

NEWS

Governor decries row with senators

By ROSELYNE OBALA

Governor Mwangi Wa Iria has pleaded with his colleagues and senators to end their differences, warning that the protracted war will frustrate full implementation of devolution.

He allayed fears that the supremacy battles will deal a blow to their re-election bids.

"It is a high time we made mend in our relationship. The push and pull among the elected leaders is not healthy for the counties and is a dangerous precedence for devolution," he warned.

He added, "Governors and senators should focus on coming up with mechanisms to iron out their differences, away from the full glare of the media."

The Murang'a governor admitted that his colleagues have taken a hard-line stand over assumptions that senators are out to humiliate them. Wa Iria spoke when he appeared before the Senate Public Account and Investment committee, after he was summoned for failing to honour invites.

The governor had ignored summons to appear before Boni Khalwale's committee to clarify queries on Sh22.7million Local Authority Transfer Fund and Sh4.9million for county renovations raised by the Auditor General Edward Ouko. Muranga County, was listed alongside Bomet, Kisumu and Kiambu as counties to be starved of funds until they comply.

The senators called upon three governors, yet to honour summons, to respond on the Auditor General's audit queries to avoid missing out on county allocation. They maintained that governors cannot run away from accountability and must comply with the summons to receive funds due in two weeks.

Dr Khalwale, moved a Motion in the Senate, which was approved and the clerk Jeremiah Nyegenye, wrote to the National Treasury Cabinet Secretary Henry Rotich and Controller of Budgets Agnes Odhiambo, not to release funds to the four counties.

Open bias: Ombudsman claims official picked managing director after awarding her more marks during interviews

Commission draws AG into KAA boss appointment row

By KIBIWOTT KOROSS

The recruitment of Kenya Airports Authority (KAA) Managing Director, which was condemned by the Commission on Administrative Justice, has been referred to Attorney General Githu Muigai for legal opinion.

The Ombudsman has recommended replacement of Joseph Irungu (a director of administration at the Office of the President) as KAA director for open bias that saw the fourth-placed candidate, Lucy Mbugua, named the Managing Director.

In a confidential letter dated July 27th, to Commission Chairman Otiende Amollo which *The Standard on Saturday* has a copy, Transport Cabinet Secretary Michael Kamau said he had sought AG's opinion over the matter.

Prof Muigai however said he was yet to receive Mr Kamau's letter. Mr Otiende's letter reads in part: "Your letter has raised several substantive and constitutional issues in regard to the above named subject. Pursuant to section 19 of the Office of the Attorney General Act which provides all government ministries, departments and state corporations to seek the opinion of the Attorney General, on any matter raising substantial legal or constitutional issues, we have sought the opinion of AG and we will revert to you on receipt of the requested opinion."

Speaking to *The Standard on Saturday* on phone, the AG declined to discuss the matter saying he was not aware of it. He promised to issue a statement once he reads the letter.

He said: "That is news to me. I have not received any letter from the Transport CS. It might have first gone to our legal department but be sure I will share with you the exact position."

The Office of Administrative Justice began investigating the matter in March following a complaint filed by the Consumer Federation of Kenya (Cofek), which had alleged that



KAA MD Lucy Mbugua, whose appointment is being contested.

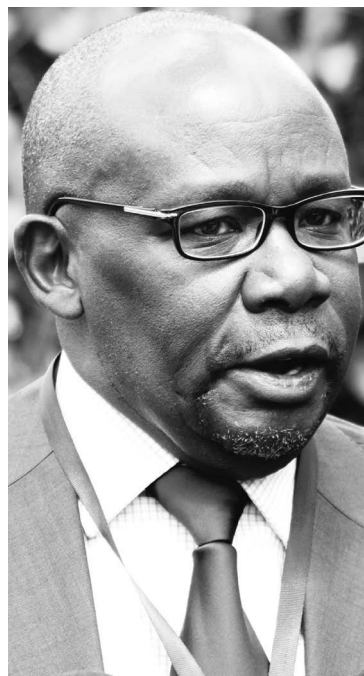
the Transport Ministry had failed to respond to concerns on Ms Mbugua's hiring. The consumer lobby through its CEO Stephen Mutoro accused Kamau of using the AG's office to buy time.

He said: "By writing to AG, the CS is only buying time in the hope that Kenyans forget about it. We are not in any way against Mbugua but the selection process."

Mutoro said Kamau should to have sought the AG's opinion earlier and not now.

In a nine page letter copied to the AG, Transport PS, Cofek and Ministry of Interior and Co-ordination of National Government, Secretary of Administration, Omolo says Irungu awarded a lot of marks to Mbugua.

The letter says Irungu awarded marks in favour of the director to tilt results which under normal circum-



Attorney General Githu Muigai asked to give legal opinion on matter.

stances would have placed her fourth; and locked her out.

