

# NATIONAL ASSEMBLY

## OFFICIAL REPORT

Wednesday, 11<sup>th</sup> October 2017

The House met at 2.30 p.m.

*[The Speaker (Hon. Muturi) in the Chair]*

### PRAYERS

### PAPERS LAID

**Hon. Speaker:** Leader of the Majority Party.

**Hon. A.B. Duale:** Hon. Speaker, I beg to lay the following Papers on the Table of the House:

Sessional Paper No.7 of 2016 on the Mining and Minerals Policy from the Ministry of Mining.

Sessional Paper No. 5 of 2016 on the National Climate Change Framework Policy from the Ministry of Environment and Natural Resources.

Annual Report and Financial Statements of the Kenya Wildlife Service (KWS) for the year 2015.

Reports of the Auditor-General on the Financial Statements in respect of the following institutions for the year ended 30<sup>th</sup> June 2016 and the certificates therein:

1. Government of Kenya Share Subscription and Capital Contribution to International Organisations;
2. Commission on Revenue Allocation;
3. National Social Security Fund (NSSF);
4. Ministry of Mining;
5. State Department for Environment and Natural Resources;
6. State Department of Science and Technology;
7. State Department of East African Affairs (Vote 1182);
8. Ministry of Lands, Housing and Urban Development; and
9. Kenya Airports Authority.

Report of the Auditor-General on the Financial Statements of Alego Usonga Constituency for the year ended 30<sup>th</sup> June, 2015 and the certificate therein.

Reports of the Auditor-General on the Financial Statements in respect the following constituencies for the year ended 30<sup>th</sup> June, 2016 and the certificates therein:

1. Ol Jorok Constituency;
2. Gichugu Constituency;
3. Narok North Constituency;
4. Kiambaa Constituency;
5. Kangema Constituency;
6. Kiharu Constituency;

7. Nyeri Town Constituency;
8. Mathioya Constituency; and
9. Ruiru Constituency;

**Hon. Speaker:** Very well. Next Order.

### NOTICES OF MOTIONS

#### ADOPTION OF SESSIONAL PAPER ON NATIONAL URBAN DEVELOPMENT POLICY

**Hon. Speaker:** Leader of the Majority Party.

**Hon. A.B. Duale:** Hon. Speaker, I beg to give notice of the following Motion:

THAT, this House adopts Sessional Paper No. 6 of 2016 on the National Urban Development Policy from the Ministry of Transport, Infrastructure, Housing and Urban Development, laid on the Table of the House on Wednesday, 11<sup>th</sup> October 2017.

#### ADOPTION OF SESSIONAL PAPER ON THE NATIONAL CLIMATE CHANGE FRAMEWORK POLICY

THAT, this House adopts Sessional Paper No. 5 of 2016 on the National Climate Change Framework Policy, laid on the Table of the House on Wednesday, 11<sup>th</sup> October 2017.

**Hon. Speaker:** Next Order.

### COMMUNICATION FROM THE CHAIR

#### MAINTENANCE OF SECURITY WITHIN THE PRECINCTS OF PARLIAMENT

Hon. Members, I wish to make this Communication which relates to maintenance of security in and within the precincts of Parliament.

I wish to draw the attention of the House to concerns that have been raised with regard to the security and safety of Members in the precincts of Parliament. Standing Order Nos.99, 100 and 101 are explicit on maintenance of security and handling of firearms and other offensive weapons in the House. The provisions of these Standing Orders are also echoed in the National Assembly Speaker's Rules, which are regulations for conduct of Members in the House and orders regulating admission and conduct of visitors within the precincts of Parliament. I trust that every Member was issued with a copy of the Standing Orders and the Speaker's Rules, and that Members have acquainted themselves with the rules contained therein.

Hon. Members, in view of the above and due to the heightened security situation and concerns in the country, I call upon all Members to accord the necessary cooperation and support to officers from the Serjeant-at-Arms and Safety and Security Department of Parliament who are responsible for the enforcement of these rules. These officers are also mandated to conduct stringent screening of Members' vehicles before allowing access into the precincts of Parliament.

Thank you, Hon. Members.

Before we move to the next Order, I wish to draw your attention to the existence of a Supplementary Order Paper. It is my hope that every Member has a copy of it.  
Next Order.

### MOTION

#### APPROVAL OF RATIFICATION OF THE EAST AFRICAN COMMUNITY PROTOCOL ON PRIVILEGES AND IMMUNITIES

THAT, cognisant of the Report of the Select Committee on Regional Integration of the 11<sup>th</sup> Parliament on the Ratification of the East African Community Protocol on Privileges and Immunities, and pursuant to Section 8 of the Treaty Making and Ratification Act, 2012, this House approves the Ratification of the Protocol to operationalise the East African Community Protocol on Privileges and Immunities.

*(Hon. (Ms.) Mbarire on 10.10.2017)*

*(Debate concluded on 10.10.2017)*

**Hon. Speaker:** Hon. Members, debate on this Motion was concluded. What remained was for the Question to be put, which I hereby do.

*(Question put and agreed to)*

### BILLS

#### *First Readings*

THE PHYSICAL PLANNING BILL

THE BUILDING SURVEYORS BILL

THE STATUTE LAW (MISCELLANEOUS AMENDMENTS) (NO.2) BILL

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

### MOTIONS

#### ADOPTION OF SESSIONAL PAPER ON THE NATIONAL LAND USE POLICY

**Hon. Speaker:** The Leader of the Majority Party

**Hon. A. B. Duale:** Hon. Speaker, I beg to move the following Motion:

THAT, this House adopts Sessional Paper No.1 of 2017 on the National Land Use Policy, laid on the Table of the House on Wednesday 11<sup>th</sup> October 2017.

From the outset, this is a very important matter to this House. Of course, it is more than that of our colleagues who are on the streets with *firimbis* and all that. This is a better thing to discuss.

Land is defined in this document. Members can pick copies from the Table Office. It is defined as the surface of the earth that is the subsurface rock, any body of water on or under the surface, marine waters in territorial sea and exclusive economic zones, and natural resources completely contained on or under the surface and the airspace above that surface.

Land plays a significant role in the development of any society, the Kenyan society included. It has been the focus of productive activities and a source of political power. So, it is used for both political power and productive activities. It is also a principal instrument when fostering social justice, development and when fostering the provisions of decent dwellings and health conditions. Therefore, land reflects the interest and the welfare of a society as a whole.

The absence of a clearly defined land use policy in Kenya has resulted in haphazard approaches to how we manage different land use practices and policies. How the pastoralists use land, how conservationists use land, how farmers use land and how developers use land is what has brought the need to have a clearly defined land use policy. That is why we have this Sessional Paper before us today.

Hon. Speaker, various attempts have been made in the past to develop this Land Use Policy. That is why we have a whole chapter on land use in the Constitution of Kenya 2010. We have the chapter in the Kenya Vision 2030 and Sessional Paper No.3 of 2009 on National Land Policy. The above documents that I have cited allude to the need for the formulation of a framework. All these documents say that there are some gaps. We need to formulate a more effective way of addressing the challenges that relate to how we use land. It is in response to this call that the Land Use Policy has been developed. It incorporates all activities that are likely to have an impact on the use of land and its resources.

Land is the most emotive component in the socio-economic fabric of our nation. The biggest challenge that our country faces is to strike a balance between satisfying the human livelihood as far as land is concerned and the sustainable use of resources of land for posterity. A number of challenges have been encountered. One of it is the decline in the supply of pasture and portable water which steers conflict among pastoralists. Due to climate change and many factors in the pastoralists land use, there is decline in the supply of pasture and availability of water. This leads to conflict among small and large-scale livestock farmers and other users of water for irrigation. There is poor quality of air and water which increases disease risk in human beings, livestock and wildlife. Extinction of life forms is also found within land use.

What is the overall goal of the National Land Use Policy? Ideally, it is to provide the legal, administrative, institutional and technological framework for optimal utilisation and productivity of land-related resources in a more sustainable and desirable manner at national, county and community level. This National Land Policy will give us the legal, administrative, institutional and technological framework on how we can efficiently utilise land and its productivity in a more sustainable and desirable manner at all levels. This include the national, county and at the community levels.

This policy is premised on the philosophy of economic productivity that the use of land for economic productivity supersedes all the other social responsibilities like how to sustain the environment and cultural conservation. That is why we need to look at the key principles which

inform this policy. One of the principles is efficiency. How efficient is this policy? How does this policy bring equity among all land use in communities, national Government and county governments? How do you eliminate discrimination within the use of land and how does the public benefit in sharing?

What does this policy recommend? The policy shall offer a framework of recommendations and principles designed to ensure maintenance of land use system that will provide land use planning, resource allocation and management for sustainable development to promote public good and general welfare. There must be planning of land. How do we allocate resources? How do we manage those resources in order to have a sustainable development for the public good and for the welfare of everybody?

Two, this policy recommends environmental management which is very key. We must accept that climate change is real. There must be environmental management. It will deal with equity for utilisation of land resources and how to mitigate problems associated with poor land use. It also deals with mainstreaming of gender and special interest groups in the use of planning and management. There are a number of recommendations up to 10 which I am sure Members will get from the Sessional Paper that we tabled this morning.

In conclusion, the use of land in both urban and rural areas, as well as in the land and water inter-service, has been a major area of concern to all Kenyans. How do we use land both in the rural and urban areas? Problems of rapid urbanisation, inadequate land use, planning and sustainable agriculture and industrial production methods, poor environmental management and poor cultural practices are the common areas which require appropriate policy intervention. That is why this House has been called upon to deal with this matter. That is a summary of the Sessional Paper No.1 of 2017 on National Land Policy. In this regard, I want to request this House to adopt it for the betterment of our people, whether you are a pastoralist, farmer, an urban or a rural dweller. All this will help us.

It is good for the country to know that Members of the Minority Party are signing and leaving the Chamber. That confirms that they are attending Parliament. They should not cheat the people of Kenya and their party leader who withdrew from the presidential election. Between yesterday and today, another eight new candidates have replaced him. It is very funny. There are eight presidential candidates, including my good friend, Mr. Dida. I had lunch with him, and he confirmed that he is in the race. Eight people have replaced one candidate.

I beg to move and ask Hon. Washiali to second.

**Hon. Speaker:** Hon. Washiali.

**Hon. Washiali:** Thank you, Hon. Speaker, for giving me this opportunity. From the outset, I want to thank the Leader of the Majority Party for moving this Motion. In addition to what Hon. Duale said while moving, this is one sector that has serious challenges. One of the biggest challenges that the country faces is to strike a balance between satisfying the human livelihood and sustainable use of resources for posterity.

The other challenges that we have faced in this sector is decline in the supply of pastures and portable water which stirs conflict among the pastoralists and small and large-scale irrigation farmers. We have also had challenges in poor quality of air and water which increases disease risk in human beings, livestock, wildlife and extinction of life forms.

We have also had challenges of destruction of water catchment areas that cause shortage of water and electricity supply necessitating rationing. The other challenge we have also had is desertification which reduces productivity of land leading to food insecurity, reduced income and

inhibits accumulation of economic assets. Therefore, this Sessional Paper 1 of 2017 on National Land Use Policy is very important.

The overall goal of the National Land Use Policy, as the Leader of the Majority Party said while moving it, is to provide legal, administrative, institutional and technical framework for optimal utilisation and productivity of land-related resources in a sustainable and desirable manner at national, county and community levels.

The process of generating the policy was participatory and it involved consultative workshops that collected views from relevant stakeholders, reviewed reports, documented past initiatives on land use practices, input from submissions from different stakeholders, including experts and benchmarked with best practises within and outside the region. The use of land in both urban and rural areas as well as in land water interface has been a major area of concern to all Kenyans.

In conclusion, problems of rapid urbanisation, inadequate land use, planning and sustainable agriculture and industrial production methods, poor environmental management, poor cultural practices, inappropriate ecosystem protection and management are common practices requiring appropriate policy responses. Therefore, in regard to this, I request that this House adopts Sessional Paper No.1 of 2017 on the National Land Use Policy.

I, therefore, wish to second.

*(Question proposed)*

**Hon. Speaker:** Hon. Members, I just wish to remind the House that you passed several Motions at the beginning of this Parliament one of which was to limit debate on sessional papers to a maximum of one hour. Remember the various Motions brought under Standing Order No.97. So, this being a Sessional Paper, the Mover is limited to a maximum of 10 minutes and any other Member speaking will have five minutes, and five minutes before the end of the one hour, the Mover will be called upon to reply. So, Hon. Members, even as you contribute, organise your thought processes sufficiently so that you do not bite more than you are able to chew. Each Member has only five minutes to contribute. I will just follow what is on the screen. The first person appears to be the Member for North Imenti.

**Hon. Dawood:** Thank you, Hon. Speaker. I support the National Land Use Policy. It is very important. Land being what it is in people's lives, we ought to have this policy in place so that, at least, we can sort out the issues which we normally associate with land like people not being aware what to do and where to do it. Once we have this policy in place, I hope we will do the right things.

There was a time when there was a proposal for maximum and minimum size of land anybody could hold. I hope this Sessional Paper will sort that out. How do you stop somebody having whatever size of land he or she wants? We even need to sort out the issue of land leases which is a problem in the country. Some people have been dispossessed of their land just because they did not know when the leases expired or something or the other happens and

somebody dispossesses them. The next thing they know is that somebody else is holding a lease or title deed to their land. With this Sessional Paper, land registries in the country should be digitalised and people can access any detail before doing any transaction like buying land or the way they are going to use it.

It goes further to address matters about the environment. We need to look into the issue of riparian reserves, but we should not penalise people who want to do things on land. You could be on the opposite side of the political divide in your county and want to utilise land effectively, but at the same time, there could be people out there who may not want you to do anything on the land. So, they would seek to stop you in the name of land preservation or riparian reserves. I believe with this policy in place, the infrastructure and the laws to go with it, we will have cured many of the problems we have.

We hope that with the National Land Use Policy, we could even probably solve the problem of squatters. We will also know which areas have been set aside for farming, markets and other economic activities. Once this policy is adopted, we will be able to do many things with it.

With those few remarks, I would like to support.

**Hon. Speaker:** The way cards appear to have been prioritised, the next person is the Member for Igembe Central.

**Hon. Kubai Iringo:** Thank you, Hon. Speaker for giving me this opportunity to contribute to this Motion, which has just been moved by the Leader of the Majority Party. I support the adoption of this Sessional Paper No.1 of 2017, that is, the National Land Use Policy. Every one of us will agree with me that land is an emotive issue. Land is one thing which nature has given this world and does not expand or grow, but people who live on it are increasing by the day. It is high time we put land into proper use. It is high time we put proper policies in place which will make us reap as much as possible from land and preserve it for generations to come. Since land is limited in nature, we have to put systems in place. This Sessional Paper has prompt policy programmes which need to be implemented so that when we put land to use, we do so for the best benefit of the people. Once land is registered, people assume ownership and once you assume ownership of land, you can do anything you want on that land.

This Sessional Paper outlines what should be done in urban areas and rural areas, and the extent to which you can work on land once you acquire it. We have destroyed the forest cover, which is the issue being addressed here. We have been overgrazing our land, especially by pastoralists. We have been over-cultivating land. After some time, you find that the land cannot benefit the people using it.

Humans have put themselves in the forefront to destroy forest cover. When we do quarrying or exploit minerals, we do not even cover dams and mines. They end up becoming disaster holes apart from being hazardous to the environment. The National Environment Management Authority (NEMA) should adopt this Sessional Paper and put it into proper use so that at least we can avoid some of the disasters we create.

People started acquiring land since the colonial days. There are many Kenyans who do not have land because some foreigners came into the country and acquired big chunks of land.

They took very long leases. The Sessional Paper addresses the issue of how long one can hold such land so that at least even peasants or children who will be born in future will get somewhere to live. The Sessional Paper is also addressing pastoralists' use of land where pastoralists crisscross the arid areas trying to graze their animals even to the extent of driving them into farmlands, where they destroy crops. This is an issue which should also be addressed because if we do not have farmlands, we will not have food. Pastoralists should limit the movement of their livestock to areas where there is grass and leave farms alone.

