

THE Weekly Review

For the Thinking Person

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CHIRCHIR'S POWER BILLS SHOCKER

Choking on debt and bogged down by the skyrocketing cost of living, Kenyans should now brace themselves for higher electricity prices as the government struggles to honour expensive deals with power producers

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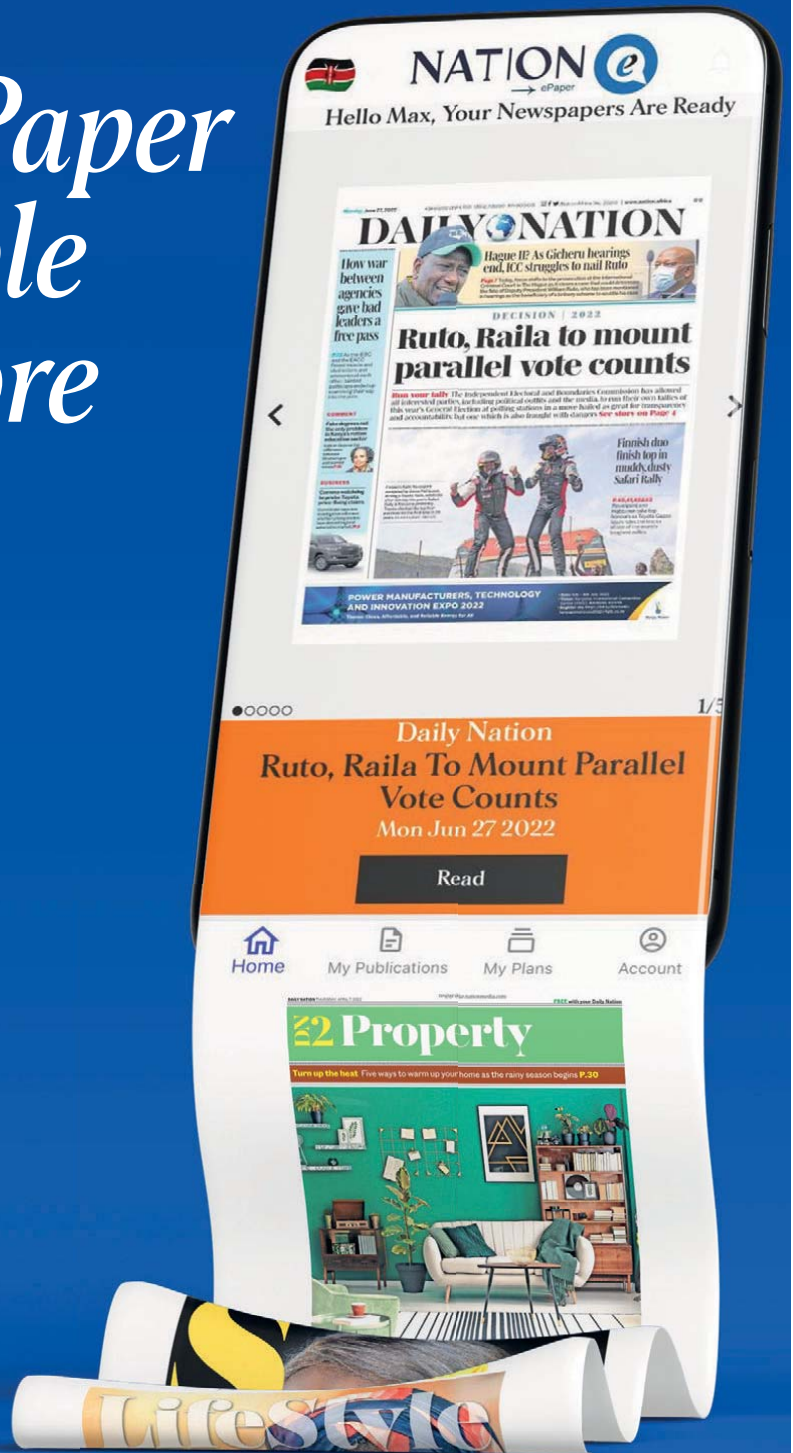
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letter from the editor

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Opaque power generation contracts are the reason behind tear-jerking bills

I am writing this letter while choking on diesel fumes from a noisy power generator that switches on automatically whenever there is a power outage.

As is customary with Kenya Power's hopelessly rusty infrastructure, the rains are here and frequent blackouts have become commonplace in the past few weeks.

A bizarre irony, given that the bulk of our energy is hydro-generated and therefore the coming of rains after a long, dry spell is supposed to signal higher power generation.

Besides triggering a mild headache and making my throat feel irritated like one who is about to catch an infection, the smoke filtering through my office window from the diesel generator three floors below serves as a stark reminder of the high cost of doing business in this country.

News that electricity bills are set to rise in the next four consecutive years will upset many customers who have no option but to continue paying tear-jerking bills to Kenya Power, the state-controlled monopoly.

Electricity cost remains a major expenditure item on most household and business budgets, and the planned tariff increase will inevitably build up inflationary pressures across the country.

A story published in this week's edition reveals details of an application filed by Kenya Power to increase electricity bills by 12.3 per cent, 11.3 per cent, 7.15 per cent and 5.86 per cent beginning January for the next four consecutive financial years.



Washington Gikunju

Now that a new administration that does not have to worry about a General Election for the next five years has taken office, Epra is more than ready to increase power tariffs, to the detriment of the consumer. The recently announced plan to buy cheaper power from Ethiopia is all but forgotten in the rush to award some opaquely identified Independent Power Producers (IPPs) contracts that are never made public.

That the Electricity and Petroleum Regulatory Authority (Epra) has directed Kenya Power to submit the power tariff review application is a strong indication that the intended increase has the blessings of President William Ruto's administration.

The plan not only sends a wrong signal regarding the cost of living and doing business in the country, but it also turns focus on the Kenyan energy sector's tariff-setting structure.

Epra is, in theory, supposed to be the entity that ap-

proves any power tariff reviews with its eyes firmly focused on protecting the consumer while ensuring sustainability of supply

The Authority, however, is in practice more of just another appendage of the Executive that is used to rubber-stamp the wishes of the political class of the day.

That is why, when former President Uhuru Kenyatta declared that he wanted power tariffs reduced by 15 per cent on the eve of this year's elections, Epra moved heaven and earth to make that happen.

Now that a new administration that does not have to worry about a General Election for the next five years has taken office, Epra is more than ready to increase power tariffs, to the detriment of the consumer.

The recently announced plan to buy cheaper power from Ethiopia is all but forgotten in the rush to award some opaquely identified Independent Power Producers (IPPs) contracts that are never made public. These IPPs have, from past experience, been owned by 'tender-prenuers' who are well-connected to the political class.

There is no justifiable reason why, in this day and age, Kenya Power signs electricity supply contracts in secrecy and then loads tear-jerking monthly bills on consumers.

It is time to adopt competitive bidding and public auction of PPAs to save the consumer from ever-rising electricity bills.

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the telescope

■ EAC Inter-Parliamentary Games in Juba



Kuria West MP Mathias Robi trains at the Nyayo National Stadium on November 15 ahead of the EAC Games. CHRIS OMOLLO | NATION

MPs set to break for December holidays

MPs will on Thursday take a two-month break.

The recess for the December holidays means that there will be no plenary sittings in both Houses, the National Assembly and the Senate.

However, committee sittings will be allowed for one more week to conclude any pending business.

The recess coincides with the ninth edition of the East African Community Inter-Parliamentary Games being held in Juba, South Sudan. South Sudan Parliamentarians made their debut at the regional games last year in Tanzania. Countries expected to attend the 12th edition of these games include Kenya, Uganda, Tanzania, Burundi,

Rwanda and Democratic Republic of Congo (DRC). The annual games bring together between 2,000 and 3,000 legislators from EAC member states.

The games give the lawmakers a chance to connect and interact in order to broaden and deepen regional integration. Team Kenya will be seeking to retain the overall title it won in the previous edition.

The teams will battle it out for honours in football, basketball, walk-race, volleyball, netball, athletics, darts and tug-of-war over the 12 days of the games. The athletics menu will include races in 100m, 200m, 400m, 800m, 1500m and the 4x400m relay.

■ He's played in nine competitive rounds

Tiger tops PGA Tour bonus list

Tiger Woods, who has played only nine competitive rounds in 2022, topped the PGA Tour's Player Impact Program for the second consecutive year to claim a \$15 million bonus.

Woods, whose 82 PGA triumphs shares the all-time record with Sam Snead, led the analysis of global media exposure with top-ranked FedEx Cup winner Rory McIlroy second and Jordan Spieth third.

McIlroy, a four-time major winner, took home \$12 million while Spieth, a three-time major champion, made \$9 million.

The second-year impact pro-

gramme paid money to 23 players, the top 20 as planned plus three additional players who would have made the list under tweaked 2023 criteria – Japan's Hideki Matsuyama and Americans Cameron Young and Sam Burns. Each will be paid \$2 million.

The programme, designed to reward those who delivered greater interest in the PGA, uses data measurement of internet searches, news article mentions, weekend television sponsor exposure, popularity measurement and social media reach and engagement.



Tiger Woods plays a shot out of the bunker during a practice round prior to the start of the 2022 PGA Championship at Southern Hills Country Club in Tulsa, Oklahoma on May 17.

■ Commissioners disowned poll results

'Opaque 4' still hanging in there



The National Assembly's departmental committee on Justice and Legal Affairs is likely to present its report on the consideration of petitions facing four Independent Electoral and Boundaries Commis-

sion members this week. The committee last week set a four-day deadline to hear and determine the fate of the commissioners. The "Opaque Four" are set to appear before the committee on Monday and Tuesday. Last week, the committee heard presentations by the four petitioners despite a walkout by Azimio-allied MPs. The four are in the eye of a storm for disowning presidential election results.

■ Bid to fight financing of Islamist groups

Nigeria launches new banknotes



New banknotes have been launched in Nigeria to fight counterfeiting and the financing of Islamist groups and hostage takers.

It's hoped the introduction of the new 200, 500 and 1,000 naira notes will help mop up the excess cur-

rency in circulation and reduce inflation. One kidnapping gang has already responded to the launch of the new currency. They have halved their ransom demand for two adults and two children seized in Zamfara state, insisting it's paid in the brand new notes. Elsewhere, the statue of a controversial German colonial officer in Namibia's capital Windhoek has been taken down after a successful petition. It was erected in 1965 in front of what is now the city's municipal building.

kenya lens

■ ENERGY REGULATOR DIRECTS KENYA POWER TO REVIEW TARIFFS

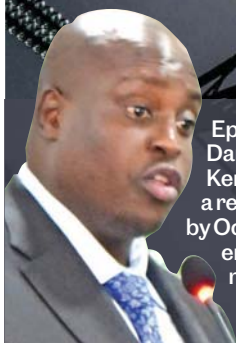
Kenyans should brace themselves for higher electricity prices in the coming months as the government struggles to raise revenues to pay new producers



The single largest component of the proposed tariff will be invoices for capacity charges to the new IPPs.



The biggest pressure on tariffs is attributable to operations of the new set of recently commissioned IPPs that include Selenkei and Cedate power stations in Eldoret, Malindi Solar, Kipeto Solar, Olkaria V and Kianthumbi Power.



Epra Director-General Daniel Kiptoo directed Kenya Power to submit a retail tariff application by October 31 to consider revenue requirements of the already commissioned power plants.



Kenya Power has presented the regulator with a tariff review application, and going by the terms of the directive in Epra's October 31 letter, the non-fuel component of the tariff will go up from Sh16.95 per unit by 12.3 per cent in 2022/23, 11.3 per cent in 2023/2024, 7.15 in 2024/25 and 5.86 in 2025/26.

HOW IPPs GRABBED POWER

● By JAINDI KISERO

Electricity prices could skyrocket steeply because the government has to raise revenues to pay the latest set of Independent Power Producers to join the national grid.

The Weekly Review has seen a letter from the Electricity and Petroleum Regulatory Authority (Epra) to Kenya Power directing the utility to immediately submit a power tariff application to the authority.

The Epra letter from Director-General Daniel Kiptoo and dated October 13 reads as follows: "You are directed to submit a retail tariff application by October 31, 2022 to consider revenue requirements of the already com-

missioned power plants, expected plants to be commissioned within the tariff control period, Ketraco's system wheeling arrangements, Kenya Power operations maintenance costs and the cost of operating and maintaining the Rural Electrification Scheme."

From the correspondence seen by *The Weekly Review*, the biggest pressure on tariff is attributable to operations of the new set of recently commissioned IPPs that include Selenkei and Cedate power stations in Eldoret, Malindi Solar, Kipeto Solar, Olkaria V and Kianthumbi Power.

In response to the Epra letter, Kenya Power has presented the regulator with a tariff review application, and going by the terms

of the directive in Epra's October 31 letter, the non-fuel component of the tariff will go up from Sh16.95 per unit by 12.3 per cent in 2022/23, 11.3 per cent in 2023/2024, 7.15 in 2024/25 and 5.86 in 2025/26.

According to the statistics in the tariff application, the single largest component of the proposed tariff will be invoices for capacity charges to the new IPPs. The last time Kenya Power made an electricity tariff's application was under Uhuru Kenyatta's administration in 2018.

As a matter of fact, the current rate that reduced the 2018 tariff level by 15 per cent was approved by Epra on January 7, in line with

Continued on Page 6

kenya lens

Jitters over new plan to increase electricity tariffs

Continued from Page 5

Force on Review of IPP Power Purchase Agreements that was led by the prominent investment banker, Mr John Ngumi. The lower tariff is to lapse by December 2022.

Under the IPP model followed by Kenya, every merchant power plant that comes on board brings its own revenue requirements.

