



**REPUBLIC OF KENYA**

**THIRTEENTH PARLIAMENT**

**NATIONAL ASSEMBLY**

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## THE HANSARD

Wednesday, 11<sup>th</sup> October 2023

The House met at 9.30 a.m.

*[The Deputy Speaker (Hon. Gladys Boss) in the Chair]*

### PRAYERS

### QUORUM

**Hon. Deputy Speaker:** I order that the Quorum Bell be rung for 10 minutes.

*(The Quorum Bell was rung)*

I direct that the Bell be rung for a further five minutes.

*(The Quorum Bell was rung)*

I direct that the Bell be stopped. Let us proceed. Chairman for the Departmental Committee on Health.

### PAPERS

**Hon. (Dr.) Robert Pukose** (Endebess, UDA): Thank you, Hon. Deputy Speaker. I beg to lay the following papers on the Table:

Report on the Departmental Committee on Health on its consideration of;

- (a) The Facilities Improvement Financing Bill (Senate Bill No.43 of 2023);
- (b) The Primary Health Care Bill (Senate Bill No.44 of 2023).

### QUESTIONS AND STATEMENTS

**Hon. Deputy Speaker:** Hon. Member for Kajiado North. We will move on to Questions. The Member is not yet here.

Let us go to Question No.371/2023. The Member for Matuga, Hon. Kassim Tandaza.

### ORDINARY QUESTIONS

*Question No.371/2023*

#### STEPS TO ADDRESS CASE BACKLOG IN THE JUDICIARY

**Hon. Kassim Tandaza** (Matuga, ANC): Thank you, Hon. Deputy Speaker. I rise to ask the Judicial Service Commission the following Question:

Could the Commission —

- (a) state the steps it is taking to address the backlog of 521,823 cases indicated in the Judiciary and the Administration of Justice Annual Report (SOJAR

Report) for the FY 2021/2022 as pending in various magistrate courts as at 30<sup>th</sup> June 2022?

- (b) provide a status report regarding construction of new court infrastructure in every sub-county to enhance timely access to justice and speed up conclusion of cases pending in various magistrates' courts countrywide?
- (c) provide a status report on when the stalled court building in Kwale, Matuga Constituency, will be completed and how much money has been allocated to the project?

**Hon. Deputy Speaker:** Thank you, Hon. Tandaza. That Question will be replied before the Departmental Committee on Justice and Legal Affairs.

Next is Question No.440/2023 by Hon. (Prof.) Phylis Bartoo, Member for Moiben Constituency.

Hon. Bartoo, you may ask the Teachers Service Commission Question 440/2023. The Clerk-at-the-Table will give her the Question.

In the meantime - we will come back to her Question – we can move to Question 453/2023 by the Member for Machakos County, Hon. Joyce Kamene. I think I had seen her.

I will go back to Question No.440/2023 by Hon. Member for Moiben Constituency.

### *Question 440/2023*

#### MEASURES TO ADDRESS CORRUPTION WITHIN TSC PENSION DEPARTMENT

**Hon. Phylis Bartoo** (Moiben, UDA): Hon. Deputy Speaker, I rise to ask the Teachers Service Commission the following Question:

Could the Commission —

- (a) substantiate the alleged igneous acts of corruption activities in the Teachers Service Commission Pension Department?
- (b) explain the measures implemented by the Commission to address and prevent corruption within the management of the Pensions Department, with the aim of improving service delivery?

**Hon. Deputy Speaker:** Thank you, Hon. (Prof.) Phylis Bartoo. That will be replied before the Departmental Committee on Education.

I can see Hon. Joyce Kamene. Member for Machakos County has arrived. You may proceed to ask your Question 453/2023 to the Teachers Service Commission.

### *Question 453/2023*

#### UTILISATION OF FUNDS FOR TEACHER RECRUITMENT

**Hon. Joyce Kamene** (Machakos County, WDM): Hon. Deputy Speaker, I rise to ask the Teachers Service Commission the following Question:

Could the Commission —

- (a) explain how the Ksh6.4 billion allocated in the Supplementary Budget I of the Financial Year 2022/23 for the purposes of teacher recruitment was utilised, clearly highlighting the number of teachers recruited by gender, counties, and PWDs, particularly in Machakos County?
- (b) elaborate on the prospects of the 26,000 individuals engaged as teacher interns and share the contingency plans in place to safeguard their livelihoods once their internship contracts are concluded?

- (c) state the action plan undertaken by the Commission to ensure that there is fairness and equity in future teacher recruitment exercises and the adequate deployment of teachers in special needs schools countrywide?
- (d) elucidate the monitoring and evaluation tools currently utilised to assess the effectiveness of the training provided to teachers and school administrators in the competency-based curriculum, considering the ongoing challenges faced by parents who find themselves assisting with homework as *de facto* teachers?

**Hon. Deputy Speaker:** Hon. Members, before we proceed, I would like to recognise students from Mumui Mixed Secondary School from Kipipiri Constituency, Nyandarua County. They are seated in the Speaker's Gallery.

*(Applause)*

To the teachers and the students of the school, on behalf of the National Assembly and myself, I wish to welcome you to the National Assembly.

Next Order.

### MOTION

#### REVIEW OF SCOPE OF EDUCATION BURSARY SCHEME UNDER NG-CDF AND CAPITATION FOR LEARNERS

THAT, aware that Article 43(1)(f) of the Constitution as read together with Article 53(1)(b) entitles every child to free quality and compulsory basic education; cognisant of the fact that, access to funding for education immensely contributes to the realisation of universal access to basic education in the country; appreciating that, Section 48 of the National Government Constituency Development Fund (NG-CDF) Act, 2015 establishes education bursary schemes for every constituency towards access to basic education; noting that Section 48A of the NG-CDF Act further allows for affirmative action mechanisms of allocating additional funds to cater for education bursary schemes and other teaching and learning related activities; concerned that, the NG-CDF Act caps allocation to bursary schemes under the Fund at not more than 35 per cent of total constituency allocation in a financial year, thereby limiting the number of cases that may be supported to access basic education; further concerned that the NG-CDF Board has only been approving bursary support for secondary and tertiary education and not primary schools and the recently created junior secondary schools; cognisant of the fact that failing to extend bursaries to primary and junior secondary schools on the assumption that the two levels of education are 'free' is a misnomer since the Government's capitation per pupil is inadequate to cater for the mandatory materials required for Competency Based Curriculum (CBC), thereby affecting pupils whose parents are unable to meet the attendant costs; deeply concerned that, continued exclusion of allocation of bursary to Primary and Junior Secondary Schools violates the provisions of Article 27 of the Constitution and slows down attainment of universal basic education in Kenya; now therefore, this House resolves that:

- (i) the education bursary schemes under Section 48 of the National Government Constituency Development Fund (NG-CDF) Act,

2015 be extended to support learners in primary and junior secondary schools to cater for the Competency Based Curriculum requirements;

- (ii) pursuant to Section 48A of National Government Constituency Development Fund Act, 2015, the NG-CDF Board in each constituency approves additional allocation to the education bursary scheme in order to support teaching and learning related activities associated with the CBC education including School Feeding Programmes; and,
- (iii) the Government revises the capitation per student in primary schools from the current Ksh1,420 per year to, at least, Ksh7,760, being the minimum optimal capitation factoring the new CBC education system and the prevailing high cost of living.

*(Moved by Hon. Wakili Muriu on 4.10.2023 – Morning Sitting)*

*(Debate concluded on 4.10.2023 – Morning Sitting)*

**Hon. Deputy Speaker:** Hon. Members, debate had been concluded on this Motion. I now put the Question.

*(Question put and agreed to)*

**Hon. Deputy Speaker:** Next Order.

*(A Member spoke off the record)*

Yes, they were definitely not in the chamber. That is why I ignored them.

**Hon. Samuel Chepkonga** (Ainabkoi, UDA): On a point of order, Hon. Deputy Speaker.

**Hon. Deputy Speaker:** Yes. What is your point of order, Hon. Chepkonga?

## POINT OF ORDER

### VOTING WHILE OUTSIDE PARLIAMENT

**Hon. Samuel Chepkonga** (Ainabkoi, UDA): Hon. Deputy Speaker, I rise pursuant to Standing Order 87. Is it in order for Members of Parliament who have not logged in to vote when they are outside Parliament? Is that not disorderly? They should be ruled out of order. You cannot be shouting yet you have not even heard the Question. They have just seen you. There is no voting by seeing. It is voting by hearing.

**Hon. Deputy Speaker:** You are very correct, Hon. Chepkonga. They were actually before the Bar. They were not yet in the House. Hence, the reason I ignored them.

Let us proceed to the next Order.

## MOTIONS

### EXPANSION OF DRUG AND SUBSTANCE ABUSE REHABILITATION CENTRES

THAT, aware that according to the National Protocol for Treatment of Substance Use Disorders in Kenya by the Ministry of Health, drug abuse has been increasing in Kenya, especially among the youth with statistics indicating that more than half of drug users are aged between 10 and 19 years; further aware that, research released by the National Authority for the Campaign Against Drug Abuse (NACADA) in December, 2022 placed Western region as the leading region in alcohol and substance abuse at 23.8%, followed by the Coast region at 13.9 % and the central region at 11.9%; recognising that the high level of drug abuse in the western region is attributable to illegal entry points from neighbouring countries and unlicensed establishments especially in Bungoma and Busia counties with statistics indicating two out of every five establishments in Bungoma operate illegally; further recognising that a majority of the consumers of illegal substances are school-going children who end up dropping out of school; cognisant of the fact that the Alcoholic Drinks Control Act, 2010 established the Alcoholic Drinks Control Fund whose purpose is to, among other things, facilitate the dissemination of information on alcoholic drinks and promote rehabilitation programmes in the country; this House urges the Government to institute intensive programmes for the dissemination of information on alcohol and substance abuse in line with the Alcoholic Drinks Control Act, 2010 and to increase the number of rehabilitation centres across the counties.

*(Moved by Hon. John Makali on 4.10.2023 - Morning Sitting)*

*(Resumption of debate interrupted on 4.10.2023 - Morning Sitting)*

**Hon. Deputy Speaker:** Hon. Members, we have a balance of one hour and two minutes on this Motion. I think Hon. Catherine Omanyoo, Member for Busia County, had a balance of two minutes. She is not in the House. I will just go on and follow the list I have here. The Member for Malava Constituency, Hon. Moses Injendi.

**Hon. Malulu Injendi** (Malava, ANC): Thank you, Hon. Deputy Speaker. I want first to thank *Mheshimiwa* for coming up with this Motion.

Indeed, drug abuse is really a big issue amongst our youth. Previously, western Kenya did not have this kind of problem among the youths. However, currently, it is a big issue that is affecting the youth in the region. In fact, research done in 2022 indicated that western Kenya leads in drug abuse. I recommend that this problem be taken as a mental problem or sickness. The affected persons should be taken to the rehabilitation centres and have proper treatment.

Currently, people are stigmatised when they get into these centres and come out. This makes persons who have gone through rehabilitation relapse into the same practice of drug abuse once they finish rehabilitation. This is because of the kind of treatment they get from their peers and the community in general. When it comes to most strikes in schools, you will note that most students or pupils who lead strikes are students who have engaged in the behaviour of taking drugs.

Unfortunately, I do not know what is happening in our country. The drugs are easily available in our community. The kiosks around schools, rooms and hostels around schools are known to host persons who deal in drugs. It is also worth noting that some of the persons involved in this business are well up. They do not care much about the effects of the drugs on our youths. I urge the Government to note that we presently do not have any of these institutions in the western Kenya region, for example. What is striking is that private entities run most of these institutions. The question is how the Government is not involved in running these

institutions. Maybe it is time the Government came in to run the institutions for the effective management of this problem in our country.

Hon. Deputy Speaker, we are all aware that the criminals who have caused harm to society are trained when taken to prison. Some come out properly rehabilitated with some skills for the community. Eating, sleeping well and being taken away from the community is what happens to persons taken to current private rehabilitation institutions. Nothing much improves these people. Apart from the youth who are involved in drug abuse and are destroyed, you will also find that we have professionals. Teachers and doctors are also affected by this problem. When they get into the institutions, we must have proper engagement so that better persons come out. For instance, if a teacher comes out and goes back to school, he or she should begin teaching effectively unlike before.

Otherwise, I thank *Mheshimiwa* Makali for this Motion. Thank you, Hon. Deputy Speaker.

**Hon. Deputy Speaker:** The Member for Taita/Taveta, Hon. Lydia Mizighi. We can make our contributions brief so that the participation from as many Members as possible is achieved. Thank you.

**Hon. Haika Mizighi** (Taita Taveta County, UDA): Thank you very much for this opportunity. Although I was holding on to the next agenda, I wish to comment on the Motion on the expansion of drugs and substance abuse rehabilitation centres that is on the Floor.

I begin by congratulating the Member, my colleague, for this Motion that is timely. Matters of drug and substance abuse are on the rise. We have seen many youths suffering. We are even losing some because of drug and substance abuse. I believe in a second chance. At times, the youth and many people get into drugs not knowing the repercussions. Given a second chance through rehabilitation, majority of them can change and become better people in society.

I support the Motion.

**Hon. Deputy Speaker:** The Member for Seme, Hon. James Nyikal. Again, I am pleading with you to keep it brief so that many Members have an opportunity to speak.

**Hon. (Dr.) James Nyikal** (Seme, ODM): Thank you, Hon. Deputy Speaker, for the opportunity to contribute to this Motion. I will try to be brief although this is a very interesting topic. I must congratulate my colleague, Hon. Makali, for bringing the Motion to the House. Drug and substance abuse is a big problem in this country affecting mainly the youth. It is a complex phenomenon involving our social and family structures. These substances and drugs are available in schools, shopping centres, clubs and where people get together, particularly young people. Sometimes they come in forms that people argue whether they are substances of abuse or drugs.

Just last week, we were talking about Velo, which is definitely a nicotine derivative. Drugs come in many disguised forms. It also involves individual predisposition and the family circumstances. In a family, one person may be affected while others are not affected. We must look at all aspects of the society. In the end, it results into mental illness of persons affected. Thereafter, it becomes completely difficult to manage because the hallmarks of mental illness are lack of insight. This means the affected person does not realise that he or she is unwell and will, therefore, not seek treatment and worse still, will not abide by the treatment that is given. It then becomes very complex as it affects people in their youth when they are very vulnerable.

Another aspect of drug and substance abuse is physical addiction, which means the person is physically and physiologically addicted. Without the drug, the person gets physically sick and will look for the drug. That brings up behaviours like theft and violence just to sustain the habit. At that point, we have a big problem on our hands. If it is affecting many youth, then we have to look at it. Unfortunately, for a long time our health system has not recognised this as an illness and not as a behavioural problem. Fortunately, we are looking at it in the legal

perspective and we keep putting up centres. I, therefore, support this Motion that calls for many centres to be established.