With those remarks, I beg to support.

**Hon. Speaker:** Member for Endebess.

**Hon. (Dr.) Pukose:** Thank you, Hon. Speaker. From the outset, I want to support this policy paper. Our country has not had a national land policy in place. We know that in the past attempts have been made to develop some land policy, beginning with the Swynnerton Plan of 1954. Through this plan, the white settlers were looking for ways of managing land in relation to conflicts. The Swynnerton Plan resulted in a lot of people being displaced. My community was largely affected. Some people were displaced to Uganda while others ended up relocating into the forest. Up to now, the effects of that plan are being felt.

After we attained Independence, the successive regimes did not put in place a good land policy. During the reigns of Mzee Jomo Kenyatta and Daniel arap Moi, many people who were living in forests within the Mau Escarpment and Mount Elgon were evicted haphazardly. The ministries responsible for forests would gazette people's farms as Government forestlands and deploy security agents to burn down their homesteads and destroy their property. This has had very serious consequences on the lives of the victims of such atrocities. We have heard of the 1978 Kaptagat incident, when the Provincial Administration evicted people from Timboroa and other areas within Tran Nzoia. Those were actions which were not being guided by any policy. They were more of administrative decisions, which were punitive.

Even as we come up with a land policy, we should appreciate that the land issue is highly emotive in this country. It engulfs economic, social and cultural issues. As we prepare ourselves for the repeat presidential elections on 26<sup>th</sup> October – I am being told that *Baba* is considering coming back to the ballot, which is a welcome move – Kenyans want stability. Everybody wants to continue with his day-to-day activity. Being in a continuous election process is not good for the country. There is no investor who would invest in land whose use is not well guided by policy. That is why this is a big challenge for this Parliament. We expect our colleagues from the other side of the House to be present in this House so that we can have a vibrant way of debating this National Land Policy. We need to look at how this land policy will impact on our society and electorate. I think they are having their Parliamentary Group Meeting at Uhuru Park. We hope that out of that meeting with the public, they will also come, so that we can proceed to adopt this very important policy that will impact on our country.

I do not want to add much because this is a very important policy. It will be good to give others an opportunity to contribute to the policy.

With those remarks, I support.

**Hon. Speaker:** Member for Mwea.

**Hon. Josphat Wachira:** Thank you, Hon. Speaker, for giving me this opportunity to contribute to this policy statement, which I support.

Being well versed with the conflicts that we experience in this region, and especially in Kenya, I can state that most of them are related to land. Having a land policy will address most

of the conflicts, be they human to human conflicts or human-wildlife conflicts that have characterised this country for quite some time. The policy will also address food insecurity. We are all aware of what happens whenever we have drought in this country. We have had to turn to the international community for food. Once we have a land policy in place, we will enhance land utility to address food insecurity. We will also address the issue of environmental degradation that we have been witnessing in our country. By having a policy, we are simply saying we would like to use our land, which is freely given to us by God, in a manner that is likely to benefit all of us in this country.

Through this policy, we will be able to maximise utility of our land. We will particularly give special attention to the areas that could contribute a lot to food security in this country. I have in mind my constituency, which has the potential of meeting this country's demand for rice, but we are not able to do so because of lack of the necessary infrastructure, including water. We would also be addressing poverty among some of our farmers who for a long time have been working very hard, but getting very little due to lack of focus on their farming. By having this policy, I believe we will have the necessary infrastructure that will help in ensuring that we produce crops much cheaply so that at the end of the day, farmers can go home smiling like other business persons out there.

This land policy will also enable us to come up with ways of ensuring that land tenure is beneficial to some of our land owners. In my constituency, we are guided by a law that was put in place in 1958. We are guided by law in CAP. 347 that was put in place in 1958. Our farmers do not have any idea about when they will get stable land tenure to enable them to access facilities such as finances to enable them farm in a better way. This policy will address some of those areas. Having worked as a conflict advisor in this region, I know that most of our cross-border counties are characterised by conflicts that will be addressed by a proper policy that engages our border countries to come up with a better way of managing natural resources that quite often, cause conflicts in this region. I have in mind a resource like Lake Turkana where when we have drought and the lake is shrinking, our border counterparts, the Merille of Ethiopia, would follow that lake and would assume that the border is the lake itself thereby causing conflicts in the region. I am hoping that through this policy, we will come up with that partnership. I am also hoping that through this policy, we will have flood management systems that will link up with other management systems like water, so that all players and stakeholders may come together to reduce on the conflict that we have been witnessing such as upstream and lower stream conflicts caused by water.

This is one policy that will be beneficial to my people in Mwea.

**Hon. Speaker:** Member for Saku.

**Hon. Dido:** Thank you very much, Hon. Speaker. I rise to support this Sessional Paper on National Land Use Policy. This is a very important document. Kenya got its Independence in 1963, but we are getting a National Land Use Policy in 2017. This is telling of how we have missed in terms of having a grounding policy. We all know that land is a major and important factor of production. Prices of land are not controlled. Nobody determines how much you sell a piece of land for, whether it is in the urban or in the rural areas. When it comes to development, whether in the rural areas or in urban centres, everybody puts a claim to land. Over the years, the only land that has been seen to be fallow belongs to nobody; it is pastoralists land in arid and semi-arid lands. That is not true because whereas they might not be used by agrarians, that land can have proper use by the pastoralist for pasture, water and rangeland.

The importance of this policy paper cannot be gainsaid. It provides a legal framework to anchor the issues of land policy by the different agencies that have been identified in this Sessional Paper. The agencies include the National Land Commission, the National Council for Land and many others. Most importantly, I think those different groups who decide or who are associated with taking decision on land matters must be brought together and be well-coordinated so that the issue of land is not contentious. In the construction of the Standard Gauge Railway (SGR) and the Marsabit-Moyale Highway, the issue of land was so contentious that to a large extent, it interfered with the timelines in which those projects were going to be completed. For that reason, the issue of land policy is important.

Hon. Speaker, the issue of land at the national level and at the county level must be clearly aggregated in terms of the decisions that should be made at the national level and also at the county level because that is where land exists. Today, if you want to make big bucks, you will need to get chunks of land and sell it to the highest bidder. In this policy, what has clearly been drawn out is the entity that will make that decision.

Finally, on the rangelands, it is known that they are for survival of the pastoralists given their way of life. Any attempt to have a clear policy will allow those people's way of life and their economic mainstay to survive.

With those few remarks, I beg to support this Sessional Paper.

**Hon. Speaker:** Member for Kwanza

**Hon. Wanyonyi:** Thank you, Hon. Speaker for this opportunity. I rise to support the adoption of the National Land Use Policy. We are behind. We should have done this long time ago. However, it has come at the right time. So, I take this opportunity to support the policy because land is a natural resource which is very emotive as I have said before. It is very important and it is used for productive and development activities. As you know, we have had problems particularly in the pastoral areas where they have had conflicts. We have also had problems in our game reserves, mainly between human beings and wild life. This policy is therefore very important and I think we should support it.

Secondly, we have had problems because of not having a policy. We have had a lot of conflicts where people have been evicted from their land because the land is supposed to be a forest reserve or for Government use. People have been evicted, particularly in Trans Nzoia. We have had problems where people have been thrown out and ended up as IDPs because there has been no policy at all.

The other thing is that we have climatic change challenges because we have not used our land properly. Look at the forest cover. This country is on the tropical land scape. You will find that the forest cover in this country has been reducing every day because people are encroaching into forests for other activities either for agriculture or just for shelter. Forests have been reducing and we have had problems as a result. We have climatic change and today we do not even know when we will have rains in this country. I come from an agricultural area and I am surprised we should have had rains before August. We still do not have any signs of rain in those areas because things have changed so much. There is pollution in this country. We had the Tokyo Carbon Credit where if you planted trees on a ten-acre piece of land, you would be given credits which were equivalent to a lot of money. We do not have that anymore because of population expansion. The population in this country is uncontrollable. I do not know why, but maybe it is because of poverty. As a result of problems with land use, we have interfered with our forest cover and therefore, our rainfall patterns are no longer predictable.

This policy, although long overdue, should be fast-tracked and adopted, so that we can make use of our land properly for the posterity of this country.

The other thing I want to mention is that with this kind of policy, you would have land specifically set aside for agriculture or for living like we had in Tanzania where there were Ujamaa villages designed for people and they have a piece of land where agricultural activities can take place. We should fast-track this.

I support, Hon. Speaker. Thank you.

**Hon. Speaker:** The Member for Tharaka.

**Hon. Murugara:** Thank you, Hon. Speaker. I rise to support the National Land Use Policy, Sessional Paper No.1 of 2017, a policy that should have been brought into force much earlier than now, but since it is before the House, it is our duty to pass the same for speedy implementation. Land as one of the production commodities in the country is very precious. Every Kenyan desires to own a piece of land, and once that is realised, every Kenyan wants to make use of that land. It is, therefore, important that this policy, after being passed by this House, is implemented and Kenyans can reap the fruits of the policy.

The policy is most important especially to me as the representative of Tharaka Constituency which has numerous land problems, ranging from boundary conflicts with every of its neighbours right from Igembe to Tigania to Imenti and possibly the other neighbouring areas. One reason why there is that conflict is because the people of Tharaka do not have title deeds. They are not given title deeds. Most of them do not enjoy that protected land tenure such that they have indivisible titles to the land, and as such, those who possibly eye that land draw them into conflict. Once this policy is enforced, it would be my prayer that effort is directed towards my constituency so that all those who do not hold titles are given titles, especially those who inhabit the boundary areas of Tharaka Constituency so that the conflict, which is usually given as boundary conflict, is brought to an end and people can live peacefully.

There is also a provision in the policy on use of water. That extends all the way to use of underground water. It is common knowledge, and if it is not common knowledge, I would wish it goes on record that Tharaka has a lot of water problems. The most current one is the fact that most of the rivers have dried up. It is explained that it is due to prolonged drought. Sometimes people are convinced that those who live in the upper riparian section of the rivers use the water for irrigation at the expense of those who live at the lower riparian areas where they do not have sufficient water for themselves as a people and to water their livestock and whatever other domestic uses. It is in view of this that I find this policy very important. It will extend to making use of water, whether it is surface water or underground water, for the benefit of the people. The case I plead is for the benefit of the people of Tharaka. I, therefore, support the policy.

Thank you.

**Hon. Speaker:** The Member for Narok South.

**Hon. ole Lemein:** Thank you, Hon. Speaker, for giving me this opportunity. I rise in support of Sessional Paper No.1 of 2017 on the National Land Use Policy. It is indeed good to start by saying that in economics, we say land is a critical resource in terms of production.

Therefore, it is truly important to say that this policy is long overdue, as my colleagues are saying. I believe this policy will solve quite a number of fundamental issues in this country.

The population of this country is increasing. During the census of 1999, the population of this country was around 33 million while in 2009, it was 38 million. The projection for 2019 is 48 million. Thus, it indeed, affects land in terms of land use and so forth. Having gone through this Sessional Paper, I realise that for some of us who come from pastoral areas, it will solve a number of issues.

When you look at the migration corridors, for some of us who come from areas that are near national reserves, you realise that they have been affected and this Sessional Paper will create some room for us to have the migration corridors for the purposes of wild animals. I have also looked at it and I realise that in terms of rangelands, as it was said by my friend, Hon. Rasso, this Sessional Paper will address the issue of rangelands. I believe that as we move forward, land issues and the so-called land question will help this nation to move forward economically. This particular Sessional Paper will address a number of issues, whether the land is urban or rural. I believe the Sessional Paper will move this country forward. In terms of the economic aspect, the land as a factor of production will propel this nation forward.

Hon. Speaker, I support the Motion.

**Hon. Speaker:** The Member for Kiambu County.

**Hon. (Ms.) Wamuchomba:** Thank you, Hon. Speaker, for giving me the opportunity to participate in this very important Motion, more particularly because I want to air issues that concern the people I represent, namely, the people of the great County of Kiambu, one of the most populous counties in Kenya. Noting that this land policy is going to be the benchmark for a lot of activities happening in our country, it could not come at a better time than this when our population is gradually swelling. For reference, in Kiambu County, we have 1.6 million people.

According to the statistics that we are consuming today from the Kenya National Bureau of Statistics (KNBS) by the year 2018, we expect to have about two million more people. It is good for me to note that these are people who largely depend on other areas of this republic when it comes to provision of food. Therefore, it is important for us to harmonise the activities in our land especially the agricultural areas, so that our people do not go hungry.

On that note, it is also important for us to note that, specifically, Kiambu County, has quite many people who require residential areas or places to put up residential facilities since the pressure is growing every day. We have had situations where people have even tried to settle on lands that are curved out as riparian lands. Therefore, this policy comes at the right time. It is going to guide us on how to accommodate the rising population and the pressure for residential facilities.

I am excited to see that some of the objectives that have been listed in this Sessional Paper are supposed to guide us on the planning, provision of essential services to our people and sustainability of our land resources. It is, therefore, very important for us to embrace this policy, so that we can share resources equitably among our people, provide essential services and also plan our counties, so that we can provide for markets, learning institutions, hospitals and other public facilities. More specifically, still referencing to Kiambu County, I note that one of the objectives is to provide a comprehensive and efficient Geographic Information System (GIS) based national land use information management system which my county greatly requires.

Hon. Speaker, a GIS based national land use information management system is going to allow us to come up with the right system especially for the growing counties that are really heavy in business and traders. We need to come up with the right system which is going to help us to have the right market value for our properties. It is also going to allow us to collect revenues from our people for the sake of counties' development.

This policy is also going to help us plan our own markets in reference to Kiambu County which is growing fast. We have a need for many markets, but we have no plans because the ones that have been there are not easily interpretable. Therefore, I rise to support the adoption of the Sessional Paper on National Land Use Policy.

I support.

**Hon. Speaker:** Hon. Members, I can see there are many of you who still desire to contribute. However, I would like to inform you that, owing to the various Motions that you passed *inter alia* limiting debating on sessional papers to one hour, if you look at the resolution you made, the Mover has 10 minutes in moving. Every other Member has a maximum of five minutes. Again, towards the end of the hour, the Mover has another five minutes to reply. So, at the very most, you can only have about 10 people debate a sessional paper, unless you resolve before commencement of debate, again, through another Motion, notwithstanding the resolution of that other day, to have debate on a particular sessional paper taking a period in excess of one hour. However, even again with that one, look at your Standing Orders, for you to do that you need to then rise in your place and claim to move that kind of Motion before debate on that particular Motion commences. I am sure these are some of the things that we learnt in the induction workshop. However, slowly through practice, we will get used to it. It is now time for the Mover to be called upon to reply. He has a maximum of five minutes.

Hon. Majority Whip, the Floor is yours. You cannot ask me whether he can donate time. Hon. Lentoimaga, if you had not approached him, you cannot sit where you are and expect the Member to donate some few minutes to contribute. However, the Mover is at liberty to donate to any Member if that is what he desires.

**Hon. Washiali:** Thank you, Hon. Speaker. I noticed that this Motion has a lot of interest and quite a number of Members wanted to contribute on it. I am sure when we were deciding on how long such a Motion should take, we did not consider certain interests, particularly interests on land issues. Therefore, maybe, given that in Maasailand there is a huge problem on land issues, I donate one minute to my brother, Hon. Lentoimaga and one minute to Hon. Mwathi to talk on behalf of the people of Kiambu.

**Hon. Speaker:** Hon. Lentoimaga and Hon. Mwathi, one minute each.

**Hon. Lentoimaga:** Thank you, Hon. Speaker. Do not eat into my time. I would like to thank those people who brought this land policy especially the Cabinet Secretary for Lands. It is very important that this policy is implemented. I have seen that it addresses the issue of rangelands in pastoral areas. I have realised that it is going to address degradation, land carrying capacity and legal framework. We know that land in pastoral areas helps us to increase livestock production and marketing. It also assists us to address the issue of tourism, eco-tourism and this particular policy if utilised well will help us to assist pastoralists.

Lastly, I have seen that it has an implementation timeframe. It has also mentioned several decisions that can implement this policy. So, with those few remarks, I support the policy.