This means that Kenya Power must apply for a tariff increase whenever a new plant comes into operation. Since the government have signed too many of these IPP agreements within a very short period, the system has witnessed an unsustainable build-up in payments for unused electricity.

And, all power agreements have 'take or pay clauses' that prescribe capacity charges, which means that the off-taker is under obligation to pay the merchants even where the power they have produced has not been consumed. With the economy still in the middle of a cost of living crisis, the prospect of a steep increase in electricity tariffs is something the new administration will find politically unpalatable.

Yet the reality is that short of a renegotiation of power purchase agreements, or a complete overhaul of the IPP model the country has adopted, an upward adjustment of tariffs in the coming months would appear to be inevitable. Clearly, the new administration of President Ruto will be walking a political tight rope because a tariff increase right now will be viewed as reversing the low electricity tariff regime that Uhuru Kenyatta's outgoing administration pursued relentlessly to the very last months of his time

in office.

Will the new administration open another round of negotiations with IPPs? What happened to the talk about a moratorium on new IPPs? Without a doubt, the new plan to increase electricity tariffs — and the exit from the board of Kenya Power of a team that has been championing the cause of renegotiation of power purchase agreements — is bound to reignite the debate about power purchase agreements and how they have subjected consumers to a persistent regime of high tariffs.

The chairperson of Kenya Power, Vivian Yida, and board member Yida Kemoli — who were kicked out by Finance and Planning Cabinet Secretary Prof Njuguna Ndungu this week — were part of the team that has been pushing the case for renegotiation of power purchase agreements.

Their ejection from office — and that of other KPLC board members — is widely interpreted as a sign that the political support for

IPP renegotiation is on the wane. Opinion

is still divided as to whether the shake-up and reforms in the electricity sector that former President Kenyatta tried to implement made much of a difference. However, the unanimous view is that the process detailed and exposed the activities of corrupt cartels that have captured Kenya Power's supply chain.

That shake-up started with the appointment of the task force on negotiation of power purchase

agreements followed by the appointment of a reform-committed board at Kenya Power and the removal from office of a long-serving insider and CEO. Lastly, there was a shake-up at the Ministry of Energy, whose highlight was the exit from Nyayo House of long-serving Cabinet Secretary Charles Keter and his principal secretary, Mr Joseph Njoroge.

The John Ngumi-led task force report for the first time shone a great deal of light on the dark corners in the electricity sector, elevating the quality of public discussion and understanding of the extent of rot and corruption in the power sector.

Perhaps its most significant finding was graphically described policymaking in the energy sector that had through the years been followed by a regime that elevated promotion of the interest and investment of merchant power plants above delivery of affordable power to the ordinary citizen.

The best proof about how policy has made IPPs wealthy at the expense of the consumer is a narrative in the presidential taskforce report about the infamous *Gazette* notice of April, 19, 2016. The report narrates how the government — completely out of the blue — published a *Gazette* notice that offered huge benefits and concessions to IPPs at the expense of Kenya Power and, ultimately, the consumer.

First, it lowered the minimum heavy fuel stock levels that IPP plants could hold. Secondly, the *Gazette* notice allowed the merchant plants to operate outside the merit order. The upshot was that the government released for to the IPPs billions of shillings in working capital. According to the analysis in the report, the working capital released for IPPs following the order was worth \$3-7 million, depending on the size of the plant.

Thirdly, that infamous *Gazette* notice gave IPPs the opportunity to run their equipment for longer than the availability thresholds stipulated in agreements with Kenya Power: they could run the machines even when there was no demand for the power, continuing to load the cost of generation on the consumer.

Power purchase agreements are negotiated opaquely because Kenya does not have a system of auctioning these lucrative licences. Because most of the contracts are unsolicited deals, the air in the electricity sector is rife with rumours and sensational claims about how most of the merchant plants are owned by influential elites. Under the conditions of the current programme with the International Monetary Fund, Kenya must publish the names of beneficial owners of companies that it contracts. How about starting with publishing beneficial ownership of IPPs?



Investment banker John Ngumi led the task force on review of IPP Power Purchase Agreements.

kenya lens

■ THE KPLC BOARD STOOD OUT IN TERMS OF GENDER REPRESENTATION

• By JAINDI KISERO

Arbitrary exercise of shareholder power in a listed company? This is how some experts in corporate governance in listed companies have described this week's removal from office of board members of Kenya Power by Finance and Planning Cabinet Secretary Prof Njuguna Ndung'u.

Initially, the impression given was that the chairperson of the company, Vivian Yeda, and board member Yida Kemoli, had decided to leave on their own. But it was to emerge later that the National Treasury, exercising its power as 50.1 per cent shareholder of the company, had sent notice that it would be moving a resolution to remove elected directors during the next Annual General Meeting.

Prof Njuguna's letter to the Company Secretary, Imelda Bore, titled 'removal of company directors', was terse: "As a shareholder with 50.1 per cent shareholding in the Kenya Power and Lighting Company, we require the board of directors of the company to table before the AGM an ordinary resolution for the removal of directors."

That move once again demonstrated the arbitrariness with which careers of public servants are interrupted whenever a new regime comes to power. Vivianne Yeda's term was due to end in July next year.

Kemoli was forced out after being in office for less than a year. In publicly-listed companies, where the government is in the majority, corporate governance principles, like tenured offices and retirement by rotation, are honoured more in breach than in practice.

Mr Kairu Thuo, who was retained on the board and proposed as chair of the board audit committee, has served longer than any other member. The others are either unelected ex-officio members representing both the ministries of Finance and Energy or newcomers occupying casual vacancies left behind following yet another arbitrary and abrupt removal from office in April this year of three independent directors by the former energy minister Monica Juma.

During that episode, the appearance projected was that Abdulrazaq Ali, Elizabeth Rogo and Caroline Kittony, whose terms were also cut short, had resigned of their own volition. But the truth of the matter is that they were ejected through hostile manoeuvres by the majority shareholder.

Their replacements, the six-month old directors Aaron Ringera, Susan Mbwaya and James Gatiba, have sent notice that they will offer themselves for election at the AGM of shareholders slated for December 31. It is a foregone conclusion because the majority shareholder of the company always has his way.

Until recently, KPLC stood out in the corporate sector in terms of gender representation in boards of listed companies. Out of the eight independent directors, four were women.

How Kenya Power reforms 'Dream Team' was stopped

On the chair was a woman: the long-serving CEO of the East Africa Development Bank and one-time director of the Central Bank of Kenya (CBK), Yeda. The rest of the women on that board were Rogo, Caroline Kittony-Waiyaki, Beatrice Gathirwa, and Imelda Bore.

The manner in which Ali and Rogo were removed was another example of arbitrary and excessive exercise of majority shareholder power. On April 14, 2020, Dr Juma announced that she had appointed Ali and Rogo as board members of the National Oil Corporation and the Geothermal Development Corporation respectively.

Was the duo being rewarded with these appointments? Far from it. This was a cleverly planned and executed scheme to cunningly force out board members of Kenya Power without attracting too much public attention. The Trojan horse employed was a mundane provision of the Mwongozo Code which stipulates that one individual cannot sit on two boards in the same sector.

The CS just pretended that it was a normal thing to transfer a director of a publicly listed company appointed at a shareholders' AGM to another parastatal under her docket.

Two weeks later, a notice appeared in the newspapers announcing that Ali and Rogo had resigned from the board of the company. Kittony-Waiyaki read the signs of the times and promptly threw in the towel in solidarity with Ali and Rogo.

The women dominated the board and had romped into office on a high note, promising to shake up the status quo in the power sector and to disrupt corrupt and old boy networks that had captured the company's supply chain. In her very first chair-

man's address to the AGM, Yeda set the tone of the mission for the dream team board. Her assignment, she stressed, was to "oversee an overhaul" of the company's financial and operational performance.

Previous regimes at the company, she argued, had turned the once profitable company into what she described as "a veritable procurement machine". Then, she promised not to increase electricity tariff: "Kenyans have enough burdens on them today; we have no intention of adding to these new burdens."

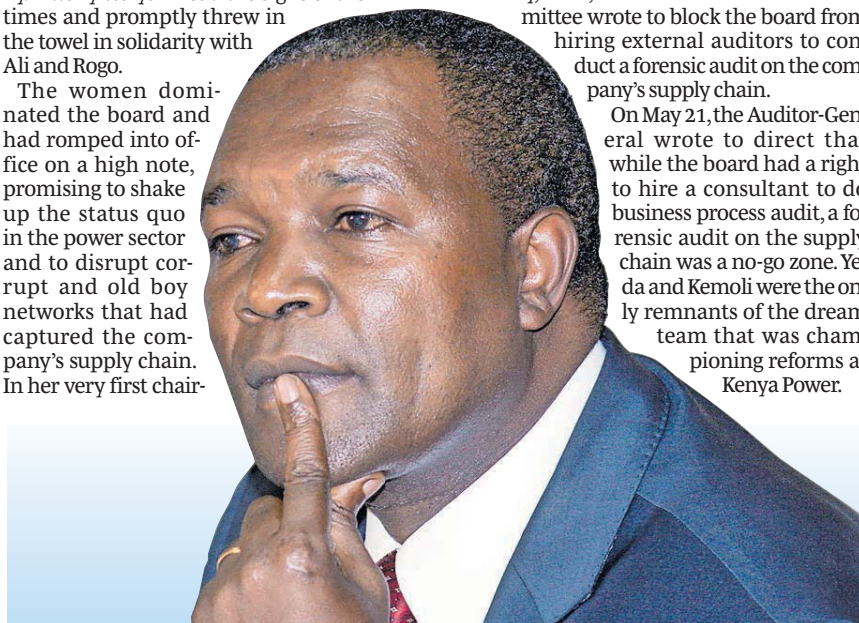
Hardly months after they were appointed, they were to learn that they had underestimated the political influence of the old-boy networks that control procurement in Kenya Power. The hunters had become the hunted. They were hauled before the Energy Parliamentary Committee, where they were accused of interfering with the work of the procurement department of the company and of attending too many board meetings.

Weeks later, the Secretary-General of the Kenya Electricity and Workers Union, Mr Ernest Nadome, threatened to call a strike if the board was not removed from office.

The Anti-Corruption and Ethics Commission (EACC) also joined the fray by summoning the board for grilling for interference in management matters.

In May, 2021, the Public Investment Committee wrote to block the board from hiring external auditors to conduct a forensic audit on the company's supply chain.

On May 21, the Auditor-General wrote to direct that while the board had a right to hire a consultant to do business process audit, a forensic audit on the supply chain was a no-go zone. Yeda and Kemoli were the only remnants of the dream team that was championing reforms at Kenya Power.



Finance and Planning Cabinet Secretary Prof Njuguna Ndung'u.

kenya lens

■ CONSTITUTION-MAKING

UNSETTLING PROPOSALS

If enacted, three proposals for constitutional amendments by Kenya Kwanza legislators will give the President's coalition a political advantage

● BY OSCAR OBONYO

Until he came out publicly to rubbish an alleged plot by a Kenyan Kwanza MP to remove the two-term presidential limit, President William Ruto was being viewed rather skeptically as a master schemer releasing balloons in the air to gauge his next political move.

Ruto, 55, may be playing his cards close to his chest, probably with the same intention of giving meaning to the recent claims by Fafi MP Salah Yakub of scrapping terms and capping the age limit for presidential candidates at 75.

There is a Bill sponsored by Kuria East MP Marwa Maisori that seeks to amend the Constitution to increase the number of counties from 47 to 52 through a referendum, and another by Majority Leader Kimani Ichung'wa seeking to change the formula of selecting commissioners to the Independent Electoral and Boundaries Commission (IEBC).

Whether or not the three proposals allied to the United Democratic Alliance are coincidental or a choreographed exercise aimed at achieving a given political outcome, they have sent sharp signals to opponents, especially in Azimio La Umoja-One Kenya.

Minority Leader Opiyo Wandayi is concerned about the timing and alarmed by the speed with which the proposed amendments are coming through. The Ugunja MP can only read political mischief in these developments.

Incidentally, all three amendments, if enacted, give the President's party a political advantage.

The Yakub proposal would give Ruto a possible opportunity to stretch his hold onto power beyond 10 years, while the creation of five additional counties of Kuria, Teso, Mount Elgon, East Pokot and Mwingi would offer the

President a good scrambling opportunity for votes.

Kuria and Teso, for instance, which are to be hived from Migori and Busia, are key strongholds of Azimio leader Raila Odinga. Hiving Mt Elgon from Bungoma County would also politically advantage Dr Ruto.

Mt Elgon residents have largely voted in MPs from parties allied to Ruto since 2007.

With regard to the Ichung'wa Bill, the move will give them room to strategically allocate seats to the various bodies, including the Parliamentary Service Commission and the Law Society of Kenya. Presently, Kenya Kwanza is hopeful that it will push through some of these proposals – thanks to its numeric strength in Parliament.

Should Kenyans embrace different and separate proposed changes to the Constitution or brace themselves for another major constitutional review process?

Opinion is divided on this matter, with some, like Bobby Mwangi, arguing that some of the so-called changes are “cosmetic” and undertaken “under the guise of change”.

The constitutional lawyer, who served as a member of the Committee of Experts (CoE) – the technical team that pieced together the 2010 Constitution – singles out the format of selecting nominees to the IEBC as one such instance: “Besides broadening the scope of institutional representation, this proposal makes no significant change. The selected individuals are still beholden to the politics of the day and the various political formations.”

The history of constitution-making in Kenya has, since Independence, been more of a political than a legal process.

It is an undertaking that has over the decades offered politicians opportunity to push through their bargains and shift positions according to their interests. Curiously, not everyone gets what they bargain for.

