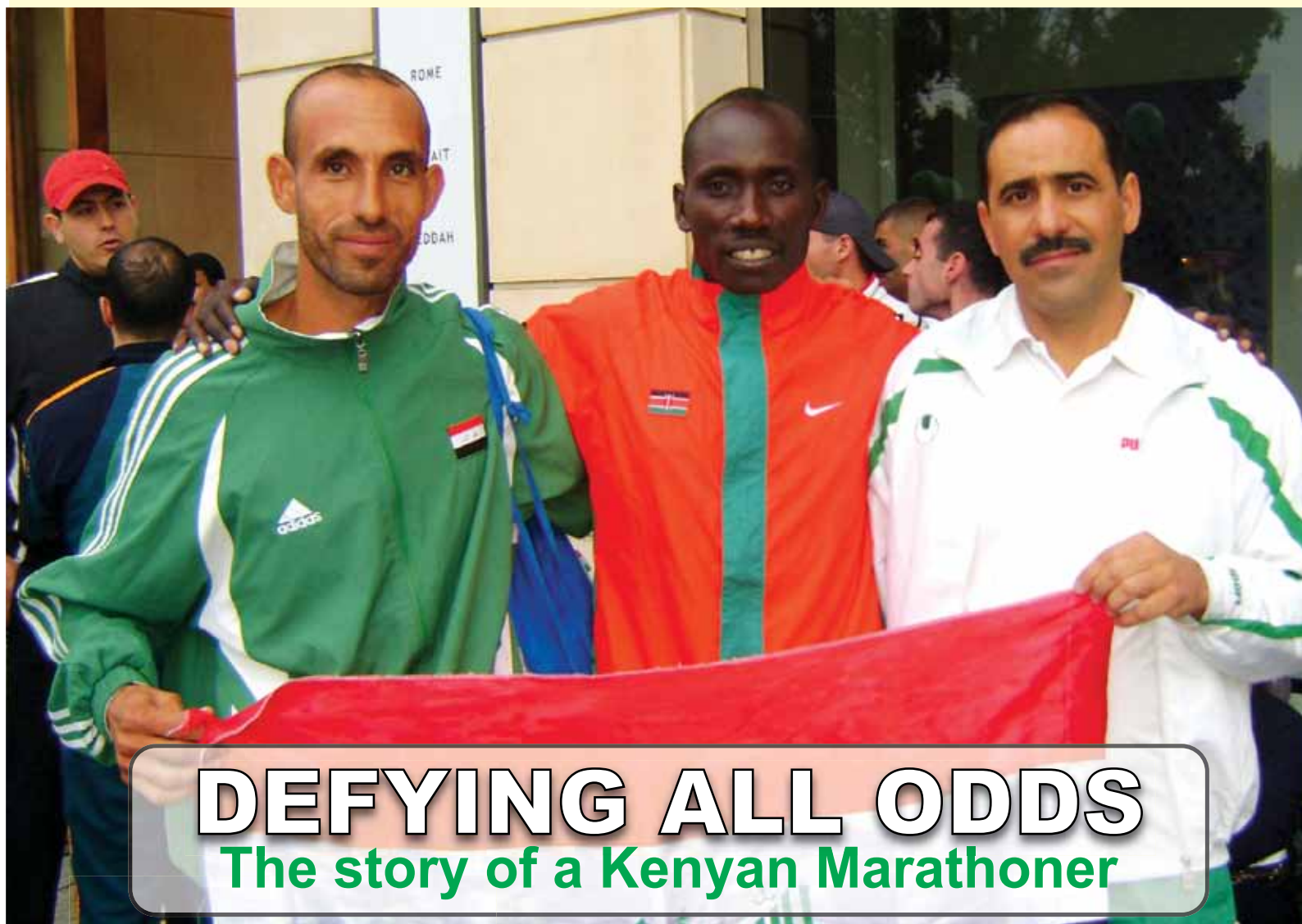




Usawa NA HAKI

A Publication for the National Council of Persons with Disabilities

Vol 1 2010



DEFYING ALL ODDS The story of a Kenyan Marathoner



Dr. Charles Onindo

The immediate past and
Founder Chairman of the National
Council for People with Disabilities

Disability Mainstreaming

- *Do you have a disability mainstreaming target in your performance contract.*
 - *Do you wonder what to do to achieve the target.*
 - *Are you having questions on how to train and sensitive your staff to do a baseline and develop a mainstreaming strategy.*
 - *Dont look further.*
- The National Council for Persons with Disabiities has the competence to anable you to achieve all that.*

Call the Communications and Programmes Office on
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Email: ncpwds@africaonline.co.ke

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Director
NCPWD



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Message from the Editorial Team



Mwaura M. Isaac
Editor

Dear reader.

The Editorial Team of the National Council for Persons With Disabilities (NCPWD) invites you to delight in the interactive information through our new and exciting bi-annual newsletter.

The council has made tremendous progress since its inception in November 2004. The National Development Fund for Persons With Disabilities Board of Trustees has been inaugurated among other developments that you will find in the issue.

In the pages you will meet our Kenyan marathoner Henry Kirwa who shares his inspirational story of how despite lack of education, has overcome all odds to be an international champion and UNDP Millennium Development Goals (MDG) ambassador. You will also encounter the insights of Dr. Charles Otieno Onindo, the immediate past Chairperson of the Council, on how the Council has fared so far since inception. The magazine will detail highlights on the activities of the council and also future and upcoming programmes and events.

Dear Members, on behalf of the editorial team I therefore wish you a pleasant time as you interact with us.

For further information, kindly do not hesitate to contact us. We shall also have a **“letter to the editor”** section in the next issue so kindly do send us your observations and suggestions. We remain committed to serving you.

Yours truly

Mwaura M. Isaac
Editor

Editorial Team: Phoebe Nyagudi, Eddah Maina, Agnetta Rodi, Douglas Sidialo, Peter Hulme.

Vision: A Vibrant Agency Promoting Disability Mainstreaming in National Development

Message from the Chairman



Mr. Kibaya Imaana Laibuta
New Chairman

Dear members I take this opportunity to welcome you to our bi-annual newsletter. This is very important for me as the newly appointed Chairman for a period of three years beginning November 2009. With me, I bring passion, professional experience and vision in order to move NCPWD to higher grounds. I am grateful to the past Chairman Dr. Onindo, the past and the present boards for the roles that they have continued to play towards the growth of the organization. Together, I believe we shall go along way in equalizing opportunities, rights and privileges for PWD's as enshrined in the Persons with disabilities Act No. 14 of 2003.

Together, we can enable the Council to achieve its vision, mission, and mandate.

I wish to call upon all of you to partner with us as we seek to ensure to Persons With Disabilities, the full and effective realization of the Persons With Disabilities Act. During my tenure, I intend to ensure that the National Development Fund for Persons With Disabilities is fully operationalised and that as many individuals and organizations of and for Persons With Disabilities have benefited from the kitty. I also intend to fastract the registration of Persons With Disabilities and in particular ensure that Council Services are devolved to the grassroots level in order to reduce cost on the side of the individual and to reach as many people as possible.

I wish you a fruitful time as you interact with our programs and activities

Kibaya Imaana Laibuta

Chairman.

*Mission: Mainstreaming Disability issues in all aspects of socio-cultural,
economic and political development*



Message from the Director's Desk

Phoebe A. Nyagudi

Director- National Council for
Persons with Disabilities (NCPWD)

Greetings fellow persons with disabilities, associates and friends. I take this opportunity to welcome you to our bi-annual issue of the Usawa na Haki newsletter. In order to continue serving you better, we at the Secretariat shall continue to consult you on various issues in order to improve on our programs and services. Currently, we are in the process of registering Persons With Disabilities across Kenya.

We are also processing Tax exemption applications to the Kenya Revenue Authority and we hope as many persons shall benefit from this service. We continue to expand our capacity in mainstreaming disability in national development by training and sensitizing all public service entities to comply with the disability mainstreaming indicator as per this Performance Contract. It is our belief that this will go a long way in improving the life of persons with disabilities in Kenya. The East African Community is in the process of coming up with an East African policy on Disability. Kenya is playing a key role and hope that this shall continue to be the case. Further, as the secretary of the National Development Fund for Persons With Disabilities, it is my hope and prayer that through the guidelines that have been already published, many shall benefit and improve their lives through income generating activities and other supportive measures. We welcome you to communicate with us and give us positive feedback.

We remain committed to ensuring that the Persons With Disabilities Act is fully implemented and that disability rights are respected as human rights by all.

Yours truly

Phoebe Nyagudi

Motto: Disability Rights are Human Rights

Changes at NCPWD

Several new changes have taken place at the Council in the recent past as follows.



Hon Minister Esther Murugi Mathenge

Ministerial appointments



Vice Chairman Mr. Kibaya Imaana Laibuta

The Minister for Gender, Children and Social Development Hon. Esther Murugi Mathenge has appointed a new Chairman and Vice Chairman Mr. Kibaya Imaana Laibuta & Mrs. Patience Chome for a period of 3 years. Mr. Paddy Onyango has also joined the board as a member for the same period.