**Hon. Speaker:** Hon. Mwathi, the Floor is yours.

**Hon. Mwathi:** Thank you, Hon. Speaker. I also rise to support this Sessional Paper. In so doing, I recognise that Chapter V explicitly gives the provisions of how land should be used

equitably, efficiently and in a sustainable manner. I also note that the county where I come from was largely agricultural and because it has become the dormitory county for people working in Nairobi, then change of user has become the order of the day. In this policy, I have seen a very interesting provision where the change of user is now going to be allowed according to the approved Part Development Plans (PDPs). Therefore, this should then inform the counties that are developing and which are at risk of urban sprawl from Nairobi to develop laws that are going to guard land use in the developing world.

I support and fully give my weight to this policy paper.

**Hon. Speaker:** Hon. Washiali, the Floor is yours.

**Hon. Washiali:** Thank you, Hon. Speaker. We have been following the contributions of Members and I want to just inform the House that we have noted the sentiments. It is very clear that the issues of land are very emotive. We will make sure that this time, especially when looking at the policy at the Departmental Committee on Lands, we will be very careful and try to identify Members of this House who have some background information on how to handle issues of land.

Otherwise, I note the contributions of Members and more specifically Hon. Wanyonyi, Member for Kwanza, whose constituency I had opportunity to visit and realised that he has a huge problem with squatters. I am hoping the 12<sup>th</sup> Parliament will find a solution to the problem of squatters in Kwanza Constituency. I also take this opportunity to thank him for attending this session because many other colleagues of ours from his coalition have chosen to stay away. I am sure they are on the road demonstrating while Hon. Wanyonyi is here representing his people. Therefore, we appreciate. We encourage your colleagues to come. This is a Parliament for all of us and we have to use it to represent our people

Hon. Speaker, I wish to reply.

**Hon. Speaker:** Well, I think you have pointed it out correctly. Obviously, the Departmental Committee on Lands in the last Parliament is one Committee that had the largest number of petitions. Looking at the list of Members of the 12<sup>th</sup> Parliament, I note that a majority of them who were in that Committee are not in this House. So, even as you join that Committee, you should know that it has a lot of work. Hon. Gitonga, Murugara is here, his immediate predecessor was the Chair of that Committee. I see Hon. Sunkuiya, the Vice Chair of that Committee, whom you replaced. I can see the Member for Naivasha, Ndaragwa, Karachuonyo and the Member for Funyula, who wanted to become something in Busia, it is a fairly busy Committee. That is not to say that anybody is being scared not to serve in that Committee. Please, offer yourselves to serve in it. You will be doing service to the country. It is, however, one of the committees that receive the highest number of petitions just like Hon. Washiali has said, because issues to do with land are so emotive in the country. There are always so many matters that need to be resolved and since we look at Article 95, it is you who are supposed to debate and resolve matters of concern to the people. Then you have no option, but to deal with the issues that will come touching on land.

Hon. Members, for lack of an alternative since it is the resolution of the House, I now have to put the Question.

*(Question put and agreed to)*

I implore every Member to get a copy of that policy paper. It does not appear like many of you have it or have looked at it. It is important because you will be dealing with a number of issues that will be contained therein.

Next Order.

#### MEASURES TO ENFORCE PROMPT PAYMENT BY SUGAR MILLERS

**Hon. Melly:** Hon. Speaker, I beg to move the following Motion:

THAT, aware that apathy in sugar-cane farming due to unfavourable weather patterns and poor payment programmes by sugar millers to farmers has resulted in a worrying drop in cane production and thus drop in sugar production; noting that millers have for years frustrated farmers through delays in payment for cane delivered; concerned that these late payments have caused sugar farmers untold suffering and frustrations and made them incur huge losses resulting from interests on loans advanced to them during cane farming to purchase fertilizers and other farm inputs; cognisant of the fact that as a result of these delayed payments, many of the farmers have remained poor and in debt, this House urges the cane millers to provide for the mandatory payment to cane farmers within fourteen days (14) days upon delivery.

Hon. Speaker, I brought this Motion to the House with the background that I am from the sugar-cane growing zone. Sugar-cane growing in this country supports over 10 million people in the Rift Valley, Western, Nyanza and parts of Coast. However, these people have gone through untold suffering.

First, they are very diligent farmers who invest their money in their farms, wait for 18 months, harvest diligently, most of them even invest their savings and take it to the miller. However, the miller will crush the cane and get the milled white sugar, but fail to pay the farmer even when the miller has sold the sugar. If you go to a number of factories across the country, be it Mumias, Chemilil or Muhoroni sugar factories, you will find that they have no sugar in their stores. Right now, we have a sugar shortage yet the miller is unable to pay.

Over the years, Kenya has been a very good sugar producer. However, we are becoming a net importer of sugar. The other day, the National Treasury issued a circular asking millers to import sugar, yet a few minutes ago, we discussed the National Land Use Policy. The paper in itself is very scholarly. We have very fertile farmlands across this country, but farmers are frustrated because they are not paid. Each and every time, the miller needs to be supported. I am asking this House, whose Members are the representatives of the people, and more so the Member from those regions, to make sure that millers pay the farmer on time upon delivery of sugar-cane.

If you go to the tea factories, you deliver and on the sixth day, the farmer is paid. In my constituency, which is almost 90 per cent a sugar-cane growing area, farmers wait for up to two years to be paid for sugar-cane deliveries. Millers sell the sugar, but fail to pay farmers. Currently, new millers from private companies have joined the queue. Even if they sell all the sugar, they do not pay farmers for the cane delivered. Most of the farmers took loans from the Agricultural Finance Corporation (AFC), from banks and micro finance corporations to finance

their farming activities, buy fertilizers, till the farm and prepare the crop. Banks are now selling people's property, including land, because farmers had already mortgaged them through the loan facilities they took. The AFC is on the neck of farmers demanding their pay. We have a responsibility, as representatives of the people, to do something about it. The Jubilee Government has tried. In a few months' time, we have seen cheques being issued to factories such as Mumias and Chemelil. However, that is not going to be enough. We need to be strict and ensure that cane production is profitable. We need to support our people. Many depend on the sugar factories. Most employees have not been paid salaries for about seven months. They are unable to pay fees and medical care.

We need to make sure that we penalise and ask millers to ensure that the moment they receive cane, they have a responsibility to pay in less than 14 days. Every time you find that a farmer has bought a tractor, maybe through a loan, but within one year the tractor is repossessed. When I was growing up in the 80s and early 90s, farmers were very rich. You would not get individuals asking for handouts or anything about school fees. This is because these were diligent farmers who were able to pay their fees and bills. Now we are seeing a section of this country going down. So, I really want us to look at it as a House and ensure that these farmers are assisted and the only way to assist is to make sure that the miller who has now introduced a form of slavery--- I will use that word because farmers now give millers their cane and the miller decides when to pay even when he has sold the milled sugar. I have also seen a number of young men who have resorted to crime like cattle rustling. It is now coming up again in our region yet it was no longer there because many people had become settled farmers. The regions of Nandi, Tinderet, Uasin Gishu and parts of Soin/Sigowet have a serious problem and I ask this House to tell millers to make sure they pay farmers on time.

A number of shopping centres have completely collapsed. You will go to that particular region and realise that farmers in all those areas are even not able to meet usual household needs. I urge this House that as we move forward--- We just passed a very good national policy which will promote wealth creation. I know very well that the Jubilee Government has very good agenda for the whole of this country. The best agenda is to make sure that the interests and needs of the farmer are taken care of and his bills are paid. If we go this direction, we will impoverish almost every other farmer because as we talk here today, Kenya is actually an agricultural country. We are relying on coffee, tea and sugar-cane for almost 50 per cent of our income. If this is not taken into consideration, one subsector is collapsing after the other. It is important for us to come in and make sure that the sugar subsector, which has been employing a very good number of people and enabling a number of families to fend for themselves, is actually taken into consideration.

I also want to note that in areas hitherto sugar growing regions – and I especially want to pinpoint the region where I come from – earlier on, the roads were very well maintained because these farmers were paid on time and the then county authorities were able to maintain those roads. However, you will realise that currently, villages and shopping centres are totally impassable. You cannot access them and crops in those farms are lost. So, Kenya is now using a lot of foreign exchange earnings to import sugar. We should ensure that our farmers and people are not exploited by sugar millers. This is an area which everyone needs to look into. If you look at the millers, you will realise that a number of them have resources and are expanding. Why are we having sugar factories sprouting across the region, if sugar-cane is not paying? Every miller is saying he is not able to pay because the subsector has problems. If it has problems, why are they coming up with a number of millers in almost every neighbourhood of a government-owned

mill yet in those particular milling companies, you will realise that they do not have even a single kilogramme of sugar in store and farmers are not being paid?

I urge the House that we look into this subsector so that we do not make farmers lose their resources. I have seen instances where farmers are even subsidising. I am saying subsidising because in my region you will get a farmer selling his cows and goats and engaging in farming yet the miller is going to take everything and then the farmer will have to wait for two or three years. I urge the House that as we debate this particular Motion, let us debate it soberly knowing that the farmer is suffering out there in the sugar subsector.

With those many remarks, I ask the Member for Igembe Central to second.

**The Temporary Deputy Speaker** (Hon. Mariru): Member for Igembe Central.

**Hon. Kubai Iringo:** Thank you, Hon. Temporary Deputy Speaker, for giving me this opportunity to second this Motion. I thank my brother, Hon. Melly, for giving me this chance to second this Motion. At the outset, let me congratulate you on your appointment to the Chairpersons Panel. I believe today is your first day. I wish you all the best in your current appointment.

Having said that, I can see my colleagues especially from the sugar region are wondering why a *miraa* man has been told to do this but I strongly believe that this is a House of rules and we are all members of this House. When we debate, we do not debate because we come from where that particular Motion is originating but we debate as legislators in this country. When we pass this Motion, it will be passed by all of us and I am sure what affects sugar-cane in western Kenya affects *miraa*, pyrethrum and any other crop in this country.

Kenya is an agricultural country and we all know that over 80 per cent of our Gross Domestic Product (GDP) comes from agriculture. To some degree, as a country and government, we have neglected this sector which is the backbone of this country as far as economic development is concerned. More so, we have neglected the sugar-cane crop, which farmers toil day and night in hazardous conditions and somebody somewhere who has got a mill or a machine carries that sugar-cane to his factory to mill and sell. He pockets the money and the farmer is left there waiting for payments. That is very unfair and it is quite illegal. The Government should intervene. I support the Motion. If you take sugar-cane and you have produced sugar and you have sold it, why do you not pay the person who toiled day and night to produce that sugar-cane? That is how we are killing our cash crops. We killed the pyrethrum crop because of non-payments. It is not that the farmers do not deliver to the millers or to the people who use the products which come from our *shambas*.

Hon. Temporary Deputy Speaker, we need to manage the sugar industry properly and the way we mill our cash crops. Some farmers in the tea industry have almost abandoned their farms because the inputs are more than what is reaped. At the end of the day, middle men, factory owners and big companies end up getting over 200 or 300 per cent profit leaving the farmers with nothing. It is high time a policy is put in place, especially by the Ministry of Agriculture, Livestock and Fisheries, to make sure that farmers are paid, and it is put in the Crops Act. If you take somebody's crop from a *shamba*, especially sugar-cane, you have an obligation to pay immediately after production and before you sell. It is very absurd in this country when cane farmers are not paid whereas we know very well sugar is not enough in Kenya.

We are even importing sugar from Brazil. If it is our cost of production which is wanting, let us get experts. I wonder how sugar can come all the way from Brazil across the Atlantic Ocean up to Kenya and cost less than sugar manufactured in Mumias or Muhoroni. It means we have put wrong mechanisms in place. Our production costs are more than what we can use to

sell. If not that, then those people who are managing those institutions are reaping from farmers' sweat and these are the ones who need to be punished. They should be called upon to pay in arrears and with interest

You have heard people's machinery being collected by banks, others are unable to pay their bank loans because of high interest rates, and yet somebody is waiting for another season to come for the same crop. That is illegal and wrong. If it is the production cost, then the Government should supplement or put a fixed cost of how much a tonne of sugar-cane should cost. Therefore, before the miller comes to collect sugar-cane, he is already aware how much he owes the farmer. You do not wait to do the milling and then when you have packed and everything is done and you are almost selling, you hear that your cane was not enough and it was not of this quality. That should not be the issue. Come to the *shamba*, buy the cane as it is and go sell it.

We used to have pyrethrum in this country. We used to plant pyrethrum in my home area in Meru, even in my own farm, but we have forgotten the business today. If you go to some old men today, they will produce records of receipts of kilos which they already delivered to the Pyrethrum Board and 10 or 20 years down the line, they have never been paid. Then you find that children do not go to school, people cannot renovate their houses and cannot use those *shambas* any longer because soil has been drenched by the chemicals which are put in the *shamba*. You see farmers languishing in poverty and somebody pocketed all the money and took off with it. The poor management of our cash crops, especially sugar-cane and poor production cost which bring a lot of overheads on it are causing this problem. Therefore, we have to put a policy in place to address this issue in order to save farmers from this exploitation. We can also save our families. Those people who want to educate their children should do it using their resources instead of going to beg for bursaries or other things.

Hon. Temporary Deputy Speaker, I support the Motion and thank my colleague, Hon. Melly, for giving me this opportunity to second. Thank you.

*(Question proposed)*

**The Temporary Deputy Speaker** (Hon. Mariru): Member for Lamu.

**The Woman Representative for Lamu County** (Hon. Ruweida Mohamed Obo): Asante, Mhe. Spika wa Muda. Ninakushukuru kwa kunipatia nafasi ya kuchangia Hoja hii. Ni vizuri wale wakulima walipwe kwa wakati mzuri. Pia kule Lamu kuna wakulima wa ufuta. Wakulima hao waliambiwa watapewa fidia ili ile ardhi itumike kwa mradi wa *coal*. Sasa ni miaka na wakulima hao hawawezi kulima na hawajalipwa.

Pia katika huo mradi kwa sasa, watu walisikia kuna malipo. Pengine mtu amekuwa pale kwa miaka mingi na ana ardhi eka kumi. Saa hii katika fidia anaona kuwa ana eka moja. Viongozi waliweka watu wao ili walipwe. Hao wakulima pia waangaliwe. Kuna watu tumeenda kuwashuhudia ambao wanalia. Walikuwa na eka kumi na sasa wako na eka moja. Katika hiyo fidia, watalipwa hivyo kwa sababu wao ni wanyonge na maskini. Wengine ndio wamejipatia hayo majina kuwekwa hapo. Pia kuna wakulima wa Hindi Ward ambao wamekuwa na vita. Kuna wafugaji wanapeleka mifugo kwa mashamba yao na wao wanataka watoke. Wale wafugaji wengine ni wa Lamu na wengine ni majirani wetu. Sasa imekuwa ni vita mpaka shughuli nyingi ni kushughulikia hivo vita. Vita hivyo vinaletwa kwa sababu ardhi kubwa Lamu imekuwa *ranches*. Mabepari wamechukua shamba mpaka sasa wale wafugaji hawana nafasi ama sehemu

za kulisha mifugo wao. Wakulima nao wamekuwa sasa ni matatizo. Wakilima wafugaji wanaingia. Imekuwa vita baina ya wafugaji na wakulima.

Pia kuna wakulima wa watermelon Mpeketoni. Saa zingine zinakuwa nyingi. Naomba pia wakulima hao waangaliwe kwa sababu huwa kilimo ni hasara. Saa zingine hawapati hata kulipa ile deni yao kwa sababu zinakuwa nyingi mpaka hazina soko. Lamu kuna matatizo sana. Katika mambo ya ukulima siwezi kosa kutaja mambo ya ardhi. Tatizo kubwa Lamu ni ardhi. Wakulima wanalima na pengine hawana hati za kumiliki ardhi. Najua tumepitisha hii mikakati ya maswala ya ardhi. Serikali ingilie wapimiwe mashamba ndio wale *land grabbers* ambao wanachukua *ranches* wasipate hiyo nafasi maana kuna watu wameishi Lamu kwa miaka mingi kwa vile ni wanyonge.