As Kenya's first Vice-President, Jaramogi Oginga Odinga openly confesses in his autobiography, *Not Yet Uhuru*, that Kanu, the ruling party then, accepted the constitutional document at Independence, “for the purposes of accelerating internal self-government and independence with a stated intention of carrying out amendments on the Constitution”.

Upon Independence in 1963, however, President Jomo Kenyatta was reluctant to execute the “foreign Constitution” handed to Kenyans by the colonial government, and he found an appropriate fixer to this headache in the person of his vice-president. Jara-

mogi was personally convinced a regional system was the worst.

“It inevitably produced duplication of functions, erratic and uncoordinated planning.

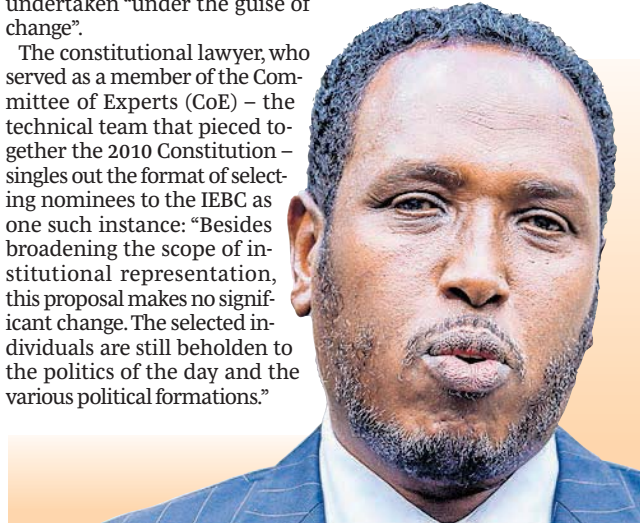
There was an additional danger that money would be spent not on essential administration and services, but on politics,” he writes in *Not Yet Uhuru*.

Three years later, Jaramogi would become a victim of his own scheme when Kanu, through the infamous Limuru Conference, crafted a political leadership structure introducing five positions of regional vice-presidents, thereby whittling down his powers and further balkanising the country. Frustrated, he resigned from government and formed the Kenya People's Union (KPU) opposition party.

Former cabinet minister Njenga Karume details in his autobiography, *Beyond Expectations: From Charcoal to Gold*, how he and legislator Kihika Kimani mooted the idea of Change the Constitution Movement aimed at stopping then Vice-President Daniel arap Moi from automatically succeeding Kenyatta upon the latter's death.

Former Attorney-General Charles Njonjo frustrated the plot by threatening to charge the duo and their supporters with treason.

Constitutional lawyer Paul Mwangi says debate on constitutional changes boils down to “the pros and cons of amendability and unamendability”. “There are many examples in our history, including in 2007, when we had to inject the National Accord Act into our Constitution, creating a Grand Coalition Government. Against the backdrop of a bleeding country following post-election violence, you can imagine what would have become of Kenya if our Constitution was unamendable at the time,” he says.



Fafi MP Salah Yakub at Parliament Buildings on November 8.

■ CONSTITUTION OF KENYA 2010

TO CHANGE OR NOT TO CHANGE?

Former CJ Mutunga says debate over the progressive Constitution is healthy but Kenyans should know what it says before talking about changing it

● BY KWENDO OPANGA

Former Chief Justice Willy Mutunga says politicians of different persuasions are locked in a fierce struggle over the implementation of the Constitution of Kenya 2010, hence the clamour for the change of the document. Unfortunately, some of them, including legislators, do not have a clue about the history that informed the crafting of the document, nor what it says.

According to Mutunga, this struggle pits those who embrace the progressive Constitution against those who see it as inimical to their political agenda. Ultimately, he says, a balance will be struck between the warring persuasions. Mutunga, Kenya's first Chief Justice under the 2010 Constitution, spoke to *The Weekly Review* last week.

Why is the Constitution of Kenya 2010 referred to as progressive document?

Our Constitution is progressive because every chapter of it tells you of a story that we do not want repeated. It is very clearly told, be it on human rights, sovereignty of the Kenyan people, the Judiciary, the new institutions, security, public debt or finance, everything. It tells you about what must not be done again.

Of course, no Constitution is perfect and that is why our Constitution bears very specific clauses on how it should be amended. And the courts went through that during BBI (Building Bridges Initiative), say, regarding what constitutes public participation and so forth. And it (the Constitution) makes it pretty difficult to amend because there is the people's route and there is the parliamentary route. Both of them involve public participation and the courts have pronounced themselves on these issues.

Regarding importance of debate

Regarding the calls that are be-

ing made, let us first of all agree that those people are exercising their constitutional rights of freedom of expression and opinion and that should be respected. Nobody should be told to shut up; even those who we think are insane and despicable have their right to expression and opinion 24/7. Let the people speak, whether they are MPs or ordinary citizens. I would hate a situation where, when I have an idea, I am told I cannot raise it.

It is important that the country embraces this culture of debate and exercise of tolerance. It is a great culture where we embrace different shades of opinion and debate them. There is nothing that can't be debated. You will hear it said, 'don't raise this because it is controversial', but the Constitution does not have any issue that is controversial. Raise it and as long as you have the value of participation of the people in debating the issue, that is fine.

On Article 32 and intolerance

I always enjoy a debate with Harrison Mumia, who is the President of the Atheists of Kenya, about the intolerance he expresses when he is attacking other faiths. I always tell him that Article 32 says that everybody in this country has the right of belief and opinion and religion. I always tell him that what he says about his faith is something he would be killed for in other societies. But in Kenya we have allowed a secular society and we have allowed people like him under the Constitution the freedom of saying, "I don't believe in God and therefore I am going to start an organisation for atheists".

The Constitution allows atheists, traditional religious practices and others. This a democratic, secular state and society where, unlike in many countries, we have co-existence of various faiths, we accommodate each other and respect the beliefs of various faiths.

We don't own God nor do we say this and not that faith is closer to God.

The best vision on the planet regarding religion

Our Constitution has the best vision on religion on the entire planet. It calls for co-existence and cooperation (and that is what the Ufungamano process of Constitution reform was about) of faiths, and co-existence basically means you respect the freedom of religion and belief and opinion of your fellow compatriots. There are countries in which this kind of vision is not acceptable. If somebody tried to change this in our Constitution, I would say you are killing a great vision which we can export to other countries where there is religious intolerance. Kenyans should be sure about what this Constitution gives them before they begin to talk about changing it.

On Kuria East MP Marwa Kayitama and Fafi MP Salah Yakub calling for changes to the Constitution to respectively increase counties and erase presidential term limits.

The Constitution gives all of us the right to expression and opinion and we have to respect the two MPs. They are honest and they have come out in the open and they have said what they have said and they expect us to respond and debate. If I was to answer them, I would ask them if they know the reasons for the term limits. It is because of the dictatorship of Kanu under Kenyatta and under Moi. We do not want to be saddled with dictators for more than 10 years. There is a history, there is a reason, and there is a provision of the Constitution that I would ask if they have looked at.

Regarding the creation of new counties, I would ask if they have looked at the provisions for devolution, for example, because devolution is an entry point of equitable distribution of resources to the

Continued on Page 11



kenya lens

■ THE UGALI CONTROVERSY

GOING AGAINST THE GRAIN

Ruto risks rebellion in his own backyard as Kenya Kwanza leaders take the frontline in protests against government plans to import cheap GMO maize

• By MACHARIA GAITHO

Maize and politics have always gone hand-in-hand since the birth of Kenya as an independent nation. Protests by politicians from grain-basket regions over the window opened by government for importation of duty-free maize, and the whiff of scandal as a shipload berthed at the port of Mombasa even before duty waivers had been formalised, reads like a story told several times over the past five decades.

Cabinet ministers responsible for agriculture or the dockets responsible for supplies and marketing have invariably been caught up in controversy or scandals around imports and distribution of maize and other commodities.

Indeed, the first major scandal ever recorded in independent Kenya happened in 1965, when the minister for Marketing and Cooperatives, a hero of struggle for freedom Paul Ngei, was suspended by President Mzee Jomo Kenyatta after being adversely mentioned in a national maize scandal.

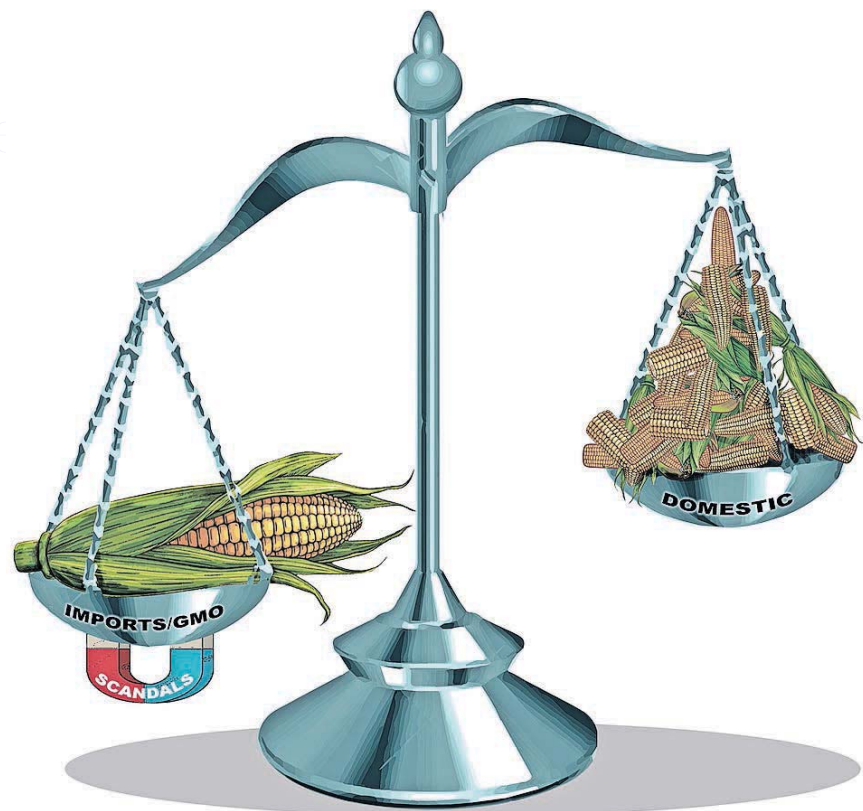
A Commission of Inquiry, the first also after Independence in 1963, eventually cleared Ngei of direct wrongdoing, although it found that a business run by his wife had been allowed to buy maize directly from farmers, by-passing the then Maize Marketing Board.

Fast forward to the Grand Coalition government in early 2010, when the Agriculture Minister, one William Ruto, was suspended by the Prime Minister, Raila Odinga, to pave way for investigations into a maize scandal touching on his docket. The suspension was rescinded by President Mwai Kibaki, who nevertheless sacked Ruto a few months later following his indictment in a different scandal.

Odinga and Ruto had gone into the Grand Coalition as firm allies following the disputed 2007 presidential elections. They fell out soon afterwards over a number of issues, but it was the maize scandal that provided the PM an excuse to act.

The two have remained on opposite sides since, and once again it is maize that has given Odinga the opportunity to hit out at the present government.

Even without Raila's prodding, however, politicians from Kenya's maize-growing belt across the Rift Valley and western Kenya are up in



arms following Trade and Investments Cabinet Secretary Moses Kuria's announcement that duty-free maize, including GMOs, would be imported to bridge the supply gap caused by drought.

What is notable is that politicians, as well as farmers, are protesting across party lines, with the most strident voices coming from President Ruto's northern Rift Valley political bedrock.

The brickbats are directed at Kuria and at this stage cannot be interpreted as a rebellion against Ruto or the government. The President will have noted, however, that a region that would otherwise be expected to owe him absolute fealty can rise in protest against unfavourable government policies.

The main grouses are that the government is allowing importation of cheap maize just as the maize-growing region is preparing for a bumper harvest. The upshot will be that local farmers will be unable to sell their maize as millers opt for imports, and traders, who seem to have had an inside track on the opening of an import window, make a killing.

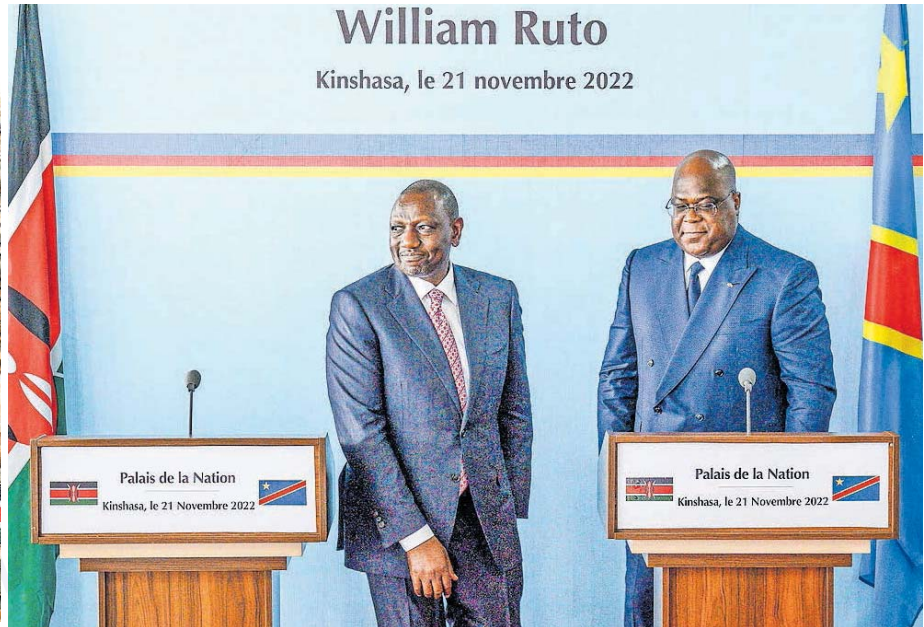
To many, the arrival of a ship loaded with maize just days after Kuria announced that he would be signing a legal order allowing duty-free imports reeked of insider trading.

