio-metric method after launching CARPS exercise

competence.

Addressing public during the launch Turkana County Dep. Governor Hon. Peter Ekai Lokoel assured that Turkana county Government will cooperate with CARPS to ensure all public servants in Turkana County are registered. He also requested for extension for registration period for Turkana County is large. He assured public servants that this exercise will enhance better delivery to all.

The exercise will take place in the seven sub-counties in

Turkana County. In Turkana North and Kibish it will take place at Lokitaung, Turkana west at Kakuma, Turkana central and Loima the exercise will take place at Ministry of lands and in Lodwar district Hospital. Turkana south the exercise will be held at Lokichar while public servants in Turkana East will register at Lokori. Deputy Governor also requested employees avoid last minute rush for this exercise is compulsory for all public servants.

SECURITY

Permanent Solution Needed for Turkana Pokot Crisis

By Turkana Mirror Reporter

Violence between Turkana and Pokot Community shows no signs of ending. On our visit to Turkana south we were welcomed by signs of tension all over. Residents here have been in cross hairs of raiders since back in the days. Insecurity is not something new to them since previously houses were burnt down, life had been lost and animals taken away.

We spotted bullet covers at various points a clear indication that exchange of gun shots had been experienced there recently. Majority of Turkana men could be seen walking around in groups with guns to protect the community from their enemies who are suspected to be Pokot raiders. From their reaction someone could tell that they were preparing for



Turkana man preparing for attack

attack.

Sources informed us that Pokot raiders had attacked them and run away with a number of cattle. Group of Turkana men had already gone for a mission to rescue those cattle. The sources further told us that another group was already preparing to be driven by County vehicle to back up their friends in ensuring that their cattle are rescued.

According to the resident in Turkana south they normally live in fear for Pokot raiders can visit them any time. To them sound of guns is obvious, their plea has never been heard. They have a lot of unanswered questions. Their questions have never pricked the conscious of a right thinking leader. To make the matter worse when the attack occurs police officers usually take ages to come

to the scene.

Speaking to the Turkana Mirror reporter un-named source said that they have no other option rather than to acquire guns in order to depend their community for National Government is doing minimal as far as security is concerned.

Both Turkana and Pokot residents rely on livestock as only wealth and therefore control measure is needed to curb their crisis. It is the role of National Government to ensure that security is available to all Kenyans and therefore security agencies should chip in and play their role by ensuring that peace is restored in both Turkana and Pokot County. Also both Turkana and Pokot leaders should conduct peace initiative forums to educate the residents how that live in peace, harmony and unity.

Kenya National Examinations Council to Airlift Exam to Far and Insecure Places

By Turkana Mirror Reporter

At this time of the year both standard 8 pupils and form 4 candidates are preparing for their final exam. Some areas in our country normally experience a lot of challenges during this exam periods. Some areas are insecure and other lack transport networks. This becomes a challenge to both candidates and examiners since most of the time exam timetables are interfered with.

The Kenya National Examinations Council (KNEC) is considering hiring more security personnel and choppers to ferry examination papers to far and insecure areas. KNEC announced the Kenya Certificate of Secondary Education (KCSE) begins on October 14 and the Kenya Certificate of Primary Education (KCPE) on November 4.

Turkana and other areas in Northern Kenya which experience insecurity and extreme flooding during examination periods will have special transport arrangements to ensure the examinations are not interrupted. "We expect the first batch of theory papers for KCSE to arrive in the county from Nairobi on October 12" Turkana County Education Director Nicodemus Anyang said.

He also said KNEC is fully prepared for any inconveniences during the exam period, noting that areas like Kapedo in Turkana East sub-county, which is insecure will have special security arrangements to ensure the examination is not interfered with by bandits.



Standard 8 candidates preparing for their final exam (KCPE)

Nicodemus Anyanga said that Kenya National Council Board has agreed to hire additional security personnel to provide sufficient security. "In fact, KNEC has assured Kenyans that they will hire choppers in case of emergency to deliver the exams to areas with poor transport networks and insecurity across the country," Anyang said. He also said that school heads and teachers who are expected to supervise the examinations have been briefed in Nairobi about the progress of the examinations.

Dr. Nicodemus Anyang added that invigilators will be deployed next week to sub-counties to supervise the examinations. He said some Non-governmental Organisations working in the region,

especially in Kakuma refugee camp have agreed to offer transport arrangements during the examination period.

According to him about 2,600 candidates are expected to sit for KCSE examination in Turkana County while another 6,200 will sit for KCPE this year and transport arrangements at national and county levels have been finalized to ensure the examination papers arrive at the centres on time.

He said out of 35 secondary schools in Turkana County only 19, both public and private have candidates who will sit for their KCSE examination. He said the other schools in the category are still new and only have students in Form One and Two.

Killing Occurs in Turkana South as Governor Nanok Visits Villages

Continued from page 1

The deceased's body was left in the bush with no response from both the leadership at the ground and security team. The family was consoled by fellow Kaputir villagers saying that the area lagged behind in development due to raids and unfocussed leadership which discriminates public and causing division among villages.

Due to insecurity, Contractors working at the border said that to access sites they always hire security officers to escort them to deliver building materials at the sites. They said that during attacks tension is very high forcing them to stop their work for a while until the situation calms down.

Women Representative Ms Joyce Emanikor condemned the attack and asked Interior Cabinet Secretary Joseph Ole Lenku to deploy more security forces along the border. "Attacks on innocent women while on their normal daily activities like attending to the farms is evidence that patrols are limited" she said.

She also said that road users along Lodwar-Kitale road are complaining of attacks between Kainuk in Turkana County and Marich in West Pokot. "The border needs armoured vehicles and a helicopter to tackle reckless attacks" she said. Ms Emanikor remained firm on her mission to travel to State House with a group of widows and orphans from all hotspot areas along Turkana-Pokot corridor to seek an urgent action from President Uhuru Kenyatta.

The law maker said that insecurity is contributing to a daily rise of widows and orphans in Pokot and Turkana communities and at the same time deaths of innocent residents.

Are You Informed about Citizen Participation in Implementation of the Constitution?

By Turkana Mirror Reporter

One year down the line, Turkana residents have expressed their confidence in the County assembly in protection of their resources and response to the pressing emerging issues. The commitment assembly has to be scaled up to ensure policies on Extractives are set in place to address; exploration zones in the County, displacement and compensation and a clear eviction and resettlement of population come oil production.

As a matter of fact, the Constitution of Kenya, Chapter 8, Part 5 Article 118 states that 'Parliament shall facilitate public participation and involvement in the legislative and other businesses of Parliament and its committees' be it at the County, National or Senate as in the 4th schedule, Part 2 which states that 'County governments

are supposed to ensure and coordinate the participation of communities and locations to develop the administrative capacity for the effective exercise of the functions and powers and participation in governance at local level.' The aforementioned require that public participation and involvement is part of the processes of making any legislation that affects the lives of the public in Kenya.

On August 27, 2012, Kenyans celebrated the second anniversary since the promulgation of the Constitution, which they viewed as promising a new dawn in Kenya. However for most Turkanas, there was nothing to take pride in with most of the relevant legislations having not been passed or having been passed without the meaningful participation and involvement of the citizens, as envisioned in the Constitution. It is for this reason that many stake-



Open forum organized by TUBAE at Kakuma, Turkana West

holders in the sector rooting for the timely implementation of the Constitution in Kenya are raising the flag on the lack of 'citizen participation' as stipulated in the

Constitution. Stakeholders, especially Civil Society Organizations, note that citizen participation remains minimal, fractured, and inconsequential with issues of

wrong perception, lack of access to understandable information and ignorance being key problems.

Continued on page 4

GOVERNANCE

What Devolution can do in our County

By Turkana Mirror Reporter

With a new Constitution, Kenya had no other option but to fully join other developing Nations that use devolved form of Government. Devolution involves the transfer of functions, resources and power to the village levels of Government.

Kenyans positively welcomed devolved governance with high expectations; simply because this type of Governance seeks to bring government closer to people. Majority of Kenyans believed that this form of Government would be the best because "Common mwananchi" would be a direct beneficiary. Funds from National Treasury to County government were to bring development at County levels and hence uplift the living standards of thousands and thousands of Kenyans who live below poverty line.

Devolution allows county governments to utilize the available resources within that county to bring development. By doing so; job opportunities will be created, health facilities will be made available as well as improving infrastructure among other key areas where development is needed at our counties. Every county has its own resources; Our County (Turkana) is among the most privileged County with major resources. The recent discovery of oil in most parts of the County has ranked it among the richest counties countrywide. The constitution clearly describes what Devolution is all about. People expected developments at County levels since finance from National Government will be directed to County Government. Majority of Turkana residents preferred National Government form of leadership compared to Devolved form of Government saying that devolved type of government benefits few people.

According to the new constitution, natural resources should benefit three parties i.e. National Government, County Government and "Common mwananchi". Speaking to Turkana mirror reporter, they said that the available resources benefits National and County Government leaving out "common mwananchi." They said that Tullow Oil Company which deals with oil exploitation in our county is unfair in terms tender issuing, employment and bursary allocation. They complained that this oil company is very corrupt since they issue tenders to the prominent people, bursaries are allocated to only few students from known people and job opportunities are issued to people from other Counties.

Lack of knowledge about devolution has greatly hindered development in our county. It is high time for our County Government and Non-governmental organizations (NGO'S) to chip in and carry out civic education to enlighten the minds of our people. This will educate people about their rights and also the roles of their leaders. "Common mwananchi" will now have the opportunity and knowledge to constitutionally deal with un-performing leaders and development will progressively begin in our County. On other hand leaders will be responsible on undertaking their duties, they will clearly understand their roles and therefore they will perform. With this, our poor roads will be constructed, schools developed, water problem will be a myth, Food shortage will no longer be there and Our County (Turkana) will be the best place to be.

WATER & SANITATION

Turkana County Government to Solve Water Shortage Problem



Turkana County Governor Josphat Nanok

By Turkana Mirror Reporter

Water is the main problem in Turkana County. This is threatening human life in most parts of this County. The county govern-

ment has embarked on a programme to improve water accessibility for its residents. This programme will make sure that hundreds of Turkana residents do not walk for a long distances looking for water.

The devolved unit's integrated development plan has proposed desalination and treatment of water harvested from Lake Turkana. According to the plan, only 33,237 residents access portable water, while those in most temporary settlements cover a distance of 5km to 10km for them to reach water points. The water points include shallow wells, water pans, boreholes and rivers. Turkana county government has budgeted for Sh280 million to drill 90 boreholes across the county and Sh250 million for constructing a water pan in each of the 30 wards.

According to the integrated plan, the county has 16 rivers, 62 water pans and 18 dams.

Underground water is yet to be properly harnessed for food production. Currently, the county largely depends on Turkwel and Kerio rivers for irrigation. Turkana has about 100,000 acres of fertile land that can be utilized for irrigation and therefore Turkana community needs to be empowered and educated on how to do farming.

National government has allocated Sh3 billion for expansion of irrigation projects in Turkana County. The targeted irrigation schemes include Naoros (Turkana Central), Lotubai (Turkana East), Lojokobuo and Kang'alita (Loima), and Katilu (Turkana South).

ENVIRONMENT & RESEARCH

Launch of Kenya Farmers Resource Centre

By Turkana Mirror Reporter

Conservation of the environment has been given the first priority in Turkana County. Kenya forest research institute (KEFRI) which was established in 1986 has launched Kenya farmers' resource centre in Lodwar town.

Speaking during the launch Kenya forest research institute (KEFRI) Director Dr. Ben Chikamai said that the



KEFRI opens learning centre for technology transfer

institute is focusing on conserving of bush land, woodland and rehabilitation area of water managing of aloes in Turkana County. He also added that this institute will focus on other specious of indigenous species to ensure that environment is conserved. He thanked the government for support KEFRI by funding them.

