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Eastern Africa Farmers' Federation

By Annastacia Kivuva Kiio



Database of Agriculture Policy Instruments in Kenya

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Publication of the Eastern Africa Farmers' Federation (EAFF)

Farmers' Conference Centre (Plot No. 573) Tel: +254-204-451-691
Dagoretti-Mutarakwa Road, Thogoto E-mail: info@eaffu.org
P.O Box 13747-00800, Nairobi, Kenya <http://www.eaffu.org>

Table of Contents

1. ACRONYMS	5
2. EXECUTIVE SUMMARY	7
3. INTRODUCTION	9
3.1 Background	9
3.2 Objectives of the Study	10
3.3 Importance of the Study	11
3.4 Methodology	11
4. DATABASE OF NATIONAL AGRICULTURE POLICY RELATED INSTRUMENTS	13
4.1 Status of Agricultural Sector Legal Frameworks	13
4.2 Status of Agricultural Sector Policies – Agriculture Sector Policies	21
4.3 Status of Agricultural Sector Policies – Crop Sub-Sector Policies	24
4.4 Status of Agricultural Sector Policies – Livestock and Fisheries Sub-Sector Policies	27
4.5 Status of Agricultural Sector Policies – Agriculture-Related Policies	35
4.6 Status of Agricultural Sector Strategies – Sub-Sector Strategies	39
4.7 Status of Agricultural Sector Policies – Crops and Livestock Sub-Sectors Strategies	46
4.8 Status of Agricultural Sector Policies – Subsidiary Legislation	49
5. COUNTY AGRICULTURE RELATED POLICY INSTRUMENTS	50
5.1 Kiambu County	50
5.2 Murang’a County	51
6. DRAFT NATIONAL POLICIES, BILLS, STRATEGIES AND REGULATIONS	52
7. HIGHLIGHTS OF KEY ISSUES IN AGRICULTURE RELATED POLICY INSTRUMENTS	54
8. REFERENCES	57
9. APPENDIX : WRITTEN LAWS REPEALED	59

1. ACRONYMS

AFFA	Agriculture, Fisheries and Food Authority
ALFFA	Agriculture, Livestock and Fisheries Authority
ASALS	Arid and Semiarid Lands
ASCU	Agriculture Sector Coordination Unit
ASDS	Agricultural Sector Development Strategy, (ASDS)
CBO	Community Based Organizations
COMESA	Common Market for Eastern and Southern Africa
CS	Cabinet Secretary
EAC	East African Community
ESPs	Extension Services Providers
FOs	Farmer Organizations
GDP	Gross Domestic Product
GMO	Genetically Modified Organisms
ICT	Information Communication Technology
KARO	Agriculture Research Organization
KENAFF	Kenya National Farmers Federation
KENFAP	National Federation of Agricultural Producers
MoALF	Ministry of Agriculture, Livestock and Fisheries
NARS	National Agricultural Research System
NGOs	Non Governmental Organizations
NGOs	Non -Governmental Organizations
PRA	Pyrethrum Regulatory Authority
SDA	State Department of Agriculture
SDF	State Department of Fisheries
SDL	State Department of Livestock

2. EXECUTIVE SUMMARY

The importance of agriculture in Kenya's economy has consistently remained high over the years. The county's economic growth has been correlated to agriculture performance. According to various government documents agriculture directly contributes 24 percent of the Gross Domestic Product (GDP) and 60 percent of the export earnings. Kenya's Vision 2030 policy document, under the economic pillar has identified agriculture as one of the key sectors to deliver the 10 per cent annual economic growth envisaged. Appropriate legal frame work and enabling environment is a key prerequisites for growth and economic development in any sector hence, the importance of the analysis on database on agriculture related policy instruments in Kenya.

The Constitution of Kenya, 2010 establishes devolved system of governance and defines the functions of national and county government. According to the constitution agriculture is 85 percent devolved, it states that national government is exclusively responsible for agriculture policy making and counties are to act in accordance with policies of national government. Functions and powers of county governments in agriculture include crop and animal husbandry, livestock sale yards, county abattoirs, plant and animal disease control and fisheries.

Previously there were over one hundred and thirty one(131) pieces of legislation enacted to govern at least ten(10) agriculture sub-sectors in the country. This large number of pieces of legislations made it difficult to coordinate and also to refer to hence, processes to consolidate the legislations and also reduce the institutions started in the year 2010. Although this reduced the numbers, there is still many legislation and more are still coming up.

The agriculture policy related instruments analyzed in this document include Acts of Parliament/ County Assembly, Policies, Strategies, Bill and legislations. The analysis is presented under the categories: The legal framework- the agriculture Acts; crops policies; livestock and fisheries policies; the overarching policies and strategies; Crops, Livestock and Fisheries strategies. This study outlines the objectives of the individual policy instruments, role of farmer organizations

and level of inclusion of the gender, youth and people with disability in the policy instruments. It also gives the status of the policy instruments, identified gaps and states the responsible institution/office. This analysis has also sampled two counties (County of Kiambu and Murang'a County) and analyzed agriculture policy related instruments specific to the counties which are in place.

The study has outlined a number of key issues affecting agriculture policy related instruments at both national and county levels as: Lack of Coordination of the policy formulation with some of the policy instruments either conflicting or duplicating functions; Many policies are in place and some are related; A large number of policy related instruments are in draft form; Most policy instruments were enacted before the promulgation of the Constitution of Kenya, 2010 hence, are not aligned to the constitution on issues of devolution, gender, youth persons with disability; Lack of policies implementation framework for most policy instruments; Lack of publicity and availability the policy instruments ; There are new policies coming up and creating boards and authorities although the spirit during consolidation process was to reduce both legislations and institutions; Several policies were to be coordinated and implemented through Agricultural Sector Coordination Unit (ASCU) which is currently dysfunctional; Most of the national strategies are silent on the issues of regional markets (regional blocking generally) such as East Africa Community(EAC) and Common Market for Eastern and Southern Africa (COMESA) yet the effects of these regional blocks on national affairs are real; Counties have challenges with capacities in term of human technical capacity and funding; The national government is not giving adequate policy direction on some of the key policy issues. While the constitution spells out the functions of the national and county governments on agriculture matters, a number of functions deemed to be devolved still require coordination of the national government.

3. INTRODUCTION

3.1 Background

Over the years Kenya's economic growth has been correlated to agriculture performance. According to various government documents agriculture directly contributes 24 percent of the Gross Domestic Product (GDP) and 60 percent of the export earnings. Kenya's Vision 2030 policy document, under the economic pillar has identified agriculture as one of the key sectors to deliver the 10 per cent annual economic growth envisaged.

For agriculture sector to be vibrant and play its rightful role in economic growth, development and ensure food security, an enabling environment is crucial. There are various legislations and legal frame work which governs agriculture sector and top among them is the Constitution of Kenya, 2010 which establishes county government and defines the functions of national and county government. According to the constitution agriculture is 85 percent devolved, Part 1 of Section 29 of the Fourth Schedule national government is exclusively responsible for agriculture policy making and counties are to act in accordance with policies of national government. In Part 2 of Section 1 of the Fourth Schedule functions and powers of county governments in agriculture includes crop and animal husbandry, livestock sale yards, county abattoirs, plant and animal disease control and fisheries.

In Kenya just like many other countries policy development and enforcement is the mandate of the government. Agriculture sector by nature is overarching and policies which may not be directly under Ministry of Agriculture (ministry of agriculture as defined in the country today) may have a lot of implication on matters of agriculture sector directly or indirectly. Agriculture policy instruments are mainly done through the agriculture related ministries though the composition of the ministries has been changing from time to time. However, agriculture related ministries have generally been under the ministries of; Agriculture, Livestock, Fisheries, Cooperatives, Water, Regional Development, Environment, Lands and Natural Resources.

The analysis has looked at the agriculture related policy instruments in Kenya under both the overarching and specific policy instruments. This study has outlined the objectives of the individual policy instruments, role of farmer organizations and level of inclusion of the gender,

youth and people with disability in the policy instruments. The study has also given the status of the instruments and identified gaps in the policy instruments and states the responsible institution/office. This analysis has also sampled two counties (County of Kiambu and Muranga County) and analyzed agriculture policy related instruments specific to these counties which are in place. Those analyzed include Acts of Parliament/ County Assembly, Policies, Strategies, Bill and legislations.

Previously there were over 131 pieces of legislation enacted to govern at least Ten (10) agriculture sub-sectors. This large number of pieces of legislations made it difficult to coordinate and also to refer to and a process to consolidate the legislations and also reduce the institutions started in the year 2010. Out of the five bills set for enactment, Four Acts were enacted and assented namely: the Agriculture, Fisheries and Food Authority (AFFA) Act 2013, Crops Act 2013, Kenya Agriculture and Livestock Research Act 2013 and Pyrethrum Act 2013. Despite the efforts to consolidate the legislations there are still numerous legislations in the sector. When the process of consolidation started it was aimed at bringing together the main legal frameworks in the agriculture mainstream (Crops, Livestock and Fisheries matters). Originally the process was working with Agriculture, Livestock, Fisheries and Food Authority (ALFFA). However, before it could be concluded Livestock withdrew and currently a new bill “Fisheries Management and Development Bill” has undergone second reading in National Assembly leaving the question begging as to whether this is a process of withdrawing from AFFA Act. The bill seeks to amend all the Fisheries related matters in the AFFA Act.

Most of the policy instruments although not put explicitly have a bearing on food security in the country in one way or another. Currently a Session Paper on National Food and Nutrition Security Policy and a draft bill “The Food Security Bill” are available.

3.2 Objectives of the Study

The purpose of this study is to develop a database of policies and policy instruments related to agriculture and food security in Kenya. The policy instruments include national policies and strategies; national laws, bills and regulations which have been enacted, ratified or are still in the process.

Specific objectives of the study were;

- i. Identification of agriculture related policy instruments- legal framework, policies, bills and regulations and identification of the sub-sector under which the policy instruments fall, aims, objectives and policy thrust.
- ii. Identification of the role or mention of farmer organizations, issues of gender, youth and people with disability and main highlights of the policy instruments.
- iii. An update on the status of the policy instrument.
- iv. Identification of gaps/ weaknesses in the policy, law, bill, regulation:
- v. Outline/identification of the responsible institution:
- vi. To develop a database of policy instruments in two selected counties

3.3 Importance of the Study

The information generated from this study will be used to strengthen the capacities, engagement and effectiveness of farmer organizations in Kenya in policy-making and having an impact on food security and nutrition. The analysis will provide a national database for agriculture related policy instruments in Kenya and in the two sampled counties.

This analysis will indicate to what extent the current policy instruments engage or appreciate the role of the farmer organization in policy instruments and to what extent these policy instruments are inclusive of gender, youth and people with disability.