Mr. Laibuta has been a board member of the council and also the Chair of the Legal Affairs committee of the Board. He holds an LLM from London, is an advocate of the high court of Kenya, and is currently a Council Member at the Kenya Society for the Blind. He is also a Lecturer at Kenya polytechnic University College and Chairman of VSO Jitolee, and international charity that works with volunteers across East Africa.

The minister has further appointed the following to be members of the Board of Trustees for the National Development Fund for Persons with Disabilities (NDFPWD) for a period of 3 years.



- Samuel Kabue- Executive Director Ecumenical Disability Advocacy Network (EDAN), Representative for the visually impaired
- K.I Laibuta- Chairman of the National Council for Persons with Disabilities (NCPWD)
- J.F Olinga- Representative of the Ministry of Finance (Treasury)
- Thomas Gichuhi- Representative of parents of Children with Intellectual Disabilities, Executive Director Association of Kenya insurers.

- Phitalis Were- Representative of Persons with Physical Disability - Chairman
- Susan Kirima- Representative of Persons with Hearing impairment, Treasurer
- Salome Kimata- Representative of the Minister
- Phoebe Nyagudi- Director NCPWD, Secretary to the BoT.
- Sunil Shah – Representing Rotary Club

Secretariat

Moved on

Rea Torres has left and gone back to Philippines:
(Rea was a volunteer PR Officer VSO)

Peter Hulme has also gone back to London
(Peter was a Capacity Building Advisor VSO)

New Staff in brief

There have been new staff who include the following;



Mwaura M. Isaac (Principal Public Relations & Communications Officer), has served as Consultant Regional Program coordinator, Gender and youth development program for African Union of the Blind (AFUB) and has been an active human rights campaigner on disability issues within the Kenyan civil society. He has been a Development consultant with bodies such as ILO, UNDP, Konrad Adenauer Stiftung and other local Development Organizations. He has also worked as a Program Development Advisor on the Rights Based Approach for VSO Masaana in Papua New Guinea. Mwaura is an Alumni of Kenyatta University B Ed (Special Education and French studies). He also holds a diploma in Theology from the Presbyterian University of East Africa and is currently pursuing a Higher National Diploma with the same institution. In addition, he has a Post graduate Diploma in Public Relations Management (KIM) and is an M.A Development Studies candidate at Nelson Mandela Metropolitan University (RSA). Mwaura is the coordinator of Albinism Society of Kenya and successfully served as a Board Member in the first Board of the National Council for Persons with disabilities for three years between 2004-2007.



Catherine Wameyo (Principal Account Officer)

Catherine has worked for a number of organizations the latest one being Mabati Rolling Company where she was the Accounts Assistant for five years, she has 12 years experience in Accounting. She holds a diploma in Computer Studies (Mombasa Polytechnic), CPA (K) and is currently pursuing her MBA (Finance Option) at Kenya Methodist University.



Emily Zindoli Limisi (Principal Training Officer)

Before she came to the Council, She was in charge of training of non- teaching staff at Kenyatta University. She holds a Bachelor of Education Arts (KU), has a Higher National Diploma (Institute of Human resource Management), Certificate in Training Needs Assessment (Ministry of State for Public Service) and a certificate in Computer studies (IAT). She is currently pursuing her Msc in Human resource Management (JKUAT).



Winnie Mbugua (Registration and Database Officer)

Winnies worked at Karen Hospital as a Database Administrator. She hold a Bsc in IT (JKUAT), CISCO certificate (CCNA) and a diploma in Information System Analysis and Design (Association of Computer Professionals, UK)



Josphat Sasaba Mokoit (Senior Driver)

Saasaba has been a driver for the past 6 years, until his appointment, he was a personal driver to N.S.I.S. officer based at the N.S.I.S. headquarters in Ruaraka; he joins the council as a driver to the Director.



Other Staff

Others include, Isaac Manyonge, Accounts Assistant, Mary Jacobs, Personal Secretary to the Director, Rose Ondego, Driver and four interns; Agnetta Rodi (PR Assistant), Priscah Orony, Gertrude Uche & John Paul Omondi (Registration), Christine Oire (Registry and front office).

Demise of Robert Wotuku

Mr. Robert Wotuku (pictured) who served as the Director's driver passed away early this year. He is survived by a spouse and three children. Robert was buried in his home village in Ichuga Karatina Nyeri

May the Lord rest Robert in eternal peace!!

BoT's Chairman's Inaugural Statement



First and foremost am delighted that our dreams as persons with disabilities in Kenya are slowly but gradually becoming a reality. The establishment of the National Development For Persons with Disabilities herein referred to as NDF signify that our long struggle to be recognised and factored in national planning and resource allocation is no longer a dream.

To begin with I wish to sincerely thank the Hon. Uhuru Kenyatta, Minister for Finance for factoring Kshs. 200m in the 2009 / 2010 financial year to kick start the NDF. We thank him because previous finance ministers ignored this fund despite the fact that the Persons with Disabilities Act 2003 required them to do so. This Fund should have been established seven years ago!

Secondly I wish to thank the Hon. Esther Murugi Mathenge for appointing and gazetting me and my fellow members of the board of Trustees in November 2009. I will in turn thank my colleagues for electing me as their first chair of the Board of Trustees herein referred to as the BoT.

I wish to see the NDF grow into a vibrant agency capable of meeting the myriad social economic, educational and rehabilitation needs of persons with disabilities across Kenya. We will strive to put in place a robust and functional secretariat capable of not only

vetting applications but also disbursement and monitoring the use of the funds so that the goals and objectives of the fund are met.

We will reach out to development partners and other like minded stakeholders for extra resources; more so capacity building of groups of persons with disabilities/parents so that we can enhance their financial literacy and information, proposal development skills, management including financial management and access to markets. This way we will build an enterprise and self reliance culture among our people. We will continue to lobby government for increased resources to match our numbers that is now arguably in excess of 4 million people.

I know that it has taken a while to put in place the requisite systems and infrastructure to operationalize the fund. But, I think it's good to delay but get it right than to rush to disburse just for the sake of it and make mistakes. Let's all remember that the Fund is public money which requires proper management and monitoring mechanisms which we are striving to put in place. I urge people with disabilities to take advantage of this fund to improve their economic lot. But, let's also remember that there will never be a time when we will have enough money to meet all the needs out there. The BoT will endeavour to prioritize on the most deserving cases so that we can realize equity and fairness across board.

We wish to equally ask persons with disabilities to reach out to other initiatives such as the Youth and Women Fund so that we can maximize on available opportunities. We are also youth and women, our disability notwithstanding.

The BoT is willing and ready to listen to any ideas and views that make this fund a success story. This is your Fund so let's all constructively and proactively collaborate with / engage the BoT and make the Fund grow to help change our economic landscape.

Thank you

Phitalis Were Masakhwe

UN DAY FETE

By Agnetta Rodi



The International UN Day for Persons with Disability held on 3rd December every year was marked with pomp and colour at the Jomo Kenyatta Sports Grounds in Kisumu. The event was sponsored by United Nations Development Program through the coordination of the National Council for Persons with Disability (NCPWD) and other organizations of and for persons with disabilities).

This day aims at promoting and understanding disability issues, the rights of persons with disabilities and gains to be derived from the integration of persons with disabilities in every aspect of the political, social, economic and cultural life of their communities. The Day provides an opportunity to mobilize action to achieve the goal of full and equal enjoyment of human rights and participation in society by persons with disabilities, established by the World Program of Action concerning Disabled Persons, adopted by the United Nations General Assembly in 1982.

The event began at around 11am, with a tree planting session at the Nyanza Provincial Hospital better known as Russia which was followed by flagging off of the procession that marched through the City of Kisumu from the hospital to Jomo Kenyatta Sports Ground. The procession was led by the Salvation Army Band and joined by various persons with disabilities and other individuals who were celebrating the day as well. The procession brought the busy Kisumu - Kakamega road to a standstill as traffic was being diverted off road. The melody of the music filled the

air, various song tunes were heard as people matched and danced !!! Exhibitions by various DPOs and NGOs working in the Disability Sector at the public meeting venue went underway. This included a mobile VCT by Liverpool Kisumu done in collaboration with National Council for Persons with Disabilities (NCPWD), Association

for the Physically Disabled Kenya (APDK), and Kenya Union for the Blind (KUB) etc. NCPWD registered people, distributed IEC materials including the Draft Constitution and gave information at its colorful stand. The Chief Guest of the day was the Minister for Gender, Children and Social Development Hon. Esther Mathenge but was represented by her Assistant Minister Hon. Atanas Manyala Keya. Other guests included the PS in the Ministry of Gender, Dr. James Nyikal, Kisumu Town West MP Hon. Olago Aluoch, Secretary in the Ministry of Gender Prof.

