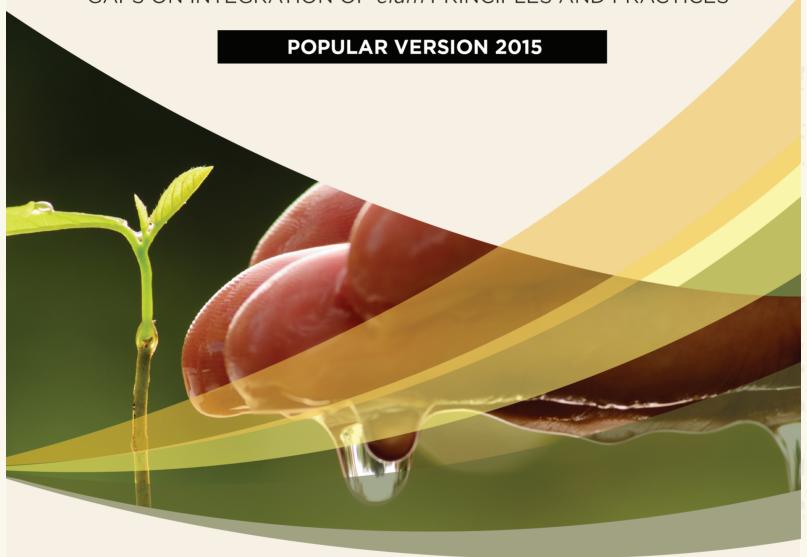
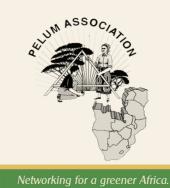
# **AGRICULTURAL POLICIES & LEGISLATION:**

GAPS ON INTEGRATION OF elum PRINCIPLES AND PRACTICES





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Participatory Ecological Land Use Management (PELUM) Kenya works with member organizations to promote ecological land use and management practices for improved livelihoods among small holder farmers.

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#### **FOREWORD**

Since its formation, more than two decades ago, PELUM Kenya has earnestly embraced its mandate of promotion of ecological land use management (elum) practices and principles in Kenya through networking, capacity building, information sharing and advocacy. Its advocacy work has been keen on promotion of small scale farmers' rights and integration of elum in policies and legislation. The completion of this report is therefore laudable for it complements this important work and efforts.

The backdrop to this report is a country which has agriculture sector as the backbone of the economy contributing about 26% to the Gross Domestic Product and the sector is dominated by smallholder farmers. Whereas, PELUM Kenya recognizes that the agriculture sector has potential to have a greater impact on a large population and transform the lives of the small scale farmers, it also acknowledges that there are vast challenges which are influenced by the policies and legislations which shape the operations of this important sector.

PELUM Kenya would like to empower its stakeholders to enable them to be comprehensively informed about policies and legislations. Thus, a considerable proportion of this report is dedicated to the analysis and identification of gaps in policies and legislations at county, national, regional and international legislations. This study is also instrumental in advocacy work and will be useful in emboldening stakeholders to protect the rights of small scale farmers as they eke out a living from small scale agriculture. We hope that this publication will inform policy and legislation processes, practices and help in the development of strategies in favour of small scale farmers in Kenya and beyond.

Finally, I wish to appreciate the efforts of the researcher and author, Dr. Daniel Karugu. I also thank Ms. Maryleen Micheni, Ms. Anne Majani, the PELUM Kenya Network Advocacy Team and all those who worked very hard to ensure that the draft is ready and published.

It is therefore with great pleasure that I invite you to enjoy reading this publication.

Mr. Zachary Makanya, Country Coordinator / CEO, PELUM Kenya.

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# **ABOUT PELUM-ASSOCIATION**

PELUM Association is a regional network currently with over 230 Civil Society Organizations (CSOs) from Kenya, Uganda, Tanzania, Zambia, Zimbabwe, Lesotho, Botswana, South Africa, Malawi and Rwanda. The PELUM Association Regional Secretariat is based in Lusaka, Zambia. Each of the countries has a Country Working Group (CWG) comprising of member organizations that work with smallholder farmers and coordinated by a Country Secretariat (CS), most of which still remain hosted by one member organization in the respective country.