As we do that, the basic issue that we should look at is prevention. The value of prevention cannot be underestimated in this matter. I will give you a simple example that will show us how prevention is important. In 1982, this country had a measles outbreak. During that season, you would have as many as 200 children in one ward of 50 beds. Out of those who were affected, as many as five would die daily. When vaccination was introduced in the early 1970s, it became very effective. From 1984 to 2005, we did not have a single case of measles. That is how it works and that is how we should look at this issue. The Ministry of Interior and National Administration and NACADA must come up with programmes that will mainly address prevention as we expand to providing social rehabilitation that will reduce intoxication.

With that, Hon. Deputy Speaker, I support.

**Hon. Deputy Speaker:** Member for Samburu County, Hon. Pauline Lenguris.

**Hon. Pauline Lenguris** (Samburu County, UDA): Thank you, Hon. Deputy Speaker. I support the Motion. It is important to set up strategies on how to help our youth who are engaged in drug and substance abuse. This is a widespread challenge in every county particularly the area that I represent. We do not have any facility that can help our youth or people who are engaged in drug and substance abuse. Most times we are forced to look for health facilities or sometimes refer our people to far areas where they can access services. I think this is an important strategy and approach to help our people because we know that drugs are widespread in this country. Many of our youth have been engaged in drugs and substance abuse and most of them require a lot of psychological and socio-ecological support as well as treatment and these kinds of facilities can help. I would propose that every county should have a facility that can help our people who are engaged in drug and substance abuse.

I was recently in one of the constituencies and I was called by the youth, most of whom asked me to look for a place where they can be taken away from their environment. I realised that most of them are willing to get out of drugs. As you know, peer influence is one of the challenges the youth face. I support the Motion and recommend that we have these kinds of facilities in every county so that the people who require these services can access them. It is a real problem. If we do not address it now, in future, we will have a lot of challenges. As we know, the youth are the future leaders of this country. They are the people who will continue the work that we are doing today. We already have many cases which we do not know where to take. We sometimes take them to hospitals, which are overwhelmed with other diseases. I, therefore, support the Motion.

**Hon. Deputy Speaker:** Thank you. Next is the Member for Lamu East, Hon. (Capt.) Ruweida Obo. I know I have visited some very successful treatment centres in Lamu with you.

**Hon. Ruweida Mohamed** (Lamu East, JP): Asante, Mhe. Naibu wa Spika, kwa kunipa nafasi nami nichangie. Kati ya sehemu zilizoathirika na mambo ya mihadarati, Lamu ni zaidi. Utasikitika ukifika Lamu uone jinsi vijana wameathirika. Mihadarati pia inachangia utovu wa usalama na inaathiri uchumi wa Lamu. Wale vijana wanaotumia mihadarati wanahitajika wawe na Ksh1,400 kwa siku. Kama hawana kazi, inawabidi waibe ndiposa wapate dawa hizo. Wanaenda kuibia wenye mashamba haswa wakulima wa minazi ambao mwishowe hawapati kuvuna. Wafugaji mbuzi na kuku pia wanaibiwa. Athari ni kwa wale wanaotumia mihadarati na pia wale ambao hawatumii. Wale wanaotumia mihadarati hawawezi hata kuo na inakuwa shida kubwa. Vituo vya ukarabati vikiwekwa vitasaidia sana.

Lamu Magharibi ina vituo viwili vya ukarabati vikiwa Red Cross na kituo cha watu binafsi. Lamu Mashariki haina kituo hata kimoja. Itakuwa vyema kuzingatia watu wetu ambao hawana huduma hizo. Watu wetu wa Lamu Mashariki wanakaa kwenye visiwa vya bahari na



wanapata changamoto kumpeleka mtu Lamu ijapokuwa ni karibu. Ninampongeza Mjumbe aliyeleta Hoja hii kwa jambo hili la maana sana.

Wanaotumia mihadarati wanaweza kutumika vibaya kama hatuwabadilishi. Tunaishi kwenye *boundary* ya Somalia. Ni rahisi mtu anayetumia mihadarati kutumika vibaya na wanakua *vulnerable*. Wanaweza tumika vibaya mpaka tushangae. Saa zingine pia unaona kama hili jambo haliangaliwi. Wananchi kule wanafikiria kuwa wanaletewa mihadarati, na kila anayeza mihadarati anajulikana, lakini hakuna hatua inachukuliwa. Sisi tunaletewa mihadarati ilhali wengine wanasaidiwa. Imekuwa labda ni kama ni kusudi Serikali inafanya. Lakini, alhamdulillah, ninamshukuru mwenyezi Mungu kuwa kuna mikakati hii Serikali inachukua. Ninawapongeza. Hakika hii ikipelekwa kwa Waziri Kindiki ataishughulikia vilivyo. Hata kama ni kwa mfuko wa hiyo *Ministry* yake, ataifanya. Maanake amefanya mambo mazuri Lamu, na tunaipongeza Serikali.

Kwa hili tunaomba watufanyie zaidi na zaidi ili watoto wetu watoke katika hizo mbinu. Pia, kabla hizi *rehabilitation centres* kutengenezwa kama kila *Level 4 hospital* itawekwa ile *Methadone*, itasaidia sana. Maanake King Fahad *Hospital Level 5* imewekwa *Methadone* na imesaidia, lakini watu wangu wa Lamu Mashariki hawajapata *Methadone*. Nimekuwa nikiimba na kwenda kila upande husika lakini *Methadone* haijafika hospitali ya Faza. *Methadone* ikifika

...

**Hon. Deputy Speaker:** Hon. Member for Lamu East, I think it is important to explain what Methadone is for the purpose of record, and so that other Members are also able to contribute towards your request.

**Hon. Ruweida Mohamed** (Lamu East, JP): Asante, Mhe. Naibu Spika. *Well guided. Methadone* ni dawa ambayo ukipewa hospitalini ukunywe, inatoa ile hamu ya kula mihadarati. Lakini mpaka uwe karibu na hiyo hospitali. Ikiwa kama hospitali ya King Fahad imewekwa, mtu wa Lamu Mashariki hawezi toka akaja huku. Sasa inawekwa kwa hospitali ile ya karibu. Ni nzuri na inasaidia hata kushinda *rehabilitation centres*. Inategemea umetumia *drugs* namna gani ili daktari akupe *dosage*. Unaikunywa kulingana na vile daktari anasema. Kama unaikunywa mara mbili, unakunywa asubuhi na unaambiwa urudi jioni. Au kama *dose* yako ni ya mara moja, unarudi siku ya pili. Inasaidia sana.

Hizi *rehabilitation centres* pia, zisifanywe tu za kulala. Tunafanya zile *rehabilitation centres* za mitaani kama *out patients*. Zimekuwa zikifanya kazi vizuri sana Mombasa. Tunawapongeza sana kwa hiyo kazi ya *rehabilitation centres* za *out patient*.

Asante, Mhe. Naibu Spika.

**Hon. Deputy Speaker:** Hon. Member for Kaloleni Constituency, Hon. Kahindi Katana.

**Hon. Paul Katana** (Kaloleni, ODM): Asante, Mhe. Naibu Spika, kwa kunipatia nafasi hii ili kuchangia katika mdahalo huu wa mambo ya mihadarati.

Ni jambo la kusikitisha na kutamausha, haswa vijana wengi kutoka Pwani wamepoteza maisha na mwelekeo kwa sababu ya utumiaji wa mihadarati. Mihadarati sasa ni tisho kwa usalama wa vijana wetu hasa wale ambao wako shule. Mambo ya mihadarati yamezungumziwa kwa muda mrefu, lakini kila uchao tunaendelea kuzungumzia matumizi ya mihadarati. Shirika la *National Authority for the Campaign Against Alcohol and Drug Abuse (NACADA)* ambalo linatakikana kuhakikisha kwamba mambo ya mihadarati haifanyiki linafanya nini? Na kila mwaka linapatiwa bajeti na Bunge hili ili liweze kutatua shida hii.

Hatuwezi kuendelea kuwalaumu wale wanaotumia mihadarati. Tunataka tujue kupitia shirika la ujasusi *National Intelligence Service (NIS)* ni kina nani wanaleta mihadarati katika nchi hii. Tukitaka kusitisha utumizi wa mihadarati na watoto wetu na vijana wetu, haswa kwa mashule, ni lazima tuangalie shida ni gani. Na ikiwa Serikali inawajua wale ambao wanaleta mihadarati, kwa nini hakuna hatua ambazo zimechukuliwa kwa muda huu wote? Tuseme Serikali inachangia kwa sababu kama mtu anauza mihadarati na anajulikana, kwa nini hawezi

kuchukuliwa hatua? Mimi nimeunga mkono kwamba tuweze kupanua zahanati ambazo zinarekebisha hawa vijana wetu ambao wanaendelea kutumia mihadarati. Lakini ni ghali mno, na katika kusitisha hii lazima Serikali ijitokeze. Na lile shirika la NACADA ambalo limepatiwa jukumu liweze kujikakamua ili tuweze kusitisha utumiaji wa mihadarati kati ya vijana wetu.

Vijana wataendelea kutumia mihadarati kwa sababu hawana njia ya mapato. Sasa kujiliwaza wanaona ni njia moja ya kutumia mihadarati ili wapoteze mawazo. Mihadarati imeharibu familia nyingi. Vijana wanaotumia mihadarati hawawezi hata kuoza kwa sababu wakipata chochote kidogo wanakimbilia mihadarati. Wanachukua hata vyombo vya nyumbani wanaenda kuuza ili waendeleo kula mihadarati. Ikiwa tunataka kama taifa kusitisha, kusimamisha, na kukomesha kabisa mambo ya mihadarati, ni lazima tuungane kama taifa tupigane na janga hili la mihadarati. Tuweze kuleta viongozi wote wa kidini na wa kijamii, na taasisi zote ili kwa taifa tuseme mambo ya mihadarati hatutaki tena katika nchi yetu. Na ni lazima Serikali ichukue hatua kali kwa wale ambao wanaleta mihadarati na wanajulikana, ila Serikali inanyamaza. Ni lazima kama taifa tujitokeze kimasomaso na kusema kwamba lazima tulinde maisha ya vijana wetu hasa wale ambao wako shuleni.

Asante, Mhe. Naibu Spika kwa kunipatia nafasi hii.

**Hon. Deputy Speaker:** *Asante.* I now call upon the Member for Mandera South, Hon. Abdul Haro.

**Hon. Abdul Haro** (Mandera South, UDM): Thank you, Hon. Deputy Speaker, for giving me this opportunity to put my voice on this important Motion.

I thank Hon. John Makali for this timely Motion on expansion of drug and substance abuse rehabilitation centres. I will particularly go to the prayer where the Member “prays that the House urges the Government to institute intensive programmes for the dissemination of the information on alcohol and substance abuse in line with Alcoholic Drinks Control Act, 2010, to increase the number of rehabilitation centres across the counties.” In addition to the prayer by the Member, I think two more additional issues can be added there. We can also urge the Government to train, particularly clerics in mosques and churches from regions like where I come from, to deal with this drug abuse menace because they stand a very good chance to fight this problem.

It is also important to think about the stigmatisation of drug addicts. Once you set up the centres and you start rehabilitating drug addicts, most of the time, the drug addicts become stigmatised in the society. I think the question around sensitisation and how to deal with the question of stigmatisation of drug addicts is also very important.

This drug menace is now a national problem. Even traditionally, areas like North Eastern which were regarded to have very little drug abuse are also joining the queue. It is becoming a problem even in North Eastern, particularly due to the fact that we are bordering two difficult neighbours - Somalia and Ethiopia. Because of these multiple entry points, many drugs that are not common to our country are now entering the North Eastern region through Somalia and Ethiopia. We have seen on the news the police intercepting large amounts of *bhang* and other drugs that enter the country through those difficult borders.

Youths, both in school and out of school, are seriously affected. Just as the Member for Lamu said earlier, terrorists who target our youths find good recruitment grounds in areas where many youths abuse drugs, particularly in the region where we come from where there are many idle youths. If those youths abuse drugs, they will be an easy target for terrorists to recruit into their cells, and they may become a big problem for this country.

It is not only youths in and out of school who are affected. Adults have also joined the queue. You will now find most homes experiencing difficulties because either one or both parents are addicts. Drug abuse is becoming a major threat to family unity and life as we know it.

The most abused drugs in the North Eastern Region where I come from are *bhanga*, codeine and *miraa*. Apart from the alcoholic drinks that the Member mentioned in his Motion, we also need to focus on other types of drugs. I support the creation of more drug rehabilitation centres across all counties in the country.

Thank you, Hon. Deputy Speaker.

**Mhe. Naibu Spika:** Ningependa kumpa nafasi Mbunge wa Kaunti ya Mombasa, Mhe. Zamzam Chimba, kwa sababu ninajua mumeathirika sana kule Mombasa.

**Mhe. Zamzam Mohammed** (Kaunti ya Mombasa, ODM): Ahsante sana Naibu Spika, kwa kunipa fursa hii nizungumze kama Mama Kaunti wa Mombasa. Ninalia sana kwa sababu tunahitaji hizi sehemu za marekebisho ama *rehabilitation centres*. Kila mtu anajua kuwa Mombasa imeathirika zaidi na dawa za kulevya. Watoto wetu wamekuwa *zombies*, wanashika panga, hawaoi, wakisimama mahali pamoja wanaenda mpaka chini na kurudi juu kwa sababu ya dawa za kulevya. Mkiona wanavyofanya, mtashangaa sana. Wakati mwingine, wengine wanaanza kutembea mwendo wa pole pole na kuzungumza kwa kuvuta maneno yao sana.

Dawa za kulevya zimekuwa donda sugu katika jamii yetu. Kama Mama Kaunti, ningependa kupigia ponde swala hili la kujenga *rehabilitation centres*. Kama Mama Kaunti wa Mombasa, nilikuwa ninajenga *rehabilitation centre* pale Mwakirunge Gender-Based Violence (GBV) Centre. Ijapokuwa nimepata changamoto nyingi sana, ujenzi huo unaendelea. Kuna sehemu ambayo imetengwa ya kujenga *rehabilitation centre*. Ninaomba kupata mfuko ambao utanisadia kujenga *rehabilitation centre* pale ili niweze kusaidia vijana wetu wa Mombasa.

Kama Mama Kaunti, nimekuwa nikiwaregesha watoto shuleni. Wengi wao ni watoto wa kike waliokua wameathirika na dawa za kulevya. Wakishavuta zile dawa, walikuwa wanajiingiza katika mambo machafu, ukahaba, na mambo mazito sana, ilhali ni watoto wadogo wa miaka 14, 15 au 16. Jambo hilo lilikuwa linanitamausha sana. Wengi wamenishukuru na kusema kuwa walikuwa wameingia katika mambo mazito sana. Siwezi kurekebisha mambo hayo peke yangu. Lazima nipate usaidizi kutoka kwa Serikali ili tuhakikishe kuwa tutapata *rehabilitation centres* ambapo watoto hao watarebishwa.

*Rehabilitation centres* zitagusa wanabiashara wengi wa dawa za kulevya. Nimejaribu siku zote kutafiti ili nijue watoto hawa wananunua dawa za kulevya kutoka kwa nani. *Chain* hiyo ni ndefu sana. Tutasaidika sana tukipata wahusika wanaouza dawa hizi ili jamii inawiri, isonge mbele na kujenga taifa.

