

# Kitui County Assembly

## THE HANSARD

First County Assembly – First Session

Tuesday, 30<sup>th</sup> July 2013

*The County Assembly met at 2:00pm*

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

### PRAYERS

*(Communication from the Chair)*

**The Speaker:** Honourable Members, as you know very well we work hand-in-hand with the Senate to be able to push the agenda of devolution forward. Senate looks into the interests of counties in order to ensure the success of the devolved units, and in that line, I was with our Senator the Honourable David Musila and he gave me some extracts of his contributions in the Senate. I have four documents with me here and I want to read one so that we can have an idea of what the proceedings at that house are, and compare it with our own contributions here. I want every member to pay keen attention to this, because this should guide us also in our contributions in this house. The first one is a petition, about the tarmacking of the Kibwezi-Kitui-Mwingi road, which I will read:

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PETITION: TARMACKING OF KIBWEZI-KITUI-MWINGI ROAD

**Sen. Musila:** Thank you, Mr. Speaker, Sir. I would like to present this Petition, pursuant to Standing Order No.222(2)(a).

Before I do so, would I be in order to inform my colleague Senators that the incoming Senator for Makueni, Kethi Kilonzo, has just been cleared by the Independent Electoral and Boundaries Commission (IEBC)?

*(Laughter)*

**The Speaker** (Hon. Ethuro): Order! Order, Senator Musila! You are completely out of order! As a senior citizen and a senior Member of this House, you know how one becomes available to the House. So, hold your horses until then.

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**Sen. Musila:** I am much obliged, Mr. Speaker, Sir. But I was just excited because of the problem that TNA was trying to cause to us.

Mr. Speaker, Sir, pursuant to Standing Order No.222(2)(a), I wish to present a Petition on behalf of Mr. Joseph Kalinga of Post Office Box 8, Migwani, Kitui. Mr. Kalinga is a Kenyan citizen and a resident of Kitui County. As Hon. Senators are aware, under Article 119 of the Constitution, and I quote:-

“(1) Every person has a right to petition Parliament to consider any matter within its authority, including to enact, amend or repeal any legislation.”

Standing Order No.217(1)(b) provides that:-

“A Petition to the Senate shall be presented by a Senator on behalf of a petitioner with the consent of the Speaker.”

I wish to confirm that the Speaker has given his consent on this matter. Mr. Speaker, Sir, Mr. Kalinga petitioned the Senate, through its Standing Committee on Energy, Roads and Transportation, to inquire into the matter of upgrading and tarmacking of Kibwezi-Kitui-Mwingi Road, Road B7. The petitioner draws the attention of the Senate to the following.

Kibwezi-Kitui-Mwingi Road is 212 kilometres long. The Kibwezi-Kitui section of the road is classified as B7; it is 170 kilometres long; while the Kitui-Mwingi section is class C94; it is 42 kilometres long.

Mr. Speaker, Sir, the petitioner further states that the Kibwezi-Kitui-Mwingi Road is the economic lifeline of the people of Kitui County as well as the people of many other counties, including Garissa, Isiolo and Mombasa. The road facilitates trade, economic development and improvement in the livelihoods and quality of life of the residents of these counties.

The Kibwezi-Kitui-Mwingi Road has been in a deplorable state of repair. This has negatively affected trade, economics and social development in Kitui County and others surrounding counties. It is noteworthy that the Kibwezi-Kitui Road is the only Class B international trunk road that is in such a deplorable state.

Mr. Speaker, Sir, the petitioner further states that the Kibwezi-Kitui-Mwingi Road is central to the success of Vision 2033 whose objective is to transform Kenya into a newly industrialized middle income country, providing a high quality life to all citizens by 2033---

**Sen. Murkomen:** On a point of order, Mr. Speaker, Sir. Which vision is Vision 2033?

**Sen. Musila:** Mr. Speaker, Sir, I beg your pardon. I want to make a correction; it is Vision 2030. If I said 2033, I meant 2030.

Mr. Speaker, Sir, the objective is to transform Kenya into a newly industrialized middle income country, providing a high quality life to all citizens by 2030 in a clean and secure environment.

Mr. Speaker, Sir, the road is also part of a critical international highway which is expected to unlock the economic potential of the southern region of the country as a whole, and also of other African countries by creating a linked network within the continent. For this reason, the Inter-Governmental Authority on Development (IGAD) has, on a number of occasions urged the Government of Kenya to prioritize the tarmacking of the road.

The petitioner further states that over the years, numerous appeals and requests have been made to the national Government by the residents of Kitui County, through different persons and bodies to have the road repaired. Some of these are outlined below.

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(a) Pleas by the residents of the county to the appointed and elected leaders, drawing their attention to the dilapidated condition of the road.

(b) Undertakings made on at least three occasions by the immediate former President, hon. Mwai Kibaki, while on official visits to the county to the effect that the road will be tarmacked.

Mr. Speaker, Sir, the petitioner claims that despite these undertakings, the concerned Ministries and departments are yet to take action. In particular, in April, 2010, the immediate former President, while addressing a public rally in Mwingi Town, made a commitment on behalf of the national Government that the road will be upgraded. He directed the then Minister for Finance, who is now the current President, to ensure that

the funds were made available for the upgrading of the road. One month later in May of the same year, while addressing a public rally in Kitui Town, the former President made a similar undertaking to the people of Kitui County. In October, 2012, again, the former President while at a public rally in Kitui, made a commitment on the upgrading of the road and, further, directed the then Minister for Roads, hon. Franklin Bett, to ensure that action was taken to upgrade the road. Numerous assurances have been made by Treasury to the elected leaders and residents of the county that budgetary provisions will be made for tarmacking of the road. Despite these assurances, the petitioner states that the Treasury has not made any budgetary allocation, so far.

Mr. Speaker, Sir, in 2011, the petitioner says that the Kenya National Highways Authority (KENHA) signed a Memorandum of Understanding (MoU) with a Chinese construction company for the upgrading of the road. However, finalization and implementation of the MoU does not appear to have been followed through and remains outstanding. Subsequently, the Treasury has also indicated that they were negotiating for the financing of the upgrading of the road and that works on the road will commence once a loan agreement has been signed. To the best of the petitioner's knowledge, no agreement was signed and, therefore, work has not commenced.

Mr. Speaker, Sir, the petitioner further states that during the Tenth Parliament, the Committee on Transport, Public Works and Housing of the National Assembly took up the matter of the upgrading of the road and made inquiries with various Government officials, including making an inspection tour of the road, which was done in August, 2011. The Committee found out that the road was, indeed, in an appalling state and urged the Ministry of Roads to urgently liaise with the Treasury to ensure that the funds were made available for the upgrading of the road. This is yet to happen.