# **ABOUT PELUM-KENYA**

Participatory Ecological Land Use Management (PELUM) Association was founded in 1995. PELUM Kenya's Country Secretariat is based in Thika at the SACDEP Training Centre. PELUM Kenya aims at integration and adoption of ecological land use principles and practices into rural communities' livelihoods to empower them to make informed choices for improved and prosperous livelihoods. The PELUM Kenya network currently comprises 46 member organizations spread in 19 out of the 47 counties countrywide. The network works with approximately 1 million small scale farmers.



#### The Vision of PELUM-Kenya

Empowered and prosperous communities deriving their livelihoods from sustainable land use

#### The Mission of PELUM-Kenya

To promote participatory ecological land use and management practices for improved livelihoods among smallholder farmers in Kenya



# **EXECUTIVE SUMMARY**

The Participatory Ecological Land Use Management, Kenya Chapter, represent the very noble interests of sustainable development which includes *elum*. Humanity at the highest level which is the United National Organization (UN) have agreed that development should utilize resources to provide the needs of today without depleting or harming the needs of future generations. This Guide has identified a number of such agreements at the UN and at her specialized agencies such as the Rio Declaration on Environment and Development and the Convention on Biodiversity. These agreements are treaties and therefore form part of international law. PELUM would monitor the domestication and application of international law with respect to elum and advocate for full compliance by the regional, national and county authorities.

Kenya is a Partner State of the East African Community (EAC) which has largely integrated elum is its instruments on agriculture and environment. Awareness and recognition of EAC instruments is low among the residents which have to be improved for the benefits of the Community to be realized. PELUM would be involved in the reviews of the EAC Development Strategy and the EAC Agriculture and Rural Development Policy to advocate for greater integration of elum than exist today.

The Constitution of Kenya, 2010, is the foundation of the State. It correctly upholds treaties and other international law while setting the foundation for agriculture, food supply, environmental protection and the principles of sustainable development and equity. National and county policies and legislation as well as emerging issues have been mirrored against the Constitution to assess their compliance; several gaps have been identified, such as delays in implementation of such directions as enactment policies on agriculture and veterinary and legislation to recognize culture with respect to seeds, plant varieties and genetic material. The pre-Constitution policies and legislation have to be reviewed in light of the new dispensation and this includes the policies on environment, land and water as well as many of the elum-integrating legislation highlighted herewith.

National policy, such as the Kenya Vision 2030, the Agricultural Sector Development Strategy or the National Policy on Environment and Development should be applied in the whole country and in all counties and, in a matter as specified in Article 191 of the Constitution such as standards, norms, economic unity and the common market, it prevails over county policies. Indeed county governments are required to "integrate" national policy as they develop their own participatory policy cum plan called the County Integrated Development Plan.

All of the national policies and county integrated development plans highlighted herewith have to different extents integrated only some of the elum principles and practices, thereby necessitating PELUM to advocate for incorporation of the missing values and the implementation of the integrated ones. This would involve engagement with authorities at various levels of the enactment and implementation process. This engagement would also include advocacy for greater budgetary support for agricultural development which at present times averages 8.36% in the counties whereas the sector is the very backbone of the economy of Kenya.

#### **BACKGROUND INFORMATION**

Participatory Land Use Management Kenya (PELUM) represents the interests of smallholder farmers and promotes farming principles and practices that exploit land resources in a manner that satisfies the needs of the present generation without diminishing these resources for use to meet the needs of future generations. In order to institutionalize these principles and practices, which are called by the acronym elum, PELUM and her network of members aims to advocate for their inclusion in public policy and for their implementation as mainstream services. As an early step in this direction PELUM desires, through commissioning of a study, to understand the relevant public policies at the regional, national and county government levels, and to find out whether elum is already included in these policies or if a gap exists in inclusion, implementation and financing the service from the public coffers.

#### **Public Policy and Legislations and Entry-Points for PELUM Kenya**

A public policy is a decision made by a government to address an issue affecting the society. The issue may be a problem such as food insecurity due to low harvests as a result of loss of soil fertility. A decision of improving soil fertility is a public policy. There could be many ways, or strategies, of improving soil fertility, one of which is conservation agriculture. Another strategy could be to ban farming on very steep slopes or a prohibition of reckless cutting of certain trees, which ban may be implemented through an Act of legislature.