Mara utasikia wanyakuzi wa mashamba wameenda kutwa hati za umiliki ardhi za mashamba makubwa makubwa. Tatizo hili liliibuka wakati wa Serikali ya nusu mkate. Wakati Wizara ya Ardhi ilikuwa kwa nusu mkate, watu walitwa *ranches* na kwa hivyo kumekuwa na shida kubwa. Hii leo inasemekana eti kuna watu walichukuwa mashamba lakini ukweli ni kwamba visa hivyo ni doti pekee yake. Zile *ranches* zilizotwaliwa ni nyingi mno. Zilikuwa ekari 350,000. Rais aliziregesha na sasa hivi zimechukuliwa tena. Natumaini sera hii ya ardhi itakagua mashamba ili wale wakaazi wanyonge wa Lamu, wafugaji na wakulima nao wamiliki ardhi.

Pia kuna tatizo la kutokuwa na usalama ambalo linaletwa na wafugaji. Tatizo kubwa lililoko Lamu ni la ukosefu wa usalama ambalo limeletwa na *Al Shabaab*. Tulitoa suluhisho kwa kusema misitu iliyoko kando ya barabara ikatwe kwa kimo cha kilomita moja kila upande ndiyo wahalifu wakivamia watu waweze kuonekana virahisi.

Nitakomea hapa niwapatie wenzangu nafasi lakini nasisitiza ardhi ya Lamu ipimiwe na wanyakuzi wa ardhi wachunguzwe. Wameanza kutuchapa. Ukiwataja tu kidogo, unahatarisha maisha yako. Kwa hivyo wanyakuzi wa ardhi waangaliwe sana maana tunahatarisha mpaka vizazi vijavyo. Hatujui watapata ardhi wapi.

Asanteni.

**Hon. Njomo:** On a point of order, Hon. Temporary Deputy Speaker.

**The Temporary Deputy Speaker** (Hon. Mariru): What is your point of order?

**Hon. Njomo:** Hon. Temporary Deputy Speaker, I withdraw it. I understand that was her maiden speech. I was just wondering about the relevance of her contribution.

**The Temporary Deputy Speaker** (Hon. Mariru): That was her maiden speech and she is done. Let us have Hon. Sankok.

**Hon. ole Sankok:** Thank you very much Hon. Temporary Deputy Speaker. Let me take this early opportunity to congratulate you for having been elected a Member of the Chairperson's Panel. Congratulations. I know you are up to the task.

I stand to support this Motion because our farmers are really suffering. It is not only the farmers, but also the companies that we have been giving a lot of money in a bid to resuscitate them. They are really in a bad situation. I am talking in relation to sugar-cane mills. A lot of money has been pumped into sugar-cane companies in order to resuscitate them. However, it seems like the money just ends up in the pockets of managers and the owners of those sugar-cane mills. It does not trickle down to the intended beneficiaries. As a country, our intention is to safeguard the right of the farmers. They ought to be paid on time. For me, it is an issue of

payment. Instead of saying that farmers should be paid within 14 days of delivery of their cane to the millers, why do we not just say that they be given cash on delivery? When millers pick cane from farms, they should pay the farmer so that he goes on with his daily business. If the problem is measurement, this House can give the unit of measurement because after all, with technology, we can have the measuring equipment in the farms. We have other farming activities that go on in our country like potato farming where potatoes are measured on the farm. The measurement here is in terms of sacks. The price is determined and then the farmer is paid on the spot. Why are farmers from sugar-cane-growing areas suffering yet other farmers in other parts of the country are not?

We need to support this Motion. The sugar industry is getting killed. We know very well that agriculture is the backbone of our country. The Member from Igembe talked about pyrethrum farming, which faced a natural death simply because of the cartels which could not pay farmers. Very many people who sat on the Pyrethrum Board of Kenya became rich yet the pyrethrum industry died a natural death. It was an investment that was worthy and it could be employing millions of our youth now, but it was left to die because of cartels. These cartels are now in the sugar sector. There is need for this House to come down on the cartels.

We are always pumping money into Kenya Airways trying to resuscitate an already dead horse. We have to find out where the problem is. You could have a horse that is not functioning. Now, if it is thin, emaciated or sick, you can treat or give it food and it will start functioning. In the situation of sugar-cane mills and other industries that are partly owned by the Government, we have been pumping money into dead horses that you cannot at all resuscitate even if you pump billions of shillings into them. Kenyans are really tired of the Government pumping billions and billions of their money into these industries that do not function.

I beg to support the Motion but with an amendment that it should be cash on delivery. It is not an issue for them to pay within 14 days because they will still not pay. So, let it be. I beg the Mover of the Motion to move an amendment to have the farmers paid cash on delivery of their cane. Let them just pay at the farm.

Thank you very much Hon. Temporary Deputy Speaker.

**The Temporary Deputy Speaker** (Hon. Mariru): Let us have one Member from my left. Hon. Christopher Omulele.

**Hon. Omulele:** Thank you, Hon. Temporary Deputy Speaker for giving me an opportunity to speak to this matter. Sugar is sweet. I do not understand why the producers of this commodity that is so sweet do not get their payment on time or at all, for that matter. I want to thank my friend, the Member for Tinderet for bringing this particular Motion.

The issue of sugar is more deeply rooted than we really care to deal with. Why do I say this? I say this because matters sugar in this country are basically controlled and managed under the Sugar Act. Under this Act, there is an authority and a board. The two basically manage matters of sugar in this country. The Authority actually licenses manufacturers and producers of sugar in this country and the factories that actually take cane from farmers and convert it into sugar. Matters to do with the factories are managed by the Board. Issues to do with payments are

managed by the Authority. For a long time in this country the farmer has not been paid. Under this Authority, we also have licences issued to importers of sugar in this country. We have sugar imported from the Common Market for Eastern and Southern Africa (COMESA) region under what is called COMESA safeguards. These safeguards are now coming to a close. The coming to a close of the COMESA safeguards portends the real death to sugar-cane farming in this country. Why do I say this?

Under the COMESA safeguards, the sugar authority in the country said we had a shortfall in the production of sugar. Importation was heavily abused by the people at the Sugar Board who were issuing licences to briefcase businessmen who would later on sell those licences to people who have the capacity to bring in the sugar. These people bring in sugar beyond the limit which has been set by the Sugar Board. The Sugar Board and the Authority did not take time to police and ensure that the licences that they had issued to those people were being adhered to. Therefore, this is one of the reasons why sugar that was being protected under these safeguards was not actually safeguarded. That is why the farmer in Mumias could not get paid. When he delivered sugar to the miller, his sugar was milled and it became even more expensive than the sugar that had been imported under this safeguard regime that was supposed to protect this farmer.

Therefore, my proposal is that as much as this issue has been eating us for a long time, we must take it seriously as a national issue and probably set up a serious inquiry into the real reasons why our sugar farming and sugar production in this country is not doing well. We must face the real reasons why our sugar production in this country is going downhill. By the end of these safeguards, we are going to see real death of sugar production in this country. If we are serious and we set up that inquiry, which I hope we shall do, it must also go into the issue of how we produce our sugar. Sugar production in this country is done on small scale basis. Farmers have small holdup pieces of land; probably an acre, half an acre, two acres or five acres. The most that I have seen is probably 10 to 20 acres in Mumias, especially where there is a lot of pressure on land.

Sugar-cane production requires massive land. We must look at the structure of land ownership. That is why I was excited and I thought I must speak to this matter because the Motion before this one was speaking to the issue of land ownership and land use policy in this country. These two matters must be married so that we look and treat sugar production in this country together with the land ownership regime. We must look at it if we are serious about producing sugar. I come from Western Kenya, and I know Mumias quite well. A lot of land is under fencing. Our people have subdivided our land to such small pieces that are uneconomic in the production. This is a problem we must face. We must agree that if we are going to produce, then we may have to come up with a radical way to consolidate land so that we can produce sugar at an economic scale. If we are going to plant more fences on land than the sugar-cane itself, then we cannot be competitive. I have been very passionate about the matter of sugar because sugar has been the cash crop for the people of Western Kenya but today farmers have not been paid for years. When the little money arrives to sort out a few things, a lot of that

money ends up again in the hands of middlemen. There are many middlemen. There are people with money who go and buy young cane from farmers because farmers have problems; they have not been paid. So, they buy the cane before it is mature and they give those farmers a little money and they wait for the sugar-cane to mature. When it matures, they offload it to the millers and the farmer at the end of the day loses.

The sugar-cane farmer in this country needs protection. I pray that when the Committee on Agriculture, Livestock and Cooperatives is in place, this is a matter that it is going to take up with gusto and look at the real issues that have affected the farmer in Mumias and in other areas that produce sugar in this country so that these middlemen are weeded out. The people who bring in sugar duty-free also need to be policed properly by the sugar authority. The Board that issues the licences to briefcase businesses must also be put on its toes. That is the only way we are going to deal with sugar production in this country. That way, the farmer who produces the sugar can enjoy its sweetness.

I therefore support and thank the Member for Tinderet for bringing this Motion.

**The Temporary Deputy Speaker** (Hon. Mariru): Member for Bumula.

**Hon. Mabonga:** Thank you, Hon. Temporary Deputy Speaker, for giving me this chance to, at least, support my friend and neighbour, who brought this important Motion to this House.

As my colleague has just mentioned, as a sugar-cane farmer in this country, I am surprised; looking at the taskforce that was set up through this House about 10 years ago. Some recommendations were made and one of them was about payment within the 14 days that you have just suggested. I have no problem if payment is made or not made within 14 days. This same farmer at times borrows money at interest because there is always an interest that the farmer pays whenever they borrow from banks or the AFC. We would suggest in this House that if such a payment is delayed, we introduce a certain percentage that farmers are given for the delay. So, the more the millers delay to pay farmers, the more the interest they will have to pay. That way, people will become, at least, more responsible.

If you look at the people importing sugar, you will realise that it is deliberate because a farmer is a major link in the sugar supply unit. Payment to farmers sometimes is delayed, or farmers are underpaid in the pretext of recovering monies in respect of subsidised farm inputs supplied to farmers. Once planting is delayed, these people take advantage and import sugar into the country. Of course, delays in planting are deliberate. The Government has done its bit in the case of Nzoia Sugar-cane Factory; they did a waiver the other day. Farmers were paid the other day but the majority of them are still in debts.

To support this Motion, I suggest that this House, through the Committee on Agriculture, Livestock and Cooperatives ensures that the Sugar Board and the authority that set low prices tell us the criterion they are using to set prices for the farmers. At times a farmer supplies sugar-cane and then the weighing of the sugar-cane is done away from the farm. Even the farmer himself at times may not witness. We need to know the criterion that has been put in place to ensure that farmers enjoy their hard work. If there is somebody who suffers a lot, it is the sugar-cane farmer. By the time you start planting and cultivating that crop, for it to mature, it takes a lot of energy. We need to take it as a serious problem affecting the farmers in this country so that they enjoy the benefits as they used to. In the 1990s, sugar-cane farming was like insurance to some of farmers. When they planted sugar-cane, even on a half-acre of land, they knew they were going to get a harvest. If you look at them today, you will see that they are very desperate. That is why

if you go home today you will find many farmers have filled your compound – they want assistance in payment of school fees. They ask us to intervene so that the management of the sugar companies can pay them. Some of us call the management, but they do not listen to us. Therefore, we must come up with a policy that will regulate this kind of behaviour towards our farmers.

I stand to support my colleague that we need to move with speed and salvage the sugar-cane farmers.

Thank you.

**The Temporary Deputy Speaker** (Hon. Mariru): Hon. Wachira Kabinga.

**Hon. Josephat Wachira:** Thank you very much, Hon. Temporary Deputy Speaker. I want to support the Mover of this Motion. It is unfortunate that our brothers who represent areas that would benefit a lot from this Motion found it necessary to be out there in the streets to market themselves through stone-throwing.

Exploitation of farmers in this country has been on for a very long time. Exploitation has been happening through various ways. One of them is the structural denial of access to finances or payments that are due to farmers. This exploitation goes beyond sugar-cane farmers. I relate this very well to farmers in my constituency of Mwea, who put in hard work in growing rice and at the end of the day they are exploited through this structural denial of finances. There are some institutions that are supposed to be stabilising prices of various commodities, including sugar. In my case, in Mwea, we have the National Irrigation Board, but its interventions come in very late when farmers have probably been exploited by private sector. I am a strong supporter of the private sector, but I think it is high time the Ministry of Agriculture stepped up its aid to our farmers so that they can also smile. I am familiar with the sugar-cane-growing farmers. Most of them look like they do not farm anything because they do not have anything to take home. Members who represent these areas should also play a greater role like my colleague who has brought this Motion. They need to advocate for their farmers so that they can benefit. As it is, our brothers have found it necessary to play politics in Nairobi as opposed to focusing on their areas by, say, supporting their farmers. As I said, the Ministry of Agriculture needs to step up its support to our farmers. It needs to look at areas that are making our farmers frustrated. It is through this frustration...

Hon. Temporary Deputy Speaker, I notice the presence of Hon. Simba Arati. Thank you for coming. We are debating a very important matter that affects not only your people in Kawangware but also back home. If the Ministry of Agriculture could support our farmers by deliberately increasing the establishment of factories for fertiliser in our country, our farmers would have access to cheaper fertiliser as opposed to subsidised fertiliser that is selectively sold to our farmers. In my constituency, fertilisers are deposited in stores which are located in Sagana and by the time they reach, say, my home in Mwea, the fertiliser is Kshs300 more per packet. If the Ministry of Agriculture could innovatively locate one fertiliser factory in Mwea and another in the sugar belt regions, our production of rice and sugar-cane would be much cheaper. This will not only benefit our farmers but also help this country to conserve the foreign currency that we are currently losing through unnecessary importation of commodities that we grow in our country. I have in mind a lot of rice that is imported into this country which is nowhere close to the quality of Mwea rice. We are not focusing on the farmer who gives us the aroma we require in rice. I, therefore, urge the Ministry of Agriculture to come up strongly to help our farmers in the areas of sugar-cane, rice and maize farming so that this country stops mass importation of these commodities.

You will recall that whenever we have drought in this country, we end up importing a lot of commodities. By focusing on the farmers, we can have enough for this country because this land of ours that has been freely given to us by God is enough to sustain us if we can utilise it the best way possible. So, I support this Motion and hope that the Ministry of Agriculture will act very fast to ensure that farmers in the sugar-cane growing areas are not only paid in 14 days but on cash-on-delivery basis as my colleague, Hon. Sankok has said. I expect the same in Mwea now that we are preparing to harvest. I want to put both the National Irrigation Board and the National Cereals and Produce Board on notice. They should look for finances so that as soon as we start harvesting they set prices that will be adopted by the private sector. We are not in any way trying to say that the private sector is not helping our farmers but we need institutions that are capable of stabilising prices that will benefit our farmers. They should be proactive.

With those few remarks, I support this Motion strongly.

**The Temporary Deputy Speaker** (Hon. Mariru): Member for Sirisia

**Hon. Koyi:** Thank you very much, Hon. Temporary Deputy Speaker for giving a chance to contribute. I want to thank the Member for Tinderet for bringing up this. This is a problem that has been in this country for so long and the Jubilee Government should come out clearly, openly, strongly to make sure that we save the farmers. It is not only the sugar-cane farmers, but there are farmers in all sectors that are really suffering from not being helped by the extension officers. These days there are no extension officers from the Ministry of Agriculture who go around to see how farmers are doing. We want to bring this country back to those days. During President Moi's time, extension officers were there.

This year you saw voters refusing to vote because of *ungu* and yet this country is capable of producing enough food crops. So, I believe and trust that after the election those who are giving us problems would have resigned. We hope that our able Government will do its work the way it is supposed to do. The problem of sugar-cane has been there for quite some time and I am also a sugar-cane farmer. Hon. Sambu and Hon. Wangwe are also sugar-cane farmers. It is something that affects us the people of Western Kenya. This privatisation also affects farmers in one way or the other.

