

# NATIONAL ASSEMBLY

## OFFICIAL REPORT

Wednesday, 3rd December, 2008

The House met at 2.30 p.m.

*[Mr. Speaker in the Chair]*

PRAYERS

### PAPER LAID

The Local Authorities Transfer Fund (LATF) Annual Report for the financial year 2006/2007.

*(By the Deputy Prime Minister and  
Minister for Local Government)*

### QUESTION BY PRIVATE NOTICE

DISMISSAL OF MS. VERONICA JEPKOECH

**Mr. Mwaita:** Mr. Speaker, Sir, I beg to ask the Minister of State for Public Service the following Question by Private Notice.

(a) Considering that Ms. Veronica Jepkoech (P/No.1997065075) was granted study leave by the Government up to December, 2004, could the Minister explain why she was dismissed from the service in April, 2004, allegedly on grounds of absence from duty?

(b) What steps will the Minister take to ensure that the officer is re-instated?

**The Minister of State for Public Service (Mr. Otieno):** Mr. Speaker, Sir, I beg to reply.

(a) Ms. Veronica Jepkoech P/No.199765075 who served at State House as Waiter I was granted part-time study leave on her own request for part time studies for a diploma course in food and beverage management at the Kenya Polytechnic from 3.00 o'clock to 7.00 o'clock everyday with effect from 6th January, 2003. She, however, decided to be away from duty from this date on a full-time basis against the provisions contained in the authority granted. The Code of Regulations is very strict on this matter. She was, therefore, dismissed from the Civil Service for gross misconduct following the laid down procedures governing cases like this one.

(b) Since all procedures governing cases of this nature were followed in dismissing her from service for gross misconduct, the Government has no intention of initiating any measures to reinstate her.

**Mr. Mwaita:** Mr. Speaker, Sir, the answer given by the Minister is not satisfactory because he has intimated that the officer was on a part-time study leave. However, she was on a full-time study leave. She paid the mandatory 20 per cent training levy. She was also paid book allowance and she was on a full-time two-year diploma course at the Kenya Polytechnic. Could the Minister confirm that she was dismissed from the service on account other than being absent from duty, otherwise, she seems to have been dismissed from the service on account of her ethnic extraction?

**Mr. Otieno:** Mr. Speaker, Sir, I take issues of discipline very seriously. Where there is any indication of injustice, I go to great lengths to investigate. This particular officer became casual and started taking [Mr. Otieno]

extra hours away from her duties claiming that she was given verbal permission which, in the circumstances, I cannot use as defence over the matter.

**Mr. Speaker:** Ask your last question, Mr. Mwaita!

*(Mr. Affey stood up  
in his place)*

At the right time nobody was interested in asking a supplementary question, Mr. Affey. You stood up too late; long after the Minister had sat down and I called for the last question!

**Mr. Imanyara:** On a point of order, Mr. Speaker, Sir. I think there was general confusion because we were waiting for the hon. Member to rise and I have a very important issue to raise regarding this matter. I know that the reasons given by the Minister are not true. Since the change of status of the chief tenant at State House---

**Mr. Speaker:** Order, Mr. Imanyara! You said there was a state of confusion. I would like to confirm that there was, indeed, confusion. Mr. Affey, could you confirm that you were confused?

*(Laughter)*

**Mr. Affey:** Mr. Speaker, Sir, certainly not and you know that!

**Mr. Speaker:** Proceed, Mr. Imanyara! You have the Floor!

**Mr. Imanyara:** Mr. Speaker, Sir, the Minister said that he takes issues of discipline very seriously where there are allegations. It is a matter of common knowledge that since the change of status at State House, since the departure of the one-spouse tenant; the former President, following the Elections of 2002, there have been very serious problems regarding staff working at State House. The reason for their dismissal has nothing to do with the duties they are doing. It is because one of the tenants, the spouse of His Excellency the President, has been chasing workers from State House who do not belong to a particular tribe. The Minister should admit that, that is a fact and it can be substantiated!

**Mr. Speaker:** What is it, Mr. Kiunjuri?

**The Assistant Minister for Water and Irrigation** (Mr. Kiunjuri): On a point of order, Mr. Speaker, Sir. Could Mr. Imanyara declare his interest in this Question?

**Mr. Speaker:** What is the interest that you seem to be aware of?

**The Assistant Minister for Water and Irrigation** (Mr. Kiunjuri): Even other hon. Members are complaining---

**Mr. Speaker:** Mr. Kiunjuri, it is you who rose on that point of order. What is this interest that you seem to know that you want Mr. Imanyara to declare?

**Hon. Members:** Tell us!

**The Assistant Minister for Water and Irrigation** (Mr. Kiunjuri): Mr. Speaker, Sir, I am wondering because he has not even asked for substantiation. He must be having some interest. He is not asking for substantiation.

**Mr. Speaker:** Mr. Imanyara, do you have any interest that is personal in this matter?

**Mr. Imanyara:** Mr. Speaker, Sir, if indeed, the Member for Laikipia East wants substantiation; yes, I can give him because---

**Mr. Speaker:** Order, Mr. Imanyara! Mr. Kiunjuri has stated that Mr. Imanyara may be

having a personal interest in this matter which he has not declared. So, I have asked Mr. Imanyara to tell the House if he has a personal interest in this matter and it has to be compelling.

**Mr. Imanyara:** Mr. Speaker, Sir, the personal interest I have is that I have been a guest of State House at the invitation of His Excellency the President and I know the workings that go on in that House. The workers at State House may not be able to get the opportunity that I have to come into

this House to tell Kenyans that State House is out of bounds to members of tribes that do not belong to that of the First Lady. She has been chasing people out of there and I have had the occasion to complain about this. This is a fact that cannot be denied!

*(Applause)*

**Mr. Speaker:** Order, Mr. Imanyara! That then suffices. You have said what your personal interest is and the nature of it. Mr. Minister, are you able to answer the question that was asked?

**Mr. Otieno:** Mr. Speaker, Sir, in human resource management, the issues of interpersonal relationships are ordinary, usual and we deal with them on a day-to-day basis. A matter of a difference between personalities; whether between two juniors or a junior and a boss are, again, ordinary. That will not lead to dismissal from service. It may only lead to transfer from State House. In this particular case, it was different.

**Mr. K. Kilonzo:** On a point of order, Mr. Speaker, Sir. Mr. Imanyara has made a very serious allegation because we know that State House is the residence of His Excellency the President. It is not restricted to any community in this country. Could the hon. Member substantiate and give proof of members from other communities who have been chased out of State House or withdraw those remarks?

**Mr. Speaker:** That is coming too late! Our Standing Orders and our practice in this House indicate that if something is out of order, you raise that point of order timeously. If Mr. Imanyara made that claim in the statement that he did, then you ought to have raised it before I called on the next person to speak. You are now raising it after the Minister has answered the question by Mr. Imanyara.

**Mr. K. Kilonzo:** Mr. Speaker, Sir, I did rise at that time on a point of order, and you told me to wait until the Minister answers so that I can rise again. Unless you are contradicting your own ruling, which I respect very much---

**Mr. Speaker:** Order! Order, Mr. K. Kilonzo! You cannot say that about the Chair! The HANSARD will bear this out, and if you want this carried further, it will be carried further. As to whether or not the Chair is contradicting its position, I know that I have not contradicted my position. If you want to retain the words that the Chair has contradicted its position, then, please, do so and we will verify from the HANSARD records.

**Mr. K. Kilonzo:** Mr. Speaker, Sir, I have no good reason not to withdraw the statement that there were contradictions. I want to make it very clear that when hon. Imanyara made that serious allegation, I stood up on a point of order, but you overruled me.

**Mr. Speaker:** Hon. K. Kilonzo, could you, please, deal with the matter that I have raised? Did the Chair contradict itself?

**Mr. K. Kilonzo:** Mr. Speaker, Sir, I absolutely withdraw and apologise for that. However, I reiterate my position that I stood up at that point in time.

**Mr. Speaker:** Very well! Even if you stood up, but if you did not catch the Speaker's eye, there is nothing for you to cry foul over. Essentially, that is our procedure. So, at the subsequent point, you were too late. Therefore, that point of order will not be taken now.

**Mr. Mwaita:** Thank you, Mr. Speaker, Sir. I want to ask one last question to the Minister. I

would like him to confirm whether the officer was given the due opportunity to defend herself in line with the Civil Service Code of Regulations.

**Mr. Otieno:** Mr. Speaker, Sir, she was given! From the point of view of the Ministry of State for Public Service, State House is one station where one expects the highest standards of performance. No casual approaches to any conduct in terms of performance at State House will be tolerated

because it has a bearing on the image of the whole country. Somebody in the Food and Beverages Department knows the consequences of guests not being properly served under her supervision. So, I expected the best performance regardless of the opinions of the bosses there.

### ORAL ANSWERS TO QUESTIONS

#### *Question No.480*

#### ERADICATION OF TSETSE FLY IN GWASSI

**Mr. Speaker:** I thought Mr. Mbadi was available. I saw him this afternoon. We will leave the Question pending for sometime because I thought the hon. Member was here. I saw him in my office just before we started this sitting.

#### *Question No.156*

#### WEIGHT OF POTATO BAGS PERMITTED INTO MUNICIPAL MARKETS

**Mr. Kioni** asked the Deputy Prime Minister and Minister for Local Government:-

(a) whether he could confirm the permitted weight for a bag of potatoes allowed into the municipal market;

(b) whether he could state if the weight has been gazetted and explain what action will be taken against officers who flout this rule; and,

(c) what measures the Ministry is putting in place to ensure that the rule is similarly enforced in all the potato growing areas in the country.

**The Assistant Minister, Office of the Deputy Prime Minister and Ministry of Local Government** (Mr. Githae): Mr. Speaker, Sir, I beg to reply.

(a) The permitted weight for a bag of potatoes is 110 kilogrammes.

(b) The weight in "a" above, has been gazetted vide Gazette Legal Notice No.113 in the Kenya Gazette Supplement No.64 of 5th September, 2008. Any person who contravenes the provisions of the by-laws is liable to a fine not exceeding Kshs2,000 or to imprisonment for a period not exceeding six months. The person will also forfeit the produce.

(c) The Legal Notice covers all the local authorities in the country. Therefore, all the local authorities are expected to familiarise themselves with the by-laws and ensure compliance in their areas of jurisdiction.

**Mr. Kioni:** Thank you, Mr. Speaker, Sir. The Assistant Minister has stated the obvious. However, I thank him all the same. Could he confirm whether to date, there is any officer who has been convicted for contravening this particular order he has told us about and whether he is aware of such a contravention?

**Mr. Githae:** Mr. Speaker, Sir, to date, nobody has been charged with this offence because there has been no complainant. The day we get a complainant saying that somebody had packed their produce in more than 110 kilogrammes, we will take action. It is inhuman to expect somebody to carry more than 110 kilogrammes. Even air lines have gone to 32 kilogrammes.

**Mr. Kioni:** Mr. Speaker, Sir, I have a receipt that was issued by the Nairobi City Council for a bag that was weighing more than 110 kilogrammes. The bag was actually weighing 220 kilogrammes. This is the same legal entity that is supposed to enforce the same order that the Assistant Minister has mentioned.

Could we get a clarification from him as to whether these rules are meant for all the local authorities or just particular ones? This receipt came from the Nairobi City Council and I can table it as evidence.

*(Mr. Kioni laid the document  
on the Table)*

**Mr. Githae:** Mr. Speaker, Sir, let me, again, emphasise, that these by-laws apply to all the local authorities in the entire sovereign Republic of Kenya. Ignorance is no defence in law. Concerning what the hon. Member has produced, it is just a receipt showing the weight. However, there is nobody complaining. There should be someone complaining. It is the farmers who should be complaining. They should not even pack their produce in more than 110-kilogramme bags.

**Mr. Kioni:** Mr. Speaker, Sir, the Assistant Minister has not even seen the receipt. He is answering from his own imagination and misleading this House. This receipt shows that one bag was receipted as two. That is what we are complaining about in my constituency because it is pure exploitation of farmers. That answer is not helping the poor farmer in my constituency.

**Mr. Speaker:** Mr. Assistant Minister, are you misleading the House arising from the fact that you have not seen the receipt?

**Mr. Githae:** Mr. Speaker, Sir, I did not have to see it! These matters are well within my knowledge. We know these things. We know what we are doing. Let me take this opportunity to request all farmers not to put their produce in more than 110-kilogramme bags because that amounts to exploitation. That is why this Ministry came to the rescue of farmers because the brokers were insisting on packing potatoes in more than 110-kilogramme bags. This is illegal and an offence. We will not allow it.

**Mr. Koech:** On a point of order, Mr. Speaker, Sir. We expect the Minister to protect the farmer. Now that this document has been tabled, what action will he take against officers who allow the illegality?

**Mr. Speaker:** That is not a point of order! That is a question! Mr. Assistant Minister, you will not respond!

**Mr. Njuguna:** On a point of order, Mr. Speaker, Sir. Is it in order for the Assistant Minister to tell this House that he cannot take any action when there is clear violation of the law just because there is no complainant? Is he telling the House that the law is just there to exist in books?

**Mr. Speaker:** That also is not a point of order! That is a point of argument! You are stating a position that is different, perhaps, from what the Assistant Minister stated. However, you have not indicated what is out of order! I do not see anything! Even if you use the words; "is it in order or out of order", that alone does not make it a point of order!

**Mr. Imanyara:** On a point of order Mr. Speaker, Sir. The hon. Member laid a document on the Table of the House. Is it in order, when an hon. Member lays a document on the Table of the House that addresses the Front Bench, for the Assistant Minister to stand up and say that he does

not have to look at it when we know that it was brought here, so that he can look at it? Is it in order for him to dismiss, so contemptuously, a document that has been laid on the Table of the House?