The analysis from the counties will identify to what extent the counties in the country are involved in formulating agriculture policy instruments and where this is done, if these instruments are in line with the national policy instruments already in place.

3.4 Methodology

This study was undertaken through various methodologies first, online search of secondary materials most of the legal frameworks are available online especially from the laws of Kenya site and also from the various relevant government organizations websites. Two, where some information was not available online and where there the information available seemed to be outdated or clarification was required, various institutions were visited. Thirdly, data was collected by attending a parliamentary session while discussing a bill just to appreciate the process of policy making at National Assembly level. Finally, discussions between the County

Executive Members and Chief Officers at the county level to appreciate the process of policy making and challenges at the county level.

The agriculture policy related instruments analyzed include Acts of Parliament/County Assemblies, policies, strategies, bill and legislations. This analysis has categorized the agriculture related policy instruments in Kenya under the following categories: The legal framework- the agriculture Acts; crops policies; livestock and fisheries policies; overarching policies and strategies; crops, livestock and fisheries strategies. This study outlines the objectives of the individual policy instruments, role of farmer organization and level of inclusion of the gender, youth and people with disability as the policy instruments, the status of the instruments, identified gaps in the same and states the responsible institution/office. This analysis has also sampled two counties (County of Kiambu and Muranga) and analysed agriculture policy related instruments specific to the counties which are in place.

Section six(6)of this document presents a list of all the draft agriculture related policy instrument in the country. These are all at various levels, however where the policy document has made some reasonable progress the current status and stage is indicated. Finally all the available agriculture related instruments analyzed under section five (5) were gathered either in soft copies or hard copies for reference.

4. DATABASE OF NATIONAL AGRICULTURE POLICY RELATED INSTRUMENTS

4.1 Status of Agricultural Sector Legal Frameworks

NO	Name of the Policies, Bills and Regulations	Aims, Objectives and Policy Thrust/ Highlights, and role of farmer organization	Current Status of the Policies, Bills, laws or Regulations	Identified gaps/ weaknesses in the policy, law, bill, regulation	Responsible Institution/ Office
1.	Agriculture Fisheries, and Food ACT 2013	<p>An ACT of Parliament to provide for the consolidation of the laws on the regulation and promotion of agriculture generally, to provide for the establishment of the Agriculture, Fisheries and Food Authority, to make provision for the respective roles of the national and county governments in agriculture excluding livestock and related matters in furtherance of the relevant provisions of the Fourth Schedule to the Constitution and for connected purposes.</p> <p>Role of farmers organizations</p> <ul style="list-style-type: none"> ▪ 8 members of the Authority Board will be farmer representatives from the major crop subsectors in the country. ▪ There will be close consultation with all registered farmer organizations before any major decision affecting the agriculture sector is made. ▪ The Cabinet Secretary(CS) shall ensure that any agreement, with regard to contributions by farmers to their organizations, entered into between the farmers and the farmers' organizations shall be respected by any third parties; ▪ CS to provide the procedures for internal democracy in the farmers' organizations. 	Legal Framework Operational	<ul style="list-style-type: none"> ▪ Prohibition of export of some raw produce in section 43 of the ACT seems to be guided by the prevailing situations by the time of formulation but not visionary. ▪ Part II-4(b) indicates Fisheries Act is repealed yet in Part VII (45) fisheries Act is not among the Acts Repealed by AFFA Act. ▪ Part II Section 4(b) <i>promoting best practise in agriculture creates confusion and conflict</i> in relation to role of counties in the devolved agricultural functions; It is neither apparent nor implied what would be the <i>role of counties as facilitators</i> and providers of agricultural services. AFFA is likely to overstep on the functional and institution distinctiveness of counties. ▪ Duplication of agricultural functions across the national and county levels. ▪ The ACT doesn't cover livestock issues and this is an issue as livestock is part of agriculture and more often the issues of crops and livestock are intertwined. 	Cabinet Secretary in charge of agriculture affairs

NO	Name of the Policies, Bills and Regulations	Aims, Objectives and Policy Thrust/ Highlights, and role of farmer organization	Current Status of the Policies, Bills, laws or Regulations	Identified gaps/ weaknesses in the policy, law, bill, regulation	Responsible Institution/ Office
		<p>Issues on Gender, youth and persons with disability</p> <ul style="list-style-type: none"> ▪ Act recognises need to provide for technical and other assistance to fishing communities to enhance their socio-economic development, especially that of vulnerable groups including women. ▪ This Act is to be repealed by the proposed Bill on Fisheries Management and Development, 2014, the proposed Bill establishes Fish Marketing Authority 			
2.	Crops ACT	<p>An ACT of Parliament to consolidate and repeal various statutes relating to crops; to provide for the growth and development of agricultural crops and for connected purposes.</p> <p>Objectives: Circumvent unnecessary regulatory bureaucracy in the crops subsector; Reduce unnecessary levies, taxes or other barriers to free movement of crop products and provide for a rationalized taxation system; Reduce unnecessary regulation or overregulation of the crops subsector; Reduce duplication and overlap of functions among institutions involved in the regulation of crop agriculture; Promote competitiveness in the crops subsector and to develop diversified crop products and market outlets; and Attract and promote private investment in crop agriculture.</p> <p>Farmer organizations</p> <ul style="list-style-type: none"> ▪ Part II section 8(e) AFFA shall <i>promote the establishment of agricultural produce collection centres in viable areas to serve as buying stations of farm products, packaging houses, pick-up points and meeting places of farmers' and growers' cooperative.</i> ▪ Ensure remission to the farmers organisation of any 	Legal Framework Operational	<p>Part II 8(d) on AFFA shall <i>“promote the establishment of wholesale markets in identified major centres of the country”</i></p> <p>This will pose a major challenge (conflict with the counties) as the mandate of markets is under the county government previous under local Authorities.</p> <ul style="list-style-type: none"> ▪ Part IV 16(1): <i>“Every dealer in a scheduled crop shall register with the Authority.”</i> The act doesn't define dealer hence gives room for misinterpretation. ▪ Part IV 16(4) the penalty is too harsh in an eventuality the accused may be a small scale trader or even a farmer out on one time off to sell his farm produce. This seems to promote market cartels. ▪ Part IV 17(2) Gives a lee way for the counties to impose extra charges with might affect some crops adversely especially those whose prices are determined by world markets. 	Cabinet Secretary I charge of agriculture Affairs

NO	Name of the Policies, Bills and Regulations	Aims, Objectives and Policy Thrust/ Highlights, and role of farmer organization	Current Status of the Policies, Bills, laws or Regulations	Identified gaps/ weaknesses in the policy, law, bill, regulation	Responsible Institution/ Office
		<p>contributions that may, pursuant to such agreement, be deductible from the farmer.</p> <ul style="list-style-type: none"> ▪ The Act will apply to crops even those held by farmer organizations 			
3.	Kenya Agricultural And Livestock Research ACT	<p>An ACT of Parliament to provide for the establishment and functions of the Kenya Agricultural and Livestock Research Organization; to provide for organs of the Organization; to provide for the coordination of agricultural research activities in Kenya, and for connected purposes.</p> <p>Objective To establish an appropriate legal and institutional framework for agricultural research in Kenya; To reform the agricultural research system in the country into a dynamic, innovative, responsive and well co-ordinated system driven by common vision and goal; Agricultural research to generate technology, manage knowledge and ensure technology transfer to provide solutions for sustainable development of agribusiness.</p> <p>Role of Farmer Organizations No reference to farmer organizations</p> <p>Issues on Gender, youth and persons with disability No mention of gender, youth or people living with disability</p>	Legal Framework operational	<ul style="list-style-type: none"> ▪ The organization to “<i>determine and advise the Government on the resource requirements for agricultural research in Kenya both at the national and county level</i>”. ▪ “<i>Organise, direct and monitor the implementation of research programs and training activities both at national and county level</i>” It is not clear what powers are vested in the organization in relations to the county. ▪ It is an omission for the Act not to consider issues of Gender, Youth and People with disability. Research is vibrant and it requires to be all inclusive especially involvement of Youth. It is constitutional requirement to incorporate gender especially where a board is present. 	Cabinet Secretary in charge of agriculture Affairs
4.	Seeds and Plant Varieties (Amendment) Act, 2011	<p>Objective is to regulate matters relating to seeds and plant variety in the country.</p> <p>Role of Farmer Organizations No reference to farmer organizations</p> <p>Issues on Gender, youth and persons with disability</p>	Legal Framework operational	<ul style="list-style-type: none"> ▪ Not aligned to the constitution, 2010 	Minister in charge of agriculture affairs delegated to

NO	Name of the Policies, Bills and Regulations	Aims, Objectives and Policy Thrust/ Highlights, and role of farmer organization	Current Status of the Policies, Bills, laws or Regulations	Identified gaps/ weaknesses in the policy, law, bill, regulation	Responsible Institution/ Office
		No mention of gender, youth or people living with disability			Kenya Plant Health Inspectorate Service (KEPHIS)
5.	Pyrethrum ACT, 2013	<p>An ACT of Parliament to repeal and re-enact the Pyrethrum Act to provide for the development, regulation and promotion of the pyrethrum industry, to provide for the establishment, functions and powers of the Pyrethrum Regulatory Authority (PRA) and for connected purposes.</p> <p>Role of Farmer Organization</p> <ul style="list-style-type: none"> ▪ According to the Act, PRA is to co-ordinate the activities of stakeholders and farmer organizations within the pyrethrum industry. ▪ Authority shall have power to enter into association with other bodies or organizations within or outside Kenya as the Authority may consider desirable or appropriate. <p>Issues on Gender, youth and persons with disability No mention of gender, youth or people living with disability</p> <p><i>Act establishes the Pyrethrum Regulatory Authority</i></p>	Legal Framework operational	<ul style="list-style-type: none"> ▪ AFFA Act repealed Pyrethrum Act (Cap.340), however Pyrethrum Act, 2013 also claims to reveal Cap. 340 and the two Acts are operational enacted on the same day. ▪ Acts separates the regulatory functions from the commercial functions but the act is silent on how the commercial wing will be established. 	Cabinet Secretary in charge of agriculture affairs
6.	Pest Control and Products ACT, Revised 2012 (Cap 346)	<p>An Act of Parliament to regulate the importation, exportation, manufacture, distribution and use of products used for the control of pests and of the organic function of plants and animals and for connected purposes.</p> <p>Role of Farmer Associations No mention of farmer groups/ Associations or cooperatives.</p> <p>Issues on Gender, youth and persons with disability No mention of gender, youth or people living with disability.</p>	Legal Framework operational	<ul style="list-style-type: none"> ▪ Silent on issues of biological control ▪ The Act establishes a commission whose membership doesn't consider gender issues ▪ Minister is not defined one can only infer from what has been happening. ▪ Not aligned to Kenya's constitution,2010 	Minister in charge of agriculture affairs

