

PARLIAMENT OF KENYA
THE NATIONAL ASSEMBLY

THE HANSARD

Wednesday, 6th November 2019

The House met at 9.30 a.m.

*[The Temporary Deputy Speaker
(Hon. Christopher Omulele) in the Chair]*

PRAYER

The Temporary Deputy Speaker (Hon. Christopher Omulele): I direct that the Quorum Bell be rung for 10 minutes.

(The Quorum Bell was rung)

Hon. Members, I direct that the Quorum Bell stops ringing now. I think we have sufficient numbers. Please, settle down so that we can begin business for the day.

Order, Members! Order! We can now start business. We have the requisite numbers. I direct we start business immediately.

NOTICE OF MOTION

ALTERATION OF HOUSE CALENDAR

The Temporary Deputy Speaker (Hon. Christopher Omulele): Leader of the Majority Party, the Floor is yours.

Hon. Aden Duale (Garissa Township, JP): Hon. Temporary Deputy Speaker, I beg to give notice of the following Motion:

THAT, pursuant to the provisions of Standing Order No.28(4) (*Calendar of the Assembly*) and Standing Order No.30(3) (*Hours of meeting*), this House resolves to-

- (i) alter its Calendar, so as not to hold afternoon sittings on Tuesday, 12th November 2019 and Wednesday, 13th November 2019; and,
- (ii) hold a morning sitting on Tuesday, 12th November 2019 and Thursday, 14th November 2019.

The Temporary Deputy Speaker (Hon. Christopher Omulele): Very well.

(Hon. Omboko Milemba consulted loudly)

Hon. Omboko, you will be able to ask that question in the afternoon. I am sure he has good reasons. Let us proceed.

Next Order!

QUESTION BY PRIVATE NOTICE

Question No.044/2019

INVESTIGATION INTO DISAPPEARANCE OF MR. SUMA
NYONDO SAIDI AND MR. SAMUEL RIYANGO

The Temporary Deputy Speaker (Hon. Christopher Omulele): Hon. Members, the first Question is by Hon. Ken Chonga, the Member for Kilifi South. The Floor is yours. Hon. Chonga, you will have another opportunity. I think you are trying to settle down.

We will move on to the next Question by Hon. Makali Mulu, Member for Kitui Central. The Floor is yours.

ORDINARY QUESTIONS

Question No.470/2019

STATUS OF FORMULATION OF MONITORING AND EVALUATION POLICY

Hon. Makali Mulu (Kitui Central, WDM-K): Hon. Temporary Deputy Speaker, I rise to ask Question No.470 of 2019 which is directed to the Cabinet Secretary for the National Treasury and Planning.

(i) Could the Cabinet Secretary provide the status of formulation of the Monitoring and Evaluation Policy noting that the Government has adopted results-based management as a key driver of development programmes in the country?

(ii) What measures has the Ministry put in place to ensure that there is an existing policy framework to guide feedback on the effectiveness of the implementation of development programmes set out in the Third Medium-Term Plan of Vision 2030 and “The Big Four” programmes, namely, manufacturing, food security and nutrition, universal health coverage and affordable housing as unveiled by the President in 2017?

(iii) What challenges have caused delays in publishing the Monitoring and Evaluation Policy?

The Temporary Deputy Speaker (Hon. Christopher Omulele): That Question will be replied to before the Departmental Committee on Finance and National Planning.

The next Question is by Hon. Benjamin Stephen Tayari, the Member for Kinango. The Floor is yours.

Question No.471/2019

STATUS OF COMPENSATION UNDER SGR PROJECT

Hon. Benjamin Tayari (Kinango, ODM): Thank you, Hon. Temporary Deputy Speaker. I rise to ask Question No.471/2019 which is directed to the Cabinet Secretary for Transport, Infrastructure, Housing and Urban Development.

(i) Could the Cabinet Secretary explain why quarries and other excavations dug during the construction of the Standard Gauge Railway have not been filled up or rehabilitated since the completion of the project, especially those along the railway in Kinango Constituency?

(ii) Could the Cabinet Secretary further explain why schools built as compensation have not been furnished with necessary facilities since completion of the railway?