*(Applause)*

**Mr. Githae:** Mr. Speaker, Sir, I have no intention of dismissing the paper. All I said is that I was aware of it. I do not have to look at it right now. However, I will look at it later if that will make the hon. Member happy. This is a serious matter. That is why I have taken this opportunity, in this House, to request farmers not to accept what brokers are saying. They should not pack their potatoes in a weight exceeding 110 kilogrammes. That is the law. There is nothing much we can do. They are supposed to comply with it.

**Mr. Kioni:** On a point of order, Mr. Speaker, Sir.

**Mr. Speaker:** The Assistant Minister has actually dealt with that matter sufficiently. Order, Mr. Kioni! You asked that Question! I called for the last question. You asked the first question and the second question. The Assistant Minister had asserted that he is aware of the contents of these receipts.

In other words, the contents of these receipts are within his knowledge. You have no way of refuting that unless you take him to some doctors for medical examination to find out what is in his brain. Otherwise, we will proceed.

*Question No.226*

PROGRAMME FOR REGISTRATION OF  
ADJUDICATION SECTIONS IN  
LOWER EASTERN PROVINCE

**Mr. Mbai** asked the Minister for Lands whether he could give an update of the implementation of the Ministerial Directive on the crash programme for the registration of all the adjudication sections opened between 1970-1999 in the lower Eastern Province.

**The Assistant Minister for Lands (Mr. Rai):** Mr. Speaker, Sir, I beg to reply.

Yes, I can give an update of the implementation of the Ministerial Directive on the crash programme for the registration of all the adjudication sections opened between 1970-1999 in the Lower Eastern Province.

The Ministry has completed work in Machakos, Kangundo and Mwala districts and has now embarked on the completion of Yatta, Kitui, Mwingi, Makueni and Kibwezi districts.

**Mr. Mbai:** Mr. Speaker, Sir, I want to thank the Assistant Minister for the answer. The crash programme was established to make sure that areas in which people could not get title deeds since 1970 get them. I am surprised that, 38 years down the line, the affected people have not yet accessed the title deeds. What has been the problem that has made the Ministry not to issue these title deeds?

**Mr. Rai:** Mr. Speaker, Sir, for any title deed to be issued, it has to go through many processes. That is why I have said that, in some areas, we have already completed the exercise. In some areas, we have not. For example, some title deeds are at the office of the Director of Survey where printing is now being done. Some areas are past the survey stage. It is up to the hon. Member to understand and tell us in which areas he wants the exercise to be expedited. We are always ready to do what we are supposed to do to ensure that title deeds are issued.

**Mr. K. Kilonzo:** Mr. Speaker, Sir, I want the Assistant Minister to confirm to this House

that he knows that there is a district called Mutomo. Since he did not mention it, and yet it lies in the Eastern region, is he including it in the adjudication because part of my constituency lies in it and so is the area of the hon. Member for Kitui South? This is also the area where the hon. Vice-President and Minister for Home Affairs comes from.

**Mr. Rai:** Mr. Speaker, Sir, I did not get the last question.

**Mr. K. Kilonzo:** Mr. Speaker, Sir, I said you have left out other districts in this crash programme. Apart from Mutomo District, there is also Kyuso District which is where the hon. Vice-President and Minister for Home Affairs comes from. You did not mention it among those districts to be covered by this crash programme exercise. What is the position?

**Mr. Rai:** Mr. Speaker, Sir, if permitted I would like to go through the districts which have been dealt with. That way, maybe the hon. Member will be in a position to confirm whether his home district is included or not.

**Mr. Speaker:** Order, Mr. Assistant Minister! You have been asked a question that is fairly specific. You have been asked whether Mutomo and Kyuso districts are included in your list. So, just answer that. You do not have to read the whole list.

**Mr. Rai:** Mr. Speaker, Sir, I said so, because some of the districts are newly-created. We have been carrying out this exercise for the past ten years.

**Mr. Speaker:** Are the two districts included or not?

**Mr. Rai:** Mr. Speaker, Sir, at this moment, they are not included.

**Mr. Speaker:** Very well! That is the answer!

**Mr. Konchella:** Mr. Speaker, Sir, could the Assistant Minister include in the crash programme the 11 sections where adjudication process has never been undertaken in my constituency?

**Mr. Rai:** Mr. Speaker, Sir, I will include them in the next financial year.

**Mr. Mbai:** Mr. Speaker, Sir, 21 sections were completed in Machakos last year. The officer in charge forwarded the same to the Ministry headquarters. To date, nothing has been done. Those areas are in Kangundo and Kithyoko locations. How soon is the Assistant Minister going to issue title deeds to these people?

**Mr. Rai:** Mr. Speaker, Sir, in areas which the hon. Member has mentioned, we have given our officers three months to complete the exercise.

*Question No.463*

ERADICATION OF WATER HYACINTH  
IN LAKE VICTORIA

**Mr. Ogindo**, on behalf of **Mr. Sambu**, asked the Minister for Environment and Mineral Resources:-

(a) whether he is aware that Lake Victoria, once a resourceful water body and which is a source of livelihood for millions of Kenyans, is now choking with water hyacinth; and,

(b) what urgent steps he is taking to rid the lake of this plant and to clean and restore its glory.

**The Assistant Minister for Environment and Mineral Resources** (Mr. Kajembe): Mr. Speaker, Sir, I beg to reply.

(a) Yes, I am aware that Lake Victoria, the only once beautiful and resourceful water body, which is a source of livelihoods for millions of Kenyans, is now choking with water hyacinth, a

free-floating perennial plant.

(b) My Ministry, in conjunction with other lead agencies, has instituted both biological and mechanical methods of arresting the spread of water hyacinth (*Eichornia Cressipes*). The main biological method currently being employed is the use of neochetina weevils. This resulted in the reduction of the infested area from 17,000 hectares in 2005, to less than 500 hectares today.

My Ministry is currently promoting the rearing of the weevils by communities living along the shores of Lake Victoria. The rearing units are now 18 in number. Efforts are also being made to negotiate with development partners with a view to obtaining more funds in order to deal with water hyacinth menace, not only in Lake Victoria, but also in other affected water bodies across the country.

**Mr. Ogindo:** Mr. Speaker, Sir, I want to thank the Assistant Minister for his answer. However, I find it very unsatisfactory. I know the Assistant Minister comes from very far from Lake Victoria, but almost half of the lake is still choking under the water hyacinth. This has resulted in people living around the lake becoming economically internally displaced persons. This requires very urgent measures because we know that the water hyacinth has some advantages.

What is he doing to put the situation at manageable levels, so that we can continue enjoying the advantages of the water hyacinth and, at the same time, it does not hinder the livelihood of the people around the lake?

**Mr. Kajembe:** Mr. Speaker, Sir, I have said in my answer that the affected area was 17,000 hectares. Today, the affected area is only 500 hectares after the use of the neochetina weevils. These weevils are doing a good job. They have reduced the total acreage which was infested by the water hyacinth. The Ministry is doing a lot for anybody to say that we are running away from this.

However, we cannot completely destroy the water hyacinth using the neochetina weevils because if they have nothing to feed on in the lake, they will die and the weed will grow again. We must also maintain the weevils.

**Eng. Rege:** Mr. Speaker, Sir, could the Assistant Minister assure this House that the water hyacinth that is choking the lake, is being fed by soil erosion from the highlands of Kisii? When will he get rid of the soil erosion?

**Mr. Kajembe:** Mr. Speaker, Sir, the Ministry has solved about 75 per cent of the problem. Let me assure this House that my Ministry is coordinating with other lead agencies to rehabilitate the lake.

Mr. Speaker, Sir, I can assure the House that the programme is going on very well. If the hon. Members think that something is going wrong, which is not within my knowledge, they should come to my office and I will deal with it.

**Mr. Imanyara:** Mr. Speaker, Sir, considering that Kenya is a Member State of the East African Community, and further that Lake Victoria covers three countries, namely, Kenya, Uganda and Tanzania, what steps has the Assistant Minister taken to enlist the support of the Governments of Tanzania and Uganda in the fight against this destruction?

**Mr. Kajembe:** Mr. Speaker, Sir, just three weeks ago, we had a meeting with representatives of the countries surrounding Lake Victoria and Zanzibar. We addressed this issue. The same measures that Kenya is taking are being taken by Tanzania, Uganda, Rwanda and Burundi. We are doing it together.

**Mr. Bett:** Mr. Speaker, Sir, the Assistant Minister is struggling to give us conclusive answers. However, on a casual observation, water hyacinth is growing profusely around towns and cities. This has some connection with the raw sewage that is being discharged from the towns into Lake Victoria.

What is he doing to ensure that raw sewage from the City Council of Kisumu is not discharged into the lake, which is food for water hyacinth?



**Mr. Kajembe:** Mr. Speaker, Sir, this is one of the problems that we are facing from the Kisumu City Council and many others in the country. Waste is being discharged into our lakes and rivers. I want to assure the hon. Member that we have already given guidelines to the Kisumu City Council. Notices have been issued to the people who are discharging their waste into Lake Victoria.

**Mr. Ogindo:** Mr. Speaker, Sir, considering that the Government is overly responsible, what is the Assistant Minister doing to ensure that the people who have been displaced from their economic activities in the lake are compensated before they take this Government to court, like they are intending?

**Mr. Kajembe:** Mr. Speaker, Sir, you do not just wake up and say that you want to take the Government to court! If there is anything wrong in the sub-locations, locations or divisions, it should be addressed from the lowest levels of administration and then information given to the Ministry. We want to give Kenyans proper service.

*Question No.414*

CRITERIA FOR APPOINTMENT OF LAND  
CONTROL BOARDS MEMBERS

**Mrs. Leshomo** alimuuliza Waziri wa Ardhi:-

(a) je, Waziri anatumia mbinu gani kuwateua wanachama wa Halmashauri ya Ardhi (yaani, Land Control Boards) kote nchini;

(Mr. Rai): Bw. Spika, ninaomba kujibu.

(a) Ni kweli nina jukumu la kutangaza katika Gazeti Rasmi kuchaguliwa kwa maafisa wa Land Control Boards kulingana na sheria za Kenya; Sheria No.302, Sheria za Kenya.

(b) Ninakubali kwamba majina yaliyowasilishwa mnamo tarehe 2.11.2007 kutoka Tarafa ya Lorroki yalikusishwa majina ya bwana na bibi yake. Majina kutoka Kirisia yalikusishwa familia moja. Ningetaka kulifahamisha Bunge hili kwamba Mkuu wa Wilaya ya Samburu amefahamishwa kuhusu makosa yaliyofanyika na amepewa jukumu la kuhakikisha kwamba Kamati mpya imeteuliwa ili tuweze kuitangaza katika Gazeti Rasmi la Kenya.

**Mrs. Leshomo:** Bw. Spika, asante kwa hilo jibu. Si jambo zuri ikiwa kamati itateuliwa kutoka kwa familia moja. Ningemuomba Waziri Msaidizi atimize jambo hilo. Hii sheria inafaa kutekelezwa mashinani ili kila Mkenya ajue ni nini kinachofanyika katika Kenya.

**Mr. Rai:** Bw. Spika, ninakubaliana na mhe. Leshomo. Jambo hili lilifanyika wakati Bunge lilikuwa limevunjwa na hatukuwa na Mbunge katika sehemu hiyo. Wakati wa kuunda kamati hizi, ni lazima Mkuu wa Wilaya, Mbunge wa sehemu hiyo, Ofisa wa Kilimo, Karani wa Wodi, Ofisa wa Ardhi, Ofisa wa Mipango na madiwani wawe wanahusika katika mipango hii. Hata hivyo, wakati huo mambo haya yalipofanyika hakukuwa na baraza la madiwani au Mbunge. Ninamuomba mhe. Leshomo radhi. Mambo haya yamefikishwa katika Wizara na tayari tumetoa ilani ya urekebishaji. Ninaamini kwamba maofisa hawa wakikaa, wataleta orodha ya majina iliyo sahihi, ili tuyatangaze katika Gazeti rasmi.

**Mr. K. Kilonzo:** Asante, Bw. Spika. Ningetaka kumshukuru Waziri Msaidizi kwa kujibu Swali hilo. Katika sehemu "a" ya Swali, mhe. Leshomo ameuliza: "Je, ni mbinu gani hutumiwa---?" Kuna shida kubwa wakati wa uteuzi wa wazee wanaohusika na mambo ya ardhi. Wakati mwingi, wanachaguliwa miongoni mwa watu ambao hawatajikani na wananchi. Je, Wizara inaweza kuangalia mbinu za kuwahusisha wananchi katika uchaguzi huu? Wakati fulani, tulikuwa tumelegeza sheria za kuchagua maofisa hawa.

Bw. Spika, hivi sasa, tumesema kwamba ni lazima mwenye kuchaguliwa awe na miaka

zaidi ya 35, bila makosa yoyote ya uhalifu, mwenye cheti cha Kidato cha Nne na awe ameifanyia kazi Serikali.

**Mr. Speaker:** Hata kabla hujalijibu swali la mhe. K. Kilonzo, Waziri Msaidizi, hujajibu swali ambalo uliulizwa. Umeulizwa utachukua hatua gani kuhakikisha kwamba wananchi wamehusishwa katika uchaguzi wa wanakamati?

**Mr. Rai:** Bw. Spika, labda sikuelewa vizuri. Tunawaandikia barua Wakuu wa Mikoa ili wapate kuwaandikia Wakuu wa Wilaya katika sehemu zao na kujumuisha watu ambao nimewataja ili wapate kuhusika katika kuchagua wanakamati.

**Mrs. Leshomo:** Bw. Spika, ni kamati gani ambayo inakaa? Inakaa kutoka wapi? Kutoka Nairobi ama mahali watu waliko ndio tuelewe?

**Mr. Rai:** Bw. Spika, nimeeleza kwamba ni jukumu la Mkuu wa Wilaya kutoa mapendekezo katika kila tarafa kuhakikisha kwamba wale maofisa ambao nimewataja, wote watapatikana na kukutana. Kwa hivyo, wao hukaa katika ngazi za nyanjani katika tarafa zao; si hapa Nairobi.