Continued on page 6

CIVIC EDUCATION

Are You Informed about Citizen Participation in Implementation of the Constitution?

Continued from page 3

Further, the inaccessibility to offices charged with leading the way in the implementation of the Constitution, lack of understanding of the processes of making laws, the effects of such laws on lives and how or when the public should participate in the law making process, have served to deter public involvement and participation in policy making processes. A case in point is the formulation of legislations to ensure the implementation of the Constitution in the health and environmental sector.

The Ministries are required by law to champion for the implementation of the Constitution within their mandates through repealing, reviewing, amending and enacting of new legislations, policies and standards. However, even in doing this, the question of public participation remains critical, with

stakeholders in the sectors and majority of the public being clueless on the bills that ministries are required to prepare, which affect the realization of the rights as stipulated in the Constitution.

Members of the public have been expressing their concerns of top down approach where mining companies are licensed and allowed by the County government to exploit natural resources without their consent. A community member of Kapua village where gypsum is being exploited narrated challenges they are facing with their livestock where mining companies are exorbitantly exploiting the public despite huge profits made in the valuable minerals. The companies are not addressing environmental deterioration causing harm to both livestock and children not forgetting pass-bys who look for lost livestock at night.

This revelation came to be during a civil society discussion forum organised

by TUBAE. While purposing to demystify devolution in the environment and natural resources sector, consultation is still under way to mitigate to provide avenue for community members to give their input and views on the massive exploitation of their resources with no clear corporate social responsibility.

The public are calling upon the relevant executives to address before mass action by the public. Speaking during the demonstration in Kalokol the youth expressed their concern on recruitment of human resource by ARDAN. They said that the processes used are biased and not all inclusive. The community members are appealing to the governance civil society to intervene since hiring is politically influenced and for those who are closed to the provincial administration. The public are urging the CSOs need to bury their differences and support the public in agitating for their rights.

The Turkana People in the Globe

“Rights of Indigenous Peoples”



Turkana people in their cultural dressing code

Indigenous Peoples use the term “peoples” because of its association with inherent recognition of a distinct identity.

By Turkana Mirror Reporter

As ng’iturkana continue losing lives and property since time in memorial to date we are relieved by the so called “Indigenous peoples right of self-determination. By virtue of the right they freely determine their political status and freely pursue their economic, social and cultural development”

As defined by the United Nations Special Rapporteur to the Sub-Commission on Prevention of Discrimination and Protection of Minorities, Indigenous communities, peoples and nations are ...those which having a historical continuity with pre-invasion and pre-colonial societies that developed on their territories, consider themselves distinct from other sectors of societies now prevailing in those territories, or parts of them. They form at present non-dominant sectors of society and are determined to preserve, develop, and transmit to future generations their ancestral territories, and their ethnic identity, as the basis of their continued existence as peoples, in accordance with their own cultural patterns, social institutions and legal systems. (Martinez-Cobo, 1984)

The United Nations International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights state that

all peoples have the right of self-determination by virtue of which they “freely determine their political status and freely pursue their economic, social and cultural development”. (Part one, Article one, 1966) However, because there has been dispute over the exact meaning of the term “peoples”, it is not clear exactly to whom “peoples” refers. Some state governments oppose use of the term “peoples” in regards to Indigenous Peoples because they fear its association with the right of secession and independent statehood. Those states would prefer the terms “tribes” or “populations”, which do not have those associations. On the other hand, Indigenous People use the term “peoples” because of its association with inherent recognition of a distinct identity.

“Indigenous Peoples” is a compromise between these two positions. Indigenous Peoples and their advocates find the denial of being described as “peoples” and the inherent entitlement to self determination a form of racism and continued discrimination.

Despite international recognition and acceptance of the Universal Declaration of Human Rights, which guarantees the fundamental rights of all human beings, in practical fact Indigenous Peoples’ human rights remain without specifically designated safeguards. To this day, Indigenous Peoples continue to face serious threats to their basic existence due to systematic government policies. In many countries, Indigenous Peoples rank highest on such underdevelopment indicators as the proportion of people in jail, the illiteracy rate, unemployment rate,

etc. They face discrimination in schools and are exploited in the workplace. In many countries, they are not even allowed to study their own languages in schools.

Sacred lands and objects are plundered from them through unjust treaties. National governments continue to deny Indigenous Peoples the right to live in and manage their traditional lands; often implementing policies to exploit the lands that have sustained them for centuries. In some cases, governments have even enforced policies of forced assimilation in efforts to eradicate Indigenous Peoples, cultures, and traditions. Over and over, governments around the world have displayed an utter lack of respect for Indigenous values, traditions and human rights.

In international discussions on the protection and promotion of Indigenous Peoples’ human rights, some States have argued that a more conscientious application of human rights standards would resolve the issue. On the other hand, Indigenous Peoples argue that such international human rights standards have consistently failed to protect them thus far. What is needed, they argue, is the development of new international documents addressing the specific needs of the world’s Indigenous Peoples. Although the Universal Declaration of Human Rights is designed to protect the human rights of all individual human beings, international law concerning collective human rights remains vague and can fail to protect the group rights of Indigenous Peoples.

How will Ngiturkana Protect themselves and their Property?

By Turkana Mirror Reporter

The Turkana County government has a stake to ensure the National government protects ng’iturkana and their property. Kenya being part of the International legal instruments took part in ratifying the treaty with an aim of indigenous people’s rights protection. Indigenous Peoples’ rights overlap with many other human rights. The residents of the County have been experiencing both internal and external attacks which have resulted to: loss of lives, loss of property, and some people left with disability, and displacement of population.

Despite Kenyans rejoicing after promulgation of the new Constitution, the Turkana people are still under siege especially those who reside in South, East and Loima areas. These are hot spot areas. The residents are forced to protect themselves despite numerous promises from the security team to deploy security personnel, in which the public has lost confidence. The turkana who are Kenya citizens are aware of many important Indigenous Peoples’ rights are not framed in specific Indigenous Peoples’ rights treaties, but are part of more general treaties, like the Universal Declaration of Human Rights or the Convention on the Prevention and Punishment of the Crime of Genocide.

The comprehensive statement of the rights of Indigenous Peoples to date establishes collective rights to a greater extent than any other document in international human rights law. It establishes the rights of Indigenous Peoples to the protection of their cultural property and identity as well as the rights to education, employment, health, religion, language and more. It also protects the right of Indigenous Peoples to own land collectively. Although States are not legally bound by the Declaration, it will exert a considerable amount of moral force when adopted by the General Assembly. Consisting of 46 Articles, the Declaration is divided into nine parts:

Part 1. Fundamental Rights

Part 2. Life and Security

Part 3. Culture, Religion, and Language Laws

Part 4. Education, Media, and Employment

Part 5. Participation and Development

Part 6. Land and Resources

Part 7. Self Government and Indigenous

Part 8. Implementation

Part 9. Minimum Standards

The Universal Declaration of Human Rights is the first international document that states that all human beings are “equal in dignity and rights.” (Article 1) Everybody is entitled to the rights in the Declaration, “without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.” (Article 2).

Did You Know?

By Turkana Mirror Reporter

Honourable Josephat Nanok is among top five most performing governors in Kenya, he has done a number of project in the County which has given him credit, this includes bursary allocation to needy students in Turkana County, improving infrastructure, development in Sub Counties, eradicating locust outbreak in Loima sub County and in Turkana west, flagging off ambulances in Turkana County and many more.

Although we have high expectation from Devolution, this takes time and we call upon our executive arm to give priority to our pressing issues.

Circulation quotes “work to make your office better than you found”. Let the public say good of your service. It’s either now or never.

Is Private School Better than Public School?

By Turkana Mirror Reporter

Kenya Certificate of Primary Education (K.C.P.E) exam is forth coming just one month count down. Temperature are in all primary schools are highly, both teachers and std eight people are struggling to kill two birds with one stone. Time verses syllabus is what they are competing for. Some spending sleepless night preparing for this national exam while others excluding their daily routine in older to perfect the studies. Whether in public or private schools K.C.P.E is for all.

Here in Turkana County most of primary schools are now struggling to complete their syllabus as soon as possible, others this is past tense.

On our visit to Kachoda Leaders Academy in Lodwar town we were welcomed by a conducive learning environment, teachers on gears to ensure that untackled is tackled. In this academy syllabus were completed in second term in order to create enough time for revision.

According to the Headmistress madam Flora Lemuya STD eight pupils are fully prepared for final exam. "We have enough teachers and all facilities needed to ensure

that our pupils are fully prepared for exam" Madam Lemuya said.

According to her STD 7 and 8 pupils are boarders and even teachers are available always since their quarters are in school premises.

Madam Flora Lemuya also said that there are various challenges which private school encounter as far as education is concern. For instance equality is not considered during admission of form one in secondary schools. Pupils in private schools are manipulated during the exercise due to their good performance.

In reality private schools performs better compared to public schools. There are various factors contributing to this; public schools lack enough teachers, people are over populated not forgetting that facilities are not enough in most public schools.

According to flora Lemuya public schools can perform better like private school. It is the role of Turkana County Government to ensure that all public schools in the County have adequate facilities and enough teachers in order to better performance. Termination of tuition has highly affected public schools whereby syllabus is not completed on the right time unlike



Standard eight pupils doing their final touches

in private schools Madam Flora Lemuya said that it is responsibility of both public and private schools teachers to ensure that syllabus is covered in the right time with or without tuition. Whether in public or

private school education is essential to all. It is the role of government to ensure that education is provided to all.

ENVIRONMENT & RESEARCH

Launch of Kenya Farmers Resource Centre

Continued from page 4

The Executive member for Energy, environment and natural resources Hon. Rhoda Loyor told Turkana resident that KEFRI will benefit them through conversation of environment for they are experts in this field. She requested for unity among leaders and residents in speeding up development in the County. She also argued people to conserve environment since environment is key to live.

Speaking on the same occasion, Turkana Deputy County Governor Hon. Peter Ekai Lokoel said that Turkana is the only County with many aloe species in the world. He thanked Kenya forest research institute for their good work as far as environment is concern. On matters of security Hon. Peter Ekai accused the National government for laxity in protecting people and their property since the security personnel are doing nothing to address the menace as this is becoming the order of the day along Turkana-Pokot border.

"Am very much surprised for Turkana residents are not recognized by National government, are we part of Kenya? Said the Deputy Governor. He urged Mr. David Kimaiyo (Inspector General) should urgently take this matter seriously not the normal statement of security deployment which bears no fruits.

ENVIRONMENT

Burning Charcoal for a Living

By Turkana Mirror Reporter

No matter the nature of environment, arid, desert or cool and wet life must go on. Naturally our County (Turkana County) is a semi arid and there is no other option rather than to accept what is beyond our control. For one to survive in this competitive world he or she must struggle to earn a living.

Due to high level of illiteracy in Turkana County, majority of its residents lack better means to earn a living except engaging themselves in charcoal burning. According to them charcoal burning is the only available source of income, since most of them are not learnt and therefore they can afford to get white color jobs.

Charcoal is the major source of fuel here in Turkana County therefore prefers use of charcoal as fuel for its cheap and locally produced. According to a charcoal dealer in Kanam market a full debe of charcoal goes for Ksh100 while a suck goes for Ksh450. This is cheap compared to other Counties, In County the cost of a full suck is equal to a debe here in Turkana County.

To them charcoal burning

is their daily routine despite the fact that they face a lot of challenges. Transport is their main problem since most charcoal dealers relay on bicycle to transport charcoal. This is highly affected by poor roads in our county since they have to ride for a long distance. The fact that charcoal burning in this region is very high, competition in the market is very stiff hence lowering the profit.

Labour is another challenge which charcoal burners face. Most of the time they are forced to involve their children in charcoal burning in

order to provide human labour. Due to this young boys and are forced to drop out of school to go and assist their parents in charcoal burning.