As a House, we need to see how privatisation should end and how the Kenyan farmer should be helped. Trans Nzoia and Bungoma used to be the maize basket in this country, but because of corruption, big people and their families have brought Trans Nzoia and Bungoma down. They have grabbed all government land. So we are not producing maize the way we used to these days. Sugar-cane is cash. When you go to a store or a supermarket, you will not be given sugar on loan or credit. Therefore, I support Hon. Kangogo that people who want to make sugar should buy sugar-cane from farms. Imagine you have given somebody your 10 acres of sugar-cane and it took you another 10 years to be paid yet he sold sugar those 10 years ago. What do you expect this farmer to do?

Sometimes I say, as Members of Parliament; if you are in a committee, do not agree to be compromised. This thing is really hitting the country and the common *mwananchi*. Look at the pyrethrum subsector. For the maize farmers, the country has failed to produce a chemical that kills insects. They used to use pyrethrum for insects but now the Government has been unable. They were importing chemicals which cannot kill maize insects. So we are going backwards as a country instead of coming up. It is a very serious issue affecting every crop; be it tea or coffee. There are so many thieves in the coffee sector. A farmer can be rained on today plucking coffee, take to a society and tomorrow he will not be paid. So I support this Motion by the Member for

Tinderet. As a nation, let us all come together as Members of Parliament to support this issue of poor farmers instead of living them that way.

I support, Hon. Temporary Deputy Speaker. Thank you

**The Temporary Deputy Speaker** (Hon. Mariru): The Members who get a chance to speak, one of the primary considerations is the priority of the requests as Members have made. Many Members will get a chance to speak. Obviously, when we get Hon. Washiali, a member of the leadership making a request we give him priority. But you will all get a chance.

**Hon. Washiali:** Thank you, Hon. Temporary Deputy Speaker. At the outset I want to thank Hon. Julius K. Melly for bringing this Motion and also to thank Members, especially the ones who have already contributed. I have been listening keenly to their contributions. If you remember, in the last Parliament I was kicked out of this House for trying to bring amendments to a Motion that was meant to affect one of the public officers who then was the governor of Nairobi, but he has since lost that position.

As I thank Hon. Melly for bringing this Motion, I would really wish that from the excitement I have seen from Members, as the 12<sup>th</sup> Parliament, we could sit together and draft a Bill that would address these problems once and for all. In as much as we appreciate the introduction of a Motion, a Motion on its own will not help us. This reminds me of what Hon. Wangwe had done in the 11<sup>th</sup> Parliament. He brought a Bill that we had not looked at as the Committee on Agriculture, Livestock and Cooperatives. But we hope that now that we are in the 12<sup>th</sup> Parliament we will have that Bill reintroduced. Still, we need to have a comprehensive Bill that would address the issues of sugar-cane farmers.

This is one sector that is not regulated. We have been waiting for regulations from when Hon. Kirwa was the minister for agriculture, all the way up to today when it is CS Bett. We were told when we were in the Committee of Agriculture, Livestock and Cooperatives that the regulations are with the Attorney-General and he is looking at them, but we are still wondering for how long the AG would look at the regulations. Without regulations, these would still be stories. We will be moving forward and backward without a solution to the problems bedeviling sugar-cane farmers. I even heard a Member who in his contributions talked of the sugar board. I think it is important that we have that corrected. Right now, sugar-cane farmers are under the Agriculture, Fisheries and Food Authority which has a directorate on sugar. Therefore, the Kenya Sugar Board is no more. This was meant to improve the situation but up to now we have not had significant improvement coming from this sector.

There is a serious problem of poaching. If I remember very well, one of the requirements of setting up a sugar factory was that that sugar factory must also demonstrate that they can have their own crop to crush. But today you will find a sugar factory coming up. As long as they have put up the milling plant, they go ahead and apply for a licence and they are licensed. This has encouraged a lot of sugar-cane poaching where you find a factory which does not have any kind of nucleus estate just going ahead to crush cane developed by another sugar factory. Therefore, the reintroduction of zoning, like at one point we used to have a requirement that any sugar miller must have its zone, I think it is important for us to move forward. We must reintroduce

zoning so that a sugar miller must know where his farmers are. We must also take care of other sugar factories that have taken advantage of this and frustrated farmers a lot. But the aspect of sugar-cane farming which has always been encouraging sugar development, I think if we have to move forward, we must reintroduce that sugar factory zoning.

There is also the aspect of the Sugar Development Levy. At one point the CS in charge of finance came up with a policy and just scrapped the Sugar Development Levy. This has really affected the sugar growing zones because this levy is what farmers used to rely on. It was also relied on by the factories for development of these zones. This would be charged on sugar importers. It is a levy that would be charged on every sugar player, including those importing. If this was re-introduced today, I am sure some infrastructure that is currently wanting in the sugar zone would have been corrected.

There is also the aspect of corruption. Sometimes when I hear our National Super Alliance (NASA) leader, the former presidential candidate, I do not know whether he is still current or former because I am told he has withdrawn claiming that he has a better future for Kenyans because he is corrupt-free and that he can oversee growth in many other aspects.

Where Hon. Melly comes from, his closest factories are Chemelil, Miwani and Muhoroni. All these factories are in the areas where our NASA leader comes from. If really he was a leader who was keen in developing this sector, I am sure he would have helped the management especially when he was a Prime Minister to make sure that this sector is properly taken care of.

I am hearing my colleague talk of a point of order. However, Mumias Sugar Company was mismanaged by Hon. Kidero.

**The Temporary Deputy Speaker** (Hon. Mariru): Order Hon. Washiali! There is a point of order from the Member for Kwanza. What is the point of order?

**Hon. Wanyonyi:** On a point of order, Hon. Temporary Deputy Speaker. Is the Chief Whip in order to mention the name of somebody who cannot defend himself here? Is he in order? This is because he is referring to the former Prime Minister yet he is not here. I am here to contribute to this very good Motion. However, to adversely mention my leader who cannot defend himself in this House is not in order.

**Hon. Washiali:** Hon. Temporary Deputy Speaker, I withdraw. However, just as the saying goes, even if I withdraw, at least, he has heard what I said.

**The Temporary Deputy Speaker** (Hon. Mariru): Proceed, Hon. Washiali.

**Hon. Washiali:** Hon. Temporary Deputy Speaker, as I summarise, I had informed Hon. Melly that we need to sit together. At one point, we had a caucus of Members of Parliament who represented sugar-cane farmers. I think we need to re-introduce that caucus so that we sit together and draft a Bill that will address these problems once and for all. This is because I know if we have a sector that is well managed; it could create employment for our people. It will also create income for our farmers and improve the economy of the sector where these factories are. It will also save the country the foreign exchange that is hard to come by and I am sure it will go a long way. On the issue of corruption, we have had two forensic audits that have been done. One of the forensic audit cost the management of Mumias Sugar Company about Kshs100 million--- I do not know what has happened to the warning lights because they usually monitor us.

**The Temporary Deputy Speaker** (Hon. Mariru): You have three more minutes.

**Hon. Washiali:** Thank you, Hon. Temporary Deputy Speaker. I was talking of a Report that came to this House in the last Parliament. The management board of Mumias Sugar Company instituted Kiyneveld Peat Marwick Goerdeler (KPMG) to do a forensic audit which was done and brought to this House. We followed it and at one point it was brought to this House. We need to make a follow up in this 12<sup>th</sup> Parliament because of the implementation aspect. We had recommendations that we had made as a House and we need to make sure that they are followed so that we can see the farmers of Mumias and all other sugar-cane farmers also benefit.

I am also aware that the Capital Markets Authority has instituted another forensic audit especially on Mumias. I am told the report is about to come out although there are legal issues, whereby the corrupt again have started raising issues so the forensic audit does not come out. I want to use this opportunity to warn those who looted Mumias Sugar Company that they can run but they cannot hide. One time they will be caught.

Thank you, Hon. Temporary Deputy Speaker.

**The Temporary Deputy Speaker** (Hon. Mariru): Member for Naivasha, the Floor is yours.

**Hon. (Ms.) Kihara:** Thank you, Hon. Temporary Deputy Speaker for giving me this chance to support the Motion on the sugar-cane growers. Although I do not come from that area, Kenya as a country needs to support agriculture. We pride ourselves in agriculture because it is the main economy builder of this country but it seems that we are not serious because we do not support the industry.

Hon. Temporary Deputy Speaker, everybody or most Kenyans consume sugar. I do not think there is anybody who does not take sugar except me. However, at the same time, like somebody said, there is ready market for sugar. I do not see why a farmer should not be paid promptly for the produce. In whatever business you are in, if you are not paid in good time, and that money is delayed, it never meets your needs; instead it puts you in more debt. This goes to other industries like pyrethrum which is grown where I come from. Children born 10 years ago do not know what pyrethrum is yet we know it was the backbone of the economy of Nyandarua, Nakuru and many other places. What ails this country is corruption. If corruption is not addressed, it is going to consume everything and everybody. We know these farms need fertilizers. A farmer cannot get fertilizer because by the time money arrives, it goes to clear very old debts. The country as a whole should make agriculture more lucrative so that we create more jobs for our youth. Our youth do not think of farming at any one time because there is nothing to show for it. Those who have been in it end up suffering. As for sugar, we know it is imported by few tycoons. They are the same people who kill this industry. Like somebody said, let us put agriculture high in the radar of our economy so that crops like pyrethrum, potatoes, rice, tea and coffee will come back in big force and create more jobs.

Hon. Temporary Deputy Speaker, Nakuru Pyrethrum Factory is now is being vandalised because the industry is dead. We all know there is a ready market for agricultural products. As the Chief Whip said, let it be put into a Bill such that we all contribute and it moves this industry a level higher.

Hon. Temporary Deputy Speaker, I have been to western Kenya a few times and you can see the poverty there. Those people are trying to bring themselves up. I know if they are paid on time, it will increase the production and the industry will create jobs to the youth of that region, just like any other region, if agriculture is promoted.

I hereby I support. Thank you.

**The Temporary Deputy Speaker** (Hon. Mariru): Member for Sigowet/Soin, the Floor is yours.

**The Member for Sigowet/Soin** (Hon. Benard Kipsengeret Koros): Thank you, Hon. Temporary Deputy Speaker. I take this chance to give my maiden speech. I thank the people of Sigowet/Soin for electing me to this august House. I assure them that I am here to work for them.

I support the Motion. The sugar industry is the livelihood of the people of Sigowet/Soin. Almost three quarters of my constituents are sugar-cane farmers. They have suffered due to the collapse of this industry. It is high time the Government took the issue of sugar industry seriously because it is the livelihood of many farmers in this country. Let me also take this chance to thank my friend and neighbour, Hon. Melly, for bringing up this Motion. This is because he knows what our people are facing. The main challenges are largely importation of sugar to this country. This has forced our factories to collapse. The other issue is non-payment of our farmers. Most of our farmers have suffered. Most of my constituents take sugar-cane to Chemelil and Muhoroni sugar factories. There has been a lot of biasness even in payment. You find that people from my region are the last to be paid, and those from the lower parts of Nyanza are the first to be paid.

There have been problems of cross-border tariffs whereby people from my region have suffered a lot of taxation when they carry their sugar-cane to Muhoroni Sugar factory. So, I support this Motion and urge the Government to take this issue seriously. There is the issue of bailing these farmers. The Government has been bailing other sectors of agriculture and we wonder why sugar farmers have not been taken seriously. Some have been given other subsidies like fertilizers and loans, like other agricultural sectors.

Therefore, I support this Motion.

**The Temporary Deputy Speaker** (Hon. Mariru): Let us have the Member for Kwanza.

**Hon. Wanyonyi:** First of all, Hon. Temporary Deputy Speaker, I take this opportunity to congratulate you for your appointment to the Speaker's Panel. Secondly, on a light note, I have noted that the new Members are so good in making contributions to Motions. I am particularly impressed with the debate by the lady Members of Parliament. You are doing very well.

*(Applause)*

However, let us stick to the Motion. I refer to NASA and people who are outside this august House with a light touch. Do not take it so personal as if it is the end of the story. Let us contribute, particularly new Members, but add something just to flavour your contribution. It will be better than you standing there and hitting hard, thinking that you will be noticed by your party leader, who is in State House. Sorry about that, he will not notice when you leave this House.

I, therefore, take this opportunity to thank Hon. Julius Melly for bringing this Motion. That was good.

Secondly, I note that Hon. Washiali has raised very important points, which should be followed up. We have the Committee on Implementation. I want to assure Hon. Washiali that whatever we discuss here will not be in vain. I hope and pray that this Committee will implement

whatever has been discussed here because it is good. Sugar-cane farming was introduced in this country when I was in primary school. Farmers were very enthusiastic. They would all rush to plant sugar-cane. I think they are regretting today because of what has been mentioned; a lot of problems in the sugar industry. No wonder they have moved from the sugar producing areas in Western Kenya to the northern parts of the Rift Valley – hoping that they will get prompt payment, but it has been very difficult to pay our farmers.

Therefore, Hon. Washiali, with your experience and proximity to the sugar growing area, we should have a committee to handle this matter effectively because sugar-cane farmers have had a lot of problems. Some of them take loans, as explained earlier. They pay for farm inputs like fertilizers as well as for the tractors that plough their farms, and pay for labour; yet they are not paid. I agree that sugar-cane millers should pay up within 14 days of delivery of sugar-cane, failure to which they should be charged interest on outstanding payments.

This has been a big problem. Some farmers have had many diseases. People thought that they would be paid but they were not paid, and they just died because they could not manage their hospital bills. We feel this should be done. I tell Members from the region that this must be fast-tracked so as to cure the problems that we are having, especially when it comes to weighing sugar-cane. You find that the distance between the farm and weighing place is almost 30 kilometers. There are so many problems that cannot be solved in one session like this one. We want a committee as suggested by Hon. Washiali to sit down and look at it afresh. We had the Kenya Sugar Board, and the Sugar Levy Fund, which were removed. There are quite a bit of things which should be done to help our farmers and encourage them other than having sugar imported from Brazil and COMESA countries being more cheap than our locally produced sugar.

I thank Hon. Julius Melly for bringing this Motion but much more than what we are discussing here, we should have a committee to deal with it. Through the Departmental Committee on Agriculture, Livestock and Cooperatives, we should specifically come up with ways of assisting farmers in the sugar producing areas. I look forward to this initiative having a cure for most of the problems that have been befalling farmers in the sugar producing areas.

I support the Motion.

**The Temporary Deputy Speaker** (Hon. Mariru): Hon. Members, you will all get a chance. We have slightly over an hour allocated to this Motion. We are going according to priority and even gender within the broad context of the requests Members are doing. So, all that balancing will be done and all of us will get a chance. Hon. Wangwe Emmanuel.

**Hon. Wangwe:** Thank you, Hon. Temporary Deputy Speaker. At the outset, allow me to state that I have been a cane farmer since 1984 when I signed my first contract with Mumias Sugar. Those are many years and what I have gone through for the last 10 years is total suffering to an extent that we are absolutely not able---

*(Hon. Keynan stood at the gangway)*

**The Temporary Deputy Speaker** (Hon. Mariru): Order, Hon. Keynan! You cannot stand between the Speaker and the one speaking.

**Hon. Wangwe:** Thank you, Hon. Temporary Deputy Speaker, for protecting me so that you are able to see me and interact with my face as I contribute to this wonderful Motion. As I was saying, the suffering I have gone through for the last 10 years alongside other farmers is so immense that we must put this to an end. As I support this Motion, I look at two things: One, the question which lingers in my mind is why it is only public companies or millers who delay in making payment whereas private-owned millers pay their farmers within seven days. In western Kenya, we have Butali Sugar and West Kenya Millers. Those are two private companies which are able to pay within seven days of delivery. But all public-owned companies take time of almost a year or one-and-a-half years to pay. This is simply because of one reason; which is corruption. There is too much corruption, inconsistency and infidelity among the staff and they have all built this into inefficiency that they are not able to pay.