The Petitioner states that despite these efforts, assurances and undertakings made over the years, the Kibwezi-Kitui-Mwingi Road has remained in a state of disrepair and has continued to deteriorate further every year. Needless to say, the economic development and tourism potential of Kitui County is unlikely to be realized while the road remains in this state.

Mr. Speaker, Sir, the petitioner states that the issues in respect of which this Petition is made are not pending before any court of law, constitutional or legal body.

The Petitioner concludes with a prayer to this honorable Senate, through its Standing Committee on Energy, Roads and Transportation, to inquire into the matter of upgrading and tarmacking of the Kitui-Kibwezi-Mwingi Road and establish:-

1. The present state and the condition of the Kibwezi-Kitui-Mwingi Road.

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2. The effect of the state of the road on the residents of Kitui County and other affected counties.
3. The economic potential of the road when upgraded on trade and economic development in Kitui County, Kenya and Africa, in general.
4. The plans, if any, of the department responsible for roads concerning the Kibwezi-Kitui-Mwingi Road.
5. The expected dates, if any, of commencement and conclusion of the works.
6. The contractor, if any, assigned or to be assigned the work.
7. The plans, if any, by the national Government to mitigate the continued losses suffered by the residents of Kitui County as a result of the current state of the road.

Further, Mr. Speaker, Sir, the petitioner requests that the Senate Standing Committee on Energy, Roads and Transportation tables a report in the Senate within two months of the date of committal of this Petition to the Committee setting out its findings on the Kitui-Kibwezi-Mwingi Road and recommending appropriate action.

Mr. Speaker, Sir, the Petition which I hereby lay on the Table of this House is signed by the petitioner, Mr. Joseph Kalinga and countersigned by myself.

I thank you, Mr. Speaker, Sir, and lay the Petition on the Table of the House.

*(Sen. Musila laid the Petition on the Table)*

**The Speaker** (Hon. Ethuro): What is it, Sen. (Dr.) Khalwale?

**Sen. (Dr.) Khalwale:** Mr. Speaker, Sir, I stand on Standing Order No.223 to make a brief comment on this Petition.

Mr. Speaker, Sir, I want to congratulate Mr. Kalinga. I am in total agreement with all the prayers that he has raised. But there is something else which must not be lost to this Senate; the time former President Kibaki was making those pronouncements, the Constitution of Kenya was in force. Under Article 135 of the new Constitution, the decision of a President is supposed to be in writing, signed and with the public seal. I want the Committee to go further and find out who reversed that decision of the President. I believe hon. Kibaki was a stickler for the law; he must have signed this. We hold the Treasury responsible for bypassing the decision of the President.

At the same time, it has also come to the public domain that the current President seems to want to play politics with development. He was quoted live at a funeral of our Senator making a roadside declaration. We would like the Committee also to confirm that the declaration by his Excellency the President that the road will be tarmacked is also in writing. If it is not in writing, this Senate must insist that the President must put it in writing, so that the rule of law must be seen to be the order of doing business in the Republic of Kenya.

Mr. Speaker, Sir, I beg to support this Petition.

*(Applause)*

**The Speaker** (Hon. Ethuro): Since there are no more Senators interested in contributing to the Petition, the Petition will be committed to the relevant Committee.

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The Committee must realize that it must deal with this Petition, according to the Standing Orders, within 60 days and table the report, indeed, as requested by the

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petitioner through Sen. Musila.

**The Speaker:** That is some of the work the Honourable Senator for this county has been doing at the Senate. This petition is probably his own views of what he thinks should be done in the County, but he presents it in form of a petition by someone else.

I will this and the other documents with the Clerk so that each and every one of you can have a look at it and he will return it to me. Please, I would like you to pay attention to the way issues are discussed at the Senate so that we can also replicate the same in this honourable house.

Right. Next order.

*(Motion: Regulation of charcoal trade – Honourable Peter Kilonzo)*

**Hon. Kilonzo:** Thank you Mr Speaker Sir for giving me the opportunity to move this very important Motion that is of county importance. I beg to move in this honourable house:

THAT, aware that there has been intensive charcoal burning within most parts of Kitui County coupled with very high demand and readily available market which has led to high charcoal exportation outside this County; aware that this uncontrolled activity has adversely and negatively impacted to our environment, causing environmental degradation, air pollution, Global warming and reducing chances of rain by destroying catchment areas; concerned that environmental conservation has perpetual and positive contributions to our livelihoods for generations and generations; concerned that this human activity has devastated our environment to an alarming state; further aware, that charcoal business has been a source of income to over 30 per cent of our population in this County where majority live below the poverty line; appreciating provisions of our constitution chapter five part 2 Article 69 Section 1 Subsection (a) to (g) on state obligation in respect of the environment; noting provisions in the same Article 69 section 1 Subsection (f) to (h) and Subsection 2 in the same Article.

This Assembly urges with immediate effect that the County Executive to establish a sustainable and controlled charcoal production and immediately come up with strong regulations and mitigating measures to this Industry.

*(Hon. Ndotto leaves the Chair as Hon. Angeline Mbula takes over as Temporary Speaker)*

Mr Speaker, The Kenyan Charcoal Industry is valued at 36 billion annually, and employing over 700,000 people and supporting 2.5 Million (dependants). 68per cent of Kenyans depends on Biomass for fuel, Petroleum fuels 22per cent, Electricity 9per cent and other form (Solar, Biogas and Wind) at 1per cent (IGAD 200g), Ethiopia 85per cent Biomass, Uganda 85per cent Biomass, Tanzania is 90per cent, Petroleum fuels 8per cent, Electricity 1.5per cent (Nor consult 200g). Charcoal being the main source of energy for urban and rural dwellers standing at 82per cent. and 34per cent respectively. The increasing population and human activities exerts a lot of pressure to our forest cover.

Reports released by United Nation Environmental Programme (UNEP) and the Government of Kenya shows that due to inefficiency we lose 6 billion on deforestation while the same un agency recommends that 10per cent should be the forest cover but survey carried last year 2012 indicates that we lies slightly less than 5per cent forest cover.

Importances of the charcoal sector include:

Source of energy to Kenya households

Creates employment for producers, transporters and marketers (Vendors)

Contributors to the Economy; Tourism Ksh 75billion, Horticulture Ksh 48billion, Tea Ksh 43billion while Charcoal does contribute 36billion.