Colleta Suda, Board Member (NCPWD) Mr. Alex Munyere, NCPWD Director Phoebe Nyagudi, UNDP Country representative Tomoko Nishimoto, UNDP MDGs

Ambassador, Mr. Henry Kirwa, Janet Kasuku, (Representative of the Council's Board), the area DC Mr. Mabea Mogaka and other dignitaries.

The speech session was opened by a fiery address from a Board Member Mr. Alex Munyere and UDPK Chairman. *"Walemavu mpo, walemavu mpo,"* chanted Mr. Munyere as he greeted the gathering. He urged all persons with disabilities (PWDs) within the country to stand up and be counted in all matters concerning Kenyans as a whole and be empowered and also challenged the government to have a specific Ministry for the Persons With Disabilities. UNDP representative Tomoko Nishimoto said Mr. Kirwa will be the advocate of MDGs in UNDP in matters of disabilities. She added that there are initiatives to implement programs for PWDs empowerment. The Speech forum was closed by a speech from the Minister for Gender read by the Assistant Minister Hon. Atanas Manyala Keya, he said that the Ministry has a National Disability Policy to protect PWDs and that it had been forwarded to the Cabinet for

approval. He further added that they are working on promoting mainstreaming disability in all sectors and concluded that with the disability fund in place, they will ensure that it will be accessible to all

"The Day provides an opportunity to mobilize action to achieve the goal of full and equal enjoyment of human rights and participation in society by persons with disabilities..."

PWDs.

The celebrations ended with presentation of various donations to different groups which included the albinism group receiving some sun screen lotions. Others received wheelchairs and farm implements etc.

(See photos at the photo gallery)

Training of DPOs in Isiolo

By Peter Hulme

The National Council for Persons with Disabilities' Capacity Building Department carried out training programmes for leaders of organizations of persons with disabilities in Isiolo, Eastern Province on from 24 to 27 November 2009. Participants came from Moyale, Marsabit, Isiolo, Meru North, North and Meru Central Districts.

Due to recent droughts and the remoteness of many of these areas, these organizations face many challenges. These include insecurity and wide distances making it difficult for group members to meet together.

The training programme included sessions on advocacy, entrepreneurship and leadership skills. The training was very well received by participants who promised to share the knowledge and skills they learned with other persons with disabilities in their districts.



Participants at the training workshop in Isiolo. Training facilitators, Emily Limisi (foreground) and Peter Hulme (Middle-ground) and at the background a participant

Book On Disability Launched

The much anticipated book launch was here with us. The book titled "Human rights Disability & Development in Kenya" a discourse was launched on Monday 16th November 2009 at the Panafric Hotel in Nairobi. The Chief Guest was the Germany Ambassador to Kenya H.E Margit Hellwig-Boette, the others included the Permanent Secretary for the Ministry of Gender, Children & Social Development, Dr. James Nyikal, Prof Christian Roschmann, Director- Rule of Law Program, Konrad Adenauer Stiftung and other distinguished guests.

Mr. Mwaura M. Isaac, the editor and lead author introduced the other contributors and gave a review of the book, followed by remarks from Prof Christian Roschmann, Director- Rule of Law Program and Dr. James Nyikal and later remarks and official launch of the book made by the Chief Guest H.E Margit Hellwig-Boette,

German Ambassador to Kenya.

The book is divided into five main chapters. Chapter 1 offers chronological aspects of disability, human rights and development from the Kenyan perspective; chapter 2 reviews the international human rights instruments and disability with a focus on the UN Convention on the Rights of Persons with Disabilities; chapter 3 reviews some of the constitutional and programmatic experiences that focuses on the persons with disabilities from selected countries; chapter 4 takes a look at the implementation process of the Persons with Disabilities Act of the Laws of Kenya by closely examining the emerging issues, concerns and the future paradigms; finally, chapter 5 addresses gender aspects in relation to human rights and disability. The book was edited by Mr. Mwaura M. Isaac, a human rights activist. The contributors are

well known figures within the disability fraternity and Kenya as a whole; they include Samuel Kabue the Executive Secretary, Ecumenical Disability Advocates Network (EDAN) a program of the World Council of Churches, Catherine Mumma, a Human Rights lawyer and an advocate of the High Court, Phitalis Were is formerly the Resource Development Advocacy and Campaigns Manager for Leonard Cheshire Disability, East and North Africa. Mabel Isolio a consultant with DEMMAR consult, and has worked in public, private and Non-governmental sectors including donor and UN agencies and

finally Mwaura Isaac who is the head of Public relations Communication and Advocacy at the National Council for Persons with Disabilities. The book which is available in Braille version was later presented to Kenya Institute for the Blind, Kenyatta University, University of Nairobi and the Kenya national Library services among others.

The event ended with captivating vote of thanks from one of the contributors Mr. Phitalis Were.. The event was attended by many members of the high society disability leaders, families and freinds.



The official unveiling of the book at the Sarova Panafric hotel by the Chief Guest, the Germany Ambassador to Kenya H.E Margit Hellwig-Boette (holding a cloth), Prof Christian Roschmann, Director- Rule of Law Program, Kondrad Adenauer Stiftung (holding the microphone) and Mr. Mwaura Isaac (in a cap) the lead Author of the Book.



Chief Guest, the Germany Ambassador to Kenya H.E Margit Hellwig-Boette (center), Prof Christian Roschmann, Director- Rule of Law Program, Kondrad Adenauer Stiftung (left) and a guest.



Mr. Mwaura M. Isaac, the Lead Author and Editor of the book giving his speech during the launch.



Chief Guest, the Germany Ambassador to Kenya H.E Margit Hellwig-Boette delivering her speech.

"A word of encouragement during failure is worth more than an hour of praise after success." Anonymous



INAUGURATION OF BOARD OF TRUSTEES

Mr. Phitalis Were, the Chairman of the National Development Fund for Persons with Disabilities (NDFPWD)

The new Board of Trustees for the National Development Fund for Persons with Disabilities (NDFPWD) was inaugurated on Wednesday 2nd December 2009 at the Ministry of Gender, Children and Social Development Headquarters at the NSSF buildings.

In her remarks, the Minister Hon. Esther Murugi Mathenge, said she will support the fund in all possible ways she can and also urged them to act independently without any external influence and also be transparent and accountable when it comes to distribution of the Kshs 200Million. She encouraged the Council to be more active when it comes to registration because the

figure of registered PWDs at the Council and the survey have great disparities. The Director, Mrs. Phoebe Nyagudi said she is impressed with how the Council has grown in terms of having a full functional office with employed staff, having programmes in place for example, registration, capacity building etc. She further added that despite all this, there are some few challenges facing the council for example not having the Act fully implemented and inadequate funding but all in all she hoped that all will be well. She thanked the Ministry and everyone who has supported the Council in any way as for this far the Council has reached, has been teamwork.

UPDATES IN BRIEFS

Council and KLRC to domesticate the CRPD by reviewing the PDA

NCPWD together with the Kenya Law Reform Commission is in the process of domesticating the CRPD by proposing amendments to parliament. A two day retreat has already been held and the report of the retreat is to be held before the end of the year and thereafter the amendments be presented to parliament. It is expected that this will increase among other things the retirement age for PWDs from 60 to 65 years.

Tax Exemption

Following the gazette of the remaining sections of the Act that had not come into force namely 23, 24, 35 (1), 35 (2), 39 and 40, the Ministry of finance through Kenya Revenue Authority is working on applications of individual PWDs who qualify for tax exemption on personal income. The form can be downloaded from the council's website www.ncpwd.go.ke. Members are advised that it mandatory to be

registered with the NCPWD before applying for the exemption.

Registration OF PWDs

This is one of the main programs that are run by the council. Registration is run throughout the year within the council premises, so far, close to 100,000 PWDs have been registered

After the registration, PWDs will be issued with identification cards from the council stating their nature of disability, name and registration number. Currently the 1st batch of disability IDs have been produced and are currently being issued.

The registration process has now been decentralized. PWDs will pick a registration form from the District Gender and Social Development Officers (DSDOs) who will refer the applicant to the district medical board. The latter will assess and recommend the applicant for registration. The applicant will then forward the forms to the DSDO who will send them to NCPWD. The client will then be issued with an identification card. S/He can then apply for benefits such as tax exemption.

"I am not afraid of tomorrow, for I have yesterday and I love today."
William Allen White

REAL STORIES FROM DISABILITY ICONS

DEFYING ALL ODDS: THE STORY OF A KENYAN MARATHONER

By Mwaura M Isaac and Agnetta Rodi



Kirwa flying high the Kenyan flag after winning a race.