*Question No.559*

OWNERSHIP/STAFFING OF LODGES/TENTED  
CAMPS IN SAMBURU

**Mr. Letimalo** asked the Minister for Tourism:-

(a) whether he could state the number, names and proprietors of lodges/tented camps in Samburu East District;

(b) what the current staff establishment is in each lodge/tented camp in respect of permanent and casual employment;

(c) whether he could provide a breakdown of employees in each of the lodges/tented camps from the district, indicating their names and whether they are permanently or casually employed; and,

(d) what development projects each of the lodges/tented camps has initiated, if any, in support of local communities.

**The Minister for Tourism** (Mr. Balala): Mr. Speaker, Sir, I have just discussed this matter with the hon. Member from Samburu East. The Question is very comprehensive, and I am more than willing to bring a detailed answer after a physical inventory of the issues that he has raised. I have agreed with him that, very soon, we will bring the answer.

Thank you.

**Mr. Speaker:** Is that so, Mr. Letimalo?

**Mr. Letimalo:** Mr. Speaker, Sir, I have been convinced by the Minister that the Question is difficult, and it requires a comprehensive answer. However, my concern is that I do not know how long he will take to respond to this Question, so that in the event that the House goes on recess, it does not lapse. That is my concern!

**Mr. Speaker:** Order, Mr. Letimalo! You stated in your first sentence that you "have been convinced by the Minister" that he requires time to gather the necessary information. So, in those circumstances, I will defer this Question until such time that you and the Minister agree that all the requisite information has been gathered, and you draw the attention of the Chair to that position. Is that all right?

**Mr. Letimalo:** Yes, Mr. Speaker, Sir.

*(Question deferred)*

**Mr. Speaker:** Next Question!

*Question No.235*

REHABILITATION OF CHANGOI-KIMULOT  
-CHEBANGANG-KOIWA ROAD

**Dr. Kones** asked the Minister for Roads:-

(a) whether he is aware of the poor condition of Changoi-Kimulot-Chebangang-Koiwa Road which has caused huge economic losses to the tea farmers;

(b) how much money he has allocated in the 2008/2009 Financial Year for the road's maintenance; and,

(c) whether he could enter into partnership with the multinational tea companies, namely George Williamson, James Finlays (K) Ltd and Unilever Tea Kenya Ltd, to jointly tarmack the road.

**The Assistant Minister for Roads** (Dr. Machage): Mr. Speaker, Sir, I beg to reply.

(a) I am aware that a section of Changoi-Kimulot-Chebangang-Koiwa Road is not in good condition.

Mr. Speaker, Sir, since this is a key road within Bureti District, it is true that its current condition does not act as a catalyst for economic development of tea farmers in the area.

(b) My Ministry has allocated Kshs500,000 for maintenance of the poor section of the road this Financial Year, 2008/2009.

(c) My Ministry is very much willing to partner with the multinational tea companies in improving this road.

**Dr. Kones:** Mr. Speaker, Sir, I would like to thank the Assistant Minister for the answer. However, I would like to know the status of the negotiations between the Government and these multinationals to start this project of tarmacking the road.

**Dr. Machage:** Mr. Speaker, Sir, the status is a neophyte stage, and we are trying to explore ways and areas of cooperation with these multinational companies. When we reach an agreement, I will tell him.

**Dr. Kones:** Mr. Speaker, Sir, another important road that is almost connected to this one is the road that runs from Bomet-Kapkoros to Litein which, of late, is supposed to be under construction. The contractor has been on site for almost one year, but there is no progress yet. What is the Assistant Minister doing to ensure that the progress is speeded up?

**Dr. Machage:** Mr. Speaker, Sir, I am not aware of the allegation the hon. Member has raised on the Floor of the House. I will endeavour to investigate and take action.

*Question No.461*

EXCLUSION OF KOIBATEK DISTRICT  
FROM ROADS 2000 PROJECT

**Mr. Lessonet** asked the Minister for Roads:-

(a) whether he could explain the criteria applied in placing roads under the "Roads 2000 Project" as well as the reasons for leaving out Koibatek District in the project; and,

(b) whether he could undertake to consider Koibatek District under the

"Roads 2000 Project" or any other donor-funded project this financial year.

**The Assistant Minister for Roads** (Dr. Machage): Mr. Speaker. Sir, I beg to reply.

(a) "The Roads 2000 Project concept is often misconceived to refer to development partners-supported roads improvement, probably because such partners have mainstreamed sensitisation and dissemination of information. Consequently, Mr. Speaker, Sir, districts in which roads maintenance is carried out without development partners support are commonly regarded as devoid of Roads 2000 Project. However, Roads 2000 strategy is implemented using the Roads Maintenance Levy funds in districts without development partners support. In view of this, road maintenance in Koibatek District is already being carried out under the Roads 2000 Project.

(b) Currently, road maintenance for some roads in Koibatek District is being carried out under Roads 2000 strategy and this will continue this financial year. In addition, Koibatek District will be considered for development partner-supported Roads 2000 implementation along with all other districts that have not benefited from the support of this Fund.

**Mr. Lessonet:** Mr. Speaker, Sir, the Assistant Minister has indicated that there are some roads in Koibatek District which are under this strategy. I am not aware of any road in Koibatek District, and I just want him to name, at least, one road which is under the strategy he is talking about.

**Dr. Machage:** Mr. Speaker, Sir, not only can I name one, but I can also name ten; but since he has only asked for one, I will give him Kabimoi-Sosian-Kablosoi, Road E1473, where we are carrying out clearing of drains and culverts building.

**Mrs. Odhiambo:** Mr. Speaker, Sir, given that the Assistant Minister has indicated that most roads under Roads 2000 Programme are supported by development partners, and knowing too well that there are mainstream cross-cutting issues such as gender, human rights and child rights, could he indicate what the Ministry is doing to ensure that in areas such as Koibatek, where there are no development partners, such issues are mainstreamed?

**Dr. Machage:** Mr. Speaker, Sir, it is prudent that the concept is understood first. Where we have no development partners such as SIDA supporting funding of construction of roads that does not mean that we under-fund such roads. The Roads 2000 strategy, which is equally funded by the RML, gives enough funds. The communities that the hon. Member has referred to are completely and well catered for by my Ministry.

**Mrs. Odhiambo:** On a point of order, Mr. Speaker, Sir. I am not referring to funds! Could the Assistant Minister, please, respond to the question which is: "How does he ensure that such issues are mainstreamed, because partners that mainstream them, such as the civil society, are absent in areas where development partners are?"

**Dr. Machage:** Mr. Speaker, Sir, if I may endeavour to understand the hon. Member's question, maybe, she is referring also to allocation of contracts and that kind of--- I do not really understand what her question is all about.

**Mr. Speaker:** Order, Mr. Assistant Minister! I will indulge the hon. Member to try and make you understand the question.

**Mrs. Odhiambo:** Mr. Speaker, Sir, I will try to be as plain as possible. In areas that are supported by development partners such as SIDA, civil society organizations actually undertake mainstreaming of child, human and women rights, such that when they are undertaking, for instance, labour intensive methods in roads, it is ensured that children are not used in child labour, or if they are used, for instance, in child headed households, they are adequately compensated. But where there are no development partners, that is absent. So, what is the Ministry doing to ensure that, that is done?

**Mr. Speaker:** Mr. Assistant Minister, that now is English made simple. Proceed!

*(Laughter)*

**Dr. Machage:** Mr. Speaker, Sir, that question is more explicit. The Ministry of Roads does not accept child labour in construction of roads. So, that does not arise. However, we have the District Roads Committees that are supervising and observing that no child labour is used and that there is fair distribution of allocation of work to both gender in the concerned areas.

**Mr. Speaker:** Last question, Mr. Lessonet!

**Mr. Lessonet:** Mr. Speaker, Sir, the Assistant Minister has mentioned a road in my constituency which, to the best of my knowledge, is under the District Roads Engineer, when we know that each constituency receives Kshs17 million from the Kenya Roads Board.

Mr. Speaker, Sir, I am wondering why the Assistant Minister wants to confuse me and, of course, this House that there are some roads which are under a strategy other than the donors and the Kenya Roads Board.

Mr. Speaker, Sir, regarding the road that he mentioned, are the funds from the Kenya Roads Board? I know that I participated in allocating funds to that road. So, it is under my strategy.

**Dr. Machage:** Mr. Speaker, Sir, I have not tried to confuse the hon. Member on how we allocate funds. Indeed, he is right. The roads that he has mentioned are also being funded by the levy fund that I have just talked about. But if he wants specificity on which funds are being used for which road, I am available to give him all those details to his satisfaction.

*Question No.384*

RAID ON KTN PREMISES

**Mr. Ogindo**, on behalf of **Mr. Were**, asked the Minister of State for Provincial Administration and Internal Security:-

(a) whether he could give the names of the persons who raided the premises of the Kenya Television Network (KTN) in March, 2006 and explain the motives of the raid;

(b) how many persons have so far been arrested and prosecuted in connection with the raid; and,

(c) whether he could further explain why the Standard Group and the owners of KTN have not been compensated to date and indicate when this will be done.

**Mr. Speaker:** There is indication to the Chair that the Minister and the hon. Member agreed that this Question should be deferred to Wednesday next week. But I would have expected the Leader of Government Business, in the absence of the Minister, to be available to indicate that.

**The Assistant Minister, Ministry of State for Provincial Administration and Internal Security** (Mr. Ojode): Mr. Speaker, Sir, it will be answered on Wednesday.

**Mr. Speaker:** Where were you when you were called?

**The Assistant Minister, Ministry of State for Provincial Administration and Internal Security** (Mr. Ojode): Mr. Speaker, Sir, we had agreed with the Questioner that we defer it for the next two weeks in order for me to get a satisfactory answer. I do not know why---

**Mr. Speaker:** You had agreed and, therefore, thought that you would defer it outside the House? Not when it is on the Order Paper, and you should know better, Mr. Ojode.

**The Assistant Minister, Ministry of State for Provincial Administration and Internal Security** (Mr. Ojode): No, Mr. Speaker, Sir. I thought that---

**Mr. Speaker:** Very well!

**Mr. K. Kilonzo:** On a point of order, Mr. Speaker, Sir. I think that the Government must take the business of this House very seriously. It should give concrete reasons why it wants the business of the House deferred. The Assistant Minister is asking for two weeks to get a concrete answer, yet this is an issue of 2006. Do you think that he needs to give us a better country. It should therefore be given the required attention.

Mr. Temporary Deputy Speaker, Sir, there are so many things that have not been going right in this Ministry and I am happy this policy document has really highlighted a lot of them. Recently, the Kenya Veterinary and Vaccines Production Institute (KEVEVAPI) was taken to the Ministry. The Kenya Trypanosomiasis Research Institute (KETRI) is under the Ministry of Agriculture. It deals with research of trypanosomiasis and I do not know what it is doing under the Ministry of Agriculture because animals are the ones that suffer from diseases brought about by tsetse flies. The Kenya Agricultural Research Institute (KARI) is still under the Ministry of Agriculture but it should be under the Ministry of Livestock Development.

The Agricultural Finance Corporation (AFC) and the Agricultural Development Corporation are under the Ministry of Agriculture. These institutions were created to provide credit to livestock producers and it is very difficult for these institutions to support livestock farmers through provision of credit when they are not under the Ministry of Livestock Development. So, when we have such weak research extension linkages between the institutions, it will affect livestock production and productivity.

Mr. Temporary Deputy Speaker, Sir, we have witnessed the collapse of all cattle dips. I did a survey recently in my constituency. There are 32 cattle dips in Loitokitok constituency but as we speak now, none of them is functioning. This has been contributed partly by the issue of privatisation. The Government privatised cattle dips, leaving the facilitating roles to the District-Based Organisations as Government agencies and that has actually affected the management and efficiency of those facilities.

I always wonder what is making the Kenya Meat Commission (KMC) not to be operational to the required standards? One of the things that I find not good in that institution is the issue of stringent quality requirements at the regional and international levels. It is so sad that we fear competition because I think that is one of the problems of the KMC. They have not lived up to the required standards, especially when we come to health standards of the livestock products. If you go to Botswana which is the leading country in Africa in respect to livestock rearing and production, you will find that they have disease-free and disease-control zones which are really functioning. I think if we could establish such zones in our country, we could actually assist the KMC to live up to its primary objectives.

However, that cannot be possible if we do not reclaim the lost livestock marketing division or the holding grounds for that matter. They were grabbed long time ago and I think it is good that we try to reclaim them. Now that we have everybody in the Grand Coalition Government, we should try to reclaim that lost land for this disease-control and disease-free zones to be established.

Mr. Temporary Deputy Speaker, Sir, since many hon. Members want to contribute, let me talk about one item and that is funding. Funding to this Ministry has actually been the most important factor. It is one of the reasons that has contributed to the near collapse of this very important sub-sector. If you have the statistics, this Ministry of Livestock Development has always been under the agricultural sector. In this Government, there are seven agricultural related Ministries. These are the Ministries of Agriculture, Livestock Development, Regional Development Authorities, Development of Northern Kenya and other Arid Lands, Water and Irrigation and Fisheries Development.

The allocation of resources to these Ministries is given as one Budget item and at the

moment, what goes to these seven Ministries to share among themselves is 4.7 per cent of our total Budget. In fact, in 1960, 10 per cent of our total Budget was given to the agricultural sector. In the 1980s, it came down to 7.5 per cent. In the 1990s, it came further down to 3 per cent. Since 2003, it has been 3 per cent. That is what goes to all the agricultural-related Ministries and when they divide it among themselves, the Ministry of Livestock Development has always been getting 1 per cent of the total Budget. I started by saying that this Ministry contributes 10 per cent of our total Gross Domestic Product (GDP) but it gets 1 per cent of our total Budget which is an equivalent of 0.25 per cent of our GDP. You contribute 10 per cent and you get 0.25 per cent in return. The issue of funding needs to be done very adequately.