The process of public policy-making is highly participatory and PELUM would participate. The initiation of a policy in agriculture is the identification of a policy issue, for example the threats to sustainable development being addressed through elum. A policy issue could be identified by government or by users such as farmers or PELUM. Policy-makers, starting with the executive arm of government which drafts the policy and to politicians in legislatures who adopt and fund the policy, need to be made aware of the policy issue through tools such as advocacy.

#### Policies and legislations identified

The study identified decisions, or lack of decisions, relevant to elum in Kenya in 64 documents pronouncing public policy, 27 Acts and 1 Regulation as listed in Annex 1. At the overarching levels are treaties covering elum which Kenya has ratified and therefore bind all member-countries to implement. Where such a treaty is not being implemented in the countries, through public policy, then a gap exists and PELUM would advocate for its filling. At the middle level is the Constitution of Kenya which sets out such elum values as sustainable development and equity, two huge policy objectives. Where national agricultural or environmental public policies have not addressed sustainability in the decisions taken or have not advanced equity, which is defined as fair distribution of incomes and wealth, then a gap exists that PELUM would take on. At the lower levels of hierarchy are county governments which should implement national public policies and may also develop their own policies to address issues unique to them within their boundaries. Every county government is supposed to integrate national and county development decisions into a document called County Integrated Development Plan (CIDP) that should be approved by county assemblies. Where a county government has not incorporated elum issues from treaty, Constitution or national policies nor addressed its unique elum-related policy issues in the County Integrated Development Plan, a gap exist and PELUM is called upon to take up the matter.

The findings of analysis of the policies and legislations and the action plans to address any gaps is detailed hereunder.

# **ANALYSIS OF REGIONAL POLICIES**

Policy/ Legislation	Introduction of the Policy/ Legislation	Policy/ Legislation gap(s) identified	Recommendation on how to address the gap
Treaty for the Establishment of the East African Community (EAC)	The Treaty binds Kenya and other Partner States to protect and conserve natural resources.	A superior law that has no gap	PELUM to track implementation of these policy directions in national and county levels.
EAC Fourth Development Strategy  EAC Agriculture and Rural Development Policy	The Strategy promotes agricultural productivity and sustainable natural resources management, environmental conservation and mitigation of the effects of climatic change.  The Policy aims at achieving food security under sustainable use and	<ul> <li>(a) No special provisions for smallholders;</li> <li>(b) It does not integrate elum principles in:</li> <li>• Crop health</li> <li>• Livestock practices, farm energy</li> <li>• Post-harvest practices.</li> </ul>	The Strategy lapses this year.  PELUM to engage EAC through the Kenyan State Department responsible for EAC to input into the next 5th Strategy.  Audit implementation of principles and practices already integrated.  Audit implementation of principles and practices already integrated.
Policy	management of soil and other natural resources	<ul><li>(b) No reference to:</li><li>Sustainable development</li><li>Farm energy</li><li>Organic farming</li></ul>	PELUM could engage EAC through the Kenyan State Department responsible for EAC for example through a petition.
Comprehensive Africa Agriculture Development Programme (CAADP)	The Policy aim at increasing agricultural growth rates through extending the area under sustainable land management.	Implemented through Agricultural Sector Development Strategy, see below under "National Policies".	
Maputo Declaration on Agriculture and Food Security in Africa	The Policy provides for sound agricultural policies and over 10% of the national budgets.		PELUM could insist of at least 10% of national budgets for agricultural sector.

