

PARLIAMENT OF KENYA

THE SENATE

THE HANSARD

Wednesday, 28th February, 2024

Morning Sitting

*The House met at the Senate Chamber,
Parliament Buildings, at 9.30 am.*

[The Speaker (Hon. Kingi) in the Chair]

PRAYER

DETERMINATION OF QUORUM
AT COMMENCEMENT OF SITTING

The Speaker (Hon. Kingi): Clerk, do we have a quorum?

(The Clerk-at-the-Table consulted with the Speaker)

Serjeant-at-Arms, kindly ring the quorum Bell for 10 minutes.

(The Quorum Bell was rung)

The Speaker (Hon. Kingi): Clerk, now that we have quorum, kindly proceed to call the first order.

QUESTIONS AND STATEMENTS

QUESTIONS

The Speaker (Hon. Kingi): Hon. Senators, today we had three Questions and we expected three Cabinet Secretaries to appear before the Senate today for purposes of responding to those three Questions. However, I received a letter from the Cabinet Secretary for Interior and National Administration stating that he will not be able to attend Parliament today, reason being that he is involved in the bilateral talks between Kenya and Ethiopia as we speak. I found that a very valid reason.

Therefore, this morning, we are going to get responses to two Questions: from the Cabinet Secretary for Water, Sanitation and Irrigation and thereafter the Cabinet

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Secretary for Agriculture and Livestock Development. We are going to start with the Cabinet Secretary for Water, Sanitation and Irrigation and we are going to assign her exactly one hour. Thereafter we shall hear the Cabinet Secretary for Agriculture and Livestock Development for another hour, so that we have time to prosecute other businesses.

Clerk, is the Cabinet Secretary for Water, Sanitation and Irrigation present? Kindly usher him in.

*(The Cabinet Secretary for Water, Sanitation and Irrigation
(Hon. Njeru) was ushered into the Chamber)*

Hon. Senators, as the Cabinet Secretary settles in - that is housekeeping - you are aware according to our Standing Orders that the Senator who asks the Question has an opportunity to ask two supplementary questions after the Cabinet Secretary has responded to the primary Question.

The Senator may elect to ask the Questions immediately the Cabinet Secretary responds to the primary Question, or she or he may elect to allow other Senators to ask one supplementary question each and thereafter come last to ask the two supplementary questions. It is his choice.

Clerk, do we have the Cabinet Secretary in the House? Thank you.

Hon. Cabinet Secretary, welcome to the Senate. The Question that you have been invited to respond to is Question No.005 by the Senator for Kirinyaga County. I understand that the response has been filed and that the hon. Senators each have a copy of the response to allow you to build your supplementary questions, if any.

At this juncture, therefore, I will allow the Senator for Kirinyaga County, Hon. Sen. (Dr.) Murango, to proceed to ask the primary Question. Kindly proceed.

Question No.005

WATER SUPPLY TO RESIDENTS OF
MURATIRI, KIRINYAGA COUNTY

Sen. (Dr.) Murango: Thank you, Mr. Speaker, Sir for giving me this opportunity. I will be asking two Questions.

a) Could the Cabinet Secretary provide details of all water projects budgeted for by the National Government in Kirinyaga County in the Financial Year 2023/2024?

b) Are there plans to supply water to residents of Muratiri area in Gichugu Constituency through the Kerugoya-Kutus Water Supply Project by installing additional water distribution pipes and, if so, could the Cabinet Secretary indicate the timelines?

I thank you.

The Speaker (Hon. Kingi): Proceed, Cabinet Secretary.

The Cabinet Secretary for Water, Sanitation and Irrigation (Hon. Njeru): Mr. Speaker, Sir, and Members of the Senate, I thank you for giving me this chance to come and share some insight on the Question asked by Sen. (Dr.) Murango. The last time I was

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here was when I was the Minister for Lands, Public Works, Housing and Urban Development. I am happy to be here today as the sitting Cabinet Secretary for Water, Sanitation and Irrigation.

I wish to reply as follows on the question that provides details of all water projects earmarked for funding by the national Government in Kirinyaga County in the Financial Year 2023/2024.

In the Financial Year 2023/2024, the national Government has allocated a budget of Kshs135 million for construction of Ngariama-Njukiini water supply. The project is being implemented by the Tana Water Works Development Agency (TWWDA). The scope of work includes -

(i) Construction of intake works.
(ii) Laying of 70km raw water gravity main.
(iii) Construction of 4,200 cubic meters per day of water treatment works.

(iv) Laying of 15km treated water gravity main.
(v) Laying of 5km Mbiri-Gichonjo distribution line.
(vi) Laying of 4km Kiangoro distribution line.
(vii) Rehabilitation of three existing storage tanks.

The Project is located in Ngariama and Njukiini wards of Gichugu Constituency and upon completion, it will benefit the same wards with clean and potable water.

The targeted beneficiaries are approximately 14,000 households including major learning institutions in the supply area.

The project commenced on 22nd March, 2023 with a contract duration of 18 months and will be completed on 22nd September, 2024. Works are currently ongoing. However, the project has experienced challenges contributing to the slow progress of work.

The overall progress achieved to date is 10 per cent. The challenges experienced include:

(i) Delay in obtaining the Special Use License for Kenya Forest Services (KFS). The license was eventually granted on 29th September 2023.

(ii) Although TWWDA received the Special Use License as aforesaid, the works could not commence because the license required TWWDA to make payments to KFS. TWWDA was unable to make these payments due to a delay in the disbursement of exchequer funds.

To forestall further delay, TWWDA requested KFS to allow the construction of two gates at Kathandeni Forest which would open up access to the intake works and water treatment works while awaiting the disbursements.

TWWDA has given KFS its undertaking to make the payments once the disbursement is received.

Despite the said challenges, the following has been achieved -

(i) Obtaining the Special Use License from KFS on 29th September, 2023.
(ii) Mobilization of plant, equipment, and personnel by the contractor.
(iii) Excavation, laying, and backfilling of 2 km of clear water pipeline.

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(iv) Obtaining approval from Rhino Ark Trust, who maintain the perimeter walls of the area to allow for the construction of two gates at the Kathandeni Forest fence line section to open up access to the intake works and water treatment works respectively.

In addition to the above, I wish to also state that the Ministry of Water, Sanitation and Irrigation is also undertaking other projects within Kirinyaga County, which are at various levels of planning and implementation stages as shown in Annex 1 attached herewith.

Question No. 5(b) is on whether there are any plans to supply water to residents of the Muratiri Area in Gichugu Constituency through the Kerugoya-Kutus Water Supply Project by installing additional water distribution pipes and if so, could the Cabinet Secretary indicate the timelines.

The Ministry of Water, Sanitation, and Irrigation, through the TWWDA has prepared and submitted to the African Development Bank (AfDB) a proposal for detailed design for the expansion of the Kerugoya-Kutus Water Supply Project to benefit residents of Muratiri Area.

This will be done through the laying of water supply distribution lines from an off-take point along the water transmission mains of the Kerugoya-Kutus Water Supply Project. This proposal is currently being assessed by the AfDB.

It is estimated that the cost for the proposed project is Kshs198 million. This amount is to be financed by the AfDB, while the Government of Kenya is expected to provide Kshs40 million counterpart funding for wayleave and land acquisition costs.

The actual scope of works will be determined after approval and a detailed design is undertaken. However, the scope of works outlined in the concept brief submitted to the Bank is as follows -

- (i) Construction of offtake chamber and associated works.
- (ii) Excavation, pipe laying and backfilling for 28.4-kilometer pipeline.
- (iii) Construction of road and river crossings.
- (iv) Construction of valve chambers.
- (v) Installation of pipeline appurtenances

The project will commence by July, 2024, and is expected to be completed before the conclusion of the AfDB Kenya Towns Sustainable Water Supply and Sanitation Programme in December, 2025.

Upon completion, the project is projected to benefit approximately 50,000 people in Raimu, Rwambiti, Kariru, Kirerema, Guama, Kiaruri, Ndunduni, Gatu, Gachigi, Ngiroche, Kutus, Mikarara, Rukenya, Njuku East, Njuku West Sub-locations of Kirinyaga East Sub-County.

I submit.

The Speaker (Hon. Kingi): Thank you, Hon. Cabinet Secretary. Sen. Murango, do you have any supplementary questions or question?

Sen. (Dr.) Murango: Asante, Bw. Spika. Niko na maswali mawili ya ziada. Kwanza, Waziri anafhamu kuwa Taasisi ya Tana Water Works *ambayo* inafaa kupeana huduma za maji Nyeri, Kirinyaga, Tharaka-Nithi, Embu na Meru hadi Marsabit, haijapata pesa ambazo inafaa kuwa imepata, katika robo ya tatu ya mwaka wa bajeti wa mwaka

2023/2024. Kwa hivyo, haijaendelea na mipango ya kupeana maji katika Kaunti nilizotaja.

Swali la pili ni kuhusu barua niliyoandikia Waziri kuhusu Kibirigwi Farmers' Cooperative Society. Ili tupate usalama wa chakula nchini lazima tupeane huduma kwenye maeneo yanayokuza chakula.

Waziri, je kuna mipango ya kufufua Kibirigwi Farmers' Cooperative Society ili waendeele kuzalisha chakula katika eneo la Ndia, Kirinyaga Kaunti?

Pia, Thiba Dam ilipotengenezwa, wakaazi wa Kajarara walifaa kupewa maji. Je, kuna mipango yoyote ya kupea hawa wananchi maji?

The Speaker (Hon. Kingi): Hon. Cabinet Secretary, proceed.

The Cabinet Secretary for Water, Sanitation and Irrigation (Hon. Njeru): Asante sana, Seneta, kwa swali hilo.

Ningependa kueleza Maseneta kuwa kuna mashirika tisa ambayo hutekeleza kazi ya Wizara katika maeneo tofauti tofauti na Tana Water Works Development Agency (TWWDA) ni mojawapo ya mashirika hayo. Kuna pesa ambazo tumepata ambazo zitagawanywa kwa mashirika hayo yote. Kwa hivyo, shughuli zingine ambazo zilikuwa zimesimama sasa zitatekelezwa.

Pili, wakati tulipokuwa tunafanya mradi wa Kenya Towns Sustainable Water Supply and Sanitation Programme (KTSWSSP), kuna pesa ambazo tulibakisha. Pesa hizo zilitoka kwa African Development Bank (AfDB) ambao ni wafadhili wa miradi hii. Tulitaka waturuhusu kutumia pesa hizo katika miradi ambayo haikukamilika.

Mr. Speaker, Sir, when the KTSWSSP was being implemented, there is one component of the last mile that was not included in the design. Since, it is a small component of the bigger project, the expectation was that county governments would take over.

Unfortunately, very few county governments have undertaken that. That is why the Ministry has undertaken to make sure that for all projects that do not have that last component, we will complete them using the savings that we got from that programme.

Concerning Thiba Dam, we have plans to provide distribution of up to 30,000 cubic metres of fresh drinking water per day. Plans are underway to source for funding. Apart from irrigation, there is that component of having clean water for use by people who will be living there. So, the Ministry is looking for funding to make sure that is achieved.

Mr. Speaker, Sir, regarding Kibirigwi Farmers Co-operative Society, the issue of cooperatives is not under the mandate of the Ministry. Perhaps, the Senator should pick it up with the Ministry of Co-operatives and Micro, Small and Medium Enterprises (MSME) to know when it will be revived.

I submit.

The Speaker (Hon. Kingi): Proceed, Sen. Munyi Mundigi.

Sen. Munyi Mundigi: Bw. Spika, swali langu ni kwa Waziri wa Maji na Usafi wa Mazingira.

Katika Kaunti ya Embu, tuna *four sub counties*. Miongoni mwa hizo ni Mbeere North na Mbeere South upande wa chini. Huwa tunafanya ukulima wa *muguka*, miraa, pamba, ndengu na mimea mingine.

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Serikali ya Kenya Kwanza ilipochukua usukani, ilituahidi kujenga mabwawa matatu upande wa juu. Kuna Bwawa la Thambana ambalo linafaa kusaidia watu wa Manyatta, Mbeere South, Mwea na Kiambeere. Vile vile, kunafaa kuwa na Bwawa la Thosi ili kusaidia watu wa Runyejes na Mbeere North. Bwala lingine ni Kamumu ambalo linafaa kusaidia watu wa Mbeere North ili kuwawezesha kufanya ukulima.

Bw. Waziri, ningependa ueleze watu wa Kaunti ya Embu mipangilio ilipofikia. Wakati wa kiangazi, bwawa ambalo liko upande wa Mbeere ambalo rafiki yangu ametaja lilileta shida. Ng'ombe na mbuzi wengi walikufa kutokana na shida ya maji.

Bw. Waziri, ningependa utueleze wakati gani miradi hiyo mitatu itaanzishwa ili watu wa Kaunti ya Embu waache kutaabika na waweze kufanya kilimo bora.

The Speaker (Hon. Kingi): Hon. Senators, supplementary questions must flow from the primary question. If you ask a question that is unrelated to the primary question, we have had problems with Cabinet Secretaries responding comprehensively to such supplementary questions because it requires them to go back and collect more information. So, let your supplementary questions flow or be related to the primary question, to enable the Cabinet Secretary to respond comprehensively.

Proceed, Hon. Cabinet Secretary, to respond.

The Cabinet Secretary for Water, Sanitation and Irrigation (Hon. Njeru): Mr. Speaker, Sir, regarding the question on Thambana Dam, as a Ministry, we are undertaking to do 100 dams. All these dams are under Public-Private Partnership (PPP) programme. One of these dams that we are considering is Thambana Dam.

We are still receiving proposals. We will have a meeting today to go through all those proposals. I want to assure the Senator that something is happening as far as Thambana Dam is concerned.

Concerning Kamumu Dam, we have submitted our proposal to the United Kingdom Accreditation Forum (UKAF) for review. We are hopeful that these dams will be implemented after they go through the initial stage of the proposal.