*[The Deputy Speaker (Hon. Gladys Boss) left the Chair]*

*[The Temporary Speaker (Hon. (Dr.) Rachael Nyamai) took the Chair]*

Watoto wengi wa kike wamepata mimba za kiholelaholela kwa sababu ya kutumia dawa za kulevya. Wanapochukua dawa hizo, hawawezi kujifahamu na wanafanyiwa mambo mabaya bila wao kujua. Dawa za kulevya zimechangia mimba kwa wanafunzi wachanga kwa sababu hawawezi wakajilinda. Watoto na vijana wengi wanaambukizwa maradhi ya zinaa kwa sababu wanatumia sindano sawa. Hakuna kitu kinachowazuia wakiwa wamelewa. Wenyewe wanasema wako *high* na wengine wanasema, “*arosto noma*”. Wakati wanapopata ile *arosto*, wanasimuka na kila mtu anakimbilia ile sindano moja ambayo mwenzake ametumia ilhali hajui mwenzake ana maradhi gani.

Ninakumbuka siku moja nilienda na mke wa *Deputy President* kuwaona hao waraibu wa dawa za kulevya naye alisikitika sana. Tuliamua kupeleka watoto hao kwa *rehabilitation centre* lakini mpaka sasa, hakuna *rehabilitation centre*. Ninachukua fursa hii kumshukuru ndugu yangu, Abdulrahman, wa Reachout Centre Trust kwa kazi ambayo amefanya katika Mombasa Kaunti. Amerekebisha vijana wengi sana. Ninashukuru sana Reachout Centre Trust kwa kazi nzuri ambayo wanafanya.

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Ninachukua fursa hii kumpigia ponde sana Mhe. Makali kwa kuleta Hoja hii.

**The Temporary Speaker** (Hon. (Dr.) Rachael Nyamai): *Ahsante sana, Mbunge wa Mombasa County*. Hon. Gladys Boss, Member for Uasin Gishu County.

**Hon. Gladys Boss** (Uasin Gishu County, UDA): Thank you very much, Hon. Temporary Speaker, for the opportunity to lend my voice to this extremely important subject of drug and substance abuse in Kenya.

I want to start by stating very clearly that substance abuse, drug addiction, and alcohol addiction are mental illnesses. That is where we must begin. As we proceed to debate this issue, it is imperative that drug abuse is dealt with, considered, and managed as an illness. I speak with great authority as a mental health ambassador working very closely with the mental health department of the Moi Teaching and Referral Hospital in Uasin Gishu, and the Chiromo Hospital Group led by Professor Frank Njenga, the father of psychiatry in Kenya, who was one of the first people to raise this issue of addiction as an illness.

As we discuss and debate in Parliament, I congratulate Hon. John Makali for raising this issue. I hope this will not be the last time we discuss it. I know Hon. Makali's Motion focuses on Government-sponsored rehabilitation centres, but we should be asking for more rehabilitation centres, whether they are established by faith-based organisations, are privately-owned or Government-owned. As we have said, drug abuse is an illness.

The main challenge in the treatment of addiction is not the lack of treatment centres, but the fact that treatment is not covered by most insurance companies. The National Health Insurance Fund (NHIF) only pays a maximum of Ksh60,000, which is hardly sufficient to treat someone for eight weeks. Addiction must be viewed as a chronic illness such as cancer, or diabetes, which requires long-term and sufficient treatment.

Hon. Temporary Speaker, I also wish to bring to the attention of this House the Mental Health Taskforce that was established in 2019. It came up with very clear recommendations on how to deal with substance abuse and other mental illnesses. Like we have said, it is an illness and not substance abuse. Substance abuse is a mental illness. It was clear that there needs to be awareness relating to it as an illness so that the stigmatisation can end, and people can seek treatment. People do not seek treatment because of the stigma around mental health issues. If you told your employer that you want sick leave because you have an addiction problem, there are chances they will fire you. If you raise the issue with your insurer that you need to check into rehab and get treatment, they will tell you that you have a pre-existing condition, and therefore, they do not cover it.

A few days ago, I think on Monday, I was at the launch of a book called 'Healing the Mind' written by Prof. Frank Njenga. When he spoke in that particular launch, he said that the enemy number one for mental illness is the insurance companies followed by the church because they would rather pray for you other than have you seek conventional treatment. However, it was great to hear yesterday that they have now agreed to work hand in hand with the mental health specialists so as to curb this particular menace. As raised by the Member for Lamu East, treatment is extremely expensive and requires extreme supervision. For substance abuse, the patients are sometimes given a daily dose of treatment at the hospital so that they can stay away from the addiction. But that is only being provided...

**The Temporary Speaker** (Hon. (Dr.) Rachael Nyamai): Please, give her two minutes.

**Hon. Gladys Boss** (Uasin Gishu County, UDA): Thank you for the additional time. This is something that I am very passionate about. In areas like Lamu, if it were not for the Red Cross and other private initiatives that provide methadone, which is critical, patients would not have been able to undertake treatment there. The number of people I saw at King Fahad Hospital just tells you that substance abuse has reached crisis levels.

As I close this submission, I want to call upon the Ministry of Interior and National Administration to deal with the security forces in this country because they are complacent in

the availability, distribution and use of these substances. Police officers use it as an ‘extortion tax’ to make money. So, when they find them using these substances, instead of doing proper investigation to establish the dealers, because they need to arrest the dealers not users, they instead collect a few shillings from those poor young people who are already very ill. We also know that all the chiefs know all the dens where illegal, illicit, dangerous and unsafe alcohol is sold. Every single county commissioner knows that den. All police officers, Officer Commanding Police Division (OCPD) and Officer Commanding Station (OCS) know these dens. I am not afraid of calling out the County Commissioner of Uasin Gishu County, Dr. Nyale. I raised the matter with him and I pointed out the places where illegal drugs and alcohol are sold, and they have done nothing about it. They are known to the OCPD. I know of a case of Munyaka Primary School, where the person who brews the illicit alcohol and sells drugs just sits there - a woman called Wanjiru. She has been arrested 13 times and each time she was only fined Ksh10,000. Of course, it makes sense to continue with the trade. Thank God, the OCS of Naiberi Police Station has been transferred. In fact, he should not have been transferred, but fired because he is going to continue with the same problem wherever he has been taken to. It is time our security forces are held to account on this particular issue. If I was allowed to speak, I would go on for two hours, but I will stop there and give other Members opportunity to speak.

Thank you, Hon. Temporary speaker for the chance.

*(Applause)*

**The Temporary Speaker** (Hon. (Dr.) Rachael Nyamai): Thank you very much, Member for Uasin Gishu County.

Hon. Members, I would like to welcome students from Joyland Maryanne School from Embakasi East Constituency, Nairobi County, seated in the Public Gallery.

*(Applause)*

You are welcome to the National assembly to continue observing the proceedings. The next opportunity goes to Hon. Farah Maalim.

**Hon. Farah Maalim** (Daadab, WDM): Thank you very much, Hon. Temporary Speaker, for giving me this opportunity to also weigh in my ideas on this. This country is going to be destroyed not by anything else, not because of politics, ethnic issues and these other kinds of divides, but by drugs and alcohol abuse. The Motion here asks us to have additional rehab centres. The experience in this world is that those countries that have the harshest penalties for drug use, abuse and trading are some of the cleanest countries. I will prescribe death penalty for anybody found with more than half a kilogramme of any form of drugs, including *cannabis sativa*.

*(Applause)*

Hon. Temporary Speaker, the countries in that category, which are the cleanest, which have the most progressive economies, with GDPs that cannot be matched are China, Malaysia, Vietnam and Singapore. In the Philippines, drug traffickers were being killing on the streets extrajudicially as a matter of fact. In Iran and Saudi Arabia, they are executed publicly. We have to prescribe the death penalty for drug use, trading and trafficking in this country. It is the only way we are going to have a clean country. It is only a clean country that can be progressive and go far in life.

We have seen drug lords become governors in this country. We have seen them enjoy some of the highest public offices. We have seen alcoholics in the top offices in this country. Those ones right now are role models for our children. The role models for our children are no longer students who do very well academically and score straight 'As' in national exams, but rather drug lords who become Members of Parliament, governors and everything that one can become in this country. We are soon going to have drug lords like Pablo Escobar as president of this country. That is where we are heading. We have seen alcoholics hold the highest offices in this country.

*(Loud consultations)*

Hon. Temporary Speaker, the President of Philippines directed his security machinery to look for these people, investigate and kill them extrajudicially. That country is now in a very good trajectory in terms of development and saving her future generations. Drug lords in this country are going for primary and nursery schools. They are lacing sweets with drugs and giving them to children so that they can become addicts at a very young age. They pay heavily to political parties and are very close to the highest leadership in the country. Therefore, they get away with some of these things. I happen to have been the Deputy Speaker of this House during the 10<sup>th</sup> Parliament, when this matter was discussed here. A Minister was so helpless that he admitted that Government facilities were used for movement of drugs. That was when the Americans came up with a list of Members of Parliament who were drug lords, but we did nothing about it. The Americans and everybody in the world told us that our country was a very powerful transit point for drugs. They come from all countries, including lawless Somalia, Ethiopia, Uganda and everywhere else. It is a big market for drugs. If we do not do what we need to do now, the children of this country...

Hon. Temporary Speaker, can I have two more minutes, if you do not mind?

**The Temporary Speaker** (Hon. (Dr.) Rachael Nyamai): I will give you one minute.

**Hon. Farah Maalim** (Dadaab, WDM): Hon. Temporary Speaker, thank you. There is need for us to deal with the elephant in the room in terms of tackling the problem in this country. What will destroy this country in a big way is the fact that drug abuse permeates our society at a very young age. Right now, we have a situation where father, son and grandfather are drug addicts. You will encounter such situations in some parts of this country, including the Coast region counties. Lamu County has been very devastated. You wonder whether it is the Government's plan for all these people to become drug addicts and perish. I am not surprised when I look at western and central Kenya. Alcohol is such a powerful menace in the central region counties. The same way they talk about cartels in the coffee and tea sectors, they will very soon say that cartels are in the alcohol and illicit drugs industry.

This country has to be saved. We will not establish additional rehabilitation centres. Why are you dealing with the consequences of something? Why not go to the vector itself? I come from a family where there are a number of medical officers. One of them asked me at one time why we treat Malaria. He told me that we should get rid of all the mosquitoes. Why do we have to treat drug abuse? Let us get rid of the drugs by getting rid of the people who trade in drugs in the best possible way.

Let us have a law that prescribes death penalty. A very senior person from one of the African countries went to China and pleaded for his child to be released, but he was executed. You cannot allow the future generations to be destroyed. The drug lords and drug traders in this country are destroying the future generations. Let us not look for rehabilitation centres, and how to treat and deal with drug and substance abuse. Let us get rid of everybody who is involved in drug and substance abuse from whichever border of this country that these things come in. I was told that there are too many big farms of cannabis sativa in Somalia. Most of

them belong to the *Al Shabaab* and other people. The Americans are happy because the Taliban has taken over Afghanistan.

**The Temporary Speaker** (Hon. (Dr.) Rachael Nyamai): Thank you very much, Hon. Farah.

Hon. (Dr.) Pukose, Member for Endebess and Chairman of the Departmental Committee on Health.

**Hon. (Dr.) Robert Pukose** (Endebess, UDA): Thank you, Hon. Temporary Speaker for allowing me to contribute to this important Motion by Hon. Makali. At the outset, let me say that I support the expansion of drug and substance abuse rehabilitation centres.

Hon. Temporary Speaker, from the statistics given, you can see the age bracket that is affected is between 10 and 19 – which is a young group. What lacks in this group that is being affected? These children access opioids, cannabis sativa (bhang), alcohol and many other substances within the class of substances we call drugs.

When we talk about drug and substance abuse, we should appreciate that it is a mental illness because it is a psychological, emotional and social problem. The most important part of it is to look at the social fabric within the society. As Hon. Members lament about it, what are we doing? In other countries, people are hanged when they are caught with bhang, heroin or cocaine. We are the lawmakers. Have we made laws to strengthen our judicial system and make sure that the laws are prohibitive or punitive enough for anybody to engage in drugs and substance abuse? That is why children aged between 10 and 19 access them.

We have those who are engaged in alcohol preparation. You find that more often, they use other substances like ethanol to make it stronger. In the process, they make people blind. The new Bill that this House passed the other day, which is in the Senate, talks of chronic illnesses, emergencies and critical care fund. It should take care of treatment for cases of substance abuse and people in rehabilitation centres.

We also need to strengthen our mental healthcare system so that people who need treatment can access good medical care. In some of the cases, especially what our brothers from Mombasa talked about, we have centres which are supported by the National AIDS Control Council. The patients undergoing rehabilitation do not only suffer from alcohol and substance abuse, but they also have other comorbid conditions like Human Immunodeficiency Virus (HIV). As they inject themselves with the drugs, they end up transmitting diseases from one person to another. One of the diseases that are commonly transmitted through sharing of syringes and needles amongst drug users is HIV. With that kind of thing happening, it is important that we, as a House, come up with laws that can strengthen and support these institutions.

With those few remarks, I support the Motion.

**The Temporary Speaker** (Hon. (Dr.) Rachael Nyamai): Thank you very much. Hon. Faith Gitau, Member for Nyandarua County.

**Hon. Faith Gitau** (Nyandarua County, UDA): Thank you very much, Hon. Temporary Speaker, for giving me a chance to contribute to this important Motion. I thank Hon. John Makali for bringing it to the House.

Indeed, the question that comes into my mind this morning is why drug abuse is eating up our children. Why are they in it? The answer I am getting within myself is that parenting has become a problem in this country. Parents have become too busy to spend quality time with their children. We have no time to talk to them anymore. We may discuss all these issues, but first things first, parenting has become a problem in this country. It is high time for us, as parents, to go back to where we were before. Many years back, parents were counselling their children. It is high time we went back there. I do not see why my children should start abusing drugs if I am there for them. We have become very busy. Even as we increase the rehabilitation centres in this nation, my prayer this morning is that parents must start talking to their children.

If we fail to do so, we will not have a future generation. I support the idea that the counties should have rehabilitation centres. At the same time, I call upon Kenyan parents to talk to their children because that is the only way we can effectively deal with this problem. Even as we support our clergy and our Muslim brothers and sisters to take that responsibility, we need to be available for our children. We cannot give full responsibility to the clergy on this challenge. We also need to be there for our children. So, first things first.

**The Temporary Speaker** (Hon. Rachael Nyamai): Thank you very much, Hon. Faith Gitau. Hon. Members, the time that has been allocated for this Motion is over. I am, therefore, calling upon the Mover to reply. Mover, you can give chance to several Members to throw in a word or two by donating part of your time to them if you choose to do so.

Proceed, Hon. Makali.

**Hon. John Makali** (Kanduyi, Ford-Kenya): Thank you, Hon. Temporary Speaker for giving me this opportunity to reply to debate on the Motion. Because of the interest this Motion has generated, I will be seeking your permission to allocate one minute to many of the ranking Members who want to put in a word. At the outset, let me thank all the Members who have made contributions.