He stands about 5ft 9inches tall; dark in complexion dressed in a black designer suit labeled “Lorenzo”. As he walks towards the office, it is hard to notice that he is visually impaired and cannot see beyond 5 meters. Meet Henry Kiprono Kirwa, the Millennium Development Goals, Disability Ambassador and Triple Marathon winner. Born 36 years ago to the late Cheruiyot Kirwa and Lucy Cheruiyot in Kapsabet, Kirwa was not privileged to attend school due to his low vision. “I didn’t enter any classroom all my life, but I thank God for my sharp mind,” he adds laughing. Her mother tried all medications including traditional herbs to cure his condition but none worked although according to him, his condition has improved as compared to back then.

From his birth, Kirwa stayed at home in Kapsabet doing some farming and helping his mother around the homestead, but come 1997, he tried out athletics by joining his mates who used to jog within the village. At first he used to jog with them but due to his condition he lagged behind most of the time since he needed a guide. His mates ran and left him behind forcing him to go back home. However, he never lost hope and tried hard and harder each and every time he ran. Not long,

his hard work paid off. It reached a point where he could jog alone until the end of the training session without the guidance of anyone. During the same year, he entered the Kapsabet trials. During the trials, he met an Italian man, Cannova Renaldo, who was amazed at his performance and called him later to ask if he had heard of the Paralympics, Kirwa told him he was not aware of anything concerning Paralympics. Since he did not know anything about it and knew no one who could help him, he didn’t pursue it.

From then, Kirwa did not make any progress on his sporting life but in his social life, he met a lady, who used to work in a photo studio within Kapsabet town. They dated for some time and come 2006, they got married and are now blessed with two children. Although people within the community wondered why the lady agreed to get married to Kirwa, since he is visually impaired and deemed to be an outcast, she was not deterred. Kirwa was happy because the lady’s family did not object to their union while his family also welcomed the lady. By this time, Kirwa was not working and did not have any source of income so he depended entirely on his wife for everything.



Kirwa holding his trophy for 2nd position which he won in 10,000 Kilometers in Beirut.

10 years later, Kirwa came back to Kapsabet for the late Paul Kipkoech Memorial trials and met the Chairman for the Paralympics for Rift valley, he told him to continue training as he usually did. His training bore fruits and he qualified for the trials and went to Nairobi for the National trials for the All African Games in Algiers, Algeria. He entered the 1500 and 5000 meters race, qualified and came back with gold medal for BoTh races. Kirwa went back to Kapsabet and registered for the Standard Chartered (Stanchart) Marathon 2007, He was called

to Sao Paulo, Brazil the same year for the, International Blind Sports Association (IBSA) games, and came back with a gold medal. From there, he qualified for the Olympics, in Beijing, China. He continued training in Kapsabet and entered the 1500M, 5000M & 10,000M race and came back with gold medals for all the races. After running his last race in China, he came back and started concentrating on his commitment for the Persons with Disabilities (PWD's). He visited other PWDs and encouraged them not to give up. His sporting prowess and his commitment to the PWDs made him be recognized by the United Nations Development Programme (UNDP) through the media. "I was told the media came home but I was busy helping the disabled in my community and I was made to understand that the UN knew me through the Media," he said. His commitment to PWDs is quite evident as Kirwa has begun some projects within his community. "I pay school fees to those who can attend school. As you know many disabled people, me included, are uneducated and that's why I'm working hard so that I can be able to give them that chance to go to school," he said. Currently he pays school fees for 15

secondary school going children and also has bought 15 cows for various homes that have many challenges as a way of empowering them to support their families. I founded the "Henry Kirwa Foundation which caters for persons with disabilities and no body else." He says.

Apart from being the UNDP MDG advocate in the country, he was also crowned the UN in Kenya person of the year. The UN in Kenya Person of the Year" is chosen based on one's personal commitment towards achieving the United Nations Millennium Development Goals and has also been running for the last eight years and this fits in Kirwa's profile.

His achievements have also been recognized in the sporting arena as he received the Sports Personality of the year award (SOYA) 2007 under the special category which was sponsored by Safaricom. Besides the monetary prize he won, Safaricom offered to assist him in whatever project he was undertaking and thus they added an extra floor to a building he owns, making it be a 3 storey building. Kirwa has had a chance to meet and deliver a speech to the Kenyan president during the reception of the Paralympics team.

Kirwa's Vision is to see the PWDs being independent. "I urge the government to employ the disabled, for example you can see a person walking with crutches but when he sits to work on a computer, he does wonders" he states. He urges the public to understand that all people are the same whether disabled or not.

As we wind up the interview, Mr. Kirwa, wants the future to be even brighter for the disability fraternity in that he wants the PWDs' needs to be taken into consideration by having more special schools, institution for higher learning for the PWDs and their general welfare to be catered for.



Mr. and Mrs. Kirwa in their Eldoret Home.

*"Disability is not a brave struggle or 'courage in the face of adversity.'
Disability is an art. It's an ingenious way to live."
Neil Marcus*



QUARTERLY REVIEW

ONE ON ONE WITH DR. CHARLES OTIENO ONINDO

An Interview with Mwaura M. Isaac

His face lights up as I welcome him in the office, he gets in pulls a chair

and sits. Would you like a cup of tea, I inquire. "Yes," he answers. I pour him tea and hands it to him. "Thank you, I can see the Council is very busy especially with the registration, people are turning out in large numbers," observes Dr. Charles O. Onindo the outgoing Chairman of the National Council for Persons With Disabilities as we set ourselves for the interview.

Q. Tell us more about yourself?

A. My name is Dr. Charles O. Onindo, the immediate former Chairman of the National Council for Persons with Disabilities. I was born in 1961 in Ngere, Rongo Province of Nyanza District. I am the 2nd born in a family of 12 children.

Q. Which school did you attend?

A. I went to Ngere Primary School in Nyanza Province, did my KCE in 1974 then later joined Gendia Sec School between 1975 to 1978. After that, I went to Menengai School in Nakuru where I concentrated in Mathematics, Physics and Chemistry. Subsequently in 1982 I joined Kenyatta University where I did Sciences (Mathematics and Chemistry) and graduated in 1985 with BSc. in Chemistry. I later got scholarship to pursue my Masters at Kenyatta University and graduated in 1988 with a Msc. in Chemistry.

Q. Wow! It seemed you loved Sciences, any particular reason or a driving force behind it?

A. Yeah, I can say my Uncle. He was a Civil Engineer and my main motivation, guess that is why I took the science.

Q. You mentioned that you were told you suffered from polio that caused your

disability, how was life in school with other children?

A. Since I attended a "normal" school like the rest of the children, life was normal. In fact I was the bell ringer in primary school. So I cannot say I encountered any harsh treatment from fellow students through out my education.

Q. So this means you did everything that they did?

A. Not necessarily everything but at times especially during PE (Physical Education) session, I could not play games like football, running around the field since I had a limp on my left leg. But all in all I never felt out of place.

Q. Does it mean that you have never encountered any discrimination?

A. I have although I cannot say that it was that serious. A case in point was when I was heading to KICC, other people were just getting in but when I got at the gate, the guard asked me where I was going (sounding amused). Another case was an indirect one when my daughter came home and told me that other kids were teasing her by telling that her father does not walk properly. But in most cases, I take the comments as usual stuff, nothing serious.

Q. Where did you first work?

A. In 1988 after my graduation I briefly got engaged as lecturer at Egerton University but came back to Kenyatta University as tutorial fellow.

Q. It seems you had an attachment with KU?

A. (Laughing) I cannot say so but I had a friend Dr. Thairu (Now professor and Vice chancellor for Presbyterian University of East Africa- P.U.E.A) who insisted that I come back on the promise that he would grant me a scholarship for my PHD, but anyway that is that. Come 1992 I got a scholarship from the British

Council at Leeds University and graduated in 1995 with a PHD in Chemistry. I have since been teaching at KU as a senior lecturer.

Q. How did you get to be involved in the disability agenda?

A. I got more involved in the disability agenda after I was appointed at the council and I have been able to make my contribution in the last 5 years that I have been chairman.

Q. Before we get into your work at the council, how has your social life been, I mean you dating/ relationship?

A. I saw that coming (laughing). It can be very hectic and nasty because you get along with a girl, and all goes well until her friends, peers start discouraging her. This is an experience, for example there was this girl I liked and we started going out. The girl was fine with me but her friends and family discouraged her from me and I just had to let go.

Q. So your relationship ended like that?

A. Yeah it was painful but you cannot force someone to be with you. But all in all life has to continue and it did continue.

Q. Am interested in knowing how you met your wife, Christine?

A. Christine was a student at KU when I was a tutorial fellow in the Chemistry department. She was among three ladies who were my friends. They used to come in my office and we would have a chat, at times I used to buy

them lunch and that would be it.

Q. How did you know she was the one?

A. I cannot really point out anything but things just happened between us. We dated for two years then got married in 1990 at the Attorney General's office.

Q. Why AG's and not church wedding?

A. By then it could have been very expensive since the same year we had organized my brother's wedding and it had really cost us much (laughing).

Q. How many children have you been blessed with?

A. We are blessed with six children: four of my own and two foster children. They are at various levels of education, the eldest being in the University and the last being in primary school.