Therefore, I want to assure the Senator that we have on course 100 dams that we will implement. We are looking for people who we can partner with to make sure that we realise the implementation of these dams.

I submit.

The Speaker (Hon. Kingi): Proceed, Sen. Olekina.

Sen. Olekina: Mr. Speaker, Sir, I have a supplementary question to the Question asked by the Senator for Kirinyaga.

When I was listening to the Cabinet Secretary giving his responses, he alluded to the fact that there is money that the Ministry has obtained and it is going to fill the gaps. That was particularly when he was responding on the issue of water agencies. Could the Cabinet Secretary provide full details of the amount they have obtained and the timeframe it will take to pay these water agencies?

I have a problem discussing the issue of water because water is devolved. However, the Ministry, through the agencies, has the largest share of the budget. Could the Cabinet Secretary be a bit specific in terms of the amount that he alleges to have been obtained that will fill in the gaps and pay the water agencies? They should also provide details of the funds which the State has obtained.

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Perhaps just to clarify, in his last sentence, he alluded to the fact that he is also looking for more money. Does that relate to the query that the distinguished Senator had asked?

Finally, on the issue of these funds that you allege to have obtained---

The Speaker (Hon. Kingi): Senator, Olekina, let me refer you to Standing Order No.51 C (7) -

“Upon the issuance of a response or the making of a statement under paragraph (1), the Speaker may -

(a) allow the Senator who asked the Question to raise a maximum of two supplementary questions that relate to that Question; and

(b) allow any other Senator to ask a supplementary Question.”

That means one. You have asked one question; let the Cabinet Secretary respond to it. Do you want to ask another one?

Sen. Olekina: Mr. Speaker, Sir, I am not asking another question. I was just asking the same question. I am only giving fodder for him to respond. Allow me 30 seconds to finalize my one question.

The Speaker (Hon. Kingi): He has enough fodder.

Sen. Olekina: Mr. Speaker, Sir, if you allow me.

The Speaker (Hon. Kingi): All right.

Sen. Olekina: Mr. Speaker, Sir, we are coming to the end of the financial year. The Cabinet Secretary alleged that he has obtained money to complete the project that the distinguished Senator had queried. Could he be specific in terms of the deliverables and the timeframes, so that at least the Question that has been asked by my colleague is responded to satisfactorily?

I thank you.

The Speaker (Hon. Kingi): Proceed, Hon. Cabinet Secretary.

The Cabinet Secretary for Water, Sanitation and Irrigation (Hon. Njeru): Mr. Speaker, Sir, as I had mentioned earlier, what we have received as a Ministry is the allocation for the first quota, which is Kshs4 billion. That money will be disbursed to the Water Works Development Agencies (WWDAs) immediately.

I talked about the savings that we received from the KTSWSSP. That is why we wrote to AfDB, so that we do not have an objection when we start finalising the projects that have been pending.

I submit.

The Speaker (Hon. Kingi): Sen. Cheruiyot, proceed.

The Senate Majority Leader (Sen. Cheruiyot): Mr. Speaker, Sir, I have a supplementary question to the Cabinet Secretary, which he can choose to answer now or later because it is a bit detailed. I believe it will be useful to this House, especially, in the consideration of resource distribution.

A few years ago, when we had a debate on revenue sharing between counties, proximity to service is one of the factors that we considered, though on many occasions we consider health services.

My supplementary question to the Cabinet Secretary is in relation to availability of water to the citizens. I want to find out if, as a Ministry, they have commissioned a

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countrywide study that will help the policymakers, who include us in Parliament who do budgets, to have a map of how close to water citizens are, and whether that study is what guides them as a Ministry when they are making decisions on where to place the next water service availability, especially on mega projects like dams and other such services.

I am aware that there are certain counties where citizens have to travel extremely far to access water. The Cabinet Secretary can respond if there is such a study. If it is something that he wants to reflect and give us the feedback the next time he appears before the House, I will still be fine.

I thank you, Mr. Speaker, Sir.

The Speaker (Hon. Kingi): Hon. Njeru, proceed.

The Cabinet Secretary for Water, Sanitation and Irrigation (Hon. Njeru): Thank you, Senate Majority Leader, for that Question.

Hon. Speaker, we all know that 80 per cent of our country is either arid or semi-arid. Accessibility to water is about 72 per cent. I want to report here that, at least each Kenyan, has accessibility to water within a range of two kilometers.

For areas that need to have water closer to the citizen, I can assure this House that as a Ministry, we are mapping out those areas. With the little funds that we get, we are making sure that every Kenyan gets access to clean water as enshrined in our Constitution.

Thank you, Mr. Speaker, Sir.

The Speaker (Hon. Kingi): Sen. Kavindu Muthama, proceed.

Sen. Kavindu Muthama: Thank you, Mr. Speaker, Sir. My question to the Cabinet Secretary is about Maruba Dam. The dam was begun in 2019 and to date, it has not been finished and the contractor keeps on moving the timelines. What is happening? We need water.

Hon. Njeru, I know you were not there then, but kindly, try to answer.

The Speaker (Hon. Kingi): Hon. Njeru, proceed.

The Cabinet Secretary for Water, Sanitation and Irrigation (Hon. Njeru): Thank you, Mr. Speaker Sir and the Senator.

On the issue of Maruba Dam, I would request that we be given more time to look into it. However, I hear it requires a lot of desilting. A comprehensive report will be provided to this House or to the Senator, if we can have a bilateral between me and her.

Thank you, Mr. Speaker, Sir.

The Speaker (Hon. Kingi): Hon. Cabinet Secretary, are you in a position to give us time indication when you are going to file that supplementary response?

The Cabinet Secretary for Water, Sanitation and Irrigation (Hon. Njeru): Hon. Speaker, within a week, we will be done.

The Speaker (Hon. Kingi): File it with the Clerk, and it shall be transmitted to the Hon. Senator.

Sen. Kathuri, proceed.

Sen. Kathuri: Thank you, Mr. Speaker, Sir. My supplementary question is related to what my colleague, Sen. Murango, had asked, noting that Tana Water Works Development Agency (TWWDA) also covers Meru County.

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I am aware that we have lined up several dams that need to be done in this region. However, we cannot wait for the dams, which might take some years before you complete them. We are very desperate with interventions that can help our people.

We have discussed with the Ministry since the new Kenya Kwanza Government came to power and we have agreed on several interventions on boreholes, water pans, small dams, *et cetera*.

Since the Financial Year 2023/2024, when we discussed and agreed on how we can move forward, including the team going to the ground to survey those projects, nothing has happened since that time.

Mr. Speaker, Sir, as we wait for the big dams, what interventions is the Ministry doing in Meru County to make sure that whatever we agreed is implemented? I can see all the officers of TWWDA in this House. Every time we are told that there is no allocation for such funds. Now that the Cabinet Secretary has indicated that there is some money which is coming in soon, how much is he allocating to Meru County? We need to move together in this country.

Meru is one of the water scarce areas, especially, the Nyambene region and the lower zone of Meru County bordering Tharaka-Nithi.

Thank you, Mr. Speaker, Sir.

The Speaker (Hon. Kingi): Hon. Njeru, proceed.

The Cabinet Secretary for Water, Sanitation and Irrigation (Hon. Njeru): Thank you, Mr. Speaker, Sir. I agree with the Senator that a larger part of Meru and Tharaka-Nithi counties have a problem with water. The mitigations we are doing currently as we wait for the big dams is water pans.

I inform this august House that by next week, we will be advertising for boreholes construction. We are mitigating by constructing water pans and boreholes. The little money that we get, we can come up with those as we wait for the bigger dams that will serve larger areas.

I submit, Mr. Speaker, Sir.

The Speaker (Hon. Kingi): Sen. Cheptumo, proceed.

Sen. Cheptumo: Thank you, Mr. Speaker, Sir. Baringo County is 68 per cent arid and semi-arid. We are blessed as a county to have Lake Baringo in our county, which is a freshwater lake.

As the leadership of Baringo County, we had presented a proposal to the Ministry, that we can utilise that water from Lake Baringo, take it up upstream and irrigate a bigger chunk of land, which will help Baringo North, Baringo South and Tiatiy in terms of irrigation.

Mr. Speaker, Sir, you will recall when the former Cabinet Secretary appeared here, she confirmed that they were planning to irrigate about 60,000 acres of land. I want the Cabinet Secretary to confirm to this House, how far they have gone in that planning because it will boost our food production as a county and sort out the current situation of insecurity, which is really affecting that area.

The Speaker (Hon. Kingi): Hon. Njeru, proceed.

The Cabinet Secretary for Water, Sanitation and Irrigation (Hon. Njeru): Thank you, Mr. Speaker, Sir. Thank you, Hon. Senator, for that question. I want to

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inform the Senator that we have received a proposal from Baringo County on that issue. We are analysing it as a Ministry to see how best we can utilise Lake Baringo, which is a fresh water lake, to benefit people living within that area. I assure you that the Ministry is analysing the proposal that came from the County Government of Baringo.

I submit, Hon. Speaker.

The Speaker (Hon. Kingi): Sen. Mandago, proceed.

Sen. Mandago: Thank you, Cabinet Secretary for Water, Sanitation and Irrigation. At least, you have been consistent in appearing in the House.

In your responses to the Question by Sen. Murango, you indicated that you are expecting some funds that will be shared amongst the water agencies. Exactly how much money is going to each water agency so that we can see whether there is equity in the distribution of the resources to several parts of Kenya?

Mr. Speaker, Sir, in his response, he also said that he has savings from the Kenya Towns Sustainable Water Supply and Sanitation Program (KTSWSSP). The KTSWSSP had a project in my county called Kipkaren Dam. However, the contractor has been on that site for the last eight years---

The Speaker (Hon. Kingi): Hon. Senator, you have asked one question.

Sen. Mandago: It is just one question with different words. Just allow me 30 seconds to finalise on that one.

Cabinet Secretary, let us know whether the savings you are talking about is part of what is meant for Kipkaren Dam. If it is, then that money is not savings, it is supposed to complete that project and the Two Rivers Dam now that Eldoret is going to become a city and water is a serious requirement.

Thank you.

The Speaker (Hon. Kingi): Hon. Cabinet Secretary, you may respond.

The Cabinet Secretary for Water, Sanitation and Irrigation (Hon. Njeru): Thank you, Mr. Speaker, Sir, and the hon. Senator for the supplementary questions.

One, we are going to distribute what we get as per the budget. Our water agencies usually have their budget. So, we are going to make sure that we distribute whatever we have as per the budget.

On the Kipkarren Dam, yes, we have had issues with the construction of that dam. However, I report that the contractor has been terminated and now, we are in the process of getting a new one.

On the Two Rivers, like I said, it is among the Public Private Partnership (PPP) projects that we are looking for people whom we can partner with and implement it.

Thank you.

The Speaker (Hon. Kingi): Sen. Chute, you may have the Floor.

Sen. Chute: Thank you, Mr. Speaker, Sir. I take this opportunity to thank the Cabinet Secretary for coming here today with a very strong support team and answering questions efficiently.

I got a call from Marsabit. Somebody told me that since the CS is here today, I must ask this question. There is a sewer line and a water supply being built in Marsabit Town. The CS should tell us when he is going to complete and commission this project.

This is because, Marsabit Town, which is the county headquarters, has a problem of water supply and sewer system.

Thank you.

The Speaker (Hon. Kingi): Hon. Cabinet Secretary, you may respond.

The Cabinet Secretary for Water, Sanitation and Irrigation (Hon. Njeru): Thank you, Mr. Speaker, Sir and hon. Senator, for that question.

We have two projects: The Marsabit Water Supply and the sewer projects under the KTSWSSP. For the water, we are done. What is remaining is the last mile connectivity, which is among the proposals we have done to the African Development Bank (ADB) requesting them to allow us use money from the savings. So, I assure the Senator that those projects will be commissioned soon once we are done.

We have a 6.2-kilometer area that had some issues. One of the issues was on land. However, now that we are through with that, I assure you, in the shortest time possible, we will be coming there to commission those two projects.

Asante.

The Speaker (Hon. Kingi): Sen. Veronica Maina, you may have the Floor.

The Cabinet Secretary for Water, Sanitation and Irrigation (Hon. Njeru): Sorry, it is the sewer that is remaining with the 6.2 kilometers, not the water project.

(Sen. Chute spoke off record)

The Speaker (Hon. Kingi): Sen. Chute, you do not exchange words with the Cabinet Secretary directly. You are out of order.

Sen. Veronica Maina, go ahead.

Sen. Veronica Maina: Thank you, Mr. Speaker, Sir, for this opportunity. Hon. Cabinet Secretary, welcome to the Senate once again.

Since you have the facts, I will ask you about the Kanyenyaini Irrigation Scheme which the Executive has undertaken and it is being resumed. This is a project that commenced and was left incomplete in its Phase one at Kiawambogo Irrigation Project and the lower side of Kangema Constituency.

How soon can the supply of water be made a reality to the residents of Murang'a County who are living around Ndakaini Dam? There has been a far outcry of the water from Ndakaini Dam being supplied to Nairobi City County and other environs without supplying the people who live around the same resource. Do you have any information as of now or do you need more time to respond to that?

The Speaker (Hon. Kingi): Hon. Cabinet Secretary, you may respond.

The Cabinet Secretary for Water, Sanitation and Irrigation (Hon. Njeru): Thank you, Mr. Speaker, Sir, for that Question.

On issues of projects that are not complete on matters irrigation, it is true, we have many projects that started but stalled. However, I request to be given time, especially, on that matter of irrigation so that I can give facts within the next one week.

For the Ndakaini project, there are projects that are currently ongoing to make sure that people living within that area, also get access to the water that is being taken to other areas.

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Mr. Speaker, Sir, I realised that most projects that we have done, have not been considering people living within the upstream and that has been a problem. However, as a Ministry, we are now going to make sure that going forward, that problem will be not be repeated.

I submit.

