

COUNTY ASSEMBLY OF KILIFI

THE HANSARD

Wednesday, 12th March, 2014

The House met at the County Assembly Chambers, Malindi Town, at 2.30 p.m.

[The Deputy Speaker (Hon. Mwambire) in the Chair]

PRAYERS

NOTICE OF MOTION

EARLY PREGNANCIES IN PRIMARY SCHOOLS

Hon. Mlanda: Thank you Mr. Speaker. I have a Notice of Motion on Early Childhood Education and Vocational Training and Children and Culture, Sports and Social Services:

AWARE THAT, Kilifi County has reported many cases of early pregnancies in Primary Schools.

AWARE THAT, these cases have resulted in School drop outs for girls in these learning institutions.

Noting that, these young girls have risked their lives by doing abortion and other indecent practices.

AWARE THAT, this trend has really affected our standard of Education in our County.

AWARE THAT, there is need to come out openly to criticize this behavior and the County to take full responsibility of pregnancies and care.

This honourable Assembly, urges the County Executive Committee Members in charge of Early Childhood and Vocational Training and Culture, Sports, Youth and Social Services to take measures and curb these early pregnancies within the Primary Schools, and to ensure Doctors test the students every year so as to identify early pregnancies in our children in our institutions and stop further death through abortion and drop outs. Thank you, Mr. Speaker.

The Deputy Speaker (Hon. Mwambire): Who is Seconding?

Hon. Mlanda: I call upon Hon. Foleni to second the Motion. Thank you, Mr. Speaker.

(Hon. Foleni stood at his place to second the Motion)

MOTION

CREATING AWARENESS ON POISONOUS CASSAVA IN THE COUNTY

Hon. Foleni: Thank you Mr. Speaker Sir. I rise before you to put across a Motion to the Department of Agriculture and this is how the Motion reads:-

Disclaimer: *The electronic version of the Official Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Hansard Editor*

AWARE THAT, Kenya Agricultural Research Institute (KARI) is mandated to undertake research on varieties of food species, e.g. cassava.

AWARE THAT, there are some cassava species introduced by KARI to the communities that are not fit for human consumption.

Further AWARE THAT, they are episodes that happened in Dida Location at Mkwaju wa Charo in Vitengeni Division, where a family lost two young boys Hongera Donald Nzai (8 years) and Tunda Donald Nzai (6 years) after taking cassava containing hydrocyanic (HCN) or hydrolysis which caused death to these young innocent boys.

This Assembly urges the County Government through the Ministry of Agriculture to put mechanisms to the people of Kilifi on which species of cassava is unfit for human consumption, and to ban all species of cassava which may be deemed as harmful and create public awareness on the same. And to further investigate if there was any negligence on part of KARI regarding the loss of lives of two boys who succumbed to death after consuming a deadly species of cassava and whether compensation was made to the boys' family. Thanks a lot Mr. Speaker Sir.

The Deputy Speaker (Hon. Mwambire): Secunder?

Hon. Gambo: I stand to second the Motion.

The Deputy Speaker (Hon. Mwambire): Yes Hon. Onesmus Gambo is seconding. Yes, now honourable Members, I propose the question to you that, the Motion tabled by Hon. Cosmas Foleni Kenga be deliberated. Yes Hon. Pascal Thuva.

Hon. Pascal: Thank you Mr. Speaker Sir. I stand to oppose this Motion Mr. Speaker Sir, because of the following reasons; One, the Member who has moved this Motion actually confirms in the last line that the information given here is not conclusive but there are investigations that need to be done, so that if there is any mess occurring then we can compel KARI (Kenya Agricultural Research Institute) to actually take the responsibility in the loss of the lives of these two boys. So in short, I am saying KARI has been the source of most of the agricultural information for the Country, and in my own thinking, we should not be in a hurry to judge harshly before thorough investigations of these cases are done.

Secondly, we have been having traditional species of cassava and other agricultural plants which have been harmful to the lives of many. So, I don't think with the technical advice that KARI has, is able to actually bring some harmful species to the public in this County. I urge that proper investigations be done to ascertain the death of these young men. Thank you very much. I stand to oppose this Motion.

