

IDENTIFYING STRATEGIES FOR DEVELOPMENT OF COUNTY LEGISLATION, Example of Agriculture.

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Contribution of Agriculture to the Economy

- ✓ According to some estimates, the agricultural sector directly accounts for 24% of Kenya's Gross Domestic Product ("GDP"). It accounts for a further 27% of GDP by way of indirect contribution through linkages with other sectors of the economy. Moreover, the agricultural sector accounts for 60% of Kenya's export earnings, 45% of government revenue and generally provides livelihoods for close to 80% of the Kenyan population.
- ✓ Many factors influence the performance of agriculture. Soil fertility, seed viability, technological advancement, vagaries of weather, costs of inputs and market forces are some of the more obvious and readily recognized determinants of agricultural success.
- ✓ The legal system and the underlying government policy can also greatly affect agricultural production. To illustrate, the fortunes of farmers are to some extent a function of their access to land, the operative land use laws, security of their title to land and availability of credit.
- ✓ The present legal and regulatory framework for the agricultural sector in Kenya is largely characterized by-
 - the existence of outdated laws enacted prior to independence;
 - the absence of strong rules to foster competition in the sector;
 - the existence of numerous parastatals that play multiple, overlapping and at times contradictory regulatory, licensing, processing, marketing, promotion and lobbying functions;
 - the existence of agricultural institutions with ambiguous roles and mandates;
 - a regulatory environment that hinders or discourages private-sector investment; and

- Lack of a stable and enabling policy and regulatory environment to facilitate overall growth of the sector.
- Poor enforcement of rules and regulations governing the sector.

Role of Counties in Agricultural development

- ✓ County agricultural capacity is certainly the bedrock of food security in Kenya. County governments must be aware that boosting productivity requires more fertilizers and seeds, stronger research and development, and a more coordinated and responsive extension system staffed by experts versed in the behaviors and habitats of local farming communities.
- ✓ They should provide “smart subsidies,” which encourage smallholder farmers to shift to high-yield crop varieties without saddling the state with long-term costs, can energize food production and markets. Research that embraces local farmers’ knowledge as part of the technology for improving yields can deliver results where blinkered laboratory designs have failed.
- ✓ Encouraging smallholder farmers to adopt new inputs begins with understanding their resistance to change. Therefore, at the County level Policy-making and legal development should be focused in building agriculture.
- ✓ Indeed, to achieve sustainable agricultural development, County Governments ought to enact modern, efficient and harmonized legal and regulatory framework that will facilitate achievement of the desired outcomes and overall economic growth and development.
- ✓ Under the Constitution, Counties are the centre of the agricultural development in Kenya. This places an onerous duty to counties, through legislation to create a framework that will transform the agricultural sector into a more commercially oriented and competitive sector capable of attracting private investment and providing higher incomes and employment.
- ✓ The laws developed by the counties are supposed be congruent with policy prescriptions in the Agricultural Sector Development Strategy (2010-2020)

amongst other policy blue-prints. Under the Constitution, national government has jurisdiction to prescribe agricultural policies for Kenya.

Possible County Legislation on Agriculture

✓ In this regard, some of the key areas that require the enactment of county legislation include:

- Crops Development (Sugar, tea, coffee, maize, coconut, sisal, cotton, pyrethrum etc);
- Livestock Development;
- Fisheries Development;
- Animal Diseases Control;
- Meat Control ;
- Control of Rabies;
- Pest Control ;
- Hide, Skin and Leather Trade Development ; and
- Stock Traders & Licensing