The Speaker (Hon. Kingi): Hon. Cabinet Secretary, you will file your response to that query that you have left pending with the Clerk. Then, it shall be transmitted to the hon. Senator.

Sen. Lomenen, you may have the Floor.

Sen. Lomenen: Thank you, Mr. Speaker, Sir.

My question to the Cabinet Secretary is whether Lowaat Dam in Turkana East is among the 100 dams identified. This is because, the Government promised to construct Lowaat Dam over 10 years. Therefore, the people of Turkana County would like to know the status of that dam.

The Speaker (Hon. Kingi): Hon. Cabinet Secretary, you may respond.

The Cabinet Secretary for Water, Sanitation and Irrigation (Hon. Njeru): Thank you, Mr. Speaker, Sir and hon. Senator. I confirm that Lowaat Dam is among the 100 dams that are currently going through the PPP program.

I submit.

The Speaker (Hon. Kingi): Sen. Seki, you may have the Floor.

Sen. Seki: Thank you, Mr. Speaker, Sir. I appreciate the Cabinet Secretary for appearing before this Senate to answer these questions.

This is to add more on the issue of money that you are likely to get and the programmess, particularly, the PPP. I know that the Ololoitikosh Water Dam in Kitengela, Kajiado County and Namanga Dam, are also part of the PPP projects.

Are you able to answer now or later, the total number of projects to be done in Kajiado County with the money that you intend to distribute, especially the Athi Water and Tana Athi because, they are struggling to complete their projects?

I thank you.

The Speaker (Hon. Kingi): Hon. Cabinet Secretary.

The Cabinet Secretary for Water, Sanitation and Irrigation (Hon. Njeru): Thank you, Mr. Speaker, Sir. The Ololoitikosh Dam is also among the Public-Private Partnership (PPP) projects. The projects that are in Kajiado will within a week's time be tabulated and be presented here.

Sen. Mwaruma: Thank you, Mr. Speaker, Sir, for the opportunity to ask about the Mzima Phase II project in Taita-Taveta. Last year, your predecessor, hon. Alice Wahome, was here to answer the same question and she did state that that project was in the business development stage at the PPP at the Treasury. She did indicate that that process would end in July and so the project would commence in September. Why has the project has not started and when it will start?

The Cabinet Secretary for Water, Sanitation and Irrigation (Hon. Njeru): Mr. Speaker, Sir, after evaluating that project, it was terminated. I am told that we are now reviewing it so that it starts afresh so that it does not have issues. It was terminated

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because it was very expensive and therefore not attracting investors. So, we want to restart the whole process again.

The Speaker (Hon. Kingi): Hon. Cabinet Secretary, when you say “I am told” what exactly do you mean?

The Cabinet Secretary for Water, Sanitation and Irrigation (Hon. Njeru): Mr. Speaker, Sir, sorry for that. The position is that the project was terminated. We are doing another evaluation so that it is not expensive and is bankable and attract investors to partner with.

Sen. Gataya Mo Fire: Thank you, Mr. Speaker, Sir. I need to know from the Cabinet Secretary as a rejoinder from his recent visit to Tharaka-Nithi County where we had a successful engagement with the locals. Immediately after he left, some people approached me to get more information from you on the much talked about Kibuka Dam. Many generations have talked about it but the information on the ground is scanty on the compensation and when people are expected to move out of the intended land where the dam is supposed to occupy, the timing and the date of inception.

There is not much information on the ground about the Kibuka Dam which is expected to cover a big chunk of land, encroaching some parts of Kitui and Kamanyaki Location, Tharaka Constituency in Tharaka-Nithi County. Does the Hon. Cabinet Secretary have this information now or he needs to get proper information regarding this much talked about Kibuka Dam, which has been there for many---?

The Speaker (Hon. Kingi): What is your question, hon. Senator?

Sen. Gataya Mo Fire: Mr. Speaker, Sir, the question is about the information I that I need to know from the Cabinet Secretary because there is scant information on the ground about the construction of this dam.

The Cabinet Secretary for Water, Sanitation and Irrigation (Hon. Njeru): Mr. Speaker, Sir, we have a multi-purpose dam known as High Grand Falls. Therefore, this project will fall within that and it is among the 100 dams that are under the PPP.

Sen. Faki: Mr. Speaker, Sir, mine is a supplementary question to what Sen. Mwaruma had asked with regard to Mzima Springs. Mzima Springs supplies water from parts of Mtito Andei all the way to Mombasa. For the last 60 years or so, nothing has ever been done about it except minor repairs and rehabilitations. What plans does the Government have to do a second pipeline from Mzima because we know there is sufficient water in Mzima? It is just a matter of putting a pipeline from Mzima Springs to Mombasa.

I thank you.

The Cabinet Secretary for Water, Sanitation and Irrigation (Hon. Njeru): Thank you, Mr. Speaker, Sir. As I had indicated earlier, we have Mzima I which is doing well and is working. We wanted to add more water through Mzima II, but we realized it was expensive and we never got investors who could work with us. We are going to re-advertise on Mzima II so that we add more water to the areas that do not have water.

Sen. Maanzo: Thank you, Mr. Speaker, Sir. I would like to ask the Cabinet Secretary when the actual completion time for Thwake Dam is. I would also like to thank him for visiting there recently. However, after his visit, people still have questions on what is going to be done in Phase II and whether the budget programme has factored

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taking water to Konza City, Wote Town and for irrigation in the counties that adjacent to this dam, which are: Kitui, Machakos, Makueni and Kajiado.

Finally, Nol Toresh Water from Kilimanjaro ceased. When is it likely o restart so that they can supply water to Makueni, especially Emali?

The Cabinet Secretary for Water, Sanitation and Irrigation (Hon. Njeru): Thank you, Mr. Speaker, Sir. I visited Thwake Dam but I missed Sen. Maanzo. I thought he was going to be there. That time I was there, the progress of the Dam was at 89 percent. The contractor requested that we add more time and we added three months. Therefore, we are hopeful because that is the agreement that by the end of May, the Dam will be done.

We have the other components of power and irrigation but immediately after this, we will start the process of getting investors who will partner with us so as to complete those two components.

The Speaker (Hon. Kingi): Hon. Senators, this brings us to the end of Question No. 005. At this juncture, we are going to release the Cabinet Secretary. Thank you, hon. Cabinet Secretary, for coming to the Senate for purposes of responding to this Question. You are now free to go back to your office.

*(The Cabinet Secretary for Water, Sanitation and Irrigation
(Hon. Njeru) was ushered out of the Chamber)*

Clerk, kindly usher in the Cabinet Secretary in charge of Agriculture and Livestock Development.

[The Speaker (Hon. Kingi) left the Chair]

[The Deputy Speaker (Sen. Kathuri) in the Chair]

*(The Cabinet Secretary for Agriculture and Livestock
Development (Hon. Linturi) was ushered into the Chamber)*

(Loud consultations)

The Deputy Speaker (Hon. Kathuri): Order, hon. Senators. Before the Senate, we have the Cabinet Secretary for Agriculture, a former Senator, Hon. Mithika Linturi.

(Sen. (Prof.) Tom Odhiambo Ojienda, SC stood in his place)

We have two Questions from Sen. (Prof.) Tom Odhiambo Ojienda. Can you get back to your seat and ask the Questions? Let us start with Question No.003.

Cabinet Secretary, welcome to the Senate. You are not a stranger in the Senate. So, you know the rules of the game here. I will ask the owner of the question to ask Question No.003. If you will have any supplementary questions, you will ask later. I will also allow a few Senators to ask their supplementary questions.

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Proceed, Sen. (Prof.) Tom Odhiambo Ojienda, SC.

Question No.003

CANE THEFT SYNDICATES AND COMPENSATION
TO SUGARCANE FARMERS

Sen. (Prof.) Tom Odhiambo Ojienda, SC: Thank you, Mr. Deputy Speaker, Sir. I have two Questions to the Cabinet Secretary for Agriculture and Livestock Development, Hon. Linturi.

Mr. Deputy Speaker, Sir, my first Question is framed as-

(i) Could the Cabinet Secretary confirm the presence of any syndicates involved in the theft of cane at weighbridges while in transit to sugar factories and indicate the impact of such activities on sugarcane farmers?

(ii) What actions is the Government taking to address the issue of theft of cane at weighbridges and the plans by the Cabinet Secretary to compensate sugarcane farmers and hold accountable the persons involved?

Mr. Speaker, Sir, that is Question 003. Can I do the two questions?

The Deputy Speaker (Sen. Kathuri): No, let the Cabinet Secretary answer the first Question.

The Cabinet Secretary for Agriculture and Livestock Development (Hon. Linturi): Thank you, Mr. Deputy Speaker, Sir. Allow me, with tremendous respect, to appreciate the Senate of the Republic of Kenya for according me the opportunity to appear before it to answer a question by Prof. Ojienda regarding issues that touch on cane.

I beg to reply as follows –

(a) Mr. Deputy Speaker, Sir, I am not aware of the existence of syndicates engaged in theft of cane at weighbridges and buying centers. However, if issues of theft have been detected, it is prudent to report to the relevant authorities for necessary actions to be taken. I am in the process of making regulations to provide for the management of weighbridges, to ensure fairness in the sugarcane wing.

(b) I have directed the Agriculture and Food Authority (AFA) and specifically the Sugar Directorate, to investigate the allegation of cane theft and make recommendations for implementation if malpractices have been detected. At the same time, ask farmers whose cane has been stolen because theft is criminal, to report to the various law enforcement agencies. Those people will be dealt with properly within the criminal justice system for the concerned parties to get justice.

The Deputy Speaker (Hon. Kathuri): Thank you, Cabinet Secretary.

Sen. (Prof.) Tom Odhiambo Ojienda, do you have a supplementary question?

Sen. (Prof.) Tom Odhiambo Ojienda, SC: Mr. Deputy Speaker, Sir, I will prefer to move to the next Question 004.

The Deputy Speaker (Hon. Kathuri): Senator, you are a professor and must really follow the---

Wait first we clear on this Question. You can see there are Senators with supplementary questions. The question is, do you have any supplementary question?

Sen. (Prof.) Tom Odhiambo Ojienda, SC: I am satisfied with the response of the Cabinet Secretary on that Question.

The Deputy Speaker (Hon. Kathuri): That is good enough.

Hon. Senators, do we have any of you with a supplementary question? There are Senators lined up here.

Sen. Abass, you have the Floor.

Have your seat, Hon. Cabinet Secretary.

(The Cabinet Secretary (Hon. Linturi) resumed his seat)

Sen. Abass: Thank you, Mr. Deputy Speaker, Sir. I have a question for the Cabinet Secretary.

There was a Legal Notice 1 of 2016 on National Livestock Development and Promotion Services No.87 signed 2nd June, 2016 by the former President, Hon. Uhuru Kenyatta. This Legal Notice was supposed to actualise livestock development and service board. To date, that board has not been actualised and formalised.

I have previously asked the same question, but have not gotten any reply. So, with all due respect, I ask the Cabinet Secretary what the position is and why this legal notice has not been actualised and formalised.

The Deputy Speaker (Hon. Kathuri): Before the Cabinet Secretary takes to his feet to answer the question, hon. Senators, you know as much as it is practically possible, we are guided that we should be asking a question related to the primary question. If you ask a question that is so deep and the Cabinet Secretary had not prepared for the answer, you will not be able to get the answer now.

Hon. Senators, I kindly request that we try as much as possible to improve on that line. Let us take that route, so that we do not ask questions the Cabinet Secretary cannot answer forthright. However, since you have asked, I will ask him to reply. If he does not have the answer, your question can be answered at a later date or take it through the due process.

Cabinet Secretary, you can respond to the question by Sen. Abass.

The Cabinet Secretary for Agriculture and Livestock Development (Hon. Linturi): Mr. Deputy Speaker, Sir, I may not have better words to communicate to the distinguished Senator. I adopt your words and say that the question is completely different from the matters before us. It touches on a completely different department, that of Livestock.

From what the Senator is saying, it can only be fair for him to give me an opportunity to look at the Legal Notice. He appreciates that this was not done during the time I have been in the Ministry. So, I may have not interacted with it. For that matter, I would not mind preparing myself. He should ask a more substantive question, so that I am able to respond to the issues that he wants us, as a Ministry, to address.

However, I would like to give him the comfort that the Arid and Semi-Arid Lands (ASALs), where we have livestock keepers of this country, is something that this

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administration is keen on. I am currently running a breed improvement programme within the ASALs to assist farmers to change their breeds.

You are aware that the leather industry is a key value chain that the Kenya Kwanza Administration is working on, which is meant to improve the livelihoods of livestock keepers. Last week, I was in Isiolo, where I went to check on the progress of the construction of Isiolo Abattoir. We want to make Isiolo a hub supplying meat to the region. That abattoir is meant to serve six counties including Isiolo, Marsabit and Samburu. We want to do that in order to give support to our livestock farmers.

Livestock is an area that is so dear to us as an administration. I would urge you to work with us closely. We are keen on improving our breeds, so that they can give more milk and have the ability to add more weight for purposes of us to export quality beef.

We also aim to grow animal feeds to support our livestock farmers. We are supporting some of your counties through the Towards Ending Drought Emergencies (TWEENDE) and drive projects that we are running for purposes of making sure that no one is left behind. Livestock keepers in this country are within our target that is so clear and intentional in changing the livelihoods of everyone from the bottom of the pyramid.

I thank you, Mr. Deputy Speaker, Sir.

The Deputy Speaker (Sen. Kathuri): Thank you, Hon. Cabinet Secretary.

Sen. Abass, I advise that you ask your question in the normal process. You can place it on record so that you get a comprehensive answer. I think the Cabinet Secretary has tried to explain the position at the moment.

Sen. Abass: I have asked the same question earlier through a Statement, but up to date, I have not received any response. This issue is long overdue.

The Kenya Livestock Marketing Board (KLMB) is important. When every other agricultural---

The Deputy Speaker (Sen. Kathuri): Sen. Abass, I request that we ask follow-up questions through the normal way and have the office to handle, so that you are assisted.