NO	Name of the Policies, Bills and Regulations	Aims, Objectives and Policy Thrust/ Highlights, and role of farmer organization	Current Status of the Policies, Bills, laws or Regulations	Identified gaps/ weaknesses in the policy, law, bill, regulation	Responsible Institution/ Office
7.	Fisheries ACT CAP 378 (Revised) 2012	Objective is to provide for the development, management, exploitation, utilization and conservation of fisheries and for connected purposes. Role of Farmer Associations No mention of farmer groups/ Associations or cooperatives. Issues on Gender, youth and persons with disability No mention of gender, youth or people living with disability. <i>Currently this Act is being repealed by the proposed bill on Fisheries Management and Development, 2014. The proposed bill creates a new Authority to be called Fish Marketing Authority.</i>	Legal Framework operational	<ul style="list-style-type: none"> ▪ The ACT refers to minister as opposed to Cabinet Secretary ▪ Administration of the ACT is vested on director of Fisheries. 	Director of Fisheries
8.	Branding Of Stock ACT (Revised), 2012 Cap. 357	Objective is to make provision for the registration of brands of stock. Role of Farmer Associations No mention of farmer groups/ Associations or cooperatives. Issues on Gender, youth and persons with disability No mention of gender, youth or people living with disability	Legal Framework operational	<ul style="list-style-type: none"> ▪ The Act does not define the minister ▪ Doesn't adhere to the Kenya's constitution of 2010 for example it still uses the word minister, ▪ Does not explicitly mention issues of gender. ▪ The Act doesn't recognize devolution 	Minister in charge of livestock Affairs
9.	Meat Control ACT, 2012	Act of Parliament to enable control to be exercised over meat and meat products intended for human consumption, and over slaughterhouses and places where such meat is processed; and to provide for import and export control over such meat and meat products; and for matters incidental to and connected with the foregoing. Role of Farmer Associations No mention of farmer groups/ Associations or cooperatives.	Legal Framework operational	<ul style="list-style-type: none"> ▪ Not aligned to the Kenya's constitution, 2010 	Minister responsible for Livestock and delegated to Director veterinary services;

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		<p>Issues on Gender, youth and persons with disability No mention of gender, youth or people living with disability.</p>			
10.	<p>Kenya Meat Commission ACT (revised), 2012 Cap 363</p>	<p>An Act of Parliament to establish a commission to purchase cattle and small stock, and to acquire, establish and operate abattoirs, meat works, cold storage concerns and refrigerating works for the purpose of slaughtering cattle and small stock, processing by-products, preparing hides and chilling, freezing, canning and storing beef, mutton, poultry and other meat foods for export or for consumption within Kenya, and to confer certain exclusive rights upon the Commission, and for connected purposes.</p> <p>Role of Farmer Associations No mention of farmer groups/ Associations or cooperatives.</p> <p>Issues on Gender, youth and persons with disability No mention of gender, youth or people living with disability.</p>	<p>Legal Framework operational</p>	<ul style="list-style-type: none"> ▪ Not aligned to the Kenya’s constitution,2010 ▪ Refers to Agriculture Act which has since been repealed. ▪ Refers to Central Agriculture Board which is currently dysfunctional ▪ The Act establishes a commission whose membership doesn’t consider gender. ▪ Minister is not defined 	<p>Minister in-charge of Livestock Affairs</p>
11.	<p>Veterinary Surgeons And Veterinary Para-Professionals ACT</p>	<p>An Act of Parliament to make provision for the training, registration and licensing of veterinary surgeons and veterinary para-professionals; to provide for matters relating to animal health services and welfare, and for connected purposes.</p> <p>Role of Farmer Associations No mention of farmer groups/ Associations or cooperatives.</p>	<p>Legal Framework operational</p>	<ul style="list-style-type: none"> ▪ The act establishes a commission whose membership doesn’t consider gender 	

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		<p>Issues on Gender, youth and persons with disability No mention of gender, youth or people living with disability</p>			
12.	<p>Animal Diseases ACT (revised) 2012 Cap. 364</p>	<p>The Act provide for matters relating to the diseases of animals. Role of Farmer Associations No mention of farmer groups/ Associations or cooperatives. Issues on Gender, youth and persons with disability No mention of gender, youth or people living with disability.</p>		<ul style="list-style-type: none"> ▪ The Act does not define the minister ▪ Doesn't adhere to the Kenya's constitution of 2010 eg one of the powers and function of counties is plant and animal disease control. ▪ The Act does not recognize devolution 	Minister in charge of livestock Affairs
13.	<p>Cattle Cleansing ACT (revised 2012)</p>	<p>An Act of Parliament to provide for the cleansing of cattle. Role of Farmer Associations No mention of farmer groups/ Associations or cooperatives. Issues on Gender, youth and persons with disability No mention of gender, youth or people living with disability</p>		<ul style="list-style-type: none"> ▪ Need to align it with the constitution of Kenya, 2010. ▪ Some powers delegated to Provincial Agricultural Board which is currently dysfunctional ▪ The penalty of four hundred shillings is not punitive enough to bar potential offenders. ▪ The minister is not defined 	Minister in charge of livestock Affairs
14.	<p>The Fertilizers And Animal Foodstuffs (Amendment) ACT, 2015</p>	<p>An ACT of Parliament to amend the Fertilizers and Animal Foodstuffs Act (CAP. 345). Objectives To regulate the fertilizers and animal foodstuffs industry in Kenya (including the production, manufacture, packaging, Importation and marketing) of fertilizers and animal foodstuffs; To regulate the importation of raw materials for the manufacture of animal foodstuffs.</p>	<p>Legal Framework enacted recently and implementation is yet to start.</p>	<ul style="list-style-type: none"> ▪ Act has left out issues of organic fertilizers ▪ Has created another institution i.e the Fertilizer and Animal foodstuffs Board of Kenya. ▪ One of the functions of the Board is to advise the national and county government on establishment of retail outlets of fertilizers and animal foodstuffs in the counties- this is not clear but could be interpreted government will 	Cabinet Secretary in-charge of matters relating to agriculture

NO	Name of the Policies, Bills and Regulations	Aims, Objectives and Policy Thrust/ Highlights, and role of farmer organization	Current Status of the Policies, Bills, laws or Regulations	Identified gaps/ weaknesses in the policy, law, bill, regulation	Responsible Institution/ Office
		<p><i>Act has created a new institution i.e the Fertilizer and Animal foodstuffs Board of Kenya</i></p> <p>Role of Farmer Organization</p> <ul style="list-style-type: none"> ▪ The Act requires two persons of either gender representing prescribed farmers associations will be part of the Fertilizer and Animal foodstuffs Board of Kenya. <p>Issues on Gender, youth and persons with disability</p> <ul style="list-style-type: none"> ▪ The Act requires two persons of either gender representing prescribed farmers associations competitively nominated will be part of the Fertilizer and Animal foodstuffs Board of Kenya. ▪ No mention of youth or people with disability. 		<p>be doing business of retailing fertilizer and animal food stuff at county level.</p>	
15.	<p>Dairy Industry ACT (revised),2012 Chapter 336,</p>	<p>Objective This is an Act of Parliament to provide for the improvement and regulation of the dairy industry and its products</p> <p>Role of Farmer Associations No mention of farmer groups/ Associations or cooperatives.</p> <p>Issues on Gender, youth and persons with disability No mention of gender, youth or people living with disability.</p>	<p>Legal Framework Operational</p>	<ul style="list-style-type: none"> ▪ No mention of the farmer groups yet most of the dairy producers’ market milk under dairy cooperatives. ▪ A lot of powers are bestowed on the Central Agriculture Board which is currently non-functional/dissolved. ▪ No mention of gender, youth or people living with disability. Yet there are a lot of gender issues surrounding dairy industry in Kenya. ▪ The ACT uses the word minister which is not defined in the interpretation. ▪ Not aligned to the constitution,2010 	<p>Minister for Livestock</p>

4.2 Status of Agricultural Sector Policies – Agriculture Sector Policies

NO.	Name of the Policies, Bills and Regulations	Aims, Objectives and Policy Thrust/Highlights, and role of farmer organization	Current Status of the Policies, Bills, laws or Regulations	Identified gaps/ weaknesses in the policy, law, bill, regulation	Responsible Institution/Office
1.	<p>National Agricultural Sector Extension Policy</p>	<p>Objective is to empower the extension clientele through sharing information, Imparting knowledge and skills and changing attitudes so that they can efficiently manage their resources for improved quality of livelihood.</p> <p>Goals Promote pluralistic extension service provision; Guide the operations of Extension Services Providers (ESPs) through an established independent regulatory body to ensure quality; Harmonize approaches and methods including empowering grass root organizations; Support demand driven extension and research; Compel ESPs to mainstream cross cutting issues; Establishing an implementation framework for projects and programmes providing extension services.</p> <p>Role of Farmer Organizations</p> <ul style="list-style-type: none"> ▪ Farmer organizations were well represented during the policy formulated. ▪ Identifies, some of the approaches and methods as weak in addressing crucial issues such as governance in farmer organizations, mainstreaming cross-cutting issues. ▪ Most of the interventions to improve extension services delivery advocate for the formation and strengthening farmer groups and associations, savings and credit cooperative organizations. ▪ Farmer organizations are identified as some of the potential collaborators complementing extension service provision and main actor in agricultural knowledge and information systems. 	Policy developed, launched and under implementation	The responsible institution ASCU as of now it is dysfunctional.	Agricultural Sector Coordination Unit (ASCU).