Therefore, this Motion we are debating today is long overdue. It is a Motion which I must congratulate my colleague, Hon. Melly, for having brought up so that we can address ourselves to this issue and help our farmers to correct it once and for all. Once we put this into law and it moves into a Bill, we will be able to address it. In addition to what I have said, this is an issue of commercial concern. It is normal practice that you have to account or consider where you are getting your stock before you pay any other person. What happens with the millers is they pay transporters and suppliers of other goods and forget to pay the farmers. Giving farmers a third priority is what is causing all this suffering. What happens is that millers collude with staff, transporters and other contractors to pay themselves. Once this Motion is passed, it means the managing directors and chief executive officers (CEOs) of those millers will be able to give priority to farmers before proceeding on.

I want to address myself to the Sugar Development Levy, and about what my colleague of Mumias East, Hon. Washiali, has said. The Sugar Development Levy was a prime fund that was enabling farmers to access loans not only for cane development, but also for infrastructure. Today, when you go round the farms, you do not see any road that has been constructed for factory use. Since the Sugar Development Levy is now gone, we are not able to access the loans. Farmers are not able to borrow loans to buy fertiliser. Instead, they have to dig deeper into their pockets so that they can get the loans to buy fertiliser. There is also the concept of high pricing of fertilisers. Looking at the way fertiliser has been distributed by the Ministry of Agriculture, Livestock and Fisheries, whenever it comes, it is not addressing itself to sugar-cane farmers. I would want us not to commercialise and allow procurement of fertiliser to be at commercial rate now that most of the sugar-cane farmers are large-scale consumers of that product.

There is the challenge of the 40 kilometre radius from one factory to another. We should address this concern to protect millers so that they also get funds to pay on time. Let us not allow introduction of new factories as and when the Government wants. You will find that a factory is built without a nucleus estate and nothing to hang on to. You will find one firm, a holding company, having four factories in one area. This is the kind of corruption that we are talking about. Why should you allow a holding company to have four factories and yet, the existing cane is not sufficient enough for the factories that we have?

Finally, as my colleague has said, no one buys sugar on credit. Why is it that millers take a long time to pay? Why should they take, say, one or one-and-a-half years and yet, they sold sugar on a cash basis? Let them use the money they are going to get to immediately pay the farmers. The moment they pay farmers, they will be motivated to get more sugar-cane so that they are able to feed the factories as and when they need the product.

As my colleague has said, I had a Bill in the 11<sup>th</sup> Parliament which, as normal procedure, I had proposed to the Departmental Committee on Agriculture, Livestock and Cooperatives. I will be seeking to revive and enjoin what Hon. Melly has done today and invite all my colleagues, including Hon. Washiali and any other colleague who is interested to enrich the Bill, to make sure they give their input and make a good debate. That will enable us to regulate the sugar sector in Kenya.

Thank you, Hon. Temporary Deputy Speaker.

**The Temporary Deputy Speaker** (Hon. Mariru): Member for Narok West.

**The Member for Narok West** (Hon. Gabriel Koshal Tongoyo): Thank you, Hon. Temporary Deputy Speaker, for giving me this opportunity to contribute in this august House. I am making my maiden speech. First and foremost, I would like to thank the people of Narok West, the home of the 7<sup>th</sup> Wonder of the World - Maasai Mara - for bringing me into this House. I promise them that I will be up to the task. I equally congratulate you for being nominated to the Speaker's Panel. I know you are equally up to the task.

Contributing to the Motion, sugar-cane or generally agriculture is the backbone of our economy as a country. It has been having a lot of challenges. I support my colleague who has just mentioned that some of those issues need ample time to be addressed; probably even by a select committee because the challenges may not be exhausted in such short motions. We have been having a problem as a country on the issue of sugar-cane and other cash crops.

Specifically, on sugar-cane, it has been mentioned that we have been having some problems because of non-payment or even delayed payments. In other cases, we could be having issues of faulty scales. So, farmers have been oppressed. This has demoralised them and majority of them have pulled out of the industry.

I suggest that this House should rise to the occasion and create laws that are going to make it almost impossible to have oppressive practices subjected to our farmers. The production of that cash crop should be paid on delivery or, at most, within 14 days. We should pass laws that say that non-payments or delays are going to attract penalties.

The sugar industry has been one of the most troubled industries. It has been infiltrated by many sugar barons. That is why you get our farmers, despite toiling day and night, are still so poor as opposed to other countries like Sudan and Malawi that are producing sugar-cane. The farmers that are producing sugar-cane are so rich, but our farmers are so poor because of such oppressive challenges from the millers. I suggest that we pass laws to ensure that our farmers are promptly paid whenever those commodities are supplied.

I also want to suggest, if it is possible, to create an opportunity where this issue is going to be discussed in a broader manner. We form a taskforce or subject this Motion to a committee so that many issues are addressed and tackled.

In the county I come from, it is a new venture. Our farmers in parts of that county - like Trans Mara County - are venturing into it. It is going to be very unfortunate if they are going to run into losses. It is going to discourage them and, probably, lead them to dropping the practice altogether.

With those few remarks, I support the Motion. This House should pass laws and regulations that are going to make our farmers reap their benefits.

Thank you, Hon. Temporary Deputy Speaker.

**The Temporary Deputy Speaker** (Hon. Mariru): Member for Manyatta.

**The Member for Manyatta Constituency** (Hon. John Muchiri Nyaga): Thank you Hon. Temporary Deputy Speaker for giving me this opportunity to contribute to this Motion.

First, I thank you for having been elected to the Speaker's Panel. Also, allow me to thank the great people of Manyatta Constituency for giving me an opportunity to represent them in this House for the second time. That is a clear testimony that they have confidence in me. I promise them that I will ably represent them in the House and outside.

Back to the Motion, sugar-cane farmers are like any other farmers that we have in Kenya. They are having a policy problem. When you mention coffee, tea, pyrethrum or any other crop, it is a problem because you will find that, regardless of developing some of those policies, our farmers have continued to suffer in the hands of cartels. So, we also need law enforcement to check what is happening. I think the Cabinet Secretary (CS) in the Ministry of Agriculture, Livestock and Fisheries has a lot of work to do. It is like coffee farmers in my place. You will find that farmers from two societies have not been paid for the last two years. Those farmers have children in schools. They also have their needs like going to the hospitals and fulfilling many things. When you do not pay a farmer, you are killing that farmer. It is unfortunate that agriculture is devolved. But, the national Government has an obligation to check what is happening in our counties in order to protect our farmers.

Therefore, it is a duty of this House to come up with policies to safeguard and protect farmers. Even macadamia farmers are not fetching good prices. There was a policy that was done by the Ministry of Agriculture, Livestock and Fisheries, but it was in the favour of the processors. So, you find that farmers are left nowhere. We will be creating committees in this House. I beg Members of Parliament and those who will have a chance to serve in the Departmental Committee on Agriculture, Livestock and Cooperatives - Last time, I had requested to be in that Committee because my background is on co-operatives - not to be compromised. I have petitioned twice about the Kenya Planters Co-operative Union (KPCU) and coffee farmers. I will also petition about the farmers of macadamia. But, when the petition is taken to the relevant Committee, a lot of hullabaloo happens. You cannot know what happens in that Committee. Another Committee which was moribund – I am sorry to call it “moribund” is the Committee on Implementation. After discussing and debating this Motion, it will be taken to the Committee on Implementation and nothing will come out. So, I hope this is not showbiz. We are spending taxpayers' money. We are paid to be in this House and, therefore, people who elect us are expecting us, when we debate a Motion like this, to make sure that it is implemented.

With those few remarks, I support. Thank you.

**The Temporary Deputy Speaker** (Hon. Mariru): Hon. Wachira Mukami.

**The Woman Representative for Nyeri County** (Hon. (Ms.) Rahab Wachira Mukami): Thank you Hon. Temporary Deputy Speaker for giving me this chance. Congratulations for your new task. Allow me to give my maiden speech.

I want to thank God and the people of Nyeri County for believing in me and standing with me throughout my campaigns. For the period of five years that I will serve them in this honourable House, I wish to assure them that I will keep my promise as articulated in my manifesto.

Back to the Motion, as we all know, agriculture is the backbone of our economy. Most people rely on it to sustain their livelihoods. From the cane farmers in Mumias to the coffee farmers in Nyeri, they have continued to incur huge losses and lead desperate lives due to delayed payment for their farm produce by their co-operative societies and millers. They sometimes end up in the hands of the middlemen who clip their efforts.

Hon. Temporary Deputy Speaker, we, at times, see sugar being imported and yet, Kenya is one major source of the produce. Farmers have diverted their efforts to other areas due to poor

and late payment. It is high time this House comes up with a law that enhances all farmers. Irrespective of whether it is coffee, wheat, cotton and maize, farmers should be paid within 14 days or earlier, even after delivery. Delayed payments have resulted in low production due to lack of funds to purchase farm inputs. Farmers are living in poverty due to the huge losses that have been incurred from interests accrued from loan advances to sustain their families.

To boost farming in our country and help farmers to sustain their families, I urge the House to support this Motion for the poor farmer in Uasin Gishu, Nyamira and Meru.

I beg to support the Motion.

**The Temporary Deputy Speaker** (Hon. Mariru): Member for Lamu East.

**The Member for Lamu East** (Hon. Ali Athman Sharif): Ahsante sana Mhe. Naibu Spika wa Muda.

Kwanza kabisa, nataka nichukue fursa hii kumshukuru Mwenyezi Mungu ambaye aliniwezesha kurudi katika Bunge hili la Kumi na Mbili. Vile vile, nawashukuru wananchi wa Eneo Bunge la Lamu Mashariki kwa kuwa na imani na mimi tena na kuniregesha kuwahudumia kwa miaka mitano ijayo.

Bunge hili lajadili Hoja muhimu sana, ni Hoja nyeti na inahusiana na uchumi wetu wa Kenya. Kama tunavyofahamu, ukulima ndio uti wa mgongo wa uchumi wetu wa Kenya. Lakini, ni masikitiko makubwa kuona, la kwanza, Wabunge wengi hawako kujadili suala hili ambalo ni muhimu katika nchi yetu ya Kenya.

Suala la ukulima katika nchi yetu ya Kenya, Mhe. Spika wa Muda, limekuwa ni dodda sugu. Kwa maana hiyo, utapata ile hali iliyoko kwa wakulima wetu leo kama Waheshimiwa wanavyoizungumzia, hakuna mkulima yeyote ako na furaha kwa sababu ya kufanya kazi hii. Sababu ambazo zinasababisha haya yote yamezungumzwa ni tofauti za hapa na pale. Pengine ni wahusika wakuu wanaosimamia suala hili kuwasaidia wakulima, ama utaratibu unaotumika kuwatumia na kuwasaidia wakulima. Sababu ni nyingi zinazofanya wakulima hawa kufa moyo na kutokuwa na hamu ya kufanya ukulima.

Katika nchi yetu ya Kenya, sehemu zote ziko na ardhi ya kutosha ya kufanya ukulima. Ni jambo la kushangaza kuona nchi yetu ya Kenya leo inaagiza bidhaa kama sukari kutoka nchi za nje, na ilhali tuko na viwanda na wakulima ambao wako tayari kuifanya biashara hii. Leo ni bidhaa moja ambayo imeletwa hapa na Mhe. mwenzetu. Tatizo moja ni kwamba wakulima hawalipwi pesa yao kwa wakati unaofaa. Na kutokana na haya, inasababisha wakulima hawa kupata hasara, kufa moyo ama pengine inasababisha hali hii ya bidhaa hizi kutoweko katika nchi yetu kwa sababu ya udhaifu kama huu. Sasa tujiulize tatizo hili liko wapi. Tunahitaji kulirudisha wapi tukiwa kama Wabunge ambao wanawakilisha wananchi katika Bunge hili.

Leo tunazungumzia masuala ya wakulima wa miwa lakini tatizo hili si la wakulima wa miwa peke yao. Tatizo hili liko kwa kila nyanja kama ilivyogusiwa na wenzangu hapa. Tatizo liko kila nyanja. Leo sisi kama nchi hatupaswi kuomba mambo fulani katika nchi za inje, ama kama nilivyosema, tunaleta bidhaa kutoka nchi za inje, na ilhali sisi tunazo kila sababu na kila kitu cha kuweza kufanya mambo haya.

Suala hili la miwa tunafaa kuliangazia. Kwa mfano, kuna viwanda ambavyo hivi sasa vimekufa, vimetupilia mbali kazi ama vimeweza kutoweza kufanya biashara hii. Kuna Kiwanda cha Ramisi, Pwani. Hakuna sababu hata moja ya viwanda hivi kufungwa. Ikiwa nchi hii itasimama na idhamini ukulima, sioni sababu ya matatizo kama haya. Leo, sioni sababu Serikali itumie pesa kununua vyakula vya kupea watu katika sehemu ambazo zina ukame. Pesa hizi zinazotumiwa kununua bidhaa hizi za kugawia watu wenye njaa na sehemu kame, kama

zingeelekezwa katika masuala haya ya ukulima, zipewe wakulima, nafikiri kila mahala ama sehemu katika nchi hii, watu wangeweza kufanya ukulima.

Mimi ningependa kuwaambia ndugu zangu Waheshimiwa kwamba mambo kama haya ni muhimu tuyajadili kwa namna inayotakikana. Tunafaa tujadili ni vipi mkulima atalipwa pesa wakati ameleta bidhaa yake. Ni vipi tutaweza kulizungumzia suala la miwa peke yake kwa sababu uchumi wetu ni ukulima na matatizo yako kila mahali. Leo, Bunge hili litapitisha suala hili la wakulima wa miwa wasaidike kwa namna hii, lakini je, kesho tutarudia tena tuanze kuzungumza na wengine? Naomba ile kamati ambayo itaundwa iweze kuzingatia zile nyanja husika na kuweza kulisuluhisha suala hili la kuhakikisha kwamba nchi hii haiko tena katika ile taswira ya kuonekana kwamba watu wako na njaa, watu wafa na wako na tatizo la chakula. Wakenya wako tayari kufanya kazi hizi za ukulima. Wanachosubiri ni ule usaidizi wa Serikali katika masuala haya. Wale wahusika katika nyanja hizi wahakikishe ya kwamba watu wamesaidika inavyotakikana, na watu wamejiondosha katika ile hali ya kufanya ulafi na ulaghai katika majukumu ya kuendesha masuala kama haya.

Ni muhimu sana Serikali izingatie wakulima na ihakikishe kwamba imeweza kusaidia viwanda vyote na wakulima wote. Nina imani kubwa litakapofanyika hivyo, basi tutasahau masuala ya matatizo ya vyakula na kuagiza bidhaa kutoka nje ya nchi hii. Leo, kilo moja ya sukari ni mia tatu ama mia nne. Kuna watu wameacha kunywa chai kwa sababu hawawezi kununua sukari. Leo tunajadili vipi mkulima atalipwa pesa yake wakati ameleta bidhaa. Tunamjadili vipi yule anainunua hii sukari ili bei ipungue? Njia ya kuweza kumsaidia yule mwenye kununua bidhaa hii ni kuhakikisha ya kwamba wakulima wamesaidika na tumeweka mambo ya ukulima kisawasawa. Bidhaa zile zinapofika katika mahali pa kutengenezwa, tuhakikishe zimefika kwa mwananchi wa kawaida katika bei ambayo anaweza kununua. Haya ndiyo mambo ambayo nataka tuyazingatie tukiwa kama Waheshimiwa katika Bunge hili. Ni muhimu kuwazingatia Wakenya wa kila aina ya nyanja tukiwa hapa. Kwa mfano, Mkenya anayeua hii miwa, anayeenda kununua sukari na ambaye anakwenda kulima. Kama nilivyosema, hili ni suala nyeti. Linahitaji kukaliwa vyema na kamati husika na kuhakikisha kwamba yale ambayo tutaweza kuyapitisha hapa katika suala hili pamoja na mengine katika masuala ya ukulima, litamfaidi Mkenya popote alipo.

Ahsante na naunga mkono Hoja hii, Mhe. Spika wa Muda.