(iii) Could the Cabinet Secretary provide details on when the construction of the following schools namely, Mpira Primary, Mariakani Roman Primary, Julani Primary, Mwembeni Primary, Mgalani Primary, Santuri Secondary and Ndohiyo Special School, will be completed under the compensation programme of the SGR?

The Temporary Deputy Speaker (Hon. Christopher Omulele): Hon. Tayari, that Question will be replied to before the Departmental Committee on Transport, Public Works and Housing. The next Question is by Hon. Ronald Kiprotich Tonui, the Member for Bomet Central. The Floor is yours.

Question No.472/2019

CONSTRUCTION OF ROADS IN BOMET CENTRAL CONSTITUENCY

Hon. Ronald Tonui (Bomet Central, JP): Thank you, Hon. Temporary Deputy Speaker for the opportunity to ask Question No.472/2019 which is directed to the Cabinet Secretary for Transport, Infrastructure, Housing and Urban Development.

(i) Could the Cabinet Secretary name the contractor(s) awarded the construction of Silibwet - Kiptagich and Aisaik -Teganda Roads in Bomet Central Constituency, and state how much has been paid out so far on the said contracts and confirm whether the works meet the set quality and standards?

(ii) What steps is the Ministry taking to ensure that the construction of the Silibwet-Kiptagich Road, which is currently in deplorable state is rehabilitated while also ensuring that Aisaik-Teganda Road has culverts installed and state by when this will be done?

(iii) Could the Cabinet Secretary consider extending construction of the road to Nyongores Tea Buying Centre and Ndaraweta Market as agreed in the tender documents?

Thank you.

The Temporary Deputy Speaker (Hon. Christopher Omulele): Very well, Hon. Ronald. We shall go back to the Member for Kilifi South, Hon. Chonga. The Floor is yours.

QUESTION BY PRIVATE NOTICE

Question No.044/2019

INVESTIGATION INTO DISAPPEARANCE OF MR. SUMA
NYONDO SAIDI AND MR. SAMUEL RIYANGO

Hon. Ken Chonga (Kilifi South, ODM): Thank you, Hon. Temporary Speaker, I stand to ask Question No.044/2019 and it is directed to the Cabinet Secretary for Interior and Coordination of National Government.

(i) What is the status of investigations into the disappearance of Mr. Suma Nyondo Saidi of ID No.31884430 and Mr. Samuel Riyango, who were allegedly last seen when being arrested by police officers within the precincts of Shanzu Law Courts after attending a mention of a case regarding land as reported at Bamburi Police Station vide Occurrence Book No.14/17/7/2019?

(ii) What steps is the Ministry taking to ensure that the said missing persons are located and reunited with their families?

The Temporary Deputy Speaker (Hon. Christopher Omulele): That Question will be replied to before the Departmental Committee on Administration and National Security. We shall proceed to the next Order.

MOTION

POLICY MEASURES TO ENSURE 100 PER CENT TRANSITION FROM SECONDARY TO TERTIARY EDUCATION

THAT, aware that according to available data from the country's education sector, a huge percentage of the students who sit for the Kenya Certificate of Secondary Education do not transition to Universities to pursue degree courses; further aware that technical skills and knowledge are fundamental in every profession; concerned that despite the importance of technical and vocational training in teaching necessary skills and building adequate human capital to achieve and sustain the Country, its uptake in the Country remains low; cognisant that promotion of technical and vocational education and skills alongside academics provides a mix of professionals and skills that the economy requires so as to create balanced manpower requirements; recognising that Article 55 of the Constitution requires the state to take measures to ensure that the youth access relevant education and training; appreciating the Government's policy of achieving 100 per cent transition of pupils from primary to secondary schools which has seen a huge increase in enrollment in secondary schools; this House resolves that the Government puts in place policy measures to ensure 100 percent transition from secondary to tertiary education.

(Hon. Munene Wambugu on 25.9.2019)

(Debate Concluded on 30.10.2019)

(Question put and agreed to)

Next Order.