**The Temporary Speaker** (Hon. Rachael Nyamai): Before you do that, are you going to give them a chance?

**Hon. John Makali** (Kanduyi, Ford-Kenya): Yes. I am going to give them a chance.

**The Temporary Speaker** (Hon. Rachael Nyamai): Please, go ahead and do so before you do anything else.

**Hon. John Makali** (Kanduyi, Ford-Kenya): I will give at least one minute to Hon. Ali Mohammed, Hon. George Koimhuri, Hon. Phylis Bartoo, Hon. Naomi Waqo, Hon. Mary Wamaua, Hon. Joyce Kamene, Hon. Jared Okello and Hon. Martin Wanyonyi.

**The Temporary Speaker** (Hon. Rachael Nyamai): Hon. Members, we will follow that order.

Hon. Mohammed Ali.

**Hon. Ali Mohammed** (Nyali, UDA): Asante sana, Mhe. Spika wa Muda. Dakika ni moja, kwa hivyo, sitakua na mengi ya kusema ila kumpongeza Mhe. John Makali kwa kupendekeza kuwe na vituo vya matibabu vingi zaidi nchini Kenya. Pia, kando na kuwa na hivyo vituo, ningependekeza vituo hivyo vijengwe nje ya miji ndio vituo hivyo viwe karibu na wananchi. Kama Nyali, kwa mfano, tuko na kituo kimoja karibu na shule ya Frere, ambacho badala ya kusaidia, kinafanya watoto wengi wajiingize kwenye janga la matumizi ya madawa ya kulevya. Isiwe tu dawa za kulevya zinazozungumziwa kila siku bali pia matumizi ya pombe haramu. Dawa za kulevya za heroine na cocaine zimewamaliza watoto wetu katika ukanda wa Pwani. Kwa hivyo, hizo pia zipewe kipau mbele. Ninakubaliana na kauli mbiu ya Mhe. hapa aliposema adhabu ya kifo itolewe. Ukiende mataifa kama Singapore na Malaysia, ukifika katika uwanja wa kimataifa wa ndege...

**The Temporary Speaker** (Hon. Rachael Nyamai): Excuse me, I did not get the list.

**Hon. George Koimhuri** (Juja, UDA): Asante sana, Bi. Spika wa Muda kwa kunipa nafasi hii. Yangu kwanza ni kumpongeza Mhe. John Makali kwa kuileta Hoja hii muhimu ambayo ni ya kupambana na dawa za kulevya humu nchini. Kama mnavyojua, kule kwangu Juja, kuna vyuo vikuu zaidi vitano, kikiwemo kile cha Jomo Kenyatta University. Tumeweza kuchukua hatua muhimu ya kupambana na dawa za kulevya kwa sababu vijana wetu wamekuwa wakija pale na kutumia dawa za kulevya. Tulipambana nao jana.

**The Temporary Speaker** (Hon. Rachael Nyamai): Hon. Phylis Bartoo, Professor.

**Hon. Phylis Bartoo** (Moiben, UDA): Hon. Temporary Speaker, I want to thank Hon. John Makali for bringing this Motion to the House. We all know the effects of drugs and substances. In my constituency, we are farmers. We no longer have young people to tend to our farms or to participate in production. We have cases of students dropping out of school.



When we increase rehabilitation centres, let us put very good structures in place so that we do not have young people relapse.

**The Temporary Speaker** (Hon. Rachael Nyamai): Hon. Naomi Waqo.

**Hon. Naomi Waqo** (Marsabit County, UDA): Thank you, Hon. Temporary Speaker for giving me this opportunity to add my voice to this as I also congratulate Hon. Makali. Young people have been affected and it has been rightly put, the drug users are aged between 10-19 years. That is quite prime and in most of our primary and high schools, our young people are affected and treatment is quite expensive. Many parents have nowhere to take them. That is why I support the rehabilitation centres in all the counties and if possible, all constituencies. We need to know that drug dealers are people who are well known and I wonder why as a country, we are not able to give priority to what we need to give to. Drug dealers are well known and respected. They have money and can do whatever they want.

**The Temporary Speaker** (Hon. Rachael Nyamai): Hon. Joyce Kamene.

**Hon. Joyce Kamene** (Machakos County, WDM): Thank you, Hon. Temporary Speaker. I want to thank Hon. Makali for this very important Motion. I want to be brief. Drug and substance abuse is a menace to our country. As we talk, I lost a dear family member yesterday. We were trying to fight because of the drug abuse and before he got a second chance for rehabilitation, he took his life. I know what this means, we have been struggling with him and honestly, the security officers know the people who are selling drugs. You take your children to a rehabilitation centre...

**The Temporary Speaker** (Hon. Rachael Nyamai): Am I allowed to give her an extra minute? I am not allowed?

**Hon. Joyce Kamene** (Machakos County, WDM): The same people continue selling the drugs. Something has to be done, through the security docket. It is very painful. It is very painful. Bilinzi Kariamboi Mutinda, may his soul rest in peace. It is painful. It is painful. It is painful.

**The Temporary Speaker** (Hon. Rachael Nyamai): Hon. Mary Wamaua.

**Hon. Mary Njoroge** (Maragwa, UDA): Thank you, Hon. Temporary Speaker for the chance. Let me start by congratulating the owner of the Motion, Hon Makali. All that has been aired by all the Members who have spoken, is true and this is the way we are supposed to treat this issue. The issue of dealing with drug and substance abuse is long overdue. It only takes a blink of an eye from the Government to finish this whole business. The cartels who deal with the drugs are known. It is very possible if the Government wants to use its structures and agencies to deal with this one. You hear what our friend is talking about after losing her close relative to drugs.

**The Temporary Speaker** (Hon. Rachael Nyamai): Hon. Jared Okello.

**Hon. Jared Okello** (Nyando, ODM): Thank you, Hon. Temporary Speaker. I thank Hon. Makali for bringing this Motion. We, as African society, have lost it all. We chose to embrace the western culture of abandoning our own that made it possible for the upbringing of children to be under the care of every African. When we messed on the streets, we could be beaten up by anybody, because our upbringing was a responsibility of the entire society. We have chosen to embrace western cultures that promote lesbian, gay, bisexual, transgender and queer (LGBTQ) issues. Countries that are anti those moves are receiving trade sanctions. Therefore, we have to step back as Africans. We have to reflect and retool so that our children can have a safer haven. Let us deal with the sources, not the effects of substance abuse. Let us go to those who sell the drugs to our children.

**The Temporary Speaker** (Hon. Rachael Nyamai): Clerks-at-the-Table, please trace Hon. Wanyonyi. He is seated on my right.

**Hon. Martin Wanyonyi** (Webuye East, FORD-K): Thank you, Hon. Temporary Speaker.

From the onset, I also support this Motion. The future of this nation belongs to the young people who have shown that they are the greatest consumers of drugs and substances. That is why I support this Motion. Beyond Hon. Makali's prayers that we initiate and establish rehabilitation centres, we also need to have a clear budget for supporting these rehabilitation centres.

Secondly, the Fourth Schedule of the Constitution clearly places the mandate of drug control in the county governments. We also want to hold county governments accountable for what they are doing in controlling, destroying and reducing drug usage.

**The Temporary Speaker** (Hon. Rachael Nyamai): Hon. Members, the last is Hon. Omar Mwinyi.

**Hon. Omar Mwinyi** (Changamwe, ODM): Thank you, Hon. Temporary Speaker.

At the onset, I lament. I remember during the last Government of President Uhuru Kenyatta, a whole ship full of drugs was destroyed at sea. However, we never had anybody arrested because he or she owned that ship. It means there is something that is wrong with our way of dealing with drug sellers.

The other thing is about our history. We used to have sports facilities and social halls where the youth used to socialise. These things are no longer there. Sports fields have been taken over for construction of houses. Social halls are no longer for the youth. There is something definitely wrong about how we are bringing up our youth.

**The Temporary Speaker** (Hon. (Dr.) Rachael Nyamai): Thank you very much, Hon. Mwinyi.

*(Hon. Omar Mwinyi spoke off the record)*

**The Temporary Speaker** (Hon. (Dr.) Rachael Nyamai): The rules do not allow that. Hon. Makali, proceed. Hon. Mwinyi, you just spoke because he gave you one minute. I am not in a position to add you another. I am very sorry, my friend, Hon. Omar Mwinyi. Hon. Makali, you have only two minutes.

**Hon. John Makali** (Kanduyi, FORD-K): Thank you for the chance.

I thank all the Members who have contributed to this Motion. As it has turned out, this is a crisis of monumental proportions. We need to approach it from a multifaceted approach by both the national and county governments. County governments are given the power to control drugs. However, we need to tell them that they have to up their game. Article 6 of the Constitution says that county governments shall cooperate with the national Government.

Statistics from the NACADA are appalling. As pointed out by all the senior Members of this House, we need to treat drug and substance abuse as an illness and empower NACADA with funds to ensure that we have, at least, a rehabilitation centre in each county. We need to treat people who are suffering from drug and substance abuse not as villains but as our brothers and sisters who require rehabilitation. We need to treat it as an illness and work towards having the people incorporated back into our societies. We need to undertake a paradigm shift in the way we have been treating people who suffer from drug and substance abuse by looking for solutions. We should be rehabilitating them in societies rather than treating them as criminals or harassing them left, right and centre.

The Government has the ultimate responsibility to ensure that all barons who peddle drugs and give them to our youth are properly handled. We urge the honourable House to pass this Motion so that we can empower NACADA to deal with drug abuse issues.

**The Temporary Speaker** (Hon. Rachael Nyamai): Hon. Makali, please, reply on record. Just in your last sentence.

**Hon. John Makali** (Kanduyi, FORD-K): I beg to reply.

**The Temporary Speaker** (Hon. Rachael Nyamai): Thank you very much, Hon. Makali. Putting the Question for this Motion is deferred to another time, as the House Business Committee will schedule.

*(Putting of the Question deferred)*

Next Order.

#### BANNING GROWING OF EUCALYPTUS TREES IN THE COUNTRY

THAT, aware that, the eucalyptus tree species are popular among large scale and commercial tree farmers in Kenya; noting that these tree species are grown in most ecological zones in the country and in particular in the Western, Central Rift Valley, Central Kenya, parts of Eastern and the Coastal regions of the country; acknowledging that farming of the eucalyptus trees has been on the rise due to their fast growth, good economic returns and diverse commercial uses such as transmission poles, fuelwood, timber, plywood, pulp, fencing posts and building materials among others; concerned that eucalyptus trees species are majorly cited as high water depleting agents through high consumption, transpiration and evaporation thus causing the drying up of streams, rivers and depletion of groundwater water sources; deeply concerned that the high depletion of water by the said trees has caused adverse negative effects on soil fertility, land degradation and are a serious threat to the biodiversity; recognizing that due to the serious threats posed by the Eucalyptus trees to the biodiversity, there is need, therefore, for their removal and replacement with other types of trees to improve conservation of water sources and the ecosystem; this House resolves that the national Government, through the Ministry of Environment, Climate Change and Forestry—

- (i) orders absolute banning of planting eucalyptus trees and encourages planting of indigenous species across the country;
- (ii) orders the uprooting of all eucalyptus trees and replacement with other varieties of trees particularly, indigenous species to ensure conservation of water sources and preserve the ecosystem; and,
- (iii) initiates the process of putting in place punitive measures against persons who defy the above orders.

**The Temporary Speaker** (Hon. Rachael Nyamai): Hon. Moses Kirima is not in the House. This Motion is deferred.

*(Motion deferred)*

Next Order.

#### ESTABLISHMENT OF GRAIN RESERVES AND SILOS NEAR SMALLHOLDER FARMERS

THAT, aware that, agriculture is the backbone of the Kenya's economy contributing approximately 33% of the GDP and employing more than 40 percent of the total population and 70 percent of the rural population; noting that the sector's performance has been declining as a result of adverse effects of climate change, resulting in droughts, famine and food insecurity; further noting that smallholder farming is predominantly rain-fed cereal grain farming and farmers

experience boom harvest every time there is adequate rains; concerned that such farmers majorly lack proper post-harvest grain handling and modern storage facilities and resort to selling their harvest almost immediately after harvesting at low prices when market is flooded to reduce the risk of suffering losses through spoilage; cognisant of the fact that the current state of affairs exacerbates poverty in rural areas and there is need for instituting measures that boost local production to augment our grain reserves as stipulated under the National Food and Nutrition Security Policy, which would also lead to a reduction of grains imports in the country; this House now resolves that the Government, through Ministry of Agriculture and Livestock Development, establishes strategic grain storage reserves and silos in close proximity to smallholder farmers so as to address post-harvest inefficiencies.

**The Temporary Speaker** (Hon. Rachael Nyamai): Hon. Jessica Mbalu is not in the House. This Motion is deferred.

*(Motion deferred)*

Next Order.

#### INTEGRATING ENVIRONMENTAL CONSERVATION CURRICULUM IN SCHOOLS

THAT, aware that, Article 42 of the Constitution accords every person the right to a clean and healthy environment and that Article 69(1)(d) of the Constitution also mandates the State to encourage public participation in the management, protection conservation of the environment; concerned that, the prevailing climate change and global warming has adversely affected our ecosystems and biodiversity causing unprecedented droughts, food insecurity and famine thus affecting livelihoods and our economy, further concerned that, there is a general lack of awareness or insensitivity among our citizens regarding the place of environmental conservation in preserving our biodiversity; noting that, there is need to inculcate a culture of environmental conservation practices to restore and maintain balanced natural ecosystems, and ensure protection of biodiversity, including reducing the effects of pollution and conserving natural resources for our future generations; this House resolves that the Government, through the Ministry of Environment, Climate Change and Forestry, develops and implements a policy on integrating a curriculum for environmental conservation in primary and secondary schools in the country.

**The Temporary Speaker** (Hon. Rachael Nyamai): Hon. Umul Kheir Kassim is not in the House. Therefore, the Motion is also deferred.

*(Motion deferred)*

Next Order.

**Hon. Jared Okello** (Nyando, ODM): On a point of order, Hon. Temporary Speaker.

**The Temporary Speaker** (Hon. Rachael Nyamai): What is out of order, Hon. Jared?

**Hon. Jared Okello** (Nyando, ODM): On a point of order, Hon. Temporary Speaker. You have called out four different items on the Order Paper so far. Unfortunately, my colleagues who are the sponsors of these Motions are not in the House. We understand the stringent timelines that this House has. The Clerk of the National Assembly sends out the Order

Paper in good time. Patiently, and with great meekness, I ask my colleagues who have matters pending before this House to be showing up so that we transact business in good time.

We have very few days remaining before we take our long recess. I know the tray is full. Therefore, we need to be proactive. I understand they are probably held up in various parliamentary activities. However, let us also prioritise the business of this House, especially when we have issues in the name of Motions pending before the House in our names. Let them appear before the House and we will help them transact their business at the end of the day.

I thank you, Hon. Temporary Speaker. It is just very good advice to my colleagues.