# **ANALYSIS OF NATIONAL POLICIES AND LEGISLATIONS**

Policy/ Legislation	Introduction of the Policy/ Legislation	Policy/ Legislation gap(s) identified	Recommendation on how to address the gap
The Constitution	The Constitution provides for sustainable development and equity in Article 10 and sustainable land use in Article 69.  It institutionalizes in Article 2(6) treaties enforcing sustainable development, conservation of biodiversity, natural resource environmental protection, energy conservation and protection of ozone layer.	The supreme law is not challengeable on validity; no gap	Audit implementation of principles and practices already integrated.
Kenya Vision 2030	This is the national economic policy, directing improvement of agricultural productivity, market access for smallholders through better post-harvest and supply chain management and environmental conservation	<ul> <li>(a) No policies on:</li> <li>Biodiversity conservation</li> <li>Sustainable land use</li> <li>Organic farming</li> <li>Farm energy</li> <li>Family farming</li> </ul>	Audit implementation of principles and practices already integrated.  Engage to fill gaps in the next Vision 2030 Medium Term Plan as from 2017
Agricultural Sector Development Strategy, Crops Act and Agriculture, Fisheries and Food Authority (AFFA) Act	The Policy directing implementation of Vision 2030 in agricultural sector. It supports smallholders via land tenure, credit, inputs, land use and development, and the sustainable conservation of the environment. It promotes mechanization, and development of agroforestry, farm-forestry, and the adoption of soil and water conservation	<ul> <li>(a) No policies on:</li> <li>Organic farming</li> <li>Family farming</li> <li>Crops Act and AFFA Act has no policy instrument on non-scheduled crops</li> <li>Farmer-market agreements</li> <li>Prevention of introduction of invasive plants</li> <li>Regulating mechanization of tillage</li> </ul>	Audit implementation of principles and practices already integrated.  Engage to fill gaps in the upcoming Agricultural Policy and Veterinary Policy and legislation therefrom for example following up on petitions submitted.

# 3.2 ANALYSIS OF NATIONAL POLICIES AND LEGISLATIONS CONTINUED

Policy/ Legislation	Introduction of the Policy/ Legislation	Policy/ Legislation gap(s) identified	Recommendation on how to address the gap
National Agricultural Research Systems Policy, Kenya Agriculture and Livestock Research Organization (KALRO) Act and National Science, Technology and Innovation (NSTI) Act	Policy provides the foundation for research in the agricultural sector.	<ul> <li>(a) No specific policy directions on research in:</li> <li>Organic production</li> <li>Conservation agriculture.</li> <li>KALRO would conflict with Biosafety Council (on GMO's) under Biosafety Act and National Commission for Science, Technology and Innovation in the NSTI Act on regulating any research</li> </ul>	Audit implementation of principles and practices already integrated.  Petition policy-makers to review policy and legislation
National Agricultural Sector Extension Policy	Policy has the objective of empowering extension clientele through public-private shared service provision under a independent regulator.	Extension is a public good meaning that privatization may suffer market failures, i.e. service providers may not recover compensation for service.	Petition policy-makers to review policy.
National Land Policy and Land Act	Policy has the objective of securing rights over land in order to sustain growth, investment and reduction in poverty and facilitating sustainable management of land-based resources.	Does not address equity on matters of land as required by Constitution	Petition policy-makers to review policy.
Environment and Development Policy, National Climatic Change Strategy and Environmental Management and Coordination Act	Policy directs the conservation of natural resources including air, land, flora and fauna, the promotion of conservation of soil fertility, biodiversity, the fostering of afforestation, and the protection of catchment areas.	<ul> <li>Incorrect attribution of most of the problem of emissions of green-house gases to livestock in the National Climatic Change Strategy.</li> <li>The Environmental Management and Coordination Act (Integrated National Land-Use Guidelines) were not gazetted.</li> <li>Contradicts itself in promoting organic farming and use of chemicals.</li> </ul>	Petition NEMA to gazette Integrated National Land- Use Guidelines after removing the contradiction. Write the Ministry responsible for environment to review Climatic Change Strategy to correct the narrative on causes of greenhouse gases.