Source of Government Revenue Ksh 60million bags are traded annually and collection at Ksh. 30 – 50 is charged/bag;

However, due to corrupt practices and inefficiency the Government can increase the Revenue to Ksh 6.2 billion.

Environmental Conservation – unregulated, free or very cheap sourcing of trees and Shrubs for Charcoal production causes serious deforestation and environmental degradation.

*(Honourable Munuve rises on a Point of Information)*

**The [Temporary] Speaker:** Do you want the information Honourable Kilonzo?

**Hon. Kilonzo:** Yes, Why not.

**The [Temporary] Speaker:** Yes Member for Kanziku. What is your point of information?

**Hon. Munuve:** I just wanted to draw the attention of the Honourable Member that we now have Madam Speaker and not Mr Speaker.

**Hon. Kilonzo:** Thank you for that information. I'm very sorry Madam Speaker. I was so engrossed in moving this very important Motion that I didn't notice the change.

Thank you very much my friend Honourable Munuve.

**The [Temporary] Speaker:** [Chuckles] Go ahead and continue.

**Hon. Kilonzo:** As I was saying Madam Speaker, there are also common issues which characterise charcoal production worldwide:

- Unregulated/illegal resources
- Rampant and systemic corruption
- Inefficient conversion technologies
- Perception that it is a poor man's business
- Considered 'dirty' and economically unattractive.
- Free access to wood resources leading to forest distraction.
- Charcoal industry is dominated by a few powerful individuals.
- In Kitui County Charcoal burning needs to be taken a notch higher to benefit the Charcoal producers and create revenue for the County. Unfortunately little is told about the Forest/Bush Land Gazette.

If I can quickly read out the forest areas and vegetation type Madam Speaker:

High forest/plantation, in Kabonge we have 31.80 hectares, Kyamwea 35.10ha, Museve 39ha, Mutitu 342ha and Endau16ha, all totalling to 463.90 hectares of forest.

When it comes to bushland, in Kyamwea we have 28 hectares, Museve 3ha, Mutuluni 576ha, Mutitu 1581ha, Endau 6709ha, Makongo 3429ha, Engamba 1500ha, Nthoani 1340ha and Mutha 1326ha, totalling to 16,492 hectares of bushland.

Madam Speaker, grassland is also not left out, and in Mutuluni we have 20hectares, Mutitu 20ha, Endau 38.80ha, Makongo 7ha, Engamba 642ha, Nthoani 47ha which totals to 774.80 hectares of grassland.

A point to note Madam Speaker is that the column for high forest/plantation represents the total area of plantations at various stages of maturity. Some have reached the maximum rotation age while others are yet to achieve the rotation age. The composition of the plantations comprises of different tree species.

Mr Speaker, the Forests approved for gazettelement, but not yet demarcated in Kitui County include: Ilima yimwe, Kwa Vonza, Mwakini and Mathaani in Yatta Division, Kiongwe, Kyongwani and Nzaayani in Chuluni Division, Kivongo valley and Mataitho in Mwingi Central Division, Nzanzu in Nuu and Maimu in Mutomo Division.

These Forest/bush land is facing extinction and especially the acacia species;*acaciamealier* (kithia) *acacia mearnessus* (mukaiki), *acacia nilotica*(mwaa)*melia vonvesii*(mukau), *delbegia menoxylon*(muvingo) and *balanites aegyptica* (kilului). It naturally takes 2-3 decades to bring the natural lforests to maturity.

On a light touch Mr Speaker, Kitui County having seventeen registered CPAS – Charcoal produced association and four registered

transporters does not still benefit from this trade, as the office concerned has not done much apart from collecting money from these Associations and operations not started. Can you imagine charcoal on the road side fetch a price of Ksh. 200 – 300 but once smuggled into the urban centers ksh. 1,600 – 2,000/-.

Collection from this county in terms of cess is too little and especially the controls done by a cartels and very influential people in previous municipal council, forest officers and provincial administration which is marred by a lot of corruption at the cess point e.g. Where a bag is charged between Ksh. 30 – 50 (attached is charcoal collection revenue for year 2009 to 2012)

The Charcoal bans which exists need to be uplifted people should be allowed to trade in charcoal with controls and all regulations exercised. The charcoal industry faces backlashes from Politicians described to be so powerful and almost above the law.

What happens with the law enforcers? In Kenya there exist a number of policy instruments that recognizes charcoal as an important source of energy.

- The sessional paper no. 4 of 2004 (on energy policy).
- The sessional paper no.6 of 1999 ( environment and development) – environment assessment
- The sessional paper no. 5 of 2005 of 2005 (forest policy)
- The strategy for revitalizing agriculture 2004

There are also several legal frame works which recognizes charcoal as an important contributor in the energy sector.

The energy act of 2006

– Promotion/development of renewable energy

Forest Act 2005

– KFS has to provide extension services

Environmental management & coordination act (EMCA 1999) to promote a research

Part 5 section 49 provides for promotion of the youth of renewable sources of energy by:-

1. promoting research in appropriate renewable sources of energy
2. Creating incentives for the promotion of renewable sources of energy.
3. Taking measures to encourage planting of trees and woodlots by individual land users, institutions and community groups.
4. Promoting measures for conservation of renewable sources of energy.

### Local Government ACT Cap265

– The local authorities and administrations to control the destruction of trees, transportation of charcoal and other forest produce. Charcoal traders and vendors are required to apply to a single business permit to engage in charcoal trade

### Traffic Act Cap 403

– Traffic police at the check point are expected to verify the validity of all charcoal movement permits.

The forest Charcoal rules 2009 is derived from the forest Act no.7 of 2005 section 59 which gives some mitigating factors for Charcoal production.

### Charcoal producers association (CPA's)

Madam Speaker, all commercial charcoal producers are required to organize themselves and form CPA's

Farmers' business persons, companies, cooperatives and associations producing charcoal for commercial purposes are required to have a production license from KFS before engaging in any production and marketing of charcoal.

Land owners producing charcoal for their own household use do not require a license.

### Charcoal rules on transportation

In order to transport charcoal one is required to have;-

A valid charcoal movement permit

A certificate of origin for the charcoal issued by charcoal producer

A purchase receipt from the charcoal seller or producer

Rules on marketing for charcoal.