Generally charcoal burning has its own negative impacts to the environment; environmental pollution, deforestation and global warming among others are the main consequences which will be witnessed with time if right measures will not be taken. Turkana County will be more semi arid if County government and Non-governmental organizations (NGO's) will not chip in and intervene

on the same.

Civic education should be carried out to educate people on effects of charcoal burning. Also other natural and better methods fuel should be introduced by the County government in order to reduce charcoal burning in our region. County Government under ministry of energy, natural resource and environment should mobilize people to plant trees in order to conserve environment. It is the role of County Government to enact rules to govern charcoal burning as well as deforestation.



A charcoal dealer transporting charcoal to the market place

HEALTH

Modern Structures Mashinani, Bravo Devolution

By Turkana Mirror Reporter

Kenyans are still enjoying the fruits of devolution; the residents of Turkana West are not left behind as far as devolution is concerned. Turkana County Government for the first time have heard and positively responded to the plea of people in Turkana West Sub- County. This is by construction of Nanam Dispensary.

It has been a long term project for politicians in this region, for they have been promising to construct a Health Centre to serve people in this area, but years after years they have failed. Treatment has been the main challenge here, since the small dispensary which was operating would not serve all patients at once.

Lack of enough facilities in this small dispensary was great challenge since majority of patients were referred to other hospitals which are far and means of transport is problem. With construction of Nanam dispensary Residents were overjoyed since their plea was



Newly constructed Nanam Dispensary by Turkana County Government

heard. They humbly appreciated Turkana County Government for constructing this dispensary.

To them, Nanam dispensary will solve their problems as far as health is concerned. They also requested County Government to ensure that there are enough nurses and adequate facilities in this

Dispensary for them to be served well.

Nanam resident requested County Government to construct other more dispensaries in their region. It is their expectation that the County Government will provide ambulances to all dispensaries in Turkana County to rescue patients in case of any emergency.

HUMAN RIGHTS

Life in Kakuma Refugee Camp



Some of refugee victims at Kakuma refugee camp

By Turkana Mirror Reporter

Kenya is among the peaceful nations worldwide, with the largest number of refugees in Africa. High numbers of refugees are flooding day by day in our country. This is becoming threat since major refugee camps in our country are getting overpopulated.

On our visit to Kakuma refugee camp at Turkana west, we were welcomed by strong shocking smell from a nearby cemetery. This was a sign of a disposed human body. Daily activities to them were normal, motorbikes

and bicycles where flocking in and out of the camp, businesses at normal operations, administration police patrolling around to ensure security in the town is beefed up.

Kakuma's refugee camp is not conducive at all, roads are dust and in poor condition, polythene papers and plastic materials are scattered all over, air pollution is very high since cemetery is located near domestic houses.

Here in Kakuma refugee camp houses are constructed in form of slums, close to each other as a sign of poverty to refugees. This is very risk since in case of fire out

break a lot of damages will occur. In this camp population is very high and there is congestion of people, motorbikes and bicycles.

All forms of businesses are available in this camp; wholesalers, retails, hotels, shops, hardware, stationery shop, among others. Life here is cheap, since majority of residents are refugees and own businesses.

Products and services are offered at low cost for majority of them are jobless.

Despite the fact that residents here are refugees, Government have ensured better health services to all people.

SECURITY

Peace Accord Commemoration to End Turkana-Pokot Border Killings

By Turkana Mirror Reporter

Both Turkana and Pokot communities practise nomadic and pastoralist activities. They move from one region to another in search of water and pasture for their cattle. For many years the two communities have been in conflict due to bandits.

Turkana County leaders want the National Government to intervene between the Turkana and Pokot communities to end the perennial conflicts affecting them. Speaking at the Lokirima Peace Accord commemoration they said that they were tired of killings and raids along the Pokot-Turkana border.

Turkana County Governor Josphat Nanok said he is upset by the loss of lives and destruction of property along the volatile border yet the National Government and International Community remained silent.

"It is sad that the Government and the international community have remained quiet despite our losses along the Pokot-Turkana border," Mr. Nanok said.

Mr. Nanok urged National Government to control insecurity situation and restore peace to enable both Turkana and Pokot residents to participate in National development. County Assembly Deputy Speaker Philip Ekwom said that he was worried by the Government silence despite the fact that there is increase of conflict in these regions. "I am worried that people are still dying along the Turkana-Pokot border yet the National Government is doing nothing, I do not know whether there are some regions that are more important than others," Deputy Speaker said.

He urged the Government to ensure that peace prevails in both Turkana and Pokot County. Turkana County Commissioner Julius Mathenge said peace was a collective responsibility and urged all residents to be involved in initiatives aimed at bringing peace along the border. "We should come together for the sake of peace in our neighbourhood for without peace, we will not live comfortably," said Mr. Mathenge.

The Lokirima Peace Accord is commemorated annually to celebrate the signing of a peace initiative between the Turkana and Matheniko of Uganda in 1973 in a bid to stop raids along the Kenya-Uganda border.

TOURISM

Alternative Approaches to Tourism

By Turkana Mirror Reporter

Promotion of tourist activities must be re-oriented to integrate information on the cultural and ecological values of natural resources to the African people. Folklore, myths, taboos and totems based on flora, fauna, lakes, rivers and mountains of Africa should be included in tourist information packages. Domestic tourism must be promoted.

GOVERNANCE

Impact of Devolution in Turkana County

By Turkana Mirror Reporter

Kenyans in all parts of our country had expectations when they voted in for the new constitution. They definitely knew that this new constitution will benefit common people where by resources and power was to be transferred from National to County Government.

This form of government is effective in some counties hence the residents of those counties are enjoying the fruits of the devolved form of Government. In our county (Turkana County) devolution is taking place in slow phase.

Turkana Mirror interrogated some Turkana Residents whom expressed their different views as far as devolution is concern. According to them since County Government through the ministry of education has constructed school in some areas. The ministry of Energy and natural resources has promised to install solar power funnels in all schools to better education in the County.

As a result of devolution job opportunities has been created. Some Turkana residents were employed to work in county offices at various positions. Also County Government has employed ECD teachers in some schools, new health centres has also been constructed and previous one which were in poor condition has also been renovated. These all are as the result of devolution.

Un named source told Turkana Mirror Reporter that some Leaders and majority of Turkana Residents don't understand what devolution entire. She requested Turkana County Government and nongovernmental organisation to carry out civic education in order to educate people about devolution. She also requested concern people to enhance equality to all people as far as employment is concern. Turkana residents were requested to take their children to school since education is enemy of poverty.

For devolution to successfully take place in our County, County Government should allow participation of common mwananchi in various activities.

By Turkana Mirror Reporter

Life is full of ups and down, for one to achieve his/her goals need to be patience and to endure all challenges of life. For one to reap in joy must plant in tears. Micah Esekon Maraka is a standard six pupil at Kamudei Primary school. He is the fourth born in a family of eight, four sisters three brothers. His father died six years ago and since then life to them has became hopeless.

Left only with her mother who is diagnosed with TB, to them basic needs is just a myth. Eating night to night to them is their routine, and even sometimes they go without anything to eat expects drinking water and calling it a night. Due to her mother sickness she only gets food from their neighbours with is a challenge to them.

Lacking basic needs, Micah Esekon had no other choice rather than joining hundreds and hundreds of children at Kakuma refugee camp. According to him life at camp was not pleasing; no schooling, doing hard and heavy jobs, poor payment and sometimes mistreatments among other challenges. As young as he was Micah used to clean utensils, washing clothes and pouring garbage among other heavy tasks.

They say, life is full of choices, and ones choice can determine the future and what appears to be the end of road, may simply be a bend on the road. In 2009 a group of people from children right pro-



Micah Esekon Maraka a std 6 pupil at Komudei primary school, Turkana West

tection visited Kakuma refugee camp aiming to conceive children to go to school and they managed to take 150 pupils to Kamudei primary among them Micah. Later on 130 pupils dropped out of school claiming that the offer was not enough as far as schooling was concern.

Micah was among the 20 who persevered and decided to remain in school. In accordance to Micah life in school is full of challenges, going to school without food, lack of finance to cater for exam among others. On weekends and during holidays he has no other option rather than going to Kakuma refugee camp to do previous jobs in order to have money to pay exams and other school activities. Speaking to Turkana Mirror reporter Micah said that he has other sources of money whereby he makes bungles "shanga" and sells them in refugee

camp at 150 per bungle.

He also recycles used torch batteries to make money. It is ironical for this small boy to have knowledge of recycling old batteries. According to him he collects the used batteries, then he puts clean water in a transparent paper, dips the battery in that polythene paper, ties it and finally puts it on burning charcoal until the mixture boils. According to Micah when this process ends, the batteries are already recharged and ready to use. It is very surprising for Micah is paid only ksh50 even after this dangerous and tiresome procedure.

Micah's elder sister, who is in form three at our lady secondary school in Kakuma, is facing similar situation. She relays on well wishers mostly whom are church friends and who give her some money for her upkeep in school. It is very hurting for this small boy, though one has to

face mountains and valleys to fulfill his dreams of life but to Micah it has gone beyond the boarder. He is a small boy who is very competent since he scored 271 marks in last terms exam despite this situation.

Education is key to success and is only education which can eradicate poverty in Turkana County. It is the role of County Government to chip in and assist all pupils as far education is concern, whether a refugee or not education is essential to all. Teachers Service Commission (TSC) in collaboration with Turkana County Government should ensure that there is enough teachers in school like Kamudei Primary which have only six teachers. Non Governmental organizations (NGO's) like Lutheran World Federation (LWF) should also chip in assist needy pupils the likes of Micah to meet their dreams.

GOVERNANCE

The Use of Government Vehicles

By Turkana Mirror Reporter

Devolution has increased government vehicles at the grass root and improved transport sector. Despite some officers' delegated responsibility of the vehicles for the purpose intended, this has been short changed to matatus. Watch how our vehicles carry passengers in Eldoret and Kitale. County residences are made to pay for the vehicle which is being fuelled, repaired and maintained by taxpayers' fund.

One of the national government vehicles has long history and famously known in transporting passengers from Lodwar to Kap-



County government vehicles at bay for public service delivery

enguria every weekend. The public are informing the officer in-charge of the GK vehicle to cease before disciplinary action is taken on mis-use of public resources.

Use of government vehicle falls

under official government business. Both in terms of government business and activities paid for with taxpayer monies, use of government cars falls under scrutiny frequently.

For this reason and to prevent abuse, official use of government cars gets spelled out in employee rules regularly.

When people see a car used for government purposes, particularly when labeled with a government logo, they expect that the vehicle's use contributes to a bona fide government activity. While people accept that government officials travel to perform their business, abusive use of government vehicles for personal benefit is unacceptable to both public and private review.

To warn both employees and give notice to the public, government cars are frequently labeled with documentation stating the

vehicle can only be used for "official government business." Additionally, agencies that own the cars promulgate rules specifying car use, fueling, documentation of use, and subjectivity to audits to confirm proper use.

While the mass majority of government employees follow their agency rules regarding government vehicle use, just like in private employment there tends to be a 1 percent that tries to break the rules. When caught, usually by comparing mileage, fuel, and log records and finding discrepancies, apprehended employees suffer employment discipline or even termination.

INITIATIVES

Aloe Project in Turkana West

By Turkana Mirror Reporter

Aloe project in Turkana West has been of great impact to the residents of areas such as Nanam and Napongoit. On our visit to Turkana West we were welcomed with flesh plantation of different species of indigenous Aloe species such as turkanensis, scabriofolia, secundiflora, calidophia, and rivaiae.

This plant grows well in arid and semi arid areas, here in Turkana County the plant is favoured by the climatic condition. Aloe plant is mostly known as Echuchuka in Turkana language. According to Turkana residents the plant cures variety of diseases such as malaria, headache, back ache, chest pain, fungal and bacteria diseases. According to Mr. Christopher Amodoi chairman of Turkana Agro Pastoralist Development Organization (TADO) two drops of Aloe juice is mixed with a full glass of water and then patient drinks it hence curing the disease.