# 3.2 ANALYSIS OF NATIONAL POLICIES AND LEGISLATIONS CONTINUED

Policy/ Legislation	Introduction of the Policy/ Legislation	Policy/ Legislation gap(s) identified	Recommendation on how to address the gap
National Social Protection Policy	Policy has the goal of ensuring that all Kenyans attain social and economic development.	<ul><li>(a) Poor people not identified for assistance.</li><li>(b) The legislation implementing policy misses on comprehensive health insurance and on social security</li></ul>	Petition policy-makers to review policy and legislation
Biotechnology Policy and Biosafety Act	Policy promotes safe biotechnology.	<ul> <li>(a) Only positive aspects of biotechnology highlighted and not any adverse effects.</li> <li>(b) It ignores precautionary principle in approving release of GMO.</li> <li>(c) The Biosafety Act gives too much discretion on regulator that can be abused.</li> <li>(d) Risk assessment in Biosafety Act is not according to international standards in animal and plant health and in food safety.</li> </ul>	Petition policy-makers to review policy and legislation, or the courts to declare contraventions with international standards.
Policy on Development of Micro- and Small Enterprises for Wealth and Employment Creation for Poverty Reduction Cooperatives Policy	Policy aims at achieving a competitive Micro- and Small Enterprises (MSE's), including commercial small-scale agriculture.	Assigns the criteria, category and kind of assistance to give to MSE's to the discretion of the Cabinet Secretary unusually making him a day-to-day player or delaying decision-making.	Petition policy-makers to review policy and legislation.  Audit implementation of
reflected Cooperative Societies Act	constitution, registration and regulation of co-operative societies.		practices already integrated.

# 3.2 ANALYSIS OF NATIONAL POLICIES AND LEGISLATIONS CONTINUED

Policy/ Legislation	Introduction of the Policy/ Legislation	Policy/ Legislation gap(s) identified	Recommendation on how to address the gap
Forests Policy and Forests Act	Policy has the objective of sustainable management of forests and trees	<ul> <li>Forests Act has no policies on multipurpose trees.</li> <li>Forests Act has no precautionary principle in introducing potentially invasive trees.</li> </ul>	Petition policy-makers to review policy and legislation.
National Food and Nutritional Security Policy	The Policy directs the promotion of sustainable food production systems with particular attention to increasing soil fertility, agro-biodiversity, organic methods and proper range and livestock management practices	<ul> <li>Pays little attention to safety of food from the use of agrochemicals, pesticides and fertilizers that it promotes.</li> <li>Does not pay attention to environmental health in relation to agricultural activities.</li> <li>Contracts itself by promoting organic farming alongside greater use of chemical and industrial fertilizers.</li> </ul>	Audit implementation of principles and practices already integrated.  Petition policy-makers to review policy.
National Livestock Policy	Policy aims at achieving sustainable development of the livestock industry while improving and conserving animal genetic resources	<ul> <li>Policy was enacted before the new Constitution and therefore needs to be revised to fit into the veterinary policy provided in the Constitution.</li> <li>Policy is silent on organic livestock farming and also on the inter-dependence between livestock and crops.</li> </ul>	Audit implementation of principles and practices already integrated.  Petition policy-makers to fast-track veterinary policy enactment.  Petition policy-maker to revise Animal Diseases Act, Fertilizers and Animal Foodstuffs Act, Prevention of Cruelty to Animals Act based on veterinary policy.

#### **COUNTY POLICIES AND LEGISLATIONS**

Policy/ Legislation	Introduction of the Policy/ Legislation	Policy/ Legislation gap(s) identified	Recommendation on how to address the gap
Baringo CIDP	Development of Baringo by using resources in a sustainable manner	Does not integrate:  • Sustainable land management; soil health and fertility; organic farming  • Livestock feeding; animal welfare  • Harvesting and postharvesting management practices, farm energy, afforestation, biodiversity, farm planning	Audit implementation of principles and practices already integrated.  Petition county executive or legislator to revise CIDP.
Bomet CIDP	Development of Bomet to achieve equity and sustainable development.	Does not integrate:              Sustainable land management, organic farming; integrated pest and disease management              Biodiversity protection except with respect to animals	Audit implementation of principles and practices already integrated.  Petition county executive or legislator to revise CIDP.
Bungoma CIDP	Sustainable development of Bungoma	Does not integrate:     Organic farming; farm     Planning     Integrated pest and disease     Management animal welfare	Audit implementation of principles and practices already integrated.  Petition county executive or legislator to revise CIDP
Busia CIDP	Sustainable development of Busia	Does not integrate:  Integrated pest and disease  Management animal welfare	Create awareness  Audit implementation of principles and practices already integrated.  Petition county executive or legislator to revise CIDP
Embu CIDP	Development to achieve improved livelihoods under sustainable environmental management	Does not integrate:  Integrated pest and disease management  Good animal welfare  Consideration for small-scale farmers	Create awareness and audit implementation of principles and practices already integrated.  Petition county executive or legislator to revise CIDP