The Deputy Speaker (Hon. Mwambire): Hon. (Ms) Christine Fondo.

Hon. (Ms.) Christine: Asante Mheshimiwa Spika kwa kunipa nafasi hii. Nimesimama kuunga mkono mswada huu nikiwa na maneno haya. Ni kweli kabisa kwamba hilo shirika liko na hiyo mihogo na limetuletea mbegu. Pia ni kweli kabisa hiyo mbegu ya mihogo si nzuri. Wenyewe wakikupa wanakuambia hii mbegu kwa miaka fulani haipaswi kuwa chakula cha mwanadamu, lakini ukishapita muda huu ndio mwananchi anaweza tumia. Njaa, kama sasa hivi tujuavyo Kilifi Kaunti hasa sehemu za Ganze, umasikini kule umezidi; njaa nayo imezidi. Wakati mwingine mtu hajapewa ruhusa na yule mwenye shamba, lakini atachukua bila ruhusa kwa sababu ya kujikimu; utakuta watu wanachukua ile mihogo wanakula na wanapata maafa.

Hao watoto waliozungumziwa hapa niliwaona mwenyewe kwa macho wakifa pale hospitali kuu na tulijazana hapo tukaangalia. Ni kweli kabisa kuwa walikula hiyo mihogo ndio maafa yale yakawapata. Wale watoto walipwe fidia. Asante.

The Deputy Speaker (Hon. Mwambire): Hon. Emmanuel Chai.

Hon. Chai: Asante sana Mheshimiwa Spika kwa kunipatia nafasi hii. Sitachukua muda mrefu sana lakini nimesimama kuunga mkono kwa dhati mswada ulioletwa hapa mbele na Mheshimiwa Foleni. Nafikiri mtu ambaye ataupinga ni yule ambaye hataki haki itendeke kwa watu wake. Kulipwa ni haki kwa sababu tukiendelea kufanya majaribio kwa binadamu ninafikiri tutaisha. Ni afadhali mhogo huu ungefanyiwa majaribio kwa jibwa, ama kwa paka, ama kwa panya lakini si kufanyiwa majaribio kwa binadamu.

Vile vile tukiacha majaribio haya yafanyiwe binadamu basi itakuwa ni mazoea. Kwa sababu Nzai Donald alipokufa hakuna chochote kilichofanywa na ndugu yake alipokufa hakuna chochote kilichofanywa pia. Kwa hivyo tunaweza tukaendelea na majaribio haya, kwa watu wa Kilifi Kaunti na hiyo mimi ninapinga kwa dhati. Kwa hivyo ninaunga mkono kabisa kwamba wale walioleta mhogo huu wajue hata pale walipo, kwamba majaribio hayafanyiwi kwa binadamu. Wenye Kilifi Kaunti wamekuja juu wakiitaka hii mihogo wasiifanyie majaribio kabisa, wasije wakatuletea madhara, kwa sababu wanajua kabisa upande ule wa Ganze kuna njaa, ndio sababu wanafanya majaribio kwao.

Nafikiri hata kuna mihogo mingine ambayo ililetwa. Hii mihogo ambayo iliwa hawa watoto ililetwa kwangu, na mara ya kwanza kabisa sikuweza kutumia mihogo hiyo; ni baada ya kuipanda kwa mda mwingine tena ndipo niliaanza kuitumia na niliishuku kwamba mbegu hii niliyoletewa ni ile iliyowaua hawa vijana. Kwa hivyo, kwa dhati kabisa ninaunga mkono mswada huu na ningependa hatua ichukuliwe tukijua ya kwamba, hawa waliokufa walilipwa ama hawakulipwa. Asante sana.

The Deputy Speaker (Hon. Mwambire): Hon. Ibrahim.

Hon. Ibrahim: Asante sana Bw. Spika. Nimesimama kwa kupinga mswada huu ulioletwa ndani ya bunge hili.

Bw. Spika, tumeangazia hapa kwamba kuna watoto ambao wamefariki kutokana na ulaji wa mihogo. Ni jukumu la aliyeleta mswada huu, kutuletea ripoti ya kutoka kwa daktari ya kutuambia sisi na tuone kama bunge, kwamba hii ripoti imetoka kwa madaktari na madaktari wamethibitisha ya kwamba watoto hawa walikufa kutokana na ulaji wa mihogo.