"The margin of award of marks by Irungu between his best candidate Lucy Mbugua (239) and his worst candidate Hudson Aluvanze (105) is the highest by 134. This in our opinion is too big a margin raising suspicion. Further it is noted that the four candidates were awarded extremely low marks in an attempt to deliberately favour Mbugua. It is noted that if Irungu's computation was to be removed, Mbugua will move from 1st to 4th position, a clear indication of bias arising from Mr Joseph Irungu's award of marks," said the 25th June report.

Attempts to get a comment from KAA chairman Mutuma Mugambi were fruitless as he was said to be out of office.

MPs plea on Domestic Violence Bill

By LILIAN ALUANGA-DELVAUX AND BRIGID CHEMWENO

The Protection Against Domestic Violence Bill is not a women's Bill, but one aimed at protecting the family.

This is the message from proponents of the proposed legislation that has elicited varied reactions across the board. As the clock ticks towards the Bill's Second Reading in Parliament, stakeholders have stepped up lobbying and petitioned MPs to "enact the proposed legislation without reducing it to a shell".

There has been concern that in its current state, informed by the Justice and Legal Affairs committee report, the Bill omits key sections that will curtail efforts towards preventing and responding to domestic violence. These include definition of a domestic relationship and reducing the number of people that can apply for a protection order, which stakeholders argue sidelines key players like the Director of Children's services, a police officer, or social welfare officer.

Supporters of the Bill cite Articles 45, 50, 29 and 53 of the Constitution that provide for recognition and protection of the family hence the need for legislation like Protection Against Domestic Violence Bill 2013 that will actualise such provisions.

Parliamentary Caucus on Human Rights member and Kibra MP Kenneth Okoth is among those urging MPs to endorse the Bill, since Kenya is lagging behind in addressing domestic violence.

Besides recognising that domestic violence is unlawful, the Bill makes provision for interventions that protect family members from domestic violence, as well as ensures quick and effective legal protection for victims of domestic violence.

It provides for clear, simple, and effective court procedures, as well as effective mechanisms for protecting victims of domestic violence. The proposed legislation recognises different forms of domestic violence including child marriage, FGM, forced marriage, forced wife inheritance, interference from in-laws and widow cleansing.

Denmark set to channel Sh2.2b directly to counties for healthcare

By JOB WERU

Denmark has shifted its support of health services in Kenya from the national government to counties, in what is seen as a first international gain for counties.

Danish Minister for Trade and Development Mogens Jensen said the funds will be transferred directly to counties to improve efficiency.

But Jensen, who toured Narumoru Catholic Dispensary where a Danish Company, Novo Nordisk has been funding diabetes healthcare through provision of cheaper insulin

for patients in a programme dubbed, Base of the Pyramid, warned that the counties must be transparent in expenditure of the funds.

"We have so far channelled billions of shillings to Kenya, and we will even provide more to the administrative units," he said.

Last month, Danish Ambassador to Kenya Geert Andersen announced that his government will disburse Sh2.2 billion conditional grant to county governments. The funds will cater for operations and maintenance of health facilities, pay casual staff, power and water bills.

Official blames his woes on MP

By RENSON MNYAMWEZI

The embattled Taita-Taveta County Executive Committee (CEC) in-charge of Environment and Natural Resources Elijah Mwandoe has blamed a County Deputy Commissioner and an MP for his woes.

Mr Mwandoe was suspended by the County Governor John Mruttu, on Wednesday for allegedly signing of a sand harvesting deal with a Standard Gauge Railway (SGR) contractor.

And yesterday, he claimed the Voi Deputy Commissioner Khamasi Shivogo, and area MP Jones Mlolwa were responsible for his suspension and claimed that they have interests in the sand har-

vesting sector. "When I enquired why the two are harvesting and supplying sand to the SGR, they started fighting me. The two should have allowed small scale sand harvesters to do the work," claimed Mwandoe.

"I am saying this without fear of contradiction that the DC and the MP are responsible for my woes. They are fighting for my downfall for their own selfish ends," Mwandoe told *The Standard on Saturday* yesterday.

But Shivogo and Mlolwa dismissed the allegations and told Mwandoe to carry his own cross.

"I'm the one who told him to sign a contract with the construction company. Let him take his blames elsewhere

and not to me," said an angry Mlolwa yesterday.

"When did the County Government start doing business of sand? The county administration is supposed to facilitate business and policies. I have nothing to do with Mwandoe's problems," replied the ODM legislator. Saying that he had nothing against the CEC, Mlolwa said youth and women should deal directly with the Chinese contractor without going through the county government.

As the blame game continued, Shivogo said local youth and women had complained to his office that the CEC had been denying them a chance to supply sand to the construction company.