NO.	Name of the Policies, Bills and Regulations	Aims, Objectives and Policy Thrust/Highlights, and role of farmer organization	Current Status of the Policies, Bills, laws or Regulations	Identified gaps/ weaknesses in the policy, law, bill, regulation	Responsible Institution/Office
		<p>Issues on Gender, youth and persons with disability</p> <ul style="list-style-type: none"> ▪ In human resource development the issues of increasing the ratio of the female frontline extension workers is identified as key. ▪ Identified need to train more females to be at par with males. ▪ Recognizes the main challenge is the development of comprehensive and dynamic extension packages that consider client socio-economic conditions, sustainable use of natural resources and gender 			
2.	<p>Sessional paper on National Food and Nutrition Security Policy</p>	<p>Objective is to achieve good nutrition for optimum health of all Kenyans; To increase the quantity and quality of food available, accessible and affordable to all Kenyans at all times; and to protect vulnerable populations using innovative and cost effective safety nets linked to long term development.</p> <p>Role of farmer organizations No reference to farmer/producer organizations</p> <p>Gender and youth Policy aims at enhancing food access, providing special nutrition interventions for specific vulnerable groups which include women and children and youth, pregnant women and the old.</p>	<p>Policy developed, launched and technically operational</p>	<ul style="list-style-type: none"> • Policy doesn't recognize the role of farmer organization in ensuring food and nutrition security. • The policy is biased to crops nutrition as marginalizing role of livestock and fish in nutrition and food security. Eg it talks about Strategic Grain reserve as opposed to Strategic Food Reserve. Though it elaborates on livestock products and fish as food security later in the document • The proposed multi-sectoral Food Security and Nutrition Secretariat. 5 year down the lane is not yet in place. • One of the four responsible institutions in matters of food security and nutrition envisaged to be part of the secretariat (ASCU) as of now it is dysfunctional. 	<p>Proposed multi-sectoral Food Security and Nutrition Secretariat</p>
3.	<p>National Agricultural</p>	<p>The objective of the National Agricultural Research System (NARS) policy is to reform the Kenyan</p>	<p>Policy launched and under</p>	<ul style="list-style-type: none"> ▪ Despite realizing the gap in gender issues the policy is not 	<p>Agricultural Sector</p>

NO.	Name of the Policies, Bills and Regulations	Aims, Objectives and Policy Thrust/Highlights, and role of farmer organization	Current Status of the Policies, Bills, laws or Regulations	Identified gaps/ weaknesses in the policy, law, bill, regulation	Responsible Institution/Office
	Research System Policy, 2012	<p>agricultural research system into a dynamic, innovative, responsive and well-coordinated system driven by a common vision and goal.</p> <p>Specific objectives Fast-track national adoption of available technologies and knowledge; Enhance capacity to access and adopt knowledge and appropriate technologies available worldwide; Recognize the important role played by the private sector and non-state institutions; Restructure the system to be better coordinated to efficiently use the existing capacity and develop to become a regional hub for agricultural innovations and knowledge base; Establish an integrated national agricultural research system that guides and supports the development of an innovative, commercially oriented, and modern agricultural sector; Promote an effective delivery system that facilitates prompt application of agricultural research results and services; Institutionalize participatory planning, priority setting, programming, and monitoring and evaluation for an agreed national research agenda;</p> <p>Role of Farmer Organizations</p> <ul style="list-style-type: none"> ▪ Policy recognizes that farmer and producer organization should be among the major partners in research ▪ Recognizes that the producer/farmer groups have been ignored for long in extension. ▪ Recognizes farmer/ producer organizations are crucial for provision of extension services. 	implementation	<p>explicitly on the proposal to deal with the same.</p> <ul style="list-style-type: none"> ▪ Absence of the youth issues is a major gap. ▪ The responsible institution ASCU as of now it is dysfunctional. 	Coordination Unit (ASCU)

NO.	Name of the Policies, Bills and Regulations	Aims, Objectives and Policy Thrust/Highlights, and role of farme organization	Current Status of the Policies, Bills, laws or Regulations	Identified gaps/ weaknesses in the policy, law, bill, regulation	Responsible Institution/Office
		<p>Issues on Gender, youth and persons with disability</p> <ul style="list-style-type: none"> ▪ In the forward the minister acknowledges that the policy will create gender equity. ▪ Executive summary, the policy will address gender disparity ▪ One of the rationale of this policy is to correct the imbalances of the gender issues in research. ▪ No mention of youth in the policy. <p><i>The policy proposes establishment of an organization to be called Kenya Agriculture Research Organization (KARO).</i></p>			

4.3 Status of Agricultural Sector Policies – Crop Sub-Sector Policies

NO.	Name of the Policies, Bills and Regulations	Aims, Objectives and Policy Thrust/Highlights, and role of farme organization	Current Status of the Policies, Bills, laws or Regulations	Identified gaps/ weaknesses in the policy, law, bill, regulation	Responsible Institution/Office
4.	National Horticulture Policy (2012)	<p>The aim is to accelerate and sustain growth and development of the horticultural industry in order to enhance its contribution towards; food security, poverty reduction; employment and wealth creation</p> <p>Specific objective Increase horticultural production through opening up new areas especially in ASALS, intensifying productivity, enterprise diversification and encouraging small-scale farmers to realize economies of scale; Enhance provision of adequate and efficient support services critical for</p>	Policy developed, launched and under implementation	<ul style="list-style-type: none"> ▪ The policy is too long (74 pages)- this includes 7 objectives. ▪ Because this was done before the AFFA Act there is need to revise it to align it to the current situation. 	Minister in charge of Agriculture Affairs

NO.	Name of the Policies, Bills and Regulations	Aims, Objectives and Policy Thrust/Highlights, and role of farmer organization	Current Status of the Policies, Bills, laws or Regulations	Identified gaps/ weaknesses in the policy, law, bill, regulation	Responsible Institution/Office
		<p>improved horticultural production; Provide an enabling environment that facilitates marketing, value addition and trade with a view to enhancing competitiveness of Kenyan horticultural products in domestic, regional and international markets; Facilitate development of infrastructure that will promote and sustain competitiveness of the horticultural industry; Improve service delivery through effective and efficient legal, regulatory and institutional framework; Secure the industry's sustainability that may be compromised by social, environmental and economic factors; and Empower marginalized and vulnerable groups and be responsive to the changing environment in the industry.</p> <p>Role of farmer organizations Proposes Contract farming and promoting formation of farmer organizations or groups to increase farmer bargaining power and benefits from economies of scale as well as cushioning them from price fluctuations as an intervention by the policy.</p> <p>Issues on Gender, youth and persons with disability</p> <ul style="list-style-type: none"> ▪ The policy recognizes that women are at a greater risk of contracting HIV/AIDS due to their disadvantaged social status hence need for interventions. ▪ As an intervention the policy advocates for greater involvement of the youth/women in value addition. ▪ The policy has a separate section on gender where it carries out situation analysis of the horticulture sector in relation to gender especially women and youth, the challenges and gives/proposes policy intervention. 			

NO.	Name of the Policies, Bills and Regulations	Aims, Objectives and Policy Thrust/Highlights, and role of farmer organization	Current Status of the Policies, Bills, laws or Regulations	Identified gaps/ weaknesses in the policy, law, bill, regulation	Responsible Institution/Office
5.	National Seed Policy, 2010	<p>Policy aims at giving clear direction for the seed sub sector development in order to sustainably avail adequate high quality seed and planting material to the users and also aims at harmonizing all seed related activities.</p> <p>The specific objectives are; To fully exploit the potential of improved varieties and Technologies for increased agricultural and forestry productivity; To facilitate an effective regulation, coordination and management of activities within the seed subsector in order to tap synergies and maximize on resources and enhance efficiency eradicating the prevalence of adulterated seeds; To build capacity and infrastructure within the seed subsector to handle research and development, quality control technology transfer, conservation/preservation of germ-plasm and other emerging technologies such as GMO and use of ICT; To create an enabling environment, through legal and policy reforms, for effective participation of both public and private sectors in production of quality planting materials; To harmonize regional seed policies and regulations to enhance cross border seed trade; and To monitor seed supply and demand situation in order to ensure adequate strategic seed reserves.</p>	Policy developed, launched and under implementation		Minister in charge of Agriculture Affairs

4.4 Status of Agricultural Sector Policies – Livestock and Fisheries Sub-Sector Policies

NO.	Name of the Policies, Bills and Regulations	Aims, Objectives and Policy Thrust/ Highlights, and role of farmer organization	Current Status of the Policies, Bills, laws or Regulations	Identified gaps/ weaknesses in the policy, law, bill, regulation	Responsible Institution/
6.	Sessional Paper No. 5 of 2013 National Dairy Development Policy	<p>Aims at Improving the productivity and competitiveness of Kenya’s dairy and dairy products</p> <p>Specific objectives Positively contribute to the livelihoods of milk producing households; Increase domestic consumption of milk and milk products and contribute to national food and nutrition security; To transform the dairy industry into a net exporter of dairy animals and their products; To maximize dairy exports in the regional and global markets and to re-orient milk processing toward long life dairy products.</p> <p>Role of Farmer Organizations</p> <ul style="list-style-type: none"> ▪ Marketing cooperative societies and producer/trader associations are envisaged as one of the avenues to address quality of milk. ▪ It is expected that co-operative and farmer groups approach will facilitate setting up of rural milk collection centres in addition to enhancing promotion of responsible business practices, contracts enforcement as well as low cost and dependable dispute resolution mechanisms in the dairy industry ▪ To support and promote local milk processing, the dairy cooperatives and private sector operators will continue to benefit from tax rebates on new investments. <p>Issues of gender, youth and persons with disability</p> <ul style="list-style-type: none"> ▪ Whole section is dedicated to gender and Youth ▪ The Government, in collaboration with stakeholders, will incorporate gender issues in dairy development 	Policy launched and under implementation	<ul style="list-style-type: none"> ▪ Despite been developed three years after the launch of the new constitution the policy doesn’t consider issues like devolution. 	Minister in-charge- of Livestock Affairs

NO.	Name of the Policies, Bills and Regulations	Aims, Objectives and Policy Thrust/ Highlights, and role of farmer organization	Current Status of the Policies, Bills, laws or Regulations	Identified gaps/ weaknesses in the policy, law, bill, regulation	Responsible Institution/
		<p>activities by having gender and youth friendly policies including modern technology.</p> <ul style="list-style-type: none"> ▪ Government and stakeholders to incorporate gender issues in dairy agricultural extension. 			
7.	Sessional Paper on National Livestock Policy, 2008	<p>The policy aims at addressing challenges in the Livestock sub-sector in the context of livestock breeding, nutrition and feeding, disease control, value addition and marketing, research and extension.</p> <p>Specific objectives Achieve appropriate livestock management systems for sustainable development of the livestock industry; Improve and conserve available animal genetic resources effectively; Achieve effective control of animal diseases and pests in line with the relevant international codes and standards and Focus research efforts in the livestock sub-sector on resolving current and emerging problems.</p> <p>Role of the Farmer Organizations</p> <ul style="list-style-type: none"> ▪ Farmers, Community Based Organizations (CBOs), NGOs, Breed associations, and government are all involved in one way or another in management of Animal Genetic Resources. ▪ Support for livestock multiplication centers for all animals will also be enhanced while the private sector, farmer groups, associations and societies will be encouraged to undertake livestock breeding and multiplication. ▪ Civil societies and farmer associations, including cooperatives societies, farmers' unions, Kenya National Federation of Agricultural Producers (KENFAP), commodity associations and community 	Sessional paper is in place and under implementation	<ul style="list-style-type: none"> ▪ Not aligned to constitution of Kenya, 2010 hence need for review. ▪ Implementation frame work not captured. 	Minister in-charge- of Livestock Affairs

NO.	Name of the Policies, Bills and Regulations	Aims, Objectives and Policy Thrust/ Highlights, and role of farmer organization	Current Status of the Policies, Bills, laws or Regulations	Identified gaps/ weaknesses in the policy, law, bill, regulation	Responsible Institution/
		<p>Based Organizations collectively bring together farmers to pool their resources and efforts in order to maximize their returns.</p> <ul style="list-style-type: none"> ▪ Recognizes that Farmers’ Organizations (FOs) also assist in facilitating access to inputs, credit, markets, market information, production, education, information and advocacy for their members. ▪ The government, together with the key stakeholders in the sub-sector, will take the necessary steps to ensure formation and sustainability of strong FOs to continue enjoying benefits accruing from farmer organizations. <p>Issues on Gender, youth and persons with disability</p> <ul style="list-style-type: none"> ▪ One of the objectives of the policy is to address crosscutting issues such as gender disparity in the livestock industry. ▪ A section in the policy is on gender issues. ▪ To address gender parity, the policy recommends an effective gender-sensitive approach in designing and implementing various interventions in livestock development initiatives should be developed, focusing on both equality and equity of outcomes. ▪ As per the policy in collaboration with the various stakeholders the government will develop special gender sensitive programmes for women and youth empowerment, to enable them access efficient production facilities such credit, land, and technology and market information. ▪ Policy advocates for gender issues to be incorporated as much as possible, in all livestock extension messages through participatory approaches. 			