Bw. Spika, katika eneo ambalo limeangaziwa ya kwamba hawa watoto walifariki, mhogo ni mwingi sana. Ni kwa nini waliokufa ni hawa watoto wawili? Tuangalie ilikuwa shida ni nini Bw. Spika. Je, ni mhogo? Ripoti ya daktari imethibitisha ya kwamba hawa walikufa kwa mhogo? Hili ni neno ambalo liliangaziwa sana na vyombo vya habari; pengine waliangazia kwa kutaka kulikashifu lile shirika. Langu ni kwamba nimesimama kuupinga mswada huu, Bw. Spika.

(Applause)

The Deputy Speaker (Hon. Mwambire): Yes, Hon. Stanley Kenga.

Hon. Kenga: Thank you Mr. Speaker, Sir. I rise to support the Motion with the following contributions. Mr. Speaker, during the times we were in school and while attending science classes we realized that things are classified into two major categories; the living things and the non-living things, and cassava plants are part of the living things. For a thing that is living, any time it senses danger it is going to defend itself.

In science it is said that, and this is something that investigations have been carried out, cassava plants are known to produce a substance that is poisonous and this substance is called cyanide. This is a way to keep off animals trying to eat them, so this is a defense mechanism that cassava plants do have.

Again eating the plant will make the plant produce an enzyme that is called 'Lemorise', and the enzyme 'Lemorise' will produce a certain compound that will convert to cyanide and this cyanide has been known worldwide that it is poisonous and when taken in large quantities it leads to death. Therefore this is not just a case that happens within the County Government of Kilifi but is an issue we have heard taking place in Kitui and in Machakos. People who are exposed to eating this cassava that has large amounts of cyanide result in loss of their lives.

These are two young kids; one is a six year old and the other one is an eight year old and I want to urge that, those concerned should carry out thorough investigations and awareness must be made to the people of Kilifi.

The variety of cassava that is known to produce cyanide in large proportions should stop being circulated to the people. People should not be allowed to grow this kind of cassava because with the little level of education within the County we are prone to lose the lives of many people. So awareness must be carried out, investigations must be carried out and research must be carried out, so that we know and be able to prevent these kinds of deaths. Thank you and I beg to support.

The Deputy Speaker (Hon. Mwambire): Honourable Members, as we make contributions, let us pick rule number one. The House stands to be advised that the issue is very clear but there are very patent issues that are coming up to the effect that it is important for this House to be bringing sufficient information to the floor.

One, concerning the cassava varieties; two, the medical report of the two deceased children. So if the Motion goes on about the two children who were deceased because of taking cassava, we may end up losing the context. So let us give examples which will give us the answers and will also assist us guide the County on what should be done. For instance, when you look at the issues that have been raised by Hon. Ibrahim, they are very genuine and of utmost importance. Do you have the report? What does the report say, because the two are claimed to have eaten cassava before their death. Further investigation is supposed to be conducted; so I am giving a leave so that Hon. Foleni can give more information so that Members can make contributions before that. I know it is not allowed, he is suppose to respond to your comments but we need to take this issue very seriously, because it lays a very big foundation for our County. So Hon. Foleni, please elaborate on your Motion.

Hon. Foleni: Thank you Mr. Speaker, Sir. I think my Motion is geared towards provision of solutions to future generations, which is one.

Secondly, on the case of Donald Nzai and Hongera, the report was done, research was also done, the medical report said that the kind of cassava the two boys ate had what we call HCN (Hydrogen cyanide) which has some poisonous substance fatal to the lives of human beings. So Mr. Speaker Sir, with all due respect I have the report from the Doctor. I gave the report to Mr. Silas (Deputy Clerk) which is unfortunate we could not photocopy for everybody because Silas was not there by the time this Motion was on.

The Deputy Speaker (Hon. Mwambire): Hon. Foleni, all those reports are supposed to be tabled in this House. How will this House believe that there is a report outside because all the deliberations of this Assembly are supposed to be carried in this House? So maybe what we can do if I may guide you, you can take your seat first before I continue. What we can do is, we can make our deliberations and later on maybe, a Member can instruct the Speaker not to put the question so that we can further go through the report before we resume these deliberations on this Motion. Yes Hon. Hamza.