It seemed to replicate what was common during the free-wheeling days of the Daniel arap Moi and Jomo Kenyatta regimes. Government decisions on importation of maize, sugar, wheat, fertiliser and other critical commod-

the limelight



New members of South Sudan People's Defence Forces during their graduation ceremony in Malakal on November 21. PHOTO | AFP



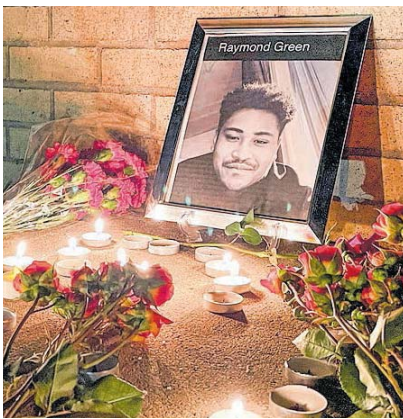
President William Ruto with Democratic Republic of Congo's Felix Tshisekedi at the Palais de la Nation in Kinshasa on November 21. His visit comes on the heels of a trip by Uhuru Kenyatta, who is mediating in the DR Congo crisis on behalf of the regional East African Community bloc. PHOTO | AFP



Fireworks are set off prior to the Qatar 2022 World Cup Group D match between Denmark and Tunisia at the Education City Stadium in Al-Rayyan, west of Doha on November 22. PHOTO | AFP



Villagers salvage items from damaged houses following a 5.6-magnitude earthquake that killed 162 people, with hundreds injured in Cianjur, Indonesia, on November 22. PHOTO | AFP



A portrait of victim Raymond Green Vance during a vigil for the victims of a mass shooting at Club Q, an LGBTQ night-club, at Acacia Park in Colorado Springs, Colorado, on November 21. PHOTO | AFP



The Villarrica volcano shows signs of activity, as seen from Pucon, some 800 kilometers south of Santiago, on November 21. PHOTO | AFP



Cameroon's Martin Hongla controls the ball during their Qatar 2022 World Cup Group G match against Switzerland at Al-Janoub Stadium in Al-Wakrah, Doha on November 24. Switzerland won 1-0. PHOTO | AFP

The Arena



LEATHERIFIC

Emmanuel Njoroge and Jacqueline Mutune have built their side hustle, Thonge Leather, into a thriving business

OPEN SPACE

HOW WE CAN BOOST FOOD PRODUCTION

The population is growing: Build roads in farming areas to allow efficient movement of farm produce to the market

MIND SPEAK



Elizabeth Kariuki

GMOs would solve our immediate food security problem. However, the question of food safety in regards to human health and the impact to our economy needs to be addressed, for example how the potential domination of GMO products would affect local production. More research needs to be done on GMOs and information disseminated to reach an informed decision.

— *Product Developer, MAS Intimates Kenya*



Patricia Mativo

We need to be strategic so that we don't solve one problem by creating another. GMOs pose a significant health threat to humans and animals, leave alone the effects it may have on the environment. Kenya has the capacity to make full use of modern agricultural technology to combat hunger. We need to prioritise health and the environment above profits.

— *Youth leader, Nairobi County*



Fenius Scott

We should get our priorities right. Why should we import Genetically Modified Food at the expense of local production? Kenya is in harvesting season but unfortunately our farmers lack adequate market for their produce. The government should support high-yielding and drought resistant maize seeds.

— *ICT Director, Kiambu Varsities, Colleges, Students and Alumni*



Kimani Wachira

We have not inherited the earth from our ancestors, we are only guardians. It is a travesty to bequeath a less congenial environment to the future population by altering the natural genetics of our organic environment. Kenya is food sufficient. We do not need to outsource. We should contract our large-scale farmers.

— *President, TVET Students' Association*

• BY MUTEGI GITI

The debate on Genetically Modified Organisms (GMO) should be juxtaposed against the need to increase production in agriculture. GMOs may not be a threat as many have opined, but we need public sensitisation, education, modification of habits and honesty from the government. Traders should not mix GMOs and other products to ensure they are properly differentiated and labelled so that consumers make their own decisions and choices.

How can we increase our agricultural productivity? First, there is need to increase the area under irrigation for crop production. The government should boost Mwea, Bura and Ahero irrigation schemes.

This is because rain-fed agriculture will continue to face challenges as a result of climate change and global warming. Secondly, build roads in farming areas to allow efficient movement of farm inputs and outputs to the market. It is not that all areas in Kenya have inadequate food at the same time, but food is unable to be moved effectively because of poor road infrastructure.

Thirdly, the Agricultural Finance Corporation should be well funded so that it can lend to farmers at low interest rates. Fourthly, increase research and innovation to develop high-yielding inputs, seeds and technologies so that farmers can receive the required inputs at the right time and place for production.

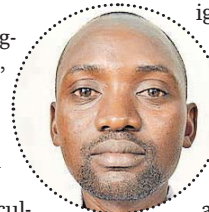
Ensure effective and strategic marketing of agricultural produce and establishment of crop price policies. Farmers should be able to sell their produce at reasonable prices that enable them to recoup their investments and make a profit for continuous production. Also, reforms to secure land for agriculture should be sustained. The government should also encourage cooperative and contract farming.

*** *** ***

The housing deficit in Kenya stands at two million housing units, hence the Vision 2030 requirement for development and supply of 200,000 housing units per year.

In reality, only 50,000 units are developed annually, hence a deficit of 200,000 units.

Kenya has 372 urban centres with 31.2 per cent of the population, according to the 2019 Kenya Population and Housing Census. This has increased the pressure for housing, leading to sub-standard buildings. There are six major reasons why buildings collapse. The first one is the tendency to follow shortcuts. During construction, the building may need ample time to cure but many



ignore such timelines. Second is poor workmanship on the buildings, meaning some lose ends, and poorly connected structures and parts.

Third is the poor structural integrity of buildings; they should be structurally sound and used for the purposes for which they were designed. You cannot use a building planned for a bar for industry or other such activity.

Buildings should have structural integrity that ensures that they can support weight and that they are not prone to deformation or breaking in situations of earth movements.

Fourth are the poorly trained and assessed building professionals, which means that many buildings are in the hands of quacks who might not be held professionally liable in case of building collapses. Non-compliance with building approvals and permits is another problem, as well as use of sub-standard materials, including cement, sand, steel and binding wire in an attempt to make savings. This compromises the stability of the house.

These six points agree with findings of causes of building failures in 2019, which were summed up as: weak foundations; building materials; workers mistakes; overloading; inadequate strength assessment and occupation of condemned buildings.

Mr Giti is an urban planner based in Nairobi

Any feedback on topical issues? We would like to hear from you. Send your views to: weeklyreview@ke.nationmedia.com

MY TAKE



● BY WAGA ODONGO

Last week, Trade Cabinet Secretary Moses Kuria announced that the government intends to import 10 million bags of Genetically Modified maize to combat hunger. Before the ships were docked in Mombasa, Kuria let loose with a verbal gaffe that might as well have sunk the shipment.

According to the minister, Kenya has a litany of things that will kill you. Why not add to that list? It was a stupid, insensitive and callous thing to say, which is par for the course when it comes to Kuria. It didn't escape the notice of netizens that Bill Gates, the billionaire philanthropist, was at State House in the past few days. Many read the two events as related.

Gates is a conspiracy magnet. He has been accused of every globalist crackpot scheme — from trying to microchip Africans with vaccines to being part of a global cabal keen on reducing the continent's population. Trying to use your fortune to help others is a thankless job; Gates and George Soros have been endlessly pilloried as villains bent on planetary domination.

With all the venom the man gets, he probably now thinks he should have bought gold- and diamond-encrusted toilets rather than trying to eradicate malaria. His fellow Microsoft billionaires, Paul Allen and Steve Ballmer, bought NBA teams and sometimes you think Bill probably would have had a better public reputation if he had bought the New York Knicks rather than tried to solve Third World problems.

GM crops, which were already facing widespread skepticism, are now facing near-impossible odds. One argument I have read many times is why we should copy Europe in banning GM crops. Let's compare situations. Let's start with our land. Kenya is about 80 per cent arid and semi-arid. Some counties with vast agricultural potential like Marsabit and Tana

KURIA'S GAFFES DENT GMO BID

Reckless talk from Trade CS: It was a stupid, insensitive and callous thing to say, which is par for the course when it comes to this minister



River have considerable manpower shortages and accompanying security challenges, further reducing the pool of accessible arable land. This problem of having too little land is exacerbated by growing urbanisation that is chipping away at the little arable land we have.

Our population, meanwhile, has begun transitioning. The shape of the population pyramid is changing. The last demographic and health survey showed that the cohort aged under five is smaller than that aged 6-10 due to increased use of birth control. This is excellent news from a food production standpoint as it means our population can only grow via immigration now and not birth. However, we should remember that though the rate of growth is decreasing, the actual numbers are still going up.

We should then remember the neighbourhood we are in. The closer you get to the equator, the more species there are. While this is a boon for biodiversity, it is a terrible proposition for farmers. It means you have more pests and diseases to worry about for your crops. Living along the equator also means that per acre, your yield will always be lower than in a temperate country.

We have been in a four-year drought super cycle whose occurrence scientists say will be more frequent. Global warming will be more pronounced in countries around the equator. Kenya needs to use the

most advanced methods, responsibly controlled of course, to produce as much food while damaging the surrounding environment as little as possible.

Now consider the EU. Countries that use the Euro can all snugly fit in the DRC, yet they produce

and export more food than all of Africa. They are water-rich in Europe, have no deserts and despite all the bleating about migrants coming to their shores, their overall population is falling. They have a better climate for agriculture and fewer pests to worry about.

Climate change is also not as big an issue in Europe. It will not strike their shores with the ferocity it does here. Besides, they are rich and know how to deal with rising seas; a third of the Netherlands sits below sea level and was carved out of the North Sea.

Europe can afford to become a backwater when it comes to GM crops. She is well-fed, rich and is seeing its population decline.

Consider the most famous case of crop failure. Two centuries ago, Ireland fell in love with the potato. It became its main source of food. Then potato blight killed off the entire island's crop. Millions died, thanks in part to their British masters' handling of the situation. Many more emigrated to the United States. The island has never recovered. Its population is lower today than it was two hundred years ago. Now British scientists are having field trials of potatoes immune to blight. Why should any other farmer have to deal with blight ever again? The effect of a failed crop is something that can still reverberate centuries later.

Pointing at Europe and saying they don't use GM crops is the wrong comparison for detractors to use. Use India and China as yardsticks as they are closer to the situation we have locally. Our goal for crops should be to seek those that resist drought, produce the most, require as little pesticide and can resist as many diseases as possible.

However, after Kuria's gaffe, there is only one way the President can save this situation. When the Boeing 737 MAX was again cleared for flights after two deadly crashes, the company's CEO made a point of taking a flight to show its safety. When the maize gets here, the President needs to call the press to State House, get a posho mill, grind the maize and make ugali. Then, under the glare of cameras, he should eat it. Kuria should be present and have several helpings of the meal.

Mr Odongo is a Software Engineer
wagaodongo@gmail.com

HAND-MADE DESIGNER PRODUCTS

SUCCESS IN THE BAG**THE REAL HUSTLERS:** From a side-hustle, Emmanuel Njoroge and Jacqueline Mutune have built their business, Thonge Leather, into a thriving enterprise

● BY EDDY ASHIOYA

Engineers, it is said, dream of selling a toothbrush to every Chinaman. If my subjects today had their way, they would sell milk to a cow, if only just to fatten it and harvest its hide.

Emmanuel Njoroge, 30, plays the good cop, while Jacqueline, 29, (with a q, she insists) Mutune, plays the slightly-distracted cop — a counterweight to the outgoing Emmanuel — who only springs to life when she places you at the scene of the crime. Guilty I am, for I have been lured into their designer business, as they shoehorn me into what it takes to build a successful brand — Thonge Leather.

With their proclivity for hard work, they have, in two years, built a quietly-in-motion brand, more purr than grrr. I am charmed by Emmanuel's command of the social graces, and like a lamb being led to the slaughterhouse, I meekly lap up his words, willingly, as he compliments my eye for detail after I notice the trimming on their leather bags. Word salad, maybe, but that doesn't stop me from feeling inordinately pleased with myself, like a child who has been patted on the forehead.

I am taken by their deportment, impressed even, by his readiness to kowtow. Or maybe it's just customer experience, as they have both worked (Emmanuel still is) at Java Café, before venturing into the muddy waters of entrepreneurship. Thonge, they say, is a Kamba word that means sisal, which is at the heartland of their products. Before they ventured into leather, sisal was what shaped them.

"We started it as a side hustle in 2019. It was a *kiondo* business actually, while I was still employed," Jacqueline says.

The sisal business began when a client at Java complemented Jacqueline on a *kiondo* she was carrying and asked if she could get one too.

"I took Jacqueline to Kariokor [Market], where she had bought the *kiondo*. We bought another one and supplied the client," Emmanuel interjects. Another customer asked for one, and the orders just kept coming and coming. "In a month, we got so many *kiondo* inquiries that we decided to cut out the middleman. We went back to Kariokor, learned how they are made and perfected the art. Why reinvent the wheel when you can make sure it runs smoothly?" That is how



Jacqueline Mutune, co-founder of Thonge Leather, with one of their products.
EDDY ASHIOYA | NATION

the business was birthed," says Emmanuel, with a cheeky Johnny-eating-sugar smile.