Q. Back to your tenure at the Council, How was it when you got in?

A. At the council, I was immediately faced with challenges. Some of the challenges were on how to address low capacity of council's infrastructure, low budgetary provisions, inadequate personnel, low funding, planning and generally laying out of policies (systems and structure). But the major challenge was to address stakeholders' high expectation as a team Vis-a – Vis political influence of the board members.



Members of staff of NCPWD

Q. Seems you were welcomed by challenges (laughing), how did you take up on them?

A. Although it was a difficult task, I took up the challenge with humility and performed to my level best.

Q. Guess your formula worked?

A. Off course it did!

Q. Then what are some of the things you can figure out of that you put in place for 5 years at the Council's realm?

A. At least by the time I was leaving the council, I had come with a strategic plan for the council. Things like utilization of resources, laying a strong foundation in terms of coming up with structures and systems, various policies for example human resource, financial etc, all were in place and functional. In addition there were a number of personnel in place, registration program was in progress, disability fraternity enjoying benefits and various implementation of the Act had already been enacted.

Q. I am sure that in the process of doing all

that, there are some sacrifices you made, would you please share with us if there are any?

A. Off course, in everything you do, you have to make some sacrifices. In my case before the council was stable, for things like transportation, I used to facilitate them personally by using my own vehicle, have made some monetary contributions with the board members to facilitate some initiatives within the council and many more.

Q. What can you say is your legacy at the council?

A. Leaving behind a functional council, with all systems in place.

Q. As we wind up the interview, what is the word of advice to everyone, especially the disability fraternity?

A. I urge the disability fraternity to remain united because of the common goal to improve their socio-economic and political status as individuals and collectively as Kenyans and to continue to advocate for their rights.

*Knowing is not enough; we must apply.
Willing is not enough; we must do.
Johann Wolfgang von Goethe*

Empowering Persons with Disabilities (PWDs) using the MDGs

The Millennium Development Goals (MDGs) established a unifying set of developmental objectives for the global community. Bringing together United Nations agencies, governments and civil society around eight key development issues, the MDGs foster collaborative action to reduce poverty, improve health and address educational and environmental concerns around the world's most pressing development problems. The MDGs are specifically designed to address the needs of the world's poorest citizens and the world's most marginalized populations.

MDGs will not be achieved however if their policies, programmes, monitoring and evaluation do not include persons with disabilities. While persons with disabilities make up ten per cent of the world's population, disability is associated with twenty per cent of global poverty according to the World Bank's findings. Currently, there are no references to persons with disabilities either in the MDGs themselves or in the accompanying body of guidelines and policies, programmes and conferences that are part of the on-going MDG efforts. In addition, the new revisions of the MDGs

currently in process do not include persons with disabilities.

The international community needs urgently to act to mainstream disability in the MDG processes. This requires policy makers and technical experts specifically tasked with the programming, monitoring and evaluation of current MDG programmes to begin to consider disability so that the next phase of the implementation of the MDGs will include disability as an important component of its core mission.

Nonetheless, the former president of the World Bank, James Wolfensohn, has said that:

‘Unless disabled people are brought into the development mainstream, it will be impossible to cut poverty in half by 2015 or to give every girl and boy the chance to achieve a primary education by the same date - goals agreed to by more than 180 world leaders at the United Nations Millennium Summit in September 2000.

HOW PERSONS WITH DISABILITIES CAN BE INCLUDED IN THE MDGs

MDG 1 Eradicate extreme poverty and hunger

Disability and poverty are mutually reinforcing as disability can be a cause of poverty, and poverty can be a cause of disability. Disability affects the poverty levels of individuals, families and society because it affects access to education and employment and income generation. Implementers need to ensure they target persons with disabilities when carrying out poverty reduction programmes.

MDG 2 Achieve universal primary education

This is the only absolute goal and with 98% of children with disabilities in developing countries not in school it will be impossible to achieve unless they are explicitly brought into the equation. This goal will not be reached unless all children can access primary education. It is shown that many children do

not attend primary school because of their disabilities. Implementers should therefore prepare a budget for this category of children.

MDG 3 Promote gender equality and empower women

Women and girls with disabilities face a complex

During the last few days, I have been interacting with the local people of Papua New Guinea (PNG) with the aim of getting to understand the dynamics of the country in which I had just started my tour of duty. So far, I have found that people are quite hospitable and sociable, a sharp contrast from the negative coverage that you get from media, especially the Internet. My previous thoughts about PNG, and indeed the little island nation states of the Pacific – PNG itself, Tuvalu, Solomon Islands, Tonga, Kiribati and Vanuatu – were that they are the last frontier in a world that is gradually shrinking in size from all angles. I have slowly come to discover that the challenge of the Pacific countries and many of the so called ‘developing nation states’ in the world is backwardness and not poverty, a situation that can be attributed to neo-colonialism and the effects of a globalizing market economy. I choose to call the phenomenon ‘backwardness’ in order to address and challenge the notion of cultural advancement within the global context. The region (while hesitating to generalize to the whole world) is experiencing a huge cultural conflict and crisis due to two sides which are pulling the nations in different directions. On one hand is the traditional way of doing things, the proven and tested way of the local people. On the other is ‘modernity’ as championed by international norms which greatly inform development assistance and the universal intervention mechanisms.

MDG 4 Reduce child mortality

In the developing world mortality for children with disabilities under five can be as high as 80%. Children with disabilities are more

at risk of dying because many cultures do not give children with disabilities the same opportunity of accessing medical services. Like all children, they cannot access healthcare without support.

MDG 5 Improve maternal health

Disabling impairments associated with pregnancy and childbirth affect up to 20 million women a year. Generally, more women die from pregnancy complications in Sub-Saharan Africa than in any other region. Pregnant women with disabilities face stigma which prevents access to proper health care. In addition women with disabilities are often forced to enter sexual relations and if these result in pregnancy the women are less likely to be able to seek medical help or the support of family and society.

MDG 6 Combat HIV/AIDS, malaria and other diseases

People with disabilities are particularly vulnerable to these diseases, which are also a major cause of disabling impairments. The exclusion that people living with HIV experience is increased when those people have disabilities. They have little or no access to information relating to health in general and AIDS in particular

MDG 7 Guarantee environmental sustainability

Implementers of MDGs must ensure a safe environment to the persons with disabilities because they are at greater risk of disease relating to the lack of sanitation and water.

MDG 8 Develop a global partnership for development

Global partnerships can be used to increase inclusion of persons with disabilities in sustainable development and achieving the MDGs.

‘Disabled Peoples’ Organizations need to recognize they will succeed using the development tenets by joining a wider national

campaign, they need to think globally but act locally, and interact productively with the North and South. Persons with Disabilities should arm themselves with strategies on how to fight poverty as Africans. Africa is not poor but its resources are not used to improve the lives of its own people. The MDGs are an entry point to demand accountability from leaders and hold them accountable’

Dr Tajudeen Abdul-Raheem, UN Millennium Campaign Deputy Director for Africa during the MDGs and Disability Africa Regional Conference 15th – 19th August 2008.

WHAT YOU CAN DO

Join the Stand Up, Speak Out and Take Action Global movement demanding that poverty and inequality be drastically reduced by 2015.

Mobilization should be aimed at reminding governments to implement time-bound MDG-based national development strategies, plans and budgetary allocations;

To improve MDG implementation and delivery mechanisms with a strong focus on poor and excluded groups particularly persons with disabilities;

Produce concrete plans to enhance domestic resource mobilization that will be earmarked for MDG achievement;

Create and implement plans for increased transparency, accountability and fighting corruption, more systematic and on-going monitoring and reporting of progress involving elected officials.

The MDGs was incorporated in last year’s International Day for Persons with Disabilities theme which was; **“Making the MDGs Inclusive: Empowerment of persons with disabilities and their communities around the world”**

COMMENTARIES

Analysis of the Harmonized Draft Constitution

Naivasha Draft: Disability Rights lost

By Mwaura M Isaac



The prime Minister receiving the harmonized draft constitution from Dr. Nzamba Kitonga at KICC

Kenyans are happy that finally the prospects of a new constitution are even higher after the Parliamentary Select Committee (PSC) led by Mohammad Abdikadir broke the jinx and agreed on among others the most contentious issues of the executive. While it is true that in deed this was a very divisive issue, it's only the PSC which could have made that political compromise. This is because Parliamentarians in Naivasha represented not only their own personal interest but those of the two principals in the Grand Coalition Government. The CoE on the other hand did a tremendous job

in crafting a draft that was generally in keeping with the views presented by a cross section of Kenyans including Persons with Disabilities (PWDs).

While we commend the PSC for making a political deal, they went ahead and overstepped their mandate by opening up other chapters of the revised harmonized draft constitution that were not contentious. Some of these touched on issues that sought to empower and uplift the lives of marginalized communities and in particular Persons with Disabilities. To begin with, the PSC draft in article 7 does not recognize Kenyan sign language, Braille and other modes of Communication that are accessible to Persons with Disabilities such as the deaf, the visually impaired, the blind and others. This has been a great disability barrier that has seen PWDs being left behind in the information age. It is therefore important that this be recognized in the constitution to ensure to the state its responsibility of reaching out to PWDs.