Mr. Temporary Deputy Speaker, Sir, the way forward as we said in the morning, is the need for the country to have an Animal Technician Bill first of all, to correct a lot of conflicting Statutes with respect to training, research and surveillance of livestock and livestock products. Then this policy as a way forward, is also recommending for the harmonisation of those conflicting Statutes and the mandates of each one of them and putting the right legal institutions in the right place.

Mr. Temporary Deputy Speaker, Sir, there is need to improve livestock farming and value addition of the products which support livestock-based industries to encourage competitiveness. This calls for embracing of the new technology in this industry.

It is also good to provide sufficient funding that is commensurate to the amount of revenue which the sector injects into our Gross Domestic Product (GDP).

Finally, Mr. Temporary Deputy Speaker, Sir, I would like to talk about the issue of loans. It is good we secure or repossess grabbed holding grounds for research on disease, animal generics and catarrhal fever. If you have seen development in Government circles of late, we have always been writing off loans for farmers in the coffee industry, tea sector and sugar industry. However, we have never written off loans for livestock farmers from the Agricultural Finance Corporation (AFC). Recently, this House passed a Motion to that effect. This Motion was brought to this House by Mr. Eugene Wamalwa. We always go through turbulent times. We lose animals due to drought. It then becomes very difficult for one to continue servicing the loans.

Mr. Temporary Deputy Speaker, Sir, because of the land tenure system in the pastoral areas, the issue of credit facilities may not be attractive for livestock farmers to access loans. This is because they do not have title deeds or any other documents which are required by banks. I would, therefore, like to appeal to this Ministry, through this Policy document, that they take that into account.

Mr. Temporary Deputy Speaker, Sir, I remember very well that some politicians while campaigning promised the livestock farmers that they would establish a livestock insurance scheme to carter for livestock that die through drought and other causes. I am glad that they are in Government.

I beg to support.

**Mr. Affey:** Thank you very much, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to very strongly support this Sessional Paper on National Livestock Policy.

Mr. Temporary Deputy Speaker, Sir, I will be very brief in the interest of time. I know quite a number of colleagues are very passionate about this issue. I will, therefore, take as little time as possible in order to express what I want to say.

Mr. Temporary Deputy Speaker, Sir, first of all, as we thank the Government for bringing this Sessional Policy, it is 20 years after the first one was discussed in this House. 20 years! This tells you the mindset in the Government. The mindset is that certain economic activities are more superior and important than others. We must change this mindset because as it has been stated in this Policy Paper, ASAL areas represent 80 per cent of the land mass in this country. This means,

therefore, 80 per cent of Kenyans are pastoralists. Only 20 per cent of Kenyans can be considered not to be pastoralists, so to speak.

Mr. Temporary Deputy Speaker, Sir, every time the Government creates Ministries based on demand, it has been seen that the Ministry of Livestock is always lumped with the Ministry of Agriculture. This has been the biggest injustice done to the pastoralist communities in this country. There should be no possibility, in future, to lump agriculture with livestock. These are two distinct economic activities which happen in two distinct geographical areas. We want to request future Governments to make these Ministries constitutional so that it becomes a permanent feature of Government. As pastarolists, we will really appreciate.

Mr. Temporary Deputy Speaker, Sir, 20 years after this Policy Paper was first discussed in this House, a lot of things have happened in this country. Therefore, this document needs to be reviewed. One of the things that has happened is that the Ministry of Livestock Development has been relegated to the periphery. The Government imagines that it is not important and therefore, the Ministry has lost the capacity to manage the affairs of pastoral communities in this country. They have lost staff, technicians and budget. This means a whole economy in this country has crumbled before our eyes. It is unfortunate that no leader has been able to raise this matter in a manner that should have forced or compelled the Government to change tact.

Mr. Temporary Deputy Speaker, Sir, now, the pastoral communities in this country are thanking the Government for creating the Ministry of Livestock Development. The Minister and the Assistant Minister are both pastarolists. If we fail to get it right this time, we will never get it right! This is a challenge for both the Minister and his Assistant Minister. They should make sure that this historical injustice is corrected and priority is given to livestock farmers in this country.

Mr. Temporary Deputy Speaker, Sir, there is need, therefore, to review the employment policy that this Ministry was subjected to. It must be taken collectively within Government and there should be a crash programme to employ technicians, range managers, drivers and clerks. Government departments must be equipped to handle this challenge. I hope the Minister will consider to undertake this programme.

Secondly, Mr. Temporary Deputy Speaker, Sir, it is unfortunate that the Kenya Meat Commission (KMC), even after being revived, has still not met the aspirations of livestock farmers in this

country. There seems to be lethargy and a lot of activities that go on but livestock farmers do not understand. If a livestock farmer has to bring his camel or cattle all the way from Mandera, which is nearly 2,000 kilometres away, by the time they reach the holding grounds at Athi River, you can imagine the loss that the animals will have suffered. There would be loss in terms of weight and everything that would have made the animal of value. Therefore, there is need to emphasize so much on KMC. There is need to decentralise it and get several satellite KMC centres.

Mr. Temporary Deputy Speaker, Sir, I am glad that there are plans to build an abattoir in Garissa and another one in Isiolo. However, we request that several other districts get covered. It is not enough to cover Garissa. The catchment area is so large that Garissa and Isiolo alone cannot undertake the challenges facing us. We require to build an abattoir in Wajir where we have a very big airport facility. It is perhaps the third largest airport facility in this country. If we utilise that, the whole of northern Kenya, particularly North Eastern Province, can easily export livestock products to the Middle East which is now one of the market outlets that we want the Government to emphasize on.

There is, therefore, need for the Minister and his officials to visit Wajir and see, so that, instead of using the Port of Mombasa as the only exit point for our livestock products, we can also utilize the airport. It is a wonderful facility which is under-utilized. The Government can use it. If they do not, then we will just imagine the mindset still remains the same and that even the creation



of the Ministry might have only had political implications but not to assist the livestock farmers in this country.

Of course, there is the question of funds or credit that is given to fight PPR and many other diseases. We can also see whether we can get banks that give facilities to livestock farmers. Year in, year out, drought comes and destroys large herds of cattle, camel, sheep and goats that belong to those pastoral communities. But there is no possibility of those farmers getting financial support. If the coffee and tea farmers in this country are given sufficient back up, even when they incur losses-- Their loans are written off! What makes the livestock industry or the livestock farmers different?

Mr. Temporary Deputy Speaker, Sir, as it has been said here, 10 per cent of the Gross Domestic Product (GDP) comes from livestock farmers in this country. That is the contribution given by the pastoral communities and yet, in return, they get only 0.25 per cent! That is the kind of marginalisation that we have always complained about. Those are some of the things that can lead to insecurity. You feel that you are within a system, but you are a visitor within that system! It must be given priority! In the elections that we had last year, and following even the violence, many commentators and leaders were saying that there were under-currents or underlying factors that triggered the violence. It is because you feel that you have a system that is not fair and just! When you have resources and banks that service one particular economic industry and yet, the industry that contribute 80 per cent---

Mr. Temporary Deputy Speaker, Sir, if we suspend giving meat to Nairobi and other parts of Kenya, I can tell you there will be riots all over, just like the way people are rioting over food. But it is not seen until, perhaps, the farmers and the residents go up in arms and say: "Beginning this month, we are not going to provide meat to the market." You can imagine the implications of that!

Therefore, Mr. Temporary Deputy Speaker, Sir, before we reach that stage, or before we feel let down by the Government, this policy must be able to translate itself into a very practical support for the pastoral farmers in this country.

Mr. Temporary Deputy Speaker, Sir, I support the Motion and just before I finish, I would like to raise my last issue. The Minister and his officials must be very vigilant of the haphazard creation of locations, sub-locations and small units of administration which are destroying livestock farmers. Every time you create a location, sub-location or a settlement, there is no exit point for the pastoral farmer to go and herd his cattle, camel or sheep. That comes under the range management. Therefore, there is need for the Government, even as they do this, to be very vigilant so that we do not destroy the ecosystem. You know pastoralists have no boundaries. They live here. They go to Ethiopia. They come back from Ethiopia and go to-- That is why we have problems, at times, during the census.

The pastoral community moves to where there is pasture, be it Somalia, Ethiopia or Uganda. They just move away. They do not care about Government policies! They come and do the census when they know that the people have moved in search of water. Those are the other things that we need the Ministry to be vigilant about! And I hope that this Ministry becomes a permanent feature in the Government in future.

Thank you, Mr. Temporary Deputy Speaker, Sir.

*(Several hon. Members stood up  
in their places)*

**The Temporary Deputy Speaker** (Mr. Imanyara): Now, hon. Members, this being a Sessional Paper, you have half an hour to speak. But you can see how many hon. Members want to speak. So, be mindful of the fact that there are quite a number of hon. Members who would like to

speaking. I would like as many of them as possible to get the opportunity.

Proceed, Mr. Kabando wa Kabando!

**The Assistant Minister for Youth Affairs and Sports** (Mr. Kabando wa Kabando): Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to contribute to this very important Sessional Paper No.2 of 2008, whose time is really overdue.

Mr. Temporary Deputy Speaker, Sir, I rise to support this Motion. In view of the need to diversify our investments, as indicated by the hon. Members who have spoken before me, we need to reach out to those areas. It is a sub-sector that really needs a lot of capacitation. This Sessional Paper is very timely and deserving of our great support.

One, Mr. Temporary Deputy Speaker, Sir, is the need to diversify. Many investments in the agricultural sector are needed in order to take that sector to another level and, therefore, we need a lot of more consolidation from the Government in terms of financing and creating institutions that will enable a clear focus, evaluation and monitoring of the progress. Therefore, this Sessional Paper is identifying clear ways to engage stakeholders on the ground. It is very important to have the Government working in partnership with the farmers, herders and investors on the ground. It is crucial because we need to devolve decision making and build the capacity of those who are running that industry so that their views and interests are customised as per their needs and their respective areas of investments.

The other point that comes out very clearly, Mr. Temporary Deputy Speaker, Sir, is that the Ministry has focused on the area of research and analysis. Analysis is needed because a lot of paper work has been done in this country; many seminars, workshops and forums have been conducted. In collaboration with the civil society, many programmes have been done on the ground. It is important to take our public policy, particularly on livestock development, to a new level, to engage in serious analysis of all the studies that have been done so that, whatever programmes or projects that will be put on the ground, are done with updated information and the current market issues, needs, inputs and outputs. All those need to be put into consideration.

Mr. Temporary Deputy Speaker, Sir, we do take note that this Sessional Paper provides for capacity enhancement of grassroot organisations. In many parts of this country, particularly in those areas that have solely relied on livestock for their economic profits, subsistence and livelihoods, there is a heavy presence of Non-Governmental Organisations (NGOs) and the civil society, particularly in the northern part of this country. That has been very beneficial to those people. They have received some support from those organisations. There has been heavy absence of Government agencies. There are other areas that are considered to be benefiting from other agro-based industries and which may not have heavy or loud livestock issues.

Mr. Temporary Deputy Speaker, Sir, every part of this country needs serious attention. As hon. Members of the Tenth Parliament, we realise the divide between those who have the resources - the 42 per cent that have resources. Those resources are said to be in the hands of 10 per cent of the population. That is the general situation in every part of this country.

Mr. Temporary Deputy Speaker, Sir, I have read the section that talks about gender. In that portion of gender, there is the issue of how the young people - and that is what we were talking about yesterday in this House - will be mainstreamed. That is part of the gender issue. That is an area that needs a review when the Ministry starts the operationalization of this policy, when it will be passed by this House.

Mr. Temporary Deputy Speaker, Sir, in all parts of this country - in every village, district or constituency - increasingly and critically, young people, for lack of enjoying property ownership instruments, have been sidelined from economic activities which are predictable and reliable. Therefore, although this policy mentions in general terms the need to have women involved in the livestock industry, appropriate capital and be promoted, there is need to emphasize even more that,

among the gender we are talking about, there is a very significant percentage of our population of young women and men that need credit and financial interventions, so that they may engage in livestock rearing and make a difference in their lives. This will ensure that they make a difference in their lives. Not many of the young people in this country can rely on huge tracts of land. But this policy seeks to bring on board areas that were hitherto not considered mainstream in livestock development matters. Examples are apiculture, bee-keeping, crocodile keeping, snake keeping, ostrich keeping and butterfly keeping. These are new areas which will require less of land occupation but more of capital intensity.

Therefore, the issue of information and dissemination as clearly stipulated in this policy is good. It will allow fast-tracking of the available opportunities in the areas that I have mentioned, so that the young people of this country can invest in this area and earn some income, and, therefore, increase the household income across the country.

Mr. Temporary Deputy Speaker, Sir, the other point is the need to partner very clearly, as covered in this policy, with the civil society. It has been very present in some areas of this country. But in every part of the country, there is need to have the civil society, the NGOs and CBOs, whose partnership is indispensable in order to create the necessary mechanism that will bring independent audit and additional value in form of new ideas, which will not be motivated by the profiteering culture that, otherwise, other commercial institutions may have.

Finally, it is the question of having equitable access to markets. Something is happening in this country. We have the goat and camel milk, sometimes displayed in our city markets. But information about how to access markets and use infrastructure to get the product so obtained from one corner of this country to another is the question. Therefore, this policy gives us encouragement that, indeed, there will be efforts, clear and solid, to give elaborate information, based on the research conducted and prevailing issues in the market.

As detailed in the general Food and Agricultural Organisation (FAO) policy framework for Millennium Development Goals (MDGs), and other interventions for pro-poor policies in every country, it is important to note that this policy will be handy.

Very finally, Mr. Temporary Deputy Speaker, Sir, is to know that there is need to emphasise the need for the autonomy of institutions that are performing, or which have indicated clearly the capacity to deliver; for example the Kenya Dairy Board. There was a contemplated Dairy Bill and a dairy policy. That is something I have read and noted a bit of an omission which, I am sure, the Minister will take note of, so that though we are talking about the livestock subsector and livestock products, we should not forget the milestone that the dairy subsector has been in the last five years. The revival of the Kenya Co-operative Creameries, the marketing capacities that the KDB has, the capacity the Kenya Dairy Producers Association (KDPA), founded about two years ago, has and its status to date are important. Therefore, all these issues will need our support.