Policy/ Legislation	Introduction of the Policy/ Legislation	Policy/ Legislation gap(s) identified	Recommendation on how to address the gap
Homa Bay CIDP	Sustainable develop- ment of Homa Bay	Does not integrate:	Create awareness Audit implementation of principles and practices already integrated. Petition county executive or legislator to revise CIDP
Isiolo CIDP	Development of Isiolo through sustainable utilization of resources	Does not integrate:	Audit implementation of principles and practices already integrated.  Petition county executive or legislator to revise CIDP
Kajiado CIDP	Sustainable socioeco- nomic development of Kajiado	Does not integrate:  Soil fertility  Organic farming  Crop pests and diseases  Animal welfare  Farm planning  Small-scale interests	Audit implementation of principles and practices already integrated.  Petition county executive or legislator to revise CIDP
Kakamega CIDP	Development of Kakamega with conservation of the environment.	<ul> <li>Does not integrate:</li> <li>Organic farming</li> <li>Crop pest and disease management</li> <li>Harvesting or post-harvesting management practices</li> <li>Protection of biodiversity</li> <li>Farm planning</li> <li>Directions for smallholders</li> </ul>	Audit implementation of principles and practices already integrated.  Petition county executive or legislator to revise CIDP
Kiambu CIDP	Development of Kiam- bu under sustainable land management	Does not integrate:     Organic farming     Animal welfare     Agrobiodiversity     Farm planning     Promoting marketing of elumderived produce	Audit implementation of principles and practices already integrated.  Petition county executive or legislator to revise CIDP

Policy/ Legislation	Introduction of the Policy/ Legislation	Policy/ Legislation gap(s) identified	Recommendation on how to address the gap
Kericho CIDP	Sustainable develop- ment of Kericho	Does not integrate:  Seed health  Organic farming  Integrated pest and disease management  Animal welfare  Efficiency of the use of water farm planning	Audit implementation of principles and practices already integrated.  Petition county executive or legislator to revise CIDP
Kirinyaga CIDP	Sustainable development of Kirinyaga	Does not integrate:  Soil fertility practices  Organic farming  Crop pest and diseases management  Farm energy  Livestock feeding  Livestock breeding,  Animal welfare  Biodiversity,  Farm planning,  Elum-marketing	Audit implementation of the few principles and practices already integrated.  Petition county executive or legislator to revise CIDP
Kisumu CIDP	Development of Kisumu through competitive agriculture	Does not integrate:  Plight of small-scale farmers animal welfare, Biodiversity protection integrated pest and disease management.	Audit implementation of principles and practices already integrated.  Petition county executive or legislator to revise CIDP
Kitui CIDP	Development of Kitui through sustainable socioeconomic development	Does not integrate:  Organic Farming,  Integrated Pest And Disease Management  Good Animal Welfare  Interests Of Small-Scale Farmers  There is contravention of county Acts with national Acts	Audit implementation of principles and practices already integrated.  Petition county executive or legislator to revise CIDP and the legislation

Policy/ Legislation	Introduction of the Policy/ Legislation	Policy/ Legislation gap(s) identified	Recommendation on how to address the gap
Laikipia CIDP	Sustainable development of Laikipia	Does not integrate:  Organic farming,  Integrated disease and pest management  Farm planning  Livestock feed improvement  Efficient water use  Afforestation	Audit implementation of principles and practices already integrated.  Petition county executive or legislator to revise CIDP
Machakos County Agricultural Development Fund Act	Act provides for the growth and development of the agricultural sector.	Act conflicts national legislation i.e. the Agriculture, Fisheries and Food Authority Act, the Kenya Plant Health Inspectorate Service Order and the Seeds and Plant Varieties Act	Petition county executive or legislator to develop a CIDP and also to revise the Act
Makueni CIDP	Development of Makueni under sustainable development of land resources.	Does not integrate:  Protection of biodiversity; promotion of pasture management; animal welfare  Organic farming; integrated pest and disease management; afforestation	Audit implementation of principles and practices already integrated.  Petition county executive or legislator to revise CIDP
Meru CIDP	Sustainable development of Meru	Does not integrate:     Organic farming,     Sustainable land     management     Animal welfare. Beneficiaries of Microfinance Corporation not stated County Cooperative Act conflict with national Cooperatives Act	Audit implementation of principles and practices already integrated.  Petition county executive or legislator to revise CIDP and the legislation
Migori CIDP	Development of Migori	Does not integrate:  Sustainable land management,  Ecological agriculture,  Organic farming,  Agrobiodiversity conservation, animal welfare,  Integrated pest and disease management  Support for crop-produce marketing.	Audit implementation of the few principles and practices already integrated.  Petition county executive or legislator to revise CIDP