**The Temporary Speaker** (Hon. Rachael Nyamai): Thank you very much, Hon. Jared. For information of the House, the Members whose Motions I just called out are engaged in other official duties. They had also informed the Speaker. Therefore, there is nothing out of order. We have deferred the Motions to give the Members opportunity to move them another day. We did not drop them.

The next Order is by Hon. Peter Salasya. Please, proceed to move your Motion.

#### REGULATION OF THE SUGAR INDUSTRY TO DISCOURAGE BRANDING OF SUGAR BY NON-MILLERS

**Hon. Peter Salasya** (Mumias East, DAP-K): Hon. Temporary Speaker, I beg to move the following Motion:

THAT, aware that the importation and exportation of sugar is regulated by various laws including the Crops Act and the Agriculture and Food Authority Act, 2013; further aware that the Agriculture and Food Authority is charged with the responsibility of regulating the importation and exportation of sugar in the country in accordance with the law; noting that the importation of sugar is also negotiated within the regional trade blocs' frameworks and agreements to enable the country to meet the demand for sugar; further noting that individuals or entities are allowed to import sugar provided they obtain the necessary permits and meet the required standards; concerned that despite these regulations, there have been instances of illegal importation of low quality sugar or adulterated sugar; further concerned that unscrupulous traders have been found to rebrand the sugar which does not meet the standards of the Kenya Bureau of Standards (KEBS) specifications; deeply concerned that this poses significant health risks to consumers as well as undermining the efforts to regulate and strengthen the sugar industry to protect local millers; acknowledging that the country has the potential to produce enough sugar to meet its domestic demand as the sector has been a key driver of economic growth; further acknowledging that there is need for concerted efforts by stakeholders to discourage the branding of sugar by non-millers and promote the development of the local sugar industry; now, therefore, this House resolves that the Government, through the Ministry of Trade, Investments and Industry, ensures strict operationalisation of the regulatory frameworks governing sugar importation into the country.

As you have heard, it is true that we have experienced a lot of challenges affecting the sugar industry in this country. Sometimes back we had a scenario where some mercury-contaminated sugar was imported into and flooded the Kenyan market. The reason this happened is because we do not have regulations to curb such incidents. In most cases, sugar is branded by supermarkets, something which leaves loopholes for those unscrupulous traders who smuggle sugar into the country. Branding of sugar by non-millers also poses health risks to Kenyans. It is against this background that we must decide as a country to have regulations.

As a result of the Common Market for Eastern and Southern Africa (COMESA) Agreements on trade, soon there will be duty-free sugar being imported into the country. This will pose a lot of challenges in our sugar industry. Additionally, it will pose health risks to Kenyans. Therefore, I beg the Ministry of Trade, Investments and Industry that we need to have these regulations so that the Government is in a position to trace any sugar that comes into the country. For example, if there is sugar that has been imported from Nigeria, Kenyans should know that it has come from that country and has been branded by a specific factory. Kenyans have a right to know where the sugar was manufactured and if safety measures, as per KEBS, have been fully complied with. That will protect our people and the local sugar industry. It will also help the Government in tax collection as it will be easier to trace and know whether the sugar that is imported into the country has been duly taxed. This will in turn increase the revenue in the country. I ask Members to support me by considering this Motion so that any sugar that comes into the country is safe. I also wish to say that no sugar should be branded by supermarkets unless we are convinced as to why they should do so. Sugar should be strictly be branded from the manufacturing companies.

Hon. Temporary Speaker, I beg to move and welcome any observations from Members.

**The Temporary Speaker** (Hon. (Dr.) Rachael Nyamai): Hon. Salasya, do you have anyone to second your Motion?

**Hon. Peter Salasya** (Mumias East, DAP-K): Hon. Temporary Speaker, I ask Hon. Zamzam to second.

**The Temporary Speaker** (Hon. (Dr.) Rachael Nyamai): Hon. Members, before I call upon the Member for Mombasa County, I would like to recognise a delegation of Members of Nandi County Assembly Service Board and staff seated in the Speaker's Gallery. They are here to benchmark with the Directorate of Human Capital and Administrative Services on the best human resource practices. On your behalf and my own behalf, I wish to welcome them to the National Assembly. I also wish them fruitful engagements. You are welcome.

Member for Mombasa County, you may proceed to second the Motion.

**Hon. Zamzam Mohammed** (Mombasa County, ODM): Asante, Mhe Spika wa Muda. Ninaunga mkono Hoja ya Mhe. Salasya. Hoja hii ni nzuri sana hasa kwa wakulima wa sukari ambao hupata mapato madogo sana. Wakulima hawa hulima mashamba makubwa lakini mapato yao ni duni sana. Hapo awali, nilikuwa mkulima wa sukari lakini nikakata tamaa kwa sababu ya mapato duni sana kinyume na nilivyokadiria. Hapo nilielewa zaidi jinsi wakulima wa sukari wanapata mtihani. Kumekuwa na tetesi nyingi katika sekta hii ya sukari. Vile vile, zile karatasi za sukari ambazo zimeandikwa, kwa mfano kampuni ya sukari ya Mumias na zinginezo, kumbe waliochapisha ni wale wanaobuni wakijaribu kuchukua nembo za wenzao ili wauze zaidi.

Kwa hivyo, Hoja hii ikifaulu, wale wakulima watapata ulinzi katika mazao yao na wauze chapisho zao wenyewe bila kuingiliwa na mtu yeyote. Hawa wakulima wa sukari ndio maskini katika taifa hili ilhali kuna watu wanaoagiza sukari kutoka nchi za nje kama nchi ya Brazil. Sukari nyingine iliingia nchini ikiwa imechafuliwa na zebaki na madhara yake ni magonjwa katika taifa letu. Hoja hii itasaidia kuzuia wale wezi ambao wanatumia njia kama hizi kuleta sukari kutoka nje na kuumiza wakulima wetu.

Kwa sababu wengine pia wanataka kuchangia, nitakomea hapa. Ninaunga mkono na kuafiki Hoja hii. Asante sana, Mhe. Spika wa Muda.

**The Temporary Speaker** (Hon. (Dr.) Rachael Nyamai): *Asante sana.* Hon. Members, I now propose the question.

*(Question proposed)*

Hon. Members, I give the first opportunity to the Member for Samburu County, Hon. Pauline Lenguris. Hon. Lenguris seems to have stepped out of the House. She will be followed by Hon. Adan Haji, Member for Mandera West. The Member for Mandera West seems to have also stepped out of the House. Hon. Rashid Bedzimba, Member for Kisauni.

**Hon. Rashid Bedzimba** (Kisauni, ODM): Nilikua ninataka kuzungumzia kuhusu mihadarati kwa sababu imeniathiri sana katika eneo Bunge la Kisauni lakini sikupata nafasi. Si neno lakini wacha nizungumzie sukari vile imezungumzwa na Mhe. Salasya.

Ningependa kusema kwamba Serikali iwe angalifu kwa kulinda viwanda vyetu. Ikiwa viwanda vyetu vinatoa bidhaa ya kutosha, hakuna haja ya kuagiza kutoka mataifa ya nje. Mnapoagiza kutoka mataifa ya nje, mnafanya vijana wetu wengi wakae bila ajira. Ni vyema sana tuvikuze viwanda vyetu ndio tuwe na ajira na nguvu ya kiuchumi ya nchi yetu kindani.

Wakulima wetu wanalima sukari na bidhaa zingine, lakini wanashindwa mahali pa kuuzia kwa sababu vitu vingi vingi vimeagizwa kutoka nje. Serikali ikae imara kuhakikisha kwamba tunawapa nguvu wakulima wetu na kuwapa mbolea na kufanya mambo yao yawe rahisi ili wakuze bidhaa nyingi iweze kututosheleza sisi kama taifa.

Ikiwa taifa litabidi liagize kutoka nje, ni lazima liweke mikakati kwamba wale watakaoleta sukari kutoka nje, wanaweka vibandiko vyao wao ili wasije wakatumia vyetu ili mnunuzi akienda *supermarket* ama duka lolote, anafanya maamuzi kwamba sisi tunanunua sukari hii na hii hatutanunua. Kama unavyojua, sukari yetu ya Kenya ni ya Mumias na zingine na ni sukari nzuri na ziko katika uangalifu. Lakini wao wanapoleta sukari, wanaingiza vibandiko hivyo na kututatiza. Ndio maana unaskia kumepatikana sukari ya sumu na mambo haya na yale, kwa sababu tunaruhusu na kuwa rahisi kuwa *dumping ground*. Watu ni kuja kutupa bidhaa zao.

Mimi pia ninaunga mkono kwamba Serikali iweke mikakati mizuri ya kulinda viwanda vyetu ambavyo vinaleta faida. Haina haja ya kuviondoa ama kuleta watu kutoka nje. Kama saa hizi tunakataa ubinafsishwaji wa bandari.

Kwa haya mengi, ninasema asante.

**The Temporary Speaker** (Hon. (Dr.) Rachael Nyamai): Asante Mbunge wa Kisauni. Mbunge wa Sirisia, Mhe. John Waluke.

**Hon. John Waluke** (Sirisia, JP): Thank you very much, Hon. Temporary Speaker, for giving me the chance to also contribute on this very important Motion. I rise to support this Motion. I thank Hon. Salasya for bringing it. The indulgence of this Motion about the traders who brand and rebrand sugar in their supermarkets is real.

When you buy sugar, sometimes you get a label written Naivas or Khetias Supermarket. These supermarkets do not have any sugar mills, and if you check the dates of manufacture and expiry, they are not there. So, we are buying sugar without knowing where it is coming from. I suspect that the sugar that was banned by this House, which had been imported illegally and had mercury, came from those supermarkets that are labelling sugar without permits. That is why we need to scrutinise and ban supermarkets that are not authorised to label sugar from labelling it.

For us human beings, we have been buying sugar from sugar companies to safeguard ourselves. If I buy sugar written Sony Sugar Company or Awendo, I am sure of it because I know it is coming from a known sugar company. Allowing supermarkets to label sugar without authority from anywhere is dangerous to human beings because we do not know where it comes from. As a House, we need to stop supermarkets from labelling sugar without any authority.

With those few remarks, I support this Motion.

**The Temporary Speaker** (Hon. (Dr.) Rachael Nyamai): Thank you, Member for Sirisia. Hon. Japheth Nyakundi, Member for Kitutu Chache North.

**Hon. Japheth Nyakundi** (Kitutu Chache North, UDA): Thank you, Hon. Temporary Speaker. I also want to support this Motion by Hon. Salasya on branding of sugar by non-millers.

We know the demand for sugar is more than the supply. It is allowed for sugar to be imported, but we should not allow millers to bring in sugar and brand them in a manner that we do not understand. For example, we know that Mumias Sugar Company was shut down, but we found out that Rai brands sugar. We have sugar labelled Mumias while we clearly know that Mumias Sugar is not working at the moment.

I want to support this Motion, and also thank the Government through this House for accepting to scrap off about Ksh117 billion debt owed by these companies, so that these sugar companies can also start working and farmers can get their dues because our farmers are running poor and cannot get money in their pockets to take their kids to school.

I support Hon. Salasya that regulations should be put in place so that all the companies that import and brand sugar are known. We should know their names and what they do so that we do not have contraband sugar like the one we had last time which is very harmful to our health.

For this purpose, I want to support this Motion by my very good friend, Hon. Salasya. As you know, from where we come from, sugar is our gold, our life and our main economic activity. I support Hon. Salasya.

Thank you, Hon. Temporary Speaker, for his chance.

**The Temporary Speaker** (Hon. (Dr.) Rachael Nyamai): Thank you very much. Hon. Beatrice Elachi, Member for Dagoretti North.

**Hon. Beatrice Elachi** (Dagoretti North, ODM): Thank you, Hon. Temporary Speaker. I also rise to support this Motion and to thank Hon. Salasya.

You realise for the last few weeks, we have been talking about sugar and pushing the agenda. Here we are now talking about branding. If you look at those steps, you realise that this is an industry that is very emotive because sugar is just like gold; it is a drug. It moves and everyone would wish to do this business because they know it is big business. As we move on and even appreciating what the President has done to remove the debt, we must now start talking about branding because that is how you bring back the economy of that industry. We should look at what happens in the supermarkets. Today, if you walk to any supermarket, you will find sugar that is branded in the names of the supermarkets and you wonder where it is imported from.

You remember in 2014, Kenya Bureau of Standards (KEBS) had warned retailers against packaging sugar without labelling the name of the miller and the origin of the sugar. However, one thing that we find very difficult in this country is we go into something, push an agenda and all of a sudden, we just relax and things just go back to where we started. That is the biggest challenge we always face as Kenya. We are very vibrant in pushing for an agenda then all of a sudden, all the institutions that are supposed to monitor and implement become compromised hence we end up struggling with the same challenges. If you go to all the supermarkets, you will find unbranded sugar but no one is asking about it yet KEBS sent out a warning regarding this. If, indeed, Parliament is serious about reviving the economy, then we have to fight corruption. We can do that. We need to focus on that. Kenyans are struggling and suffering. As a Parliament, how can we cushion them?

I support this Motion. After we pass it, it has to go to regulations. I am hoping that the Chairperson of the Delegated Legislation Committee, Hon. Chepkonga, will pick it up. We need to be serious about 'Build Kenya, buy Kenya' and reviving Kenyan industries. Now that we are going to pay debts for the sugar industries, we must put caution to see that the industry bounces back. Farmers must start seeing growth. If that is done, our farmers will be proud to produce more sugarcane.



With those few remarks, I thank you. I also thank Hon. Salasya for bringing this Motion. We should also remember that sugar affects our health.

**The Temporary Speaker** (Hon. (Dr.) Rachael Nyamai): Thank you, Hon. Beatrice Elachi. Next is Hon. Geoffrey Ruku, the Member for Mbeere North.

**Hon. Ruku GK** (Mbeere North, DP): Thank you, Hon. Temporary Speaker, for this opportunity. I rise to reject this Motion.

This country ratified the COMESA Free Trade Area Agreement which allows us to import goods and services within the COMESA Region. One of the key imports is sugar. We use sugar on a day-to-day basis in our houses. If this House decides to come up with restrictions or regulations which hinder the smooth implementation of some of these agreements within the COMESA Region, then we will not be doing justice to Kenyans.

The cost of farm inputs for sugar and other agricultural crops demands that we come up with more innovative strategies on how to lower the cost of production. This will make our sugar competitive within the country and the region. Farm inputs like fertiliser and pesticides should be subsidised. On the mechanisation of farming, imported farm equipment should also be subsidised. The Government of Kenya should have exchange programmes with other countries so that imported machinery can be cheaper either by waiving some taxes or even producing the machines in the country. In the end, this will lower the cost of production for sugarcane thus lowering the cost of sugar. I ask the House to be more innovative.

A few weeks ago, we passed the Sugar Bill. It would be prudent for us to wait and see how this law on sugar will be implemented and how it will shape the industry. If we come up with another regulation on top of what we passed one week ago, then we will be doing a disservice to the people. For those reasons, it is prudent for this House to reject this Motion. We should give space for the Bill, which has been enacted, to be implemented. We should also not breach the COMESA Free Trade Area Agreement signed by our nation.