Sen. Abass: Okay, I will do that. Thank you.

The Cabinet Secretary for Agriculture and Livestock Development (Hon. Linturi): Mr. Deputy Speaker, Sir, if you indulge me, probably the Senator asked a question that was asked, but it has not found its way on my desk. I do not mind him sharing with me, then I go and prepare and come back with an answer.

The Deputy Speaker (Sen. Kathuri): That is why I said that he follows up with the right office, so that they can get you officially.

The next one is Sen. Olekina.

Sen. Olekina: Mr. Deputy Speaker, Sir, my supplementary question is specific. I would like to know why Mr. Samuel Ong'ow, who represents sugarcane farmers, has not been gazetted.

Currently, sugarcane farmers are not represented in the Board. If the Cabinet Secretary does not have an answer, I will be happy to get the answer in a subsequent visit. However, since he is the Cabinet Secretary, I believe he has the answer.

The Deputy Speaker (Sen. Kathuri): Yes, Cabinet Secretary for Agriculture and Livestock Development?

The Cabinet Secretary for Agriculture and Livestock Development (Hon. Linturi): Mr. Deputy Speaker, Sir, let me say that where I am able to, I have a duty to give the Senate the true position of issues that this House requires from me. It is not that I have received---

(Sen. Maanzo entered the Chamber without bowing to the Chair)

The Deputy Speaker (Sen. Kathuri): Sorry, Cabinet Secretary.

Sen. Maanzo, I was looking at you keenly. You are a seasoned legislator. You cannot just enter the Chamber like you are entering--- I do not want to say the next word I wanted to use.

(Sen. Maanzo walked to the Bar and bowed to the Chair)

Hon. Cabinet Secretary, proceed.

The Cabinet Secretary for Agriculture and Livestock Development (Hon. Linturi): Mr. Deputy Speaker, Sir, let me admit that it is true that the gentleman by the name Samuel Onyango Ong'ow was nominated as a member to represent the sugar sector in the Agriculture and Food Authority (AFA) Board.

The process of getting to the AFA Board is a long one. I have never seen any other participatory and consultative process like that. We advertise, people apply, they are vetted, interviewed and subsequently names are forwarded to me for appointment.

To cut the story short, the appointment of Samuel Ong'ow was a subject matter of Judicial Review No.045 of 2023. In this case, the courts at that time suspended or annulled his appointment in the AFA Board. However, after looking at the issues that the courts raised and recognizing the importance of the membership of a sugar representative in the AFA Board, I have initiated processes of making sure I regularize the appointment of Mr. Samuel Ong'ow to the Board.

When this matter was before court, the Office of the Attorney-General represented the Ministry and was properly versed with this matter. After the case was done with and trying to initiate process to regularize, just for ensuring that we were in order, I wrote to the Attorney-General of the Republic of Kenya on 31st January, 2024. It is a normal practice of giving him an update of what we had decided to do as a Ministry.

I did not have a problem with the appointment of Samuel Onyango to the Board to represent the sugar sector because he was a nominee of the Kisumu Sugarbelt Co-operative Union. I wrote to the Attorney-General and attached a draft Gazette Notice for the appointment of Samuel Ong'ow to the AFA Board. Due to the busy nature of the Attorney-General's Office and recognizing that we have only 642 counsels in the country and a shortage of 646, that is probably where the delay could be.

However, I want to confirm to this House that within the shortest time possible, probably two weeks---

Today is Wednesday and Gazette Notices are done on Fridays. If I am not able to meet the deadline because I have to go and get to know the status, probably I can commit

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to have the Gazette Notice for the other week carry the name of Samuel Ong'ow as a Board Member to represent the Kisumu Sugarbelt Co-operative Union in the AFA Board.

I thank you, Mr. Deputy Speaker, Sir.

The Deputy Speaker (Sen. Kathuri): For record purposes, today is a Wednesday. Sen. Olekina, are you comfortable with that answer? I believe it has given some way forward. You only have a chance to ask one supplementary question. That question has been satisfactorily answered by the Cabinet Secretary. Agree within two seconds.

Sen. Olekina: Mr. Deputy Speaker, Sir, the challenge we have is that the Cabinet Secretary appears here as a witness, but not under oath. So, the two weeks is what I want us to find a way to follow through, to ensure that he complies.

The Deputy Speaker (Sen. Kathuri): Let us give him the benefit of the doubt. When I introduced him, I said he is a seasoned Member of the Senate and he knows what he has promised. That is enough.

Next is Sen. Munyi Mundigi. Do you have a supplementary question?

Sen. Munyi Mundigi: Yes, Mr. Deputy Speaker, Sir. Swali langu ni kwa Waziri wa Kilimo na Maendeleo ya Mifugo. Katika Kaunti ya Embu, Mbeere North, Mbeere South na Manyatta, kuna Karibu Kata 12 zinashughulika na ukulima wa maembe. Maembe yako katika ukulima. Ukulima ni njia moja ya kumaliza njaa nchini. Kama kuna uwezo wowote, ningeomba kama kuna mipango ndani ya wizara yako ya kusaidia wakulima mashine ya kukausha maembe na kutengeneza *juice* kwa sababu ya *value addition*. Hiyo mashine inaweza kusaidia kaunti zile zinazohusika na mambo ya kilimo, mojawapo ikiwa Kaunti ya Embu.

Asante.

The Deputy Speaker (Sen. Kathuri): Hon. Cabinet Secretary, please proceed.

The Cabinet Secretary for Agriculture and Livestock Development (Hon. Linturi): Kama sheria za Bunge hazijabadilika, nafikiria swali lingelizwa kwa Kiswahili lingejibiwa kwa Kiswahili. Kwa hivyo, nitajaribu kujibu hilo swali kwa lugha ya Kiswahili.

Nakubaliana na Sen. Munyi Mundigi ya kwamba kilimo ni idara ambayo inaweza kubadilisha na kumaliza umaskini katika taifa letu. Nashukuru wakulima wa Kenya, haswa wale wa Mbeere na wa Kaunti ya Embu, kwa kusikia mwito wetu wa kuwaomba warudi kwa mashamba na kulima ili tuweze kumaliza janga la njaa katika taifa letu.

Kwa sababu hiyo, tunajivunia wakati huu kuwa tumezalisha chakula cha kutosha tukazidi yale makisio ya miaka mingi ama ile tulikuwa tumewekelea kwa kuzalisha chakula kwa msimu wa mvua uliyopita. Maembe ni mojawapo wa mimea ile tunaangazia kwa sababu ni mmea ambao tumepata hata soko yake kule nje. Wakati nilikuwa Pakistan na Israel, tulikuwa na mipango ya vile tunaweza kuwapelekea maembe na mananasi.

Wakati wa Julai mwaka uliyopita, mimi mwenyewe nili *flag off* ndege a kupeleka maembe na mananasi kule Israel. Maembe yanafanya vizuri kule Mbeere na hata kule Kaunti ya Makueni, ukambani. Kila kaunti inataka tuangazie mambo inayofanya. Wiki mbili zilizopita, nilikuwa katika Kaunti ya Makueni na watu huko walitoa maoni hayo.

Nikiwa hapa Bungeni, nasema kuwa katika Wizara ya Kilimo na Maendeleo ya Mifugo, tuko na *project* ambayo inaitwa *The National Value Chain Development*

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Programme. Huu ni mpango ambao tutatumia Kshs6 bilioni na Kshs800 milioni. Najaribu kuangazia na kuwasaidia wakulima kuweza kufanya *value addition* kwa zile *value chains* wanazotaka kuangazia. Hii ni kwa sababu *design* ya hiyo mipango ni kuweza kuafikia mambo kama hayo.

Sen. Munyi Mundigi, pesa ziko. Jambo la maana ni kukaa chini na Gavana na *Members of County Assembly (MCAs)* wenu. Hii ni kwa sababu tunatekeleza mipango hii tukishirikiana na watu wa kaunti, *waangazie value chain* yetu ni ya maembe au machungwa, tuweze kupeleka zile pesa tulizonazo hapo. Jana, nimeweka matangazo kwa gazeti kutafuta washauri wale wataweza kutupatia ripoti vile tutaweza kuendelea na mpangilio huu. Kufikia Tarehe mosi Julai, huu mpango utakuwa unaendelea.

Kwa vile ninyi ni viongozi wa Bunge, ninyi ndio mnaongoza kaunti. Tutatengeza mpango huu katika kaunti zote za Kenya. Hii ni kwa sababu tulisema mwito wetu ni *value addition*; kusaidia uzalishaji na *agro processing* ili tuweze kurefusha *shelf life* ya mimea au vyakula vyetu ili visiharibike. *This is the opportunity.*

Sen. Munyi Mundigi, wapange watu wako. Pesa ziko. Tutajipanga vile tutaweze kuwasaidia ndugu zetu wa kule Mbeere North na pia wale wengine wote ambao wangetaka mambo kama haya yafanyike kusaidia *different value chains* ikitegemea na ile kaunti uliyopo na kile unachokuza. Tuko tayari kushirikiana na viongozi tufanye hayo maneno.

The Deputy Speaker (Sen. Kathuri): Sen. Wambua, please, proceed.

Sen. Wambua: Mr. Deputy Speaker, Sir, because we learn every day, and I have seen my friend, the former Senator, now Cabinet Secretary, hon. Linturi, struggling with value addition in Kiswahili, it is called *kuongeza thamana*.

I thank the Cabinet Secretary for his response to the question by Sen. (Prof.) Tom Odhiambo Ojienda. I know that Sen. (Prof.) Tom Odhiambo Ojienda has said that he is satisfied. However, I have a supplementary question relating to a good promise that the President pronounced himself on. On 1st July, during the Ushirika Day Celebrations at The Kenyatta International Convention Centre (KICC) last year, the President committed, on record that the Government was going to be confronting the predatory cartels in the agriculture sector who have been exploiting farmers. There was a clear direction on which way to go in terms of dealing with these cartels, especially now that many farmers are getting their crops out of the farms. Three ways were given.

One, the President committed to working with county governments to secure farmers' crops from exploitation by cartels. There was a commitment to get foreign markets for our farm produce and a commitment to what my brother was struggling with, to do value addition. So, the benefit goes back to the farmers.

My supplementary question is, since those were going to be implemented through the Ministry of Agriculture and Livestock Development, what progress has been made so far in securing and protecting farmers from these predatory cartels? As I said, we are getting crops out of our farms now and the Cabinet Secretary knows that, yours faithfully, has also tried a hand in farming. We have been seriously invaded by these cartels. What protection are we getting from the Government? What is the Government doing to ensure that farmers do not continue to suffer at the hands of these cartels?

The Deputy Speaker (Sen. Kathuri): Hon. Cabinet Secretary, you may respond.

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The Cabinet Secretary for Agriculture and Livestock Development (Hon. Linturi): Thank you, Mr. Deputy Speaker, Sir. I am an implementer of presidential directives. The President indeed directed that we do what is practically possible to ensure that the interests of farmers are taken care of and that we safeguard them from exploitation.

We have been trying to address this particular question, but there is no quick fix. We are progressively getting there. I would like to give examples of what we are doing. First, I thank the Committee on Delegated Legislation. I appeared before it and we discussed and passed the Strategic Food Reserve Regulations. We have certain classes of food crops that are to be identified as strategic food reserves. We had cereals like maize, beans and pulses. We even managed to include milk because those are areas that we thought were very necessary. We classified them that way with the concurrence of Parliament.

We were doing this because we wanted to make sure that as we prepare or maintain our food balance sheet in the country and stocks, we can off-take from farmers what is produced in excess. That way, we can easily provide the budgets to buy them as food strategic reserves for a rainy day.

In my view, that was a very great step towards ensuring that we have regulations that we can use to request money to ensure that whenever there is an area that produces a lot, that produce can be taken and put into our stores to ensure that there is availability of funds to use and to set a price, such that farmers are not exploited.

A very specific example is, currently, we produce many bags of maize in the country. We have met our consumption and even surpassed it. That is why you find that there is not much noise because Kenyans can afford food either from what they have produced, or they can just cheaply get food from others that have produced more.

Since this is something we knew and is a matter that the first time I had discussions with the committees of Parliament, the Members from both the North and the South Rift raised it. I almost landed myself into hot soup when I said, “if there is no maize, you can eat potatoes because they are both sources of starch”. So, out of this experience, we ensured that finances from the National Treasury were made available for us to target to buy one million bags of maize at the rate of Kshs4,000.

So, we got money to buy maize and we told the farmers that since they had produced, if they were hard-pressed for cash and they wanted money, they would not have to succumb to the pressure of the brokers; the predatory cartels that Sen. Wambua was talking about. The Kenya National Cereals and Produce Board (NCPB) stores are open for you. You can deposit your maize there, we will buy it at Kshs4,000. That is why the maize farmers are not complaining because the last time I checked, the millers were buying at around Kshs4,300 to Kshs4,600.

Today, because the price of maize has gone down, there are queues at the NCPB Stores for farmers who want to sell their maize because now the market is in a way that millers now want to buy at less than Kshs4,000.

We are telling our people not to sell their maize at a loss below Kshs4,000 because the Government has provided money to NCPB to buy the maize. We have now managed to deal with them.

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Secondly, we are implementing the warehouse receipt system and we are now asking people if they have produced and they do not want to sell now, there is no pressure, they can have their cereals properly stored.

The NCPB store is a warehouse for all the farmers in this country, and we have sufficient capacity. They can deposit there and get a receipt for them to sell at the appropriate time or deposit there. They can pick when they want or they can still sell that maize, beans, or *ndengu* from whichever store at the appropriate time. These are some of the immediate measures we have put in place to ensure that our farmers are not exploited.