Policy/ Legislation	Introduction of the Policy/ Legislation	Policy/ Legislation gap(s) identified	Recommendation on how to address the gap
Murang'a CIDP	Sustainable and equitable development of Murang'a	Does not integrate:	Create awareness Audit implementation of principles and practices already integrated. Petition county executive or legislator to revise CIDP
Nairobi CIDP	Development of Nairobi	Does not integrate:  Soil health, seed health, use of integrated pest and disease management, farm energy  Animal welfare,  Marketing elum-based farm products  Enterprise development for smallholders	Audit implementation of the few principles and practices already integrated. Petition county executive or legislator to revise CIDP
Nakuru CIDP	Sustainable socioeconomic development of Nakuru	Does not integrate:  Sustainable land management, conservation of biodiversity,  Integrated pest and disease management  Protection of animal welfare (except for welfare inspection and supervision). Its promotion of organic farming contradicts its pursuit to increase the use of pesticides.	Audit implementation of the few principles and practices already integrated.  Petition county executive or legislator to revise CIDP
Siaya CIDP	Sustainable develop- ment of Siaya	Does not integrate:  Organic farming,  Biodiversity conservation, animal welfare protection  Integrated pest and disease management.	Audit implementation of principles and practices already integrated.  Petition county executive or legislator to revise CIDP
Taita-Taveta CIDP	Development under sustainable county planning	Does not integrate:     Organic farming,     Animal welfare,     Farm planning     Elum-compliant marketing     for smallholders	Create awareness Audit implementation of principles and practices already integrated. Petition county executive or legislator to revise CIDP

Policy/ Legislation	Introduction of the Policy/ Legislation	Policy/ Legislation gap(s) identified	Recommendation on how to address the gap
Tharaka-Nithi CIDP	Sustainable development of Tharaka-Nithi	Does not integrate:  Organic farming,  Integrated pest and disease management,  Animal welfare,  Farm planning and the development of smallholder	Audit implementation of principles and practices already integrated.  Petition county executive or legislator to revise CIDP
		<ul><li>enterprise</li><li>Marketing within elum-practices</li></ul>	
Trans Nzoia CIDP	Sustainable socioeconomic development of Trans Nzoia	<ul> <li>Does not integrate:</li> <li>Biodiversity protection,</li> <li>Integrated pest and disease management</li> <li>Mromotion of high-value crops</li> </ul>	Audit implementation of principles and practices already integrated.  Petition county executive or
		Animal welfare protection  It is weak on organic farming.	legislator to revise CIDP
Vihiga CIDP	Development of Vihiga through sustainable utilization of rural resources	Does not integrate: Integrated pest and disease management Animal welfare protection weak on organic farming	Create awareness Audit implementation of principles and practices already integrated; Petition county executive or legislator to revise CIDP
West Pokot	Equitable and sustainable socioeconomic development of West Pokot	Does not integrate:     Organic farming,     Animal welfare     Integrated pest and disease     management.	Create awareness Audit implementation of principles and practices already integrated; Petition county executive or legislator to revise CIDP

#### 3.4 ADVOCACY ON BUDGETS FOR AGRICULTURE AND elum

Analysis of budgeting for agriculture under the general county expenditure budget and under county development expenditure budget for the 3013/2014 Financial Year was done. It revealed that support for the agricultural sector development vote ranged from 0% to 11.47% (mean = 3.76%) of the total county expenditure budget, and from 0% to 34.66% (mean = 8.36%) of the total county expenditure budget under the development vote.