**The Temporary Deputy Speaker** (Hon. Mariru): Member for Bureti.

**Hon. Mutai:** Hon. Temporary Deputy Speaker, I rise to support this Motion. First and foremost, let me thank my colleague, Member for Tinderet, for bringing this Motion which is very critical. Sugar-cane farmers have been silent, but they are suffering silently. It is about time that their plight is made public. As rightfully said by my colleague from Sigowet/Soin, those farmers who are either doing large-scale or small-scale farming have gone through a lot. First and foremost, we need to regularise the relationship with the millers. We need to set parameters and laws on how they engage with the millers. As it stands now, the bargaining power rests entirely on the millers. Our farmers have no say whatsoever. They cannot bargain or sit on the table with the millers on equal footing. We need to come to their rescue. In that regard, I urge the Ministry of Agriculture, Livestock and Fisheries to come to the rescue of those farmers.

First and foremost, those farmers cannot dictate when they get their payment. They cannot have a say over the millers. We have seen incidents where farmers have given up sugar-cane farming and opted for other fields which are either lucrative or have completely lost hope. This House dealt with the Sessional Paper on National Land Use Policy this morning. One of the main ingredients in that Sessional Paper was that, sometimes, there is lack of value addition to

the agricultural products and poor marketing strategies that have led to our farmers to completely give up and turn their lands for such other uses other than agricultural use.

*(The Temporary Deputy Speaker  
(Hon. Mariru) left the Chair)*

*(The Temporary Deputy Speaker  
(Hon. (Ms.) Mbalu) took the Chair)*

That way, we are leading this country to the wrong route. Currently, the sugar market is flooded with sugar from external sources rather than that from our farmers. We should ask ourselves why we cannot regulate importation of sugar.

Recently, we were told about importation of sugar from as far as Brazil, South Africa and other countries. Importation of sugar is going to hurt our farmers. Can we not control the licensing of importation of sugar? Why can we not give preference to sugar that we farm from within? Sometime back, our farmers used to export sugar to Uganda. Indeed, sugar from Kenya was valued dearly by Ugandan consumers. What went wrong? When did the rain start beating us? This matter ought to be seized by the Departmental Committee on Agriculture, Livestock and Cooperatives so that it digs deep into it. Our Chief Whip, who happens to come from Mumias, a sugar belt, has said as much. This is a matter of great magnitude that requires the effort of this House to ensure that we deal with it once and for all. This knee-jerk reactions or stop-gap measures being taken cannot really sort out the problems.

Farmers in Kericho County need uniformity. At times, they are charged high tariffs by the neighbouring county of Kisumu and yet, when they bring their goods to Kericho County, they are not charged the same. There is no uniformity in terms of engagement before the farmers reach the millers. The moment they reach the millers, it becomes their death-bed. Farmers have been staying for six months to one year before they get paid. Those are farmers who do not have money. They survive by the teeth or skin. We need to come to the aid of those farmers. When farmers are not paid in one cycle, they are not able to plant sugar-cane in the next season because they have no capital to use during planting. This is killing visionary people who, given a chance, would have lived big and reached great heights.

Population is growing in our areas. Majority of the sugar-cane farmers are small-scale farmers. About 80 per cent of the population of Kenya lives on the 20 per cent of its arable land. It is the same 20 per cent of the land we are fighting for to ensure we get high production of sugar. Can we not solve this issue? Recently, the Chief Whip of the Majority Party was assisted by the Government, but that was just a minor problem solved. The major one is facing farmers. We need to take this thing seriously. I request that this matter be seized by the Departmental Committee on Agriculture, Livestock and Cooperatives and deal with it so that it comes up with a lasting solution.

We also have private millers that are coming up, but they have learnt bad habits from the other millers. Farmers run to private millers thinking they are the better option or a better devil, but they end up facing the same problems, if not worse. Private millers are treating farmers in the same way. There is no distinction between the other millers and private millers.

Honestly, I stand with sugar-cane farmers in all the sugar belts of this country, irrespective of the region. I believe it is time this House rose up to the occasion and sorted out this problem once and for all.

On that note, I beg to support this Motion.

**The Temporary Deputy Speaker** (Hon. (Ms.) Mbalu): Next on my request list is the Member representing the people of Keiyo North, Hon. Murgor Kipkosgei.

**Hon. Murgor:** Thank you Hon. Temporary Deputy Speaker for giving me this opportunity to add my voice to this Motion that has been brought by the Member for Tinderet. It is a very important Motion. I would like to thank him for bringing it to the House.

Secondly, I would like to congratulate you for your re-election to this House for the second time and also your re-appointment to the Chairperson's Panel. Congratulations.

Back to the Motion, I come from a constituency which is not very far from the sugar belt. Over the years, we have seen deterioration of the sugar industry. I recall in the late 1970s and in the early 1980s, we used to admire the farmers in those areas when we would go there. Even at some stage, some of us thought we should buy land there and grow sugar-cane. However, over the years, that area has really deteriorated. Those days you would have seen a farmer walking with his head high. Nowadays, the people of those areas are in a very sad situation; very pathetic indeed.

What does a sugar-cane farmer do? He or she plans to plant sugar-cane. They go for a loan and then plant sugar-cane. He or she has to wait for 18 months to harvest and sell the sugar-cane to the miller who will mill and sell it, but forget about the farmer who produced it. I agree with Hon. Melly when he says that this is actually slavery. It is pure slavery. Somebody has toiled seriously and then you deny him the benefits of his sweat! We forget that the farmer, even in those 18 months, has to eat, go to hospital, dress, take his or her children to school and he or she is denied what is his or hers.

When you visit millers, you will not find them with stocks of sugar which means they have sold them. Why are they not paying farmers? I agree with what Members have said that farmers should be paid within 14 days of delivery of their sugar-cane. I look at it in another way. Why can we not, when a farmer has planted his sugar-cane and waited for 18 months for it to mature, pay him at least 40 per cent of what he is actually supposed to get at the end? I agree that an interest should be charged on delay in paying farmers. That will make millers wake up.

The authority in charge of the sugar industry should be looked into. They are sleeping on the job and something has to be done about it.

Finally, today, we have talked about sugar, but we should look at all the other agricultural sub-sectors and products. I am talking about the cereals, tea, and coffee. The dairy industry is also still part of agriculture. I must raise my worry before we pass this Motion. My worry is on

implementation. I know one Member has actually brought it up. The Committee on Implementation of this House in the last Parliament did not do what it was supposed to do.

Hon. Melly, this Motion is going to be passed. Follow it up my friend so that we can help those growers of sugar-cane.

With that, I beg to support. Thank you.

**The Temporary Deputy Speaker** (Hon. (Ms.) Mbalu): Thank you. The Member for Butula?

**Hon. Oyula:** Thank you, Hon. Temporary Deputy Speaker, for giving me this opportunity to contribute to this very important Motion. The sugar industry has gone down over the years. As a result, it has contributed a lot to creation of poverty among the people who are at the sugar areas.

I come from a constituency where almost 50 per cent of farmers grow sugar-cane. Most of those farmers have never been paid. As a result, many have moved away from growing sugar-cane and, therefore, creating a gap for a lot of poverty. Farmers cannot pay their fees nor do any work. In fact, most of them have now turned into beggars. It is important for the relevant authority to look at the management of some of those factories. There are cartels that have come in to destroy that industry.

As I speak now, you will find a big queue of farmers from my constituency who want to be helped to claim their payment from Mumias Sugar. Likewise, we also had the cotton industry. This has been totally overlooked. The cotton industry went through the same process; the ginneries failing to pay farmers. As a result, most farmers withdrew thus leaving bills not settled. The authority responsible for agriculture should look entirely into the industry as farmers are suffering in this country. We need to open up a way in which they can get support and have their money paid by various industries.

I conclude by supporting this Motion and thanking Hon. Melly for bringing it at this moment. It is long overdue. Thank you.

**The Temporary Deputy Speaker** (Hon. (Ms.) Mbalu): The Member for Tharaka-Nithi. Hon. (Ms.) Nkatha Nyaga.

**Hon. (Ms.) B.N. Nyaga:** Thank you, Hon. Temporary Deputy Speaker, for giving me this opportunity. I also take this opportunity to congratulate you for being elected by the people of Kibwezi East and for the appointment to the Speaker's panel. I also want to thank Hon. Melly for bringing this important Motion. This is the time we need to have the policy for sugar farmers. It is very important. In Tharaka-Nithi County, we do not have sugar-cane, but we consume the sugar. When we do not pay a farmer, we kill the farmer. They have taken a lot of finances from the banks. It is very frustrating when you have a loan from the bank. You know what happens. You cannot even sleep. They can come for anything – even the inputs that you have bought and the machines. They will carry everything. We talk of creating opportunities for our youth. When our industries are not working, where are we going to employ our youth? How are we going to assist them? We need to pay those people. We need to support them. We need to cater for them and protect farmers.

Agriculture is what moves this country. If we are not paying not only sugar-cane farmers but also tea farmers, coffee farmers, cotton farmers, name them, are we really building the economy of this country? We are not. Why do we need to buy sugar from Brazil and other countries when we can produce our own sugar-cane here and quality sugar in fact? What we get

from outside there is of low quality. So, we need to support those people. This is the time we need to create policies that protect our farmers in this country.

We are not only talking about sugar. Look at the cotton industry. Some of the factories in this country closed many years back. We had Kisumu Cotton Mills (KICOMI), Rift valley Textiles (RIVATEX) and others, but they are all gone. We are relying on clothes from other countries. We are building economies of other countries. This is the time we need to build our own economy so that we can move forward and take care of our future and the future of our generations.

Thank you.

**The Temporary Deputy Speaker** (Hon. (Ms.) Mbalu): Hon. Member for Njoro, Hon. Chepkwony.

**Hon. (Ms.) Chepkwony:** Thank you, Hon. Temporary Deputy Speaker. I rise to support the Motion that is proposing mandatory payment to sugar-cane farmers. Agriculture is very important in this nation. This is a calling but farmers have suffered for so long. The issue of farmers not being paid portrays that in different parts of the country, farmers who grow different kinds of cash crops are suffering. I wish to support the Motion and as I support it, this is a wake-up call to all of us to start supporting and to start thinking of the way forward to support our farmers in different sectors. If we continue watching our farmers suffer from frustrations, it means that poverty will continue increasing. It means that majority of our farmers who rely on agriculture to pay for school fees for their children are going to continue suffering. It means the economic growth in this nation is going to continue going down. Therefore, this must be a serious wake-up call to all of us because we all suffer in different situations.

I wish to give an example of Njoro Constituency where I come from. Most of the farmers have been relying on different crops like pyrethrum, dairy farming, carrots, maize and potatoes, but the challenges are many. I think there was a mistake; my time is not over yet!

**The Temporary Deputy Speaker** (Hon. (Ms.) Mbalu): Yes, continue.

**Hon. (Ms.) Chepkwony:** I was saying it is high time we supported our farmers. When sugar-cane farmers are affected, all Kenyans are affected. That is because we all consume sugar. The price of sugar goes up quite often and yet, our farmers still undergo many frustrations. Therefore, I urge Members to also consider other types of farming now that we grow different crops. We need to expand our thinking and promote our farmers. We can do that by coming up with mechanisms to empower them.

I also appreciate the budget with regard to agriculture. I realise that there is an allocation for crop management, empowerment of farmers, planning and support services and extensions. This is going to give our farmers good platform to improve themselves. As we fight for them to get their payments, it also gives them room to improve on their farming techniques and, in the end, production will be increased.

I, therefore, support this Motion. Supporting our farmers means enhanced food security in the country as well as a guaranteed economic growth. I support the Motion.

**The Temporary Deputy Speaker** (Hon. (Ms.) Mbalu): Very well. Hon. Rono.

**Hon. Rono:** Thank you, Hon. Temporary Deputy Speaker. First and foremost, I wish to congratulate you for being elected as a member of the Speaker's Panel. I wish to support the Motion on sugar-cane farmers. They have suffered for many years. Hon. Members have talked about many problems. Interesting enough, from the time of the collapse of Miwani, Muhoroni

and Chemelil sugar companies, the story has been the same - the problem of payment to farmers. Many parliaments have come and gone; people have come to Parliament and left and the problems are still there. We need to bring this matter and this song to a stop. Let this House - the 12<sup>th</sup> Parliament - go on record as having solved those problems about sugar-cane growing. We should not be singing the song year in, year out. We know the problems. We know the people who have mismanaged sugar factories. Some of them are billionaires in this country. They are moving around freely and yet the farmer is suffering. You have heard of a gentleman, an Hon. Member, who has been a sugar-cane farmer since 2004 and yet, he has been suffering all along. I know of a farmer who has been farming 10 acres of land and yet, he has been living in a mud house for the last 22 years. It is a very sad affair.

Hon. Members, we have occasionally politicised the sugar industry. Take for example the other day when the Government wanted to privatise several sugar factories, political leaders met left, right and centre and no solution was arrived at. Even our governors had to go to court with regard to the same problem. I suggest that we deal with the sugar-cane farmer the way we deal with tea, coffee and rice farmers. Why do we deal with sugar-cane farmers in a different way? Farmers have suffered and we all know that fact. We come here, sing this song and repeat it. We will continue doing the same even after this and the sugar-cane farmer will continue to suffer. Let us go on record and let a decision be made by this House once and for all. Let us not continue singing the song of the sugar-cane farmer. Like I have said, if you look at the sugar factories at the moment, say, Nzoia and Chemelil, they do have similar problems. Now even Mumias has the same disease. It did not have that disease the other day. Now we are talking about it. The other day it was paying people dividends but now, there are no dividends. Where are we going?

We also have the issue of quality. Farmers do not have the right quality of sugar-cane. Sometimes when they take their sugar to the factory, the prices they attract are very low. So, we need to look at that issue. We also need to look at the element of irrigation in sugar-cane areas. Does this country require sugar-cane to be grown locally? We cannot have people suffering because of growing sugar-cane. If their suffering will go away by not growing sugar-cane, then so be it. Let this House solve this problem once and for all and let us treat the sugar-cane farmer the way we treat farmers of other crops.

I beg to support the Motion.

**The Temporary Deputy Speaker** (Hon. (Ms.) Mbalu): Very well spoken. I know Hon. Melly is listening to those points and the possible ways of implementing the same. That is why we are Members of Parliament.

Member for Mosop, Hon. Tuwei Kipkirui.

**Hon. Tuwei:** Ahsante sana Mhe. Naibu Spika wa Muda kwa kunipa nafasi hii. Ningependa kuchangia wazo hili ambalo linahusiana na ulipaji wa wakulima wa miwa katika viwanda vyetu. Jambo hili linashangaza sana. Ukulima umekuwa ni hasara. Hasara hii si kwa sababu ya mkulima, bali ni kutokana na usimamizi mbaya wa viwanda vya sukari. Viwanda ambavyo vimefungwa kwa sababu moja ama nyingine ni Miwani, Muhoroni, Ramisi, Chemelil na Nzoia. Ni sababu gani viwanda hivi vya kusaga miwa vinafungwa? Je, ni uongozi mbaya ama ni gharama kubwa ya uzalishaji wa miwa? Sababu ni nini? Serikali imekuwa ikisimama na mkulima, Miswada imewekwa Bungeni, sheria zote zimepitishwa, lakini ni kwa nini mkulima hapati haki yake? Mimi kama Mbunge wa Mosop naona wananchi wangu wameanza kuchukua mashamba yao ya kukuza mahindi na wameanza kupanda miwa. Kampuni ambayo kwa sasa inanunua miwa yetu ni kampuni ya Butali. Kwa sasa, tunaona kwamba kuna faida. Lakini swali

ni hili: Kama wale ambao walianza mbeleni viwanda vyao vimefungwa, sababu na kisa ni nini? Vile wenzangu wamesema ni kwamba kuna ufasidi mkubwa katika wizara na usimamizi wa viwanda hivi.

Jambo lingine ambalo ningependa kuongelea ni hali ya anga inayochangia katika sehemu zetu. Tunajua kwamba ulimwengu mzima hali ya anga na hali ya kutokuwa na mvua inaharibu na inachangia pia katika mazao ya mkulima; kwamba ekari moja haitaweza kutoa mazao yanayowezesha mkulima yule kupata faida. Jambo hili ni la maana. Inatubidi sisi kama Wabunge tuangalie ni nini tunahitaji kufanya. Kama ni unyunyizaji wa maji katika sehemu zile ziko na maji ili tupate mazao, tupitische sheria kama hizo.