Very finally, is for us leaders to also note that we have some achievements that need to be celebrated. For any policy to be effective, we have a Constitution but sometimes we are challenged and we abrogate the same Constitution. We have laws that prescribe what we should and should not do. We, as leaders, have an obligation, legal and moral, to ensure that we cultivate the sense of conflict-resolution in areas of the country where, otherwise, peace is challenged.

Also, we should ensure that we initiate programmes that will allow, particularly, pastoralist communities in some parts of this country to live in peace and to co-ordinate; without peace, no matter what electoral capital we put on the table, no matter what legislation we do to put Kenya on a new level and towards Vision 2030--- Without the obligation to promote and maintain peace, farmers in our constituencies will not produce. Nearly Kshs100 billion was wasted in the first quarter of this year because of violence. Billions continue to be wasted in some parts of this country because of inter-clan and inter-ethnic conflicts. So, that is another thing that needs to be

emphasised. It is important to do so because we have no other option. This means that as we pass all these issues, we should stop dancing on the platform of ethnic bigotry, tribalism and using every opportunity that we have in the House and outside to blemish the reputation of communities which deserve to be there because they were created by God.

Mr. Temporary Deputy Speaker, Sir, with those few remarks, I beg to support.

**Mr. Nyambati:** Mr. Temporary Deputy Speaker, Sir, thank you, for allowing me, also, to contribute on this very important Motion. I stand to strongly support this Sessional Paper No.2 of 2008 on the National Livestock Policy.

It is extremely important that this country takes seriously the issue of agriculture. If we cannot be self-sufficient in terms of food production, then we are going nowhere. It is a pity that the Government does not take seriously the agricultural sector in this country. Why am I saying so? In the early 1970s, as it has been said, the sector was accorded 10 per cent of the national Budget. As we speak now, it has come down to 3 per cent. There is no way this sector can be sustained with only 3 per cent. I want you to imagine for once how much money we spend to import food. It is a colossal sum! If we used this amount to develop and improve our agricultural sector, we could be too far away. We could save and export food! We must learn from a country like India, which has a population of a billion plus, yet it is able to feed its people; this is because it has invested in agriculture. They came up with what we call the Green Revolution, and that country is able to feed itself.

Mr. Temporary Deputy Speaker, Sir, when I grew up in that small village in Kisii, the dairy industry was booming. We used to take milk to the Kenya Co-operative Creameries (KCC). That is no longer there. If we are not careful, even the coffee and tea sectors are going to die. We must take very serious measures in terms of agricultural production. On that line, I want to say that the Ministry of Livestock Development should be fully funded. This is because even if we talk from now to whatever time, and we are not able to fund the Ministry properly so that it can do its work, it will go nowhere.

Mr. Temporary Deputy Speaker, Sir, the dairy industry must be reinstated and improved. Cap.34 of 1958 is the one that regulates the dairy industry. The Kenya Dairy Board, in my opinion, is as good as dead because it is not doing much to improve the dairy industry in this country. It has to be the Government's responsibility to ensure that there is partnership between the farmers and Government to ensure that we produce enough milk for this country. This milk can even be exported.

In terms of livestock farmers, especially in North Eastern, it is a shame that the Kenya Meat Commission (KMC), which came into being under Cap.363, in 1950, is still the same as it was. It is a shame that we are not able to have satellites of the KMC where the raw materials are. I think it is important that the Ministry of Livestock comes up and sets up KMC satellites in areas where we have these livestock, so that it helps in cutting down the costs of transportation and any other costs, so that farmers can benefit from this kind of exercise.

Mr. Temporary Deputy Speaker, Sir, if you can recall, during droughts, a lot of animals die. This is a big loss to the country and farmers. This is because we, as a Government, are not planning. How can we let our animals die when we can utilise those animals in order to help our farmers, so that they can benefit out of this venture. So, I think that it is very important that the Government takes these matters very seriously.

Mr. Temporary Deputy Speaker, Sir, because we do not have much time, I want to suggest a few things. First, I want to propose that there must be enough funding for farmers to be able to improve dairy and other livestock farming. We must ensure that those institutions which finance farmers are made to do so. Even commercial banks should ensure that they support farmers, by ensuring that those farmers who get loans from those banking institutions pay less interest than the

other loans, because this is social responsibility to the country. By so doing, if our farmers have enough credit, then they will improve whatever livestock farming that they are engaged in.

I also want to say that marketing is extremely important because if our farmers produce whatever they produce and there are no markets, then they will not be encouraged to intensify their farming. So, it is the responsibility of the Government to ensure that there is proper marketing of livestock products, whether it is meat, milk, hide and skins or whatever, so that farmers can be encouraged to do more farming.

Mr. Temporary Deputy Speaker, Sir, in the market now, there is livestock insurance. This will help cushion the farmers in the event of loss of their livestock. Farmers must be educated to know that there is this facility, so that in the event of drought or accidents, they can be reimbursed so that they do not go back to zero as opposed to continuing with the farming that they were doing.

I also want to say that the Government must ensure that there are extension officers who should help farmers all over the country. These officers are no longer there. We used to have extension officers from the Ministry of Agriculture and Livestock, but they are no longer there. I think that this is because we do not fund this Ministry properly. I think it is our responsibility, as a country and nation, to ensure that we fund this Ministry properly so that we have enough--- I strongly support the Motion on the Animal Technicians Bill that we passed here recently. I think the Bill is about to come. We must support it so that these technicians can be everywhere in the villages to improve livestock farming.

Mr. Temporary Deputy Speaker, Sir, I want to stop there and say that it is extremely important that we support this Motion if we need to be self-sufficient in terms of food production.

I beg to support.

**The Assistant Minister, Office of the Deputy Prime Minister and Ministry of Local Government** (Mr. Githae): Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to make my contribution to this very important Sessional Paper.

First, let me thank the Minister, the Assistant Minister, Permanent Secretary and all the staff who were involved in coming up with this very important Sessional Paper.

Secondly, it is also of interest to know that the Minister, the Assistant Minister and the Director are also from pastoral areas. So, I think that this will give some added advantage to this Ministry. We now have the Ministry of Development of Northern Kenya and other Arid Lands which is also headed by a Minister from a pastoral area. So, I think that this is the time for the pastoral community.

Thirdly, I would like to take this opportunity, again, to note that it is only in pastoral areas where we had no election violence. So, we have something to learn from them. How come that in the pastoral areas, people were able to live together even after the elections were disputed? There is something to be learnt from there.

Mr. Temporary Deputy Speaker, Sir, I do not want to repeat what other speakers have said. So, I will just give points which I think the Ministry can benefit from and add to the Sessional Paper. First, if this thing is going to succeed, the Ministry must buy the officers, particularly the veterinary and livestock officers and meat inspectors, if not a vehicle, at least, a motorbike or bicycle. In my constituency, for example, a bicycle would do, because it is a small constituency. But, particularly in the arid areas, the minimum is a small four-wheel-drive vehicle. That is the minimum; at least, one in every constituency. That should be the basic minimum. Otherwise, this is a good Paper, but it will just remain that.

Mr. Temporary Deputy Speaker, Sir, the other thing is artificial insemination. I think the biggest mistake that was done was to privatise Artificial Insemination (AI) services. They increased the AI charge of Kshs50 for a single service to now Kshs1,000. How many livestock farmers can afford Kshs1,000 per single service? If something happens and your cow does not conceive, if they

come again, you have to pay another Kshs1,000. This is totally unacceptable.

Another thing which must be addressed, if this Sessional Paper is to be of benefit, is installation of cold storage facilities. The Ministry must put up cold storage facilities in every town, so that after butcheries have sold meat, and some is left, they can put them in cold storages to preserve the meat, so that it is not thrown away like is now happening.

Mr. Temporary Deputy Speaker, Sir, I come from a legal, banking and insurance background. I was amused last year when pastoral communities were promised insurance for their cattle. On the basis of that promise, members of pastoral communities countrywide voted for one particular party almost man-to-man and woman-to-woman. However, those of us who come from the insurance industry know that it is not an ordinary cattle you can get insurance for.

At the moment, you can only get insurance for grade cows, which are numbered and given names. You have to maintain records as to when they were born, their weight, vaccination records, *et cetera*. For the particular political party, that promise worked. Now that, that promise was given, it should be fulfilled. Members of the pastoral communities need insurance for their cattle. This was promised, and it should be given.

Mr. Temporary Deputy Speaker, Sir, another great mistake that the Ministry made was to privatise cattle dips. They have all collapsed. I do not know whether there is any that still exists. The chemicals used in cattle dipping are too expensive for farmers. When you charge them, like in my constituency, Kshs100 for a single dip per animal, how many farmers can afford to pay? So, what happens? Even some communities which were managing their own cattle dips were not replenishing the chemicals. So, it was a waste of time and money.

So, the Ministry must take over the management of cattle dips. It must provide free chemicals, water, attendants and water pumps for replenishing the water. If we do not do, this Sessional Paper will remain just that - just a Paper!

Mr. Temporary Deputy Speaker, Sir, abattoirs should be constructed where the product is. Why construct abattoirs in Athi River and Mombasa? There were Kenya Meat Commission abattoirs in Athi River and Mombasa. Are there cows in Mombasa town? Maybe, there are some cows in Athi River. Abattoirs should be constructed where the cows are. The cost of transporting cows from, say, Mandera to Dagoretti is huge. In the process of transportation, cows suffer. It is actually inhumane. They also lose weight. So, the person who will suffer is the livestock farmer.

The other issue I want to talk about is vaccination. I happen to have a few cows. I was very pleased when the Minister announced that they were going to conduct a free vaccination exercise, only for my workman to call and tell me that they were being charged Kshs30 per cow. So, what kind of free vaccination was that? Vaccination must be free, timely and regular. The Ministry should not wait until diseases break out and farmers lose their livestock for it to embark on an emergency vaccination programme.

Mr. Temporary Deputy Speaker, Sir, for this Sessional Paper to be useful to this country, Kenya must be declared a disease-free zone. If we do not export our beef to the European Union countries and the Middle East, it will be a problem. Luckily, Mauritius wants to buy our live cattle, and not meat as they used to do.

Cattle rustling must be brought to an end. The kind of cattle rustling that we now see is not the old cattle rustling. It is now commercialised cattle rustling. That is where the problem is. Previously, there were no killings in cattle rustling exercise. Nowadays, when raiders go to steal cattle, they kill even women and children, which is an abomination in all communities. What we have today is commercial cattle rustling. There are people whose business is to steal cattle and bring them to Dagoretti for slaughter. This must be brought to an end.

Mr. Temporary Deputy Speaker, Sir, for this Sessional Paper to be useful, good roads must be constructed in ASAL areas. If not tarmacked roads, at least, there should be all-weather roads,

so that livestock farmers can transport livestock products to where the market is. In this connection, I would like to appeal to the Government to implement the programme of creating a second sea Port at Lamu. According to that programme, there is supposed to be a railway line linking Lamu, Garissa, Mandera and Wajir in Kenya, which will extend to serve Ethiopia, Southern Sudan and Uganda.

There is also supposed to be a road constructed parallel to the railway line. If that were to happen, the issue of the fights we have over small pieces of land in the Rift Valley Province should come to an end, because there will be so much business in those areas that people will no longer need to fight over quarter-acre pieces of land.

Mr. Temporary Deputy Speaker, Sir, we must treat livestock as business. The Ministry of Agriculture is coming up with a programme they are calling "*Kilimo Biashara*". This programme must also be extended to the livestock sector. Livestock is business. It is not a pastime, as the Ministry seems to have believed all along. Therefore, it must be treated as business. Livestock owners must be granted loans, if they are to realise their livelihood.

Another important thing which must be addressed is setting aside of livestock holding grounds. Every town used to have a market day for livestock, but this tradition has disappeared. Why? It is because there are no livestock holding grounds. The Ministry must repossess all the livestock holding grounds that were grabbed, starting with the one at Athi River.

Mr. Temporary Deputy Speaker, Sir, the Ministry of Livestock Development must set aside money for development of water points. It must not rely on the Ministry of Water and Irrigation. It must put up dams for the cattle to water, if this Sessional Paper is going to be useful.

We must then address the issue of value addition to our livestock products. It is only in this country where people only use meat. The skins and hides market seems to have collapsed. There are so many products which are made from livestock hooves and bones. I am told that you can even make fertilizer from livestock bones and hooves.

Mr. Temporary Deputy Speaker, Sir, we must also find a way of bringing down the cost of meat. Currently, a kilogramme of meat is sold at over Kshs240. How many Kenyans can afford to buy a kilogramme of meat every day? So, because of the high cost of meat, Kenyans have now resorted to eating *matumbo*, which is now very popular.

Even international hotels now serve meat derived from livestock hooves, tongues and head, because the cost of steak is very high. We must find ways of bringing down the cost of meat. It is not only the rich who should be enjoying *nyama choma*. Even the poor in society must enjoy *nyama choma*. So, we must find a way of reducing the cost of meat.

Secondly, we must improve the performance of the dairy industry in this country. In Denmark, one cow produces 110 kilogrammes of milk per day. What about our cows here? They produce five to ten kilogrammes of milk a day. In fact, the only case that I know of that is near to the Denmark situation is that of a farmer in Meru, whose cows produce about 70 kilogrammes of milk a day. I think the Ministry should plan for a demonstration day and take people to that farmer in Meru. That is positive business. If one cow produce 70 kilogrammes of milk, the farmer will get Kshs1,400 per day if the milk is sold at Kshs20 a litre.

Mr. Temporary Deputy Speaker, Sir, I see that there are many hon. Members who also want to contribute. I fully support this Sessional Paper. My only request is that it should be implemented quickly.