I want to commit because I am making proposals to the National Assembly for the provision of more resources. After all, our farmers have now become very productive and have taken advantage of the fertilizer we have given them. We are supporting the farmers with other inputs. So, I expect a bumper harvest and for that matter, there is a need for us really to prepare so that we cushion our farmers from these cartels. Cartels are all over. Look at what is happening in the sugar sector and the steel mills. We find ourselves in a lot of the involvement of cartels who do not want us to implement the reforms.

The Deputy Speaker (Sen. Kathuri): Thank you, Hon. CS.

Hon. Senators, I can see there are still a few other Senators who have their supplementary questions, but due to some unavoidable circumstances, I will request Sen. (Prof.) Tom Ojienda to ask Question No.004, and then, we can continue with the supplementary questions thereafter.

Question No.004

APPOINTMENT AND DISMISSAL OF MANAGING DIRECTORS AND CEOs OF STATE-OWNED SUGAR COMPANIES

Sen. (Prof.) Tom Odhiambo Ojienda, SC: Thank you, Mr. Deputy Speaker, Sir.

Question No. 004 is addressed to the Cabinet Secretary for Agriculture and Livestock Development, and it is in four parts -

a) What criteria is used in the appointment and dismissal of Directors and Managing Directors/Chief Executive Officers in State-owned sugar companies in Kenya, and could the Cabinet Secretary outline the requisite qualifications for appointment?

b) Could the Cabinet Secretary state the contractual terms and conditions for the appointment of Managing Directors in State-owned sugar companies and also clarify whether they are uniform across all the companies?

c) How many recruitment exercises for Managing Directors in State-owned sugar companies have been conducted since 2021? Could the Cabinet Secretary provide the longlist, shortlist and interview schedule with corresponding scores in respect of each of the exercises and disclose the respective reasons for disqualification of candidates because some come third and become the Managing Directors (MDs) effectively?

d) What measures has the Government put in place to ensure effective oversight of Boards of Directors of state-owned sugar companies, particularly with regard to the appointment and dismissal of Managing Directors to ensure that they adhere to the principles of good governance, transparency, and accountability?

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Thank you.

The Deputy Speaker (Sen. Kathuri): Hon. Cabinet Secretary, you can answer the four parts together, and if possible, you can summarize. You do not need to read the whole literature because I can see you have all the evidence from the office.

The Cabinet Secretary for Agriculture and Livestock Development (Hon. Mithika Linturi): Thank you, Mr. Deputy Speaker, Sir. Let me try to be as brief as possible. If you allow me, because the qualifications of the chairperson and the directors are almost similar, the reply is as follows -

The criteria for appointment and dismissal of directors of sugar companies has a number of factors that we consider. They are guided by the of Mwongozo Code of Governance for State Corporations of 2015, and the State Corporations Act Cap. 446.

The Deputy Speaker (Sen. Kathuri): Hon. Cabinet Secretary, before Sen. (Prof.) Tom Odhiambo Ojienda, SC, leaves the Chamber, I want to confirm from him if he is really satisfied with this response. I have ascertained that he has interacted with this response and whether he has some remarks, so that we can save time. If he is happy, we do not need to go the full way.

Yes, Sen. (Prof.) Tom Odhiambo Ojienda, SC, proceed.

(Sen. (Prof.) Tom Odhiambo Ojienda, SC spoke off record)

The Deputy Speaker (Sen. Kathuri): Kindly use the microphone, Senator.

Sen. (Prof.) Tom Odhiambo Ojienda, SC: Mr. Deputy Speaker, Sir, I confirm that I am satisfied with the responses that have been circulated from the Cabinet Secretary. Of concern was appointments to the boards of Chemelil and Sony Sugar companies. He has addressed some of the concerns. Perhaps, the rest may also be addressed by follow up questions. That is it.

The Deputy Speaker (Sen. Kathuri): Therefore, I give direction that we do not need the Cabinet Secretary to go through these responses verbatim. Hon. Members, do the supplementary questions you have related to the Question asked by Sen. (Prof.) Tom Odhiambo Ojienda, SC? You may ask the supplementary questions, so that we can close this chapter.

Let us start with Sen. Oketch Gicheru. Let us get the supplementary questions.

Sen. Oketch Gicheru: Thank you, Mr. Deputy Speaker, Sir. Mine is very short. It is on the same Question on appointment of directors. There was an appointment for directors at Sony Sugar Company. The same tussle is there in such a way that even now the stalemate is going on with the appointment of the Managing Director (MD) of the Sony Sugar Company.

Could the Cabinet Secretary explain why there is a tussle in the appointment of MD, since he was presently appointed? Is he also aware that this issue has gone to court to the extent that it is a tussle and what criteria was used to appoint the MD for the company in the recent reshuffle that happened?

The Deputy Speaker (Sen. Kathuri): Proceed, Cabinet Secretary.

The Cabinet Secretary for Agriculture and Livestock Development (Hon. Linturi): Thank you, Mr. Deputy Speaker, Sir. I thank the Member for that Question

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because it gives me the basis to provide some background for the Hon. Members to understand the problems we have and see how they can intervene and give us support which will go a long way towards streamlining and reforming the sugar sector.

This is the space where there are more cartels than anywhere else. When we started the process of reforming the sugar sector, I personally met 57 Members of Parliament at Kenya Agriculture and Livestock Research Organization (KALRO) together with the governors from the sugar growing areas. We wanted to agree on the way forward because we understand the meaning of this industry to the Kenyan economy and to the people of the Western region; where sugar is grown.

Government has committed a lot of resources and continues to invest in this sector. It is quite painful because we have just concluded paying farmers around Kshs1.3 billion. We have a debt balance of about Kshs400million needed in order to get farmers back in their farms to produce cane for crushing. This country had a serious shortage of sugar to the extent that we are forced to import from Common Markets for East and Southern Africa (COMESA) and non-COMESA countries.

We have been threatened with non-extension of the COMESA safeguards that we have had for some time because they shall not be extended after two years. There is a need for us to think together to sort out the problems in the sugar sector. We cannot do this without the support of the leaders of this country.

The Kenya Kwanza administration led by President William Ruto has already paid the farmers. We have already come up with a leasing model so that we can get investors to invest by bringing in new technology and variety and support farmers by paying them good time to produce enough cane for crushing. This will essentially supply the local demand of sugar and get us away from the problem of importing sugar from outside the country.

Inevitably, this leads us to lose a lot of foreign currency. During the short time we have been there, we have tried to bring order. What we have tried to do has been a subject of serious court litigation. Even now, the sugar leasing model we want to implement has led us back in court because we have been stopped by an order to not continue with the process.

I believe that the cartels around the sugar sector have been paying litigants to go to court and try to stop the process. We are determined because we mean well for the sugarcane farmers. We will do our best to ensure that this process continues. I have appointed MDs of companies but some people have gone to court to challenge those appointments. Right now, the public sugar companies which we are all aware of have people on acting capacity.

The last appointment I was supposed to do was for Sony Sugar Company. Before I pronounced myself to the appointment, I got an order not to appoint certain people and neither could I appoint any of the recommended people. If there was a direction not to appoint "Mr. so and so" and because the recommendation sent to me had three names, I would have picked anyone. However, we are in a state where we have to believe in the rule of law as government. We have actively involved the court to deal with these issues.

As far as my Ministry is concerned and with the direction of the President, our main target is to ensure that we sort out this problem in the sugar industry. Of course, I

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request and appeal to the leaders - because you know these people and especially those from the sugar growing areas who are sponsoring others to go to court. It has been said that the people sponsoring those case are only interested in taking over that land belonging to the farmers. This could be the driving force.

Mr. Deputy Speaker, Sir, we have the Sugar Bill that is out for public participation. I know the people concerned should be out from the 1st to 9th March. The kind of situation that would bring, for example; running a Sugar Bill without representatives of the sugar farmers within the Agriculture and Food Authority (AFA) which is supposed to participate in this exercise.

We have issues and we are trying to confront them head one. We shall do what we can but whatever small thing you can do as the representatives of the people of this country is to kindly share the ideas with us. Let us know and give us intel to know who these people are so that we can know how to deal with them because we must sort out the problem in the sector.

I am not ready any other time, to go to the National Assembly another time to ask for money to pay farmers again. We have already made a request. The National Assembly has passed a write-off of a lot of money; revenue belonging to Government for us to clean up that area and get people to invest strongly in this sector.

However, if we continue with the circus of cases stopping and nothing being done, first farmers will lose confidence again and will not support cane growing and we shall not get sugar. We shall continuously import sugar. Those factories and the workers shall be there accumulating debt in terms of salary. It ends up becoming a challenging exercise for us. We do not want to frustrate the sugarcane farmers in the country.

The Deputy Speaker (Sen. Kathuri): The next Question is from Sen. Seki.

Sen. Seki: Thank you, Mr. Deputy Speaker, Sir. I thank the hon. Cabinet Secretary for Agriculture and Livestock Development for answering a supplementary question on farmers, particularly on the cartels and the plan they have for the farmers.

Keep in mind that farmers are expecting a bumper harvest. The question I wanted to ask was covered well. However, I request the CS to give us a plan on restocking of livestock in the country.

We know you have a plan as a Ministry. We also have directives of the President, particularly on Kajiado County knowing that we lost many livestock during the last drought season. If he cannot answer this question right now, he could answer it later.

The Deputy Speaker (Sen. Kathuri): Hon. Cabinet Secretary, proceed.

The Cabinet Secretary for Agriculture and Livestock Development (Hon. Linturi): Mr. Deputy Speaker, Sir, I will answer the Question now; there is no need to go and prepare for this.

During the drought, 2.5 million herds of cattle died. We are aware of the fact that our farmers require support. One of the sustainable steps we are taking, which I alluded to from the beginning, is to have two million straws of semen that we want to use to inseminate our animals within the Arid and Semi-Arid Land (ASAL). This will help change the animal breed and improve milk and beef quality.

Secondly, we have already started preparing ourselves to do the restocking *mheshimiwa* is talking about. Last week, the President directed the National Treasury and

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myself to work together and raise Kshs500 million to ensure we support farmers who lost livestock.

We are in these discussions, and once we have the money, we will move quickly to ensure those farmers are supported.

The Deputy Speaker (Sen. Kathuri): Thank you. Sen. Faki, proceed.

Sen. Faki: Thank you, Mr. Deputy Speaker, Sir. Welcome, Sen. Linturi, the Cabinet Secretary for Agriculture and Livestock Development. My concern is on the situation at the Mombasa tea auction.

For the last week, there have been reports of a glut in the tea supply. Therefore, the auction has not been doing well. Tea is one of the primary foreign exchange earners of this country.

We are concerned that problems in the market will create a situation where the farmers will earn less, and the country will lose foreign exchange.

What is the Government doing to assist the farmers and tea marketers get better prices for their commodity?

The Deputy Speaker (Sen. Kathuri): Thank you, Sen. Faki.

Waziri, proceed.

The Cabinet Secretary for Agriculture and Livestock Development (Hon. Linturi): Mr. Deputy Speaker, Sir, allow me to appreciate Sen. Faki for his patriotism and concern for the well-being of the country's economy. The matter he is raising is not particular to Mombasa County since it is not a tea grower. *Mheshimiwa*, I appreciate you for thinking about other Kenyans.

I am aware of what is happening at the tea auction. If urgent measures are not taken, we will likely experience a serious market glut and our prices will collapse.

One of the reasons this is happening is because we are trying to enforce regulations on the reserve price of the independent factories. They are not keen on maintaining a reserve price, so we retain our price. This is what has caused this problem. Secondly, others are trying to get tea directly from the factories. There is a story about the direct sales from the factory. We are trying to see how to deal with the situation. However, this will not take long.

Tomorrow, I am launching the tea report. The progress and future of tea look quite good despite the minor problems out there.

Immediately after launching the report, I wanted to go to China because of the arrangement we are discussing with China. I want a more powerful delegation to China. We had to accommodate the Deputy President's diary to go together to China. We have gotten a market for tea in China. Their capacity to offtake tea from Kenya is beyond our imagination.

We are going there hoping to ship out our tea when we finalize an agreement, which we will be ready for by around the 15th of the month. We want to ship out more tea to the new destinations. The regular forces of supply and demand will take place, but we will ensure that we do not have a lot of tea in Kenya, which will cause the tea auction in Mombasa to collapse.

Yesterday, I discussed with the Ambassador of Egypt. We have a Joint Consultative Committee (JCC) meeting next week. They aimed to increase our exports to Egypt, Pakistan and Iran to open the markets.

We want to increase our exports. However, we have only found a new market in China. I flagged off a container to Australia for tea, another frontier. Everything else will be fine once we mop out our processed tea here. We are encouraging the value addition of tea so that we can take control of the market.

In December last year, I appointed a gentleman working day and night to head the Tea Board of Kenya, which had no Chief Executive Officer for a long time. He is working on the regulations to ensure the sector is properly managed.

So, please, indulge us and give us another one or two months and everything else will thus be flowing. Thank you for the question but we are really doing what we can.

I thank you.

The Deputy Speaker (Sen. Kathuri): Thank you, Hon. Cabinet Secretary, for the comprehensive answer.

Hon. Senators, we are past one hour with the Cabinet Secretary.

I know agriculture is very key in this country and since the Cabinet Secretary is here and I can see he really understands the subject matter in his Ministry; I want to give opportunity to a few other Senators and maybe we see how we can manage the time that we have.

Proceed, Sen. Okenyuri.

Sen. Okenyuri: Thank you, Mr. Deputy Speaker, Sir. I actually waited for long and in the process, the Cabinet Secretary answered my concern especially on how consultative the appointment process is.

Nevertheless, allow me to appreciate the Cabinet Secretary for ensuring that the subsidized fertilizer got to my constituency of origin, Bomachoge Borabu. My constituency was among the constituencies that never had the opportunity of having the fertilizer get close to the farmers.

Unfortunately, most farmers spent their money. By the time the fertilizer was coming, they had already purchased out of pocket. Nonetheless, thank you for heeding to our plea. The farmers can now smile since two days ago, the lorries arrived in Kenya and we are grateful.