Local market: Price control, Branding, Packaging, Weights

Export charcoal outside Kenya: KFS to issue license

Importation of charcoal into Kenya:KFS to issue license

Effective implementation of Charcoal rules calls for collaborative action among all layers in the Charcoal Industry;

Create awareness:All stakeholders including government agencies e.g. Kenya Forest Service (KFS), Ministry of Energy (MoE), Energy Regulatory Commission (ERC), Community Forest Associations (CFAs), Charcoal Producers Association (CPAs), Charcoal Working Groups (CWGs), Civil Society, the media, local administration, Kenya Forestry Research institute (KEFRI), National Environment Management authority (NEMA), private sector, Non-Governmental Organisations (NGOs) Charcoal experts and other development partners.

The groups to be targeted include:

- a) Farmers and members of CPAs, CFAs etc.
- b) County Administration and the local government staff.

- c) Government: MoE, KFS, Departmental Heads of the Ministry of Environment, Ministry of Agriculture and Ministry of Education
- d) Police officers
- e) Law courts
- f) Environmental management units.
- g) Learning institutions including schools (primary & secondary), tertiary and higher education institutions.
- h) End users
- i) Vendors
- j) Financial institutions.

Promote and support compliance of charcoal rules.

For the rules and regulations to be followed, this process would be recommended:

- Translate the charcoal rules into Kiswahili to ensure information is easily accessible to as many people as possible.
- Ensure that documents in public domain e.g. policy documents, charcoal rules and the Kenya Forestry tools for compliance, are available for people venturing into charcoal business to comply.
- Facilitate timely processing of applications for compliance licences/permits and ensure the amount collected is accounted for properly and invested into streamlining operations of the charcoal sector.
- Coordinate activities between the government and all other stakeholders in the charcoal industry.
- Continuous monitoring and information sharing on the on-going related charcoal projects.

Capacity building on target groups on compliance requirements.

Stakeholders in the charcoal sector especially the marginalised groups require capacity building to equip them with skills for compliance with the charcoal rules. These include:

- Capacity building of stakeholders involved in the charcoal sector, through training of trainers (zonal officers) who will enable them to conduct follow-up trainings at other levels.
- Capacity building of the grassroots organisations e.g. CWGs, CPAs and CFAs to equip them with skills in business management, proposal writing, energy conservation, development of conservation, and development of compliance tools (certificate of origin etc.).
- Capacity building of government officers (KFS zonal staff and Ministry of Energy centre managers) and the grassroots organisations on the following.

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- Environmental conservation and planning for sustainable charcoal production in different ecological zones.
- Forestry technologies/tree growing: species selection, tree nursery establishment and management, tree planting and woodland management, wood production, harvesting and replanting techniques.
- Improved kilns construction, maintenance and standards.
- Storage, packaging, labelling and weighing of charcoal.
- Environmental health, safety and proper handling of charcoal.
- Capacity building of charcoal vendors and end users on safety and proper handling of charcoal.
- Research and development of regulations and standards for the charcoal sector.

To support compliance with the charcoal rules, there is need for continuous research and development of regulations and standards. These include:

Continuous research on:

- i. Suitable species for charcoal production for different ecological zones.
- ii. Efficient energy saving technologies e.g. improved kilns.
- iii. Development of standards for charcoal quality, packaging, transportation, handling, storage, branding and vending.
- iv. Development of standards for environmental health safety for the charcoal sector e.g. environmental health in charcoal production, transportation, handling and storage.
- v. Monitoring and review of charcoal regulations.

The charcoal rules can only be relevant if they are used as intended. The following are ways and means of ensuring that the rules remain relevant to the needs of stakeholders in the sector:

Continuous collaboration, monitoring and review of charcoal rules and regulations to improve effectiveness based on field experience.

Coordination of the activities of various government ministries and collaboration between all actors in the charcoal sector, eg through the CWGs to ensure implementation of the charcoal rules.

Mr Speaker, every decision taken in this county has some outcome; the choices we make have consequences. It is not too late to call back yesterday. And Mr Speaker, Christmas comes once in a year, it is now or never. The bible states that where there is no vision, the people perish. It is for this honourable house to show leadership by translating that vision into reality. I rest my case by saying if we can understand charcoal policies and

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rules adopt and implement them fully, the following expectations will be met:

- Increased investments: more people will invest in this industry, thus expanding opportunities for growth and source of employment.
- Increased wood supply: more farmers will grow trees for charcoal production because of increased productivity.
- Open and increased charcoal trade: once the necessary requirements are met, workers in the value chain will engage in the charcoal business fearlessly. People will do business without looking over their shoulders to see who is at the back, and this business will flourish Madam Speaker.
- Elimination of unofficial taxes: This is the worst problem at hand.

*(Hon. Munyithya rises on a Point of Information)*

**The [Temporary] Speaker:** You need some information Honourable Member?

**Hon. Kilonzo:** Okay, yeah.

**Hon. Munyithya:** Thank you Madam Speaker. Honourable Kilonzo has very good and detailed information. But we request him to keep the microphone far from the mouth for audibility purposes.

**The [Temporary] Speaker:** Thank you.

**Hon. Kilonzo:** Sorry Madam Speaker. My answer to the Honourable Member is that I'm naturally loud, and my name suggests it; Kilonzo. So I can actually put down the microphone and talk without.

*(Laughter)*

**The [Temporary] Speaker:** Go ahead.

**Hon. Kilonzo:** So Madam speaker, I'm talking about elimination of unofficial taxes, because if I can read out the Charcoal Revenue chart that I have here.

Between 2009 to 2010, Kyandula Ksh 9,543,800 Mbitini Ksh 5,037,551, Mutomo Ksh 1,857,110, Kiongwe Ksh 2,772,920, Athi Ksh 2,158,610, Ikanga Ksh 2,127,365, Kwa Vonza Ksh 1,103,265, Kanyanyooni Ksh 1,186,013, Kwa Kilui Ksh 821,625 total Ksh 26,601,889

In the year 2010-2011 Kyandula Ksh 11,389,085 Mbitini Ksh 6,956,949, Mutomo Ksh 1,770,550, Kiongwe Ksh 7,547,805, Athi Ksh 1,714,960, Ikanga Ksh 751,458, Kwa Vonza Ksh 1,739,364, Kanyanyooni Ksh 853,240, Kwa Nzawu Ksh 445,920, Kwa Kilui Ksh 551,932 Total Ksh 33,714,263

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And in 2011 2012 Kyandula Ksh 1,007,920 Mbitini Ksh 8,712,805, Mutomo Ksh 2,492,741, Kiongwe Ksh 6,825,955, Athi Ksh 1,523,695, Ikanga Ksh 613,350, Kwa Vonzia Ksh 2,012,695, Kanyanyooni Ksh 1,206,920, Kwa Nzawu Ksh 985,275, Kwa Kilui Ksh 290,687 total Ksh 25,672,406

The number of bags cessed is Ksh1,754,164

This Madam Speaker is a big joke! And if you have noted, the revenue is going down every year!