Therefore, I reject the Motion. Thank you.

**The Temporary Speaker** (Hon. (Dr.) Rachael Nyamai): Next is Hon. Mwangi Kiunjuri.

**Hon. Member:** He is not in the House.

**The Temporary Speaker** (Hon. (Dr.) Rachael Nyamai): Let us have Hon. Fatuma Mohammed, the Member for Migori County.

**Hon. Fatuma Mohammed** (Migori, Independent): Thank you, Hon. Temporary Speaker, for this opportunity. I rise to support the Motion. I also thank Hon. Salasya for bringing it.

I come from Migori County where Sony Sugar is based. We grow a lot of sugarcane in my county. It is very disappointing that Sony Sugar Company has been falling from time to time. Since my birth, this company has been struggling to survive. I am sorry to say this but every regime has been the main sugar cartel. No cartel can do sugar business without the involvement of top corrupt Government officials. This is why we are suffering. Sony Sugar will import and sell sugar packed in Sony Sugar bags.

Sugarcane farmers are struggling. Their sugarcane is in farms, they have loans and are not being paid. Sometimes they cut their sugarcane and it is not bought yet the Government that is supposed to help and protect them is using cartels to make these factories fall. I appreciate that the President wrote off loans owed by sugar companies. But my question is, what next?

I understand that the Government is planning to lease sugar companies. Who is the investor in the Sony Sugar Company? Are they going to buy our sugarcane from our farms or are they going to import billions of sugar tonnes and package them using the company's logo? This is unfortunate. If this Government is honest, it should be open about everything. It could be the same big fish in the Government who are going to lease the factories and then import

sugar. They will then pretend that Sony Sugar, Mumias Sugar and the other sugar companies are doing well.

I beg the Government to be honest with farmers. Sugarcane farmers are poor people. They are the first people we give bursaries to, even though they are supposed to be the richest people because they feed us. As wananchi from sugarcane-growing areas, we should be involved in every step and all the decisions. The Government should not sit and make decisions for us.

I rest my case, and I support.

**The Temporary Speaker** (Hon. (Dr.) Rachael Nyamai): Hon. Timothy Toroitich, Member for Marakwet West.

**Hon. Timothy Kipchumba** (Marakwet West, Independent): Thank you, Hon. Temporary Speaker, for giving me an opportunity to contribute to this very important Motion by Hon. Peter Salasya. I thank the people of Mumias East Constituency for electing such a forward-thinking Member of Parliament to this august House.

The rain started beating the sugar industry in 2013. Problems in the sugar industry began when the Sugar Act of 2013 was repealed and matters to do with sugar were placed under the Crops Act. Matters to do with sugar were placed under the Agriculture, Fisheries and Food Authority (AFFA).

This Motion is good but it may have been overtaken by events. Two weeks ago, the House passed the Sugar Act and reinstated that piece of legislation that existed in 2013. The Kenya Sugar Board was re-introduced under that piece of legislation. That means that it will now handle matters sugar. Cartels and shrewd businesspeople have run down the sugar industry. The Kenya Sugar Board, which has been re-introduced under the Sugar Act, will solve that problem once and for all.

Can you imagine that our citizens have been ingesting mercury in sugar yet we have the KEBS? Mercury is a cause of cancer. If you compare our country's cancer statistics with other countries in Europe, you realise that many people are going to India for cancer treatment. There is human traffic jam at the Jomo Kenyatta International Airport (JKIA) because of cancer. If you compare our country's statistics with other African countries, we lose 100,000 people every year because of cancer.

The Kenya Sugar Board should take its responsibilities seriously and propose regulations on importation of unadulterated sugar into the country. There is also the issue of packaging. We cannot import sugar from countries that are unauthorised by the AFFA. The imported sugar is packaged and sold in our supermarkets as having come from the Mumias Sugar Company yet that company is not involved in the production of that sugar.

I support this Motion to the effect that importation of sugar must be regulated through the Sugar Act, which was passed by this House. I believe that the Senate will also pass that piece of legislation without amendments. We will then regulate the sugar industry and stop the re-packaging of sugar from countries that have not been approved by the Kenya Sugar Board as was adopted by the legislation that was passed in this House.

Hon. Temporary Speaker, I fully support this Motion.

**The Temporary Speaker** (Hon. (Dr.) Rachael Nyamai): Hon. Babu Owino, Member for Embakasi East Constituency.

**Hon. Babu Owino** (Embakasi East, ODM): Thank you very much, Hon. Temporary Speaker. I rise to support the Motion by Hon. Peter Salasya on regulation of the sugar industry to discourage branding of sugar by non-millers.

We should never import what we can locally produce. We are advised in economics to never import any product or good that can be locally produced or manufactured. If we import such goods, we increase and encourage absorption. We should always encourage mercantilism

where we manufacture goods locally. In the process, we promote our local industries and create jobs for our youths.

We do not appreciate our local industries yet that is the only way that we can grow economically. Kenya imports over 80 per cent of the goods that we consume, including toothpicks. It is very sad when we promote foreign economies and leak money to those economies. Promoting local industries creates jobs. Egypt is a desert yet they can grow sugarcane. We import sugar from them yet we have the best parcels of land, the best climate and an enabling environment for growing sugarcane, but we do not want to promote that.

His Excellency the President, Dr. William Samoei Ruto, said that “*mambo ni matatu*”. The third aspect is to export cartels to heaven. His Excellency the President should consider exporting sugar cartels to heaven. *Hiyo ya tatu ndio iwe yao*. We will then promote our nation’s economy.

I support Hon. Salasya on this Motion because it creates jobs for our people. He has been fighting for the revival of Mumias Sugar Company. I am very sure that God will hear his prayers and that Mumias, Sony and Chemelil sugar companies will thrive.

Thank you very much, Hon. Temporary Speaker. God bless you.

**The Temporary Speaker** (Hon. (Dr.) Rachael Nyamai): Thank you very much, Member for Embakasi East. Hon. Rahab Mukami, Member for Nyeri County.

**Hon. Rahab Mukami** (Nyeri County, UDA): Thank you very much, Hon. Temporary Speaker. I would like to congratulate Hon. Salasya for this Motion.

I happened to go to Migori last weekend with the President. I felt bad when Hon. Fatuma said that stakeholders were not involved. The President is ready to help sugar farmers. We should not take it for granted that the President has decided to pay Ksh117 billion in debts for sugar farmers. He is also giving fertilisers to farmers. Everybody would like farmers to continue planting sugarcane. I also urge Members of Parliament to support our farmers so that we can have enough sugar. By doing that, we will ensure that sugar is not imported into the country. I support Hon. Salasya.

I also want to talk about the Ministry of Trade, Investment and Industry. I do not know why it allows cartels to import sugar into the country. It should ensure that those who import sugar into the country do not re-brand it as having come from Mumias or Sony sugar companies.

I just want to tell Hon. Fatuma that all stakeholders, farmers and board members were there. It was a very big meeting. All stakeholders spoke. We should take that positively. Let us not play politics because we want to help our farmers and ensure that our people move forward and build the country.

Thank you, Hon. Temporary Speaker. Congratulations, Hon. Peter Salasya.

**The Temporary Speaker** (Hon. (Dr.) Rachael Nyamai): Thank you very much, Member for Nyeri County. Hon. Jared Okello, Member for Nyando Constituency.

**Hon. Jared Okello** (Nyando, ODM): From the outset, Hon. Temporary Speaker, I thank you. In the same breath, I want to thank my brother, Hon. Salasya, for coming up with this Motion.

In the recent days, we have been agonising with a lot of issues pertaining sugar. There is an impending Sugar Bill that is now in the Senate. We hope that the Senate will align itself to the recommendations of this House so that we can for once have a legal framework upon which sugar can be transacted. There is the issue of setting aside Ksh117 billion owed by sugar mills by the Government of the day, and that is applaudable.

There is also the impending sugar regulation that we have always pursued its gazettelement for way too long. We hope that as we put our arsenals together to address issues of sugarcane and sugar as a by-product will have all the matters resolved in good time. It is

also important to understand the brouhaha around sugar; sugar is the lowest hanging fruit when it comes to mobilising funds for campaigns and each electioneering period...

**Hon. Samuel Atandi** (Alego Usonga, ODM): On a point of order, Hon. Temporary Speaker.

**The Temporary Speaker** (Hon. (Dr.) Rachael Nyamai): One minute, Hon. Jared Okello. Hon. Samuel Atandi what is out of order?

**Hon. Samuel Atandi** (Alego Usonga, ODM): I was just alerting you that I am here so that I can get the immediate chance to comment on the matter on the Floor.

*(Laughter)*

**The Temporary Speaker** (Hon. (Dr.) Rachael Nyamai): You had put an intervention. Luckily, you are not far.

**Hon. Samuel Atandi** (Alego Usonga, ODM): Can I be allowed to continue now that I am on the Floor?

**The Temporary Speaker** (Hon. (Dr.) Rachael Nyamai): You are now out of order. Hon. Jared Okello will proceed and we will come to you as soon as possible.

**Hon. Jared Okello** (Nyando, ODM): He is perpetuating mischief. As I said, sugar becomes the lowest hanging fruit when it comes to mopping up campaign funds. You will realise that during every electioneering period, the so-called unscrupulous business community will be trooping to Government offices relevant to receipt of importation permits of sugar. And because this will continue for the longest time, we also have to re-orient our sugar business in a way that will thwart the efforts of these sugar barons.

Mumias Sugar Company was the pride of Africa. It was not just producing sugar but also ethanol, spirits and selling electricity to the national grid. However, poor leadership led to its dissolution, and we have nothing to write home about it now. The company employed thousands of people directly, not forgetting the indirect beneficiaries who were also in hundreds of thousands if not tens of millions. Mismanagement and lack of political goodwill pushed the company to its knees. What can we do? We acknowledge that there is COMESA rebate when it comes to importation of sugar. The main idea of coming up with COMESA was that when there is a shortage or we have exceeded our locally produced sugar, then there are parameters that could govern sugar importation. We are now crying foul to anybody who can come to our rescue at this point in time.

I think Hon. Samuel Atandi took my time and my very able Clerks-at-the-Table never took cognisance of that, but I want to remind them that I still have three more minutes to go.

**The Temporary Speaker** (Hon. (Dr.) Rachael Nyamai): Hon Jared Okello, you have 10 seconds but I will give you one more minute. The Clerks-at-the-Table took care of the one minute that you lost because of the intervention.

**Hon. Jared Okello** (Nyando, ODM): Thank you. As we make efforts to revive these sugar companies, we must step back and look at the issues that caused the collapse of all these sugar companies. It is also important to ask ourselves this question: Why is it that it is only the Government mills that are having a problem when private millers are thriving? What is it that the private millers are getting right that the Government is not? As we put our foot forward for the privatisation of sugar mills, we must recognise that farmers play a critical role. The owners of the nucleus farms, which are ancestry, must also be recognised so that we do not shortchange them by the Government putting its head in sugar matters.

I thank you for the opportunity.

**The Temporary Speaker** (Hon. (Dr.) Rachael Nyamai): Thank you, Hon. Jared Okello. I will purposefully go to the Member for Westlands Constituency, Hon. Timothy Wanyonyi.

**Hon. Timothy Wanyonyi** (Westlands, ODM): Thank you, Hon. Temporary Speaker. I also want to support this Motion. The issue of sugar in this country has driven many people to poverty, especially farmers from the sugarcane growing regions. The factories in these regions went to importing sugar and this was facilitated by the defunct Kenya Sugar Board. The Board licensed factories to import sugar purportedly to top up on the shortage that was in the country. That was the first mistake because factories stopped paying farmers. The Fund had an easy way of bringing sugar into the country and that sugar was repackaged as if it was coming from those factories. This went on and on. When some of the Chief Executive Officers (CEOs) left, the factories collapsed. You wonder the miracles they were performing when they were there, but you then realise that they were just covering up things. So, it is important to regulate the importation of sugar so that we can only bring in sugar for the shortfall that the country is not meeting. This used to be only for industrial sugar, but we are nowadays importing sugar for everything. The Government must strongly put in place regulations to ensure that sugar brought into the country from COMESA is to only cover for the shortfall.

Hon. Temporary Speaker, we now need to make sure that as the Government is moving to bring people to lease the factories to investors, it must first pay farmers so as to revive these factories to go back to grinding sugarcane. We have to ensure that people in these regions are not subjected to poverty because of losses. For the cases of Mumias and Nzoia Sugar Companies, communities in those regions are wallowing in poverty because of lack of payment. I want to support this Motion as we move to the new direction. These regulations need to be put in place so that importation of sugar from COMESA and other regions is properly managed.

We must also be alive to the situation of middlemen, the so-called ‘cartels’. They are the ones who have made our sugar to be very expensive. Countries like Sudan do not have middlemen in the sugar industry. And that is why when sugar from Sudan comes to Kenya, it is cheaper than our sugar because of the cost of production. In Kenya, the middlemen and unscrupulous businessmen exaggerate sugar prices such that our sugar becomes very unattractive than the imported sugar. Therefore, we must deal with these issues from the onset so that we can regulate the sugar industry and the country benefits from the new legislation.

I support this Motion and thank my brother, Hon. Salasya. When we were having the Commonwealth Parliamentary Association (CPA) meeting in Ghana, we met his lookalike. Every Member of Parliament from Kenya said that Hon. Salasya was there. When we met him, we found that it was not him. You have a lookalike somewhere in this world.

Thank you, Hon. Temporary Speaker. That was on a light note.

**The Temporary Speaker** (Hon. (Dr.) Rachael Nyamai): Thank you very much, Member for Westlands. Hon. Mary Emaase, Member for Teso County.

**Hon. Mary Emaase** (Teso South, UDA): Thank you, Hon. Temporary Speaker. I am a Member of Parliament for Teso South Constituency. My sister, Hon. Catherine Omanyoo, is the Member for Busia County. At the outset, I support my brother, Hon. Salasya, for coming up with this Motion.

I come from sugarcane growing area. Sugarcane is the main cash crop that we have in Busia County. One of the biggest problems in this sector is the importation of sugar which is branded by too many millers and sold within the country. Our farmers are disadvantaged. When sugar is imported, then there is no harvesting or delayed harvesting of sugarcane by our farmers. Who suffers the most at the end of the day? It is the farmer because that creates room for the middlemen to take the stage and buy sugarcane from the farmers at very low rates. They end up making profits, when they sell to the millers. This is a very timely and important Motion. We have regulations. We have the Agriculture and Food Authority Act (AFFA) and Crops Act. However, there is a problem in enforcement of sugar regulations.

For example, we have two factories in Busia County: Busia Sugar Factory and Olepito Sugar Factory which is in my constituency. As I speak to you, Olepito Sugar Factory was closed down because of the politics in the sugar industry, and lack of zoning and enough sugarcane to crush. If this is addressed so that we have proper regulations and there is enforcement of the laws that regulate the sugar industry, then these companies will run. Our people will secure opportunities. For example, those who were employed in Olepito Sugar Factory are jobless now because the factory closed down. This is very important and a matter of concern. That is why I support this Motion. As a country, what is our policy on sugar? It is to nurture and develop a competitive and sustainable sugar industry which will build our economy and the entire value chain in a big way.