**Mr. Chachu:** Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to contribute to this Sessional Paper No.2. I would like to salute and congratulate the Minister for Livestock Development for having brought this Sessional Paper No.2. This sessional paper is long overdue. I think the last time we had a serious discussion about livestock in this country was over 40 years ago. The last

time we had a livestock census in Kenya was either in 1962 or 1963, that is, over 44 years ago. If we do not even know the number of livestock that we have in this country, how will we manage them? How will we even plan to market and use them as a resource in this nation?

Mr. Temporary Deputy Speaker, Sir, this Sessional Paper addresses many critical issues that will enable the livestock industry to thrive if it is supported. Much of the livestock market in this country is in the hands of the private sector - largely middlemen and cartels which have exploited livestock farmers for a very long time. As we speak, today, in this country, we do not have one formal market for our livestock. We take our goats to Kariobangi and cows to Dandora where middlemen dictate the price of the market that morning knowing that the farmers have brought the livestock from as far as North Horr, Mandera, Turkana and so on. They also know that the farmers do not have a holding ground for the animals. So, basically, the farmers sell their livestock at a throwaway price. This is because, before the end of the day, they have to sell the animals. In any case, they have nowhere to take them.

If there are people in this country who have been marginalised, then it is pastoralists and livestock producers. The livestock keepers are unable to access markets in this country, but they cross the porous borders of northern Kenya and sell the animals in Ethiopia, Somalia and other areas. The livestock is then exported to Saudi Arabia, Qatar and other many countries in Asia. The animals are affected with diseases and as a result, they cannot access the markets in Kenya.

Mr. Temporary Deputy Speaker, Sir, just this month alone, over 10,000 animals have been sold from northern Kenya to Ethiopia and Somalia. They are then exported to Saudi Arabia and many other Arab states. You can imagine the amount of revenue this country is losing because of deliberate policy impediment that does not enable livestock farmers to access external markets.

Mr. Temporary Deputy Speaker, Sir, if the livestock sector is well managed, it will contribute substantially to the national economy. If you take the example of Botswana, the livestock sector in that country earns it so much revenue. I am told it contributes over 50 per cent to the economy of Botswana. I think we have more cows, goats, camels and sheep in Kenya than Botswana, but our Government, up to now, has not seen the need to invest and exploit this sector for the common good of this nation.

Pastoralists in northern Kenya and other parts of the country have been reduced to surviving on hand-outs and food aid for almost over 40 years now. This is simply because their main economy, that is, livestock keeping, has not been enabled to thrive. Any human being, including a pastoralist, would like to lead a dignified life, being able to support his family. He should be in a position to support his children in school and pay for his expenses without depending on any person. Basically, not investing in the livestock economy in the pastoral areas amounts to condemning the pastoralists to an undignified life depending on food aid for over 40 years. If this policy document is supported fully, then the need for pastoralists to depend on food aid year in, year out, will reduce substantially.

This Sessional Paper No.2 also tries to address the issue of drought management. Drought is a phenomenon that could easily be managed. It is easily predictable and, therefore, you can prepare for and mitigate it. You can also have some recovery measures in place. It is just like winter in Europe. You know that it will be there for six months and so you prepare for it. You, basically, look for fodder for your livestock and prepare their shelter. That way, they will survive for the six months the whole pasture is covered in snow. If those animals are left to wander, they are likely to die due to the cold weather or lack of pasture.

Mr. Temporary Deputy Speaker, Sir, this Sessional Paper also tries to address the issues of mitigation interventions as well as institutionalising the necessary mechanisms for emergency livestock off take, which I think is very important. During drought, pastoralists lose, in terms of revenue, billions of shillings when the animals die due to lack of water and pasture. That resource



goes to waste. This situation needs to be turned around so that this resource that is wasted during severe drought actually contributes to our national economy. It runs into billions of shillings. We need to do what is necessary to support the livestock economy.

It really bothers when you have so many State corporations in the country supporting other livelihoods. For example, we have the Kenya Dairy Board, the Pyrethrum Board of Kenya, the Tea Board of Kenya, the National Cereals and Produce Board (NCPB) and so on. We have so many State corporations supporting crop farmers. Why can we not have any supporting livestock producers? Kenya Meat Commission, as is set up today, is not there to support livestock producers in arid and marginalised areas. For one to access that particular facility, you really have to overcome many stringent measures which a normal pastoralist from northern Kenya might not be able to adhere to.

We talk about the Dairy Board but, for sure, it is not serving the needs of pastoralists in northern Kenya. We have the National Cereals and Produce Board that stabilizes the prices of maize in the market. It makes sure that it does not go below Kshs1,600 or above Kshs2,100. Why do we not do the same for camel, goat and cattle producers of northern Kenya? Why are we having double standards? Are we saying that one category of crop producers are more superior to livestock producers? It is high time we addressed these critical issues if we are really committed to serve and support all Kenyans.

Mr. Temporary Deputy Speaker, Sir, the Government should set aside funds to invest in livestock health. When we have disease outbreaks in those areas, the first thing we hear from the Government is quarantine. That is a very easy mechanism of restricting the movement of animals and nothing else. Why do we not go for effective measures like vaccination or investing in antibiotics and other drugs, to save those animals? It is just a decree by the livestock authorities to even further restrict the movement of those animals. That decree further restricts those livestock producers from accessing pasture in neighbouring territories or even transporting the animals from northern Kenya to Nairobi. I have no problem with quarantine. For sure, it is one measure of controlling animal diseases. However, I think it has been taken out of context and even used as a measure to punish pastoralists, instead of supporting them.

Mr. Temporary Deputy Speaker, Sir, the Paper also addresses the issue of insecurity in northern Kenya. It is a major problem. But security could be tied to the need for resources. Most of those conflicts are resource-based. They happen due to poverty, lack of market and severe drought which take away most of the animals. That is because we do not provide them with the necessary facilities and instruments to manage drought. Pastoralists, then turn on each other and conduct raids to steal livestock as they aim to restock their animals after the drought or severe climate variations.

Mr. Temporary Deputy Speaker, Sir, if we address the issue of livestock markets and livestock production in totality, we will also be able to address the issue of insecurity. That is, most of the insecurity that we have is resource-based. It is not fun for pastoralists to go for each other's throat every day. I also appreciate the fact that the Paper addresses the issue of camel production. That is one particular animal in this country that hardly has any market. Yet, camel is one animal that can produce milk all year round. If you have ten or 15 camels in an enabling environment, the family can survive on that milk. They can even sell that milk to support their families. As a nation, we need to invest in camel production. We should see it as a major resource just as the cows, goats and other livestock units.

This Paper should be refined to address the issue of livestock insurance. It talks about livestock credit, which is a good idea. But we need livestock insurance for our livestock. Although the Paper addresses the issue of pastoralism, it hardly says anything about mobility. I think mobility is a critical factor that needs to be considered in livestock production.

Mobility, if it is well managed and practised, will enable the conservation of that very

fragile arid land ecosystems. It will also enable us to utilize pastures evenly as people move from one point to another at different times of the year. It has been partly successful in Spain, Iran, Mongolia and many countries in Europe, and even Asia. So, I hope that this Sessional Paper, as it addresses the issue of pastoralism, will also address the issue of mobility. I think it is a cardinal aspect for enabling us to have a very viable pastoralism.

Mr. Temporary Deputy Speaker, Sir, to conclude, it is very important that, that sector is supported. The policies expounded in this Paper should be implemented with immediate effect. If this Paper is implemented well, it will make a big difference in the lives of so many Kenyans. If this country is serious about reducing poverty; if it is serious about realizing Vision 2030, this is one sector that this Government needs to invest in seriously.

With those few remarks, I support this Sessional Paper.

*(Mr. Mungatana stood up in his place)*

**The Temporary Deputy Speaker** (Mr. Manyara): Mheshimiwa Mungatana, just be mindful that as you speak, two other Members would like to speak. I would like to allow the Chair of the Departmental Committee on Administration of Justice and Legal Affairs some time to bring the names of the Kenya National Human Rights Commission. So, please, if points have been made, let us not belabour them, so that we give as many Members as possible an opportunity to make a contribution.

**The Assistant Minister for Medical Services** (Mr. Mungatana): Thank you, Mr. Temporary Deputy Speaker, Sir. I will be very obedient to your direction. First of all, I would like to thank you for giving me the opportunity to speak. Secondly, I would like to congratulate the Minister who is moving this Sessional Paper No. 2 of 2008 - the National Livestock Policy.

Mr. Temporary Deputy Speaker, Sir, without repeating myself, I want to fully support what is before us today. But I want to make three quick points and then allow other hon. Members to make their contributions.

The first one is this: I am a little disappointed with this Sessional Paper because I feel that, in as much as it is talking about the cattle and livestock, it has completely forgotten about the human element. So, this policy is just focusing on animals. There is nothing being discussed in this Policy Paper about the people. May the Minister listen and hear me. In the final analysis, we are making policies for the people; not for the livestock.

I want to say that in my constituency, which is partly agricultural and partly livestock, there are livestock owners. There are those who herd those animals. They are young people like me and you, Mr. Temporary Deputy Speaker, Sir. They are mistreated, poorly paid and nobody cares about them. There has got to be a policy that addresses the wages and working conditions of those people who look after those animals. If that is not done, then we are not addressing our problems. We are saying that we are going to improve the lives of those people and, at the same time, they will continue wallowing in that poverty. Still on the human element, if we are saying that the target is to improve the livelihood and the living conditions of our people who are in pastoral livelihoods--- Many times, pictures are taken of homes belonging to citizens of this country who keep livestock. Where is the effort in this policy to tell us that we need to have proper homes? It is not fun to live in a house that needs to be reconstructed after every rainy season.

Something needs to be done. For us to say that we have a policy that focuses on the people who live this lifestyle, we also need to look at the kind of housing that is affecting them; that has to be in this policy. It is not a matter of us getting good prices for the cattle, yet those farmers who have a number of cattle are living in conditions that are not acceptable and that do not reflect well on our Vision 2030. That has to be a Government policy. The Government needs to move in to

make sure that from the profits of all those co-operatives, decent housing is made available to farmers.

Regarding the issue of moving from one place to another, people speak of it as if it is fun. It is not! These people move from one place to another in the wilderness, from one border to another; there has got to be a better way of doing it. There has got to be a better way of living. Many of us who come from those areas, when we get educated and move out, we do not let our children go herding cattle in the wilderness. That means that there is a better way of doing the same business. In the United States of America (USA), they have ranches. They also have bad conditions like us, but they are able to manage their cattle properly. I do not see that human element in this Policy Paper. Can the Minister seriously think about the human element in this Paper?

Mr. Temporary Deputy Speaker, Sir, the second point that I want to talk about is that there are several boards that have been set up here like the Livestock Marketing Board, the Kenya Livestock Inspectorate Board and so on. One of the things that has affected animals, and animal production, in this country is the fact that from time to time, terrible diseases come and clear every gain that has been made. How can the Minister forget to set up a board that would be seriously concentrating and focusing on drugs availability and distribution across the whole country, specifically for veterinary care of our animals? Right now, it is everybody for himself. There is absolutely no policy on the distribution of drugs. If you look at the human drugs that we have, and I am speaking as the Assistant Minister, Ministry of Medical Services, we make sure that in every part of the country, there is a system of distribution. We may be blamed of inefficiency or lack of drugs but there is a system.

In the veterinary sector, there is nothing moving. You cannot be sure where the drugs are going to be and when. Can we have a board? There is need for a board to be set up to simply look at how drugs are going to be available. Are they going to be at a centralised place? How are we going to institute a distribution system that will help all the people who take care of animals access drugs. That is something that is missing here.

Mr. Temporary Deputy Speaker, Sir, finally and on the third point, we have talked about food scarcity. One of the things that happens in this country due to weather patterns is that animals, animals move. Since there is no policy on how we can keep them within certain areas, or provide them with food during the dry season, they move. We have a problem here. As we work on how to get good feeds to sustain the animals during the dry season, there has got to be an in-built policy on how animals can officially access some areas of our parks. We have a problem, for example, in the Tana Delta and Tana River Districts. Animals are harassed. When we ask for permission for them to go into the parks at certain times of the year, they are harassed. Animals are arrested and are at the mercy and discretion of the Kenya

Wildlife Service (KWS), who have grabbed so much land in some of those areas. There should be a formal policy on how animals can be allowed to go and graze in the parks and come out. There should be a formal policy in order to avoid conflicts in our region.

If you are moving animals from the Tana Delta to Malindi District, or from Ijara or Lamu to the Tana Delta, what are the compensatory arrangements that the Tana Delta will be entitled to? These animals move into areas and people become very hostile, because they know that those are not their animals. They come and over-populate their areas. So, the animals that live in that area also suffer scarcity, yet they had enough. If animals must move from one district to another, can we have a policy which everybody knows about. For example the District Commissioners can negotiate. If it is in the parks, the KWS should know about it. Sometimes, we see animals in towns. There must be a policy. I see it lacking in this Policy Paper.

With those three points, I hope that the Minister will consider them, find them of value because they are practical and are about issues that we are living with and need to be addressed

through a formal policy.

Thank you and I beg to support.

**Dr. Otichilo:** Mr. Temporary Deputy Speaker, Sir, thank you for allowing me to comment on this policy. First, I want to congratulate the Minister and the Ministry for coming up with this policy, which is long overdue.

I would also like to say that this policy has addressed issues that are extremely important, if we have to revitalise the livestock industry. One of the key issues that this policy has addressed is disease control. This is an issue that has been commented upon extensively by all hon. Members; so, I will not spend a lot of time on it. But I want to say that this is the fundamental issue in the livestock industry. The Ministry must put a lot of emphasize on this. This is what has led to the breakdown, or collapse, of the livestock industry. So, the issue of disease control is extremely important. When this policy is implemented, the Ministry should take up this issue and bring back the services by the Government in disease control. Most of the cattle dips throughout the country have collapsed. For example in Emuhaya, all the 40 cattle dips that were there collapsed. Even the dairy industry in the constituency collapsed, because the local people were unable to run the cattle dips. So, that is an area that the Ministry should take very seriously.