Scientifically Aloe is used in manufacturing of medicine, soap detergents and beauty products among others. According to Nanam and Napongoit residents they face a lot of challenges as far as Aloe farming is concern. Some of the challenges are; unavailability of water for irrigation, lack of information on crop practices, lack of funds to manage the plantation and marketing of Aloe plant among others.

Members of Napongoit and Nanam farms thanked TUBAE (Africa Development Trust) for their support. TUBAE organization funded the two farms (Turkana Agro Pastoralist Development organization and Diversity



Aloe farm in Turkana West

of Nanam Empowerment) with cheque of 60,000 each.

Addressing the members of Nanam and Napongoit, Executive director of TUBAE Mr. Eliud Emeri requested the two farms to expand their plantations as well as fencing it. He also told them to have unity among themselves and also urged their leaders Mr. Christopher Amodoi (chairman of Turkana Agro Pastoralist De-



Members of Diversity of Nanam Empowerment meant for Aloe-gum production receive a cheque of Kshs. 60,000 from TUBAE, witnessed by Mr. Obed Echip who represented Ward administrator, Nanam



Value addition to Aloe specie in Turkana County (Industrial sector)

velopment Organisation) and Mr. John Auren (chairman of Diversity of Nanam Empowerment) to utilize the available funds in order to run the plantations accordingly. Mr. Eliud Emeri requested members to work hand in hand with their leaders in order to meet their objectives.

Members of these farms requested Turkana county Government to chip in and fund them in order to increase the production of Aloe Vera. They also requested the government to organize educational seminars to train them on how to treat and manage this cu-

rative plant. Members requested the County Government to ensure fair trade is done and favorable market channels.

Residents of Turkana West in Nanam and Napongoit rely on Aloe farming as their source of income and therefore they requested Non Governmental organisations (NGO's) like TUBAE and others to fund them in order to upgrade their living standards.

Turkana Mirror Pictorial



Ann Elamach, Ass. chief Nayoitorong sub location in meeting with residents at power village settling project wrangles over committee election



Behind any successful man there is a woman. A founding member of governance in TUBAE assessing one of the masonry tanks constructed in primary schools to address water crisis



County Executive Member for Energy, Environment and Natural resource. Hon Rhoda Loyor with environmental stakeholders at Chomazone, Lodwar



Napuu water aquifer hope to address water shortage in Lodwar



Oil exploration gadgets along the seismic lines by Tullow a British Oil company in Turkana South



Home and shop at Narikirikodapal in Kakuma yet the constitution provides right to basic needs. This is nightmare in Turkana

Turkana Mirror Pictorial



Residents of Turkana Central during Napuu Irrigation scheme meeting, where tree of men has been integrated to all cadres



TUBAE staff visits schools to monitor impact of devolution and free education. Most schools lack basic learning physical facilities



East, west, cries for water. This is Lokichar town, Oil well city of Turkana County



TUBAE civic education on oil and environmental protection



Women participation during water users training supported by TUBAE through CDTF project



TUBAE support to farmers to enhance food production



Modern Aloe processing unit at Kalemungorok under construction supported by CDTF through EU funding

Rise of Street Children in Turkana County



Some of street children in Lodwar town

By Turkana Mirror Reporter

The increase of street children in Turkana County is very shocking; the number

has been increasing daily and if this habit is not stopped it will become a challenge in future.

Many factors are contributing to the high increase of street

children in this region at large. In floods of refugees at camps is the key factor contributing to this. Young boys and girls mostly in Refugees camps lack basic needs

hence forced by circumstances to move to town in search of their upkeep hence becoming street children.

Turkana County is among the poorest County country wide. Majority of its residents are poor and they are not able to take their children in school and since the children are idle they mostly spend their time bursting in towns hence interacting with street children, meanwhile joining them. This has positively contributed to high increase of street children.

Insecurity in the county has also facilitated to increase of street children. In terms of conflicts children are left orphans and they lack one to support them hence deciding to become street children. This is highly witnessed in the County for a lot of deaths occur along the boundaries causing the orphans to move to towns hence becoming street boys and girls.

Child abuse is also influencing the increase of street children. There are many cases in Turkana county where by children are sexually abused by their relatives, and there for feeling that their homes are insecure hence moving

to streets where they feel it's secure and finally joining the family of street children.

Another factor encouraging rising of street children in our County is money. Majority of boys and girls are exposed to earning income at early stages hence deciding to move away from their home stand to look for money in the streets.

With this increasing number of street children County Government has a role to play in order to control this situation. It is supposed to take action to those who are discriminating children, abusing them and also enacting laws to ensure that all children in Turkana County join school. County government should also ensure that security within the County is enhanced in order to limits orphans who later became street children.

Non-governmental organizations and religious leaders should also work hand in hand with County Government to stop and this shocking increase of street children. Rehabilitation centres should be put in place to curb this problem of street children.

Civil Society is the Voice of the People

Civil society organizations played a crucial role in the struggle for multi-party democracy, supplementing the efforts of opposition leaders such as Kenneth Matiba and Koigi Wa Mwere.

By Turkana Mirror Reporter

The Turkana Civil Society is the locus through which both the national and county government can be countered in making them accountable to the people. Antonio Gramsci identified civil society as a "potential battle ground" through which the dominant class seeks to and can impose 'hegemony' over the masses. Both the state and civil society can constitute members of the same social class, the fast growing middle class and the elites, who try in their own different ways to coopt the public into supporting their own visions for society. Both sides claim to speak on behalf of the popular classes.

In Turkana, politicians depend on public goodwill to fulfil their ambitions of controlling state power. Civil society associations

also depend on mass support to have their opinions taken into account on matters of national and county interest. While politicians dominate the public space through political rallies and state functions, civil associations employ tactics to get public attention, especially through the media.

Therefore, struggles between the state and the civil society often appear as media wars orchestrated by pundits on both sides of the divide. This is why politician remarks depict a much deeper and more subtle phenomenon than a mere attempt to whip up patriotic fervour. Indeed, they herald the rise of civil society into a potent force of opposition in a country that is literally without an official opposition political party.

Although the current government lacks an official opposition and can hardly claim a period in history when CSOs (civil society organizations) played a significant role in checking the exigency of government. Civil society organizations played a crucial role in the struggle for multi-party democracy, supplementing the efforts of opposition leaders such as Kenneth Matiba and Koigi Wa Mwere.

However, severe censorship of

the media denied them any platform to voice their opinions, leaving the battle to those willing to face government forces in street battles and detention centres. This situation changed after the 2002 elections when the opposition coalition NARC took over power buoyed by the popular wave of

"The rise of civil society as the unofficial opposition in Kenya may appear as a temporary stop gap measure following the events of 2007-2008, but it in fact highlights the country's maturing democracy."

a media revolution. It is around this period that independent FM radio stations made their debut in the country, pioneered by Royal Media Services Company with its flagship stations, Citizen Radio and Television. These played a crucial role in providing the opposition with a platform to air its campaign, after the government-controlled KBC denied them airtime. This media revolution subsequently empowered civil

society, which could now reach a wider audience beyond the middle class neighbourhoods in Nairobi.

During the campaigns for the failed 2005 referendum on a new constitution, civil society remained largely neutral, although it condemned the ethnic politicization of the entire constitutional review process. It was the events of the 2007-2008 that jolted civil associations, led by those in human rights and governance, to get more confrontational with the ruling class. Besides condemning the violence, organizations such as the Kenya National Human Rights Commission, the Centre for Multiparty Democracy, the Kenyan Section of the International Commission of Jurists and the African Centre for Open Governance took it upon themselves to press for the prosecution of masterminds of the violence amidst open reluctance by politicians. After the government failed to establish a local Special Tribunal to try suspects, the matter was taken up by the ICC in accordance with the recommendations of the Commission of Inquiry into the Post-election Violence.

The rise of civil society as the unofficial opposition in Kenya

may appear as a temporary stop gap measure following the events of 2007-2008, but it in fact highlights the country's maturing democracy. Civil society forms a crucial role in a democratic society, being the potential vanguard of public good against a burgeoning political class. To return to Gramsci, while the political state maintains a monopoly of the instruments of coercion, demanding the public's submission to its authority, civil society when not hegemonised by the ruling class can offer the space for a counter-hegemonic project. Nevertheless, in order for this to happen public access to information is a crucial requisite.

The Turkana people need CSOs interventions like yesterday to enable them put the right structures for the on-going oil exploration before production, clear engagement structure for public participation, policies on community land, compensation and displacement, eviction and rehabilitation of population. The public and the leadership have to take this seriously to enable uncertainties from happening. Lessons learnt from Niger delta should be what needs to be addressed before it runs out of reach.

Impact of Free Education

By Turkana Mirror Reporter

Free education was a manifesto of National Rainbow Coalition party (NARC) during 2002 general election. Many had high expectations since what seems to impossible was now possible. Former president of Kenya Hon. Mwai Kibaki and his party counterparts fully implemented free primary and secondary education immediately after winning election.

Kenyans welcomed this positively. Public primary schools admitted high number of pupils within the first term since education was free to all. Some public primary school had to look for other alternative in order to cater for high number of pupils who join school. In some schools classes were taught under trees since class were few.

Poor performance is witnessed due to high population in public schools, lack of enough teachers and also lack of enough facilities to cater for the large number of

pupil. Un-conducive environment in most primary school also contributed to this.

Government has also contributed to poor performance in schools; sometimes Government through the ministry of education delays to release funds for free education in time. This becomes a challenge to school administrators for they lack funds to run schools. Corruption on education sector is another challenge which is affecting free education.

This is affecting many Counties country wide, in our county (Turkana county) residents positively welcomed free primary education, majority of the parents took their kids in school hoping that their kids will benefit from this free education. Ironically most of primary schools in our County lack enough facilities to cater for large number of pupils.

Some schools have shortage of classes and therefore two classes are forced to use one class at the same time, while others are forced to take their studies under trees.



Pupils taking their studies under a tree due to shortage of classes

Shortage of teachers is challenge for primary schools in our county have few teachers who are over working. This makes some classes left unattended hence leading to poor performance.

It is the high time for both national government and County Government to work hand in hand in ensuring that all schools have enough teachers to cater for all classes. Non-governmental or-

ganizations should also chip in and assist in providing conducive environment for learning. By doing so public schools will perform better like private schools.

Forgotten River Turkwel Lodwar Bridge

By Turkana Mirror Reporter

River Turkwel Bridge is only bridge which links thousands of thousand heading to Lodwar town. The bridge which was constructed many years back needs immediate renovation. The narrowness of it is the major challenge faced by drivers and pedestrians who normally use this bridge. Due to this problem vehicle cannot overtake hence causing frequent traffic jam. Boda Boda which is the most common means of transport in this area has been highly affected by condition of this bridge whereby; overtaking one another on this bridge is very dangerous since they can collide hence causing accident.

The nature of this bridge is wanting; there are dangerous potholes on the bridge, the material used in constructing this bridge is getting worn out day after the other. The life of many who use this bridge is on risk. The worry is all about our young brothers and sisters who mostly use this bridge while going to school or crossing to other side. The public are asking question, who is in-charge and expected to inspect and maintain the bridge? A road along Kakuma- Lokichoggio is bushy where a driver can't see the vehicle a head or turning corner. Prossophis has encroached in to the road with no intervention. We are calling upon the County Executive member of roads to liaise with his counterpart of the National government to see it cleared.

Considering the factor that, Lodwar town is the headquarter and business center of Turkana County therefore



Vehicles cannot overtake at River Turkwel Bridge

this bridge is of great importance to all people at large. It acts as inlet and outlet of all people who visit Lodwar neither for business purposes nor for accessing Government offices.