*(Applause)*

This Madam Speaker is not even a quarter of the revenue charcoal is supposed to be generating!

- Transporters and vendors will increase their profits since all unofficial taxes are avoided. And if these unofficial are eliminated, the following will be achieved:
  1. Individuals in this business have to spend up to Ksh 50,000 less to buy their way to the urban centres. (Through police barriers and checkpoints). I don't want to mention how it is shared, but I know the provincial administration have their share, the forestry service guys have their share, our chiefs have their share and even our cess guys have their share.
  2. Time saving: Transporters will save time previously spent on the many stop checkpoints on the road. Because at every barrier you must see a policeman lift his hand or use his torch to flag down a charcoal transporter. Madam Speaker, my suggestion is; our associations which will be formed, they may not be able to own lorries, but Madam Speaker, the county can come up with stickers to show that this one is a transporter of charcoal from Kitui. And just like the way East African Breweries lorries are not stopped by policemen, and Coca Cola lorries are not stopped by policemen, they will not be stopped Madam Speaker. So there traders can go to the urban centres and drop off their charcoal during the day afford to come in the evening to spend their money in Kitui, instead of the three days they normally spend on roadblocks Madam Speaker. For example when you move from Athi, you find that there is a barrier there, then when you get to Kibwezi there is another barrier there, before Mbui Nzau; Honourable Kelembe's place, there is a barrier there,

going all the way – Emali there is a barrier there, Malili there is a barrier there, Junction there is a barrier, before Mlolongo there is a barrier. You reach in Nairobi and the council *askaris* are running for your lorry, so they spend around three days paying bribes on the road. And since the documentation i.e. licences and movement permits are in order, they will save time.

3. Increased contribution to county revenue: the county government will raise more revenue as a result of clear systems of levying fees, issuance of permits and licences. I established before I became a legislator that those guys pay zero to the county; those guys don't even verify how many bags are in the lorry Madam Speaker, and when a lorry stops at wherever it will stop, they will just come and negotiate; we know the cess is Ksh 10,000, but if this guy is given Ksh 3,000, the Ksh 7,000 will be lost and the rest goes to an individual's pocket Madam Speaker.
  4. Part of these fees levied should be ploughed back to stimulate growth of the charcoal industry. Let's say the money collected is shared between the county and the industry growth at a ratio of 7:3 respectively. Let the county use 70 per cent to do roads and other development projects, but 30 per cent should be ploughed back so that it can bring some growth in this industry Madam Speaker.
  5. People at all cess stations need to be changed periodically (four or three months). Those ladies at a place like Kyandula have been there forever! Why can't they be changed?
- Improved environmental health: this will bring into being sustainable woodland management policies and hence will reduce environmental degradation. Madam Speaker, if I may just tell you; if you burn 50kgs of charcoal burnt emits 25kgs of carbon which is released into the atmosphere and tampers with the ozone layer. No wonder we have increased cases of cancer and other funny diseases which never existed before.
  - Incentives for improving efficiency: a stable and well regulated market will make it attractive to invest in improved technology for charcoal production. Madam Speaker, the traditional kilns which we make from soil and all that can recover between 15 and 20 per cent of the stem burnt, but the modern kilns Madam Speaker is able to recover 80 – 90 per cent of the branches utilised. So if it is a stem that

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has existed for the last 100 years and it is brought down by these charcoal producers, if they use traditional methods, they will only recover 20 per cent and that is a huge waste Madam Speaker.

Madam Speaker, I beg to move this Motion.

*(Applause)*

**The [Temporary] Speaker:** Thank you Honourable Member.

Honourable Members you'll agree with me that that is a very well researched Motion. But do we have a seconder for the Motion? It can be very well researched but have no seconder.

Honourable Nganga.

**Hon. Mwalili:** Thank you Madam Speaker...

**The [Temporary] Speaker:** I withdraw, Honourable Mwalili.

**Hon. Mwalili:** It's my pleasure Madam Speaker to be called Nganga sometimes, though its not the official name for this house...

*(Laughter)*

**Hon. Mwalili:** Thank you. I want to second this Motion Madam Speaker, and needless to say that the mover of this Motion has done a lot of Justice Madam Speaker.

This Motion has been done justice in terms of research and interms of information. And if you allow me Madam Speaker, if we are in order to table that material in front of this house so that it becomes a resource material for this house as we discuss this Motion, it will be very helpful in future.

Madam Speaker, charcoal has been with the human race for a long time, and it's going to be with us for a very long time. Madam Speaker the reason I say that is because if you go to London, if you go to America, if you go to the developed world, what we call the first world, they use charcoal. Which means that since we are still under what we call the undeveloped countries, we have a long way to go, and we are going to use charcoal for a long time. So the best way t go is to litigate and mitigate on how we are going to coexist with the environment while we still go on harvesting charcoal. Madam Speaker, in my own view, this Motion does not only seek to raise revenue for the county, does not only seek to improve the economical conditions of our people, does not only seek to protect our forests and our natural resources, but also Madam Speaker, it also seeks to dignify the charcoal business Madam Speaker.

When the mover was on the floor Madam Speaker, he said that charcoal is viewed as a dirty business. But Madam Speaker I can tell you

here that we can dignify this business and make charcoal a commodity, or even a brand like coca cola, like Pepsi... like any other brand that you know Madam Speaker, and this can only come through dignifying charcoal through legislations, through policies and through papers that make it so Madam Speaker. What am I talking about? Madam Speaker I'm talking about sustainability. Sustainability in itself is not even sufficient, I'm talking about integration. When you look at charcoal, that is only a process in time for that product. Madam Speaker charcoal begins from the seed of a plant, comes to the nursery, comes to a tree that takes so long to grow madam Speaker, goes into the process of being burnt or whatever goes on in the kiln, whether old fashioned or the new age kilns, goes through transportation, goes through packaging, goes all the way up to when it is being used as fuel. Integration here Madam Speaker is what is going to guarantee sustainability; there is no way we can talk about forest cover and we are not integrating tree planting and other forest and ground cover vegetation policies into the business.