NO.	Name of the Policies, Bills and Regulations	Aims, Objectives and Policy Thrust/ Highlights, and role of farmer organization	Current Status of the Policies, Bills, laws or Regulations	Identified gaps/ weaknesses in the policy, law, bill, regulation	Responsible Institution/
8.	National Poultry Policy	<p>Aims at enhancing the contribution of the poultry industry towards food security and employment creation in the country.</p> <p>Specific Objectives Enhance poultry production and productivity; Facilitate timely detection, diagnosis, treatment and control of poultry diseases; Promote competitiveness of the poultry industry, locally, regionally and internationally and Promote value addition and marketing of poultry and poultry products.</p> <p>Role of Farmer Organization</p> <ul style="list-style-type: none"> ▪ Weak Producer association in poultry industry is identified as one of the key challenges. ▪ Policy advocates for training through producer organizations. <p>Issues of Gender, youth and people with disability</p> <ul style="list-style-type: none"> ▪ The policy has dedicated a section on gender, youth, culture and people with disability. ▪ The policy appreciates role played by women and youth in poultry industry. ▪ In the implementation frame work one of the activities targeted is to develop and promote gender sensitive poultry programmes ▪ According to the policy National Government and County Governments in collaboration with stakeholders will develop gender sensitive programmes to enable women and youth access efficient production facilities such as credit, technology and market information ▪ The national Government and County Government in 	Policy launched and under implementation	The policy doesn't handle the issues of use of growth hormones and fat boosters which is becoming a major issue I the industry	Minister in-charge- of Livestock Affairs

NO.	Name of the Policies, Bills and Regulations	Aims, Objectives and Policy Thrust/ Highlights, and role of farmer organization	Current Status of the Policies, Bills, laws or Regulations	Identified gaps/ weaknesses in the policy, law, bill, regulation	Responsible Institution/
		collaboration with other stakeholders will promote active involvement and participation of persons with disabilities in poultry development programs and encourage development of technologies that address their needs.			
9.	National Beekeeping Policy	<p>Aim is to enhance the contribution of the beekeeping sector to food security, employment creation and environmental conservation in the country.</p> <p>Specific objectives Increase the production and supply of honey and other hive products to meet local demand and have surplus for export; Promote value addition at all stages of beekeeping value chain and improve marketing of hive products for an internationally competitive market; Ensure existence and safety of honeybees; Assure quality of hive products; and Promote environmental conservation.</p> <p>Role of farmer Organizations</p> <ul style="list-style-type: none"> ▪ Policy has analyzed the role of beekeeping associations and groups and professional bodies. ▪ The policy acknowledges the importance of cooperatives and honey refineries in market promotion for beekeeping industry. <p>Issues on gender, youth and persons with disability</p> <ul style="list-style-type: none"> ▪ Policy seeks to promote gender roles and women, youth empowerment. ▪ Policy identifies constraints faced by youth and women these include constraints in management of hives have made beekeeping appear unattractive economic venture 	Policy launched and under implementation		Minister in-charge-of Livestock Affairs

NO.	Name of the Policies, Bills and Regulations	Aims, Objectives and Policy Thrust/ Highlights, and role of farmer organization	Current Status of the Policies, Bills, laws or Regulations	Identified gaps/ weaknesses in the policy, law, bill, regulation	Responsible Institution/
		<p>especially for women and youth.</p> <ul style="list-style-type: none"> ▪ Women and youth initially were not allowed to keep bees in some communities hence need more support. ▪ Women and youth are disadvantaged in access to production resources such as land, credit and inputs. ▪ The government will develop and promote appropriate technologies and extension packages to address the unique challenges facing women and youth in beekeeping. 			
10.	National Oceans and Fisheries Policy	<p>The goal is to ensure increased and sustainable fish production and utilization by properly managing the Ocean and other Kenya Fishery Waters.</p> <p>The main objective is to enhance the Ocean's and the Fisheries Sector's contribution to wealth creation, increased employment for youth and women, food security, revenue generation through effective public private and community partnerships.</p> <p>Specific Objectives To promote conservation, management of Oceans and fisheries resources; To generate maximum amount of employment; To maximize revenue from Oceans and fisheries and other related activities; To promote an integrated economy; To enhance food supply and food security; To promote safety at sea; To develop aquaculture; To promote ornamental and recreational fisheries and develop the Oceans fisheries.</p> <p>Role of Farmer Organization</p> <ul style="list-style-type: none"> ▪ The policy identifies lack of organization by the fish farmers a one of the key factors hampering commercialization of aquaculture. ▪ The government as a way of improving extension service delivery intends to build capacity among the 	Policy launched and under implementation	<ul style="list-style-type: none"> ▪ The specific objectives are too many to be addressed by the same policy. ▪ Like most other policies this policy dint consider the role of counties as it was developed before devolution was affected. 	Minister in-charge of fisheries Affairs

NO.	Name of the Policies, Bills and Regulations	Aims, Objectives and Policy Thrust/ Highlights, and role of farmer organization	Current Status of the Policies, Bills, laws or Regulations	Identified gaps/ weaknesses in the policy, law, bill, regulation	Responsible Institution/
		<p>Fisher groups.</p> <p>Issues on Gender, youth and persons with disability</p> <ul style="list-style-type: none"> ▪ The policy advocates for increased employment for youth and women is part of the overall objective of this policy. ▪ Women and the youth will be encouraged to participate in aquaculture as employment and income generation enterprise. ▪ The government intends actively promote the participation of women and youth in investments and trade in the fisheries sector through provision of micro- loans. 			
11.	Aquaculture Policy (2011)	<p>The Primary goal of the aquaculture sector is to ensure increased, sustainable and safe fish production and utilization in a sound environment.</p> <p>Specific objectives</p> <p>To enhance the aquaculture sub-sector's contribution to wealth creation, and increased employment for all, especially for youth and women, food security and income generation through effective private, public and community partnerships.</p> <p>Role of Farmer Organization</p> <p>The policy doesn't have any reference to farmer/ producer fishermen organization.</p> <p>Issues on Gender, youth and persons with disability</p> <ul style="list-style-type: none"> ▪ The overall objective of this Policy emphasizes to benefit youth and women in wealth creation, increased employment food security and income generation. ▪ The Policy recognizes that with the new constitution 	Policy launched and under implementation	<ul style="list-style-type: none"> ▪ Doesn't incorporate devolution ▪ The policy is silent about fishermen associations 	Minister in charge of fisheries affairs

NO.	Name of the Policies, Bills and Regulations	Aims, Objectives and Policy Thrust/ Highlights, and role of farmer organization	Current Status of the Policies, Bills, laws or Regulations	Identified gaps/ weaknesses in the policy, law, bill, regulation	Responsible Institution/
		<p>there is an opportunity for women to engage in aquaculture freely as they can own land.</p> <ul style="list-style-type: none"> ▪ Establish an Aquaculture Competent Authority to guide and coordinate the subsector towards the realization of sustainable aquaculture development. 			

4.5 Status of Agricultural Sector Policies – Agriculture-Related Policies

NO.	Name of the Policies, Bills and Regulations	Aims, Objectives and Policy Thrust/ Highlights, and role of farmer organization	Current Status of the Policies, Bills, laws or Regulations	Identified gaps/ weaknesses in the policy, law, bill, regulation	Responsible Institution
1.	National Land Policy (Sessional Paper No. 3 of 2009)	<p>The overall objective of the National Land Policy is to secure rights over land and provide for sustainable growth, investment and the reduction of poverty in line with the Government’s overall development objectives.</p> <p>Role of Farmer Associations No mention of farmer groups/ Associations or cooperatives.</p> <p>Issues on Gender, youth and persons with disability</p> <ul style="list-style-type: none"> ▪ Policy recognizes the need for security of tenure for all Kenyans including women. ▪ Recognises gross disparities in land ownership, gender and trans-generational discrimination in succession, transfer of land and the exclusion of women in land decision making processes. ▪ Inequitable access to land (as of then 2009), particularly for women, children, minority groups and persons with disabilities. ▪ To secure pastoralists livelihoods and tenure to land, the Government shall ensure that the rights of women in pastoral areas are recognized and protected. ▪ The government shall facilitate the empowerment of youth and women. ▪ Policy recognizes women are not sufficiently represented in institutions that deal with land. 	Policy launched and under implementation		Minister in charge of affairs dealing with land
2.	Forest Policy (Sessional Paper No. 1 of 2007)	<p>To enhance the contribution of the forest sector in the provision of economic, social and environmental goods and services.</p> <p>The broad objective of Forest Policy is to provide continuous guidance to all Kenyans on the sustainable</p>	Policy launched and under implementation		Minister in charge of affairs dealing with Environment and natural

NO.	Name of the Policies, Bills and Regulations	Aims, Objectives and Policy Thrust/ Highlights, and role of farmer organization	Current Status of the Policies, Bills, laws or Regulations	Identified gaps/ weaknesses in the policy, law, bill, regulation	Responsible Institution
		<p>management of forests. One of the objectives is to promote forest extension to enable farmers and other forest stakeholders to benefit from forest management approaches and technologies.</p> <p>Role of farmer associations For more efficient forest management, the new policy will empower local communities to take an active role in forest management through community forest associations.</p> <p>Issues on Gender, youth and persons with disability</p> <ul style="list-style-type: none"> ▪ Intensified tree planting will create employment for youth and women groups ▪ The Government will endeavour to deliberately involve women and youth in participatory forest management. 			resources
3.	National Policy on irrigation and drainage	<p>Objectives To accelerate sustainable development of irrigation and drainage to contribute to the national goals of wealth and employment creation, food security, and poverty reduction; To fully develop the irrigation and drainage potential in the country for food security, employment creation, supply of raw materials and poverty eradication; to improve access to support services to enhance agricultural productivity.</p> <p>Role of Farmer Organization Create an enabling environment for effective participation of Farmers organization for effective service support.</p>			Minister in charge of water and irrigation affairs
4.	National Policy on Water Resource Management and Development	Achieve sustainable development and management of the water sector by providing a framework in which the desired targets/goals are set, outlining the necessary measures to guide the entire range of actions and to	Policy in place and under implementation	<ul style="list-style-type: none"> ▪ Poor coordination in Water Sector. ▪ Poor policy accountability- The absence of written policy 	Minister in charge of water Affairs.