BILLS*First Readings*THE ANTI-CORRUPTION AND ECONOMIC CRIMES
(AMENDMENT) (NO.2) BILL

THE BREASTFEEDING MOTHERS BILL

(Orders for First Readings read - Read the First Time and ordered to be referred to the relevant Departmental Committees)

MOTIONGOVERNMENT FACILITATION TO KENYA NATIONAL
FARMERS' FEDERATION ON DATABASE MANAGEMENT

THAT, aware that farmers in Kenya are least organised into associations, following the collapse of the agricultural cooperatives; further aware that the Crops Act, 2013 provides for registration of farmers so as to establish who they are and what they produce; noting that Government's efforts to establish farmers' organisations have ended up delivering short-lived and unsustainable initiative-based groups which fizzle out soon after their formation; further noting that the best way to organise farmers is through their organisations; appreciating that the best suited organisation to undertake farmers' registration is the Kenya National Farmers' Federation which has both experience and capacity; further noting that through organised farmers, farming will be more beneficial in terms of volumes, lowered cost of production and improving organised raw material supply to industry; realising that organising farmers into agri-business entities is a costly undertaking which calls for Government support and acknowledging that through organised production systems, the country will achieve the Big Four Agenda faster and also create more and better jobs in the agricultural value chains; this House urges the Government to facilitate and support the Kenya National Farmers' Federation to mobilise and organise the registration of farmers into preferred entities and manage national farmers' database for use in engagements and sustainable management of the various agricultural product value chains.

(Hon. John Mutunga on 30.10.2019)

(Resumption of Debate interrupted on 30.10.2019)

The Temporary Deputy Speaker (Hon. Christopher Omulele): Hon. Members, debate on this had commenced. We have a balance of one hour 32 minutes to debate the Motion. Hon. Mbai Mbithuka was on the Floor as the last Member who spoke to this and had a balance of six minutes. If he is in the House and desires to take up his balance of time, he may proceed to do so.

Hon. Mbai not being present in the House forfeits the balance of his time. So, we shall move to the next Member who is on top of the request that I have here, Hon. Maanzo Kitonga, Member for Makueni.

Hon. Daniel Maanzo (Makueni, WDM-K): Thank you, Hon. Temporary Deputy Speaker for giving me an opportunity to contribute on this very important Motion. One of the things mentioned here is that Kenya needs to get organised into associations following the collapse of agricultural cooperatives. To a great extent, it is true agricultural cooperatives have gone through serious challenges. Once upon a time, they did very well. We are still very good in cooperatives in Kenya compared to the rest of Africa and many parts of the world. Therefore, as much as we may not be doing very well in terms of coffee, the tea sector has amazing organisations and they do value addition and export. Also, farmers make profits despite the challenges. So, although there is an introduction of the Kenya National Farmers' Federation (KENAFF), I will equate this to Moshav in the Israeli experience where we have Kibbutz, which are village-based cooperatives which do farming and especially with irrigation. In Israel, value addition is done by the Moshav, which is an umbrella federation which is also a cooperative society. They coordinate markets all over the world. Israel is partly a desert, but is one of the biggest producers in the world. So, although we have KENAFF, you still find that private sector initiatives are not better than cooperatives, if cooperatives were to be reorganised in this country.

Cooperatives and farmers' associations are all private entities. The Government facilitates and gives budgetary support to these organisations which are private in nature. There are many ways the national Government can support this through expertise and through many programmes that are run through the Ministry of Agriculture, some of them sponsored by different organisations such as donors who have done a number of good activities in many counties in the country. They have done dairies for farmers such as the one done by the United States Agency for International Development (USAID) in Makueni Constituency at a place called Kathonzweni. Farmers are utilising this facility which cost Kshs74 million. It shows that there are many organisations in Kenya which can support farmers in many different ways. Kenya, being an agriculture-based economy, can do very well if these things are reorganised as this Motion is urging. For example, for sugarcane, rice, coffee and tea farmers. With increased irrigation, we are increasing the food baskets in different parts of Kenya.

When we complete the Thwake Dam, which is being done in Makueni and Kitui, we are going to increase production. We know what is happening in Kulalu-Galana Irrigation Scheme. If we have value addition, for example, the case of maize - we process maize to flour in an organised manner - then we are likely to achieve what this Motion is urging. So, the main idea is to reorganise. Since they have talked of collapsed cooperatives, the Ministry of Cooperatives should be challenged once more through the Commissioner of Cooperatives, who is a very important person under the Cooperatives Act. He can reorganise the cooperatives and still work with other partners such as the federations that are being proposed here, so that we have an overall organisation that will make value addition better and improve the systems of farming. The Crops Act is quoted here. We now have the Agriculture and Food Authority (AFA) and we can reorganise ourselves.