PELUM and affiliates would engage in the budgetary process to advocate for improvement in budgeting for example basing development support to the Gross Domestic Product contribution of the sector in the particular county. At the national level such advocacy may target over 10% of the budget as pronounced in the Maputo Declaration on Agriculture and Food Security in Africa

#### **ANNEX 1: POLICIES AND LEGISLATION STUDIED**

#### **Regional Policies**

- 1. The Treaty for Establishment of the East Africa Community
- 2. The East Africa Community 4th Development Strategy
- 3. The East Africa Community Agriculture and Rural Development Policy
- 4. Comprehensive African Agriculture Development Programme
- 5. Maputo Declaration of Agriculture and Food Security in Africa

#### **National Policies and Legislations**

The Constitution of Kenya, 2010, and the Rio Declaration on Environment and Development, the Convention on Biodiversity, the Cartagena Protocol on Biosafety to the Convention on Biodiversity, the African Convention on the Conservation of Nature and Natural Resources, the Langkawi Declaration on the Environment, the Stockholm Convention on Persistent Organic Polluters, the Vienna Convention for the Protection of Ozone Layer and the Convention on International Trade in Endangered Species.

- 1. The Kenya Vision 2030
- 2. The Agricultural Sector Development Strategy
- 3. The National Agricultural Research Systems Policy
- 4. The National Agricultural Extension Policy
- 5. The National Land Policy
- 6. The Environment and Development Policy
- 7. The National Social Protection Policy
- 8. The Biotechnology Policy
- 9. The Micro and Small Enterprises Development Policy
- 10. The Forests Policy
- 11. The National Productivity Policy
- 12. The National Food and Nutritional Security Policy
- 13. The National Pharmaceutical Policy
- 14. The National Livestock Policy
- 15. National Wildlife Conservation and Management Policy
- 16. The National Climatic Change Strategy
- 17. The Cooperative Societies Act
- 18. The Water Act
- 19. The Agriculture, Fisheries and Food Authority Act
- 20. The Crops Act
- 21. The Agricultural Finance Act
- 22. The Seeds and Plant Varieties Act
- 23. The Law on Contracts Act
- 24. The Kenya Agriculture, Livestock Research Organization Act
- 25. The Science, Technology and Innovations Act
- 26. The Land Act

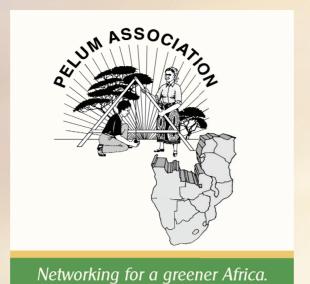
- 27. The Environmental Management and Coordination Act
- 28. The Social Assistance Act
- 29. The Biosafety Act
- 30. The Micro and Small Enterprises Act
- 31. The Forests Act
- 32. The Pest Control Products Act
- 33. The Animal Diseases Act
- 34. The Fertilizers and Animal Foodstuffs Act
- 35. The Prevention of Cruelty to Animals Act
- 36. The Veterinary Surgeons and Veterinary Paraprofessionals Act
- 37. The Kenya Plant Health Inspectorate Services Order
- 38. Wildlife (Conservation and Management) Act

#### **County Policies and Legislations**

County Integrated Development Plan for Baringo, Bomet, Bungoma, Busia, Embu, Homa Bay, Isiolo, Kajiado, Kakamega, Kericho, Kiambu, Kirinyaga, Kisumu, Kitui, Makueni, Meru, Migori, Murang'a, Nairobi, Nakuru, Nyandarua, Nyeri, Samburu, Siaya, Taita-Taveta, Tharaka-Nithi, Trans Nzoia, Vihiga and West Pokot

- 1. The Kitui County Sorghum Act
- 2. The Kitui County Markets and Farm Produce Trade Act
- 3. The Kitui Charcoal Management Act
- 4. The Machakos County Agricultural Development Fund Act
- 5. The Meru County Microfinance Corporation Act
- 6. The Meru County Co-operatives Societies Act





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