Thank you.

The Deputy Speaker (Sen. Kathuri): Proceed, Hon. Cabinet Secretary.

The Cabinet Secretary for Agriculture and Livestock Development (Hon. Linturi): Let me appreciate the Senator for those good words, but at the same time, please allow me to invite you to participate in this noble course of fertilizer distribution in the country. Understanding that from the last experience that I had, we realized farmers were moving to very long distances to collect two, three or four bags because of the cost ending up being quite high on their end.

Two weeks ago, I have had a meeting with the County Executive Committee Members (CECMs) of all our county governments in Naivasha. We sat down, discussed and agreed on a plan on now to get fertilizer closer to the people.

Additionally, I asked them to give me a list of one station in every ward; meaning we will be opening 1,450 ward stations in the country. It is an investment by itself, but for whatever it costs to ensure that our Kenyan farmers are happy, we are willing to go that extra mile.

Therefore, I also ask the Members to support us in making sure that you push your governors. Since, the framework and the understanding that we agreed on is that, they will be able to give us the stores. Even if it means getting contract employees with the equipment that is required for fertilizer redemption in every ward, we will go out our way to ensure that is done.

We asked the CECMs to comply and compliance here means giving us the names of those stations by the 15th of this month because this is February. That was the deadline; a day after Valentine.

I want to say and repeat again from the Senate, because this is the House that overlooks counties, please, ask your governors to comply.

By last week, when we had the Cabinet retreat, only 15 counties had complied with the agreement and had met their bargain on the list that is meant to come to the Ministry for us to be able to organize ourselves and the rains are setting in.

Please, put pressure on them. Let them send the list to my Ministry, so that we are able to get fertilizer to a station in every ward and be able to ensure that farmers have access to fertilizer easily, cheaply and conveniently.

I thank you.

Sen. Kavindu Muthama: Thank you, Mr. Deputy Speaker, Sir, for giving me this opportunity.

Let me start by congratulating the Cabinet Secretary for Agriculture, Livestock and Development, Hon. Linturi, who was a former Senator in this House. I know when we speak here as Senators, you understand what we are talking about and where we are coming from.

I want to congratulate you because you are really on the spot on answering the questions. However, my worry and concern is about mangoes, avocados and passions in Machakos County.

Farmers do a lot of work to produce all these fruits and by the time the produce is ready, farmers are exploited by cartels. The cartels go there and buy a mango for Kshs2 and they go and sell these mangoes even locally for Kshs20 a kilo, yet they are buying one piece for Kshs2. What are you doing as the Cabinet Secretary for Agriculture, Livestock and Development to make sure farmers are not exploited by these cartels?

You have talked of July and avocados are almost ready now and actually some of them are ready. What are you doing to make sure that the farmers will not lose? Other farmers end up giving these fruits to the cows to eat because they have nowhere to sell them and yet we encourage them to do farming so that they can benefit and we can have enough.

Why can the Government not plan to bring machines for making juices and find a market for these people so that they do not keep on suffering?

Thank you, Hon. Cabinet Secretary.

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The Deputy Speaker (Sen. Kathuri): You did not ask the Cabinet Secretary the question. You asked me so that I can ask the Cabinet Secretary.

Hon. Senators, I think there was a similar question by Sen. Wambua and Sen. Munyi Mundigi. However, Hon. Cabinet Secretary, you can really summarize the answer again.

Additionally, Senators, let us avoid repeating the same question, kindly.

The Cabinet Secretary for Agriculture and Livestock Development (Hon. Linturi): Sen. Kavindu Muthama was not here when I answered the question. However, the question was asked by Sen. Wambua and a supplementary question was from Munyi Mundigi.

We are aware of the pain that our farmers go through to produce mangoes and avocados. One of the long-term plans that we have, which I did not talk about, is that with this Aggregation and Industrial Parks that we are talking about, we will be able to aggregate. They are being equipped with cold rooms to ensure value addition for us to prolong the shelf life of our products.

Therefore, if we were to prolong shelf life and add value, we will be able to create more value because we will be able to squeeze oil from avocado or from whatever it is. That is work in progress and everybody knows that.

Also, before you came in, I talked about that issue of aggregation and I also brought the issue of having classified some of these commodities as strategic food reserves so that, we are able now to have budgets to off take.

The other thing I did not mention is on new markets. We have opened new markets and I talked about Israel. We have an opportunity there but you know what is happening there.

I did not mention that we have procured other new markets in India. We flagged off the first consignment like two months ago for avocado to India. So, that is another market that we have opened for avocado or these agricultural crops.

Right now, the problem is that we do not have enforcement officers to check on the quality of what we have been producing. That is why we had a serious problem with the European Union (EU) market because of unscrupulous and unfaithful traders that were harvesting immature fruits. This caused us a lot of problems.

I appreciate the AFA for moving into action to enforce the regulations so that these other farmers do not spoil our market. Once we are done with aggregation value addition within the county aggregation parks, that problem will be half solved.

The new administration is adopting a new economic policy. The ambassadors have targets that includes how they source for markets for our products outside the country. There is the general shift to economic diplomacy. We will create more markets in the future.

From where I sit, we have no capacity to feed the world. I once went to a conference, where the whole world was seated to discuss about the future of food in the country.

Last week, I had Ministers from the East and Central of this region. We discussed food situation in the region. The other week, I had the African Union (AU). We are the

lead country that is targeting how to grow animal feeds to feed our animals because they are also a source of food.

Food Security is a problem of the whole world and not only Kenya. We should leverage on that gap, especially our young men and women who are jobless. We should take advantage of technology. The good rains are here and the good sales will cover this gap and put more people into employment because *kilimo sasa ni biashara*.

There are indicators out there that shows we are trying. We cannot give ourselves a mark, but anyone that has eyes can see the much that we are doing. I believe the future is bright for farmers and the young men and women in this country who want to engage in farming.

Thank you, Mr. Speaker, Sir.

The Deputy Speaker (Sen. Kathuri): Let us have the Chairperson, Standing Committee on Agriculture, Livestock and Fisheries, Sen. (Dr.) Murango.

Sen. (Dr.) Murango: Asante, Bw. Naibu Spika. Siku nyingi tukienda kwa Waziri tunakuja kulalamika. Leo tutashukuru kwa sababu kuna jambo moja tuliloleta kwa Bunge la Seneti na akafanya.

Tulipoandika barua kama Kamati ya Kilimo kuhusu macadamia na kuondoa marufuku ya kuyauza ambayo ina maganda, alifanya hivyo. Ilikuwa inauzwa Ksh30 kwa kilo, sasa hivi inauzwa Ksh120 kwa kilo. Mwezi ujao itafika Ksh150. Hiyo ndiyo kufanya kazi na kuwasaidia wakulima wetu.

Lakini, kuna barua nyingine itakayokuja mezani kuhusu korosho kutoka kwa wenzetu wa Pwani. Ukifanya hivyo, wenzetu pia watapata natija katika uuzaji wa korosho katika eneo la Pwani.

Jambo la pili, Bw. Waziri, tulipokaa kama Kamati, tulichunguza bajeti ya mwaka huu. Kilimo inatupatia kadiri ya asilimia 20 ya mapato ya nchi hii. Lakini, tuliona umepata asilimia tatu kwa bajeti.

Tunajua wewe ni mfalme wa mistari. Sijui kama mistari imekupotea kidogo ukashindwa kutongoza Wizara ya Fedha kukupatia fedha zaidi. Lakini ni muhimu Wizara yako iongezewe fedha. Tutapeana barua zetu katika Bunge ili tustawishe kilimo kama uti wa mgongo wa nchi yetu na pia kuhakikisha kuna usalama wa chakula nchini.

Jambo la tatu ni kero la konokono. Wakulima wa mpunga kutoka Mwea, Bunyala na Ahero wamesumbuliwa sana na konokono.

Tunavyojua, Bw. Waziri, konokono hana mwendo. Ingekuwa ni panya, tungeelewa kwa sababu anakimbia. Ingekuwa nzige, tungeelewa kwa sababu anapaa. Lakini konokono hana mwendo. Hilo janga tusipoliangalia vizuri, hatutakuwa na mpunga, hasa katika eneo la Mwea.

Naomba taasisi inayohusika kudhibiti wadudu waharibifu, waangalie suala hili. Ndiposa tumekualika tarehe 15 kule Mwea, uje tuketi pamoja ili tuangalie suluhisho la janga hili.

Mwisho, mbolea ya ruzuku imekuwa ya maana sana. Umeitisha majina, lakini mahali nimetoka Kirinyaga, vyama vya ushirika ni 14. Kwa hivyo, mbolea ikipelekwa kwa wakulima wa kahawa katika vyama vya ushirika, wote watapata mbolea pasipo kuwa na shida. Wako na maghala yaliyo na usalama wa kuweka mbolea.

Wakulima wa mpunga wako na shida ile ya mbolea. Mbolea ya mpunga ni tofauti sana. Kuna *Sulphate Ammonia*, kuna ile wanaita sukari na *Triple Superphosphate* (TSP), ambayo haitumiki katika ukulima wa mahindi.

Ukienda sasa hivi, utapata wakulima wengi wako na ujumbe, lakini hawawezi kupata mbolea. Mahali unapata mbolea, unapata kuwa ujumbe unachelewa.

Ningepuliza Katibu anayehusika na kilimo, aangalie hili jambo ili kuhakikisha kwamba ujumbe unafikia wakulima ifaavyo ili waweze kupata mbolea.

Pia nakushukuru kwani najua kazi yako ni ngumu lakini umeimudu. Waswahili wanasema kuwa ni kazi msaragambo. Wewe ni mwenzetu, tukija na malalamishi yoyote, tafadhali tusikize. Hii ni kwa sababu tunajua majukumu yetu na kilimo imegataliwa.

Asante, Bw. Naibu Spika.

The Deputy Speaker (Sen. Kathuri): Sen. (Dr.) Murango, lako halikuwa swali. Ulikuwa unapeana mwelekeo kwa Wizara. Swali la ziada huwa ni moja tu. Lakini, nimekupa nafasi kwa sababu wewe ndio Mwenyekiti wa Kamati ya Kilimo.

Sijui kama Waziri yuko na jibu. Just comment, then I will give a chance to the Senate Majority Leader.

The Cabinet Secretary for Agriculture and Livestock Development (Hon. Linturi): Bw. Naibu Spika, ni kweli kwamba shida ya konokono ni suala sugu upande wa Mwea.

Nawashukuru watu wa Mwea kwa sababu walipanda mpunga msimu uliopita na tani tulizopata zimeongezeka. Hili ni suala nitakalolishughulikia.

Siku ya Ijumaa nitakuwa Mwea saa tatu ya asubuhi, halafu nielekee Embu kwa *Field Day* kuhusu ng'ombe. Nitakuja na wataalamu *Friday*, niwaache huko wakishughulika baada ya kumalizana na hii *Field Day* ya mambo ya mpunga ya watu wa Mwea.

Nashukuru kwa yale uliyoyasema. Pale tumeenda chini kidogo, tutajaribu kuinua ratili.

Asante, Bw. Naibu Spika.

The Deputy Speaker (Sen. Kathuri): Proceed, Senate Majority Leader, Sen. Cheruiyot.

The Senate Majority Leader (Sen. Cheruiyot): Thank you, Mr. Deputy Speaker, Sir. I have a question to the Cabinet Secretary with regards to the distribution of the subsidized fertilizer programme.

Previously, when he appeared before the House, he made a commitment that they are doing the last mile programme so that farmers can pick it at the nearest possible location closest to their farms.

He had said that they are in conversations with owners of agrovets. If farmers were to pay something slightly above the cost of the fertilizer, it would be within walking distance where they can collect the fertilizer and go to their farms.

Unfortunately, in the programme as currently designed, farmers still have to travel some significant distance. What went wrong? This is because he had committed to us that that programme will run successfully so that the last mile part of the programme is well executed.

What commitment is the Cabinet Secretary giving this House so that at the next planting season, a farmer will be able to walk to the nearest agrovet or primary school or wherever they decide to take it as a Ministry, collect their fertilizer and go to their farms. That is the only complain that farmers have up to date.

Thank you, Mr. Speaker, Sir.

The Deputy Speaker (Sen. Kathuri): Proceed, Hon. Cabinet Secretary.

The Cabinet Secretary for Agriculture and Livestock Development (Hon. Linturi): I do not know how to answer that question. I would like to be excused.

Sen. Cheruiyot, the Senator Majority Leader, is my friend. I answered that question in the same frame and format before you got here. I talked about what we are doing and where we are today.

For purposes of clarity, three weeks ago, I had a meeting in Naivasha with all the County Executive Committee Members (CECMs) in this country. We agreed that by 15th February, every governor will give us a list of five areas in his county for every ward.

Let me be clear. We will open areas for fertilizer distribution in every ward. The task of identifying areas where fertilizer will be placed on the governors. We agreed with the CECMs that by 15th February, we should have a list of all those areas to enable us organise ourselves and deliver the fertilizer there.

I mentioned and appealed to the Senators to put pressure on the governors. You need to exercise your oversight role and ensure that they comply with the terms of the agreement we have with them. Last week, only 15 counties in the country had complied.

As I said, compliance means giving us areas where we are supposed to take the fertilizer. It is a big thing for us because we are ready. The National Cereals and Produce Board (NCPB) is still working on getting young men and women on contract for fertilizer distribution.

Senate Majority Leader, that is what I said. We are committed and do not want our farmers to travel long distances to get fertilizer.

I thank you, Mr. Deputy Speaker, Sir.

The Deputy Speaker (Sen. Kathuri): The question was answered well. Maybe you were not attentive because of your neighbour.

Sen. Olekina, you may have the Floor.

Sen. Olekina: Mr. Deputy Speaker, Sir, mine is a supplementary question on the Question that was asked by Sen. (Prof.) Tom Ojienda, SC.