Madam Speaker there is no way we are going to talk about dignifying, or even recovery, or even saving our trees without talking about what ways we are going to use to burn this charcoal Madam Speaker. I want to pose a question to Honourable Members, not that I want an immediate answer, but as food for thought. Each time you get a visitor at home, or you get many visitors at home, you are able to gauge whether they need to be slaughtered for a chicken, whether they need to be slaughtered for a goat or you need to go to the market and buy a kilo of meat, or you need to kill a cow for them. The same sensitivity needs to be applied when we are looking at trees. Madam Speaker there is no way you will have only one visitor who is not so friendly, who is not so close to you and you kill a whole cow for them. Madam Speaker, that is where the voice of reason comes; you just go to the butchery, get a kilo of meat for them and prepare for your visitor.

*(Applause)*

**Hon. Mwalili:** What am I talking about? Our people and particularly people who burn charcoal have no sensitivity to trees. You fell a whole tree which has grown for the last 40 years to burn only five bags of charcoal! That is irrationality Madam Speaker. This calls for a lot of civic education from Kenya Forest Service, from other interested parties and other leadership fronts in Kitui County and in the rest of Kenya where charcoal is burnt funnily. Madam Speaker, I want to bring the attention of this house to the number of legislations that the mover of this Motion has put through. There are more than 20-plus legislations that talk about charcoal and

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charcoal regulation. Its sad Madam Speaker that even at 50 years after independence and so many hundred years of burning charcoal, we are still behaving like a male virgin at 40; we know exactly what needs to be done, but we don't do it.

*(Laughter)*

**Hon. Mwalili:** What then do we need to do at this point Madam Speaker? If all these legislations are in place, if all these policy papers are in place, what this honourable house Madam Speaker needs to do is now to get very close to implementation of all these laws, interpret them properly and summarise them through the leadership that be for people to digest properly and start immediately a very serious exercise to implement these legislations. An old saying says; When you are in a hole, you don't need to dig. I believe we have all the legislations that it takes to control and enhance the charcoal business, but the problem, the weakest link has always been implementation Madam Speaker, and that's where we need to zoom our interest, that's where we need to zoom our forces so that this important aspect of our lives can be enhanced and brought into some civilization Madam Speaker.

Madam Speaker I want to jump again into a number of other protocols for example the Kyoto Protocol which seeks to protect the atmosphere from what we call the greenhouse gases. When the mover was on the floor Madam Speaker, he spoke of a wide forest cover within Kitui County. I want to urge the executive through this house Madam Speaker to also seek ways of doing what you call Carbon Trade, because its available. Some communities like where I come from; I come from the Mutuluni forest which is gazetted. The community around there has protected that forest, and I also believe so like in Mutitu and elsewhere like Voo. No, not Voo Madam Speaker I'm sorry. Places like Endau and all the other places; the community has existed for as long as we live today with those forest covers; they have not interfered with the forests, they have given everything up for the sake of the environment, but there is very little benefits that come from those forest reserves. And therefore, I call upon the executive arm of the Kitui County government to go out there, get some of these multinationals who are willing to buy our oxygen and we trade with their carbon and we start earning money to benefit those communities around those forests through what we call Carbon Trade as stipulated under the Kyoto protocol Madam Speaker.

Madam Speaker as I wind up, the recovery rate for a tree average now in Kitui County, the mover was very generous to put it at 20 per cent, our recovery rate now if you fell a tree to burn charcoal, the recovery rate

is 10 per cent. Which means 90 per cent of that tree goes to waste. It is in this particular juncture Madam Speaker that I want to say that there are modern kilns which I believe a few people in Kitui County have been trained; about three or four have been trained to build the modern kiln. I would urge the executive, the KFS and any other interested organisation to invest in training more of these modern kiln builders so that at least we can begin to recover at least 90 per cent of the trees that we fell.

Civil education again that we don't have to fell a tree from the stem; that we can harvest the branches and let the tree grow so that we can harvest more branches in the future.

Madam Speaker, Certificates of Origin: Madam Speaker, part of the business I have been doing for a long time, and I still do sometimes because I'm a partner at some places is export and import and I've worked in the import offices and export offices for quite a while. Certificate of Origin is a very serious document, and as it is now where it does not exist because when it comes to charcoal, it's the producer who is supposed to give the Certificate of Origin; which makes it superfluous, it makes it useless. We should have a body, whatever that takes because that industry generates money that can pay for its own activities. We should have a body that centrally issues certificates of origin with security marks, properly serialised, and Madam Speaker specific to where that charcoal is coming from because all charcoal is dark, and you'll not be able to differentiate charcoal from Kyuso from charcoal from Nzambani or charcoal from Kyangwithya. The only way Madam Speaker to do that is to make sure that every time there is a consignment, every time there is a consignment coming out of Kitui County, it must be given a proper Certificate of Origin from a central place, properly charged to benefit the county and free from being counterfeited so that we begin to control the charcoal industry.

*(Applause)*

I want Madam Speaker to conclude and say that this Motion has a number of aspects; it has an aspect of poverty in it. People don't burn charcoal for luxury; people burn charcoal because they are poor, and it looks like the only alternative that they can get income from is charcoal Madam Speaker. Also as we budget, as we look at areas of development, one of the areas of controlling charcoal burning and bringing it to par with what we want is by helping our people to look for other sources of income. This is in tandem with the poverty eradication policies that possibly will be discussed in this house later or in the course of the life of this house, so that our people don't look at charcoal as the only immediate method of getting income. That is one aspect, the other aspect of charcoal burning is also a

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revenue source for the county and also a source of wealth to our people. With those interlinked, then the forests and our trees are not safe if we don't get into this control, actualise this Motion, implement the laws that are there, put stringent control measures and all of us will have saved this county, we'll have saved this country a great deal for our grand grand children to enjoy in the years to come.

Madam Speaker I beg to second the Motion.

Thank you.

**The [Temporary] Speaker:** Thank you Honourable Member. With that Motion heavily seconded, I now propose the question:

THAT: aware that there are... you know I can't see! I have a problem with the eyes....

*(Honourable Mbula exits and Honourable Ndotto ascends to the Chair to propose the question)*

**The Speaker:** Honourable Members, I will now propose the question:

THAT, aware that there has been intensive charcoal burning within most parts of Kitui County coupled with very high demand and readily available market which has led to high charcoal exportation outside this County; aware that this uncontrolled activity has adversely and negatively impacted to our environment, causing environmental degradation, air pollution, Global warming and reducing chances of rain by destroying catchment areas; concerned that environmental conservation has perpetual and positive contributions to our livelihoods for generations and generations; concerned that this human activity has devastated our environment to an alarming state; further aware, that charcoal business has been a source of income to over 30per cent of our population in this County where majority live below the poverty line; appreciating provisions of our constitution chapter five part 2 Article 69 Section 1 Subsection (a) to (g) on state obligation in respect of the environment; noting provisions in the same Article 69 section 1 Subsection (f) to (h) and Subsection 2 in the same Article.