Prominent people from both Turkana County and country wide use the same bridge and the irony is no one bothers about it. This bridge needs to be reconstructed in a modern way to meet the standards of other major roads country wide.

Has Turkana county government allocated funds for construction of infrastructures? Is the ministry of roads and transport aware of what Turkana residents are facing as far as this Turkwel Bridge is concerned? These and other more questions have remained unanswered to the Turkana residents for a

period of time since there is no sign of reconstructing it.

Speaking to Turkana Mirror reporter, Turkana residents expressed their anger as far as this bridge is concerned. They requested county government and well wishes to echo their cry and reconstruct this bridge in order to allow easy assessment of Lodwar town, as well as improving means of transport with the region.

They also requested their County government to allocate funds for infrastructure construction for many roads within Turkana County are in poor condition which is affecting economic growth since means of transport is very poor hence investors are not willing to invest in our county. They fear to undergo losses due to poor road networks.

Health Sector under Devolution in Kenya

By Turkana Mirror Reporter

On 27th August 2010, the people of Kenya promulgated a new constitution which outlines a framework to alleviate poverty, with a focus on improving governance and addressing inequalities. The constitution is anchored in values of patriotism, inclusiveness and participation of the people; human dignity; social justice; equity; good governance; transparency and accountability amongst others.

Health system was devolved to promote effective access of health service throughout Kenya, to promote efficiency in the delivery of health services; to address the problem of low quality of health services associated with centralized system; increase citizen participation in health care services;

Article 43(1a and b) of the constitution states that every citizen has right to life; right to highest attainable standards of health including reproductive health and emergency treatment; reasonable standards of sanitation and right to clean environment

Chapter 4 on bill of rights and devolved government make provisions for new ways of addressing health problems which have direct implications to the health sector focus, priorities and functions at national and county levels. Enormous responsibility for service delivery lies with the county government.

This sector is facing a lot of challenges; Media is replete with reports of patients detained in public hospital because of unpaid bills. Quite often it has required a public outcry, sometimes political intervention, to get such patients released.

Continued on page 16

What Kenya Laws Say on Natural Resources

By TUBAE Governance and Social Accountability Desk

Turkana takes lead in discovery of valuable natural resources in transforming Kenya economy. Interest in the Kenyan upstream oil and gas sector has developed significantly following discoveries of oil in Uganda and recent gas discoveries offshore East Africa. This interest intensified following Tullow Oil's announcement on 26 March 2012 to the recent discoveries of the many oil wells in the County. Public still remain in the dark on how many wells have been discovered so far, volume of the oil per well, current proceedings in the sector and plans for its production. The civil society feasibility report conducted by TUBAE- African Development Trust unveiled the great ignorance of the public on the sector. The County government and National government need to take lead in informing the public of the progress reached to avoid community resistance during production stage.

The turkana residence need to know that there are four principal exploration basins in Kenya: the Lamu Basin, the Anza Basin, the Mandera Basin and the Tertiary Rift Basin (where turkana explo-

ration blocks fall). In addition to the five Production Sharing Contracts (PSCs) that the Kenyan government has entered into with Tullow and its partners for exploration in the Tertiary Rift Basin, the government has also entered into PSCs under which exploration is taking place in the Lamu and Anza Basins. There has been a good deal of transactional activity surrounding these PSCs in the course of 2012 to 2014, with a number of new players seeking participation.

Key legislation relating to the upstream sector includes the Constitution of Kenya, the Petroleum (Exploration and Production) Act, chapter 308 of the Laws of Kenya (the Petroleum Act), regulations made under the Petroleum Act and the Ninth Schedule to the Income Tax Act, chapter 470 of the Laws of Kenya. The key institutions involved in regulating the oil and gas sector are currently the Ministry of Energy and the National Oil Corporation of Kenya Limited (NOCK). There is no separate industry regulator. The 2010 Constitution provides for the establishment of the National Land Commission (NLC) and for ratification of grants of rights or concessions regarding the exploitation of natural resources by par-

liament. The NLC is currently in the process of being constituted under the National Land Commission Act, which came into force in May 2012.

The Petroleum Act states that all petroleum is vested in the government. This is consistent with the

"Key legislation relating to the upstream sector includes the Constitution of Kenya, the Petroleum (Exploration and Production) Act, chapter 308 of the Laws of Kenya (the Petroleum Act), regulations made under the Petroleum Act and the Ninth Schedule to the Income Tax Act, chapter 470 of the Laws of Kenya."

2010 Constitution, which states that all minerals and mineral oils shall vest in the national government in trust for the people of Kenya. However, under the Constitution, the administration of minerals and mineral oils is to be vested in the NLC. It is not clear how this will affect the powers of

the Minister of Energy under the Petroleum Act. It is anticipated that the Minister's powers will fall away. At present, these powers are set out in the Petroleum Act. They comprise the power to enter into petroleum agreements and petroleum exploration agreements on behalf of the government and to make ancillary regulations.

NOCK is wholly owned by the Kenyan government. The company acts as an instrument of government policy in matters related to oil and gas and gives advice to Kenyan energy policymakers. NOCK was established to facilitate and participate in the exploration for petroleum products. It also acts as the agent of the government in relation to the compilation of national energy data, running petroleum laboratories and the development of alternative fuels. Initially, NOCK's activities consisted primarily of exploration activities delegated from the Ministry of Energy. In the recent past, it has sought to engage in downstream activities by importing crude oil into the country. This is intended to provide stability in the markets by commercial importation, distribution, sales and exportation of energy products. In 2010, NOCK was awarded a 30 per cent quota

for the importation of crude oil, jet fuel and gasoil but, at the time of writing, is not importing its allocation.

Under the 2010 Constitution, the grant of a right or concession by or on behalf of any person, including the national government, to another person for the exploitation of any natural resource of Kenya is subject to ratification by parliament. Under transitional provisions, this requirement does not come into effect until parliament passes further legislation providing for the classes of transactions that are subject to ratification. Under the Constitution, this further legislation must be enacted within five years of the effective date of the new Constitution – ie by 28 August 2015. It is currently not known what impact this may have on the future grant of rights under the Petroleum Act. The provisions of the new Constitution apply only to future transactions; existing contracts should not be affected. It is anticipated that ratification will not give a PSC the force of law, but be procedural step necessary to ensure the PSC's validity.

HEALTH

Natural Tooth Brush

By Turkana Mirror Reporter

With the soaring economy of our country, life becoming expensive, high class people enjoying life while common mwananchi struggles to survive in this digitized nation; Kenyans are innovating new tactics to earn a living day by day.

No matter what other people say, saving a single cent means a lot. Here in Turkana County residents have decided to change their mode of living in order to cut the cost of living. They have introduced a natural tooth brush commonly known as Esekon.

Esekon tooth brush is from Esekon plant which is mostly found at Nawoitorong forest whereby people cut it into small pieces and they hawk around selling. One piece costs ten shillings and can be used for brushing teeth for a period of one week.

According to the Turkana residents Esekon is soft and clean plant which makes teeth to shine after brushing.

People also prefer using this brush because it is healthy and makes the mouth to have fresh smell. To them presence of Esekon plant in this County is a natural resource and County Government should look for market channel in order to ensure that Esekon plant has contributed in terms of developments.

By TUBAE Natural Resource and Extractive Project

Remarkable progress has been made in the Mining Bill. This is a step in the right direction for all of us. There is glamour of hope that finally on the road to Damascus, we shall see the light. Thanks to all of us who sent in their memoranda to the Parliamentary Committee on Environment and Natural Resources either directly OR as organised groups and those who took their time to lobby for the inclusion of our voices as a county endowed with vast mineral resources BUT whose exploitation hardly benefits the community.

Reading the excerpts of the report is clear that much as there are no quick fixes, collective effort and sheer determination eventually yields results. What remains is political goodwill. In a nutshell, these are the recommendations of the committee to the proposed mining bill 2014 as it goes

back to the house for its third and final reading. These were covered in a local daily but attached is the detailed version as captured in the Hansard.

1. Mining companies will not only shoulder the cost of relocating communities affected by their operations BUT will also compensate them for land they will lose
2. Prior to commencing their operations, mining companies will have to disclose their plans on how they will invest in community projects, and these will not be the traditional CSR projects we have all been used to BUT those that will have an impact to the community. Communities may decide that which they want done
3. The cabinet secretary has been stripped of his discretionary powers to grant mining licenses and the same will now be under a proposed
4. Small scale miners will be recognized in law, and their activities will no longer be illegal
5. Given that these are non renewable resources, the State through additional clauses will be prohibited from applying royalties and revenues from the mining sector towards recurrent expenditure. Instead, limits on expenditure will be placed with the preference being investing the proceeds in a sovereign wealth fund so that future generations can derive benefits from exploitation of their mineral resources.
6. A revenue share clause will be introduced to define how national government, county government and the locals will share royalties. The

Mineral Rights Board which is expected to increase transparency in the sector by reviewing all applications before granting of said licenses

revenue formula agreed upon states that 70% will go to national Government, 20% to County Government and 10% to the community.

7. The allocation to the County Government will not be used for recurrent expenditure. Communities from where the minerals are exploited will be the direct beneficiaries.
8. Regulations for guiding compensation and investment of royalties for future generations at national and county level will be developed by the CS and Treasury.

Like many of us, I will be waiting to watch the proceedings. I pray that our legislators will have enough muscle to argue for and support these amendments and mobilize enough troops to push them through.

As we await the final outcome, we should also be alive to the vagaries of politics and interests.

Do You Know Petroleum Licensing Policies in Kenya?

By TUBAE Environment and Extractives Project

If licensing regime in Kenya is what we go by history will repeat itself. Under the Petroleum Act, the Minister of Energy has the power to divide Kenya and its continental shelf into blocks. No person may engage in any petroleum operations without the Minister's permission. The Petroleum Act permits the government to conduct petroleum operations either through an oil company established by the government for that purpose (ie NOCK) or through private contractors that are licensed by the government (acting through the Minister of Energy) under Petroleum agreements.

A model form petroleum agreement is scheduled to regulations made under the Petroleum Act and is a form of production sharing contract (the Model Form PSC). The Petroleum Act sets out certain obligations to the contractor that are implied into any PSC but that are, in any event, dealt with in more detail in the Model Form PSC.

The Ministry of Energy administers the application process relating to the entry into a PSC. This can be by way of competitive bidding process or through bilateral negotiations. The minister may require evidence of the financial and technical qualifications of any applicant. The Model Form PSC forms the basis for negotiations. As at the time of writing, there have been no bidding rounds.

Under the Petroleum Act

and Regulations made there under, the minister may also grant non-exclusive exploration permits to carry out geological and geophysical surveys in respect of any open block. The minister may grant more than one exploration permit for any block.

No entity other than a Kenyan incorporated or registered company may enter into a petroleum agreement with the government.

Neither the Petroleum Act nor the Model Form PSC prescribes the length of any exploration period, which is therefore a negotiable term, although typically the period would be two or three years. The initial exploration period can be extended by two further periods, the first for two years and the second extension for a period that is negotiable. Following approval of a development plan for any commercial discovery, the Model Form PSC continues for 25 years from the date of such approval.

Do you know National oil company/state participation?

Article 28(1) of the Model Form PSC provides for the government to have a carried 'Participation Interest' during the exploration phase, the percentage interest to be agreed. The government may elect to participate in a development area within six months of the date a development plan is adopted. The percentage participating interest is, again, to be agreed and may be equivalent to the initial carried interest or also comprise an additional interest. The government may participate directly or through an appointee. The

government will bear its share of the costs in respect of development area from the date of its participation.