When Corona struck in 2020, "we were given voluntary resignation (at work). Taking all the money I was given, I sunk it into the business," says Jacqueline.

It was a risk that paid off, but a risk nonetheless. That took guts. But what doesn't? Thonge currently employs five, with Jacqueline doubling as its Marketing Director and Customer Experience Officer (CEO?) while Emmanuel Njoroge is in Product Design and Logistics, flanked by a network of *fundis* on retainer. "This team," Emmanuel says, "just makes sense."

Their best-selling items are wallets, keyholders and laptop bags, which are monickered with tourist-grabbing Swahili, Luo and Maasai names: the Loibons, the Jabers, the Joharis and the Msafirir. "What's in a name? That which we call a rose, by any other name, would smell as sweet." So declares Juliet as she laments the name of her beloved in Shakespeare's Romeo and Juliet. But maybe Shakespeare had it wrong all along; a rose by any other name might still smell as sweet, but a bag by any other name would not sell as well.

"The Loibon laptop bag is our best seller, yet it is the one that we hardly advertise."

Apropos of nothing, an old Swahili saying waltzes into my brain. "*Kizuri chajiuz, kibaya chajitembeza* (A good thing sells itself; a bad one needs to be advertised.) The Loibon laptop bag, in case you are wondering, goes for Sh16,500.

"We stumbled upon leather products while researching on *kiondos* and challenged ourselves to enter that market," says Jacqueline. "The fastest-selling items are men's items." But I thought men don't buy fashion? Interestingly, she says, a lot of ladies are also buying men's wallets for men. "But we rarely find men buying ladies' wallets for their women." Ah, so it's not that men don't buy stuff, it's just that they don't buy stuff for women. Gotcha.

Thonge sources its leather from Athi River, Sagana and Aziz in Njiru. "Leather in Kenya is affordable," says Emmanuel. "But the whole cost of production is very expensive," adds Jacqueline. Maybe they are in sync, maybe they have worked together for so long that they are now completing each other's sentences.

"We hand-make leather briefcases, laptops, wallets, totes and travel bags using the best methods, leather and materials. We are deliberate and methodical. We strive for perfection, not expediency. Many customers often look back on their purchases and routinely tell us that they are more satisfied now than on the first day they received their bags." Which is just



Emmanuel Njoroge is co-founder of Thonge Leather. EDDY ASHIOYA | NATION

as well because their tagline screams: “Last a lifetime.” Looking back over your career, were there particular moments that pushed you to where you are today? “I worked at Java for six years and trained until I became a hostess. At Java, you get to work and learn how every department operates. It’s not an easy job and you get different customers every single day,” Jacqueline answers.

“For me,” says Emmanuel, “I still work at Java. And it is teaching me, seven years now, about business, about customer experience. Getting exposed to various clients helps you skill up and learn to read the room.”

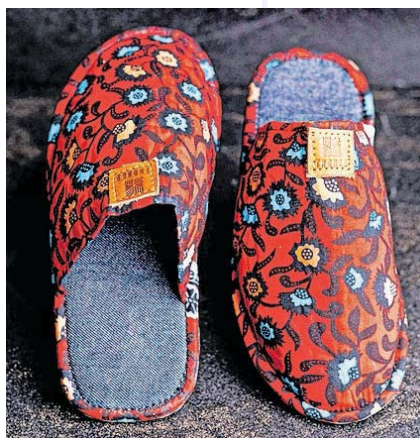
Emmanuel can definitely work a room. He is good at customer service, with his impish charm and oozing chutzpah in spades. Jacqueline, with her authentic appeal, is a tower of cool and confidence. Self-assurance seems like a birth right. I am naturally curious to know what they struggle with.

“Being a boss to older employees, they may find it very disrespectful when you correct them,” Emmanuel offers. “As an individual, it is the ability to balance employment and business. It’s a lot of plates in the air and the pressure can get to you.” That’s why they list the preternaturally poised Julian Kyula as a mentor and someone they look up to in entrepreneurship. (Kyula in 2010 founded the MODE Group, a highly successful multi-million-dollar international fintech company that went on to become a global leader in cashless microservices with a presence in over 14 African countries and 26 others globally.)

“For us, success is creating employment for other people.” They say they are big on community service, on extending a helping hand. “What impact are we creating in the commu-



Thonge Leather is a Kenyan firm that makes briefcases, laptops, wallets, totes and travel bags. Below: Traditional sandals. EDDY ASHIOYA | NATION



nity? How can we reduce the 65 per cent level of young people who are unemployed? That’s our mission.” “And of course, through God’s grace, we are looking into having a big manufacturing plant.”

“To be known and to be the best quality leather product company in this region. We believe we will get there,” adds Emmanuel, for further emphasis.

They almost quit it all, however. Edward recalls how entrepreneurship can be a soul-sucking business, not for the faint-hearted nor those weak in spirit. “Growing a business,” says Emmanuel, “needs money. Lots of money. You

THONGE LEATHER PRODUCTS

From production to point of sale, Thonge Leather engages with locally produced leather.

- Loibon – Laptop Bag
- Jaber – Ladies Wallet
- Joari – Laptop Bag
- Jelani – Travel Bag
- Azuri – Laptop Bag
- Wawira – Tote Bag
- Ola – Tote Bag
- Msafiri – Passport Holder
- Mizuri – Men’s Wallet
- Tsitsi – Kiondo

have ideas, and you have products but no one is buying. Bro, it is not easy.” They add a promissory note: God has been faithful. God, to them, is a big deal. There are people who trust God, and then there are people whose trust is in God. They are blessed, and you can almost feel it on them. It’s like an aura, to be touched by God. Business has taught me not to rush, says Jacqueline. “What are you getting yourself into? Understand the language of investors, and understand the language of money. Grow what you have first before you ask for someone’s money.”

They tell me of their sacrifices. Of cajoling, then coercing, before finally convincing their siblings. “I put all my savings into this business.” If your dreams don’t scare you, so goes the garden-variety *bon mot*, then they are not big enough. Theirs is the dream of our collective inner adolescent, that fantasy can become real life. That it’s the shadows that count, not the light. That’s why those who wake up are the ones who actually build their dream. Like Michael in *The Godfather*, we are masters of our own world.

“The stage we are in now is a growth-scaling period,” Jacqueline says matter-of-factly.

If everything were to end today, what would they like to be remembered for? “That we did our best in whatever we did. That our clients could rely on our integrity, and quality of products,” says Emmanuel.

Jacqueline is pensive. “It is the impact I created in my community. I want to lift my community and leave a dent in the universe. Even if it is just on one person.”

They are a charming combo, sweet-natured but hardest-worker-in-the-room kind of journeymen, with the charisma and backstory to go with it, ready to deliver the one-for-the-little-guy victory. That’s not something you do if you’re lazy or unambitious. Only the thing for which you have struggled will last, another Nigerian proverb says. This then — their triumph — will last.

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MODERN FASHION

● BY SINDA MATIKO

We've all probably heard the expression 'accessories make the outfit'. However, this is the case only if you wear your accessories in the right way.

Each piece adds value to your outfit but as was once cautioned by French designer Coco Chanel – founder of the world-renowned luxury designer brand, CHANEL – one must not over- or under-accessorise. That advice by Chanel, who died in 1971 aged 88, still holds true to this day.

Just like clothes, accessories are a great way to show off one's personal style. There was a time when accessorising in Kenya was only perceived to be a feminine affair, or if one was a celebrity, the likes of CMB Prezzo, 'King of Ma-bling'. Does that ring a bell?

Those were the days when a man would be perceived as a lost cause if he was ever spotted wearing a bracelet or neck pendant. A simple haircut was as far as the male would go in the world of grooming.

A great deal has changed now with the growth of a metro-sexual culture in which grooming is given emphasis, with accessories being a key ingredient.

What this culture has done is to create an opportunity for the emergence of the male accessories business, and young creatives like Collins Dominic have taken full advantage of it.

The 26-year-old model is the owner of Glassbox, which deals in men's jewellery and eye-wear.

"While modelling, I realised that most men who are in their late 20s to late 30s do not only care about looking good, but they want to be stylish too. I set up Glassbox with the aim of adding class to modern style with a little bit of luxury," Dominic says.

Rapper Fena Gitu, fashion model Sean Andrew, content creator Seth Gor and car dealer Khalif Kairo are some of the personalities he name-drops from his long list of clients that also includes doctors, lawyers, pilots and corporate executives.

"Our items are neither cheap nor pricey, but affordable. Our target is the middle class between the ages of 27-38. These are people with spending power; they love to look nice, go out for parties and vacations and generally find themselves in spaces where looking presentable is key," he adds.

The African Development Bank categorises the Kenyan middle class as those earning an average annual income of Sh4.7 million or more.

The prices at Glassbox range from Sh3,000 per piece up to Sh10,000, depending on the item be it a ring, bracelet, neck pendant or pair of glasses. "Being luxurious doesn't necessarily mean expensive," he says.

"We are not about convincing but persuading. You already have the idea of how you want to look; I can only advise you on what to pick and pair it with."

The jewellery is made of stainless steel (and comes either silver- or gold-coated), gemstones and pure silver imported from Asia.

PIMPING UP THE METRO MAN

FASHION: The growth of a metro-sexual culture in which grooming is given emphasis has created an opportunity for the emergence of the male accessories business



Collins Dominic is a model who also runs a jewellery shop, Glassbox, in Nairobi.

Our items are neither cheap nor pricey, but affordable. Our target is the middle class between the ages of 27-38. These are people with spending power, they love to look nice, go out for parties and vacations and generally find themselves in spaces where looking presentable is key.

Collins Dominic



“When I started out in 2020, all I wanted was to address the question everybody kept asking me ‘Where did you get this?’” He points at his serrated, gold-coated bracelets, which look as good as new though he has been wearing

them for two years now.

With a starting capital of Sh15,000 Collins set out to address these queries, but there were no quality products readily available in the Kenyan market.

“I started with glasses. I would source them from the streets but the quality was wanting, while the prices at established opticians were too high. My intention was to create a luxury brand not for everyone but at the same time for everybody.”

With quality being a major issue, Collins found he had only two options: to import or to purchase from Kenyan retailers. The local jewellers, he found, also imported their stock and sold it at very high prices. “I took a risk and started importing from Asia, having raised capital of Sh150,000.”

The risk was worth it because two years down the line, business is booming and demand is increasing by the day.

He has even employed three young people to help run the business. He attributes his success to the quality and uniqueness of his merchandise.

Marketing and branding have also been key driving factor in promoting the business. “Social media has been of help to the business,” says Dominic.

The African Development Bank categorises the Kenyan middle class as those earning an average annual income of Sh4.7 million or more. The prices at Glassbox range from Sh3,000 per piece up to Sh10,000, depending on the item be it a ring, bracelet, neck pendant or pair of glasses.

SH15,000

With a starting capital of Sh15,000, Collins set out to address several fashion queries, but there were no quality products readily available in the Kenyan market.

“We work with selected influencers who appeal to the target demographic. Referrals from happy clients have also had a positive impact on the business.”

At the store at Intermark Business Centre in Nairobi, the jewellery is neatly arranged on glass shelves. For subtle or minimalist rings with few details, the starting price is Sh3,000. “These are for the guys who don’t want to attract too much attention,” he explains.

Then there are what he describes as ‘statement rings’ with a lot of detail, including gemstones, which range between Sh5,000 to Sh10,000, depending on the quality.

There are two types of bracelets, Roman and serrated, either in silver, rose gold or gold which retail at Sh3,000, as do pendants.

Then there are the sunglasses and blue light glasses.

“The blue light ones are for guys who spend most of their time behind computers. They protect the eyes from the excess lighting but also look stylish and can be worn anywhere.”

As I stand to leave, Dominic asks how I like to accessorise. “Simple,” I answer.

“Simple is beautiful; less is more,” he agrees.

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The FLIP SIDE
With John Niyaganjyaha
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WOMAN POWER

RWANDAN REFEREE SALIMA MLUKANSANGA MADE HISTORY AS THE FIRST AFRICAN WOMAN TO OFFICIATE A MEN'S WORLD CUP MATCH WHEN DEFENDING CHAMPIONS FRANCE BEAT AUSTRALIA 4-1 IN THEIR GROUP D OPENER ON TUESDAY, NOVEMBER 22, AT AL JANOLIB STADIUM IN AL-WAKRAH, QATAR. THE 33-YEAR-OLD WAS ALSO THE FIRST WOMAN TO OFFICIATE IN THE AFRICAN CUP OF NATIONS IN 2022. THE RWANDAN OFFICIAL TOOK PART IN GAMES AT BOTH THE TOKYO OLYMPICS AND THE WOMEN'S WORLD CUP IN FRANCE. MLUKANSANGA HAS A BACHELOR'S DEGREE IN NURSING.

STAR OF THE WEEK

ARSENAL FORWARD BUKAYO SAKA'S TWO GOALS IN ENGLAND'S WORLD CUP OPENER AGAINST IRAN ON MONDAY LAST WEEK HAVE CATAPULTE HIM TO GLOBAL PROMINENCE. HE IS ONE OF THE MOST WELL-MANNERED YOUNG MEN YOU ARE EVER LIKELY TO MEET. HE IS ALSO RESPECTFUL, INTELLIGENT AND ALWAYS HAS A SMILE ON HIS FACE. THESE QUALITIES HELPED HIM TO OVERCOME SERIOUS ADVERSITY IN HIS YOUNG LIFE AFTER HIS DECISIVE PENALTY MISS IN THE EUROPEAN CHAMPIONSHIP FINAL SHOOTOUT LOSS TO ITALY IN 2021 LED TO DISGUSTING RACIST ABUSE ON VARIOUS ONLINE PLATFORMS. HIS CHARACTER AND POSITIVE ATTITUDE HOWEVER SAW HIM RISE TO BE VOTED ENGLAND'S PLAYER OF THE YEAR 2021 AND NOW HE IS SETTING THE WORLD CUP ABLAZE WITH HIS TALENT. AT ONLY TWENTY ONE YEARS OF AGE, THE BEST IS SURELY YET TO COME FROM HIM.



opinion



■ We need our own Marshall Plan to turn the vast arid and semi-arid land into a huge farmland

Transform the desert into productive land

President Ruto last week set up a high powered team, headed by Safaricom boss Peter Ndegwa and dominated by bank chiefs, to mobilise resources to alleviate the effects of the drought that has ravaged more than 20 counties, caused millions to starve and thirst, and killed cattle, camels and donkeys.