One of the parliamentary committees which visited South Korea realised that our coffee is being consumed in tonnes in Korea and many other parts of the eastern world. Therefore, it is true that if we organise ourselves and remove the brokers who have always been the biggest problem, farmers will benefit. We are encouraging farmers to market coffee directly, but there

must be an organisation of some sort, mostly a cooperative that is well organised to ensure that the farmer who is the producer does not suffer because that seems to have been the problem.

One of the issues is a database and value addition production. I will give an example of a great Kenyan called Hon. Joseph Nyagah, who was one time in the Ministry of Cooperatives. I recently met him in Embu. He is farming chicken in a big way and supplying eggs and many people are looking at what he is doing. However, is this information shared? How does he connect with similar farmers so that they can put together whatever they have produced and have a strategy of marketing their products outside the country?

Why are we importing eggs in Kenya when we have so many farmers rearing chicken? Why are we buying sugar when we have sugarcane farmers in this country? Uganda is self-sustaining in sugar production. We are not and we are finding ourselves buying maize from outside the country when we have many farmers in the Rift Valley who should have an organised system of ensuring that their maize is produced, processed, there is value addition, it is sold locally and to international markets.

So, there is a real big challenge in the Ministry of Agriculture and Irrigation, the Ministry of Foreign Affairs and International Trade and the Ministry of Industrialisation and Enterprise Development in terms of those who deal with production, marketing and value addition. When doing our budgeting, we can look at the infrastructure and see how best these farmers can secure markets out there. I think Government funding is not sufficient. Therefore, we need to go deeper and ensure there is sustainability of what we do. All farmers produce outputs in one way or another and they market their products and make profits. The country is facing a big crisis when it comes to tax collection. This is part of reorganisation to ensure we collect enough taxes from the farmers' production and profits, so that the Government is funded and can support these organisations.

This Motion by Dr. John Mutunga is great and I have a lot of respect for him. He is very well known in this particular field. I believe he should lead once this Motion goes through so that farmers in the country can start organisations. He is an expert and comes from an area where people run cooperatives very well. In fact, almost 90 per cent of all the Ministers of Cooperatives in this country since Independence have come from his home ground. This includes Senator Ndwiga who is very experienced and is within the precincts of Parliament. We can source for information from these great men who have been Ministers in this area, follow the law and infrastructure, which is there and importantly the policy. By doing this, I believe we will help farmers of this country.

Thank you, Hon. Temporary Deputy Speaker. I support.

The Temporary Deputy Speaker (Hon. Christopher Omulele): Very well-spoken, Hon. Maanzo. You also have a background in cooperatives having been one of the top administrators in that Ministry at some point in your long career in public service. Hon. Maanzo may look young, but he has been in public service for quite some time. We shall have contribution from Hon. Wambugu Munene, Member for Kirinyaga Central.

Hon. Munene Wambugu (Kirinyaga Central, JP): Thank you, Hon. Temporary Deputy Speaker for giving me a chance to contribute to this very important Motion. From the outset, I want to take this chance to thank Dr. Mutunga for thinking aloud and coming up with this Motion which is very timely and it should be supported by all people. As we know, the economy of Kenya is agriculturally based and time has come for us to support the entities which can help our farmers.

Over 65 per cent of our economy is agriculturally based, but unfortunately, we have not been able to organise our farmers and determine who they are. This is because we estimate and lack a clear database of the number of coffee, tea, sugar and potato farmers or other farmers in this country. There is no clear database which shows whether in Kenya we have 30,000 coffee farmers or 50,000 tea farmers.

By registering the farmers, we will get a database which the Government will use to promote the formation of organisations. As we know, our farmers are small-scale farmers. So, we need to bring them together to form an association or cooperative so that they can get economies of scale, without which these farmers will always feel short-changed and will never get the full value of their efforts or labour. For instance, in my constituency, farmers grow tomatoes and it is every small farmer for him or herself. So, if these farmers form groups to get resources and access markets together, when they want to buy inputs they can do so as an institution or organisation. As they buy in bulk, they will spend less money. So, without such organisations our farmers will never get the true value of their efforts.