The fiscal regime under the terms of the Model Form PSC states that:

The contractor is entitled to recover petroleum costs out of specified percentage of crude oil produced from the contract area in a fiscal year. The percentage of production available for cost recovery is a negotiable term. Capital expenditure is recoverable at a rate of 20 per cent per annum. Costs unrecovered in any fiscal year can be carried forward; total crude oil production not used in petroleum operations less cost oil is profit oil and is split between the government and the contractor on a sliding scale depending on daily production figures. The percentage split is a negotiable term;

- If the price of crude oil for any quarter exceeds a threshold price (in the model PSC being \$50/bbl FOB Mombasa, escalated by reference to changes in the US Consumer Price Index since November 2007) then a 'Second Tier Amount' is payable to the government calculated as 26 per cent of the contractor's share of profit oil for the relevant quarter multiplied by the value received in that quarter less the threshold price;

- The contractor is obliged to comply with the requirement of applicable income tax laws that, in the case of upstream activities carried out under a PSC, are set out in detail in the Ninth Schedule to the Income Tax Act. The basic rate of tax is 30 per cent. The Ninth Schedule

contains detailed provisions governing capital allowances and deductions. There are additional provisions governing the recoverability of expenses from cost oil (as defined) under the Model Form PSC (Article 26). The government's share of profit oil includes all taxes payable on income or profits by the contractor under the Income Tax Act and dividend tax imposed by Kenya on any distribution of income or profits by the contractor;

- The contractor will be required to pay a signature bonus and surface fees (Article 5). The signature bonus is a one-time payment, although its payment may be spread over the life of the contract. Surface fees are payable on an annual basis per square kilometer of the relevant block during exploration and production;

- Under the Petroleum Act, a training levy is payable at the rate specified in the relevant PSC. The rate is a negotiable item. The PSC usually provides for a training programme to be established in consultation with the Minister and requires the contractor to contribute or hold to the order of the Minister a specified minimum annual amount as the training levy;

- The contractor may export petroleum without restriction and free of taxes, charges, fees, duties or levies of any kind; and

- The importation by the contractor of materials, equipment and supplies shall be exempt from all customs duties.

Transfer of Interests

The consent of the Minister of Energy is required for the assignment by the contractor of all or part of its rights and obligations under the Model Form PSC to a third party. The Minister of Energy is required to grant or refuse consent to the proposed assignment within 30 days of receipt of a notice from the contractor that it intends to make an assignment and may not be unreasonably withheld. The minister may require the proposed transferee to provide a performance guarantee.

Under the terms of the

Model Form PSC, the consent of the Minister of Energy is not required to an intra-group transfer if the transfer results in the transferor and the transferee retaining joint and several liabilities for the obligations of the transferor under the PSC.

The terms of the Model Form PSC require the contractor to report any material change in corporate structure, ownership and financial position of the contractor and its parent company, but no consent is required from the Minister of Energy on a change of control.

However, disposal of a ma-

jority interest in a PSC or a direct or indirect change in control of the contractor will require the approval of the Competition Authority of Kenya under the Competition Act 2010. Although it is expected that regulations under the Act will be published, there are currently no thresholds.

The government introduced amendments to the Income Tax Act under the Finance Bill 2012, under which oil companies, mining companies and mining prospecting companies will be subject to a 10 per cent capital gains tax on the disposal of shares and

assets. The Bill does not define 'oil'

Kenyan companies may also be liable to compensating tax on the distribution of capital gains tax. Compensating tax is a penalty tax payable if dividends are paid out of reserves that have not borne income tax at the corporate rate. It is intended to prevent companies that may have been entitled to certain tax incentives using their tax holiday to distribute dividends to their shareholders, rather than reinvesting the profits in the business.

Continued on page 20

Do You Know of Local Content Requirement in the Petroleum Act?

Under the Petroleum Act, a PSC has an implied term that the contractor will give preference to the employment and training of Kenyan nationals in petroleum operations and give preference to the use of products, equipment and services locally available. This is reflected by an express requirement in the Model Form PSC that contractors and sub-contractors are required to give preference to Kenyan materials, supplies and services for use in petroleum operations as long as their prices, quantities and timeliness of delivery are comparable with the prices, quality, quantities and timeliness of delivery of non-Kenyan materials and supplies and a requirement to employ and train nationals. A training programme is to be agreed with the minister.

Domestic supply obligation

Under the Model Form PSC, a contractor may be required to supply crude oil to the government for domestic consumption. The maximum amount that a contractor may be required to supply is the difference between the amount of the government's share of crude oil from the contract area less the amount of the domestic supply required multiplied by a fraction, the numerator of which is average crude oil production from the contract area and the denominator of which is total crude oil production in Kenya.

The price paid by the government shall be a weighted average price per unit price paid for arm's-length sales from the contract area during a calendar quarter or, if no such sales, an average price paid for arm's-length sales for export for crude produced in Kenya and in major crude oil producing countries, adjusted for grade, gravity and quality and otherwise as necessary.

Stabilization / Equilibrium and Dispute Resolution

The Model Form PSC states that 'if after the effective date of this contract the economic benefits of a party are substantially affected by the promulgation of new laws and regulations, or of any amendments to the applicable laws and regulations of Kenya, the parties shall agree to make the necessary adjustments to the relevant provisions of this contract, observing the principle of mutual economic benefits of the parties'.

The Model Form PSC provides for disputes that cannot be settled amicably to be determined by arbitration under the UNCITRAL Rules; such arbitration to be held in Nairobi, Kenya.

HEALTH

Permanent Misery

By Turkana Mirror Reporter

Every day in our print and electronic media one can never miss news about accidents. They are not termed as accidents anymore; but motor vehicle collisions because experts on road safety believe that most are caused by human error, un-roadworthy vehicles, drunk driving and speeding.

As stories of deaths on the roads are told, those of survivors are often left out. What kind of injuries do they get? Do they ever heal? The story of Richard Akamais whose future was snuffed off by a motorist in Kakuma - Kalobeyei road when he was seven. The accident left him severely handicapped mentally and physically, now 18 the boy has neither spoken nor walked.

The doctor's verdict was that Akamais would forever be assisted in feeding, bathing and using the toilet and this has been a reality for his poor parents. The parents sold everything including their small piece of land to see their son get well. They got a break when Akamais' mother got a casual job as an office cleaner but that was just like a drop in an ocean since her income was very little to sustain the family and their sick son whose condition was getting worse by the day. She wanted to enroll her son to a special school but the cost was too high, doctors advised them to take their son for specialized health care abroad which was more than a nightmare to them.

The mother said that it was that point that they decided to seek legal redress. The court justice gave a judgment against Madison insurance which had insured the vehicle involved in the accident. The court awarded him Kshs. 9 million of which Kshs. 4.2 million will pay the boy's minder, Kshs. 3.5 million for pain suffering and loss of amenities, Kshs. 500,000 for future surgery and other charges and Kshs. 525,000 to buy him a wheelchair for the next 35 years.

For now the mother said that they have afforded the wheelchair. Which they have been using to carry their son everywhere they go including to court.

The family has never received a single cent from the owner of the vehicle.

HEALTH

Health Sector under Devolution in Kenya

Continued from page 13

The message is only too clear for them - the public hospital is no longer the first option for the poor seeking health care. The constitution of Kenya 2010 is among the most progressive constitutions in Africa .it provides for the right to health care services.

The constitution obligates the government to take legislative, policy and other measures to achieve the progressive realization of the rights, including the right to health but this has yet to be done thereby making it difficult, especially the poor, to gain any tangible benefits .moreover most public facilities are severely underfunded and doctors underpaid, resulting in lack of motivation and frequent strikes.

HUMAN RIGHTS

Life below Living Standard in Kakuma

By Turkana Mirror Reporter

Turkana is the largest County and among the riches County country wide. Ironically it is among the poorest county in Kenya.

Majority of Turkana people are living in sarcastic life. Poor housing, insecurity, lack of water, food shortage, inadequate health facility and lack of education among other basic needs are major challenges faced by Turkana people.

On our visit to Kakuma in Turkana West we were welcomed by flesh manyatta houses constructed with polythene papers and grasses as sign of poverty. To us it was surprising to find that majority of the residents in Turkana West are still living in this traditional houses. In this region water is a serious problem for they must go for a long distance to search water.

Due to climatic nature of this region; food is also a big problem to them. As far as food is concern the people relay on relief food from Government and non Governmental organizations (NGO's) such as World Food Programme (WFP) among others.

Majority of the people are involved in charcoal burning as their only source of income to meet their needs while others do business of selling firewood. This is encouraging deforestation in Turkana west hence making the area to be more and more of semi-arid.

This also affects education sector in the region whereby few pupils attend schools while others join their parents



Manyatta house constructed with polythene paper in Kakuma Turkana west

in cutting and burning charcoal. This promotes poverty within the region since majority of residents are illiterate.

As Kenyans enjoy the fruits of new constitution among them being devolution, here in Kakuma devolution is taking place in a slow phase. Roads are in poor condition, shortage of water is highly witnessed, few health centres in Kakuma lack enough facilities, schools are yet to be developed and other more need to be done as devolution is concern. It is ironical for majority of people lack knowledge about devolution.

It is the role of Turkana County Government to carry out civic education in order to educate people about devolution in the area. It is also the duty of County Government to ensure that roads are constructed; health centres

are fully equipped, schools developed, not forgetting drilling boreholes to ensure that the problem of water is solved in Kakuma.

Turkana County Government is also supposed to work hand in hand with National Government to ensure that relief food is supplied to the dry areas in Turkana County like here in Kakuma. Non-Governmental Organization should also chip in and assist in improving living standards in this area.

County Government is supposed to create job opportunities to employ people in order to have better source of income rather than cutting down trees. By doing so environment will be fully conserved, people will be literate hence poverty will be a myth in Kakuma Turkana West.

WATER & SANITATION

Give us Water instead of Education

By Turkana Mirror Reporter

Education is essential to all and water is life. In Kenya most of parents are doing all what they can to ensure that they provide education to their young ones. They are sacrificing a lot in order to ensure that they fulfill their roles as parents. Also our government is not left behind; it has provided free primary and secondary education.

In Turkana County shortage of water has highly affected education. Instead of kids going to school they are forced to go to long distance searching for water. Our visit to Lokichar in Turkana south met both young and grownups carrying jerrycans looking for water. We also observed the same in Kalemungorok where people are seriously starving for water. Surprisingly majority in this area cannot communicate in official language indicating that education to them is a myth.

Majority of the residents go to dry rivers were by they dug wells commonly known as Akar in Turkana language to act as a source of water. Majority of those who dug this wells are young children and women, this clearly shows that education is highly affected by water shortage.



Children looking for water instead of going to school

Illiteracy in our County is very high and if permanent measures will not be put in place, this will be a major problem in near future. Lodwar water supply company (LOWASCO) should ensure that water is available to all residents of Turkana County.

Turkana county Government should conduct civic education to educate resi-

dents on importance of education. It should also enact rules to ensure that all kids access education. Non-governmental organisations (NGO's) should work hand in hand with County government to drill boreholes all over the County to ensure that this problem of water becomes a myth.

The African Perspective on Environment and Development?

True and meaningful development is a preserve and right of the indigenous people of Kenya. They, and only they, can evolve a realistic and sincere process of human development in the region.

By Turkana Mirror Reporter

Turkana County will not be exceptional in management of the natural resources with key focus on sustainable exploitation. If this will be what the County government will go by; the County will be the leading exporter of valuable resources; black gold, gypsum, Aloe-gum, meat, incense, gum Arabica, water to name but a few. Join a few local organization impacting skills to the public as means of enhancing value chain. See Aloe cottage industries in Loima (Namoruputh), South (Kalemungorok) and West (Letea, Oropoi, Nanam, Napongoit) explore riches of Aloe plant.