I have read the response by the Cabinet Secretary. First of all, I found it very casual even though the Senator was comfortable with it. Once a matter has been brought here, it becomes the property of the House. I wanted the Cabinet Secretary to clearly give an indication on two issues.

In his response, the Cabinet Secretary alluded to the fact that he is currently developing regulations to set up terms of transportation of sugarcane. The question was on cartels or syndicates that steal sugarcane from farmers before it gets to the millers. I would like the Cabinet Secretary to expound on his response because it was very short like three paragraphs only.

In the last paragraph, he says the Cabinet Secretary is in the process of making regulations to provide for the management of weighbridges to ensure fairness in

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sugarcane weighing. Could the Cabinet Secretary tell this House what the Ministry is doing now that although agriculture is devolved, still the Ministry gets the lion's share of the budget? What are they doing to assist reduce the cost of inputs for sugarcane farming?

There are new taxes. I am sure when taxes are introduced, it is the Cabinet Secretary who proposes them to the Ministry of Finance and National Treasury. There are taxes on transportation of sugarcane, fertilizer and harvesting. When the sugar is sold, there is also Value Added Tax (VAT).

I would like the Cabinet Secretary to expound a little bit on those regulations. We will appreciate if the regulations deal with that.

The Deputy Speaker (Sen. Kathuri): Sen. Olekina, I was listening to you. You are now taking us back to Question No.003, which we dispensed of. Just have your seat, kindly.

(Sen. Olekina sat at his place)

I remember when that Question No.003 was asked, you were here and I gave you an opportunity to ask your supplementary question about the appointment of somebody to be a director. It is the one you are talking about. Now we are on Question No.004, which is a different matter. You are taking us back to where we were.

(Sen. Olekina spoke off record)

Sen. Olekina, you should read first. You are not an amateur in the Senate. I do not know whether the Cabinet Secretary has anything to respond to because he gave the answer a long time ago.

Let us listen to Sen. Cheptumo.

Sen. Cheptumo: Thank you, Mr. Deputy Speaker, Sir.

The Deputy Speaker (Sen. Kathuri): Just a minute, Sen. Cheptumo.

Hon. Cabinet Secretary, the Chair made a ruling that we dispensed of Question No.003. Just comply with the Chair's directive. Other Senators are lined to ask supplementary questions to Question No.004.

The Cabinet Secretary for Agriculture and Livestock Development (Hon. Linturi): Mr. Deputy Speaker, Sir, I am not answering that. I would like to say something on the issue of the tax.

The Deputy Speaker (Sen. Kathuri): Proceed.

The Cabinet Secretary for Agriculture and Livestock Development (Hon. Linturi): Thank you, Mr. Deputy Speaker, Sir, for protecting me. When I was here, I was not allowed to raise two questions in one, especially after you have spoken.

There is an issue I would like to speak to. In this country, there is a narrative going around that everything is being taxed. Sen. Olekina, for us to finance our budget and regain our sovereignty, we must be willing to pay tax.

I have spent Kshs1.3 billion, probably from taxpayers in Meru and Kericho counties to pay sugarcane farmers. Sugar was sold, but there is nothing to show for it. If

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we had not collected taxes or borrowed money to pay, we would not have paid those farmers.

When we appreciate that paying taxes is our collective responsibility as responsible citizens to run the affairs of our country. That is when we will claim our sovereignty. There is no respect when you go begging out there.

I have been out of this country. Actually, the Director General of the Food and Agriculture Organization (FAO) is waiting for me in his office. I found myself in an embarrassing situation because that is the time when the country was infested with armyworms and locusts.

I was not comfortable borrowing those people money to deal with armyworms. They gave me an air tractor to spray armyworms and fight Quelea birds that feed on maize. It is not the best place to be in my position where you have to sit down with a *mzungu* every time begging.

Sen. Olekina, let us encourage our people to pay taxes. When we generate enough revenue, we will finance our issues as a county. Parliament, which comprise the Senate and the National Assembly, should put the Executive to account to explain what they have done with the taxes they collect. If we were to take that route, then we will really discourage the good taxpayers in this county.

Mr. Deputy Speaker, Sir, that is all I wanted to say because I had already answered that Question. I only wanted my friend to know that paying taxes is our responsibility.

It hurts me when I hear the President or my boss being called “Zakayo” throughout and a narrative being created to demonstrate that he has no feelings. I sit there and know how difficult it is to raise resources to finance our own budget, yet Kenyans are being discouraged on payment of taxes. I have served on both sides and know what it really means.

I thank you.

The Deputy Speaker (Sen. Kathuri): Sen. Cheptumo, proceed.

Sen. Cheptumo: Thank you, Mr. Deputy Speaker, Sir. I thank the Cabinet Secretary for Agriculture and Livestock Development for answering our questions. However, he should confirm to the House that the country spent billions of money on fertilizer supply. Even if they were subsidized, I believe that the budget for fertilizers was in billions.

Can the Ministry consider the possibility of processing our own fertilizers in Kenya? If that kind of money is spent importing fertilizers and then they are subsidized, would it not be cost-effective for the country to consider manufacturing our own in Kenya? That would save us foreign exchange and taxpayers money.

Mr. Deputy Speaker, Sir, last year, the Cabinet Secretary did well because our farmers produced enough food supply because of the fertilizers we got from him by reducing the price from Kshs7,000 to Kshs2,500. Why not consider having a factory here in Kenya to manufacture our fertilizers?

The Deputy Speaker (Sen. Kathuri): Hon. Cabinet Secretary.

The Cabinet Secretary for Agriculture and Livestock Development (Hon. Linturi): Mr. Deputy Speaker, Sir, the Senator for Baringo County has raised an

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important issue. I hope that it will generate and gather support from many Members and Kenyans of goodwill for this country to get to that level. That is our wish. If there is any legacy I would like to leave, then it would be that during my time, a fertilizer factory is built in Kenya and we can produce our own fertilizer.

I appreciate the support of the President in my Ministry and getting us to produce fertilizer locally. There are special economic zones being created in this country. One is in Naivasha. One of the negotiations we are making with potential investors in the country in many forums or bilateral meetings that we have with people who have the capacity to support us in fertilizer production, is setting up of a fertilizer factory in the country. Discussions are ongoing. One of the areas we have targeted is Naivasha because of the necessary raw materials.

Secondly, the fertilizer that is being appreciated by nearly everyone is the one that the President directed me to go and check its factory in Dodoma, Tanzania. Last year when we were starting this programme, I went to Tanzania and found a factory. I sat with their Minister for Agriculture who told me how effective that fertilizer was and its ability to increase yields by over 40 per cent. I listened to him and reported to my boss. He told me to move with speed and see whether we could try.

Mr. Deputy Speaker, Sir, I confirm that when I met that investor, the Tanzanian Government was cagey because they thought we would take the investor. However, they did not have a problem. I thank them for allowing us to export fertilizer from Tanzania, which has 50/50 chemical and organic composition. It has a healing effect on us and has been tremendous because most are acidic.

We are doing discussions with that company. It is called Itracom Fertilizers Limited. It belongs to a Mzee from Burundi who is a serious investor. That is the fertilizer I have also used in farming. I, therefore, encourage people to try that fertilizer. They are called Fomi Kuzia and Fomi Otesha. It has done wonders.

Mr. Deputy Speaker, Sir, we have also succeeded in convincing that investor to come and set up a fertilizer factory in Kenya. We will come to ask for support because the plant is being set up in Kajiado. In the next two months or less, we will be breaking ground for the setup of our first fertilizer factory in that region. This is something we are doing. We are happy that Members have such ideas and they want to support us on this one. We are on course and we want to make sure that it is done.

I thank you.

[The Deputy Speaker (Sen. Kathuri) left the Chair]

[The Temporary Speaker (Sen. Abdul Haji) in the Chair]

The Temporary Speaker (Sen. Abudl Haji): Sen. Maanzo.

Sen. Maanzo: Thank you, Mr. Temporary Speaker, Sir. I seek clarification in two areas in which the Cabinet Secretary has not answered properly. Firstly, are there plans for PPPs for cold-rooms for storage of mangoes and other products to prolong their shelf life so that we do away with brokers? If so, what is the budget and when is it likely to commence?

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Secondly, on the issue of the input and output of fertilizers, there are taxes in the input and output. Does it not amount to double taxation? That is what Sen. Olekina was trying to ask. The Cabinet Secretary should kindly highlight on that so that it does not look like we are blaming the Government unnecessarily for over-taxation.

The Temporary Speaker (Sen. Abdul Haji): Cabinet Secretary, please, respond.

The Cabinet Secretary for Agriculture and Livestock Development (Hon. Linturi): Mr. Temporary Speaker, Sir, for us to preserve our perishable food items, the Government's agenda and one of the areas it is keen on, is in value addition. The concept and the philosophy behind the County Aggregation and Industrial Parks (CAIPs) was for us to be able to aggregate our produce and add value so that we reduce post-harvest losses.

If we are to add value and extend shelf life, it is automatic that we will have to provide cold-rooms for that preservation. I was lucky to discuss last week with my sister, Hon. Rebecca Miano on these CAIPs and I can confirm that within that framework, our CAIPs will have those cold-rooms. There will be no reason for people to worry because that is being addressed.

Mr. Temporary Speaker, Sir, there are certain levies and taxes that are charged by the two levels of the Government in certain cases. People may interpret them differently, but I know that most of the counties charge cess on what is transported, or sold within their counties. We have discussed with the Speaker Emeritus of this House who is the Chair of the Agricultural Committee within the Council of Governors (CoG). This is for us to agree if farmers or traders transporting food from a rich food county to a county that has hunger, should not be given the benefit of accessing cheap food by counties coming up with a tax or a levy regime that is not very punitive to our traders or farmers.

Sen. Maanzo, we have realized it is happening. We are in the discussions of trying to create harmony so that at least there is a free flow of food items in the country because we do not want to have some of our people suffering.

Mr. Temporary Speaker, Sir, I beg to stop there. Just like I said before, taxes have to be paid if we are to finance our budgets. Let us be specific on what tax we are talking about. There is Pay as You Earn (PAYE) tax, corporate tax *et cetera*. Whatever it is, tax is our responsibility as responsible citizens.

There cannot be a service without tax. So, let us agree. Save us from this shame of going with bowls to borrow. Sen. Olekina, you can never finance recurrent expenditures. I have no problem borrowing for development, but not recurrent expenditure.

If I give you money today or if you were busy putting your *sufuria* on the head and not grow maize; even if I give you maize to eat in the morning, you will be hungry at noon and in the evening. So, the best thing is to give you fertilizer for you to grow your own bag or two of maize to be able to feed yourself.

Thank you.

The Temporary Speaker (Sen. Abdul Haji): Thank you, Cabinet Secretary.

Proceed, Sen. Kisang. Please be quick with your questions.

Sen. Kisang: Thank you, Mr. Temporary Speaker, Sir. I will be very quick. I thank the Cabinet Secretary. You can realize that the Cabinet Secretaries who were in

Parliament know the job very well. We will encourage the President to pick ministers or cabinet secretaries from this House in the future. Those who will not have contested.

The Temporary Speaker (Sen. Abdul Haji): Sen. Kisang, go directly to the question.

Sen. Kisang: Mr. Temporary Speaker, Sir, mine is to find out from the Cabinet Secretary: November to January, we, the dairy farmers, are paid late by Kenya Co-operative Creameries (KCC). There is an assurance from the President that we will be paid twice beginning this March.

I would like to know if the Cabinet Secretary can assure this House that our farmers will be paid every 15 days. What plans does he have to ensure we get feeds for dairy at subsidized price across the country?

The Temporary Speaker (Sen. Abdul Haji): Cabinet Secretary, let us take two more questions. You will answer all of them and then we conclude.

Proceed, Sen. Veronica Maina. Please go direct to the question.

Sen. Veronica Maina: Thank you, Mr. Temporary Speaker, Sir, and the Cabinet Secretary, for the many questions you have answered and for the effort you have put in the Ministry. It is one of the key ministries that is delivering 'the Plan' to Kenyans.

My question is simple, on guaranteeing the tea prices. We have seen the coffee prices being given a minimum guarantee. How long will it take for you to have a stable tea price given the disparity that we have seen in the payment of the last bonus which left some of the tea farmers paid at a very minimal rate with so many deductions by the tea factories?

The disparity pointed to the fact that maybe tea from certain areas was better, more productive or of higher quality. Cabinet Secretary, is it possible we have the prices stabilised so that farmers are assured of an income that is stable and supports all the inputs they have put in to produce?

The Temporary Speaker (Sen. Abdul Haji): Thank you, Senator.

Proceed, Sen. Onyonka.

Sen. Onyonka: Mr. Temporary Speaker, Sir, if you allow me for just a minute, I would like to, first of all, state that it is a great honour to be in this House.

The Temporary Speaker (Sen. Abdul Haji): Senator, please, go direct to the question.

Sen. Onyonka: Mr. Temporary Speaker, Sir, if you will allow me for just a minute, for me it is a great honour to be in this House.

The Temporary Speaker (Sen. Abdul Haji): Go direct to the question, please.

Sen. Onyonka: I will, Mr. Temporary Speaker, Sir. Just for a second, I wanted to say that the Cabinet Secretary has performed beyond our expectations. We are proud of you. You have already answered two of the questions I was to ask. So, I will go to just two more that I have.

I know you have set up an App that shows the areas in Kenya where the soil content and quality is and what you can grow in these particular areas. I thought it is an ingenious way of giving Kenya public data if a person wants to do farming.

Is it possible that your Ministry also set up an App, which once you have given the soil content and as periods when the rainfalls and when they do not, it tells every

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Kenyan in the area they are in, the plants and animals they can keep so that they can use your expertise to benefit themselves?

The last question is ---

The Temporary Speaker (Sen. Abdul Haji): Sen. Onyonka, you are to ask one question.

The final question will be asked by Sen. Wakili Sigei.

Sen. Wakili Sigei: Thank you, Mr. Temporary Speaker, Sir. Once again, I appreciate the Cabinet Secretary for creating time to come and respond to the questions in this House.