Mr. Temporary Deputy Speaker, Sir, another area that I want to highlight is that of animal feeds. There are many companies which have come up with various animal feeds, whose quality is not known. Some of those animal feeds are sold without quality assurance. This is an area that this policy has addressed, and I think the Ministry should take very serious interest in it to ensure that quality assurance of animal feeds is attained, and where possible regulated, because the prices are determined by the people who manufacture those feeds.

Another area that I am happy with in this policy is that of establishing a drought early warning system for the livestock industry in the Arid and Semi-Arid Lands (ASALs). This is an area that has been lacking. I know that efforts have been made to set up a drought early warning system in ASALs areas.

I would strongly support that the Ministry works on it. With modern technology, we can establish a very efficient early warning system in those areas, and be able to monitor and know weather there is to be drought and its impact. With the use of satellite remote sensing technology, we can know the environmental conditions of ASALs areas every 30 minutes.

Therefore, when drought strikes and with the modern technology and weather forecasting, we can give information on the status of the environment in terms of drought, three months in advance. So, this can allow the Ministry to plan ahead in terms of when we are expecting drought. The Ministry can also plan for the sale of livestock in those areas so that we do not allow unnecessary losses of animals because we have not planned. So, this is an area that the Ministry needs to take care of and the institutional framework that will allow this early warning system to function.

Mr. Temporary Deputy Speaker, Sir, the other area that I would like again to highlight because it is very important, is the recognition by this policy that there are other emerging livestock species in the livestock industry. These include the rearing of wildlife species like guinea fowls, quails, ostrich, crocodiles, butterflies, snakes, chameleons and so on. This is a very important addition to the livestock industry. Some of this farming that is coming up is very lucrative in terms of foreign exchange or exports.

So, I would want the Ministry to liaise very closely with the Kenya Wildlife Service (KWS) so that they can come up with a harmonised policy because as one of the hon. Members has said, this policy is not in harmony with the wildlife policy that is current and the one that has been proposed. So, there will be need for the Ministry of Livestock Development to work very closely with the KWS to see that this aspect of emerging livestock species is harmonised clearly with the

wildlife policy which I know has been formulated and will soon be tabled in this House.

Mr. Temporary Deputy Speaker, Sir, one other area that I want to highlight and which has been lacking and has caused the collapse in the livestock industry is the area of research and extension. This is an area that has been lacking. More emphasis on research has been placed on crops and very little on livestock. It is for this reason that most of the livestock breeds have not been improved over a long time because there are very few livestock breeding programmes because of lack of modern research facilities. So, I am very excited that this policy is proposing the establishment of the Livestock Research Institute which is very important. I would like to recommend that this Livestock Research Institute should be located in the Arid and Semi-Arid Lands (ASALs) and not Nairobi so that most of the research on livestock should be carried out in those areas.

I would like to also recommend that the Ministry should adopt modern research technologies. I must say that for a long time, the Ministry of Livestock Development has shied off from modern technologies and that is why they have never had good livestock census for many years. This is because the Ministry has shied off from adopting new technologies in livestock research and monitoring. I am aware that livestock censuses have been carried out in this country since 1977 but because the Ministry of Livestock Development has rejected to adopt the technologies that are being used in livestock census, most of these censuses have never been used by the Ministry of Livestock and yet most of this information is around. We have a fully-fledged Government department called Department of Resource Surveys and Remote Sensing which is well equipped with aircraft and modern technologies and they carry out a lot of animal surveys throughout the whole country but these statistics are not utilised. So, I hope with the establishment of a research institute, the Ministry is going to embrace new research technologies to ensure that enough and adequate scientific information is generated to be able to improve livestock production in this country.

Mr. Temporary Deputy Speaker, Sir, lastly, I want to highlight the issue of capacity building in the Ministry. Due to the policy that the Government adopted whereby the recruitment of veterinary officers and animal health officers was abandoned, the Ministry today is a skeleton of itself in terms of human resources. So, this is an area where the Ministry will have to pay special attention to see that capacity building is enhanced. The recruitment of veterinary doctors should be enhanced. The recruitment of animal health technicians is an issue that we discussed this morning and should be given top priority so that most of our research officers should be well trained to the highest level possible to be able to carry out proper research in this very important area.

Mr. Temporary Deputy Speaker, Sir, lastly, I want also to highlight the issue that has been covered in this policy Paper with regard to animal welfare. This is an aspect that is greatly ignored. Most of the animals are handled in very deplorable conditions particularly when they are being transported from one end to another and when held in holding grounds before they are taken to abattoirs. This is an area that needs to be given special attention so that the animals are well handled before they are taken to abattoirs or any other places.

So, with those comments, I wish to support this policy Paper and hope that the Ministry is going to implement it to the letter.

Thank you.

**The Assistant Minister, Ministry of State for Provincial Administration and Internal Security** (Mr. Lesrima): Thank you, Mr. Temporary Deputy Speaker, Sir, for the opportunity. I want to congratulate the Minister for bringing up this policy. I wish there was some form of matrix at the end indicating implementation framework with the budget. I know the issues are highlighted there but I want it to be like in the ASAL policy that we did, where we were even to reinvent some

funds at least to indicate that Kshs30 billion would be required for the next ten years to turn the northern part of Kenya round.

Mr. Temporary Deputy Speaker, Sir, the other issue is on emerging livestock. I think it is very encouraging but I would like to see policy guidelines on utilisation of the emerging livestock and others. There is plenty of that. I know there are cultural barriers to utilisation of that but I am sure there are economic opportunities there. The Government is always very slow in coming up with guidelines like the ones on aloe vera which is a very profitable enterprise. Now, sandalwood is being stolen in huge quantities because the Ministry of Forestry and Wildlife is very slow in setting up guidelines.

Mr. Temporary Deputy Speaker, Sir, the other one is the question of value addition. It would be good to see some kind of incentives in the policy and maybe some kind of compulsory requirement that for big slaughter facilities there must be a value addition component so that we can make good leather products like what the Ethiopians are doing.

The other issue is the question of livestock research. I do not want to talk about research. I want to say that the Kenya Agricultural Research Institute (KARI) has done a good job and also other organisations like International Livestock Research Institute (ILRI). The universities have also done a lot of good work in terms of research but the problem in this country is that a lot of research is done and then it is just hoarded at universities and research institutions. There is a lot of information that can be used for extension work from these research for new breeds of livestock, poultry and so on.

In terms of extension, we need to change focus. Instead of demanding for more staff, we can use the International Livestock Research Institute (ILRI) to carry out extension services. We can also use farmers to train other farmers, for example, on field days. They can train them for benchmarking on very good practices. I heard Mr. Githae talk about a farmer whose cows produce 70 litres of milk per cow per day. I am also aware that there is another farmer in Machakos turn-off who has been at it for many years. In a very arid area, he also has cattle that produces 70 litres of milk per day. I think farmers can learn from other farmers.

Mr. Temporary Deputy Speaker, Sir, I know the policy paper also talks about honey. There is tremendous potential of honey production in this country. My constituency already has a honey refinery whose standards have been set by International Centre of Insects Physiology and Ecology (ICIPE) for export market. However, we have a few cultural problems. As you know, honey collection is seen as an activity of low cadre of the society. Its market in the world is, however, unlimited.

Mr. Temporary Deputy Speaker, Sir, we need also to begin to talk about managing grass. In colonial days, grass management was forcefully done. In the late 1970s, there was the Range Management Department. In the late 1980s, we had institutions of the Ministry of Livestock with equipment and trained people on how to plant and harvest grass. This infrastructure seems to be collapsing now. In fact, in the last serious drought we had, we had the Ministry of Livestock Development---

*(Loud consultations)*

Mr. Temporary Deputy Speaker, Sir, please, protect me. I just want to finish my point.

Mr. Temporary Deputy Speaker, Sir, we had the Ministry ferrying grass in lorries from Jamuhuri Park in Nairobi and from Naivasha all the way, 600 kilometres, to Samburu. I feel that, that is an indication of very poor management of grass. We talk about pastoralists moving from place to place. However, I think we need to focus now on how we manage grass and water.

Mr. Temporary Deputy Speaker, Sir, there is a lot of pre-occupation with boreholes.

Somebody must be doing good business with boreholes. Why boreholes always? Why not rock-catchment or dams for water management?

Mr. Temporary Deputy Speaker, Sir, the Sessional Paper talks about holding grounds. It also talks about the need for county councils to think about taking care of holding grounds. Why should we involve the county councils? Most of the holding grounds which were set up during colonial days have been grabbed. There was an inventory in the 1990s of all the holding grounds. The purpose of holding grounds was to act as disease control centres. They were used to clean animals as they come from the north. As you know, most of our livestock actually come from Ethiopia and Tanzania. These holding grounds served to clean these animals as they passed through Central Province, which was the centre of dairy sector. Those days, the Kenya Meat Commission was very far away from Nairobi. It was 25 kilometres then. However, now it is the City Centre.

Mr. Temporary Deputy Speaker, Sir, because of development of road network in Kenya, there is a lot of transportation of animals. There is also a lot of loss of discipline in terms of veterinary checks. However, I think the Government must come out very clearly and repossess the holding grounds that are lying idle, are occupied by squatters or grabbed by people who do not need land. That should come out very clearly in this policy paper.

Mr. Temporary Deputy Speaker, Sir, the other issue is that of breeds. We need to go into fast multiplication using technology to split embryo so that we can have many animals of good quality at the same time. I know this is done by the University of Nairobi at Kapiti, but this information is not available. We also need a gene bank. The red Maasai sheep is very popular in certain markets in the Middle East. However, we see the breed is now disappearing.

Mr. Temporary Deputy Speaker, Sir, somebody said here that livestock keeping is business. I agree with him. The Kenyan Third Book should also reach small people. We are aware that countries in the neighbourhood, like Rwanda, have been importing cattle. A heifer can go for as much as Kshs200,000. How many farmers have that kind of information? How can we assist our farmers to enter into Kenya's Third Book so that they can get high-value animals which can access international original markets?

Mr. Temporary Deputy Speaker, Sir, I know the issue of veterinary officers has been discussed. The last time we recruited veterinary officers in this country was in 1997. We recruited in 1990 and then we had a break. We then recruited again in 1997 and then we stopped. Now, we have 405 veterinary officers in this country and they are likely to retire within the next six or seven years. There is no movement, at all, in the Government to recruit the 4,000 veterinary officers that are required in this country. What does that mean? When you do not have veterinary officers, it means you are not serious about food security. All these veterinary officers will retire and we will be left without any.

Mr. Temporary Deputy Speaker, Sir, another issue that is very serious in some of the pastoral areas is the quality of acaricide, medicine and drugs. There is a joke in my constituency where people are complaining about the quality of acaricide for killing ticks. Ten years ago, that was a very strong poison! I asked one of councillors, "how do you know that an acaricide is not strong enough?". He told me, "you know, we just taste it". A few years ago, if you tasted an acaricide, you would not live to tell the story of how it tastes."

Finally, there is the issue of wildlife. The wildlife occupies a lot of grazing space and transmit diseases to domestic animals.

Mr. Temporary Deputy Speaker, Sir, on forestry, 25 per cent of forest cover in Kenya is located in Samburu but we are not allowed to graze our animals in the forests. However, the policy has now been changed to allow communities to participate in forest management. I think there should be some kind of payment mechanism for those who conserve wildlife and forests.

With those many remarks, I beg to support.

**The Temporary Deputy Speaker** (Mr. Imanyara): I want to call upon the Minister to respond. However, I would like to ask him to allow two minutes of his time to an hon. Member to contribute. *Waziri*, you will give part of your time to Mr. Njoroge Baiya, two or three minutes and then you respond!

Mr. Baiya, please, proceed!

**Mr. Baiya:** Thank you, Mr. Temporary Deputy Speaker, Sir, for allowing me to contribute for two minutes.

Mr. Temporary Deputy Speaker, Sir, I would like to support this policy paper. However, I would also like to point out the following to the Minister: Overall, it is good to appreciate that the dairy industry has done tremendously well in the last five years. For instance, we have seen the increase in dairy production rise by about 194 per cent over the last five years. The other factor to consider is that the dairy sector is improving side by side with value addition.

Mr. Temporary Deputy Speaker, Sir, I come from a dairy sector and I have first-hand experience about it. The only issue I have with the Minister's approach to this policy paper is; it is proposed to conduct regulation framework within the entire livestock industry. However, if we look at the dairy industry in Kenya, it is quite a unique achievement for this country so far. Even in Africa, it ranks second. It is, therefore, my argument that there is a very positive achievement that has already been realized and which, for the interest of this country, should not be forsaken.

I would, therefore, urge the Minister to consider retaining the Dairy Board as a separate regulatory mechanism. We have experience from other countries where the dairy industry is the most developed. We have Poland, Australia, Denmark and the rest. They have a separate dairy industry sector. We can consider regulating the meat sector as a separate entity. The dairy products and the animal meat products are very separate, even in their marketing, quality control and so on and so forth. So, there is a strong case, therefore, to separate those two in the regulatory system.

Mr. Temporary Deputy Speaker, Sir, I also believe that the other emerging sectors are equally going to pose very different challenges and, therefore, attempting to regulate them under one umbrella may not really work.

Mr. Temporary Deputy Speaker, Sir, the other aspect is this: The policy paper seems to assume that one of the biggest challenges we have had in livestock management is about management *per se*. I believe there is also a strong case about resource allocation. When inadequate resources are allocated - when you do not have veterinary officers and the rest - there is no way we can be able to actually attain the results that we so badly need. But, even more importantly, in the last five years, if you have tried to explain why there has been that good performance, it has actually to do with the way farmers have been treated by the industry.

If it is the dairy sector, in my constituency, which is Githunguri Constituency, in a period of about five or six years, farmers have more than tripled dairy production. That has to do with prompt payment, provision of raw inputs and so on and so forth. Those are basically the farmer support needs that are also needed.