This Assembly urges with immediate effect that the County Executive to establish a sustainable and controlled charcoal production and immediately come up with strong regulations and mitigating measures to this Industry.

Now the Motion has been moved and seconded, it is now open for debate for those who want to contribute to this otherwise extremely important Motion in this county. If you as a County Assembly you do nothing else this year but you control this charcoal business, you would be

the heroes of this county this year; you'd get the Guinness award because this is very important, and I want members to take this very seriously and I want members to think very seriously of what to say because I want us to get to the point of controlling this business once and for all.

Honourable Jamhuri.

**Hon. Mwango:** Thank you Mr Speaker Sir.

*(Honourable Angeline Mbula resumes as Temporary Speaker)*

Mr Speaker I stand to support the Motion, having known that charcoal burning within this county is becoming rampant. As the people seek their livelihood and turn to the trees Mr Speaker Sir. However, there is a need of balancing of issues of environmental conservation. It have been noted that some of the charcoal burning has gone up to the National Reserves where the forests are reserved for the nation Mr Speaker Sir. So Mr Speaker I want to note that there are several areas where it is affected by charcoal burning Mr Speaker. There are some several areas where they are being affected, like: Mutitu, Mutha, Ikutha, Mutomo, Nzambani, Kyuso and Ngomeni. Mr Speaker Sir, I want to say that there are some measures that this county needs to take because there is a lot of serious destruction of forests in this county. For example Mr Speaker, as the mover was presenting the Motion, he said there are several forests which are not gazetted Mr Speaker Sir; they have been approved by the Kenya Forest Service for gazettelement but not yet demarcated, therefore meaning that that land belongs to everybody – nobody is triggered to go there. So Mr Speaker we say that there are several measures that this county needs to take Mr Speaker.

Unless these forests are gazetted Mr Speaker, the destruction of these forests will continue. Mr Speaker I want to say that Kenya Forest Service conservationists should take care of gazettelement of the forests because there are several forests that are not gazetted in this county, for example now, the mover has quoted some areas where it is not gazetted like Mataitho which is in Mwingi East District, Maai which is in Mwingi East District, Chui Mwingi East District and some others like he mentioned Ilima Yimwe, Kwa Vonza, Mwakini, Mathai, Kiongwe, Kivongo valley, Mataitho, Nzanzu, Nzai, Maimu, Kyongwani and Nzayani. Mr Speaker I want to say that this county needs to move very fast so tht it can conserve these forests. Unless we can do that, these forests are going to be destroyes. So Mr Speaker, we wish this house can come up with some measures with which to control charcoal burning. We know that there are challenges; there are so many challenges with this county, for example in Kitui south where we find that there are only two rangers who are taking care of this. For

example in Mutomo there is quite a huge radius where these rangers cover; 80 kilometres from Mutomo, Ikutha 110 kilometres, Mutha 115, Endau 125 kilometres where the areas are affected. Therefore Mr Speaker, the two rangers within Mutomo, Mutha, Ikutha areas are inadequate to enforce management of these forests. So Mr Speaker we need to take some measures and also Mr Speaker we need to enlighten our communities on how to take care of these forests. For example, there are some environmental committee which need to be established in all units Mr Speaker Sir so that they can identify and assess environmental impact. To identify, cut and removal of trees, then implement balances to empower the community, e.g forming educative associations with charcoal burners, forming associations with transporters. Mr Speaker Sir, our community needs to be enlightened on how to cut trees by building kilns. For example Mr Speaker, there are some communities which have been trained on how to burn charcoal, like Kabonge which is on the side of Kitui West. So Mr Speaker there are some kilns which have been introduced in those areas, where the people have stopped cutting trees anyhowly Mr Speaker. They have been trained on how to use these new kilns. And also Mr Speaker, our community needs to be trained on how to pack the commodities in small packets, so that it can be transported and sold even to the supermarkets, and also branding. For example Mr Speaker, producers of charcoal are selling charcoal at Ksh 400 per sack, while the transporters when they take it to Nairobi, they sell it at Ksh 1600. That's absolute exploitation of our community Mr Speaker. So Mr Speaker we need to establish and come out with clear measures which are going to take care of our forests. Unless we do that Mr Speaker, our forests are getting finished. So Mr Speaker, I stand to support the Motion and I urge this house to move very fast and develop a plan how to manage our forests, thank you Mr Speaker Sir.

**The [Temporary] Speaker:** Thank you Honourable Mwangi.

Honourable Member for Kanziku.

**Hon. Munuve:** Thank you Madam Speaker.

Before I support the Motion, I think we have a problem with the Ksh 2million Hansard system. Hopefully next week I'll bring a Motion to know what is happening because it's supposed to be very clear, but it's a concern from the members.

Madam Speaker, I want to echo the words of the Norwegian Prime Minister who was the president of the UN Conference on Environment and Development who said we cannot betray future generations, they will judge us very harshly if we fail at this critical moment. Madam Speaker, the issue of environmental conservation is a global issue which actually started in the 1960s especially in the developed countries, and in 1972, there was what we call the Stockholm Conference which raised awareness on the

issue of global environment. Actually, if you read further you will know that the UNEP was born out of this Stockholm Conference, UNEP standing for United Nations Environmental programme.

Deforestation through charcoal burning activities, which is merely done by man has caused serious imbalances in the environment. Madam Speaker, there are several negative impacts on the environment due to charcoal burning which I need to highlight before I come to my points. Through charcoal burning, we lose vegetation cover especially in this county. It is being seen almost all over; most of the indigenous tree species which were mentioned by the mover of the Motion like the Acacia Species, *melia Volkensii*, they are all being wiped out. Land degradation and desertification which is leading to reduction of crop and pasture production and also fuel wood. Damage to our soils affecting the ecosystem and biodiversity or what we call biological diversity. Charcoal burning is also a contributor to global warming, and actually the drought we have been experiencing emanates from charcoal burning. Charcoal burning forms part of the contributor because of the formation of carbon dioxide which we know is the main component of greenhouse gases.