We have been here before. In 2011, the Safaricom Foundation and the Kenya Red Cross led a huge private sector effort to mobilise resources, actually raising Sh677 million in cash and Sh300 million in kind, to help deal with exactly this same state of affairs. Then, the sector responded to harrowing media exposes of starvation and death.

This time around the President himself is looking to deploy the thinking, power, appeal, wealth and rapid execution of the private sector to drive the mobilisation of resources to support interventions to protect affected populations from the effects of drought.

Just as Kenyans responded with great speed and enthusiasm to the plight of their compatriots 11 years ago, so also will they, I believe, step up to the plate and join hands with the President's National Drought Mitigation Appeal Fund to bring relief to the millions of fellow citizens devastated, yet again, by the calamitous effects of drought and famine.

When talking to my sources in Loiyangalani, a sub-county of Marsabit County, on Tuesday night, I learnt that when people in Northern Kenya lose their camels and donkeys, it's like coming to the end of life. The camel, and



**KWENDO
OPANGA**

to a lesser extent, the donkey, are the sheep of the desert. They can survive long stretches of adverse weather. But this time round, most of them succumbed.

The few sheep and goats that have survived, I was informed, have adapted. They partake of the maize, beans and rice that were given to their owners three weeks ago when, after what seemed like an eternity, the relief caravan arrived. The maize, beans and rice have run out for most and are fast running out for the rest.

Beggars cannot choose, especially if they are starving and have lost their livestock. Therefore, the people of Loiyangalani, who are pastoralists and fishermen, have had to replace their staples of beef, fish and milk with maize, beans and rice because they have got to survive this drought and the famine it has wrought.

But should things have gotten this bad before the national government intervened? This is the fourth cycle during which the rains have failed. When rains fail for a season, that's a warning that people need help. When rains fail for two seasons that is a crisis. Four seasons

without rain is, of course, a tragedy on a gigantic scale.

This is where Marsabit and 19 other counties are. Nineteen out of 47 means about half of Kenya is drought-stricken and famine-ravaged. And this for the umpteenth time, only this time, most people say, it is the worst they have seen or experienced. No wonder the President is scrambling into action.

But what he is doing is akin to helping a patient stop bleeding. The treatment must then follow and in the case of Northern Kenya this calls for a our own Marshall Plan to, for example, turn this vast arid and semi-arid land into a huge farmland.

If the massive aquifers in Turkana County are not of much use because the water is saline, then Lake Turkana should be considered as a source of water for irrigation. Like lakes Nakuru, Naivasha, Ol'Bolessat and Bogoria, it is overflowing and expanding. But it is yielding very little fish and of the tiniest variety. Why not put it to more productive use?

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opinion

■ SEPARATION OF POWERS

Fanatical MPs should stick to their lane



MACHARIA
GAITHO

Speaking out in support of duty-free maize imports, Kikuyu MP and National Assembly Majority Leader Kimani Ichungwa reportedly used the term ‘we’ while explaining what the government intends to do.

That might look like a minor and irrelevant issue, but it signals a serious threat to democratic traditions and institutions.

Our democracy is built on a pillar of three independent arms of government as outlined in the Constitution. The Judiciary, the Legislature and the Executive (for the purpose of this article I will not dwell on the unstated but most important arm of all, the Fourth Estate) are the equal arms that operate independent of each other and each with its own defined role.

When he uses the term ‘we’ in regard to government intentions or actions, Ichungwa has clearly forgotten that he is not a part of the Executive, but a member of the Legislature and elected representative of the people of Kikuyu Constituency.

He is not alone in the mistaken belief that being elected on a ticket of the governing United Democratic Alliance/Kenya Kwanza Alliance makes him a member of the government branch. Others who notably suffer this identity confusion include Kiharu MP Ndindi Nyoro, Kapsaret MP Oscar Sudi and Kericho Senator Aaron Cheruiyot, who also happen to be amongst the most voluble and excitable defenders of President William Ruto.

Of course there is nothing wrong in the MPs expressing and demonstrating loyalty to their party and its leadership. Indeed, even in performance of their parliamentary duties they will be expected to toe the party line. They were elected on tickets whose policies and programmes they would be expected to defend and espouse; and if they dissented the honourable course would be to resign.

That expected level of loyalty, however, still does not make them part of the Executive. They are not cabinet secretaries and cannot hold themselves as such.

They are members of the Legislature, elected not to be sycophants but to sit in oversight over government. That is a noble constitutional prerogative that cannot play second fiddle to extraneous considerations.

If Parliament, both National Assembly and Senate, failed in its oversight role just because a

few overzealous members did not understand their role, our democracy is under threat.

The elected leaders exercise the oversight role not in service to their party and president, but on behalf of their constituents who elected them, and ultimately on behalf of all the 50 million Kenyans who demand and expect that Parliament will keep the government in check.

It is the duty of Parliamentarians to ensure that taxpayer monies are well spent and properly accounted for. They are also supposed to pay close attention to all Bills and motions, making sure that no laws are sneaked in to ease theft of assets, allow a creeping dictatorship and human rights abuses, or any other mischief.

Parliament, in short, plays the role of Watchdog of Society, keeping a close watch on the Executive and ensuring that interests of citizens remain paramount.

It follows that an MP who is so mesmerised by the illusion of power that he directs first loyalty to the President, the Executive and the Party, loses sight of his primary constituency, the people.

The honourable option is for such an MP to resign from the Legislature and seek a fresh challenge in the Executive branch, providing one has the necessary training, skills and expertise, and that there is space in an already bloated establishment.

Anything short of that is a betrayal of the electors and must be vigorously exposed. MPs must realise that they owe their primary constituent both quality representation as well as diligent performance as the watchdog.

When he uses the term ‘we’ in regard to government intentions or actions, Ichungwa has clearly forgotten that he is not a part of the Executive, but a member of the Legislature and elected representative of the people of Kikuyu Constituency. He is not alone in the mistaken belief that being elected on a ticket of the governing United Democratic Alliance/Kenya Kwanza Alliance makes him a member of the government branch. Others who notably suffer this identity confusion include Kiharu MP Ndindi Nyoro, Kapsaret MP Oscar Sudi and Kericho Senator Aaron Cheruiyot.

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It should not be shocking that Kenya is at risk of a ban from international athletics competitions because of the rising numbers of doping violations.

It certainly should not come as a surprise to the leadership of Athletics Kenya that the unchecked use of banned performance enhancement drugs they preside over would sooner or later catch the attention of the world athletics governing body’s anti-doping mechanisms.

The fact is that Kenyan sports officials are complicit in doping that seems to now be conducted on industrial scale.

They know the athletics training camps in the Rift Valley and the managers, agents and coaches who preside over systematic doping of naive young athletes, but refuse to take action.

It can only be presumed that the athletics officials prefer to turn a blind eye because they are beneficiaries of the criminal actions.

Many of them seem to be on the payroll of the foreign agents who are pumping our young athletes with banned drugs and running them to exhaustion and early burnout before picking the next line of victims from the inexhaustible production line.

We now have to face up to the fact that goings-on in the athletics training camps have taken on the characteristics of organised transnational crime.

It must be fought as such, with the same level of dedication and resources as allocated to the fights against terrorism, narcotics, arms smuggling and trade in wildlife products.

All those aiding and abetting the criminal enterprise and benefitting from it must be arrested and dealt with mercilessly by the law, including stiff jail terms and seizure of all proceeds of crime.

Kenya is an athletics superpower on the natural talents and unmatched dedication of thousands of young men and women, but greed amongst officials and their foreign paymasters has spawned a vast enterprise exploiting illicit shortcuts that ultimately are destroying the lives of young athletes who are used and discarded with numbing regularity.

It will take an international effort to destroy the criminal syndicates and restore integrity to our athletics.

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kenya lens

■ BOARDROOM WARS A THREAT TO HEALTHCARE

NHIF: UHC ON THE ROCKS

National Hospital Insurance Fund CEO Peter Kamunyo and board chairman Lewis Nguyai.

The Kenya Kwanza administration's plans to roll out Universal Health Coverage could suffer a blow due to wrangles between the board chair and the CEO

BY OSCAR OBONYO

A bizarre turn of events at the National Hospital Insurance Fund (NHIF) has left the sick and the dying virtually bereft of crucial medical services as the board and chief executive officer battle over administrative issues and control of resources.

While tension has heightened this time around, this is a skirmish that has dogged NHIF over the years and through past governments. If the feuds between the board and its CEO are not addressed, the government's fervent desire to execute the Universal Health Care (UHC) could forever remain a pipe dream.

The NHIF CEO, Dr Peter Kamunyo, is embroiled in a tussle with the board chairman, Mr Lewis Nguyai, over managerial issues. The rift has affected services, with the board on the receiving end for allegedly trying to micro-manage operations.

Since his appointment in 2020, several reports have popped up questioning Nguyai's suitability. Players in the health sector attribute the unending frictions at NHIF to structural weaknesses that allow the board chairman to act like an executive official, leading to

a clash in operations.

This arrangement has reportedly led to confusion over who is responsible for the management of the institution. Although the CEO is the accounting officer, the chair also seeks to implement policies. Because of this sorry scenario, Dr Kamunyo and Mr Nguyai are a subject of discussion before the National Assembly's Health Committee.

The tiff is similar to wrangles that have stalked previous chief executives and their boards. Former NHIF CEOs Richard Kerich and Nicodemus Odong' had friction with the board. And before Nguyai came into the picture, Kamunyo was in conflict with the previous board chaired by Hannah Muriithi.

Dr Richard Kamau, a member of the board, points to the existence of a "small hiccup" with regard to the structure and roles of the two senior positions. "There is much more to the current differences, although I think the problem has been exaggerated," he confided to *The Weekly Review*.

Mr Nguyai says his role and that of Dr Kamunyo are distinct and well spelt out: "The board is charged with the duty of policy making while the CEO executes implementation, meaning if we have a problem with interpre-

tation of policies and amendments to the law, then it should be clear to us where the problem lies."

The tiff between the two is said to have been ignited by the latest effort by the CEO to suspend contracts of 17 medical facilities implicated in a major claims scam. The conflict reportedly revolves around kickbacks that range between three to 10 per cent of the amount of claims paid to hospitals.

The CEO recently told the media that some senior executives were implicated, hence his effort to streamline services by suspending some hospitals. The hospitals often fight each other for referrals – a factor that has caused friction in the health sector.

Mr Nguyai directed Dr Kamunyo to revoke cancellation of the affected facilities, saying the CEO's actions amounted to insubordination: "He has not responded to my letter over the revocation of contracts for some 17 health-care providers. He needs to be disciplined and that we will do shortly," said the former Kikuyu MP. Dr Kamunyo said he acted on evidence from investigations.

Whereas there was a directive by the previous administration to implement a centralised healthcare system to control fraud, the

kenya lens



President William Ruto



Susan Wafula Nakhumicha
Health CS



Richard Kerich
Former NHIF CEO

Nguyai-led board has been fingered for solely headhunting for an overseas organisation to provide a system, even to the extent of ignoring a directive by the Ministry of Health.

Reliable sources indicate that periphery systems for managing evacuation are being driven by a Jubilee party honcho who has a firm associated with hailing services. The official is believed to be the force behind Nguyai's appointment.

Scaling up of universal health coverage is one of Presidential William Ruto's pet projects. During his first Mashujaa Day address on October 20, he reiterated his commitment to making the fund all-inclusive to enable everyone, "including hustlers (economically disadvantaged Kenyans struggling to make ends meet)" to enroll.

Noting that about a million Kenyans fall into poverty every year due to healthcare costs, he promised to expedite reforms at NHIF: "The challenge is NHIF is an occupational scheme tailored for salaried people on payroll in the private and public sectors and not the social insurance scheme it ought to be. We shall change the contribution structure from an individual contributory scheme to a household contributory model."

Sources at NHIF said if the entity is not rescued, it could collapse owing to dwindling of resources due to plunder. This is because members' monthly contributions are not coming through smoothly as staff are distracted by the boardroom battles. Unconfirmed reports say staff have been manipulating the system by inserting new members for high-end medical treatment.

There has been an influx of new admissions of elderly patients reported, particularly from Isiolo and Meru, who are allegedly inserted into the system then subjected to expensive surgeries even before the mandatory three-month or six-month cooling-off period. Dr Kamunyo is worried about this development and warns that something has to be done immediately "otherwise NHIF will never achieve its mandate of provision of the UHC".

Dr Ruto has for long – since he was Depu-

ty President – rooted for UHC through an increase in the funding pool for the NHIF scheme by pegging contributions to the monthly pay of workers. During the campaigns, he pledged to reform NHIF by recalibrating contributions so that those with higher earnings pay more – a proposal that saw him lock horns with the Kenyan workers' representative, Central Organisation of Trade Unions Secretary General, Francis Atwoli.