Secondly, PSC reduced the chapter on national values and principles to a mere article 6 in the draft. This was a major blow to the whole document in that other chapters were informed by these basic tenets. For example Section 13 (2) K of the HDC recognized the principle of 5% of political and appointive positions be persons with disabilities. Consequently, this principle guided the chapter on representation of the people and the legislature in that PWDs would have been adequately represented by a definite number of their own in organs of governance such as the senate, the national assembly, the devolved government and the executive. Conversely, the PSC draft provides that parliament shall enact legislation to promote representation of PWDs in a progressive manner. It further in article 90 (1) (C) provides for '12 nomination seats to represent interests, including youth, persons with Disability and worker's. It further provides in Article 92 for parliament to promote the representation of Persons With Disabilities through legislation. First and foremost, the latter is untenable and unworkable as there is no guarantee that PWDs shall be represented in parliament. This is so because 90 (1) (c) above recognizes interests which are undefined and further lists youth PWDs and workers to be included over and above interests, without giving how many seats for each category. This has been left to conjecture and going by the experiences of PWDs in political parties, it is highly unlikely that there shall be adequately represented. If you look at the past, only Josephine Sinyo was nominated by Safina in the 8th parliament due to Richard Leakey having been appointed to head the civil service and He wanted a person with the experience of disability to replace him.

Otherwise, others have been political losers or those close to the party leadership. This is still the same position in the PSC draft hence creating the same loopholes.

The senate has 47 elected members, 16 women and the speaker PWDs are again left out. The HDC had provided for 8 seats while the revised HDC has spelt out that 5% of senate be PWDs. This has been lost. PWDs are therefore demanding 15 seats in the national assembly and at least 5 seats in the senate to be filled either by an electoral college or through party lists prior to elections for them to participate in the legislative process which forms the architecture of the governance and development of the Kenyan Nation State. Further, Article 68 of the bill of rights in the revised Harmonized Draft Constitution be retained to as a fundamental way of domesticating the United Nations Convention on the rights of persons with disabilities (CRPD) which Kenya has recently signed and ratified. It is also important to adopt the internationally accepted definition of disability as enshrined in the CRPD in the new constitution to avoid ambiguities for interpretation purposes. It is noteworthy that women were able to argue their case in Naivasha since albeit inadequately, they are represented in parliament. PWDs were absent because they are also absent in parliament. We must therefore ensure their recognition if we are to have a fair draft to the widest diversity of Kenyans as Sections 4, 6 and 30 the Constitutional review Act so stipulates.

(This article was published in the Daily Nation, The Standard and the Star)

"Trust yourself. You know more than you think you do."
Benjamin Spock

UPDATE ON THE GAINS BY THE PERSONS WITH DISABILITIES ON THE PROPOSED CONSTITUTION FOR KENYA

By Njenga Saitoti

Persons with disabilities, being equal citizens of the Republic of Kenya;

Having actively participated in the Constitution Making process over the last two decades;

Having the desire to be governed better alongside everybody else;

Having the vision that Kenya should be a just country devoid of corruption and impunity;

Aware that over the two decades, the failed attempts at achieving a new Constitution has resulted in loss of lives, destruction, economic degradation and missed opportunities for real development and inclusion of persons with disabilities –

NOW wish to make the following position known to all Kenyans with regards to the Proposed Constitution of Kenya (PCK) and in this regard, state as follows:

Like all Kenyans we were elated when the review process was put back on track in 2008. We wish to note that the spirit of the Review Act (Section 6 (c) provides for accommodation of the diversity of the people of Kenya, including persons with disabilities.

We also note that the proposed Constitution as presented by the Committee of Experts takes Kenya to another level of democratic governance as well as entrenching the spirit of the Review Act in the supreme law of the land.

Persons with disabilities have hitherto been neglected in key development processes including the policy and legal framework, as is the case with the current constitution, which is silent on discrimination on the basis of disability. Section 70 and 82 outlines basis on which discrimination is prohibited such as race, creed, religion, sex and political opinion, but remains silent on disability yet persons with disabilities face systemic discrimination on the basis of disability.

In situations where the Constitution makes reference to disability, it is couched in demeaning language and gives negative connotation that undermines the freedoms and secludes the participation of persons with disabilities, as clearly indicated by section 34 (c), and section 12. We therefore wish to state that in view of the foregoing, we support the proposed Constitution based on the fundamental gains for persons with disabilities and other sectors including the youth, women, the elderly, the family institution and workers. Some of the gains include:

1.The proposed constitution makes provisions for functional democratic institutions as opposed to the current constitution which failed us in the 2007 general elections and the crisis that followed.

2.According to the Survey on the prevalence of disability in Kenya (2007) by the National Coordinating Agency for Population and Development, majority of persons with disabilities live in rural areas owing to the physical and other access barriers. We therefore support the establishment of devolved governments since this will bring services closer to persons with disabilities.

3.We affirm the recognition and promotion of the use of Kenya Sign Language, Braille and other communication formats accessible to persons with disabilities as espoused in Article 7.

4.Article 54 on the Bill of rights recognizes the humanity and integrity of persons with disabilities.

a)It further expressly provides for rights of persons with disabilities, promoting access to education, access to public transport and information, reinforces article 7 in the use of sign language and Braille, and access to materials and devices that intervene in the barriers that persons with disability experience in their interaction with the environment and society.

b)The Bill of rights also provides for the principle of 5% in representation of persons with disabilities in elective and appointive bodies.

5.Article 81 on the general principles of the electoral system provides for fair representation for persons with disabilities.

6. Article 97 on the composition of the senate provides for the representation of two members representing persons with disabilities (one male and one female).

7.Article 100 on promotion of representation of marginalized groups provides for the enactment of legislation that promotes the representation in parliament of marginalized groups including persons with disabilities.

Conclusion:

In line with the provisions of the United Nations Convention on the Rights of Persons with Disabilities (CRPD), which Kenya is a signatory and has even taken a further step to ratify, the proposed Constitutions provides a major step towards the domestication and implementation of the CRPD. We call upon other sectors with different interests in the proposed constitution and Kenyans of goodwill to read, understand and support the proposed constitution.

CULTURE, MUSIC AND SPORTS

Cultural Conflict in a Globalizing World: The Case of Papua New Guinea

By Mwaura M. Isaac

(This article was written when I was working in Papua New Guinea - South Pacific)

During the last few days, I have been interacting with the local people of Papua New Guinea (PNG) with the aim of getting to understand the dynamics of the country in which I had just started my tour of duty. So far, I have found that people are quite hospitable and sociable, a sharp contrast from the negative coverage that you get from media, especially the Internet.

My previous thoughts about PNG, and indeed the little island nation states of the Pacific – PNG itself, Tuvalu, Solomon Islands, Tonga, Kiribati and Vanuatu – were that they are the last frontier in a world that is gradually shrinking in size from all angles. I have slowly come to discover that the challenge of the Pacific countries and many of the so called ‘developing nation states’ in the world is backwardness and not poverty, a situation that can be attributed to neo-colonialism and the effects of a globalizing market economy. I choose to call the phenomenon ‘backwardness’ in order to address and challenge the notion of cultural advancement within the global context. The region (while hesitating to generalize to the whole world) is experiencing a huge cultural conflict and crisis due to two sides which are pulling the nations in different directions. On one hand is the traditional way of doing things, the proven and tested way of the local people. On the other is ‘modernity’ as championed by international norms which greatly inform development assistance and the universal intervention mechanisms.

Colonial legacy

Colonialism has had a great effect on the locals in the Pacific nation states. One can pick its legacy in the day-to-day mannerisms of the various administrations that once occupied them. PNG has been colonized by the Germans, the Japanese, the British and the big brother (and neighbour) Australia. Indeed, in order to comprehend regional politics of the Pacific, it is important to note that Australia is the regional economic powerhouse exercising authority over many little tiny nations. While colonialism and neo-colonialism have had names and well-defined characteristics, what is happening today seems to have neither name nor definition. PNG is grappling with a major crisis owing to the various multifaceted cultural layers that characterize the nation; here, we are talking of a country which has over 867 ethnic communities within a population of 6.3 million people. The cultural diversity now espouses conflict among the various ethnic groupings. As the world caves in and identities are being lost due to uniformity and things familiar, so do community rights seem to dissipate. The ways of doing things of a people is being questioned in a way that has not been experienced before. This, one may observe, could have been more prevalent in ancient times before the information age. Then disputes were resolved based on tested and familiar economies of the local people with proper safety nets to cushion certain societal vices. The above scenario has in itself provided a great ground for journalists and anthropologists alike to closely study and document the change as it happens.

One of the efforts has been the establishment of the institute of PNG studies.