I support this Motion. Thank you, Hon. Salasya, for bringing it up. It is important that we get proper enforcement of regulations to ensure that the country is only importing sugar that is needed to fill in the deficit. Whenever there is branded sugar that is sold in either our supermarket or shops, it is important for Kenyans to know where it comes from. Once that is enforced, then millers will buy sugarcane from our farmers who will benefit.

Thank you, Hon. Temporary Speaker.

**The Temporary Speaker** (Hon. (Dr.) Rachael Nyamai): Thank you very much, Member for Teso South.

Hon. Samuel Atandi, Member for Alego Usonga.

**Hon. Samuel Atandi** (Alego Usonga, ODM): Thank you very much, Hon. Temporary Speaker, for giving me the opportunity to participate in this Motion.

The sugar industry in Kenya continues to be a mess. This is something which we, as Members of Parliament, all know. We assume and pretend that Kenya is a sugar manufacturing country but in the real sense, it is not. Whatever we consume in this country from the so-called sugar milling factories is actually sugar which is imported from other countries cheaply and then it is branded. If you go to supermarkets, you will find sugar branded as Mumias Sugar or Sony Sugar. However, in actual sense, it is not produced locally. It is imported, re-packaged and then it is sold as sugar from this country.

I fully support the Motion on Regulation of the Sugar Industry to Discourage Branding of Sugar by Non-millers. Having said that, that is not really the solution for the crisis in the sugar sector. It will involve more. At this juncture, I want to tell you that it is the political class that is responsible for the mess in the sugar sector. Sugar is the sector that funds politics. If you see somebody in State House today, you will find that the resources used to do his campaign came from the sugar barons. That is why each and every year, new licenses are given out to people who want to import sugar. If we are serious about supporting the sector and making it profitable, the political class must change.

While we are doing this, the farmer who goes out of the way to do all the work suffers. My prayer and request to this regime, even though it will achieve nothing... In the short and long run, I do not think there is anything that it will achieve. However, I tell them to try to do something in the sugar sector. They are all over the country every week. They go to Nyanza and Western to talk to sugarcane farmers and promise them things they cannot achieve. The President was in Nyanza recently. He purportedly waived the loans due to sugar farmers and sugar factories. Whatever he did is not surprising.

**Hon. John Kiarie** (Dagoretti South, UDA): On a point of order, Hon. Temporary Speaker.

**The Temporary Speaker** (Hon. (Dr.) Rachael Nyamai): What is out of order, Hon. John Waweru, Member for Dagoretti South?

**Hon. John Kiarie** (Dagoretti South, UDA): Hon. Temporary Speaker, I am always very hesitant to interrupt my friend because he is a great debater and very astute and orderly in his thinking.

*(Hon. Samuel Atandi stood in his place)*

**The Temporary Speaker** (Hon. (Dr.) Rachael Nyamai): Hon. Atandi, please take your seat. You may proceed, Hon. Kiarie.

**Hon. John Kiarie** (Dagoretti South, UDA): Hon. Temporary Speaker, our Standing Orders demand that one be responsible for the utterances he makes, especially on the issue of laying facts on this Floor.

Is it in order for the Member for Alego Usonga to say that the President was purporting to waive the sugar debts, while we know very well that the business of waiving the debts was transacted on the Floor of this House? In fact, the requisite certificate actually originated from this House, after we passed that these debts be waived. It is in that Motion of the House that Hon. Speaker signed the certificate. This was done following great canvassing of this matter on this Floor.

Hon. Temporary Speaker, I would like you to find Hon. Atandi out of order for making a statement that is not factual. It is not the President who waived the sugar debts. This House, in its wisdom and Motion, waived the debts and actually produced the certificate that was presented to the President.

Thank you very much, Hon. Temporary Speaker.

*(Hon. Temporary Speaker consulted the Clerk-at-the-Table)*

**The Temporary Speaker** (Hon. (Dr.) Rachael Nyamai): Hon. Samuel Atandi, Standing Order 91 is on responsibility for statement of fact. Would you like to respond to this?

**Hon. Samuel Atandi** (Alego Usonga, ODM): Thank you, Hon. Temporary Speaker. Hon. Kiarie is a strong Member of this House who is very intelligent. Allow me to ignore him because he knows very well that this House is captured. It is not independent. It transacts instructions from State House. To purport that this House was capable of waiving sugar debts is to mislead us.

**The Temporary Speaker** (Hon. (Dr.) Rachael Nyamai): Hon. Atandi, would you like to continue in that mood? You have said that this House is captured?

**Hon. Samuel Atandi** (Alego Usonga, ODM): Yes, this House is captured.

**The Temporary Speaker** (Hon. (Dr.) Rachael Nyamai): Do you expect me to sit on this seat and allow you to continue saying that this House is captured? You are completely out of order. Please respond to the matter that Hon. John Kiarie has raised. It was very specific. The fact is that this House is not captured by anybody.

**Hon. Samuel Atandi** (Alego Usonga, ODM): Hon. Temporary Speaker, the fact is that this House is captured. This House is not independent; it transacts instructions from elsewhere. Even if this House purports to have waived sugar debts, it was not this House that waived them.

**The Temporary Speaker** (Hon. (Dr.) Rachael Nyamai): Hon. Atandi, I would like you to respond to the matter of fact that Hon. Waweru has raised.

**Hon. Samuel Atandi** (Alego Usonga): The fact of the matter is that the sugar debts have been waived. But my point is this: I am questioning the intention of waiving the sugar debts because the real intention of that waiver is not that somebody is interested in the welfare of farmers. It is because somebody wants to capture the sugar factories and use them for personal benefit. That is the message I am trying to convey. I do not think somebody should challenge me on that. Hon. Kiarie, please cool down. Do not challenge me because that is a fact I know. You do not come from sugarcane-growing areas. I come from sugarcane-growing areas, and I have farmers in my constituency who grow the crop.

**Hon. John Kiarie** (Dagoretti South, UDA): On a point of order, Hon. Temporary Speaker.

**The Temporary Speaker** (Hon. (Dr.) Rachael Nyamai): Hon. Kiarie, I see you are on a point of order again, and Hon. Atandi has mentioned you severally. So, what is out of order?

**Hon. John Kiarie** (Dagoretti South, UDA): Hon. Temporary Speaker, I am still standing on the Floor under Standing Order 91 where each Member is required to be responsible for the facts that they lay on the Floor of this House. It would have been magnanimous and intelligent enough for Hon. Atandi to withdraw and continue debating. This is because he was doing very well before that. However, it is also required of us to stand at any point of any debate to raise a constitutional matter. It is in the Constitution of Kenya in Articles 94 and 95 that stipulates the functions of this House. This House is not an annex of the Executive or State House. This is a House of representatives, including the Hon. Member whom the people of Alego Usonga elected to represent them here.

It would be very wrong and sacrilegious of this Member to tell his people of Alego Usonga that he has been captured by State House. I do not remember of any incident where State House has captured Hon. Samuel Atandi. I have not seen him visit State House or have any dialogue with State House. Therefore, it would be wrong to say that this House is captured by State House because I am certain that Hon. Samuel Atandi is not one of the individuals of this House who have been captured by State House, nor is this House captured by anyone. Hon. Temporary Speaker, I beg that you request the Hon. Member to either substantiate or withdraw and apologise for the offensive statements that he has made and that are very demeaning to this House.

Thank you very much, Hon. Temporary Speaker.

**The Temporary Speaker** (Hon. (Dr.) Rachael Nyamai): Before I comment, I would like to give Hon. Mukami, Member for Nyeri County, a chance. Please give her a microphone.

**Hon. Rahab Mukami** (Nyeri County, UDA): Thank you, Hon. Temporary Speaker. I cannot imagine that statement has come from Hon. Atandi. Why do you want to continue taking advantage of poor people? I wish you went to that hall and saw the kind of people who were there crying to our President. That thing has come from western, and you now want to play politics with it? We are not going to allow that, Hon. Atandi. It is wrong and you must apologise. We are looking for money to help our coffee farmers. The President has gone out of his way to support farmers from western, and you are talking about the Government taking advantage of poor farmers? It is unfortunate. Stop playing politics.

**The Temporary Speaker** (Hon. (Dr.) Rachael Nyamai): Hon. Members, I want to address Hon. Atandi. First of all, you are disorderly, and in our Standing Order 107(g), you are making allegations without adequate substantiation of your statements in the Hon. Temporary Speaker's opinion. In that Standing Order 107(2) (a), I would like to call upon you and caution you – and I hope we end it at that - so that we make progress on this important matter. Please do not make any statements that you cannot substantiate. I order you to proceed.

**Hon. Samuel Atandi** (Alego Usonga, ODM): Thank you for protecting me from interference by my colleagues. As you can see, I am a lone voice in this House against a battalion of Government machinery who are not interested in hearing anything against it.

**The Temporary Speaker** (Hon. (Dr.) Rachael Nyamai): I would like to ask you to go to the Motion of today.

**Hon. Samuel Atandi** (Alego Usonga, ODM): The point I want to raise - as I conclude - is this: That this Motion is very important. We need to support it as a House and ensure that, other than just repackaging imported sugar, we need to stop this wanton importation of sugar because that is why the political class is thriving. They import sugar and sell it at the expense of our local farmers, fighting and working very hard on the ground to survive. So, I support the Motion. Thank you very much.



**The Temporary Speaker** (Hon. (Dr.) Rachael Nyamai): The Hon. Eric Karemba! Hon. Eric Muchangi!

*(Laughter)*

Sorry, Hon. Members, the name of the Hon. Member on his feet is Hon. Eric Muchangi, the Member for Runyenjes.

**Hon. Muchangi Karemba** (Runyenjes, UDA): Thank you, Hon. Temporary Speaker. I wish to let you know that Karemba is still my name. It is my official name and so, you are at liberty to refer to me as Karemba. It is not a nickname anymore. I want to support the Motion by Hon. Salasya on the issue of repackaging sugar. He intends to help and cushion the sugarcane farmers from his backyard.

Hon. Temporary Speaker, there is no point of asking importers to bring in sugar, repackage it and sell it in the name of Mumias and other renowned brands in Kenya to make a kill out of it. The Mumias brand belongs to the people of western Kenya and Nyanza. So, an importer, a single person, or even a group of people who bring together resources to import sugar and want to make money out of it must be discouraged.

I wish to tell the Government of Kenya that sugar is taken alongside coffee and tea, among other uses of sugar. While we appreciate the effort that the Government of Kenya is putting in to ensure that sugarcane farmers get income from sugarcane farming, there is also need for the Government to move into action and save coffee and tea farmers. On the issue of privatisation, there is a lot of misinformation that is coming in through this debate. As it is said - and I believe it - it is only a fool or a mad person who does the same thing all over again and expects different results.

Privatization is not about privatising sugar factories, nor is land being privatised. It is the operations in those factories that are being privatised. This is because, all the other times, the management of those sugar factories has run down those institutions. It is good that a different approach is being used to see whether it can bear fruit. It is important for the Government of Kenya to remember that coffee and tea farmers are waiting for their money. I have seen and heard people celebrating the recent tea bonus payout, saying that it was high, and the best. As a tea farmer and a leader who comes from the tea sector, our tea farmers expected much more from tea than they got. I believe that the Government should spring into action and cushion all tea and coffee farmers. For instance, coffee has been in our stores for a couple of months. It has not been sold. We believe it is the same cartels in the sugar, coffee and tea sectors that are holding our country at ransom by not buying our coffee as it has been bought previously. I believe that concerted efforts towards fighting those cartels should continue so that our farmers can get the most out of it.

Thank you, Hon. Temporary Speaker.

**The Temporary Speaker** (Hon. (Dr.) Rachael Nyamai): Hon. John Kiragu, Member for Limuru, I suggest that you move to the next microphone.

**Hon. (Eng.) John Kiragu** (Limuru, UDA): Thank you, Hon. Temporary Speaker. I rise to support this Motion. I worked for the Mumias Sugar Company Limited in my earlier days. That was when it was under Booker Tate International. We must be serious when we discuss the sugar sector. We know how seriously the Government has been looking at this issue to get it working. I would like to bring to the attention of this House that the collapse of the sugar industry must be seen to be related to how Kenya Railways has been performing. The sugar industry started going down when we made concessions on the railways to the cowboys who came to run it. I also worked for the Kenya Railways. We used to make rollers for sugar industries like *Nzoia Sugar Company Limited*, *Chemelil Sugar Company Limited* and *Sony*

Sugar Company Limited, in the Kenya Railways Central Workshops. We used to make ken knives out of worn-out tires to ensure local spare parts support the sugar industry.

If we look at the sugar industry, it is important for us to be seen to be working towards being competitive with the rest of the region. Without fear of any contradiction, I can say that the cost of maintenance of our industries has always been a big challenge. We have given the industry to people who have been making money out of spare parts and services so that, even when they do production, the cost element of maintaining the plant has always been the way of eating the money that should have gone to farmers.

As we discuss this and support my friend the Member of Parliament for Mumias East who is a very serious person, I know that his intention is good. However, I also want to say that we should look at the nation and put together an engineering support mechanism where most of those industries can be supported to run at a competitive economic level that can compete with other areas in the region. For example, you cannot say that each of those factories will have a foundry to cast their spare parts or that they must have a facility where they will be shrinking and selling their rollers.

As we look at this sector that is important to all of us, we should also ensure we take the right steps in the nucleus and out growers, to make sure they are competitive in producing cane. We should also make sure that factories are run properly and that there is competitiveness in the way of sourcing the required spare parts and maintenance services. We know that the price of spare parts that come from outside countries like India, Czech or Brazil are three or four times higher than when they are made locally.

Even as we ensure that sugar from outside is not branded as local, my appeal is that we make sure this industry is competitive and fair. The public has been supporting it. We cannot allow monies from this sector to be siphoned to foreigners. That finally enriches a few. I support the Motion.

**The Temporary Speaker** (Hon. (Dr.) Rachael Nyamai): Thank you very much. Hon. Eve Obara, Member for Kabondo Kasipul.

**Hon. Eve Obara** (Kabondo Kasipul, ODM): Thank you very much for giving me this opportunity to add my voice to the Motion. From the onset, let me say that I also support the Motion. Almost all sugar factories in this country, particularly the ones that I am aware of and are in western region have collapsed. It is an open secret.

I was educated through the proceeds of sugarcane. My parents are sugarcane farmers in the Mohoroni Constituency region. This was a vibrant economy as I was growing up. Too many people were employed in those sugar factories. Just to mention some, we had Miwani Sugar Company within this region. We had Chemelil Sugar Company, Mohoroni Sugar Company and Agro-Chemical and Food Company Limited in Muhoroni. Further, in the western region, we had the Mumias Sugar Company Limited and Sony Sugar Company Limited. All those factories were vibrant.

If I pick out Chemelil Sugar Company Limited, many people were employed in that factory. In fact, Chemelil Sugar Company Limited was way advanced in terms of even the kind of people who were there. Everything about Chemelil Sugar Company Limited was affluence. It is a completely different story now. That is why I support the Motion. In fact, we should stop discouraging this industry. What we should do to grow our economy is to see how those factories can be rehabilitated so that they can continue to recruit and employ our people. This will have a ripple effect in growing the economies of those regions.