In the looming changes, individuals earning over Sh100,000 will pay contributions at the rate of 1.7 per cent of their earnings instead of the flat-rate fee of 1,700. In a *Kenya Gazette* notice of October 21, 2022, the Ministry of Health headed by outgoing CS Mutahi Kagwe invited comments from the public over the revised rates.

The proposed regulations include NHIF Beneficiary Identification Regulations 2022, NHIF Member Registration Regulations 2022, NHIF Contributions Regulations 2022, NHIF Empanelment and Contracting Regulations 2022 as well as NHIF Benefits and Claims Regulations 2022. According to the proposed changes, under the Contributions Regulations sector, employers shall remit the amount deducted as a standard contribution to the fund on or before the ninth day of the month.

But as it stands today, the NHIF Amendment Act remains suspended by a court order while the management is busy fighting instead of working to ensure the execution of UHC. Ideally, NHIF should by now have laid out strategies to fight the court order since this is a strategic document that determines its fate.

Instead, Dr Kamunyo and Mr Nguyai are locked in a battle of resource management. The war has split the organisation right down the middle, with staff and board members taking either side.

Those opposed to the CEO accuse him of not interpreting policies aptly. The chairman's critics allege he was previously involved in the management of a health insurance firm that became insolvent with millions of clients' money. The politician is also accused of managerial incompetence.

SCIENCE & TECH

Apple, Google face gaming, browser probe

Apple and Google's dominance over cloud gaming and mobile browsers will be investigated by the UK's competition regulator, it has announced.

Last year, a "market study" by the Competition and Markets Authority (CMA) concluded they had a "stranglehold" over operating systems, app stores and web browsers on mobile devices.

If the 18-month investigation finds an adverse effect on competition, the CMA can impose changes. Both companies deny the accusations.

CMA interim chief executive Sarah Cardell said it wanted to ensure UK:

- Consumers received the best new mobile data services.
- Developers could invest in innovative new apps.

"Many UK businesses and web developers tell us they feel that they are being held back by restrictions set by Apple and Google," she added.

In the UK, the CMA says:

- 800,000 people use cloud gaming services.
- 97 per cent of mobile web browsing last year was on browsers powered by Apple or Google's software.

Google said its Android operating system offered a greater choice of apps and app stores than any other mobile platform.

It enabled developers "to choose the browser engine they want and has been the launchpad for millions of apps".

Apple said it "believes in vibrant and competitive markets where innovation can thrive".

Its App Store had helped millions of developers turn their ideas into apps, which had supported hundreds of thousands of jobs in the UK alone, it said.

"We will continue to engage constructively with the Competition and Markets Authority to explain how our approach promotes competition and choice, while ensuring consumers' privacy and security are always protected," Apple added.

FLYING TAXIS GETTING CLOSER TO LIFT-OFF



A prototype 'flying car', part of a project aimed at 'on-demand autonomous air transportation'.

WASHINGTON

Flying taxis appear to be a bit closer to getting off the ground.

US air regulators this week published rules to formally add the machines, which mix characteristics of helicopters and planes, to the list of regulated aircraft.

The update is necessary before firms can offer flights to customers. The move comes as companies have ramped up investments in the new technology, which has been presented as the transport of the future. Money has been pouring into the sector, as major airlines place orders and investors bet on a crop of start-ups.

The new aircraft, also known as electric vertical takeoff and landing (eVTOL) aircraft, can take flight and land without needing a runway, while also travelling long distances like an aeroplane. They use electric motors, reducing noise and pollution compared with standard planes. It has been argued they could help reduce traffic congestion in crowded

cities without being too expensive for customers. They are also seen as an alternative for transporting cargo.

In Europe, the industry is hoping to get flying taxis off the ground in time for the 2024 Olympics in Paris. The Federal Aviation Administration (FAA), which has faced industry pressure to clarify the rules for their flight, said on Monday last week it was proposing to expand its definition of the machines it considered air carriers from airplanes and helicopters, adding "powered lift" to the list.

The agency called its move "an important step toward making commercial air taxi operations a reality". The rules now face a period of public comment before they can go into effect.

"This powered-lift definitions rule lays the foundation that will allow operators to use powered-lift aircraft," it said. "This is important because our regulations have to cover powered-lift aircraft for them to be able to operate, including commercially."

The agency also said it expected to publish proposed

rules for operating such aircraft in summer 2023. Those rules will outline in more detail the criteria that firms will need to meet to license pilots and launch their operations.

Walter Desrosier, vice-president of engineering and maintenance for the General Aviation Manufacturers Association, called Monday's move an "absolutely essential first step" that signals that the FAA is committed to making progress on the topic.

"This is very, very positive progress, but the details are still to come," he said.

Most analysts in the US do not expect flying taxis to officially lift off until 2024 or 2025 at the earliest, due in part to ongoing debate about how to regulate the new machines, which will run into local regulatory issues as well as ones at a national level.

Despite the uncertain timeline, United Airlines and Delta are among the major companies that have committed millions of dollars to the idea in recent months. Globally, hundreds of firms are racing for a piece of the action.

africa lens

■ INTERNATIONAL INVESTMENT CONFERENCE

SOMALIA WOOS KENYAN INVESTORS

Although trading in Nairobi is more organised and structured, it has become easier and more affordable to do business in Somalia than in Kenya



Somali traders load their lorries with imports at the Kismayo Sea Port on October 6, 2021. PHOPTO/MARY WAMBUI/NATION

● BY OSCAR OBONYO

Somali nationals humorously refer to their Somali-language speaking counterparts in Kenya as “*Sijui*” – which in Swahili means “I don’t know”. The reference is aimed at distinguishing between the Somali from Somalia and Kenya, especially in business circles.

Being a business community, the *Sijui* nickname came into force logically during the day-to-day dealings of traders at Bakaara Market in the Somali capital of Mogadishu and Eastleigh in Kenya’s capital of Nairobi. “Our Kenyan friends use this word (*sijui*) often whenever one bargains with

them or makes inquiries about prices or origin of goods,” explains Fowzia Omar, a petrol trader at Bakaara Market.

Ironically, though, the *Sijui* crop of Somalis appears to be all-knowing – a factor that is sometimes a source of friction and unhealthy business competition. According to Omar, the stand-off is mainly between the Kenyan Somali and the diaspora community from Somalia living in Canada, USA, the UK and the Middle East.

And as Somalia gradually recovers from decades of state collapse following prolonged internal strife and anarchy, the country has become an attractive trade and investment destination in the

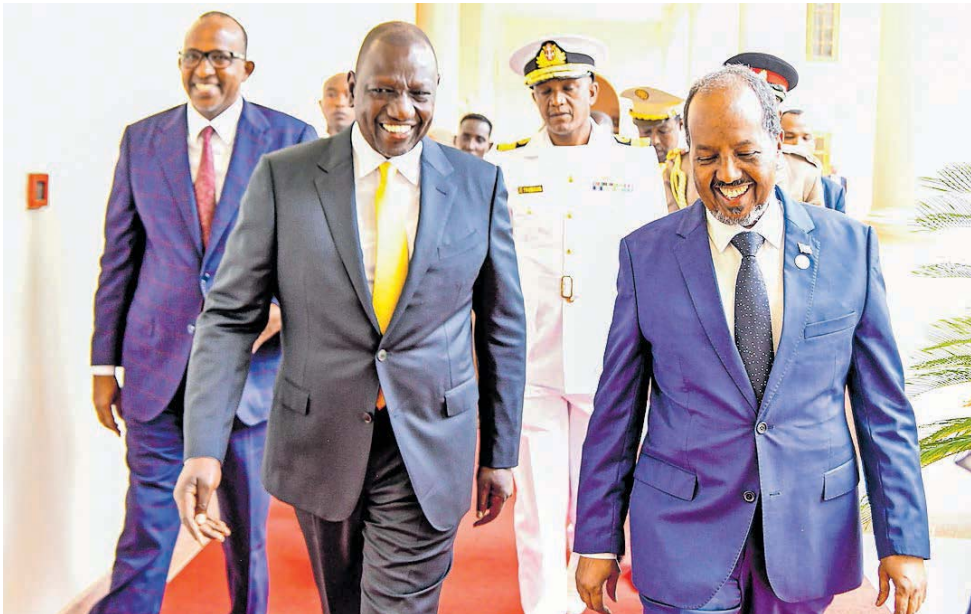
region. Kenyan traders accordingly face a potential scramble for business opportunities with Somali nationals returning home, as well as investors from other countries in the region and across the globe. However, according to Mr Abdinor Dahir, a senior official at the Federal Government of Somalia’s Ministry of Planning, Investment and Economic Development, there are vast investment openings in the country and local, as well as international, investors have an opportunity, from Monday this week, to engage government officials on their business prospects.

This will be during the Somalia International Investment Con-

ference, the first such event to be hosted in the Horn of Africa nation, to run between November 28 and 29. The conference, says Dahir, is expected to provide an opportunity for the Somalia government to showcase investment opportunities, sectoral studies and the general business and investment climate in Somalia to the world. Ideally, the Somalia government and the private sector will engage potential investors and share progress made in improving the business environment and the legislative drive “that guarantees investments protection in (the country’s) journey towards socio-eco-

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africa lens



President William Ruto with Somalia President Hassan Sheikh Mohamud and Defence CS Aden Duale at State House, Nairobi, in September.

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conomic and political recovery”.

Dadaab MP Farah Maalim believes the business potential in Somalia “is massive”, only that previous governments appear to have been indifferent to exploiting the available opportunities.

The former Deputy Speaker of the National Assembly accuses the Kenyan government of failure “to seriously address” the question of insecurity to craft relevant enabling policies and to create an environment for business to thrive between the two countries.

One of the major impediments to cross-border trade between the two countries is transportation. Patrick Mwenda, a *miraa* (khat) farmer and trade, singles out this factor – from his farm in Meru County to Nairobi and then Hargeisa in Somaliland – as a stumbling block. The challenge is not just about transportation of the produce but for his travel too; he wishes to visit Somalia and Somaliland occasionally to personally monitor his business.

Owing to bureaucracies and travel restrictions, Mwenda and his ilk largely rely on middlemen from neighbouring countries to run their business. To date, passenger planes from Somalia do not fly direct to Nairobi but via Wajir airport for security reasons. While Defence Cabinet Secretary Aden Duale is alive to complaints from the business community

from both nations regarding time spent in transit, he maintains the issue requires intervention of colleagues from the Transport, Interior and Trade ministries as well.

Forty days after his swearing-in ceremony, President Hassan Sheikh Mohamud made an official trip to Kenya and met with President Uhuru Kenyatta. The two leaders tried to address some of these challenges. In a joint communiqué from State House, Nairobi, in July, the two presidents lifted the ban on *miraa* exports to Somalia. Since resumption of trade in the stimulant four months ago, Kenya has earned an estimated KSh4 billion in exports.

In the communication, signed by Kenya’s Principal Secretary in the Ministry of Foreign Affairs (MFA), Kamau Macharia, and Somalia’s MFA Permanent Secretary, Mohamed Ali Nur, Mohamud and Kenyatta also agreed that scheduled Kenya Airways flights to Mogadishu resume immediately “based on the existing Bilateral Air Service Agreement”.

They further sought to address the travel concerns raised by directing the relevant agencies “to implement the issuance of courtesy visas free of charge/gratis, on arrival”. They similarly underscored the need to process visas for holders of ordinary passports as soon as possible.

Awil Osman, a Mogadishu-based technology service provider from Kenya, observes that there is lu-



Somalia Foreign Affairs PS
Mohamed Ali Nur

crative business in the IT sector in Somalia, particularly because of the apparent shortage of tech talent in the Horn of Africa country, coupled with the increasing demand in the IT sector.

With the previous impediments involving registration of business entities and trade permits having gradually been addressed, Osman points out that it has become easier and more affordable to do business in Somalia than in Kenya.

However, trading in Kenya is more organised and structured, only that the process of getting valid trading paperwork is laborious. A foreign company getting into the Kenyan market with diverse services, for instance, may require multiple licences to operate. This is unlike in Somalia, where business licensing is done at one go. However, according to Osman, the tax regime in Somalia is punitive, not to mention the high threat of insecurity in the capital of Mogadishu and across the country.

Noting that Somalia has enormous resources and is keen on positioning itself as an investment destination and valuable trade partner, Dahir says the Mogadishu conference will unveil potentially unique opportunities for investors to explore. President Mohamud is expected to officially open the conference.

“The economy has shown a measure of resilience, attributable to increased private sector activity, particularly in the transport, telecommunications, money transfer and business services sectors. And with a recent rise of investment from the US, Germany, Turkey and the United Arab Emirates, the country is becoming a potentially attractive trade and investment destination,” says Mr Dahir, a Senior Strategic Investments Adviser at the Somalia Investment Promotion Office.

This is an opportune time for Kenyan investors to tap into Somalia’s key economic growth drivers. With an increase in cross-border trade and strong people relations, Somalia and Kenya are already the most integrated countries in the Horn of Africa. Key investment opportunities lie in energy infrastructure, which is a priority investment for the Somali government and a particularly low-hanging fruit for Kenyan businesses, and the agriculture sector, considering that Somalia’s dependence on food imports is falling and the first movers into the sector would be in a good position to establish strong brand recognition and product loyalty.

The blue economy, according to Mr Dahir, is another sector with high potential returns. Somalia’s strategic position in the Horn of Africa, coupled with an ample coastline to facilitate international trade and investment, remains highly untapped.

The improved business opportunities notwithstanding, the security threat posed by the Al-Shabaab militants is still very real, scaring away a host of investors.