Hon. Hamza: Thank you Mr. Speaker Sir. I think so as to contribute to this Motion properly it will be much better for us to have the facts from the file, so that we can deliberate effectively. So please if we have to postpone this particular Motion let it be so, but we want to contribute with information that we can substantiate. We need the copies attached to the Motion, thank you.

The Deputy Speaker (Hon.Mwambire): Hon. Mbeyu.

Hon. (Ms.) Mbeyu: Thank you Mr. Speaker. I rise to oppose this Motion with or without the report. There is somebody who cooked this cassava and gave it to these two boys only in that family. Mr. Speaker, Sir, right now I have a whole farm of cassava and if I go ahead and support this Motion and my voters in Kibarani come for that cassava most of the time, I will be doing wrong to myself; so I rise to oppose this Motion unless he brings the reports in the House. Thank you.

The Deputy Speaker (Hon. Mwambire): Hon. Matsaki.

Hon. Matsaki: Mr. Speaker, Sir, I stand to support the Motion with a few remarks. The honourable Member wanted the County Government through the Ministry of Agriculture to investigate whether the reports are here or they are not here, but what we need is the report from the Ministry of Agriculture so that we can know exactly what happened. If we say that we oppose this Motion before the Ministry concerned informs us on the same, then what are we saying? So I am supporting the Motion and what I would like to say is that, let the Ministry of Agriculture make sure that they investigate the issues, so that Members can know what is happening. I support the Motion, thank you.

(Hon. Nzaro rose on a point of order)

The Deputy Speaker (Hon.Mwambire): Point of order granted.

Hon. Nzaro: The honourable Member should be very specific, he can tell us what specific information he wants from KARI since the mover of the Motion has said he has information which has just been delayed in the Clerk's office.

The Deputy Speaker (Hon.Mwambire): I think Hon. Matsaki you were through with that. I think that is very vital information which this House requires. Hon. Nzaka.

Hon. Nzaka: Thank you Mr. Speaker, Sir. I stand to strongly oppose the Motion before the House with the following remarks. First, if at all these two young boys died because of the cassava, I would like to get some evidence from a health facility like post mortem to be brought before the House so that we really see the cause of the death.

Secondly, if the postmortem is here or it is at the Clerk's office, what step did the family take after the death of these two young boys? So Mr. Speaker, I believe KARI is a firm well recognized by the Government of Kenya and it performs its duty well and if at all there are mistakes which occurred, it's better to get the evidence before the House. Thank you Mr. Speaker Sir.

The Deputy Speaker (Hon. Mwambire): Hon. Mzungu (Chitibwi) I have not granted a point of order please.

Hon. (Dr.) Chitibwi: I understand Mr. Speaker Sir. I stand to oppose this Motion. I like my friend Cosmas; he is a good friend of mine. But here we are talking of an issue that when it comes out of this place it belongs to the Assembly, it does not belong to Hon. Foleni. This Assembly should not be seen to be proposing an issue that does not have weight.

One, it is very sad that these young people died from food poisoning, but we need to be shown and it needs to be proved that they died from that cassava.

Two, there are very many varieties of cassava; we are not sure if this variety came from KARI or from somewhere else. As a farmer, am sure most of the varieties of cassava that we are planting in our 'shamba' are local varieties, so it is sad if it is KARI. We need to be assured so that we do not accuse an institution which is doing a good job in some areas, of something that it did not do.

Mr. Speaker, Sir, the language used here, in the Motion confuses people. And I quote? "This Assembly urges the County Government through the Ministry of Agriculture to put mechanism to the people of Kilifi... This is the cassava unfit for human consumption." This sentence, Mr. Speaker Sir, is confusing. And when this item leaves this Assembly everybody could be saying this has come out of the Kilifi County Assembly. What kind of messages shall we be doing to these people? I believe there are some very good points in this Motion. But it can be re-phrased in a manner that everybody hearing outside will understand what the Bill has said. At the moment we are putting blame towards KARI in a way that we cannot get out.