Further to this, we all know one of the Big Four Agenda is Food Security. When talking about food security, we must start from the basics. How do we ensure we have food security in this country? If we do not take care of our farmers or take measures to encourage many people to go into farming, we will not achieve food security fully. We need to make it a lucrative venture such that everybody does not need a white-collar job. That is why we need to start encouraging formation of these organisations.

Also, we all know that we need a national body and that is why the Mover of this Motion has said KENAFF should be given funds and supported so that we can create a database of all the farmers in this country. This will enable farmers from certain regions to know we depend on them. After considering the rainfall and weather of their area they ought to grow certain food crops and limit themselves from growing everything. Depending on the weather of a certain region we can state the kind of food crops or cash crops they will grow so that we can know how much food is produced.

I believe food production in Kenya is not numerically documented. We normally assume we have maybe 4,000 or 10,000 bags of maize, but there is no clear data on how much maize or beans is produced in this country because we lack data and cooperative organisations to group farmers together.

So, this Motion is very timely and it should be supported because in Kenya, whether we like it or not, as we stand now our economy depends on agriculture. We cannot continue with agriculture without having a database of farmers or assisting them to get the necessary inputs. We cannot assist them if they are not in groups, cooperatives or associations. For example, giving them inputs is very difficult. For instance, when the Cabinet Secretary in-charge of agriculture brought fertilisers for coffee farmers it was taken to cooperative societies for them to distribute. This is because it could not be given to each individual farmer because of the issue of accountability.

With those few remarks, I support.

The Temporary Deputy Speaker (Hon. Christopher Omulele): Hon. Wanyonyi, Member for Westlands.

Hon. Tim Wanyonyi (Westlands, ODM): Thank you, Hon. Temporary Deputy Speaker. I also want to contribute to this Motion. Organised farmers anywhere in the world have a lot of benefits. This also empowers them to market their produce and have a good economic base which supports and sustains them. There are countries that have done very well in matters of

agriculture. Look at a country like India which has a huge population. Sometimes in the early 70s, the then Prime Minister of India, Indira Gandhi, started something called Agrarian Revolution where farmers had to join together and form themselves into cooperative movements to increase production and also market their produce properly.

Here in Kenya, we used to have the Kenya Farmers Association (KFA) that used to market produce. We also had cooperative societies that were very vibrant. We are the ones who started the cooperative movement. Some countries have borrowed it from us and they have done very well. I believe with the growing population and also the level of government involvement, if farmers are properly organised into organisations, they will be able to empower themselves to market their products. They will also specialise in the areas where they can produce commodities that can be exported to other countries. The Government also needs to be serious about protecting farmers. We have ended up flooding our market with cheap farm produce from neighbouring countries thereby destroying our farmers. We have heard our farmers crying over and over. Their foods are rotting away in the farms and yet the Government is not providing anything. We have to move away from this business of Government being the sole marketer or buyer of the farm products. It will be the farmers themselves who will be organised into federations. If those organisations are properly structured, they will provide a better base for the farmers.

We now have devolution in our country. Some of our counties lack food production. If some counties blessed with arid lands can produce food and do marketing in other counties, I am sure farmers from those rich areas like the Rift Valley and western Kenya can find market within the country and market their produce. They will also have to deal with how to manage their produce. Sometimes we tend to do the same thing all the time and then everybody ends up doing the same thing. However, once you have learnt to specialise and also understand the dynamics of the market, then it will be of benefit to our farmers. We have seen many organisations collapse. We have even seen factories that support farmers collapse. We have seen dairy farmers struggling.

This is a very important Motion. As we look to empower our farmers, we must first get them organised. Registering themselves into these organisations will bring a lot of benefits, not just to the immediate farmers, but also to the country. It will also provide food security. That is one of the pillars of the Big Four Agenda that the Government has come up with. This will be one sure way of ensuring that we have food security in the country. There is also a market for this produce from our farmers so that they do not end up being disadvantaged when they have their produce and they have nowhere to sell it.