Madam Speaker, we all know very well the amount of rainfall received in Kitui County is very little to support anything, because some of the indigenous species take longer periods to grow, we have actually two rainy seasons and the trees take two to three decades to mature. And therefore we must produce charcoal in a more sustainable manner. The mover of the Motion has told us that over 82 per cent of the urban population and 34 per cent of the rural folk in Kenya depend on this type of energy; renewable energy because we mostly use firewood. And Madam Speaker the mover and also the seconder have highlighted very well that we have the legal framework in this country of ours to deal with charcoal issues. He has called for, and I'm not going to repeat that one because he has well elaborated the Sessional Paper number 4 of 2004, he has also highlighted the Sessional Paper number 9 of 2005 on the Forest Policy, Madam Speaker he has also talked of Sessional paper Number 6 of 1999 which is talking of environment and development. And also, the mover of the Motion has also talked of the legal framework; we have several Acts which were done between 1999 to 2006. One is the issue of the Energy Act of 2006 which stipulates very well the promotion of renewable technologies. The Forest Act actually talks very well of the conservation of our forests and also the planting of more trees. We also have what we call EMCA; Environment Management and Connection Act, section 49 actually promotes the use of renewable sources of energy by promoting research on renewable energy. EMCA actually comes up with the issue of appropriate

technologies like the modern and improved kiln for production of charcoal in a more sustainable manner.

Then we have the issue of the Local Governments Act CAP 265. For the past period, we have experienced that majority of the Local Governments in this county I think they used to... even now they are just after cess. But here the Local Authorities need to control the destruction of trees, transportation of charcoal and other forest products of which Madam Speaker I know it is not the case. The Local Governments Act also gives Local Authorities authority to give licenses to charcoal traders and also the vendors. And I'm very sure even in this town vendors are not licensed, actually they are not given permits to do charcoal trading. Then we have the Traffic Act CAP 403 which generally deals with transportation of charcoal. We are aware that most of our traffic enforcers, you know what they normally do, and where I come from, I normally border my friend from Mutha where his people were taken all the way to Tana River because of charcoal burning in our Game Reserve; the council Game Reserve. And Madam Speaker the charcoal burning in our area has also been used, and it is very important for me to say this in this house, it has also been used to transport ivory. It is also being used to do illegal trading like transporting ivory. Transportation of charcoal, when you read the act, it is supposed to be done from 6am to 6pm, but in this county it is the contrary. Actually it starts from 6pm to 6am, which is not supposed to be the way to do it. In line with our constitution chapter five which talks about land and environment section 49, (b) talks of maintaining at least 10 per cent forest cover. But with the way we are producing charcoal, I don't think whether Madam Speaker in this county we are going to achieve 10 per cent of forest cover, because more trees are being cut, but very few are being planted.

Before I sit, I want to give some way forward or recommendations, some of which have been given by the mover of the Motion and also my fellow colleagues who have also contributed. I just want to highlight the points which have not been said by my colleagues for the interest of time.

The first one is that we need to look at the charcoal cycle. The charcoal cycle begins from production, then transportation, selling and then the end user who is supposed to buy and use the charcoal. From the production view, we need environmental impact assessment to be done in all charcoal production areas. This one will tell us whether we are capable of producing and at the same time planting more trees to replace the ones that have need destroyed. The other points on that production I think they have been said by my fellow colleagues. Then on the cycle of transportation, we need certificates of origin; they need to be in place, which actually in this house we are not going to make new law, we actually need to enforce the law which has been there. The transporters should

have a Certificate of Origin, purchase receipt from the producers; the producers are supposed to give the transporters the way you normally buy from shops. And we have an issue with the Kenya Forest Service who are supposed to enforce such laws, of which they don't do it. Then we come to the selling; these are the vendors, they are supposed to have a Certificate of Origin – where do they get their products? We need to trade this business like just any other business. So they need to have a copy of the Certificate of Origin, a copy of Movement Permits, Business Licenses just like the other businesses. Then when we come to the end user, we need to impress upon the other players in this sector like the NGOs to promote improved *jikos* whereby we are going to use less fuel. The *jikos* are supposed to use less fuel.

We need also in this house to back ploughing back of revenue; once money is collected, some of it is supposed to be ploughed back to where the charcoal is being produced. This can be done through capacity building the charcoal producers, it can also be used to plant more trees, it can also be used to inform the general public on sustainable charcoal production. Then before I sit, I need also to say that we need also to promote appropriate technologies like the improved kilns. In this county I know some of the organisations which have actually helped our people to come up with the improved kilns, I know one who is in Zombe, another one is in Mwitika, but there was no follow-up, they just did and left. So we need promotion of these appropriate technologies and follow-up to be done accordingly. We also need to plant more woodlots, we need to promote that. Actually in all our areas where charcoal is being produced, we need, Madam Speaker to promote woodlots. It is very interesting Madam Speaker to note that we have only two public tree nurseries which are being done by Kenya Forest Service; one is in Mui, if it exists and the other one is in Mumoni. Of course we have several private nurseries, which are doing very well, but the two government nurseries are not adequate, we need to increase the number. We need also to promote tree nurseries.

Madam Speaker I need also to mention issues of packaging; we need proper packaging, not the things we normally see on the roads. We need proper packaging, and if possible, they need also to be weighed. Madam Speaker you cannot be given a sack of 100 kilogrammes without weighing. when you are selling a sack of 100 kilogrammes you normally weigh, even if it is big, you just weigh and sell the right weight. But when it comes to charcoal, it's just a matter of filling the sack. So we need to emphasise on the matter of proper packaging and also grading. We normally grade cotton, but we can also grade charcoal based on the amount of energy. When the piece of charcoal is heavy, if it is heavier than the other one, then the amount of energy it will produce is higher than the other one, so we

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need to grade and also do some value addition. We also need to do proper utilization, like in those charcoal producing areas, we have a lot of dust; charcoal dust left. Madam Speaker we have technologies of utilising that dust; we can make things like briquettes and that technology is not very expensive and is not new in this country. So we should also promote briquettes making from the charcoal dust. We also need to take the lawbreakers, especially the transporters. But in this county, like last week but one, the only people who were taken to court in Tana River were the charcoal producers; the transporters were not arrested. We need also the law breakers, especially the transporters to be taken to the courts. So its not a matter of the producers only, we need all the players who break the law to be prosecuted.

And the parting shot before I sit, Madam Speaker, I want to echo the words of the late Wangari Maathai who said: "If you destroy nature, nature is so unforgiving; it will also destroy you."

Thank you Madam Speaker.

**The [Temporary] Speaker:** Thank you, thank you Honourable Member. Honourable Members, we now come to the end of the business today, let us stand up and adjourn the house.

The house now stands adjourned till tomorrow at 9am.

*The County Assembly rose at 5:20pm*