NO.	Name of the Policies, Bills and Regulations	Aims, Objectives and Policy Thrust/ Highlights, and role of farmer organization	Current Status of the Policies, Bills, laws or Regulations	Identified gaps/ weaknesses in the policy, law, bill, regulation	Responsible Institution
	(Sessional Paper No. 1 of 1999)	<p>synchronize all water related activities and actors.</p> <p>Role of Farmer Association</p> <ul style="list-style-type: none"> ▪ Assist Communities to form Water Users Associations <p>Issues of Gender, youth and people with disabilities</p> <ul style="list-style-type: none"> ▪ Special attention will be given to those types of technology that are relevant to the needs of the communities- especially women. ▪ Transformation in the ministry in charge of water affairs will be accompanied by institutional reforms that promote full participation of women. ▪ Trainings to ensure gender balancing ▪ Gender factors to be reflected in the ownership and ▪ Management of the various water schemes operated by the communities. 		<p>in the past, prior to the Sessional Paper No. 1 of 1999, created room for sector actors to implement policies devoid of holistic approach to sectoral objectives.</p> <ul style="list-style-type: none"> ▪ Poor attention to water resources management 	
5.	Cooperative Development Policy, 2011	<p>Overall Objective: is to strengthen the institutional gender balancing capacity of co-operatives in order to let them play a greater role in accelerating economic growth through enhanced operations and sustainability.</p> <p>Specific objectives: To create an enabling policy environment for sustainable co-operatives' growth; Enhance the effectiveness of the co-operative regulatory and oversight framework; To widen the scope of the policy to cater for all categories of existing and emerging co-operatives; To enhance the effectiveness of the co-operative regulatory and oversight framework.</p> <p>Role of Farmer Association</p> <ul style="list-style-type: none"> ▪ Providing technical assistance towards strengthening the marketing capacities of eligible producer co-operatives is one of the approaches to reform and revitalise cooperatives. 	Policy in place and under implementation		Minister in-Charge of cooperative Affairs

NO.	Name of the Policies, Bills and Regulations	Aims, Objectives and Policy Thrust/ Highlights, and role of farmer organization	Current Status of the Policies, Bills, laws or Regulations	Identified gaps/ weaknesses in the policy, law, bill, regulation	Responsible Institution
		<p>Issues of Gender, youth and people with disabilities</p> <ul style="list-style-type: none"> ▪ One of the strategic thrust of the policy is mainstreaming youth, gender and HIV AIDS concerns in the sector's development. ▪ Policy appreciates gender imbalance in co-operatives is a matter of concern. ▪ Policy keen on promoting gender equity in the co-operative sector. ▪ The co-operative movement will be encouraged and guided to design, support and develop new strategies aimed at increasing the involvement of both gender ▪ The youth will be sensitized on the value of co-operatives through programmes aimed at providing skills and creating employment for the youth. ▪ Cooperatives are encouraged to play a leading role in finding a solution to youth unemployment. 			

4.6 Status of Agricultural Sector Strategies – Sub-Sector Strategies

NO.	Name of the Policies, Bills and Regulations	Aims, Objectives and Policy Thrust/ Highlights, and role of farmer organization	Current Status of the Policies, Bills, laws or Regulations	Identified gaps/ weaknesses in the policy, law, bill, regulation	Responsible Institution
1.	Agricultural Sector Development Strategy, (ASDS) 2010 -2020	<p>The overall goal of the strategy is to achieve an average growth rate of 7 per cent per year over the next 5 years</p> <p>Objectives Increase productivity, commercialization and competitiveness of agricultural commodities and enterprises and developing and managing key factors of production.</p> <p>Role of farmer organization</p> <ul style="list-style-type: none"> ▪The strategy aims at encouraging and enhancing positive participation by farmer organizations. ▪Strategy recognizes that farmer organizations are one of the key production factor of the agriculture sector. ▪According to this strategy government institutions are only supposed o do regulatory function and development mandates of these institutions will be handed over to farmer apex organizations. ▪FOs will be supported and empowered to play their role in providing market support services. ▪According to the strategy agriculture sector will strengthen its extension service delivery system and encourage private sector participation in the delivery of extension services, and will, empower farmer organizations to provide these services at the grassroots. ▪To ensure the bulk fertilizer purchase programme is successfully implemented, the 	<p>The Strategy is operational</p>	<ul style="list-style-type: none"> ▪ The strategy is well thought through and inclusive however, the institution to oversee the implementation is the agriculture sector Coordination Unit (ASCU) which is currently dysfunctional. ▪ The Strategy preceded the agriculture policy which is still a draft, yet a strategy should actually be implementing a policy 	<p>Agricultural Sector Coordination Unit</p>

NO.	Name of the Policies, Bills and Regulations	Aims, Objectives and Policy Thrust/ Highlights, and role of farmer organization	Current Status of the Policies, Bills, laws or Regulations	Identified gaps/ weaknesses in the policy, law, bill, regulation	Responsible Institution
		<p>government commits to facilitate capacity building for farmers and enhance capacity of farmer institutions to purchase and distribute fertilizer efficiently.</p> <ul style="list-style-type: none"> ▪ Poor performance of some public and smallholder schemes is been partially associated to weak farmer organizations. ▪ Strategy recognizes farmer organization as one of the main institutions to implement the vision of agriculture Sector Development strategy. <p>Issues on Gender, youth and persons with disability</p> <ul style="list-style-type: none"> ▪ Strategy recognizes the fact that women don't own land affects the effectiveness of land use. ▪ Recognizes the need to empower, women, youth and other vulnerable groups in the effort to reduce poverty and increase income generation. ▪ Strategy is privy to the fact that women and girls, who provide about 60–80 per cent of the household labour force, are more vulnerable to HIV and AIDS due to biological and social factors and the responsibility placed on them to care for the sick, hence the importance of addressing the same as a way forward towards development. ▪ A whole section is devoted to gender and youth and how the two issues affected the participation of women and youth in agricultural development. ▪ This strategy addresses the constraints, 			

NO.	Name of the Policies, Bills and Regulations	Aims, Objectives and Policy Thrust/ Highlights, and role of farmer organization	Current Status of the Policies, Bills, laws or Regulations	Identified gaps/ weaknesses in the policy, law, bill, regulation	Responsible Institution
		challenges facing youth and women and proposes some interventions to address the same.			
2.	National Strategy Agribusiness	<p>▪The overall goal is to bring about a highly productive and efficient agribusiness sector, competitive both locally and internationally.</p> <p>Specific objectives</p> <ul style="list-style-type: none"> ▪To remove barriers and create incentives for the private sector to invest in agribusiness and related business opportunities; ▪To invest public resources more strategically to trigger growth in agribusiness; ▪To make agribusiness systems more competitive, easily adaptable in order to deal with dynamic markets and the opportunities they bring; ▪To establish institutional frameworks, which enable all actors to utilize market opportunities. <p>Role of Farmer Organizations</p> <ul style="list-style-type: none"> ▪The strategy recognizes that Farmer organizations are central in the development of agribusiness ▪One of the ways to overcome the challenges of the high cost of doing business in the agriculture sector is by supporting farmer organizations to reach economies of scale and undertake self-regulation. ▪The ambition of the third strategic priority is to encourage greater organisation of agribusiness enterprises in order to reap commercial benefits. to enable smallholder farmers to form farmers ‘marketing groups or 	The strategy is ready and can be said to be operational technically.	<ul style="list-style-type: none"> ▪ Omission on gender, youth ad people with disability. ▪ The strategy is not supported by ay policy. ▪ There are no regulations to implement the strategy. ▪ The role of counties in agribusiness does not come out. ▪ The responsible institution to operationalize is State Department of Agriculture and yet is a sector wide document. ▪ ASCU which is also responsible currently is not operational. 	Agricultural Sector Coordination Unit (ASCU)

NO.	Name of the Policies, Bills and Regulations	Aims, Objectives and Policy Thrust/ Highlights, and role of farmer organization	Current Status of the Policies, Bills, laws or Regulations	Identified gaps/ weaknesses in the policy, law, bill, regulation	Responsible Institution
		<p>co-operatives.</p> <ul style="list-style-type: none"> ▪ This strategy creates a room to develop a methodology to facilitate the strengthening of leadership and governance of farmer organizations. <p>Issues of Gender, youth and persons with disability</p> <p>No reference is made to gender nor youth or people with disability.</p>			
3.	Cooperative Marketing Strategy	<ul style="list-style-type: none"> ▪ The goal is to provide direction, focus and guidance for the cooperative sector in marketing. ▪ This strategy aims to bridge the gaps that exist along the value chain and influence the marketing processes of products, through cooperatives. <p>Specific Objectives</p> <p>To improve market access and product development in the cooperative sector; To enhance adoption of ICT for marketing uptake; To promote value addition on goods and service; To strengthen partnerships and networks; and to improve communication and information dissemination among others.</p> <p>Role of Farmer Organizations</p> <ul style="list-style-type: none"> ▪ The spirit of the strategy is Bridging the gap in the Value chain through Cooperatives-cooperatives are largely farmer organizations. ▪ The strategy recognizes Vision 2030, under the economic pillar; cooperatives are expected to play a key role in the various 	The strategy is in place and can be said to be operational technically	<ul style="list-style-type: none"> ▪ The strategy has put more emphasize on the cooperative form of farmer organization over shadowing all the others, however, for the purpose of this analysis the cooperatives have been taken to represent farmer organizations. ▪ The strategy is length, hence need to consolidate and clearly bring out the key issues especially the interventions. ▪ The strategy totally ignored issues of gender, youth and other vulnerable groups. 	Minister in charge of cooperative Affairs