Wakulima wa miwa wanatakikana kusaidiwa na Serikali wapate mbolea kupitia *subsidy*. Kusaidiwa mbolea na Serikali ili kuimarisha matokeo ama mapato yao. Ni jambo la kushangaza kuona kwamba mkulima ako na miwa na hawezi kumpeleka mtoto wake shule, hawezi hata kulipia mahitaji yake kama binadamu kwa sababu kupanda miwa kwake ni kutoka mwezi wa kwanza mpaka mwezi wa kumi na nane, ambao ni muda mrefu sana kwa mtu yeyote ambaye anafanya biashara ya ukulima. Sisi kama viongozi na watunzi wa sheria lazima tuwajibike na tuone kwamba mtu yeyote ambaye amekuza chochote ambacho ni cha kumsaidia kwa ukulima apate faida yake na malipo yake apate siku kumi na nne baada ya kupeana mazao yake.

Nachukua nafasi hii kumuunga mkono Mhe. Melly kwa wazo hili kwamba wakulima wote wa miwa na hata wa mahindi - Nashukuru kwamba katika ile orodha ya pesa tumepitisha siku ya leo, wakulima wa mahindi na wa kufuga mifugo watafaidika kwa kuwa na pesa za kununua mahindi yao. Hili ni jambo muhimu. Lazima tuweke kwamba mkulima yeyote akipeana mazao yake kwa halmashauri ya miwa ama kwa kiwanda chochote, alipwe baada ya siku kumi na nne.

Naunga mkono kwa dhati.

**The Temporary Deputy Speaker** (Hon. (Ms.) Mbalu): Asante kabisa, Mheshimiwa. The Member for Turbo, Hon. Jepkemboi.

**Hon. (Ms.) Sitienei:** Hon. Temporary Deputy Speaker, I want to thank you. I have been waiting for so long. I did not know the machine had a problem. Maybe, I should take this opportunity to thank you for giving me this opportunity. I also want to thank the Member for Tinderet for bringing this Motion which is very important. I come from Turbo, a place where farmers have embraced sugar-cane farming as a cash crop. I feel for those farmers because despite the fact that they have embraced sugar-cane as a cash crop, they have actually embraced poverty through non-payment and a myriad of challenges that they face as sugar-cane farmers.

I want to cite a few problems that our farmers face. Apart from non-payment, for which I stand here to support this Motion, one of the problems that our farmers face is acquisition of fertiliser through the companies that contract them. They are given fertilizer at a double price and as a loan, which renders them poorer because the production costs go up. Two, during the harvesting season, you find that most of those companies come to collect sugar-cane during the wet season and every time the truck is stuck, the farmer is charged Kshs10,000. That makes the farmer even poorer. On the way to deliver the cane, for those farmers who are poor - and those

are 80 per cent of the farmers - there is a lot of pilferage because the farmers are not able to follow their cane to the destination or to the weighbridge.

So, alongside the Motion that the Member has brought today, I would request that they also look at it seriously as a Committee. They should form a taskforce so that they can look at the problems that face the sugar industry holistically and address them for the benefit of the farmer. Paying the farmer is a different issue, but making the farmer benefit from production of cane is the most critical and important. Today, if we missed sugar, nobody would go to the streets. But if we missed maize, then people would go to the streets. I am trying to say we should look at other crops like maize so that we can also address the issues that affect those farmers.

Still on sugar-cane, we should look at the acreage because many farmers have fragmented their land to uneconomic units. That is why farmers are not able to benefit from the production of cane. So, besides payment for cane, we should also look at the land sizes so that we allow certain acreage of land for farmers to do production to be able to realise the benefits from sugar-cane production. I stand here to support this Motion that the honourable Member has tabled. It should be passed.

Apart from passing the Motion on non-payment, farmers should be assisted to address the myriad problems that they face. Over time, the sugar industry has declined. Over time, farmers have been poorer.

Farmers have had a lot of challenges that we all need to sit down as Members from the various areas that grow sugar-cane and put our heads together so that, as we address those myriad challenges, we are also able to ensure those laws are enforceable. It will not be any good if we cannot enforce or implement whatever we have passed in this House. Therefore, I beg to support the Motion.

As I finish, I want to request the CS for Agriculture to kindly remember that farmers in Uasin Gishu County are now harvesting and we have hundreds of thousands of middlemen who are already reaping from the poor farmers and robbing them of the hard work that they have put in to produce the crop. They now want to sell the crop at a throw-away price. Let them please buy the maize quickly and immediately so that farmers can benefit from the good prices of this Government.

Thank you very much.

**The Temporary Deputy Speaker** (Hon. (Ms.) Mbalu): Hon. Serem Cornelly, the Member for Aldai Constituency.

**Hon. Serem:** Hon. Temporary Deputy Speaker, let me rise and support this Motion. Before I make my remarks, let me congratulate you for winning the Kibwezi East Parliamentary Seat. I think this is your second time in the Speaker's Panel.

I rise to support this Motion that has been brought by Hon. Melly. Hon. Melly is my neighbour. I also have farmers in my constituency who engage in the same business. So, when I rise, I am actually expressing my frustration too. It is very frustrating that somebody can occupy quite a size of his farm for approximately two years with sugar-cane and after those two years, he or she is not paid. In 1970s and early 1980s, the area we are talking about had wonderful business going on there and nobody can explain to us what really happened thereafter. The same

farmers who were rich are now the poorest in this country and yet, they have huge pieces of land down there.

Hon. Temporary Deputy Speaker, it is very unfortunate that, despite the fact that farmers wake up in the morning, go to their farms and thereafter sell their produce, they are not paid. When you go to those companies, they have no sugar in their stores. Who actually takes their money? Some of the farmers take loans which attract penalties. After millers buy the farmers' produce, they make standard payments, even if they stay with the produce for more than a year. It is unfortunate. I intend to share this information with the Member of Parliament for Tinderet. He should actually amend the Motion so that we can put a penalty to all the millers. Whenever they make payments, they should do so plus interest so that farmers do not suffer. What is the benefit for a farmer to engage in business and after two or three years, they get delayed payments? There are millers in the same areas that are actually reaping profits. What happened to Chemelil, Miwani, Muhoroni and other sugar companies that are actually State-owned institutions? It is very embarrassing that farmers who could be proud of their own country are actually crying, while their neighbours are smiling.

It is very unfortunate because if you go to Kibos and Butali Sugar companies, farmers are happy. But farmers in our neighbourhoods are suffering. What is the problem? I support this Motion that, indeed, those farmers should be paid. I also concur with Hon. Melly that they should be paid within 14 days. It can even be reduced to 10 days because their produce is not in stores. A country that was an exporter is now an importer. Uganda, which is our neighbouring country, is less than 100 kilometres away from parts of the former Western Province and yet, they export while we import.

We always discuss the issue of unemployment and yet, the same farmers could be self-employed. Their children are at home and yet, they have sugar-cane farms. But they are not getting profit out of them. I urge the Government to make payments on the same because we have the Kenya Sugar Board. They have been given the responsibility to manage the same and they have let down our farmers. Also, the guys who were given responsibility to handle sugar-cane production should resign. People should take responsibility for their own actions. Those guys are enjoying the funds while farmers suffer. I wish that this Motion is implemented so that our farmers can enjoy the services of what they are doing in their villages.

Thank you and I support the Motion.

**The Temporary Deputy Speaker** (Hon. (Ms.) Mbalu): Thank you. You support. The Representative of the people of Kapenguria. Hon. Moroto.

**Hon. Chumel:** Ahsante sana Naibu Spika wa Muda kwa kunipa nafasi hii ili nami nichangie Hoja iliyoko mbele yetu.

Nataka kumshukuru aliyewaza na kuileta mbele yetu. Umesikia jinsi wanenaji wengi wamesema kuhusu Hoja hii. Mkulima wa mahindi, ngano, miwa na hata wafugaji kama mimi ndio wanaoumia kwa Jamhuri yetu la Kenya. Huu ndio wakati Serikali lazima iangalie na ijue kwamba hao pia ni binadamu ambao wana mahitaji yao ya kila siku kama karo ya shule na chakula - maana hao pia ni Wakenya. Wakati mwingi huwa napenda kusema kuwa sisi ni Wakenya, lakini hatuko pamoja ama hatuko na ule usawa. Kuna wale wanaoangaliwa kwa ukaribu sana ilhali kuna wale ambao hata wakifanya maandamano ama walie, hakuna anayewajali wala kuwaangalia.

Ningependa kumshukuru yule aliyeweza kuwaza wazo kama hili. Tusiwe tu watu wa kunena hapa na kuachia hapo. Tuwe watu wa kusema na kutenda kwa kufuatilia. Ningependa

kuwahimiza wanachama wa Kamati ya Ukulima na Ufugaji tutakapowachagua, wawe macho ili waangalie na kufuatilia kilio cha wakulima. Lazima wazingatie iwapo wanapata haki yao ama la.

Nilikuwa katika Bunge la Kumi na Moja na kuna Hoja iliyoletwa kuhusu kilio cha wananchi kuhusu kampuni ya sukari ya Mumias. Sasa, lazima tuangalie maslahi yao. Pia tunafaa kushukuru na kujivunia sana Serikali ya sasa. Wale viongozi wa juu haswa ni watu wenye moyo wa kutaka kusaidia yule mtu wa chini. Lakini, wale wamepewa jukumu la kusimamia ndio wako na malengo tofauti. Tunataka kufanya kazi mpaka yule mwananchi anayelalamika aweze kufurahia uongozi wa nchi yake. Huu ndio wakati tunapaswa kuangalia ili tuone shida iko wapi. Tulikuwa tunauza vitu nje ilhali sasa sisi ndio tunaagiza bidhaa katika nchi yetu. Hili ni jukumu la hili Bunge kuwasaidia wale viongozi walio na nia.

Nilihudumu enzi za Moi na Kibaki lakini Rais wa sasa na Naibu wake wanakaribia wananchi. Nikisema hivyo, najua wengine hawaelewi ni kwa nini. Wale wameteuliwa jana wanafikiria ile vita tunakuwa nayo hapa na mrengo wa Upinzani. Mrengo wa Upinzani haupo kwa sasa bali nafikiri ni mchezo tu. Kuna wakati Upinzani ulikuwa Upinzani. Kwa sasa, kuna wale wanateremka kukutana na watu wao kila siku. Hii wiki wamekuwa Mombasa. Wananchi pale wanalilia vitu vyao vidogo. Jana, Rais mwenyewe aliweza kutoa vyeti kwa ajili ya vitu vidogo vidogo kama misitu katika ile hali ya watu kung'ang'ana hapa na pale. Nafikiri Kamati za Bunge kwa sasa ziko na nguvu kushinda pale awali. Wale mawaziri walioteuliwa walikuwa na nguvu sana. Lakini sisi hapa hatujaanza kuchukua ile sehemu yetu ya kufanya kazi na kuona kitu gani haswa kitafanyika.

Naibu Spika wa Muda, yule tumemwekea jukumu kama Waziri wa Kilimo, Ufugaji na Maendeleo anatoka eneo tunalolizungumzia. Yeye binafsi anaweza kuona vile miwa inaharibiwa. Anaweza akatafuta muda ili apitie pale na kupata fursa ya kuzungumza na wakulima wanaoumia. Hatoki mbali na sehemu tunayoiongea kuhusu. Amewahi kuwa Mkurugenzi wa Kampuni ya Kenya Seed. Kwa hivyo, lazima asikize tunachosema hapa. Hatuwezi tukampa mtu kazi tukiwa na nia nzuri tukitarajia kwamba atatusaidia halafu hatusaidii. Ni sisi ndio tunapitisha hata mawaziri hapa. Hata wale wa upande wa Upinzani, majina yao yanapitia hapa. Kwa hivyo, ni lazima wajue kwamba sisi ndio tunabeba mzigo wa wananchi. Tukisema tunataka hivi ni lazima watusikize. Hivi sasa, ukitaka kuwaona, huwezi kuwaona. Wanakuwa wakubwa kuliko yule Rais ambaye wakati mwingine tunashikana mkono na kucheza naye.

Kwa hivyo, nashukuru sana Lake Victoria North Water Services Board. Wamejaribu sana kiasi ya kwamba wanatufikia mahali hawatakiwi kuja kwetu. Mhe. Lagat ndiye Mwenyekiti na anaelewa vile watu wanaoumia. Lakini kuna ile ya Rift Valley Water Services Board na hatumuoni Mwenyekiti ilhali sisi ndio watu wa Bonde la Ufa. Nadhani wanataka tuwe tukizunguka katika maofisi yao ndio watoke na wasaidie wakulima.

Hakuna kitu ambacho kinafanyika bila maji. Kule ninakotoka kuna jina tumekuwa tukiwekewa kama *cattle rustlers*. Ni shida wakati mtoto analia usiku wote. Keshoye ni lazima upambane uende kwa jirani uombe ng'ombe moja huku ukitafuta mboga ya watoto. Lakini sasa Serikali hii imeleta faida na huduma karibu na watu. Wanatakiwa kuleta maji halafu unapata wanapotea. Sisi hatuwezi kulaumu huko juu. Tunaanza kutafuta hapa chini tukiuliza: "Hawa ni akina nani?" Kwa hivyo, ninashukuru sana. Tuna jukumu. Najua kuna wenzetu wengine wanaofikiri kwamba wako katika jeshi. Hiyo fikra itoke hapa ndiyo tuweke fikra zetu pamoja.

Mungu awabariki.

**The Temporary Deputy Speaker** (Hon. (Ms.) Mbalu): Member for Bureti. I thought you spoke on this one?

**Hon. Mutai:** I wanted to rise on a point of order, but it was overtaken by events.

**The Temporary Deputy Speaker** (Hon. (Ms.) Mbalu): Thank you. Hon. Melly, it is now your time to reply.

**Hon. Melly:** Thank you, Hon. Temporary Deputy Speaker. I thank Members from both sides of the political divide for their passion and commitment to this Motion. I tell the public that Members of this House have taken this Motion with a lot of passion. We need to fix our sugar subsector and, by extension, the entire agriculture sector.

I thank our Chief Whip, Hon. Washiali, for being diligent in pointing out who exactly brought down the sugar industry in this country. The efforts that the Jubilee Government, especially the President and the Deputy President, have made in trying to bring up the ailing mills is commendable. They have pumped over Kshs500 million to Chemilil Sugar Factory, Kshs1 billion to Mumias Sugar Factory and another Kshs1 billion to SONY Sugar Factory. This sector was brought down by known individuals. Hon. Members have pointed out what we need to do. I thank Members for raising the issue of penalties. The sugar-cane millers need to be penalised if they delay making payments to farmers for a year. We are going to review the Sugar Act to make sure that millers who hold onto farmers' money eventually pay the same with interest at commercial bank rates. That will help us to crack the whip in the sugar industry, especially against cartels and importers. It will bring the sugar subsector into the limelight and give Kenya the image it once enjoyed as a sugar exporter, and when farmers were paid timely.

I urge the Committee on Implementation, and the Ministry of Agriculture to take this matter seriously because it is a resolution of this House that we are going to treat farmers well because we represent them. We are going to assist them well. I urge hon. Members to support the Motion so that sugar-cane farmers can be paid within 14 days of cane delivery to millers.

With those many remarks, I urge Kenyans to maintain peace and make sure that we love our neighbours. We voted on 8<sup>th</sup> August and won as Jubilee. On 26<sup>th</sup> October, let us go and vote again and ensure that Uhuru Muigai Kenyatta is elected the President of the Republic of Kenya.

Thank you.

**The Temporary Deputy Speaker** (Hon. (Ms.) Mbalu): Hon. Members, I am not in a position to put the Question on this Motion, but I must appreciate your contributions. The Question will be put at the next appropriate time.

### ADJOURNMENT

**The Temporary Deputy Speaker** (Hon. (Ms.) Mbalu): Hon. Members, there is no other business on the Order Paper. Therefore, the House stands adjourned until Thursday, 12<sup>th</sup> October, 2017 at 2.30 p.m.

The House rose at 6.40 p.m.