Lastly, has this family tried other ways to find a solution? They should try other ways first and if they fail then as a last resort they can come to this Assembly. Otherwise we are going to get everybody running to this Assembly including my friend if he is beaten by his wife. Thank you very much.

The Deputy Speaker (Hon. Mwambire): Yes Hon. Mwayaa.

Hon. Mwayaa: Asante sana Mheshimiwa Spika. Nasimama kupinga hoja hii ambayo imeletwa na ndugu yetu Foleni na sababu zangu binafsi ambazo zinaweza zimsaidie hata yeye. Ni kwamba Mheshimiwa Spika, mhogo wa sumu unajulikana kama uko, na familia zetu zishajua ya kwamba huo mhogo uko. Si mhogo peke yake wenye sumu Mheshimiwa Spika. Wataka kuniambia Mheshimiwa Spika yeyote ambaye atanunua sumu ya panya dukani halafu ale na afe wataka kusema atafwata lile duka ambalo lilitengeza ili mtu alipwe? Ni kwamba mhogo huu upo, na ni kwamba labda pengine Mheshimiwa ambaye ameleta hoja hii aseme ya kwamba labda KARI isisitize kwa wananchi kwamba mhogo huu usiliwe. Lakini kusema ule ukweli wananchi wanaujua labda ni kwa sababu ya njaa, na njaa itakuwako.

Kwa hivyo kusema kwamba watoto walikula hii sumu ya huu mhogo walipwe na KARI, naona tutakuwa tumehujumu KARI. Na pia Mheshimiwa Spika sumu hii haijathibitishwa katika nyumba hii kama wenzangu walivyosema, na naongeza ya kwamba aliyeleta hoja hii ajue ya kwamba sumu si mhogo peke yake, ziko sumu nyingine. Ni kama vile Mheshimiwa Spika utembe bila viatu kwenye miba, miiba itakudunga, na kamba utumie kufunga mbuzi na ng'ombe itakufaidi lakini ukijifunga mwenyewe utajiu. Asante Mheshimiwa Spika.

The Deputy Speaker (Hon Mwambire): Hon. Mramba.

Hon. Mramba: Thank you Mr. Speaker. I oppose this Motion brought by Hon. Foleni. It is against the rule of natural justice to hide behind the immunity of this House and accuse a corporation, a company or any person outside this House.

Mr. Speaker the mover of this Motion could be having very genuine facts, but because he is not ready to table those doctors recommendations, and in this case I am saying doctor because he must be a qualified doctor, we do not want a report from these clinical officers, we want a full doctor who is a government doctor to recommend or to bring information that really these children died because of eating poisonous cassava. Mr. Speaker, subject to Standing Order 50 (3), I wish to request for deferment of the question or this Motion to the following day or any

other day. This House may appoint the mover of the Motion to seek clarification and come back to this House. Thank you, Mr. Speaker.

The Deputy Speaker (Hon. Mwambire): Thank you very much honourable Members. I feel it will be very wise to know the mood of the House at the moment to grant the request by Hon. Mramba which is under Order number 50 (3) that, I defer putting the question to this House until Members verify the different information that should be tabled. I think the information can also assist some Members to get all the communication concerning the issues so that Members can have clear information before we put the question. Thank you. Mr. Clerk any Bill?

BILL

Kilifi County Appropriation Amendment Bill 2013

First Reading

Clerk-at-the table: Yes Mr. Speaker, Sir. There is a Bill; the Kilifi County Appropriation Amendment Bill number 2 of 2013, first reading.

The Deputy Speaker (Hon. Mwambire): Yes honourable Chair-person.

Hon. Mangi: Mr. Speaker, Sir, I wish to table the Kilifi County Appropriation Amendment Bill 2013. A Bill for an Act of the County Assembly to authorize the issue of certain sums of money out of the County revenue money, and the application towards the service of the year ending 30th June 2014, and to appropriate those sums for certain public services and purposes. Thank you Mr. Speaker, Sir.

ADJOURNMENT

The Deputy Speaker (Hon. Mwambire): There being no other business honourable Members, we adjourn this House until tomorrow at 2: 30 p.m. Thank you.

The House rose at 3:10 p.m.