Mr. Temporary Deputy Speaker, Sir, concerning stand-book, my experience is this: That is a closed shop! Those running it have really no idea what it is! The potential we have in this country is completely untapped.

Mr. Temporary Deputy Speaker, Sir, with those few remarks, I beg to support.

**The Temporary Deputy Speaker** (Mr. Imanyara): Dr. Munyaka, you have two minutes!

**Dr. Munyaka:** Thank you very much, Mr. Temporary Deputy Speaker, Sir. I also want to congratulate the Minister and the Ministry for coming up with the policy paper. I just wish to state some two points.



Mr. Temporary Deputy Speaker, Sir, the impact of under-staffing has been very detrimental in the Kenyan livestock industry. That is because you understand that the European market is not able to purchase animals or even livestock products from Kenya. That is why the Kenya Meat Commission (KMC) is almost collapsing. So, the Ministry needs to repeal Sessional Paper No.1 of 1986 and start employing professional staff.

The other thing is about mushrooming of agro-vets all over the country. They have brought a lot of drugs that are resistant to diseases because most of them are handled by unprofessional people. That is why, occasionally, you will find that somebody who needs an acaricide is sold a diazinon. You will find animals dying *en masse* due to the wrong prescription!

Mr. Temporary Deputy Speaker, Sir, of late, we have been experiencing a lot of disease outbreaks like PPR, which is actually wiping out our stocks. I understand that we are importing vaccines. Why should we be importing vaccines whereas some time back, the Kenya Veterinary Vaccines Production Institute (KEVEVAPI) used to export vaccines? We are spending billions! Why can we not empower the institute, so that it can be able to save that money and improve our animals locally, instead of buying vaccines from Botswana, a country which used to purchase vaccines from us before!

Mr. Temporary Deputy Speaker, Sir, the other thing is about registration and regulation of veterinary drugs. The Pharmacy and Poisons Board is the one that is in charge of that function. But the professionals are within the livestock industry. We have the professional body, which is Kenya Veterinary Board (KVB). It should be empowered so that it can be able to professionally license and regulate our veterinary drugs.

Mr. Temporary Deputy Speaker, Sir, because there is no much time, I beg to support.

Thank you, Mr. Temporary Deputy Speaker, Sir.

**The Assistant Minister for Livestock Development** (Mr. Duale): Thank you, Mr. Temporary Deputy Speaker, Sir. I will take very few minutes.

First, Mr. Temporary Deputy Speaker, Sir, I want to thank hon. Members who have shown a lot of interest in this policy document, Sessional Paper No.2 of 2008. I want to assure hon. Members that I was here last time and I am here today. We are taking down all the comments, contributions and suggestions from hon. Members on various topics that are covered within this policy document. I know that a lot has been said about the extension services in the livestock sub-sector in terms of staffing.

A lot has been said about the livestock sector in terms of the general infrastructure - we are talking of cattle dips, stock roots, pasture management and rangelands management. I know that a lot has been said about the KMC, the satellite abattoirs and the privatisation programme for KMC. A lot has been said by hon. Members about livestock marketing, access to credit by farmers and why the Agricultural Finance Corporation (AFC) is not livestock friendly. A lot has been said by hon. Members about research institutions and vaccine production. I want to agree with hon. Members that it is only this year that KEVEVAPI, the only vaccine institute in this country, has been placed under our Ministry. I can assure you that, in the next one year, we will not be importing the PPR vaccine. We are going to put in place mechanisms and build the capacity of that facility. We want, not only to be using our own vaccines, but to be a regional player in terms of the sale of vaccines to our neighbours.

Mr. Temporary Deputy Speaker, Sir, a lot has been said about disease control and that diseases should not control us. I want to tell hon. Members here that we have taken your input and we are coming up with the "disease-free zone" concept, which is our flagship project in the Vision 2030. I have gotten the view which is missing in this policy from hon. Mungatana - the human concept, the livestock-wildlife conflict, the usage of the national parks during the drought period in the neighbouring districts. What policy do we have?

Mr. Temporary Deputy Speaker, Sir, hon. Members have talked about capacity building of the institutions. I want to assure hon. Members that this policy is well endowed in that. We want a very strong partnership between the private sector, the Government, NGOs, donor development partners, farmers, researchers and the scientists in this country.

Mr. Temporary Deputy Speaker, Sir, there was a lot that was said about the autonomous institutions in the livestock sector - the Dairy Board, the livestock marketing, the new KCC, KMC and the livestock research institutions that we are starting.

With all those in place, hon. Members, I want to assure you that, yes, the interest you have shown, the suggestions you have given, the comments you have put forward and the proposals you have made, are going to be put in place in this new version of the document.

In conclusion, Mr. Temporary Deputy Speaker, Sir, I wish to request this House to consider and approve Sessional Paper No.2 of 2008 on the National Livestock Policy.

Mr. Temporary Deputy Speaker, Sir, I beg to move.

*(Applause)*

*(Question put and agreed to)*

**The Temporary Deputy Speaker** (Mr. Imanyara): Next Order!

ADOPTION OF REPORT ON NOMINATION  
OF COMMISSIONER TO KNCHR

**Mr. Abdikadir:** Thank you, Mr. Temporary Deputy Speaker, Sir. I beg to move the following Motion:-

THAT, this House adopts the Report of the Departmental Committee on Administration of Justice and Legal Affairs on the deliberations on nomination of a Commissioner to the Kenya National Commission on Human Rights, laid on the Table of the House on Wednesday, July 30, 2008.

The Act under which that Commission operates, the Kenya National Commission on Human Rights Act, 2002, which came into force in March, 2003, mandates the National Assembly to fill vacancies in that Commission. The Commission is made up of nine commissioners, in which one vacancy arose at the end of July 2008.

The National Assembly then advertised the post of a commissioner and received 198 applications on time. Three were received after the time had run out. Currently, the Commission has eight serving commissioners, who include the current Chair, Ms. Florence Simbiri-Jaoko, the Vice-Chair, Mr. Hassan Omar Hassan, Dr. Samwel Tororei, Mr. Lawrence Murugu Mute, Ms. Fatuma Dulo, Ms. Wambui Kimathi, Ms. Fatuma Ibrahim and Ms. Winfred Osimbo Lituma; the vacant post was occupied by the former chair, Mr. Maina Kiai. We, in the Committee, are very glad that this is one of the few national bodies that has more serving women than men. In the current Commission, five out of the eight are women.

*(Applause)*

Mr. Temporary Deputy Speaker, Sir, Section 9 of the Act proposes a staggered board for the Commission. In other words, the time during which this Commissioners' terms end is staggered to allow for continuity. When the advertisements were done and applications received, the Committee set up a sub-committee to look into the applications that were received and shortlist a

number that they thought was reasonable for interviews.

The sub-committee then shortlisted 13 out of the 198 applicants. The people who were shortlisted were as follows:- Dr. P.L.O Lumumba, Ndomo Atieno, Kyalo Munyiva Ann, Gitu Mburu, Muhoki Mukira Samwel, Mue Njonjo, Dr. Nuno Arale Abdirizak, Wako Dida Halake, Prof. Wekesa Moni, Mwaseru Mwambi Dominic, Sitere Orieko Preston, K'Onyike C. Andrew and Anyonga Zablon F.

Once the list of shortlisted persons was brought to the Committee, it then adopted the report from the sub-committee and established criteria based on six different areas, mainly based on the criteria set out in the Act, which is not very elaborate. It is based on experience in human rights and educational background. It set five points in each of those six areas. The Committee then set up an interview panel of five hon. Members who included Mrs. Odhiambo, Mr. Musyimi, Mr. Baiya, Ms. A. Abdalla and Mr. Sambu. These five Members of Parliament formed a panel and set out to interview the applicants who were shortlisted and, based on the criteria, unanimously agreed by the Committee.

The Committee felt that it was objective and came up with the results that I wish to confirm now to the House. Each Member of the Panel was handed a sheet of paper with six rolls based on the criteria which had been agreed on. Each Member separately and without consultation, was required to award points to each interviewee with respect to the criteria. Immediately after the interviewee left, the Secretariat withdrew the score sheets and provided fresh ones for the next candidate. The

scores were then added up and the interviewees ranked. You will realise that the total maximum marks that each of these interviewees would have garnered was 150 points. They were ranked as follows:-

1. Dr. Patrick Otieno Lumumba garnered 130 points.
2. Ndomo Atieno garnered 117 points.
3. Kyalo Munyiva Anne garnered 115.5 points.

I will stop at that for the reasons that I will mention, which is Section 11(6) of the Act which reads:

"Where a vacancy occurs in the Office of a Commissioner, the National Assembly shall nominate a sufficient number of persons to fill the vacancy (which is one in this case) arising and two additional persons, and the President shall within a period of six months, appoint the required number of Commissioners to fill the vacancy out of the total number of nominees."

Mr. Temporary Deputy Speaker, Sir, in the foregoing, the Committee recommends Dr. Patrick Otieno Lumumba, Ms. Ndomo Atieno and Ms. Kyalo Munyiva Anne to be the three people who should go to His Excellency the President, so that he would nominate one person to fill the vacancy arising in the Commission. We are, again, glad that two out of the three who we hope the National Assembly will forward to His Excellency the President are women.

With those remarks, I beg to move that the House adopts this Report.

**The Temporary Deputy Speaker** (Mr. Imanyara): Who is seconding?

**Mr. Baiya:** Mr. Temporary Deputy Speaker, Sir, I wish to second the Report. As the Chairman of the Committee has said, I am also a Member of that Committee and did participate in the interview. I confirm that those were the findings and urge the House to adopt this Report.

With those remarks, I beg to second.

*(Question proposed)*

**The Assistant Minister for Medical Services** (Mr. Mungatana): Mr. Temporary Deputy Speaker, Sir, I will raise just one point so that I can allow the hon. Minister behind me to also say

something.

I support the adoption of this Report. But I do not know whether the Committee on Administration of Justice and Legal Affairs, in deciding this criteria, might it have been that one of the candidates was too well known to the Committee, because it seems that the candidate was scoring extraordinarily high compared to the others? When you look at this, it almost seems that you are suggesting a decision. Could it have been that there was a lot of familiarity? But the real thing that worries me is that we have had the same candidate serve in the Constitution of Kenya Review Commission (CKRC). Just the fact that, that Commission did not deliver, is a very big dent. I do not know whether the Committee considered that. It actually failed to give us a new Constitution.

I also wanted to ask whether we can sit comfortably with politicians sitting in commissions. I do not know what the views of the Chairman on that are, because I do not know the others including Ms. Ndomo Atieno and Kyalo Munyiva. I just know the first one. Actually, he vied for a Parliamentary seat. In fact, there is actually a petition on that. So, what happens if the person decides to leave again to go and contest, should that petition go through? So, it is cutting it too close. I am worried about it. I needed those comments to be reflected upon. I wish to hear what the Chairman has to say on that one.

**Mr. Midiwo:** Thank you, Mr. Temporary Deputy Speaker, Sir. I have been here all day. He has just come in. Maybe, he needs to be informed.

I want to support the proposed names by the Committee. I understand the issues raised by Mr. Mungatana, but I want to say on record that I know P.L.O. Lumumba as a man of integrity. I think many Kenyans wish to see Mr. Lumumba in many of these Commissions. I think he is a man beyond reproach. I want to tell you that I do not like him very much, but I know that he performs. So, I want to beseech my colleagues to not let it appear that, for Mr. Lumumba, having tried to come to Parliament, that is a minus. I think the man is one of very few Kenyans with a lot of brains, and with a lot of integrity. I know he may have thought that those brains could bring him to Parliament, but the people did not think as much.

With those few remarks, I beg to support.

**The Minister for Lands (Mr. Orengo):** Mr. Temporary Deputy Chairman, Sir, I also want to support that the Report be adopted. You know, the Chair and Mr. Lumumba were running in the same boat. If that company is anything to go by, there is something positive about it. The point I really wanted to make is that it is not anything former in these Commissions, which have particular mandates. I think this is one of the Commissions which, by enabling legislation, have the responsibility to ensure that there is compliance with the international human rights law. Under the enabling legislation, they are not quite a toothless bulldog.

I would want to see them more proactive and urge people in Government like us not to fear this Commission. This is because in democracy, you must have oversight bodies. At one point in time, when, probably, you are not in Government and you run into trouble, you may find that, in fact, these commissions are very useful. So, on my part, I would, really, want to plead to this House and those in Government not to see this Commission as an opposition party or some busy-body, but something that in any democratic society should be in place, to ensure that Kenya will be guided by universal standards, and not by local standards.

I think the previous Chairman, Mr. Maina Kiai, did a sterling job. He has commended himself to the international community and commended the Kenya Human Rights Commission (KHRC) to the international community. Other countries which have not created similar bodies are learning from us and from our legislation. So, that is something positive, which Kenyan can sell to other countries and make sure that they observe this.

I also wish to thank the Chairman. You are very meticulous in your work in that Committee. For that reason, I do not think he can ever fail to deliver.

With those few remarks, I beg to support.

**The Temporary Deputy Speaker** (Mr. Imanyara): Mr. Abdirahman, do you want to respond or do you want me to put the Question?

**Mr. Abdirahman:** Mr. Temporary Deputy Speaker, Sir, I will respond in one minute.

On the point raised by my good friend and former classmate, Mr. Mungatana, it is true that we considered those issues. Section 5 of the Act specifically states what you should and what you should not be. It says that a member of the Commission should not be a Member of Parliament or a councillor. We noted that provision very seriously.

I agree with the Minister that the KHRC is a statutory body, and we believe that statutory bodies do a good job.

*(Question put and agreed to)*

### ADJOURNMENT

**The Temporary Deputy Speaker** (Mr. Imanyara): Hon. Members, on that note, we come to the end of today's proceedings. The House is, therefore, adjourned until tomorrow Thursday, 4th December, 2008, at 2.30 p.m.

The House rose at 6.30 p.m.