Capitalism

The world as we know it today is gravitating towards individual accumulation of wealth otherwise known as capitalism. My observation is that the combined forces of inbuilt obsolescence (which in essence is the lifeline of capitalism) and its sidekick, consumerism, and the bane of durability plus the Japanese principle of continuous improvement – kaisen, which is the breeding ground of product diversification. And for the various markets that the Chinese have used to put their economy on the fast track have succeeded in keeping the whole world in perpetual need and want hence maintaining and fuelling the status quo. Capitalism continues to grow, while the human face in world trade continues to diminish especially when challenged by emerging super economies of the Asian Tiger rim, in particular China. What this has meant to traditions in PNG is quite interesting and revealing. The role capitalism has played in shaping individual choices through thought processes and how these have had an impact on culture in an otherwise obscure manner can possibly answer the question as to why some practices that were hitherto in vogue, being the essence of cultural functionalism, are eventually being discarded. Recent media reports in PNG indicate that tribal conflicts continue to escalate as patterns of compensation take shape.

“I have slowly come to discover that the challenge of the Pacific countries and many of the so called ‘developing nation states’ in the world is backwardness and not poverty”

During these fights some people end up being killed, hence necessitating some form of reparation for the affected community and families. While one would expect the locals would seek legal redress in a modern court of law (as established by the Australian administration), they always result to their traditions within the small micro nationalities. For example, it

is common for the bereaved family to ask for compensation from the attackers. Interestingly, the colossal sums of money demanded do not end up in their hands but in the whole clan. Inevitably, this creates a situation where certain killings are triggered in order to create grounds for compensation; payback has subsequently become big time business. What does this portend for the cultural conflict? This scenario may sound simplistic, but it provides a basis in the understanding of culture subjugation and its complexities. At the global level, the mind of the consumer is already captured through advertisement. We see how the thought process is drastically altered eventually affecting cultural norms. In the past, cases of killings (including murder) in PNG were successfully resolved using the above method; the compensation usually entailed things such as a crop harvest or livestock. Today, compensation is usually by way of legal tender. This means of compensation has resulted in greed occasioned by the capitalistic tendencies; individual accumulation of wealth supersedes community well-being. In this situation, the family under siege is easily impoverished in a quest to meet societal obligations and penalties. Traditionally, whatever was given out as compensation would only meet short-term goals and was usually within the barter economy. The point here is not the cultural practice of compensation, but the motivation behind it. Extortion has grown to such extent that it is no longer about settling down disputes, administration of justice, healing and moving on together; it is money for the sake of it as that is what seems to count in the new world order. The clan leader, together with individual members of the community, no longer perceive the death of their clansman as untimely, but as a new income avenue that has opened up. With the barter trade gone, the community is now controlled by a mercantile economy from faraway places within the wider global village. The community finds itself caught up within the conflicting civilizations pursuant to the law of self-preservation and in remaining on familiar territory. As the alternative modern courts are riddled with corruption, they find it unjustifiable to seek justice from a non-jurisprudent judicial system. The above conflict puts into perspective the

manner in which indigenous cultures and beliefs end up in question. After undergoing global bashing and rejection, they eventually pass as bad practices.

Globalization

While the superficial appearance of globalization is based on the premise of best practices, this in itself presents a real threat to individual and community rights. This is in favour of collective individual uniformity, gratification and universality against collective communal diversity and individual consciousness. Globalisation seems to emphasize on universality against diversity without questioning whether what we want to introduce everywhere is what will work and if so, at what and whose expense. Perhaps, in the community lies a better way of doing things that serves the intended goal with little or no adaptation. The argument for globalization is that there is a superior way of doing things, usually that of the forces of dominance. It may not matter what other societies have to offer to themselves and the world. For example, PNG offers tolerance in the midst of exponential diversity with its concrete safety nets in the Wantok system. The system ensures that members of the community are not left to suffer on their own. This is similar to African socialism, which has been slowly discarded after acquiring a negative tag occasioned by the need to reduce dependency on each other in order to maintain self-sufficiency. Thus, globalization introduces new cultural dimensions to communities. Where individuals of a given community enjoy collective care and responsibility, globalization favours the dominant protagonist with predatory instincts. For example, in Luo Nyanza (of East Africa) someone will inherit a wife not because he wishes to protect her, but in order to gain access to the property of the deceased. This principle is detrimental and has been a key plank – if not the hidden mantra – of the politics of domination, capture and dependency. It is perpetuated within the international macrocosm of mercantile states,

trade, the resultant conflict and a multifaceted philanthropy engendered in the interstate development cooperation and partnerships. At the global level, the idea of markets without borders is highly inclined towards the benefit of the major economies such as the US, European Union and recently, China. While the World Bank and IMF are shifting their market investment priorities towards socio-economic provisioning, this may not succeed since the aim is largely geared towards window dressing the ravages of the dominant economies on the weaker nation states. Here, “richness” and “backwardness” usually intertwine as is “poverty” and “advancement” creating a symbiotic gridlock that is undeniably the euphemism for development assistance.

Conclusion

As the world brazenly hastens to become one, the little paradises in the Pacific are rapidly facing extinction. Both at the socio-cultural, economic and climatic levels. At the same time, oceanic seashores are receding due to rise in temperatures and new superpowers like China are going for resources to feed their growing industries without caring as much about sustainable development. What this simply means is that money is the basis of shifting cultures towards the so called modernity. “Poverty” and “backwardness” are unrelated continuums; the former is a creation of material wealth, while the latter is an acknowledgement of different stages of culture states. In between the confusion of the two lies opportunities that we quickly bring to a closure in our quest to make the world a uniformity. The fact that societies evolve in a similar pattern does not justify supremacist ventures in given cultures for in the quest to copy-cat societal mores, we miss simple solutions contained within the ever ebbing local knowledge. We miss out on what various civilizations can bring to the world to make it a better place for all of us to live in.

“We are all inventors, each sailing out on a voyage of discovery, guided each by a private chart, of which there is no duplicate. The world is all gates, all opportunities.”

Ralph Waldo Emerson

KENYA GOAL BALL TEAM SHINES IN EGYPT

By John Kimani



A team playing goal ball

Following the national championship that were held in Kasarani in September 2009 a national team of six players was selected on which three were from Alpha Stars. The team had a task of representing Kenya in the all Africa goal-ball championship which were organized as qualifier to the world championship taking part later this year. The event (All African goal-ball championship) attracted eight countries but five countries managed to participate. These were Egypt (host country), Kenya, Libya, Morocco and Algeria men teams. Each team had nine players apart from Kenya which had six players. The game started from 9am-7pm each day, with two sessions per day (9am-12noon) and 3pm- 7pm). This meant that each country had two matches per day.

*After the tough games these were the results :
Algeria took position 1st with six wins and
eighteen points .*

*Egypt took position 2nd with four wins and
twelve points.*

*Morocco took the 3rd position with, Libya took
the fourth while Kenya took the fifth position.*

ACHIEVEMENTS

As a country this was our first goal-ball team ever to take part in our international event since goal-ball was introduced to Kenya in 1992, therefore we consider the following as great achievements.

- i) We got the exposure and experience that we very much needed
- ii) The tournament served as an eye-opener on the new rules, ball, field marking and the new eye shade.
- iii) We got to know the right uniform required in the goal-ball game.

CHALLENGES

- i. Communication barrier- most of the Arabs did not understand English
- ii. Weather condition was extremely cold for us which left two of us getting sick.
- iii. Lack of exposure matches and experience for our players which led to poor performance.
- v. Poor refereeing in local matches came in as a challenge as players were subjected to strict and new rules.
- vi. The field, the ball and the eye-shades was a new encounter to our players as they were different to what we use locally.
- vii. Lack of women teams.

WAY FORWARD

There is an urgent need for us to train full sighted referees to be at par with international standards.

SWEET WAVES BAND; A PROFILE

By Hudson Karume



Sweet waves band during a past performance

At that point in time, we were based at Watamu Malindi at the coast province, after which we relocated to Mombasa in December 1993. The idea of formation was as a result of Unemployment, lack of proper and adequate training on relevant careers and life skills. Stigma and discrimination from members of the society emanating from myths and misconceptions of disability issues as a whole. Ever since the members have been seven, namely:-

1. Hudson Karume Muhembere (The band Leader, Bass Player and rapper)
2. Salim Gande Jira (Vocalist and Trumpet Player)
3. Dzuya Kea Malanga (Drummist)
4. Justus Patanani Katana (Vocalist)
5. King Ian Yaa (Solo guitarist and vocalist)
6. Ngala Rashid Rassy (Keyboardist)

7. Eunice kalunda Somba (Lady Singer), who joined us in 1997.

Benefits

Sweet waves band has had the following benefits to its members.

1. Promotes and enhances the socio-economic well being of its members.
2. Sensitization and education in the society on the challenges, needs and potential of persons with disabilities.
3. Participation in community work in assisting the marginalized i.e. destitute and people living with HIV/AIDS.
4. Identify and nurture the gifts and talents of persons with visual impairment and interested persons.

