

Raila: I won't accept a salary equal to Kalonzo's

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National Accord, he was senior to Kalonzo.

"The Accord is very clear that Kibaki and I are the principal partners in the Grand Coalition Government. The Vice-President is only Kibaki's principal assistant," Raila said.

Raila added: "My duties are to co-ordinate and supervise Government functions while the President remains the Head of State. I should not get equal treatment with the Vice-President."

The PM, who is also the Lang'ata MP, tore into Head of Civil Service Francis Muthaura, saying as a civil servant he should not play politics.

"It is clear that Muthaura is a Permanent Secretary in the Office of the President and he speaks for his boss (Kibaki) in PNU.

COMING TO TERMS

"Those in PNU are yet to come to terms with the reality that ODM is an equal partner in Government," Raila said.

ODM was last month pushing for a review of the National Accord, claiming the 50:50 power-sharing agreement had not been honoured by PNU.

The PM has for the last year received salary and allowances equivalent to a Cabinet minister's.

Raila spoke a day after Mr Muthaura stated in a public forum that the Prime Minister should get the same salary, allowances and retirement package as the Vice-President pending recommendations by a tribunal on MPs' remuneration.

Muthaura said there was a contradiction between the National Accord and the Constitution and that a new

IN THEIR OWN WORDS

Muthaura: "The National Accord was negotiated in a hurry."

"In terms of Government responsibility the President and Prime minister have a higher profile (than the VP)"

Raila: "The Accord is very clear that Kibaki and I are the principal partners in the Grand Coalition Government. The Vice-President is only Kibaki's principal assistant!"

"My duties are to co-ordinate and supervise Government functions while the President remains the Head of State. I should not get equal treatment with the Vice-President."

"It is clear that Muthaura is a PS in the Office of the President and he speaks for his boss (Kibaki) in PNU. Those in PNU are yet to come to terms with the reality that ODM is an equal partner in Government."

constitution should clearly state the functions of the Prime Minister.

He said the Akilano Akiwumi tribunal on MPs salaries and allowances should clearly define what the PM would be paid.

Raila said ODM had not been consulted in the appointment of diplomats, creation of new districts and sacking and promotion of some senior Government officials, among others.

On the Geneva talks, Raila said: "As Kibaki and I are leading one Govern-



Prime Minister Raila Odinga chairs a taskforce on the rehabilitation of infrastructure in Eastleigh at Treasury Building, Nairobi, yesterday. (PHOTO: PMPS/STANDARD)

ment, I did not want to go to Geneva alone and we decided as a party (ODM) that I should opt out of the meeting."

The Prime Minister said no minister had been barred from travelling to Geneva for the talks that ended yesterday.

Cabinet ministers William Ruto (ODM), Sam Ongeri (PNU) and Mutula Kilonzo (ODM-K) are the Serena negotiators who opted not to travel to Geneva.

TRAVEL CLEARANCE

"I gave clearance to Ruto like all the other ODM members to travel, but he had other engagements. As for Ongeri, he was also cleared by Kibaki," Raila added.

The only Serena negotiators who did not travel to Geneva are Cabinet

Ministers Ruto, Ongeri and Mutula Kilonzo.

But Serena participants Musalia Mudavadi, Martha Karua, Moses Wetangula, James Orengo and Sally Kosgei attended the talks as did Attorney-General Amos Wako.

A circular from Muthaura on their responsibilities after the signing of the accord did not state clearly who, between the Prime Minister and the Vice-President, was senior.

The problem was mostly visible whenever the two attended the same function as the last to be invited looked senior.

Lately, where the President, Prime Minister and the VP attend the same function, the latter acts as the master of ceremony and invites the President after the Prime Minister talks.

Court extends order in Sh85 corruption case

By JUDY OGUTU

A former financial controller of a State corporation will not be part of his property until a case against him by the anti-graft agency is concluded.

This follows yesterday's extension of an order barring Mr Stanley Mbo Amuti from selling, leasing, transferring land or other property which Kenya Anti-Corruption Commission (KACC) suspects were obtained illegally.

When KACC took Amuti to court last year, he was a financial controller at the National Water and Power Corporation.

High Court Judge Justice Waweru extended the interim order which had been issued against him September 22, last year, following application by KACC's advocate Oscar Angote.

Amuti had, through his advocate, told the court he was eager to have the matter finalised as he had "criminal proceedings" over his head.

According to KACC details, Amuti's net monthly salary was Sh108,031 but he deposited in various accounts Sh140 million, including his salary.

CORRUPT MEANS

He is alleged to have acquired property worth millions of shillings through corrupt means.

In September 2007 and January last year, he withdrew Sh85 million to acquire and develop his other properties worth Sh56 million.

According to KACC, a search of his home unearthed huge sums of money and documents of property including houses, vehicles and land.

KACC wants the court to compel him to pay the Government an amount equivalent to the value of unexplained assets or in alternative his assets be auctioned and the proceeds held in various accounts for the Government.

Amuti had told the court the matter was holding his documents of completing its investigations.

MPs merit hefty perks and shouldn't pay tax, tribunal told

By DAVID OCHAMBA

An MP has claimed that their huge perks are compensation for "heavy responsibilities" and an incentive to attract skill to Parliament.

Kinangop MP David Ngugi claimed it was also meant to insulate MPs from manipulation by the Executive.

Mr Ngugi told the Akiwumi tribunal on MPs pay that there should be a yearly increment on legislator's earnings.

He dismissed MPs remitting taxes on allowances to the Kenya Revenue Authority before the amendment of the National Assembly (Remuneration) Act as engaging in populism.

Ngugi also wants MPs awarded a compulsory gratuity and pension regardless of years served.

"I will not be one of the populist politicians going to pay taxes while the law stands," said the MP.

When he testified yesterday, Ngugi proposed that the Constituency Development Fund be increased to 5 per cent of the Gross Domestic Product.

Ngugi proposed that MPs should only be compelled to pay tax on all earnings if the Act is changed.

He said the rise in MPs' earnings since mid 1990s had raised the quality of debate and legislative work by attracting professionals and through enhanced parliament's independence.

"When you are an MP, you carry very heavy responsibilities," he said.

He claimed he earns the same money as he did before leaving the private sector in 2007.

Another lawyer withdraws from IIEC top job shortlist

By MASENE MACHUKA and BEAUTTAN OMANGA

A human rights activist and lawyer has withdrawn from the race to become the chairman of the interim electoral commission.

Mr Pheroze Nowrojee, who won the jurist of the year award in 1995, confirmed the pulling out but declined to give reasons.

"I have withdrawn from the race and therefore I am not part of the final team in competition of the post of chairman," he told *The Standard*.

Nowrojee becomes the third lawyer to withdraw from the race. Others were Cecil Miller and Alice Yano.

Nowrojee, an Advocate of the High Court was feted by the International Commission of Jurist for his campaign for the rule of law and respect for ba-

sic human rights and freedoms.

Former House Speaker Francis Kaparo and former National Commission on Human Rights chair Maina Kiai were among the big names that did not bother to reapply for the position was re-advertised.

Politicians, lawyers and religious leaders have appealed to President Kibaki to urgently reconvene the task force to expedite the formation of the Interim Independent Electoral Commission (IIEC) to avert a constitutional crisis.

The President is expected to appoint any time before the end of this month.

The appointment of the chairman is crucial to avert a constitutional crisis even as House Speaker Kenneth Marende declared the Boma constituency seat vacant.