NO.	Name of the Policies, Bills and Regulations	Aims, Objectives and Policy Thrust/ Highlights, and role of farmer organization	Current Status of the Policies, Bills, laws or Regulations	Identified gaps/ weaknesses in the policy, law, bill, regulation	Responsible Institution
		<p>flagship projects which include; increasing value addition in agriculture, wholesale and retail trade, manufacturing and financial services.</p> <ul style="list-style-type: none"> ▪ The strategy passionately states if Cooperatives can bridge the gaps in the value chains in marketing and value addition, then more Kenyans can achieve prosperity through employment and wealth creation. ▪ Farmer organizations are expected to provide goods and services at cost to their members. ▪ Strategy recognizes the challenges most farmer organizations had to undergo in 1990s and 2000s and where they are and they required interventions. ▪ Agricultural cooperatives have for years played a crucial role in providing production inputs, credit and marketing services. Savings and credit cooperatives avail diverse financial products and services to their members. ▪ In this strategy, cooperatives will be facilitated to upgrade their positions in the value chains, develop public private partnerships and increase value addition on their products, including branding. ▪ The strategy aims at stimulating the latent potential and comparative advantage existing in cooperatives. <p>Issues of Gender, youth and persons with disability The strategy doesn't even mention issues of gender, youth, or any other vulnerable group.</p>			

NO.	Name of the Policies, Bills and Regulations	Aims, Objectives and Policy Thrust/ Highlights, and role of farmer organization	Current Status of the Policies, Bills, laws or Regulations	Identified gaps/ weaknesses in the policy, law, bill, regulation	Responsible Institution
4.	National Aquaculture Strategy and Development Plan, 2010	<p>The overall objective of the strategy is to define the roles of the different players in the aquaculture sector, avoid duplication and wastage of resources, apply best management practices, spur and promote aqua-business for maximum socio-economic benefits to the people of Kenya.</p> <p>Specific objectives Formulation and implementation of a strong aquaculture policy and legal framework; Strengthen research base for aquaculture development; Enhance access to water resources for aquaculture development; Facilitate access to market and market information; Institutionalize environment monitoring and aquatic bio-security; To emphasize value addition in fish processing and establish an efficient national safety and quality assurance system to protect consumers and enhance fish and fishery products export.</p> <p>Role of farmer organizations</p> <ul style="list-style-type: none"> ▪ Producer organization are some of the strategic element for the aquaculture subsector ▪ Private sector mandated to strengthen producer associations. ▪ Role of producer organizations at various levels in aquaculture is well articulated. 	Strategy developed launched and technically under implementation	<ul style="list-style-type: none"> ▪ The Strategy was developed before the National Aquaculture Policy 	
5.	National Water Resource association Management Strategy, 2010-2016	<p>The goal is to achieve efficient and sustainable water resource management in order to ensure water availability for environmental balance, basic human needs and economic production.</p> <p>Objectives To improve water resources assessment so as</p>	Strategy is in place and under implementation	Since this is a cross-cutting strategy, there is need for the agriculture mainstream to customize the key issues related to water for agriculture.	Cabinet Secretary in charge of water affairs

NO.	Name of the Policies, Bills and Regulations	Aims, Objectives and Policy Thrust/ Highlights, and role of farmer organization	Current Status of the Policies, Bills, laws or Regulations	Identified gaps/ weaknesses in the policy, law, bill, regulation	Responsible Institution
		<p>to obtain more accurate figure of the annual fresh water safe yield of surface water and ground water resources; To put in place mechanisms that promotes equal access to water for all Kenyans;</p> <p>To enhance and strengthen roles of gender in water resources management; To create mechanisms for an integrated approach to land and water resources planning and management on a catchment basis; Create mechanisms for catchment conservation and management; To put in place measures that enhance the availability of water resources of suitable quality and quantity where and when it is needed; and to put in place strategies that will promote the production of accurate data on water use and demand for both surface water and ground water.</p> <p>Role of farmer organizations No mention of the farmer associations</p> <p>Issues of gender, youth and persons with disability</p> <ul style="list-style-type: none"> ▪ Strategy appreciates the fact that Women play a central part in the provision; management and safeguarding of water and therefore gender consideration must be upheld 			
6.	National Climate Change Response Strategy	<p>Overall objective is to ensure that adaptation and mitigation measures are integrated in all government planning and development objectives.</p> <p>Specific objectives Enhance understanding of the global climate</p>	In place and under implementation technically.	Not aligned to the Kenya's constitution 2010, especially on issues of devolution and use of terms such as minister	Minister in charge of environmental issues

NO.	Name of the Policies, Bills and Regulations	Aims, Objectives and Policy Thrust/ Highlights, and role of farmer organization	Current Status of the Policies, Bills, laws or Regulations	Identified gaps/ weaknesses in the policy, law, bill, regulation	Responsible Institution
		<p>change regime and most importantly the positions Kenya needs to take in order to maximise beneficial effects of climate change; assess the evidence and impacts of climate change in Kenya; recommend robust adaptation and mitigation measures needed to minimise risks associated with climate change while maximising opportunities.</p> <p>Role of Farmer organizations No mention of farmer associations</p> <p>Issues of Gender, youth and persons with disability Advocates for participatory approach to water users including gender groups Advocates for gender response kind of approach and suggests how this can be facilitated</p>			

4.7 Status of Agricultural Sector Policies – Crops and Livestock Sub-Sectors Strategies

NO.	Name of the Policies, Bills and Regulations	Aims, Objectives and Policy Thrust/ Highlights, and role of farmer organization	Current Status of the Policies, Bills, laws or Regulations	Identified gaps/ weaknesses in the policy, law, bill, regulation	Responsible Institution
1.	National Rice Development Strategy	<p>The objective is to double rice production in both rain-fed and irrigated production.</p> <p>Role of farmer organization Farmers will be facilitated to form producer/associations in order to achieve</p>	Strategy in place and under implementation	<ul style="list-style-type: none"> ▪ The strategy doesn't give clear direction on strategy to compete with the imported rice. ▪ Strategy is silent about the EAC market yet most of the 	Cabinet Secretary in charge of Agriculture affairs

NO.	Name of the Policies, Bills and Regulations	Aims, Objectives and Policy Thrust/ Highlights, and role of farmer organization	Current Status of the Policies, Bills, laws or Regulations	Identified gaps/ weaknesses in the policy, law, bill, regulation	Responsible Institution
		<p>economies of scale, easy access to finance and extension services and to offer services to members.</p> <p>Issues of gender , youth and persons with disability</p> <ul style="list-style-type: none"> ▪The policy considers gender dimension in rice production ▪Appreciates most small scale traders in rice are women ▪Policy advocates for deliberate targeting of women and children for capacity building and technology. ▪Appreciates the need to address the inequality in gender in relation to land ownership and access to land. ▪Lays done approach to attract youth to rice production 		<p>issues affecting the domestic issues are large and by regional issues.</p>	
2.	Dairy Goat Value Chain Map and Strategy	<p>The goal is to ensure increased and sustainable fish production and utilization by properly managing the Ocean and other Kenya Fishery Waters.</p> <p>The objective of the strategy is to promote dairy goat development in Kenya.</p> <p>Key Interventions of the strategy are Strengthening the policy, legal and infrastructural frameworks; Facilitating the formation of an apex body; Building capacities at all levels; Enhancing the implementation of the dairy goat breeding programme Encouraging and promoting the dairy goat industry.</p>	<p>Strategy is ready and operational technically</p>		<p>Minister in-charge of livestock Affairs</p>
3.	Avian Influenza Plan and Communication Strategy	<p>The objective is prevention, early detection and rapid response to incursion of Notifiable</p>	<p>Strategy in place and under implementation</p>		<p>Cabinet Secretary through in charge</p>

NO.	Name of the Policies, Bills and Regulations	Aims, Objectives and Policy Thrust/ Highlights, and role of farmer organization	Current Status of the Policies, Bills, laws or Regulations	Identified gaps/ weaknesses in the policy, law, bill, regulation	Responsible Institution
		<p>Avian Influenza in Kenya.</p> <p>Key interventions of the strategy are Surveillance and diagnostic services; Contingency measures, capacity building and simulation drills; Awareness creation; Enforcement of sanitary measures in live birds, establishments, wild bird migratory sites, and national borders and Trace certification.</p>			of Livestock Affairs delegated to Director of Veterinary Services
4.	National Rabbit Development Strategy and Implementation Framework 2013 -2017	To enhance the contribution of the rabbit industry towards food security, employment and wealth creation in the country.	Policy in place		Minister in charge of Livestock Affairs
5.	National Aquaculture Strategy and Development Plan, 2010	<ul style="list-style-type: none"> ▪ The overall objective of the strategy is to define the roles of the different players in the aquaculture sector, avoid duplication and wastage of resources, apply best management practices, spur and promote aqua-business for maximum socio-economic benefits to the people of Kenya. <p>Specific objectives</p> <ul style="list-style-type: none"> ▪ Formulation and implementation of a strong aquaculture policy and legal framework; Strengthen research base for aquaculture development; Enhance access to water resources for aquaculture development; Facilitate access to market and market information; Institutionalize environment monitoring and aquatic bio-security; To emphasize value addition in fish processing and establish an efficient national safety and quality assurance system to protect 	Strategy developed Launched and technically under implementation	<ul style="list-style-type: none"> ▪ The Strategy was developed before the National Aquaculture Policy 	

NO.	Name of the Policies, Bills and Regulations	Aims, Objectives and Policy Thrust/ Highlights, and role of farmer organization	Current Status of the Policies, Bills, laws or Regulations	Identified gaps/ weaknesses in the policy, law, bill, regulation	Responsible Institution
		<p>consumers and enhance fish and fishery products export.</p> <p>Role of farmer organizations</p> <ul style="list-style-type: none"> ▪ Producer organization are some of the strategic element for the aquaculture subsector ▪ Private sector mandated to strengthen producer associations ▪ Role of producer organizations at various level in aquaculture is well articulated 			

4.8 Status of Agricultural Sector Policies – Subsidiary Legislation

NO.	Name of the Policies, Bills and Regulations	Aims, Objectives and Policy Thrust/ Highlights, and role of farmer organization	Current Status of the Policies, Bills, laws or Regulations	Identified gaps/ weaknesses in the policy, law, bill, regulation	Responsible Institution
1.	The Seed and Plant Varieties (National Performance Trial) Regulations	<p>Rules for guiding plant variety development and registration.</p> <p>Role of farmer organizations</p> <ul style="list-style-type: none"> ▪ The Chief Executive Officer, Kenya National Federation of Agricultural produce is a member of the National Variety Release Committee. <p>Doesn't mention issues of gender, youth and people with disability.</p>	Subsidiary Legislation Gazetted and Operational	<ul style="list-style-type: none"> ▪ The regulations vested some powers on the position of Agriculture Secretary which is currently dysfunctional. ▪ Doesn't incorporate the regional seeds and plant varieties regulations. 	Minister in-charge of agriculture matter (implemented through KEPHIS)
2.	The Plant Protection (Imports of Plants, Plant Materials and Regulated Articles) Regulations, 2009	For regulating the importation of plant material to safeguard Kenya's agriculture against SPS related exposures.	Subsidiary Legislation Gazetted and Operational	The penalties in this legislation are not punitive enough	Minister in charge of for Agriculture Affairs