In their meeting last July, the Kenya and Somali leaders agreed to a recommitment to the fight against terrorism through coordinated efforts by security and intelligence agencies of the two countries, opening of their shared border to ease the movement of people and enhance trade in goods and services, and promotion of trade and economic cooperation.

global lens

■ A PINT OF HEINEKEN COSTS SH2000 EACH IN QATAR



INSIDE THE FAN ZONE

Fans who want a beer have been left with two options: drink expensive alcohol at Fifa's sanctioned fan zones (and endure lengthy queues for the privilege of doing so), or find a hotel with a bar that is allowed to sell beer

• DOHA

During the early days of Russia 2018, football fans from all over almost drank Moscow dry. Several bars and drinking areas in the Russian capital ran out of beer within a week of the World Cup starting. Why? Because football supporters like a beer (or two) before, during and after a game, and even a city as big as Moscow struggled to cope with demand.

Four years on, it is a very different story in Qatar. As a Muslim

country that restricts alcohol consumption, the usual football fan experience was always going to be a challenge during this World Cup. That's even more true since the Qatari authorities banned the sale of beer at stadiums hosting games at Qatar 2022 just two days before the tournament was due to start.

Fans who still want a beer have been left with two options: drink expensive alcohol at Fifa's sanctioned fan zones (and endure lengthy queues for the privilege of doing so), or find a hotel with

a bar that is allowed to sell beer. (After all, Ecuadorian fans in Al-Bayt Stadium for Sunday's opener resorted to chanting, "We want beer!")

Prior the start of Qatar 2022, one bar was given the dubious distinction of offering the most expensive pint anywhere in the country — and probably the world — amid unsubstantiated claims that it would be charging \$92 for a beer during the World Cup.

So, with hosts Qatar facing Ecuador in the opening game, we headed to that bar — Cham-

pions Sports Bar in the Marriott Marquis Hotel — to discover whether it was really charging \$92 for a beer and what kind of atmosphere you could experience among fans from all over the world.

First things first: The beer didn't cost \$92 per pint, although any fans prepared to spend 369 Qatari riyals (\$102) could buy a huge serve-yourself six-pint Heineken container with its own tap, which allowed them to top up their glasses at any time. A straightfor-

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global lens

Chasing the World Cup dream in Qatar

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ward pint of Heineken or Budweiser cost 60 riyals (\$16.50) each, while a half a rack of ribs would set you back 215 riyals (\$59).

But despite the exorbitant prices, Champions Sports Bar, which has at least 40 screens showing the game, was packed and it told you two things: that football fans really do like to drink while watching the game, but also that football is a unifying force in a much more organic way than Fifa president Gianni Infantino could ever make it with his grand claims of taking tournaments to Iran or North Korea.

On Sunday to watch the tournament opener, there were supporters from Argentina, Australia, United States, Wales, England, the Netherlands, Mexico, Canada, Germany, Poland, Morocco, Ecuador, Brazil and Iran in the small space in Champions Bar. Within that group of nations, there are some pretty deep-rooted football rivalries and some which extend beyond the sport and into all levels of hostility — but at a World Cup, it becomes a melting pot.

Argentina supporters were the loudest and most boisterous, singing their national anthem and songs about Lionel Messi and Diego Maradona, but the Welsh fans joined in with their own tribute to Gareth Bale. American fans loudly chanted “USA, USA”, while England supporters responded to Argentinian songs with chants of their own.

Iranians hugged Welshmen, Americans sat with the Dutch and Aussies shared tables with England fans. And they were all drinking expensive beer while doing so. There were three England fans from Stoke, hoping to get a ticket to an England game, but prepared to watch any fixture they can get into, while one Wales fan, who admitted to being born and raised in England, said he had fallen in love with travelling with the Welsh after watching their run to the Euro 2016 semifinals in France.

And there was US fan Daniel from Nebraska who had just landed in Doha and decided to try out the bar after finding the queues too long and stressful at the fan festival.

But while Fifa and Infantino talk about themselves being a force for good in football, the reality was borne out in a bar in Doha — it's the fans that make the game, not the administrators or the regimes who win the race to host football's biggest tournament.

Meanwhile, there are 1,800 tents, each capable of housing two people at Qetaifan Island Fan Village just north of Doha. Pedro and Fatima live in Spain but are here to cheer on Mexico. They got married in April and this trip is part of their honeymoon.

“It costs about £175 a night. To be honest it wasn't what I expected. When you see the pictures and read the description — and it's a Fifa World Cup — you expect a little bit of quality,” said Pedro. “This is like a sub-par hostel that



An employee walks past cabins at the Al-Emadi fan village in Doha.

you can find backpacking across the world. It's like being in a greenhouse, so we weren't able to sleep past 9am even though we were exhausted because of the flight,” he added.



Argentina fans in Kolkata on November 21.

The tents, made of thick plastic, each contain two single beds and a nightstand with a lamp. A thin layer of carpet is lumpy in places as it rests on sand and gravel. A single electric fan completes the room layout.

“There's no organisation whatsoever, no-one knows anything,” Fatima said.

“The stores are closed, there's no drinking water. This is really, definitely, not what we paid for.”

As we walk around, everyone we speak to has similar thoughts. For some the reality of the situation calls for more drastic action. Djamal, who has travelled from Paris, paid about £2,700 for a three-week stay at the fan village — but after less than 24 hours at the site he is packing his bags and heading for the exit.

“For me it's not a good experience. There's no shower gel, no toothbrush, no toothpaste,” he said. Djamal also shared with us his booking confirmation sheet — and the fact he thought he was turning up to a hotel.

One upside, albeit a small one, is the staff here are enthusiastic, helpful and always smiling. Even if at times they gave conflicting information, like where and when water could be purchased on site — and that a wristband would be needed to buy it. A short walk from the fan village is the beach club fan park. It has a large screen which will show matches and where alcohol will be on sale. Apt, given the recent announcement to ban it in stadiums.

global lens

■ SHRUGGING OFF MID-TERM DEFEATS

THE TRUMP SHOW ROLLS ON

Despite voters in swing states rejecting his attempts to relitigate 2020, the continued support from his resilient base emboldened him to launch his 2024 campaign on the same platform of baseless accusations of voter fraud

● WASHINGTON

Conspiracy theorists backed by Donald Trump were sent packing in many hotly-contested US mid-term races, but scores who embraced his bogus claims of a stolen 2020 election won lower-profile contests – stoking fears of chaos in the next Congress.

Despite voters in swing states rejecting his attempts to relitigate 2020, the continued support from Trump's resilient base emboldened him to launch his 2024 campaign last week on the same platform of baseless accusations of voter fraud. "Realistically, what we all know we're about to see is the Donald J. Trump show, Act II, Scene I," political analyst Aron Solomon, of lawyers' marketing agency Esquire Digital, predicted of the coming two years.

"No matter how much we hope that Congress focuses on the building blocks necessary to restore a greater and deeper faith in democracy... we are about to witness a political telenovela of unparalleled proportions -- so we should all buckle up."

The November 8 ballot was seen as a rebuke of the authoritarian Republican far right, as the party failed to take the Senate and won only the barest of House majorities despite predictions of a "red wave". Yet two years after Trump fired up a mob that stormed the US Capitol in a failed bid to stop the certification of President Joe Biden's victory, election deniers will make up a large majority within the 2023 House Republican caucus.

The "Grand Old Party" lost most of the key Senate battlegrounds and many statewide offices that help oversee voting, amid com-

plaints from within its ranks over the quality of Trump-backed candidates.

But some 170 Republicans who rejected the 2020 outcome won House seats and will have enormous sway over the choice for speaker – the official who oversees the day-to-day business of legislation in the lower chamber.

Many belong to the hardline House Freedom Caucus, which typically has 35-45 members and is expected to wield its increased influence in a razor-thin Republican majority to press Trump's agenda of revenge against his political foes.

With a Democratic Senate and a House being pulled to the right, observers expect two years of legislative gridlock and endless investigations of the Biden administration rather than action on crime, inflation and other so-called "kitchen table" issues. Outside of Washington, the pro-democracy lobby group States United Action estimates that around a third of the country will be represented in 2023 by a governor, attorney general or secretary of state who has cast doubt on the legitimacy of elections.

Democrats and Republicans in these positions were key bulwarks against attempts by Trump and his acolytes in 2020 to have the results in their states overturned.

In the Senate, which will be evenly-divided or in a 51-49 split favouring the Democrats by the time the mid-terms are settled, a handful of winning Republican election deniers includes Rand Paul of Kentucky and controversial Ohio venture capitalist JD Vance.

And some of the year's most prominent misinformation

spreaders coasted to victory in races for House seats, including hardline Trumpists Matt Gaetz and Marjorie Taylor Greene, as well as Greg Pence, the brother of former vice-president Mike Pence. Elaine Luria, a Democrat on the House committee investigating the attack on the Capitol, was ironically put out to pasture in Virginia by an election denier who opened a 10,000-vote lead.

"The results of this year's mid-term election are worth celebrating. Most voters rejected giving election deniers power over their votes," said Thania Sanchez, of States United Action. "But we need to keep in mind that election deniers did win statewide office in some races, and in other states they already hold positions of power... The threat to our democracy isn't over. Our foot is still on the gas when it comes to protecting our free and fair elections."

A group of incoming secretaries of state at a pro-democracy event last week announced a drive against efforts to subvert the election process, proposing a raft of new laws, including making harassment of election workers and volunteers a felony.

"What the 2020 election showed was that democracy can prevail against an unprecedented effort to overturn the election results of a fair and free and accurate election," said Michigan Secretary of State Jocelyn Benson, who was re-elected to a second term.

She added, though, that after the 2020 election that saw Trump unseated and the 2022 mid-terms, democracy was just "two-thirds of the way" to being saved.



Former US President Donald Trump speaks at a campaign rally at the Dayton International Airport in Ohio on November 7.

OBIT

■ FOUNDER OF ANTI-DICTATORSHIP 'MOTHERS' DIES AGED 93

ADIOS, ARGENTINA'S RIGHTS HEROINE

She united a group of mothers who protested in front of the presidency, desperate to know the whereabouts of tens of thousands who were abducted during the brutal 1976-1983 military regime

● BUENOS AIRES

Hebe de Bonafini, who led a group of Argentine women known as the Mothers of Plaza de Mayo in defying the military dictatorship and demanding the truth about their missing children, died Sunday at 93, the country's vice-president said.

Bonafini was one of the founders of the group in 1977, uniting a group of mothers who protested in front of the presidency, desperate to know the whereabouts of tens of thousands who were abducted during the brutal 1976-1983 military regime.

For 45 years, through different governments, the women continued to meet, marching around the Plaza de Mayo in their trademark white headscarves, in an often futile search for justice.

Vice-President Cristina Kirchner announced Bonafini's death on Twitter, praising her as a "world symbol of the fight for human rights, pride of Argentina".

Her daughter, Alejandra Bonafini, confirmed her death at a Buenos Aires hospital where she had been admitted for several days.

"These are very difficult moments of deep sadness, and we understand the love people have for Hebe. But, right now, we need to cry in private," wrote Alejandra.

Argentina's President Alberto Fernandez said Bonafini was a "tireless fighter for human rights" and declared three days of national mourning.

"The government and the Argentine people recognise her as an international symbol of the search for memory, truth and justice for the 30,000 missing," he added in a statement.

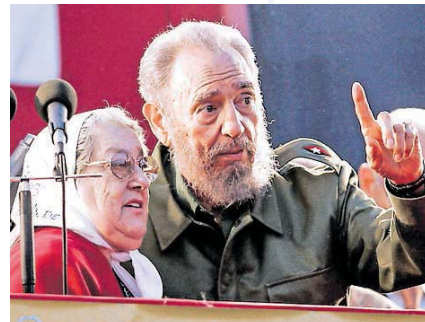
"As founder of the Mothers of Plaza de Mayo, she shone a light in the middle of the dark night of military dictatorship, and lay a path to the recovery of democracy." The governments of Cuba and Venezuela also paid tribute to Bonafini.

Some 30,000 people were abducted and presumed killed by the regime or right-wing death squads in the 1970s and 1980s for being suspected leftists.

That was compounded by the drama of widespread kidnapping of babies born to suspected dissidents being held during the right-wing dictatorship.

Many babies -- offspring of now-dead dissidents -- were born in captivity without the knowledge of their blood relatives and were given to military families to adopt.

Bonafini, who attended rallies in recent years in her wheelchair, was born in 1928 in Ensenada,



Then Cuban President Fidel Castro with Hebe de Bonafini during a political rally of the Alternative Mercosur Summit in Cordoba, Argentina, on July 21, 2006.



The president of Madres de Plaza de Mayo, Hebe de Bonafini, at the Plaza de Mayo square in Buenos Aires on May 4, 2017.

da, a town 60 kilometres (37 miles) from Buenos Aires.

She was a housewife when the military seized power in 1976, ousting Isabel Peron, the wife of late president Juan Peron.

However, in 1977, her sons and daughter-in-law were kidnapped and disappeared.

"I forgot who I was the day they disappeared. I never thought of myself again," Bonafini said recently at the launch of a photo exhibition on her life.

A few months later, she and a small group of women began protesting in front of the Casa Rosada, the pink presidential palace.

The mothers risked the same fate as their political activist children -- torture, death or simply disappearing without a trace. Instead, the generals tried to laugh them off, mocking them as "mad women".

The women circled the Plaza de Mayo every Thursday until the Covid pandemic broke out, becoming famous worldwide for their struggle.

In later years, Bonafini became a more controversial figure, becoming a radical supporter of leftist Kirchnerism and staunch backer of former president Nestor Kirchner and his wife Cristina, the current vice-president.

In 2017, she was prosecuted for alleged misappropriation of funds meant for building homes for the poor, which she said was a political act by then-President Mauricio Macri, who she considered an "enemy." The case had not been resolved at the time of her death.

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