In a report of a special workshop on Africa, published by Winrock International (USA), a senior official of the USAID confesses that the US is no longer a provider of true development assistance to Africa; instead, he claims, it has been

a supplier of food aid and contraceptives over the last 25 years. In the same report, the chief economist for the Africa Bureau of USAID confesses that he did his dissertation on agriculture in Kenya without ever leaving Nairobi, the capital city. That is Africa in the eyes of the North. A continent to be admired, talked about, but not to be touched. Just as the colonial settlers failed to educate the African peasant for fear of losing much-needed cheap, illiterate and naive farm labour, so does the western world refuse to invest realistically in the development of Africa, for fear of creating a monster that may be uncontrollable. An African Japan would be too much for the North to stomach. That is the truth and reality underlying policy decisions towards Africa in the North. The rest is all rhetoric about some ambiguous sustainable development mythology.

"Solutions to the Turkana environment and development dilemma have to come from within the region."

Solutions to the Turkana environment and development dilemma have to come from within the region. Apart from the essential technological and industrial inputs, Turkana as a County

has adequate human resources, experts and technical know-how for her basic development needs. The County cannot, and shall never, benefit from the ever-increasing influx of expatriate agencies and workers to fulfill contractual obligations as dictated by their donors. A true and meaningful development cannot be achieved through craftily brokered contractual arrangements between the implementing expatriate agencies and donors. True and meaningful development is a preserve and right of the indigenous people of Kenya. They, and only they, can evolve a realistic and sincere process of human development in the region.

Endowed with the richest diversity of human cultures, and being the mother of the human race, Africa could easily propel herself from the depths of economic and political quagmire into one of the most resourceful regions of the world. For this to happen, Turkana County governments must tap the immense diverse cultures and redirect them into productive development endeavors. Liberal development policies, a favourable political atmosphere, dynamic government systems and, most important of all, educational and training programmes that identify and promote innovative practical skills among the youth are urgently needed.

Conservation and Management of Natural Resources

Kenya's natural resources are no longer valued for their true cultural, ecological and economic wealth. Current valuation methods are simply emphasized in the economic and monetary terms dictated by northern financial and commodity markets.

By Turkana Mirror Reporter

The problems and crises currently afflicting the conservation and management of Turkana's natural resources are primarily the symptoms of the deep-rooted, long-term effects of centuries of colonial domination. Disruptive, materialistic foreign customs have resulted in the disintegration of richly endowed, indigenous systems of natural resource utilization, conservation and management enshrined in the multiplicity of Kenya's ethnic nationalities. These complex relationships with nature, founded in diverse religious beliefs, taboos, myths and totems, were responsible for the maintenance of Kenya's diverse and abundant biological resources for millennia.

Western colonial cultures introduced into Africa the practice of hunting of wild game to satisfy an exotic lust for ivory, luxury goods and other non-essential psychosocial desires.

Current Perspectives

Kenya's natural resources are no longer valued for their true cultural, ecological and economic wealth. Current valuation methods are simply emphasized in the economic and monetary terms dictated by northern financial and commodity markets.

As the IMF, through its infamous Structural Adjustment Programmes, devalues the Uganda shilling, so does an individual in Washington devalue Ugandans' labour and natural resources. The cultural value of Africa's natural resources, as dictated by the ethnic nationalities who own them, is totally ignored.

Wildlife authorities and conservationists seldom consider the cultural significance of natural resources locked within Africa's sprawling game parks and reserves prior to enforcing laws that exclude indigenous communities from them. Sacred forest shrines and animal totems of immense value to the Turkana, Samburu, Maasai and Taveta peoples of Kenya are fenced off and access is limited to the hordes of insensitive tourists who frequent the country's parks.

When local communities are evicted from their ancestral lands to make room for gigantic hydropower plants, export crop schemes and other externally funded development projects, the cultural losses are never considered in impact assessment studies.

Myth: "Africa is poor, it cannot do without borrowing or aid from the North." Africa is poor because it is being overexploited, not because it lacks resources. On the contrary, Africa could do very well without aid from the North. But the North cannot survive without resources from Africa.

Resource Management

Reparations for Lost Resources

Former imperial and colonial powers must provide compensation for the natural resources that their colonial regimes mined, looted and forcibly wrested from Africa. These include minerals, tropical timber, ivory, game trophies and products of Africa's once-rich soils. It is foolhardy to talk of sustainable development in a region whose resource base has been mined to unsustainable levels by greedy external powers.

African peoples, NGOs, governments and the international NGO community should institute legal proceedings in the International Court of Justice to seek redress and compensation for the resources that were stolen by western imperial powers.

Control of Resource Exploitation

African countries should form Natural Resource Cartels to control and manage the exploitation of Africa's resources and to ensure the protection of Africa's interests. African NGOs, states and scholars should reject and resist current attempts

to globalize Africa's biological resources through the so-called "common property rights."

Resource Valuation Systems

Kenya governments, NGOs, economists and ecologists should develop a value system for our natural resources that integrates their cultural, ecological and economic values. They should protect the integrity of Africa's resources against pervasive and exploitative international profit markets. These areas should be exploited judiciously for the benefit of African people, while being conserved for future generations.

Review of Policies and Laws
Laws and regulations governing the conservation, utilization and management of natural resources in Africa must be re-examined with a view to:

- discarding those that inhibit and prohibit the control and participation of local communities in the conservation, management and utilization of natural resources
- protecting the cultural norms of Africa's ethnic nationalities that pertain

to the conservation and management of natural resources in the region.

Every African state should initiate studies and compile national umbrella laws on the environment to include substantive enforcement procedures on all environmental matters. Such laws should also include general procedures for the implementation of relevant treaties to which the state is a party.

Those who are involved in the development or enforcement of national laws should work in collaboration with human ecologists to understand the relationship between human communities and their environment. This will help elucidate how those human communities perceive their own relationship to specific legal provisions. In the process, the laws and their enforcement would incorporate that understanding.

For the purpose of enhancing the efficacy of the laws on the environment and natural resources, it is imperative that African states initiate studies of human ecology in relation to the legal culture of the people. This initiative

should be conducted within national institutions, and on a comparative basis, so that the experiences of different communities can provide a comprehensive background for discussion.

Local Management of Resources

NGOs and development agencies working in Turkana must identify and promote community-based strategies that integrate local indigenous knowledge into natural resources conservation and management. Local people, the ultimate owners and guardians of natural resources, must be the direct beneficiaries of the income that accrues from the exploitation of resources by:

- Sharing collected revenues from wildlife reserves through tourism;
- Integrating them into resource management and control committees at local and national levels;
- Eliminating middlemen and processes that reduce income from the exploitation of natural resources.

Turkana Culture and Heritage

By Turkana Mirror Reporter

Turkana tribe is the second largest pastoral community in Kenya. This nomadic community moved to Kenya from Karamojong in eastern Uganda. The Turkana tribe occupies the semi Desert part of Turkana County in Kenya. Like the Maasai and other plain Nilotics tribes, Turkana people keep herds of cattle, goats and Camels. Livestock is a very important part of the Turkana people. Their animals are the main source of income and food. However, recurring drought in Turkana County adversely affect the nomadic livelihood.

Like the Maasai and Samburu, the Turkana people are very colourful and rich in culture. Cultural tourism if conserved and promoted will earn the County more revenue. Turkana people adorn themselves with colorful necklace and bracelets. Their decorations are made of red, yellow and brown colored beads. Cattle's rustling is common in Turkana



Beautiful Kwatela ladies in a colourful Traditional attire and hairstyle

County and round its border with Uganda, Sudan and Ethiopia.

Tribes inhabiting this area are often involved in tribal fights for

livestock and water. Cattle's rustling has been a common phenomenon for many decades and appears to be a sort of cultural

game for the nomadic communities living in parts of the Rift valley and its surroundings. It is estimated that Turkana has 127,000

illicit guns and therefore cattle raiding is normal to them. This has become more dangerous and the Kenyan government has failed to intervene in solving this problem.

With a population of about one million people, the Nilotics language speaking Turkana people have successfully maintained their tradition compared to other tribes in Kenya. Turkana men cover their head with mud, which is then painted blue and decorated with ostrich and other feathers. The main garment for the Turkana people is a woolen blanket. The type of attire worn by a woman is determined by her marital status. Body tattooing was traditionally used to indicate achievement in the community. Men or warriors who killed enemies were tattooed to indicate what they have done for the community. Most of people in Turkana tribe adhere to traditional beliefs and only 5 to 15% are Christians.

INFRASTRUCTURE

Lomidat, Our Nomadic Pride

By Turkana Mirror Reporter

Mr. Daudi Edung is one of the happy men since he is in a position to care and provide for his family. The man, who is in the business of buying and selling cows, says he is now able to provide basic needs despite working for ten years at Lomidat.

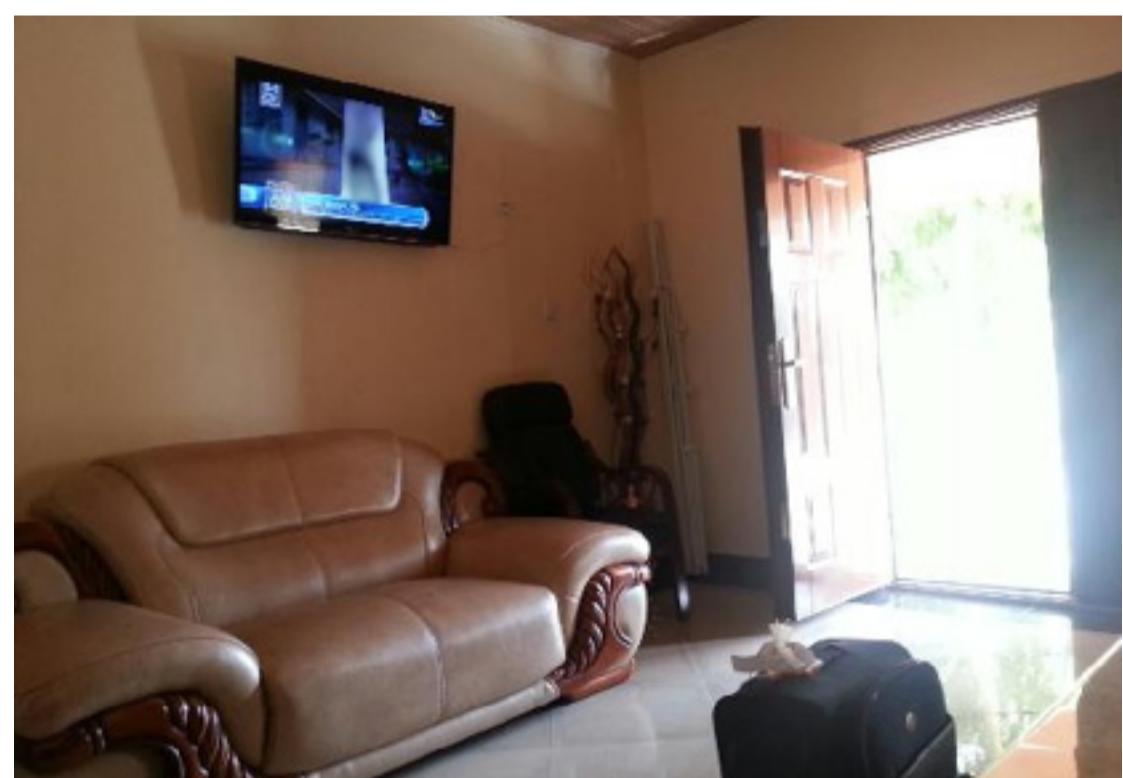
Speaking to Turkana Mirror during a function in Lomidat, Mr. Edung Daudi retaliated need for hard work and people have to accept challenges in live. Lomidat had hired several staff who buried most of their lives in local beer. Due to patience and savings from the small earnings the family has standard living conditions. Edung is proud to be a turkana man who loves his culture and recognizes the effort of their ancestors.

Poverty used to remind Daudi of the Turkana culture where a man who has no livestock has no value neither is he accepted to stand before men. He cited a time when he found men celebrating and was not recognized and not even allowed to join other men when celebrating "akiriket" where meat is roasted "topetokon". The culture recognized men who have passed initiation stage and traditionally married ones. Those who have not met the two standards are viewed as children and during cutting of muscle vitae the elders throw meat at them.