Thank you very much. I support this Motion.

The Temporary Deputy Speaker (Hon. Christopher Omulele): We shall have the Member for Githunguri, Hon. Gabriel Kago.

Hon. Gabriel Kago (Githunguri, JP): Thank you, Hon. Temporary Deputy Speaker, for this opportunity. I rise to support Hon. Mutunga, the sponsor of this Motion on registration of farmers and formation of agribusiness entities.

The farmers of this country are not known. Therefore, there is no data on farm sizes and types of farming that is available in this country. That is why we have issues with our farmers because the types of crops they produce are not known. Therefore, we even have gaps on what we are producing and what we import from other countries. An example is maize. We do not know how many farmers grow maize. When the country imports maize from other countries, you find that we have excess and, therefore, the prices of the maize that local farmers produce

becomes too low and they make losses. If farmers are registered in this country, we will know how much we will need for livestock feeds. However, when we do not have the data for the farmers, that is where we have the gap and livestock feeds are not catered for.

When we come to cash crops, coffee is ailing in this country because we do not even know how many small-scale farmers are in this country. The large-scale farmers do not also have associations. They cannot have a voice for the market.

In 1980s, Kenya was producing over 180,000 metric tonnes of coffee. Today, we are producing less than 39,000 metric tonnes. This is because no one cares about the farmer. Because they are not organised, they cannot have a voice on what they are producing. In this country farmers grow anything on their farms. Therefore, they have enterprises despite the size of the holding.

We know, for example, that in Trans Nzoia, farmers grow maize. If they are registered and we have the data, we will know how many bags of maize will be produced in Trans Nzoia. When it comes to subsidies, if we do not have data for our farmers who grow maize, it becomes too difficult to issue fertiliser subsidies and other subsidies to the farmers. Therefore, these subsidies will benefit the cartels. However, if we have a data for our farmers, then they will benefit.

This House passed the Warehouse Receipt System Bill early this year. This will provide for establishment of warehouse and collection of farm produce into the warehouse and checking in products.

As I conclude, I agree with those who have spoken before me that registration of farmers is not a Government affair. We need to entrust this to an umbrella body to conduct that exercise.

Thank you, Hon. Temporary Deputy Speaker.

The Temporary Deputy Speaker (Hon. Christopher Omulele): Hon. Waluke, Member for Sirisia.

Hon. John Waluke (Sirisia, JP): Thank you, Hon. Temporary Deputy Speaker. I stand to support this Motion. Farmers of this country suffer a lot because the Government does not take care of them. For a very long time, the economy of Kenya has depended on farmers.

The Temporary Deputy Speaker (Hon. Christopher Omulele): Hon. Nkatha, what is out of order?

QUORUM

Hon. (Ms.) Beatrice Nyaga (Tharaka Nithi CWR, JP): Thank you, Hon. Temporary Deputy Speaker. I rise under Standing Order No.35. I would like to point out that the House has no quorum. I request your guidance.

The Temporary Deputy Speaker (Hon. Christopher Omulele): Hon. Beatrice Nkatha, you are absolutely right. I see that we have again lost quorum. I direct that the Quorum Bell be rung for 10 minutes. The honourable Members who are in the House - according to our rules - will not leave until we have completed that process of raising quorum.

(The Quorum Bell was rung)

(An Hon. Member walked out of the Chamber)

Hon. Members, you cannot leave the Chamber when the bell is ringing. You cannot exit when the bell is still ringing. I hope you know the rules.

Order, Hon. Members! We have still not raised the numbers. I direct that the bell rings for another five minutes.

(The Quorum Bell was rung)

Hon. Members, is that Hon. Arati at the door? You cannot go out when the bell is ringing. You know the rules. These are your rules but not the Hon. Temporary Deputy Speaker's rules. Give them respect, which is good for all of us. Hon. Members, I direct that we stop ringing the bell.

ADJOURNMENT

The Temporary Deputy Speaker (Hon. Christopher Omulele): Because of lack of quorum, Hon. Members, and the time being 10.36 a.m., this House stands adjourned until today, Wednesday, 6th November 2019, at 2.30 p.m.

The House rose at 10.36 a.m.