Since inception, our disability has been behind our hard work. We needed to prove to the society that being a disabled person is not the end of life, and that we can equally compete with our non disabled peers in the process of making ends meet. In keeping with our objectives we perform mainly in beach hotels on contract basis, company functions, wedding ceremonies and other events; we also train talented persons with visual impairment and interested persons in the field of music, participating in charity work by either entertaining for free or at a reduced price during community events and contribute small grants for income generating projects to hardworking and desperate persons with visual impairment.

Apart from holding together for many years, our hard work and determination has earned us a lot in that, our members have been able to comfortably take care of their families and invested in other businesses, we made a positive impact to the lives of persons with visual impairment directly employed by our group. Those who received training or business capital, financed secondary and college cost for two persons, successfully changed the attitudes of the society in recognizing the needs, challenges and potentials of persons with disabilities as well as acknowledging that they can give back to the society. Similarly Sarova Whitesands beach resort & Spa has demonstrated their confidence in our band by including us in their business magazine of 2010. Judging from the feedback we have been receiving from our clients, our popularity and relationship with them has grown steadily.

Ever since we have really enjoyed our work and cannot forget some of the defining moments: In 1999, we were unable to secure a contract with Shelly beach Hotel in South Coast due to the brilliant performance at a trial show. We were surprised to be told that the management does

not prefer our band since it is good and that guest drink a lot and do not leave the entertainment venue. They said our band was putting the hotel at a loss since the hotel payments system is all inclusive. So, the question begging is “were we supposed to play nasty music to win the contract?” In 2006, at the Aboretum grounds Nairobi when we were performing alongside Nyota Ndogo people were scattered all over the venue and not paying attention to the other performing artists. When we finally took stage, people were running from different directions towards the platform. We were scared and indeed almost leaving the stage not aware that we had attracted the crowd with our introduction tune. In 2007, at Sarova Whitesands when we were performing for east African Breweries Limited EABL function we were requested to play some numbers in vernacular. After jamming, same requests were made repeatedly and indeed

“The Sweet Waves band was formed in October 1991 by Persons with visual impairment and registered in 2009 as a self help group....”

the guest’s views were that we played better than the original composers. In 2008, in the same hotel we delayed to check in the hotel from a lunch time

performance at the Mombasa International ASK show; even after setting the music equipment, one of our amplifiers did not function. There were interruptions resulting from power failure even after starting the performance late with 45 minutes. However, as the show advanced, it turned out to be one of our best performances as there was a lot of dance, requests and applause till the end of the session.

We thank God and hope to continue soaring high. For us the sky is the limit.

PHOTO GALLERY

UN DAY



A part of the procession during the international day for PWDs in Kisumu



Registration of PWD being conducted by some Council staff



Mrs. Janet Kasuku delivering her speech on behalf of the Council's board.

PHOTO GALLERY

UN DAY



Participants following the proceedings at the grounds.



Mr. Alex Munyere, Chairman of UDPK and Member of the Council delivering a speech.



PWDs displaying their wares



Asst. Min for Gender, Children and Social Development, Hon. Atanas Keya, issuing an assistive device to a participant.



The PS to the Ministry of Gender, Children and Social Development, Dr. James Nyikal delivering his speech during the UN day celebrations..



Kisumu Town Mp, Olago Aluoch delivering a speech during the day for PWDs.

PHOTO GALLERY

UN DAY



UNDP country representative, Tomoko Nishimoto.



Assistant Minister for gender, Children and Social development, Hon. Atanas Manyala Keya.



Participants follow the proceedings besides the disability friendly bus from Kenya Institute of Special Education (KISE) FUN PAGE

(Photos: Agnetta Rodi - NCPWD)



Sudoku

Rules

Enter a digit from 1 through 9 in each cell starting from the digits given in some cells. Each row, column, and region must contain only one instance of each numeral.

5		3			9			
	7			3	5			
		4				1	5	
				4	3	7		
	1				2		4	
	4					2	9	
							1	7
6						8	2	
		2	9		1			

POEM

*A meeting was held quite far from earth
"It's time again for another birth"
Said the angels to the Lord above,
"This special child will need much love"*

*His progress may seem very slow
Accomplishments he may not show
And he will require special care
From the folks he meets way down there.*

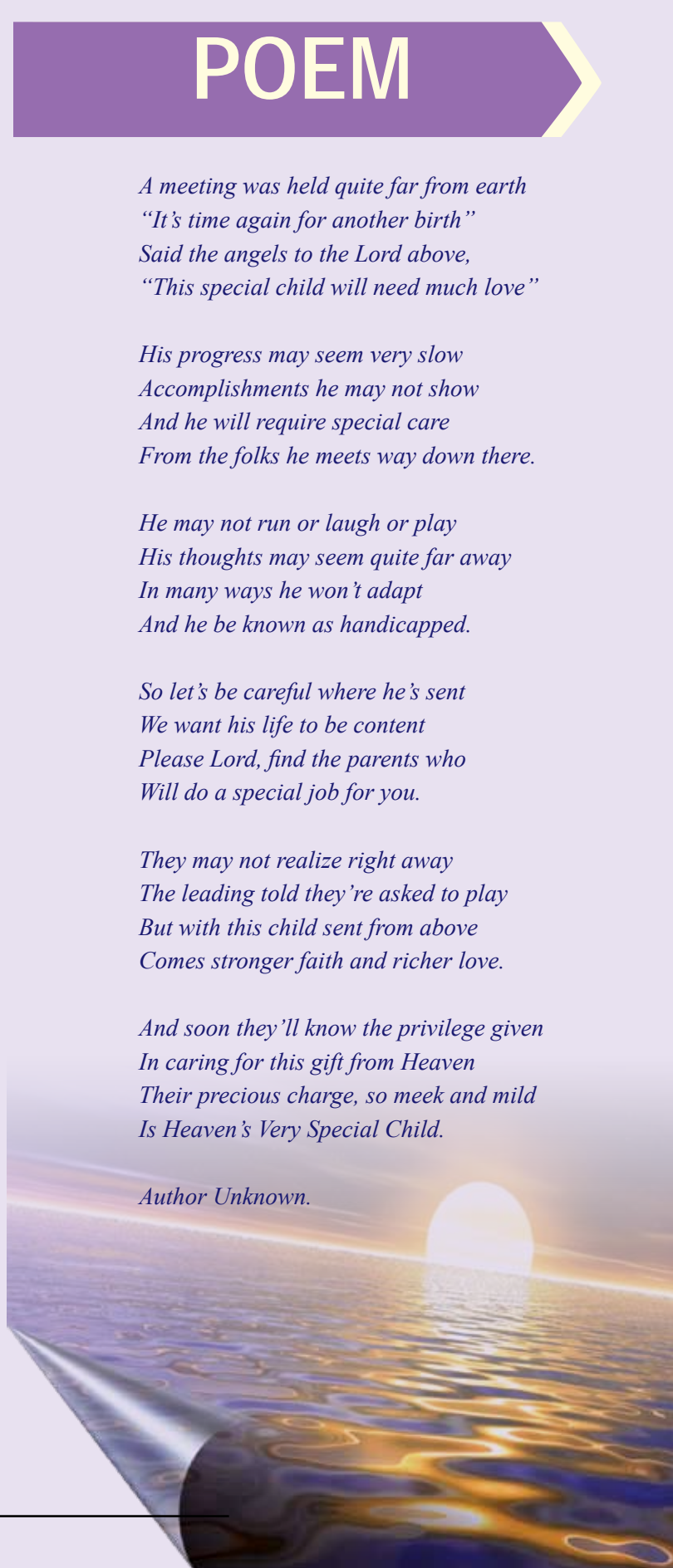
*He may not run or laugh or play
His thoughts may seem quite far away
In many ways he won't adapt
And he be known as handicapped.*

*So let's be careful where he's sent
We want his life to be content
Please Lord, find the parents who
Will do a special job for you.*

*They may not realize right away
The leading told they're asked to play
But with this child sent from above
Comes stronger faith and richer love.*

*And soon they'll know the privilege given
In caring for this gift from Heaven
Their precious charge, so meek and mild
Is Heaven's Very Special Child.*

Author Unknown.



Registration

- *Are you a person with a disability?*
- *Are you registered with the council?*
- *Have you applied for tax exemption?*
- *Do you know that you can import a modified vehicle duty free if you have a physical disability?*

Register now at the councils office or pick a form from your nearest district gender and social development officer (DGSDO) at your district headquarters

.....Stand up Be counted Access you rights

Disability Right are Human Rights



THE NATIONAL COUNCIL FOR PERSONS WITH DISABILITIES

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Tel / Fax : 020 445 2877
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Website: www.ncpwd@africaonline.co.ke

Vision:

*A Vibrant Agency Promoting Disability Mainstreaming in
National Development*