Branding imported sugar must stop until we are satisfied as a country that our sugar factories are not able to produce enough sugar for the people of Kenya. Mumias Town became a ghost town when Mumias Sugar Company Limited closed. Go to any supermarket and you will find sugar purporting to be from Mumias Sugar Company Limited. It is on the shelves of supermarkets in Nairobi, Kisumu and Kakamega and yet, the company is not in operation.

Those are the things that we must stop. Going forward, I know there is an effort to rehabilitate and put them up. Before that, yes, a little can be allowed, but within controls. But do not brand sugar. At least, there should be a mechanism for companies branding sugar, but are not sugar companies. Something must be done. I am yet to understand exactly what we will do to ensure that such sugar does not come from our factories. Stop them completely from using the names of the sugar companies that do not operate now. Once again, I support.

Thank you very much.

**The Temporary Speaker** (Hon. (Dr) Rachael Nyamai): Thank you very much. Hon. John Waweru, Member for Dagoretti South.

**Hon. John Kiarie** (Dagoretti South, UDA): Hon. Temporary Speaker, thank you. Hon. Peter Salasya is now working in Parliament. I wish this could go on record so that the people he represents would know he is doing exactly what they elected him to do. I congratulate the very youthful, very vibrant, and extremely intelligent Hon. Peter Salasya for bringing this Motion to the Floor of the House.

During the debate on the Sugar Bill, I mentioned that our affinity for sugar is pretty recent. Granulated sugar has been in use for a very long time. As far back as the 6<sup>th</sup> century, Indians were already using granulated sugar. Refined sugar is recent because it came with the effort of colonisation. I associate it with colonisation to make the point that the sugar history has been replete with bitter sweet incidents of exploitation, racialism, obesity, annexing land that has been used for settlement and environmental degradation. In Kenya, there has been a painful history of exploitation of farmers. So, any efforts to remedy the farmers' plight should be welcome.

I speak when this House has already debated and passed the Sugar Bill. Over and above that, this House, on its own Motion, has done what it needs to do. If the ills plaguing the factories are the problem, this House has done its bit. As recently as Monday this week, the President received the instruments from this Parliament that were handed over after signing by the Speaker. Those are the instruments that set in Motion the setting aside of close to Ksh200 billion that shall be used to write off the debt. As we debate this Motion, I urge Hon. Peter Salasya to go and tell his people that, collegiately, this House has done what it needs to do, is in support of his thinking and, unanimously across the different aisles, it is in agreement with what he is asking for his people. This House is not sitting on its laurels looking at farmers wallowing in poverty, while it is doing nothing. It is doing what it needs to do at a time like this. In the Sugar Bill that we passed; one critical issue needs to be reported to the sugar belt: how they shall ring-fence the land they use for farming sugar.

After ring-fencing the land, they ought to adopt modern practices in farming so that we can have a crop that matures early enough, is harvested early enough and is disposed of fast enough for the farmers to make money in good time.

Finally, Hon. Temporary Speaker, I would like to talk about the issue of historical governance impropriety in the sugar belt. The sugar mills are being run down by individuals who have very little concern for the farmers and the people of the area. It has to be repeated loudly from the hilltops and from the tops of the minarets and the mosques and top places of this country that *mambo ni matatu* to anybody who becomes a hindrance to the benefit of farmers in this country. To them, *mambo ni matatu*. We have started on the sugar route. We need to do the same for cash crops like coffee and cotton in other regions so that even as the sugarcane farmer is benefiting, even the...

**Hon. Dorice Donya** (Kisii County, WDM): On a point of order, Hon. Temporary Speaker.

**The Temporary Speaker** (Hon. (Dr.) Rachael Nyamai): Thank you very much. Is anything out of order? What is out of order?

**Hon. Dorice Donya** (Kisii County, WDM): Hon. Temporary Speaker, because this issue of sugar is very dear to us, can we lower the minutes to three so that you can give a chance to many Members? You know well that you can explain something in one minute, and we get the point. Please, *mambo ni matatu*.

*(Laughter)*

**The Temporary Speaker** (Hon. (Dr.) Rachael Nyamai): Hon. Member for Kisii County, you know when a Motion has started, you do not have an opportunity to limit time. That can only be done at the beginning. And since it was not done, we proceed. The opportunity goes to Hon. Catherine Omanyoo, Member for Busia County.

**Hon. Catherine Omanyoo** (Busia County, ODM): Thank you, Hon. Temporary Speaker. I quickly want to support the Motion because of time. What is affecting us Kenyans is that everybody is involved from the point of entry where that illegal sugar is brought in. So, when we want to solve it, we should start asking: Who at the point of entry is among the cartels? We see a lot of sugar with our local sugar companies' labels filling supermarket shelves, but the real industries have died. So, how can sugar companies like Mumias not be running, but their sugar is still on sale or is available? So, the people from the port of entry to the cartels and the bigwigs in this country are still selling the sugar. Just two months ago, a red flag was raised because there was poisonous sugar that was not supposed to be supplied in Kenya. However, it was reported that the sugar disappeared. That means the people who are killing the sugar industries are the real locals - Kenyans who have mastered a way of making money, even if it means killing other Kenyans for them to make profits.

Then, there is corruption and mismanagement of those institutions. Some people are politically employed in our sugar companies. They are appointed CEOs in those companies, but they are told what they should do there. So, even if they had the heart to make the institution progress and make the locals gain from it, their hands are tied because they were appointed to ensure someone's interest is looked into. Recently, when we were passing a Bill here, I saw one of our Members with a sheet of paper with one side written "no" and the other written "yes", as we kept on discussing the Bill. He was controlling people from the Kenya Kwanza side. The farmers are the stakeholders.

**The Temporary Speaker** (Hon. (Dr.) Rachael Nyamai): Thank you, Hon. Catherine Omanyoo. Your time is up, Hon. Members, for debating this Motion. Time is up. You may take your seat, Hon. Catherine Omanyoo. You have done very well. I will now call upon the Mover to reply because the time assigned to this Motion has ended. Hon. Salasya.

**Hon. Peter Salasya** (Mumias East, DAP-K): Thank you, Hon. Temporary Speaker. I begin by thanking Members of this House. Their contributions were deeper than I imagined. I am happy that Hon. Bedzimba of Kisauni Constituency gave the details I sought. He put it very clearly that even if it is mandatory to import sugar because of our COMESA obligations, the name of the company that manufactured the sugar must be captured on the packaging. That is a big win for the House. It will promote the previous Government's "Buy Kenya, Sell Kenya Initiative". It will establish a good platform for people to promote their products.

**The Temporary Speaker** (Hon. (Dr.) Rachael Nyamai): Hon. Salasya, you said "Buy Kenya...?"

**Hon. Peter Salasya** (Mumias East, DAP-K): "Sell Kenya". Ama ni gani?

*(Laughter)*

"Buy Kenya, Build Kenya."

**The Temporary Speaker** (Hon. (Dr. Rachael Nyamai): I encourage you to conclude because of time.

**Hon. Peter Salasya** (Mumias East, DAP-K): Yes. That was just a by-the-way. Buy Kenya, Build Kenya. The same principle will help us in this industry as we look forward to getting a response from the Senate on the Sugar Bill. Thank you, Hon. Temporary Speaker, for giving me the opportunity to discuss this matter in detail. Thank you, Members, for your great contributions to this Motion. Ahsanteni sana na Mungu awabariki.

**The Temporary Speaker** (Hon. (Dr.) Rachael Nyamai): Hon. Members, I encourage you to use one language when debating. It is important.

Hon. Members, I would like to recognise students from Teremi High School from Kabuchai Constituency in Bungoma County, who are sitting in the Public Gallery. You are welcome to observe the proceedings in the National Assembly.

Hon. Salasya, I do not remember you saying you beg to reply. Can you please do that on record?

**Hon. Peter Salasya** (Mumias East, DAP-K): Hon. Temporary Speaker, I beg to reply.

**The Temporary Speaker** (Hon. (Dr.) Rachael Nyamai): Thank you very much. Hon. Members, putting the Question on this Motion will be done in another sitting as will be scheduled by the House Business Committee.

*(Putting of the Question deferred)*

Next Order.

#### POLICY FOR PROVISION OF MENTAL HEALTH SERVICES IN ALL HEALTHCARE FACILITIES

THAT, aware that Article 43(1)(a) of the Constitution provides that every person has the right to the highest attainable standard of health, including the right to healthcare services; further aware that mental health is a key determinant of overall health and socio-economic development; recognising that the Constitution assigns to the national Government the responsibility of matters of health policy; concerned that according to the World Health Organisation (WHO), mental and neurological disorders are common and about ten (10) percent of the global population suffer from at least one mental health disorder at any given time; concerned that psychiatric units are only available in a few facilities in the country and patients requiring psychiatric services have limited or no access to those facilities; acknowledging that access to healthcare facilities would lead to improved overall health, increased economic productivity, social equity and improved quality of life for all; now, therefore, this House urges the National Government, through the Ministry of Health, to collaborate with county governments to develop a policy integrating mental health services in all healthcare facilities in the country.

**The Temporary Speaker** (Hon. (Dr.) Rachael Nyamai): Hon. Mishi Mboko. She is not in the House. So, the Motion is deferred.

*(Motion deferred)*

Next Order.

#### IMPLEMENTATION OF FIRST AID

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## TRAINING AS A CORE SUBJECT IN SCHOOLS

THAT, aware that first-aid training is a key component of Emergency Medical Response (EMR); further aware that first-aid response promotes a safer and healthier community by reducing accidents and injuries; noting that lack of first-aid training and skills among the general public has contributed to the aggravation of preventable injuries and accidents which, in some cases, has led to the loss of lives; further noting that the current education system does not include first-aid training as a compulsory subject in the curriculum which deprives students of essential knowledge and skills necessary for their personal safety and that of persons around them; acknowledging that it is critical to equip students with the ability to assess and handle day-to-day emergencies in schools and at home; now, therefore, this House urges the National Government, through the Ministry of Education, to develop and implement a comprehensive first-aid curriculum for schools across the country.

**The Temporary Speaker** (Hon. (Dr.) Rachael Nyamai): Hon. Caleb Amisi. He is not in the House. That Motion is also deferred.

*(Motion deferred)*

Next Order.

ESTABLISHMENT OF A NATIONAL FUND TO  
SUPPORT VICTIMS OF GENDER-BASED VIOLENCE

THAT, aware that Article 29 of the Constitution provides the right of every person to freedom from any form of violence; further aware that, Gender-Based Violence (GBV) is a serious violation of human rights with records indicating that one in every three women will experience sexual or physical violence in their lifetime; noting that according to the United Nations High Commission for Refugees (UNHCR), gender-based violence includes sexual, physical, mental and economic harm inflicted in public or in private and may involve threats of violence, coercion and manipulation in the form of intimate partner violence, sexual violence, child marriage and female genital mutilation; further noting that, timely response to and effective post-management of GBV incidences is critical in curbing the effects of those incidences to victims; concerned that, at present, there are inadequate gender-based violence response centres and shelters in the country with limited resources being provided for victims seeking assistance; further concerned that there are inadequate rehabilitation and re-integration programmes for victims and perpetrators of gender-based violence; recognising that victims of gender-based violence as well as perpetrators require specialised professional assistance for full re-integration into the community; this House, therefore, resolves that the Government, through the relevant Ministry, establishes a national fund to ensure all survivors of GBV have adequate, timely and unhindered access to quality services that meet their needs, and support victims of GBV to have access to timely and unhindered quality services.

**The Temporary Speaker** (Hon. (Dr.) Rachael Nyamai): This Motion is by Hon. Mary Emaase, who is also not in the House. The Motion is deferred.

*(Motion deferred)*

Next Order.

URGENT ACTION TO ADDRESS SURGE IN  
ROAD ACCIDENTS IN THE COUNTRY

**Hon. Naomi Waqo** (Marsabit County, UDA): Hon. Temporary Speaker, I beg to move:

THAT, aware that, the National Transport and Safety Authority Act 2012, provides for establishment of the National Transport and Safety Authority (NTSA); further aware that, the Authority in line with section 4 of the Act plays a critical role in ensuring the provision of safe, reliable and efficient road transport services; concerned that there has been an alarming surge in road accidents in the recent past resulting in loss of life, injuries and damage to properties; further concerned that the Authority has not effectively and fully performed its functions of regulating safe and reliable transport service, especially in dealing with public service vehicles; noting that poor maintenance of motor vehicles and a lack of proper regulation are leading contributors to the marked increase in road accidents; deeply concerned that school-going children are increasingly becoming victims of those road accidents; recognising that it is the responsibility of the Authority to ensure adherence to road traffic rules, and to establish systems and procedures for, and oversee the training, testing and licensing of drivers; now therefore, this House resolves that the Government through the Ministry of Roads and Transport undertakes a comprehensive overhaul of the transportation sector to provide for proper regulation of the sector and ensure strict operationalisation of the traffic regulations to provide a safer and more reliable transport sector.

Hon. Temporary Speaker, as you very well know, many lives have been lost through road accidents. One life lost is one too many. Every life lost represents someone's partner, parent, child, friend, neighbour, or colleague and, most of the time, breadwinners of families. As those accidents happen, many people live with the injuries forever, and most of the time, they suffer, and so do their families. We need to put this into consideration so that Kenyans who are traveling on our roads from one place to the other are safer.

On Saturday, 30<sup>th</sup> June 2023, 52 people were killed in a road accident at Londiani. Some of the people who perished were young Kenyans with bright futures. Up to today, their families are struggling. From January to July 2023, a total of 2,318 Kenyans died as a result of road accidents. This has pained many people. We have even seen school-going children losing their lives. You will recall what happened to school buses where many school-going children perished, and their parents are still in pain.

The Cabinet Secretary for Roads, Transport and Public Works, Hon. Kipchumba Murkomen, confessed that in 2022, road accidents killed more Kenyans than COVID-19. This should sadden each one of us. If we were asked today if we know people who have perished in our villages or relatives who have lost their lives through road accidents, I am sure many of us would stand up and confess whatever happened. We all know that many Members have also lost their lives to road accidents. The situation has been worsened by the bodaboda riders. Many bodaboda riders have also lost their lives. Without proper measures, Kenyans will continue losing lives and mourning loved ones who perish through road accidents. Many things can be done. Some measures can be put in place to control this, and I am sure...

**The Temporary Speaker** (Hon. (Dr.) Rachael Nyamai): Hon. Naomi Waqo, Member of Parliament for Marsabit County, I will call upon you to stop because of time. You will have

five minutes to continue moving your Motion, and the seconder will be called upon by the Speaker in another sitting.

### ADJOURNMENT

**The Temporary Speaker** (Hon. (Dr.) Rachael Nyamai): Hon. Members, the time being 1:00 p.m., this House stands adjourned until this afternoon, Wednesday, 11<sup>th</sup> October 2023 at 2:30 p.m.

The House rose at 1.00 p.m.



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