Despite good work done by Lomidat slaughter, the public are not happy of the governance since prices are still low with reported cases of delayed payment. This made the pastoralists lose confidence from the slaughter house. The members of the public appeal for the current governance to be restructured and the County government to take lead in ensuring the operations is self sustainable.

INFRASTRUCTURE

More Modern Restaurants Needed in Turkana



Ceamo Prestige Lodge reception

By Turkana Mirror Reporter

Turkana County is the largest County country wide with five standard hotels where prominent people whom rarely visit Turkana can go and relax. It is very shocking for even this five hotels lack enough facilities.

Ceamo prestige lodge is a among Turkana five big hotels. It is set in a secure compound away from the main areas of town and down a dusty back road with very little traffic. The town's roads are terrible and to travel anywhere is a nightmare. This hotel has clean rooms with air conditioning, a TV that has some channels with free wifi.

The staff are friendly enough and giving their best in township. Hotel industry in Lodwar has a long way to go where customers wait long to be served resulting to demand of service. Ceamo is a place to go and access all you need under one order.

The Ministry of trade and tourism need to promote the sector by organizing for refresher training to hoteliers to make them cope up with demand of the sector. The waiters need to be inducted on proper ways of handling customers, dressing and language. This reminds us of the time staff of Lodwar club displayed best of Nairobi service which only took a few month only to see them poached by international organization

and individual fishes.

With increased discoveries of oil and gas, we expect more investor in the area who have long and outstanding experience in the sector which may make our private investors irrelevant in the sector. We call upon ng'iturkana traders to practice hotelier's ethics and see to it that they cope with changing environs. We need good foods, high standard of hygiene, good service with well elaborate personal conduct admirable to the public.

Hotelier sector has no boundary but your plan and management will sail you.

Community Project



Election Day at power village, in front Mr. Francis Ekai leading his supporters

By Human Rights Defender Turkana Central

The Kenya constitution states in the bill of rights that every Kenyan citizen have A RIGHT TO FREEDOM OF MOVEMENT AND RESIDENCE. This clearly states that all citizens have a freedom of movement within the country. More so, citizens have a right to association, access to public information, and making their leadership accountable to the people.

Mr. Francis Ekai popularly known as "coaches" managing Director and the founding member for power thunders Football club in Turkana central constituency, Kanamkemer location Nawoitorong sub-location in power village was credited by the residents for his wonderful job that he had done which impressed everyone in the village.

He mobilized the youth in power village to join football clubs in order to reduce idleness that leads to crimes and drug abuse. He also supported community through his military experience to identify the bhang peddlers who have spoiled the youths and also the name of respected village in the County where the speaker to the Senate Honourable Ekwee Ethuro resides.

C.D.T.F (Community Development Trust Fund) had allocated 5million to support power community irrigation farm project. The community was advised conduct Election to elect project implementation committee (PIC). On 13thsept 2014 was the date set for election. The area leadership turned up to oversee the election which included; Area chiefs, area M.C.A Hon: James

Ikeny, C.D.T.F grantee representative Mr. Isaiah Emanikor and the residents of Kenya power village who availed themselves ready to elect a Leaders of their choice. The residence and majority proposed Mr. Francis Ekai for Chairperson. Unfortunately election was postponed by the area M.C.A to 20th September, 2014 and the residents became rowdy for denial of their rights.

Come 20th Sep 2014 the day set for election, residents arrived in time and their turn up was good. The area assistant chief for Nawoitorong sub-Location Mrs. Ann Elamach was the chief guest and C.D.T.F representative. Election for elders was fairly conducted and everybody was satisfied. But when it came to P.I.C. (Project Implementation Committee) election, things went wrong when Mr. Ekai Francis became the happy man for being the best choice for the whole crowd.

The residence queued and elected famously known as "mlolongo" three times but Mr. Francis disappointed those who were against his leadership by winning consecutively. Misunderstanding occurred when one of the leaders proposed that only registered members where mandated to contest. Mr. Ekai Francis was among the registered members but his claimed that he was not from power village but visitor from Turkana East became baseless which resulted to election postponed for third time till further notice.

Sources interviewed by Turkana mirror reporters expressed their mistrust and biasness among the leadership where people of their own interest were targeted to be in the PIC to guarantee them satisfaction in project implementation.

TUBAE as a human rights institution which advocates for fully enforcement of bill of rights is calling upon the department of Social service to be vigilant and ensure justice prevail. The Executive Director also expressed many concerns escalating from Kanamkemer ward where the public are reporting cases of massive land selling by some leaders without consulting the County government neither the residence. He further explained his commitment to bring to books corrupt leaders and ensure even those alleged to have some integrity issues which are still under investigation will be brought to the public domain.

"Watch, Turkana land should not be used for personal benefit neither sold in an informal way. The leadership is also advised to respect people's rights and ensure the power is with the people.

Article 141 is very clear of recall clause when one ceases from being productive.

The youth in Kanamkemer have been reporting cases of land deals by senior guys with supportive documents including minutes of meetings, pictures of vehicles used to transport the parties and bank transactions with clear sharing of money received from sale of the land. This has to stop or legal action taken against the perpetrators.

TUBAE thanks the ministry of Lands for cooperation made since last year in resolving land despitess at Nakwamekwi and Kanamkemer 2013 and 2014. We urge the Ministry to be vigilant on illegal sale of land by leaders to learning institutions without County government and even local people involvement.

HEALTH

Is "Kaada" Fit for Human Consumption?

This local brew has claimed many lives of innocent Kenyans countywide. Kaada is a source of income and...earns a lot of profit because ingredients of Kaada are locally available.

By Turkana Mirror Reporter

Every community in Kenya has its own traditional brew. Despite the fact that Government is doing its level best in order to stop production of these local brews, the situation is worsening day by day. This local brew has claimed many lives of innocent Kenyans countywide.

Like other communities in Kenya, Turkana community has its unique style of preparing this local brew. "Kaada" as commonly known here in Turkana County; it only takes 3 to 4 days for a professional to make Kaada ready for consumption. According to a professional Kaada is made by mixing water, Ekadait (yeast), sugar, Ebusa (busaa) and then it is left for 3 to 4 days for it to be ready.

On our visit to Kachurokimak behind Kanamkemer market, we were welcomed by a number men and women who were unconscious after taking Kaada. Some in conflicts, others shouting aimlessly while others sitting in a circular way enjoying Kaada.

According to a Kaada dealer here, this brew is available any time but during evening hours he registers high number of customers. To him Kaada is a source of income and he earns a lot of profit because ingredients of Kaada are locally available.

Living standards in Kenya is highly affected by these local brews. Un expected deaths are occurring not only here in Turkana County but Nationally. Kaada and other brews have various effects. Production of Kaada in our County has led to increase of poverty among the residents. Majority spend a lot of money and time taking Kaada forgetting that they have a task to accomplish as parents. Some of them are not concern about the future of their children; whereby they spend a lot of money on Kaada instead of focusing on education. This has led to high level of illiteracy in the County for majority of people can't access employment for they lack knowledge.

Usage of Kaada has encouraged immorality in the county resulting to increase of HIV victims. Users lose control after taking it, eventually involving themselves in sexual habit hence creating high risk of getting infected by sexual transmitted deceases (STDIS). Also consumption of this brew as resulted to increase of raping in the region.

It is the responsibility of County government through chiefs to chip in and stop consumption of this dangerous brew and ensure that all dealers are summoned and fined. It is also the role of County Government and nongovernmental organisations (NGOs) to carry out civic education in order to create awareness to the residents on dangers of using Kaada and other traditional brews.



Work without Play makes Tom a Dull Boy



Lodwar Mixed Primary School team

By Turkana Mirror Reporter

Sports are a source of income. Worldwide both men and women are earning their daily bread through sports though many people ignore this activity. It is surprising here in Kenya most of the counties don't support sports activities.

Here in Turkana County there are well organized football clubs though they are normally faced by various challenges. Amani FC 06 (Football Club) is a newly formed club here in Lodwar where their aim is to bring unity and peace among Turkana residents. Speaking during their friendly match with Lodwar Mixed Primary



Amani FC Club Team

school Mr. Cyrus Khisa who is the Amani FC 06 club captain told Turkana mirror reporter that they have never received any support from neither Turkana County Government nor nongovernmental organizations.

Mr. Cyrus Khisa requested County Government and non-governmental organizations to chip in and offer their support to various football clubs in County. "Many youths will exploit their hidden talents and also keep them away from bad morals when they are fully aged to sports activities" Amani FC captain said.

In this friendly match with Lodwar mixed primary school it was do or die encounter for it was not easy to predict the winner of this game for every team was fully prepared to emerge as the winner. Every player in this match was in his toes to unsure that his team will not register as loser.

Lodwar mixed primary school was the first to score at 15th minute and 10 minutes before the first half ends Lodwar mixed players proved to Amani FC that they were playing on their ground and they were fully prepared when they added second score.

Things worsen for Amani FC when Lodwar mixed scored two goals consecutively on second half. Amani FC scored their only one five minutes before the match end.

German Embassy Sued for Defamation

By Turkana Mirror Reporter

Have you ever thought that you can be sued for using one's photo without his/her permission? When using one's photo for advertising or showcasing you need to be careful because the owner can sue you for defamation.

A Samburu woman is demanding compensation from the German Embassy over a photograph that was used to advertise Lake Turkana Festival. This woman aged 32 years filed a case in the High Court through her lawyer Ham Lagat, claiming that the picture was used without her consent. This advertisement brought con-

flicts in her family whereby her husband kicked her out of her home upon learning of the advertisement.

Talaso Lepalat told high court that the use of her photograph to advertise the event lowered her reputation for it affected her private life and the right to make choice as to whether she wanted her photo in the advert was not considered. "The petitioner said that she was constrained to make this humble petition on the main reason that there were human rights violations that occurred to her during 2012 to-date, when the respondent unlawfully used her photo without her consent to advertise Lake Turkana Festival which was held

at Loiyangalani in Marsabit County.

According to the petitioner her photograph was used in commercial nature. She claimed that her photo was used in Habari Magazine, which is allegedly owned by Germany Embassy. In the case where Attorney General Githu Muigai is an interested party, the court heard that the embassy pulled out the photo after the woman issued them with a demand letter on April 28 this year.

Taking photographs without consent from elders or the head of the family is taboo in Samburu Customs.

Talaso's husband assaulted her for a month for disrespecting him as the head of

family for she failed to consult him. Lagat said Talaso's husband eventually rejected her and the whole community also rejected her. He said according to Samburu customs, According to her lawyer, Talaso has suffered humiliation, embarrassment, psychological and physical anguish.

According to court papers, Talaso was kicked out of her matrimonial home together with her three kids and had to seek refuge in her mother's home. The case will be mentioned before Justice Isaac Lenaola on October 28, 2014.

Transfer of Interests

Continued from page 15

It may arise if, for example, a Kenyan holding company sold the share of the Kenyan entity that has an interest in the PSC. The proceeds would not be income in the hands of the selling entity and therefore not subject to tax. However, any distribution would be caught by the compensating tax regime. As with income tax, it is not clear how the new provisions of the Finance Bill will, if enacted, interact with the compensating tax provisions.

At the time of writing, it is uncertain when the Finance Bill will be enacted. Under the changes introduced by the Finance Bill, a disposal of a right under a PSC would now give rise to a taxable chargeable gain. It is not clear how the new provisions will interact with the Ninth Schedule to the Income Tax Act, under which the consideration received on a disposal of an interest under a PSC is treated as income by the disposing company and is subject to tax accordingly. It is also not clear how the new provisions relate to the general position under the Model Form PSC that all tax on income and profits is part of the government's share of profit oil.