5. COUNTY AGRICULTURE RELATED POLICY INSTRUMENTS

5.1 Kiambu County

NO	Name of the Policies, Bills and Regulations	Aims, Objectives and Policy Thrust/ Highlights, and role of farmer organization	Current Status of the Policies, Bills, laws or Regulations	Identified gaps/ weaknesses in the policy, law, bill, regulation	Responsible Institution/Office
	Kiambu County Abattoirs Act, 2014	<p>This is an ACT of the Kiambu County Assembly to provide for the establishment, operations and regulation of abattoirs in the county and for matters connected or incidental to the abattoirs.</p> <p>Reference to National Policy The Act has intensively referred to the Meat Act (CAP. 356).</p> <p>Role of Farmer Associations No mention of farmer groups/ Associations or cooperatives.</p> <p>Issues on Gender, youth and persons with disability No mention of gender, youth or people living with disability</p>	<p>Legal Framework Operational</p>		<p>County Executive Committee Member responsible for matters relating to veterinary services;</p>

Draft Bills

- I. Draft Animal Disease Control Bill, 2015- *it is yet to go to the county assembly*
- II. Proposed bill on Revolving Fund on Agriculture Training Centres and Agriculture Mechanization Services- *it is yet to go to the county assembly*

5.2 Murang'a County

NO	Name of the Policies, Bills and Regulations	Aims, Objectives and Policy Thrust/ Highlights, and role of farmer organization	Current Status of the Policies, Bills, laws or Regulations	Identified gaps/ weaknesses in the policy, law, bill, regulation	Responsible Institution/Office
	Murang'a Tea Bill, 2014	<p>An act of Murang'a county assembly to provide for the growth and developmet of the tea sector and connected purposes, Establishes a board- Muranga tea developmwnt Board.</p> <p>Role of Farmer Associations Not clear on any role of farmer associations</p> <p>Issues of gender, youth and persons with disability Board Members will consitute of a man and woman wioth relevant knowledge appointed by excutive member.</p>	2nd reading and it is likely to be withdrawn	<ul style="list-style-type: none"> ▪ Bill doesnt refer to the related policies at the national government. ▪ Establish and enforce grading of tea i the county- tea grading is mainly international and at the auction point. ▪ Tea funds expects to get fund from the advalorem levy from national government, yet the law governing the said fund has not been ammendednt to incorporate the new proposal by the bill. 	Executive member

6. DRAFT NATIONAL POLICIES, BILLS, STRATEGIES AND REGULATIONS

1. Agricultural Professional Registration and Licensing Bill, 2012
2. Agricultural Sector Gender Policy
3. Agricultural Sector Youth Policy
4. Agro-chemical Policy
5. Animal Breeding Policy
6. Animal Welfare Policy
7. Cassava Development Strategy
8. Coffee(general)Regulations
9. Contagious Bovine Pleuropneumonia Plan
10. Cooperative Development Fund Strategy
11. Cooperative Development Policy
12. Cooperative Member Recruitment Strategy
13. Cotton Development Strategy
14. Crops (Food Crops) Regulations, 2015
15. Crops (Nuts and Oil Crops) Regulations, 2015
16. Fertilizer Strategy
17. Fibre Crops regulations, 2015
18. Fisheries Bill- **2nd reading in parliament**
19. Food security Bill, 2014- **Passed the 1st Reading in senate**
20. Foot and Mouth strategy
21. Kenya National Spatial Data Infrastructure Policy
22. Livestock Feeds Policy
23. Livestock identification and traceability
24. Mechanization strategy
25. Nairobi Coffee Exchange Rules, 2015
26. National Agricultural Insurance Policy
27. National Banana Development Strategy
28. National Cage Culture Strategy
29. National Cereal Crops Policy-
30. National Cereals and Produce Board (amendment) Bill, 2015- **gone through 1st and 2nd reading and no indication of whether it passed.**
31. National Emerging Crops Policy
32. National Irrigation Policy, 2015
33. National Land Use Policy
34. National Pig Development Strategy
35. National Root and Tuber Crops Policy- **Draft Policy and Cabinet Memo submitted, with National stakeholders' views incorporated**
36. National Tea Policy-**Draft Policy ready and awaits Stakeholders Workshop for validation**
37. **National Tuna Management Strategy**
38. National Urban and Peri-urban Agriculture and Livestock Policy (UPAL)- **Draft Policy developed but not yet approved by Cabinet**
39. National Wheat Development Strategy
40. Pest Control and product Bill, 2013
41. Potatoes Produce and marketing Bill,2014- **passed through 2nd Reading in Senate**

42. Pyrethrum crop regulations, 2015
43. Seeds and Plant Variety (Amendment) Bill,2015- **First reading in parliament**
44. Seeds and plant variety regulations
45. Sessional Paper for Revitalization of Pyrethrum Industry- **Policy on Revitalization deferred by the Cabinet pending payment of farmers arrears**
46. Tea Climate Smart Strategy
47. Tea Development Policy
48. Tea Directorate Regulations, 2013.
49. Tea Industry regulations
50. The AFC (Amendment) Bill- **The bill is developed but is yet to be taken to the Attorney General office**
51. The National Coastal and Marine Fisheries policy
52. Veterinary Policy;
53. Warehousing Receipts System (WRS), Bill- **1st reading in parliament**

7. HIGHLIGHTS OF KEY ISSUES IN AGRICULTURE RELATED POLICY INSTRUMENTS

Lack of Coordination of the policy formulation some of the policy instruments are either conflicting or are duplicating functions for example AFFA Act, 2013 (Kenya Gazette Supplement No. 25 (Acts No. 13) repeals Pyrethrum Act (Cap. 340), However the same date on 25th January 2013, Pyrethrum ACT, 2013 (*Kenya Gazette Supplement No. 36 (Acts No. 22)* is enacted. There are very many policy instruments in place and some are related. This situation is complicated further by policy instruments which originate from private members bills. It is not uncommon to find two parallel bills on the same being spearheaded by different institutions at the same time. An example on this is the Fertilizer and Animal Foodstuff (amendment) Act, 2015. While the Ministry of Agriculture, Livestock and Fisheries (MoALF) was drafting an amendment to repeal the Act, the same process was continuing in the National Assembly.

A large number of policy related instruments are in draft form. As indicated on section six(6) above currently there over Fifty three(53) draft policies, bills, strategies, regulations and more are on pipeline, though at very basic stage and could not be captured by this study.

Most policy instruments were enacted before the launch of the Kenya's Constitution, 2010 hence they are not harmonized with the Constitution of Kenya 2010 making some policy instruments or part of them invalid in the current dispensation. On the same note most policy instruments were enacted before devolution was effected, hence are not in line with devolution or do not recognize devolution. There are several Acts which don't have policies, strategies or regulations to implement them. While in other cases there are policies without regulation for implementation.

Policy instruments are in place but the no supporting frameworks or other instruments necessarily for their implementations, for examples ACTs require policies to operationalize them and strategies are important to implement policies. However, in some situations Acts are not accompanied by relevant policies and strategies which are yet to be developed. On the other hand policies required to be anchored on specific Acts and strategies are developed from specific policies yet there are strategies and no policies on the same. An example here is the National Agribusiness Strategy, there is no policy governing agribusiness in the country.

Lack of enough publicity and civic education is a major challenge on policy related instruments effectiveness in Kenya. Most stakeholders have no clue on existence of some policy instruments and the few who know about them majority have no clue what it is all about and more so the implication on their day to day operations. This is compounded by accessibility, it is difficult to get the policy instruments copies and some where available are only in hard copies and only few copies are available.

There are new policy instruments coming up and creating boards and authorities although the spirit of the sector during the consolidation bill process was to reduce on this. Examples here include the Fertilizers and Animal Foodstuffs (Amendment) Act, 2015 which establishes Fertilizer and Animal Foodstuffs Board of Kenya, Pyrethrum Act, 2013 establish the Pyrethrum Regulatory Authority (PRA), Proposed bill on Fish Management and Development proposes Fish Marketing Authority.

Several agriculture policy related instruments with overarching mandates- according to the documents, coordination and implemented was vested on Agricultural Sector Coordination Unit which is currently dysfunctional and this leaves a gap on coordination and implementation. Examples include National Agricultural Sector Extension Policy among others.

Most of the national policies, strategies and regulations are either silent or ignore the issues of regional markets (regional blocking generally) such as EAC and COMESA yet the effect of these regional blocks on the national affairs is real.

Counties have indicated that they do not have enough capacities in term of human technical capacity and funding. There is need for capacity building at both the technical level and at the County Assembly. This is a major drawback as counties are supposed to customise the national policies to the specific counties. Due to lack of funds the stake holder's consultation at the county level while making policy instruments is wanting.

The national government is not giving adequate policy direction on some of the key issues in relation to the policies. The counties are of the opinion that there is need for more engagement in terms. While the constitutions spells out the functions of the national and county governments on agriculture matters a number of issues on matters deemed to be devolved still require the coordination of the national government. An example here is the control of Livestock diseases. Fourth Schedule Part II

on functions and powers of the county government in section (d) issue of plant and animal disease control is a county government function yet diseases have no boundaries. Secondly in law and is only director of veterinary services who can import some of the restricted medicines. This puts the counties in tight situations.

As counties formulate policy related instruments need to do so in consultation with the existing ones to ensure there is no contradiction, duplication and the new laws are in line with the existing ones and add value to them. An example here is the County of Murang'a Tea Bill, 2014 which went through several steps in 2014 but later different stakeholders realised the bill was not necessarily because most of the issues in the bill were already addressed by similar legislations at the national level and that it had some defaults.

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9. APPENDIX : WRITTEN LAWS REPEALED

WRITTEN LAWS REPEALED BY AFFA ACT, 2013

1. Agriculture Act; (Cap. 318)
2. Suppression of Noxious Weeds Act;2213 Cap.325)
3. Grass Fires Act(Cap.327)

WRITTEN LAWS REPEALED BY CROP ACT, 2013

4. Agricultural Produce (Export) Act (Cap. 319);
5. Agricultural Produce Marketing Act (Cap. 320);
6. Crop Production and Livestock Act (Cap. 321);
7. Canning Crops Act (Cap. 328);
8. Cereals and Sugar Finance Corporation (Cap. 329);
9. Coconut Industry Act (Cap. 331);
10. Coconut Preservation Act (Cap. 332);
11. Cotton Act (Cap. 335);
12. Pyrethrum Act (Cap. 340);
13. Sisal Industry Act (Cap. 341);
14. Tea Act (Cap. 343);
15. Coffee Act (No. 9 of 2001);
16. Sugar Act (No. 10 of 2001);
- 17. The Irrigation Act (Cap. 347).**