My question is supplementary to the question on the e-subsidy fertilizer, the Unstructured Supplementary Service Data (USSD) code that the Ministry has introduced regarding the new registration regime for farmers.

I am a farmer and there is a part of USSD code that allows one to extend on the acreage which on card registration you had given some. Second registration requires you to run through the system.

Unfortunately, I have now tried it three times, here in the House and the system tells me that I am not registered in the Kenya Integrated Agriculture Management Information System (KIAMIS). Therefore, I cannot enhance my registration process to get additional e-subsidy fertilizer. What could be the issue?

I know it is probably one of the questions that you might not be able to answer now, but it is something farmers are unable to do yet they are unable to access fertilizers other than when their acreage has been enhanced by the system according to the new registration regime.

The Temporary Speaker (Sen. Abdul Haji): Thank you. Cabinet Secretary, please respond to all of them so that we can conclude.

The Cabinet Secretary for Agriculture and Livestock Development (Hon. Linturi): Mr. Temporary Speaker, Sir, they are so many. I may not even remember who asked what.

(Laughter)

However, let me respond. If you may allow me, I will start by answering the question on subsidised---

(Sen. Cherarkey spoke off record)

The Temporary Speaker (Sen. Abdul Haji): Sen. Cherarkey, we need to conclude. The Cabinet Secretary had communicated to the House that he had a prior engagement. We have kept him here for almost two hours, it is time that we concluded on this matter so that we can release him and continue with other business.

Cabinet Secretary, continue with your response.

The Cabinet Secretary for Agriculture and Livestock Development (Hon. Linturi): Thank you very much, Mr. Temporary Speaker, Sir. A question was raised on what we are doing to ensure there is access to cheap and quality animal feed.

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I remind the Members that when we had these problems---

The Temporary Speaker (Sen. Abdul Haji): A moment, please, Cabinet Secretary.

Sen. Cherarkey, what is your point of order?

Sen. Cherarkey: Mr. Temporary Speaker, Sir, I thought we had agreed that agriculture is very important. Would it hurt if you give us a minute each if we are to adjourn at 1 p.m.?

The Temporary Speaker (Sen. Abdul Haji): What is your point of order?

QUORUM

Sen. Cherarkey: My point of order is on the Standing Order No.41 on quorum of the proceedings of the Senate. Since the Cabinet Secretary has other matters, we can adjourn and maybe invite him. We do not have appropriate quorum.

The Temporary Speaker (Sen. Abdul Haji): Sen. Cherarkey, we were just about to conclude.

(Loud consultations)

However, I confirm there is no quorum. We will have to ring the Quorum Bell for 10 minutes.

(The Quorum Bell was rung)

Serjeant-at-Arms, you can stop ringing the bell. I confirm that we have quorum. I have already released the Cabinet Secretary because of time and the commitments that he had at his Ministry.

Next Order.

MOTION

NOTING OF REPORT OF SENATE DELEGATION TO 66TH COMMONWEALTH PARLIAMENTARY CONFERENCE HELD IN ACCRA

THAT, the Senate notes the Report of the 66th Commonwealth Parliamentary Conference held in Accra, Ghana from 30th September – 6th October, 2023.

The Temporary Speaker (Sen. Abdul Haji): Prof. Margaret Kamar is not here. So, that Motion is deferred.

(Motion deferred)

Next Order.

Yes, Sen. Cheptumo?

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MOTION**DECLARATION OF CATTLE RUSTLING AND
BANDITRY AS A NATIONAL DISASTER**

Sen. Cheptumo: Thank you, Mr. Temporary Speaker, Sir. I beg to move the following Motion -

THAT AWARE THAT, cattle rustling banditry is a major menace and security threat in the South and North Rift regions and some other parts of our country;

CONCERNED THAT, the menace has since left negative socio-economic impacts which include, but are not limited to an increased number of widows, widowers, orphaned children, poverty, displacement of people leading to Internally Displaced Persons (IDPs), disruption of educational, and health programmes and other economic activities owing to the destruction and or closure of educational, health and other institutions;

FURTHER CONCERNED THAT, the people living in the affected regions have been denied the enjoyment of their social, economic and political rights as guaranteed to them under the Bill of Rights as enshrined in Chapter Four of the Constitution;

NOW THEREFORE, the Senate resolves that the National Government through the Ministry of Interior and National Administration and in collaboration with the Council of Governors (CoGs) -

- (1) Declares cattle rustling as a National Disaster;
- (2) Establish a National Taskforce on cattle rustling banditry to-
 - (i) Investigate the causes of the rampant cattle rustling and banditry in the said region and the Country at large;
 - (ii) Establishes the extent of suffering, loss and damage the cattle rustling and banditry has occasioned to the communities in all the affected counties;
- (3) Create a special fund for mitigating the losses suffered by and in compensating all victims of cattle rustling, banditry and settle all Internally Displaced Persons (IDPs) occasioned by the menace.

Mr. Temporary Speaker, Sir, as I move this Motion, it is sad that in the last one month, we have lost 14 people in my county as a result of cattle rustling and banditry. We have buried seven people, we still have four in the mortuaries and we are going to bury one tomorrow. We also have several other people in hospitals with gunshot wounds, maimed and injured. It is a sad story for my county.

The other day, a Member of County Assembly (MCA) from the County of Samburu was again killed through the same cattle rustling and banditry. Therefore, I am moving a Motion at a time when in more than eight counties, there is mayhem, killing, displacement of population, suffering of women, children, families and IDPs. It is a desperate situation in our country. I speak to the country that this House will have a

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chance to debate this Motion and make a resolution that is going to help sort out this issue.

Cattle rustling and banditry has been identified as a major threat to the security of our country, particularly in about seven or so counties: Baringo which is my county, Elgeyo-Marakwet, West Pokot, Turkana, Isiolo, Marsabit and Laikipia counties.

These are counties inhabited by well over 8.8 million Kenyans and 1.7 million households who depend directly and entirely on livestock for their day to day living for food, clothing and so on. In other words, they define life through their livestock in terms of sustainability. Therefore, 90 per cent depend on livestock.

Mr. Temporary Speaker, Sir, this menace has caused a lot of suffering in these communities. It has also caused serious socio-economic impact. Allow me to mention some of the issues that I have witnessed. As I speak in this House, I became a victim of this situation in 1977 when my home was raided. My father had close to 50 or 60 cows and several goats. One afternoon, we became destitute because our whole livelihood was taken away by bandits.

That time, the President of the Republic was the founder of this Nation, *Mzee* Jomo Kenyatta. One year later, the second President took over and he was from Baringo. In 24 years, he tried his best. However, by the time he left the leadership, we still had the same problem persisting.

President Mwai Kibaki came on board for 10 years. The situation remained desperate. President Uhuru Kenyatta took over leadership. Unfortunately, like his father, he was unable to sort out this problem. Today, we have the fifth President of the Republic. It is my hope that this administration will be the one to sort out this problem. Our Head of State has been clear and made it public that it is his desire to ensure that Kenya will be secure under his leadership.

So, we are talking of a situation that has persisted since Independence. From 1977 up to today, you talk of 49 years of suffering. Apart from losing livestock, let me say that killings have taken place. Kenyans have been killed in thousands. I have just mentioned that in under one month in Baringo County, we lost 14 people. There is killing and maiming of our people.

We have had widows, widowers and orphans in thousands. Displacement of population has become another serious situation in these counties. The process of raiding by the bandits has made people to move from their homes. They are now displaced giving rise to the unpopular conditions of IDPs, squatters and so on. We have also witnessed destruction and closure of our learning and health institutions. In Baringo North today, we have closed seven schools this week. In Baringo South, some schools have been closed. Those are the ones I know from my county. However, I am also aware that there are many other schools which have been closed in other counties.

Children are denied access to education which is a basic constitutional right. Kenyans are denied their right to access medical care, again, a basic constitutional right. Kenyans are denied their constitutional right to vote. Once you displace people, they are unable to participate in voting for the leaders that they would like to have.

In a nutshell, these communities are denied the enjoyment of their political, economic and social rights. I want the country to know and would like to quote statistics-- Unfortunately, 20 minutes will be short for me because I have a very serious Motion.

Inter-Governmental Authority on Development (IGAD) Centre for Pastoral Areas and Livestock Development shows that between 2014 and 2016; only three years, a total loss of livestock through rustling and banditry is worth Kshs14.7 billion which is about Kshs4.9 billion annually while total loss of displacement of people in terms of loss is Kshs140.6 billion. In three years alone, the loss arising from displacement and stealing of livestock is Kshs154 billion.

Earlier on, I said that this menace started in 1977. You can imagine the total cost in 49 years; it is massive.

Mr. Temporary Speaker, Sir, I want this to be declared a national disaster because the National Policy for Disaster Management (NPDM) defines a disaster as follows--- This is very important for my colleagues to listen.

“A serious disruption of the functioning of a community or society causing widespread human, material, economic or environmental losses which exceeds the ability of the affected communities and societies to cope using its resources”

Mr. Temporary Speaker, Sir, I submit that cattle rustling has caused serious disruption of the functions of the communities. It has also caused widespread human suffering and it exceeds the ability of communities to cope with the situation. It is, therefore, the reason why I submit that this House declares cattle rustling a national disaster.

My other part of this Motion talks about investigating the causes. That can only be done by this national taskforce. I am proposing it be established to go around the country in these counties asking questions, understanding the people and the causes of cattle rustling and banditry.

Those of us from minorities and pastoral communities, for a very long time, have been left aside. This is the time that this House should rise to the occasion, take this Motion and establish the extent of losses and damage caused by the menace.

Finally, the Motion seeks to establish a special fund. We had a problem in the year 2007/2008; the Post-Election Violence. That time, I was the Assistant Minister for Justice and National Cohesion. We voted for billions of monies to compensate victims of the post-election violence.

I propose that Members from the pastoral communities deserve to be compensated. I propose mitigation for the losses suffered, restoration of the communities and the Internally Displaced Persons (IDP). They should be resettled and compensated, so that we restore these people to their situations.

As I conclude, it is clear that cattle rustling is a national disaster and it should be declared as such. This Motion is not a matter of political divide; it is a matter of national concern and the well-being of the people.

By declaring cattle rustling a national disaster, establishing a task force to investigate the root causes of the same, and establishing a special fund for victims, we signal our commitment as a House and as a people to end the suffering caused by cattle rustling and banditry.

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I, therefore, call upon my colleagues in this House that this is the moment. This is the time. This is the year. This is the day for innocent Kenyans who have suffered for close to 50 years and have been terrorised by a few bandits.

I submit that the works of a bandit are like the works of a terrorist. What does a terrorist do? They kill. They maim. They destroy and displace the population. A bandit is a terrorist. We need to enhance punishment of a bandit to that of a terrorist, so that when we face a bandit, it is as good as facing a terrorist who plants mines on the road.

Mr. Temporary Speaker, Sir, I would like it to be on record that Baringo, Samburu, and Elgeyo-Marakwet counties are bleeding. This is the moment. History will judge us harshly if we do not pass this Motion.

I want to speak to my people in Baringo County. I am the Chairperson of the Standing Committee on National Security and Foreign Relations of this House, but the only thing I can do is to recommend to the Government what to do. I can only advise the Department concerned on the measures to take to secure our people.

I have done so with my Committee. We have spoken about what should be done in Baringo in terms of deploying the National Police Reservists (NPR). I thank the Government for giving us a few in those sub-counties.

The Head of State has improved the roads for security purposes. Our prayer is that more security personnel are deployed there. The Army has also been deployed to those areas. Unfortunately, sometimes the operational aspect does not work.

I call upon our Head of State who has shown love and concern for our country for a peaceful and united nation to continue with the desire and ensure that security agents in Baringo and seven other counties do their work. We must bring killings, maiming and displacement of our people to an end. Henceforth, this country shall be safe for all of us.

Mr. Temporary Speaker, Sir, with those remarks, I request the Senator for Narok, whom I know is a pastoralist, to second this Motion.

I thank you.

The Temporary Speaker (Sen. Abdul Haji): Proceed, Sen. Olekina.

Sen. Olekina: Mr. Temporary Speaker, Sir, I rise to second this Motion on declaring banditry a national disaster.

First of all, I would like to congratulate the distinguished Senator for Baringo County, Sen. Cheptumo, for bringing this Motion. You will forgive me for this, but in Maasai, we say; *kairuru ngiri*. My spirit is restless because of the challenges of cattle rustling.

I was in Baringo over the weekend. A lady from Turkana rose and said that when they travel from Turkana to Kenya, they find bandits. However, when they are in Turkana, they lead a good life. That means that the lady does not even consider Turkana as part of Kenya.

As I stand here today, the people of Samburu are mourning the killing of their Member of County Assembly (MCA). May the Lord rest his soul in eternity. They are bleeding and crying because their leader was killed in his car. He was driving when he was shot in his car by bandits. The Ilchamus people who live in Baringo County are also bleeding and crying because their brother was killed.

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The other day, I told my friend, a former Senator and Deputy Speaker, Hon. (Prof.) Kithure Kindiki, to leave Harambee House and go to Baringo, Samburu and Narok counties where terrorists have decided to terrorize people. They can call all the shots.

Cattle rustling is one of the biggest trades that has made billionaires in this country because it has enriched people. Blood money enriching you? Shame on you! It is time we not only spoke about it, but also acted on it. This House has the powers.

I heard Sen. Cheptumo saying---

(Sen. Olekina's microphone was switched off)

The Temporary Speaker (Sen. Abdul Haji): Sen. Olekina, you will have a remainder of 13 minutes to continue seconding the Motion.

ADJOURNMENT

The Temporary Speaker (Sen. Abdul Haji): Hon. Senators, it is now 1.00 p.m., time to adjourn the Senate. The Senate, therefore, stands adjourned until today, Wednesday, 28th February, 2024, at 2.30 p.m.

The Senate rose at 1.00 p.m.